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Congressional Record.

PROCEEDINGS AND DEBATES OF THE SIXTY-SIXTH CONGRESS
FIRST SESSION.

SENATE.

TUESDAY, *July 1, 1919.*

(Legislative day of Monday, June 30, 1919.)

The Senate met at 11 o'clock a. m. on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ball	Keyes	Nugent	Trammell
Calder	King	Overman	Underwood
Capper	Kirby	Phipps	Walsh, Mass.
Curtis	Knox	Pomerene	Walsh, Mont.
Dillingham	La Follette	Sheppard	Warren
Fernald	Lenroot	Smoot	Watson
Frelinghuysen	McLean	Spencer	Wolcott
Harding	Nelson	Stanley	
Kellogg	Norris	Thomas	

The VICE PRESIDENT. Thirty-four Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. CHAMBERLAIN, Mr. FRANCE, Mr. GRONNA, Mr. HARRIS, Mr. HENDERSON, Mr. JONES of New Mexico, Mr. KENDRICK, Mr. MCKELLAR, Mr. MCNARY, Mr. NEW, Mr. POINDEXTER, Mr. ROBINSON, and Mr. SMITH of Georgia answered to their names.

Mr. KIRBY. I wish to announce the absence of the junior Senator from South Carolina [Mr. DIAL], who is detained on public business.

Mr. KING. The Senator from Alabama [Mr. BANKHEAD], the Senator from Rhode Island [Mr. GERRY], the Senator from Nebraska [Mr. HITCHCOCK], the Senator from California [Mr. PHELAN], the Senator from Nevada [Mr. PITTMAN], the Senator from Maryland [Mr. SMITH], the Senator from South Carolina [Mr. SMITH], and the junior Senator from Virginia [Mr. SWANSON] are detained on official business.

Mr. CUMMINS, Mr. KENYON, Mr. BECKHAM, Mr. COLT, Mr. SMITH of Arizona, Mr. ELKINS, Mr. JOHNSON of California, Mr. FLETCHER, Mr. STERLING, Mr. MCCUMBER, Mr. PHELAN, Mr. RANSDELL, Mr. HARRISON, Mr. GAY, and Mr. SUTHERLAND entered the Chamber and answered to their names.

The VICE PRESIDENT. Sixty-two Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the amendments of the Senate to the bill (H. R. 1706) authorizing the construction of a bridge and approaches thereto across the Snake River, about 3 miles above its confluence with the Columbia River, near Pasco, Wash.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 4630. An act granting the consent of Congress to the county of Miller, State of Arkansas, to construct a bridge across Sulphur River, near the Texas & Pacific Railroad bridge, in said county and State; and

H. R. 4631. An act granting the consent of Congress to the county of Miller, State of Arkansas, to construct a bridge across Sulphur River, at or near Blackmans Point, in said county and State.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (S. 1213) to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. LODGE presented petitions of sundry citizens of Millville, Malden, Everett, Somerville, Methuen, and Lawrence, all in the State of Massachusetts, praying for the prompt enactment of legislation for the enforcement of national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry employees of the Fairbanks-Morse Co.; the George Frost Co.; the Boston & Lockport Block Co.; the Wright & Potter Printing Co.; the E. B. Badger & Sons Co.; the Franklin Machine & Tool Co.; the Clinton E. Hobbs Co.; the Brown Engine & Machine Co.; the New England Maple Syrup Co.; Monks & Johnson; the Brown-Wales Co.; the Columbian Rope Co.; the Cronkhite Co. (Inc.); the Thomas D. Gotshell Shoe Co.; the Lamson Co.; the Prince Macaroni Manufacturing Co.; D. E. Eddy & Sons Co.; H. C. Whitcomb & Co.; Ginn & Co.; Pratt & Forrest Co.; Richardson & Boynton Co.; the Barrett Co.; H. W. Johns-Manville Co.; Carter, Rice & Co. (Corp.); Edgar T. Ward's Sons Co.; Universal Winding Co.; Tolman, Dow & Co.; and the National Casket Co., all of Boston; of the Worcester Wind Motor Co.; the Reed & Prince Manufacturing Co.; White & Bagley Co.; the Whitcomb, Blaisdell Machine Co.; the Osgood Bradley Car Co.; the United States Envelope Co.; Browns' Beach Jacket Co.; Walden-Worcester (Inc.); O. S. Walker Co.; the Arcade Malleable Iron Co.; the Worcester Bleach & Dyeworks Co.; the Stockbridge Machine Co.; the Coates Clipper Manufacturing Co., all of Worcester; of the Wright & Ditson Co., of Springfield; the Ross Manufacturing Co., of Leominster; Greenfield Tap & Die Corporation, of Greenfield; R. A. Wood Co. (Inc.), of Lowell; the Waltham Machine Works, of Waltham; the Perfect Safety Paper Co., of Holyoke; Blake Pump & Condenser Co., of Fitchburg; the Agawam Co., of Agawam; the Bishop Co., of North Attleboro; the Southbridge Printing Co., of Southbridge; Merriam, Hall & Co., of North Leominster; the Holyoke Braiding Co., of Holyoke; Potter Confectionery Co., of Cambridge; O. S. Hawes & Bros., of Fall River; the Fitchburg, Foundry Co., of Fitchburg; the National Equipment Co., of Springfield; Clements Associates, of Southbridge; the Plymouth Mills, of Plymouth; the Whitin Machine Works, of Whitinsville; the Standard Worcester Co., of Plymouth; and the Coates Clipper Manufacturing Co., of Worcester, all in the State of Massachusetts, remonstrating against the repeal of the so-called daylight-saving law, which were referred to the Committee on Interstate Commerce.

He also presented petitions of sundry citizens of Cambridge, Belmont, Waverly, Arlington, Medford, Gloucester, Fitchburg, Fall River, Worcester, Millville, Springfield, Whitman, Boston, Whitinsville, Uxbridge, Enfield, Malden, Hyannis, Taunton, North Wilbraham, Westfield, Lawrence, Great Barrington, Marshfield, Waltham, Lowell, Quincy, Sandwich, Framingham, Ashby, Salem, Manchester, Plymouth, Pittsfield, New Bedford, Clinton, Middleboro, and Adams, all in the State of Massachusetts, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. KENYON presented a petition of sundry citizens of Iowa City, Iowa, and a petition of sundry citizens of Webster County, Iowa, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. WALSH of Massachusetts presented a petition of Local Branch No. 6029, United National Association of Post Office Clerks, of Springfield, Mass., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

Mr. PHELAN presented petitions of the Outlook Club, of Oakland; the Plymouth Congregational Church, of Paso Robles; the Board of Supervisors of San Luis Obispo County; the Methodist Episcopal Church of Watsonville; the Willow Glen Methodist Episcopal Church, of San Jose; the League of Peace Club of Sebastopol; the Woman's Club of Walnut Creek;

the Congregational Church of Ferndale; the Woman's Improvement Association of South Pasadena; the Maywood Woman's Club, of Corning; the Ashbury Methodist Episcopal Church, of Livermore; the Village Club of Ferndale; the Faculty Woman's Club of Stanford University; the Richmond Club, of Richmond; the Woman's Club of Palo Alto; the California Federation of Women's Clubs, of San Francisco; the Stockton School Women's Club, of Stockton; the Women's Christian Union of Southern California, of Los Angeles; the Lincoln Park Woman's Club, of San Francisco; the San Diego Business and Professional Women's Club; the Modern Language Association of Los Angeles; the High School of Owensmouth; the Woman's Improvement Club of Vallejo; the Wednesday Club of San Diego; the Wednesday Morning Club of Altadena; the American Federation of Musicians of San Francisco; the May View Camp, No. 7255, Modern Woodmen of America, of San Diego; the Woman's Club of Colusa; the Chamber of Commerce of Concord; the Bellevue Grange, Patrons of Husbandry, of Santa Rosa; the Chamber of Commerce of Santa Ana; the Fortnightly Club of Redlands; the Dames of the Loyal Legion Society of San Francisco; the Kings County Chamber of Commerce of Hanford; the Richmond Club of Richmond; the Chamber of Commerce of Madera; the Fairmead Farm Center, of Madera County; the Woman's Improvement Club of Martinez; the First Presbyterian Church of Eureka; the Church Federation of Sacramento; the Rebekah Lodge, of San Luis Obispo; the Selma Lodge, No. 277, Free and Accepted Masons, of Selma; the Hemet Lodge, Knights of Pythias, of Hemet; the Campbell Improvement Club; the Woman's Club of Carlotta; the Monterey Lodge, No. 180, Knights of Pythias, of Monterey; the Chamber of Commerce of Monterey; the Alpha Literary Improvement Club, of Lompoc; the University Book Club, of Los Angeles; the Woman's Club of Carpinteria; the Woman's Club of Hollister; the California Badger Club, of Los Angeles; the Federated Commercial Bodies of Fortuna; and of Local Branch, International Brotherhood of Boiler Makers, Iron Shipbuilders, and Helpers of America, of Vallejo, all in the State of California, praying for the ratification of the league of nations treaty, which were referred to the Committee on Foreign Relations.

PROTESTANT EPISCOPAL CHURCH IN THE DISTRICT OF COLUMBIA.

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (H. R. 5032) to extend the franchise in the parishes and separate congregations of the Protestant Episcopal Church in the District of Columbia, reported it without amendment and submitted a report (No. 60) thereon.

COMMITTEE ON INDIAN AFFAIRS.

Mr. CALDER. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably without amendment Senate resolution 98.

Mr. CURTIS. I ask unanimous consent for the present consideration of the resolution.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Indian Affairs, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-sixth Congress to send for persons, books, and papers; to administer oaths, and to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS.

Mr. CALDER. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably, without amendment, Senate resolution 97, and I ask for its present consideration.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Public Buildings and Grounds, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-sixth Congress to employ such counsel and expert assistants as may be necessary; to send for persons, books, and papers; to administer oaths; and to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

ADDITIONAL SENATE PAGES.

Mr. CALDER. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably, without amendment, Senate resolution 69, submitted by Mr. HARDING on the 5th instant, and I ask for its present consideration.

The PRESIDING OFFICER (Mr. CURTIS in the chair). The resolution will be read.

The Secretary read the resolution, as follows:

Resolved, That the Sergeant at Arms of the Senate be, and he hereby is, authorized and directed to employ five additional pages for the Senate Chamber at $3 per day each for a period lasting until the end of the present session of the Sixty-sixth Congress, to be paid from the miscellaneous items of the contingent fund of the Senate.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. THOMAS. I should like to inquire whether we need five more pages?

Mr. SMOOT. I will say to the Senator that these pages are already appointed. The Senator will remember that at the last session of Congress, when the telephone booths were installed in the cloakrooms——

Mr. THOMAS. This confirms what we already have?

Mr. SMOOT. We had three at that time. We have taken the telephone girl away from the booth and appointed one of the pages in her place.

Mr. THOMAS. That is all right.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 2341) granting a pension to Matilda T. Lyman (with accompanying papers); to the Committee on Pensions.

By Mr. SMITH of Georgia:

A bill (S. 2342) to construct a public building for a post office at the city of Madison, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. McCUMBER:

A bill (S. 2343) for the relief of Capt. Frederick B. Shaw; to the Committee on Claims.

By Mr. LODGE:

A bill (S. 2344) authorizing the Secretary of the Navy to lend unused or obsolete machinery to educational institutions; to the Committee on Education and Labor.

A bill (S. 2345) for the relief of Laban H. Davies (with accompanying papers); to the Committee on Claims.

By Mr. SPENCER:

A bill (S. 2346) granting an increase of pension to Uriah Ruch; and

A bill (S. 2347) granting a pension to George W. Johnson; to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 2348) granting an increase of pension to Nancy Herrald;

A bill (S. 2349) granting an increase of pension to Thomas W. Mitchell (with accompanying papers);

A bill (S. 2350) granting an increase of pension to William P. Wilson (with accompanying papers);

A bill (S. 2351) granting an increase of pension to George F. Chambers (with accompanying papers);

A bill (S. 2352) granting a pension to Joseph W. Wolf;

A bill (S. 2353) granting a pension to Charles M. Kuhn;

A bill (S. 2354) granting an increase of pension to William H. Carter;

A bill (S. 2355) granting an increase of pension to Asa L. Bushnell;

A bill (S. 2356) granting an increase of pension to Ellen L. Billings;

A bill (S. 2357) granting an increase of pension to George R. Frazier;

A bill (S. 2358) granting an increase of pension to Rubin J. Huston;

A bill (S. 2359) granting a pension to William H. Johnson;

A bill (S. 2360) granting an increase of pension to John V. Kearns;

A bill (S. 2361) granting an increase of pension to Thomas Newton Primm;

A bill (S. 2362) granting an increase of pension to Channing Smith;

A bill (S. 2363) granting an increase of pension to Perry Strayer;

A bill (S. 2364) granting a pension to Annie Tullis; and

A bill (S. 2365) granting an increase of pension to John R. Winter; to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 2366) for the relief of Daniel M. Whitaker; and

A bill (S. 2367) for the relief of Mary Whitaker Moffatt (with accompanying papers); to the Committee on Claims.

By Mr. STANLEY:

A bill (S. 2368) granting an increase of pension to Rev. Horace Kennedy (with accompanying papers); and

A bill (S. 2369) granting an increase of pension to John B. Tucker (with accompanying papers); to the Committee on Pensions.

By Mr. FALL:

A bill (S. 2370) granting a pension to George F. Ludi (with accompanying papers); to the Committee on Pensions.

A bill (S. 2371) for the relief of Katheryn Walker (with accompanying papers); to the Committee on Public Lands.

By Mr. KEYES:

A bill (S. 2372) granting a pension to Elizabeth M. Dearborn; to the Committee on Pensions.

By Mr. JONES of New Mexico:

A bill (S. 2373) to amend the act making an appropriation for a public building at East Las Vegas, N. Mex.; to the Committee on Public Buildings and Grounds.

A bill (S. 2374) creating the Pajarito National Park; to the Committee on Public Lands.

By Mr. WATSON:

A bill (S. 2375) for the relief of Kate A. Wallace (with accompanying papers); to the Committee on Military Affairs.

By Mr. SPENCER:

A bill (S. 2376) to establish a station for the investigation of mentally handicapped children in schools; to the Committee on Education and Labor.

AFFAIRS IN COSTA RICA.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent to present a resolution for reference to the Committee on Foreign Relations.

The situation to which this resolution relates is a most grave and serious one, which I trust will receive prompt and favorable consideration at the hands of the committee and that it will then be reported to the Senate for action.

The resolution (S. Res. 105) was read and referred to the Committee on Foreign Relations, as follows:

Resolved, That the Secretary of State be, and he is hereby, requested to inform the Senate why Nicaragua, a country over which the United States is maintaining a protectorate, has been and is now permitted, with armed forces, to invade and to threaten with invasion the territory of Costa Rica, a nation which has been and now is a friend of the United States; and be it further

Resolved, That the Secretary of State be, and he is hereby, requested to inform the Senate for what reason Costa Rica, a belligerent with the Allies in the war just ended, was not permitted to sign the treaty of peace at Versailles, in view of the fact that the present Government of Costa Rica had been formally recognized as a cobelligerent by all the Allies in the war against Germany except by the United States, and recognized by the neutral nations of the earth as a constitutional government.

TREATMENT OF AMERICAN CITIZENS IN MEXICO.

Mr. KING submitted the following resolution (S. Res. 106), which was referred to the Committee on Foreign Relations:

Whereas American citizens residing in and having property in the Republic of Mexico have suffered damages amounting to several hundred million dollars by reason of the unlawful destruction and larceny of property, and in addition thereto have been subjected to gross personal outrages, and in hundreds of cases have suffered murder and assassination; and

Whereas no progress has apparently been made toward the liquidation, settlement, and payment of claims against the Mexican Government, on account of whose delinquency such damages and outrages have been suffered: Now, therefore, be it

Resolved, That the Committee on Foreign Relations, or any subcommittee thereof, is authorized and directed to investigate the matter of damages and outrages suffered by citizens of the United States in the Republic of Mexico, including the number of citizens of the United States who have been killed or have suffered personal outrages in Mexico, and the amount of proper indemnities for such murders and outrages; the quantity of damages suffered on account of the destruction, confiscation, and larceny of personal property, and the confiscation and deprivation of the use of lands and the destruction of improvements thereon; the number of citizens of the United States residing in Mexico at the time Porfirio Diaz retired from the presidency of Mexico, and the number of citizens of the United States at present residing in Mexico, and the nature and amount of their present holdings and properties in said country; and for this purpose to subpœna such witnesses and documents as may be necessary and to make a report of the findings in the premises to the Senate.

CONTRACTS FOR GASOLINE.

Mr. McKELLAR submitted the following resolution (S. Res. 107), which was referred to the Committee on Military Affairs:

Resolved, That the Secretary of War be, and is hereby, directed to report at the earliest practicable moment the amount of gasoline the War Department has on storage or under contract, at what prices it was obtained, and what amount it is estimated, if any, that the War Department now has to sell or release, and when, and in what manner, and upon what terms and quantities and conditions does it propose to sell or dispose of same; and if any contracts for gasoline have heretofore been entered into, state the terms of same and whether such contracts have been or are to be terminated or canceled; upon what conditions have the same been canceled or upon what terms is it proposed to cancel such contracts.

HIGHWAY IMPROVEMENT (S. RES. 108).

Mr. KING submitted the following resolution, which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of Agriculture be, and is hereby, directed to report to the Senate the quantity and description of war material, equipment, and supplies, particularly the number and description of cars, trucks, and tractors which will be required for the use and improvement of highways and which were authorized to be distributed among the highway departments of the several States to be used on the roads constructed in whole or in part by Federal aid, as provided by section 7 of the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes," approved February 28, 1919.

SURPLUS WAR DEPARTMENT EQUIPMENT.

Mr. KING. I offer another resolution, which is a complement to the one which has just been agreed to, and which I have submitted to the chairman of the Military Affairs Committee, and of which he approves.

The resolution (S. Res. 109) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of War is directed to report to the Senate the number and description of cars, trucks, tractors, and other war material, equipment, and supplies on hand and which are not needed by the War Department, and what steps have been taken to make an inventory and classification of such equipment and to sell and dispose of the same.

SULPHUR RIVER BRIDGE.

H. R. 4630. An act granting the consent of Congress to the county of Miller, State of Arkansas, to construct a bridge across Sulphur River, near the Texas & Pacific Railroad bridge, in said county and State, was read twice by its title and referred to the Committee on Commerce.

Mr. CALDER. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 4630) granting the consent of Congress to the county of Miller, State of Arkansas, to construct a bridge across Sulphur River, near the Texas & Pacific Railroad bridge, in said county and State, and I ask unanimous consent for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

H. R. 4631. An act granting the consent of Congress to the county of Miller, State of Arkansas, to construct a bridge across Sulphur River, at or near Blackmans Point, in said county and State, was read twice by its title and referred to the Committee on Commerce.

Mr. CALDER. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 4631) granting the consent of Congress to the county of Miller, State of Arkansas, to construct a bridge across Sulphur River, at or near Blackmans Point, in said county and State, and I ask unanimous consent for the present consideration.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOINT STOCK LAND BANKS.

Mr. SMOOT. Mr. President, I desire to make a short statement to the Senate this morning in relation to the joint stock land banks established in different parts of the country and some of the results that have come from the establishment of these banks under existing law. I call the attention of the Senate to the conditions existing with the hope that there will be no more of these joint stock land banks authorized, and I hope also that the Federal Farm Loan Bureau will take this as a notice that Congress intends to amend the act so that there shall be no more joint stock land banks authorized in this country.

I was fearful at the time they were authorized that the result would be just as it has turned out to be. When the revenue bill was before the Committee on Finance your committee struck the provision from that bill exempting their obligations from taxation. It went into conference, and the House insisted upon it, and to-day, as has been the case from the beginning, they are exempt from all forms of Federal taxation.

Mr. President, I asked the Federal Farm Loan Bureau to give me a concise statement of the first Joint Stock Land Bank of Chicago, Ill., and this is but a sample of all of the others, with the exception of some that were located unfavorably. I wish the Senate would listen to the result.

Mr. FLETCHER. May I ask the Senator how many of these joint stock land banks have been formed?

Mr. SMOOT. Twenty-one joint stock land banks have been formed up to date, but I am told now that as the result of the large profits of these joint stock land banks throughout the country the Federal Farm Loan Bureau to-day is swamped with applications, and unless we take some action and the law is

amended I do not see how the Federal Farm Loan Bureau is going to withstand much longer the demands that are made upon it.

Mr. GRONNA. The Senator does not refer to the Federal farm associations, but simply to the joint stock land banks.

Mr. SMOOT. Just to the joint stock land bank. There are 3,708 associations, and the number ought to be increased. No one is objecting to them, but it is the joint stock land bank; and now, Senators, listen to the report up to date of the first one at Chicago, Ill., and see what the results show.

The charter was granted for the operation of this bank July 25, 1917. It operates in the States of Illinois and Iowa. Capital stock has been authorized at $1,000,000. Capital stock has been paid in as follows:

July 25, 1917	$125,000
Jan. 15, 1918	125,000
Oct. 21, 1918	125,000
Jan. 28, 1919	125,000
Feb. 27, 1919	100,000
May 7, 1919	100,000

Or a total paid in of capital stock of $700,000 to the close of May 31, 1919. This represents an average investment of $299,148.15 for the period from the organization to the close of May 31, 1919.

As shown by their report for the month of May, 1919, the net earnings amount to $47,304.60. In addition to this amount, dividends have been declared amounting to $13,904, and salaries were paid to officers and directors for the first five months of the current calendar year amounting to $16,500—two salaried directors.

The statement also shows $3,022,800 of bonds on hand unsold. These bonds at 5 per cent, if sold at 102 as advertised, should net the bank 101, which would mean an additional profit of $30,228 from this source. Assuming that this profit is realized on bonds on hand, the total profits would amount to $91,436.60, or 30½ per cent, on the average investment over and above the amounts paid for officers' and directors' salaries. Without the profits on bond sales actual earnings have been $61,208.60, or 20½ per cent on average investment over and above the amounts paid for officers and directors' salaries.

If the bank is maintained at present size the net income of 1 per cent, the difference between interest rate received from borrower and that paid on bonds, would amount to $100,000 per annum, while if increased to maximum permitted under authorized capital of $1,000,000 the income would amount to $150,000 per annum.

If this bank should take no more loans or should liquidate and should continue to operate only to such extent as would be necessary to make collections on amortization payments and make interest payments on outstanding bonds, the annual fixed income for the next 18 years, without any further effort, would amount to $100,000, which would permit the payment of salaries of $15,000 each per annum to the two salaried directors, allow $10,000 per annum for such clerical assistance as would then be needed, and leave a profit of $60,000 per annum for the 18 years' period. This would represent an income of over 8½ per cent on the investment for the period. The $10,000 clerical assistance estimate would be sufficient to not only cover all necessary clerical assistance, but to pay such incidental expenses, as rent, heat, light, postage, etc., as might be necessary to maintain the institution until complete liquidation could be made. The present annual pay roll for clerical assistance amounts to approximately $20,000.

The profits made by this institution would seem to be fairly indicative of those that could be made in any carefully operated joint stock land bank doing this volume of business. Other joint stock land banks do not show profits nearly so large as this institution, but in a number of instances these joint stock land banks are operated in connection with a trust company—mark this—which, it seems, ofttimes derives the benefits from premiums received on sales of bonds, thus greatly reducing the margin of profits shown by them, since these bonds are sold to the trust companies at par.

Mr. President, the owners in some cases of the stock of the joint stock land banks are the owners of a trust company, and in some cases profits are divided between them. In such cases I am told by one of the bank examiners of these joint stock land banks, that an application will be made sometimes to one of these banks, and they say, "Well, to-day we are not in a position to grant your request, but we suggest to you that you go to such and such a trust company." The applicant goes to the trust company, and the trust company will say, "We can make the loan at 7 per cent, but we should like to have you submit your application and securities." When the borrower returns they will, if the security is satisfactory, make the loan at 7 per cent. Then, Mr. President, the trust company takes 1 per cent, the joint stock land bank takes 1 per cent; and there is where the double profits are made. The bank and trust company are owned by the same people. I want to say that if the Chicago bank continues a few years longer it could close its doors, and each of the directors of the bank draw $20,000 per annum, do nothing, seek no further business, and wait for 18 years before the payments are fully made, when they will have received all of the profits named and capital invested during that time.

Mr. POMERENE. Mr. President——

Mr. SMOOT. I yield to the Senator from Ohio.

Mr. POMERENE. I am very greatly surprised at the statement of these profits. I have kept somewhat in touch with the farm-loan associations that are being organized, and I am very proud of the work they are doing.

Mr. SMOOT. So am I.

Mr. POMERENE. They are doing a wonderful work everywhere the merits of the system have become known; but my attention has never been called to the earnings of the banks to which the Senator from Utah refers.

Mr. SMOOT. The joint stock land banks.

Mr. POMERENE. I am wondering what additional legislation the Senator from Utah has in mind.

Mr. SMOOT. I have in mind to offer an amendment to the Federal farm-loan act preventing the creation of any more joint stock land banks. There are 21 of them to-day in the United States.

Mr. THOMAS. These banks deal in bonds which are issued under the Federal farm-loan banking law.

Mr. SMOOT. They do; that is, they take the obligations of the farmer and then they issue bonds on them, just the same as the Federal farm-loan banks do.

Mr. THOMAS. The interest which these bonds bear is fixed by the Federal Farm Loan Board, is it not?

Mr. SMOOT. Yes; the interest the bonds shall bear; but under the law there is 1 per cent increase allowed on the interest which the bonds bear. The plan for an additional increase, I am informed by the Federal Farm Loan Bureau, is through a trust company.

Mr. THOMAS. I understand that, but there is no added burden because of this profit upon the farm borrower?

Mr. SMOOT. Oh, yes; there is, Mr. President.

Mr. THOMAS. What burden?

Mr. SMOOT. The 1 per cent increase charged by the trust company over and above the 6 per cent allowed the bank to charge.

Mr. THOMAS. Suppose the bonds are handled by the Farm Loan Board directly, have they not the same authority to add this ½ per cent for the negotiation?

Mr. SMOOT. That is quite a different proposition. In the other case the money goes directly to the joint stock land banks, which are situated in different parts of the country and which are organized with a capital stock.

Mr. THOMAS. I understand perfectly.

Mr. SMOOT. And they virtually do a banking business.

Mr. THOMAS. I understand perfectly how they are run; but the associations which the Senator thinks should be encouraged have a similar right with regard to this added 1 per cent, have they not?

Mr. SMOOT. Yes; but they make direct loans—not through a trust company.

Mr. THOMAS. I understand. The bank, however, whatever its profits may be, makes a profit; and that is perfectly legitimate under the statute.

Mr. SMOOT. That is true; there is no doubt about that.

Mr. THOMAS. I apprehended that there might be some practice which these banks were able to carry on that was very profitable to them but that the same time burdensome to the borrower.

Mr. SMOOT. Not so far as the 1 per cent is concerned; but I am told that in some cases the banks will say, "We are not in a position to make this loan, but we recommend that you go to the trust company"; and the trust company makes the loan, charging an additional 1 per cent.

Mr. THOMAS. But that is not an added 1 per cent, is it?

Mr. SMOOT. It is an added 1 per cent to the farmer.

Mr. THOMAS. If that is the case, then I quite agree with the Senator that it is not right. The fact, however, that the profit made is without an added burden to the farmer would appear to be not objectionable; but if, as the Senator says, there is an added 1 per cent, then by all means let us suppress it.

Mr. SMOOT. That is exactly what we want to do; and I believe, when I say that, I express the opinion of the members of the Federal Farm Loan Bureau. Why should these joint-

stock land banks be exempt from all forms of taxation? Nobody can justly defend that exemption, and your committee of the Senate struck it out of the revenue bill in the Senate; but, as I have said, it was put back in conference.

Mr. CUMMINS. Mr. President, may I ask the Senator why should the bonds of the Federal farm-loan banks be exempt from all taxation?

Mr. SMOOT. I really believe that they ought to be taxed, but the Congress thought otherwise.

Mr. CUMMINS. I am quite in favor of abolishing the joint-stock land banks; but it is unjust and unfair to accumulate any considerable capital in this country that is free from all taxation, and we will not be able to endure that practice very long, for the large income-tax payers of the country will gradually accumulate these bonds, and a very large portion of our capital will not contribute anything to the expenses of the Government.

Mr. SMOOT. The Senator from Iowa is absolutely right, and what I want to undertake first is to stop the creation of any more joint-stock land banks. Let us get at that at once; and I hope that the Federal Farm Loan Bureau from this day on will positively refuse to issue any kind of a charter or permit for the organization of such banks.

Mr. STERLING. Mr. President, I should like to ask the Senator from Utah if part of the evil does not arise from the exemption the joint-stock land banks have from the powers of the Federal Farm Loan Board? Subdivision b of section 17 of the Federal farm-loan act, relating to the general powers of the Federal Farm Loan Board, provides that they shall have the power—

To review and alter at its discretion the rate of interest to be charged by Federal land banks for loans made by them under the provisions of this act, said rates to be uniform so far as practicable.

But now joint-stock land banks are exempt from that provision under a paragraph of section 16, which prescribes:

Joint-stock land banks shall not be subject to the provisions of subsection b of section 17 of this act as to interest rates on mortgage loans or farm-loan bonds.

Mr. SMOOT. The Senator is perfectly right; there is no doubt about it; and they are even given a greater power for speculative purposes than the farm-loan banks themselves. I think it is unjust; nobody can defend it; and the law ought to be amended. I have a bill prepared for that purpose which I am going to offer in a few days, and I express the hope that the Committee on Banking and Currency will take action upon it as quickly as possible.

Mr. NELSON. Mr. President, is it a bill for the repeal of that part of the law?

Mr. SMOOT. It will not in any way affect the joint-stock land banks that have been granted a charter; they may go on; but——

Mr. NELSON. It has relation to the future?

Mr. SMOOT. It will prevent in the future the organization of joint-stock land banks.

Mr. NELSON. I think the Senator is right. That feature of the law never ought to have been enacted.

Mr. SMOOT. Never.

Mr. FLETCHER. Mr. President, the history of this matter is that in framing the Federal farm-loan act—and I had the privilege of introducing the first bill on the subject—joint-stock land banks were never contemplated at all. That idea originated in another part of the Capitol; it finally came to us here and, by way of arriving at an adjustment of differences, it was finally incorporated in the law. The argument for these joint-stock land banks, however, presents very considerable merit, though it may be possible that the law is not strict enough in its terms to prevent speculation and to avoid difficulties such as have been indicated by the Senator from Utah. I never did favor the idea, I confess, but, as I have said, there are arguments for it which are quite convincing in a way. For instance, the Federal farm-loan act limits the loans made by a farm-loan bank to $10,000.

Under the system no loan can be made by any Federal land bank exceeding $10,000. It was argued that there are a good many people engaged in farming operations in the country, purely agricultural enterprises, whose requirements would not be met by $10,000, and the question was how to afford some facilities for those large enterprises, where property of the value of $100,000, perhaps, was involved, perhaps a farm operated by a corporation or an individual. That class of borrowers will be deprived of any advantage under this system if the limit of the loans is made $10,000.

Mr. SMOOT. Mr. President, I presume the Senator knows that the law has been construed so that a loan of $10,000 can be made to individuals, but not to a corporation. Individuals can get such loans, not one individual, but individuals who are indirectly, I may say, or directly interested in the property. Under those circumstances a loan of more than $10,000 can be made.

Mr. FLETCHER. I do not understand how they manage that, because the law specifically provides that $10,000 is the maximum loan which may be made.

Mr. SMOOT. I will assure the Senator that loans of more than $10,000 are made. I do not wish, however, to go into a discussion of that now.

Mr. FLETCHER. I will not take up time with that. I do not quite approve of it, if it is done; but it ought not to be done, in my judgment. The primary purpose of the act was to meet the necessities of the small home builder who is struggling to acquire a home and develop that home and improve it and to enjoy some of the conveniences of life in the country. That was the primary object; it was to assist such people. The reason for exempting the bonds from taxation was to enable the bonds to be sold at as low a rate as possible.

The law provides that the banks shall not charge above 1 per cent in excess of the rate of interest paid on the bonds; so that the borrower, the farmer, the actual producer of foodstuffs, is to get the benefit of a low rate of interest. As a matter of fact, 1 per cent was the maximum amount supposed to be allowed for purposes of administration, but it has been possible to administer the law at an expense of one-half of 1 per cent, and as the business grows it will probably fall below that; so that when the bonds are sold for 5 per cent the farmer gets his money for 5½ per cent, or if the bonds are sold at 4½ per cent, the farmer pays 5 per cent; that is what the loan costs him. He pays that for 35 years, or he pays it for 5 years, and any time after 5 years he can pay up the entire indebtedness or any portion of it.

It is a wonderful system and is producing wonderful results. A great many of the farmers in the Northwest were actually saved from ruin by reason of this system because mortgages upon their farms held by foreigners could not be renewed. So the farmers came to these banks to secure the money with which to liquidate past indebtedness. That is one of the objects of the system, namely, to pay off existing liens. Two hundred million dollars and more have been loaned to farmers at the rate of 5½ per cent per annum under this system.

Mr. POINDEXTER. Mr. President——

Mr. FLETCHER. I yield to the Senator.

Mr. POINDEXTER. I agree with the Senator as to the beneficial results and possibilities of the Federal land banks. I wish to ask the Senator, however, what ground, if any, there is for the charge which has been made that some of these banks are evading the spirit at least, if not the letter of the law, which limits the amount that can be loaned to one farmer, by having the farmer deed portions of his farm to various members of his family, and then each member of the family borrowing the maximum amount which they can borrow under the law, thereby in effect loaning at the same time as much as $25,000 practically to one man, although nominally to different individuals?

In connection with the inquiry of the Senator as to what grounds exist for this charge that has been made, I should like to say that my understanding of the purpose of this law at the time it was passed was that it was to help the poor man; that it was to enable the farmer of small land holdings and meager resources to borrow a modest amount of money at a low rate of interest with ample time in which to repay it. Furthermore, this charge is made; I do not know whether it is well-grounded or not. I should like to hear from the Senator from Florida in regard to it. While the purpose of this law was to enable farmers who had raw lands, comparatively unimproved lands, comparatively poor lands, which would not furnish very good commercial security, lands on which they would have difficulty in borrowing money from commercial banks, even at high rates of interest, to borrow money in order to enable them to improve the unimproved lands, it is charged that in the administration of the law farmers of that kind, farmers who are undertaking to improve land under those conditions, have not been able to borrow money from the Federal land banks. In other words, it is stated that the Federal farm land banks have confined their loans to improved lands, to valuable lands, to lands which were good commercial security, and upon which money could be borrowed, although at a higher rate of interest, through commercial agencies.

Mr. FLETCHER. Mr. President, one of the very purposes of the act was to afford facilities for those farmers in the situation the Senator mentions. They were unable to get loans from financial institutions, from banking institutions. It was not a commercial proposition. It was to enable those people who could not get loans anywhere else to obtain money for the development of their property and the improvement of their farms.

I can not understand why a loan should be refused in those circumstances. The act does not say that the farm, or the land, or the real estate upon which the mortgage is taken, must be improved. It says simply that—

No such loan shall exceed 50 per cent of the value of the land mortgaged and 20 per cent of the value of the permanent, insured improvement thereon.

Mr. POINDEXTER. That is true; and I think the Senator has the same idea as to the spirit and purpose of the act that I had; but what I was inquiring about was whether or not the administration of the law had been in accordance with the purpose of the act when it was passed by Congress.

Mr. FLETCHER. Of course, I can not answer as to that specifically. I feel in a general way that the board has endeavored to carry out the spirit of the law. Of course, there is this to be said: In the first place, there are local farm loan associations formed. Those local associations have their officers, directors, and a committee on appraisal. That committee reports on the value of the land offered as security. Then that report is checked up by appraisers selected by the land bank, and the final determination as to the value of the land offered has to be reached through that system. Now, the bank appraiser may make a mistake in judgment as to the value of the land. He may consider the land offered, being unimproved land and all of that sort of thing, as not having sufficient actual value to warrant a loan upon it, and there may be a mistake in judgment as to that; and, of course, there are opportunities for the administration rather to fail to measure up to the merits of the situation in particular instances in that way. They have to depend upon the judgment of their appraisers, and those appraisers have to act independently of the local appraisers in order to protect the bank as far as possible; and yet I think there is a sympathetic interest upon the part of the board and a desire, as far as possible, to meet the situation upon its merits.

I do not know about this question of exceeding the amount of the loan. In the seventh subdivision of section 12 of the act it is specifically provided:

The amount of loans to any one borrower shall in no case exceed a maximum of $10,000, nor shall any loan be for a less sum than $100.

That is the express provision of the law, and I am inclined to think it is a good provision. It may be possible that it is advisable to increase that somewhat, but I doubt it very much, because the original purpose was to take care of the needs of the man who did not have the capital to develop his farm and improve it sufficiently—the small man, as the Senator has said. They may avoid that in some way by subdividing the farm, but that is an evasion. I certainly think the practice ought not to be continued, or certainly ought not to be encouraged. There may be, of course, instances where a farm is worth many times more than $20,000, and it may be possible to subdivide it so as to get additional accommodation, but that is an evasion of the law, in my judgment; and it was for that reason that these joint-stock land banks were provided for in that act, to take care of these larger enterprises that could not be accommodated under this act.

I do not know what has been done in the formation of those joint-stock land banks. I was a little surprised to know from the Senator from Utah that they now number 21.

Mr. SMOOT. They number 21.

Mr. FLETCHER. In my part of the country there have been none formed at all, and I did not suppose they were being operated.

Mr. SMOOT. Mr. President, let me say at that point that if you draw a line in the center of the United States north and south, out of these 21 banks there is but one west of the center line, and 20 of them are east of that line.

Mr. FLETCHER. The center of the United States, beginning where?

Mr. SMOOT. Running just a little west of the Mississippi River.

Mr. FLETCHER. At any rate, there are none in the district in which Florida is located.

Mr. SMOOT. There is not one in Florida.

Mr. FLETCHER. There are none in Florida, Georgia, North or South Carolina.

Mr. SMOOT. Most of them are in the large cities.

Mr. FLETCHER. I knew there were none in that district, and I did not know they were being formed to any extent.

Mr. SMOOT. I will say to the Senator also that I understand this morning that there are applications for almost 100 more of them. Of course there will be applications after they find out the results of the ones that have already been formed. Who would not like to go into a business and run it two years and draw $20,000 salary as a director, and do nothing for 18 years, and be assured of over 8½ per cent on his money besides the $20,000 that he draws by way of salary as director?

Mr. FLETCHER. Of course, we tried as far as possible to separate these joint-stock land banks from the system. We went so far as to provide that—

Farm-loan bonds issued by joint-stock land banks shall be so engraved as to be readily distinguished in form and color from farm-loan bonds issued by Federal land banks, and shall otherwise bear such distinguishing marks as the Federal Farm Loan Board shall direct.

That is so that the public would not be deceived as to these bonds. Now, the act further provides:

Shareholders of every joint-stock land bank organized under this act shall be held individually responsible, equally and ratably, and not one for another, for all contracts, debts, and engagements of such bank to the extent of the amount of stock owned by them at the par value thereof in addition to the amount paid in and represented by their shares.

So that there is back of the obligation of these joint-stock land banks not only the farm, which the law says shall be taken as security not exceeding 50 per cent of its value, and then the obligation of the borrower, but the obligation of this joint-stock land bank itself and the liability of every stockholder of that bank to double the amount of his stock.

Mr. SMOOT. That is the same as the national banking law.

Mr. FLETCHER. Yes; that is the same as the national banking law.

Mr. SMOOT. And, Mr. President, there is no idea that there is going to be any loss as far as the stockholders are concerned, because they are absolutely insured. I do not see how it is possible to make a loss in these joint-stock land banks. There is a chance, however, of the others making a loss, because they make loans directly from here upon farms generally all over the United States. As I say, there are 3,708 of these associations at the present time.

Mr. FLETCHER. Of the farm-loan associations?

Mr. SMOOT. Of the farm-loan associations.

Mr. FLETCHER. That is quite distinct from this joint-stock land bank provision altogether.

Mr. SMOOT. Entirely so.

Mr. FLETCHER. Then the law further provides that—

No joint-stock land bank shall have power to issue or obligate itself for outstanding farm-loan bonds in excess of fifteen times the amount of its capital and surplus—

That was thought to make a fair safety margin—

or to receive deposits or to transact any banking or other business not expressly authorized by the provisions of this act.

Now, those are restrictions upon their operation, and in addition:

No joint-stock land bank shall be authorized to do business until capital stock to the amount of at least $250,000 has been subscribed, one-half thereof paid in cash and the balance subject to call by the board of directors, and a charter has been issued to it by the Federal Farm Loan Board.

No joint-stock land bank shall issue any bonds until after the capital stock is entirely paid up.

The object was to protect the public as far as possible and at the same time afford facilities for accommodating those engaged in agriculture on a large scale. That was the purpose. It may be that there is some abuse about it. At any rate, it is a matter worth considering, and when the Senator introduced the bill and the committee takes it up we can get at the real merits of it. It may be possible to meet the situation by an amendment. I do not quite like the idea of continuing the 21 and saying that nobody else shall get into this business hereafter, because that looks as if we were rather giving them a monopoly of it. It may be that there ought to be some restrictions somewhere in addition to what we have, but I am unalterably opposed to changing the law which exempts these farm-loan bonds from State, county, municipal, and Federal taxation. That benefits the farmers of the country, who produce the food of the Nation, and they get the direct benefit of the exemption. It ought to be continued.

REFUND OF TAXES.

Mr. POMERENE. Mr. President, if there is nothing else before the Senate, I ask unanimous consent to take up for consideration Senate bill 1694. It is a private bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1694) providing for the refund of taxes collected for stamp tax on certain policies under the emergency tax act of October 22, 1914, under the proviso to which act such policies were exempt. It authorizes and directs—

The Secretary of the Treasury to pay, out of any money in the Treasury not otherwise appropriated, to the Central Manufacturers' Mutual Insurance Co. of Van Wert, Ohio, the sum of $2,888.77, being the amount paid for stamp taxes under the emergency revenue act of October 22, 1914, on policies of such company, which policies were exempt from such tax under a proviso to said act as determined

by the United States Circuit Court of Appeals for the Sixth Circuit in the case of Niles, collector of internal revenue, against Central Manufacturers' Mutual Insurance Co., decided June 10, 1918, and reported in volume 252 of the Federal Reporter, page 564.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THE LEAGUE OF NATIONS.

Mr. HITCHCOCK. Mr. President, yesterday the Senator from Iowa [Mr. KENYON], while I was addressing the Senate on the subject of public opinion in the United States on the league of nations, asked me the question as to whether I had any information as to the state of opinion among the returning soldiers. In reply I advised him that I had made no effort to ascertain that opinion and knew of no method by which it could be very accurately ascertained. Since that time there have been placed in my hand copies of The Stars and Stripes, the publication authorized by the War Department, which was organized on a business basis in France, and which circulated there among the soldiers of the American Expeditionary Forces in competition with the London Mail, the Chicago Tribune, and the New York Herald, which, so far as I know, were the only other newspapers published in English and circulated among the men.

This newspaper, upon its merits as a newspaper, selling for 50 centimes, attained a circulation of something like 400,000, and became, perhaps, the most widely circulated newspaper of all those patronized by members of the Expeditionary Forces. During its career, which has only just now come to an end, it secured a considerable amount of advertising because of its large circulation, and the result of the publication of this newspaper and its circulation among the American soldiers in France has been to earn a profit of something in the neighborhood of $500,000.

I desire to add this newspaper to the list of those which I published yesterday in my remarks as being a strong supporter of the league of nations, and in doing so I wish to read a few editorial extracts from various copies of the paper.

Mr. KENYON. Mr. President, may I inquire if the paper was edited by soldiers or by the War Department?

Mr. HITCHCOCK. It was edited by soldiers and officers. The War Department authorized Gen. Pershing to organize a newspaper of this sort, or to permit its organization with the backing of the War Department, and directed him to select experienced newspaper men from privates and officers.

Mr. KENYON. Who were the officers?

Mr. HITCHCOCK. I happen to know but one of the editors, Mr. Guy Viskniski, who was the managing editor of the Philadelphia Press at one time and later the manager of the McClure Newspaper Syndicate in the United States.

Mr. KENYON. Was he a soldier?

Mr. HITCHCOCK. He was; I think he was an officer. The members of the staff consisted impartially of officers and privates, those having experience in the particular newspaper department to which they were assigned upon this paper; and the success of the paper demonstrates the fact that the men selected were experienced and competent newspaper men. The character of the articles, so far as I have read them, indicates that the management of the paper and the membership of the staff were selected in such a way as to make a successful newspaper upon its merits.

Mr. POINDEXTER. Mr. President——

Mr. HITCHCOCK. I am told by the War Department authorities that the editorial utterances of the paper were absolutely unfettered, and that the control of the paper was placed by Gen. Pershing in the hands of these men simply because they would be able to give to the men the news that they were interested in receiving from home, and the news that, as members of the Expeditionary Force, they were anxious to get. The wide circulation of the paper, being entirely voluntary and costing money, 50 centimes being charged for each copy, indicates that it met with favor among the men.

I yield to the Senator from Washington.

Mr. POINDEXTER. I have no doubt that it is a very excellent paper, and, as the Senator says, its wide circulation is an indication of that; but that would not necessarily indicate that it was a paper of independent views. I should like to ask the Senator if it is not true that this newspaper was subject to military censorship as to its contents.

Mr. HITCHCOCK. There was no military censorship exercised upon it, as I am informed, except that there was no criticism permitted of military officers.

Mr. POINDEXTER. Was there any criticism permitted of the administration?

Mr. HITCHCOCK. The only censorship that I have been informed of was that they were not permitted to criticize the military management of the war.

Mr. POINDEXTER. I have been informed they were also not permitted to discuss controversial political subjects involving the conduct of the administration. If the Senator can point out in any copy of the paper even any independent to say nothing of any critical views as to the administration of the Government, I should like to have him do so.

Mr. HITCHCOCK. I am not familiar with it. I have not been a reader of it. I have seen occasionally a copy that some soldier sent me, but I have here three copies from which I desire to read.

I am aware of and I appreciate the fact that an attack will be made upon it, just as an attack will be made upon every supporter of the league of nations. If a banker supports it, he is denounced as an international banker; if a big business man supports the league of nations, he is denounced as a big business man; and I suppose this will be criticized; but I will put it in the RECORD in connection with other things I have already put in the RECORD to show that the overwhelming sentiment of this country, as indicated by the newspapers of all classes, supports the league of nations.

I am only doing this because the Senator from Iowa [Mr. KENYON] in a very proper way asked me to indicate if I could what the sentiment was among the returning soldiers upon this question. Naturally, that is not an easy matter to ascertain. I assume that the men who go back to Iowa from their service in the war will reflect to a large extent the opinion of Iowa, and I know what the opinion of Iowa is, because practically every Republican newspaper in the State is supporting the league of nations. I assume those who go back to the State of Nebraska will reflect the sentiment of the people of Nebraska, and I know that every Republican paper, stand-pat and progressive, as well as every Democratic paper of Statewide circulation in my State is supporting the league of nations.

Mr. LODGE. Every newspaper in New York supported Mr. Mitchel for mayor.

Mr. HITCHCOCK. I think the Senator from Massachusetts very well knows, if he knows anything about the newspaper world, that when newspapers come to speak about local candidates they have no influence over the individual voter. The man in New York City knows as much about the candidates for mayor as the editor of a newspaper, and he always exercises his individual right to express his opinion at the polls. In every municipal campaign newspapers are comparatively impotent. But when newspapers come to argue great principles and national questions, they not only influence public opinion, but they reflect the public opinion of the community in which they are published.

Mr. POINDEXTER. Mr. President——

Mr. HITCHCOCK. I should like to read from these copies of the Stars and Stripes without further interruption.

Mr. POINDEXTER. I merely wish to ask one further question of the Senator.

Mr. HITCHCOCK. If the Senator will make it brief, I yield for that purpose.

Mr. POINDEXTER. Some time ago I noticed a dispatch in a newspaper stating that the Secretary of War had sent a commission composed largely of college professors to Europe to instruct the soldiers in the American Army in Europe on the question of the league of nations. Does the Senator know whether that statement was correct or not?

Mr. HITCHCOCK. No; I do not know anything about it. It has nothing to do with this case.

Mr. POINDEXTER. It has something to do with it for this reason. The Senator has already stated that this paper was published under the protection of the War Department.

Mr. HITCHCOCK. It was published by permission of the War Department, and with the authority of the War Department, and under the direct supervision of Gen. Pershing, because it filled a great want. The men were over there without literature; they were over there without news, and the paper was published for the purpose of filling a want, and it is that paper supported by these men from which I now read.

Mr. NELSON. Mr. President——

Mr. HITCHCOCK. I yield to the Senator.

Mr. NELSON. I wish to state to the Senator from Nebraska that the publication of this paper was suspended on the 13th of June.

Mr. HITCHCOCK. I am aware of that fact. I have the last issue in my hand.

Mr. NELSON. I received the last copy of it bearing that date, stating that that was the end of it.

Mr. HITCHCOCK. It was the end of it, because the demobilization had progressed to such an extent over there that on or about the 13th or 15th of June, I think it was, the paper having

fulfilled its purpose was suspended. It represents the most successful publication ever attempted, because in the period of its existence it not only supplied the men with greatly needed news and gave them the moral support which came from having the news of the Army and the news of America, but it also earned a handsome profit, because it was managed legitimately, independently, and was unfettered in the expression of its opinions.

Mr. GERRY. Mr. President——

Mr. HITCHCOCK. I yield to the Senator.

Mr. GERRY. I was informed when in Europe that the editors of the newspaper were allowed practically entire independence in the handling of it.

Mr. HITCHCOCK. I am so informed by the Secretary of War.

Mr. WILLIAMS. Subject to the usual military censorship.

Mr. HITCHCOCK. The only censorship to which they were subjected was that they should not attack their military superiors nor attack the military management.

Mr. WILLIAMS. It could not give information about the movements of the Army. It was subject to the usual military censorship.

Mr. HITCHCOCK. Yes. I have stated that the managing editor for the greatest period of the time was Mr. Guy Viskniski, who has an established reputation in this country as managing editor of the Philadelphia Press for a number of years, has held responsible newspaper positions since that time, and held a newspaper position at the time he entered the Army. I am not familiar with the names of the other editors and have not had time to secure them. I repeat that they were both officers and privates.

The first editorial to which my attention has been called appeared on the 31st of January. I will only read the first paragraph, because it shows the character of it:

The plan of a league of nations, laid this week at the door of the world, is the greatest gift that has been offered to humanity since Cain spilled the first blood outside the fields of Eden.

They were high words which were written on the banners of America's citizen Army that sent the khaki legion into battle. No boastful talk of planting a flag on foreign soil, no threat of far-flung frontiers, no promise of booty in new Provinces or spoil from the strong boxes of defeated kings.

Then I read the next reference in the number appearing February 21. This is more news almost than it is editorial. "In Black and White," it is entitled:

IN BLACK AND WHITE.

Standing among the dignitaries of the foreign offices, the sovereigns of States, the members of cabinets, the diplomatists and the writers who heard President Wilson read the draft of the league of nations last Friday were some men in khaki whose "rank and title" in the registration book reads simply, "Private, U. S. A."—some of the men whose presence in France during the months just past made possible the league of nations.

They heard the President say that the plan was made for the "men who go to bed tired at night and wake up without hope"; they heard the words of the covenant itself that is proposed to end all wars spoken clearly and emphatically by their Commander in Chief, and they saw the printed copies in the hands of the delegates. They knew then that the thing that their comrades had fought and died for through a winter and around the seasons until one November morning was real—it was there on paper for all the world to read.

There was little ceremony, there was no debate, there was nothing to show of the days of earnest discussion, of claim and counterclaim, of doubt and faith, and the power that drove out the doubt and downed the opposition. The draft was read and explained, and that was all.

It is not yet accepted. It was not even submitted without reservation on the part of some members of the commission that helped to draw it up. But it is there surely "a living thing," as the President himself called it, with as fair a chance for success among the united States of civilization as had the Constitution of the United States of America when it came before the skeptic and fearful councilors, the doubters and cynics in the legislatures of the original States, who very likely sneered at the "idealistic document," far too impractical to be worthy of their support.

The privates who heard the draft of the covenant of the league of nations believe that their comrades did not die in vain.

The next mention I find in the files of The Stars and Stripes is in the publication of February 28, and is in an editorial entitled "The League of Nations," as follows:

THE LEAGUE OF NATIONS.

Why is it that the matchless cathedrals of France, built hundreds of years ago, still stand to receive the hushed and wondering Yankee pilgrims, shaming by their strength and stately beauty the weaker and more tawdry structures of our own day and generation? Is it because the care and toil and love, not of a few years but of centuries, went into their building?

The men who laid the first stones of the shell-torn marvel at Rheims, the hill-top cathedral at Bourges, the imperishable Notre Dame at Paris, did not live to see those temples completed, knew that it would never be their lot to see them completed. Preposterously idealistic and impractical, they worked with their eyes on the future. Their work was good because it was not done for themselves. They builded for the Lord.

Now, before the peoples of the world are laid the architects' plans for a great mansion and soon work will begin on the foundations. If, indifferent to the needs of future generations, the builders plan it only for the convenience and short-sighted comfort of their own immediate occupancy, that mansion will not be good to look upon, nor will it withstand the tempests of the waiting centuries. But it will still be standing, beautiful, strong, spacious, a thousand years from now, if those who lay its foundations to-day build it for the Lord—for posterity.

Finally, in what I think was the last issue of the paper, as indicated by the Senator from Minnesota [Mr. NELSON], June 13, an editorial entitled "War as we know it" concludes as follows:

We know but we can not give that knowledge to others. But upon it we can act. We can help build a league of nations with such sinews of war and such conscience for peace that no one will dare oppose it.

If we don't, the blood will be on our own foolish heads, which, by the grace of God, chance, or some Prussian guardsman's poor aim, are still on our foolish shoulders.

Mr. President, I submit this as a conclusive showing of what I have made of the state of public opinion. I had no idea in the time I might have when I put into the RECORD yesterday a list of Republican and Independent newspapers and gave a list of test votes and straw votes and national conventions and State organizations that I could produce any evidence of the state of public opinion in the Army, but I believe this newspaper, supported as it was by many of the men who fought in the war, probably expressed to a large extent the judgment of those men who supported that newspaper, and I submit it as a final showing in what I made yesterday.

Before I conclude I ask to have published in the RECORD an article by William Howard Taft, published in the Washington Post yesterday, in reply or in criticism of the resolution introduced by the Senator from New Mexico [Mr. FALL].

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

TAFT SAYS CONGRESS CAN NOT DECLARE PEACE WITH GERMANY—HOLDS FALL RESOLUTION SHOULD "BE ALLOWED TO DIE THE NATURAL DEATH APPARENTLY SUFFERED BY KNOX RESOLUTION"—CITES DANGER IN SEPARATE PACT WITH HUNS.

[By William Howard Taft.]

Senator FALL'S joint resolution to declare peace with Germany has been referred to the Foreign Relations Committee of the Senate. Senator LODGE has said that Congress, having the power to declare war, has, therefore, the power to declare peace. This argument is faulty in that it assumes that in their making war and peace are of the same nature. Each is a legal status, but the status of war may be created by the declaration of one nation. The status of peace after a war may be created only by an agreement of the belligerents to end the war. If only one of them declares peace, war continues. Congress declares war, makes war, and can cease making war on its side, but that does not make peace. The nation with which we have been at war must agree that war is ended and signify its agreement.

Now, agreements with other nations are made, under our Constitution, by what is called the treaty-making power, the President and the Senate. Therefore permanent peace after a war can only be properly made by a treaty. It is true that we have sometimes effected arrangements with other nations through an act of Congress; but they were in their nature mere enactments of law to prevail in our country on condition that certain corresponding laws were enacted in another country.

CITES CANADIAN RECIPROCITY.

Thus Canadian reciprocity in 1911 was provided for by act of Congress as to duties on imports from Canada on condition that certain duties were imposed by Canada on imports from the United States. Either party might end the operation of the arrangement by repeal of its law. So here, perhaps, Congress could declare peace with Germany on condition that Germany made a similar declaration.

But that is not the Fall resolution. It merely declares peace. Without Germany's accord, it can not create peace. The armistice continues. The effect of the signing of the final treaty before ratification will continue the armistice till ratification of the treaty.

END OF WAR WITH NO CONCLUSION.

But suppose Germany were, by legislative act, to make a corresponding declaration of peace. The result would be an end of the war without any conclusion. We went to war specifically to maintain as neutrals the rights of our own ships and our citizens on commercial vessels of the enemies of Germany to be free from injury upon the high seas by submarines. Germany denied us those rights.

If the war is to be ended by congressional resolution, as suggested, we shall have not settled in any way the rights we sought to maintain. Under our alien enemy property act we have sold millions of dollars of the private property of German nationals. Germany will be in a position to dispute the validity of every one of these sales. She may dispute our title to the German commercial vessels we interned and then took over for our use. Such a peace would, indeed, be a lame and impotent conclusion of a great war and our great sacrifices.

MUST RELY ON SIGNED TREATY.

It would be a separate peace with Germany, ignoring our Allies. Those who propose it must really rely on the provisions of the treaty already signed in Paris by the Germans, the advantages of which it is thus intended to secure without assuming its burdens.

But it is said we can make a subsequent treaty with Germany with specific terms. Yes; we can; but then she will be in a much more unrestrained position to assert and demand conditions which she was unable to secure against the Allies.

But why discuss such an impossible resolution as the Fall resolution? It can not pass save with the Executive signature. Of course that will be withheld. The President could not, and would not, approve the resolution, and the country would sustain him in his veto. It would then take two-thirds of the Senate and two-thirds of the House to pass it. Does anybody suppose that two-thirds of either House would pass it?

WOULD SHIFT BURDEN OF DELAY.

Why then attempt to pass it in the Senate? The only possible reason is that in some way it will transfer to the President the burden of delaying a return to normal peace conditions with Germany and a resumption of business intercourse. It is hoped that the Senate, in amending the German treaty so as to send it back for further negotia-

tion, or that a minority of the Senate, in refusing to ratify the unamended treaty, may avoid responsibility for the delay by manifesting a desire for immediate peace by such a resolution. In other words, its only object would seem to be playing for position.

URGES CONSTITUTIONAL PROCEDURE.

Let us hope the constitutional procedure will be followed, and that the Senate will not act until it has the treaty before it for its constitutional action. The Fall resolution should be allowed to die the same natural death apparently suffered by the Knox resolution.

When the treaty is before the Senate, then no consideration of expediency should prevent a Senator from voting to amend or reject the treaty if he believes it to be really dangerous to our country's interest. If he hesitates to assume responsibility for delay, it must be that he has not confidence in his reasons for opposing the treaty on its merits.

AMHERST W. BARBER.

Mr. NELSON. The bill (S. 1377) for the relief of Amherst W. Barber was passed over when reached on the calendar. I think there is no objection to it, and I ask unanimous consent that it be put on its passage.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, and it was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury of the United States not otherwise appropriated, to Amherst W. Barber, the sum of $263.37 for the resurvey of 23 miles, 75 chains, and 42 links of township lines on public lands in the State of Colorado, executed by him and necessary to complete the lines of survey embraced in his contract No. 710, dated April 2, 1885.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADDITIONAL JUDGE FOR NORTHERN DISTRICT OF CALIFORNIA.

Mr. PHELAN. I ask unanimous consent for the immediate consideration of the bill (S. 1358) providing for an additional judge for the northern district of California. The bill has been favorably reported by the Committee on the Judiciary, and a similar bill was passed by the Senate at the last session.

The VICE PRESIDENT. Is there objection?

Mr. ASHURST. I have no objection, but I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	McKellar	Smith, Md.
Ball	Harding	McLean	Smoot
Bankhead	Harris	McNary	Spencer
Beckham	Henderson	Nelson	Stanley
Borah	Hitchcock	Norris	Sterling
Calder	Jones, N. Mex.	Nugent	Sutherland
Capper	Kellogg	Overman	Thomas
Chamberlain	Kendrick	Phelan	Trammell
Culberson	Kenyon	Phipps	Underwood
Cummins	Keyes	Pittman	Wadsworth
Curtis	King	Poindexter	Walsh, Mass.
Dillingham	Kirby	Pomerene	Walsh, Mont.
Elkins	Knox	Ransdell	Warren
Fall	La Follette	Robinson	Watson
Fletcher	Lenroot	Sheppard	Williams
Gay	Lodge	Smith, Ariz.	Wolcott
Gerry	McCumber	Smith, Ga.	

The VICE PRESIDENT. Sixty-seven Senators have answered to the roll call; there is a quorum present. The Senator from California asks unanimous consent for the present consideration of Senate bill 1358. Is there any objection?

Mr. SMOOT. I shall ask that the bill go over to-day, and I wish to call the attention of the Senator from California to the fact that the bill will have to be amended, it seems to me, as it is an amendment to section 1 of the Judicial Code, which provides that there shall be two district judges in that district.

The bill provides for the appointment of an additional judge for the northern district of California, with the same qualifications, jurisdiction, and salary as the present district judge. There are two judges in that district, and I should like to have the bill go over in order to ascertain whether there is any real reason for three judges in that district; and if there is, then to have the bill amended so as to conform with section 1 of the Judicial Code.

Mr. OVERMAN. Mr. President, I think this is one of the most meritorious bills of this character that have ever come before the Senate.

Mr. SMOOT. I merely wish to have it amended.

Mr. OVERMAN. It is the only bill that the Attorney General says he has made an exception of by recommending its passage. He says in his letter that San Francisco is the New York of the West, that they have business coming before the court from all over the country and in connection with Australia and other parts of the eastern world, and that the judges assigned there now can not perform the work. If the Senator will read the letter of the Attorney General in reference to the bill he will notice that he says that they have been compelled to assign judges there from other jurisdictions for as many as 250 days in a year.

Mr. SMOOT. What I am referring to more particularly is this: The bill says, in line 6, that this additional judge "shall possess the same qualifications and have the same powers and jurisdiction and receive the same salary now prescribed by law in respect to the present district judge therein"——

Mr. PHELAN. The bill says "judges." The Senator is in error.

Mr. SMOOT. I now see that it does; I thought that it said "judge therein."

Mr. PHELAN. No; the bill says "judges therein."

Mr. SMOOT. Then I have no objection to the bill.

Mr. NELSON. Mr. President, I wish to say to the Senator from Utah that of all the bills for the appointment of additional judges this is the only one that the Department of Justice has strenuously recommended. It ought to pass, for it is urgently needed.

Mr. SMOOT. The Legislative Reference Service, in their digest of this bill, make this statement:

This bill, which provides for the appointment of an additional judge for the northern district of California, with same qualifications, jurisdiction, and salary as the present district judge, is in effect an amendment of section 1 of the Judicial Code, which provides that there shall be two district judges in this district.

I read that as I did not have the bill before me; there was not a copy of it on my files; and as I understood the Secretary to read "judge," I wished to have an amendment adopted to make the bill conform to the Judicial Code. I have no objection, however, to the consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. LODGE. A brief executive session is necessary, and I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened.

ADDITIONAL JUDGE FOR ARIZONA.

Mr. SMITH of Arizona. I ask unanimous consent for the present consideration of Senate bill 282, providing for an additional judge for the district of Arizona.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 282) providing for an additional judge for the district of Arizona, which was read, as follows:

Be it enacted, etc., That the President of the United States shall appoint, by and with the advice and consent of the Senate, an additional judge for the district of Arizona, who shall reside in said district and shall possess the same qualifications and have the same powers and jurisdiction and receive the same salary now prescribed by law in respect of the present district judge therein.

SEC. 2. That the clerk of the district court for the district of Arizona and the marshal and district attorney for said district shall perform the duties appertaining to their offices, respectively, for said court.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RECESS.

Mr. LODGE. Mr. President, as I understand, the Senate can not expect any conference reports from the House until half past 2 o'clock. Therefore I move that the Senate take a recess until 2.30 o'clock.

The motion was agreed to; and (at 12 o'clock and 40 minutes p. m.) the Senate took a recess until 2.30 o'clock p. m., at which hour the Senate reassembled.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6176) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

ENROLLED JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the enrolled joint resolution (S. J. Res. 63) authorizing the Secretary of War to issue permits for the diversion of water from the Niagara River, and it was thereupon signed by the Vice President.

REPORT OF UNITED STATES HOUSING CORPORATION.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, ordered to be printed, and, with accompanying paper, ordered to lie on the table:

To the Senate and House of Representatives:

In accordance with the provisions of section 6 of the act of Congress entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918, I transmit herewith reports covering all of the transactions with relation to the subject matter of that act up to and including February 28, 1919, and of all of the divisions other than the Fiscal Division up to and including April 30, 1919.

WOODROW WILSON.

THE WHITE HOUSE, *July 1, 1919.*

SUNDRY CIVIL APPROPRIATIONS—CONFERENCE REPORT.

Mr. WARREN. I present the conference report on House bill 6176, the sundry civil appropriation bill, and move its adoption.

The VICE PRESIDENT. The conference report will be read.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6176) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 6, 8, 11, 14, 15, 18, 19, 20, 24, 29, 30, 31, 35, 40, 44, 51, 52, 56, 58, 60, 61, 62, 63, 68, 72, 74, 88, 96, and 112.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 12, 17, 21, 22, 25, 27, 28, 32, 33, 34, 36, 38, 39, 41, 42, 43, 45, 48, 57, 64, 66, 67, 70, 75, 77, 80, 92, 94, 95, 97, 98, 99, 100, 102, 104, 105, 106, 107, 108, 109, 110, 111, 114, and 115, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed insert: "$2,375,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed insert: "$48,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$50,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Assistant Surgeons General at large, not exceeding three in number"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"The heads of the several executive departments and other Government establishments are authorized and directed to submit to Congress not later than the first Monday in December, 1919, a statement showing for the fiscal year 1919 the activities of their respective departments or establishments pertaining to the public health, and the amounts expended on account of each of the said activities."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: At the end of the matter inserted by said amendment insert the following: "*Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $2,500 per annum except the following: One at $7,500, 1 at $5,000, 10 at $3,600 each, and 40 from $2,500 to $3,000 each, inclusive"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$356,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: Restore the matter stricken out, amended to read as follows:

"For commencing the construction of a reflecting pool in West Potomac Park, $175,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$325,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,461,353.50"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$150,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$125,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,201,897"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$75,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$7,300,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$40,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows: " : *Provided*, That the Secretary of the Interior is authorized to adjust the compensation of officers and employees at St. Elizabeths Hospital"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,600,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment after the word "offices" in line 11; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$15,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"The appropriation herein made for the enforcement of the immigration laws shall be available for carrying out the provisions of the act entitled 'An act to exclude and expel from the United States aliens who are members of the anarchistic and similar classes,' approved October 16, 1918, and acts amendatory thereof."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$250,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert the following: "$60,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$75,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment, after the word "To," strike out the word "equip"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows:

In lieu of the matter inserted by said amendment insert the following:

"HOUSES.

"Aberdeen, Md., $5,000;
"Alliance, Ohio, $6,500;
"Bath, Me., $7,500;
"Bremerton, Wash., $24,000;
"Bridgeport, Conn. (site 4—Crane tract), $19,000;
"Bridgeport, Conn. (site 5—Mill green), $19,000;
"Bridgeport, Conn. (site 12—Grassmere), $8,000;
"Charleston, W. Va., $8,000;
"Erie, Pa. (east tract), $4,500;
"Erie, Pa. (west tract), $18,500;
"Hammond, Ind., $13,000;
"Indianhead, Md., $8,000;
"New Brunswick, N. J., $17,000;
"New London, Conn., $8,000;
"Groton, Conn., $1,750;
"Newport, R. I., $3,750;
"Niagara Falls, N. Y., $13,000;
"Niles, Ohio, $5,750;
"Philadelphia, Pa., $44,000;
"Portsmouth (Va.) district: Cradock, $47,000; Truxton, $12,500;
"Pompton Lakes, N. J., $1,000;
"Quincy, Mass., $36,000;
"Rock Island district: Davenport, Iowa, $15,000; Moline, Ill., $9,000; East Moline, Ill., $8,000; Rock Island, Ill., $16,500;
"Vallejo, Calif. (Mare Island), $21,000;
"Washington (D. C.) Navy Yard, $1,000;
"Waterbury, Conn., $4,000;
"Watertown, N. Y., $7,000;
"In all, houses, $412,250."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows:

Amend the matter inserted by said amendment as follows: In line 2 strike out "$220,000" and insert "$165,000"; in line 3 strike out "$99,000" and insert "$74,000"; in line 5 strike out the word "equip"; in line 14 strike out "$925,940" and insert "$700,000"; in line 14 strike out "$1,244,940" and insert "$939,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"RESTAURANTS.

"Quincy, Mass., $2,500;
"Vallejo, Calif. (Mare Island), $110,000;
"In all, restaurants, $112,500."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"APARTMENTS.

"Bremerton, Wash., $6,000;
"Bridgeport, Conn. (site 1, Black Rock), $33,000;
"Bridgeport, Conn. (site 14, Connecticut Avenue), $15,000;
"Erie, Pa. (west tract), $1,000;
"Porthmouth, Va., District: Cradock, $6,000;
"Washington, D. C.: Navy yard, $600;
"In all, apartments, $61,600."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"DORMITORIES.

"Indianhead, Md., $6,000;
"Quincy, Mass., $74,000;
"Vallejo, Calif. (Mare Island), $28,000;
"Washington, D. C.: Navy yard, $4,000;
"In all, dormitories, $112,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"In all, $2,068,970: *Provided*, That no part of the appropriations heretofore made and available for expenditure by the United States Housing Corporation shall be expended for the purposes for which appropriations are made herein."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In line 16 of the matter inserted by said amendment strike out the words "after the" and in line 17 strike out the words "conclusion of the war" and the word "it," and strike out all of line 39, after the word "away" down to and including the word "President" in line 42, and in line 55, strike out the word "commission" and insert in lieu thereof the word "corporation," and in line 57, after the word "therefrom," insert the following: "together with a detailed statement of receipts and expenditures on account of the other activities authorized by law"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"To enable the Secretary of Labor to maintain in the District of Columbia an organization to coordinate the public employment offices throughout the country by furnishing and publishing information as to opportunities for employment and by maintaining a system for clearing labor between the several States, including a director at $5,000 per annum; an assistant, at $4,000 per annum; four chiefs of division, at $3,000 each per annum; and such other personal services at rates of compensation not exceeding $1,800 each per annum as may be necessary; supplies and equipment, telegraph and telephone service, and printing and binding, $200,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: Strike out line 1 of the matter inserted by said amendment and transpose the remainder of said amendment to follow line 7 of page 2 of the bill; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For additional amount for driving the automobiles of the Vice President and the Speaker of the House of Representatives, $240 each, $480."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$50,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: Renumber the section to read, "Sec. 6"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 116, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment strike out the numeral "8" and insert in lieu thereof the numeral "7"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment as follows: Renumber the section to read "8" and strike out all of the matter inserted by said amendment after line 3 and insert in lieu thereof the following: "And with jurisdiction also to hear, consider, and adjudicate any and all other claims or demands by or against either party to said litigation, to the end that a complete and final adjustment may be had between said parties as to outstanding matters of controversy or account between them: *Provided*, That nothing in this amendment shall be construed to include claims by J. F. McMurray or Mansfield, McMurray & Cornish relating to the sale of the Choctaw-Chickasaw coal lands or claims relating to the leased district, or claims relating to proceeds arising from the sale of timber lands, unallotted or other lands, or any other claim where the services were not actually rendered and finished and resulted to the benefit of said people: *Provided further*, That the said J. F. McMurray shall be limited in presenting such additional claims to such matters as may have or shall hereafter be set up by way of set-off or counterclaim by the defendants"; and the Senate agree to the same.

F. E. WARREN,
REED SMOOT,
LEE S. OVERMAN,
Managers on the part of the Senate.

JAMES W. GOOD,
WILLIAM S. VARE,
JOSEPH W. BYRNS,
Managers on the part of the House.

Mr. ASHURST. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Kenyon	Nugent	Smith, Md.
Ball	Keyes	Overman	Smoot
Bankhead	King	Phelan	Spencer
Capper	Kirby	Phipps	Sutherland
Chamberlain	Knox	Pittman	Thomas
Cummins	La Follette	Poindexter	Warren
Curtis	Lenroot	Pomerene	Watson
Dillingham	McKellar	Ransdell	Williams
Fall	McLean	Robinson	Wolcott
Gerry	McNary	Sheppard	
Harrison	Myers	Smith, Ariz.	
Kendrick	Nelson	Smith, Ga.	

Mr. KIRBY. I announce the unavoidable absence of the Senator from South Carolina [Mr. DIAL], the Senator from Nevada [Mr. HENDERSON], and the Senator from Massachusetts [Mr. WALSH] on public business.

Mr. McKELLAR. The senior Senator from Tennessee [Mr. SHIELDS] is absent on important business.

The VICE PRESIDENT. Forty-five Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. BECKHAM, Mr. CALDER, Mr. COLT, Mr. FRANCE, Mr. GAY, Mr. GORE, Mr. GRONNA, Mr. LODGE, Mr. STERLING, and Mr. WADSWORTH answered to their names when called.

The VICE PRESIDENT. Fifty-five Senators have answered to the roll call. There is a quorum present. The question is on agreeing to the conference report.

Mr. ASHURST. Mr. President, I rise to address myself to the motion of the Senator from Wyoming [Mr. WARREN] that the Senate adopt the conference report on the so-called sundry civil appropriation bill.

There has been on the part of the conferees a matter omitted, and the matter is so vital that notwithstanding the great respect and esteem in which I personally hold the conferees, and notwithstanding the fact that we are all anxious to take a recess, I must be pardoned if I premise my remarks by the observation that if the Senate should adopt the conference report by omitting and excluding the so-called Robinson amendment, you must pardon me when I say it will be the most flagrant disregard of official duty that could possibly come to a body of this kind.

Mr. KENYON. Will the Senator state just what has been done with reference to the Robinson amendment?

Mr. ASHURST. It has been submarined, torpedoed, sunk without a trace.

Mr. President, there had been prepared an amendment which provided that $950,000 should be appropriated to continue the exercise of the agencies and energies of the Employment Service in the Department of Labor. After numerous conferences among Senators on this floor, after the chairman of the committee had been consulted, after a large number of Senators, leaders on both sides, had been consulted, it was agreed that while we could appropriate billions for war purposes, and I voted for them gladly, it would be better not to be too prodigal in expending money to secure positions and jobs for returning soldiers, and it was the unanimous consensus of opinion on both sides of the Chamber that $950,000 could not possibly be appropriated, because, of course, that would get somebody a job, it would bring a returning soldier a job. So the Robinson amendment was agreed to. There are sitting on this floor many Senators who were approached, among them conferees on the bill, who said they had no objection, and the Robinson amendment was agreed to; and there was a pretty lively, thick attendance of Senators. It was no thin attendance when the Robinson amendment was agreed to. The amendment is as follows, numbered 91, page 187:

To enable the Secretary of Labor, pursuant to section 1 of the act approved March 4, 1913, entitled "An act to create a Department of Labor," to continue to foster, promote, and develop the welfare of the wage earners of the United States, to improve their working conditions, to advance their opportunities for profitable employment by maintaining a national system of employment offices in the several States and political subdivisions thereof and to coordinate the public employment offices throughout the country by furnishing and publishing information as to opportunities for employment and by maintaining a system for clearing labor between the several States, including personal services in the District of Columbia and elsewhere, and for their actual necessary traveling expenses while absent from their official station, together with their per diem in lieu of subsistence, when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, supplies and equipment, telegraph and telephone service, and printing and binding, $400,000.

So, Mr. President, those among the Senators who saw the necessity to continue these employment offices agreed to reduce the amount from $950,000 to $400,000. Now, what do we find when the honorable chairman and the conferees return the bill? We find that the $400,000 has been reduced to $200,000 and that each and every dollar of that must be spent in the city of Washington—not a center of industrial activity. Beautiful and restful as this city is, it is not a center of industry, activity, and enterprise.

I can not assume—it would be offensive to assume—that Senators are oblivious to what the Employment Service is and what it has done. At the risk of being tedious, it will become my duty to state, as briefly and succinctly as I may, just what the activities of that bureau are and just what they have been.

Mr. WARREN. Mr. President, will the Senator yield?

Mr. ASHURST. Certainly; I yield for a question.

Mr. WARREN. I was not about to ask a question, but to make an observation.

Mr. ASHURST. I yield to my friend the Senator from Wyoming for any purpose so long as I do not lose the floor.

Mr. WARREN. The Senator knows, of course, that we had to meet the House in conference. The House insisted upon a sort of clearing-house measure between the United States and the States, as many of the States have organized their bureau heads. We met with them and protected the appropriation of $400,000 to the limit.

Mr. ROBINSON. Will the Senator yield to me to make an inquiry?

Mr. ASHURST. Certainly.

Mr. ROBINSON. The Senator from Wyoming has just stated that most of the States have an adequate employment service.

Mr. WARREN. I beg the Senator's pardon. I did not state that. I said nothing about adequate or inadequate. I do not know anything about that.

Mr. ROBINSON. The Senator has just stated that most of the States have an employment service.

Mr. WARREN. Yes; I said many of them.

Mr. ROBINSON. Will the Senator state how many?

Mr. WARREN. I could not state how many, but I think perhaps two-thirds of them.

Mr. ROBINSON. Information on my desk is to the effect that only 14 States have any employment service as State organizations, and if the Senate conferees in promptly receding from this amendment proceeded upon the theory that the existing local organizations, State and municipal, are adequate to meet the requirements of conditions in the country now in connection with unemployment they were laboring under such a lack of information as is totally incomprehensible to me.

Mr. WARREN. Mr. President, I do not care to have words put into my mouth. I did not say that it was the language or the thought of the conferees upon the part of the Senate, and when the Senator says the conferees yielded quickly he is very much mistaken. I wish to state now before the Senate that the conferees did the best they could in this case, and the Senate has the result. If it is unsatisfactory, of course the Senate has its remedy. The conferees, however, did the best they could.

Mr. ROBINSON. Mr. President, will the Senator from Wyoming state when the conference report on the sundry civil appropriation was agreed to by the conferees?

Mr. WARREN. It was agreed to yesterday.

Mr. ROBINSON. This bill passed the Senate about 1 o'clock on Saturday night.

Mr. WARREN. Yes.

Mr. ROBINSON. And the conferees, therefore, could not have had more than 36 hours in which to consider the numerous amendments in conference on this bill.

Mr. WARREN. The conferees went into conference on Sunday and worked until after midnight on Sunday. Immediately on Monday morning they went into conference again and were in conference up to the time of the meeting of the Senate. That was about all the time we had, as yesterday was the last day of the fiscal year.

Mr. ROBINSON. I understand that, but the Senator has stated that the conferees proceeded with deliberation——

Mr. WARREN. Yes.

Mr. ROBINSON. And that they took ample time. I take the position that, considering the importance of the controversies involved in the amendments which the Senate put on the bill, the conferees could not have considered one-half of them. They could hardly have read them.

Mr. WARREN. Mr. President, I do not know what the knowledge of the Senator is about conferees, but I want to say to him that the conferees on the part of the Senate did have plenty of time to consider every subject, and did consider every subject, involved in the bill. We might have been in conference for a month and we might or might not have had any differences, but it is not for the Senator from Arkansas or any other Senator to say that conferees, when they come in here, having

worked night and day, with the limited time at their command, have not considered all the items of the bill.

Mr. ASHURST. Mr. President——

Mr. KENYON. Let me ask a question.

Mr. ASHURST. I yield to the Senator from Iowa.

Mr. KENYON. I should like to ask when the House sent this bill to conference. I understood that was done yesterday.

Mr. WARREN. That is true, but the conferees were known, and we went into conference immediately after the Senate passed the bill and hardly slept until we had finished it.

Mr. KENYON. The conferees met and determined the matter before the House appointed conferees?

Mr. WARREN. We did not, but we went through the bill, and without a final determination, of course, upon all these points. It went to the House on Monday morning, and the conferees were then appointed, and we again went into conference.

I wish to say in that connection, what it is unnecessary for me to say, that here is a bill which failed entirely at the last session and which, if not passed before the 1st of this month, leaves these institutions without authority to proceed further. There seemed to be haste, making it necessary for me to ask the Senate to remain in session from early in the morning until very late on Saturday night. It seemed to us that that was the right way for us to handle it. It then became the duty of the conferees to put all the time they could get into the consideration of these items. Therefore they took time by the forelock in having the conferees on the part of the House go into service even before they were appointed.

Mr. ROBINSON. Mr. President, I merely want to say, with the permission of the Senator from Arizona [Mr. ASHURST], that the last statement of the Senator from Wyoming [Mr. WARREN] discloses the fact that this bill did not go to conference until after the House met on yesterday.

Mr. ASHURST. Mr. President, I have been long enough here to know that it is improper for me to refer to what has taken place in another branch of Congress, so I say that in another body a motion was made by the man who for months has—I say he had the right to—been the persistent enemy and antagonist of the Employment Service. He moved to instruct the conferees, and every man who indulges in the luxury of reflection knows that that meant that the conferees should eliminate the Robinson amendment. His motion was defeated by a vote of 189 to 1. Then my friend from Wyoming [Mr. WARREN] says that the sentiment of the House was indicated by the conferees to be overwhelmingly opposed to this amendment, when the only expression had was of a vote of 189 to 1; and yet he regards that to be an expression on the part of the House in oppugnacy to the present amendment.

Mr. President, this is a fundamental question, and let me say to the conferees that I mean nothing personal; I do not intend to be offensive; and, if I strike hard blows, they are going to be fair ones. The time has come for some plain speaking.

We have been holding out promises of various kinds in speeches at banquets and functions of other kinds that when the soldier returns he would at least get his job back and perhaps a farm. The farm-homestead bill is in a very precarious condition. There was an agency established, however, under and by virtue of which the returning soldier could step into a Government employment agency in New York or in Brooklyn or in any other part of this country and say to the local director, "I am a returning soldier; I desire a position in order that I may again resume my activity in civil life and earn my bread."

Under that agency positions were secured at the rate of 70,000 per week for returning soldiers. Think of that, Senators! Under these Government agencies the soldiers were put into positions at the rate, on the average, of 70,000 per week. One week it was 81,000 and another week 69,000, but the average was 70,000 men a week put to work. To use a phrase which I did not coin, but which I heard to-day, it was the agency of our Government which brought the "manless job and the jobless man" together. A brass worker or a wagon maker could step into this office in New York and ascertain whether there was a position for him in Toledo, Ohio. The man and the job were brought together, yet we find that the conferees have come back, having paralyzed and rendered nugatory the only agency set up by the Government for the purpose of bringing the man and the job together.

I have no especial eulogy for the soldier; he did his duty; he did what he ought to have done; to have done less would have proven that he was not an American; but we owe the soldier at least the opportunity to get a position if he wants to work.

Mr. THOMAS. Mr. President, may I ask the Senator a question without interrupting the course of his argument?

Mr. ASHURST. Certainly; I yield.

Mr. THOMAS. How many weeks does this average of 70,000 employment extend over?

Mr. ASHURST. The employment agency has been active since January, 1918, but the average of 70,000 per week extends back for many weeks; I should say at least 12 or 15 weeks and possibly longer. I have not the data right at hand.

But now to give to the country and to the Senate some idea in what esteem this Employment Service is held and how it is regarded by big business, little business, laboring men, farmers, industrial men, and capitalists, I hold in my hand a telegram, which is only two days old, which is signed by the Du Pont Co., of Wilmington, Del. It is addressed to the Director General of the Employment Service, and reads:

> We are recruiting for large construction works near Detroit through your office and understand a general reduction in practically all of your offices occurs July 1. Very important we know Monday what employment offices will operate after July 1 in the followings States: Michigan, Ohio, Indiana, Illinois, Kentucky, and Wisconsin. Will appreciate prompt reply.

Mr. President, I could tire the Senate and load the CONGRESSIONAL RECORD down with scores upon scores of letters and telegrams from various industrial enterprises in our country, all testifying to the fact that for months past they have utilized the splendid service of the employment offices of the Government in recruiting their factories and their farms with laborers.

What, then, is the sentiment of the country upon this subject? When my party failed to do its duty last March—and I am going to tell the truth about my own party as quickly as I shall about any party—when it failed to do its duty last March to make an appropriation for this service, hundreds of men who asked for nothing from their Government came forward and contributed from their private funds in order that these employment agencies might go forward; and a large number of offices, six or seven hundred, have been maintained partly through the small amount of money that was on hand and partly by reenforcement from private sources. So I say—and I measure my words—that this employment agency has averted one of the most perilous things that could come to our country. What is the sentiment of the country upon it? It is the one question upon which all our countrymen are united. We may be in opposition upon other questions, but I challenge Senators to give me the name of one question upon which the Nation is more nearly unanimous than it is upon this question.

Has it been a perfect service? No. The only perfect thing is what we think we can do; that is the only perfect thing in the world; but I assert here that, notwithstanding possibly there have been one or two places where it did not function just the way it should, it has functioned well; it has done a splendid work.

The charge is made that it has been too friendly to union labor, and that in many instances it has employed only union labor. I respectfully state that that is not true.

The Employment Service has not attempted to employ union labor only. I know that hundreds of laborers were brought from the West by the Employment Service to work on the nitrate plants at Nitro, W. Va., and to work in the shipyards at Norfolk. Out of the 500 who were brought here not 200 belong to labor unions and 300 were not members of labor unions. So I say if it be an offense to have employed a large number of union laborers they have in securing men positions paid no attention to whether they belonged to labor unions or whether they did not. It may be true that in some one State the charge might be made with a due regard to plausibility that union labor was taken care of, and that the man who did not belong to the union was not allowed to have a position; but I assert that, taking it by and large, all kinds of men, whether they were unionized or not, were given an opportunity to work. I further assert here that the laboring men, whether union or nonunion, are in favor of the continuance of this employment agency.

I repeat, what is the sentiment of the country, Mr. President, on this subject? The President of the United States in his message to Congress said on May 20, 1919:

> I am sure that it is not necessary for me to remind you that there is one immediate and very practical question of labor that we should meet in the most liberal spirit. We must see to it that our returning soldiers are assisted in every practicable way to find the places for which they are fitted in the daily work of the country.
>
> This can be done by developing and maintaining upon an adequate scale the admirable organization created by the Department of Labor (the United States Employment Service) for placing men seeking work; and it can also be done, in at least one very great field, by creating new opportunities for individual enterprise.

I will not read the editorials, but I crave permission, Mr. President, to include in the RECORD, as a part of my remarks, a few out of the many hundreds of editorials that I have here. If I can secure that permission, I will only read extracts from them and include the remainder in the RECORD.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and permission is granted.

Mr. ASHURST. Take the Des Moines News, published in Des Moines, Iowa. The first three lines of the editorial read:

One of the most urgent and patriotic duties now before Congress is the passage of an act appropriating money for the continuation of the United States Employment Bureaus.

I will include the remainder of that editorial in the RECORD without reading.

The editorial referred to is as follows:

CONGRESS SHOULD HELP SOLDIERS GET JOBS.

One of the most urgent and patriotic duties now before Congress is the passage of an act appropriating money for the continuation of the United States Employment Bureaus.

Unless such an appropriation is made at once, these bureaus must be discontinued July 1 for lack of funds.

Since January 1, 1918, Government employment bureaus have placed 5,000,000 workers in jobs.

At a low average wage of $2 per day, this means that $10,000,000 is paid out daily to Government-placed workers and that the same amount of new wealth is being created daily in some form of constructive work.

In Iowa the Federal bureaus, working in conjunction with the State bureaus, sent out to jobs in one year 94,072 workers. During this period, April 1, 1918, to April 1, 1919, the office records show that at least 73,252 workers were successfully placed.

Owing to the failure of the thirty-eighth assembly to make any appropriation for the continuation of the State bureaus after July 1, Iowa will be on that date without any official organization, State or Federal, to which returning soldiers can turn for assistance in finding work.

Shall the Iowa boys of the Eighty-eighth Division and other returning units be left to the tender mercies of the private employment agencies in their search for a job?

Parades and receptions are well enough in their way, and no honor due Iowa's soldiers should be omitted, but what will it profit the man who sacrificed all to serve his country if he be met with a brass band on the first day of his return and then be turned out to shift for himself on the second?

The Government which took men away from industry to fight for our country can in honor do nothing less than to put them back into industry.

Since Iowa's Legislature shirked its part of the duty, Congressman JAMES W. GOOD, chairman of the House Appropriation Committee, should make doubly sure that an immediate appropriation is made for continuation of the Federal employment bureaus.

Other Members of the Iowa delegation should use their influence to the same end.

Returning soldiers must be given jobs—without money and without price.

Mr. ASHURST. The Washington Post of June 20 published an editorial entitled "Neglect of soldiers," the first paragraph of which reads as follows:

In reducing the appropriation in the sundry civil bill for the United States Employment Service for the next fiscal year from $4,600,000 to $200,000 and in limiting the expenditure of the latter sum to the maintenance of a mere "clearing house in the District of Columbia," the House Appropriations Committee has acted obviously without regard to the real situation.

I will include in the RECORD the remainder of that editorial. The entire editorial is as follows:

NEGLECT OF SOLDIERS.

In reducing the appropriation in the sundry civil bill for the United States Employment Service for the next fiscal year from $4,600,000 to $200,000 and in limiting the expenditure of the latter sum to the maintenance of a mere "clearing house in the District of Columbia," the House Appropriations Committee has obviously acted without regard to the real situation.

How misunderstood the true conditions are is indicated in the remark by the chairman of the House Appropriations Committee when he stated that the field organization of the Federal Employment Service is not needed for the placement of soldiers and sailors, since the War Department has developed a soldiers' employment service.

The facts are, however, that the War Department has not the semblance of placement machinery to assist returning soldiers to employment. Not more than 12 of the States have employment systems. If the placement facilities maintained by the Federal Employment Service in the States are not continued through adequate appropriation, the United States on July 1 will find itself without any comprehensive organization to assist the soldiers and workers to employment and to prevent the conditions that contribute most to industrial and social unrest.

The War Department recently advised the House and Senate Appropriations Committees that the work of placing soldiers and sailors was being conducted through the medium of the United States Employment Service and that if the service were not continued next year "the interests of the soldiers and sailors needing assistance in reestablishing themselves in civil life would be injured to an extent which it is impossible to exaggerate."

If the States are to be relied upon to solve the employment problem, it will not be solved. The larger industrial States, with but two or three exceptions, are not equipped successfully to handle the employment problem within their borders, while the agricultural States, now crying for harvest labor, have no facilities of their own for recruiting and distributing workers. The comprehensive machinery of the Federal Employment Service throughout the country should be continued, at least during the readjustment period. The granting of funds for a bare administrative skeleton in Washington, with nothing to administer, would be a waste of money. If the returning soldiers are entitled to jobs, let the Government find the jobs and not shift the duty to the States.

Mr. ASHURST. The Washington Star had a long editorial recently, temperate and moderate, the headline being "Continue the service," referring to the Employment Service. I will include that editorial in the RECORD without reading.

The editorial referred to is as follows:

CONTINUE THE SERVICE!

An emergency deficiency appropriation of $275,000 is asked to continue the United States Employment Service during the present fiscal year, to prevent the scrapping of the machinery that has been assembled and put into effective working order to insure a distribution of labor and prevent congestion of unemployment. A bill is pending in each House to provide for a permanent Employment Service, with the Federal and State Governments cooperating. If the deficiency appropriation is granted and is supplemented by additional funds for the coming fiscal year, the service can be maintained until some such permanent plan can be put into execution.

No doubt can be felt as to the value of this service to the country. It has amply proved its worth by its works. Through it, since the armistice was signed, 2,136,717 men have been placed in sustaining positions. At present nearly 60,000 men are weekly being guided to jobs. Each week the service is clearing between 2,000 and 3,000 men between States, thus preventing congestion.

Opposition is manifested to the continuance of the service from two sources, the fee-charging employment agencies and the manufacturers who want congestion of labor in their localities in order to have long lines of applicants at their gates and thus to bring down wages. The interest of the fee agencies is obvious. The Employment Service is now saving approximately $22,000 a day to the men whom it places in fees they would otherwise have to pay. The short-sighted manufacturers who want labor congestion for their own convenience and profit can not appreciate, apparently, that such conditions lead to certain future trouble.

Congress is now asked for these appropriations to maintain a service that has been effective and that is greatly needed for months to come, until the last man has been demobilized and all men who can work, and want to work, are brought into relation with jobs. And after the present emergency conditions have passed, there should be a systematic method of labor placement, similar to the system in vogue in England, where the Government aims through agencies to promote "fluidity" and to prevent congestion through distribution.

To dismantle the Employment Service for lack of a comparatively small sum would throw out of gear a mechanism for social safety and industrial rehabilitation that has been worth many times its cost during the trying months of labor derangement incident to the war. It would be the falsest sort of economy to deny the appropriation sought.

Mr. ASHURST. The Washington Times had an editorial only a week ago urging the continuance of the Employment Service entitled, "Shall we fail our fighting men?"

From the Boston Post—and there is the city of Boston, the center of culture and estheticism of our country, talking to you—I quote the following:

The work of the United States Employment Service should be maintained. The proposition for its continuance now before Congress carries with it an appropriation to meet the cost of such service which, while moderate in comparison with other authorized expenditures, is essential and should be granted.

The editorial is a very strong one, and I shall print the remainder of it in the RECORD.

The editorial referred to is as follows:

PLACES FOR OUR BOYS.

The work of the United States Employment Service should be maintained. The proposition for its continuance, now before Congress, carries with it an appropriation to meet the cost of such service which, while moderate in comparison with other authorized expenditures, is essential and should be granted.

What has already been done in the line of placing our returning soldiers and sailors in industrial work is notable and showing the efficiency of the scheme. The Federal bureau has been finding places for the unemployed at the rate of about 300,000 a month; of these some 20 per cent are returned soldiers and sailors. Now they are coming home from the other side in larger companies than ever, and of those arriving during the week of May 24—the latest date of official figuring available—12,654 were satisfactorily located, with returns from six States yet to come in.

It is a large work in which the Employment Service is engaged and it is conducted with energy and skill.

Mr. ASHURST. I now quote from an Associated Press dispatch. Who is this talking? Gen. Wood is talking now. Listen to this:

Discharged men "potential reds," says Gen. Wood.

New York, June 14: To combat "Bolshevism" employment should be provided by the Federal Government for discharged soldiers, sailors, marines, and war workers—"potential Bolshevists"—according to a statement by Maj. Gen. Leonard Wood made public here to-night by Dr. George W. Kirchwey, State director of the United States Employment Service.

Asserting that men who engaged in the war feel they are entitled "to as much consideration as the chaps who stayed at home," Gen. Wood declared it was natural they should feel discontented on their return to find their positions occupied by "stay at homes."

I ask permission to include the remainder of Gen. Wood's interview without reading.

The dispatch referred to entire is as follows:

DISCHARGED MEN "POTENTIAL REDS," SAYS GEN. WOOD.

(Associated Press dispatch, June 15, 1919.)

NEW YORK, *June 14, 1919.*

To combat Bolshevism employment should be provided by the Federal Government for discharged soldiers, sailors, marines, and war workers—"potential Bolshevists"—according to a statement by Maj. Gen. Leonard Wood made public here to-night by Dr. George W. Kirchwey, State director of the United States Employment Service

Asserting that men who engaged in the war feel they are entitled "to as much consideration as the chaps who stayed at home," Gen. Wood declared it was natural they should feel discontented on their return to find their positions occupied by "stay at homes."

"Many of the men who have returned are sick, both physically and mentally, and waiting with nothing to do and finding on every hand radical orators only too willing to sow the seed of discontent, their minds are open to such propaganda," said the general.

"I consider it absolutely essential for the Federal Government to continue its efforts to place discharged military men and civilian war workers in profitable peace-time jobs, and for this purpose funds should be immediately made available to continue the United States Employment Service, which has proved a potent factor in helping to solve this problem from a national standpoint."

Mr. ASHURST. Now, I will ask Senators to remember the names of the newspapers I am about to read. I will not read all the editorials printed in these newspapers—and they are only a part of all of them—that have urged this Congress, and urged the Senate especially, to continue the Employment Service.

The New York Commercial; the Springfield (Ohio) Sun; the Musical Courier; the Chicago Daily News; the New York World; the New York Tribune—and let me read a part of what the Tribune says:

A work that should go on—

Referring to the Employment Service—

To-day there are many special exigencies which make the continuance of the United States Employment Service activities a public necessity.

The New Orleans Item—and I have, bear in mind, secured permission to include these editorials in the RECORD—the Atlantic City (N. J.) Gazette; the New York Evening Post; the Cleveland (Ohio) Topics; the Los Angeles Herald; the Savannah (Ga.) News; the San Francisco Bulletin; the New York Herald; the Poughkeepsie (N. Y.) Star; Forbes Magazine; another long and powerful editorial from the New York Tribune; the Cotton Seed Oil Magazine; J. P. Morgan & Co.—J. P. Morgan & Co. join hands with the American Federation of Labor and with the laboring men who belong to no federation of labor, and say this Employment Service should be continued; the Sioux Falls Press; the Fresno (Calif.) Republican; the Detroit News; the Springfield (Mass.) Republican; the Boston Traveler; the Atlanta Journal—a metropolitan newspaper, published in the home of the Senator from Georgia [Mr. SMITH], one of the greatest Senators that State or any other State has ever sent to this body. It is his duty also, and ought to be, and I know it will be, to sustain this service on this occasion. The Chicago Journal; the Savannah (Ga.) News; Collier's Weekly—I do not always agree with Collier's, but when it writes I always read; the Paterson (N. J.) Call; the Wilmington (Del.) Every Evening; the New York World; the Cleveland (Ohio) Press; the New York Telegraph; the Iron Age; the Wisconsin State Journal; the La Crosse Tribune; the Newark (N. J.) Star Eagle; the Birmingham (Ala.) Ledger; the Sacramento (Calif.) Bee—a paper which is one of the leaders of thought and expression on the Pacific coast; the New York Commercial; the New York Mail. I wish that I could be forgiven for standing here and reading all of these editorials.

Senators, if I were to read the powerful arguments contained in these editorials from Democratic papers and Republican papers, wet papers and dry papers, union-labor papers and anti-union-labor papers, papers of all kinds, you would be utterly amazed at the unanimity of expression; you would find that the thinkers of America see that the workers of America must have an opportunity to work. To continue the list, the Memphis (Tenn.) Press; the Claremont (N. H.) Daily Eagle; another editorial from the New Orleans Daily Item; Baltimore (Md.) News; New Orleans State; San Francisco Call and Post; Winston-Salem (N. C.) Sentinel—North Carolina calls upon her learned Senator, the Senator from North Carolina [Mr. OVERMAN], to go back into conference and see that the workingmen at least have a chance to get jobs, and I know he will do it, as he has never failed to respond to a proper call made by the true, expressed voice of the American people; the Farm Journal. What is this list of editorials? Who is this talking? Some popular orator talking to the people, arousing their prejudices in order to get their votes? No; it is the thoughtful, conservative expression of the press of America. The Denver (Colo.) Bulletin—and its editorial has the caption "Ten reasons why the United States Employment Service should be continued"; the Chicago Herald-Examiner; the Survey—and let me read the first few lines of the brief Survey editorial:

Though born of the war and tested by it, it may be that in years to come the United States Employment Service, which was left without resources by the failure to pass the general deficiency bill, will be remembered for its contributions to the theory, science, and practical development of a permanent national system rather than for its spectacular success in mobilizing man power.

It would defy Milton himself to put it more luminously or more correctly than it is put by that sentence.

The Yonkers (N. Y.) Statesman; the Evening State Journal of Nebraska; the Omaha Bee; the Toledo Blade; the Newark News; the Analyst (New York Times Co.); the Des Moines (Iowa) Capital; the Washington Times again; the San Francisco Examiner; Public Opinion; the Montgomery (Ala.) Advertiser; the Tampa (Fla.) Times; the World's Work; the American Contractor; the Ithaca Journal; the Farrell (Pa.) News; the Schenectady (N. Y.) Gazette; the Marietta Times; the American City, New York; the Freeport (Ill.) Journal; again, the Washington Times; the New York Journal of Commerce; again, the Washington Star; the Washington Post; the Philadelphia Evening Ledger; the Hackensack Record; the Literary Digest; the Trench and Camp.

That name falls with a cadence upon my ear. Soldiers appealing to you not for charity, not for a gift, not for money out of the Treasury, but appealing to you to assist them when they set foot again on American soil to get positions in order that they may work.

The Pittsburgh Press, the Charleston (S. C.) American, the Fort Worth (Tex.) Star-Telegram, the Come-Back. The Come-Back is published at Walter Reed Hospital. The contributions to that paper, by their optimism, liveliness, spirit, energy, and cheerfulness are remarkable. What shall be our answer to those boys who publish the Come-Back in behalf of the wounded soldiers? Shall it be that we will let them take such chances as they may find; that they have got to ascertain for themselves whether there is a position in Toledo or in Pittsburgh for them? Shall we cast them off when they come back, and say, "We took you out of a good job, now you hunt a job yourself"? That does not appeal to the soldier and does not appeal to the statesman.

The Stars and Stripes, Printers' Ink, Advertising and Selling, and the Fourth Estate.

I will ask permission, Mr. President, to include in the RECORD, without further reading, a few expressions from typical letters from soldiers.

The VICE PRESIDENT. Without objection, permission is granted.

The matter referred to is as follows:

TYPICAL LETTERS FROM SOLDIERS AND SAILORS.

"I was discharged from the Army, and upon my return home tried to find employment, but without success. By chance I heard of the United States Employment Service office and filed my application with it. Within 24 hours I was referred to an opening, where I am now employed. A private agency would have charged me $40 to $60 for the kind of a position I secured, free of cost, from the Employment Service." (Ex-Soldier.)

"Regarding the Government's plan of placing men under the new employment scheme, too much can not be said for it, for the policy seems to be that of fitting the men to the job instead of the old way. Furthermore, men leaving the military service do not have to be overburdened with private employment fees in obtaining work." (Navy Ensign.)

"After trying two weeks to secure a suitable position, I had about made up my mind that I could not find what I wanted here, so was planning to go to another city. At this time I conferred with the superintendent of the local office of the United States Employment Service, and he at once referred me to the S. Manufacturing Co., from whom I secured exactly the kind of a position I desired, with a good salary to start and good chances for advancement." (Army Lieutenant.)

"The United States Employment Service is certainly doing a fine work, and I am sure it is highly appreciated by all who take advantage of it. The fact that it was successful in placing me in just the sort of position I desired within two hours from the time I arrived in the city speaks well for the systematic and efficient management." (E. G. C.)

"The United States Employment Service not only places ex-soldiers and ex-sailors in fair jobs, but locates them with the best firms in our city and in permanent positions with a future." (T. C. McH.)

"It seems that the United States Employment Service should be better known to the soldiers who are returning to their homes. If the soldiers were told of this service throughout the country, it would save them much trouble and delay in securing positions." (Ex-Soldier.)

"In answer to your letter received at my Kansas City address, I find that you are in receipt of information to the effect that I have recently been discharged and am now seeking employment and that you offer every assistance possible in getting the kind of work desired.

"For this I very much thank you; but you will find from your latest records that I have already been given employment through the United States Employment Service as a salesman." (B. E. W.)

WELFARE ORGANIZATIONS SUPPORT THIS CAMPAIGN.

The War Camp Community Service, Red Cross, Knights of Columbus, Y. M. C. A., Jewish Welfare Board, and similar organizations, which are conducting their soldiers' placement activities through the medium of the United States Employment Service, are giving valuable assistance to the advertising campaign through their local units. As part of their work on behalf of soldiers, they are inserting the standard or special advertisements in local newspapers, in order to inform employers where to list their employment openings and the necessity for doing so.

The New York City branch of the War Camp Community Service, for instance, placed a special advertisement along this line in the papers of that city which has been repeated by other branches of that organization and other welfare bodies in other cities of the country. The copy for this "ad," which has proven so popular, is included in the first edition of this bulletin.

Mr. ASHURST. I also ask permission to insert in the RECORD expressions from a large number of advertising agencies and business, trade, and agricultural papers.

The VICE PRESIDENT. Without objection, permission is granted.

The matter referred to is as follows:

ADVERTISING AGENCIES.

UNITED STATES EMPLOYMENT SERVICE,
220 Fifth Avenue, New York City.

GENTLEMEN: The advertising campaign of the United States Employment Service designed to sell "jobs for soldiers" commends itself to this association, particularly because of its practical and economic character.

Now that the Victory loan campaign is over, there is no more urgently needed campaign than one to assist the millions of returning soldiers, sailors, marines, and war workers to suitable employment. It should appeal especially to the business and advertising men of this country because it is universally realized that stable labor and employment conditions are essential to industrial progress, increased production, and markets for every kind of commodity. We believe that it will appeal fully as much to advertising men, sales managers, and advertisers as much as a sound business proposition as it does as a patriotic service.

We assure you that we will do everything possible to make the campaign a success.

Sincerely, yours, WILLIAM H. RANKIN,
Chairman Newspaper Division of the American Association of Advertising Agencies, Chicago, Ill.

—

ADVERTISING CLUBS.

UNITED STATES EMPLOYMENT SERVICE,
Room 2001, 220 Fifth Avenue, New York City.

GENTLEMEN: We have given very careful attention to your letter of the 16th, asking us to cooperate with you in procuring advertising for the United States Employment Service to aid in securing jobs for returning soldiers and sailors.

We feel that this is a very worthy cause, and I know that our clubs all over the country are active in helping this work right now and I am sure that they would be very much interested in the suggestions you have made. * * * I will be glad to send the suggested advertisements to our clubs promptly, and I think we can depend on good cooperation.

Yours, very truly,
ASSOCIATED ADVERTISING CLUBS OF THE WORLD,
P. S. FLOREA, *Executive Manager.*

—

NEW YORK CITY.

UNITED STATES EMPLOYMENT SERVICE,
220 Fifth Avenue, New York City:

The stimulation of normal business conditions with the consequent employment of men is the most immediate and vital problem affecting American business; and it has the added importance of recognition by all of the very great debt which we owe to our Army and the obligation which is upon us to see that suitable employment is promptly provided for returning men. Any effort to that end can not but have the immediate indorsement of all business interests.

The members of the Association of National Advertisers, Inc., are demonstrating their faith in business conditions by promoting business to the fullest possible extent, by aggressive advertising campaigns which it seems certain can not fail to result in an increase in business activity. This will automatically open channels of employment.

The members of the association will, I feel certain, be very glad to know the true facts about the present status of the United States Employment Service, and to cooperate through its agencies in offering employment to men.

Sincerely, yours,
WALTER A. MCDERMID, *President.*
ASSOCIATION OF NATIONAL ADVERTISERS.

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BUSINESS AND TRADE PAPERS.

UNITED STATES EMPLOYMENT SERVICE,
220 Fifth Avenue, New York City.

GENTLEMEN: During the war the business press enlisted for service without condition or reservation, and we are proud of the achievements of our papers in promoting every conceivable form of activity to do with the winning of the war.

In the work of reconstruction our publications are showing the same degree of intelligent zeal that they did during the war; and I know that I bespeak the sentiment of every business paper publisher and editor in the country when I say that you may count upon our hearty support in your work of finding jobs for the returning soldiers.

This is a duty as well as an economic necessity; and we trust that you will not hesitate to call upon the business press for the assistance it is so peculiarly qualified to render in connection with this work.

Sincerely, yours,
THE ASSOCIATED BUSINESS PAPERS (INC.),
New York City,
JESSE H. NEAL, *Executive Secretary.*

—

AGRICULTURE PRESS.

UNITED STATES EMPLOYMENT SERVICE,
220 Fifth Avenue, New York City.

GENTLEMEN: I received your request to give consideration of this important matter of assisting the returning soldiers to employment, and I assure you that it will be most cheerfully acquiesced in because of the worthiness of the cause.

Very truly, yours,
AGRICULTURAL PUBLISHERS ASSOCIATION,
Chicago, Ill.,
FRANK B. WHITE, *Managing Director.*

Mr. ASHURST. Mr. President, I forbear to load the RECORD down with a larger number of similar communications, but I assert that this is only a small portion of editorials from respectable papers that I could produce here urging the Senate not to abolish the Employment Service.

Now I will read a short statement as to the energies and activities of the Employment Service:

The United States Employment Service desires sufficient funds to operate the service over the present emergency and until the Senate and House can decide whether or not a permanent service is desirable.

It is at present operating 500 offices and some 2,500 bureaus for returning soldiers. Since the appropriation was not reached in the last Congress, a great many of the offices have been maintained by voluntary contributions, amounting to $110,000 per month. This is an evidence of the desire of the great mass of people, through their organizations, for an employment service. More than 50 organizations are contributing to the operation of the service. The voluntary contributions extend generally only to June 30, for the reason that it was supposed that the Employment Service would be provided for by Congress. If no funds are provided in the sundry civil bill, the employment offices will close their doors thereby.

Bear in mind that under the amendment as it is returned by the conferees, instead of $400,000 being appropriated, so that the 500 offices and 2,500 bureaus in all parts of the United States may be operated, the amendment as returned by the conferees limits the expenditure simply to Washington, and reduces it to $200,000. As I construe the amendment, all the money to be appropriated must be spent here in the home of officialdom and of bureaucracy. It would be well to have a few dollars spent here, but I conceive it would be better if only $200,000 is to be granted, to spend it out in the States, in New York City, in Philadelphia, in Boston, and in other places where the returning soldiers are landing, so that the offices there can be maintained and the soldiers know where to go to secure a position.

The following will be the results if the amendment should be defeated:

1. It will seriously hamper the recruiting of labor in the great wheat belt, which will imperil the crops of that region.

2. An entirely different machine will have to be set in operation for the returning soldiers and sailors, and the representatives in Europe who are obtaining the soldiers' applications for work will be withdrawn. The service is placing between 10,000 and 15,000 soldiers per week, and, including civilian workers, from 60,000 to 70,000 per week. I was in error when I said it was procuring positions for 70,000 soldiers per week. It is 15,000 soldiers per week and about 55,000 civilians per week. If the appropriation should fail, the investment of about $1,000,000 in equipment will have to be sold to the highest bidder.

Charges against the service:

(a) The charge that has been made that the Employment Service has been extravagant is unjust, for the reason that it has cost, including overhead, investments, and equipment, only $1.37 per worker placed in employment. In other words, Mr. President, it requires only $1.37 to secure a position for a man.

"Placement" means that either the workman or the employer reports that he has been placed in a position. Now, bear in mind that "placement" means only when the workman reports that he has secured employment.

From the signing of the armistice to June 1 there have been more than 2,000,000 workers placed—2,000,000 workers placed!.

(b) The charge that it is a prounion organization is successfully refuted by the personnel of the State directors, the majority of whom are in the employer class. How could you charge successfully that this is simply an instrument or an agency of union labor when a majority of the directors throughout the States are employers of labor?

In addition, the directors in Washington are made up as follows:

Director General, a lawyer.

Assistant Director General, in private life the head of a large insurance company.

Acting Assistant Director General, president of a number of manufacturing corporations and a large employer of labor.

Director of operations, director of a railroad and a director in several corporations.

Director of organization, a lawyer.

Not more than 12 instances can be cited of improper actions having a tendency toward favoring organized labor. Out of the vast energies of this service, stretching its fingers into almost every hamlet, town, city, and village in our country, we discover that only in 12 instances can there be laid charges of improper action in securing a position for a union man as against a nonunion man.

This is remarkable in an organization operating 500 offices and which has had during the war a large personnel.

Secretary Wilson said in a speech in Washington on April 5, 1919:

Of course, any employment service that is a union-labor employment service and that gives special preference to union labor as against nonunion labor would not meet the employment situation of the United States.

It has been charged that this is a political machine. The charge that it is a political machine is refuted by the personnel of the State directors, the majority of whom are Republicans. The politics of the employees is not known, but it is safe to estimate that the majority of them are Republicans.

Question: Are the employers against the service?

The fact that it is estimated that 10,000 employers are using the service weekly would seem to justify the belief that many employers favor the service. I think that is a fair assumption. When 10,000 employers each week utilize this service, it is at least a fair and reasonable presumption that it is necessary and popular with the employers.

The propaganda which has been carried on against the service by various employers' organizations is the same sort of propaganda which has been carried on against any progressive movement of any kind having to do with employers. The same propaganda was carried on against the workmen's compensation law, against the factory-inspection laws, against the pure-food law, against the child-labor law, and against all these other laws of a similar character.

Now, having, as I think I have, demonstrated, or at least tried to demonstrate, that the employers of labor are for the service, the question arises, Are the workers for the service?

The workers are for the Employment Service for the reason that they believe that they should have some means of finding out opportunities for employment whether in their own State or in an adjoining State without paying for the privilege to a fee-charging agency. It is unfortunate that the great body of workmen can not voice their support of the service.

The farmers are for it strongly for the reason that they need some agency to recruit farm labor, especially seasonal labor. The National Grange and the National Farmers' Council have both officially indorsed the service.

Practically all of the far-sighted employers are for the service—those who can see that business is benefited by having men continuously employed without periods of idleness necessary in looking for work under the old system. Only about one-third of the States have employment-service systems, and if no appropriation is provided it means that two-thirds of the States will be without adequate public employment offices. This would mean an aid to unrest.

What have other countries done?

Our wealth towers above that of other nations, even as the Washington Monument towers above a toadstool, when compared to the wealth of other countries. Why, our wealth—the material, potential wealth of our country—far transcends that of any other country or of any other three countries combined. Now, let us see what is being done in those countries that have not the wealth that we have.

Free employment service, Great Britain and Canada: R. C. Davison, an official of the British ministry of labor, and an expert on employment, has just completed a tour of the United States, studying our system of employment offices. Now, listen, Senators:

The British free-labor exchanges now number 400 main offices and 1,200 branch offices, with a personnel of 20,000 men. Great Britain, staggering under the reiterated blows of her enemy in the late war, bounds forward with a resiliency that is admirable. Conservative Britain maintains, although loaded with debt, 400 main offices and 1,200 branch offices and 20,000 men to secure jobs—if you will pardon that expression—for her returning soldiers; and our debt, as compared to hers, is as but a silken thread in the scales.

Let us take Canada—Canada, whose sons rushed forward, who left their farms and left their fields, and who were assured that when they returned they would have positions, or, at least, an opportunity to secure positions. Canada, with about 8,000,000 of people—I think I have overstated the number—has recently established a system providing 10 offices for every million workers. Seventy-eight such offices are already in operation. This Mr. Davison, an official of the British ministry of labor, says:

When one considers the fact that your national employment system had to be installed suddenly and throughout the country at the same time and function while it was building, America has done a remarkably good job.

Here is a man free from partisan bias, free from partisan prejudice, who is familiar with the same agency in his own country. He says:

When you consider that you had to build the house and live in it at the same time, you had to set up your agency and maintain it and operate it at the same time, America has done remarkably well. England can learn something from the United States—

I am glad to hear that—

particularly in the physical layout and in the methods of interviewing applicants.

Yet these methods of laying out the work, interviewing applicants, and sending them to where the positions are are powerless and rendered useless if this conference report should be adopted.

Now, who are these Federal directors? I have said, or at least I have been advised by those who ought to know, that a majority of them are Republicans. Who are they—these directors in the various States?

Maine: Charles S. Hichborn, president First Granite National Bank, Augusta.

Vermont: Robert W. Simonds, lawyer and commissioner of labor.

New Hampshire: E. K. Sawyer, merchant, department store.

Massachusetts: Everett W. Lord, dean, school business administration, Boston University.

Rhode Island: George H. Webb, formerly secretary chamber of commerce, commissioner of industrial statistics, director workingmen's compensation, superintendent State employment office, director of draft in Rhode Island, Army commission of captain, colonel on governor's staff.

Connecticut: Charles E. Julin, manufacturer.

New York: George W. Kirchwey, acting director, formerly dean Columbia Law School.

New Jersey: Lewis T. Bryant, real estate business, State commissioner of labor.

Pennsylvania: E. C. Felton, former director, president Pennsylvania Steel Co.

Maryland: John K. Shaw, coal operator.

Virginia: James B. Botts, formerly member firm of Darris & Stephenson (Inc.), insurance.

West Virginia: Lemuel B. Spaun, immigrant inspector, Immigration Service.

Ohio: Fred. C. Croxton, food administrator.

Michigan: James V. Cunningham, former State labor commissioner (member organized labor).

Wisconsin: George P. Hambrecht, lawyer and employer, chairman Wisconsin Industrial Commission.

Indiana: Louis C. Huesmann, manufacturer of hardware.

Illinois: Mark L. Crawford, commissioner of conciliation, immigrant inspector at Chicago.

Minnesota: Hugo Koch, deputy labor commissioner, Minnesota, Department of Labor from civil-service list.

Kentucky: W. Pratt Dale, lawyer (formerly counsel for chamber of commerce).

Missouri: W. W. Brown, lawyer (formerly member Brown & Steward).

Tennessee: Joseph T. Ware, physician.

North Carolina: George J. Ramsey, president Pease Institute, Raleigh, N. C.

South Carolina—John L. Davis, secretary-treasurer—why, mirabile dictu! I have found that there is a man who is identified with union labor who is one of these directors. I have read the names of the directors in about 15 States. I see that South Carolina, Mr. President, has a member of union labor for the director of the employment service. Why, what has swept that conservative State from her moorings? What vision or visions has she seen that she has failed to go out into the great world of commerce and get a great big business man and make him director? She has made the president of the State Federation of Labor director, if I have not misread this.

South Carolina: John L. Davis, secretary-treasurer South Carolina Federation of Labor, secretary-treasurer City Federation of Trades, member South Carolina Board of Conciliation and Mediation, employee of newspaper.

Georgia: H. M. Stanley, State commissioner industry and labor.

Florida: Gideon B. Travis, civil-service appointee.

Alabama: George B. Tarrant, real estate dealer.

Mississippi: H. H. Weir, president State Federation of Labor, newspaper, creamery, and farm-products business employee.

Mr. HARRISON. Mr. President, will the Senator yield?

Mr. ASHURST. I yield, certainly.

Mr. HARRISON. I might state that I know Mr. Weir. He is the president of the State Federation of Labor, but he is a man of most excellent qualities and has the respect of the business people of the State.

Mr. ASHURST. I thank the Senator.

Mr. President, I read on with considerable trepidation:

Louisiana: H. A. M. Jacobsen, civil-service appointee.

Arkansas: R. B. Keating, Immigration Service, Conciliation Service.

Iowa: A. L. Urick, State commissioner of labor.

North Dakota: Lindley H. Patten, cashier and lease clerk of State land department.

South Dakota: Charles McCaffree, five years immigration and industrial department, newspaper and advertising, directing farm-labor work four years.

Texas: H. W. Lewis, railway official, formerly State labor commissioner.

Nebraska: George J. Kleffner, formerly with Post Office Department (member organized labor).

Look here, Senators—a member of organized labor—a member of organized labor! Why, Nebraska is in strange company when she appointed or allowed to be appointed as director of the Federal Employment Service a member of organized labor.

Kansas: J. Will Kelley, formerly secretary chamber of commerce, Topeka.

Oklahoma: Claude E. Connally, assistant commissioner of labor, six years State forestry inspector.

Montana: Scott Leavitt, formerly official of Forestry Service.

Wyoming: Edward P. Taylor, fire chief, commissioner of labor statistics.

Colorado: Roady Kenehan, formerly State treasurer and State auditor, secretary district exemption board.

New Mexico: D. A. MacPherson, business manager newspaper.

Arizona: Thomas J. Croaff, president State Federation of Labor, member executive council, State council of defense.

Now, just a word about Arizona. It has been asserted, not on this floor, that these directors were supple and supine agencies of the American Federation of Labor, and that in reaching out their energies to secure positions for men they always took care to secure jobs for a man who belonged to union labor. I know Mr. Croaff very well. He was born in Virginia; is an excellent lawyer. He was asked to resign, because, the Department of Labor said, "Your work has been efficient. I commend your work, but I feel that so long as you are president of the State Federation of Labor you ought to give undivided attention to one particular work. We want your entire time, and you must resign either one post or the other." So he resigned as director. I do not know who has been appointed in his stead. That is the history of the matter.

Utah: P. J. Moran, president Utah Portland Cement Co.

Idaho: M. J. Kerr, rancher and contractor.

Washington: Lawrence Wood, Immigration Service.

Oregon: Wilfred F. Smith, Immigration Service.

Nevada: J. C. Coniff, business man.

California: William T. Boyce, Immigration Service.

Delaware: Simon P. Doherty, secretary police commission, Delaware, secretary State senate, inspector Dupont Co., employer in laundry business.

District of Columbia: E. M. Kline, civil-service employee.

Now, Senators, I have trespassed long on your patience, but I have felt that it was necessary.

Mr. McKELLAR. Mr. President——

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Tennessee?

Mr. ASHURST. Certainly.

Mr. McKELLAR. I just want to add to what the Senator has said in reference to Dr. Ware, of Tennessee, that there is not a better man in the State, and he is doing a splendid work.

Mr. ASHURST. I thank the Senator.

Now, I submit in all candor, what has become of the argument that has been made about the corridors, whispered about here and there, that this Employment Service was simply a device in the hands of the American Federation of Labor? In all candor and in all good faith, what becomes of that charge when it is shown to you that not only a majority, but a very large majority, of these State directors of the employment offices have no identification whatever with labor, organized or unorganized? I think in two or three instances—in my own State, the State of South Carolina, and one or two others—men have been appointed as directors who had some connection with union labor; but should that strike down the Employment Service? Not at all. If they were all members of union labor, that alone should not condemn them. It is what they are, not what they belong to. It is whether they are men who are doing their duty. I do not know whom the Secretary is going to appoint in Arizona; and, if you will pardon me, I care less, so long as he gets a man who will do his full duty.

Mr. KENYON. Mr. President——

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Iowa?

Mr. ASHURST. I yield to the Senator.

Mr. KENYON. I should like to say to the Senator that in the hearings that are now taking place before a joint commission of the Senate and the House with reference to the permanent Federal Employment Bureau it was stated, as I remember it—I can not be exactly accurate about it, but I am confident that the evidence shows—that the majority of the employees were not members of unions, a rather amazing circumstance.

Mr. ASHURST. Will the Senator pardon me, and let me get that? Do I understand the Senator to say that it has been developed before his committee—he is chairman of the Education and Labor Committee—that a majority of those persons for whom positions have been secured are not members of labor unions?

Mr. KENYON. That was the testimony before us, as I remember it. It was very surprising to me, as I supposed the majority of them were members of unions, and I would have seen nothing wrong about it if they had been.

Mr. ASHURST. Yes; I would have assumed the same status of affairs, and I would not have considered it a violent assumption.

So what becomes in all candor, now, of the argument that these directors in the 48 States are simply union-labor agitators seeking to protect the unions? Why, the charge falls as a house of cards. Only three or four are identified with union labor, at the most—half a dozen out of 48. But assume that they were all identified with union labor, you must then show that they have improperly exercised these powers and energies that have been confided to them.

Why, Mr. President, it may be improper for me to read from the CONGRESSIONAL RECORD; I fear some Senator will make a point of order at once; but I am going to read from the CONGRESSIONAL RECORD, that great religious daily in whose columns we love to see our names:

Mr. MONDELL—

And who is Mr. MONDELL? Leader, if you please, of a great political party, now in the majority in the House.

June 21 Mr. MONDELL said:

[Mr. MONDELL on the United States Employment Service. CONGRESSIONAL RECORD, pages 1526 and 1527, June 21, 1919.]

Mr. Chairman, while I was temporarily and unavoidably out of the Chamber the item at the bottom of page 155 and top of page 156, relative to the United States Employment Service, went out on a point of order made by the gentleman from Texas [Mr. BLANTON]. Of course, that would have occurred had I been here just the same, so that my absence has made no difference in the procedure. I simply refer to the fact that I was absent because I had intended to make a very brief statement in regard to that item when it was reached. I avail myself of the opportunity to do so now. My opinion is that it is not only very important that the item be in the bill when it becomes a law but my personal opinion is that the appropriation should be larger than that recommended by the committee. There has been a very great deal of criticism of the Federal Employment Service. I do not know just how much of that criticism has been justified by the facts. There has certainly been some basis for it or there would not have been such a volume of criticism. Nevertheless the service has undoubtedly done some good—a very considerable amount of good, in my opinion—and I think it would be very unfortunate to have it discontinued at this time. I do not approve the plans and purposes of some of creating a great governmental employment service costing many millions of dollars annually. I do not believe that would be wise; but I am convinced the Federal Government ought to undertake a work which goes as far, at least, as is contemplated under the language that went out of the bill. I think that we should go further than that and at least do that character of employment work that is interstate in its nature. The State employment agencies necessarily busy themselves with matters of State employment, or employment within the State, and we all know that in our country the demand for labor, the demand for mechanics, comes from widely separated districts. The field for supplying the demand for labor and mechanics is not bounded by State lines. There is a certain amount and class of work that should be done by the Federal Government. I am not prepared to say how much we should spend on an employment service, but I am very certain that we should not only do what is contemplated by the provision that went out on a point of order but that we should extend the work further in order to at least cooperate fully and completely with the States and in that connection do a class of interstate work which the States can not or will not do. *I trust* that when this bill becomes a law it will carry a sum sufficient for the Employment Service, at least along the lines I have suggested.

He trusted. The distinguished Senator from Wyoming [Mr. WARREN] was one whom he trusted; the Senator from Utah [Mr. SMOOT] was one whom he trusted; the Senator from North Carolina [Mr. OVERMAN] was one whom he trusted. I know when they go back in conference after having learned the sentiments that trust will not be betrayed and that he will not have trusted in vain.

I now ask permission at this point to include in the RECORD an extended interview of Gen. Leonard Wood. I read an extract from it a moment ago.

The VICE PRESIDENT. Without objection, leave is granted.

The matter referred to is as follows:

[Extract from interview Gen. Leonard Wood, New York Times, June 15.]

It will be a mistake for any agency now contributing to the great work of getting jobs for these men to slacken its efforts in the slightest degree. I consider it absolutely essential for the Federal Government to continue its efforts to place discharged military men and civilian war workers in profitable peace-time jobs, and for this purpose funds should be immediately made available to continue the United States

Employment Service, which has proved a potent factor in helping to solve this problem from a national standpoint.

We must not lose sight of these boys, and the Government owes them a debt of gratitude as well, which can in a slight measure be repaid by an intelligent effort to secure for them profitable peace-time employment. The Federal Government first of all must assume the major responsibility for this work, and this is why I consider it so essential for the Federal Employment Service to be continued and for all other agencies to continue their efforts to solve this problem as long as a single soldier or civilian war worker remains jobless. We can not lay too much stress upon our responsibility in this matter.

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[Extract from interview Gen. Leonard Wood, June 19, Washington Evening Star.]

It is very essential, and I sincerely hope that the Federal Employment Service will be kept up until every returning soldier and sailor and discharged war worker is given a chance to be relocated in a peace-time job. The army of occupation has not been demobilized. We must afford those boys the same facilities for returning to civil life as we did to their fellow soldiers who were fortunate to return to their homes earlier.

Mr. ASHURST. I do not know whether I would be violating the proprieties or not; if I do I hope I will be promptly called to order; but there have lately come into the Chamber two recruits. From the great grain fields of Kansas comes a Senator, learned, modest in his demeanor, to reinforce the other Senator from Kansas, with whose party I am not at all in sympathy but who does good work in the Senate. The junior Senator from Kansas [Mr. CAPPER] stated as follows—and I clipped this out of a newspaper:

At this particular moment the army of 200,000 extra harvest hands, recruited, mobilized, and being placed by the Employment Service in the great wheat belt, in view of the existing shortage of food, is equally as important as the Army of occupation on the River Rhine.

That is pretty strong language, that it is just as important to harvest our grain fields as it is to have an Army of occupation on the Rhine. Strong as that language is, Mr. President, I agree with it.

I ask unanimous consent to include in the RECORD the extract from the interview with the Senator from Kansas [Mr. CAPPER]; also from interviews with Col. Arthur Woods, Assistant to the Secretary of War; Maj. Gen. Leonard Wood; and Mr. John Joy Edson, chairman of the board of directors of the Washington Loan & Trust Co.

The VICE PRESIDENT. Without objection, leave is granted. The matter referred to is as follows:

CONCRETE REASONS FOR CONTINUING THE EMPLOYMENT SERVICE.

Senator CAPPER, of Kansas, says that "at this particular moment the army of 200,000 extra harvest hands, recruited, mobilized, and being placed by the Employment Service in the great wheat belt, in view of the existing shortage of food, is equally as important as the Army of occupation on the River Rhine." He declares that "it is unthinkable that the Federal Government would withdraw its support from the Employment Service at this time."

Col. Arthur Woods, Assistant to the Secretary of War, in charge of the problem of relocating discharged soldiers in peace-time jobs, says that "for the United States Employment Service to go out of business on the 1st of July would cause the interests of the returning soldiers and sailors to suffer to an extent which it is difficult to overestimate." He further says "that the United States Employment Service has the only comprehensive replacement machinery throughout the country for the placement of soldiers and sailors, and he is absolutely dependent on it to carry on his work."

Maj. Gen. Leonard Wood calls attention to the fact that the Army of occupation has not yet been demobilized. "We must afford those boys the same facilities for returning to civilian life as we did to their more fortunate fellow soldiers who were able to return to their homes earlier. The Federal Government first of all must assume the major responsibility for finding jobs for these boys and for the discharged war workers, and is in position to continue to prove a potent factor in helping to solve the unemployment problem from a national viewpoint."

Mr. John Joy Edson, chairman of the board of directors Washington Loan & Trust Co., also the contributor to the support of the Employment Service office in Washington, D. C., says that "to discontinue the service at this time would be practically fatal to the interests of the returning soldiers and sailors who need, deserve, and must have assistance in trying to reestablish themselves in civil life."

Mr. ASHURST. Mr. President, I have, in conclusion, this further to say: The expenses of the Great War before we are finally through with the payment of all demands will doubtless be $80,000,000,000 or more. That is a vast sum. It was worth it to win the war. We are secure and safe to-day. Within a very short time we will again be pursuing our daily course, and the Great War will be history. A gorgeous, a brilliant, book in history it will be wonderfully penciled. The valor of our troops and the troops of our Allies will be recounted for decades to come, and will furnish sufficient raw material for all the poets, orators, historians, and lecturers for a century to come.

But to whom do we owe the safety we now enjoy? To whom should we turn with our thanks for this safety? Surely we must not forget that the soldier in the trench had some part in this victory. It may be that we can not give him a farm when he returns and finds his former position occupied by some one else. We are unable to pay him a bonus of $1,000 or $500. It may be that he will not want that. In fact, I think the soldier would resent the idea of seeing gifts ladled out to him. The soldier is not an object of charity. He is a man; he has proved himself to be a man. So when the soldier of the Great War comes home and proceeds to the place where there was an employment office when he left and finds that in his absence Congress has stricken out the only agency to which he could go and through which he could obtain a situation, he will get a sample of the proverbial ingratitude of republics.

I want this Republic to be a grateful Republic, not a patronizing Republic; not grateful in words alone, but one that will say, "We can not feed you; you do not want to be fed; all you can ask and all you do ask is a free field and a fair fight; all you want is an opportunity with your brawn and your muscle and your tools to earn a living. You had a right to ask that the Government give you the information as to where work may be secured." The soldier will be satisfied with no less than that. More than that, in my judgment, the soldier will not ask.

I have spoken upon this subject, it must be obvious to Senators, with considerable feeling, but I assure the conferees with no personal feeling, because I have for them a profound regard. They are experienced legislators; they have been in the Senate many years; but they have entirely misconceived the sentiment of public opinion. They have had visions instead of a vision when they strike down such an agency, the only agency known where men can secure positions. I appeal to them to ask leave to sit again, to go back into conference, and insist upon what I am pleased to term the Robinson amendment. All day Saturday I sat here to offer an amendment providing for $950,000, but conference after conference was had, Senator after Senator was consulted, and finally we all agreed "it is reasonable, moderate, and prudent to agree to $400,000 only in order that these agencies throughout the country may be maintained." While I believe the friends of the amendment could have secured a majority vote, and possibly a two-thirds vote, they felt that at least to be reasonable, and thinking it was expedient and was true wisdom we agreed to $400,000. I do not say it was agreed as a contract, because we can not make a contract in the Senate, but it was agreed as far as men can agree in the United States Senate, that the amendment would go in and stay in at $400,000, and when the midnight hour approached the Senate adjourned. We all went to our homes confident that the Robinson amendment would be a part and parcel of the sundry civil appropriation law. We believed that our conferees would stand firmly in behalf of the Robinson amendment, and we had a right to believe it. But we find that in their haste to get through, and I know it is a task to be on a conference committee, they have cut the amount of money in two and have provided that it all must be spent in Washington.

So, Mr. President, I urge the conferees, I appeal to the Senators on both sides, to sustain this Employment Service and to vote to reject the conference report or to disagree to the conference report and let the conferees sit again.

I ask that the letters which I send to the desk may be appended to my remarks.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

[Des Moines (Iowa) Capital, May 31, 1919.]

KEEP THE FEDERAL EMPLOYMENT SERVICE ALIVE.

Reconstruction problems, vast and complicated, which now loom before the Nation's lawmakers at Washington, make the responsibilities of the present Congress doubly heavy.

Urgent matters of immediate concern are pressing themselves upon the Senators and Representatives. Conditions incident to the immediate postwar readjustment period are clamoring for attention. Delay in such cases must be measured only by the time needed to develop a wise solution.

One of the most important matters confronting Congress to-day is that involving the returning soldiers and sailors and war workers. Slightly more than half of the 4,000,000 of men under arms have been demobilized and turned back into civilian life. The machinery of the United States Employment Service—a governmental agency—has been directed largely toward finding jobs for these returning soldiers and sailors, but unless the present Congress provides funds without delay this Employment Service must be discontinued July 1 next. This means that the remaining hundreds of thousands of boys in service will be turned loose to shift for themselves in the matter of finding work. Among them are several thousand Iowa boys, who are still in service.

The Government has as distinct a duty to these boys as it had to the boys already discharged. The boys themselves expect the same consideration that their comrades received. It is, therefore, inconceivable that the present Congress would fail to preserve the organization that has been built to care for the boys in this emergency.

Iowa, for the moment, is most fortunate. Thanks to the efforts of this Employment Service, reports show that of the thousands who have been demobilized only about 500 are without work at the present time. As fast as they are discharged the men have been sent back to their home communities, and even to their old jobs in perhaps 50 per cent of the cases. For the others opportunities were found. In addition, the industrial, commercial, and agricultural interests of the State have likewise been served and their labor needs supplied promptly. Farm labor in particular is being placed rapidly.

The State legislature, in recent session, defeated a bill to appropriate $25,000 for public employment bureaus to be located in Davenport, Waterloo, Sioux City, Council Bluffs, and Des Moines. The bill would

have provided State offices to take the place of the cooperative State and Federal offices existent until July 1.

Congress should take steps to make permanent the Employment Service now a part of the Federal Department of Labor. The principle behind an efficiently conducted public employment service is sound, whether viewed from the standpoint of the welfare of the Nation at large, the employer or the employee, and should be encouraged accordingly.

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[From the Washington Times, June 27, 1919.]

SHALL WE FAIL OUR FIGHTING MEN?—A MATTER FOR THE SENATE TO DECIDE.

"Since the signing of the armistice Great Britain has increased her national employment service 300 per cent in placement facilities and personnel to assist her soldiers and war workers to employment," said a representative of the British labor ministry the other day in this city.

Since the signing of the armistice the United States Employment Service, with the exception of the first three months, has been decreased 50 per cent, and unless the Senate acts this week to save it, the national machinery for placing our soldiers, sailors, and civilian workers will close down entirely next Monday.

The average citizen can understand, though he may condemn, the efforts on the part of certain private interests to force the discontinuance of the Federal Employment Service. But it is incomprehensible to the average citizen why Congress, professing an interest in the returning soldier and a desire to prevent the growth of radicalism in America, should evince a disposition to throw overboard the organization that will give the soldier the most practical aid—help to a job—and is the best weapon against the conditions that breed Bolshevism.

The chairman of the House Appropriations Committee recently explained on the floor of the lower Chamber that there was no need for more than a "clearing house" in the Department of Labor, limited to supplying information and to the boundaries of the District of Columbia.

He stated that the War Department had an organization for placing soldiers and the States were equipped to place civilian workers.

But the War Department, through Col. Arthur Woods, assistant to the Secretary of War, has repeatedly advised Congress that it has no placement machinery and that discontinuance of the Federal Employment Service will injure the interests of returning fighters.

Only 13 States, in which none of the great agricultural States is included, have anything that might be called a public employment service.

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Industrial Management says: "Should the manufacturers of this country be asked whether or not they wish to see the United States Employment Service kept without doubt the almost unanimous answer would be 'yes.' This reply would be given with no thought of bowing before the inevitable, but because employers honestly believe that this service once developed will be of tremendous value to them. In fact it is perhaps not overstating the situation to say that employment managers, such as have said more harsh things about the United States employment agencies than their superiors in the industry.

"To face a few facts:

"The United States Employment Service is here to stay. It has been a helpful agency during the months of the war. It promises great good for American industry once it is developed and brought to a condition of maximum usefulness. Perhaps the four major needs in its upbuilding and immediate future are:

"Administration that will not even allow seeming discrimination or special privileges.

"Adoption of a standard classification so that the man and woman sent in response to a request will be fitted for the position open.

"Adapting the service to the needs of skilled men.

"Making the office routine of interview and placement uniform throughout the entire country."

New York Commercial: "The United States Department of Labor has drafted a bill to be presented to the next Congress legalizing the establishment of a permanent Federal Employment Bureau. This bill should have the support of all thinking business men, for it will do much to remove prevailing abuses and will tend to distribute labor where it is needed."

Springfield (Ohio) Sun: "* * * Springfield's Federal Employment Bureau has been of inestimable value and the city can not well afford to be without it, at least not until the readjustment shall have taken place."

The Musical Courier: "It is the Government agency of reconstruction, the United States Employment Service, that has most adequately coped with present industrial conditions, and its continuance is essential, not only for the benefit of the men who are being demobilized but for industry in general, including our own piano industry, which to be prosperous must have a prosperous country to purchase its products."

Chicago Daily News: "There are soldiers and sailors looking for jobs and every agency that can help to find them must be maintained."

New York World: "Maintain the United States Employment Service at all costs. No private employment can as much as begin to do, even locally, what the Unittd States Employment Service is enabled to accomplish."

New York Tribune: "A work that should go on. To-day there are many special exigencies which make the continuance of the United States Employment Service activities a public necessity."

New Orleans Item: "The country needs it. The United States Employment Service, with its 4,000 offices in every part of the country, is the only agency, national, municipal, or private, that can meet this problem of industrial equalization."

Atlantic (N. J.) Gazette: "Uncle Sam now tries to lead the right man to the right job. The Federal Employment Service idea was always a good one."

The New York Evening Post: "The United States Employment Service is doing such valuable work and is so indispensable to reconstruction that it should be made as nearly proof against criticism as is possible."

Cleveland (Ohio) Topics: "During the war the long-desired Federal Employment Service has been created, and the National Government has assumed responsibility for connecting employers and workers in the only right and efficient way. This service should be continued, generously financed by Congress."

Los Angeles (Calif.) Herald: "Work of assisting soldiers and sailors and other war workers to obtain suitable employment is properly a function of the General Government, and it ought not to have to depend on private charities and volunteer contributions."

Savannah (Ga.) News: "It seems that if the United States Employment Service ever has been worth while it certainly should be now. The service should be continued, and it should have the cooperation of employers; its work will be easier if employers will let it know their needs."

San Francisco Bulletin: "At the time the question of unemployment is one meriting prompt attention. The United States Employment Service is needed more and more. Hence we repeat that one of the first duties of the new Congress is to correct the almost criminal neglect of the old and provide funds for carrying on this important work."

New York Herald: "The United States Employment Service is the only large free agency for this purpose. It would be the eternal shame of this country if our soldiers and sailors returning from abroad should find no means of employment and be forced to beg for bread."

Poughkeepsie (N. Y.) Star: "The coming of spring, with the resumption of farm work, would make the United States Employment Service essential to securing farm labor."

Forbes Magazine: "* * * These bureaus (United States Employment Service) have succeeded in placing many thousands of ex-soldiers and others. The need for them has not passed. Their cost is trifling compared with the value of the services they are rendering in alleviating unemployment."

New York Tribune: "There is no reason for disbanding an agency like the United States Employment Service, which is needed to help place returning soldiers in old or new jobs.

"While the war lasted this service was busy enrolling workers for war industries. There is an even broader field for it now in shifting labor back to nonwar industries and in distributing the new labor supply created by the release of the fighting men. Such a distribution is an essential feature of any official reconstruction program. Why should the Government stand aside and leave it to the lumbering operations of the law of labor supply and demand, imperfectly accelerated by private employment agencies? * * *

"This is wrong-headed economy. Unemployment means suffering. It also means economic waste. In a broad sense the facilitation of a maximum degree of employment is a proper governmental function. And to-day there are many special exigencies which make the continuance of the Federal service's activities a public necessity."

Cotton Seed Oil Magazine: "As a means of avoiding strikes, labor disputes, and the like, the Cotton Seed Oil Magazine believes that this Employment Service, organized for the period of the war, is the best solution of the ever-increasing menace to labor when it does not thoroughly understand the manufacturers' viewpoint.

"Take, for example, a supposed case in the field of oil milling. The superintendent wishes to employ some one who understands the work to be done around his plant. If it was not for this Employment Service, he most likely would have to employ help which is unaccustomed and wholly unsuited to his needs, and the work therefore becomes a grind for the one employed. Soon there might be dissatisfaction and unrest. But now he can go to this bureau, state his wants, and from the large list of registrants find just the man he wants, because they are classified and in most cases trained for just certain work. Here the Employment Service is created for the specific purpose of bringing employer and employee together so that the two may work in harmony for the country's good.

"We believe that labor disputes and strikes in the main are entirely unnecessary if there be an understanding between the parties concerned."

J. P. Morgan & Co.: "We are impressed with the importance of the United States Employment Service and quite agree that it would be most unfortunate that that service should now be cut down, owing to the failure of the deficiency bill in the last Congress."

Sioux Falls Press: "Without the aid of the United States Employment Service farmers are going to have a very difficult time this year. This is the testimony of men who are in close touch with the situation."

Fresno (Calif.) Republican: "Other nations are increasing their national employment service to unprecedented dimensions. It has become one of the principal departments of all the other governments in the world * * * America alone * * * has cut off the support or even the little national organization we had."

Detroit News: "* * * Of all the unjustifiable omissions, one stands out preeminent—the neglect to provide for the continuance of the United States Employment Service. * * *"

Springfield (Mass.) Republican: "As a war measure this service (the United States Employment Service) is imperatively needed. As a peace measure it will be needed still more. Its foundations are well laid, and to root them up would be highly folly."

Boston Traveler: "To do away with existing means for the relief of unemployment is to court grave danger from the forces of anarchy that are lying in wait for just such an occasion. The interests of the entire Nation, as well as those of the unemployed, demand that no useful part of our machinery for connecting men with jobs shall be discarded or suffered to lie idle. And the United States Employment Service is performing a decidedly useful part in this readjustment process."

Atlanta Journal: "Those conducting this branch of Government service have been so absorbed in solving economic problems and rendering human aid that they have had no time to exploit their achievements or play the game of personal politics. But a glance into what they have done and are doing each day will convince any fair-minded observer that this work, far from being discontinued, ought to be amplified. And it behooves the far-sighted business man, as well as every friend of the masses of the people, to exert his influence to that end. * * *"

Chicago Journal: "As an insurance against Bolshevism alone, the National Employment Service is worth all it cost—and it has not cost much. It found jobs for 3,000,000 workers during 1918, prior to the armistice. * * * Surely, at a time when every effort is being made to turn the wage earner against law and order, a service like this should be continued."

Savannah (Ga.) News: "It seems that if the United States Employment Service ever has been worth while, it certainly should be so now. However, its functions have changed; while they are not the least bit less important than before, if anything they are more important now.

"While mobilization and fighting were going on its principal work was to find men for jobs; its principal work now, of course, is to find jobs for men. Certainly there is need of a clearing house of this sort on account of the large number of men set free from the Army and war factory work, and the Government alone can attend to it without cost to the men. The service evidently should be continued, and it should have the cooperation of employers. Its work will be easier if employers will let it know their needs.

"* * * The United States Employment Service is the only large free agency for this purpose. Its work is regarded as vital in the reconstruction which must necessarily follow the war. It would be to

the eternal shame of this country if our soldiers and sailors returning from abroad should find no means of employment and be forced to beg for bread."

Colliers: "If the returning Army and Navy men need any special aid it is in the matter of getting hold of the sort of job that they are now best able to start toward giving this help by setting up a nation-wide United States Employment Service which is qualified to introduce work and workers with the minimum of wasted time."

Paterson (N. J.) Call: "The Federal employment bureaus have done good work in finding employment for returning soldiers and idle war workers, and their work should be continued by all means."

Wilmington (Del.) Every Evening: "It would seem rather foolish to abolish a branch of public service found so useful during the war, and which probably will be needed far more in the days of reconstruction."

New York World: "The Employment Service was never needed so much as it will be during the reconstruction period. The time has arrived for its most effective work. There are critical conditions all over the world and the unrest of the labor element is the chief factor in the disturbance. The surest preventative, as well as cure, for trouble of that kind is universal employment."

Cleveland (Ohio) Press: "It is not hard to see why private employment agencies are opposed to Uncle Sam's going into (employment) business. * * * Naturally a service run by the Government, run on the level, and charging no fee of any kind, would put them out of business."

New York Telegraph: "We can not understand why intelligent men would dispense with the aid of this powerful auxiliary during the period of social unrest brought about by the rapid demobilization of the Army and war plants, unless, as has been charged, the influence of the fee-charging employment agencies and blacklisting employers' associations is very great."

The Iron Age: "The Employment Service has found it difficult to make much headway against this increase in workers looking for jobs. * * * To help complicate the situation a fight has arisen * * * to cut off the appropriation for the Employment Service on the plea that it was only a war-time institution. In this connection charges have been made that the service has been responsible for alarming reports concerning labor conditions in the hope of impressing Congress with the need of its work. The service, however, has limped along very considerably behind other reports of the real shortages, and its figures still are considerably below the actual seriousness of the situation."

Wisconsin State Journal: "One of the biggest improvements the war has brought about was the total revolution of the employment agency system. We have tolerated long enough the private employment agency institution, with its graft on one side and deception on the other. Every worker in America, unskilled or skilled, from purely manual labor to highly trained scientific efficiency, is entitled at all times to the help and cooperation of the National Government."

La Crosse Tribune: "Opposition to the Department of Labor's employment bureau has become a matter of serious concern to those who are impressed by the need of orderly transition to a peace basis of industry. Industrial unrest is the product of unemployment * * * and the United States Employment Service is the only agency we have evolved for meeting the issue of unemployment. * * * It is only a minimum of decent gratitude to collect a list of possible jobs for the soldier to pick from, and that is just what the bureau does."

Newark (N. J.) Star-Eagle: "* * * Unrest feeds on unemployment. Mischief soon pushes itself into idle hands and heads. Give a man a reasonable amount of work to do, pay him a living wage, and he will not readily follow at the heels of agitators. These are critical times. Employment is the surest remedy at hand to keep America sane."

Birmingham (Ala.) Ledger: "We should hesitate to leave our young men to the haphazard of individual job seeking. Private employment agencies will have special axes to grind and serve special masters. A Federal employment agency, with coordinated branches in all parts of the country and reporting to a common center, ought to serve the demobilized soldier and industry also with more efficiency. The greatest menace which any country can face is idleness of returned soldiery."

Sacramento (Calif.) Bee: "Employers of labor, equally with those hunting employment, are concerned in the matter of keeping open the efficient United States Employment Service office. Idleness breeds discontent and discontent is the menace of the governments of the world to-day. Let this community do what it can to point the way to work to those who desire work, and we know of no better medium than that of the United States Employment Service."

New York Commercial: "Hitherto the furnishing of jobs for unemployed has been done by private agencies, which charged extortionate commissions or swindled the unwary by exacting registration fees. Then, too, at one place there was a surplus of labor, while at another there was a scarcity—with no means of equalizing the difference."

New York Mail: "All over America great enterprises of road building, construction, or reclamation are under way or are contemplated. All these enterprises will involve a widespread readjustment of the supply of labor to the new demand. The machinery for effecting this adjustment is second in importance only to the launching and development of the enterprises themselves.

"Such machinery we possess in the United States Employment Service, which was established to provide workers for the industries of war, met that need in a highly satisfactory way, and is now turning its attention to the work of placing the war worker in peace industries.

"The United States Employment Service is an essential need of the hour. It will continue to be an essential need during the entire period of readjustment. America can not afford to put out of commission a vital part of its machinery of readjustment at the moment when it is putting the work of readjustment under way."

Memphis (Tenn.) Press: "One of the biggest improvements the war brought was the total revolution of the employment-agency system. The country needs the Employment Service—needs it worse now than ever before, because the soldiers are coming back in search of jobs. It would be a mistake to discontinue it. True, the Government must economize, but there are other economies which can be effected without injury."

Claremont (N. H.) Daily Eagle: "Probably at no time in the history of the country has labor unrest been so marked as now. * * * In the last few months it has been the duty of the United States Employment Service to look after those idle men and find work for them. * * * The United States Employment Service is fully organized and ready to go on with its work. Never was it needed more. This would seem a poor time to disrupt it."

New Orleans (La.) Item: "With millons of soldiers and sailors being demobilized and multiplied millions of war workers being discharged, liberal surpluses of labor are developing in certain parts of the country, while in other parts there are shortages.

"The United States Employment Service is the only agency—national, municipal, or private—that can meet this problem of industrial equalization."

Baltimore (Md.) News: "In this disinterested and neutral agency between employment and labor, each served free of cost and with discriminating selection of the right man for the right job, the whole question of placement and distribution of the country's man power was of established order, flexibility, and competency; it is universally known to workingman and employer alike and has won their confidence. With the passing of the Federal agency the whole question reverts to the relatively chaotic and haphazard conditions which prevailed before the war.

"On its face, such a step seems of reaction and backward, a loss of a valuable thing gained in the hard experience of war and of a great and proved use."

New Orleans (La.) State: "If a United States Bureau of Employment was needful last year while the war was on, the necessity for it is infinitely greater now. Last year the bureau put 3,000,000 men to work, its function being to distribute the labor so that there might not be congestion here and famine there.

"This year it has been putting 15,000 men to work daily, but the task is a much more difficult and perplexing one, with hundreds of thousands of soldiers and other war workers thrown suddenly on the labor market and industry working very slowly toward readjustment from war to peace conditions, and, hence, unprepared to take back immediately those who rallied to the colors in field or camp or entered the vast plants where munitions and other supplies were manufactured."

San Francisco Call and Post: "The principal opponents of the United States Employment Service are the fee-charging agencies which have grown rich by exploiting the unfortunates in search of employment—which is a strong argument in favor of the Federal service, which is free to everybody."

Winston-Salem (N. C.) Sentinel: "This has been a most valuable work."

The Farm Journal: "The United States Employment Service is establishing offices all over the country to help move labor from one place to another as the need arises. County agents are in close touch with farmers and can find out how much labor is needed."

Denver (Colo.) Bulletin (under the caption "Ten Reasons Why United States Employment Service Should Be Continued"):

"1. It is the only Nation-wide governmental agency dealing constructively with demobilized soldiers, sailors, and war workers in the finding of employment.

"2. It is the only service witbin the Department of Labor capable of carrying out the provisions of the organic act of Congress of March 4, 1913, creating the department, which charges it with the responsibility of advancing the opportunities for profitable employment of the wage earners of the United States.

"3. It is the only existing medium for the currant study of the labor market.

"4. It is the only existing public method for the clearance of job opportunities and labor supply, thus providing for intelligent guidance of shifting workers.

"5. It is the only adequate means for conserving the social and economic waste inherent in the process of workers seeking employment from plant to plant.

"6. It is the only method of distributing labor to the sections where employment is plentiful, thereby increasing national production and removing one great cause of social unrest.

"7. It is the only nationally extended arm of the Department of Labor directly and continuously cooperating with the States in dealing with the problems of unemployment.

"8. It is the only arm of the Government capable, through careful adaptation of the trade tests used by the Army during the war, of developing scientific methods for the vocational guidance of the workers, thus selecting the right man for the right job, and thereby making for industrial efficiency and content.

"9. It is the sole agency that is capable of rendering competent service, both to the workers and the employers, on a community basis without bias. This impartiality is secured by the existence of supervisory community labor boards and State advisory boards comprising representatives of labor and management and presided over by a representative of the public partisan to neither but acceptable to both.

"10. The plan of a nationally supervised locally administered chain of labor exchanges is common to most European countries and has been recognized by 26 of our State legislatures. It is an imperative necessity in the period of reconstruction and a factor always in our national life."

Montgomery (Ala.) Advertiser: "If there ever was need for the work of the Employment Bureau of the Department of Labor, that time is now. * * * A distribution of surplus labor in the cities will make for quiet and good order in America. As a matter of fact, the need for the bureau is greater than it was during the war. * * *"

New York Herald: "After every war in which this country has been engaged there has been a period of reaction. * * * Many laborers are thrown out of work and the return of soldiers seeking employment presents a serious problem.

"To meet this situation the Government at Washington established a United States Employment Service Board with the object of finding places for the men without jobs, and especially of seeing that the men who served the country so nobly abroad do not have to beg for lack of employment. * * * There was no charge to the persons benefited, so the board from the start has had the enmity of employment agencies that charged a fee and of blacklisting employers' organizations."

Sheboygan (Wis.) Press: "The recently organized United States Employment Service has found work for millions of men. This greatly increased the fighting power of the United States. But it also has succeeded in carrying the country through a big part of the readjustment period without disaster. There have been suggestions that this * * * national employment service might be discontinued. It would be a very serious mistake. It will prevent industrial depressions from starting. It should be made a permanent bureau."

Janesville (Wis.) Gazette: "Why is such a determined attempt being made to eliminate * * * the Government labor bureaus? One of the greatest aids to the man in uniform who has been discharged from the Army or Navy has been these employment bureaus. Thousands have been given jobs who would not have known where to find them. Thousands have been aided free of cost where otherwise they would have had to go to private employment agencies and put up a fee and then take a chance on being swindled out of it. Right here in Janesville hundreds of soldiers who came from Camp Grant almost broke

have been given lifts to jobs which would at least tide them over till they got on their feet again. Manufacturers in all parts of the country are loud in their praise of the cooperation the service has given in placing workers at a time when the labor problem loomed biggest. Let it finish a work well started."

San Francisco Examiner: "There must be no question about the continuance of the United States Employment Service. Its work is vital."

Miami (Fla.) Herald: "It will be remembered that the United States Employment Service supplied nearly 3,000,000 war workers. Since the armistice was signed it has reversed the process and is now finding employment for men at the rate of 100,000 a month. The service so far has supplied 27 or 28 out of every 30, but the big problem will come when an additional 2,000,000 men are released from war service."

Chicago Herald-Examiner: "Union labor wants the bureau. Women's organizations wants it. The Chicago Chamber of Commerce wants it. The whole American people, if it could only see the situation, would rise and demand it."

The Survey: "Though born of the war and tested by it, it may be that in the years to come the United States Employment Service, which was left without resources by the failure to pass the general deficiency bill, will be remembered for its contributions to the theory, science, and practical development of a permanent national system rather than for its spectacular success in mobilizing man power for war industries during a few months or in coordinating the resources of the country in the interest of returning soldiers and sailors. In the brief period since January, 1918, when the service was reorganized as a separate unit of the Department of Labor, and especially in the fraction of that period—only four months—between the signing of the armistice and the news that its appropriation had failed, a phenomenal progress has been made. Under the stimulus of the emergency and with the fervor of patriotic enthusiasm, it has been possible to accomplish in 14 months what might have required 20 years or more in ordinary times."

Yonkers (N. Y.) Statesman: "The Employment Service in this city has been doing splendid work, and the results of its efforts in procuring employment for both men and women have been most satisfactory."

Evening State (Nebr.) Journal: "* * * There are eight Government labor offices in Nebraska. These have placed 56,000 men during the last nine months. From May 1 to January 1, the cost to the Government of maintaining these eight offices was approximately $48,000. On a per capita basis this figures down to 83 cents per man. Less than $1 expense for every man placed. According to figures compiled by the department, if this same number of men had been placed through private employment agencies, the cost would have been $560,000. * * * It is pointed out that in this respect alone the Government labor bureau saved to Nebraska citizens or rather diverted to so-called legitimate channels, $512,000. * * *"

Omaha Bee: "* * * Not one of the innumerable extraordinary activities of the Government in war time more thoroughly and completely justified its existence than did the employment bureau. * * * It has interfered with the operation of private employment agencies only, and from these comes the chief opposition to its continuance. In a recent report the statement was made that the free Federal employment agency had within the last year secured jobs for men and women to an extent that fees collected for the service by private agencies would have amounted to $10,000,000. This sum was saved to the workers. * * *"

Letter in Toledo (Ohio) Blade: "At this time when unemployment is so general the need for this service is very great, and it would be a keen disappointment to the working people to have it closed. By all means its efficiency should be maintained at the highest point."

Newark (N. J.) News: "The War Labor Board and the United States Employment Service are the only constructive agencies set up here for stabilizing man power. Both are threatened and there is nothing to take their places."

The Annalist (New York Times Co.): "The United States Employment Service, which has devoted much time to solving the problem of finding employment for the returned soldiers, was the agency that kept up the most persistent appeal after Congress had expired without appropriating funds to continue its efforts. It is true that a number of its offices may close, but the main machinery of the system has not been broken down * * *."

Des Moines (Iowa) Capital: "President Wilson has made an appeal to the churches of America to assist the United States Employment Service in finding work for returning soldiers and sailors and war workers. * * * The tribute which can be paid to our fighting men is hollow and soundless if we allow them to tramp the streets looking for work."

Washington (D. C.) Times: "The Federal Employment Service has been so successful and of so much benefit to employers and employees that the private agencies are hollering for their old graft back again."

San Francisco Examiner: "* * * It is self-evident that there is a pressing need for the work of this bureau (United States Employment Service) of the Labor Department. It has done and is doing a work of tremendous importance. * * * In the past year alone, the California offices have supplied the connection between 325,000 unemployed persons and jobs. A most respectable showing."

Public Opinion: "The Federal Employment Service has been an invaluable institution since America was hurled into the war. A Federal employment service can be made invaluable in the time of peace. Organized along the proper lines with the cooperation of State and municipal branches it would strike a telling blow at unemployment and its many attendant evils."

Montgomery (Ala.) Advertiser: "The governmental agency for finding jobs for men represented in the United States Employment Service should be permitted to do its work at this particular crisis."

Tampa (Fla.) Times: "There is one Government organization the work of which is more necessary now than at any previous period. We refer to the United States Employment Service of the Department of Labor."

World's Work: "The United States Employment Service has already done much work in finding men for jobs and jobs for men in war industries, and it is now planning a much larger campaign in behalf of our disbanding armies."

American Contractor: "It is to be hoped that some means can be found to put the United States Employment Service on a permanent basis. There must be no drifting back to prewar methods of handling unemployment—a well-organized, unified, national system of labor exchanges is vitally necessary as a permanent part of our national program."

Ithaca (N. Y.) Journal: "One of the most powerful agencies at work toward putting the country on a peace basis with the least disturbance possible is the United States Employment Service of the Department of Labor."

Farrell (Pa.) News: "One of the powerful agencies at work toward putting the country on a peace basis with the least disturbance possible is the United States Employment Service of the Department of Labor. Distribution of labor has been one of the most chaotic matters in our haphazard economic fabric. Men have traveled from San Francisco to Pittsburgh for a special job, only to find that all jobs of that nature had been filled and had a waiting list. Food has rotted in orchard and field for lack of labor and transportation facilities, while jobless men walked city streets and their families were hungry partly because of the unemployment, partly because of the waste of food. * * *

"The United States Employment Service is not in any sense a charity organization. It is a Federal agency for placing labor. If it keeps on as it has started it will do much to bring order into the national economic life."

Schenectady (N. Y.) Gazette: "* * * As a man from the War Department has expressed it, the Government took a large number of men from their jobs and put them in the Army. The Government will not consider its work done until it puts these men back at work."

Let us all get together and put this most necessary work over. Truly, as Col. Arthur Woods, assistant to the Secretary of War, says:

"The most practical way in which to assist the returning soldiers is to help them to employment. Brass bands, free meals, and receptions are right and proper, but there must be with the welcome the offer of a suitable job to every man in uniform who needs one.

"And we must not forget that these men, to whom the country owes so much, will do far more for us than we can do for them. They are bringing back noble standards of loyalty, of service, of steadiness, which will be potent factors in the new times we are entering into."

The American City (N. Y.): "It is imperative that the United States Employment Service be provided with sufficient funds to carry on its work of finding employment for demobilized soldiers, sailors, and war workers. The United States Employment Service undoubtedly is rendering a much-needed service. Opposition to it has been largely based on self-interest or on remedial mistakes of local operation rather than on general policy. Those communities which know it best have borne ample testimony to its usefulness by their support of it before the Sixty-fifth Congress and by their willingness to help financially during the present emergency. * * *"

"If it is not all that it should be in some cities, the municipal officials should take steps to demand its improvement. The possibilities of the service as an aid in city development are greater than have generally been realized. Before the war we had begun to develop State and city employment agencies, but even with their agreements for the interchange of information they lacked the completeness of the Federal system. * * * Let us make certain that the progress made during the war in developing a national system of labor exchanges which has proved its ability to render real service is not lost through a failure of the cities to impress upon the Sixty-sixth Congress the imperative need for the unimpaired continuation of the service."

Freeport (Ill.) Journal: "An adequate supply of well-trained farm labor is vital. During the past year the United States Employment Service has done much; there should be an employment organization in every county to see that the farmer gets the help he needs."

Washington (D. C.) Times: "An idea of the great value of this service (United States Employment Service) may be had from a study of figures showing what has been accomplished. * * * There should be no thought of discontinuing the National Employment Service now so well established and which has clearly proved its great worth."

New York Journal of Commerce: "* * * This United States Employment Service organization and others of a State or local character are doing a good work, worth much more than it costs, and having a patriotic as well as generous quality."

Washington (D. C.) Star: "Continue the Employment Service! While it is inevitable that some of the war-time agencies should be eliminated and demobilized in the process of necessary economies, it is surprising to find a proposal to abolish the United States Employment Service. If there ever was a time when such a service was necessary it is now, with the labor market overstocked in consequence of industrial transformation and Army demobilization.

"This service was established for the purpose of distributing labor effectively at a time when it was necessary to use every available man for munition making, shipbuilding, and other works incident to the prosecution of the war. It was a distributing agency, to get the maximum results from the available labor supply. Now, with a surplus of labor, it has become a distributing service in another sense—that of finding jobs for men instead of finding men for jobs.

"Unless the States can be reliably depended upon to meet the requirements, the abolition of the Employment Service will leave the country in a bad way for labor distribution. Dependence on the State agencies is unsafe, for there is no fixed standard, and no assurance can be had of efficiency and continuity. A Federal Employment Service is virtually a necessity at this time.

"During the next year the labor question will be one of the greatest difficulties. There is no assurance as to the stabilizing of industry. Capital is hesitant in view of the uncertainty regarding prices and markets. Labor is hesitant respecting wages. The Government is doing perhaps its best in the way of reassurance on both lines, but at best there can be no real fixity and but little development.

"If the workingmen of this country are not aided in finding places there will be much congestion in some quarters, with consequent poverty and resultant suffering. The true function of a labor exchange or service is to prevent this congestion, and there is no agency of doing that short of a Federal bureau, which can cover the whole country. The money necessary to maintain the service should not be considered in this connection. It will be a rich investment in industrial stability and national welfare."

Washington (D. C.) Post: "Steps were taken at the conference held here during the past week by State representatives and officials of the Federal Employment Service looking to the establishment by the next Congress of a permanent cooperative arrangement between the Federal, State, and municipal governments for placing unemployed persons in useful and satisfactory positions. A tentative bill has been drafted which provides for a bureau of employment in the Department of Labor, to be in charge of a director general appointed by the President. The function of this bureau is to establish and maintain a system of public employment offices in the States which do not have public employment service, to aid in the development of existing State services, and to coordinate all the public employment offices in the country by furnishing information as to labor conditions, maintaining a system for clearing labor between States, and by establishing and maintaining a uniform policy and procedure.

"It is proposed to extend Federal aid to public employment offices operated as a State system, and where States appropriate a fixed sum the General Government may contribute a like sum, dollar for dollar. This money would be turned over to the State treasurers, to be expended

by the States upon compliance by them with the uniform rules and regulations issued by the Federal bureau of employment. In this way the Federal Government would not be encroaching upon the prerogatives of the States or interfering with their well-defined police powers, but would establish cooperation in such a manner as to make a complete working machine for carrying out a definite object.

"The bill as thus drafted will serve as a foundation upon which to build a comprehensive and efficient public employment service. Objections may be found to this particular plan, and it may be discovered that some other device will prove more effective; but it may be assumed that the general project of establishing the machinery which will be helpful in distributing labor where the needs of industry are greatest and where the opportunities for the worker are best will meet with widespread approval. The Department of Agriculture looks after the interests of the farmers in great detail, even to the extent of distributing millions of dollars' worth of free seeds. The Department of Commerce assists materially the business men of the Nation in the extension of trade and the multiplication of opportunities. The financial interests are conserved by the Treasury Department. Thus it appears entirely consistent that the Federal Government should exert itself to look after the particular interests of the millions of workers, especially when such action at the same time is of great benefit to the Nation as a whole by providing a more adequate and better adjusted labor supply.

"A permanent Federal employment service will prove beneficial only if it commands the approval and confidence of both workers and employers. It must be above suspicion of favoritism or prejudice; it must be neutral, as between unionism and nonunionism, and in labor disputes. Founded upon this principle and maintained thus, it will prove a real and lasting benefit to the workers of the Nation and to the Nation itself.

"Congress will have this tentative draft before it immediately upon convening a few weeks hence, and it should proceed at once with the perfecting of a bill which will command general support. Time should be given for all interests to be heard, and the bill should be drawn with the sole object of making it as effective and helpful as possible. There is an opportunity here for real service."

Philadelphia Evening Public Ledger: "Criticism like that aimed at the Federal Employment Service * * * is to be regretted, since it is of a sort likely to prejudice general opinion against a principle that should be more broadly applied in the future rather than hindered. * * * The Federal Employment Service can not be judged finally by its success or failure in placing men in given localities, though its record of achievements in Pennsylvania is admirable enough. The essential purpose of the service is to relieve congestion of the unemployed in various parts of the country, to offer such supervision and suggestions as would make it unnecessary for jobless men to crowd in discouraged groups in one community while there was shortage of labor elsewhere In a general way, it was intended to help men and to study the labor problem from a national viewpoint. * * *

"It is interesting to observe that the bitterest opposition to the Federal Employment Service was organized by employment agents, who formerly were able to fatten on the misfortunes of men out of work. * * * Failure of funds would be grievous disregard for the welfare of returning soldiers and a lamentable ignorance of one of the basic economic needs of the country."

Hackensack (N. J.) Record: "Private corporations and individuals, chambers of commerce, welfare organizations, and civic governments are responding nobly to the call of the Federal Employment Service. The promptness of the response all over the country will go far toward stabilizing conditions full of menace."

Literary Digest: "A warning and plea are sounded in a letter received by the Literary Digest from an American Army officer: 'Surely it does not require argument to support the contention that the country is under a moral obligation to give its discharged soldiers an opportunity to return to civil life in a manner that will not cause them to sacrifice their self-respect by becoming objects of charity, however willingly donated, for even the briefest time. * * * The Bureau of Labor (United States Employment Service) is performing a splendid service in endeavoring to secure employment for former enlisted men.'"

Trench and Camp (Soldiers' newspaper in 30 camps): "The United States Employment Service, the official agency for assisting soldiers to employment, is already placing in suitable jobs more than 75 per cent of the returning men who must find new work and is daily increasing its facilities for bringing the man and the job together."

Pittsburgh Press: "The authorities of the United States Employment Bureau offer you a valuable 'tip,' Mr. Employer. * * * The wise employer will take time by the forelock and solve the labor problem while the solving is good."

Charleston (S. C.) American: "It may be that the United States Employment Service will be continued for at least one more year; at the end of that time the great work it has done and will do for the unemployed in every part of the country will be so generally understood as to assure its continuance as a permanent branch of the Government."

Fort Worth (Tex.) Star-Telegram: "We are convinced that the Federal Employment Service not only has demonstrated its usefulness but any reconstruction program which does not provide for its continuance will be badly handicapped in meeting some of the problems which bid fair to be the most difficult of solution * * *."

Coming Back (soldiers' newspaper on transports): "Harold Stone, national superintendent of the bureaus for returning soldiers and sailors of the United States Employment Service, has arrived in France to bring the job-finding facilities of the Federal Employment Service to the soldiers and sailors overseas. He and his staff are now developing a system whereby returning men can make out their applications while on transports homeward bound, each card to be sent to the bureau for returning soldiers and sailors in the town to which a man is going after discharge. In this way men in need of assistance in job finding will be greatly helped and the United States Employment Service and the folks and organizations at home will have a chance to find a job before a man arrives."

Stars and Stripes (official newspaper of the American Expeditionary Forces): "That every man who really wants a job and goes after it toot sweet upon returning to the United States will get it is the promise held out by the United States Employment Service, which got into operation on behalf of the soldiers and sailors about a year ago and which now has three representatives in France looking after their interests.

"Until now the real facts concerning employment and lack of employment back home for ex-service men have been pretty well hidden and the reports thereon in the home papers have been pretty well diversified, according largely to the shades of political opinion. Some had it that jobs were running about loose; others that there wasn't work in sight for the best man who ever drew a pay envelope on Saturday night. The Employment Bureau steers a middle course. There will be work if the men only follow regulations. * * *

"Just now there are some 2,000 bureaus for returning soldiers and sailors back home, with headquarters in one of the principal cities of every State. They do not create jobs, nor do they promise to find job for everyone; but they do agree to help find jobs for all. * * *

"So much for what the Employment Service will do. Now, a little about what it has done. During 1918 it placed about 3,000,000 workers in the important war industries, and when the armistice was signed it was officially designated as the central agency to help discharged soldiers secure work. Through it Army auxiliary organizations, as well as the civic and fraternal bodies, are all working together for the same cause. The national office is informed weekly by telegraph of the labor conditions in every State in the Union. In February it was finding work for about 100,000 persons a week, of whom 20,000 were discharged soldiers and sailors."

Printers' Ink: "Attacking General Confusion, General Hesitation, and General Timidity from an angle somewhat different from that along which the National Prosperity campaign is training its guns, but with a common purpose in mind, the United States Employment Service is also engaging in an intensive advertising campaign.

"This campaign is to place the returning soldiers and sailors in the jobs for which they are best fitted and by this means to help American industry and commerce more soundly on its feet and to enter it with a flying start in our race for nation-wide prosperity.

"The success of the United States Employment Service is evidenced by the fact that while approximately 35 per cent of the discharged soldiers leave the Army without prospect of positions, it has been able, with the cooperation of welfare organizations, churches, and chambers of commerce, to place 80 per cent of these discharged men in the positions they are best fitted to fill.

"The purpose of its campaign is, first, to secure the unreserved cooperation of the employer, and, secondly, to stimulate the creation of jobs * * *."

Advertising and Selling: "While the United States Employment Service has been able to place 80 per cent of the returning soldiers who need new jobs, its task is growing more difficult each day because of the fact that public and private operations are naturally not keeping pace and affording employment openings at a rate equal to the demobilization of the Army and war plants.

"Furthermore, the service has the task of inducing through advertising the farm boys who are staying in industrial centers to return to their former occupation in order to relieve the farm labor shortage.

"Despite their heavy contributions of advertising space to the Government during the war, advertisers and newspapers are taking kindly to the copy supplied by the United States Employment Service. This is attributed to the general realization of the necessity for keeping unemployment at a minimum in this country, since widespread unemployment will hold back the resumption of peace business and industry and will encourage Bolshevism and social unrest."

The Fourth Estate: "The United States Employment Service is sponsoring an intensive national publicity campaign to assist soldiers, sailors, and war workers to employment. Advertising plays a prominent part in the drive and the service has just issued a portfolio of advertisements. The copy of the advertisements, 24 in number, is intended to stimulate business and buying and at the same time cause employers to keep their labor requirements listed with offices of the service and its bureaus for returning soldiers and sailors, which are automatically receiving the applications of the soldiers who must find new jobs * * *.

"The American Association of Advertising Agencies has indorsed the campaign and through its secretary is transmitting the portfolio of advertisements to the advertising agencies and advertising clubs, requesting their cooperation. As a matter of fact, advertising clubs in many cities for months have been giving the fullest support."

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WAR DEPARTMENT,
Washington, D. C., May 28, 1919.

Hon. JAMES W. GOOD,
Chairman Committee on Appropriations,
House of Representatives, Washington, D. C.

MY DEAR SIR: I am told that your committee is now considering in connection with the sundry civil appropriation bill the item to provide for the continuance of the United States Employment Service after July 1, 1919. I want to urge favorable consideration of this.

In my work as assistant to the Secretary of War, representing him in matters having to do with finding employment for discharged soldiers, I have been working with the United States Employment Service from the beginning, and with their bureaus for returning soldiers, which were formed under the leadership of the Employment Service, with the cooperation of various welfare societies and local agencies. If the United States Employment Service were to go out of business on the 1st of July, the interests of the returning soldiers and sailors who need assistance in trying to reestablish themselves in civil life would suffer to an extent which it is difficult to overestimate. This Employment Service extends all over the country, and except for the various welfare associations, which in most cases cooperate closely with the Employment Service, is, of course, the only comprehensive placement machinery for soldiers and sailors.

I have no wish and am not qualified to take up the question as to whether this particular form of organization is the best as a permanent form of United States Employment Service, but my work to date in trying to help the soldiers back into worthy positions in civil life has convinced me that, as a practical matter, there is no proper alternative but to continue the service at the present time.

Very truly, yours,

ARTHUR WOODS.
Assistant to the Secretary.

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DISCHARGED MEN "POTENTIAL REDS," SAYS GEN. WOOD.

[From Times, Buffalo, N. Y., June 15, 1919.]

NEW YORK, *June 14, 1919.*

To combat "Bolshevism" employment should be provided by the Federal Government for discharged soldiers, sailors, marines, and war workers—"potential Bolshevists"—according to a statement by Maj. Gen. Leonard Wood made public here to-night by Dr. George W. Kirchwey, State director of the United States Employment Service.

Asserting that men who engaged in the war feel they are entitled "to as much consideration as the chaps who stayed at home," Gen.

Wood declared it was natural they should feel discontented on their return to find their positions occupied by "stay at homes."

"Many of the men who have returned are sick, both physically and mentally, and waiting with nothing to do and finding on every hand radical orators only too willing to sow the seed of discontent, their minds are open to such propaganda," said the general.

"I consider it absolutely essential for the Federal Government to continue its efforts to place discharged military men and civilian war workers in profitable peace-time jobs, and for this purpose funds should be immediately made available to continue the United States Employment Service, which has proved a potent factor in helping to solve this problem from a national standpoint."

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UNITED STATES SENATE,
Washington, D. C., June 16, 1919.

Hon. W. B. WILSON,
Secretary of Labor,
Washington, D. C.

MY DEAR MR. SECRETARY: I have observed with sincere regret the persistent propaganda which seeks to destroy the United States Employment Service, the only arm of the Federal Government in position to cope with the dislocation of labor during the present period of readjustment.

The farmers throughout the "great wheat belt" and particularly in Kansas, my own State, are greatly dependent upon the Federal Employment Service for the proper distribution of harvest labor. I have before me letters and resolutions from numerous farmers' organizations expressing in unmistakable terms that the successful harvesting of 48,000,000 acres of wheat, the greatest crop in history, is largely dependent upon the maintenance of the machinery of the employment service for the recruiting and proper distribution of harvest hands.

I have before me a letter from the editor of the Kansas City Star predicting a shortage of labor for harvesting the enormous wheat crop in Kansas and reciting the fact that wages are from five to seven dollars a day including board and lodging and that the working force will move north with the harvest to Nebraska, Minnesota, and the Dakotas and can find employment afterwards in thrashing so that there will be steady employment at least until the ground freezes. He estimates that no less than an army of 200,000 extra harvest hands are needed this year.

At this particular moment, in view of the existing world shortage of food, in my opinion this army of harvest hands is equally important as the army of occupation on the River Rhine.

Considering the unemployment that exists, right now, in localities where population is thickly congested, it is unthinkable that the Federal Government would withdraw its support from the United States Employment Service which has the machinery capable of preventing disaster during the emergency of the next few months.

Surely those who seek to destroy the effectiveness of the Employment Service would not contribute toward the destruction of one single bushel of wheat, and in the light of these facts I can not help but predict that Congress will include an ample appropriation in the sundry civil bill for continuing an effective service during the next fiscal year.

I am presenting you with these facts in the hope that they will help correct some of the misapprehensions concerning the wisdom in continuing the Employment Service which, although, like many emergency organizations, suffers from some isolated imperfections, still has its task clearly ahead in wrestling with the problem of relocation of labor, not only for economic reasons but also in the interest of conserving the visible supply of food.

Very respectfully,

ARTHUR CAPPER.

—

[Telegram.]

DUPONT, WILMINGTON, DEL., *June 27, 1919.*

DIRECTOR GENERAL,
United States Employment Service,
Washington, D. C.

We are recruiting for large construction work near Detroit through your offices and understand general reduction in number of your offices occurs July 1. Very important we know Monday what employment offices will operate after July 1 in following States: Michigan, Ohio, Indiana, Illinois, Kentucky, and Wisconsin. Will appreciate prompt reply.

E. DUPONT & CO.
WHITLOCK.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4226) making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes.

LANDING OF THE PILGRIMS.

The VICE PRESIDENT. In accordance with the concurrent resolution adopted on yesterday providing for the appointment of a joint committee to consider the observance of the three-hundredths anniversary of the Landing of the Pilgrims, the Chair appoints on that committee in behalf of the Senate the Senator from Ohio [Mr. HARDING] and the Senator from Alabama [Mr. UNDERWOOD].

DISTRICT OF COLUMBIA APPROPRIATIONS—CONFERENCE REPORT.

Mr. CURTIS. I ask the Senator in charge of the pending conference report if he will yield to me for a few minutes to submit the conference report on the District of Columbia appropriation bill. There were only two matters in difference, it is very short, and there will be no controversy over it.

Mr. WARREN. I would like to get this conference report through.

Mr. ROBINSON. What is the request of the Senator from Kansas? I did not hear his statement.

Mr. CURTIS. I wish to submit the conference report on the District of Columbia appropriation bill. There will be no controversy over it.

Mr. ROBINSON. I have no objection.

Mr. WARREN. Very well, provided the conference report on the sundry civil bill does not lose its place, and that the conference report on the District bill will not lead to any debate.

Mr. CURTIS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 1 and 45 to the bill (H. R. 4226) making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 45.

That the House recede from its disagreement to the amendment of the Senate numbered 1; and agree to the same.

CHARLES CURTIS,
LAWRENCE Y. SHERMAN,
JOHN WALTER SMITH,
Managers on the part of the Senate.

C. R. DAVIS,
LOUIS C. CRAMTON,
Managers on the part of the House.

The report was agreed to.

SUNDRY CIVIL APPROPRIATIONS—CONFERENCE REPORT.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses upon the bill (H. R. 6176) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

Mr. ROBINSON. Mr. President, under the circumstances I feel justified in asking the Senate to recommit this conference report to the conferees, and if such a motion shall be held in order the Senate will be afforded an opportunity to vote upon it. In the event that motion should be held out of order, the only way I know in which the Congress may have an opportunity of determining whether it desires to continue or to kill by making or refusing to make the appropriation for the Employment Service in the Department of Labor is to reject the conference report.

It must be remembered that the other and coordinate branch of Congress has had no opportunity to consider this controversy. The distinguished chairman of the Committee on Appropriations of the Senate [Mr. WARREN] stated to the Senate when this conference report was first submitted an hour or more ago that the conferees found themselves unable to agree concerning this provision, that the opposition in the other body to the same was overwhelming, or words to that effect. I want to invite the attention of the Senator from Wyoming as also the attention of other Senators to evidence contradicting that statement beyond a reasonable doubt.

Mr. WARREN. Mr. President, will the Senator yield?

Mr. ROBINSON. I yield with pleasure to the Senator from Wyoming.

Mr. WARREN. The Senator will remember that I begged to interrupt the Senator from Arizona [Mr. ASHURST] merely to state what was the view of the House conferees, but the Senator from Arkansas intervened and questioned me, and I assume from what followed that he misunderstood what I undertook to say. What I undertook to say was that the House in the consideration of the bill and the conferees in the conference took the ground not that this $200,000, which they had claimed would be their limit, would be spent in the District of Columbia in the ordinary way of simply providing a line of salaries, but that it was the intention to establish a sort of clearing house where they could work through the States as the soldiers came here. That was the view there held.

Now, if the Senator will pardon me a moment more, I want to remind him, first, that the sundry civil bill of the last session, sent to us by the House of the preceding Congress, came to the Senate containing nothing upon this subject. No provision at all was made therein for the employment service. When the deficiency bill came to us there had been put in on the other side $272,000, I think, and it went out in the House on a point of order. Of course, that debate, which is probably as familiar to the Senator as it is to me, developed both sides of the question to some extent. That bill also came to us with nothing in it. The Senate committee put back the $272,000 in that bill which had gone out on a point of order in the House, and, of course, it became a law.

The sundry civil bill again came to us with nothing whatever in it for labor. It had been before the House, $200,000 had been put in, and again had been lost on a point of order. That brought it up to this stage. We had but a short time to consider the bill here on the floor, as the Senator knows. We had a great deal more time in conference than we had on the floor. But I think the Senator must allow that, with one hundred and odd differences in conference, one can hardly expect every point in the bill to be maintained by the Senate. If that were so, why have a conference at all? The conferees must, after doing the best they can, either come back with a disagreement or get the best terms they can.

So far as the arguments for labor are concerned, I grant them all. It is simply a matter not of theory but of circumstances. We had to meet the House, and if we were to legislate at all, we, of course, had to have an agreement. The House has had its opportunity. I am sorry that it did not give us something to go on.

The Senator from Arizona read, with a good deal of pleasure to himself and to me, what Mr. MONDELL said, and I thanked him this morning for saying it. I was one of those who contributed to the support of the various labor headquarters in my State when they found themselves short of funds, and others have done the same.

Here is what Mr. GOOD said, following Mr. MONDELL, and when he was protecting it against the attempt to throw it out over there——

Mr. ROBINSON. The Senator can later read his statements of Members of the House if he chooses to do so, but not now.

Mr. WARREN. It covers the one point, and it is only half a dozen lines.

Mr. ROBINSON. Very well.

Mr. WARREN. Mr. GOOD says:

> I want to say to the Members of this House that we have 1,000,000 men to-day in the military service of the United States, and on every ship that comes from abroad carrying American soldiers there is an officer taking the names of the soldiers, finding out the former employment of each one, what he was employed at before entering the service, what he desires to do, and so forth. In order to find a place for these boys we must have a clearing house in Washington. By that organization the job and the man will be brought nearer together. I think the amount here is too much. I think the provision of the Senate bill should place a limitation upon the salaries that are provided for. I do think, however, there should be a clearing house in Washington in order that we may find a place for the discharged soldiers and sailors, and I sincerely hope that the motion of the gentleman from Texas will be voted down.

I am simply giving to the Senator the view of Mr. GOOD in defending not the $400,000 but the $200,000.

Mr. ROBINSON. I will state to the Senator from Wyoming that I have not only read the statement which he has just put into the RECORD, but the entire proceedings of the other body had in the previous session of Congress, and I think I am quite as familiar with the matter as he is. The sum and substance of the statement which the Senator from Wyoming has just made is that the Senate conferees exhausted their energies and their resources and fully discharged their duty to the Senate in an effort to retain this provision in the bill, but on account of the unwillingness of another body to acquiesce in the provision it must go out. That brings me back to the identical point I was discussing when the Senator from Wyoming interrupted me.

I had already said that the other body has never been afforded an opportunity to vote upon this proposition. During the last session of Congress, when it was pending before the House, the entire matter was determined upon a point of order. Amendment after amendment was introduced, to the number of 8 or 10, and the whole subject was suppressed under the rules of the other branch of Congress. No vote was ever taken in that session on any amendment akin to the proposition now under consideration. So the other branch of Congress during the last session did not determine this question upon its merits, but determined it upon a technical point of order.

Mr. WARREN. The Senator is absolutely right.

Mr. ROBINSON. Very well. I think I will show the Senator he is wrong before I get through, if he will permit in my own time to discuss it.

Mr. WARREN. I do not know what the Senator attributes to me as wrong. I wish to say to him now that the House did have an opportunity to reject or affirm this report of the conferees.

Mr. ROBINSON. All right; I am coming to that, if the Senator will permit me. I have at last arrived at the present issue, and I propose to show the Senator from Wyoming that not only has the other branch of Congress had no opportunity to vote up this question, but in so far as any evidence concerning the viewpoint of that body exists it is conclusive in favor of the amendment.

Before the conference report was under consideration in the House of Representatives, a Member who had been quite active for a number of months in opposing any legislation in behalf of the Employment Service, a Member who availed himself of every opportunity to denounce that service, made a motion to instruct the House conferees not to agree to amendment 91, the Federal employment amendment, which the Senate by a unanimous vote inserted in this bill.

After a debate upon the subject, a part of which the Senator from Wyoming has quoted here, the other branch of Congress took a vote; and, amazing beyond expression, the vote registered was 1 in favor of the motion to instruct the conferees against this amendment and 187 in opposition to it; and yet, after considering more than 100 important amendments in conference for a few hours, the Senate conferees come in here and excuse themselves, or seek to excuse themselves, for abandoning the position unanimously taken by the Senate, on the theory that the other body is so determinedly opposed to this provision that it is hopeless to insist upon it, when the only vote the other body has taken upon the subject indicates that it is 187 to 1 in favor of it!

Mr. KENYON. I desire to ask the Senator when that vote was taken?

Mr. ROBINSON. The vote was taken on Saturday.

Let me give the Senator from Wyoming and the other Senators who bear the commission of this body in the conference with the other House of Congress another evidence that if the conferees will let the Congress express its opinion on this subject this amendment will carry, and the Employment Service will be continued until Congress may determine whether or not it wishes to perpetuate or to abolish it. If Senators will turn to the CONGRESSIONAL RECORD of June 30, page 2087, they will find that the gentleman who made the motion to instruct the conferees not to agree to this amendment admitted that he was in a hopeless minority in the House of Representatives; admitted that if the House had an opportunity to express itself on the subject it would vote in favor of the amendment overwhelmingly. That is the statement of the Member who has led the opposition to the Employment Service and to legislation to promote it and to maintain it.

Mr. President, here is what occurred: While that motion was under debate, the RECORD shows the following—I make the reference respectfully, for it was within the province of the Member to make the statement, and I am not criticizing him for it; I am producing this as an evidence that the chairman of the committee does not know what he is talking about when he runs away from the position that the Senate instructed him to take and comes back here as quickly as he can, with a recession on this and other important amendments that the Senate inserted in the bill——

Mr. WARREN. Mr. President——

Mr. ROBINSON. Let me read this statement, and then I will yield to the Senator.

Mr. WARREN. I will not again interrupt the Senator.

Mr. ROBINSON. The Senator may interrupt me whenever he wants to do so, except that I want to read this statement of the Member of the House who made the motion to instruct the conferees not to agree to this amendment, and whose motion was voted down 1 yea to 187 nays. This is the statement:

> Mr. BLANTON. Mr. Speaker and gentlemen of the House, on account of my time being limited I ask not to be interrupted.
>
> I realize that I shall not be able to prevent the appropriation of this $400,000. I know that on this item I will vote in a hopeless minority.

A frank, open admission that the other body favors the amendment.

Mr. President, in view of that fact and in view of the way this amendment has been submarined, I am going to recite its history. The bill was reported to the Senate without any provision affecting the Employment Service. The Senator from Iowa [Mr. KENYON], the Senator from Arizona [Mr. ASHURST], the Senator from Kansas [Mr. CURTIS], the Senator from Idaho [Mr. NUGENT], and I introduced amendments relating to the subject. The opponents of the amendment, so far as I know, were the first to advance a compromise. The chairman of the committee knows whether or not this declaration is true. If it is incorrect, let him correct it now.

Mr. WARREN. Mr. President——

Mr. ROBINSON. I yield to the Senator.

Mr. WARREN. I do not desire the Senator to yield, but I wish simply to say that the Senator is entitled to lambaste me and the other conferees, and I suppose the conferees must accept it as they always do.

Mr. ROBINSON. Mr. President, the Senator from Wyoming will not again interrupt me with a statement like that. I know, and the Senator from Wyoming knows, the course this matter has taken. I know, and he knows, that legislation like this can not be put on a personal basis. When the

proposition was made that a compromise be effected, I went to every Senator who had introduced an amendment in reference to this subject, and I went to every Senator who I had heard proposed opposition to the item. I had information that the other body wanted or would stand for at least $300,000. An agreement among Senators was reached. At the request of other Senators interested in the subject the duty devolved upon me to present the amendment. I offered it here, and the amendment was promptly agreed to without a word of debate. The chairman of the committee, in consonance with the agreement already made with him, accepted the amendment.

Then, in another place, advantage was taken of the history of the amendment to criticize and to condemn the Senate. In this connection let me remark that if Senators will look at the CONGRESSIONAL RECORD of yesterday they will find that in relation to another amendment placed in this bill by the Senate the Senate was by several speakers ridiculed, one gentleman announcing, when he took the floor, that it was his purpose to reflect on the Senate.

With one hundred and some odd amendments in conference, with the bill committed by the other body to conference some time yesterday, the conferees hastened back here last night with an agreement to this conference report settling the fate of 100 or more Senate amendments.

The statement made by the Senator from Wyoming a few moments ago confirms the position which I took during the remarks of the Senator from Arizona [Mr. ASHURST], and that is that in their haste to get the bill passed the Senate conferees abandoned without serious contest the position they had been instructed to take by the Senate.

It is time now to inform Senators who are fortunate enough by long service to control through conference committees the legislation of this Nation that they have a higher duty than to respond to their personal will and inclination, and that duty is in good faith to abide by the judgment of the Senate. That does not mean that every amendment that the Senate adopts must be agreed to; everyone knows what that language means; it simply means that if a Senator is on a conference committee and takes a contrary view to that expressed or reflected by the Senate in its legislation, he ought to yield his personal convictions and stand upon the higher plane which he is instructed to occupy as a representative of the Senate. If there had been one friend of the Employment Service amongst the Senate conferees, this conference report, destroying the Employment Service or abolishing it because of lack of appropriation, would not have been agreed to in advance of the appointment in the other body of the conferees to consider it.

Mr. OVERMAN and Mr. WILLIAMS addressed the Chair.

Mr. ROBINSON. I yield.

The VICE PRESIDENT. To whom?

Mr. ROBINSON. To either Senator or both.

Mr. OVERMAN. Mr. President, I think the Senator does me an injustice. I was on the conference committee and was one of the Senators who succeeded in securing the original appropriation. I was heartily in favor of the provision, and in conference supported it heartily and at some length. So I was not antagonistic to it. I had seen, however, the head of the bureau, who told me that they were going before a regular committee to try to get permanent legislation, and were asking for $1,000,000 before the committee presided over by the distinguished Senator from Iowa [Mr. KENYON], and all the appropriation they wanted was enough to tide them over. So I was not antagonistic to the amendment, and agreed with the other conferees only upon the statement of the fact that this amount was sufficient to tide them over. I was a friend of the provision and helped them get the money in the first instance.

Mr. ROBINSON. I accept, without qualification, the explanation and statement of the Senator from North Carolina.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Mississippi?

Mr. ROBINSON. I yield.

Mr. WILLIAMS. Mr. President, I wish to ask the Senator from Arkansas why it was, if the conferees were going to abolish the operations of this bureau within the States, they did not abolish them here in the city of Washington?

Mr. ROBINSON. I shall be glad to answer that question.

Mr. WILLIAMS. And why, if they were going merely to bridge it over, they did not bridge it over by letting it continue to work where it was doing its real work and abolishing the part of it here in Washington?

Mr. ROBINSON. Mr. President, that brings me to the consideration of a comparison of the Senate provision and the conference provision. The Senate provision is understood by all Senators. In order to meet objections of the chairman of the committee and others, expressed to me in conversation, I struck out the last paragraph of the amendment as offered by the Senator from Arizona, and substantially, I think, as offered by other Senators, and reduced the amount to $400,000, reflecting the compromise agreed upon. That amendment went into the bill and went to conference. In conference this provision was inserted:

To enable the Secretary of Labor to maintain in the District of Columbia an organization to coordinate the public employment offices throughout the country—

From about the words "public employment offices" the language of this amendment is identical with a portion of the language used in the Senate amendment, and is as follows:

by furnishing and publishing information as to opportunities for employment and by maintaining a system for clearing labor between the several States, including—

And so forth.

The effect of this amendment is to limit the Federal Employment Service to the District of Columbia, whereas now it has from three to four branches in every State. I wish to place in the RECORD at this point a list of the employment offices, together with the number of the same in each State.

The PRESIDING OFFICER. Without objection, permission is granted.

The matter referred to is as follows:

Under an appropriation of $950,000 for a six months' period offices can be maintained in field as follows ($800,000 being allotted for this purpose):

Alabama: Federal director's office, three placement offices.
Arizona: Federal director's office, two placement offices.
Arkansas: Federal director's office, three placement offices.
California: Federal director's office, three placement offices.
Colorado: Federal director's office, two placement offices.
Connecticut: Federal director's office, four placement offices.
District of Columbia: Federal director and placement office.
Delaware: Federal director's office, one placement office.
Florida: Federal director's office, two placement offices.
Georgia: Federal director's office, three placement offices.
Idaho: Federal director's office, one placement office.
Illinois: Federal director's office, 11 placement offices.
Indiana: Federal director's office, three placement offices.
Iowa: Federal director's office, three placement offices.
Kansas: Federal director's office, three placement offices.
Kentucky: Federal director's office, four placement offices.
Louisiana: Federal director's office, three placement offices.
Maine: Federal director's office, three placement offices.
Maryland: Federal director's office, three placement offices.
Massachusetts: Federal director's office, seven placement offices
Michigan: Federal director's office, six placement offices.
Minnesota: Federal director's office, four placement offices.
Mississippi: Federal director's office, three placement offices.
Missouri: Federal director's office, four placement offices.
Montana: Federal director's office, four placement offices.
Nebraska: Federal director's office, two placement offices.
Nevada: Federal director's office, one placement office.
New Hampshire: Federal director's office, four placement offices.
New Jersey: Federal director's office, six placement offices.
New Mexico: Federal director's office, two placement offices.
New York: Federal director's office, 14 placement offices.
North Carolina: Federal director's office, four placement offices.
North Dakota: Federal director's office, three placement offices.
Ohio: Federal director's office, eight placement offices.
Oklahoma: Federal director's office, three placement offices.
Oregon: Federal director's office, four placement offices.
Pennsylvania: Federal director's office, eight placement offices.
Rhode Island: Federal director's office, two placement offices.
South Carolina: Federal director's office, two placement offices.
South Dakota: Federal director's office, three placement offices.
Tennessee: Federal director's office, three placement offices.
Texas: Federal director's office, six placement offices.
Utah: Federal director's office, two placement offices.
Vermont: Federal director's office, two placement offices.
Virginia: Federal director's office, four placement offices.
Washington: Federal director's office, four placement offices.
West Virginia: Federal director's office, three placement offices.
Wisconsin: Federal director's office, nine placement offices.
Wyoming: Federal director's office, one placement office.

Mr. ROBINSON. Under the amendment inserted in conference no part of this fund can be expended for services outside of the District of Columbia; no organization can be maintained anywhere save in the District of Columbia. This amendment abolishes all of the employment organizations heretofore effected by the Department of Labor in every State in the Union, and leaves the bureau in the District of Columbia to look after unemployment throughout the Union. The mere statement of that fact discloses the impossibility of an organization in the District of Columbia performing service successfully as an employment bureau for the various States of the Union. There is great need for a Federal agency to coordinate the various activities of State and municipal bureaus. The best service has been rendered by directing unemployed labor in one State to employment in other States.

The Department of Labor has found it imperative to establish in the various States from three to four of these offices, as I have already said, and now to limit the organization to the District of Columbia is so minimizing the service, so yielding to the

opposition that has manifested itself through private employment agencies, and through manufacturers who want a surplus of labor at their own doors from which to draw in case of demand for their own necessities, and through other influences not consistent with the general welfare, either of the employers or the employees of the United States, that this splendid service is to be emasculated in the name of economy.

Is there a Senator who believes that under present conditions, with millions of men returning from military pursuits to civilian life, with millions of civilians quitting war industries and seeking employment in the normal activities of our people—is there a Senator who think that an organization in the District of Columbia can perform with fair efficiency the business of a labor-employment bureau for the people of the United States? If there is, no argument at my command will be addressed to him. The opposition to the Federal Employment Service has torpedoed the service at the time when it can be least afforded.

The Senator from Arizona [Mr. ASHURST] went into that subject fully. Let me supplement just briefly some of the things that apply to the general proposition, whether you want to kill the Labor Service nationally or whether you want to maintain it until the committee referred to, I think, by the Senator from North Carolina has had an opportunity to act.

The Senate Committee on Appropriations brought in a provision eliminating appropriations for the Tariff Commission. That was justified by the committee in the name of economy. The subject was discussed in the Senate, and when the vote was taken the vote was 2 to sustain the committee's action, and 57 against it; and I should like to know what became of the members of the committee who voted to report the amendment.

Mr. President, although the Senate almost unanimously sustained the Tariff Commission in spite of the action of its committee, which, in so far as I now recall, was almost unanimous in reporting the amendment, there is more reason, stronger justification, sounding in the interest of all men and all things that the United States Senate is charged with protecting—there is more reason why this Government should maintain this Employment Service than the Tariff Commission. At the close of the greatest war that has ever occurred, at a time when 4,000,000 people—many of whom, more than half of whom, quit profitable employment at home and went to the front and risked their lives in the Nation's cause—are returning and asking for an opportunity to secure profitable employment, when they are finding the places which they occupied before the war filled, are they to be told that the Government feels no interest in them, that they must rely on private agencies to bring them to a position where they can be as well off as when the Government took them out of civil life and put them in the Army?

In the city of Boston on this good day, within 24 hours after the intelligence had flashed across the continent that the conferees had killed the labor service, a powerful private fee-charging labor employment bureau is being organized to take the very offices heretofore used by the Government service.

You may sing as you will the praises of our gallant soldiers, for in all of the history of the world there is nothing to compare with their courage and their daring. What is the least that statesmen duly regardful of the public interest will do in a case like this? Will you say to the American soldier who is seeking employment that the Government maintained this agency during the war for the benefit of the men who wanted to employ others, and that now, since the principal duties of the service have become representative of the interests of the men to be employed, you yield to the selfish demand that this service shall be abolished?

Great as is the need for continuing, for the present at least, this Employment Service in behalf of returning sailors and soldiers, it is equally important to civilian employees. During the war we built up enormous Government factories that employed millions of men, and now, as the world beholds a vision of returning peace, those factories are stopping their operations or reducing them; and as a result millions of civilians are going out of employment, and they go to the Federal agency, a general and an unselfish agency, asking assistance in finding work.

You can not justify destroying the labor service on the theory that private employment agencies, municipal and State bureaus, will adequately take care of the service. The ignorance prevailing on this subject is reflected in the declaration recently made that practically all the States have employment services. According to the information furnished me, there are only 14 States that make any pretense of maintaining employment bureaus. There are in addition a large number of municipal bureaus and a large number of private fee-charging agencies. All of these, State and municipal particularly, have been cooperating with the Federal Employment Service.

You can not think, if you study the question for a minute, that a mere local agent can deal successfully with this condition, which is national; and when you contemplate the enormous sums of money expended by this Government in anticipation of necessities which might have arisen, but which never did arise, how will you explain to the thousands who are dependent upon the daily labor of the men who fought the battles and won the victories of this Nation in the war, how are you going to answer them when they ask you to give aid in securing employment? They ask you for bread; will you give them a stone?

Mr. SMITH of Arizona. Mr. President, I am extremely anxious, without criticism of anybody in either House or Senate, to have a vote on this question before the House of Representatives. I appreciate the magnitude of the service that has been given, and no man can adequately appreciate the service which can be given under a perfect or as nearly as possible a perfect administration of this particular bureau. No State can do it. No municipality can do it.

I am extremely anxious, as I said in starting, to see a vote by the House of Representatives. The matter never has come to them. As has already been stated by the Senator from Arkansas [Mr. ROBINSON] in his address, the only side vote, if you can call it such, was on a premature motion made by a Member of the House to vote in advance that this $400,000 amendment should not be considered or placed on the bill in conference. That was voted down by the majority he suggests, 187 to 1. The same one who is leading the fight there also admits that he would be in a hopeless minority if the House had ever had an opportunity to vote on the measure. The House, in its vote in adopting this conference report, did nothing more than to say that the House was satisfied with the action of the House conferees, in that the House conferees maintained the House bill. It is no disrespect to the committee of conference for the Senate to ask that a separate vote be had on this particular phase of the conference report by the House of Representatives.

I for one deprecate the storm that has been brewing between the two Houses, and I hope to see on the part of both a rapid approach to the proprieties of legislation in both Houses. Now, let us see if without prejudice, without stirring up animosities, we can not receive a fair vote of the House of Representatives on the Senate amendment.

Being so impressed with the belief that the House will maintain the proposition of the Senate in this particular matter, I shall vote, though a member of the committee, to send this particular report back to the committee of conference.

Mr. WILLIAMS. Mr. President, it is, I hope, a well-known fact that I never desire the Government to undertake to do anything which private enterprise can attend to as well, or even nearly as well. This, however, is not a case of that sort. It is exactly of the opposite sort. The private employment bureaus can attend to local questions of unemployment just as well as a Government bureau, I have no doubt; but this is a broader proposition and requires a broader method of dealing with it.

There may be at one time a superabundance of labor in Illinois and at the same time a lack of labor in Missouri. There may be a dearth of labor in California and a surplus of labor just across the mountain in some other State, like Colorado.

Mr. President, I thought this was one of the things growing out of the war that ought to become permanent, so that we who had just learned to mobilize our man power and our money power for war purposes might learn to mobilize our working forces for peace purposes in industry. To abolish that very part of it which is doing the work best in the localities, it seems to me is wrong in every respect.

You can not, here at Washington, tell a man in California that there is work up in the State of Washington or in Oregon if he will just go there; but if you will furnish him with a bureau there, and somebody working at it, he himself will make inquiry, and he will be told. But even if he could learn by mail, the time is too long, and he perhaps gets either inferior work or in the meanwhile he half starves.

This is one of the things growing out of the war that I had hoped would be in some form perpetuated, because it is for the good of everybody, employer and employee both, and is one of the things that would harmonize these two classes, instead of increasing the unfortunately constant clash which seems to exist between them.

Mr. President, I shall vote for the motion made by the Senator from Arkansas, or, if that motion is declared out of order, for the motion which he shall make.

Another matter, Mr. President, totally irrelevant to this.

On June 24 Dr. Charles W. Eliot, emeritus president of Harvard College, one of the most intelligent, well-educated men and one of the most honest and patriotic and unselfish men that this country has ever produced, wrote a letter, which was published in the New York Times, which is entitled "Ratify the Treaty Forthwith. It Confers Great Benefits on the World and Provides for its Own Perfecting." I shall not take up the time of the Senate to read it, unless the request is refused, but shall make request that it be inserted in the RECORD.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

[From the New York Times, July 1, 1919.]

RATIFY THE TREATY FORTHWITH—IT CONFERS GREAT BENEFITS ON THE WORLD AND PROVIDES FOR ITS OWN PERFECTING.

(By Dr. Charles W. Eliot.)

To the EDITOR OF THE NEW YORK TIMES:

The treaty which the peace conference at Paris has prepared with conscientious labor, patient discussion, and many inevitable compromises will soon be before the American people in its final form. It aims at justice, liberty, and peace for Europe and America, and at the promotion of all national and international righteousness and well-being. It is by far the most promising agreement among the freer and more progressive nations that has ever been worked out.

In intention or purpose its merits are manifold and extraordinary. It rights great wrongs committed by autocratic European governments in the past. It suggests and will promote the organization of several new republics. These will make free and secure populations that have suffered for generations severe oppression from alien autocratic governments, accustomed to compel submission by cruel use of military and police forces. It provides for the creation of the first international legislative body, the first executive council with adequate powers, and the first international court with a sanction behind its decrees.

This unprecedented treaty also makes the first international provision for the reduction of competitive national armaments, a remarkable provision considering the continuing dread of armed aggression under which France and Italy labor.

The treaty contains many provisions for the gradual improvement of the various institutions it establishes, and is in important respects elastic rather than rigid.

The league of nations which the treaty will establish is indispensable to the gradual bringing into execution of the new policies the treaty embodies. It is the league which must procure, through its assembly, council, and legal tribunal, order and peace throughout the civilized world, while the new republics set up in Europe and Asia are becoming stable and orderly and are gaining experience in self-government. It is the league which is gradually to provide an intelligent and righteous way of giving aid to the backward peoples of the earth, and of protecting them from exploitation by any stronger power. It is the league which is to determine when Germany, Austria, Bulgaria, and Turkey have become admissible to the league. It is the league which offers the only available means of getting put into execution the ideals for which the American people went to war. Without it the sacrifices America made for the war will be in vain. With it the treasurer spent and the young lives sacrificed will have earned an immense gain for mankind. It is the league which will find the way to the suppression of militarism among the civilized nations; that is, to the annihilation of a military class of professional soldiers who have no occupation except war and preparation for war, and who are always at the service of any despotic government—purporting to represent the divine right of kings or to be the socialistic superstate—ambitious of territorial or commercial extension. The treaty in its present form is by no means perfect from the American point of view; but it contains within itself the means of its own perfecting.

A minority of the American Senate is threatening to prevent or delay the ratification of this invaluable treaty. Some of the reasons given for such delay or defeat can only be described as ignominious and dastardly. They represent the American people as tired of their disinterested crusade for justice and liberty throughout the world and desirous of returning to their former belief in their own prosperity and safety through isolation. Let the American people make known to the Senate that they hold firmly to the ideals with which they went to war in April, 1917, and that they are not so stupid as to believe that the United States can avoid sharing in any political and industrial calamities which may afflict the rest of the world. Other arguments used against the treaty suggest that the American people should be careful about assuming new responsibilities for the welfare of other nations and should keep its breath to cool its own hot porridge. These, too, are arguments which appeal to the less generous and idealistic side of the American character. Hence, they will be unsuccessful. One great lesson of the war is that the American people will support their Government in doing everything possible to promote public liberty, health, and happiness not only at home but in any part of the world to which its influence can extend, and will pledge to that cause "their lives, their fortunes, and their sacred honor," as the signers of the Declaration of Independence said to each other on July 4, 1776.

The covenant and treaty—they are inseparable—will go down in history as the most memorable international agreement ever made. It will probably be many years before the details of the struggle at Paris will become known to the world; but one thing is now known—America contributed a great hope and a noble inspiration.

CHARLES W. ELIOT.

Asticou, Me., June 28, 1919.

Mr. KENYON. Mr. President, I should like to ask the chairman of the committee if he proposes to go ahead with this report now or what is his plan? Is there to be a recess or adjournment?

Mr. WARREN. Replying to the question of the Senator from Iowa, it seems to me that on this question of adopting or not adopting the report we ought to remain in session until we can obtain a vote. However, I am only wishing to do what is the pleasure of the Senate.

Mr. KENYON. I have no objection to that at all; but I do not want to be hurried in my remarks, and I think there will be a good deal of conversation on this subject before it is disposed of.

Mr. WARREN. Under ordinary circumstances I should say, of course, we had better adjourn and let it go over; but the Senator understands what day of the month it is of the year and what bill it is, and, of course, he knows as well as I what is behind it.

Mr. KENYON. The bill can not be signed until the President returns.

Mr. WARREN. That is true.

Mr. KENYON. And the President will not return until a week from yesterday.

Mr. WARREN. I do not know when the President will return; and, furthermore, these departments, or some of them, are between wind and water, and can not either spend a cent or contract a cent; but with the bill voted on and passed, showing what the amounts are, they probably would bridge over.

Mr. KENYON. I was not asking for its delay; but I know there are a number of Senators who want to speak on this subject, and if we are to go ahead, well and good. It is rather late in the day, but it is, of course, desirable to finish these bills.

Mr. President, I think the action of the conferees on this matter illustrates the abundant capacity of Republican leadership to make mistakes, for this is certainly a serious mistake from every standpoint. The Senator from Arkansas [Mr. ROBINSON] and the Senator from Arizona [Mr. ASHURST] have said that this was a submarining of the bill. I have observed, Mr. President, that a number of bills at this session have had a very difficult time passing through the submarine zone of the conferees, and this is one of them. I think it is about time to find out whether the Senate has anything to say about these bills or whether they are to be determined by two or three conferees, now two conferees from the Republican side and one from the Democratic side.

We had the vocational-training bill here for soldiers injured in the war. It was not torpedoed in conference, but I think, and the more I think about it the more it seems clear to me, it has been torpedoed in the Senate. When the time comes to inquire why certain of these soldiers can not receive vocational training, they can put the responsibility squarely on the Congress, and there is one party responsible for legislation in Congress now and that party can not avoid responsibility.

The appropriation for the Federal Trade Commission had a mild case of submarining. The Federal Trade Commission had gone into the packers' question; it had produced a report more thorough and searching and conclusive than any investigation that ever had been made of the packers. The people of this country were coming to wonder, as they do now, I think, whether this is a Government of the packers, for the packers, and by the packers, or a Government of the American people. That appropriation was subjected to torpedoing—we may wonder why—but the Senate would not stand for that.

The Tariff Commission suffered the same way in its journeying. The labor legislation that was put on this bill suffered likewise. That, as the Senator from Arkansas has stated, and I refer to this particular appropriation for the Employment Service, is torpedoed in conference.

Mr. WARREN. Mr. President, of course the Senator knows it is entirely with the Senate whether the Senate accepts the report of the conferees or not.

Mr. KENYON. Yes; and I think the Senate by its vote is going to let the conferees know that the Senate is doing the legislating and not the conferees. The conferees are not yet masters of the Senate. Sometimes power exalts men's ideas of their own importance.

Mr. SMOOT. It will let the House of Representatives know.

Mr. KENYON. It will let the House of Representatives know, too.

Mr. SMOOT. I want to say to the Senator that Congress wanted these bills to pass before the close of the 30th day of the month, or the end of the fiscal year, and I say now to the Senate that it never could have been done unless the Senate yielded on a number of points criticized to-day. The House conferees took the position that they were compelled to yield on almost everything that the Senate put in.

Mr. KENYON. It seems to me the yielding has been mostly the other way.

Mr. SMOOT. No. I will say to the Senator if he will read the report he will see that the yielding has been mostly on the House side.

Mr. KENYON. The bills were not passed. There was not enough yielding done to pass them by the 1st day of July.

Mr. SMOOT. It was intended that they should be passed, I will say to the Senator, and the Senator knows that that was the program.

Mr. KENYON. It was the program, and I hoped it could be carried out.

Mr. SMOOT. So did we.

Mr. KENYON. So we have not only these different instances of submarining, but the conferees have also submarined a mild provision in this bill for a commission to report to Congress on a budget plan. Of course, it may be that Congress knows all about a budget system and does not need any report. I do not believe it does. I have been in favor of some action on that question instead of investigation. We do not appear to be able to get action. The investigation would not have delayed any action, because a report was to be made by the 1st day of December. I do not believe that the Senate claims to have all the information necessary for a budget bill, even if the conferees may, and thinks that a commission is entirely unessential.

So we have had not all submarining in conference, but we have had these different instances that I have referred to of the difficult voyage of bills that are for humanity, bills for the curbing of packers, bills for economy, and Republican standpat leadership can take the responsibility for the situation.

What about a mild little provision here for a budget? What have the political parties said about it? I was so confident that it would be torpedoed, even before the premature meeting of Sunday, that I looked up the resolutions adopted in the Republican and Democratic national conventions with relation thereto.

The Democratic national convention declared in 1916:

> We demand careful economy in all expenditures for the support of the Government, and to that end favor a return by the House of Representatives to its former practice of initiating and preparing all appropriation bills through a single committee chosen from its membership, in order that responsibility may be centered, expenditures standardized and made uniform, and waste and duplication in the public service avoided. We favor this as a practicable first step toward a budget system.

And on that committee on resolutions were Senator Thompson from Kansas, Gov. Stanley, now Senator from Kentucky, Senator Ransdell of Louisiana, Senator Williams of Mississippi, Senator Stone of Missouri, Senator Walsh of Montana, Senator Pittman of Nevada, Senator Hollis of New Hampshire, Senator Pomerene of Ohio, Senator Martin of Virginia, and Senator Kendrick of Wyoming.

The Republicans, not to be outdone by any Democratic claim for economy, inserted in their platform the following—indeed this was prior to the Democratic convention:

> The increasing cost of the National Government and the need for the greatest economy of its resources in order to meet the growing demands of the people for Government service call for the severest condemnation of the wasteful appropriations of this Democratic administration, of its shameless raids on the Treasury, and of its opposition to a rejection of President Taft's oft-repeated proposal and earnest effort to secure economy and efficiency through the establishment of a simple businesslike budget system, to which we pledge our support and which we hold to be necessary to effect any real reform in the administration of national finances.

On that committee on resolutions were Senators Borah, Lodge, Moses of New Hampshire, Fall, Wadsworth, Sterling, former Senator Oliver, former Senator Lippitt, former Senator Sutherland, a colleague of one of the conferees in the present submarining process.

Did we mean it or not? There is a bill pending in the House for a budget system; there is a bill pending here——

Mr. WARREN. I think there are two or three in the House.

Mr. KENYON. Yes; two or three. I have not any pride of opinion in anything simply because I may suggest it. I am going to support any real budget plan and any budget system that will do the work, and I hope never to reach the point where I will oppose one of them because I did not have something to do with it.

When these platforms were drawn up by the representatives of these parties did they mean it? Go and tell the people if you did not mean it; tell them that it was a little camouflage; that you are not going to have any budget system. Tell them that in a simple little thing to get some information for Congress you would not even stand for that, and it was only carrying an appropriation of $20,000. Tell them that platforms of parties are like platforms of railroad cars, and that no one is expected to stand on the platform that would be honest, anyway.

Mr. THOMAS. Mr. President——

Mr. KENYON. I yield to the Senator from Colorado.

Mr. THOMAS. May I ask the Senator whether both parties did not in these platforms pledge themselves to a system of rigid economy in the administration of the Treasury and of the affairs of the public?

Mr. KENYON. They did in these very platforms from which I have read. Possibly the Senator means that a person is inconsistent in arguing for a liberal appropriation for a labor bureau in view of that. Everybody has got to settle for himself the question of economy. That is the trouble. The Senator from Colorado may feel that an appropriation of $400,000 for this service is waste. I do not think so.

Mr. THOMAS. I asked the question, not in connection with this appropriation but in connection with the Senator's suggestion that having adopted a certain plank in the platform we should be held to it, and my inquiry therefore was designed to remind the Senator that our pledges of economy have thus far been waste paper. This is a very moderate appropriation.

Mr. KENYON. I notice the appropriations have been cut something like one and a half billion dollars by this Republican Congress, which is a most commendable thing.

Mr. THOMAS. Yes; it is commendable, if true; but I am afraid it is not true.

Mr. KENYON. I only take that from statements I have seen that it has been done. I hope they may be cut more; but the difficulty we are in is that we can not stop all appropriations. A judicious investment of money is not waste.

Mr. THOMAS. Let me say to the Senator that if the analysis by Mr. KITCHIN in the House the other day of the imputed saving of $1,500,000,000 is correct, I am afraid it is more apparent than actual.

Mr. SMOOT. It is not correct.

Mr. THOMAS. I think it is correct.

Mr. KENYON. The Senator from Colorado thinks it is correct and the Senator from Utah thinks it is not correct. Both are great financial experts and I will not get into that discussion. I am going to agree with the Senator from Utah. That is all I care to say about the other item. On this particular appropriation I personally understood, when we, the Senator from Arkansas [Mr. ROBINSON] and myself, were talking with the chairman of the committee, that this amount would be satisfactory. I think the chairman agreed to that.

Mr. WARREN. Yes; entirely satisfactory.

Mr. KENYON. Here is the situation: We are having joint meetings now, the Labor Committee of the House and the Labor Committee of the Senate, considering the question of a permanent employment bureau. We have gone into the charges that have been made against Mr. Densmore. I have not any question that there has been a reckless waste of money, as there has been, perhaps, in every other bureau or department of the Government. I do not believe that any fair-minded man can listen to that testimony and believe that Mr. Densmore has done any intentional wrong thing. I do not like the long list of employees. I do not like some of the salaries that appear to have been paid. They ought to be scaled down to the closest point of economy that we possibly can consistent with efficiency.

Now, that committee is considering the question whether we shall have any permanent employment agency or bureau connected with the Government. That is a mooted question.

When the war is over, when the soldiers are placed, when the country gets back to its normal status, we may not need this. I think we do. I think it is one of the things that the Government owes to the man who seeks employment; that he does not have to go to some private agency and pay out a percentage of his salary, for a whole year sometimes, in order to be put in connection with the job. Be that as it may, that is an unsettled question. There is a hiatus to bridge over between this moment and the time when our committee and the House committee acting together can report out a bill to Congress and Congress can act upon it. Now, query: During that time do we want to strike down and destroy this employment agency? That is the question. The $400,000 was merely to bridge over this hiatus, and it will take that much to do it by the practice of the strictest economy, I am informed by the Labor Department.

Mr. SMOOT. Mr. President, I am going, as a matter of fairness, to inform the Senator why. I have always found him to be fair. I want to tell the Senator from Iowa just what position the committee was in on this amendment.

In a bill that passed at the last session of Congress and failed of passing the Senate in the closing days of the last session there was a provision similar to this provision with the exception of the addition of the words found in the Senate print beginning on line 9, page 187, down to and including the word "Columbia" in line 12. I will call the attention of the

Senate to the words that were added to the provision, which was in the last sundry civil bill referred to, as follows:

By furnishing and publishing information as to opportunities for employment and by maintaining a system for clearing labor between the several States, including personal services in the District of Columbia.

That part of the Senate amendment was added to the provision that was in the bill as it passed the House at the last session of Congress. The $200,000 appropriation was exactly the same as it was in that bill. The House conferees refused to yield on this item, and that was the compromise that was made, taking the provision found in the bill of the last session and adding a part of this amendment agreed to by the Senate, and giving the same amount that was appropriated for this purpose to them.

Mr. KENYON. Has the Senator from Utah any idea that this amount will carry on this work for a period of two or three months?

Mr. SMOOT. We provide $200,000 for maintaining the central organization in the District of Columbia. Every employee in the District, I understand, can be employed with this amount of money. The appropriation will do the printing that is done here in the District, and it will maintain that organization until legislation is enacted. They can work in cooperaton with any State in the Union which desires the information that is collected here by the central agency, and they will have a perfect right—and they have money sufficient in this appropriation—to send the information to the States, I will say to the Senator.

Mr. KENYON. That will depend entirely upon how long it takes to pass the legislation.

Mr. SMOOT. Well, this will provide for the salaries for a full year and for the expenses of printing what may go from here by way of information; but it will not pay for the transportation of men to go into each one of the States, nor will it pay for the organizations within the States, which is the main expense attached to the present plan.

Mr. KENYON. The Senator knows that there will be thousands of soldiers just at this time to be placed in employment. Does he not think it is rather a bad time to save a couple of hundred thousand dollars on this proposition?

Mr. SMOOT. It is not what the Senator thinks, but it is what the conferees could get. I desire to say to the Senator that if this bill had been in conference in ordinary times the conferees would have been in session, I have no doubt, more than a week; but we thought that Congress wanted to get through with its labors and to get these appropriation bills passed, as I previously stated, by June 30.

Mr. KENYON. Does not the Senator from Utah now realize that there is no hurry; that the bill can not be signed until the President arrives here? What more pleasant work could there be than going on and discussing these matters?

Mr. SMOOT. There is a reason why the bill should be passed, I will say to the Senator, and that is, because every department of the Government must know before they assume any responsibility or make contracts of any kind how much they are going to have; and until the bill is passed there is no department of the Government that can know that.

Mr. KENYON. I realize that there is some force to that suggestion, but this is a broken week, with the Fourth of July coming on, and even though a day or two might be lost by sending this back to conference, it would not work any very serious injury, would it?

Mr. SMOOT. After 12 o'clock last night, Mr. President, no department that has appropriations in this bill had any legal right whatever to make a contract or to pay out one dollar.

Mr. KENYON. No; no legal right. I am inclined to think that if the bill were sent back to conference it could get back here before 12 o'clock to-night.

Mr. SMOOT. In relation to the budget system, I will say to the Senator from Iowa that I think, so far as the investigation is concerned, it would not delay the action of Congress, just as he has said, but I really believe that it will hasten it.

Mr. KENYON. We will wait and see how far along by the 1st of December—the time this commission would have to report—Congress has gone toward establishing a budget system.

Mr. McKELLAR. Mr. President, will the Senator from Iowa yield to me?

Mr. KENYON. I yield to the Senator from Tennessee.

Mr. McKELLAR. I think this bill ought to be sent back on the item of $356,000,000 for the merchant marine. I do not think the merchant marine ought to be torpedoed any more than should these other projects for which we have provided.

Mr. KENYON. There are so many things that the bill ought to be sent back on that it ought to go back by unanimous consent.

Mr. McKELLAR. I think so myself.

Mr. KENYON. And possibly we may come to a vote on that. If we can, I am not going to pursue the matter further; and in the hope of reaching an immediate vote I will yield the floor.

Mr. SMOOT. Mr. President, in relation to the Shipping Board, to which the Senator from Tennessee [Mr. McKELLAR] has referred, I will say that I have not any doubt that the amount the conferees have agreed upon will carry the Shipping Board on. The appropriation that is now provided is not going to interfere with the completion, the maintenance, or the running of one single boat.

Mr. McKELLAR. It will merely mean the cancellation of contracts to the extent of $135,000,000, to the very great loss of the Government and to the failure of the building of the merchant marine. That is what it does.

Mr. SMOOT. Mr. President, I will say to the Senator from Tennessee that there will not be the cancellation of one ton of shipping if the provision passes in its present shape.

Mr. McKELLAR. I am sure the Senator feels that he is correct, but I am quite sure that the Senator is mistaken about that.

Mr. SMOOT. I am quite sure that I am not mistaken about it, but I do not want to take up the time of the Senator from Iowa further.

Mr. KENYON. Mr. President, I hope we may have a vote.

Mr. THOMAS obtained the floor.

Mr. WADSWORTH. Will the Senator from Colorado yield to me for a moment?

Mr. THOMAS. Certainly.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5227) making appropriations for the support of the Army for the fiscal year ending June 30, 1920.

The message also announced that the House had passed a concurrent resolution authorizing the Clerk of the House in the enrollment of the bill (H. R. 5227) making appropriations for the support of the Army for the fiscal year ending June 30, 1920, to amend the title of the bill, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 1706. An act authorizing the construction of a bridge and approaches thereto across the Snake River, about 3 miles above its confluence with the Columbia River, near Pasco, Wash.; and

H. R. 5608. An act making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes.

ARMY APPROPRIATIONS—CONFERENCE REPORT.

Mr. WADSWORTH. I wish to submit the conference report on the Army appropriation bill, but I am informed that the submission of the report at this time will result in its going to the calendar. A parliamentary inquiry, Mr. President. I should like to know if that will be the case?

The VICE PRESIDENT. Not necessarily so.

Mr. SMOOT. We had better have an understanding about it, I will say to the Senator.

Mr. WADSWORTH. Then I understand that the report of the conference committee on the Army bill does not go to the calendar?

The VICE PRESIDENT. It may lie on the table.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5227) making appropriations for the support of the Army for the fiscal year ending June 30, 1920, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 5, 6, 14, 18, 44, 51, 53, 58, 81, 83, 90, 91, 93, 100, 101, 102, 103, 104, 105, 106, 107, 108, and 110.

That the House recede from its disagreement to the amendments of the Senate numbered 8, 10, 12, 16, 17, 20, 27, 28, 29, 30, 31, 33, 34, 35, 36, 39, 45, 47, 49, 50, 52, 54, 55, 56, 57, 59, 60, 61, 63,

64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 82, 84, 85, 86, 87, 88, 89, 95, and 99, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert: ": *Provided*, That the restrictions herein above recited concerning personal services and the amount allowable for per diem allowance shall not apply to so much of the funds herein appropriated as may be required to carry out the purpose of existing laws relating to the sale of war supplies: *Provided further*, That none of the funds appropriated or made available under this act shall be used for the payment of any salary in excess of $12,000 per annum to any civilian employee in the War Department: *Provided further*, That in addition to the delivery of the property heretofore authorized to be delivered to the Public Health Service, the Department of Agriculture and the Post Office Department of the Government, the Secretary of War be, and he is hereby, authorized to sell any surplus supplies including motor trucks and automobiles now owned by and in the possession of the Government for the use of the War Department to any State or municipal subdivision thereof, or to any corporation or individual upon such terms as may be deemed best"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$400,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$3,250,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"Appropriations, Air Service: Creating, maintaining, and operating at established flying schools, courses of instruction for aviation students and enlisted men, including cost of equipment, and supplies necessary for instruction and subsistence of students, purchase of tools, equipment, materials, machines, textbooks, books of reference, scientific and professional papers, and instruments and material for theoretical and practical instruction at aviation schools; purchase of supplies for securing, developing, printing, and reproducing photographs made by aerial observers; to maintain and replace the equipment of organizations already in service; improvement, equipment, maintenance, lease, and operation of aviation stations, balloon schools, plants for testing and experimental work, including the acquisition of land, or any interest in land by purchase, lease, or condemnation, where necessary to procure helium gas; procuring and introducing water, electric light and power, telephones, telegraphs, and sewerage, including maintenance, operation, and repair of such utilities; salaries and wages of civilian employees in the District of Columbia or elsewhere as may be necessary, and payment of their traveling and other necessary expenses as authorized by existing law; experimental investigation and purchase and development of new types of aircraft, accessories thereto, including helium gas rights, and aviation engines, including patents and other rights thereto, and plans, drawings, and specifications thereof; purchase, manufacture, construction, maintenance, repair, storage, and operation of airships, war balloons, and other aerial machines, including instruments, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith, and also for the purchase or manufacture and the issue of special clothing, wearing apparel, and similar equipment for aviation purposes; for all necessary expenses connected with the sale or disposal of surplus or obsolete aeronautical equipment, including the hire of civilian employees, and the rental of buildings, and other facilities for the handling or storage of such equipment; for the services of such consulting engineers at experimental stations of the Air Service as the Secretary of War may deem necessary, including necessary traveling expenses: *Provided*, That the entire expenditure for the services of consulting engineers for the fiscal year 1920 shall not exceed $100,000; purchase of special apparatus and appliances, repairs, and replacements of same used in connection with special scientific medical research in the Air Service; for the establishment of aviation stations in the Philippine Islands, including the lease of land or any interest in land for landing fields only and the preparation of land now owned by the Government necessary to make the same suitable for the purpose intended, buildings, heating, lighting, plumbing, water, sewer, roads, and walks, at a total cost not to exceed $350,000, in all, $25,000,000: *Provided*, That claims not exceeding $250 in amount for damages to persons and private property resulting from the operation of aircraft at home and abroad, may be settled out of the funds appropriated hereunder, when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post, and approved by the Director of Air Service: *Provided further*, That claims so settled and paid from the sum hereby appropriated shall not exceed in the aggregate the sum of $150,000: *Provided further*, That hereafter actual and necessary expenses only, not to exceed $8 per day, shall be paid to officers of the Army and contract surgeons when traveling by air on duty without troops, under competent orders: *And provided further*, That section 3648, Revised Statutes, shall not apply to subscriptions for foreign and professional newspapers and periodicals to be paid for from this appropriation.

"The Secretary of War is hereby authorized and directed to establish and maintain at one or more established flying schools courses of instruction for aviation students.

"Aviation students shall be enlisted in or appointed to the grade of flying cadet, Air Service, which grade is hereby established: *Provided*, That the total number of flying cadets shall not at any time exceed 1,300. The base pay of a flying cadet shall be $75 per month, including extra pay for flying risk as provided by law. The ration allowance of a flying cadet shall not exceed $1 per day, and his other allowances shall be those of a private, first class, Air Service.

"Upon completion of a course prescribed for flying cadets, each flying cadet, if he so desire, may be discharged and commissioned as a second lieutenant in the Officers' Reserve Corps: *Provided*, That the Secretary of War is authorized to discharge at any time any flying cadet whose discharge shall have been recommended by a board of not less than three officers."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"For pay of officers of the line, $20,300,000.

"For pay of the officers of staff corps and departments, $19,429,367.

"Pay of officers, National Guard, $100.

"For pay of the officers of the Officers' Reserve Corps, $2,325,000.

"For pay of warrant officers, Mine Planter Service, $83,700.

"For pay of the officers, Bureau of Insular Affairs, $15,000.

"Aviation increase, to officers of the Signal Corps, $775,000.

"For pay of the officers, Philippine Scouts, $483,600.

"Additional pay to officers for length of service, $2,892,925.

"PAY OF ENLISTED MEN.

"For pay of enlisted men of the line, $92,728,230: *Provided*, That the pay due enlisted men of the Army shall not be withheld from them by reason of the fact that their service records or other official papers showing the status of their accounts with respect to pay have been lost or not returned from overseas, and, under such regulations as may be prescribed by the Secretary of War, these men may be paid upon their personal affidavit as to date of last payment and condition of their accounts: *Provided further*, That payments made in accordance with such regulations (or which have already been made upon the affidavit of the soldier) shall be passed by the accounting officers of the Treasury to the credit of the disbursing officers making them.

"For pay of enlisted men of National Guard, $100.

"For pay of enlisted men of the Staff Corps and departments, $48,162,500.

"For pay of enlisted men of the Regular Army Reserves, $224,750.

"For pay of enlisted men of the enlisted Reserve Corps, $77,500.

"Aviation increase, to enlisted men of the Signal Corps, $7,750.

"For pay of the enlisted men of the Philippine Scouts, $1,007,500.

"Additional pay for length of service to enlisted men, $3,875,000: *Provided*, That the provisions of section 10 of an act entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States, approved May 18, 1917, in so far as it increases the pay of the enlisted men of the Army, be, and the same hereby are, continued in force and effect from and after the date and approval of this act.'

"PAY OF PERSONS WITH RETIRED STATUS.

"For pay of the officers on the retired list, $2,500,000.

"For increased pay to retired officers on active duty, $200,000.

"For pay of retired enlisted men, $3,000,000.

"For pay and allowances of retired enlisted men on active duty, $20,000.

"For pay and allowances of Regular Army reservists on active duty, $40,000.

"For pay of retired Philippine Scout officers, $45,000.

"For pay of retired pay clerks, $18,000.

"For pay of retired veterinarians, $3,500.

"CLERKS, MESSENGERS, AND LABORERS, OFFICE OF THE CHIEF OF STAFF.

"One chief clerk, at $2,500 per annum, $2,500.

"One clerk, at $2,250 per annum, $2,250.

"Six clerks, at $2,000 each per annum, $12,000.

"Eight clerks, at $1,800 each per annum, $14,400.

"Thirteen clerks, at $1,600 each per annum, $20,800.

"Twenty-one clerks, at $1,400 each per annum, $29,400.

"Twenty-four clerks, at $1,200 each per annum, $28,800.

"Twenty-six clerks, at $1,000 each per annum, $26,000.

"One captain of the watch, at $900 per annum, $900.

"Six watchmen, at $720 each per annum, $4,320.

"One gardener, at $720 per annum, $720.

"One packer, at $840 per annum, $840.

"One chief messenger, at $1,000 per annum, $1,000.

"Three messengers, at $840 each per annum, $2,520.

"Fifteen messengers, at $720 each per annum, $10,800.

"Two laborers, at $720 each per annum, $1,440.

"One laborer, at $600 per annum, $600.

"Five charwomen, at $240 each per annum, $1,200.

"PAY OF ARMY FIELD CLERKS AND CIVIL-SERVICE MESSENGERS AT HEADQUARTERS OF THE SEVERAL TERRITORIAL DEPARTMENTS, ARMY AND CORPS HEADQUARTERS, TERRITORIAL DISTRICTS, TACTICAL DIVISIONS AND BRIGADES, SERVICE SCHOOLS, CAMPS, AND PORTS OF EMBARKATION AND DEBARKATION.

"Eighty clerks, at $1,800 each per annum, $144,000.

"Seven clerks, at $2,000 each per annum, $14,000.

"One hundred and seventy-two clerks, at $1,600 each per annum, $275,200.

"Eleven clerks, at $1,800 each per annum, $19,800.

"Two hundred and twenty-two clerks, at $1,400 each per annum, $310,800.

"Fourteen clerks, at $1,600 each per annum, $22,400.

"Five hundred and twenty-six clerks, at $1,200 each per annum, $631,200.

"Thirty-two clerks, at $1,400 each per annum, $44,800.

"One hundred and nineteen messengers, at $720 each per annum, $85,680.

"Fifty-seven clerks, at $1,200 each per annum, $68,400.

"Forty-nine clerks, at $1,200 each per annum, $58,800.

"Thirty-nine messengers, at $720 each per annum, $28,080.

"Additional pay while on foreign service, $8,000.

"For commutation of quarters and of heat and light, $23,040: *Provided*, That Army field clerks shall have the same allowances and benefits as heretofore allowed by law to pay clerks, Quartermaster Corps, not including retirement: *Provided, however*, That the minimum or entrance pay exclusive of said allowances of said Army field clerks shall be $1,200 per annum: *Provided further*, That Army field clerks shall receive the same increase of pay for service beyond the continental limits of the United States as is allowed by law to commissioned officers of the Army: *And provided further*, That the Secretary of War is authorized to employ, during the present emergency and for a period not exceeding four months thereafter, such additional Army field clerks as may be necessary, not exceeding 4,272.

"For commutation of quarters and of heat and light for field clerks, Quartermaster Corps, $76,800: *Provided*, That said clerks, messengers, and laborers shall be employed and assigned by the Secretary of War to the offices and positions in which they are to serve: *Provided further*, That no clerk, messenger, or laborer at headquarters of tactical divisions, military departments, brigades, service schools, and office of the Chief of Staff shall be assigned to duty in any bureau of the War Department.

"MISCELLANEOUS.

"For pay of contract surgeons, $90,000.

"For pay of nurses, $800,000.

"For pay of hospital matrons, $3,600.

"For pay of reserve veterinarians, $350,000.

"For expenses of courts-martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same, and expenses of taking depositions and securing other evidence for use before the same, $200,000.

"For additional pay to officer in charge of public buildings and grounds at Washington, D. C., $500.

"For commutation of quarters and heat and light to commissioned officers, warrant officers, members of the Nurse Corps, and enlisted men on duty at places where no public quarters are available, including enlisted men of the Regular Army Reserve and retired enlisted men when ordered to active duty, $4,821,150.

"For interest on soldiers' deposits, $145,000.

"For pay of expert accountant for the Inspector General's Department, $2,500.

"For extra pay to enlisted men employed on extra duty for periods of not less than 10 days in the offices of Coast Defense Artillery Engineers and Coast Defense Ordnance officers, and as switchboard operators at seacoast fortifications, $25,000.

"For extra pay to enlisted men employed on extra duty as switchboard operators at each interior post of the Army, $19,215.

"For extra pay to enlisted men of the line of the Army and to enlisted men of the Quartermaster Corps, Medical Department, and of the Signal Corps employed in the Territory of Alaska on the Washington-Alaska cable and telegraph system for periods of not less than 10 days at the rate of 35 cents per day, $38,430.

"For mileage to commissioned officers, warrant officers, members of the Officers' Reserve Corps, when ordered to active duty, contract surgeons, expert accountant, Inspector General's Department, Army field clerks, and field clerks of the Quartermaster Corps, when authorized by law, $2,500,000.

"For additional 10 per cent increase of pay of officers on foreign service, $1,000,000: *Provided*, That hereafter warrant officers shall receive the same increase of pay for service beyond the continental limits of the United States as is allowed to commissioned officers of the Army.

"For additional 20 per cent increase of pay of enlisted men on foreign service, $4,000,000.

"For pay of one computer for Artillery Board, $2,500.

"For payment of exchange by acting quartermasters serving in foreign countries and when specially authorized by the Secretary of War by officers disbursing funds pertaining to the Quartermaster Corps when serving in Alaska, and all foreign money received shall be charged to and paid out by disbursing officers of the Quartermaster Corps at the legal valuation fixed by the Secretary of the Treasury, $1,000.

"For additional pay to officers below the grade of major required to be mounted and who furnish their own mounts, $240,000.

"For amount required to make monthly payment to Jennie Carroll, widow of James Carroll, late major, United States Army, $1,500.

"For amount required to make monthly payments to Mabel H. Lazear, widow of Jesse W. Lazear, late acting assistant surgeon, United States Army, $1,500.

"For amount required to make monthly payments of $100 to John R. Kissinger, late of Company D, One hundred and fifty-seventh Indiana Volunteer Infantry, also late of the Hospital Corps, United States Army, $1,200.

"All the money hereinbefore appropriated for pay of the Army and miscellaneous, except the appropriation for mileage to commissioned officers, contract surgeons, expert accountant, Inspector General's Department, Army field clerks, and field clerks of the Quartermaster Corps, when authorized by law, shall be disbursed and accounted for as pay of the Army, and for that purpose shall constitute one fund."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert: "$62,526,466.50: *Provided*, That not to exceed $22,500 of this sum be made available for the care of the peach orchard on Poole Island, Aberdeen Proving Ground, and the grain now growing at this and other reservations and the harvest and disposal of the crops; and such disposal by sale or otherwise shall be made pursuant to such regulations as may be prescribed by the Secretary of War: *Provided further*, That all moneys received by the United States as the proceeds of such sales shall be deposited in the Treasury of the United States as 'Miscellaneous receipts'"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$10"; and on page 25, line 19, of the engrossed bill, strike out "$20,000,000" and insert "$30,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$7,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$20,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$2,500,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$7,500,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the amount proposed by the Senate amendment insert "$675,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$250,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$4,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$2,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$30,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: "In lieu of the sum proposed by the Senate amendment insert "$4,500,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"Land for hospital and other purposes: For the purchase of land contiguous to the Walter Reed General Hospital, District of Columbia, 26.9 acres, more or less, for the final location of the Army Medical Museum, the Surgeon General's Library, and the Army Medical School, and for the improvements now on the land to be purchased, $350,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert: "$300,000: *Provided*, That the services of skilled draftsmen, civil engineers, and such other services as the Secretary of War may deem necessary may be employed only in the office of the Chief of Engineers to carry into effect the various appropriations for 'Engineer equipment of troops,' 'Engineer operations in the field,' and other military appropriations, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1920 shall not exceed $225,000. The Secretary of War shall each year, in the annual estimates, report to Congress the number of persons who are employed, their duties, and amount paid to each"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert: "$40,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert: "$3,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert: "$7,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, as follows: In lieu of the matter proposed by the Senate insert: "$50,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment, as follows: In lieu of the matter proposed by the Senate amendment insert: "$5,000,000: *Provided*, That all they moneys hereinbefore appropriated for the arming, equipping, and training of the National Guard shall be disbursed and accounted for as one fund"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment, as follows: In lieu of the matter proposed by the Senate amendment insert: "cantonments except in such cases at National Army or National Guard camps or cantonments which were in use prior to November 11, 1918, where it has been or may be found more economical to the Government for the purpose of salvaging such camps or cantonments to buy real estate than to continue to pay rentals or claims for damages thereon, and except where industrial plants have been constructed or taken over by the Government for war purposes and the purchase of land is necessary in order to protect the interest of the Government"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment, as follows: In lieu of the matter proposed by the Senate amendment insert:

"That the several organizations of the Army, to wit: The Chemical Warfare Service, the Air Service, the Construction Division, the Tank Corps, and the Motor Transport Corps, with their powers and duties as defined in orders and regulations in force and effect on November 11, 1918, shall be continued to and until June 30, 1920.

"That officers of the emergency Army appointed to the Officers' Reserve Corps may be appointed therein to the grade held by them in the emergency Army or next higher grade, as the Secretary of War may direct."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: Strike out "Sec. 2," in line 1 of the second paragraph of the amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"Exchange of Army cold-storage plant, Chicago, Ill.: That the President is hereby authorized, through the Secretary of War, upon terms and conditions considered advisable by the Secretary of War, to dispose of the United States Army cold-storage plant in the city of Chicago, State of Illinois, with machinery and equipment therein contained and appurtenances thereunto belonging, and to accept in part payment therefor a warehouse adjacent to the Army general supply depot in the city of Chicago, State of Illinois, containing approximately 650,000 square feet of storage space, together with the land comprising the site of same: *Provided*, That such exchange shall be effected without expenditure for this purpose by the United States, except necessary costs of conveyancing, not exceeding $500, hereby appropriated for this purpose. The President, through the Secretary of War, is hereby authorized to execute and deliver in the name of the United States of America and in its behalf any and all contracts, conveyances, or other instruments necessary to effect such sale or exchange.

"That all moneys received by the United States as the proceeds of such sale or exchange shall be deposited in the Treasury of the United States to the credit of 'Miscellaneous receipts,' and a full report of the same shall be submitted to Congress."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: Insert at the beginning of the amendment a side title as follows: "Boughton Memorial Association"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"Medical supplies for the American Red Cross: The Secretary of War is hereby authorized to place at the disposal of the American Red Cross such medical and surgical

supplies and supplementary and dietary foodstuffs used in the treatment of the sick and injured now in Europe and designed for but which are not now essential to the needs of the American Expeditionary Forces, or needed for use in military hospitals in the United States, or as military or hospital stores for the Army of the United States, to be used by said American Red Cross as it shall determine, to relieve and supply the pressing needs of the peoples of countries involved in the late war. The Secretary of War shall prescribe regulations and conditions for the selection and delivery of said supplies and foodstuffs to the American Red Cross for the purposes aforesaid."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"Prosecution of claims by former Government employees: That it shall be unlawful for any person who, as a commissioned officer of the Army, or officer or employee of the United States, has at any time since April 6, 1917, been employed in any bureau of the Government and in such employment been engaged on behalf of the United States, in procuring or assisting to procure supplies for the Military Establishment, or who has been engaged in the settlement or adjustment of contracts or agreements for the procurement of supplies for the Military Establishment, within two years next after his discharge or other separation from the service of the Government, to solicit employment in the presentation or to aid or assist for compensation in the prosecution of claims against the United States arising out of any contracts or agreements for the procurement of supplies for said bureau, which were pending or entered into while the said officer or employee were associated therewith. A violation of this provision of this chapter shall be punished by a fine of not more than $10,000 or imprisonment for not more than one year, or both: *Provided*, That all acts or parts of acts inconsistent with any of the provisions of this act are hereby repealed."

And the Senate agree to the same.

J. W. WADSWORTH, Jr.,
HOWARD SUTHERLAND,
GEORGE E. CHAMBERLAIN,
Managers on the part of the Senate.
JULIUS KAHN,
D. R. ANTHONY,
S. H. DENT, Jr.,
Managers on the part of the House.

Mr. WADSWORTH. Mr. President, I assume that the report of the conference committee on the Army bill will give rise to some little discussion, one Senator having already notified me that he desires to be heard on it. In that event, of course, I shall wait until the conference report on the sundry civil bill shall have been disposed of.

Mr. WARREN. Mr. President, in view of what has been said respecting the sundry civil appropriation bill it would be wiser for the Senator to do that.

SUNDRY CIVIL APPROPRIATIONS—CONFERENCE REPORT.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6176) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

Mr. THOMAS. Mr. President, before this amendment was offered it was shown to me at rather an advanced hour of the evening, and I consented to let it be incorporated in the bill without objection. Had the hour been a different one and the amount of time remaining for action on the bill been more extended, I should probably have had something to say about it.

I have not been inclined to regard the perpetuation of this board with favor, largely because of information which I consider to be of a reliable character regarding some aspects of its activities during the war period. I shall say nothing about them, however, at this time, because the whole subject is now one of inquiry before a joint committee composed of members of the Committees on Labor of both Houses, and it would be therefore inappropriate for me to do so.

Mr. President, this board was created as a temporary one and to meet a "pressing emergency." It was one of the transient bureaus called into being by the exigencies of the war, and was designed, must have been designed, to cease with the emergency which made it necessary.

I have several times taken occasion to venture the prediction that nearly all of the transient boards springing into life during the war and designed to end with peace would, if possible, find some pretext for becoming permanent, for fixing themselves upon the Treasury, with their constantly increasing retinue of employees. This is only one of several now making that attempt, and all such efforts are very naturally based upon the contention that the board or agency is essential to serve the returning soldiers.

Mr. President, my friend the Senator from Arizona [Mr. ASHURST] took occasion just now to eulogize the marvelous wealth of the United States, the extent of its resources, and the enviable position which it occupies in the commercial and industrial world of to-day. Everything that he said upon that subject is true, but whether it will remain the richest nation in the world, whether its resources will remain adequate to its requirements, must depend very largely upon the appropriations which are made, upon the bureaus which are increasing, upon the departments we are about to consider, if not to create, and similar enterprises of various sorts and descriptions, constantly increasing in number and all having in view new employees and the Treasury of the United States.

This bureau sent an estimate for the fiscal year ending 1920 of something like $14,000,000. The Senator from Arizona looks incredulous, but that is my information; that while Congress and the people of the country were last January thinking and talking economy and while Congress is making an effort to reduce taxes and relieve the people from some of the tax burdens, the Department of Labor asked $14,801,382 to continue the work of the employment service and the activities of an estimated number of assistants of 5,341.

The Appropriations Committees of the two Houses of last Congress did not see fit to grant that request. I can not state what they did, for, of course, the failure of the bill put an end at the time to the agitation. Now it is proposed again at this session of Congress to transform an emergency bureau into a permanent one, to give it certain activities national in character and scope, which will inevitably lead to an additional annual expenditure of millions upon millions of dollars.

The purpose is said to be a commendable one, and with that I have no quarrel; but I am unable to believe, Mr. President, that the people of the United States differ in their characteristics and in their energy before and since the war. I believe that the returning soldiers are able to find and will find employment in a country whose expanding energies on the one hand, and the decreasing foreign population by emigration back to their own countries on the other, will give every man of self-reliance and enterprise, depending upon his own resources, every opportunity that he may have to work if he wants to work, and as he worked prior to his enlistment. Bureaus like this, however, designed to serve a good purpose, tend constantly and inevitably to weaken the reliance of the individual upon himself, and cause him to look to the Government for everything from the cradle to the grave, happy if he receives it, discontented and helpless if it is refused. We are reversing the policies, Mr. President, of 100 years. I believe that if my friend, the Senator from Arizona, at the commencement of his career had been confronted with bureaus and employment agencies, and had looked to them for assistance and comfort, he never would have found the seat which he honors in the Senate of the United States. The American is what he is and will only continue to be what he is by the exercise of that self-reliance and resourcefulness which are characteristic of the Anglo-Saxon race.

Mr. President, I confess, even at the risk of being accused of being unfriendly to the soldier, at the risk of being suspected of a lack of patriotism, that I am appalled by the vast number of bills and resolutions and amendments that are pouring into both Houses of Congress for the benefit, for the relief, and for the material advancement and welfare of the soldiers of the Army of the United States, forgetting that the man who stayed at home, who worked upon his job, whether upon the farm or in the factory, who kept the home fires burning, is just as much of a soldier, just as much entitled to the gratitude and confidence of his fellow citizens and to the appreciation of the American Congress; and, let me remind my brethren, just as capable of casting a vote as the man who carried a bayonet and risked his life for his country at the front. God bless them all, and a grateful nation will say amen; but we can not adhere to our doctrine of the equality of all men and continue to legislate for classes in America. That is what we are doing; that is what we have been doing for a great many years, and what, I fear, we shall continue to do, because an example of that sort once made and becoming effectual proves the prolific parent of a brood that will at some time in the future confront us with their undesirable consequences.

Of course, this bureau will be established; I predict that; it will be established by the unanimous recommendation of the

subcommittee and of the joint committees to both Houses, and for the reasons and the arguments which we have listened to here. It will probably be endowed with $5,000,000 or $6,000,000 the first year, ten millions the next year, fifteen or twenty millions the next year, and, like all the other agencies, its appropriations will expand, whether its usefulness and the need of it be good or otherwise.

I do not believe, Mr. President, that we have any right to continue for one moment after the war any of the transient and temporary agencies, save the War Risk Board, which the emergency then thrust upon this country made absolutely necessary. If we do, then may God help this country if it ever should be confronted with another war, because the precedents thus made will be utilized for the creation in permanent form, probably in a progressive ratio, of similar agencies.

Mr. President, the number of bureaus, divisions, commissions, and other administrative agencies now conducting or pretending to conduct the business of the United States is not only enormously expensive, but is making the simplest business affair so complicated as sometimes to discourage men from attempting to transact it. If a man comes to Washington with a claim, or with a case, if you please, in the departments, or with any affair of considerable magnitude, requiring the consideration of one of the bureaus in Washington, the chances are ten to one that before he gets very far he will have to consult a dozen of them, and in all probability he will go away unsatisfied and disconsolate. Washington is becoming the center of the Government of the United States in almost every particular; and if we persist, as now seems probable, the appointment of a policeman in Denver or a water carrier in the city of Jacksonville will be made from the city of Washington, and after being O. K'd by half a dozen departments and viséed by half a dozen more the appointee will be commissioned and at once furnished with a private stenographer and an assistant. The policy is growing all the time; and unless we begin reforming somewhere—which is always a delicate point; I think this is a good place to begin—unless we begin somewhere, and relegate this matter of employment and similar activities back to the States, where it belongs, our boasted local self-government will be nothing but a reminiscence.

Mr. President, under the circumstances I shall content myself with voting to sustain the report of the committee.

Mr. POMERENE. Mr. President, I have been somewhat disappointed that the amendment offered by the Senator from Arkansas [Mr. ROBINSON] was not permitted to remain in the bill as it passed the Senate.

I think this employment problem is a serious one; and I have in mind not only the soldiers, but the hundreds of thousands of men who went from one section of the country to another for temporary war work, who must be restored to their homes or other places of employment. But, at the same time, while I speak thus in favor of the principle of this employment agency, I do not think that the country can give its indorsement to all of the work that has been done by it.

I have in mind at the present time a statement which was issued by this bureau in January when they were seeking some ten or twelve or fourteen million dollars for the continuance of this work. During that month it was published to the world that there were 70,000 unemployed in the city of Cleveland, Ohio. The figures staggered me, and I sought to make some investigation in a very general way.

The population of the city of Cleveland is probably 750,000 to 850,000. If there were 70,000 unemployed, it meant one out of every ten or eleven or twelve men, women, and children; or, to state the fact in another way, it meant perhaps one out of every five or six working men and women in the city. The statement was ridiculously absurd. No one who investigated it believed it, and I have been advised that since that time—and I have not inquired at the department—they have admitted that it was a mistake.

After the figures were published, I made it my business to inquire of every Ohio man who came to this city touching industrial and labor conditions in the State; and I am going to give you the benefit of the information I got from a man who has made a special study of this subject. He is connected with one of the great rubber plants in Akron. My conference with him was about the middle of February. He told me that at that time the three largest rubber plants in Akron were employing 10,000 more men than they had on the day that the armistice was signed, and they wanted men, men, and more men; they were taking labor from every community where it was to be had; and when he saw this statement, he immediately inserted advertisements in every paper printed in the city of Cleveland, and he expected that the labor wants of the rubber industries would be supplied immediately. Strange to say, the responses to his advertisements were purely negligible; and Cleveland is only 30 or 35 miles from Akron, with plenty of means of transportation for anybody who wanted a job.

I refer to this to point out some of the reckless statements that are being made from time to time when it becomes necessary to secure appropriations.

Let me give you another illustration: I was waited upon here the other day by a gentleman who wanted an appropriation for the investigation and inspection service; and immediately I was confronted with the statement that there were 1,300,000 men, aliens, who were about to leave this country, and that each one of these men was going to carry with him, on an average, $3,000. That means $3,900,000,000. The total resources of all the mutual banks and savings banks in the country, plus the postal savings, is, in round numbers, about five billions; so that 1,300,000 men, who were going to leave these shores, were going to carry with them nearly four-fifths of the entire savings of the country.

As a legislator I want facts; but I am heartily tired of being fed on fiction of that kind. I refer to this with the hope that the heads of some of these bureaus, when they want legislation, will have a little respect for the intelligence of Senators.

Mr. THOMAS. Mr. President, may I interrupt the Senator for a moment?

Mr. POMERENE. Yes.

Mr. THOMAS. I meant, when I had the floor, to direct the attention of the Senator from Arizona [Mr. ASHURST] to the fact that 70,000 men finding employment per week for 15 weeks would aggregate 1,050,000 men furnished with jobs, or a very considerable proportion more than half, I think, of the soldiers that have been demobilized in America.

Mr. ASHURST. Mr. President, I am sure the Senator will let me answer that. I will take only a moment. Now, it must be remembered first that of that number of 70,000 that have secured situations, only 15,000 per week are soldiers. I corrected myself on that. Fifty-five thousand are civilians and 15,000 are soldiers.

Mr. THOMAS. I did not hear the Senator's correction.

Mr. ASHURST. I thank the Senator for letting me correct this matter. Then let me call the Senator's attention to the fact that in our country for many years the total unemployed has generally been about 1,000,000, caused by losing positions through illness, general indisposition, or a desire to change positions.

Mr. THOMAS. Strikes, and so on.

Mr. ASHURST. And that floating number of 1,000,000 is served by this labor service in getting positions.

Now, the distinguished Senator from Ohio calls attention to the fact that there is no shortage of labor in Akron and in Cleveland. I believe the Senator. The Senator has made a very fine point, and he tells us that there are positions open for men there.

Mr. POMERENE. Mr. President, I am not opposing this amendment.

Mr. ASHURST. I know that.

Mr. POMERENE. I hope it will be inserted.

Mr. ASHURST. I know that.

Mr. POMERENE. But I am protesting against some of the work that is being done by this very bureau.

Mr. ASHURST. But on the very point the Senator makes, that positions may be secured in Cleveland, a man out of work in Utica, or Leadville, or Charleston, S. C., or a soldier who lands, does not know where work can be obtained.

Mr. POMERENE. Oh, I recognize that, and I was going to say a word in that behalf. I feel that an employment agency is a Federal function. I feel that if there is a job in Ohio and a man in Pennsylvania, we ought to get them together; and it is to that end that I am hoping that the admisistration of this department can be so reformed or improved that the laboring men can have the benefit of it.

Now, let me give a concrete case that came to my notice just the other day, as showing the importance of this work.

I have a friend, a college-bred friend, who is engaged in welfare work, and he is studying this question at first hand. He goes to a factory where he thinks there is employment, and he will do the most menial labor in order that he can get in touch with the men and find out what they are thinking about and what their grievances are, with a view to helping remedy the situation if he can; and he gave this experience:

He went to Pittsburgh. He went to one of the shops where labor was advertised for. He was the fiftieth man that lined up at the door, waiting for the employment agent to come out. Pretty soon he came out. He sized up all the men. They straightened themselves up, to make their shoulders look as strong as possible, and so forth; and the labor agent took three

of the men, all he needed. The other 47 went adrift. I do not know where they went; neither did he know; but he, bent on getting a job, went to another plant not 5 miles away. Immediately he was taken. The company wanted men and more men at that factory. They were taking even the lame and the halt. Doubtless every one of the other 47 men who lined up at the first plant could have had a job if they had known that men were wanted at the second plant.

It is just such situations as this that demonstrate to my mind the necessity for this kind of work; and if there had been a legitimate employment agency in that vicinity, alive to its job and doing its work, there is no reason why the other 47 men might not have had these jobs, and at once, instead of going away discouraged. It is just such situations as this that come to my mind and appeal to me in favor of the necessity of this legislation; and even though a part of this money may be squandered, at this crucial time, when the Army is being demobilized—and when I say "the Army" I mean not only the fighting Army, but that vast army of employees that was in the war plants of the country—I want to help them, if I can, to the uttermost. I therefore hope the conference report may be recommitted and the appropriation be made in the sum originally approved by the Senate.

Mr. FLETCHER. Mr. President, I am very anxious, as I presume all of the Senators are, that a vote should be taken on this matter, and I do not propose to delay the Senate.

In reference to this particular matter, I believe the Secretary of Labor and the Employment Bureau have given very thorough study to the subject, and that they have evolved a very practical and a very beneficial scheme. These purposes have been highly conceived and in general they have carried out the work in a splendid way. Undoubtedly mistakes have been made. I presume they would hardly claim to the contrary, but they have done splendid work and there is yet a great amount of important and beneficial service for them to render.

I was glad to see this amendment adopted, and I hope if the bill goes back to conference the Senate conferees will insist upon retaining it. It looks as if the bill may go back to conference. In this connection I want to ask the chairman of the committee whether I am correctly advised that the conferees reduced the amount appropriated for the completion of the shipbuilding program by some $135,000,000?

Mr. WARREN. The agreement of the conferees was that where there was $220,000,000 in the bill as passed by the House, and where we in the Senate put in $491,000,000, the amount was reduced to $356,000,000.

Mr. FLETCHER. I can not understand how the conferees figure that the Shipping Board will be able to complete contracts actually made, with the keels laid of those ships and material on hand to build them. They have got to be paid for, of course, and it will be a tremendous loss just to junk and scrap all that.

Mr. WARREN. Let me say to the Senator that we brought that to the attention of the House. I do not like to say too much about what happened in conference with the House, but I think they are not as afraid of deficiencies as we are. I think in many of these cases they feel that there is a chance to sell more of the ships for cash and less on time, on account of some earlier information they had, without an intention on their part to cripple the work. They felt this would carry it along, and, if the worst happened, they are sure it will have to come up for further consideration.

Mr. FLETCHER. Of course, they may have later information than I have about the prospects for the sale of ships, but I can not see that they will be able to count on over $75,000,000 from that source, at the outside, within the year.

Mr. WARREN. I will say to the Senator that we got every dollar we could on it, and if the Senator feels that we could get any more, of course it is matter——

Mr. FLETCHER. I wanted to call that to the attention of the conferees, and see if it would be possible to consider that in case the bill goes back for further conference.

Mr. WARREN. The conferees on the part of the Senate felt that they wanted enough in to avoid deficiencies and go on and complete this work and not take any chance whatever about the thing. There is where the difference came, and, as I said, we did the best we could.

Mr. LENROOT. I should like to ask the Senator if he will state the fact—if it be a fact—that this reduction was made with any thought of reducing the present program?

Mr. WARREN. Oh, none whatever.

Mr. LENROOT. I am very glad to hear that.

Mr. WARREN. It was a mere matter of their wanting to "breathe."

Mr. FLETCHER. Of course, that is the important thing. If you can devise some other way of completing it than by appropriating the money for it, I am perfectly willing you should do it. I did not know there was any other way. I am certainly sincere in feeling that we ought not to make any further cancellations and that we ought to go on and complete this program.

Mr. SMOOT. I want to say to the Senator that the program as agreed to will be carried out. There is no question about it at all.

Mr. FLETCHER. That is satisfactory so far as that item is concerned.

Mr. SMOOT. I do not want to go into detail, but I say now that the program agreed to will be carried out under the provisions of the bill as agreed to in conference.

Mr. OVERMAN. There is no doubt about it.

Mr. LA FOLLETTE. Mr. President, I sincerely hope that the Senate will reject this conference report by such a decisive vote that it will amount to an instruction to the conferees to retain this $400,000 appropriation and save the Employment Service from practical annihilation.

I have been a good deal surprised, as the debate has progressed, to learn that the action of the conferees in striking out the Senate amendment is in opposition to the expressed will of both Houses. This amendment putting $400,000 on the bill for the purpose of maintaining the Federal Employment Service was adopted unanimously by the Senate. The RECORD of the House proceedings has been read here in the course of the debate, showing apparently that the House is in overwhelming agreement with the Senate that this appropriation should be made. At least the one Member of the House who made the fight against it conceded that his opposition to it was practically without support in that body.

In the face of this record the Senate and House conferees agree upon a report as to this appropriation which would deprive each House of the opportunity to legislate in accordance with its manifest desire. In other words, the conferees would obviously defeat the legislative will of both Houses. Is not that what the RECORD discloses?

Mr. ROBINSON. Will the Senator yield for a statement in that connection?

Mr. LA FOLLETTE. Certainly. I may be in error, and if I am, I want to be corrected.

Mr. ROBINSON. The Senator is correct. I merely wanted to add that during the progress of this debate I have received assurance from what I believe to be reasonably authoritative sources that if the bill goes back to conference the amendment will be agreed to.

Mr. LA FOLLETTE. Mr. President, we have quite recently adopted an amendment to the Senate rules limiting the power of our conferees. That amendment was adopted because the conferees were habitually writing into bills committed to them for conference new legislation upon which neither House had passed. It now appears that our rules will require further amendment to the end that conferees are made to understand that they are not the masters of legislation, but that it is their business to represent the legislative will of the two Houses and to secure some fair approximation to that will as expressed in the action of the body they represent.

Mr. President, I know the difficulties conferees encounter in their endeavors to reconcile the disagreeing views of the two Houses. That is one thing. But it is quite another thing for conferees to agree to report against legislation upon which their respective Houses are substantially agreed. I trust there will be such a decisive vote in sending this report back to conference that it will instruct our conferees and the conferees of the House that the Senate means to stand by this proposition.

Just one word about the proposition itself. It has been suggested that it is the business of the State and the municipality to conduct these employment agencies and that it is not properly the concern of the Federal Government.

The fact is that there is most important work to be done in providing work for the unemployed that the Federal Government alone can do. We have at all times, it may be said, a scarcity of labor in one State or section of our country and an oversupply in another State or section. The Federal Government can coordinate the work of State agencies and can make the whole service vastly more efficient.

I have before me here the record of the fact that this Federal agency has transferred from one State, where the men could not find employment, to other States in which they could find employment, an average of 8,000 men a week for several months. These officers of the Federal Government ought to be maintained in the different States, and there ought to be cooperation between these offices on the ground and the various State employment agencies.

The Federal Employment Service within the last year has placed nearly two and a half million workers in positions, and

it is at the present time finding employment for an average of 60,000 a week. Put that into money at, say, $2.50 a day for each man, and it means something like $3,000,000 a month, as I run it over in my head standing here on my feet.

This appropriation should be much larger than the Senate provided. Certainly it ought not to be reduced. I hope the conference report will be rejected.

Mr. LENROOT. Mr. President, just a word. I did not think the very severe strictures that have been cast upon the Senate conferees this afternoon with reference to this item have been altogether warranted. I happen to know that some of the House conferees at least were very insistent upon the proposition as agreed upon, and they have at least a portion of the responsibility for the agreement.

But it has come to me, as it has come to the Senator from Arkansas [Mr. ROBINSON], and I am convinced that if the conference report is rejected there will be an agreement very quickly upon this proposition by the conference. If they should not agree it will be entirely within the province of the conferees to come to a full agreement upon every other item but this item and enable the House to vote separately upon it. I feel very sure that if the conference report is rejected we will have a full agreement or the House will concur in the Senate amendment within the next two hours.

But may I suggest to the Senator from Arkansas that he would very much simplify the procedure if he would withdraw his motion to recommit and ask the Senate to reject the report.

Mr. ROBINSON. Will the Senator yield?

Mr. LENROOT. Certainly.

Mr. ROBINSON. Inasmuch as the House has already discharged its managers and I have not made any motion as yet, but merely announced my purpose to make a motion to recommit, I concur in the conclusion expressed by the Senator from Wisconsin that the vote should be taken on the pending question, which is to agree to the report; and therefore I ask all friends of the amendment to vote "nay."

Mr. SMOOT. I was going to ask for a quorum, but I will not do it. I will be perfectly content for the Senate to act by a viva voce vote and decide the question now, so that if the report is not agreed to we can go into conference at once.

The VICE PRESIDENT. The question is on agreeing to the conference report. [Putting the question.] The noes have it, and the conference report is rejected.

Mr. LA FOLLETTE. Mr. President, I ask for a division. I want the House informed of something of the weight of opinion here on this matter.

Mr. SMOOT. We can not get a quorum.

Mr. LA FOLLETTE. We do not have to have a quorum on a division.

Mr. WARREN. If we are going into that procedure let us have a quorum.

Mr. LA FOLLETTE. I ask for a division.

Mr. ROBINSON. In view of the lateness of the hour, I think it may delay proceedings unduly. It is perfectly manifest from the vote already taken that the Senate, with the exception of the conferees, is practically agreed on this subject. The vote was almost unanimous. I will ask the Senator from Wisconsin——

Mr. LA FOLLETTE. I just asked for a division. I have not asked for a quorum.

Mr. ROBINSON. Inasmuch as I have already stated the vote shows an almost unanimous vote, I ask the Senator from Wisconsin if he will not withdraw his request?

Mr. WARREN. I will say that as far as I know the conferees have not voted at all, and as far as I know there has been no opposition. My only suggestion is on the ground that there seems to be a disposition to want a record vote, and I thought it would be unfair to have a division in the present state of the body when we could have the other.

Mr. LA FOLLETTE. There was a vote from at least one of the conferees, and I wanted the RECORD to show that it was either unanimous or that it was overwhelming.

Mr. THOMAS. I think the RECORD may show, as far as I am concerned, that two Senators voted to sustain the report. They were the Senator from Utah [Mr. SMOOT] and myself.

Mr. LA FOLLETTE. Let us have a division. It will only take a moment.

Mr. SMOOT. As far as I am concerned, I voted on yesterday to sustain the report of the conference committee, of which I was a member, and I will vote the same way to-day. The vote was almost unanimous, and that is all there is to it.

Mr. LA FOLLETTE. I believe that makes a sufficient record on the proposition. Let it go at that.

The VICE PRESIDENT. The conference report has been rejected.

Mr. WARREN. In view of the action taken, I move that the Senate further insist upon its amendments, ask the House for a further conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Chair appointed Mr. WARREN, Mr. SMOOT, and Mr. OVERMAN conferees on the part of the Senate at the further conference.

ARMY APPROPRIATION BILL—CONFERENCE REPORT.

Mr. WADSWORTH. I move that the Senate proceed to the consideration of the conference report on House bill 5227, the Army appropriation bill.

The motion was agreed to; and the Senate proceeded to the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5227) making appropriations for the support of the Army for the fiscal year ending June 30, 1920.

Mr. WADSWORTH. Mr. President, I think it due the Senate that I make a very brief statement in explaining the changes which have been made in the Army appropriation bill in conference.

The bill when it passed the Senate carried an aggregate of $885,000,000. I am not reading the thousands or hundreds. Eight hundred and eighty-five million was appropriated by the bill when it passed the Senate, and to that should have been added $100,000,000 of reappropriation from the unexpended balances of the pay appropriations for the Army for the fiscal year 1919. The bill as now agreed upon in conference carries $775,000,000 and eliminates the provision for the reappropriation of $100,000,000 of the unexpended pay appropriations for the fiscal year 1919.

The bill as it originally passed the Senate appropriated for an Army of an average strength for the 12 months of 400,000 men. As agreed upon in conference, it proposes to appropriate for an Army of the average strength of 325,000.

Mr. SMITH of Georgia. Mr. President, will the Senator from New York tell us, then, what the size of the Army will be at the close of the year?

Mr. WADSWORTH. It will be in the neighborhood of 240,000 men on October 1, and will remain at that figure for the succeeding nine months of the fiscal year. I may say to the Senator that the House conferees were exceedingly strenuous in their opposition to an Army of 400,000 men and exceedingly tenacious for an Army of 300,000. The temper of the House of Representatives was such that it was entirely apparent that the legislation would be endangered did not the Senate conferees agree to some compromise to the bill.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator from New York just there? The Senator will remember we disagreed in reference to the size of the Army; reported a disagreement; the matter went back to the House; and the House insisted upon their number.

Mr. WADSWORTH. The Senator from Oregon is correct. In the first part of our conference with the House conferees, the Senate conferees offered to compromise on an average Army of 350,000 men. The House conferees took that proposal back to the House of Representatives, and the House by a rising vote, by a division, refused to accept it. The vote opposed to that was unanimous. They then came back and announced that result to the Senate conferees. Of course, so far as that item was concerned, it no longer was in conference; in other words, the House conferees appeared before the Senate conferees in the capacity of ambassadors with an ultimatum. We thereafter pursuaded the House conferees to accept 325,000 men as the average strength of the Army for the next 12 months.

I desire to call the attention of the Senate to one thing in connection with that very matter. This bill carries an appropriation of $215,000,000 for the pay of the Army, supposedly an army of 325,000 men. It will not pay an army of 325,000 men for 12 months. That is conceded by the House conferees; it is conceded by the Senate conferees; and we have our information from the head of the finance division of the War Department, who states that with an appropriation of $215,000,000 they will manage to get along for a portion of this fiscal year, but that eventually they must come to Congress and ask for a deficiency appropriation; that they will either have to get such an appropriation from the Appropriations Committees of the House and of the Senate, or else in the preparation of the next annual Army appropriation bill, which will be brought up next winter before, of course, this fiscal year is over, a provision will have to be put in making the appropriation for the pay of the Army immediately available. I do not want the Senate to be fooled or the public to be fooled by this proposal that $215,-

000,000 will pay an army of 325,000 men for 12 months, for it will not.

However, the House had instructed its conferees, and the House insisted upon its attitude with respect to this pay item. The House had originally appropriated $198,000,000 for the pay of an army of 300,000 men, and that would not have paid an army of 300,000 men. Unfortunately the House made that amendment upon the floor, and when it made it it forgot the $50 bonus which is to be given to every soldier when he is discharged.

Mr. STERLING. A $60 bonus.

Mr. WADSWORTH. I should have said a $60 bonus.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). Does the Senator from New York yield to the Senator from Colorado?

Mr. WADSWORTH. I do.

Mr. THOMAS. Can the Senator inform the Senate what the amount of the deficiency will be between the appropriation and what is necessary for an army of 325,000 men?

Mr. WADSWORTH. I estimate it to be between twenty and thirty-five million dollars.

Let me say to the Senator—and I do not want to take up too much time, for I know it is getting late—that when the first conference reported for an army of 325,000 men it carried scientifically worked out pay figures and the total was $257,000,000. If we support an army of 325,000 men for 12 months it will cost approximately that amount; but this bill, instead of carrying $257,000,000, carries $214,000,000. However, we could not persuade the House to yield one inch upon that matter; but the House conferees are thoroughly aware that a deficiency item must be inserted in some bill next winter.

Mr. JONES of New Mexico. Mr. President, will the Senator yield to me?

Mr. WADSWORTH. I yield to the Senator from New Mexico.

Mr. JONES of New Mexico. I should like to have some information as to what the Senator has in mind and what the conferees have in mind by an average army of 325,000 men. There are a great many more than that in the Army now, of course.

Mr. WADSWORTH. Certainly. That was thoroughly discussed when the Senate considered the bill.

Mr. SMITH of Georgia. It means the number we shall have for the last nine months of the year; that is the only Army that will be left.

Mr. WADSWORTH. I will tell the Senator as nearly as I can, but I can not be very accurate, and I hope the Senator will not be very severe if I miss it by a few thousand. The matter was discussed when the bill was in the Senate.

We start in on July 1, which is to-day, with 1,039,000 men in the Army of the United States; approximately half of them abroad and half in this country. On August 1 the Army will be down to 748,000 men; on September 1 it will be down to four hundred and thirty odd thousand men; on October 1, under this proposal for an average army through 12 months of 325,000, it will come down to the neighborhood of 240,000 men. There it will remain for the next nine months, to the end of this fiscal year. The average for the 12 months, starting at a million and down to 240,000, will be 325,000 men.

Mr. JONES of New Mexico. Then, the conferees have practically agreed that the Regular Army shall be reduced to 240,000 men?

Mr. WADSWORTH. I can not agree with the phrase "Regular Army." This is not the Regular Army; it is a temporary army for this year only, but it will constitute the entire armed force of the United States——

Mr. JONES of New Mexico. That is what I supposed.

Mr. WADSWORTH. With the exception of those units of the National Guard which are slowly being reconstituted.

Mr. President, there is one other important amendment. Senators will remember that as the Senate passed the bill it carried $55,000,000 for aviation. In the first portion of the conference the conferees agreed upon $40,000,000 for aviation. They took that back to the House of Representatives, and the House of Representatives by an overwhelming vote instructed their conferees to stand for an appropriation of only $15,000,000 and sent their conferees back to us again, more as ambassadors with an ultimatum than as conferees. We finally persuaded the House conferees to go back to the House to-day and to consult the membership and, if possible, consent to an appropriation for aviation of $25,000,000 instead of the $15,000,000 which they were insisting upon. We called their attention to the fact that the House of Representatives, without the slightest objection whatever, had appropriated $25,000,000 for naval aviation, and yet was insisting on only $15,000,000 for Army aviation, and Army aviation is three or four times greater than naval aviation. After much conference and much consideration the House conferees finally persuaded the House to accept the appropriation of $25,000,000 for aviation.

I make no concealment of my great disappointment in the great reduction from $55,000,000 to $25,000,000, but the House could not be persuaded to accept any higher figure, and it, in fact, retracted its own instructions for $15,000,000 when it finally agreed to $25,000,000.

Those are the principal changes in the appropriations. The House insisted that all of the so-called private claims items at the end of the bill should go out; their conferees were instructed to insist that they go out, or there would be no bill, and the Senate conferees, although we were fully justified in contending for them—we had gone into them and examined them and they were just cases, each and every one—finally reached the conclusion that a matter like a private claim should not hold up a great military appropriation bill, and we consented to take them out.

In addition to that, all of the land purchases were taken out with the exception of the land purchased in connection with the Walter Reed Hospital. That remains in the bill, although the House conferees had been instructed by the House to put that out of the bill.

Mr. THOMAS. Mr. President, the Senator from New York has labored very hard and very earnestly to secure the acceptance of the Senate amendments, and I deeply sympathize with his partial failure to accomplish that much desired object. I would not detain the Senate for a moment longer were it not for the fact that I feel impelled to refer to one of the Senate amendments which was unanimously accepted here, and which the House conferees declined to consider. It is a comparatively insignificant amendment, Mr. President, and yet one which affects a gallant soldier who can ill-afford to remain, as he has remained for some years, deprived of a perfectly legitimate item of expenditure.

The amendment to which I refer appropriated for Maj. Gen. Jesse McI. Carter, of the United States Army, the sum of $352.23—of course, I do not give the exact phraseology; but its substance was to provide a return to Gen. Carter of this small sum of money for expenditures which it represented. I can state the facts to the Senate in the most concise way, perhaps, by reading a memorandum which I asked the general to supply me with some time ago. He says:

In 1912 I was ordered to proceed to Europe as member of a board of officers for the purpose of studying the organization, training, and equipment of the cavalry of various States in Europe, and was appointed disbursing officer and quartermaster for the board, which was composed of myself and three other officers.

Before leaving I was supplied with $1,000 from the fund "Contingencies of the Army, 1913," which fund, in the language of the appropriation act, was "to be expended under the immediate orders of the Secretary of War," "for all contingent expenses of the Army not otherwise provided for, and embracing all branches of the military service." I was instructed by the Secretary of War to expend this fund for the procurement of information, in payment for passports and viséing same, in tips to orderlies and horse holders, and in payment for entertainment of foreign officers in return for like courtesies extended by them. I limited expenditures of this sum to the items above named. I found that it was usual and customary and was expected that when orderlies and horse holders were detailed to attend the board at maneuvers or exercises a monetary remuneration should be made to the men so detailed. I ascertained in each case what the customary fee was and paid that and no more. I paid the State Department of the United States for passports for members of the board, and when it was necessary had these passports viséed in Europe and paid the authorized fee therefor. We were entertained as guests of foreign officers a number of times and returned such entertainment at our own expense. On one occasion we entertained several officers of the French Army at dinner in return for a like courtesy on their part, and I paid from the contingency fund the cost of the dinner for the French officers, not including the cost of the dinner for members of the board. To the best of my recollection, this amounted to approximately $21.

The board was in Europe more than three months and visited Russia, Germany, Austria, Italy, France, and England, and made an exhaustive study of the subject which it was ordered to study, and on its return submitted a report, accompanied by a system of drill regulations, which has revolutionized the training of cavalry in the United States.

I expended but $352.23 of the $1,000 "Contingencies of the Army" allotted to the board, and turned in the remainder to the United States Treasury. The note accompanying the estimate of the Quartermaster General, which states that the disallowance arose as a result of expenditure for transportation of excess baggage of officers, cab and carriage hire, tips, and gratuities to hotel servants, etc., is in error, as an examination of my accounts in the office of the Auditor for the War Department will show. No part of the funds allotted to me from "Contingencies of the Army" were expended for any of these purposes. No reimbursement to the members of the board for "tips and gratuities to hotel servants" was asked for and none was made.

I expended the amount ($352.23) in the manner directed and for the procurement of information of value to the Government, and for which the board had been sent to Europe.

Mr. President, while the amount involved here is small, the circumstances show that this gallant officer has been subjected to a treatment that is both contemptible and dishonorable in

an affair in which he acted under orders and saved money to the Government. He was detailed to go to Europe, was provided with a thousand dollars out of the contingent fund of the Army, and was directed to expend it in a certain way. He expended $352.23 as instructed, returned the remainder to the United States Treasury, and his account has been from that day to this disallowed upon a false statement of facts.

Since that time Col. Carter has been advanced until he now occupies the position of a major general in the United States Army. The department has declined, through the advice of its law officer, I presume, to allow this amount, and he has been relegated to the Court of Claims, which means that his great grandchildren will not live to see the amount refunded. The item was placed in the bill, the conferees of the House in their wisdom saw fit to reject it, and the general is not only deprived of his money, but labors under an imputation that he improperly expended it.

Mr. POMERENE. What is the sum?

Mr. THOMAS. The amount is very small—$352.23—but that means a good deal to an officer living in these times upon a very small salary.

Mr. President, I shall not, of course, interrupt the progress of this bill, but, if I live, shall offer this amendment to the next Army supply bill and, notwithstanding the comparatively small amount, I shall insist upon its allowance to the best of my ability.

The PRESIDING OFFICER. The question is on agreeing to the conference report. [Putting the question.] The report is agreed to.

Mr. SMITH of Georgia. Mr. President, I was speaking to another Senator for a moment and did not understand the question was being put on agreeing to the report. I desire to say a word upon the report, and I ask unanimous consent that the vote whereby the report was agreed to be reconsidered.

The PRESIDING OFFICER. Without objection, the vote whereby the Senate agreed to the conference report will be reconsidered. The Chair hears no objection.

Mr. SMITH of Georgia addressed the Senate. After having spoken for some time,

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Massachusetts?

Mr. SMITH of Georgia. Certainly.

Mr. LODGE. The Senator from Georgia assures me that if we will take a recess now until 8 o'clock, he will undertake to close in half an hour.

Mr. WADSWORTH. I have no objection to any arrangement the Senator from Massachusetts makes, but I have no assurance that there will not be other debate.

Mr. LODGE. That might happen in any event.

Mr. SMITH of Georgia. I do not think we could possibly get a quorum if there were a suggestion for a quorum at this time, and I do wish to make a few statements that I think will allay prejudice relative to the camp at Benning, and to have a few more Senators to hear me. I will not take over half an hour more and will be able to get through within that time this evening.

RECESS.

Mr. LODGE. I move that the Senate take a recess until 8.15 o'clock.

The motion was agreed to; and (at 7 o'clock and 15 minutes p. m.) the Senate took a recess until 8.15 p. m.

EVENING SESSION.

The Senate reassembled at 8 o'clock and 15 minutes p. m.

LEAGUE OF NATIONS.

Mr. KIRBY. Mr. President, I ask unanimous consent to have printed in the RECORD an article on the proposed league of nations.

The PRESIDING OFFICER (Mr. CURTIS in the chair). Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

THE WESTPHALIAN PEACE TREATY (1648) AND THE PROPOSED LEAGUE OF NATIONS (1919) IN CONNECTION WITH INTERNATIONAL PSYCHOLOGY AND REVOLUTIONS.

[By Arthur MacDonald, anthropologist, Washington, D. C., and honorary president of the International Congress of Criminal Anthropology of Europe.]

INTRODUCTION.

The proposed league of nations may only be a first step in the direction of permanent peace, yet not a few persons seem doubtful of its utility. However, the league may be the lesser evil as compared with the old régime, which appears to have resulted in total failure after very long and fair trial.

Whatever be the ultimate outcome of the league and of the problems to be solved, the one encouraging thing is that all the people are thinking seriously on the subject and longing for some way to stop war. It may be true that lasting peace can only be secured when both people and leaders (sometimes the people lead the leaders) realize the necessity of peace and the senselessness of war. But to reach such a happy realization of the truth what are we, the people, to do now? Already the discussions of the league (pro and con) have fertilized the soil; the minds of the people are open as never before; and now is the supreme moment to sow peace seeds. The sooner, more thoroughly, and wider they are scattered, the better. In this way we may be able to so impress peace ideas upon everyone, as to avoid the terrible necessity of a future war, in which both sides become exhausted, as in the Thirty Years' War, which would be a much more horrible war than the present war.

To escape such a catastrophe and make a league of nations or any kind of peace arrangements endure is preeminently an educational problem, and consists mainly in repeatedly filling the minds of the people, old and young, everywhere with fundamental peace conceptions. Shall we not begin at once and persist in doing this until political wars become as impossible in the future as religious wars are now?

SUGGESTIONS OF THE PEACE TREATY OF WESTPHALIA FOR THE PEACE CONFERENCE IN PARIS.

[Article (by writer) in Central Law Journal, St. Louis, Apr. 25, 1919, and in open court Apr., 1919, Chicago, Ill.]

The conference of nations that is now taking place around the peace table at Paris is doubtless the most important of any in history. One reason is the fact that whatever plan the conference may decide to carry out will necessarily concern most all countries of the world. For railroads, steamships, aeroplanes, telegraphs, telephones, and wireless telegraphy, as never before, have made communication between nations so easy, quick, and direct that distance is almost eliminated, enabling the whole world to think, reason, and act at the same time, and to be influenced as one human solidarity.

There seems to be a strong desire in all lands that the peace conference will make future wars not only improbable but practically impossible. But how can this be done? For years countless peace plans and theories have been proposed filling volumes of books, but they are mainly of a speculative nature. Since theoretical grounds have proved inadequate, is there then any experience in the history of the world which can be made a basis for permanent peace? Is there, for instance, any kind of war that has resulted in doing away with itself permanently? The answer would point to the Thirty Years' War, closing with the peace of Westphalia (1648), which seems to have put an end to all religious wars.

How, then, does it happen that the peace treaty of Westphalia, of all the treaties in the world, is the only one that has succeeded in stopping all religious wars? We are certainly dealing here with a phenomenal fact in history. The writer has been unable to find any discussion of this phase of the matter. See a study of the United States Senate by the writer (published in Spanish) under the title: "Estudio del Senado de los Estados Unidos de America," in Revista Argentina de Ciencias Politicas, 12 de Enero de 1918. (Buenos Aires, 1918.) It would therefore seem of interest and importance, especially at the present time, to make a brief anthropological study of the Thirty Years' War which led to such an exceptional and successful treaty.

NEW FIELD FOR ANTHROPOLOGY.

From the anthropological point of view, history can be looked upon as a vast laboratory for the purpose of studying humanity and assisting in its progress. In the past anthropology has concerned itself mainly with savage and prehistoric man, but it is due time that it take up the more important and much more difficult subject of civilized man, not only as an individual but as an organization, or nation, or group of nations. It is true that other departments of knowledge, such as history and political science, have pursued these fields, but unfortunately not always in the scientific sense; to use an ancient pun, it is *his* story, rather than all the facts. Anthropology in this new field should seek to establish only those truths which can be based upon facts. There are doubtless many very important truths which can not be established by scientific methods, but perhaps they can be better treated in political science, psychology, ethics, philosophy, and theology.

In the present inquiry the anthropological problem is this: As religious wars are admitted to be the most intense, most idealistic, and most sacrificial of all wars, and therefore most difficult to stop, can it be ascertained just how the Thirty Years' War, culminating in the peace of Westphalia, brought about the end of all religious wars? This might suggest how all political wars may be made to cease. If the seventeenth century accomplished the more difficult task, the peace conference at Paris ought to succeed in the less difficult one. If the twentieth century prides itself on being superior in diplomacy, practical statesmanship, and general mental caliber, it will now have an opportunity to show such superiority by formulating a treaty which will make all future political wars not only improbable but impossible.

PRINCIPLES OF A PEACE CONFERENCE.

In following the present peace conference and comparing it with the peace congress of Westphalia, it may be well to mention a few of the principles of such congresses in general. In a treaty of peace there are first of all the usual articles, as, e. g., a declaration that peace is restored and amnesty clauses, including restitution of such conquests as are not intended to be retained, and of rights suspended by the war. Also there are provisions to remove the causes out of which the war arose, redress grievances, and prevent their recurrence. This is the most essential thing for the congress to do. Then there is the indemnity article to make satisfactory reparation for injury sustained and cost of war. But great prudence should be exercised here, otherwise the conquered power may feel deep resentment which is liable to sow seeds for a future war.

As to personal attendance at the congress, one great advantage is that difficulties thought insurmountable in correspondence often disappear in an interview. Half the work is done when members have come to know what each really wants. But in long discussions there is danger of becoming fatigued and making ill-advised concessions. There is also temptation for some members to interfere where they have no substantial interests nor rights, and to contract engagements in which they have no special concern. When strong enough, every nation will insist on the right to manage its own internal affairs. Sometimes there are a few particularly able men, speaking several languages fluently (a very practical advantage), but representing only small countries, who may exercise undue influence and cause the congress to authorize things which may not prove of equal justice to all. Members of congresses have been known to vote for things that they did not understand, to the great disadvantage of their own country, due mainly to inexperience and lack of familiarity with the language spoken in the congress.

THE PEACE OF WESTPHALIA.

As early as 1636 Pope Urban VIII extorted from the powers engaged in the Thirty Years' War their unwilling consent to treat. In 1637 a discussion of safe conducts was begun, which lasted nearly five years, and it was not until 1641 that preliminaries as to time and place of the congress were signed, and these were not ratified, nor safe conducts exchanged, until 1643, making six years for controversies as to mere formalities. One of the causes of this dilatoriness was that neither side really desired peace. Captiousness and punctiliousness were doubtless emphasized in order to obtain delay. The labor of concluding peace was colossal; there were endless obstacles to surmount, contending interests to reconcile, a labyrinth of circumstances to cope with, difficulties to overcome besetting the congress from the very outset of the negotiations, not only of arranging the conditions of peace but still more of carrying them through the proceedings.

It is therefore fair to assume that the difficulties in establishing the Peace of Westphalia were as great as, and probably greater than, those now confronting the peace conference at Paris. For in the Westphalian congress nobody desired peace, and it was not possible to agree to an armistice, so that war continued while the congress was in session, materially affecting the deliberations; this may be one reason why the congress lasted as long as four years.

To avoid questions of precedence and to lessen further opportunities for disagreement, two cities in Westphalia, Munster for the Catholics and Osnabruck for the Protestants, were selected. These places were a short day's ride apart. The treaty was signed at Munster October 24, 1648, and was called "The Peace of Westphalia." In addition to the disposition for delay, there was a tendency to criticize things generally. Thus certain plenipotentiaries complained of their accommodations, saying that the houses assigned to them, though high and handsome externally, were in fact rat holes. The streets also were pronounced very narrow, so much so that when a certain very polite diplomat, who wore a very large hat, made from his coach an extremely low bow, his hat hit a very expensive vase in an open window, which fell and broke, causing great embarrassment.

First, questions of etiquette were taken up. For instance, did the precedence belong to Spain, and what marks of honor were due to the representatives of the neutral powers? Then came contests for the ecclesiastical seats. The Nuncio, the representative of the Pope, wished to sit not only at the head of the table but wanted a canopy over him to distinguish him. The way in which the minor powers should be received was in doubt. It was finally decided to go halfway down the stairs with guests when departing. Also the question of titles arose. The word "excellency" was chosen for addressing the envoys of the great powers, but it had to be extended to the lesser powers. The Venetian envoy obtained the honor (to his joy) of being conducted, when he visited the French plenipotentiary, to the door of his coach, instead of to the staircase. These few of the many incidents during the congress will illustrate the human side of official matters. Such disputes as to precedence and etiquette were to be expected in a proud and ceremonious age among representatives of numerous States, especially when many of them were of doubtful rank. There was also much display. A train of 18 coaches conveyed the French envoys in their visits of ceremony. It appeared that France desired to show that she had not been impoverished by the war like Germany.

The papal nuncio and the Venetian envoy were mediators as well as members of the congress. France and Sweden were opposed to each other in religion, but in accord on political matters. The treaty was drawn up with such fullness and precision of language as is rarely found in documents of this nature, due to a large body of trained lawyers among the members. As indicating a desire for fairness in little things as well as in larger questions, the treaty contained these words: "No one of any party shall look askance at anyone on account of his creed." As an example of wise provisions, the following may be noted: The Protestants demanded the year 1618 as annus normalis for the restitution of ecclesiastical estates, the Catholics insisted on the year 1630, which was much more favorable to them. The congress split the difference and made it 1624. The medius terminus is often the wisest course in acute controversies. As to temporal affairs, all hostilities of whatever kind were to be forgotten, neither party being allowed to molest or injure the other for any purpose. In regard to spiritual affairs, complete equality was to exist (aequalitas exacta mutuaque), and every kind of violence was forever forbidden between the parties.

The peace of Westphalia was the first effort to reconstruct the European states' system, and it became the common law of Europe. Few treaties have had such influence, and Europe is said for the first time to have formed a kind of commonwealth watching with anxiety over the preservation of the general peace.

THE THIRTY YEARS' WAR.

To have called to mind some of the principal points in the peace of Westphalia is not sufficient for understanding the real significance of the treaty without some consideration of the war which it closed. As already suggested, this war, looked at from a scientific point of view, is an unconscious experiment of nations, an attempt to solve a problem in abnormal international psychology. In order to comprehend this experiment and its resultant treaty, just how it brought about permanent religious peace, some of the main events of the war must be recalled as a basis upon which to work.

The Protestant Reformation had great influence upon almost everything political in Europe until the peace of Westphalia. The religious peace of Augsburg (1555) furnished no settlement to questions stirred up by the Reformation. It was inevitable that such fundamental disagreements should lead to a general war. The Thirty Years' War marked the end of the Reformation, which changed the idea of Christian unity and altered the theory of a holy Roman empire, replacing it by the idea of autonomy for individual states.

On May 23, 1618, a body of Protestants entered the royal palace at Prague and threw two detested representatives of the Crown from the window. This act started a struggle that for 30 years involved Europe in a war which spread gradually from Bohemia over southern Germany, then slowly to northern Germany and Denmark, until country after country began to take part and the fighting became general. The war might have ended in 1623, making it a five years' war, had it not been for the outrageous treatment of the Protestant states of northern Germany, resulting in a political disintegration in which Germany lost half of her population and two-thirds of her wealth. Her religion and morality sank low, and the intellectual damage required generations to restore.

The Roman Catholic Church, having guided Christianity for centuries without a rival, naturally felt greatly wronged by Protestant secession. This explains the uncompromising enmities of the Thirty Years' War. Various parties claimed the control of the religious doctrines to be taught the people, as well as control of worship; they were fighting each other for this power, ready to sacrifice their lives for it. The Lutherans were as intolerant toward the Calvanists as they were toward the Catholics. The Catholic Church, convinced of the absolute truth of its doctrines based upon 13 centuries of growth, naturally could not tolerate some young reformers to arise and challenge its divine right, especially not since these reformers seized old monastic and ecclesiastic foundations with domains and edifices and administered them in their own interest. The resistance of the Catholic hierarchy, to the last drop of blood, was a normal reaction. As so often happens, the conditions were abnormal, not the human beings.

Had the war stopped in 1623 the Catholics would have been left with decided advantages. Their own ambitions, however, prevented it. Gustavus Adolphus appeared, and by his efforts Protestantism is said to have been saved from extinction. During 13 of the 30 years the lands of the Protestants had been devastated; during the next 17 years an equalization of the exhaustion of the parties developed before a lasting religious peace was made. It became clear in the end that neither Catholics nor Protestants could crush their opponents without perishing likewise.

TERRIBLE RESULTS OF THE WAR.

The terrible results of the Thirty Years' War may be summed up by saying that Germany was the carcass, and the hosts which invaded the German soil were the vultures. The Protestant invaders were Swedes, Finns, Hollanders, Frenchmen, Englishmen, and Scotchmen; on the Catholic side there came in Spaniards, Italians, Walloons, Poles, Cossacks, Croats, and representatives of nearly all other Slavonic tribes. There was an army never larger than 40,000 men, but the camp followers were 140,000, consisting of gangs of gypsies, Jewish camp traders, marauders, and plunderers. The soldiers robbed and tortured all alike, both friend and foe. The inhabitants would flee to the woods, taking with them or hiding everything they could. But the invaders were experts in discovering secret treasures; they would pour water on the ground, and where it sank quickly there they knew something had been recently buried.

To retaliate, the peasants would watch for stragglers, for the sick and wounded who had dropped behind, putting them to death with every device of insult and cruelty known. Much of the cruelty is too hideous to mention. In many districts the desolation was so great that persons were found dead with grass in their mouths. Men climbed up the scaffolds and tore down the bodies of those hanged and devoured them. The supply was large. Newly buried corpses were dug up for food. Children were enticed away that they might be slain and eaten. The population, when plundered, would become plunderers in turn, forming into bands, and inflict on others the horrors that they themselves had suffered. Men became wholly indifferent to the sufferings of others. Whole countries were destroyed, towns and villages reduced to ashes, and civilization was pushed back into barbarism for half a century. The Thirty Years' War is said to have been so unspeakably cruel and calamitous that the like has never been known in Europe.

CAUSES OF THE LENGTH OF THE WAR.

Gustavus Adolphus writes in a letter that the war would be long drawn out and stop from exhaustion. The original purpose of the war was the suppression of the Protestant faith, but the victories of Gustavus Adolphus made the Catholics hopeless. Also other interests of a political nature rose up, the war passed from a German to a European question. Though there were times when peace might have been made, the side who had the best of it for the moment deemed it folly to stop when victory was in reach. The other side thought it base and cowardly not to continue, as some turn of fortune might repair the losses. Many a war has dragged on after the purpose for which it began had become unattainable, because those who began it were too vain to admit that the objects of the war were impossible from its outset.

In a long war also individuals rise up to whom fighting becomes a second nature, who know nothing else but violence and murder. Thus many soldiers were indignant when the Westphalian peace was signed, for they felt they had a vested right to plunder and murder, looking upon a wretched, helpless population as their just prey.

A further reason for the long continuation of the war was the very exhaustion of both sides; there was not enough strength on either side to strike a decisive blow, nor sufficient energy left to make a vigorous effort for peace, making it seem useless to try. In the earlier and middle period of the war there were many cries for peace, but in the last eight years there was a terrible silence of death and such utter desperation that no one dared to speak of peace, so great was the exhaustion. The soldiers decreased as it became more and more difficult to recruit and feed them; the military operations grew feebler and more desultory, the fighting more inconclusive, though the misery did not diminish. But while the people and soldiers had become tired of the interminable struggle and wanted peace, many of the diplomats did not appear to desire it.

CAUSES OF THE WAR.

The great length of the war gradually revealed its very hopelessness and uselessness, creating a general desire for rest and peace, transforming and weakening the religious movements out of which the war had arisen. The principle of private judgment, coming from the Reformation, had had time to develop and undermine the ideas of temporal rights and duties common to both parties, while many ideas first conceived by the Reformation but suppressed at the time had at last commenced to grow through the long-continued turbulations.

Another cause of the war was the inherent incompatibility of religious views among the people. Religious discord exists to-day, but it is not decided by bloody contests, because of breadth of religious insight, general indifference, and increasing skepticism. The convictions of the people of the seventeenth century, as to the truth of their own opinions and the errors of their opponents, were of such an absolute character as can not be found nowadays even among people with the most rigid beliefs. They did not know then that it was possible to live together and yet have the most varied and contradictory religious convictions. To suppose that these people were stupid is an error. The chances are that they were less stupid than the people of to-day. How many at the present time can look at their country, its ideals, ideas, and customs justly and without prejudice? Naturally very few. But to place ourselves outside of not only our country but our generation is much more difficult. How could we then expect the people of the seventeenth century to do this?

IGNORANCE THE FUNDAMENTAL CAUSE OF WAR.

The fundamental cause that brought the Thirty Years' War to a close was mental insight into the uselessness and hopelessness of further struggle, caused by the feeling of exhaustion due to the long continuance of the war. The reason why this war put an end to all religious wars

was that this intellectual insight became general in Europe, inculcating more liberal religious views. This psychological attitude, with increasing indifference to religion and resultant skepticism, caused religious questions to be regarded less seriously, making further wars for such purposes impossible. The basal reason, therefore, was the intellectual realization of the foolishness of bloodshed on account of difference of religious convictions; that is, lack of knowledge of this fact in the past—in short, ignorance—was at the bottom of it all, as of most evils in the world.

COMPARISONS BETWEEN THE THIRTY YEARS' WAR AND THE EUROPEAN WAR.

In order to learn what suggestions from the Thirty Years' War may be of use around the peace table at Paris, it will be well to mention the general similarities and differences between this war and the recent European war.

The similarities are as follows:

1. The Thirty Years' War began with the throwing out of a window (defenstration) of detested persons; the European war started from an assassination.

2. The Thirty Years' War had been expected for some time; a general European war had been predicted for many years.

3. The Thirty Years' War, beginning with a local incident, spread from country to country, just like the European war did.

4. The Thirty Years' War was exceedingly brutal for its generation, just as the European war has been for our time.

5. The Thirty Years' War was a very long one for its generation; the European war has been a relatively long one for recent times.

As to the differences between the two wars, it may be said that—

1. In the Thirty Years' War both belligerents finally proved to be nearly equal in strength. In the European war one of the belligerents, though at first meeting with reverses, in the end completely overcame the other.

2. The Thirty Years' War ended in the exhaustion of both belligerents; the European war closed with the exhaustion of only one belligerent.

3. The Thirty Years' War was waged for religious convictions rather than for gain; the European war was not so ideal in its purposes.

Taking a general view of the similarities and differences between the two wars, the one great question arises: Is the experience of the present European war strong enough for victors and vanquished alike to be willing to yield sufficient of their natural rights and sovereignty to submit all questions of war to some superior international court from which there is no appeal?

In the Thirty Years' War nothing further was necessary; the exhaustion of both belligerents was sufficient to end religious wars.

As the victorious party in war is much less inclined (if inclined at all) than the conquered foe to yield anything, will the Allies, without the experience of defeat and exhaustion, be willing to yield enough of their sovereignty to make the future peace of the world permanent? Will they be magnanimous and give up some national advantages of the present for future international benefits to all mankind? In short, are they unselfish enough to so temper their justice with mercy as to establish a world peace, the greatest boon to humanity ever known?

Here is a supreme opportunity. Will the victorious Allies arise to the occasion and make future wars improbable, if not impossible? We say "impossible," because if a nation is recalcitrant it can be punished by a general boycott, leading toward its economic ruin. As the instinct of self-preservation is the most powerful influence in nations as well as in individuals, it is a moral certainty that no nation could or would submit very long to such punishment. Just after a war is ended, when the belligerents feel more keenly its effect than later on, they are much more disposed to make mutual concessions. Will the victors of the European War strike at once while the iron is hot, and insist at the outset on the one paramount issue, the absolute prohibition of all wars? Such a decision would radiate through all further proceedings of the peace conference and greatly facilitate its work. By thus making a certainty of the most important question of all history, no matter how difficult and delicate matters of greater or less importance may be, the conference of Paris will have assured its success in advance as the greatest and most beneficent influence that the world has ever experienced, just as the peace of Westphalia was in its generation.

In the peace treaty of Westphalia were these words: "The hostilities that have taken place from the beginning of the late disturbances, in any place of whatsoever kind, by one side or the other, shall be forgotten and forgiven, so that neither party shall cherish enmity or hatred against nor molest nor injure the other for any cause whatsoever." Will the peace treaty of Paris contain as generous and noble words and stop all political wars forever, just as the peace of Westphalia put an end to all religious wars?

Will the twentieth century Christianity, with its supposed greater liberality and enlightenment, be as far-seeing, unselfish, and effective as the Christianity of the seventeenth century?

Let the conference at Paris answer yes.

Just as the spread of education and knowledge has gradually liberated the intellect so as to undermine the ideas upon which religious wars were based, so a similar process of enlightenment may be necessary to cause political wars to cease.

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INTERNATIONAL PSYCHOLOGY AND PEACE.

(Article (by writer) in Chicago Legal News for May 3, 1919.)

The history of the world would seem to indicate that international psychology is almost synonymous with international anarchy. For the last 30 or more years, as is well known, a general European war was expected, predicted, and feared. This was the abnormal psychological condition of diplomatic and military Europe until the present war caused its realization. The world appears always to have existed in a pathological condition of possible, probable, or actual war. The question is, "Shall the world continue in this old way of international anarchism and political pathology or shall it make a supreme effort to shake off this monstrous incubus of war?"

It is a peculiar circumstance that while anarchism within a nation is generally detested, anarchism between nations has been palatable so long. Cannibalism existed for thousands of years, slavery also, yet both have been practically abandoned, and now there seems to be a chance to do away with the last and greatest enemy of humanity—war. To stop an evil that has existed so long and whose roots reach back into the beginning of history will necessarily require colossal effort and great sacrifice. Such an effort has been successful only once in the history of the world. That was when the Westphalian peace treaty was signed, in 1648, after the Thirty Years' War. (See article (by author) entitled "Suggestions from the Westphalian Peace Treaty for the Peace Conference in France," published in the Journal of Education, Boston, Mar. 27, 1919, and Central Law Journal, St. Louis, Mo., April, 1919; also in Open Court for April, 1919, Chicago.) This resulted in abolishing the most difficult kind of wars—religious wars. If the seventeenth century could accomplish this greater task, certainly the twentieth century should take courage and likewise put an end to political wars, the lesser task. It may not be possible to make war impossible, but this is no reason it should not be tried. It may be possible, however, to make war most improbable.

SCIENTIFIC METHOD IN HISTORY NECESSARY.

In the writing of history a common illusion is to exaggerate the future importance of contemporary events. Both sides in the French Revolution thought that the end of the world had come, as no doubt it had for some. Comparatively few men can get outside of their country and look at things as they are, but very few or none can separate themselves from their generation and look without prejudice into the future. The importance of every great event is usually exaggerated by those immediately interested. From the historical point of view, the degree of importance of current events can not be determined until some time afterwards when the sources are more accessible and it is possible to consider them calmly and from the point of view of strict truth, which is one of the main principles of scientific inquiry. History is continuous and not broken up by what the present generation may think to be a finality or cataclysm; there may be progress or retrogression, but neither is so great as they appear at the time of the events which cause enthusiasm and optimism in the victorious and despair and pessimism in the vanquished. These are temporary phenomena, being only links in the historical chain. The changes after this war back to normal conditions may be much greater and faster than in previous wars. In this connection it must be remembered that the humane spirit is now much more diffused in the world than in the past, which is indicated by the enormous extent of protests against the horrows of war. (See article (by author) in Pacific Medical Journal, San Francisco, Calif., April, 1916, entitled, "Atrocities and Outrages of War," also pamphlet (by author) entitled, "War and Criminal Anthropology," reprinted from the CONGRESSIONAL RECORD for Feb. 17 and Mar. 15, 1917, Washington, D. C.). These horrors are common to all wars and were relative as frequent in the past, if not more so. It is true that the absolute number of outrages may have been much greater in the present war than in previous wars, but this is probably due mainly to the enormous number of individuals engaged in the war.

INTERDEPENDENCE OF NATIONS A DEMOGRAPHIC LAW.

The world has become so closely connected through modern means of communication that any war might result in a world war. The prevalent political tendencies are in the direction of combination and resultant consolidation. The question soon arises, Shall combination and regulation go beyond national limits? The old-fashioned ideas of national limits do not seem to be adapted to present conditions. Commercially such limits are impracticable and appear to be so in other ways. (Woolf, L. S., International Government, Fabian Research Department, London.) The Constitution of the United States has 18 amendments. This demographic law of interdependence of nations necessarily results in combination, which eventually may lead to international solidarity.

Whether we will or no, this demographic law of interdependence of nations can not be escaped. Just as the States of the Union are now closer together than their counties were many years ago, through the enormous development of physical means of communication, so governments are now brought more closely in contact than were the States at the time of the formation of the Union. This demographic law of increasing interdependence when carefully examined appears to be almost as necessary as the law of gravity. It has been at work ever since history began and, though little noticed perhaps, it has been manifesting itself more and more as history advanced. The individual is subordinate to the community and must yield some of his sovereignty to it, the community in turn must yield to the county, the county to the State, the State to the Nation, and finally the Nation to the world. This last step is the one now pending in Europe, and eventually, if not presently, may result in international solidarity, which will practically put an end to political wars just as the Westphalian peace did with religious wars.

INTERNATIONAL ORGANIZATIONS AND DEMOGRAPHIC LAW OF INTERDEPENDENCE OF STATES.

The tendency toward this demographic law of interdependence of States is shown by the large number of international organizations such as congresses or conferences which are held from time to time in different countries of the world. From the Conference of Vienna (1815) to the present time there have been some two hundred or more international congresses, the majority of which had to do with regulation of economic and sociologic affairs. Thus manufacturers, merchants, and capitalists of different countries have met and made agreements to control and regulate production and distribution of merchandise.

There is also the Universal Postal Union, which is an illustration of international control or government. Objections are sometimes made against international government, which were made years ago against the International Postal Union. It now has a constitution obeyed by all nations. Refusal to obey would deprive a country of the benefits of the union. As a matter of fact, no country has done this.

POWER OF INTERNATIONAL ORGANIZATIONS.

If there were an international organization for war as well as for postage, and one or two nations should refuse to obey the decisions of a majority, or three-fourths of the organization, each of these recalcitrant nations could be boycotted economically and in many other ways by the remaining member nations. It is very doubtful if any nation would take such chances.

Any international organization helps toward peace by making action less precipitate, for if it were known in advance that a conference were to take place, this would tend to make nations less disposed to go to war. In fact, all international conferences, like the International Congress of Criminal Anthropology, tend to intellectual, moral, and sociological solidarity between nations, in accordance with our demographic law of interdependence. (See Equation of law later on.) This International Congress of Criminal Anthropology, for instance, consists of some four hundred university specialists in anthropology, medicine, psychology, and sociology, who come from almost all countries of the world.

In the eighteenth century international relations consisted of diplomatic conversations and were regulated by an occasional treaty, but, owing to the very inadequate means of communication, few international relations were required. In the nineteenth century the change in international conditions was very great. When international organizations represent some actual phase of life, whether educational, commercial, or scientific, they really regulate their relations between nations and are often organs of international government. In short, international conferences and congresses act like legislatures between nations.

If conferences had been in vogue and one had been held concerning the dispute between Austria and Serbia, very probably there would not have been any war, because, if for no other reason, the diplomats would have seen that it might lead to a general war in Europe, and as no nation cared to take that responsibility the diplomatic procedure would doubtless have been modified. Thus the conference over the Morocco question killed it as a cause of war.

This and other practical examples of government between nations show that the great success, convenience, and benefit to all nations encourage the further development of international organizations. The difficulties and dangers predicted have not come to pass. International administration has come in the cases of railroads, ships, and automobiles. An elaborate international government has come (through treaties) in public health and epidemics, and international notification of the presence of disease has been made obligatory.

SOVEREIGNTY DECREASES ACCORDING TO THE DEMOGRAPHIC LAW OF INTERDEPENDENCE OF NATIONS.

The old idea of the independence of the State, mingled with that of sovereignty, prestige, and honor, and exaggerated by false patriotism, although limited more and more by conditions of civilization, is one of the main obstacles to the development of international organization and government.

The habit of holding conferences or congresses would get the people to expect international government and insist on it, and any country would hesitate long before refusing to agree to a conference.

The idea that sovereignty is destroyed because a nation is not absolutely independent belongs to the old régime, when many modern means of communication did not exist. In those days of comparative isolation there was reason for much independence, but now countries are so closely connected, as we have seen, that their independence and sovereignty are necessarily limited, while their interdependence has increased to such an extent that what benefits or injures one benefits or injures the other. Thus it is to the advantage of each State to give up some of its sovereignty, just as it is for the individual to give up some of his freedom to the community for privileges much greater than the loss of his so-called independence. It is well known how the States of our Union have gradually yielded more and more of their sovereignty to the Federal Government. Thus sovereignty decreases according to our law of the interdependence of States.

CAUSE OF WAR NOT NECESSARILY ECONOMIC.

It is frequently asserted that after all the main cause of most wars is rivalry in trade and commercial friction; in short, it is economic. But it is a curious fact that commerce and industry are the most insistent on international rules or law to reduce all friction to a minimum, for peaceful trading is a general benefit to all concerned.

It might be stated in this connection that in historical and political as well as physical science there is no one cause of anything, but a chain of causes; for the more we study the world the closer we find it related; nothing is nor can be really alone. When we single out a cause we mean the predominant one, and which is the strongest link in the chain of causes becomes a matter of opinion, owing to our limited knowledge of international psychology.

Commercial systems of the world have brought nations closer together, but political relations have remained much the same; that is, the advances in diplomacy have been very few in comparison with the growth of economic relations which makes for peace rather than war.

NO INTERNATIONAL GOVERNMENT; NO LASTING PEACE.

That the lack of international government means international anarchy may be illustrated by some recent events. Owing to the struggle of Serbia for expansion, Austria feared the seizure of its own territory and loss of some of its population, and so refused to accept mediation, because the Hapsburg monarchy being reported declining, she must counteract this impression by showing vigorous action. The success of Austria would be regarded by Russia as a threat to herself, but a defeat of Austria by Russia would be a defeat for Germany, and a German defeat for Russia and France would be regarded as a defeat for England. Thus the lack of any international government or organization made cooperation for peace almost, if not quite, impossible. England might have said to herself, among other reasons, "If I stay out of the war, Germany may overrun France and Belgium, resulting in a union of the French and German Navies, but we are an island, and it would not do to risk the danger of such a combination."

Frontier questions have perhaps been the main cause of more wars in history than anything else. But in the course of events such questions have come to be settled without resort to force, which is a change from national to international government.

NATIONALISM MAY CONFLICT WITH THE PEOPLES' INTEREST.

Another nationalistic anachronism is the geographical standard in governmental matters. But intercommunications are so many and so close that geographical relations have few reasons to be considered. Individual and racial interests are less geographical and more sociological. But governmental matters have not developed near so fast as sociological conditions.

Nationalism more often represents the interests of the few rather than the many. Unfortunately it is easy to bolster up a narrow and selfish nationalism by appeal to the patriotism of the masses who fail to understand the conditions and support the interests of a few against their own vital interests. While anarchy between nations (nationalism) makes future wars probable, anarchy within nations can be easily stopped by doing justice to the masses.

WAR WORST METHOD OF SETTLING DIFFICULTIES.

An egotistical, selfish, and narrow nationalism, the basis of international anarchy, has been demonstrated a partial, if not complete, failure by the condition in which Europe is to-day. War, though only one of many methods for settling difficulties between nations, has, nevertheless, been the main one. There is a strong desire among the people to substitute some other method.

Generally a nation has two things to consider—one is what it wants; the other whether it can enforce its wants. This is the usual nationalistic dilemma, but our demographic law of the interdependence of nations assumes that each country will respect the other countries and be willing to consider their wishes at least in vital matters.

Where the differences between two nations have threatened the peace of Europe it has been felt that such a matter was more than a national question; in fact, passed over into the international realm, and so conferences have been called which to a certain extent recognized the principle of interdependence and have enforced its decisions by blockade if not by more warlike means. If a nation adopt the methods of force, it is appealing to international anarchy, which causes nations to break international law much more readily than otherwise. In fact, military necessity knows no law.

It may seem odd that conferences are so often called for war instead of for peace. But it is necessity that often rules; the wheel in the machine is not examined until it is out of order, human beings were never studied scientifically until they became lunatics or criminals. So peace seems to have been little thought of until danger of war appeared. Peace is like good health, we do not know its value until we lose it.

SECRET DIPLOMACY INSIDIOUS.

All treaties between nations should be published in order to make the diplomacy of intrigue and deception impossible or at least most difficult to carry into effect. Secret diplomacy enables those who want war to bring something to light suddenly and cause excitement and fear among the people and thus drive them into war before they understand what they are doing. The psychology of fear shows its power in producing apprehension by catch phrases, such as "the crisis is acute," or "there is panic on the stock exchange," or "negotiations may come to an end," or "an ultimatum has been sent." Patriotic as well as fear inspiring phrases are published broadcast leading the people into war, but they must always be made to believe that it is in defense of their country, whether it is or not.

But open diplomacy and international conferences prevent insidious methods of producing excitement; they also give the people time to think and avoid precipitate action; also facts are brought to light that otherwise might have been concealed by those desiring war.

COMPETITIVE ARMAMENTS LEAD TO WAR.

Competitive armaments, for which the masses are compelled to pay and by which they are killed, hasten the probability of future wars. Great armaments lead to competitive armament, which experience shows to be no guaranty of peace, for it makes a nation feel so well prepared for war that when a dispute arises, and it is thought a few days' delay may give the enemy an advantage that might never be regained, the enemy must be attacked at once. Thus Austria refused to extend time to Serbia nor would she take part in a conference of ambassadors nor respond to the Serbian note to refer the dispute to The Hague. So Germany refused a similar proposal to the Czar on July 29 and allowed Russia but 12 hours to answer the ultimatum. Russia had begun to mobilize and Germany's fear, if the proposal for pacific settlement were accepted, Russia would get the start and gain a military advantage probably caused Germany to strike at once. Thus such preparedness actually prevented any chance for even discussion of a peaceful settlement. Also the knowledge that Russia's Army and Navy were to be increased and strategic railroads built and that France was about to reintroduce three years' military service may have caused Germany to think it imprudent to delay an inevitable war any longer.

PERMANENT PEACE HINDERED BY SPIRIT OF HATE.

There can be no permanent peace so long as the idea of crushing this or that nation prevails. The question is not national, but international. The nationalistic spirit of hate may be temporarily useful in stirring up a country to fight better, but it does not tend toward a lasting peace. In the study of war we should seek the causes, be impersonal, and neither condone nor accuse. The scientific investigation of war comes under the head of criminal anthropology, one of the purposes of which is by knowledge gained to lessen or stop war permanently rather than discuss the ethics of war involving the spirit of hate and vengeance.

NO PERMANENT PEACE WITH NATIONALISM ALONE.

The existing conditions between nations are somewhat like as if a State had rules and laws as to what to do when murder and riot occur, but no laws to prevent murder and riot, or, if there were laws, no power to execute them.

From the theoretical point of view these irrational and abnormal conditions are evident, and yet they have been considered normal conditions for ages. This is indicated by the remark of a diplomat, who said: "Things are getting back to a wholesome state again, every nation for itself and God for us all." As long as such an extreme and pathological form of nationalism exists no permanent peace is probable, if not impossible. Nationalism has had a long trial with comparative freedom, and one of its grand finales is the present European war.

A FEW SUGGESTIONS FOR PERMANENT PEACE.

It would go far beyond the purpose of this article to discuss the many methods proposed for establishing permanent peace, yet one may be allowed merely to note a few points. There might be established an international high court to decide judicial issues between independent sovereign nations and an international council to secure international legislation and to settle nonjudicial issues. Also, an international secretariat should be established. Some fundamental principles of such international control might be to disclaim all desire or intention of aggression, to pursue no claim against any other independent state; not to send any ultimatum or threat of military or naval operations or do any act of aggression, and never to declare war or order any general mobilization or violate the territory or attack the ships of another state,

except in way of repelling an attack actually made; not to do any of these until the matter in dispute has been submitted to the international high court or to the international council, and not until a year after the date of such submission.

PROHIBITIONS FOR RECALCITRANT STATES.

In order to enforce the decrees of the international high court against any recalcitrant State an embargo on her ships and forbidding her landing at any capital might be initiated. Also there might be instituted prohibition of postal and telegraph communication, of payment of debts due to citizens, prohibition of all imports and exports and of all passenger traffic; to level special duties on goods to such State and blockade her ports. In short, an effort should be made to enforce complete nonintercourse with any recalcitrant State.

Should a State proceed to use force to go to war rather than obey the decree of the international high court all the other constituent States should make common cause against such State and enforce the order of the international high court.

THE PSYCHOLOGICAL MOMENT FOR PREVENTING WAR IS SOON AFTER WAR.

If an absolute agreement among leading nations of the world never to resort to war could be obtained at the outset all other questions could be settled more justly and with fewer difficulties, for the consciousness that the supreme question was out of the way would relieve the psychological tension and afford opportunity for a more calm and careful consideration and adjudication of all other matters in dispute. It would be like the consciousness of the lawyer, when having lost his case in all other courts is content to let the United States Supreme Court settle it forever. This is due to the psychological power of the radiation of justice from the top downward.

Such an absolute and final agreement never to resort to war can be best accomplished right after the war, when all are sick of war and the very thought of it causes the suffering, wounded, and bleeding people to turn their heads significantly away with a profound instinctive feeling, crying out that anything is better than to go back to the old régime. In such a state of mind mutual concessions are much easier to make than later on.

The psychological moment to prevent such suffering of the masses from ever occurring again is soon after the war. It is a sad comment that the number and untold suffering of millions of human beings seem to have been required for the nationalistic spirit of Europe to be willing to follow international humanitarian ideas toward establishing permanent peace in the world.

THE HAGUE RULES ONLY SUGGESTIONS.

The diplomats who wrote the rules at The Hague Convention knew well that they might be more or less disregarded; they were only suggestions. As war assumes the right to kill human beings, what rights, then, have the victims left over that are worth mentioning? As to what way they are killed there is little use of considering, probably the quicker the better, for there is less suffering. If prisoners must starve, it is a mercy to shoot them. To regulate murder of human beings is more or less humbug. The thing to do is to try to abolish international anarchy and slaughter forever, and to accomplish this the egotism, selfishness, and narrowness of nations must be so modified that they are willing to make the necessary sacrifice.

EQUATION OF THE DEMOGRAPHIC LAW OF INTERDEPENDENCE OF NATIONS.

As already noted, our demographic law of the interdependence of nations is, that increase in the means of communication between States causes increase of their interdependence but decrease in their sovereignty. Just as a physical body consists of molecules of various kinds, so the State may be regarded as a psychological entity with citizens of various characteristics, and just as the density of a body is equal to its mass divided by its volume, so the density of citizenship is equal to the population divided by the land area.

If, therefore, we consider the States' adult population, as its mass (m) and the resultant aggregate increase of its means of communication as its velocity (v), and (t) as the time, then the psychological force (F) or interdependence of the State can be expressed by the familiar equation in physics F=mv/t; that is to say, the interdependence of a State is equal to its adult population (mass) multiplied by the resultant aggregate increase of its means of communication (velocity) and the product divided by the time (t).

The poundal unit of physical force is such a force as will move 1 pound (mass unit) at a velocity of 1 foot per second in one second of time.

Now, assuming the unit of citizenship of a State to be one citizen and the unit of the resultant aggregate increase of means of communication per annum in one year of time to be K, then

The statal unit of psychological force is such a force as will give one citizen (mass unit) one K unit (for convenience the K unit of annual aggregate increase of means of communication can be expressed in per cents. Taking some of the principal means of communication, and working out their annual average per cents of increase, we have for the United States during the census periods (1900–1910); annual average increase of passengers on railroads, 7 per cent; on street and electric railways, 3 per cent (1907–1912); of telegraph messages sent, 6 per cent; of telephone stations, 10 per cent. Combining these, the per cent of annual average aggregate increase will be 6.5 per cent, as value of K, assuming the percentages are equally weighted) of resultant aggregate increase of means of communication per annum in one year of time.

As yet there is no exact way to measure the sovereignty and means of communication of the State, but the psychological side of this physical equation may suggest a working hypothesis for our demographic law of the interdependence of States which may some time be useful in the realm of international psychology.

To measure the aggregate influence upon citizens of the many means of communication in a State (also, for illustration merely, let us take one of the principal means of communication, as steam railroads, and we find that the annual average increase in passenger-train-car miles for one citizen of the United States, from 1908 to 1914, to be 4.45, which is the value of K for steam railroads alone for period mentioned. In a later article the author will consider in detail the practical application of the equation) as steam, street and electric railways, telegraph and telephones, will require exact detailed knowledge of the mental, moral, and physical power of the individual citizen, the unit of the social organism. Such measurements might be made when psychology and sociology become sciences in the rigid sense. The underlying hypothesis in this equation is that both the psychological and physical mechanism of the world are under one fundamental law. (See article (by author) entitled "Anthropology of Modern Civilized Man" in Medical Fortnightly and Laboratory News, St. Louis, Mo., April, 1919; also chapter on "Emil Zola" in Senate Document (by author) No. 532, 60th Cong., 1st sess.)

If the reader believes the general ideas set forth in this study, let him or her aid the writer in a practical way and send a contribution to help circulate these ideas, not only in English and other languages but in other countries as well as the United States.

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LAWS OF REVOLUTIONS.

(Article (by writer) in Journal of Education, Boston, Mass., for Dec. 26, 1918.)

Scientific history teaches that without war many revolutions could never have taken place. One of the greatest problems of future government is to reconcile democratic equality with hereditary inequality among the people. Governments differ much more in form than in substance, and make progress when the resultant activities of the citizens direct and control them.

With this in mind, a few principles of revolutions may be instructive in connection with the present European situation.

1. The causes of revolutions are summed up in the word "discontent," which must be general and accompanied with hope in order to produce results.

2. Modern revolutions appear to be more abrupt than ancient. Contrary to expectation, conservative people may have the most violent revolutions, because of not being able to adapt themselves to changes of environment.

3. Revolution owes its power to the unchaining of the people, and does not take place without the aid of an important fraction of the army, which usually becomes disaffected by power of suggestion.

4. The triumphant party will organize according to whether the revolution is effected by soldiers, radicals, or conservatives.

5. The violence is liable to be great if a belief as well as material interests are being defended.

6. For ideas which cause violent contradictions are matters of faith, rather than of knowledge.

7. If the triumphant party go to extremes, bordering upon absurdities, they are liable to be turned down by the people.

8. Most revolutions aim to put a new person in power, who usually tries to establish an equilibrium between the struggling factions, and not be too much dominated by any one class.

9. The rapidity of modern revolutions is explained by quick methods of publicity, and the slight resistance and ease with which some governments have been overturned is surprising, indicating blind confidence and inability to foresee.

10. Governments sometimes have fallen so easily that they are said to have committed suicide.

11. Revolutionary organizations are impulsive, though often timid, and are influenced by a few leaders, who may cause them to act contrary to the wishes of the majority. Thus royal assemblies have destroyed empires and humanitarian legislatures have permitted massacres.

12. When all social restraints are abandoned, and instinctive impulses are allowed full sway, there is danger of return to barbarianism. For the ancestral ego (inherent in everyone) is let loose.

13. A country will prosper in proportion that the really superior persons rule, and this superiority is both moral and mental.

14. If certain social tendencies appear to lower the power of mind, they, nevertheless, may lessen injustice to the weaker classes; and if it be a choice between mentality and morality, morality should be preferred.

15. A financial aristocracy does not promote much jealousy in those who hope to form a part of it in the future.

16. Science has caused many things once held to be historical to be now considered doubtful. Thus it is asked—

17. Would not the results of the French Revolution, which cost so much bloodshed, have been obtained without violence later, through gradual evolution? And were the results of the French Revolution worth the cost of the terrible barbarism and suffering that took place?

18. To understand the people in a revolution we must know their history.

19. The accumulated thought, feeling, and tradition of a nation constitute its strength, which is its national spirit. This must not be too rigid, nor too malleable. For, in the first place, revolution means anarchy, and, in the second place, it results in successive revolutions.

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WAR AND PEACE STUDIES.

By the Author.

Peace, War, and Humanity. Printed by Judd & Detweiler, Washington, D. C., 26 pages, 1915, 8°.

Comparative Militarism. Reprint from publications of the American Statistical Association, Boston, December, 1915, 3 pages, 8°.

Atrocities and Outrages of War. Reprint from the Pacific Medical Journal, San Francisco, April, 1916, 16 pages, 8°. Gives data for Civil War, Boer War, Bulgaria, and Russia and Germany, 16 pages, 8°.

Some Moral Evils of War. Reprint from Pacific Medical Journal, San Francisco, August, 1916, 8 pages, 8°. Refers especially to Boer War.

Reasons for Peace. Machinists' Monthly Journal, Washington, D. C., July, 1916, pages 708–710, 8°.

Choosing Between War and Peace. Reprint from Western Medical Times, Denver, Colo., 6 pages, 8°.

Statement of European War. Reprint from Pacific Medical Journal, San Francisco, Calif., February, 1917, 8 pages, 8°.

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Our National Defense. Testimony of American officers as to difficulties of invasion, and our coast defenses. CONGRESSIONAL RECORD for March 15, 1917; also, reprint, 10 pages, 8°.

Identification of Soldiers After Death and Head Measurements. Boston Medical and Surgical Journal, June 13, 1918; also, reprint 8 pages, 8°.

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Anthropometry of Soldiers. Medical Record, New York City, December 14, 1918; also, reprint 17 pages, 12°; also, in Our State Army and Navy, Philadelphia, April, 1919.

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Suggestions of the Peace Treaty of Westphalia for the Peace Conference in France. Journal of Education, Boston, Mass., March 27, 1919; also, in Open Court, April, 1919; also (in German) Milwaukee Herold. April, 1919; also (in Norwegian) in Amerika, May 16, Madison, Wis.; in "La Prenso" (Spanish), San Antonio, Tex., Lunes 19 de Mayo de 1919; "Nardoni List" (Croatian), June 8, 1919; also in "Rivista d'Ialia," Milano, April, 1919.
Disequilibrium of Mind and Nerves in War. Medical Record, New York City, May 3, 1919; also, reprint, 12 pages, 12°.

ARMY APPROPRIATIONS—CONFERENCE REPORT.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses upon the amendments of the Senate to the bill (H. R. 5227) making appropriations for the support of the Army for the fiscal year ending June 30, 1920.

The PRESIDING OFFICER (Mr. CURTIS in the chair). The Senator from Georgia [Mr. SMITH] is entitled to the floor.

Mr. KING. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	France	McNary	Smith, Ga.
Ball	Gerry	Phelan	Stanley
Calder	Henderson	Phipps	Sutherland
Chamberlain	Kenyon	Pomerene	Thomas
Curtis	King	Ransdell	Trammell
Dillingham	Kirby	Robinson	Wadsworth
Fall	La Follette	Sheppard	Walsh, Mass.
Fletcher	McKellar	Smith, Ariz	

The PRESIDING OFFICER. Thirty-one Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. CAPPER, Mr. JONES of New Mexico, Mr. KENDRICK, Mr. LENROOT, Mr. NUGENT, Mr. STERLING, Mr. WALSH of Montana, and Mr. WARREN answered to their names.

The PRESIDING OFFICER. Thirty-nine Senators have answered to their names. There is not a quorum present.

Mr. WADSWORTH. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

Mr. HARRISON, Mr. HARDING, Mr. FRELINGHUYSEN, Mr. KNOX, Mr. ELKINS, and Mr. FERNALD entered the Chamber and answered to their names.

After some delay, Mr. KELLOGG, Mr. LODGE, Mr. SMOOT, Mr. BECKHAM, Mr. MCCUMBER, and Mr. GAY entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. There is a quorum present.

Mr. SMITH of Georgia. Mr. President, in considering this report we should not mislead ourselves at all as to what the Army is to be. It is 240,000 men; that is all. The "average" proposition counts for nothing, except to let us understand that for the next three months we are demobilizing troops. What we are really to have is an army of 240,000 men the last nine months of this year.

Mr. President, I think it is as unwise a performance to limit the Army to 240,000 men for the last nine months of this year as it was in 1916 not to create an army. If we had had any vision in 1916, we would have created an army; and if we had created an army of 750,000 men then, we would have ended the war in 1917, and the cost to the country and the loss of life would have been vastly less than it was.

Mr. President, I desire to discuss this subject really at an hour when Senators are not at dinner.

Mr. KING. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Utah?

Mr. SMITH of Georgia. I do.

Mr. KING. This is a very important question. I confess I did not know that the reduction was to the low level indicated by the Senator from Georgia. In the light of his statement, I feel that it is so important that other Senators ought to be present to listen, if not to participate in the discussion.

Mr. SMITH of Georgia. Why should we not take a recess?

Mr. KING. I was going to suggest a recess until we have dinner.

Mr. THOMAS. Mr. President, let me ask the Senator a question. Does he intend to resist the adoption of the conference report?

Mr. SMITH of Georgia. I shall submit my views to the Senate and vote against it myself.

Mr. THOMAS. The Senator proposes to vote against the conference report?

Mr. SMITH of Georgia. Yes.

Mr. THOMAS. And to speak in advance of the vote?

Mr. SMITH of Georgia. Yes.

Mr. KING. I ask, if the Senator from Georgia will pardon me, if the Senator having this bill in charge will not consent to a recess until eight o'clock?

Mr. LODGE. Mr. President, I think I had better state the situation frankly to the Senate.

It is expected that the sundry civil bill will be here at half past eight; and I had intended to ask for a recess until that time, not knowing that the Senator from Georgia had not spoken. When that bill comes over and is disposed of, nothing will then remain but the enrollment and signature of the bills, and I shall have the concurrent resolution from the House, which I am told they are passing now, for a week's recess; and I am afraid that if we do not go on and finish the Army bill the whole thing may fail. I do not think we ought to waste the time. If there are to be more speeches, I am perfectly willing to stay here and call for a quorum.

Mr. SMITH of Georgia. I will go on now, under the circumstances. What I desired to do was to emphasize the proposition that we are reducing the Army to 240,000 men, and that the other figures are mere incidents to demobilization.

In 1916, Mr. President, we left ourselves without an Army. What is the situation at present? There are 21 wars going on in Europe, so I see it stated upon the authority of Bonar Law in the afternoon paper.

What is the situation in Mexico? In 60 days, at almost any time, we may be called upon to protect the American interests there. Some of us think there have been a number of occasions already when it might have been done with propriety. I am one of them.

If we adopt the league of nations, the responsibility is on us to take care of the territory of Poland, Roumania, and both the Slav countries, and they are all in war to-day. If we do not adopt it, then easily we may be drawn into trouble in Europe or elsewhere.

We know the situation in the Orient, with Japan taking over 40,000,000 of Chinamen, and an intense feeling existing there. I think it is a lack of intelligence on our part—of vision, to put it mildly—to reduce the Army, under these circumstances, to 240,000 men. At least we ought to keep an Army of 400,000 men for the next 12 months. When these conditions change, we may come to a permanent Army of 240,000 men or less; but to-day the world is in a state of disturbance. Germany has signed terms of peace; that is true; but Austria has not.

Mr. KING. Nor Bulgaria, nor Turkey.

Mr. SMITH of Georgia. Nor Bulgaria, nor Turkey. Why, Senators, we have built up an Army; we have gone to an enormous expense to do so; we have spent great sums of money, on account of the rapidity with which it had to be done, and on account of not realizing the danger at least 12 months before it came upon us. If we had organized in 1916 an Army of 500,000 men advocated at the time by the Senator from Connecticut [Mr. BRANDEGEE], who sits in the chair, and by myself, when we opposed an Army bill that contemplated the enlargement of the Army during a five-year period, insisting that what we needed was an Army immediately, not five years off, we would have saved to our country at least half the cost that this war has brought on us; we would have saved probably three-fourths of it; and, still more important, we would have saved many, many lives.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). Does the Senator from Georgia yield to the Senator from Colorado?

Mr. SMITH of Georgia. I do.

Mr. THOMAS. I hope the Senator will emphasize the fact that it is not the fault of the Senate that this reduction has been made. The bill reported by the Senate Committee on Military Affairs recognized the importance and seriousness of the condition which the Senator has so eloquently described. It presented for the consideration of the Senate a very different bill, a bill which was cut to the bone as far as existing conditions justified the cutting, but which by no means recognized or made possible the unfortunate action of the committee of conference, which I understand to be the only and the best thing we can hope for. The Senate has done its duty.

Mr. SMITH of Georgia. Yes, Mr. President; but I think the Senate should insist still further, and I believe that if we should reject the conference report and let the Members of the House understand that we vision the situation, and can not submit to such legislation, we may then pass the legislation we believe to be essential. I think we had better give up our recess for the present week, and stay here and press this proposition upon the House, and win it.

Poland is involved in several wars—on the east, two; on the west, certainly one; Roumania in several; Serbia in several; the Czecho-Slovaks are in conflict; Russia is in a state of turmoil. I do not know whether we are engaged in war with Russia or not. We have had troops in Russia, fighting. No peace has been concluded. No peace has been concluded with Austria; none with Turkey.

The War Department may have lacked vision in 1916, but the War Department has asked for 500,000 men at the present time. The War Department is not chargeable with lack of appreciation of the situation. In the bill as it stands we have cut the recommendation of the War Department down more than half. We have practically scrapped what we have done during the past two years. We have put our organization where it is worth little, except for police purposes here at home, and not quite big enough for that. The voice of the United States will be little heeded abroad if we again show our indisposition to be prepared for emergencies.

I wish to enter my earnest protest against such a course. I understand we are told that the House will not agree to the figures presented by the Senate. I thought the Senate figures were a little too conservative when the bill was brought in by the committee, but I do believe we should not yield to less than the Senate figures; and a discussion of the subject and a presentation of the subject would make the House realize that there might be a hysteria for a false economy.

Mr. KING. Mr. President, will the Senator yield?

Mr. SMITH of Georgia. Yes.

Mr. KING. I agree with very much of what the Senator has said. I do not quite agree with all of the implications of the last statement. We have exhibited in this bill a hysterical tendency toward economy that I do not think is warranted; but in other bills that we have passed we have shown a devotion to extravagance, and to the building up of bureaus and agencies and executive instrumentalities, that was wholly unworthy a proper spirit of economy, and shows that we have not the perspective to differentiate between proper economy and false economy. In this bill I think we are pursuing a course that is injurious to our country, to its peace and to its welfare. In other bills we have exhibited an extravagance, a false conception of the obligations resting upon us, which I think is quite inexcusable.

Mr. SMITH of Georgia. Mr. President, I am very much opposed to any action that reduces our Army to 240,000 men at this time. I think it would be better for us to stay here and keep up a struggle with the House rather than to put the Army at 240,000.

CANTONMENTS.

Furthermore, Mr. President, there was a provision in the bill, which the Senate committee put in, to the effect that where Government work was in process of construction and where there was a necessity for its completion it could be completed. That has been stricken out. Nothing of that kind can be done now, except for industrial plants, unless the completion is to salvage the enterprise.

Mr. President, we have built a number of cantonments that ought not to be scrapped. We have built a number of cantonments that are valuable for use even in time of peace.

These cantonments in many instances have taken over small farms of valuable land. They have destroyed their value for anything except cantonment purposes. They have macadamized the farms. They have transformed them into rock and sand.

May I ask the Senator from New York what became of the appropriation for vocational training?

Mr. WADSWORTH. The House appropriated $10,500 for vocational training of soldiers of the Army. I need not remind the Senator that that vocational training under the statute must be offered to every soldier in the Army, and of course the item was utterly inadequate and meant that there would be none. The Senate passed it at $5,000,000, and the best the Senate conferees could bring the House to was $2,000,000.

Mr. SMITH of Georgia. These cantonments are splendid places for the conduct of these schools for privates. Of course hereafter, where it is found advisable, these pieces of ground can be bought, but if you turn them back to their owners the damage done the property is equivalent to its value. Your options in many instances would buy the land upon which the Government has erected buildings, making them permanent Government property for as little as it would cost to pay the damage, for where you change a farm into a body of sand and rock by macadamizing it you have destroyed it for any use except the new use to which you have put it.

The Senate very wisely put in a clause that permitted the purchase of tracts of land under such conditions. I presume even if the law is left as it is the department will not proceed at once to salvage these cantonments and undertake to settle for the damage done to the lands, which will be equivalent to the value of the lands, but will wait for further action by Congress.

CAMP BENNING.

A good deal of prejudice was gotten up on account of a camp in my own State, Camp Benning. This prejudice is largely due to lack of correct information. I wish to refer to that and to ask for the privilege of putting in the RECORD in connection with my remarks some records on the subject.

Let us see what that camp was for. It was for the joint practice in small arms, grenades, cavalry, machine guns, and tanks. It was to bring together all branches of the Infantry and all the Infantry into one camp, to train it together. At whose instance was it done? At the instance of Gen. Pershing.

I ask leave to print from Gen. Pershing his urgent request to the War Department starting back in the latter part of 1917 and pressing upon the staff here continually the necessity for organizing training schools in rifles, in small arms, and a training school of the character which was establishing at Benning.

The PRESIDING OFFICER. Without objection, leave is granted.

The matter referred to is as follows:

The military necessities are illustrated from the official cables of Gen. Pershing on the subject, beginning almost with his first cable to this side, No. 85, of August 8, 1917.

"Paragraph 3. Study here shows value and desirability of retaining our existing small arms target practice courses. In view of great difficulty in securing ranges in France due to density of the population and cultivation recommend as far as practicable the complete courses be given in United States before troops embark. Special emphasis should be placed on rapid fire."

Again, on September 25, 1917, cable No. 178:

"Paragraph 1. Referring paragraph 3 my number 85, longer experience conditions in France confirms my opinion highly important Infantry soldiers should be excellent shots. Thorough instruction and range practice prescribed our small arms firing manual very necessary. Our allies now fully realize their deficiency in rifle training. Difficult secure areas for target ranges in France even now when crops off ground. Much greater difficulty soon when plowing begins. After ground secured in France considerable time required for troops to construct ranges and improvise target material. In theater active operations this time should be available for intensive training new weapons and formations. Therefore strongly renew my previous recommendations that all troops be given complete course rifle practice prescribed our firing manual before leaving United States. Specialty of trench warfare instruction at home should not be allowed to interfere with rifle practice nor with intensive preliminary training in our schools of soldiers, companies, and battalions."

Again, on October 21, 1917, his cable No. 228:

"Paragraph 16. * * * Recommend that instruction of divisions in United States be conducted with a view to developing the soldiers physically and in knowledge of sanitation, inculcating high standards of discipline, producing superior marksmanship both on the range and in field firing exercises in large bodies. Close adherence is urged to the central idea that the essential principles of war have not changed, that the rifle and bayonet are still the supreme weapons of the infantry soldier and that the ultimate success of the Army depends upon their proper use in open warfare. * * *"

The next is dated December 22, 1917, his No. 408:

"Paragraph 1. Reference training of troops in United States, deficiencies noted here indicated, first, great laxity on the part of division and brigade commanders in requiring officers to learn their duties or to perform them efficiently; second, almost total failure to give any instructions in principles of minor tactics and their practical application to war conditions. Officers, from colonels down and including some general officers, are found ignorant of the handling of units in open warfare, including principles of reconnaissance, outpost, advance guard, solution of practical problems, and formation of attack; third, no training whatever has been given in musketry efficiency as distinguished from individual target practice on the range. Many officers of high rank are hopelessly ignorant of what this training consists of.

"Subparagraph B. Suggest that important work in practical application of tactics and thorough training in musketry for all units be taken by Maj. Gen. John F. Morrison, and that these subjects be presented to our troops in great detail by his office; also that all officers of whatever rank, including those in Regular Army, be held up to a high standard of accomplishment. Many of our high regular officers do not know how to instruct men practically and they should either be compelled to learn or be removed.

"Subparagraph C. I would recommend Maj. Gen. Richard M. Blatchford, National Army, as assistant to Maj. Gen. John F. Morrison as Gen. Blatchford's experience in musketry should be invaluable. Too much importance can not be placed upon this sort of training as exemplified in our school of musketry at Fort Sill, Okla., the elements of which should be thoroughly pounded into our Infantry. Pershing."

Mr. SMITH of Georgia. In his testimony before the Military Committee of the Senate Col. Mumma stated:

I might say, by way of diversion, that those duties which were recommended to be placed upon Gen. Morrison and Gen. Blatchford were placed upon Col. Ames and myself, and we were directed to carry out the instructions in the recommendations in this cablegram.

CABLE FROM GEN. PERSHING.

No. 952. APRIL 19, 1918.

Subparagraph 1F. Great battle now raging makes certain that too much trench warfare militates against successful conduct great operations. Morale troops long accustomed duty in trenches lowered thereby. When driven into open men have feeling nakedness and helplessness. Current great battle also emphasizes extraordinary value highly trained riflemen and machine gunners.

Subparagraph 1G. Recommend therefore following outline for training in United States: Thorough instruction in marksmanship to in-

clude known distance firing for all men to 600 yards and in battle practice after method school musketry. Production excellent close-order drill gain of high discipline. Thorough instruction both officers and men in open warfare. Small units should be thoroughly grounded in patrolling in all forms of ——— and in attack and defense of minor warfare. Problems for such should customarily be prepared by next higher commander.

PERSHING.

No. 990. APRIL 25, 1918.

Paragraph 2. Reference target practice have been informed that none of our troops have had practice above 300 yards. Consider this very grave oversight that should be corrected as soon as possible. Target practice should embrace instruction in skirmish firing and practical application of the principles of fire direction, control, and discipline, with especial emphasis upon instruction of your officers in musketry as applied to tactical problem in open warfare. Request advice as to action taken upon above recommendations, and also information regarding what instruction has been carried out in divisions to come over within the next three months.

I will not stop to read what Gen. Pershing says upon the subject, but in several communications, cables to the staff here, he stated that the war must be won in the open field, not in the trenches, and that his officers must be trained in open warfare, with a thorough knowledge of the technic of riflery, single and compact shooting; that it was absolutely essential to train the officers for the service, that they had not been trained, that scarcely any of them had been trained, that he was training them the best he could over in France, but that they needed thorough training at once in this country to become proficient.

The War Department appointed a board to study the question. I have here a statement from military experts showing what was required. It is found in the record of the hearing before the Senate Committee on Military Affairs and was presented by Col. Ames. I ask to put it in the RECORD.

The PRESIDING OFFICER. Without objection, the request is granted.

The matter referred to is as follows:

REQUIREMENTS OF A SITE FOR THE INFANTRY SCHOOL OF ARMS.

Climate.—The climate must be such as to permit open-air training the year around. This is necessary on account of the length of the course and the succession of courses necessary for an economical use of the plant. To lose a course during the winter months means the idleness of an expensive plant for at least one-fourth of the time.

There should be an absence of blizzards, hot winds, dust storms, glare, high winds, excessive heat, and excessive cold.

The rainfall should not be excessive, the admissible amount depending largely upon the soil. Rains do not stop work unless the ground becomes miry or water-soaked.

The nights must be reasonably cool in summer because of the classroom work and study periods that are scheduled after dark.

Health.—The locality should be free from endemic diseases, mosquitoes, and other conditions injuriously affecting the health of the troops or difficult or expensive of correction.

Soil.—The soil should be light and porous, sandy enough to avoid mud and mire in rainy weather, but firm enough to stand well in trenches to avoid the expense of revetting.

Cost.—The cost of the land should not exceed an average of about $20 per acre, including improvements except at the cantonment site proper where the cost may be higher.

Urban requirements.—The post should be near enough to a city of at least 25,000 to afford the necessary amusements and relaxation to men and officers as well as to afford a mart in which may be bought those necessaries for personal and community existence. The larger the city the better from a psychological point of view, but from a material point of view it is necessary only that it be large enough for the purposes outlined.

The post should not be more than about 8 miles from the city in order to avoid expense in transportation of persons and materials and to avoid loss of time in transit.

Transportation.—There should be railroads upon the boundaries and through the reservation in order that the expense of truck transportation may be lessened by the use of shuttle trains in distributing students through the area. There should also be enough good roads suitably disposed to facilitate distribution of students by truck and these roads should be firm enough to resist ordinary trucking and inexpensive of repair and reconstruction.

Topography.—The topography of the post site proper should be such as to avoid expensive grading of building sites and roads, but diversified enough to avoid a monotonous aspect. It should be well drained and be adjacent to a suitable site for a target range. (About 5 square miles.)

The requirements of the target range are that it should be level and about 2 miles long at the firing line by ½ of a mile in depth in the direction of fire. The direction of fire should not be within 60° of east nor 90° of west, this direction of fire being a very particular point. It should be toward the north if that direction does not result in making unfavorable the constant winds. Winds should blow from one side rather than in the plane of fire. The soil here is important if the climate is rainy, as the firing lines should be usable immediately after the heaviest rains. Ground water should not exist at less than 5 feet in order that the necessary pits may be dug without excessive expense for draining.

The field firing range should be similar to any good maneuver ground. Diversified with hills, valleys, meadows, villages, streams, roads, etc.

Water.—There should be available on or very near to the building site a supply of not less than 1,000,000 gallons of clear, potable water that may be piped to the site without any unusual cost for piping, treatment, or pumping. Throughout the firing area there should be a number of streams of potable water for use during the day.

Farm lands.—Near the post there should be available an area suitable for truck farms on which the fresh vegetables used by the troops may be grown and pasturage sufficient for the milk herds attached to the post should be available near water and shade.

Geographic location.—In order to avoid expense of transportation of students and of supplies, the school should not be located in the extreme East or West. In order not to lose valuable time in the winter months, it should not be located in the far north. Located in the center of the United States as nearly as may be in view of the other requirements, it should be on at least two railroads with adequate service and schedules, with railroad yards for storing equipment pending a movement of troops, and so located as to avoid the use of Pullman equipment as far as possible.

There should be good markets, refrigeration plants, and like necessities from the viewpoint of subsistence and the general location should be fixed with due regard to the distance from the arsenals and munition factories from which come the bulk of the supplies for the school.

The post proper should not be near, but at the target range, and should be central with relation to the area used for field firing order to minimize the amount of transportation necessary to distribute the classes of their work.

Of all the places examined in the "center of the United States," none approached Columbus in the number of requirements met by the site.

Mr. SMITH of Georgia. The camp was located as a result of expert study. It has been suggested that political influence had something to do with it. I did not know a study was being made by a board at the time, and I do not know who the officers were on the commission, except as some of their names were mentioned at hearing long after they selected Benning.

Subsequently the subject was submitted to a second board. They visited half a dozen places that had been recommended and confirmed the first report and recommended Benning. Col. Ames inspected Benning, he having had more experience in this line of work than nearly anyone in the army. He approved it. Col. Brookheart and Maj. Critchfield, of the National Guard, experts in this line of work, approved Benning enthusiastically. Gen. Pershing recommended Gen. Blatchford to study the problem and aid. He visited Benning and approved it. So the location was the unanimous choice of different commissions intrusted to find a location best suited for the purposes intended.

Any impression that politics had anything to do with the selection is without foundation. It was entirely the work of members of the staff and officers exercising their best judgment to serve their country.

I have put in the RECORD the report furnished by Col. Ames, of officers showing why this camp should have been selected. I was in Columbus shortly after Congress adjourned, and Col. Ames took me over the camp and showed me his reasons for the selection. I saw a broad area of some 18,000 acres, perfectly level and perfectly suited, without grading, for quarters, and the balance about as changeable as could be, a pretty little valley with hills all around it, gentle slopes, steep slopes, a most varied topography, with ample water, stretching from the riverside.

CONDEMNATION PROCEEDINGS BEGUN BEFORE ARMISTICE.

Mr. President, when Camp Benning was referred to a few days ago it was stated that the War Department began proceedings after the armistice to condemn this property. That was a mistake. *I have a copy of the procedure instituted by the district attorney to condemn this property. It was filed November 2, 1918. I ask permission to put that into the Record.*

The PRESIDING OFFICER. Without objection, the request is granted.

The matter referred to is as follows:

PROCEEDINGS TO CONDEMN LAND.

In the District Court of the United States for the Northern District of Georgia, and the western division thereof. The United States of America *v.* One hundred and fifteen thousand acres of land (more or less) in counties of Chattahoochee and Muscogee, Ga., M. A. Anthony and others. No. 42 at law. Original petition to condemn filed in clerk's office November 2, 1918. Hooper Alexander, Esq., United States attorney. Copy for service on W. C. Bradley.

To the district court of said division and district:

The petition of the United States brought by Hooper Alexander, United States attorney for said division and district, acting under the instructions of the Attorney General and at the request of the Secretary of War, respectfully represents to the court as follows:

1. That by an act of Congress approved July 2, 1917, it was provided that hereafter the Secretary of War may cause proceedings to be instituted in the name of the United States in any court having jurisdiction of such proceedings for the acquirement by condemnation of any land needed for the site, location, construction, or prosecution of works for military training camps, such proceedings to be prosecuted in accordance with the laws relating to suits for the condemnation of property of the States wherein the proceedings may be instituted; with a proviso that when the owner of such land shall fix a price for the same which, in the opinion of the Secretary of War, shall be reasonable, he may purchase or enter into a contract therefor at such price without further delay; and with a further proviso that when such property is acquired in time of war or the imminence thereof upon the filing of the petition for condemnation of any land for any of the purposes aforesaid, immediate possession thereof may be taken and the lands may be occupied and used for military purposes, and the provision of section 355 of the Revised Statutes, providing that no public money shall be expended upon such land until the written opinion of the Attorney General shall be had in favor of the validity of the title, shall be suspended during the period of the existing emergency.

2. That on the 24th of October, 1918, a state of war existed between the United States and the Imperial German Government, and between the United States and the Government of the Austro-Hungarian Empire, which state of war still continues.

3. That on the 24th of October, 1918, the Secretary of War elected to cause proceedings to be institute in the name of the United States, in a court having jurisdiction of such proceedings, *for the acquirement by condemnation of the fee simple title* to a large body of land lying in the counties of Muscogee and Chattahoochee, in the State of Georgia, and needed for the site, location, construction, and prosecution of works for a military training camp and camps, and for the purpose of carrying said election into effect did request the Attorney General of the United States to cause condemnation proceedings to be instituted for the acquisition thereof, the need for immediate possession of the same being at that time and now continuing to be urgent.

4. That thereupon, under date of October 25, 1918, the Attorney General directed the United States attorney for the northern district of Georgia, in which district said counties lie, to institute proceedings in accordance with the wishes of the Secretary of War as expressed in the request of October 24, 1918, made as aforesaid by the Secretary of War.

5. Said lands are needed by the United States for the purposes indicated and alleged in the third paragraph of this petition.

6. Included within the body of land which the Secretary of War so desires condemned and acquired, and constituting a part thereof, are certain lands lying in the counties of Muscogee and Chattahoochee, in the State of Georgie, in said Western Division of the northern district of Georgia, included within a boundary described as follows: Commencing at a point in land lot 79 of the seventh land district of Muscogee County where the northern margin of Upatoi Creek intersects with the Chattachoochee River; running thence in a direction generally eastwardly along the northern margin of said Upatoi Creek, upstream and with the meanderings thereof, through lots 79 and 78 of said land district, to the point where the northern margin of said Upatoi Creek intersects the land lot line that divides lots 78 and 83 on the west, from lots 77 and 84 on the east; thence northwardly along said land lot line between lots 59 and 78 on the west, and lots 60 and 77 on the east, to the point at the northeast corner of lot 59, where the Lumpkin Road leaves the land lot line; thence along the Lumpkin Road and with the meanderings thereof, in a direction generally north, through lots 54, 37, 30, 13, and 9, to and across the waters of Bull Creek and to the northern or western margin of said creek; thence in a northeasterly direction along the said northern or western margin of said Bull Creek, to the district line separating lot 9 of said seventh district from fractional lot 85 of the Coweta Reserve; thence easterly along said district line until it reaches the southeastern corner of fractional lot 104 in said Coweta Reserve; thence north along the land-lot line separating fractional lot 104 from fractional lot 105 in said Coweta Reserve, and along the eastern boundary of lots 103, 102, 101, 100, 99, and 98 to the northeastern corner of lot 98; thence west along the northern boundary of lot 98, lot 91, and part of lot 78 to its intersection with Lawyers Lane; thence north and northwest along Lawyers Lane to the Macon Road in land-lot 77; thence northeast along the Macon Road through lots 77, 76, and 93 until it intersects the land-lot line which is the northern boundary of land lot 93 aforesaid; thence eastwardly along said land-lot line, and along the northern boundary of lots 93, 96, 113, 116, 133, 136, and fractional lot 153, to the district line, which is the eastern boundary of the Coweta Reserve; thence north along along said district line a short distance to the southwest corner of lot 10, and the northwest corner of lot 11 in the ninth land district; thence eastwardly along said land-lot line, along the northern boundary of lots 11, 22, 43, 54, and 75 of said ninth district, to the northeastern corner of said lot 75; thence northwardly along the land-lot line, which is the western boundary of lots 87, 88, 89, and 90 of said ninth district, to the northwestern corner of lot 90; thence eastwardly along the land-lot line which is the northern boundary of lots 90, 103, 122, 135, 154, 167, 186, 199, 218, 231, and 250 of said ninth district, to the western boundary of lot 296 in the tenth land district; thence southward along said land-lot line and the eastern bounary of lots 250, 249, 248, 247, 246, 245, and 244, to the waters of Upatoi Creek; thence continuing in said line, across the water of Upatoi Creek and into the county of Chattahoochee, and along the eastern boundary line of lots 243, 242, and 241 of the ninth land district of Chattahoochee County, to the district line which separates the ninth land district from the sixth land district of Chattahoochee County; thence along said district line a short distance eastward to the northeast corner of land lot 33 in said sixth district; thence southward along the land-lot line and eastern boundary of land lots 33, 34, 35, 36, 37, 38, 39, 40, 41, and 42 of said sixth land district of Chattohoochee County and to the southeastern corner of land lot 52; thence west along the land-lot line and the southern boundary of lots 42, 55, 74, and 87 of said sixth land district, to the southwest corner of said land lot 87 and the northeast corner of land lot 107 in said sixth land district; thence south along the land-lot line and along the eastern boundary of lots 107, 108, 109, 110, 111, and 112 of said sixth land district of Chattahoochee County, and continuing along the same line southerly along the eastern boundary of fractional lot 7, and lots 112, 111, 110, 109, and 108 of the thirty-third land district of Chattahoochee County, and to the southeastern corner of lot 108 aforesaid, thence westernly along the land-lot line and the southern boundary of lots 108, 117, 140, 149, 172, 181, 204, 213, 236, and 245 of said thirty-third land district, and continuing the same direction westerly along the southern boundary of fractional lot 30 in the twenty-second land district of Chattahoochee County, to the Chattahoochee River; thence up the eastern margin of said Chattahoochee River northwesterly through said district and the seventh land district of said Chattahoochee County to the apex of the big bend in the river, and continuing up the river northwardly and northeastwardly along the eastern marging of said river, to and across the waters of Upatoi Creek to the point of beginning; together with all the rights, members, appurtenances, and easements, including riparian rights, thereunto belonging or in anywise appertaining, the whole containing by estimation 115,000 acres of land, more or less, and constituting and being, as already alleged, a part of said tract of land so desired by the Secretary of War for the purposes aforesaid.

7. The owners of said lands are unknown to the United States, but it is thought and believed that the persons hereinafter named own or claim to own, or hold some right, title, or interest in various separate parcels thereof, the boundaries and descriptions of which separate tracts can not be at present stated, nor is it definitely known by what title they claim the same, nor even their residences, though it is alleged from information and belief that said parties reside within said western division of the northern district of Georgia, some of them in the county of Chattahoochee and some of them in the county of Muscogee, to wit: Anthony, M. A.; Adams, Mrs. L. C.; Andrews, Mrs. Nellie W.; Browning, John D.; Britt, Mrs. Charity A.; Becker, Tom.; Boland, Mrs. M. A., the administrators and heirs of; Brown, H. P.; Blackmon, Mrs. H. H.; Blackmar, A. O.; Boland, Mattie B.; Bussey, Arthur; Bullock, O. C.; Bradley, W. C.; Clett, W. N.; Commer, M. L. F.; Cunningham, H. J.; Claxton, Woodie; Cook, I., the administrator and heirs of; Canes, John, the administrator and heirs of; Cooper, Harry; Dorrongton, D. L.; Dimon, Julius; Davis, Webster; Evans, Henry, the administrator and heirs of; Felton, Flora; Farley, Abram; Foster, W. M.; Foster, P. G.; Farr, J. A.; Fuller, Ernest C.; George, Mrs. Minnie L.; Garrett, G. J.; Garrett, J. B.; Guerry, Ben; Garret, J. S., the administrators and heirs of; Ginn, T. D.; Ginn, S. A.; Ginn.; J. W.; Ginn, H. E.; Ginn, L. V.; Ginn, L. D.; Green, Mrs. N. F.; Gibson, Mrs. Mattie; Gammell, J. F.; Grisson, J. A.; Hughes, James F.; Jones, Morgan; Jones, Murray; Jones, Robert; Jennings, B. G.; Jordan, Annie; Jones, Wiley; Jefferson, Mrs. Marietta V.; King, G. W.; Kilpatrick, Frank; King, G. D.; Kindricks, W. W.; King, E. L.; King, Mrs. C. N.; King, Chas. N.; Leonard, A. L.; Levy, Mrs. L. C.; Levy, Mrs. Isabel A.; Lewis, Robena H.; Massey, W. Y.; Massey, W. G.; Massey, Joseph W.; Molder, Mrs. M. L.; Moore, E. H.; McMurrain, S. D.; McBride, W. J., the administrator and heirs of; McGirt, W. D.; McGinty, Mrs. Robert; McGarrah, Mrs. B. G.; McClung, John L.; McCutcheon, H. C.; McBride, S. J.; Newsom, John T., and sister, whose name is unknown to plaintiff; Pierce, B. M.; Phelps, H. H.; Parker, Mrs. S. C.; Parker, W. A.; Pharris, Chas. E.; Pawley, H. F., the administrators and heirs of; Pou Bros., whose individual names are unknown to plaintiff; Pou, J. F.; Pou, John Dozier; Rankin, J. A.; Rothschild, B.; Ritch, Mrs. S. A.; Robinson, T. F.; Robinson, H. D.; Rogers, C. D.; Roberts, Mrs. M. L.; Revell, R. W.; Springer, H. A.; Smith, Mrs. Lula K.; Stewart, John; Simmons, S. B.; Swift, Mrs. J. V., the administrators and heirs of; Scott, W. A.; Snelling, J. A.; Snelling, R. R.; Shorter, Delia; Schley, F. D.; Schley, F. V.; Schley, Mrs. F. V.; Schley, William K.; Scroggins, A. G.; Salmonds, J. A.; Sapp, Mrs. Annie F.; Thomas, J. L.; Thomas, J. D.; Taff, Mrs. Chas. M.; Taff, W. M.; Taff, Mrs. Mary; Taff, Sarah; Tenney, Hiram; Tomblin, Ed T.; Thomason, G. J.; Tomblin, Joseph M.; Thornton, Lottie; Thornton, Elbert; Tumblin, Joseph M.; Underwood, Will H.; Underwood, C. B.; Van Horn, J. W.; Van Horn, Mary A.; Van Horn, W. J.; Van Horn, W. I.; Wynn, E. L.; Wynn, Mrs. Emily; Williams, King; Willis, John L.; Walker, J. T.; Walker, T.; Whyte, Mrs. Marie; Woolfolk, Mrs. Annie K.; Whatley, J. T. & Co.; Willis & Harvey, a firm whose individual names are unknown to plaintiff.

8. Should it appear hereafter that there are other parties interested in the land, or having any right, title, or interest therein, or to any part thereof, and whose interests or possible interests are sufficient to entitle them to notice, plaintiff will undertake to amend this declaration and petition and set out the same, and reserves the right so to do, as well as to correct any errors or insufficiencies that may exist in the descriptions heretofore given in the land.

Wherefore, upon consideration of the premises set forth, your petitioner prays as follows:

First. For a judgment against the property described, condemning the same and each and every interest and estate therein and the entire and unincumbered fee thereof, to the sole use and benefit of the United States, upon payment into the registry, of the court of just compensation therefor; and, as proper and incidental to the principal end.

Second. For an order of the court, presently to be made, requiring all persons concerned, and particularly those persons whose names are hereinbefore set forth, to appear at a time and place in such order to be named, to make known their objections, if any, their rights, if any, their claims as to the value of the property or of their respective interests therein, and any other matters material to their respective rights.

Third. That said several persons named as aforesaid be served with copies of this proceeding as required by law, and that in any case where it may now seem to be in the interest of justice and of more effective notice, or where the same may hereafter appear, such other and additional service be ordered as may appear to the court to be proper.

Fourth. That on the day and at the place named in said order, and after having first passed on and adjudged all questions touching service and notice, and after hearing from all persons responding and desiring to be heard, the court shall make such order as to the appointment of assessors to fix the value of said property or of any interest therein as shall conform to law, or direct the question of value tried by a jury as may be proper and legal.

Fifth. That any and all orders, proceedings, and judgments that may be needed or appropriate to speed the cause or secure due process of law, and which may be legal and appropriate, be made from time to time, to the end that, upon due ascertainment of the value of said property, or of the several interests or estates therein, or liens thereon, and upon the payment of said values into court, the title of said property and of every interest or estate therein may be divested out of any and all other persons, and vested in the United States freed from and disencumbered of any and all liens and other claims thereon, and with full right to such writs of execution, assistance, or possession, and of all and any other writs and process that may be legal and appropriate for giving full effect to such judgment.

Sixth. That at such time hereafter as it may appear necessary or proper to do so an order be made for service of this suit by publication in such appropriate way as may to the court seem legal and proper;

Seventh. That leave be at the present time included in the order for any and all amendments to be made hereto that may hereafter appear to be legal and proper, in the way of adding new parties to be served and notified of the pendency of this proceeding in rem, and such other amendments as may be necessary for giving the court full and complete information in the premises and securing full and complete notice and legal process to all persons in interest.

Eighth. For any and all other judgments and orders, whether the same be herein specifically prayed for or not, that may be legal and appropriate in the premises, and especially that it be ordered and adjudged by the court that all persons, whether named herein or not, who may have or claim to have interests in said property in conflict with or adverse to the title or interests of any other person, have leave to file appropriate pleadings to make known such claim, and to pursue the fund so paid into court and have all such matters adjudicated in legal and timely sort between the respondents, but without further concern to the United States, except to pay into court the ascertained value and be invested with the title to the property aforesaid.

HOOPER ALEXANDER,
United States Attorney.

(United States district court. Filed in clerk's office November 2, 1918. O. C. Fuller, clerk, by Jon Dean Steward, deputy clerk.)

Mr. SMITH of Georgia. The condemnation proceedings for Camp Benning were not only begun prior to the armistice, but in pursuance of an order passed on October 24, 1918, a training school for Infantry was already in operation at Columbus at that time. The preliminary project was completed, according to reports from War Department, on October 8, which included five storehouses, medical infirmary, temporary water supply, and electric lights.

Gen. Jervey, in a letter to Hon. W. C. Wright, dated June 6, 1919, advised him that:

The Infantry School of Arms camp was organized October 11, 1918, and by the same order the Infantry School of Arms at Fort Sill was transferred to Camp Benning. * * * The order was issued by order of the Secretary of War and by authority of the President. * * *

Even if the Army is not increased beyond that authorized by the National Defense Act of October, 1916, Fort Sill will be needed as an artillery firing school. * * *

There is now at Camp Benning the Infantry School of Arms moved on October 11, 1918, from Fort Sill, Okla.; the Small Arms Firing School transferred December 6, 1918 from Camp Perry, Ohio, and the Machine Gun School, moved March 14, 1919, from Camp Hancock, Ga.

The procedure for condemnation was under the act approved July 2, 1917. It authorized the Secretary of War to institute proceedings in the name of the United States for the condemnation of such interest or right in any land he might deem needed by the Government for military training camps. It furthermore authorized him upon the filling of the petition to take *immediate* possession of the land to the extent of the interest to be acquired.

On October 24, 1918, the Secretary of War elected to cause the proceedings instituted for the acquirement by condemnation of the *fee simple title* to *this property*, and the condemnation proceedings, filed November 2, 1918, were for the fee simple title.

Immediately notices were issued to owners and parties in possession to leave the land, as immediate possession was required by the United States, and the Government began its use. This was done before November 11, 1918, the date of the armistice.

I have no doubt that this procedure vested the right in the owners of these properties to treat the Government as purchaser and insist upon payment from the Government for the value of their lands. They were farm lands, and tenants and farmers scattered at once to neighboring sections to buy other lands and rent other farms.

While the armistice came on November 11, there was no certainty for quite a length of time that the war was over, and legally or technically it is not yet over.

In the case of an ordinary contract for the purchase of real estate, the party selling, if the purchaser declines to carry out the contract, has the right to elect either to proceed in equity for the performance of the contract or sue for damages on account of breach.

Where the Government legally takes possession of land under an assertion of the purpose to take the fee, an assertion to which the owner was compelled by law to submit, the Government has done more than make a contract with the owner to buy the land, and the rights of the owner would certainly be as great as those of a party to an ordinary contract of purchase.

I do not doubt that both morally and legally the Government was bound to go forward, buy this land, and pay for it, where the parties dispossessed desired the Government to take the fee.

Before the 1st of January over 75 per cent of the farmers on this land had left. They respected promptly, after November 2, the notices of their Government to leave, and they yielded to the action of their Government in proceeding to take from them the fee simple title.

Law and common honesty both required the Government to live up to what it had done.

The school at Benning is essential now, no matter what may be the size of the Army, and I ask to print a statement from Col. Wyllie and Lieut. Col. Whelen, representing the General Staff, showing the necessity for a Small-Arms School and the importance of completing and using Benning.

The PRESIDING OFFICER. Without objection, the request is granted.

The matter referred to is as follows:

NECESSITY FOR A SMALL-ARMS SCHOOL.

The education and training of an Army officer may be divided into three parts—basic, tactical, and technical. The basic training is obtained at the United States Military Academy, various colleges, and at garrison schools during the first few years of an officer's service. The tactical training is obtained in garrison schools and in experience with troops. Formerly the technical training was also so obtained, but in recent years this has not been possible. The tendency of modern war is to become more and more technical, making necessary a much higher order of technical training for officers to fit them to instruct their troops. Every arm and branch of the Army now recognizes the necessity for a technical training school. Thus we have an Engineer School, a Signal School, a Medical School, a School of Fire for Field Artillery, various flying fields, and a Small-Arms School.

The Small-Arms School is necessary for the technical training of officers of Infantry (including machine-gun officers) and Cavalry, and for certain officers of Artillery and Engineers. The Small-Arms School is the only technical training school for two-thirds of the Army—the Infantry and Cavalry. The necessity for uniform and thorough training of this nature was demonstrated by the lessons of the War with Spain and the British-Boer War, and still further by the Russo-Japanese War. As a result there was organized in the United States Army in 1906 a School of Musketry at Monterey, Calif. This school later developed into the School of Fire, comprising the School of Fire for Field Artillery, the Infantry School of Arms, and the Machine-Gun School. This school was functioning at Fort Sill at the beginning of the war of 1917. These schools were very limited in their scope. They were small and taught only a few selected officers. Thus, while they served to keep the science and technique alive and to a certain extent progressive, yet they had a rather small influence on the efficiency of the troops.

At the start of the war of 1917 we were obliged to rely for subaltern officers almost entirely upon the product of officers' training camps, the officers graduating therefrom after only three months' instruction, and this basic instruction with practically no technical instruction. It very shortly became apparent that the graduates of these three-month schools were not able to train their men to a state of efficiency. The proportion of senior Regular Army officers with organizations (3 per 100 officers) was not enough to carry on officer training while engaged also in organization training. As a consequence the first National Guard and National Army divisions sent to France required from three to five months' training, mostly technical, after arriving there, before they could be placed in the line. The lack of technical training of these troops, particularly in marksmanship and musketry, was the subject of many cablegrams from Gen. Pershing. As a result, there was organized a Small Arms Firing School at Camp Perry, Ohio, a Machine Gun Training Center at Camp Hancock, and the scope of the Infantry School of Arms at Fort Sill was enlarged. During the early part of 1918 about one-fifth of the graduates of officers' training schools were sent to one or another of these schools for one month's training in addition to their three months at the various officers' training schools.

Even these schools proved inadequate for the efficient training of subaltern officers, and when, in July, 1918, it was determined to raise a large number of additional divisions it was felt that it was absolutely necessary to give the officers of these new divisions at least six months' training before joining their organizations, three months of this to be basic and three months technical. Accordingly steps were taken to combine the Infantry School of Arms, the Small Arms Firing School, and the Machine Gun Training Center into one central school to be located at Columbus, Ga. The product of this school was to be 4,000 officers per month. This school would have started to function about December 15, 1918, had not the armistice been signed.

The lessons of the war of 1917 show the greatly increased importance of technical training of troops. As has been stated, the tendency of modern war is to become more and more technical. In order that this technical training shall be efficient and uniform enough to function correctly in any organization of the Army, it must be conducted for instructors (officers) at one central school. Moreover, as it necessitates a large amount of firing of a character simulating battle firing, it requires a special locality selected for its safety factor. Thus in training officers to use with effect the fire power of their troops it is necessary to give them facilities for using this power in at least five fire problems in which the officer shall command a fire unit (platoon). If we have 500 officers to train, this means 2,500 problems. To complete these problems in a reasonable time, it is necessary to hold a large number at once; hence a very large tract of land is necessary.

It has been demonstrated beyond doubt that it requires at least four weeks to train an officer to efficiency as an instructor in marksmanship, four weeks as an instructor in musketry, and four more weeks for trench mortar, 37-millimeter gun, and grenades, making three months at least necessary for the technical training of the Infantry officer. The machine-gun officer requires at least this much time for his technical training.

While we were still at war, our needs for the technical training of officers of units armed with the rifle were provided for by the establishment of the Infantry School of Arms at Columbus, Ga., based on a student body of 12,750 officers. This large reservoir of officers, from which there was to be a steady flow of 4,000 per month, was provided for by the establishment of a special officers' training camp at Camp Fremont, Calif. Immediately upon acceptance of the armistice this training camp was abolished along with all the others, and the student body of the Infantry School of Arms was reduced to a peace-time basis of 2,000 officers, noncommissioned officers, and selected privates. At the same time, steps were taken to further consolidate the training of officers and prospective officers by combining with the two schools already at Columbus the Tank School from Camp Polk and the Machine Gun School from Camp Hancock. This consolidation made it necessary to retain the total land area as planned, or nearly all of it. The cost of construction was not materially reduced because the character of the buildings was changed from temporary war-time construction to a type more suited to peace-time conditions and more durable in character.

It is axiomatic that every officer and noncommissioned officer in whom is vested the proper training of the other members of his command must, himself, be properly trained, and especially is this true of the weapons with which he fights. The student body at the school at Columbus has been fixed at 2,000 as being a number adapted to peace-time needs, regardless of the size of our Army, and capable of rapid expansion to meet any emergency. Our late experience taught us to turn to the well-trained noncommissioned officer as our first reliance for officer material. The smaller our peace-time Army the greater the importance of training such material. The proportion of officers and noncommissioned officers in this student body of 2,000 would be determined by the particular needs of the Army at the time and these needs would be largely indicated by the size of the Army. For the present, and for two or three years, these students would be largely lieutenants, after which the larger portion would be noncommissioned officers and selected privates. Provision has also been made, at certain periods of the year, for instructing in marksmanship the officers of the National Guard of the several States, groups of civilians who are identified with the rifle clubs of the country, and specially selected men from the colleges and universities which have military training as a part of their curriculum.

The necessity for these schools in the technical training of the various arms of the service has been recognized for many years, by the establishment of the School of Fire for Field Artillery at Fort Sill, the Coast Artillery School at Fortress Monroe, and the Engineer School

at Washington Barracks. This school at Columbus is the one and only school of arms for the Infantry and Cavalry arms of the service, which in any army must form the larger part of the whole. The War Department considers a small arms school of the size and scope set forth above was absolutely necessary for the efficiency of the Army.

ROBT. E. WYLLIE,
Colonel, General Staff.
TOWNSEND WHELEN,
Lieutenant Colonel, General Staff.

At this point Mr. SMITH of Georgia yielded to Mr. LODGE, who moved that the Senate take a recess until 8.15 p. m., which was agreed to.

Mr. SMITH of Georgia. Mr. President, at the time of recessing I was seeking to remove the adverse opinion entertained by some of the Senators with reference to Camp Benning, and I will repeat briefly to Senators now present the facts. I have already put into the RECORD the reports upon which my present statement is based.

Late in the fall of 1917 and up to April, 1918, Gen. Pershing was pressing continuously for training of officers and soldiers while in the United States which had not been given, and I wish to read just two or three lines from his cablegram of December 22, 1917:

"*Officers from colonels down and including some general officers are often ignorant of the handling of units in open warfare, including principles of reconnaissance, outposts, advance guard, solution of tactical problems and formation of attack. No training whatever has been given in musketry efficiency as distinctive from individual target practice on the range. Many officers high in rank are hopelessly ignorant of what this training consists of.*"

In these letters from Gen. Pershing it is shown that early in the war he had a vision of the fact that we were to whip the Germans not in trench warfare but in open warfare. He dwells upon the fact that less attention should be given to trench warfare and that the officers must be taught the technique of open warfare, such in detail as I have just referred to.

Following this urgent request from Gen. Pershing the War Department sought first to train at Fort Sill and Camp Perry, but finding this not satisfactory a commission was appointed by the War Department to find a desirable place for the training of a comprehensive character urged by Gen. Pershing. Officers of the War College or General Staff prepared specifications as to the conditions, surroundings, and topography of the place that would be required.

The first commission examined a number of places and finally settled upon land near Columbus, Ga. A second commission reviewed the work and settled upon Benning, and finally Gen. Blatchford examined and approved Benning.

Let me read just a word from Col. Mumma on this subject. I thought he was from Illinois, but probably he is from Iowa. He was from the Middle West. All of the officers so far as I know who approved Benning are from the Middle West or East.

Col. Mumma stated before the Military Committee of the Senate: "*I am directed to appear before this committee by the Chief of Staff to present to you our military reasons for desiring the retention of Camp Benning. I came here not to present a brief for any location except in so far as that particular locality meets our military requirements, and I assure you that a careful, complete, and thorough investigation of all available proposed sites leads us to the conclusion that Camp Benning is more nearly adapted to our military needs than any other site.*"

What I wish to emphasize before the Senate is that the selection of this place by the military boards was purely a military selection without the knowledge, so far as I know, of any but military officers.

It is a place of unusual variety of topography. I was driven over it in April by Col. Ames. It contains 98,000 acres of land fronting on the Chattahoochee River. There are 18,000 acres of perfectly level land in one body and the balance of it is not only rolling but there will be a valley surrounded by hills, then a valley, then hills, there being the most varied topography, with an ample supply of clear water streams.

Following the selection of Benning by these boards and its approval by the War Department, at the direction of the Attorney General, condemnation proceedings were instituted for the property. Col. Ames, who was in charge, testified that on November 2 he notified the occupants of the land to leave immediately after petition for condemnation was filed. As I said before, this condemnation was under an act of Congress which authorized the Secretary of War to take possession of the fee in the land, to take immediate possession without the Attorney General passing upon the title, without obtaining any conveyance, without a payment, to take possession of what he needed for military purposes and to take it either as a lease or with the fee, as he determined. He took it as of the fee on November 2. The act of July 2, 1917, authorized seizure of the land so soon as the condemnation procedure was filed. No delay was required for service of the petition.

What was done? It was not simply a small-arms school that was to be placed there. Machine guns were assigned to Benning, the tank school was to be located there, the Cavalry school was to be located there. It was to be the school of technique for all officers not in the Artillery; and the General Staff and the War College worked out a plan and approved the place and approved the consolidation of these schools at that one place upon the theory that these schools must operate together, that the officers might have technical training and be practically proficient in the utilization for actual warfare of cooperative movements.

I have put into the RECORD a statement from Col. Wyllie and Col. Whelen, prepared at the instance of the General Staff, as to why such a school was essential as a permanent school, no matter what might be the size of the Army, and also why Benning was especially suited for the school. I have put in a statement of Col. Ames to the same effect, and of Col. Mumma. It was to be for small arms, grenades, machine guns, tanks, and cavalry, and the school is actually in progress there now for officers and men and has been since the middle of October. At first they occupied chiefly tents. Now, I think, a number of buildings are completed.

I wish to come to what happened on March 4. The Committee on Military Affairs of the Senate was told by the Secretary of War in January that he would not proceed if they objected. That was the substance, I think, of what he said. I do not quote the language exactly. The committee then disapproved the project. I submit that the Secretary of War himself could not have been as familiar with the necessity for this school as the General Staff and War College. His statement shows that he was not. It was Gen. Pershing, the General Staff, and the War College who were really behind this school much more than the Secretary of War. The Assistant Secretary of War, Mr. Crowell, had given more attention to it than the Secretary. Finally, a revised plan for the school was brought forward, reducing very much its size and reducing very much its cost. At one time they wanted 200,000 acres. It was finally brought to 98,000 acres.

I have a memoranda from the General Staff giving a statement of the reduced project, together with a memoranda in support of it, prepared, I believe, last February, which I ask leave to print.

The PRESIDING OFFICER. Without objection, the request is granted.

The matter referred to is as follows:

Reduced project, Camp Benning, Columbus, Ga.

Construction.	Estimated cost.	Actual money needed.
For construction	$6,600,000.00	$3,300,000.00
For land	2,600,000.00	2,600,000.00
Total value	9,200,000.00	[1] 5,900,000.00

[1] Cost.

While the estimate for construction is $6,600,000, as stated above, only $3,300,000 of actual money will be needed, because of the work already done and the existence of a large amount of material now owned and paid for in adjacent camps. All of the money needed is now appropriated and allotted, so that no new appropriation is asked or needed. Adding to the cost of the land this $3,300,000, the total money needed is $5,900,000.

It will be necessary to transfer a sum amounting to $210,000 from one allotment to this, in order to build the warehouses, but this is a matter of bookkeeping and requires no additional appropriation. The most economical rather than the best construction has been substituted for that estimated upon in the former project.

Land.—Because of reduction in the size of the school from 10,000 to 5,040, it will be practicable to reduce the acreage from 115,000 to 98,000, thus relieving the Government of the necessity of buying 17,000 acres of high-priced land near the city of Columbus.

Personnel.—In order that the Infantry shall not be entirely denied the schools that are necessary to its efficiency, it is proposed that the former scheme for 2,000-student capacity be reduced to half that number and that the garrison be correspondingly reduced so as to make it necessary only to provide for 5,040 instead of the original 10,000 officers and men.

MEMORANDA OF EXPLANATION.

For a number of years it has been realized by the most progressive officers in the Army that special training was necessary for the Infantry and Cavalry in the technique of arms. During the last five years some training in this direction, more or less efficient, has been conducted at Fort Sill, Okla., and at Perry, Ohio. The experience of the war has shown the absolute necessity for such training; accurate and technical knowledge of the use of arms; long distance firing; short distance firing; combined firing; the use of hand grenades; cooperation between infantry and machine guns; cooperation between both and the tank service. The General Staff and the War College now most

earnestly commend this plan of instruction as essential, and admit that the lack of it in the past caused the losses of many lives in France.

About twelve months ago commissions were appointed upon this subject and they undertook the selection of a desirable place for such a school. The location required approximately 100,000 acres of land, and land of varying character—some level, some hilly—suited for trench work, with a climate suited for work the year around.

Two boards selected Columbus, Ga., or land near Columbus, Ga., in Chattahoochee and Muscogee Counties, as most desirable for the purpose. It was a question between this and Fayetteville, N. C.

It was finally determined that the School of Artillery should go to Fayetteville and the Infantry School of Fire, the Machine Gun School, and the Tank School should go to Columbus, Ga. This school, also, was to embrace training for Cavalry officers, commissioned and noncommissioned. It is proposed that this shall be the only school of this character for Infantry, Cavalry, machine guns, and tanks; constituting all of the Army except the Artillery.

It may be accepted as a demonstrated fact that such a school is essential to the efficiency of Army training, and equally important, no matter how small the Army.

A review has been made of other locations, and the Government has not the land available anywhere suitable for the purpose. It might be suggested that such a school could be located upon Government land in the West. The cost of transportation from the centers of population would far exceed the interest on the investment required at Columbus.

It was the plan of the Army before the armistice to build for a school of 25,000 men to be handled all the time at Columbus. With the armistice the school plan was first reduced to 10,000, and it has been more recently reduced to 5,000.

In this school in peace times it is proposed to train all commissioned and noncommissioned officers from the Regular Army and select men from the National Guard. That we must have such a school somewhere is the opinion of all who can be considered experts on military subjects. That we must procure the place is also their opinion.

It has been suggested that Fayetteville would do and that the land already bought there would suffice.

Col. Eames, the head of the school, stated a few days ago before the Military Affairs Committee of the Senate that the land finally purchased at Fayetteville would not meet the requirements for the school. It is not the land which was approved for a school there. Much of it is wooded, and the expense of clearing and putting in shape for use would be great, and in other respects it was pointed out that the land was not adapted to the purpose.

Now let us consider the cost of the project reduced in size at Columbus.

First, already there has been spent at Columbus in round numbers $1,500,000. Columbus is about in the center of a number of cantonments where material has been collected for enlargement of cantonments not now needed. This material has been cut and sawed and will be of little value put upon the market for sale. The balance can be accumulated most economically at Columbus and will be worth, if used there in construction, what it would cost now to buy on the market.

Procedure has been begun in the United States court under the act of Congress authorizing the War Department to take title and immediate possession of property for such a purpose. This procedure covers land amounting to approximately 115,000 acres. The procedure being for the fee, and the act of Congress authorizing the Government to take the fee, and the Government having taken possession as of the fee and dispossessed the owners, the only matter remaining is to determine the value of the land. It is recognized by the authorities that the procedure had does not leave the Government the right to dismiss and settle in damages, the only question remaining is the amount to be paid each property owner, ascertained through arbitration if not agreed upon between the property holder and the Government.

Agreements have been reached with property holders as to the value of their land, reaching nearly to a million dollars. Seventy-five per cent of the property holders, in compliance with the notice from the Government, have given up possession to the Government and have moved off, in many instances having contracted for the purchase of other lands, depending upon the Government to pay for the land taken by condemnation procedure from the owners.

A large part of this land was farm land on which tenants, in many instances, were located who had been selected after years of experience for their capacity and industry, a substantial part of the value of the farms was the location of these capable tenants; live stock has been sold, houses have been pulled down, and, as before stated, very many farmers have moved to adjoining sections and purchased on credit land to be paid for by the amount to be received from the Government for the land taken by the Government under the right of eminent domain from former owners.

As before stated, the Government has not the option to pay damages. Its procedure, coupled with a physical taking of possession, leaves the Government where it must pay the value of the land as a legal proposition, so that the Government must go on and become the owner of this land, except where by agreement the former owner settles with the Government. Any adjustment by way of settlement of damages would be most expensive for the damages have been very, very great.

As before stated, 75 per cent of the farmers on 100,000 acres of this land have moved off, yielding their farms to the possession of the Government, and have gone to other locations, having sold their stock, their cattle, and their hogs and repurchased elsewhere. Their losses on an effort to return to this land would be almost as great as the value of the land.

Seventeen thousand acres of this land is located quite close to the city of Columbus. This tract the officers in charge now feel is not essential to the project. This land is estimated at $1,000,000 of the $3,500,000 which the land would cost. The chamber of commerce of Columbus, the members of which are perfectly responsible financially, have agreed in case the Government goes on with the project and desires to abandon this 17,000 acres to assume all liability for the Government to the property owners and to take the question of responsibility of the Government to the property holders, both as to the acquirement of the fee and to any damages, off the Government, so that the Government by going on with the project would be relieved of $1,000,000 of liability for this 17,000 acres of land.

Now, let us come down to the cost of the project under the reduced size adapted to the work of 5,000 men.

The Government will be called on to pay for the land approximately two million and a half. But this is already a liability, and to buy it does not increase the liability. Indeed, by buying it and going on a liability of a million dollars for the 17,000 acres is written off. With the material already on the ground, brought there from neighboring cantonments, and with other similar material from neighboring cantonments, in addition to the purchase of the land, it will cost the Government not more than $4,000,000 to complete the project.

As before stated, the Government has many times as much lumber and other materials as will be needed at neighboring cantonments which has already been sawed and put in shape for use, and which will be of little value for salvage. The Government can therefore complete the project at Columbus for less cost than it can carry on the project anywhere else. It is an economy to go on with it there in preference to making a construction anywhere else.

It might be suggested that at some of the existing cantonments land should be acquired and thus save the cost of construction. This subject has been carefully studied by the officers, and the necessary additional land is not available at prices which would compare to the cost of completing the project at Columbus. So that at Columbus the location selected by the officers is found most desirable in every way, and the cost of completion less the cost of abandonment makes a more economical proposition than any effort to locate elsewhere.

To summarize in conclusion: An expenditure will be required of $6,500,000 to complete Fort Benning. But there is a liability of three million five hundred thousand for the land if the project does not go on, so that really the increased expenditure to complete the project may be fairly estimated at $3,000,000 in excess of what would be required to be expended if the project is not completed. To abandon the project there will also be the loss of the million and a half already expended.

The schools must be used somewhere. It will be impossible to locate them elsewhere with so small an expenditure or in so satisfactory a manner.

Mr. SMITH of Georgia. On March 4 the committee voted 6 to 6 and then 7 to 7 on a motion to reconsider the expression of opinion adverse to Benning. After the committee disapproved the Benning project, the General Staff took up the subject of locating the general school at Bragg, near Fayetteville, N. C. They insisted that if Benning was abandoned still there must be a consolidated school of technique in small arms, machine guns, and work other than artillery. They took up the study of Bragg as a place at which they might locate the school. The board from the General Staff reported about 4th of March on this subject and their report closed with this statement:

"This shows it will cost only $750,000 more to complete Benning than to convert Bragg, but for the additional $750,000 the Government secures the Infantry, Cavalry, and machine-gun school, and the Artillery training center, both of which establishments are deemed absolutely necessary by the War Department and both of which have been approved by the General Staff and the Secretary of War. Thorough investigation shows that Camp Bragg is not in any wise suitable for the small-arms schools, while after three years' search Benning is shown to be ideal."

That was the report about March 4. Camp Bragg in the meantime had been reduced 80 per cent; new construction at Bragg stopped; and Bragg was left as it stood for a much smaller Artillery school than was at first intended, work only continuing for buildings begun at an earlier period.

I presented a letter to the Secretary of War, which I have printed in the RECORD. I reviewed in it the facts and insisted that the effect of the action of the committee was to leave the question of completing Benning to the department, and that the decision of the department to construct Benning on the reduced scale was wise. I urged in this letter that the Benning project be continued. I called with Representative WRIGHT on the Secretary of War and with the Assistant Secretary, Mr. Crowell, Mr. Crowell being himself earnestly in favor of going on with Benning. I read the letter to the Secretary of War, and that was all I said. He turned to Mr. Crowell and asked: "What does the General Staff say?" He replied: "The General Staff and the War College are heartily in favor of continuing Benning," and the Secretary of War simply said, "Go ahead with the project on the reduced plan."

What influenced the Secretary was the report of the General Staff and War College. The letter that I read him showed that the Senate committee voted 7 to 7 and that one member of the committee not present at the meeting preferred Benning to Bragg and another had told the Secretary this was also his view. This is a frank statement of the whole facts.

I believe that such a school is essential. I talked with one of the ablest generals in the service within the past 60 days, not referring to Benning; I was asking him about technical instruction for Infantry officers after they left West Point. The general to whom I refer had fought in most of our battles in France and in the Argonne Forest. He said that if you would give him 100,000 men with officers thoroughly trained along the lines urged by Gen. Pershing, he could whip an army of twice the number without the training; that we had now learned from the war the handling of infantry was a problem of scientific management, scientific mass shooting, and scientific firing and massed firing utterly different from what we had conceived it to be a few years ago. He added that this training not only doubles the effectiveness against an enemy but saves the lives of the men with such training.

This project was the project of Gen. Pershing and of the General Staff and War College, acquiesced in by the Secretary of War because he felt the views of experts should control. That is the whole story.

Practically all of the land has been bought. A large number of buildings have been completed and we have a contract for the erection of the remainder. They are running a school there for officers and men in these lines. In 60 days more I have no doubt that the remainder of the buildings would have been completed. They have gathered there the material left over from other camps, which, instead of being salvaged and disposed of for a nominal price, has been moved to Camp Benning and is being put into the building.

Gen. Marshall presented to the Military Committee a memorandum from the General Staff or War College which I request printed in the RECORD.

The PRESIDING OFFICER. Without objection, the request is granted.

The matter referred to is as follows:

MEMORANDUM ON CAMP BENNING, GA.

ORIGINAL PROJECT.

The original project for the establishment of the Infantry School of Arms and Machine-Gun School at Camp Benning, Ga., before the armistice was signed, included the acquisition of approximately 115,000 acres of land by purchase, and the construction of a cantonment for the accommodation of approximately 26,000 officers and men. It was contemplated to establish there a technical Infantry School to train each month 4,000 graduates of Central Officers' Training Schools for Infantry. The course was to be for three months, making a total of 12,000 students in attendance at one time. Experience had shown that this training, in addition to the training received in the Central Officers' Training Schools was absolutely necessary to develop these young officers into efficient instructors and leaders for the new divisions forming.

PEACE PROJECT.

Upon the signing of the armistice the War Department considered this project, and it was decided that a school of the nature contemplated here, and to develop Infantry technique, and particularly to teach the application of Infantry technique in Infantry tactics, including the proper tactical cooperation between the Infantry, Artillery, tanks, and airplanes, would be absolutely necessary for our future Army, no matter what size or kind of an Army that might be. For this purpose a large tract of suitable land was necessary. The War Department had no land well suited to this purpose, and no land of a size necessary that it would not have to devote to other necessary training. Inasmuch as condemnation proceedings had already been instituted relative to the land at Columbus, Ga., and the United States being obligated to purchase the land by reason of having removed the owners and taken possession, and because investigation showed that it would cost approximately as much to abandon the land and pay damage thereon as it would be to complete the purchase, and furthermore, because this land was perfectly suited in size and nature for the purpose, it was decided to proceed with this project on a peace basis.

Notwithstanding the fact that the Secretary of War had the funds and the authority for this project, he nevertheless considered that he should consult Congress in the matter, as this was a new project intended for peace-time training. Accordingly, he submitted the project to the Military Committee of the Senate, where it had a most thorough hearing.

This reduced peace project as decided upon involves the purchase of 98,000 acres of land, and the erection thereon of a cantonment for 5,000 officers and men. The entire project is to cost complete not to exceed $9,200,000, of which $2,600,000 was to be for land, and which included $3,000,000 of building material already bought and paid for and on hand at other camps. Therefore, the total cash expenditure involved was $6,200,000, to be paid from funds already on hand and available from money appropriated for the fiscal year 1919.

NECESSITY FOR THE CAMP.

Before the war we had no large Government reservation where Infantry could be trained under conditions such as confront it in time of war. As a result we had no big and suitable training center, and our officers—even those of the Regular Army—were not sufficiently instructed, and as a result of this deficiency undoubtedly many valuable American lives were needlessly lost in the fighting in Europe. It is absolutely impossible to properly instruct Infantry officers or enlisted men at the small garrison posts.

A great part of the time of Infantry troops should be used in solving small maneuver problems in which as many of the possible war-time situations should be presented as possible. There must be hills and valleys, woods and fields, rivers and flat country. The climate should permit outdoor work all the year. In battle an Infantry battalion commander commands troops armed with rifles, trench mortars, 1-pounders, one or more pieces of field artillery, tanks, etc. He must be trained to use all these under varying terrain and must have maneuver problems in which the firing of service ammunition for all Infantry weapons is the important part. All foreign countries have such big training centers with large tracts of land for this purpose. At a training center a large number of maneuver problems must be going on at the same time.

This training center is to be used for training not only the officers and men of the Regular Army but also those of the National Guard and of the Reserve, and also will be needed to produce instructors in case any form of universal military training is adopted.

In case of war it would be an invaluable asset to the country, not only for the instruction given in time of peace but also as a going plant ready to operate in greatly enlarged capacity.

The United States must surely have such a training plant for the Infantry, and no other place is so available or can be found and developed for less money than is needed to complete the present project at Camp Benning.

WHY OTHER LAND COULD NOT BE USED.

The question has often been brought up as to why the War Department could not have used some of the land they already had for this school instead of acquiring new land for it at Columbus, Ga., at an expense of $2,600,000?

The answer is that there was no tract of land of sufficient size and suitable character available that was not just as urgently needed for other purposes. The functions of the school demand a very large tract of land, approximately 100,000 acres. This land must be diversified enough to permit the staging of every kind of a tactical situation. We had certain pieces of land of sufficient, or nearly sufficient, size, and the reasons why none of these could be used are as follows:

Fort Sill, Okla.—Terrain absolutely unsuited. Climate eliminates training for four months annually. Needed and ideal for School of Fire for Field Artillery. No other place so ideal for this latter school. Having these two schools at same location has been tried, and found impracticable. A memorandum relative to the Wichita National Forest adjoining Fort Sill is appended hereto.

Camp Bragg, N. C.—Terrain unsuited because of its monotonous character. Would cost more to start school here than to purchase land at Camp Benning and build cantonment there. Absolutely needed for garrison and training center for Field Artillery.

Camps Knox and Taylor, Ky.—Same reasons as to Camp Bragg.

Fort Wingate, N. Mex.—Too far from center of military activities, making mileage and transportation very expensive. Used as a forest reserve. Terrain not suitable. Used as storage place for T. N. T. which can not be placed elsewhere.

Camp Kearney, Calif.—Too remote from center of population, thus making mileage and transportation very expensive. Needed as a division camp and mobilization point for Mexican border.

The above are the only military reservations that can be regarded as at all suited in size.

PRESENT ACTIVITIES.

* * * At present a class of 113 officers of the Regular Army is under instruction at Camp Benning and will graduate September 15, 1919. A class of 150 noncommissioned officers will start July 15, 1919, 125 of whom are being trained as sergeant-instructors for duty with the National Guard.

The experimental department of the school has tested, developed, and reported upon 61 various military devices and ideas. Nine pamphlets and manuals have been prepared and issued for the instruction of the Army. Thirteen of the instructional moving picture films in use in the Army were written, prepared, and taken at the school.

PERCENTAGE OF COMPLETION OF CONSTRUCTION AT CAMP BENNING.

Railroads, complete.
Wagon roads in part, 40 per cent complete.
Sewers, 40 per cent complete.
Water lines, 50 per cent complete.
Transmission lines, 60 per cent complete.
Warehouses, 75 per cent complete.
Motor transport block, 15 per cent complete.
Remount station, 80 per cent complete.
Base hospital, 10 per cent complete.
Officers' quarters, 10 per cent complete.
Student officers' quarters, 50 per cent complete.
Enlisted men's barracks, 90 per cent complete.

In general, it may be said that the construction is about 65 per cent complete, June 15, 1919.

FINANCIAL STATUS OF CONSTRUCTION, JUNE 15, 1919.

Money so far spent for construction	$1,601,221
Money value of material so far expended for construction, approximate	820,000
Total	2,421,221

PRESENT STATUS OF LAND PURCHASE.

59,293 acres of land have been bought and paid for at a cost of	$1,657,000
11,540 acres have been contracted for, but money not yet paid, valued at	262,866

Twenty-six thousand four hundred and forty-five acres, the remainder of the actual 97,328 acres to complete the project, is in court or about to go to court to adjust values. The land on which the cantonment is being constructed is included in this lot, and if this land is not bought the construction will be a total loss, and the United States will become liable for heavy damages, both physical and those resulting from the removal from the land of all owners and tenants.

COST OF SALVAGE.

It is estimated that to salvage the project entirely all the land would have to be purchased and then sold, at a loss of approximately $1,000,000. Also, the cantonment, approximately two-thirds completed, and costing, roughly, $2,500,000 would have to be salvaged at what the material would bring, approximately $400,000.

Cost to complete project:		
Purchase of land	$680,134	
Completion of construction	1,998,779	
Total	2,678,913	
Cost to abandon project:		
Present worth of project		$4,078,221
Sale of land, approximately	1,600,000	
Sale of material, approximately	400,000	
	2,000,000	
Purchase of land	680,134	
		1,319,866
Cost of abandoning		2,658,355

MEMORANDUM RELATIVE TO THE WICHITA NATIONAL FOREST IN ITS RELATION TO THE CAMP BENNING, GA., PROJECT.

Information has been requested as to why the War Department proceeded with the purchase of a reservation at Camp Benning, Ga., for Infantry special schools, when there was available a forest reserve that could be utilized for this purpose without cost adjacent to the Fort Sill, Okla., military reservation.

Forest reserves were investigated in connection with this project, but it was found that invariably they were rough mountain land, heavily wooded, and entirely unsuited to the purpose. Moreover, they were needed for the purpose for which they were acquired.

In the case of the Wichita National Forest, this tract was set aside as a game preserve by President Roosevelt under the authority of the act of Congress dated January 24, 1905 (33 Stat., 614). It is now being used partly as a game preserve, approximately 10,000 acres being fenced with a buffalo proof fence, and containing approximately 100 buffalo, 250 elks, 250 white tail deer, and large numbers of wild turkey

and small game. All the land outside the fenced area is being used for grazing purposes. Approximately 4,710 head of cattle are being grazed on this land, and these cattle belong to 70 families. If these families are dispossessed some adequate remuneration must be made for dispossessing them of their grazing rights and their practically only means of livelihood.

Moreover, this reservation has been stated by the Forest Service to consist of a large granite outcrop, very rough and mountainous, suited only to grazing, and entirely unsuited to military purposes. It has little water. The railroad is five miles from the edge of the tract. The reservation comprises only 61,480 acres which is too small for the purpose intended. It is so far from the Fort Sill reservation that it would be necessary to build a new cantonment on it to house the garrison.

It is estimated that to build the necessary cantonment on this forest reserve, adequate to house 5,000 officers and men, would cost over twice as much as it is going to take to build a similar cantonment at Camp Benning, owing to the distance from adequate labor and from building material.

Mr. SMITH of Georgia. I have a letter from Col. Dougherty, which I ask to put into the RECORD, in which he points out the conditions and urges a continuation of the work.

The PRESIDING OFFICER. Without objection, the request is granted.

The matter referred to is as follows:

JUNE 28, 1919.

This memo is based on facts within my personal knowledge; is not written at the request of any member of the War Department, but because of my personal interest as an infantryman in seeing corrected one of the grave deficiencies of the late war.

England saved France in 1914 through her excellence in rifle fire and musketry training, but to-day we actually have no school in operation for this instruction.

We started this instruction at Monterey, 1907–1910, but the post was occupied by Cavalry and was too small either for Cavalry or the school. The results were not satisfactory even in time of peace. The school was moved to Fort Sill. That post was not large enough for needs of the Artillery. There was therefore constant friction and lack of room causing lack of efficiency. At the beginning of the war I was director of the Department of Engineering at Fort Sill, and spent a month on a joint Infantry-Field Artillery board trying to stretch the ground to accommodate both schools when it was not big enough for one. I therefore know the facts at first hand. The school was finally moved to Benning and will be in operation, Congress permitting, on October 1, 1919.

To concentrate on an enemy the fire of 250 rifles, each fired by a different individual more or less tired and scared and hungry, and get results is a most difficult task. Musketry is a book of 250 pages, containing the principles needed for the work. Pages 16 to 34 of this book contain a bare list of the duties of private to colonel. If the officer is not thoroughly familiar with these duties the men under him are needlessly killed. I am sure that hundreds of men now lying dead in France would now be alive had their company officers possessed this training in the proper degree. Those who were responsible in many former years for the lack of facilities for this instruction are responsible for the deaths of these men.

An example: A company commander is told to attack between that tree and the haystack. He can estimate the range accurately, say, at 800 yards. To estimate the width between the tree and the haystack is very much more difficult. He might miss it a hundred yards or so easily. But by the following simple rule he can arrive accurately at the desired result: Width of target in yards equals range in yards times width in mils as read through field glass, divided by 1,000. Then, if the width were 250 mils, the width of his target would be 800 times 250 divided by 1,000, or 200 yards, the width of two platoons. If he had not known this, he might easily have placed three or four platoons in line and on advancing close to the enemy been badly crowded and lost two men where he should have lost but one. These things must be taught our young officers to save lives in battle. They are taught efficiently only at a central school of small arms.

During the late war, having found the school of small arms at Sill entirely inadequate for the task, and with no available ground on which to spread out, we tried to do this work at training camps, supplemented by special schools in the divisional camps.

This resulted in excessive overhead in both money and instructors, lack of uniformity and coordination and hence lack of efficiency. I was training officer of the 179th Brigade, 90th Division, and know these facts from first hand. Finally the school of small arms was moved to Benning where it was proposed to give every new Infantry officer a course of instruction. War impressed the absolute necessity of this plan. Benning was selected by Army officers interested only in winning the war. I was then, and now am, a member of the Operations Division, General Staff, and know these facts at first hand. The case was considered absolutely on its merits for the best interests of the country as a whole.

Benning, Sill, Bragg, and Kearney were considered. The Field Artillery had to have Bragg. Kearney was too far off in one corner which would have increased the cost of transportation for student officers many thousands of dollars. The choice narrowed down between Sill, which had already been found by experience to be lacking, and Benning.

Benning is more nearly in the center of population than is Sill. A radius of 700 miles from Benning takes in practically all the big camps except those west of the Rocky Mountains. The same radius from Sill adds some sparsely settled western country and leaves out the thickly populated States from Pennsylvania to the northeast.

Sill is not big enough for Artillery needs. It would be totally inadequate for the needs of both; and has already, by actual trial, been found inadequate for the needs of the Infantry in time of war. There is apparently enough ground at Sill; but remember that the biggest half is nothing but thick woods, a forest reserve, totally unfit for either general Artillery or Infantry training, and could be made fit only by extensive clearing. To cut down the trees of this forest reserve in Oklahoma would be nothing less than a national crime.

The climate at Sill is much less desirable than that at Benning and would cause the loss of two or three months outdoor work. This is a fatal defect in time of war, when every minute counts.

Every officer with whom I have talked, who has seen Benning, is enthusiastic at its possibilities as a training center. Maj. Frank Maloney, formerly adjutant general of Tennessee, and Maj. Critchfield, formerly adjutant general of Ohio, and the man who built Camp Perry, are, or were, both at Benning engaged in the erection of the plant there. They say they have never seen a tract as well suited to infantry training. Maj. Gen. Farnsworth, in command of the Infantry school at Sill at the beginning of the war, and of the Thirty-seventh Division during the war, and now in command at Benning, concurs with the views of Majs. Maloney and Critchfield.

Much ground is needed for a school of small arms, even in peace. The principles of musketry must be illustrated by numerous problems, each problem being repeated many times on different ground; for the application of these principles in battle must become a habit. In time of war we can increase the capacity of the same school fifteen or twenty times by running problems simultaneously on each block of ground, changing the students each day for the problems. To enable this to be done in safety from bullets which will go from 3 to 3½ miles requires a large area for each problem.

Benning is the only post in a large section of the South which would be available for use in case any legislation favoring universal military service is passed.

The attached letter from Gen. Farnsworth, Commanding at Benning, shows the state of progress of the work there. On June 21 we had spent some $5,735,000, and the amount now has probably reached $6,000,000, as the need for the school is urgent, since it is intended to give the West Point class graduating this year a course at Benning, beginning October 1, and most of our younger officers are in need of this instruction.

To move this school now would not only mean a grave set-back for infantry efficiency, but would also be poor economy. It would seem to be bad policy politically for any party doing it.

Very respectfully,

A. J. DOUGHERTY,
Colonel, General Staff, Chief Equipment Section,
Equipment Branch, Operations Division.

Mr. SMITH of Georgia. I am advised that the work has progressed since June 15, both as to construction and purchase of land, and that the remainder of the work is principally the completion of buildings already under way. The railroad is finished, the dirt roads are built, sewerage has been constructed, and much of the work completed. The land is nearly all paid for. I do not desire to say anything more about Benning.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New Jersey?

Mr. SMITH of Georgia. Yes.

Mr. FRELINGHUYSEN. May I ask the Senator a question?

Mr. SMITH of Georgia. Yes.

Mr. FRELINGHUYSEN. Did I understand the Senator to say that Secretary of War Baker directly gave the order to proceed with the construction of Camp Benning?

Mr. SMITH of Georgia. I can not say about that. I have stated just what happened, and will repeat it for the benefit of the Senator from New Jersey. I went with the Assistant Secretary of War to the Secretary of War, at the request of the Assistant Secretary, and read the letter which I have put into the RECORD written by myself to the Secretary of War. The Secretary of War turned to the Assistant Secretary and asked, "What does the General Staff say?" The Assistant Secretary said in substance, "They urge the continuation of the project." The Secretary of War then said, "Go ahead with it on the reduced plan." Mr. Crowell may have given the order; I do not know. I never saw the order.

Mr. FRELINGHUYSEN. The Secretary of War ordered the construction of the camp to proceed in the Senator's presence?

Mr. SMITH of Georgia. The Secretary of War said, "Go ahead with it on the reduced plan." I give the Senate exactly what I said, for I simply read my letter, and I give substantially what occurred.

Mr. FRELINGHUYSEN. Was that after the Military Affairs Committee had voted to discontinue the project?

Mr. SMITH of Georgia. That was on March 7. I claimed in my letter that the final vote of the committee was 7 to 7 on a motion to reconsider, and that, as between Bragg and Benning, the Senator from Colorado [Mr. THOMAS] preferred Benning, that the department was contemplating using Bragg if it could not use Benning, and I handed him a letter from the Senator from Colorado stating that if one of the two was to be used he preferred Benning. I think the Senator from Wyoming [Mr. WARREN] also had a conference with the Secretary of War and explained to him his preference for Benning, if it was essential to have such a camp. I insisted that, to say the least, the Secretary of War was relieved from any claim of advice by the committee against Benning. That was the argument in my letter; that the vote was 7 to 7, that it was a tie; that the letter of the Senator from Colorado and the conference with the Senator from Wyoming freed him from any restraint on account of the action of the committee.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield further?

Mr. SMITH of Georgia. Certainly.

Mr. FRELINGHUYSEN. I understand that the vote of 7 to 7 in the committee was against reconsideration.

Mr. SMITH of Georgia. I understand that; I so stated; but I stated that the other two Senators practically put themselves also on the side of Benning, and I claimed in my letter, and for that I take the full responsibility, that the letter from the Senator from Colorado and the interview by the Senator from Wyoming, coupled with the vote, left the Secretary of War free from any advice by the committee. That was the argument; that was my contention; and I still consider that was the effect of the action of the committee.

Frankly, my first intense interest in Benning grew out of the fact that in January I found a large number of the farmers formerly living on this land had been driven off on the 2d of November by the action of the War Department.

Many of them had bought other places on credit, expecting to get the pay for their land which their Government had taken and with it pay for their new purchases. I believed then, and believe now, when the department took possession with a claim of title there was no right to recede from that position, and that the department was compelled both by good faith and law to pay for the property.

Subsequently I became interested, and am now interested, in a school of small arms. I have been much impressed by the officers who have talked with me on the subject; I have come to the conclusion that somewhere we must have a high-class school of small arms, with the opportunity for cooperation on the part of machine guns, grenades, and cavalry.

My purpose in bringing the facts about Camp Benning before the Senate is to remove the prejudice which inaccurate criticisms have created against this splendid work of the War Department. The present conference report may temporarily suspend completion of some of the buildings and some of the work. Sufficient has already been done to make it practical to continue the school, and the school need not be suspended. Col. Earnest telegraphed me from Columbus:

> Answering inquiry, construction has advanced so far that approximately $2,000,000 is all that is left unexpended from original appropriation, and this amount which is credit of Benning at present will complete it.

I feel confident that the Congress, on reflection, will see the wisdom of the General Staff and War College with reference to Camp Benning, and provide for its completion.

THE SIZE OF THE ARMY.

Mr. President, I come back to the substance of the report and to what is much more important than this one subject about which I thought it was my duty to give an explanation. I wish to ask the chairman of the committee what disposition is to be made of the 240,000 men who are going to be left in the Army? How are they going to be handled, and what is to be done with the 500,000 men? Are we to leave any men abroad?

Mr. WADSWORTH. Mr. President, probably I can answer that question. It so happens that I took some notes of the testimony given before the committee which was not in the hearings. Had the Army been placed at an average strength of 500,000, as requested by the War Department, the disposition of the troops would have been, roughly speaking, somewhat as follows: One hundred and fifty thousand to compose the mobile forces in the United States, subject to any duty upon call; along the Texas and Mexican border 35,000 men, and I may say that there are approximately that number there now; in the Coast Artillery defenses 65,000 men, which would give one crew for each gun mounted in the coast defenses of the United States; in the insular possessions—the Philippines, Hawaii—Panama and Vladivostok, Siberia, 50,000 men; in France, for the purpose of guarding the great stores of Government property, which it is anticipated can not be sold with any great degree of promise and which are scattered all over the country in France in enormous depots, 100,000 men. That makes a total of 400,000 men. That does not take into account two factors: First, we inherited from this war something like 50,000 wounded and sick, who are now in the hospitals, who are soldiers of the Army and must be carried upon the pay rolls until they recover and are discharged. The Medical Department estimates that for the next 12 months the hospital population of the Army will average 17,000 men per month. The other factor is this: How many Americans are to be kept in the occupied territory of Germany? That number is indefinite and unknown, but that some are to be kept there the War Department has been informed.

Mr. President, on the basis of 240,000 men a redistribution might be made somewhat as follows—and I suggest this distribution largely upon my own responsibility; it does not come from any member of the department: Instead of a mobile army in the United States of 150,000 men, we reduce it to 100,000 men; we would still keep 35,000 men along the border; instead of 65,000 men in the coast defenses we would put 20,000 men there, which is about 2,000 more than we had in our coast defenses before we went into the war with Germany; in the insular possessions, instead of 50,000 men, we would have 35,000 men; and in France guarding property which must be left there for a while before it is sold, instead of 100,000 men, 50,000 men. That makes 240,000.

Mr. SMITH of Georgia. What about the 17,000 in the hospitals?

Mr. WADSWORTH. It does not take into account the estimated average hospital population submitted by the Medical Department of 17,000 per month during the next 12 months, nor does it take into account any troops that may be left in Germany for the purpose of showing the flag. That is the situation as nearly as I can describe it.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Utah?

Mr. SMITH of Georgia. Yes.

Mr. KING. As I understand the Senator from New York, the reduction of the Army to 240,000, which will be the case for the last nine months of the fiscal year——

Mr. WADSWORTH. Approximately.

Mr. KING. Would make no provision for those in the hospitals, would make no provision for troops in Germany or other occupied portions of Europe, would make no provision for a greater number of troops upon the Mexican border in the event of difficulties or possibility of hostilities with Mexico, and would leave only a mobile force of 100,000 men to be scattered throughout the United States?

Mr. WADSWORTH. Of course, it is fair to say that the 100,000 men which the conference committee figured upon as available as a mobile force in the United States would also be available for use in Mexico if required in addition to the 35,000 who are now along the border or within striking distance of the border. It would not be fair to say that only 35,000 men would be available for service on the Mexican border. Undoubtedly more could be sent there from Army posts in the different parts of the country.

Mr. KING. Did the War Department think that for the last nine months of the fiscal year the number of soldiers carried upon the rolls in the hospitals incapacitated for service would be only 17,000?

Mr. WADSWORTH. The Medical Department sent to us after the hearings a little table showing what they estimated would be the hospital population month by month for the succeeding 12 months. It starts somewhere around 50,000, which is the hospital population of to-day, and it goes down to something like 5,000 or 3,000 in June, 1920. The average for the 12 months they figure to be about 17,000. Of course it ought to be said that that is merely an estimate.

Mr. SMITH of Georgia. Your committee——

Mr. FALL. Will the Senator yield to me?

Mr. SMITH of Georgia. I yield.

Mr. FALL. I wish to ask the Senator from New York a question along the line the Senator from Utah has been questioning him. I understood the Senator from New York to say that the War Department thought that it would be necessary to retain men on German territory.

Mr. WADSWORTH. Yes; the conferees were informed by the War Department that they had received definite information that an agreement had been entered into to leave some American forces in the occupied territory of Germany.

Mr. FALL. That agreement has been entered into, I presume, across the water?

Mr. WADSWORTH. Yes.

Mr. FALL. And communicated to us?

Mr. WADSWORTH. Communicated to the War Department.

Mr. FALL. The War Department had definite information that that agreement had been reached across the water?

Mr. WADSWORTH. That is so.

Mr. FALL. Was there any intimation as to when our soldiers might be returned or whether they would be indefinitely kept there?

Mr. WADSWORTH. None whatsoever; nor is there any information as to how many are to be kept; it may be merely a regiment; it may be a brigade; it may be a division; no one knows.

Mr. FALL. It may be as many as are there now?

Mr. WADSWORTH. It may be, but my own idea is that it is unlikely.

Mr. FALL. How many are there now?

Mr. WADSWORTH. There are five combat divisions in the occupied territory of Germany, two of which, I am informed, have received their orders to prepare to return to the United States. The total force abroad is approximately 500,000 men, including service and supply troops. I may say also to the

Senator for New Mexico that there are approximately 8,000 men at Vladivostok, and westward from Vladivostok along the line of the Siberian railway, and that their stay upon that duty in that country is, for the purposes of the present discussion, indefinite.

Mr. FALL. The chairman has no intimation as to when they may be returned?

Mr. WADSWORTH. None whatsoever, nor has the War Department.

Mr. FALL. Nor whether they may be reenforced?

Mr. WADSWORTH. None whatever; nor has the War Department.

Mr. FALL. I should like to ask the chairman of the committee, with the permission of the Senator who has the floor, if recent events and a varied experience have not led him to believe that the proposition which was advanced two years ago or more that the border conditions should be looked out for by a special force, and which in fact was provided for by this body in the appropriation bill or the draft bill, may not yet be the best solution of that portion of the difficulty?

Mr. WADSWORTH. My position upon that question has been stated on a former occasion. I believe the most expensive and ineffective way to do police duty is by employing troops. I think we should employ policemen. I anticipate that for many years to come we shall have to maintain a patrol along the Mexican border, and we would save millions of dollars and do it just as efficiently if we would organize something to correspond to the Canadian Mounted Police, and do it with that sort of a force with one-tenth the number of men, and do it just as well. This country can not go on indefinitely keeping 35,000 men on the Mexican border merely for patrol work. That line can be patrolled by a much smaller force of mounted police, recruited for that special purpose.

Mr. SMITH of Georgia. Or we might advise the Mexican Government that they must control their people in that section, or we will move a little farther down to protect ours.

Mr. WADSWORTH. However, the question of a mounted police force along the border does not occur in this bill.

Mr. President, I ask unanimous consent to submit as a part of my remarks a table showing the total appropriations of the different proposals thus far made, including the last one.

The PRESIDING OFFICER. Without objection, it will be printed in the RECORD.

The matter referred to is as follows:

Pay of the Army:	
Passed Senate (includes authorization for expenditure of $100,000,000 of the unexpended balance of the appropriation for the pay of the Army for the fiscal year ending June 30, 1919)	$315, 880, 578. 50
Adopted, first conference (includes authorization for expenditure of $100,000,000 of the unexpended balance of the appropriation for the pay of the Army for the fiscal year ending June 30, 1919)	272, 209, 675. 50
Adopted, second conference	214, 429, 107. 00
Decrease between Senate bill and first conference	101, 451, 471. 50
Decrease between first and second conferences	57, 780, 568. 50
Total of bill:	
Passed House	718, 654, 591. 00
Passed Senate (does not include the $100,000,000 above referred to)	885, 562, 548. 50
First conference (does not include the $100,000,000 above referred to)	766, 011, 592. 00
Second conference	775, 241, 543. 50

Mr. SMITH of Georgia. Mr. President, I shall not detain the Senate. I regret very much that this report reduces the Army for nine months at this time to 240,000. I think the original action of our committee was as conservative as to size as the situation justified. With Russia in a state of turmoil, with 21 wars going on in Europe, with Mexico constantly interfering with our citizens and with their property, with disturbances almost everywhere, I regard it an utter lack of vision for us to scrap our Army and to fail to retain, at least for the next 12 months, an Army sufficient to do forceful and vigorous service.

Mr. LENROOT. Mr. President, I shall not at this hour of the night attempt to reply at any length to the very elaborate defense made by the Senator from Georgia and the War Department of the purchase of Camp Benning. I shall at this time make only two statements in connection with it.

The Senate will remember that the criticism of the War Department was that the department was using money appropriated by Congress for war purposes for the purchase of Camp Benning that had nothing whatever to do with the war, and I said at that time that that action of the War Department came very near to being a violation of law. Now, the Senator from Georgia to-night makes a defense of the action that never occurred to Secretary Baker or the War Department. The Senator from Georgia to-night says that the Government was obligated at the time of the signing of the armistice to purchase this land; but, Mr. President, Secretary Baker did not think so at the time he ordered this construction to go on, and this 115,000 acres of land to be purchased. Secretary Baker testified last January before the House Committee on Military Affairs that only a very small amount of this land had been purchased; and because there had been so little money spent, he and Assistant Secretary Crowell, in view of the action of the Committee on Military Affairs of the Senate, ordered that all proceedings in that matter be abandoned. At that time Mr. Woods, of the War Department, testified that the total obligations of the Government in January with reference to Camp Benning were, construction, $29,000; the land, $118,000, and he stated that the Government could get out of that whole proposition at a cost, in his judgment, of not exceeding $300,000.

So, Mr. President, the defense that the Senator now makes of the War Department can not be set up by them at all, because it is very clear from this testimony that irrespective of whether the Government was obligated or not, they did propose and did take this money, appropriated for war purposes, to the extent of $7,000,000 for this project, which was wholly a peace project; and as to that matter there is no defense.

The Senator says that Secretary Baker acted upon the recommendation of the general staff that this was a good proposition. Mr. President, the General Staff had no more right to recommend to Secretary Baker to take $7,000,000 of the people's money, appropriated to carry on this war, and use it for a peace project than a private citizen had.

Mr. SMITH of Georgia. Mr. President, just a word in correction, and yet not correction. The Senator may have read correctly from the testimony; but, in point of fact, when the Secretary gave those as the figures in January he had not received an accurate statement of the figures. There had been over $500,000 spent on the building of a railroad. There had been something over $1,250,000, as I recall it, spent at that time.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

ARMY APPROPRIATIONS.

The PRESIDING OFFICER laid before the Senate the following concurrent resolution of the House of Representatives, which was read:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 5227) entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920," the Clerk of the House of Representatives be, and he is hereby, authorized and directed to amend the title so as to read as follows:

"An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes."

Mr. WADSWORTH. I move that the Senate concur in the resolution.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House further insists upon its disagreement to the amendments of the Senate to the bill (H. R. 6176) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes; agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GOOD, Mr. MAGEE, and Mr. BYRNS of Tennessee managers at the further conference on the part of the House.

SUNDRY CIVIL APPROPRIATIONS—CONFERENCE REPORT.

Mr. WARREN. I submit the report on the sundry civil bill and ask that it be read.

The PRESIDING OFFICER. The conference report will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6176) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 6, 8, 11, 14, 15, 18, 19, 20, 24, 29, 30, 31, 35, 40, 44, 51, 52, 56, 58, 60, 61, 62, 63, 68, 72, 74, 88, 96, and 112.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 12, 17, 21, 22, 25, 27, 28,

32, 33, 34, 36, 38, 39, 41, 42, 43, 45, 48, 57, 64, 66, 67, 70, 75, 77, 80, 92, 94, 95, 97, 98, 99, 100, 102, 104, 105, 106, 107, 108, 109, 110, 111, 114, and 115; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,375,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$48,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$50,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows:

In lieu of the matter inserted by said amendment insert the following: "Assistant Surgeons General at Large not exceeding three in number"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows:

In lieu of the matter inserted by said amendment insert the following:

"The heads of the several executive departments and other Government establishments are authorized and directed to submit to Congress not later than the first Monday in December, 1919, a statement showing for the fiscal year 1919 the activities of their respective departments or establishments pertaining to the public health and the amounts expended on account of each of the said activities."

And the Senate agree to the same.

That the House recede from its disagreeemnt to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows:

At the end of the matter inserted by said amendment insert the following: ": *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $2,500 per annum except the following: One at $7,500, 1 at $5,000, 10 at $3,600 each, and 40 from $2,500 to $3,000 each, inclusive"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows:

In lieu of the sum proposed insert "$356,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows:

Restore the matter stricken out amended to read as follows:

"For commencing the construction of a reflecting pool in West Potomac Park, $175,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows:

In lieu of the sum proposed insert "$325,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,461,353.50"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$150,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$125,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,201,897"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$75,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$7,300,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$40,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: " : *Provided*, That the Secretary of the Interior is authorized to adjust the compensation of officers and employees of St. Elizabeths Hospital"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,600,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment after the word "offices," in line 11; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$15,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"The appropriation herein made for the enforcement of the immigration laws shall be available for carrying out the provisions of the act entitled 'An act to exclude and expel from the United States aliens who are members of the anarchistic and similar classes,' approved October 16, 1918, and acts amendatory thereof."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$250,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert the following: "$60,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$75,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment after the word "To" strike out the word "equip,"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"HOUSES.

"Aberdeen, Md., $5,000;
"Alliance, Ohio, $6,500;
"Bath, Me., $7,500;
"Bremerton, Wash., $24,000;
"Bridgeport, Conn. (site 4—Crane tract), $19,000;
"Bridgeport, Conn. (site 5—Mill green), $19,000;
"Bridgeport, Conn. (site 12—Grassmere), $8,000;
"Charleston, W. Va., $8,000;
"Erie, Pa. (east tract), $4,500;
"Erie, Pa. (west tract), $18,500;
"Hammond, Ind., $13,000;
"Indianhead, Md., $8,000;
"New Brunswick, N. J., $17,000;
"New London, Conn., $8,000;
"Groton, Conn., $1,750;
"Newport, R. I., $3,750;
"Niagara Falls, N. Y., $13,000;
"Niles, Ohio, $5,750;
"Philadelphia, Pa., $44,000;
"Portsmouth, Va., district: Craddock, $47,000; Truxton, $12,500;
"Pompton Lakes, N. J., $1,000;
"Quincy, Mass., $36,000;
"Rock Island district: Davenport, Iowa, $15,000; Moline, Ill., $9,000; East Moline, Ill., $8,000; Rock Island, Ill., $16,500;

"Vallejo, Calif. (Mare Island), $21,000;
"Washington, D. C., Navy Yard, $1,000;
"Waterbury, Conn., $4,000;
"Watertown, N. Y., $7,000;
"In all, houses, $412,250."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: Amend the matter inserted by said amendment as follows: In line 2 strike out "$220,000" and insert "$165,000"; in line 3 strike out "$99,000" and insert "$74,000"; in line 5 strike out the word "equip,"; in line 14 strike out "$925,940" and insert "$700,000"; in line 14 strike out "$1,244,940" and insert "$939,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"RESTAURANTS.

"Quincy, Mass., $2,500;
"Vallejo, Calif. (Mare Island), $110,000;
"In all, restaurants, $112,500."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"APARTMENTS.

"Bremerton, Wash., $6,000;
"Bridgeport, Conn. (site 1, Black Rock), $33,000;
"Bridgeport, Conn. (site 14, Connecticut Avenue), $15,000;
"Erie, Pa. (west tract), $1,000;
"Portsmouth, Va., district: Craddock, $6,000;
"Washington, D. C.: Navy yard, $600;
"In all, apartments, $61,600."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"DORMITORIES.

"Indianhead, Md., $6,000;
"Quincy, Mass., $74,000;
"Vallejo, Calif. (Mare Island), $28,000;
"Washington, D. C.: Navy yard, $4,000;
"In all, dormitories, $112,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"In all, $2,068,970: Provided, That no part of the appropriations heretofore made and available for expenditure by the United States Housing Corporation shall be expended for the purposes for which appropriations are made herein."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In line 16 of the matter inserted by said amendment strike out the words "after the"; in line 17, strike out the words "conclusion of the war" and the word "it"; strike out all of line 39, after the word "away," down to and including the word "President" in line 42; in line 55, strike out the word "commission" and insert in lieu thereof the word "corporation"; in line 57, after the word "therefrom" insert the following: "together with a detailed statement of receipts and expenditures on account of the other activities authorized by law"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: In lines 1, 2, and 3 of the matter inserted by said amendment strike out the following: "pursuant to section 1 of the act approved March 4, 1913, entitled 'An act to create a Department of Labor,' to continue"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: Strike out line 1 of the matter inserted by said amendment and transpose the remainder of said amendment to follow line 8 of page 2 of the bill; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For additional amount for driving the automobiles of the Vice President and the Speaker of the House of Representatives, $240 each, $480."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$50,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: Renumber the section to read "Sec. 6"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 116, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment strike out the numeral "8" and insert in lieu thereof the numeral "7"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with amendments as follows:

Renumber the section to read "8"; strike out all of the matter inserted by said amendment after line 3 and insert in lieu thereof the following: "And with jurisdiction also to hear, consider, and adjudicate any and all other claims or demands by or against either party to said litigation, to the end that a complete and final adjustment may be had between said parties as to outstanding matters of controversy or account between them: *Provided*, That nothing in this amendment shall be construed to include claims by J. F. McMurray or Mansfield, McMurray & Cornish relating to the sale of the Choctaw-Chickasaw coal lands or claims relating to the leased district, or claims relating to proceeds arising from the sale of timberlands, unallotted or other lands or any other claim where the services were not actually rendered and finished and resulted to the benefit of said people: *Provided further*, That the said J. F. McMurray shall be limited in presenting such additional claims to such matters as may have or shall hereafter be set up by way of set-off or counterclaim by the defendants."

And the Senate agree to the same.

F. E. WARREN,
REED SMOOT,
LEE S. OVERMAN,
Managers on the part of the Senate.

J. W. GOOD,
W. W. MAGEE,
J. W. BYRNS,
Managers on the part of the House.

Mr. WARREN. I ask for the adoption of the conference report.

The report was agreed to.

REGULATION OF SALE OF EXPLOSIVES.

Mr. PHELAN (at 10 o'clock and 10 minutes p. m.). Mr. President, what is the parliamentary situation?

The PRESIDENT pro tempore. There is no parliamentary situation.

Mr. PHELAN. May I ask a question of the chairman of the Committee on Appropriations concerning the report just adopted?

The PRESIDENT pro tempore. I am sure the Senator from Wyoming will be glad to reply.

Mr. WARREN. On one of the large supply bills there is an expectation that there will be an agreement very shortly, but of course, necessarily, there must be some delay about bringing the enrolled bills in for the signature of the Presiding Officer.

Mr. PHELAN. I understand that; but I desire some information concerning the conference report on the sundry civil appropriation bill. I have just been informed that the conference eliminated the provision for the support of the Explosives Division of the Bureau of Mines. Is that correct?

Mr. WARREN. They did; not the conferees, but the House itself. The House did not permit the bill to go to conference until they eliminated that item.

Mr. PHELAN. I simply desire to call the attention of the Senate to the fact that at this time of all others there should be legislation upon the subject of the regulation of the sale and disposition of high explosives, and perhaps during this interim it would be well to call the attention of the governors of the States who are calling special sessions for consideration of the woman-suffrage amendment that they may include in their call legislation on the subject of the regulation of the sale and dis-

position of explosives, because vigilance now is needed in all parts of the country against depredations of anarchists and the Bolshevists.

Mr. WARREN. The Senator is correct. At present there has been no declaration of the finishing of the war, and I take it for granted we are still under the protection of the United States in that respect. But the suggestion of the Senator from California is absolutely correct. Attention ought to be drawn to the matter in the several States. The States ought to provide against it. In addition to that, there could be a bill introduced in the Senate dealing with the subject, and it could go to the Committees on Mines and Mining. It is not necessary to pass it in connection with an appropriation bill.

Mr. PHELAN. The Senator agrees with me that there should be some legislation on the subject?

Mr. WARREN. Undoubtedly.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House recedes from its disagreement to the amendment of the Senate numbered 21 to the bill (H. R. 3478) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, and agrees to the same.

The message also announced that the Speaker of the House, in compliance with House concurrent resolution No. 14, providing for a joint committee to confer with officials of the Commonwealth of Massachusetts relative to a contemplated observance of the three-hundredth anniversay of the landing of the Pilgrims, had appointed as the committee on the part of the House Mr. WALSH, Mr. MCARTHUR, Mr. DOREMUS, and Mr. WHALEY.

The message further announced that the House had passed a concurrent resolution providing that when the two Houses adjourn on Tuesday, the 1st day of July, 1919, they stand adjourned until 12 o'clock meridian on Tuesday the 8th day of July, 1919, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

H. R. 3478. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes;

H. R. 4226. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 4630. An act granting the consent of Congress to the county of Miller, State of Arkansas, to construct a bridge across Sulphur River near the Texas & Pacific Railroad bridge in said county and State;

H. R. 4631. An act granting the consent of Congress to the county of Miller, State of Arkansas, to construct a bridge across Sulphur River, at or near Blackman's Point, in said county and State;

H. R. 5227. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes; and

H. R. 6176. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

ORDER FOR ADJOURNMENT UNTIL JULY 8.

The PRESIDENT pro tempore laid before the Senate the following concurrent resolution of the House of Representatives, which was read:

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Tuesday, the 1st day of July, 1919, they stand adjourned until 12 o'clock meridian, on Tuesday, the 8th day of July, 1919.

Mr. WARREN. I move that the resolution be referred to the Committee on Appropriations.

The motion was agreed to.

Mr. WARREN, from the Committee on Appropriations, to which was referred the foregoing concurrent resolution, reported favorably thereon, and it was considered by unanimous consent and agreed to.

ADJOURNMENT.

Mr. LODGE. I move that the Senate adjourn.

The motion was agreed to; and (at 11 o'clock and 59 minutes p. m., Tuesday, July 1, 1919), the Senate adjourned, the adjournment being, under the concurrent resolution of the two Houses, until Tuesday, July 8, 1919, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed June 30, 1919.

[Omitted from RECORD of June 30, 1919.]

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

Boaz W. Long, to be envoy extraordinary and minister plenipotentiary of the United States to Cuba.

FIRST JUDGE, CIRCUIT COURT OF THE TERRITORY OF HAWAII.

Cornell S. Franklin, to be first judge of the circuit court, first circuit of the Territory of Hawaii.

ASSISTANT ATTORNEY GENERAL.

Charles B. Ames, to be assistant to the Attorney General.

Executive nominations confirmed by the Senate July 1 (legislative day of June 30), 1919.

UNITED STATES DISTRICT JUDGE.

Charles F. Lynch, to be United States district judge, district of New Jersey.

UNITED STATES ATTORNEY.

Joseph L. Bodine, to be United States attorney, district of New Jersey.

HOUSE OF REPRESENTATIVES.

TUESDAY, *July 1, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Let Thy blessing, Almighty God our Heavenly Father, descend in full measure upon us, that we may be prepared for the joys or sorrows, victories or defeats, hopes or disappointments of this day, that with faith and confidence we may go forward to our duty leaving the results to Thee, who doeth all things well. For Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 206. An act concerning actions on account of death or personal injury within places under the exclusive jurisdiction of the United States;

S. 661. An act to provide for the appointment of a district judge in the middle judicial district of the State of Tennessee, and for other purposes;

S. 253. An act for the payment of claims for loss of private property on account of the loss of firearms and ammunition taken by the United States troops during the labor strikes in the State of Colorado in 1914;

S. 202. An act providing for an additional judge for the district of Montana;

S. 1373. An act to amend the Articles of War;

S. 248. An act for the relief of Henry P. Grant, of Phillips County, Ark.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 661. An act to provide for the appointment of a district judge in the middle judicial district of the State of Tennessee, and for other purposes; to the Committee on the Judiciary.

S. 1373. An act to amend the Articles of War; to the Committee on Military Affairs.

S. 206. An act concerning actions on account of death or personal injury within places under the exclusive jurisdiction of the United States; to the Committee on the Judiciary.

S. 202. An act providing for an additional judge for the district of Montana; to the Committee on the Judiciary.

S. 248. An act for the relief of Henry P. Grant, of Phillips County, Ark.; to the Committee on Claims.

S. 253. An act for the payment of claims for loss of private property on account of the loss of firearms and ammunition taken by the United States troops during the labor strikes in the State of Colorado in 1914; to the Committee on Claims.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills and joint resolution:

H. R. 2954. An act to authorize the construction of a bridge across the Pend Oreille River, between the towns of Metaline and Metaline Falls, in the State of Washington;

H. R. 3157. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920; and

H. J. Res. 104. Joint resolution providing for the appointment by each Member of the House of Representatives of two persons, whose names shall be placed on the rolls of employees of the House of Representatives.

ENROLLED JOINT RESOLUTION SIGNED.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

S. J. Res. 63. Joint resolution authorizing the Secretary of War to issue permits for the diversion of water from the Niagara River.

PROCEDURE RESPECTING CONFERENCE REPORTS.

Mr. WALSH. Mr. Speaker, I rise to a question of privilege involving a matter of procedure under the rules of procedure of the House, as well as the practice with reference to conference reports between the two branches of the Congress. Upon page 2195 of the RECORD of yesterday, June 30, 1919, in the proceedings of the other branch, a statement is made by a Member of that branch with reference to the motion to recommit the Army appropriation bill, and following the statement made by that Member the presiding officer of the other branch decided that the papers should go back, evidently agreeing with the contention made by the Member referred to that the motion to recommit the Army appropriation bill conference report affects only the Journal of the House.

I direct the attention of the Chair, in order that it may be included in the RECORD of the proceedings of this branch of the Congress, to the precedent established in the other branch, and which has been followed in this branch, to be found in Volume V of Hinds' Precedents, at page 794, section 6545, where a motion to recommit a conference report was made in the other branch, and the point of order being raised that it was not parliamentary and that recommital would only be had by concurrent action, the presiding officer of the other branch at that time held:

The Chair has known it to be done several times; that is, to recommit without concurrent action.

None of the papers are now in the hands of the House. The report has not been made in the House. It has only been made in the Senate. * * * It would simply require that the House shall be notified of the action of the Senate.

On the same day the following resolution was transmitted to the House by message:

Resolved, That the conference report on the bill (H. R. 12684) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian Tribes, for the fiscal year ending June 30, 1905, and for other purposes, be recommitted to the conference committee.

That message was received by the House and was held in order by the Chair. That is precisely what has taken place with reference to the Army appropriation bill in this case.

For the purpose of the RECORD I desire to state that as affecting the procedure of this House we have followed the precedents established not only in this House but in the branch of the Congress in which yesterday a certain Member desired to question the regularity of the proceedings, and that although, as I am informed, the papers have been informally returned to the House, they are now properly in the hands of the conferees; that upon the contention made by the Member of the other branch and the decision of the presiding officer of that branch, it can not be held that they have refused to receive our message announcing that the conference report has been recommitted to the conference, because, as a matter of fact, neither branch has taken any action upon the conference, and that the papers and the recommittal should now be in the hands of the conferees and should be returned to the managers on the part of the other branch.

The SPEAKER. The Chair is obliged to the gentleman for bringing this matter up. A point of order was raised yesterday as to the propriety of the motion to recommit. The Chair examined the precedents and ruled in accordance with the statement of the gentleman from Massachusetts [Mr. WALSH], but he had not observed what occurred in the Senate.

SUNDRY CIVIL APPROPRIATION BILL—CONFERENCE REPORT.

Mr. GOOD. Mr. Speaker, I call up the conference report upon the bill H. R. 6176, the sundry civil appropriation bill.

Mr. GARNER. Mr. Speaker, I think we should have a quorum present to consider this conference report, and I make the point of order that there is no quorum present.

The SPEAKER. Obviously there is no quorum present.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The doors were closed, the Sergeant at Arms was directed to notify absentees, and the Clerk called the roll.

The following Members failed to answer to their names:

Anderson	Ellsworth	Knutson	Reed, N. Y.
Anthony	Emerson	Langley	Rhodes
Ashbrook	Fairfield	Lea, Calif.	Riordan
Ayres	Fess	Lehlbach	Robinson, N. C.
Bacharach	Fields	Lesher	Rowan
Baer	Fitzgerald	Longworth	Rucker
Begg	Focht	Luce	Sabath
Bland, Ind.	Fordney	Lufkin	Sanders, N. Y.
Browne	Frear	McClintic	Sanford
Brumbaugh	Fuller, Mass.	McCulloch	Saunders, Va.
Burdick	Gallagher	McKenzie	Scully
Burroughs	Gallivan	McKinley	Sherwood
Caldwell	Gandy	McLane	Shreve
Campbell, Pa.	Garland	MacCrate	Sinclair
Cantrill	Garrett	Maher	Slemp
Caraway	Godwin	Mann	Small
Carew	Goldfogle	Mansfield	Smith, N. Y.
Carss	Goodall	Mead	Snell
Casey	Gould	Merritt	Snyder
Clark, Fla.	Graham, Pa.	Mooney	Stedman
Cole	Graham, Ill.	Moore, Ohio	Steele
Connally	Greene, Mass.	Moore, Va.	Stiness
Cooper	Hamill	Morin	Sullivan
Copley	Hayden	Mudd	Temple
Crago	Heflin	Murphy	Tilson
Cullen	Hernandez	Neely	Towner
Curry, Calif.	Hill	Nichols, Mich.	Treadway
Dallinger	Houghton	O'Connell	Venable
Darrow	Howard	Osborne	Ward
Davey	Humphreys	Padgett	Weaver
Dempsey	Husted	Paige	Webb
Dent	Hutchinson	Parker	Whaley
Dewalt	Igoe	Pell	White, Me.
Dickinson, Mo.	Jefferis	Peters	Williams
Dickinson, Iowa	Johnson, S. Dak.	Phelan	Winslow
Donovan	Johnston, N. Y.	Porter	Wise
Dooling	Kahn	Purnell	Wood, Ind.
Doremus	Kendall	Ragsdale	Woods, Va.
Doughton	Kennedy, Iowa	Rainey, Henry T.	Woodyard
Dunn	Kennedy, R. I.	Rainey, John W.	Young, N. Dak.
Eagan	Kettner	Randall, Wis.	
Eagle	King	Reavis	
Edmonds	Kleczka	Reber	

The SPEAKER. Two hundred and fifty-eight gentlemen have answered to their names; a quorum is present. The Doorkeeper will unlock the doors.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call of the House.

The motion was agreed to.

Mr. WALSH. Mr. Speaker, just for the purpose of having the RECORD correct, the gentleman from Kentucky should renew his request to correct the RECORD, because you can not do that until further proceedings under the call are dispensed with.

The SPEAKER. The gentleman from Kentucky asks that the Journal and the RECORD be corrected as indicated. Is there objection? [After a pause.] The Chair hears none.

SUNDRY CIVIL APPROPRIATION BILL—CONFERENCE REPORT.

Mr. GOOD. Mr. Speaker, I call up the conference report on the bill H. R. 6176, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Iowa calls up the conference report on the sundry civil bill, which the Clerk will report by title.

The Clerk read as follows:

An act (H. R. 6176) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the statement be read in lieu of the report. Is there objection? [After a pause.] The Chair hears none.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6176) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 6, 8, 11, 14, 15, 18, 19, 20, 24, 29, 30, 31, 35, 40, 44, 51, 52, 56, 58, 60, 61, 62, 63, 68, 72, 74, 88, 96, and 112.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 12, 17, 21, 22, 25, 27, 28, 32, 33, 34, 36, 38, 39, 41, 42, 43, 45, 48, 57, 64, 66, 67, 70, 75, 77, 80, 92, 94, 95, 97, 98, 99, 100, 102, 104, 105, 106, 107, 108, 109, 110, 111, 114, and 115, and agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and

agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,375,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$48,000,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$50,000,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Assistant surgeons general at large not exceeding three in number"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"The heads of the several excutive departments and other Government establishments are authorized and directed to submit to Congress not later than the first Monday in December, 1919, a statement showing for the fiscal year 1919 the activities of their respective departments or establishments pertaining to the public health, and the amounts expended on account of each of the said activities."

And the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: At the end of the matter inserted by said amendment insert the following: " : *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $2,500 per annum except the following: One at $7,500, 1 at $5,000, 10 at $3,600 each, and 40 from $2,500 to $3,000 each, inclusive"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$356,000,000"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: Restore the matter stricken out amended to read as follows: "For commencing the construction of a reflecting pool in West Potomac Park, $175,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$325,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,461,353.50"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$150,000"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$125,000"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,201,897"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$75,000"; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$7,300,000"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$40,000"; and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows: "*Provided*, That the Secretary of the Interior is authorized to adjust the compensation of officers and employees at St. Elizabeths Hospital"; and the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,600,000"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment after the word "offices," in line 11; and the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$15,000"; and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"The appropriation herein made for the enforcement of the immigration laws shall be available for carrying out the provisions of the act entitled 'An act to exclude and expel from the United States aliens who are members of the anarchistic and similar classes,' approved October 16, 1918, and acts amendatory thereof."

And the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$250,000"; and the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert the following: "$60,000"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$75,000"; and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment, after the word "To," strike out the word "equip"; and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"HOUSES.

"Aberdeen, Md., $5,000;
"Alliance, Ohio, $6,500;
"Bath, Me., $7,500;
"Bremerton, Wash., $24,000;
"Bridgeport, Conn. (site 4—Crane tract), $19,000;
"Bridgeport, Conn. (site 5—Mill Green), $19,000;
"Bridgeport, Conn. (site 12—Grassmere), $8,000;
"Charleston, W. Va., $8,000;
"Erie, Pa. (east tract), $4,500;
"Erie, Pa. (west tract), $18,500;
"Hammond, Ind., $13,000;
"Indianhead, Md., $8,000;
"New Brunswick, N. J., $17,000;
"New London, Conn, $8,000;
"Groton, Conn., $1,750;
"Newport, R. I., $3,750;
"Niagara Falls, N. Y., $13,000;
"Niles, Ohio, $5,750;
"Philadelphia, Pa., $44,000;
"Portsmouth, Va., district: Cradock, $47,000; Truxton, $12,500;
"Pompton Lakes, N. J., $1,000;
"Quincy, Mass., $36,000;

"Rock Island district: Davenport, Iowa, $15,000; Moline, Ill., $9,000; East Moline, Ill., $8,000; Rock Island, Ill., $16,500;
"Vallejo, Calif. (Mare Island), $21,000;
"Washington, D. C., navy yard, $1,000;
"Waterbury, Conn., $4,000;
"Watertown, N. Y., $7,000;
"In all, houses, $412,250."

And the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: Amend the matter inserted by said amendment as follows: In line 2 strike out "$220,000" and insert "$165,000"; in line 3 strike out "$99,000" and insert "$74,000"; in line 5 strike out the word "equip"; in line 14 strike out "$925,940" and insert "$700,000"; in line 14 strike out "$1,244,940" and insert "$939,000"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"RESTAURANTS.

"Quincy, Mass., $2,500;
"Vallejo, Calif. (Mare Island), $110,000;
"In all, restaurants, $112,500."

And the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"APARTMENTS.

"Bremerton, Wash., $6,000;
"Bridgeport, Conn. (site 1, Black Rock), $33,000;
"Bridgeport, Conn. (site 14, Connecticut Avenue), $15,000;
"Erie, Pa. (west tract), $1,000;
"Portsmouth, Va., district: Cradock, $6,000;
"Washington, D. C.: Navy yard, $600;
"In all, apartments, $61,600."

And the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"DORMITORIES.

"Indianhead, Md., $6,000;
"Quincy, Mass., $74,000;
"Vallejo, Cal. (Mare Island), $28,000;
"Washington, D. C.: Navy yard, $4,000;
"In all, dormitories, $112,000."

And the Senate agree to the same.

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "In all, $2,068,970: *Provided*, That no part of the appropriations heretofore made and available for expenditure by the United States Housing Corporation shall be expended for the purposes for which appropriations are made herein"; and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In line 16 of the matter inserted by said amendment strike out the words "after the"; in line 17 strike out the words "conclusion of the war" and the word "it"; strike out all of line 39, after the word "away," down to and including the word "President," in line 42; in line 55 strike out the word "commission" and insert in lieu thereof the word "corporation"; in line 57, after the word "therefrom," insert the following: "together with a detailed statement of receipts and expenditures on account of the other activities authorized by law"; and the Senate agree to the same.

Amendment numbered 91: That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"To enable the Secretary of Labor to maintain in the District of Columbia an organization to coordinate the public employment offices throughout the country by furnishing and publishing information as to opportunities for employment and by maintaining a system for clearing labor between the several States, including a director at $5,000 per annum, an assistant director at $4,000 per annum, four chiefs of divisions at $3,000 each per annum, and such other personal services at rates of compensation not exceeding $1,800 each per annum as may be necessary, supplies and equipment, telegraph and telephone service, and printing and binding, $200,000."

And the Senate agree to the same.

Amendment numbered 93: That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: Strike out line 1 of the matter inserted by said amendment and transpose the remainder of said amendment to follow line 7 of page 2 of the bill; and the Senate agree to the same.

Amendment numbered 101: That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For additional amount for driving the automobiles of the Vice President and the Speaker of the House of Representatives, $240 each, $480."

And the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$50,000"; and the Senate agree to the same.

Amendment numbered 113: That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: Renumber the section to read "Sec. 6"; and the Senate agree to the same.

Amendment numbered 116: That the House recede from its disagreement to the amendment of the Senate numbered 116, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment strike out the numeral "8" and insert in lieu thereof the numeral "7"; and the Senate agree to the same.

Amendment numbered 117: That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with amendments as follows: Renumber the section to read "8"; strike out all of the matter inserted by said amendment after line 3 and insert in lieu thereof the following: "And with jurisdiction also to hear, consider, and adjudicate any and all other claims or demands by or against either party to said litigation, to the end that a complete and final adjustment may be had between said parties as to outstanding matters of controversy or account between them: *Provided*, That nothing in this amendment shall be construed to include claims by J. F. McMurray or Mansfield, McMurray and Cornish relating to the sale of the Choctaw-Chickasaw coal lands or claims related to the leased district, or claims relating to proceedings arising from the sale of timber lands, unallotted or other lands or any other claim where the services were not actually rendered and finished and resulted to the benefit of said people: *Provided further*, That the said J. F. McMurray shall be limited in presenting such additional claims to such matters as may have or shall hereafter be set up by way of set-off or counterclaim by the defendants"; and the Senate agree to the same.

JAMES W. GOOD,
WM. S. VARE,
JOSEPH W. BYRNS,
Managers on the part of the House.

F. E. WARREN,
REED SMOOT,
LEE S. OVERMAN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6176) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of said amendments, namely:

On No. 1: Appropriates $250,000, as proposed by the Senate, for temporary employees in the Department of State.

On No. 2: Reappropriates an unexpended balance for employment of personal services in the office of the Auditor for the Post Office Department, as proposed by the Senate.

On No. 3: Inserts the paragraph, proposed by the Senate, authorizing the Secretary of the Treasury to acquire a site for a new post-office building at Pittsburgh, Pa., at a cost not exceeding $950,000.

On No. 4: Strikes out the appropriation of $496,000, proposed by the Senate, for a site and working drawings for an archives building in Washington.

On No. 5: Appropriates $220,000, as proposed by the Senate, instead of $200,000, as proposed by the House, for remodeling public buildings in special cases.

On No. 6: Strikes out the appropriation of $176,775 for acquisition of the Baltimore Quarantine Station.

On Nos. 7 and 8, relating to the Bureau of Engraving and Printing: Appropriates $2,375,000 instead of $2,300,000, as proposed by the House, and $2,429,500, as proposed by the Senate, for salaries of employees; and restores the paragraph, stricken out by the Senate, authorizing the use of proceeds received from work performed during the fiscal year 1920.

On Nos. 9, 10, 11, and 12, relating to the Bureau of War Risk Insurance: Appropriates $48,000,000, instead of $40,000,000, as proposed by the House, and $53,000,000, as proposed by the Senate, for the payment of military and naval family allowances; appropriates $50,000,000, instead of $24,000,000, as proposed by the House, and $70,000,000, as proposed by the Senate, for military and naval compensation; appropriates $10,000, as proposed by the House, instead of $40,000, as proposed by the Senate, for rent of quarters in the District of Columbia; and inserts the paragraph, proposed by the Senate, prohibiting the use of appropriations for reimbursement of the Public Health Service for care of war-risk insurance patients.

On Nos. 13, 14, and 15, relating to the Public Health Service: Inserts the authority, proposed by the Senate, for the employment of assistant surgeons general at large, modified so as to limit it to not more than three; and strikes out the increase of $100,000, proposed by the Senate, in the fund for prevention of epidemics for reimbursement of expenses incurred in combating influenza in Alaska.

On No. 16: Requires each department and establishment to report to Congress its activities and expenditures during the fiscal year 1919 for public health work, instead of the provision, proposed by the Senate, calling for the submission of a plan for the consolidation of the various health divisions and bureaus of the Government.

On No. 17: Inserts the appropriation of $12,000, proposed by the Senate, to provide additional compensation to the engine-room forces of the sewage pumping station and the water department pumping station in the District of Columbia.

On No. 18: Strikes out the increase of $2,900, proposed by the Senate, in the appropriation for Columbia Hospital and Lying-in Asylum.

On Nos. 19 and 20: Strikes out the appropriation of $840 for an additional stenographer in the Employees' Compensation Commission.

On Nos. 21, 22, and 23, relating to the Federal Board for Vocational Education: Appropriates $6,000,000, as proposed by the Senate, instead of $4,000,000, as proposed by the House; inserts the language, proposed by the Senate, providing that the appropriation made in the bill shall be in lieu of the appropriation contained in the act amending section 2 of the act approved June 27, 1918; and inserts a substitute for the limitation, stricken out by the Senate, upon rates of compensation which may be paid under the appropriation contained in the bill.

On No. 24: Provides for the Interdepartmental Social Hygiene Board in the manner as proposed by the House instead of the manner as proposed by the Senate.

On No. 25: Strikes out, as proposed by the Senate, the language giving authority to the Interstate Commerce Commission to have printing done outside of the Government Printing Office in an amount not exceeding $1,500.

On Nos. 26, 27, and 28, relating to the emergency shipping fund: Appropriates $356,000,000, instead of $276,000,000, as proposed by the House, and $491,000,000, as proposed by the Senate, for the construction of ships; and inserts the authority, proposed by the Senate, for the disposition of "plants" as the President may direct.

On Nos. 29, 30, 31, 32, and 33, relating to the Smithsonian Institution: Appropriates $45,000, as proposed by the House, instead of $40,000, as proposed by the Senate, for international exchanges; appropriates $42,000, as proposed by the House, instead of $40,000, as proposed by the Senate, for American ethnology; restores the paragraph, stricken out by the Senate, reappropriating an unexpended balance for an observation of the total eclipse of the sun in Bolivia; and appropriates $55,000, as proposed by the Senate, instead of $50,000, as proposed by the House, for heating, lighting, etc., of the National Museum.

On No. 34: Appropriates $100,000, as proposed by the Senate, instead of $50,000, as proposed by the House, for headstones for graves of soldiers in national cemeteries.

On No. 35: Appropriates $25,000, as proposed by the House, instead of $50,000, as proposed by the Senate, for the increased cost of park maintenance in the District of Columbia.

On No. 36: Appropriates $20,000, as proposed by the Senate, instead of $10,000, as proposed by the House, for an extension of the bathhouse at the tidal basin bathing beach.

On No. 37: Appropriates $175,000 for commencing the construction of a reflecting pool in west Potomac Park.

On No. 38: Appropriates $1,000, as proposed by the Senate, instead of $500, as proposed by the House, for appliances for disabled soldiers.

On No. 39: Appropriates $1,500, as proposed by the Senate, instead of $1,000, as proposed by the House, for trusses for disabled soldiers.

On No. 40: Strikes out the authority, proposed by the Senate, for the transfer of ambulances and trucks from the War Department to the National Home for Disabled Volunteer Soldiers.

On Nos. 41 and 42, relating to the survey of public lands: Appropriates $700,000, as proposed by the Senate, instead of $675,000, as proposed by the House, and requires the use of $50,000 of that sum for the survey and classification of lands in the so-called Oregon & California Railroad lands and the Coos Bay Wagon Road lands.

On No. 43: Makes available for the fiscal year 1919 not to exceed $25,000 of the sum of $150,000 authorized by the Indian appropriation act for the fiscal year 1920 for improvements to the irrigation systems in the Big Horn Valley, on the Crow Reservation in Montana.

On No. 44: Strikes out the appropriation of $8,000 for the construction of a bridge across the Two Medicine River, in the Black Feet Indian Reservation in Montana.

On No. 45: Reappropriates the sum of $10,000 for the construction of a bridge and the sum of $5,000 for the construction of wagon road on the Shivwits Indian Reservation in the State of Utah.

On Nos. 46 and 47: Appropriates $325,000, instead of $289,000, as proposed by the House, and $425,000, as proposed by the Senate, for topographic surveys.

On Nos. 48, 49, 50, 51, 52, and 53, relating to the Bureau of Mines: Increases the appropriation for the investigation of causes of mine explosion from $402,210 to $422,210, as proposed by the Senate; appropriates $150,000, instead of $135,000, as proposed by the House, and $160,000, as proposed by the Senate, for investigation of mineral fuels and unfinished mineral products; appropriates $125,000, instead of $100,000, as proposed by the House, and $150,000, as proposed by the Senate, for the mining, preparation, treatment, and utilization of petroleum and natural gas; strikes out the appropriation of $75,000, proposed by the Senate, for the establishment of three mine experiment stations; strikes out the matter, proposed by the Senate, amending the explosives act approved October 6, 1917.

On Nos. 54 and 55, relating to the Reclamation Service: Appropriates $75,000, instead of $100,000, as proposed by the Senate, and $50,000, as proposed by the House, for secondary projects.

On No. 56: Appropriates $2,038,029, instead of $12,000,000, as proposed by the Senate, for continuing the construction of the Alaskan railway.

On No. 57: Appropriates $250,000, as proposed by the Senate, instead of $215,000, as proposed by the House, for education in Alaska.

On No. 58: Strikes out the appropriation of $50,000, proposed by the Senate, for the division of educational extension in the Bureau of Education.

On Nos. 59, 60, 61, 62, and 63, relating to the National Park Service: Appropriates $40,000 instead of $25,000, as proposed by the House, and $50,000, as proposed by the Senate, for the Grand Canyon National Park; strikes out the paragraph proposed by the Senate making a national park of the Hot Springs Reservation, Ark.; strikes out the appropriation of $20,000 for construction of an automobile highway to and through Mount Ranier National Park, Wash.; strikes out the increase of $15,000, proposed by the Senate, for the Rocky Mountain National Park, Colo.; and strikes out the reappropriation proposed by the Senate for the Yellowstone National Park.

On Nos. 64, 65, and 66, relating to St. Elizabeths Hospital: Appropriates $1,000,000, as proposed by the Senate, instead of $875,000, as proposed by the House, for maintenance; inserts a substitute for the language stricken out by the Senate authorizing the Secretary of the Interior to adjust the compensation of officers and employees; and strikes out, as proposed by the Senate, the limitation relative to the detail of soldiers and sailors for service at the hospital.

On No. 67: Appropriates $121,937.75, as proposed by the Senate, for the Howard University.

On No. 68: Strikes out the appropriation of $14,440, proposed by the Senate, for additional clerks in the office of the Attorney General.

On No. 69: Appropriates the sum of $1,600,000 instead of $1,400,000, as proposed by the House, and $2,000,000, as proposed by the Senate, for the detection and prosecution of crime.

On No. 70: Appropriates for nine law clerks, at not exceeding $3,600 each, as proposed by the Senate, for the justices of the Supreme Court.

On No. 71: Inserts the paragraph, proposed by the Senate, increasing from $50,000 to $60,000 the amount which may be used by the Bureau of Foreign and Domestic Commerce for the maintenance of branch offices during the fiscal year 1920.

On No. 72: Strikes out the appropriation of $354,000, proposed by the Senate, for a new vessel for the Coast and Geodetic Survey.

On Nos. 73 and 74, relating to the Bureau of Fisheries: Appropriates $15,000, instead of $7,500, as proposed by the House and $25,000 as proposed by the Senate, for statistical inquiry; and strikes out the appropriation of $25,000, inserted by the Senate, for the development and improvement of the herring fisheries in Alaska.

On No. 75: Appropriates $5,550, as proposed by the Senate, for contingent expenses of the Steamboat-Inspection Service for the fiscal year 1919.

On No. 76: Strikes out the appropriations of $300,000 and $350,000, respectively, proposed by the Senate, for the enforcement of laws against alien anarchists and the deportation of aliens, and inserts authority for use of the appropriation of $2,450,000 for the regulation of immigration for the enforcement of the laws against alien anarchists.

On No. 77: Inserts the paragraph, proposed by the Senate, extending without cost the benefits of the naturalization laws to aliens who have served in the military or naval forces.

On Nos. 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, and 90, relating to the United States Housing Corporation: Inserts the amendment, proposed by the Senate, modified as follows: Appropriates $2,068,970, instead of $2,992,415, as proposed by the Senate; strikes out the authority, proposed by the Senate, for the equipment of projects; inserts a paragraph, providing that no part of the appropriations remaining to the credit of the Housing Bureau shall be expended for the purposes for which appropriations are made in the bill; strikes out the authority proposed by the Senate for the transfer of property to other departments of the Government; provides for the sale of the property as soon as it can be advantageously sold, and requires that the report covering sales shall include a report showing receipts from other authorized activities.

On No. 91: Appropriates $200,000, instead of $400,000, proposed by the Senate, for the maintenance of an organization in the District of Columbia to act as a central clearing house in connection with the employment of labor.

On No. 92: Appropriates $41,500, as proposed by the Senate, for rent for the Department of Agriculture.

On No. 93: Appropriates $125,000, as proposed by the Senate, for additional quarters for the Department of State.

On No. 94: Inserts the paragraph, proposed by the Senate, consolidating the statement of appropriations for the third session of the Sixty-fifth Congress and the first session of the Sixty-sixth Congress.

On Nos. 95 and 96, relating to the Botanic Garden: Appropriates $1,350 for the purchase and installation of a boiler, as proposed by the Senate; strikes out the authority, proposed by the Senate, for the transfer of motor equipment from the War Department to the Botanic Garden.

On Nos. 97, 98, 99, 100, and 102, relating to the Senate: Appropriates for expenses and employees of the Senate in the manner proposed by the Senate amendments.

On No. 101: Appropriates $240 each additional for the drivers of the automobiles of the Vice President and the Speaker of the House of Representatives.

On No. 103: Appropriates $50,000, instead of $25,000, as proposed by the House, and $65,000, as proposed by the Senate, for the Joint Commission on Reclassification of Salaries.

On No. 104: Appropriates $2,000 for payment to James J. Britt for expenses incurred in a contested-election case.

On No. 105: Authorizes the use of $50,000 of the appropriation for public printing and binding for the reconstruction of a garage for use as a warehouse.

On Nos. 106, 107, and 108, relating to the Panama Canal: Appropriates $729,898, as proposed by the Senate, for the completion of two seagoing coal barges.

On No. 109: Authorizes the Joint Committee on Printing to requisition for the Government Printing Office all surplus and unneeded printing and binding materials, equipment, or supplies in the possession of other departments of the Government.

On No. 110: Inserts a modification, proposed by the Senate, in the section authorizing the President to transfer to the regular departments of the Government any of the files and records of the agencies created for the period of the war.

On No. 111: Inserts the section, proposed by the Senate, relative to the disposal of unused and surplus motor-propelled equipment in the War Department.

On No. 112: Strikes out the section, proposed by the Senate, for a joint commission to report a plan for a national budget system.

On Nos. 113, 114, and 115: Reduces from $300,000 to $200,000, as proposed by the Senate, the amount to be covered into the Treasury from the unexpended balances of the appropriations for the Federal Trade Commission.

On No. 116: Inserts the section, proposed by the Senate, authorizing the University of the State of Washington to exchange certain school lands heretofore granted by the United States.

On No. 117: Inserts a substitute for the section proposed by the Senate, referring to the Court of Claims for consideration and adjudication certain matters between J. F. MacMurray or Mansfield, MacMurray and Cornish, and the Choctaw and Chickasaw Nations of Indians.

JAMES W. GOOD,
WM. S. VARE,
JOSEPH W. BYRNS,
Managers on the part of the House.

Mr. GOOD. Mr. Speaker, the conferees have come to a complete agreement. The bill as it passed the House carried $483,595,013.20. It passed the Senate carrying $778,650,778.95. The Senate added to the House bill $295,055,765.75. The Senate has receded to the extent of $173,690,391, and the House has receded to the extent of $121,365,374.75. The amount now carried in the bill as agreed upon by the conferees is $604,960,387.95. The principal items which were in dispute and upon which the House has yielded are the following: The State Department, for employees, $250,000. The Assistant Secretary of State advised the conferees that unless that amount was appropriated it would be absolutely necessary to close down the Passport Division. At the present time all of the countries of Europe are maintaining a passport division or service. They do not grant passports promiscuously, and they will continue to maintain passport regulations, and the United States will also maintain a passport service, but at the present time, unless this appropriation is made, we are advised that they would absolutely discontinue that service, and with the present orders not to permit anyone to enter any foreign country unless they had a passport from the country from which they come, it would deprive American citizens of the right to go to a foreign country. We have yielded and given the amount which the State Department insisted was the smallest amount they could get along with to maintain that service. At Pittsburgh, Pa.——

Mr. GREEN of Iowa. Will the gentleman yield right there?

Mr. GOOD. Yes.

Mr. GREEN of Iowa. Does the gentleman understand that now that peace is declared this same passport system is expected to be kept up?

Mr. GOOD. It is expected to be kept up for a number of months. It will be kept up until we are advised of the ratification of the treaty of peace, at least, and then it is proposed by the State Department, as well as by the foreign Governments, that some regulation of that kind will be the best safeguard against the country receiving undesirable people of other nationalities.

Mr. GREEN of Iowa. Just one suggestion further. While it has no application to the situation right now, which, of course, must be taken care of, there is no reason why this Passport Bureau should not pay its way by fees, and I hope arrangements will be subsequently made so it will.

Mr. GOOD. They get about $700,000 now from fees, and that more than covers expenses, but I think perhaps they could well afford to charge a larger fee.

Mr. SIEGEL. If the gentleman will permit, the Passport Bureau pays for itself.

Mr. GOOD. I say it does.

Mr. SIEGEL. They earned over $900,000 last year.

Mr. MONTAGUE. Will the gentleman yield?

Mr. GOOD. I will.

Mr. MONTAGUE. May I ask the gentleman, is it not a fact fees are only paid to the Government in the event the passport is granted, and in case the passport is denied no fee is paid the Government?

Mr. GOOD. I understand that is the case.

Mr. MONTAGUE. There are thousands and thousands denied; many more refused than granted.

Mr. GOOD. Another item in the Senate bill to which the conferees have agreed is that of $950,000 for acquiring a site at Pittsburgh, Pa. This is simply a reappropriation of funds that will be received from the sale of the old site. The old site has been sold for $950,000———

Mr. MADDEN. New site for what?

Mr. GOOD. For a post office.

The next item is the family allowances for persons in the military and naval service of the United States. The House bill carried $40,000,000 and the Senate bill carried $53,000,000 for that service. The conferees have agreed to $48,000,000, or an increase of $8,000,000. It is quite likely with the very slow rate of demobilization that it will require a larger sum than this for the payment of family allowances on account of men in the military and naval services of the United States.

In this connection I want to call the attention of the House to the fact that the bill that passed the House in February carried $33,000,000 and made it immediately available. The deficiency bill for the same service carried $39,000,000, and that has already been paid out. I do not know, if Congress had adjourned and had not met until December, what would have been done for the payment of the family allowances on account of men in the military and naval services of the United States, because the bill we passed carried only $33,000,000. We have already appropriated $39,000,000 since, or $6,000,000 more than the former bill carried, and that money has been practically all paid out or will have been sent out on the 1st day of July. The department is asking for considerable more than this. The conferees felt, therefore, that while it might be necessary to recommend a deficiency in this regard, that the $48,000,000 would be required in addition to the $39,000,000 which was carried in the deficiency bill.

And so, too, with the payment for military and naval compensation. The House bill carried $24,000,000 and the Senate bill carried $70,000,000. The bill that failed carried only $20,000,000. The Senate bill carried practically all of the estimate. It was stated by the director of this service that the $24,000,000 which was carried in the House bill would be required to pay the claims already allowed, and that if the House had insisted and we had appropriated only $24,000,000 for the year there would have been no fund at all with which to pay the compensation arising under new claims. We therefore agreed upon $50,000,000 for this service, which is an increase over the amount previously carried in the bill of $26,000,000.

The next item of any size is the increase over the House bill of $2,000,000 for the Federal Board for Vocational Education. We have had this matter before the House several times, and the situation in which we found ourselves was about this, that the sundry civil bill carried $4,000,000, and while that was pending in conference a bill reported out by the Committee on Education carried $6,000,000, and at least a large part of it was for the same service for which we had appropriated the $4,000,000. And what the conferees did was this: We increased the amount formerly carried in the sundry civil bill from $4,000,000 to $6,000,000, which was the total amount asked for by the board, and then put in a provision that that amount of $6,000,000 should be in lieu of the $6,000,000 carried in bill recently passed amending section 2 of the original act.

Mr. SEARS. Will the gentleman yield?

Mr. GOOD. I yield.

Mr. SEARS. I think that is hardly a correct statement. While we raised the appropriation from $4,000,000 to $6,000,000, included in that $6,000,000 is $2,000,000 appropriated by this House, and so the appropriation was made practically at $4,000,000 as passed by the House last year.

Mr. GOOD. The gentleman is mistaken about that. It was in addition to the $4,000,000 that had been appropriated.

Mr. SEARS. Two million dollars previously passed by the House.

Mr. GOOD. The language of the bill was that "it shall be in addition to the $2,000,000" carried in the act. At any rate, we have given them all they have asked for the entire service, and simply provide it shall be in lieu of the $6,000,000 carried in the bill amending the act.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. GOOD. Yes.

Mr. BANKHEAD. In order that in the future there may be no confusion about these figures, I want the gentleman to state categorically whether or not he is in position to state that the aggregate sum of $6,000,000 now carried in the bill is all that the Federal Vocational Board says they will require for their general administrative purposes and for the purpose of paying this $80 a month to these 4,000 additional soldiers that we expect to take over under the provisions of the bill passed in the House a few days ago?

Mr. GOOD. I would not put it just that way. I would say this: My recollection is that it was a little over $6,000,000—I think $6,300,000, based on $75 a month. Our hearings were had when that was all they were asking, but the House and the Senate subsequently agreed upon paying $80 a month.

Mr. BANKHEAD. Have you had before your committee any member in authority to speak for the Vocational Board who stated that the sum of $6,000,000 would be sufficient to take care of their necessities in view of the legislation we passed a few days ago taking over these additional soldiers?

Mr. GOOD. We have had no hearings since the matter came up and have had no hearings since the allowance was raised from $75 a month to $80 a month. And I will say to the gentlemen that the only estimate that was made before the committee was for $6,000,000 for the entire service, and that included the allowance of $75 a month for the men who availed themselves of this training or went to school or college.

Mr. BANKHEAD. In other words, then, the gentleman does take the positive attitude that the Vocational Board has stated before his committee that the sum of $6,000,000 carried by this bill is sufficient to meet all their necessities in view of the legislation existing with reference to that board?

Mr. GOOD. I have said to the gentleman that we have had no hearings since we passed the law increasing the amount from $75 to $80 a month. We have had no hearings and nobody has appeared, therefore, before the committee.

Mr. BANKHEAD. That very fact, I will say to the gentleman, is the reason why I anticipate it will develop that the amount you have appropriated is not sufficient for the purposes intended and you will have to bring in a deficiency to cover it.

Mr. GOOD. Now, the next item of any magnitude and, in fact, the large item, is the question of the Shipping Board. The House provision carried $276,000,000 for that board. The Senate carried $491,000,000 for the same service.

In order that we may have this matter straight, I want, first, to give you a picture of the balance sheet in so far as the ship construction item is concerned. The total authorization for ship construction, aside from requisitioned ships or purchased ships, was $2,884,000,000. Contracts have been let for all of that authorization except $220,000,000. This bill reduces the authorization by $120,000,000, leaving to the Shipping Board the right to enter into new contracts for new construction to the extent of $100,000,000. The amount, therefore, effective as an authorization when this bill shall have been approved will be $2,764,000,000. We have already appropriated under this authorization, not including the amount carried in this bill, $1,938,451,000. The amount of the authorization remaining, therefore, before taking any action on this bill except to reduce the authorization by $120,000,000, is $825,449,000.

This bill either appropriates or makes available toward that authorization $604,471,855. This does not take into account $100,000,000 for requisitioned ships, which would make up the entire amount of their estimate of $704,000,000. Of the whole amount of the ship construction authorization, therefore, after we shall have enacted this bill into law, there will remain to be met from appropriations or revenues, if all the ships are built within the limit of cost as authorized, $221,067,145.

Mr. NOLAN. Mr. Speaker will the gentleman yield?

Mr. GOOD. Yes.

Mr. NOLAN. I would like to ask the chairman of the committee if it is the intention of the committee to allow the Shipping Board to go along with the program of shipbuilding to the extent of $704,000,000?

Mr. GOOD. They have that money.

Mr. NOLAN. This $604,000,000, with the reserves they have on hand, will provide the necessary $704,000,000 to carry out that program?

Mr. GOOD. That is the intention, and the only thing that stands in the way is, first, the sale of ships by the Shipping Board to the extent of $75,000,000. They have already sold ships to the extent of $51,000,000, and they tell us that we are the only country where there are ships that can be delivered at this time, the only producer that has ships to sell, and that there is a big market for the ships. The other item of $60,000,000 is in regard to operations.

Last year the Shipping Board made considerable money from operations. Now, we have not attempted in this bill to take any of that, because that was used in this way: The War Department owes them $45,000,000 for services that they performed for the War Department. The Navy Department owes them $2,000,000. The Belgian Relief Commission owes them $11,000,000. They

have $12,000,000 in their treasury, after charging off for depreciation something over $35,000,000, which was money received in operation and which has gone back into the shipbuilding program, or will go back in the next year.

It was the statement of Mr. Rossiter that unquestionably they would make more than $5,000,000 a month without touching their earnings of last year. We simply say that if they meet anything like their expectations, if they make $50,000,000 or $60,000,000 this year, they can use that amount in ship construction. There is no doubt about that at all.

Mr. NOLAN. If they can not meet their expectations is it the intention of the committee to assist them in carrying out their program with $704,000,000?

Mr. GOOD. If they can not equal their old operations, then we insist that they shall collect from the Navy and War Departments and the Belgian Relief Commission $58,000,000, which will be within $3,000,000 of all that we have estimated for operation.

Mr. NOLAN. Is it possible for them to collect that $58,000,000?

Mr. GOOD. Certainly. If you can not collect from the War Department when we have been appropriating for that department money by the billions, if one arm of the Government can not collect its debt from the War Department, I do not know how an individual or corporation can do it.

Mr. NOLAN. It was stated repeatedly on the floor that it was merely a matter of carrying the money on the books, and that no actual money passed in the transaction.

Mr. ELSTON. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. ELSTON. As I understand it, the gentleman came in here, when the bill was first brought into the House, with the statement that the Shipping Board and the committee had come to a perfect agreement on a definite program of construction, totaling $704,000,000 for the fiscal year 1920, and that the bill introduced into the House and passed by this House provided, by one means or another, for this total of $704,000,000 for the fiscal year 1920. I understand that the gentleman agrees that the existing program should not be abated and that commitments made should be carried out, so that no shipyards should be scrapped and no workers put out of work during this next fiscal year. The gentleman stated that on the floor, did he not?

Mr. GOOD. That is true to an extent, except where the gentleman said no shipyards should be scrapped. It is the intention to scrap some of these Government yards and to sell them as soon as we can sell them.

Mr. ELSTON. I remember that the gentleman qualified his statement to that extent. But I remember also his statement here, that the program agreed upon by the committee and the Shipping Board should be carried out. Now, I would like to ask with regard to the total amount of $135,000,000, namely, the difference between the Senate appropriation of $491,000,000 and the House appropriation of $276,000,000. This difference of $135,000,000 is not intended to diminish the program of $704,000,000 to the extent of $135,000,000, is it?

Mr. GOOD. No.

Mr. ELSTON. Now, it is intended to make good that $135,000,000, as I understand it, from other sources, namely: Capital stock of the United States Shipping Board, $50,000,000; working capital or operation proceeds of the Shipping Board, $60,000,000; and the amount of $25,000,000, which is an excess estimate on the part of the House committee over and above the estimate of $50,000,000 made by the Shipping Board of what would be received during the fiscal year 1920 out of the sale of ships. Is that true? That is, that there was a difference of opinion between the committee and the Shipping Board as to what they would receive out of the sale of ships during the next fiscal year 1920?

Mr. GOOD. That is true.

Mr. ELSTON. Now, I understand the gentleman to have said this in reply to a question by the gentleman from California [Mr. NOLAN] that if any one of these three items, namely, the capital stock item of $50,000,000, or the working capital item, that is, the operation proceeds of $60,000,000 for the fiscal year 1920, and the excess estimate of $25,000,000 from the sale of ships—if any one of these items does not come up to expectations, or is not collectible, or liquid, although they may all be assets of the Government, nevertheless, this House is committed to the program of $704,000,000, and the gentleman will assist in making up deficiencies if they should occur. Now, we want that understood, because promises and expectations have been made on that basis.

Mr. GOOD. I will say to the gentleman that the Congress is committed to this program. If for any reason the operations or the sale of ships shall fall short of the amount taken into consideration, of course that amount will have to be supplied in some other way; but I want to say to the gentleman now, and I want the Shipping Board to take judicial notice of it, that I do not believe that Congress will for a minute temporize with any organization that will hold that great number of ships which the Shipping Board now holds and refuse to sell them, when everybody knows that as the months pass we are going to sell these ships on a declining market, that the market will unquestionably go down, according to the statement of experts, to below $175 a ton. We have too many ships of one class, that make our fleet an unworkable fleet, and the Shipping Board has assured the committee that it proposes to sell these ships and sell them now. Mr. Hurley's estimate was that they could sell $100,000,000 worth of the requisitioned ships. Most of them were requisitioned from Norway. We requisitioned those and continued to build them, and they are ready for delivery. They can be sold now for cash to foreign countries. Most of those ships are sold in the United States, under an agreement that they will fly the American flag; but there is absolutely no reason why these ships should not be sold and why they should not be able to sell for foreign account more than the amount we have taken into consideration.

Now, with regard to the ships sold in the United States, they are sold on time. Only about an average of 33⅓ per cent is paid in cash, and that was the reason advanced by the Senate why this amount should be reduced to $50,000,000, where we had practically taken into consideration $150,000,000.

Mr. ELSTON. Is it not true that the gentleman's estimate of $75,000,000 realizable from the sale of ships during the fiscal year 1920 was predicated on a percentage payment on an assumed total sales of something like $200,000,000 worth of ships?

Mr. GOOD. No.

Mr. ELSTON. What was the percentage?

Mr. GOOD. We assumed that they would sell, as they said they were going to sell, about $100,000,000 worth of these foreign ships that were requisitioned; that they would be sold to foreign countries and cash would be obtained for them.

Mr. ELSTON. Under any circumstances the estimate of the gentleman, and of the Shipping Board as well, calls for the sales in the fiscal year 1920 in the aggregate of over $100,000,000. There is no great difference of opinion in that regard between the Shipping Board and the gentleman?

Mr. GOOD. I think not. I am not sure that I understood the gentleman's question.

Mr. SCOTT. Will the gentleman from Iowa yield?

Mr. GOOD. I yield to the gentleman from Michigan.

Mr. SCOTT. In connection with this appropriation, did the committee grant any portion of it in view of the proposed plan of the Shipping Board to construct 125 ships of 10,000 dead-weight tons or over?

Mr. GOOD. If the gentleman will look in the table he will find a statement that gives just exactly the number of ships that are on the ways, the number that are in the wet basin, and the number for which the keels have been laid. I can not carry all these figures in my mind. There is a table giving it all, and it was based upon that table that the committee arrived at its conclusions.

Mr. SCOTT. I will say to the gentleman that I am fairly familiar with the work that is now in process of construction, but my question is not directed to the ships that are now on the ways or that are partially completed, but it is directed to 125 ships that have not even been started yet, and that the Shipping Board propose to construct in the future, the ships to be of 10,000 or 12,000 dead-weight tons and upward.

Mr. GOOD. There is no estimate for those.

Mr. SCOTT. That is not contained in this estimate.

Mr. GOOD. That is not contained in this bill. The only estimate was for the ships that are in process of construction at the present time.

Mr. CARTER. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. CARTER. How much money is left in the bill for the Shipping Board now?

Mr. GOOD. Three hundred and fifty-six million dollars of appropriations.

Mr. CARTER. That is the capital stock to be used for the expenses of running the work?

Mr. GOOD. Yes.

Mr. CARTER. How much did the original House bill carry?

Mr. GOOD. The House bill originally carried $276,000,000.

Mr. CARTER. How much did the Senate increase it?

Mr. GOOD. The Senate increased it to $491,000,000.

Mr. CARTER. Now, does the gentleman think he has left sufficient funds for the Shipping Board to run this business without forcing the sale of ships and causing them to be sold for less than they are worth?

Mr. GOOD. Well, yes.

Mr. CARTER. The thing I wanted to get clear in my mind was—I know the gentleman considered this phase of it—that we ought not to permit the appropriation to be cut to a point where the sale of ships might be forced in order to run the business, and thereby the ships be sold for less.

Mr. GOOD. We are going to sell some of these ships at a loss. The market is going down and they anticipate that. They have been fortunate in selling ships so far at a very high price; that is because of the lost tonnage during the war. We are the only country that can supply ships, and we can only supply ships of a certain class. The market will be limited for ships of that class, and after we have supplied the market for that class we will have to sell some of them at a loss.

Mr. CARTER. That does not get quite to the question I asked.

Mr. GOOD. I will say to the gentleman that I do not believe the provision carried in the bill will force the Shipping Board to sell at any greater loss than they are having to sell now, but I think by selling the ships now they will not suffer as great a loss as they will by continuing the policy of holding the ships.

Mr. GREEN of Iowa. If the gentleman will yield, I will say for the benefit of my friend, the gentleman from Oklahoma, that there is no such thing as a forced sale of ships. There is the greatest demand for ships, and such ships as are built at Hog Island are worth $2,000 a day for charter rights, and the ships you can sell to-day, but they may not pay as much to-morrow. There is no question about a forced sale of the ships. The question is to get ships enough for those who wish to purchase them.

Mr. CARTER. The ship purchasers know as much about what the Government is doing as do Members of Congress. If they know that the Shipping Board has not sufficient funds to conduct the business and that they have to sell ships to get funds, naturally that would depreciate the price.

Mr. GREEN of Iowa. Oh, not at all.

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. SUMNERS of Texas. For information, I desire to ask the chairman this question. It is disclosed by questions asked the chairman that it is contemplated that there shall be built for the Shipping Board something like 100 vessels.

Mr. SCOTT. One hundred and twenty-five new ships.

Mr. SUMNERS of Texas. Then it seems to be in contemplation that the Shipping Board will dispose of the ships under the general power now exercised. I want to ask the chairman of the committee what is his judgment with reference to the advisability of the Government, through its Shipping Board, having the ships constructed, which, in the judgment of the chairman, it is evident that the Government will have to sell at a loss?

Mr. GOOD. The ships that will be constructed will be constructed in part out of material already on hand. A part of the plates have been fabricated. If that is sold, it will be sold at a great loss. The type of ships that will be constructed now will be of a different type altogether from the ships we have been constructing; they will be larger and faster and will fit in with the fleet we now have. It will be absolutely necessary for the management of the fleet to have additional ships.

I do not know how many they can construct out of their authorization. We have left $100,000,000 of that authorization for new ships, but, of course, they can not avail themselves of it if they do not complete the ships already under contract within the limit of cost.

Mr. SUMNERS of Texas. I am not quite clear about that. I understood from the questions propounded to the chairman that the Shipping Board was contracting for the construction of 125 ships, the construction of which is not yet begun. I understood in some sort of a way that the Shipping Board was obligated. It seems to me a wise policy, if the ships now held are to be disposed of, for the Shipping Board not to take on any new contracts for ships when it now seems reasonable that they must sell them at a loss. It is not a wise public policy to carry forward such a contract.

Mr. GOOD. I think there would be no difficulty in arriving at a similar conclusion as far as the committee was concerned if we had not had a large amount of material on hand that could be used. Some shipbuilders were willing to take it off the Government's hands. One builder would take five ships at $230 a ton actual cost to the Government. He would also take the contract for building new ships and take the material on hand at a greatly reduced price. It seemed to the committee that it was the only way we had to utilize the material on hand to make the fleet a balanced fleet.

Mr. SUMNERS of Texas. One more question and then I will not trouble the gentleman further. Does the material we have on hand go into the structures of the total number of ships, or could we reduce the total number and use the material on hand?

Mr. GOOD. The committee did not go into the question of new contracts. My understanding is that the new contracts are reinstatements of the old contracts for larger ships. I will say that item was not before the committee and I do not know about it.

Mr. SUMNERS of Texas. I want to make this suggestion, with the gentleman's permission: While we were on the other side we found that there seems to be an inability on the part of this Government to let up on its purchase of materials when there is a reduction in need for the use of the materials. In other words, there is not a coordination between that branch of activities that has to do with the use of things we buy and that part of the Government having to do with the purchase and acquiring of things that we buy.

Mr. RAKER. Mr. Speaker, I want to ask the gentleman a question upon another subject if he is through with the shipping proposition.

Mr. GOOD. Let us get through with the shipping proposition first.

Mr. GREEN of Iowa. Mr. Speaker, I want to make this suggestion, if the gentleman will yield, that on paying a visit to the Hog Island shipyards I found they had an immense quantity of material on hand there, the greater portion of which, the superintendent informed me, would have to be scrapped unless these contracts were carried out and unless this material was used in those particular ships, which they were all ready to build. I also find they were at that time—I suppose not counting the overhead expenses—selling ships they were turning out at an actual profit to the Government.

Mr. NOLAN. Is not this the fact, that last January the United States Shipping Board sent word out to the shipyards of the country canceling a number of contracts?

Mr. GOOD. Yes; I understand they did.

Mr. NOLAN. And in May word went forth that a great number of other contracts were to be canceled. In other words, that the contract for every ship, the keel of which would not be laid by July 1, was canceled or suspended. The $704,000,000, as I understand it, is to carry out the unsuspended portion of the Shipping Board's contracts, as from last January, and if there is any reinstatement of a larger type of ship, it will be of contracts suspended as far back as last January only, however, to the extent of $100,000,000; that they are going to try as far as they can to save the salvage of this material in the shipyards and going to use it in the construction of these ships, a type of ship that is of the greatest use to this country, and that the addition of these ships they propose to contract for to the extent of $100,000,000 would be to balance the fleet. It is the intention of the Shipping Board in their program to not lay down new keels, but to reinstate some of these suspended contracts. I think the House ought to have that made clear to them.

Mr. GOOD. That is my impression, but I will say to the gentleman that I did not go into that question any further than to ascertain as to the use of the material on hand, and just to what extent that material is new keels I am not informed; but it was to use the material on hand, and my understanding was that it was to reinstate contracts for ships of a larger type, and I am not informed whether the keels had been laid or not.

Mr. NOLAN. The program is also, as far as they can, to sell material at cost price to the shipyards and let them build for private parties and for foreign account.

Mr. GOOD. I understand that is also a part of their program.

Mr. OLIVER. Mr. Speaker, the gentleman from Iowa [Mr. GOOD] states that his remarks are intended to serve notice on the Shipping Board that it is important to sell some of the ships they now have on hand and some they hope to have in the near future. For what purposes can the Shipping Board now use the proceeds arising from the sale of ships?

Mr. GOOD. The act gives the President the power to construct these ships, and the President has practically unlimited power.

Mr. OLIVER. So the proceeds arising from sales, in fact, constitute a revolving fund for the use of the Shipping Board in ship construction?

Mr. GOOD. Yes; to use for ship construction within the limit of cost.

Mr. SCOTT. Mr. Speaker, I think the House may have gained a misapprehension from the colloquy between the chairman of the committee and the gentleman from California [Mr. NOLAN]. Mr. Hurley appeared before the Committee on the Merchant Marine the other day and notified us that the Shipping Board contemplated the construction of 125 new ships which were

larger than the type of ships the yards have been making for the United States Government.

Mr. NOLAN. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Just for a question. I can not yield any more for a statement.

Mr. NOLAN. Just in connection with that.

Mr. GOOD. I know, but my time is almost exhausted, and I have hardly started to explain the bill.

Mr. NOLAN. The chairman ought to explain to the House that the Government wants to get rid of some of these vessels.

Mr. GOOD. I have explained it twice now.

Mr. NOLAN. And that is one of the reasons why they hold up the Jones bill.

Mr. MILLER. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. MILLER. In enumerating certain credits outstanding in favor of the Shipping Board there is enumerated an item of $11,000,000 due from the Belgian Relief Committee. I would like to know what that is.

Mr. GOOD. The Belgian Relief Commission?

Mr. MILLER. Yes.

Mr. GOOD. That was for transporting food supplies and clothing to Belgium for sufferers in Belgium.

Mr. MILLER. Who was the creditor in that—who is to pay?

Mr. GOOD. The Belgian Relief organization.

Mr. MILLER. A citizens' committee?

Mr. GOOD. I think associated with the United States perhaps are Great Britain and France in that matter, but I am not sure. I will have to look that up. I only know it is the Belgian Relief Commission.

Mr. HAYDEN. Will the gentleman yield for a question?

Mr. GOOD. On this subject?

Mr. HAYDEN. No.

Mr. BRIGGS. Is it not a fact that the Shipping Board now has contracts in many of these shipyards for the construction of standardized ships, fabricated ships, that they are having too many of a certain type to give the fleet balance, and if they can make advantageous arrangements for shipyards for the construction of other types of ships it may be advantageous that they can do so and a great saving in carrying out the program now before the country, and enable them even if they have to dispose of those ships later to do so at better advantage and put us on a better footing and better plane in competing with the shipyards and the ships of Great Britain and other foreign countries?

Mr. GOOD. I do not think there will be any saving. I think there is bound to be a loss, but it will save some material unquestionably and give a better type of ship.

Mr. BRIGGS. I mean in reference to construction and adjustments.

Mr. GOOD. Now, the gentleman from North Carolina the other day made the statement that the sundry civil bill which failed at last session carried for this purpose $649,653,254, but that the House bill at this session, while it carried $276,000,000, made provision for $704,000,000. I want to remind the gentleman from North Carolina that in reporting this bill we found that we had on hand $6,514,220 of a net balance from the housing appropriation, $9,874,691 from transportation, $4,176,000 from the foreign-ship fund, and $118,000,000 from the $150,000,000 appropriation for the purchase of ships, and $25,111,000 from the plant and facilities fund. We also have added $60,000,000 from the operation of ships and permit them to use the $50,000,000 from the capital stock. If the other bill had carried, they could have used the $60,000,000 from operations for building ships, and they could have used the $50,000,000 of capital stock; therefore their bill actually carried or made available $759,653,254. They could also have used, in addition to that, for the purchase of ships, $118,000,000, making a grand total of almost $900,000,000 which would have been available, while this bill makes available at the outside $704,000,000. What was to become of the $118,000,000 that had been appropriated and remained unexpended and unobligated? Was not it the part of wisdom to pick it up and instead of appropriating more money out of the Treasury use what we had already appropriated for ship acquisition, for plants, housing, and transportation purposes? Now, that is what we have attempted to do, and while some gentleman may feel we were cutting pretty low, my opinion is that if the Shipping Board will take up in a vigorous way the sale of these ships, of which they have too many of a given type, there will be no shortage, and the amount appropriated will be found sufficient.

Mr. McDUFFIE. Will the gentleman yield?

Mr. GOOD. I have several items which I desire to discuss.

The SPEAKER. The gentleman has two minutes remaining.

Mr. GOOD. Mr. Speaker, I ask that my time be extended 30 minutes.

The SPEAKER. The gentleman from Iowa asks unanimous consent that his time be extended for 30 minutes. Is there objection?

Mr. BYRNS of Tennessee. Mr. Speaker, reserving the right to object, I shall not object, because I think the gentleman ought to have all the time necessary to explain this conference report, but I would ask the gentleman if he has any objection to my having, say, 20 or 25 minutes?

Mr. GOOD. Not at all. I think the gentleman should have it, and, as far as I am personally concerned, I will ask that my time be extended 1 hour, and I will yield 30 minutes to the gentleman.

The SPEAKER. The gentleman from Iowa asks unanimous consent that his time be extended for one hour. Is there objection?

Mr. MADDEN. Mr. Speaker, reserving the right to object, I think the time is getting pretty close to a point when debate on this question ought to quit, and I intend to object——

Mr. GOOD. But I have not explained more than half the bill.

Mr. MADDEN. I do not think the House cares to hear——

Mr. BYRNS of Tennessee. This bill carries six hundred and odd millions of dollars.

Mr. GOOD. Then I ask unanimous consent that my time be extended 30 minutes.

Mr. BYRNS of Tennessee. Mr. Speaker, reserving the right to object, would not the gentleman couple with that request that I have 30 minutes? There are one or two gentlemen on this side who desire to be heard and I think we are entitled to some time.

Mr. GOOD. I think there will be no trouble at all.

Mr. BYRNS of Tennessee. I would like to have it understood there will be no objection.

The SPEAKER. The Chair will recognize the gentleman unless the previous question is ordered.

Mr. MADDEN. I think it ought to be limited as to time, and, still reserving the right to object, I think there is no necessity of having long debate on these questions that have been settled and passed upon. It is just a waste of time of the House and the country. The time has come when we ought to close it up and while I am not going to object to the gentleman's request——

Mr. GOOD. I ask unanimous consent that my time be extended for one hour and I will yield to the gentleman from Tennessee?

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. Will the gentleman now yield on another matter?

Mr. McDUFFIE. But, before leaving this question——

Mr. RAKER. I desire to inquire in reference to the amendment numbered 52, page 106 of the bill, the war-time explosive act——

Mr. GOOD. That is out.

Mr. RAKER. The conferees agreed to disagree to that amendment?

Mr. GOOD. Yes; that goes out. It is not in the bill at all.

Mr. RAKER. And that settles the whole matter?

Mr. GOOD. Yes.

Mr. McDUFFIE. I want to get it clear. Did I understand the gentleman to say that he is satisfied that the $704,000,000 arrived at by his figures, taking into consideration the amount due from the Belgian Relief Committee, which the Shipping Board will have to collect itself, the amount also to be obtained from the War Department, which they will have to collect, make up the $704,000,000?

You feel assured, do you, that the program of the Shipping Board throughout the country will not be hampered by the cutting down of the appropriation?

Mr. GOOD. Not in the least.

Mr. McDUFFIE. Then, if they are not able to make these collections, I understood you to say that the committee would be perfectly willing to pass an additional appropriation in order to carry out the program?

Mr. GOOD. Of course, I do not know what the committee would do or what Congress would do.

Mr. McDUFFIE. But what the chairman would do?

Mr. GOOD. I say that we are committed to this program, and if the money is not available from any source it would be the duty of Congress to appropriate the money.

Mr. McDUFFIE. And you do not think it will stop the working of the Shipping Board?

Mr. GOOD. Not in the least.

Mr. McDUFFIE. The world knows that we have got to sell these ships, and does it not necessarily follow that those ships will have to be sacrificed, largely?

Mr. GOOD. They are advised that we are the only people to make spot delivery of these ships, and we have been selling them without loss so far, and I think nobody connected with the Shipping Board anticipates that the work will remain permanent.

Mr. HAYDEN. I wish to refer to the proviso in amendment No. 111, which says:

That hereafter no transfer of motor-propelled vehicles and motor equipment, unless specifically authorized by law, shall be made free of charge to any branch of the Government service.

Will that interfere with the transfer by the War Department to the various State highway departments of motor-propelled vehicles heretofore authorized by law?

Mr. GOOD. No; because that has been specifically authorized by law, and that comes within the limitation provided for in this language.

Mr. HAYDEN. I wanted to be perfectly sure about that.

Mr. GOOD. I think there is no question about that.

Mr. BLACK. Will the gentleman yield?

Mr. GOOD. I will.

Mr. BLACK. I had marked the same paragraph for a question. I am unable to see any limitation in this amendment No. 111 that would prevent the real repeal of that section 7 of the Post Office appropriation bill. It seems to me that it would be a prohibition.

Mr. GOOD. If the gentleman will look at line 22, page 209, he will see that it reads:

That hereafter no transfer of motor-propelled vehicles and motor equipment, unless specifically authorized by law, shall be made free of charge to any branch of the Government service.

Where they have been made specifically authorized by law they will be transferred free of charge, just as in the case of the St. Elizabeths Hospital and in the case of the Post Office Department they are specifically authorized by law; and therefore that transfer can be made. But unless we specifically authorize the transfer without payment it can not be made.

Mr. BLACK. I had noted that language, but my construction of it was that it would mean that Congress would have to pass a law, for instance, transferring 100 motor vehicles to the Secretary of Agriculture for distribution in that way. When it says "specifically authorized by law," I was of the thought that that would really work a repeal of section 7 of the Post Office appropriation act, and we would hereafter have to take up these specific items and authorize such transfers. Does the gentleman think there is no danger in the interpretation of that paragraph?

Mr. GOOD. Of course, it was a Senate amendment, but it seemed to us it was safeguarded, and that where the law provided a motor-propelled vehicle could be transferred without charge it could be done.

Mr. BLACK. Let me call attention to the fact that section 7 of the Post Office appropriation bill does not mention motor vehicles at all. It authorizes the Secretary of War to transfer to the Secretary of Agriculture for distribution to the several States war equipment and war supplies, and under that the Secretary of Agriculture has assumed the authority, as I think he did have the authority, to transfer motor vehicles. Now, this amendment says that unless we have specific authority of law to transfer these motor vehicles it shall not hereafter be done. I am wondering if that section 7 can be construed to be specific authority of law. It does not even mention motor vehicles.

Mr. GOOD. I will say to the gentleman we did not have that section of the Post Office bill before us, but if the law authorizing the transfer does not provide they shall be transferred without charge, of course it can not be done. They will have to pay for them out of their appropriation.

Mr. BLACK. That law does provide it shall be without charge, but it does not mention motor vehicles by name, and I really think there is danger that this is a limitation on or a repeal of that section 7, so far as motor vehicles are concerned. I am sure it was not the intention, but I think that will be the effect.

Mr. GOOD. The conferees agreed upon the Senate amendment giving $125,000 additional to St. Elizabeths Hospital and $121,937.75 to Howard University. That latter item went out on a point of order in the House and was restored in the Senate, and the conferees agreed to it.

The House bill carried $1,400,000 for the Department of Justice for the detection and prosecution of crime. The Senate bill carried $2,000,000, and the conferees have agreed upon $1,600,000, or an increase of $200,000 over the House bill.

The deficiency bill, which is in conference, carries a provision that so far as the Housing Corporation is concerned all the receipts from operations shall be turned into the Treasury of the United States, and that Congress shall appropriate the money for running the houses and paying the administrative expense. The Senate, therefore, put into this bill an appropriation of $2,990,000, which was about $400,000 less than the estimate. We have reduced that amount to $2,068,000, or a reduction of $923,000 under the amount carried in the Senate bill.

The Senate amendment of $400,000 for the Employment Service provided not only for a clearing house in the Bureau of Labor, but also provided for a field service. The provision agreed upon in conference carries but $200,000, and only makes provision for a clearing house in Washington.

We had previously appropriated $800,000 each for the construction of two coal barges for carrying coal to the Panama Canal. The increased cost of labor and material made it necessary to increase that appropriation, and the House conferees therefore agreed to the Senate amendment appropriating $729,898 additional.

The Senate has receded on the reflecting pool in Potomac Park with an amendment reducing it from $200,000 to $175,000.

The Senate bill also increased the House amount for the construction of the Alaskan Railroad by about $10,000,000. The bill as it passed the House carried an appropriation up to the limit of cost for the construction of this railroad, and the amount added to the bill by the Senate was in excess of that limit of cost. The House committee refused to hear testimony in regard to the need of appropriations in excess of the limit of cost, preferring that the matter of increasing the limit of cost should be taken up first with Congress and by legislation having that limit increased.

The legislation amending the explosives act and the legislation affecting the Interdepartmental Social Hygiene Board are out of the bill, the conferees having agreed to eliminate them.

I think that explains in large measure the principal items in the bill.

I yield 30 minutes to the gentleman from Tennessee [Mr. BYRNS].

The SPEAKER. The gentleman from Tennessee is recognized for 30 minutes.

Mr. BYRNS of Tennessee. Mr. Speaker, the conferees on the part of the House have labored very earnestly to come to a unanimous agreement with the conferees on the part of the Senate respecting the differences between the Senate and the House, in order that this bill may be quickly passed and become a law. I dare say that there are a number of items agreed upon in this conference report to which individual members of the conferees on the part of the House would not originally have given assent. But you gentlemen understand, of course, that when we go into conference between the House and the Senate there must be a spirit of compromise between the two bodies in order that a conclusion may be reached.

The gentleman from Iowa [Mr. GOOD] has very fully and elaborately discussed the various amendments that have been agreed upon and reported to the House. I simply want to call attention to one or two. In the first place I want to refer to that amendment which relates to the establishment of what is called a clearing house for the United States Employment Service here in the District of Columbia. The conferees have reported a provision to the House providing $200,000 which shall be used within the District of Columbia by the United States Employment Service in the way of a general clearing house. That, of course, is good as far as it goes. But it is my own personal judgment that the amendment does not go far enough. I would have been glad to see some reasonable appropriation made that would have enabled this service to continue its agencies in the various States in order to render effective service, particularly to the discharged soldiers and sailors who find themselves without positions. We have established, in other words, a clearing house here in the District of Columbia, but I call your attention to the fact that the amendment does not provide any agency to originate business for this clearing house. It is on all fours with what might be said of a financial clearing house without banks to originate business for the clearing house to carry on.

Now, in this connection—and I shall not discuss the matter at length—I wish to call the attention of the House to the report that has been made by the Director of the Employment Service and which appears in the hearings which were had by the Senate committee on this particular bill. He submitted a report showing the number of registrations and the number of persons who had been placed by the service from February 8, 1918, down to and including June 7 of this year. That report shows that of soldiers and sailors only there were registered

with the various employment bureaus throughout the country the number of 430,018, and of that number there were placed by the service 262,611.

The statement of total activities for the entire calendar year 1918 and up to and including May of this year, which includes the soldiers and sailors as well as others who applied for positions, shows that they numbered in the way of registrations 6,667,101. There were calls for help for labor on the part of various employers to the number of 11,571,008. There were 6,055,316 referred and 4,147,003 actually placed by the Employment Service during the months to which I refer.

Now, it seems to me, from the report which has been submitted and which is on record, that it is clearly demonstrated that Congress ought to have made some provision to take care of this service in the States and that it has proven of great value. I want to say that it is stated in the hearings that there are not more than eight of the States now which have an adequate employment service, and therefore when we stop these Federal agencies in the States, necessarily the number of soldiers and sailors who are going to be discharged and demobilized in the future and who need positions will have no one with whom they can register, unless they write to the clearing house here.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. CANNON. The gentleman speaks of eight States having an employment service. As I understand it, Illinois always has had an employment service maintained at the expense of the State and appropriated for by the State legislature. She has recently added 12 additional stations, so that every city in the State of 25,000 population has a station appropriated for by the State legislature. Chicago has six stations, I believe.

Mr. BYRNS of Tennessee. That is very commendable legislation, it seems to me, on the part of the great State of Illinois, and, undoubtedly, this service, on account of the action taken by Illinois, will not be so greatly missed in that State as it will be in those States where no such agencies have been created. The director of the service stated—and I quote from him in order that I may be exact in my statement—that perhaps eight States at the most have employment service which might be termed in any way adequate. We have, of course, in the vast majority of the States no employment service and no appropriation for any, and at the present time no possibility for any, because the legislatures of a large percentage of the States have already adjourned.

Mr. CANNON. If the gentleman will allow me, you may take many States that are not manufacturing States and you will find that there has been no real necessity for the State establishing this service, because the agricultural people as a rule take care of themselves pretty well without the aid of an employment bureau, as I understand it. Otherwise, if it had been necessary, they would have had them, as we have them in the States that are called manufacturing States.

Mr. BYRNS of Tennessee. That is quite true; but, undoubtedly, there are a number of States which would even come within the class referred to by the gentleman from Illinois which have to-day no employment service. Their legislatures are not in session. They can not establish employment services, and the point I was seeking to make was that some provision should be made whereby those who are in such States and without positions might have an opportunity to register their desire for employment, and there might be some one who can advise them where they can secure employment.

The very fact that we are establishing a clearing house here in the District of Columbia, confining its activities to this city and to the work it can possibly do by mail, it seems to me does not meet the situation in any sense. I understand that bills are pending before the proper committees of the House and Senate seeking to enact legislation along this line, and I assume that those bills will be reported shortly.

Mr. Speaker, how much time have I consumed?

The SPEAKER. The gentleman has consumed 10 minutes.

Mr. BRYNS of Tennessee. There is another amendment to which I wish to refer——

Mr. GOOD. Before the gentleman goes to that, I should like to ask him a question.

Mr. BYRNS of Tennessee. I yield to the gentleman from Iowa.

Mr. GOOD. The gentleman realizes, with regard to this Employment Service, that this clearing house will do something in the way of providing employment for the returning soldiers by making available the information furnished by the officer on board the ship, who gets the information and transmits it——

Mr. BYRNS of Tennessee. Undoubtedly.

Mr. GOOD. To the eight States, and also to those employment services in boards of trade and commercial organizations throughout the country.

Mr. BYRNS of Tennessee. Undoubtedly.

Mr. GOOD. While the bill that passed the House in February for this year did not carry a penny, even for a clearing house.

Mr. BYRNS of Tennessee. I regret to say that it did not, and I was not seeking to minimize whatever service may be rendered by this clearing house. The only point I was making was that, in my judgment, it did not go far enough, because for the life of me I can not see how a clearing house can be effective unless there is some agency to originate business for it.

Mr. MOORE of Pennsylvania. If the gentleman will yield, I want to ask him about this Employment Service.

Mr. BYRNS of Tennessee. If the gentleman will make it brief.

Mr. MOORE of Pennsylvania. How much is appropriated, as the matter now stands in conference?

Mr. BYRNS of Tennessee. Two hundred thousand dollars.

Mr. MOORE of Pennsylvania. The bill I have before me would seem to appropriate $400,000.

Mr. BYRNS of Tennessee. The Senate adopted an amendment provided for $400,000 for general employment service. The conferees have agreed upon an amendment to provide $200,000 for the establishment of a clearing house here in the District of Columbia.

Mr. MOORE of Pennsylvania. Pennsylvania seems to have a very satisfactory employment service of its own, paid for by the State. Just how will this appropriation affect a situation like that?

Mr. BYRNS of Tennessee. It does not affect it in any sense. This clearing house is intended to be of assistance to the country generally and to those who need employment generally throughout the country in securing positions, and where a State has an employment agency or an employment service I can appreciate the fact that this clearing house here will be able possibly to render some assistance.

Mr. MOORE of Pennsylvania. Is this clearing house for work here in the District of Columbia only?

Mr. BYRNS of Tennessee. Yes; it is confined to the District as a central Federal agency.

Now, Mr. Speaker, just very briefly I want to refer to the appropriation for the Shipping Board. As the gentleman from Iowa [Mr. GOOD] very fully and clearly stated, the House adopted a provision making a cash appropriation of $276,000,000. The Senate adopted a provision making a cash appropriation of $491,000,000. The conferees have finally agreed upon a cash appropriation of $356,000,000, which is $80,000,000 in excess of the amount carried by the House. I hope that will be sufficient. The gentleman from Iowa [Mr. GOOD] states that if it is not, a deficiency may be secured later. In my judgment it is a rather doubtful policy to take from the Shipping Board not only its capital stock but also its working capital in addition. Then, too, I may say that the Shipping Board contended that the House had given too much credit for the sale of ships, the House having assumed that they would have $75,000,000 in cash from the sale of ships, which they could use during the next year, whereas the Shipping Board contended that $50,000,000 would be a large sum.

Mr. GOOD. Will the gentleman yield there?

Mr. BYRNS of Tennessee. I yield.

Mr. GOOD. Does the gentleman think we ought to have increased this by $110,000,000?

Mr. BYRNS of Tennessee. So far as I am concerned I will say frankly that if we had increased it by $60,000,000 we would have been nearer what is right and nearer what I firmly believe will be developed later on when we bring in a deficiency bill for this Shipping Board, unless they make more money out of their operations than they anticipate.

If they sell more ships than they anticipate, why, it may be that such a large deficiency will not be required. But here is the situation: By undertaking to provide that such a large amount from the sale of ships shall be taken into consideration and used during the next year we put the Shipping Board in the position of having to sell these ships, and we let the buying public know that the Shipping Board has not in its treasury a sufficient amount of money to do whatever construction is necessary during the next year, and therefore the buying public are in a position to stand back and say to the Shipping Board, "If you want to sell your ships you must take a less price than you otherwise would demand," because these ships are not sold for cash. It is impossible to sell them for cash and realize the best price. In fact, only about 25 per cent cash is realized. Now, in my judgment it would have been wiser if we had made

an appropriation which would not have put the Shipping Board in the situation before the buying public requiring them to sell the ships regardless of the price that they might bring, unless it can come back to Congress and get additional money. The gentleman from Iowa, however, has relieved the Shipping Board of this embarrassment to a certain extent by indicating that a deficiency appropriation may be made later on if needed.

Mr. GOOD. I am sorry to see the gentleman in such complete disagreement with the gentleman from North Carolina in regard to the amount that is carried.

Mr. BYRNS of Tennessee. I do not know what the views of the gentleman from North Carolina are, but I believe that when we come to the deficiency bill next winter the facts will show that I am very nearly correct in my contention.

This brings me to another point, and then I must conclude, for I must yield to two other gentlemen. I have signed the conference report. I am in line with the gentleman from Iowa, who is making a very commendable effort to cut expenses, but I do not believe that in cases where we know what is going to be needed next year we ought to cut these expenses with a view of taking them up by a deficiency later on. It is going to be found later on that a number of activities in this bill—and I may say in other bills—will have to be augmented by deficiency appropriations. Therefore the very fact that we are cutting expenses to-day and so greatly reducing expenses, as some gentlemen have claimed, is going to be found rather an exaggeration later on when deficiencies will have to be passed by Congress in order to provide the necessary funds to carry on many of the activities of the Government. The economy record of the Republican Party can not be safely judged by the size of the bills now being passed. It will have been established when we ascertain how much more is to be appropriated later on by way of deficiency appropriations.

Now, Mr. Speaker, I yield five minutes to the gentleman from South Carolina [Mr. BYRNES].

Mr. BYRNES of South Carolina. Mr. Speaker, at the last session of Congress I reported this sundry civil bill. At this session I have not consumed any time in discussing it because it was my desire to expedite its passage.

The debate here to-day causes me to refer to two subjects in order that the record may be kept straight. Gentlemen on both sides of the aisle attack the Employment Service and have stated their views as to the provision in this bill. The facts are that in the last session of Congress the sundry civil subcommittee, composed of the gentleman from Kentucky, Mr. Sherley, the gentleman from Georgia, Mr. Howard, and the distinguished Speaker of this House, Mr. GILLETT, Republican Leader MONDELL, and myself, were unanimously of the opinion that the war having come to a close, the Appropriation Committee was no longer justified in bringing in on appropriation bills legislation establishing new departments and appropriating for them large sums of money; that there was no justification for the usurpation of the functions of the legislative committees of this House. Without passing on the merits of the proposition at all, we took that position, and it was sustained by the Appropriations Committee, with the exception of four members on the Democratic side of the House, who signed a minority report. They were the gentleman from Massachusetts, Mr. GALLIVAN, the gentleman from New Jersey, Mr. EAGAN, the gentleman from Georgia, Mr. Howard, and the gentleman from Montana, Mr. EVANS.

When we came on the floor an amendment was offered proposing to appropriate about $10,000,000. A point of order was made against it, and it went out under the rules of the House. I am firmly convinced that the appropriation in this bill, which is in the nature of a compromise, will accomplish nothing. One of two things should be done. The Employment Bureau should exist as it to-day exists, with offices throughout the country and local representatives endeavoring to secure employment for the unemployed, or it should not exist at all. The Labor Committee of the House has had this matter under advisement since May 19, and it ought to have reported a bill so that the House could express its views on the establishment of this service as a permanent activity of the Government.

This appropriation for the service, which can be spent only for employees in the District of Columbia, will be of no service to the returning soldiers. The organization will be disbanded, and we might just as well have refused to appropriate anything at all. If $400,000 was appropriated without restricting the appropriation to the District of Columbia, the field offices could be kept open until the Congress passed on the legislation now being considered by the Labor Committee.

Now, as to the Shipping Board: I rejoice that the gentleman from Iowa, in response to a question, stated that as far as he was concerned, when it was necessary he would favor the appropriation in a deficiency bill of a sufficient amount to carry out this program of $704,000,000. There is no doubt in my mind that the necessity will arise, and in the very near future.

I spent some time in investigating the Shipping Board situation. I know as to the operating division there may be no immediate trouble. But when we take as we do by this bill the $50,000,000 capital stock which is on deposit in banks throughout the country and is used to pay their current obligations on construction account we are taking from them their working capital, and they will have to replace it immediately, and there is only one way in which they can secure funds to replace it and that is by a forced sale of ships at this time.

This bill provides for the sale of $225,000,000 worth of ships. I say that because they can not sell for cash. We may say that they ought to, but they can not. They can not get fair prices when they demand cash, and they have been getting about one-third cash. When we ask them to secure $75,000,000 from the sale of ships it means they will have to sell $225,000,000 worth of ships. But I hope the Shipping Board will consider the statement of the gentleman from Iowa that he will favor a deficiency appropriation when it is necessary, and acting upon this will continue its present policy of selling upon terms that will enable us to secure fair prices for our ships and will not attempt to carry out the program of selling for cash and thereby sacrificing the ships.

The SPEAKER. The time of the gentleman from South Carolina has expired.

Mr. BYRNES of South Carolina. Can I have five minutes more?

Mr. BYRNS of Tennessee. I am sorry but my time is all promised.

Mr. GOOD. I will yield five minutes to the gentleman from South Carolina.

Mr. BYRNES of South Carolina. Mr. Speaker, in those five minutes I want to refer to the appropriation of $118,000,000 which has been referred to by the gentleman from Iowa [Mr. GOOD]. I have nothing to do with the debate between the gentleman from North Carolina [Mr. KITCHIN] and the gentleman from Iowa, but the other day I heard the gentleman from Iowa inject into the speech of Mr. KITCHIN, from North Carolina, the statement that when they came to prepare this bill they found $118,000,000, and to-day again the gentleman makes the statement that he found unexpended $118,000,000 that was appropriated for the purchase of ships, and his language implies that the former committee did not know of the existence of this fund, and it was left to him to find this small amount hanging around the Shipping Board's offices. That is a very great reflection upon my friend from Iowa [Mr. GOOD], who was a member of the Committee on Appropriations, but it is a worse reflection upon the distinguished Speaker, who was a member of the subcommittee on the sundry civil appropriation bill. It is a terrible reflection upon the distinguished Republican leader, the gentleman from Wyoming [Mr. MONDELL], and I want to say that if the gentleman from Iowa does not know how to account for that $118,000,000 he ought to have asked his leaders and they would have told him. The fact is the committee in the last Congress knew of the existence of this fund, and for very good reasons did not disturb the $118,000,000; but I know the gentleman could not know about it, because he was not on the subcommittee, and I will tell him why we left it. We discovered from the hearings that there was $118,000,000 left in that fund available for the purpose of purchasing ships, and we were about to cover it into the Treasury when the representatives of the Shipping Board came down, and as there was no politics in the Appropriation Committee, the gentleman from Wyoming [Mr. MONDELL] was called into conference with Mr. Sherley and myself, and the Shipping Board told us that the President of the United States five days after the signing of the armistice had discovered that the International Mercantile Marine was about to sell its stock to British interests. The President was anxious to control every possible ship in order to hasten the return of our boys from Europe and did not want the control of the International Marine to pass out of American hands. We therefore objected to the sale of the company to the British interests and instead offered to purchase the business for the Shipping Board, in the hope that we could have these ships under the American flag.

Mr. GOOD. But is it not true that that could have been prevented without buying the ships? The transfer of the ships to a foreign power could have been prevented.

Mr. BYRNES of South Carolina. It was prevented.

Mr. GOOD. And the $118,000,000 was not needed at all then?

Mr. BYRNES of South Carolina. Yes; I am going to tell the gentleman the story. If he ever knew it, he has not up to this time told the committee of it. It was found that the International Mercantile Marine was but a holding company, and

while almost its entire stock was held in this country and it was an American corporation, it did not own the ships but merely owned the stock in the White Star and other corporations which did own the ships, and which corporations were English and not American. We found that even though we purchased the stock of the International Mercantile Marine Co., that we could not get actual control of the ships because Great Britain would not permit the White Star and other corporations to transfer the ships. We refused to permit the Marine Co. to sell its stock to English interests in an effort to control the ships, and Great Britain refused to permit the subsidiary corporations that actually owned the ships to part with them. If we could not get the ships, we did not want the stock. The President and the Shipping Board, therefore, started negotiations with Great Britain to induce them to permit the ships to be transferred to our flag in order that we might be certain of their assistance in returning our troops. It may be that this attempt to purchase the International Marine for the Shipping Board helped us to secure some English ships to bring our soldiers back. At any rate, we did secure some English ships, more than we anticipated at the time the armistice was signed, and they to that extent assisted us in our demobilization. That was the situation confronting the sundry civil subcommittee. Negotiations had not been completed. We knew that if negotiations had gone so far that we were committed to purchase the stock, or if Great Britain decided to permit the transfer, this fund should be left available, as negotiations had been based upon the availability of this fund. Therefore the distinguished Speaker, the Republican leader, Mr. MONDELL, Mr. Sherley, and myself decided not to cover the money into the Treasury. We knew that if it was not spent it would automatically go into the Treasury on June 30. We knew also that if it was not spent for the purchase of the International Marine stock that it would not be spent for any other purchase. And it has not been.

The President found that he could, in an honorable way, avoid the purchase of the International Marine stock and he did so, and the $118,000,000 was left unexpended and would be covered into the general fund of the Treasury on June 30 if you had not put into this bill the provision reappropriating it and making it available for construction during the next year. That was why your Republican leader, Mr. MONDELL, the distinguished Speaker, Mr. GILLETT, Mr. Sherley, and myself left untouched this $118,000,000, which the gentleman from Iowa seems to regard as a lost fund, and that is the story of the $118,000,000.

The SPEAKER. The time of the gentleman from South Carolina has expired.

Mr. GOOD. Mr. Speaker, I yield the gentleman one minute more. I want to say to the gentleman that Gen. Lord and other officers of the War Department came before the committee at this session of Congress and said that the British Government had failed and refused to furnish ships to bring our boys home because they needed the ships to take their own colonial troops home, and that was the reason why they could not be demobilized any faster.

Mr. BYRNES of South Carolina. That has nothing to do with our reason for leaving the fund available in case the negotiations were completed in such way as to make it possible to secure the ships and necessitate our paying over the money.

Mr. GOOD. They did not get the ships.

Mr. BYRNES of South Carolina. Well, as a matter of fact, the gentleman and I know that we have been using some English ships, regardless of what our friend Gen. Lord may say. I know it is a fact that we were using English ships in January and February, when these negotiations were on, and you will find in the hearings of your own committee a statement as to the manner in which we were to pay for the English ships we used, and when you come to pay for them you will find that they have been used.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield five minutes to the gentleman from Oklahoma [Mr. CARTER].

Mr. CARTER. Mr. Speaker, in the few minutes allotted to me I ask the attention of the House to amendment No. 117, which is as follows:

And with jurisdiction also to hear, consider, and adjudicate any and all other claims or demands by or against either party to said litigation, to the end that a complete and final adjustment may be had between said parties as to outstanding matters of controversy or account between them: *Provided*, That nothing in this amendment shall be construed to include claims by J. F. McMurray or Mansfield, McMurray & Cornish relating to the sale of the Choctaw-Chickasaw coal lands or claims relating to the leased district, or claims relating to proceeds arising from the sale of timberlands, unallotted or other lands or any other claim where the services were not actually rendered and finished and resulted to the benefit of said people: *Provided further*, That the said J. F. McMurray shall be limited in presenting such additional claims to such matters as may have or shall hereafter be set up by way of set-off or counterclaim by the defendants; and the Senate agree to the same.

I do this because I think it is a duty I owe to the membership of this body. This amendment embraces a controversy which has been before Congress ever since I became a Member, some 12 years ago, and I believe a few years prior to that.

The amendment, as will be noted, proposes some slight changes to chapter 8, Laws of 1918, which law conferred on the Court of Claims jurisdiction to settle certain claims of one J. F. McMurray.

Mr. McMurray was a member of the firm of Mansfield, McMurray & Cornish, which some 14 years ago acted in the capacity of attorneys for the Choctaw and Chickasaw Indians. This employment was finally terminated, and out of it grew several claims of Mr. McMurray against the Choctaw and Chickasaw Indians and some counterclaims of these Indians against him. Both sides to this controversy have made repeated, vigorous attempts to have the matter taken up by the courts, and for the past 12 years these friends, like the poor, have seemed to be with us, always haunting the corridors of the Capitol in their pleas for relief, until it seemed impossible to step outside the door of this House without being lobbied with concerning this matter.

Time and again the Senate placed in appropriation bills legislation in connection with this proposition, and time and again would the House conferees refuse to agree to same, until a little over a year ago, when your House conferees found the item carried in the annual Indian appropriation bill. In order that the matter might be put behind us and not further consume the time of Congress, your conferees thought it best to agree to some character of legislation with limitations giving proper protection to the Choctaw and Chickasaw Tribes, and we brought back to the House a provision sending to the Court of Claims several different contentions between the tribes and Mr. McMurray. First, McMurray was permitted to sue for his fee in the Freedman cases; second, for two warrants amounting to some $10,000 as expenses in citizenship cases; and, third, some expenses in connection with tribal tax-suit collections. The fourth proposition permitted the tribes to sue for certain advance coal royalties claimed to be due on McMurray's coal leases, and the tribes were furthermore permitted to set up any counterclaims and offsets in connection with these matters. The conference report was adopted and this limited jurisdictional act became a part of the act of May 25, 1918.

These cases in due course of time went to the court, and Mr. McMurray claimed that the department and tribal attorneys attempted to set up counterclaims which were not embraced in or contemplated by the jurisdictional act. As to whether or not he was right in this contention is really, of course, a matter for the courts to decide. Be this as it may, Mr. McMurray's suggestions to me were all to the effect that he simply wanted to restrict the tribes to lawful counterclaims contemplated by the jurisdictional act.

When over in the Senate late Saturday afternoon my attention was called to an amendment which was intended to be proposed to this the sundry civil bill. I was somewhat surprised to find that this amendment was not a restrictive provision at all, but really undertook to remove all limitations set up by the jurisdictional act. The amendment as originally drafted is embraced in the first part of the language of this amendment No. 117, containing all the language coming before the first proviso, by which it will be noted that jurisdiction was sought to be conferred on the Court of Claims "to hear, consider, and adjudicate," not the claims set out in the original jurisdictional act at all, but "all other claim or claims by or against either party to said litigation."

This language seemed to undertake to revive certain old contracts for a fee of 10 per cent of the coal and asphalt, timber lands, unallotted lands, and other property of the Choctaws and Chickasaws, a matter about which there had been a good deal of discussion and controversy and which had already been rejected by Congress. Because it undertook to revive these claims and open up matters which had been settled and closed, I objected to the amendment, and one of our Oklahoma Senators agreed to make a point of order against it unless proper safeguards to the Indians were provided. After some further talk it was agreed that the first proviso should be added to the bill. The measure then passed the Senate, and Mr. McMurray agreed that I might write the final amendment in case it was agreeable to the conferees.

The House conferees were kind enough to consult with me concerning the matter and to express a willingness to defer to my judgment. I then called in Mr. Walter J. Turnbull, attorney for the Choctaws, Mr. McMurray, and the gentleman from Okla-

homa [Mr. HASTINGS], and it was agreed, at the suggestion of the attorneys for the Choctaws, that the second proviso should be added. This, we believe, gives full protection to the tribe and assures to Mr. McMurray his final day in court, which I hope forever and eternally settles the matter, to the end that it will not be brought back to Congress to take up the time of busy Members in the future as it has in the past.

While it is no fault of mine, I want to apologize to the House for this Oklahoma item being again brought to your attention at this time. It is certainly not my fault that it was attached to this bill, for we all understand this bill is not within the jurisdiction of the Committee on Indian Affairs, of which I am a member. I make this apology because when this McMurray jurisdictional provision was carried in the Indian appropriation bill last year I believe I told the House that the legislation then proposed sought to end the matter, and that the time of Congress would not again be taken up in consideration of same. Now, as far as I am concerned, I give notice that I am through with it. I know the House is tired of it, and I hope that it will never be brought back here again. We have sent all these propositions to court in language agreed to by both parties to the contention, so let us hope to rely on the court to settle it under the law as now provided. Certainly, Mr. Speaker, so far as my feeble influence in this House may go, I expect to try to prevent any future legislation of any character whatever upon this particular subject, and certainly I shall do all in my power to prevent matters like this being placed on a bill where it has no place and going before a committee not having jurisdiction.

I have made this explanation in order that the House might understand the amendment, and in order that both parties to the contention might be given notice that Congress is through with haggling, chewing, and sawing over this proposition.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma? [After a pause.] The Chair hears none. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

On motion of Mr. GOOD, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. DAVIS of Minnesota. Mr. Speaker, I call up the conference report on the District of Columbia appropriation bill.

The SPEAKER. The gentleman from Minnesota calls up the conference report on the District of Columbia appropriation bill, which the Clerk will report by title.

Mr. CLARK of Missouri. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Obviously there is no quorum present——

Mr. GOOD. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names.

Ackerman	Fairfield	Kinchelce	Randall, Wis.
Andrews, Md.	Fess	King	Reavis
Ashbrook	Fields	Kleczka	Reber
Bacharach	Fitzgerald	Knutson	Reed, N. Y.
Baer	Flood	Langley	Riordan
Begg	Fordney	Lehlbach	Robinson, N. C.
Bell	Frear	Lesher	Rowan
Benham	Freeman	Lever	Rucker
Britten	Fuller, Mass.	Luce	Sabath
Browne	Gallivan	Lufkin	Sanders, N. Y.
Buchanan	Gandy	McAndrews	Sanford
Burdick	Garland	McClintic	Saunders, Va..
Caldwell	Garrett	McKinley, Ill.	Scully
Caraway	Godwin, N. C.	McLane	Sherwood
Carew	Goldfogle	Maher	Shreve
Carss	Goodall	Mann	Sinclair
Casey	Gould	Mansfield	Smith, N. Y.
Cole	Graham, Pa.	Mead	Smithwick
Connally	Greene, Mass.	Merritt	Snell
Cooper	Hadley	Mooney	Steele
Copley	Hamill	Moore, Ohio	Stiness
Crago	Harrison	Moore, Va.	Sullivan
Dallinger	Heflin	Morin	Temple
Davey	Hickey	Mudd	Tilson
Denison	Hill	Murphy	Treadway
Dewalt	Houghton	Neely	Voigt
Dickinson, Mo.	Hulings	Nichols, Mich.	Ward
Dickinson, Iowa	Husted	O'Connell	Webb
Donovan	Hutchinson	Oldfield	Whaley
Dooling	James	Osborne	Wheeler
Doremus	Jefferis	Paige	White, Me.
Doughton	Johnson, Ky.	Parker	Wilson, Pa.
Dunn	Johnson, S. Dak.	Pell	Winslow
Eagan	Johnston, N. Y.	Peters	Wise
Eagle	Kahn	Phelan	Wood, Ind.
Ellsworth	Kelley, Mich.	Porter	Woodyard
Elston	Kelly, Pa.	Purnell	
Emerson	Kendall	Ragsdale	
Evans, Nev.	Kennedy, R. I.	Rainey, H. T.	

The SPEAKER. Two hundred and seventy-eight Members have answered to their names, a quorum. The Doorkeeper will unlock the doors.

Mr. GOOD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

DISTRICT OF COLUMBIA APPROPRIATION BILL—CONFERENCE REPORT.

Mr. DAVIS of Minnesota. Mr. Speaker, I call up the conference report on the District of Columbia appropriation bill and ask that the report be read.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 1 and 45 to the bill (H. R. 4226) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes, having met, after a full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 45.

That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same.

C. R. DAVIS,
LOUIS C. CRAMTON,
Managers on the part of the House.
CHARLES CURTIS,
LAWRENCE Y. SHERMAN,
JOHN WALTER SMITH,
Managers on the part of the Senate.

Mr. DAVIS of Minnesota. Mr. Speaker, yesterday I attempted to get this bill before the House, and objection was made because that voluminous report which you have just heard was not printed. I was exceedingly sorry that the circumstance happened, because, in my judgment, owing to the condition the Congress was in relative to the passage of bills which are very important, there was more time last evening to discuss perhaps the two matters involved in this case than there will be now. This, as the House well knows, is the appropriation bill for the District of Columbia. It is composed, I might say, of thousands of items contained in 102 pages. The bill as it passed the House seemed to be quite satisfactory to the entire House, so much so that a roll call or a vote on tellers was not taken. The Senate added thereto 136 different amendments. After a protracted conference a few days ago your conferees agreed with the Senate conferees upon 134 of the 136 amendments. That conference report was brought back and seemed to be almost the unanimous opinion and wish and will of the House. We kept our word and did not then agree upon the two amendments—amendment numbered 1 being the half and half, the other amendment, numbered 45, being the so-called Keller proposition. Since then we have had another conference with the Senate, and we have agreed upon those two amendments. The House, as the report indicates, has receded from Senate amendment numbered 1, the half and half, and the Senate has receded from amendment numbered 45. Hence, gentlemen of the Congress, the only two things at present before this Congress are those two amendments.

Mr. CANNON. Is it a complete agreement?

Mr. DAVIS of Minnesota. A complete agreement.

Mr. CANNON. And the only thing before the House is to accept or reject the conference report?

Mr. DAVIS of Minnesota. I am going to get to that.

I wish to be as fair in this matter as it is possible for a man to be. All of the conferees signed this last conference report except my friend from Texas, Mr. BUCHANAN. The other five conferees, three of the Senate and two of the House, signed it.

I have said heretofore that I never expected to make another speech on the subject of the half and half. I do not know whether it is because the subject has become obnoxious to me or not, but I believe I fully understand it, and, having heard it voluminously for the last 16 years, I am getting tired of hearing it talked about. I remember sitting a few years ago, for three months nearly, in a conference upon that proposition. I have studied the report of the commission which my friend from Ohio, Mr. GARD, made and signed. It is true, perhaps, that many of the new Members here do not understand it, but I do not believe there is an old Member here, a Member who has been here on the floor for 4, 6, 8, or 10 years, but has been surfeited with argument on the half and half, for and against.

Now, two of your conferees have receded, which makes a majority. I will say that about a year ago the gentleman from Mississippi [Mr. SISSON] and myself, who were two of the con-

ferees, stood out upon this proposition as valiantly as ever two men did, and my friend from Mississippi arose on the floor of the House and stated with my consent that we would have to recede, and we did recede. Now, we are before you again in partly the same position. We have receded, and it depends upon what the Congress says as to whether the conference report will be adopted or not. The Keller matter is a little matter of $3,800, and that is as old and gray-headed, almost, as the half and half. At least the Senate has receded, and I think the whole House is glad that they have done so.

Now, as to the half and half, I know in my own mind, and I am thoroughly convinced, that there ought to be a rearrangement of the financial condition of the District of Columbia. I believe after the statements made by one of the conferees on the part of the Senate yesterday, and knowing that when he undertakes a proposition if there is any bottom to it he will find it, some legislation and satisfactory rearrangement can be brought about. The gentleman I have mentioned is fearless, and is also chairman of the District legislative committee of the Senate. He stated, in substance, that he knew very little about this proposition, but that he had heard something about it, and if the matter could be brought before his committee as a legislative proposition he would delve into it and find out what there was to it, and then legislation would be had if it was in his power to bring it about.

I hope that the District legislative committee, of which my friend from Michigan [Mr. MAPES] is chairman, will take the same view, and when another District appropriation bill is presented to this House we will not then have to contend with this half-and-half proposition, but we will have a definite and satisfactory method upon which to base appropriations.

But, Mr. Chairman, this bill is a remarkable bill in a way. In one item—that of the salary of the teachers—in some instances it almost doubles the salary of the low-priced teachers, $500 and $600, so that this bill will give them about $1,100 for the lowest. It is something that should have been done before.

The police are well taken care of. The city needs many repairs to its streets, not only cleaning, assessment, and permit work, but many of the streets have been neglected for a year or two because of the lack of material and lack of labor. They are in bad condition. Much-needed additions to school building is provided for. I believe it is a bill that Congress is perfectly satisfied with except as to the half and half. Now, gentlemen, it is up to you whether you will adopt this conference report or not, with assurance upon my part and upon the part of the conferees that before another bill is presented here the financial conditions and plans will be properly taken care of.

Mr. RAKER. Will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. RAKER. I understood the gentleman to say that the provisions of the bill were such that the streets will be improved. We all know that they ought to be improved. Is there any provision in this bill whereby the street car companies will make proper repairs at the crossings, instead of leaving the death traps as they are at present?

Mr. DAVIS of Minnesota. If the gentleman will study this bill and the hearings of the utility commission, he will be satisfied upon that.

Mr. RAKER. Do they intend to improve them?

Mr. DAVIS of Minnesota. They intend to improve them. They intend to make possible, with the money we are now giving them, many, many additions, beautifying the Capital of the Nation, and not only looking to the beautification but to matters that are absolutely necessary at this time. I really think that it would be almost a catastrophe to the District of Columbia if this bill did not pass at this time, and I trust when the roll is called, if it is, upon this proposition, that, regardless of party, you will adopt this conference report.

Mr. BARKLEY. Upon the point of beautifying the city, while it does not come in the matter of the appropriation, has the gentleman any information as to the probability of the temporary buildings erected during the war being removed from some of the beauty spots of the city in the near future?

Mr. DAVIS of Minnesota. It does not come within the province of this bill, but within the province of other bills, the sundry civil and deficiency, and so forth; and, while I am a member of the Appropriations Committee, I have not been on the subcommittees that made the bills referred to; but I believe some drastic measures are going to be taken along that line. I believe that is so. But I have been very busy. I hate to use the word again; but I have spent nearly all my time during this session of Congress trying to act as an alderman for this District and trying to present to this Congress a bill that is satisfactory and can pass. The only snag now is the half and half.

Mr. BEE. What is the basic pay of teachers now under the law?

Mr. DAVIS of Minnesota. It ranges from $860 in the low grades up to $1,000. And, of course, the higher grades are up to $1,800 or $2,000, and so on. Added to all this is the $240 bonus, which the teachers have demanded. And they are still demanding increases. They always have and they always will; and, God bless them, I hope they will always have a desire to progress and get higher. It is a bill which I think is reasonably satisfactory to them at this time.

Now, gentlemen, I do not know what the opposition is to this half-and-half proposition; no, I will not say "opposition to the half and half"; I hate to use the word "opposition." It ought not to be designated in that way. But I will say I do not know how much time the gentlemen who will oppose this proposition want. I am willing to yield time, but I will say that it is my purpose now to close this debate on the conference report within the hour that it started.

Mr. SISSON. Mr. Speaker, I will say that I have no disposition, so far as I am concerned, to consume more than my share of the time. I hope the gentleman will divide the time about equally.

Mr. DAVIS of Minnesota. I will; and I will be liberal. The gentleman knows that I am liberal in regard to time. But under the existing circumstances I think it is my duty, not as a Republican but as a National Congressman, to endeavor to close this matter within the hour.

Mr. SISSON. Of course, this is not a partisan question at all.

Mr. DAVIS of Minnesota. Not with me.

Mr. SISSON. Will the gentleman yield 30 minutes to this side? He has an hour.

Mr. DAVIS of Minnesota. How much time does the gentleman desire?

Mr. SISSON. I would like to have 30 minutes. I have a few words to say, and one or two other gentlemen have something to say on the matter.

Mr. DAVIS of Minnesota. I yield to the conferee, Mr. BUCHANAN, and he can parcel it out to suit himself. But I wish it to be understood that I do not yield the floor during the hour, and I will not yield for motions to be made or anything of that kind.

Mr. BUCHANAN. Mr. Speaker, I yield 20 minutes to the gentleman from Mississippi [Mr. SISSON].

The SPEAKER. The gentleman from Mississippi is recognized for 20 minutes.

Mr. SISSON. Mr. Speaker and gentlemen, I am going to add briefly to what I have said heretofore on this matter. This is not a partisan question. I will ask the House to be as quiet as it can. I do not usually make this request, because I usually talk loud enough to be heard, but I am here now over the protest of my physician.

Gentlemen, this matter has been up in this House eight different times, and by large majorities the House has passed this proposition over to the Senate. The Senate has not seen fit and proper to act upon this matter; that is, they have never discussed it or gone into the merits of the controversy. They simply struck it out. Most of them admit that they know nothing about it.

Now, it is apparent that the influences in the District of Columbia that have been operating upon both Houses of Congress heretofore have about lost their force in the House. It does seem that their influence is strong elsewhere. But let me tell you, gentlemen, that if the House wants to preserve its self-respect you had better do as you did yesterday. We have sent this matter over to the Senate repeatedly, and they have practically ignored the overwhelming majorities of the House.

Mr. LAZARO. Mr. Speaker, will the gentleman yield for a question?

Mr. SISSON. Yes.

Mr. LAZARO. The gentleman has just stated that this matter had come up in the House eight times heretofore.

Mr. SISSON. Yes.

Mr. LAZARO. It has been brought in as a rider each time, has it not?

Mr. SISSON. Not a rider, in any sense, for it is in accordance with the rules of this House, and only appropriates the District money first on District expenses before anything is taken from the Federal Treasury.

Mr. LAZARO. But, nevertheless, it has been brought in as a rider, has it not?

Mr. SISSON. No. It is not a rider.

Mr. LAZARO. I ask the question for information. Why has it not been brought up as a separate proposition and considered on its merits?

Mr. SISSON. Oh, if the gentleman waits for a separate proposition to get this half-and-half repealed he will look like Methuselah before it is done. This is the same old story, told over and over again. Those who have their hands in the Federal Treasury do not want them taken out, and for years they have furnished excuses to Members which on their face are plausible, but in the end do not withdraw the hand from Uncle Sam's pocket.

Mr. LAZARO. But the gentleman will admit that he is not getting anywhere by this method.

Mr. SISSON. No; for the House Members are weak kneed and will not stand. The House needs more manhood. If this House adheres to its present position the Senate will be compelled to take notice of the House in this matter. Not only that, but this is a splendid time for the bill to fail. My friend, the gentleman from Minnesota [Mr. DAVIS], and I let it fail before, because it was a good time then to let it fail. The condition now is just as it was a few months ago. My friend and I agreed then. Why not now?

Now, the time that my friend from Minnesota speaks of, when we had the matter in position where we could not afford to let the bill fail without injury to the District, I went to certain gentlemen because they had been opposed to it all the time and were then liberal in their views, for the garbage matter was in a bad shape and the city could not afford to be in position where the garbage was not cared for properly. The health of the city was involved. So I went to several gentlemen who had theretofore been opposed to any change in the amount paid, and they said, "If you will let the bill pass this time we will see hereafter that the Senate acts upon it. We will stand with you to the end." My friend the gentleman from Wyoming [Mr. MONDELL] said, "Let the bill pass this time, and I will stay with you the next time to the end." The gentleman from Kentucky [Mr. Sherley] went to the present Speaker of the House, who was then a member of the Appropriations Committee, and reported that the gentleman from Massachusetts [Mr. GILLETT] said there should be a change of policy and that he would no longer oppose the amendment if we would then recede. In that way, after consulting many Members, who said that if I would let the bill pass that time that in the future they would stand pat and kill the bill unless the Senate took some action, I in good faith asked that the House recede. I now call upon those gentlemen to make good their promise.

I remember also before that when with our overwhelming majorities we stood here apparently firm and safe, the gentleman from Alabama, Mr. UNDERWOOD, then a Member of the House and now a Member of the Senate, got up and made a motion and asked that the matter be referred to a commission composed of three Members of the House and three Members of the Senate who should go fully into the matter and report upon the half-and-half. Those three gentleman who were appointed from the House had always voted in favor of the half-and-half. It was then understood that we would abide by the action of that commission. Mr. Page of North Carolina and I thought we had not been treated properly, because no man from the House on that commission was in favor of our proposition, and in fact no member of the commission in either branch of Congress in favor of our proposition was appointed on that commission. But imagine our delight when the three gentlemen in the House and the three in the Senate made their report and stated that the half-and-half was no longer tenable. Mr. GARD of Ohio, and Mr. Cooper of Wisconsin, and Mr. RAINEY of Illinois, the three Members of the House, all of whom had consistently voted in favor of the half-and-half proposition—imagine our delight, I say, gentleman of the House, when they reported with a unanimous report, embracing the opinions of both the House and Senate members of the commission, that the half-and-half principle was not justified.

My friend from Minnesota [Mr. DAVIS] and I fought this matter as he has told you. I was no more earnest an advocate of abolishing the half-and-half than was my friend from Minnesota at that time and before and since that time up until this session. He was as strong as I was in reference to that matter.

At that time I, perhaps, was twitted by some Members, and maybe among them my good friend from Minnesota [Mr. DAVIS] for yielding. But under the conditions that confronted us at that time on account of the garbage situation it was insisted that we ought to yield because the health of the city was involved. What is the matter with my friend now?

No such conditon now prevails, and if there ever was a time in the history of this Congress when this bill should fail, now is the time, unless the Senate yields. But I shall not ask that the bill fail. I shall make a motion to recommit this bill to the conferees with instructions that the conferees adhere to the action of the House.

Then if this House passes that proposition the Senate will be compelled to take some action and to treat us with ordinary courtesy or the bill will fail. The only thing now needed in the House is manhood. Just a little courage and a determination to do right. A great majority of you know that the House is right. Have the manhood to say so by your votes.

Mr. KEARNS. Can the gentleman give the House information as to the rate of taxation paid by the residents of the District of Columbia?

Mr. SISSON. They pay 1½ per cent on a two-thirds valuation of real estate and on visible personal property—or 1 per cent on a full valuation. On choses in action they pay one-third of 1 per cent, which is so nominal that it makes Washington the great tax-dodging place for the rich people of the larger cities, who come here to avoid taxes at home and to avoid taxes here.

Mr. KEARNS. They have an exemption of $1,000 on household goods to start with?

Mr. SISSON. My recollection is that that exemption is $1,000 on household goods, and in addition certain other articles, like a lawyer's law books, a doctor's medical books and apparatus, and a great long list of exemptions. In fact, most liberal exemptions.

Mr. KEARNS. They have here what they call intangible property?

Mr. SISSON. Yes.

Mr. KEARNS. That includes mortgage-secured notes?

Mr. SISSON. All intangible property, and on that they pay one-third of 1 per cent.

Mr. KEARNS. One-third of 1 per cent on mortgage-secured notes and money in bank?

Mr. SISSON. Yes

Mr. KEARNS. One-third of 1 per cent is all that such property pays?

Mr. SISSON. That is all they pay here.

Now, I would not do the District of Columbia any injustice. I want to appeal to you gentlemen only because I feel it my duty to tell the facts. There is absolutely nothing partisan in this whole bill and should not be. I have not the least particle of personal feeling in it. I have not the least particle of pride in it. I was not the author of this proposition. This amendment was the action of the Committee on Appropriations, and a subcommittee was appointed to prepare it. It was the handiwork of Mr. Sherley, of Kentucky, and the committee had authorized him to do it.

The SPEAKER. The time of the gentleman has expired.

Mr. SISSON. Give me three minutes more.

Mr. BUCHANAN. I yield three minutes more to the gentleman.

Mr. SISSON. Take this into consideration, gentlemen: You do not change the rate of taxation; you do not change the assessment. You simply appropriate the District money first and then the balance out of the Federal Treasury. It simply says in this amendment that there shall first be paid on the amount appropriated by Congress the amount in the Treasury to the credit of the District of Columbia before the Federal Government pays anything.

Mr. RICKETTS. How much is that amount?

Mr. SISSON. It is now something over $5,000,000. At the present rate, by the end of the next fiscal year it will be between $6,000,000 and $7,000,000 unless Congress is riotously extravagant.

Mr. RICKETTS. Where is that money now?

Mr. SISSON. That money is now in the Treasury to the credit of the District of Columbia.

Mr. REED of West Virginia. Is there a debt owed by the District of Columbia that will wipe that out?

Mr. SISSON. Oh, no. The debt of the District of Columbia is about $2,000,000. By the way, the Federal Government took up that debt and paid it off when she had not incurred it. In three years from now all that debt will have been liquidated. The Federal Government has amortized that debt, and is paying it now at the rate of $900,000 a year. That debt consists of the 3.65 bonds, and is all that the District owes. Go to your cities in your own States and find them overburdened with taxation, some of them owing $30,000,000, $40,000,000, $50,000,000, and paying 3 and 4 per cent taxes, State, county, and municipal, and compare that condition with the situation in the District of Columbia, where a great city like this owes only $2,000,000, the Federal Government having liquidated that debt of $44,000,000 for it, and now pays less than any of them; then look those home people in the face, if you can, and say, "You pay twice as much tax at home as they do in Washington, but I voted to have you pay half of theirs in addition." No; you will not. It would mean your defeat.

In all fairness, gentlemen, in all honesty, as men believe in equal rights in a republic, as men believe that every man should bear his just proportion of taxation, I appeal to this House not to put ourselves again in the position where we lose a certain amount of self-respect by continually yielding to the Senate, when the Senate declines to discuss these matters. I have no personal interest in it. God knows I have not. The only interest I have is to do right as God gives me the power to see it. I am unwilling to take a penny out of the Federal Treasury, out of the pockets of the constituents whom you and I represent, and pay it for the benefit of people who are more able to pay than we are and who are taxed already less than half as much. It is the principle underlying it which is important, and I ask the Republicans here not to yield just for the sake of having it said that this bill must pass. If this half and half is wrong, vote against it.

I believe this is one economy which is based upon everlasting justice, and that you will do your constituents at home an everlasting injustice if you vote now to yield. Let us make the District of Columbia no longer a haven for tax dodgers, who come here to defeat taxes at home and then pay no taxes here. They do not help to build the roads, schools, and bridges, and to maintain the State governments at home, but bring their fortunes here to escape taxation. Gentlemen, help us to remedy this evil. [Applause.]

Mr. BUCHANAN. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr. Speaker, when the people throughout the country realize their unwitting contribution to an unnecessary fund, I take it there will not be a man in this House who will insist upon carrying out this fictitious principle of the so-called half-and-half. And when the people who live here, the humble taxpayer and home owner, who have to pay out of all proportion for small benefits received—not the people representing the great interests and those generally representing the powerful as against the weak correctly appreciate the conditions, and when the school-teachers, the firemen, the policemen, all who under personal service here come to realize that every year their tenure and their pay are endangered because of the stubborn insistence on this fictitious principle of the half-and-half, I take it there will not be anybody of reason in the District of Columbia who will insist upon it, because it is fictitious, it is not necessary, it disturbs conditions every year, and there is no reason in law and no justification in fact for the maintenance of this which is called "the half-and-half."

Now, we face this situation: For seven years the House has gone on record and has declared in favor of the abolition of this scheme of arbitrary proportionate participation in the taxation of the District of Columbia. It has done this in the face of a paid lobby maintained for its continuance, a lobby disclosed by a recent congressional investigation. In every year it has dragged along by the slow process of conferences until we come as we come to-day, and they say it is necessary for the District of Columbia that the House recede; in every year it is the same old thing over again. They say, "Why, this is a rider, and you must not pass a rider, you must wait for general legislation." As soon as it is deferred you never hear a word again about the subject of general legislation until the next year. It goes back into the tomb where it is kept, and the great interests in the District of Columbia never suggest or advocate anything except their insistence on the necessity of this obsolete and unnecessary system of the half-and-half.

Mr. TINCHER. Will the gentleman yield?

Mr. GARD. I have but a short time, but I will yield to the gentleman.

Mr. TINCHER. Is not the real evil in the tax laws that govern the District?

Mr. GARD. Oh, no.

Mr. TINCHER. What is the difference whether we pay half or pay the deficiency when no money can be taken out of the Treasury except by an appropriation by Congress? What is the difference, so long as we do not correct the evil in the tax laws of the District of Columbia?

Mr. GARD. This is the difference: This appropriation repeals the half and half. It in no way affects the tax rate of the District of Columbia. If you repeal it, the individual taxpayer pays not one cent more, but it establishes a proper method of contribution by taxes of those who reside in the District of Columbia.

Mr. TINCHER. Let me ask the gentleman one more question. I am a new Member. Here are $6,000,000 going to be taken out of the Federal Treasury. No matter what the amount is, it is going to be appropriated by Congress out of the Federal Treasury.

Mr. GARD. The gentleman knows that, if we continue to appropriate so that we pile up a credit to the District of Columbia in the Treasury of the United States a vast amount of money, that some day there will be an effort to take that money out, and it will be supported by the legitimate contention—I say it as a lawyer—that we have deposited that money in the Treasury of the United States to the credit of the District of Columbia, and that it can not go for any other source, that it belongs to the District, although at present not appropriated, and they may call for it.

Mr. TINCHER. That is simply argument.

The SPEAKER. The time of the gentleman has expired.

Mr. BUCHANAN. Mr. Speaker, I yield three minutes more to the gentleman.

Mr. TINCHER. Would not that still be argument, and it would take an act of Congress to appropriate it for any other use for the District of Columbia?

Mr. GARD. It is argument, and a strong argument, that can be made, because the gentleman can see that if at present $6,000,000 are in the Treasury of the United States to the credit of the District of Columbia, then why the necessity of making the District of Columbia contribute more in taxes when they have a surplus in their fund continuing year after year, and why now make them pay more taxes? That is the argument, that is the contention, that sometime something will happen here whereby there will be brought out either an effort to abrogate taxes entirely or take it for a great expenditure, which the Commissioners of the District of Columbia themselves may not hold necessary. But the contention is to cut down the taxes of these people who hold great interests in the District of Columbia. That will be the ultimate contention.

Mr. TINCHER. Is not that really the evil? Is not that what Congress ought to correct by changing the tax laws? Is not it a difference between tweedledee and tweedledum?

Mr. SISSON. Will the gentleman yield?

Mr. GARD. I will.

Mr. SISSON. It has been urged and suggested by a commissioner not long ago that since this money was accumulating in the Treasury of the United States to the credit of the District of Columbia we should reduce taxation in the District of Columbia.

Mr. GARD. I am glad that the gentleman from Mississippi has spoken about that. I will say that Commissioner Gardiner—and I have no hesitation in mentioning his name—of the board of commissioners, has said that there is a great accumulation of unexpended money in the District of Columbia, and the thing to do is to cut off the taxes on personal property. They pay a very small personal tax now. They pay none on intangible personal property, so the District has become the refuge of the wealthy tax dodger, and now the proposition is, because of this accumulation of funds in the Treasury, they should not pay any personal-property tax at all. It is a question where the Speaker of this House realizes that it is wrong. Your majority leader realizes that it is wrong. Every man on the Appropriations Committee in the House realizes that it is wrong, and the time is here now to insist. In this present state of affairs we are confronted with the elimination of the so-called Keller claim, which has been used year by year as the same old tongs to draw the chestnut of the half and half out of the fire of opposition. It is always the Keller claim, always the Senate recedes, because they never intended to insist upon it, and always the House comes in and says, "We, too, will recede." Thus is yearly continued this tax monstrosity. It is time now for affirmative action for definite repeal. This is the time. [Applause.]

Mr. DAVIS of Minnesota. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Speaker, it is not my desire at this time to attempt to make a speech on the merits of the half and half, but to take a few moments of the time of the House, if I may, to say that the half-and-half matter in controversy is in effect a rider upon an appropriation bill. Under the practice for many years the expenditures for the District have been paid half by the District and half by the Federal Government.

In this bill as it passed the House there was inserted a provision changing that proposition fundamentally, providing that in place of the system that has prevailed for many years the expenditures should be paid out of the revenues of the District in so far as they might be sufficient, and that the balance, if any, required should be taken from the Federal revenues. That was a radical change, and being in fact legislation and attached to this bill, it becomes a rider upon an appropriation bill. It appeals to me that this House ought not to insist to the utmost upon a rider, except in the most clear case, in a case where the

facts most clearly justify it. In this particular case I am convinced as one of the conferees, and as a conferee that is in favor of the abolition of the half-and-half plan, that for the House to further insist would not accomplish the purpose. It will not cause the abolition of the half-and-half plan. It may cause this bill to fail for 30 days or 60 days, or for whatever period the House chooses to stand out, but that is all. During that time, instead of the bill being in force as a law, there will be in force continuing resolutions, necessarily, and those continuing resolutions, instead of being formed and planned to fit the present need, will be based upon the appropriations of a year ago. They will continue the appropriation of last year for the necessary period. This bill last year was framed upon the needs of war time, as were other appropriation bills, with this difference.

The District bill of last year framed upon war-time conditions was necessarily limited. It provided nothing whatever for new street pavements. It provided only a limited amount for street repair work. It provided nothing for school additions. And here we are in the great Capital of the country, with an urgent need for better streets, for new pavements, for new schoolhouses to accommodate many children who are prevented from attending school for the full hours, all in order that we may wrangle here about a piece of legislation. The situation as to that legislation is such as to make such a wrangle unnecessary, because the House committee that is in charge of such legislation is prepared to take it up and give it consideration and bring it before the House. The House is ready to send it on its way to the Senate, and the Senate committee that has that in charge is ready to take it up and give it consideration. What the House has been seeking in this fight is to get consideration of the legislation in the Senate.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. DAVIS of Minnesota. Mr. Speaker, I yield two minutes more.

Mr. CRAMTON. We are given assurance of that consideration, and it seems to me that the House may well accept that promise, and in a year from now if the experiment is not successful we may take it up again in the appropriation bill.

Mr. TINCHER. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. TINCHER. If I understand it, this matter has been before Congress for six or eight years constantly. Has there ever been legislation passed by this House separate and apart from an appropriation bill covering this matter?

Mr. CRAMTON. I am advised not, and further I am advised that there never has been a bill given consideration by both legislative committees of the House and Senate, and we now have a definite promise that that will be done.

Mr. TINCHER. If it is a matter of legislation, as I understand it, the majority side of the House, I hope, will present legislation of that kind apart from the appropriation bill.

Mr. CRAMTON. And I want to say that I hope the majority side of this House is ready to proceed in a businesslike way with the Government and to appropriate by bills carrying proper items rather than through resolutions continuing bills that are entirely misfits.

Mr. BUCHANAN. Mr. Speaker, in view of the fact that I am one of the conferees and did not sign the conference report, I expect it is due to the House for me to state the reason why. The abolition of the half-and-half plan has been presented to the Senate, as I understand it, for 8 or 10 or 12 years. Their attention has been called to it, and yet, from what I can understand, they never have given the question of the abolition serious consideration at all. Even members of the conference committee on the part of the Senate state that they know but little about it. I came to the conclusion that there was but one way to make them consider it, and that way is not to yield one foot, one inch, to intrenched wrong. That is the stand I take. So long as I am on this committee I serve notice that I will never yield unless so instructed by the House. I am not going to yield to wrong. We have the anomalous condition in this House to-day of two members of the conference committee with me, both condemning and voting against the half-and-half plan, yet standing up before the House and now asking the House to approve the half-and-half plan. It is not consistent with what is right in legislation.

What have you? Six million dollars piled up in the Treasury to the credit of the District. Why do you impose taxes and collect the money except to pay the expenses of the District government? In no other department of the Government, and I dare say in no State do you collect the taxes and let them pile up from year to year in the Treasury and not use them. The House bill provision is to use these taxes in making improvements as far as they go and to pay the balance out of the Treasury of the United States, and that is proper. Therefore I did not sign the conference report, and I am not going to sign it. I hope the House will stand firm and make the Senate consider it, and that it the only way we will ever get it considered.

Mr. DAVIS of Minnesota. Mr. Speaker, I yield three minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, without regard to our opinions as to the virtue or propriety of the so-called half-and-half plan, we should vote for this conference report because of the fact that it is absolutely necessary for the good of the Capital City of the Union and the District of Columbia that this bill become a law. I have been surprised at the attitude of some of the people of the city relative to the repeal of this so-called half-and-half plan and the adoption of the plan provided in the District bill as it passed the House. As a matter of fact, it is in operation now. The revenues of the District go into the Treasury of the United States, and the expenditures of the District are paid out of the Treasury of the United States. As a matter of fact, at this very hour, and for some years past, the plan proposed and outlined in the bill as it passed the House has been and is the practice. There is no reason why that practice should not be written into law. The Senate has this excuse for its action, that the House through its legislating committees has not passed on this question.

That should be done. I hope it will be done very soon. It is a fact, however, that it is within the purview and jurisdiction of the Committee on Appropriations to make this change in the fiscal system. The fact that the amendment is not subject to a point of order proves that. It is not a rider; it is a proper part of this appropriation bill; and yet the Senate has some little defense in the fact that the proper legislative committee has not passed upon the matter. I hope that in the near future the District Committee will pass on the matter and will write into the law some provision similar to that which the House placed in the appropriation bill. In the meantime, this conference report should be adopted.

Mr. BUCHANAN. Mr. Speaker, I yield six minutes, the remainder of my time, to the gentleman from Louisiana [Mr. SANDERS].

Mr. SANDERS of Louisiana. Mr. Speaker, in order to understand this half-and-half proposition we ought to get down to this fundamental, which is that as long as the half-and-half is written in the bill we never will be able to get the property in Washington City to pay what the property ought to pay. That is the fundamental proposition. The gentleman from Wyoming [Mr. MONDELL] just stated that what the House proposed to write into the bill is the present practice. That is true with this distinction, that if it is written into the law, then these millions will not accumulate in the Treasury to the credit of the District. If it is written in the law, as the House has repeatedly declared it should be written, then it will be impossible to accumulate this money in the Treasury to the credit of the District. The danger of permitting this accumulation, gentlemen, is this: That whenever you attempt to make the property, real and personal, tangible and intangible, of this District meet its just and fair proportion of taxation, you will be met by the fact that there is money to the credit of the District in the Treasury, and therefore it is wrong to tax the people for improvements for which they already have the money on hand. Now, the position that I take in regard to property in this District is this: That every dollar of property in the District of Columbia, real and personal, should be made to bear its just proportion of the burdens of Government. That is all. I am not opposed to the Nation spending money here to beautify this, the Nation's Capital. I am not opposed to appropriating money out of the Treasury to make this the city beautiful of the world, but I am opposed to any kind of legislation that in the meanwhile will prevent the dollar in the District from bearing its just proportion of the burden of government. Now the half-and-half plan is nothing but a screen behind which the dollar hides in the District. That is all it is; and as long as it is upon the statute books just so long will property in this District neglect and refuse by virtue of its operation to pay what the dollar ought to pay.

Now, gentlemen, all the talk about the property that the Government owns in the District, all the talk about how much the Government owes to the District is pure and simple nonsense. The Government owes this District everything, and the dollar that is located in the District owes a duty also, and that is to shoulder its responsibility of carrying on this Government. It is the man and the property in the District that owns the dollar that hides behind the half-and-half and does not want to pay his just proportion of taxation that demands its retention. Now, as far as I am concerned, in the town where I live I pay my just proportion of the taxes to keep up

the Government, and I am willing so to do; but I want every man who owns any property in this District, be that man a home owner or be he a speculator in real estate, I want him to pay his just proportion of the burdens of Government, and I do not want one penny taken out of the Treasury that my people have paid to beautify this city until and unless the city itself is willing to pay its share. [Applause.]

Mr. DAVIS of Minnesota. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has five minutes remaining.

Mr. DAVIS of Minnesota. I yield three minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Speaker, the half-and-half proposition judging by standards of equity or by standards of proper and scientific methods of taxation, is, in my judgment, absolutely indefensible. I think the time has come when we must change the conditions with regard to the proportion or method of taxation in the District of Columbia. The matter, Mr. Speaker, however, is of too great importance to be taken up and discussed or determined as we are now discussing the proposition with intelligence and good judgment. I have always desired that the matter should be presented in proper legislative form. The Senate has refused to pass the House amendments as they have done principally and nearly always upon the ground that it was a rider upon an appropriation bill.

Mr. CRISP. Will the gentleman yield?

Mr. TOWNER. I have not the time to yield. I am very sorry indeed, I will say to the gentleman. I just want to say this, that with regard to the proposition of changing the method of taxation let us do it in a reasonable way. Let it come as a legislative bill and then let us place upon the Senate the responsibility of acting upon it. If they refuse then to do what we think is just, then we may talk about some other means of accomplishing the result. I am very strongly in favor of approving at this time—and I think it is our duty at this time before anything else—quickly to approve the report of the conferees on this bill, although I do not want it ever said that this House is committed to the half-and-half principle with regard to taxation in the District of Columbia.

Mr. DAVIS of Minnesota. Mr. Speaker, the present law of the District of Columbia is the half-and-half placed thereon in 1878. That law has been all we have been governed by ever since. There have been many attempts made to change it upon this particular appropriation bill. I think it has been attempted to be changed for the last six or seven years since I have been a member of the subcommittee on this bill. Now, if any man says this is not a rider, I do not know what a rider is. It is a rider, however, that is permitted under the Holman rule, but it is a rider. It is an attempt to change absolute law upon an appropriation bill. That is all there is to it, but the Holman rule permits it to be done upon the theory that it reduces expenses. That is all. Now, gentlemen, I want this law changed, ultimately, in the manner desired by Congress. During my 16 years here I never saw an opportunity in my life to get the two legislative committees of the House and Senate to agree even to say that they would entertain legislation along this line.

Now, it is your duty——

Mr. CRISP. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Minnesota. I have only one minute left.

It is your duty on that side and it is the duty of Members on this side to have legislation along this line in order to change this law in some proper manner before the next appropriation bill is attempted to be passed. And I am going to use all the power I have to that end.

Mr. CRISP. Will the gentleman yield for one short question?

Mr. DAVIS of Minnesota. I have not time.

The SPEAKER. The time of the gentleman from Minnesota has expired.

Mr. DAVIS of Minnesota. Now, Mr. Speaker, I move the previous question upon the adoption of the conference report.

The SPEAKER. The gentleman from Minnesota moves the previous question upon the adoption of the conference report.

Mr. SISSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SISSON. At what point do I offer a motion to recommit?

The SPEAKER. After the previous question has been ordered. The question is on ordering the previous question.

The previous question was ordered.

Mr. SISSON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. The gentleman from Mississippi offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. SISSON moves to recommit the District of Columbia appropriation bill to the conferees with instructions to the House conferees to adhere to the disagreement of the House on Senate amendment No. 1.

The SPEAKER. The question is on agreeing to the motion to recommit and instruct the committee.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. SISSON. Mr. Speaker, in order to save time I make the point of no quorum, in order to get at the yea-and-nay vote.

The SPEAKER. Obviously there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of recommitting the bill with instructions will, as their names are called, answer "yea," and those opposed will answer "nay."

The question was taken; and there were—yeas 113, nays 165, answered "present" 2, not voting 150, as follows:

YEAS—113.

Alexander	Frear	Lonergan	Sanders, La.
Almon	Gard	McAndrews	Scott
Aswell	Garner	McDuffie	Sears
Ayres	Garrett	McGlennon	Sims
Babka	Goodwin, Ark.	McKeown	Sisson
Bankhead	Graham, Ill.	McKinley	Small
Barkley	Hardy, Tex.	Major	Steagall
Bee	Hastings	Mapes	Stephens, Miss.
Black	Hayden	Martin	Stevenson
Bland, Ind.	Hersman	Mays	Sumners, Tex.
Bland, Mo.	Howard	Miller	Taylor, Ark.
Blanton	Huddleston	Minahan, N. J.	Taylor, Colo.
Box	Hudspeth	Moon	Thomas
Brand	Hull, Tenn.	Nelson, Mo.	Thompson, Okla.
Buchanan	Igoe	Nicholls, S. C.	Tillman
Byrnes, S. C.	Jacoway	Oldfield	Upshaw
Byrns, Tenn.	James	Oliver	Vinson
Candler	Johnson, Miss.	Overstreet	Walsh
Carter	Jones, Tex.	Park	Walters
Clark, Fla.	Kearns	Parrish	Watkins
Clark, Mo.	Kelly, Pa.	Quin	Welling
Collier	Kettner	Rainey, J. W.	Welty
Crisp	Kincheloe	Ramseyer	Wingo
Dominick	Kitchin	Rayburn	Woods, Va.
Dowell	Lampert	Ricketts	Wright
Drane	Lanham	Romjue	Young, Tex.
Ferris	Lankford	Rose	
Fields	Larsen	Rouse	
Fisher	Lever	Rubey	

NAYS—165.

Anderson	Esch	Lazaro	Rogers
Andrews, Md.	Evans, Nebr.	Lee, Ga.	Rowe
Andrews, Nebr.	Evans, Nev.	Linthicum	Sanders, Ind.
Anthony	Focht	Longworth	Schall
Barbour	Foster	Luhring	Sells
Benham	Freeman	McArthur	Sinnott
Benson	French	McFadden	Slemp
Bland, Va.	Fuller, Ill.	McKenzie	Smith, Idaho
Boies	Ganly	McLaughlin, Mich.	Smith, Ill.
Bowers	Glynn	McLaughlin, Nebr.	Smith, Mich.
Briggs	Good	McPherson	Snyder
Brooks, Ill.	Goodykoontz	MacCrate	Steenerson
Brooks, Pa.	Gould	MacGregor	Stephens, Ohio
Browning	Green, Iowa	Madden	Strong, Kans.
Burke	Greene, Vt.	Magee	Strong, Pa.
Burroughs	Griest	Mason	Summers, Wash.
Butler	Griffin	Michener	Sweet
Campbell, Kans.	Hadley	Monahan, Wis.	Taylor, Tenn.
Campbell, Pa.	Hamilton	Mondell	Thompson, Ohio
Cannon	Hardy, Colo.	Montague	Timberlake
Chindblom	Haskell	Moore, Pa.	Tincher
Christopherson	Hawley	Moore, Va.	Tinkham
Classon	Hays	Moores, Ind.	Towner
Cleary	Hernandez	Morgan	Valle
Coady	Hersey	Mott	Vare
Costello	Hickey	Newton, Minn.	Vestal
Cramton	Hicks	Newton, Mo.	Voigt
Crowther	Hoch	Nolan	Volstead
Cullen	Holland	Ogden	Wason
Currie, Mich.	Hull, Iowa	Olney	Watson, Pa.
Curry, Calif.	Humphreys	Padgett	Weaver
Dale	Ireland	Platt	Webster
Darrow	Jefferis	Pou	White, Kans.
Davis, Minn.	Johnson, Wash.	Radcliffe	Williams
Dempsey	Jones, Pa.	Raker	Wilson, Ill.
Dunbar	Kennedy, Iowa	Ramsey	Wilson, La.
Dupré	Kiess	Reavis	Wood, Ind.
Dyer	Kinkaid	Reed, W. Va.	Yates
Echols	Kraus	Rhodes	Young, N. Dak.
Edmonds	Kreider	Riddick	
Elliott	LaGuardia	Robsion, Ky.	
Elston	Layton	Rodenberg	

ANSWERED "PRESENT"—2.

Bell	Booher

NOT VOTING—150.

Ackerman	Burdick	Copley	Donovan
Ashbrook	Caldwell	Crago	Dooling
Bacharach	Cantrill	Dallinger	Doremus
Baer	Caraway	Davey	Doughton
Begg	Carew	Davis, Tenn.	Dunn
Blackmon	Carss	Denison	Eagan
Brinson	Casey	Dent	Eagle
Britten	Cole	Dewalt	Ellsworth
Browne	Connally	Dickinson, Mo.	Emerson
Brumbaugh	Cooper	Dickinson, Iowa	Evans, Mont.

Fairfield	Kahn	Neely	Sherwood
Fess	Kelley, Mich.	Nelson, Wis.	Shreve
Fitzgerald	Kendall	Nichols, Mich.	Siegel
Flood	Kennedy, R. I.	O'Connell	Sinclair
Fordney	King	O'Connor	Smith, N. Y.
Fuller, Mass.	Kleczka	Osborne	Smithwick
Gallagher	Knutson	Paige	Snell
Gallivan	Langley	Parker	Stedman
Gandy	Lea, Calif.	Pell	Steele
Garland	Lehlbach	Peters	Stiness
Godwin, N. C.	Lesher	Phelan	Sullivan
Goldfogle	Little	Porter	Temple
Goodall	Luce	Purnell	Tilson
Graham, Pa.	Lufkin	Ragsdale	Treadway
Greene, Mass.	McClintic	Rainey, H. T.	Venable
Hamill	McCulloch	Randall, Calif.	Ward
Harrison	McKinley	Randall, Wis.	Watson, Va.
Haugen	McLane	Reber	Webb
Heflin	Maher	Reed, N. Y.	Whaley
Hill	Mann	Riordan	Wheeler
Houghton	Mansfield	Robinson, N. C.	White, Me.
Hulings	Mead	Rowan	Wilson, Pa.
Husted	Merritt	Rucker	Winslow
Hutchinson	Mooney	Sabath	Wise
Johnson, Ky.	Moore, Ohio	Sanders, N. Y.	Woodyard
Johnson, S. Dak.	Morin	Sanford	Zihlman
Johnston, N. Y.	Mudd	Saunders, Va.	
Juul	Murphy	Scully	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. ZIHLMAN with Mr. JOHNSON of Kentucky.
Mr. WOODYARD with Mr. BRINSON.
Mr. WINSLOW with Mr. BRUMBAUGH.
Mr. WHITE of Maine with Mr. CALDWELL.
Mr. WHEELER with Mr. CARAWAY.
Mr. WARD with Mr. CAREW.
Mr. TREADWAY with Mr. DAVEY.
Mr. STINESS with Mr. DEWALT.
Mr. REED of New York with Mr. CASEY.
Mr. TILSON with Mr. CONNALLY.
Mr. FORDNEY with Mr. DICKINSON of Missouri.
Mr. TEMPLE with Mr. GANDY.
Mr. PORTER with Mr. FLOOD.
Mr. REBER with Mr. FITZGERALD.
Mr. PETERS with Mr. EVANS of Montana.
Mr. SHREVE with Mr. GALLAGHER.
Mr. PARKER with Mr. HEFLIN.
Mr. OSBORNE with Mr. ASHBROOK.
Mr. NICHOLS of Michigan with Mr. DOREMUS.
Mr. PAIGE with Mr. GODWIN of North Carolina.
Mr. NELSON of Wisconsin with Mr. JOHNSTON of New York.
Mr. MUDD with Mr. DOUGHTON.
Mr. LUFKIN with Mr. GOLDFOGLE.
Mr. KENNEDY of Rhode Island with Mr. LEA of California.
Mr. HUTCHINSON with Mr. EAGAN.
Mr. MORAN with Mr. EAGLE.
Mr. HULINGS with Mr. LESHER.
Mr. ELLSWORTH with Mr. MAHER.
Mr. MOORE of Ohio with Mr. SHERWOOD.
Mr. DUNN with Mr. O'CONNELL.
Mr. JUUL with Mr. SULLIVAN.
Mr. DENISON with Mr. PHELAN.
Mr. COPLEY with Mr. SABATH.
Mr. KELLEY of Michigan with Mr. SAUNDERS of Virginia.
Mr. BACHARACH with Mr. PELL.
Mr. ACKERMAN with Mr. SCULLY.
Mr. HUSTED with Mr. MCLANE.
Mr. CRAGO with Mr. WHALEY.
Mr. BROWNE with Mr. MANSFIELD.
Mr. LITTLE with Mr. RAGSDALE.
Mr. BRITTEN with Mr. STEDMAN.
Mr. MCKINLEY with Mr. ROBINSON of North Carolina.
Mr. SNELL with Mr. RIORDAN.
Mr. BEGG with Mr. MEAD.
Mr. FESS with Mr. WEBB.
Mr. GARLAND with Mr. SMITHWICK.
Mr. FAIRFIELD with Mr. WILSON of Pennsylvania.
Mr. HAUGEN with Mr. WATSON of Virginia.
Mr. GRAHAM of Pennsylvania with Mr. RUCKER.
Mr. GOODALL with Mr. ROWAN.
Mr. MCCULLOCH with Mr. SMITH of New York.
Mr. FULLER of Massachusetts with Mr. VENABLE.
Mr. GREENE of Massachusetts with Mr. RANDALL of California.
Mr. COOPER with Mr. CARSS.
Mr. KING with Mr. NEELY.
Mr. PURNELL with Mr. MCCLINTIC.
Mr. SANFORD with Mr. HARRISON.
Mr. TREADWAY with Mr. BOOHER.
Mr. GRIEST with Mr. WISE.
Mr. DALLINGER with Mr. GALLIVAN.
Mr. LANGLEY with Mr. CANTRILL.
Mr. KNUTSON with Mr. BELL.
Mr. JOHNSON of South Dakota with Mr. MOONEY.
Mr. MANN with Mr. BLACKMON.
Mr. KAHN with Mr. DENT.
Mr. DICKINSON of Iowa with Mr. DONOVAN.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. DAVIS of Minnesota, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

PROHIBITION—MINORITY REPORT FROM COMMITTEE ON THE JUDICIARY.

Mr. IGOE. Mr. Speaker, I ask unanimous consent that the members of the Committee on the Judiciary who desire to file a minority report on the bill H. R. 6810 may have until the first day of the session after the recess, which I understand will be taken, or until the 8th day of July, in which to file the minority report.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the members of the Committee on the Judiciary who wish to file a minority report on the prohibition bill may have until the 8th day of July.

Mr. GARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARD. I desire to ask whether those who wish to file a minority report on the bill can send it to the Public Printer notwithstanding the House may not then be in session?

Mr. IGOE. I would like to include that in my request.

The SPEAKER. And that it may be printed without the House being in session. Is there objection?

Mr. GARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARD. Does the gentleman include my suggestion?

Mr. IGOE. Yes.

The SPEAKER. Is there objection?

Mr. MONDELL. Reserving the right to object, Mr. Speaker, this request is, of course, with the understanding that the filing or the failure to file these minority reports will in no wise interfere with the consideration of the measure.

Mr. DYER. Mr. Speaker, will the gentleman permit a question?

The SPEAKER. It certainly would not interfere.

Mr. DYER. What does the gentleman mean by that, that it will not interfere?

Mr. MONDELL. I mean just what I say.

Mr. DYER. Does the gentleman mean that this will probably be called up before the 8th of July?

Mr. MONDELL. No. I am not making any such statement, but I want to have it clearly and definitely understood.

The SPEAKER. The Chair understands that.

Mr. MONDELL. That the opportunity to file a minority report will not interfere with the taking up of the measure.

Mr. DYER. We hope that it will prevent the favorable consideration of the measure.

Mr. MONDELL. That is understood, Mr. Speaker, is it?

Mr. GARD. Mr. Speaker, will the gentleman yield for an inquiry?

Mr. MONDELL. Yes.

Mr. GARD. Are we to take up the measure as it is now or in separate and divided form?

Mr. MONDELL. Mr. Speaker, I am not prepared to answer that question.

Mr. GARD. I make the inquiry so that we may file our minority report in the proper way.

Mr. MONDELL. I do not know. The bill is reported to the House.

The SPEAKER. Is there objection, with the understanding suggested?

There was no objection.

SWEARING IN A MEMBER.

Mr. CLARK of Missouri. Mr. Speaker, I ask that the gentleman from Alaska, Mr. GEORGE B. GRIGSBY, be sworn in. His credentials are in proper form and are signed by the returning board, and they have been examined by the Speaker.

The SPEAKER. The gentleman will come forward.

Mr. GRIGSBY, Delegate from Alaska, appeared before the bar of the House and took the oath of office.

HOUSING FOR WAR NEEDS—PRESIDENT'S MESSAGE.

The SPEAKER laid before the House the following message from the President of the United States, which was read and

ordered to be printed and, with the accompanying documents, referred to the Committee on Public Buildings and Grounds:

To the Senate and House of Representatives:

In accordance with the provisions of section 6 of the act of Congress entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918, I transmit herewith reports covering all of the transactions with relation to the subject matter of that act, up to and including February 28, 1919, and of all of the divisions other than the Fiscal Division, up to and including April 30, 1919.

WOODROW WILSON.

THE WHITE HOUSE, *July 1, 1919.*

DEVELOPMENT OF WATER POWER.

Mr. ESCH. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 3184, the water-power bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 3184, the water-power bill, with Mr. MOORE of Pennsylvania in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 3184, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 3184) to create a Federal power commission and to define its powers and duties, to provide for the improvement of navigation, for the development of water power, for the use of lands of the United States in relation thereto, and for other purposes.

The CHAIRMAN. When the committee rose to-day an amendment was under consideration, offered by the gentleman from Kansas [Mr. LITTLE]. Without objection, the amendment will be reported.

The Clerk read as follows:

Amendment offered by Mr. LITTLE: Page 16, line 11, after the word "issued," strike out "that contemplate the use of Government dams or other structures owned by the United States."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. ESCH. Mr. Chairman, I do not see the proponent of the amendment present.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kansas.

Mr. ESCH. I ask unanimous consent that it be passed over temporarily and that the Clerk proceed with the reading of the bill, beginning with section 11.

The CHAIRMAN. Without objection, that will be done.

There was no objection.

The Clerk read as follows:

SEC. 12. That whatever application is filed for a project hereunder involving navigable waters of the United States, and the commission shall find upon investigation that the needs of navigation require the construction of a lock or locks or other navigation structures, and that such structures can not, consistent with a reasonable investment cost to the applicant, be provided in the manner specified in section 11, subsection (a) hereof, the commission may, before taking action upon such application, cause a report upon such project to be prepared, with estimates of cost of the power development and of the navigation structures, and shall submit such report to Congress with such recommendations as it deems appropriate concerning the participation of the United States in the cost of construction of such navigation structures.

Mr. ESCH. Mr. Chairman, I offer an amendment, on page 19, line 17, to strike out the word "whatever" and insert the word "whenever." It is evidently a typographical correction.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ESCH: On page 19, line 17, strike out the word "whatever" and insert in lieu thereof the word "whenever."

The amendment was agreed to.

Mr. LANKFORD. Mr. Chairman, I have an amendment which I wish to offer.

The CHAIRMAN. The gentleman from Georgia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LANKFORD: Amend paragraph 12, on page 20, by adding, after the word "structures," in line 6, the following: "Whenever it is made satisfactory to the commission that the needs of navigation can be provided for in a way profitable to the United States by the joint activity of the United States and a State or States, or municipality or municipalities, or other interested parties, and that an essential water power and a needed navigable waterway can be obtained by the performance of a contract whereby the United States makes certain improvements, provided the other interested contracting parties do the things obligated to be done, then the commission shall cause the necessary surveys to be made, the necessary data obtained, and the necessary estimates made to determine the things which can be profitably done by the United States and other contracting parties and may recommend to Congress that the United States obligate to make certain improvements in said scheme of water-power and waterway development, provided a satisfactory contract is entered into by the other contracting party to complete said development."

Mr. LANKFORD. Mr. Chairman and gentlemen of the committee, I am a friend of this matter now pending before the House and am anxious that this measure pass, and that the United States get the very best possible law. I have offered this amendment because I believe it will make the bill a better one. There are provisions in the bill for the United States to make improvements for the purpose of helping navigation and for the purpose of constructing better water power. There are provisions for municipalities to be authorized by the commission to make improvements, to develop water power, and to develop navigation. There are provisions for corporations to make these improvements. I have offered the proposed amendment, therefore, to permit the United States Government to act in connection with the States or with municipalities or with corporations in making the improvements necessary to construct better waterways and to develop better water power. We all realize that whenever the National Government makes an improvement on a river and improves navigation it helps the State in which that particular improvement is made. The improvement also helps the cities which are situated on the stream, and it also helps the individuals who live on that stream. If the improvement is made by the State, it inures to the benefit of the Government and to the benefit of the municipalities situated on that stream. If the improvement is made by individuals, it helps the National Government, helps the State, and helps the municipalities located along that particular stream. Therefore it occurred to me that it would be proper to authorize this commission, when it is made satisfactory to them that the needs of navigation can be provided for, in a way profitable to the United States, by the joint activity of the United States and a State or States or municipality or municipalities or other interested parties, and that an essential water power and a needed navigable waterway can be obtained by the performance of a contract whereby the United States makes certain improvements, provided the other interested contracting parties do the things obligated to be done—then, and in that event, the commission is authorized to make the necessary surveys to obtain the necessary data in order to determine whether or not the United States ought to agree to enter into the enterprise and make the proposed improvement, provided the other parties contract to make the specified improvements in advancement of the general scheme of waterway and water-power development. It certainly seems that there should be no objection to this. It seems to me this amendment would make a better bill. The commission does not make the contract, but it makes a report back to Congress, and recommends that the contract be entered into and that the United States Government do certain things provided the State or States make improvements called for or provided the municipality makes those improvements. The amendment provides that the commission may recommend that the United States make certain improvements on a river, provided a municipality located on that river builds a dam and causes that river to have a higher water lever or if the municipality spends a certain amount of money in an effort to make the stream more navigable—that in that event the United States will make certain expenditures. All that matter can be reported back to Congress, and then Congress can say whether or not the enterprise shall be entered into. It seems to me a reading of this amendment will convince us that it should be adopted. I certainly hope that the committee will approve it.

Mr. GREEN of Iowa. Mr. Chairman, I am not in favor of this amendment. The principal object of this bill is to make unnecessary for the Government to expend money in developing water power. I do not believe this Government ought at this time to enter into any further projects. We have already enough projects on hand to swamp the revenues of the Government and to make it one of the greatest problems that was ever before this Congress as to how we shall raise money enough to carry on what we already contemplate. As for the Government helping the States to carry out this matter—to increase water power—I think we have done enough in that line. We have agreed to expend, as I understand, something like $20,000,000 on the Muscle Shoals project, for example, partly for navigation, but mostly for water power—a water power that was said to be needed in time of war, but which, after we had authorized the project, it was discovered would not be finished until some five years after the war was over.

There is no limit to the help asked nowadays from the National Government. It makes no difference what is proposed, let Uncle Sam do it, until I think that will be the slang phrase—

instead of "Let George do it," "Let Uncle Sam do it." The States want the National Government to do everything, forgetting that very often they can do these things very much better, at much less cost, and with equal benefit. The time has come when we should immediately close down upon all of these plans for outside operations.

Mr. LANKFORD. Will the gentleman yield?

Mr. GREEN of Iowa. Certainly.

Mr. LANKFORD. Has the gentleman any objection to the commission making recommendations to Congress along these lines?

Mr. GREEN of Iowa. I have objections to any start being made on this line. I do not think such a proposition should be made.

Mr. LANKFORD. Will the gentleman yield for another question?

Mr. GREEN of Iowa. With pleasure.

Mr. LANKFORD. Does not the gentleman think it would be better for the United States Government to make certain improvements along rivers or navigable streams, provided the State made additional improvements, than for the United States Government to make improvements, as we are now doing, without the States helping in any way?

Mr. GREEN of Iowa. Where the improvement is in the nature of a benefit to navigation, so that it comes within the domination of the Government, I think we might well ask the State for contributions or the local authorities for contributions. That is something that I have advocated for a long time, but which the River and Harbor Committee has never put into action.

Mr. LANKFORD. If the gentleman will read my amendment, he will see that that is exactly what I provide for.

Mr. GREEN of Iowa. But the projects I am talking about now are a benefit to navigation. They improve navigation. I think the localities ought to be required in nearly every instance to add something to the amount appropriated by the National Government. But I am not in favor of carrying this into the water-power proposition. We have got now all that we can attend to in the matter of navigation, and therefore I think the amendment ought not to be agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia.

The question was taken; and on a division (demanded by Mr. LANKFORD) there were—ayes 11, noes 31.

So the amendment was rejected.

Mr. LITTLE. Mr. Chairman, I ask unanimous consent to return to page 16, subsection e.

Mr. ESCH. Yes; I promised the gentleman that I would return to that.

The CHAIRMAN. The gentleman asks unanimous consent to return to page 16, subsection e, for the purpose of offering an amendment. Is there objection?

There was no objection.

The Clerk read as follows:

Amendment by Mr. LITTLE: Page 16, line 11, after the word "issue," strike out "that contemplates," and all of line 12, and the words (in line 13) "the United States."

Mr. SMALL. Mr. Chairman, this provision in the bill very properly is to the effect that where license is issued for Government dams or structures owned by the United States or constructed, there shall be a readjustment of the license charge at the end of 20 years, and then future readjustments at periods of not exceeding 10 years. The gentleman proposes to strike that out in so far as the language is embraced in his amendment, so that it will read:

When licenses are issued in the discretion of the commission the charges to be paid—

And so forth. In other words, the effect of the gentleman's amendment is to require a readjustment at the end of 20 years, and subsequently at the end of periods not exceeding 10 years, for all licenses issued by the commission.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. SMALL. Yes.

Mr. LITTLE. My purpose is not to require but to permit and make possible a readjustment. We can not have one now.

Mr. SMALL. For the purpose of my argument I wish to submit it is harmful in either form. I think the committee understands this already, but if there is any doubt about a complete understanding of the effect of it, the committee ought to be advised. The purpose of this entire bill is to attract capital for investment in water-power development upon such conditions that shall be just to the United States. Unless both purposes are met in this bill, there will be no result, and we will be confronted by the same conditions that have existed for a long period of years. No capital will be invited and there will be no investment in water power. Members understand very well that even now we have water-power legislation, legislation which it was contemplated at the time it was enacted would invite capital, but it has not done so, and no water power is being developed. This bill was drafted for two purposes—one to attract capital in the development of water power under such terms as might be just to the United States——

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. SMALL. Yes.

Mr. LITTLE. Does the gentleman think it would be just to the United States to give away this privilege?

Mr. SMALL. Oh, there is no thought of giving it away.

Mr. LITTLE. The gentleman does not claim that the charge will be anything more than a nominal charge, does he, at first?

Mr. SMALL. That depends upon the conditions under the terms of the bill.

Mr. LITTLE. If it were more than a nominal charge, you would not sell the bond?

Mr. SMALL. Surely not. The license charges must be reasonable, of course.

Mr. LITTLE. Does the gentleman think a charge that would be reasonable now would be reasonable in 50 years? Would it not be practically nothing, comparatively?

Mr. SMALL. That does not affect the point that I am trying now to make.

Mr. LITTLE. I think it disposes of it.

Mr. SMALL. I think the gentleman will agree with me, if he will listen to me for a moment.

Mr. LITTLE. I always listen with pleasure to the gentleman.

Mr. SMALL. The line in its present form permits the commission to require a readjustment of charges to the licensee of Government dams. The gentleman's amendment makes this applicable to every license issued by the commission. There is a vast difference between Government dams already constructed and dams that are to be constructed by private capital. A very much larger sum of money is necessary in the investment. There are more contingencies to be met and chances to be taken by the capital that is invested, and unless those who are invited to invest that capital have some assurance that for a long term of years all of the conditions of the license shall be fixed, the capital will not be invested, and we will be in the same condition that we are in at the present time.

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. SMALL. In a moment. The gentleman from Kansas says that under this provision here it is in the discretion of the commission; but capital would be just as fearful of investment with the discretion reposed in the commission as if they were directed to do so. I now yield to the gentleman from California.

Mr. ELSTON. As I understand, the gentleman from Kansas is making some point of the fact, the supposed fact, that licenses are given here by the Government for nothing. Now, is it not true that the developing company goes in and takes one of these licenses and invests a certain amount of money and that the rates charged upon its investment will be subject to regulation by the utility commission of the particular State, which will grant it only a reasonable return upon their investment——

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMALL. I ask for two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none.

Mr. ELSTON. And the benefit will be spread to the consumers.

Mr. LITTLE. The public utilities can not control the Government enterprise.

Mr. ELSTON. There is an express provision in here that that shall be done, and in addition to that any earnings above a certain reasonable return shall be amortized into a sinking fund to pay for the investment itself.

Mr. SMALL. To reduce.

Mr. ELSTON. To reduce the investment. Being subject to regulation by a utility commission, they will get only a reasonable return on the money invested, and the public, the people, or whatever word you want to use to designate the wards of the Government, will get the indirect benefit.

Mr. SMALL. The gentleman from California is correct, and all that is provided in the bill. I will yield to the gentleman from Kansas now.

Mr. LITTLE. The gentleman speaks of the fellows getting their money back. Well, that is a good provision; but if the gentleman has the idea that a State utility commission can control this fund and these Government enterprises, he is very much mistaken. That is not the law.

Mr. ELSTON. They will control the rates. All charges in any particular State will be subject to a utility commission in that State, and it will not permit the corporation to have any more than a reasonable return on its investment.

Mr. LITTLE. In the first place, the gentleman is mistaken, and in the second place, they will only determine what they charge the people, not what the Government gets out of them. If a utilities commission should fix the charge to be made a consumer, that would not bring the Government any money—I want the Government to be paid for what it gives.

The CHAIRMAN. The Chair will call attention to a rule of the House, which it might be well to observe, that gentlemen should rise to address the Chair when they desire to interrupt a gentleman. The gentleman from North Carolina will proceed.

Mr. SMALL. Mr. Chairman, just in conclusion I wish to emphasize the statement I made. The objection to this amendment is that it will prevent the investment of capital in the development of water power in those cases where dams are going to be constructed in the future which propose to make an investment and ask for a license.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. SMALL. May I have one minute more?

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SMALL. And this amendment applies to every license issued for the development of water power, reposes in the commission the discretion to require an adjustment at the end of 20 years and then an adjustment at every 10-year period thereafter. Bonds are to be issued by these companies. It takes great capital in the development of water power, and those bonds, it may be assumed, will run 20 years, 30 years, perhaps 40 years, and capital will not be invested in those bonds nor in the stock of the company which is seeking a license. In other words, capital will not be invested in development of water power if the license to be issued carries any such condition as that provided in the amendment offered by the gentleman from Kansas; and one of the features intended to be accomplished by this bill will have failed if that amendment shall be adopted.

Mr. FERRIS. Mr. Chairman, I listened with close attention to the statement of the gentleman from Kansas and also to his amendment and his argument and logic. It is not without considerable foundation. It is a thing to think about that any commission might at the beginning fix a term which would hold and be sufficiently elastic for an entire period of 50 years, and on that proposition the gentleman from Kansas bases his argument and logic. I am comforted, however, with the proposition that appears on page 11, in section 6, which, I think, pretty well meets the criticism of the gentleman from Kansas. I can not do better than read those words:

That licenses under this act shall be issued for a period not exceeding 50 years.

There is no controversy about that. We have been willing to accept the 50-year tenure in every bill that has passed the House. That has always been accepted as the correct term. Then follows what I desire to call to the attention of the gentleman from Kansas:

Each such license shall be conditioned upon acceptance by the licensee of all the terms and conditions of this act.

Now, that would not satisfy him, and I want him to hear just what follows:

And such further conditions, if any, as the commission shall prescribe in conformity with this act, which said terms and conditions and the acceptance thereof shall be expressed in said license.

Mr. LITTLE. Will the gentleman yield?

Mr. FERRIS. In just a moment. Now, Mr. Chairman, this commission is clothed with full power, with full authority to insert in the contract, which is a binding contract between the water-power developer and the Government, any condition they may desire, and once accepted—it will be accepted if there is any procedure under it at all—they may provide for the first 10 years that the royalty under this act shall be 25 cents per horsepower, the next year it may be 50 cents, the next year 75 cents, and the next year a dollar, and so on, so that a correct rate may be provided for, and they can even do more than that if the commission desires. They could even prescribe that a license or royalty be paid to it based upon the earning power of the corporation.

Mr. LITTLE. Will the gentleman yield?

Mr. FERRIS. I will yield.

Mr. LITTLE. The gentleman's suggestion is that the proviso I seek is practically included in this other clause that you read.

Mr. FERRIS. Within their power. That is my thought.

Mr. LITTLE. If that is so, what is the objection to putting it in here by law? If this commission can do it, why should not we do it by law?

Mr. FERRIS. I will answer the gentleman frankly. There are many Members of this House and of the Senate that will be hoisting the scarecrow that it will keep down development. And the answer to all of that is that there are 60,000,000 of potential hydroelectric energy in the United States and only 6,000,000 in use, and Congress has been in a constant quarrel over a period of 12 years, to my knowledge, and the Lord knows how much longer, and it is up to us to have something that we can agree on and something which the Senate will accept. The commission can safeguard it—the public interest will be conserved. It is all right.

Mr. LITTLE. Is it not a fact that the scarecrow you are talking about is in this condition you mention? If there is such a power lodged there, there is where the scarecrow would be. Would it not be better to say definitely 20, or 30, or 40 years, so that a man will know when he invests what he is going to pay?

Mr. FERRIS. I will answer that by saying that in some small plant, where it is understood the earning capacity of the plant will be little or nothing, you might want to free the man from a 20-year adjustment. It might require an assurance of no periodical adjustment in order to secure development.

Mr. LITTLE. The commission can do it.

Mr. FERRIS. It can, and can do it now, but they would not be compelled to do it as the law now stands and as the gentleman, I understand, would compel him.

Mr. LITTLE. I do not seek to compel them to change the rate. I merely wish to give the commission power to change the rate from time to time, so that a commission could change it, if it seemed necessary, in 10, or 20, or 40 years, whereas you want it fixed in the license.

Mr. FERRIS. In the stage of water-power development as it is now, I think there will be many cases when the developer is entitled to know in the beginning, on any unconstructed water-power site, something of what is going to happen to him during the life of his franchise. He can not secure money to build it without some assurances as to what will happen clear through. The commission is given the very widest powers and they will safeguard the public and at the same time be reasonable so as to get development.

Mr. LITTLE. That is what I say. However, the right of the Government should be safeguarded, too. If the developer knows his beginning rate will continue for 20 years that is enough. He can also know the Government has the right to adjust the rate in 20 years, according to the conditions therein. Under the present plan of starting at a nominal charge the Government will never get any returns for the rights it gives away.

Mr. McARTHUR. Mr. Chairman, in the development of hydroelectric power two elements are essential. First, we must have the power to develop; and, second, we must have the money with which to develop it. We have in this country untold millions of hydroelectric power now going to waste, and it is a burning shame that Congress has not already passed legislation to permit the development of this power for commercial and other purposes.

It is absolutely necessary that, as a second essential element, we have money with which to develop this power, and I think it is well established that the Government is not going into the business of building and selling electric energy. Therefore it is incumbent upon Congress to pass such legislation as will invite capital to come in and invest in order to develop this power.

Mr. LITTLE. Will the gentleman yield?

Mr. McARTHUR. Just a moment.

The CHAIRMAN. Does the gentleman from Oregon yield to the gentleman from Kansas?

Mr. McARTHUR. No; I decline to yield now.

Congress therefore ought to pass legislation that will be just as inviting as possible to capital, in order that these latent resources may be developed. If Congress fails to do that it fails in its duty to the country in the development of this great energy. Money does not grow on bushes, and money can not be created, and therefore the developers of hydroelectric energy, when they have water-power developments in view, must go on the market and compete with other business propositions in the effort to secure credit and capital. And they are not going to be able to go into the market and get their money unless they have something to show from which a reasonable return may be expected.

Gentlemen talk about putting in restricting amendments here. Every amendment that is being offered to this bill is by the

way of a restriction, making it harder to raise money under the terms of the bill. I would like to know what gentlemen here, as trustees for an estate, would invest in bonds unless they knew they were going to get their money back and also a reasonable return on the investment?

Mr. LITTLE. Will the gentleman yield?

Mr. McARTHUR. No; not now.

I want to see the committee sustained in this matter. It has gone over this bill several times, has held exhaustive hearings, and has unanimously reported to the House a bill that I believe will be attractive to capital and at the same time safeguard the public interest. I hope all of these amendments that are put on here with a view to restricting development and making it harder to raise money to develop hydroelectric energy will be voted down and that the committee will be sustained all through this bill, a bill almost identical to that which passed the House in the last Congress and got as far as conference in the Senate, where it was blocked.

Mr. LITTLE. The gentleman said that two things were essential—the power and the money. Is it not just as essential that, if the Government gives anything away, it gets something for it?

Mr. McARTHUR. The Government is not giving anything away. If the gentleman will examine the terms of this bill, he will find that it is the most restrictive measure that has been brought into this House. It is a lease, pure and simple——

Mr. LITTLE. It is a gift for 50 years. If it is a lease it is none the less a gift.

Mr. McARTHUR. No; it is not a gift.

Mr. LITTLE. The gentleman asks who would invest the money of his ward in this. The gentleman would invest the Government's property—something the Government has.

Mr. McARTHUR. The Government does not own a bit of the waterpower in the different States where these lands lie. The Government is really stepping in here and taking something away that belongs to the States. But I am not going to raise that old question, because it has been thrashed out here fully.

Mr. LITTLE. If the Government is not giving something away, then it is a waste of time.

Mr. McARTHUR. I do not believe the gentleman, who is a good lawyer, would invest money as a trustee unless he knew he was going to set something back.

Mr. LITTLE. Nor would I invest the money or the rights of the Government without getting something back.

Mr. McARTHUR. It is not the money of the Government that is invested. It is money invested by individuals or corporations under terms prescribed by Congress.

Mr. SIMS. I want the attention of the gentleman from Kansas [Mr. LITTLE] for just a moment. The objects and purposes of the gentleman from Kansas in his proposed amendment are impressively just and right. There is no need of any argument to demonstrate that there should be some opportunity given the Government to adjust charges so as to bear some relation to the profit of the project, and this bill permits that. The only thing the commission has got to do in issuing the license is to see to it that there shall be provisions made for a proper and reasonable charge. Whatever charge is made must go into the license. The commission may provide in the license issued that the charge in the first 10 years shall be nominal, 5 cents or 10 cents a horsepower, or whatever it may be, and in the next five years so much more, and so on, so as to accomplish the purpose in the early operation of the enterprise, and to increase it as it goes on, as the business increases. The commission can provide for a certain per cent of the gross receipts to be paid in the first 10 years, and a greater per cent in the next 10 years, and so on, so that the company that makes large gross receipts will pay a large return. Some companies might have considerable gross receipts at the start and have no net receipts. This commission, under the powers of the bill, can really do all that is necessary, not only to promote the enterprise, but also to do justice to the Government that permits the promoters of the enterprise to have this opportunity to make money.

I do not consider this bill as having been introduced and put through simply to make an attractive safe place for somebody who has got money that he can not make as much out of as he would like to make to invest it. I am not one of those who believe in legislating all the time for those who have at the expense of those who have not. Consequently the attractiveness of the enterprise as to capital makes no difference.

Mr. LITTLE. But they have to do it when they issue the license or they forever forfeit any chance to adjust the charge to changing conditions.

Mr. SIMS. They have to put it in the license.

Mr. LITTLE. If they do not do it, they lose it for 50 years. Why not, if they can do it now, provide that they can do it at any time in the next 40 years?

Mr. SIMS. The act provides that they shall put in the license a reasonable charge.

Mr. LITTLE. If they do not put it in the license, they will have no right to make the charge?

Mr. SIMS. It is put in the license. The investor does not have to accept the license if it is not satisfactory.

Mr. LITTLE. But the gentleman from Tennessee understands that the minute that license is issued the Government of the United States is estopped for 50 years from exercising that right, and all that I ask is to make the payment fair in proportion to the investment as the years go by.

Mr. SIMS. If borrowed money is used, you have to pay interest on it, and if it is your own money, you lose the interest on it, so that at the beginning the charge should be merely nominal.

Mr. LITTLE. Yes; and you are either going to give this away for nothing or you are going to make it so high that nobody will go in. The charge will be nominal, and as the years go by it will be infinitesimal. I think the Government should get payment from these investors.

Mr. SIMS. We are fixing it so that——

Mr. LITTLE. Why do you not fix it now?

Mr. SIMS. We give the commission all the power that it needs to make just and reasonable charges for the power produced.

Mr. LITTLE. Yes; the first year.

Mr. SIMS. You can not put them up and put them down, but you can provide in the license readjustment periods without prescribing the amount.

Mr. LITTLE. It is just and right to do that now, is it not, and if it is not, why not let them have the power for 40 years?

The CHAIRMAN. The time of the gentleman has expired.

Mr. ESCH. Mr. Chairman, I move that all debate on the pending amendment be closed in five minutes.

Mr. LAYTON. Mr. Chairman, I want to be recognized to ask a question.

The CHAIRMAN. The gentleman from Delaware is recognized.

Mr. LAYTON. Mr. Chairman, do I understand that, when one of these licenses is issued, that license contains a fixed charge that is unbreakable for 50 years?

Mr. SIMS. It must be a just and reasonable charge.

Mr. LAYTON. I want the question answered categorically. When the license is issued is it a fixed rate of charge per kilowatt, and does that last until 50 years when once fixed?

Mr. SIMS. The commission has the authority to shape the rate or charge as it sees fit, so that it comes within the terms "just and reasonable."

Mr. LAYTON. Can they fix that charge for 10 or 20 years, according to the emoluments that the company owns?

Mr. SIMS. It can reserve the right if it wants to do so.

Mr. LAYTON. If it is in the license, does it stay at that fixed charge for 50 years?

Mr. SIMS. Unless the Government exercises the right to take it over in the meantime it does.

Mr. LAYTON. Then I am against it.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 13. That the licensee shall commence the construction of the project works within the time fixed in the license, shall thereafter in good faith and with due diligence prosecute such construction, and shall within the time fixed in the license complete and put into operation such part of the ultimate development as the commission shall deem necessary to supply the reasonable needs of the then available market, and shall from time to time thereafter construct such portion of the balance of such development as the commission may direct, so as to supply adequately the reasonable market demands until such development shall have been completed. The periods for the commencement and completion of construction may be extended by the commission when not incompatible with the public interests. In case the licensee shall not commence actual construction of the project works, or of any specified part thereof, within the time prescribed in the license or as extended by the commission, then, after due notice given, the license shall, as to such project works or part thereof, be terminated upon written order of the commission. In case the construction of the project works, or of any specified part thereof, have been begun but not completed within the time prescribed in the license, or as extended by the commission, then the Attorney General, upon the request of the commission, shall institute proceedings in equity in the district court of the United States for the district in which any part of the project is situated for the revocation of said license, the sale of the works constructed, and such other equitable relief as the case may demand, as provided for in section 26 hereof.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GREEN of Iowa having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 1 and 45 to the bill (H. R. 4226) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 4630. An act granting consent of Congress to the county of Miller, State of Arkansas, to construct a bridge across Sulphur River, near the Texas & Pacific Railroad bridge, in said county and State; and

H. R. 4631. An act granting the consent of Congress to the county of Miller, State of Arkansas, to construct a bridge across Sulphur River at or near Blackmans Point, in said county and State.

FEDERAL WATER-POWER COMMISSION.

The committee resumed its session.

Mr. ESCH, Mr. RAKER, and Mr. MORGAN rose.

Mr. ESCH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ESCH: Page 20, line 9, after the word "license," insert "which shall not be more than two years from the date thereof."

Mr. ESCH. Mr. Chairman, during the consideration of this bill in committee there was much discussion as to the advisability of putting in some time limit within which work should be commenced after the license is issued, but no determination was reached in committee, nor was any change made when the bill was in the House. It seems advisable that there be some time limit fixed within which work should be commenced after the issuance of the license, and this amendment simply prescribes a period of two years thereafter, so that after the license has been issued there may not be an indeterminate period within which the work should be commenced. It does seem to me that this is a reasonable limitation and would tend to stimulate the construction of these great water powers.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. ESCH. Yes.

Mr. RAKER. Do we not provide that in the period before a license is issued he must have the preliminaries all ready, and then when the work is commenced his license is issued? If you give him two years will he not use up that two years without any development work at all?

Mr. ESCH. No. On the contrary I think that by fixing the period at two years you will stimulate the licensee in getting busy and performing work. The things that the gentleman has in mind only relate to securing the necessary data. The plans and preparations, and so on, to present to this commission, in advance of the issuance of the license. All this is to be done before the license is issued.

I will say that I intend to follow that up with an amendment later in the same section.

Mr. RAKER. This section provides that the licensee shall what—

shall commence the construction of the project work within the time fixed by the license.

And he must thereafter continue in good faith. I do not remember that question being considered by the committee in fixing a definite period. He must commence the construction of the project work. Otherwise he has to abandon his entire project. It is the duty of the commission to order proceedings to be had against him to forfeit his license.

Mr. ESCH. A like provision was contained in previous bills, and it seems to me as though the sense of both Houses is that there should be some limitation, and I can see no harm in it. In fact, I can see some benefit in it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. ESCH].

The amendment was agreed to.

Mr. ESCH. I offer the following amendment, supplementary to the one just adopted.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 20, line 18, after the word "commencement," insert "of construction may be extended once, but not longer than two additional years"; and after the word "and," in line 19, insert "the period for the," and after the word "construction," in line 19, insert the following: "carried on in good faith and with reasonable diligence."

Mr. ESCH. So that the paragraph as amended will read, beginning with line 18—

The period for the commencement of construction may be extended once, but not longer than two additional years, and the period for the completion of construction carried on in good faith and with reasonable diligence may be extended by the commission when not incompatible with the public interests.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. ESCH].

The amendment was agreed to.

Mr. MORGAN. Mr. Chairman, I move to strike out the last word. In my time I ask to have a couple of letters read, letters from two soldiers, about a matter which I think is of interest to all the Members of the House.

Mr. ELSTON. Reserving the right to object, how long will it take?

Mr. GARNER. Why does the gentleman want to bring in here on a proposition of this kind some letters from soldiers? If you are going to begin that kind of thing, everybody in the country will want to have letters read here.

Mr. ELSTON. Can not the gentleman ask unanimous consent to have the letters printed in the RECORD?

Mr. GARNER. Is the gentleman from Wisconsin [Mr. ESCH], chairman of this committee, going to agree that a Member can move to strike out the last word in order to read letters from soldiers? If we are going to begin that kind of work it seems to me we will get along very slowly with this bill.

The CHAIRMAN. Does the gentleman from Oklahoma in his time ask unanimous consent to have these letters inserted in the RECORD? The gentleman from Oklahoma asks unanimous consent to have these letters inserted in the RECORD. Is there objection?

Mr. MORGAN. My request was that they be read. I do not want to impose on the House——

Mr. SIMS. I will ask the gentleman not to do that now.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma? The Chair hears none.

Mr. SIMS. I shall object if the letters do not pertain to the bill.

The CHAIRMAN. The Chair hears no objection.

Mr. SIMS. I object unless the letters pertain to the bill. I do not know what is in them.

The CHAIRMAN. The Chair will say to the gentleman from Tennessee that he did not rise and address the Chair, which is customary. The Chair stated the question and asked if there was objection, and there was no objection.

Mr. SIMS. I do not know how to make an objection then.

The CHAIRMAN. The Chair will submit the request again. The gentleman from Oklahoma asks unanimous consent to insert in the RECORD certain letters which he has sent to the Clerk's desk. Is there objection?

Mr. SIMS. I object.

The CHAIRMAN. The gentleman from Tennessee objects. The gentleman from Oklahoma is recognized for the balance of his time.

Mr. MORGAN. The Chair submitted a proposition which I did not ask for. What I asked for was to have these letters read, but I will proceed now for five minutes. I am sure the gentleman from Tennessee did not understand what the proposition was. It seems to me we have been going along here very leisurely and there is a very important proposition to come up shortly, and that is the question what, if anything, Congress shall do to provide homes for our soldiers and provide for their general welfare? Now, all of us agree that that is a very important question. I have a couple of letters from soldiers who served in France. They have expressed an interest in H. R. 5545, which I introduced. A number of other important bills have been introduced on this subject. The House should be informed on the subject. The soldiers should be heard. Their views should have great weight. Their opinions are important. Whatever Congress does should have the approval of our soldiers, seamen, and marines. Instead of talking to the House myself, I wanted the House to hear what these two soldiers had to say on the subject.

Mr. RAKER. Will the gentleman yield right there?

Mr. MORGAN. I can not yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. RAKER. A point of order.

The CHAIRMAN. The gentleman will state the point of order.

Mr. MORGAN. I do not yield to the gentleman.

The CHAIRMAN. The point of order is overruled, as the gentleman from California declines to state it.

Mr. RAKER. No; I do not decline to state it.

The CHAIRMAN. The gentleman from California was recognized by the Chair to state his point of order, and then declined to state it.

Mr. RAKER. No; I did not.

The CHAIRMAN. The gentleman from California is out of order.

Mr. RAKER. I make the point of order that the gentleman is not discussing the bill.

The CHAIRMAN. The gentleman from Oklahoma has the floor.

Mr. MORGAN. I want to finish my statement.

Mr. RAKER. Then I withdraw the point of order.

Mr. MORGAN. There are a number of important propositions pertaining to the soldiers pending in Congress. I have received a number of letters from soldiers approving the plan to provide homes for our soldiers, seamen, and marines as proposed in my bill (H. R. 5545). These letters are on that subject. The gentleman who objects does not desire to show any discourtesy to the soldier.

Mr. SIMS. Neither does any gentleman here.

Mr. MORGAN. I thought the House might stop for five minutes and listen to the reading of these letters. I again renew my request and I hope no gentleman will object. I will modify my request and ask unanimous consent that one of the letters be read.

The CHAIRMAN. The gentleman from Oklahoma, within his rights, asks that one of the two letters he sends to the desk be read. Is there objection?

Mr. WALSH. Reserving the right to object, have they any connection with the subject matter here?

Mr. SIMS. No.

Mr. MORGAN. Both bills are designed for the public good.

Mr. WALSH. I object.

Mr. MORGAN. Mr. Chairman, I ask unanimous consent that these two letters may be printed in the RECORD following my remarks.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that the two letters be printed in the RECORD as a part of his remarks. Is there objection?

There was no objection.

The letters are as follows:

THE HAMPTON,
Washington, D. C., June 30, 1919.

Hon. DICK T. MORGAN,
House of Representatives, City.

MY DEAR MR. MORGAN: May I not take the liberty of writing you to express appreciation on the behalf of myself and others who served our country either in the military or naval forces during the emergency just passed of the interest you are taking and the effort you are making toward effecting the passage of H. R. 5545, "the Soldiers' and Seamen's Federal Home Founding Act"?

In my opinion this bill admirably covers the question of providing homes for the soldiers, and from the standpoint of one who hopes soon to acquire a home, I feel qualified in saying that this bill can not fail of meeting with the approval of those for whom its benefits are intended.

The clause providing for the acquisition of city property or farm land, according to the desire of the soldier or sailor concerned, is but one of the many points that makes this bill stand out as the most acceptable of any that have thus far been introduced for the purpose of providing homes for these men. As you so clearly pointed out in your speech, as printed in the RECORD of June 16, this bill provides for a more even distribution of benefits than do the other bills, which limit acquisition of property to rural or reclaimed areas, and also serves the twofold purpose of aiding the soldier and thereby adding to the number of home owners in every State in the Union.

As the time required to put into effect the provisions of this bill is estimated at from six months to one year after its passage, I sincerely hope that every effort will be made to secure prompt action.

As a supplement to the above I might add that I entered the Army from the State of Rhode Island, serving almost a year in France, in addition to some few months in the United States. I am furnishing the Congressman from my district (Mr. KENNEDY, third Rhode Island) with a copy of this communication, as I feel that it is not only desirable but the duty of every soldier, sailor, or marine concerned in the passage of this bill to acquaint his Congressman with his opinion of the same.

Assuring you of my highest consideration, I am,

Very sincerely, yours,

J. J. CONDON,
Formerly Sergeant, First Class,
Headquarters Four hundred and thirteenth Telegraph Battalion,
Signal Corps, American Expeditionary Forces.

NEW ORLEANS, LA., *June 28, 1919.*

Hon. DICK T. MORGAN,
Washington, D. C.

MY DEAR SIR: Your kind favor of the 24th instant to hand and very glad to receive a copy of the bill (H. R. 5545). I have carefully examined same and find it perfect in every respect, and will certainly urge its consideration by Louisiana's two Senators and many Congressmen—I believe eight or nine. However, I am personally acquainted with J. Y. SANDERS; also GARLAND DUPRÉ. By the way, send me a copy of the CONGRESSIONAL RECORD, and I may enlist some of our neighboring statesmen to come to our support.

Say, that's a real true American bill, and should go through like a shot; those are all my sentiments. I don't know why our statesmen don't pass more laws like that.

Now, my dear Mr. MORGAN, I am going to write every statesman I know to support this bill. Say, I did not find a copy of your speech before Congress. Please send me a copy. I am interested in anything pertaining to this kind of legislation; so kindly accept my hearty congratulations and assurances; I will work hard for its success. Don't forget to send me a copy of your speech and a CONGRESSIONAL RECORD.

Awaiting your reply, I am,

Yours, respectfully,

RICHARD ALF. UHALT,
402 Interstate Bank, New Orleans, La.

Mr. LANKFORD. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

The Clerk read as follows:

SEC. 15. That if the United States does not, at the expiration of the original license, exercise its right to take over, maintain, and operate any project or projects of the licensee, as provided in section 14 hereof, the commission is authorized to issue a new license to the original licensee upon such terms and conditions as may be authorized or required under the then existing laws and regulations, or to issue a new license under said terms and conditions to a new licensee, which license may cover any project or projects covered by the original license, and shall be issued on the condition that the new licensee shall, before taking possession of such project or projects, pay such amount for the property taken, and assume such contracts as the United States is required to do, in the manner specified in section 14 hereof: *Provided*, That in the event the United States does not exercise the right to take over and does not issue a new license to the original or a new licensee, then the commission shall issue from year to year an annual license to the then licensee under the terms and conditions of the original license until the property is taken over or a new license is issued as aforesaid.

Mr. GOODYKOONTZ. Mr. Chairman, I move to strike out the last word. I do this to obtain an opportunity to make some inquiries of the chairman having in charge this bill. I want to know what effect this bill will have on the law known as "water-power acts" of certain of the States, which provide a scheme of revenue for those States in providing a rental on the power generated. How will it affect such revenues?

Mr. ESCH. Section 27 of this bill provides:

That nothing herein contained shall be construed as affecting or intending to affect or in any way to interfere with the laws of the respective States relating to the control, appropriation, use, or distribution of water used in irrigation or for municipal or other uses, or any vested right acquired therein.

Mr. GOODYKOONTZ. Would the bill affect the States that have undeveloped water power, which they claim as a natural resource and as coming exclusively within their jurisdiction and control?

Mr. ESCH. I can not conceive of any such project unless it is on a nonnavigable intrastate stream over which we do not claim jurisdiction.

Mr. GOODYKOONTZ. I have in mind my own State of West Virginia, which has considerable undeveloped water power. We have a statute, passed a little while before the war began, which would bring to the State considerable revenue if any person or corporation were authorized thereunder and did install a plant under the terms of the act.

Now, thus far the State board—having the matter of granting permits in charge—has never been able to agree with an applicant for a license to dam the Kanawha River. It was proposed to erect a very high dam, one, perhaps, one hundred feet in height and one that might involve the safety of the people of the entire valley, including the city of Charleston, and while it was realized that the water power was every day going to waste and that the carrying out of the project would be of great advantage to the State from a revenue point of view, yet the people felt that their lives would be imperiled by the erection of the dam and their influence was such as to deter the commission from granting the application. As I understand the measure under consideration, the board that you would create would consist of three men vested with full power to authorize the erection and construction of that dam without regard to what the people of that valley thought or had to say about it. It seems to me there are two main things to look after in the preparation of an act of this sort. One is the public safety and the other is revenue for the State.

Mr. SINNOTT. Will the gentleman yield?

Mr. GOODYKOONTZ. I will.

Mr. SINNOTT. Paragraph (b), page 14, says:

(b) Satisfactory evidence that the applicant has complied with the requirements of the laws of the State or States within which the proposed project is to be located with respect to bed and banks and to the appropriation, diversion, and use of water for power purposes and with respect to the right to engage in the business of developing, transmitting, and distributing power, and in any other business necessary to effect the purposes of a license under this act.

So before he can get a license from this commission he must supply the necessary evidence showing that he has absolutely conformed to all of the requirements of the laws of the particular States in which he desires to venture on the project.

Mr. GOODYKOONTZ. I thank the gentleman; his information is reassuring to me.

I am bound to say, however, that water power is an asset of the State and the State is entitled to the revenue and that the Federal Government has no jurisdiction over the bed and shores of streams and no just right to take income for permits to use the same.

The Clerk read as follows:

SEC. 17. That the charges arising from licenses hereunder shall be paid into the Treasury of the United States. Fifty per cent of the charges arising from licenses hereunder for the occupancy and use of national forests is hereby reserved and appropriated as a special fund in the Treasury to be expended under the direction of the Secretary of Agriculture in the survey, construction, and maintenance of roads and trails within such national forests. Fifty per cent of the charges arising from licenses hereunder for the occupancy and use of national parks is hereby reserved and appropriated as a special fund in the Treasury, to be expended under the direction of the Secretary of the Interior in the improvement and development of such parks. Fifty per cent of the charges arising from licenses hereunder for the occupancy and use of public lands, and of national monuments, and power site or other reserves outside of national forests shall be paid into, reserved, and appropriated as a part of the reclamation fund created by the act of Congress approved June 17, 1902, known as the reclamation act. All proceeds from any Indian reservation shall be placed to the credit of the Indians of such reservation. Fifty per cent of the charges arising from all other licenses hereunder is hereby reserved and appropriated as a special fund in the Treasury to be expended under the direction of the Secretary of War in the maintenance and operation of dams and other navigation structures owned by the United States, or in the construction, maintenance, or operation of headwater or other improvements of navigable waters of the United States.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. This is one of the more important sections of the bill, which provides for the disposition of the receipts. It provides that 50 per cent of the charges for licenses for occupancy and use of the waters and land for this project in a national park shall go into the Treasury as a special fund. Then there is another special fund under the reclamation act, another special fund under the projects which are erected under the jurisdiction of the Secretary of War.

Mr. ELSTON. Domain of the Secretary of War.

Mr. WALSH. The gentleman from California [Mr. ELSTON] says in the domain and not in the jurisdiction is the better language. It may be the better language in California, under the teachings of the Berkeley Institute, but I prefer old Harvard to the newer institution of learning.

Mr. ELSTON. Will the gentleman yield?

Mr. WALSH. No; I prefer not to yield now. I would like to know what is to be gained by creating these special funds. Why not have the receipts covered into the Treasury as miscellaneous receipts?

Mr. McARTHUR. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. McARTHUR. Does not the gentleman believe that some of this money ought to go to the States that are being robbed of their right to tax water power? Does not the gentleman believe that the Federal Government is substantially appearing in the guise of a blackmailer in collecting these taxes simply because it has the power to do so?

Mr. WALSH. Not in the guise of a blackmailer, I would say, but it is approaching the blackjack stage. It would seem to me, however, Mr. Chairman, it is better to cover these receipts into the Treasury as miscellaneous receipts. You are going to have involved bookkeeping to trace these receipts from reclamation projects and national parks, the public domain, and from navigation structures under the jurisdiction of the Secretary of War. It would seem to me to be an unwise policy in embarking on a program of this importance to require that exactly 50 per cent of the receipts should be taken and applied to one fund in one class of cases, 50 per cent in another class of cases, and 50 per cent in another class of cases. If all of the receipts go into the Treasury as miscellaneous receipts, it is not going to affect the jurisdiction of Congress on the recommendation of its appropriate committees from appropriating money, as we have heretofore done for reclamation projects, for the national forests and the public lands and these various other matters in these newly developed States of the far West, about which we hear so much when a bill of this sort comes before Congress for consideration.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. McARTHUR. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes.

The CHAIRMAN. Is there objection?

Mr. ELSTON. Mr. Chairman, I object. The gentleman criticizes my English, and I do not think I owe him any consideration.

Mr. RAKER. Mr. Chairman, the stricture made by the gentleman is not very well founded as it stands at the present time, for the reason that when we attempt to take 50 per centum of the proceeds for the licenses issued, where the land is in the national forests, it will be used in the State where the land is located. The same with reference to when the land is in a national park. That is for the purpose of providing that these States where the land is—for instance, on the public lands or in a national park or in a forest reserve—might get at least half of the money received, to be paid into their treasury for the purpose of assisting what otherwise would be obtained from the States in the way of taxation, were they not Government property. The Secretary of the Interior will improve the national parks.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. RAKER. In a moment—and the Secretary of Agriculture will assist in building roads, trails, and so forth, through the national forests. I now yield to the gentleman.

Mr. WALSH. What do the States get in lieu of taxation now?

Mr. RAKER. Where it is the national forest, we get a certain percentage in the way of an amount being set aside for our schools and roads.

Mr. WALSH. Fifty per cent.

Mr. RAKER. About 36, I think it is.

Mr. WALSH. Why should you raise the limit in case of water power?

Mr. RAKER. You are now taking an additional part of the land, you are using the land now, Government land, for all purposes that you might use it for. It is not taxable. You build up a project in the forest reserves by allowing certain parts of the land to be used for reservoir purposes. That make an addition. It adds more money in the community where it is located, because if it was State land or private land it would advance that whole community that much, there would be that much more tax gathered, that much more paid to the county or the local municipality and the State. Therefore, the Government still owning the property, having authorized its use in one of these projects, it should pay to that State or to that county where the land is located at least one-half, to go to improve the local community.

Mr. WALSH. Would not writing this into the law postpone the happy day when the States shall have taken complete jurisdiction and control of these lands within their borders as they ought to do at some time, and take these lands out of the control of the Federal Government?

Mr. TAYLOR of Colorado. We hope you will help to do it.

Mr. WALSH. Any time I will do it.

Mr. RAKER. I do not think that is proper at this time. They have been fairly well administered and we do not want to turn them over to the States at the present time.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. ESCH. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MOORE of Pennsylvania, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 3184) to create a Federal power commission and to define its powers and duties and had come to no resolution thereon.

ARMY APPROPRIATIONS—CONFERENCE REPORT.

Mr. KAHN. Mr. Speaker, I present a conference report upon the bill (H. R. 5227) making appropriations for the support of the Army for the fiscal year ending June 30, 1920.

The SPEAKER. The gentleman from California presents the conference report, which the Clerk will report by title.

The Clerk reported the title of the bill.

Mr. KAHN. Mr. Speaker, I ask unanimous consent that the conference report be considered, notwithstanding the rule for the printing of the report.

The SPEAKER. The gentleman from California asks unanimous consent for the immediate consideration of the conference report, notwithstanding it has not been printed according to the rule. Is there objection?

Mr. CLARK of Missouri. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from California if he does not think this is a very bad practice with as big a bill as this?

Mr. KAHN. Ordinarily I should say it is, but we are under a peculiar situation. To-day is the beginning of the new fiscal year, and I take it that it is very desirable that this bill should pass at once.

Mr. CLARK of Missouri. Well, what difference does it make really whether it passes to-day, to-morrow, or the next day, or

the next as the President can not possibly sign this bill until he gets here. He did sign one yesterday at mid-ocean, but they are not sending him any more.

Mr. KAHN. He will probably be here before the recess is over. I understand it is proposed that Congress take a recess for a week.

Mr. CLARK of Missouri. When are we going to take it?

Mr. MADDEN. To-night.

Mr. KAHN. To-night.

Mr. CLARK of Missouri. How long is it to extend?

Mr. KAHN. A week.

Mr. CLARK of Missouri. Why not take a month's recess to give people like the gentleman and myself who live quite a distance away a chance to get home?

Mr. KAHN. I agree with the gentleman that it would be a very good idea.

Mr. CLARK of Missouri. If the gentleman will agree to do that, I will not object.

Mr. KAHN. I presume that many Members want to shake hands with the President when he comes back.

Mr. CLARK of Missouri. I would rather shake hands with my constituents for a while. [Applause and laughter.]

Mr. WALSH. Amen.

Mr. KAHN. Mr. Speaker, I want to say to the gentleman from Missouri that the report is practically the same as the report which was printed in the RECORD several days ago with four exceptions and those I can fully explain to the Members, I think.

Mr. CLARK of Missouri. Well, now if we let the gentleman through, are you going to take this recess beginning to-night?

Mr. KAHN. I understand so.

Mr. GARNER. Let us have that understood. There is no reason otherwise why you should do this, and I would like the gentleman from Wyoming to make a statement as to what he intends to do.

Mr. MONDELL. "The gentleman from Wyoming" expects a little later in the afternoon to present a resolution to the effect that when the House adjourns this evening we will adjourn until Tuesday, the 8th of July.

Mr. GARNER. The gentleman does not intend to consider the deficiency bill?

Mr. CLARK of Missouri. I will give the gentleman a pointer, that he can not make such a motion and it would not be in order if he did make it. One House can not adjourn more than three days at a time.

Mr. MADDEN. It is a concurrent resolution.

Mr. GARNER. Does the gentleman intend to consider the deficiency appropriation bill this afternoon?

Mr. MONDELL. Well, I am not at this time informed definitely whether the deficiency bill will be considered, but the resolution which I propose to offer will bring an adjournment, if it is adopted by the Senate, until the 8th of July.

Mr. KAHN. From the date of adjournment this afternoon?

Mr. GARNER. The gentleman proposes to offer a resolution regardless of whether the deficiency bill is considered or not?

Mr. MONDELL. I think I shall.

Mr. GARNER. That is the main point.

Mr. SMALL. Will the gentleman yield for a question? Has the gentleman any knowledge as to what the other body will do?

Mr. MONDELL. I understand there will be no difficulty about securing an agreement.

Mr. CANNON. This means the deficiency bill will go over until after the adjournment?

Mr. MONDELL. That may occur.

Mr. CANNON. Well, I do not think it ought to occur.

The SPEAKER. Is there objection?

Mr. GARNER. I did not catch the last statement.

Mr. CANNON. I said I did not think it ought to occur, and I do not think we ought to agree for the deficiency bill to go over until after Congress should convene on the 9th or the 10th of the month.

Mr. GARNER. The reason why I made this inquiry a moment ago was there is no reason why we should consider this bill at this time unless it is agreed that we should take a recess until Monday, the 7th. If the gentleman is going to do that, I am not going to object to considering it now without having it printed under the rule.

Mr. MONDELL. I think I made it plain.

Mr. GARNER. I think the gentleman from Wyoming has, and if the gentleman is going to offer his resolution anyway, all right.

Mr. CANNON. I want to say to the gentleman, if I may be allowed, so far as I am concerned I will not vote for any adjournment to go over until the 8th or any other time, except at the end of the legislative day, until the deficiency bill carrying what is necessary for the public service is enacted into law. [Applause.]

Mr. GARNER. The gentleman from Illinois is on the conference committee that is considering the deficiency bill, if I remember correctly.

Mr. CANNON. Yes.

Mr. GARNER. So the gentleman must have better knowledge than anyone could possibly have as to the probability of getting that bill through.

Mr. CANNON. I have no knowledge at all that every individual Member in the House does not have. I am only speaking for myself, that I will not vote for adjournment until the deficiency bill and the Army bill have passed the House and the Senate. [Applause.]

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. KAHN]? [After a pause.] The Chair hears none.

Mr. KAHN. Mr. Speaker, I ask that the statement be read in lieu of the report.

The SPEAKER. Is there objection to the reading of the statement in lieu of the report? [After a pause.] The Chair hears none. The Clerk will read the statement.

The statement was read.

The conference report and statement are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5227) making appropriations for the support of the Army for the fiscal year ending June 30, 1920, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 5, 6, 14, 18, 44, 51, 53, 58, 81, 83, 90, 91, 93, 100, 101, 102, 103, 104, 105, 106, 107, 108, and 110.

That the House recede from its disagreement to the amendments of the Senate numbered 8, 10, 12, 16, 17, 20, 27, 28, 29, 30, 31, 33, 34, 35, 36, 39, 45, 47, 49, 50, 52, 54, 55, 56, 57, 59, 60, 61, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 82, 84, 85, 86, 87, 88, 89, 95, and 99, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert: "*Provided*, That the restrictions herein above recited concerning personal services and the amount allowable for per diem allowance shall not apply to so much of the funds herein appropriated as may be required to carry out the purpose of existing laws relating to the sale of war supplies: *Provided further*, That none of the funds appropriated or made available under this act shall be used for the payment of any salary in excess of $12,000 per annum to any civilian employee in the War Department: *Provided further*, That in addition to the delivery of the property heretofore authorized to be delivered to the Public Health Service, the Department of Agriculture, and the Post Office Department of the Government, the Secretary of War be, and he is hereby, authorized to sell any surplus supplies, including motor trucks and automobiles, now owned by and in the possession of the Government for the use of the War Department to any State or municipal subdivision thereof, or to any corporation or individual upon such terms as may be deemed best"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert: "$400,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert: "$3,250,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"Appropriations, Air Service: Creating, maintaining, and operating at established flying schools, courses of instruction for aviation students and enlisted men, including cost of equipment, and supplies necessary for instruction and subsistence of students, purchase of tools, equipment, materials, machines, textbooks, books of reference, scientific and professional papers, and instruments and material for theoretical and practical instruction at aviation schools; purchase of supplies for securing, developing, printing, and reproducing photographs made by aerial observers; to maintain and replace the equipment of

organizations already in service; improvement, equipment, maintenance, lease, and operation of aviation stations, balloon schools, plants for testing and experimental work, including the acquisition of land, or any interest in land by purchase, lease, or condemnation, where necessary to procure helium gas; procuring and introducing water, electric light and power, telephones, telegraphs, and sewerage, including maintenance, operation, and repair of such utilities; salaries and wages of civilian employees in the District of Columbia or elsewhere as may be necessary, and payment of their traveling and other necessary expenses as authorized by existing law; experimental investigation and purchase and development of new types of aircraft, accessories thereto, including helium gas rights, and aviation engines, including patents and other rights thereto, and plans, drawings, and specifications thereof; purchase, manufacture, construction, maintenance, repair, storage, and operation of airships, war balloons, and other aerial machines, including instruments, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith, and also for the purchase or manufacture and the issue of special clothing, wearing apparel, and similar equipment for aviation purposes; for all necessary expenses connected with the sale or disposal of surplus or obsolete aeronautical equipment, including the hire of civilian employees, and the rental of buildings, and other facilities for the handling or storage of such equipment; for the services of such consulting engineers at experimental stations of the Air Service as the Secretary of War may deem necessary, including necessary traveling expenses: *Provided*, That the entire expenditures for the services of consulting engineers for the fiscal year 1920 shall not exceed $100,000; purchase of special apparatus and appliances, repairs, and replacements of same used in connection with special scientific medical research in the Air Service; for the establishment of aviation stations in the Philippine Islands, including the lease of land or any interest in land for landing fields only and the preparation of land now owned by the Government necessary to make the same suitable for the purpose intended, buildings, heating, lighting, plumbing, water, sewer, roads, and walks, at a total cost not to exceed $350,000, in all, $25,000,000: *Provided*, That claims not exceeding $250 in amount for damages to persons and private property resulting from the operation of aircraft at home and abroad may be settled out of the funds appropriated hereunder, when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post, and approved by the Director of Air Service: *Provided further*, That claims so settled and paid from the sum hereby appropriated shall not exceed in the aggregate the sum of $150,000: *Provided further*, That hereafter actual and necessary expenses only, not to exceed $8 per day, shall be paid to officers of the Army and contract surgeons when traveling by air on duty without troops, under competent orders: *And provided further*, That section 3648, Revised Statutes, shall not apply to subscriptions for foreign and professional newspapers and periodicals to be paid for from this appropriation.

"The Secretary of War is hereby authorized and directed to establish and maintain at one or more established flying schools courses of instruction for aviation students.

"Aviation students shall be enlisted in or appointed to the grade of flying cadet, Air Service, which grade is hereby established: *Provided*, That the total number of flying cadets shall not at any time exceed 1,300. The base pay of a flying cadet shall be $75 per month, including extra pay for flying risk as provided by law. The ration allowance of a flying cadet shall not exceed $1 per day, and his other allowances shall be those of a private, first class, Air Service.

"Upon completion of a course prescribed for flying cadets, each flying cadet, if he so desire, may be discharged and commissioned as a second lieutenant in the Officers' Reserve Corps: *Provided*, That the Secretary of War is authorized to discharge at any time any flying cadet whose discharge shall have been recommended by a board of not less than three officers."

And the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"For pay of officers of the line, $20,300,000.

"For pay of the officers of staff corps and departments, $19,429,367.

"Pay of officers, National Guard, $100.

"For pay of the officers of the Officers' Reserve Corps, $2,325,000.

"For pay of warrant officers, Mine Planter Service, $83,700.

"For pay of the officers, Bureau of Insular Affairs, $15,000.

"Aviation increase, to officers of the Signal Corps, $775,000.

"For pay of the officers, Philippine Scouts, $483,600.

"Additional pay to officers for length of service, $2,892,925.

"PAY OF ENLISTED MEN.

"For pay of enlisted men of the line, $92,728,230: *Provided*, That the pay due enlisted men of the Army shall not be withheld from them by reason of the fact that their service records or other official papers showing the status of their accounts with respect to pay have been lost or not returned from overseas and, under such regulations as may be prescribed by the Secretary of War, these men may be paid upon their personal affidavit as to date of last payment and condition of their accounts: *Provided further*, That payments made in accordance with such regulations (or which have already been made upon the affidavit of the soldier) shall be passed by the accounting officers of the Treasury to the credit of the disbursing officers making them.

"For pay of enlisted men of National Guard, $100.

"For pay of enlisted men of the staff corps and departments, $48,162,500.

"For pay of enlisted men of the Regular Army Reserves, $224,750.

"For pay of enlisted men of the Enlisted Reserve Corps, $77,500.

"Aviation increase, to enlisted men of the Signal Corps, $7,750.

"For pay of the enlisted men of the Philippine Scouts, $1,007,500.

"Additional pay for length of service to enlisted men, $3,875,000: *Provided*, That the provisions of section 10 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States, approved May 18, 1917, in so far as it increases the pay of the enlisted men of the Army, be, and the same hereby are, continued in force and effect from and after the date and approval of this act.

"PAY OF PERSONS WITH RETIRED STATUS.

"For pay of the officers on the retired list, $2,500,000.

"For increase pay to retired officers on active duty, $200,000.

"For pay of retired enlisted men, $3,000,000.

"For pay and allowances of retired enlisted men on active duty, $20,000.

"For pay and allowances of Regular Army reservists on active duty, $40,000.

"For pay of retired Philippine Scout officers, $45,000.

"For pay of retired pay clerks, $18,000.

"For pay of retired veterinarians, $3,500.

"CLERKS, MESSENGERS, AND LABORERS, OFFICE OF THE CHIEF OF STAFF.

"One chief clerk, at $2,500 per annum, $2,500.

"One clerk, at $2,250 per annum, $2,250.

"Six clerks, at $2,000 each per annum, $12,000.

"Eight clerks, at $1,800 each per annum, $14,400.

"Thirteen clerks, at $1,600 each per annum, $20,800.

"Twenty-one clerks, at $1,400 each per annum, $29,400.

"Twenty-four clerks, at $1,200 each per annum, $28,800.

"Twenty-six clerks, at $1,000 each per annum, $26,000.

"One captain of the watch, at $900 per annum, $900.

"Six watchmen, at $720 each per annum, $4,320.

"One gardener, at $720 per annum, $720.

"One packer, at $840 per annum, $840.

"One chief messenger, at $1,000 per annum, $1,000.

"Three messengers, at $400 each per annum, $2,250.

"Fifteen messengers, at $720 each per annum, $10,800.

"Two laborers, at $720 each per annum, $1,440.

"One laborer, at $600 per annum, $600.

"Five charwomen, at $240 each per annum, $1,200.

"PAY OF ARMY FIELD CLERKS AND CIVIL-SERVICE MESSENGERS AT HEADQUARTERS OF THE SEVERAL TERRITORIAL DEPARTMENTS, ARMY AND CORPS HEADQUARTERS, TERRITORIAL DISTRICTS, TACTICAL DIVISIONS AND BRIGADES, SERVICE SCHOOLS, CAMPS AND PORTS OF EMBARKATION AND DEBARKATION.

"Eighty clerks, at $1,800 each per annum, $144,000.

"Seven clerks, at $2,000 each per annum, $14,000.

"One hundred and seventy-two clerks, at $1,600 each per annum, $275,200.

"Eleven clerks, at $1,800 each per annum, $19,800.

"Two hundred and twenty-two clerks, at $1,400 each per annum, $310,800.

"Fourteen clerks, at $1,600 each per annum, $22,400.

"Five hundred and twenty-six clerks, at $1,200 each per annum, $631,200.

"Thirty-two clerks, at $1,400 each per annum, $44,800.

"One hundred and nineteen messengers, at $720 each per annum, $85,680.

"Fifty-seven clerks, at $1,200 each per annum, $68,400.

"Forty-nine clerks, at $1,200 each per annum, $58,800.

"Thirty-nine messengers, at $720 each per annum, $28,080.

"Additional pay while on foreign service, $8,000.

"For commutation of quarters and of heat and light, $23,040: *Provided*, That Army field clerks shall have the same allowances and benefits as heretofore allowed by law to pay clerks, Quartermaster Corps, not including retirement: *Provided, however*, that the minimum or entrance pay exclusive of said allowances, of said Army field clerks shall be $1,200 per annum: *Provided further*, That Army field clerks shall receive the same increase of pay for service beyond the continental limits of the United States as is allowed by law to commissioned officers of the Army: *And provided further*, That the Secretary of War is authorized to employ, during the present emergency and for a period not exceeding four months thereafter, such additional Army field clerks as may be necessary, not exceeding 4,272.

"For commutation of quarters and of heat and light for field clerks, Quartermaster Corps, $76,800: *Provided*, That said clerks, messengers, and laborers shall be employed and assigned by the Secretary of War to the offices and positions in which they are to serve: *Provided further*, That no clerk, messenger, or laborer at headquarters of tactical divisions, military departments, brigades, service schools, and office of the Chief of Staff shall be assigned to duty in any bureau of the War Department.

"MISCELLANEOUS.

"For pay of contract surgeons, $90,000.

"For pay of nurses, $800,000.

"For pay of hospital matrons, $3,600.

"For pay of reserve veterinarians, $350,000.

"For expenses of courts-martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same, and expenses of taking depositions and securing other evidence for use before the same, $200,000.

"For additional pay to officer in charge of public buildings and grounds at Washington, D. C., $500.

"For commutation of quarters and heat and light to commissioned officers, warrant officers, members of the Nurse Corps, and enlisted men on duty at places where no public quarters are available, including enlisted men of the Regular Army Reserve and retired enlisted men when ordered to active duty, $4,821,150.

"For interest on soldiers' deposits, $145,000.

"For pay of expert accountant for the Inspector General's Department, $2,500.

"For extra pay to enlisted men employed on extra duty for periods of not less than 10 days in the offices of Coast Defense Artillery Engineers and Coast Defense Ordnance officers, and as switchboard operators at seacoast fortifications, $25,000.

"For extra pay to enlisted men employed on extra duty as switchboard operators at each interior post of the Army, $19,215.

"For extra pay to enlisted men of the line of the Army and to enlisted men of the Quartermaster Corps, Medical Department, and of the Signal Corps employed in the Territory of Alaska on the Washington-Alaska cable and telegraph system for periods of not less than ten days at the rate of 35 cents per day, $38,430.

"For mileage to commissioned officers, warrant officers, members of the Officers' Reserve Corps, when ordered to active duty, contract surgeons, expert accountant, Inspector General's Department, Army field clerks, and field clerks of the Quartermaster Corps, when authorized by law, $2,500,000.

"For additional 10 per centum increase of pay of officers on foreign service, $1,000,000: *Provided*, That hereafter warrant officers shall receive the same increase of pay for service beyond the continental limits of the United States as is allowed to commissioned officers of the Army.

"For additional 20 per cent increase of pay of enlisted men on foreign service, $4,000,000.

"For pay of one computer for Artillery Board, $2,500.

"For payment of exchange by acting quartermasters serving in foreign countries and when specially authorized by the Secretary of War by officers disbursing funds pertaining to the Quartermaster Corps when serving in Alaska, and all foreign money received shall be charged to and paid out by disbursing officers of the Quartermaster Corps at the legal valuation fixed by the Secretary of the Treasury, $1,000.

"For additional pay to officers below the grade of major required to be mounted and who furnish their own mounts, $240,000.

"For amount required to make monthly payment to Jennie Carroll, widow of James Carroll, late major, United States Army, $1,500.

"For amount required to make monthly payments to Mabel H. Lazear, widow of Jesse W. Lazear, late acting assistant surgeon, United States Army, $1,500.

"For amount required to make monthly payments of $100 to John R. Kissinger, late of Company D, One hundred and fifty-seventh Indiana Volunteer Infantry, also late of the Hospital Corps, United States Army, $1,200.

"All the money hereinbefore appropriated for pay of the Army and miscellaneous, except the appropriation for mileage to commissioned officers, contract surgeons, expert accountant, Inspector General's Department, Army field clerks, and field clerks of the Quartermaster Corps, when authorized by law, shall be disbursed and accounted for as pay of the Army, and for that purpose shall constitute one fund."

And the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert: "$62,526,466.50: *Provided*, That not to exceed $22,500 of this sum be made available for the care of the peach orchard on Poole Island, Aberdeen Proving Ground, and the grain now growing at this and other reservations and the harvest and disposal of the crops; and such disposal by sale or otherwise shall be made pursuant to such regulations as may be prescribed by the Secretary of War: *Provided further*, That all moneys received by the United States as the proceeds of such sales shall be deposited in the Treasury of the United States as 'miscellaneous receipts.'"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert: "$10"; and, on page 25, line 19, of the engrossed bill, strike out "$20,000,000" and insert "$30,000,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert: "$7,000,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert: "$20,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert: "$2,500,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert: "$7,500,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the amount proposed by the Senate amendment insert: "$675,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert: "$250,000"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$4,000,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$2,000,000"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$30,000,000"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$4,500,000"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and

agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"Land for hospital and other purposes: For the purchase of land contiguous to the Walter Reed General Hospital, District of Columbia, 26⅝ acres, more or less, for the final location of the Army Medical Museum, the Surgeon General's Library, and the Army Medical School, and for the improvements now on the land to be purchased, $350,000."

And the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert: "$300,000: *Provided*, That the services of skilled draftsmen, civil engineers, and such other services as the Secretary of War may deem necessary may be employed only in the Office of the Chief of Engineers to carry into effect the various appropriations for 'Engineer equipment of troops,' 'Engineer operations in the field,' and other military appropriations, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1920 shall not exceed $225,000. The Secretary of War shall each year, in the annual estimates, report to Congress the number of persons who are employed, their duties, and amount paid to each"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$40,000"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$3,000,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$7,000,000"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert "$50,000"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert "$5,000,000: *Provided*, That all the moneys hereinbefore appropriated for the arming, equipping, and training of the National Guard shall be disbursed and accounted for as one fund"; and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert "cantonments except in such cases at National Army or National Guard camps or cantonments which were in use prior to November 11, 1918, where it has been or may be found more economical to the Government for the purpose of salvaging such camps or cantonments to buy real estate than to continue to pay rentals or claims for damages thereon, and except where industrial plants have been constructed or taken over by the Government for war purposes and the purchase of land is necessary in order to protect the interest of the Government"; and the Senate agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"That the several organizations of the Army, to wit: The Chemical Warfare Service, the Air Service, the Construction Division, the Tank Corps, and the Motor Transport Corps, with their powers and duties as defined in orders and regulations in force and effect on November 11, 1918, shall be continued to and until June 30, 1920.

"That officers of the emergency Army appointed to the Officers' Reserve Corps may be appointed therein to the grade held by them in the emergency Army or next higher grade, as the Secretary of War may direct."

And the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: Strike out "Sec. 2." in line 1 of the second paragraph of the amendment; and the Senate agree to the same.

Amendment numbered 97: That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"Exchange of Army cold-storage plant, Chicago, Ill.: That the President is hereby authorized, through the Secretary of War, upon terms and conditions considered advisable by the Secretary of War, to dispose of the United States Army cold-storage plant in the city of Chicago, State of Illinois, with machinery and equipment therein contained, and appurtenances thereunto belonging, and to accept in part payment therefor a warehouse adjacent to the Army general supply depot in the city of Chicago, State of Illinois, containing approximately 650,000 square feet of storage space, together with the land comprising the site of same: *Provided*, That such exchange shall be effected without expenditure for this purpose by the United States, except necessary costs of conveyancing not exceeding $500, hereby appropriated for this purpose. The President, through the Secretary of War, is hereby authorized to execute and deliver in the name of the United States of America and in its behalf any and all contracts, conveyances, or other instruments necessary to effect such sale or exchange.

"That all moneys received by the United States as the proceeds of such sale or exchange shall be deposited in the Treasury of the United States to the credit of 'Miscellaneous receipts,' and a full report of the same shall be submitted to Congress."

And the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: Insert at the beginning of the amendment a side title as follows: "Boughton Memorial Association"; and the Senate agree to the same.

Amendment numbered 109: That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"Medical supplies for the American Red Cross: The Secretary of War is hereby authorized to place at the disposal of the American Red Cross, such medical and surgical supplies, and supplementary and dietary foodstuffs used in the treatment of the sick and injured now in Europe and designed for but which are not now essential to the needs of the American Expeditionary Forces, or needed for use in military hospitals in the United States, or as military or hospital stores for the Army of the United States, to be used by said American Red Cross as it shall determine, to relieve and supply the pressing needs of the people of countries involved in the late war. The Secretary of War shall prescribe regulations and conditions for the selection and delivery of said supplies and foodstuffs to the American Red Cross for the purposes aforesaid."

And the Senate agree to the same.

Amendment numbered 111: That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment, as follows: In lieu of the matter proposed by the Senate amendment insert:

"Prosecution of claims by former Government employees: That it shall be unlawful for any person who, as a commissioned officer of the Army, or officer or employee of the United States, has at any time since April 6, 1917, been employed in any bureau of the Government and in such employment been engaged on behalf of the United States, in procuring or assisting to procure supplies for the Military Establishment, or who has been engaged in the settlement or adjustment of contracts or agreements for the procurement of supplies for the Military Establishment, within two years next after his discharge or other separation from the service of the Government, to solicit employment in the presentation or to aid or assist for compensation in the prosecution of claims against the United States arising out of any contracts or agreements for the procurement of supplies for said bureau, which were pending or entered into while the said officer or employee were associated therewith. A violation of this provision of this chapter shall be punished by a fine of not more than $10,000, or imprisonment for not more than one year, or both: *Provided*, That all acts or parts of acts inconsistent with any of the provisions of this act are hereby repealed."

And the Senate agree to the same.

JULIUS KAHN,
D. R. ANTHONY, Jr.,
S. H. DENT, Jr.,
Managers on the part of the House.

J. W. WADSWORTH, Jr.,
HOWARD SUTHERLAND,
GEORGE E. CHAMBERLAIN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5227) making appropriations for the support of the Army for the fiscal year ending June 30, 1920, submit the following written statement explaining the effect of the action agreed on:

On amendment No. 1: The House receded from this amendment with an amendment which authorizes in the first proviso to employ men who are capable to dispose of the Government property. The second proviso prohibits the payment of any salary in this act in excess of $12,000 per annum. In the third proviso the conferees inserted a provision authorizing the Secretary of War to sell any surplus supplies, including automobiles in the possession of the Government, to any State or municipal subdivision, or to any corporation or individual, upon such terms as may be deemed best.

On amendment No. 2: This amendment relates to the Military Intelligence Division, for which the House appropriated $250,000, but the Senate increased this amount to $430,000. Your conferees compromised this sum by allowing $400,000.

On amendment No. 3: On this amendment the Senate recedes, which restores the House text naming Fort Sill, Okla., for the Infantry School of Arms.

On amendment No. 4: The Senate recedes from this amendment, which restores the words "Fort Sill, Okla."

On amendment No. 5: This amendment appropriated $10,000 for textbooks, books of reference, scientific and professional papers, and for other expenses required for Field Artillery brigade firing at Camp Bragg, Camp Knox, and Camp Taylor, from which the Senate recedes.

On amendment No. 6: The Senate recedes from this provision relating to special prices on typewriting machines and thus restores the House text.

On amendment No. 7: This amendment appropriates for the Signal Service of the Army which the House passed at $3,000,000 and the Senate increased to $3,500,000. Your conferees agreed to this amendment by allowing $3,250,000.

On amendment No. 8: Your conferees accepted the Senate appropriation of $140,000, which is for the maintenance of the Washington-Alaska Military Cable and Telegraph System.

On amendment No. 9: Provides the procurement of helium gas; limits the establishment of aviation stations in the Philippine Islands; limits the leasing of land in the Philippine Islands for landing fields only, and limits the expense for aviation in the Philippines to $358,000. Provisions for the purchase of land at Buffalo, Dayton, Ohio, Burlington County, N. J., and San Diego, Calif., are eliminated. It provides for courses of instruction for aviation students, and the creation of the grade of flying cadet of the Air Service. The amount of money allowed is $25,000,000, as compared with $54,400,000 as passed by the Senate.

On amendment No. 10: The House conferees agreed to the Senate provision which allowed $3,500,000 of the unexpended balances of the appropriation on June 30, 1919, for all necessary expenses for the completion, preservation, and transportation of the records pertaining to the draft act and authorizes the employment of clerical help to furnish the adjutants general of the several States statements of service of all persons from those States who entered the military service during the war with the Central Powers.

On amendment No. 11: This amendment relates to the pay of the Army. The amount appropriated is based on an Army of 325,000 men. The figures are those of the House bill, with the addition of $15,000,000 for the increase of the personnel from 300,000 to 325,000. The total for the pay of the Army is approximately $213,000,000.

On amendment No. 12: The House conferees recede from this amendment, which will allow members of the Officers' Reserve Training Corps at camp subsistence in the Army.

On amendment No. 13: This amendment relates to appropriations for subsistence of the Army. Your conferees allowed $62,526,466.20, which is estimated as all that is necessary. The House passed this provision at $67,500,000 and the Senate at $85,000,000. This decrease is the result of maintaining an Army of 325,000 men. It also provides $22,500 for the harvesting and disposal of crops on Poole Island, Aberdeen Proving Ground.

On amendment No. 14: The Senate recedes from this amendment, which restores the appropriation allowed by the House for the regular supplies of the Army.

On amendment No. 15: Your conferees accepted the Senate amendment, which allows a donation of $10 to each dishonorably discharged prisoner upon his release from confinement under court-martial sentence. The conferees compromised on the total for incidental expenses by allowing $30,000,000.

On amendment No. 16: This amendment struck out the provision for the transportation overseas to the United States of the bodies of officers and enlisted men who died in Europe during the present war, which the House conferees accepted for the reason that this appropriation is carried in the sundry civil act.

On amendment No. 17: This amendment relates to transportation of the Army.

On amendment No. 18: This amendment relates to water and sewers at military posts, which proposed to strike out the House text, from which the Senate recedes, thus restoring the House language.

On amendment No. 19: The House appropriated $5,000,000 for water and sewers at military posts and the Senate increased this amount to $10,000,000. Your conferees allowed $7,000,000.

On amendment No. 20: The House conferees receded from this amendment which allowed each soldier a suit of citizen's outer clothing at a cost not exceeding $15, which is an increase of $5 as passed by the House.

On amendment No. 21: The House allowed $18,750,000 for clothing and camp and garrison equipage which the Senate increased to $25,000,000. By reason of the reduction of the Army to 325,000 men it was estimated that $20,000,000 would be sufficient, which your conferees allowed.

On amendment No. 22: This amendment is for horses for the Army which passed the House at $1,000,000 and was increased in the Senate to $5,000,000. Your conferees compromised by allowing $2,500,000.

On amendment No. 23: This amendment relates to barracks and quarters for the Army which was passed by the House at $2,000,000 and increased in the Senate to $15,000,000. The House conferees allowed $7,500,000.

On amendment No. 24: The House appropriated $150,000 for equipment of amusement rooms and gymnasiums at military post exchanges, which the Senate increased to $1,350,000. Your conferees receded from this amendment by allowing $675,000.

On amendment No. 25: This amendment relates to barracks and quarters in the Philippine Islands for which the House appropriated $150,000. The Senate increased this amount to $350,000 and your conferees compromised by allowing $250,000.

On amendment No. 26: The House appropriated $3,000,000 for the construction and repair of roads, walks, and wharves and for the disposal of drainage, which the Senate increased to $5,000,000. Your conferees receded by allowing $4,000,000.

On amendment No. 27: The House conferees accepted this amendment as it was a decrease of $100,000 in the appropriation for shooting galleries and ranges.

On amendments Nos. 28 and 29: These amendments authorized the increase of $100 in the salaries of the assistant engineer and a carpenter at the Army War College which your conferees accepted.

On amendment No. 30: This amendment is merely a change in total, hence the House recedes.

On amendment No. 31: Your conferees recede from this amendment as it reduces the appropriation $15,000 for rental of buildings for military purposes in the District of Columbia and does not allow any appropriation if space is provided by the Public Buildings Commission in Government-owned buildings.

On amendment No. 32: This amendment relates to vocational training under the national-defense act, for which the House appropriated $10,500. The Senate increased the amount to $5,000,000. Your conferees receded from this amendment by allowing $2,000,000.

On amendment No. 33: This amendment is merely a change in title. Your conferees recede.

On amendment No. 34: This amendment relates to rifle ranges for civilian instruction. The Senate increased the House amount of $10,000 to $100,000, and provided that the governors of States and Territories and the Board of Commissioners of the District of Columbia may designate which team shall represent their respective State, Territory, or the District of Columbia. The House accepted the Senate amendment.

On amendment No. 35: This amendment relates to the Reserve Officers' Training Corps. The Senate increased the amount from $1,000,000 to $4,000,000 and the House receded.

On amendment No. 36: Your conferees accept the Senate amendment for the reason that it strikes out the authority to purchase land for storage and shipping facilities.

On amendment No. 37: The House allowed $22,750,000 for storage and shipping facilities which the Senate increased to $45,000,000. The House conferees yielded to this amendment by allowing $30,000,000, which is a decrease of $15,000,000 as passed by the Senate.

On amendment No. 38: Your conferees allowed $4,500,000 for the Medical Department of the Army, which is a decrease of $500,000 of the amount allowed by the Senate.

On amendment No. 39: Your conferees accept the Senate amendment, as it is a decrease of $10,000 for hospital care at the Canal Zone garrisons, and allows $50,000 for this purpose.

On amendment No. 40: This amendment relates to the purchase of land for the Army Medical Museum contiguous to Walter Reed General Hospital. The amount involved is $350,000 and the House accepted the Senate amendment.

On amendment No. 41: This amendment relates to the Engineer equipment of troops for which the House allowed $200,000 and the Senate increased to $400,000. Your conferees allowed this item at $300,000 and allowed the Secretary of War to employ the services of skilled draftsmen and civil engineers in the office of Chief of Engineers.

On amendment No. 42: This amendment provided for $25,000 for civilian assistants to Engineer officers, which the Senate increased to $50,000. Your conferees accepted this amendment by allowing $40,000.

On amendment No. 43: This amendment relates to Engineer operations in the field, which the House allowed $2,000,000 and the Senate increased to $5,000,000. The House conferees yielded to this amendment by allowing $3,000,000.

On amendment No. 44: The House appropriated $100,000 for the construction and maintenance of military roads in Alaska, which the Senate increased to $300,000. The Senate receded from this amendment, which restores the House text.

On amendment No. 45: The House accepted the Senate amendment, as it prohibits any purchase of motor-propelled or horse-drawn passenger-carrying vehicles by the Ordnance Department.

On amendment No. 46: Under this amendment the House allowed $5,000,000 for the Ordnance Department, which the Senate increased to $14,000,000. Your conferees compromised on this item by allowing $7,000,000, which is a decrease of $7,000,000 in the Senate item.

On amendment No. 47: Your conferees yielded on this amendment and accepted the Senate provision, which allows $1,600,000 for the Frankford Arsenal.

On amendment No. 48: The House accepted this amendment, as it was a reduction of $50,000 in the appropriation allowed for small-arm target practice as passed by the House, and did not allow the Senate provision for the appointment of a director of marksmanship in the Army.

On amendment No. 49: The House conferees accepted the Senate amendment, which struck out the provision for "purchase and manufacture of ordnance stores to fill requisitions of troops."

On amendment No. 50: The House conferees accepted this amendment, as it is a reduction of $1,000,000 in the appropriation passed by the House, which provides for ordnance stores and supplies. Your conferees accepted the amount allowed by the Senate, which was $2,000,000.

On amendment No. 51: The Senate recedes from this amendment, which was a change in phraseology, thus restoring the House text.

On amendment No. 52: This amendment relates to the purchase of automatic machine rifles, for which the Senate allowed $1,000,000. This is a reduction of $500,000 in the amount passed by the House. Your conferees accepted this decrease.

On amendment No. 53: Ths amendment of the Senate related to incidental expenses for the Tank Corps School, from which the Senate receded.

On amendments Nos. 54 and 55: These amendments change the word "horses" to "animals," which also permits the purchase of mules for the arming, equipping, and training of the National Guard.

On amendment No. 56: This appropriation was $250,000 less than the amount passed by the House. The House conferees accepted this amendment.

On amendment No. 57: Your conferees accepted the amount allowed by the Senate for the pay of property and disbursing officers for the United States, which was passed by the Senate at $43,750, an increase of $8,750 over the amount allowed by the House.

On amendment No. 58: The Senate receded from this amendment, which restored the House amount for travel of Federal officers and noncommissioned officers making inspections.

On amendment No. 59: Your conferees accepted this amendment, as it is a reduction of $4,000 in the travel of Federal officers and noncommissioned officers changing stations.

On amendment No. 60: The House allowed $40,000 for travel of Federal officers and noncommissioned officers on visits of instruction, which the Senate reduced to $30,000, making a decrease of $10,000, which your conferees accepted.

On amendment No. 61: The House conferees accepted the Senate provision allowing $200,000 for the transportation of supplies.

On amendment No. 62: The House conferees receded from the appropriation of $5,000,000 for the pay of the National Guard and accepted the amendment of the Senate, which provides that this amount shall be disbursed and accounted for as one fund.

On amendments Nos. 63 to 78, inclusive: The House conferees receded from all of these amendments, as they are merely changes in phraseology of the paragraphs relating to the equipment for the National Guard.

On amendment No. 79: Provides for the cancellation of previous enlistments in the National Guard.

On amendment No. 80: The House conferees receded from this amendment, as it simply provides staff officers appointed in the National Guard of the District of Columbia shall have the same status as officers appointed from the States.

On amendment No. 81: Provides for the appointment of National Guard officers without physical examinations, and the Senate recedes.

On amendment No. 82: The House conferees accepted this amendment, as it is only a change in the title to the paragraph.

On amendment No. 83: This amendment, as passed by the Senate, increases the appropriation of $100,000 for ordnance equipment for rifle ranges, but the Senate receded and thus restored the original appropriation as passed by the House of $100,000.

On amendments Nos. 84 to 86, inclusive: Your conferees accepted these amendments, as they only add to the language of the titles of the national defense act.

On amendments Nos. 87 and 88: your conferees accepted these amendments, as they only provided for the changing of certain provisos in the bill to paragraphs.

On amendment No. 89: This amendment proposes to strike out a provision authorizing the Secretary of War to have printing done elsewhere than at the Government Printing Office, and in view of the fact that the chairman of the Senate Committee on Military Affairs received a communication from the Secretary of War requesting that this amendment be agreed to, your conferees accepted the same.

On amendment No. 90: The Senate receded from the amendment providing for the purchase of land for an aviation field at Eberts Field.

On amendment No. 91: The Senate receded from the text of this amendment so as to transfer the language contained therein to amendment 92.

On amendment No. 92: This amendment accepted the House language regarding the purchase of real estate and made an exception as to camps and cantonments that were in use prior to November 11, 1918, where it has been found more economical to the Government to purchase such camps or cantonments than to pay rentals or damages thereon, and made further exceptions as to industrial plants which were constructed or taken over by the Government for war purposes.

On amendment No. 93: The Senate recedes from the striking out of the bonus provision and the stop-watch system, and left the language as passed by the House.

On amendment No. 94: This amendment provided that all of the several organizations of the Army should be continued until otherwise provided for by law, but the House conferees receded with a provision which authorizes the continuation of the War Chemical Service, the Tank Corps, the Motor Transport Corps, and the Air Service.

On amendment No. 95: This amendment provides for the dispossession of certain balances from a previous appropriation relative to a memorial archway at Vicksburg, Miss., which your conferees accepted.

On amendment No. 96: This amendment provides for the disposal of real property by sale or lease which, in the judgment of the President or the head of such department is no longer needed by the Government, and the moneys derived therefrom shall be deposited in the Treasury of the United States and a report made annually to Congress, which your conferees accepted.

On amendment No. 97: This amendment authorizes the Secretary of War to exchange the Army cold-storage plant at Chicago, Ill., for a warehouse adjacent to the Army general depot in the city of Chicago, which is recommended by the Secretary of War. Your conferees accepted this amendment.

On amendment No. 98: This amendment authorizes the Boughton Memorial Association to erect and maintain a building at Fort Leavenworth, Kans., to be first approved and constructed in such location as may be prescribed by the Secretary of War, upon condition that the ground floor of said building shall be

used by the Post Office Department free of charge, which your conferees accept.

On amendment No. 99: This amendment permits the Secretary of War to transfer certain ammunition, explosives, and other ammunition components to other executive departments of the Government. The House accepted this amendment.

On amendments Nos. 100 to 108: The Senate recedes from all of the private-claim amendments.

On amendment No. 109: This amendment authorized the Secretary of War to place at the disposal of the American Red Cross certain medical and surgical supplies, etc., which are not needed for the American Expeditionary Force or for use in military hospitals in the United States. Your conferees accepted this amendment with a further condition that said supplies shall not be needed as military or hospital stores for the Army of the United States.

On amendment No. 110: This amendment provides that the Secretary of War is authorized to make use of certain facilities of civil educational institutions for student officers stationed in the vicinity thereof, and the Senate receded from this amendment.

JULIUS KAHN,
D. R. ANTHONY, Jr.,
S. H. DENT, Jr.,
Managers on the part of the House.

Mr. KAHN. Mr. Speaker, when the conference report was before the House yesterday there were four particular provisions that were objected to. The first was with reference to the pay of the Army. An objection was made to a reappropriation of $100,000,000. The conferees were instructed to eliminate that provision. The second was with reference to the Air Service, and the conferees were instructed to reduce the amount of $54,000,000 to the provision in the House bill, which was $15,000,000. The third was with reference to a piece of property at the Walter Reed Hospital, which was to cost about $350,000, and the fourth provision——

Mr. McKENZIE. Mr. Speaker, would the chairman yield me two or three minutes just to make a statement?

Mr. KAHN. About the Walter Reed Hospital?

Mr. McKENZIE. Yes.

Mr. KAHN. I will yield three minutes to the gentleman on that. I reserve the balance of my time.

Mr. McKENZIE. Mr. Speaker and gentlemen of the House, I shall not oppose the adoption of this conference report, but I want to say that I am not at all deceived by the fact that while an agreement has been reached it still contains many provisions which do not meet with my approbation, and one of them specifically is the purchase of land at Walter Reed Hospital.

The truth about the matter is that I am willing to challenge every man in this House and make the assertion that there is not a single man in the House of Representatives who knows a solitary thing about the facts in connection with the purchase of this land, what it is worth, whether it is necessary, or any of the facts that we ought to know when we purchase land. The Surgeon General said it was not necessary as an emergency proposition, yet the Senate puts it in and the House concurs in the action to spend $350,000 to buy 26 acres of land. And the one thing that is troubling me and why I wanted to make this statement here this afternoon is that, unfortunately for me perhaps, I am on a committee to investigate the waste of the War Department in buying land here and there and everywhere all over this country, and I can not understand how it is that men can go into convulsions almost over the payment of $42 an acre for land at Camp Benning, which the military men say is necessary, and at the same time vote to pay $13,000 an acre for brush land adjoining the Walter Reed Hospital without batting an eye when they do it. I simply want to say that I do not approve of that system of legislation. We ought to have investigated this matter and found out whether or not we are paying an exorbitant price for the land.

Mr. KAHN. Mr. Speaker, I want to say frankly to the House that the conferees on the part of the House did not approve this provision. There were six pieces of realty provided for in the bill as it passed the Senate. Four were in connection with various aviation projects. One was for a flying field down in Arkansas. The sixth project was this one at the Walter Reed Hospital. We finally succeeded in eliminating the five others, but the Senate stood firm on this.

I have a great deal of respect for the judgment of my friend on the committee [Mr. McKENZIE], but let me tell you the situation. The medical department of the War Department rents quarters in this city for the medical museum, for the medical library, and for the medical school which they conduct here in connection with their service. I believe that the rentals are not less than $22,000 a year, and maybe they are more than that. I do not recall the testimony of the Surgeon General, but he did appear before the committee and advocated the purchase of this land. He said this, in effect, that it is the intention of the medical department to concentrate its activities around the Walter Reed Hospital. That hospital is located on a beautiful tract of land, some little distance from the center of the city. The medical museum is visited annually by thousands of physicians who come to Washington from every section of the country. It is admitted that the medical library is probably the best in the whole world. The medical school performs a very great and important service to the medical department of the Army. Now, we have had some experience that I want to call to your attention about the purchase of land in a growing city like Washington or the construction of buildings in a place that is near a big city like New York. It is contended that you can probably buy this land cheaper to-day than you could in three or four years from now, because everybody knows that property in the District of Columbia is going up all the time. But the Military Committee itself some 10 years ago adopted a plan for new construction at West Point. Instead of going ahead boldly and appropriating the necessary money for that construction, we dillydallied with it and constructed it piecemeal, until the buildings there have cost the Government practically double the amount that they would have cost originally, because everybody knows that material has gone up and the price of labor has gone up, and so on. So that the Government in that instance lost many millions by delay.

It is only a matter of time when Congress, in my opinion, would ultimately authorize the purchase of this piece of land. It is going to save rentals, and I submit that in the condition we found ourselves, with the Senate yielding on five purchases of land and demanding that the House do some receding also, the conferees submitted.

Mr. McKENZIE. Will the gentleman yield for one question?

Mr. KAHN. Yes.

Mr. McKENZIE. I would like to ask the gentleman from California if there is one scintilla of evidence that has been submitted to him that will enable him to say whether this land is worth $150,000 or $350,000?

Mr. KAHN. Yes. I did ask some questions about the value of the land in that neighborhood. I was told that it is a neighborhood where the price of land is going up constantly, because new buildings are being constructed there for residence purposes. In fact, anyone who takes the Georgia Avenue cars and goes out to that part of the city will see that there has been a good deal of new construction of residences, and that naturally enhances the value of realty.

The last Senate amendment that the House objected to embodied the so-called special private bills. I want to say for my colleagues that they have opposed that kind of legislation always. We have repeatedly insisted that that kind of legislation be not put on the appropriation bill, and I am glad to say that for two or three years we were successful in keeping those items out of it. This year the Senate simply loaded the bill with some eight of those items, and declined for a while to recede on any of them.

Mr. LAZARO. Will the chairman of the committee please yield for a question?

Mr. KAHN. A short question, if you please.

Mr. LAZARO. Does this bill contain sufficient appropriations to care for the boys who went into the service and who are now temporarily deranged mentally, so that they can get the care that they are entitled to and have a chance, maybe, of getting well? This was discussed before, and your committee, I understand, stood one way and the Senate the other way. I would like to have an explanation on that.

Mr. KAHN. I want to say to the gentleman that that proposition is not contained in this bill, except in so far as the bill appropriates lump sums of money for hospitals and pay of the soldiers. I have strong convictions about the men who were injured in this war. I believe that this country owes an everlasting debt of gratitude to all its soldiers, but I have extreme sympathy for those soldiers who lost their mental powers or their limbs and were otherwise disabled in this war, especially for those soldiers who were badly wounded and mangled in this war. They will not be in the same position to take up the burden of life as they were in before they went into the Army. The country owes a special duty, in my opinion, to men of that class, and I for one favor treating them with exceeding liberality.

I want to say just briefly that there were many statements made on this floor yesterday about the cost per man of a soldier in war times. There were many misstatements made on the

floor; but I will say this, that the amount of $2,000 per man does not pay for all the instrumentalities of conducting the Army, even during a period of demobilization. You have many extraordinary expenses. As I said yesterday, the matter of transportation is largely out of proportion to what it is in peace times. The matter of clothing is an exceedingly costly matter in war times, and there are a number of other activities that materially add to the cost over and above the $2,000 per man referred to by the gentleman from Wyoming [Mr. MONDELL].

I want to say that in the item of pay for the Army your conferees succeeded in eliminating the reappropriation of $100,000,000. [Applause.] In fact the Senate took the House provision and the House figures and made an addition for the 25,000 men for whom we provided by adding $15,000,000 to the total. The House bill provided for pay of the Army $198,000,000. The bill as it now stands provides for $213,000,000. As a matter of fact, the Senate bill, without the lump sum of $100,000,000, provided $215,000,000 for pay of the Army, so that your conferees really have saved $102,000,000 on that one item. But it is only fair to say that Gen. Lord, the Director of Finance of the War Department, announced to Senator WADSWORTH and me that there would undoubtedly be a deficiency appropriation by the 1st of January next.

As to the matter of aviation, the House conferees raised the amount to $25,000,000. The House on yesterday appropriated that amount for the Navy. The Army Air Service is a very much larger establishment than the Navy Air Service, so that the appropriation of $25,000,000 for the Air Service in the Army relatively is smaller than what the House allowed the Navy on yesterday.

Now, Mr. Speaker, I move the previous question.

Mr. MONDELL. Mr. Speaker, will the gentleman withhold that motion a moment, so that I can ask him a question?

The SPEAKER. Does the gentleman yield?

Mr. KAHN. Yes.

Mr. MONDELL. I want to have clearly in mind just what occurred in conference. My understanding is that the Senate increased the House bill $267,000,000, in round numbers. I believe that is correct. In the first conference the Senate receded from appropriations amounting to $110,000,000, and the House from appropriations amounting to $157,000,000. In the last conference the Senate has receded further in the sum of $100,000,000, so that as matters now stand the Senate has receded from appropriations amounting to $210,000,000 and the House from appropriations amounting to $57,000,000.

Mr. KAHN. I think that is approximately right, but I want to say that in addition to that, as I stated a moment ago, the House saved $2,000,000 additional in the matter of the pay of the Army.

Mr. MONDELL. That is, on the conference report now before us?

Mr. KAHN. Yes.

Mr. MONDELL. So that the saving from the first conference report is approximately $102,000,000?

Mr. KAHN. Yes.

Mr. BEE. Mr. Speaker, will the gentleman yield for a question?

Mr. KAHN. For a brief one.

Mr. BEE. Amendment No. 91 refers to the purchase of real estate that was contracted for since November 11, 1918, and I understood that that was adopted in the conference report. As to No. 92, will the gentleman tell where that is?

Mr. KAHN. That is in the printed copy of the report.

Mr. BEE. I was not able to get hold of it.

Mr. KAHN. There are some at the desk.

Now, Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. KAHN, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States, was transmitted by Mr. Sharkey, one of his secretaries.

CONGRATULATIONS TO FIRST TRANSATLANTIC FLIERS.

Mr. HICKS. Mr. Speaker, I ask unanimous consent for the immediate consideration of House joint resolution 118, notwithstanding it has not been printed under the rule.

The SPEAKER. The gentleman from New York asks unanimous consent for the immediate consideration of House joint resolution 118, which the Clerk will report. The committee amendments to it have not yet been printed.

The Clerk read as follows:

Joint resolution (H. J. Res. 118) tendering the congratulations of Congress to those associated in the achievement of accomplishing the first trans-Atlantic flight of an airship from America to Europe.

The SPEAKER. Is there objection?

Mr. WALSH. Let us have the resolution read, Mr. Speaker.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Whereas, due to the skill of American engineers, the genius of American mechanics, and the bravery of American officers, communication between the New World and the Old has been established by the navigation of the air in the flight of a Navy seaplane from Newfoundland to Portugal; and

Whereas this signal achievement—the first in history—has brought fame to the country, prestige to the service, and honor to those associated in the daring enterprise: Therefore be it

Resolved, etc., That the congratulations of Congress be, and the same hereby are, extended to Lieut. Commander Albert C. Read, United States Navy; Lieut. Commander Elmer F. Stone, United States Coast Guard; Lieut. James L. Breese, United States Navy; Lieut. Walter H. Huntin, United States Navy; Chief Machinist Mate C. F. Rhoads, United States Navy; Chief Special Machinist E. H. Howard, United States Navy; Ensign Herbert C. Rodd, United States Navy; Commander John H. Towers, United States Navy; Commander Holden C. Richardson, United States Navy; Lieut. Commander Robert A. Lavender, United States Navy; Lieut. David H. McCulloch, United States Navy; Boatswain Lloyd R. Moore, United States Navy; Lieut. Commander Richard E. Byrd, United States Navy; Lieut. Bradston Rhoads, United States Navy; Lieut. Commander Patrick N. L. Bellinger, United States Navy; Lieut. Commander Marc A. Mitscher, United States Navy; Lieut. Louis T. Barin, United States Navy; Lieut. Harry Sadenwater, United States Navy; Machinist Resmus Christensen, United States Navy; Chief Machinist Mate C. I. Kesler, United States Navy.

And that as further appreciation the President is hereby authorized to present, in the name of Congress, a medal of honor to Albert C. Read, United States Navy; John H. Towers, United States Navy; and Patrick N. L. Bellinger, United States Navy.

With the following committee amendment:

In line 3 of page 1, commencing with the word "That," strike out all down through and including the word "Navy," in line 24 of page 2, and in lieu thereof insert the following:

"That the congratulations of Congress be, and the same hereby are, extended to Lieut. Commander Albert C. Read, United States Navy; Lieut. Commander Elmer F. Stone, United States Coast Guard; Lieut. James L. Breese, United States Navy; Lieut Walter Hinton, United States Navy; Chief Machinist Mate E. S. Rhoads, United States Navy; Ensign Herbert C. Rodd, United States Navy; Commander John H. Towers, United States Navy; Commander Holden C. Richardson, United States Navy; Lieut. Commander Robert A. Lavender, United States Navy; Lieut. David H. McCullock, United States Navy; Boatswain Lloyd E. Moore, United States Navy; Lieut. Commander Patrick N. L. Bellinger, United States Navy; Lieut. Commander Marc A. Mitscher, United States Navy; Lieut. Louis T. Barin, United States Navy; Lieut. Harry Sadenwater, United States Navy; Machinist Rasmus Christensen, United States Navy; and Chief Machinist Mate C. I. Kesler, United States Navy.

And that, as a further mark of appreciation, the President is hereby authorized to present, in the name of Congress, a special gold medal to each of the following-named officers: Lieut. Commander Albert C. Read, United States Navy; Lieut. Commander Elmer F. Stone, United States Coast Guard; Lieut. James L. Breese, United States Navy; Lieut. Walter Hinton, United States Navy; Ensign Herbert C. Rodd, United States Navy; and Chief Machinist Mate E. S. Rhoads, United States Navy: *Provided,* That each of said medals shall bear the name and rank of the authorized recipient.

Mr. CANNON. Mr. Speaker, I should like to know why we should take the time to congratulate people who never crossed? Is this to be the foundation for reward hereafter?

The SPEAKER. The gentleman from New York [Mr. HICKS] asks unanimous consent for the present consideration of the resolution. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, I should like to ask the gentleman from New York if this does not include, in the part of the resolution proposing to extend the congratulations of Congress, the names of those who did not make the trip in the plane which was successful in landing?

Mr. HICKS. Mr. Speaker, if I may, I shall be very glad to answer that question and some others. The Committee on Naval Affairs, which is now making the report——

The SPEAKER. The gentleman is speaking by unanimous consent.

Mr. HICKS. I ask unanimous consent to speak for 10 minutes on this resolution.

Mr. GARRETT. Mr. Speaker, I object to the present consideration of the resolution.

The SPEAKER. The gentleman from Tennessee objects.

AMENDMENT TO TITLE OF ARMY BILL.

Mr. KAHN. Mr. Speaker, I ask unanimous consent for the present consideration of the following concurrent resolution.

The SPEAKER. The gentleman from California asks unanimous consent for the present consideration of a concurrent resolution, which the Clerk will report.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 5227) entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920," the Clerk of the House of Representatives be, and he is

hereby, authorized and directed to amend the title so as to read as follows: "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes."

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, may I ask the gentleman from California if the language in amendments 40, 97, and 104 was corrected in the conference report in accordance with the suggestion that was made——

Mr. KAHN. I was pleased to call the attention of the clerk who prepared the report to the matter that the gentleman from Massachusetts called to my attention, and it was corrected in the report. I want to say, having looked over the papers, that in the copy in the House the matter was corrected.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was agreed to.

On motion of Mr. KAHN, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 1706. An act authorizing the construction of a bridge and approaches thereto across the Snake River about 3 miles above its confluence with the Columbia River, near Pasco, Wash.; and

H. R. 5608. An act making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes.

THIRD DEFICIENCY BILL.

Mr. GOOD, from the Committee on Appropriations, presented a conference report on the bill H. R. 3478, making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, for printing under the rule.

SUPPLY OF ANTHRACITE COAL.

Mr. MACGREGOR. Mr. Chairman, I ask unanimous consent for the immediate consideration of the following resolution which I send to the desk.

The Clerk read as follows:

Resolution to appoint a committee to devise plans and methods to provide the people an adequate supply of anthracite coal and be properly distributed at fair prices, and to suggest to the House of Representatives such legislation as may or shall tend to accomplish the end in view.

The SPEAKER. Is there objection?

Mr. GARRETT. Reserving the right to object, has the resolution been reported from any committee?

Mr. MACGREGOR. It has not. It simply provides for a committee to be appointed by the Speaker to take into advisement the question of means to be adopted to deal with the coal famine that we have before us.

Mr. GARRETT. It has not been considered by any committee?

Mr. MACGREGOR. It has not.

Mr. GARRETT. I object.

Mr. MACGREGOR. Mr. Speaker, may I have it referred to a committee?

The SPEAKER. The gentleman can introduce it in the basket and it will be properly referred.

WATER-POWER DEVELOPMENT.

Mr. ESCH. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 3184, the water-power bill.

Mr. GARNER. Mr. Speaker, pending that, will the gentleman yield for an interruption?

Mr. ESCH. Yes.

Mr. GARNER. I do not want to make a point of no quorum; I do not want to prevent the consideration of this bill; but I understood a few moments ago when unanimous consent was given for the consideration of the Army bill that the gentleman from Wyoming, Mr. MONDELL, would introduce a resolution for the purpose of taking a recess until next Tuesday. If that arrangement is to be changed or to be postponed I think the House is entitled to know about it. Unless I can have an assurance somewhere as to what the program is I shall have to call for a quorum.

Mr. ESCH. We have got to wait for the action of the Senate on the conference reports.

Mr. GARNER. That does not keep the House from passing the resolution suggested by the gentleman from Wyoming.

The SPEAKER. The Chair will suggest that the gentleman from Wyoming thinks it would not be wise to send a resolution to the Senate until they have passed the appropriation bills. The question is on agreeing to the motion of the gentleman from Wisconsin.

The motion of Mr. ESCH was agreed to; accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the water-power bill, with Mr. MOORE of Pennsylvania in the chair.

Mr. WALSH. Mr. Chairman, I offer an amendment to section 17. I move to strike out all of section 17 beginning with line 23 on page 24 down to and including line 24 on page 25, and to insert at the end of line 22 the words "as miscellaneous receipts."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 24, beginning with line 23, strike out all down to and including line 24 on page 25, and insert the words at the end of line 22 "as miscellaneous receipts."

Mr. WALSH. Mr. Chairman, this amendment is offered in accordance with the suggestion and the inquiries I made at the time I undertook to procure information with reference to the raising of the limit of the amount which shall be paid to the various funds under the license provision of this bill. I submit, in all seriousness, that it is unwise, when we are embarking on a nation-wide program of water-power development, to tie up 50 per cent of the charges for licenses in national parks or in the public lands or various other domains under the jurisdiction of the Federal Government, so that 50 per cent of the receipts must be paid into the Treasury to the credit of these particular funds.

I submit that we ought not to discriminate in any way here with reference to the use of the money that is received for licenses under these projects. If we are going to embark on a nation-wide scheme, let us take all the money that is received from these licenses and turn it into the Treasury of the United States, and not permit some little project on public land for a national park or some other reservation where a stream may flow through one corner of it or where the water-power site may be developed to get 50 per cent of the charges that the Government received for the licenses, which would probably be way out of proportion to what would otherwise be a credit to that part of the public domain.

If we cover these all into the Treasury of the United States it is not going to cause any of these Federal domains to suffer. We will not discriminate in making appropriations for their maintenance or improvement in the future. They will be just as well taken care of from the Federal Treasury, and Congress through its appropriate committees will see to it that the proper appropriations are made. I submit that we ought not to set aside 50 per cent of these receipts for these purposes.

Mr. ESCH. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes.

Mr. ESCH. The gentleman's amendment would strike out the following provisions in lines 15 and 16 on page 25:

All proceeds from any Indian reservations shall be placed to the credit of the Indians of such reservations.

If these proceeds are put into the Treasury as miscellaneous receipts, they will be swallowed up and would not be permitted to be used for the Indians whose lands are taken.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WALSH. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WALSH. Mr. Chairman, the gentleman from Wisconsin [Mr. ESCH] directs my attention to the fact that the bill provides that all of the receipts on Indian reservations shall go to the credit of the Indians on those reservations, but if my amendment be adopted, there is nothing to prevent Congress when it passes the Indian appropriation bill from crediting the Indians with 100 per cent of the amounts received for these licenses under this act, and I submit that is not a vital objection to my amendments.

The question here is whether the United States Treasury shall receive full credit in the form of miscellaneous receipts for every dollar that these great corporations will pay to the Government for these licenses, or whether the United States will through this means of bookkeeping get credit only for 50 per cent of it and permit the other 50 per cent to be credited to these public domains, whether they are in need of that sum of money or not, because if you permit 50 per cent of these charges to go to the credit of these public domains, such as national parks, public lands, and forest reserves, you will find that it will result in demands for authorizations and legislation for extravagant expenditures of money upon these various

public domains, within the jurisdiction of the United States, and that we will be told in most plausible tones by the distinguished gentlemen having charge of these public domains that they have a surplus to their credit in the Treasury, and that this or that does not take a dollar out of the Treasury, because they have already so many hundred thousand dollars to their credit under the water-power law, and that, therefore, we ought to expend this money for this or that fad or scheme or plan. I submit that if we desire to keep control of the receipts and to insure in the future economic administration of these various public domains, it is better in this bill when we are writing into law something that will have to stand without very vital change for a great many years at least, to see to it that all these receipts are covered into the United States Treasury as miscellaneous receipts, and that as from time to time need arises for improvements or extension or the building of roads, or other structures upon the public domain, each one of them shall be considered upon its merits, and we should then make the proper appropriation and authorization for it.

I can not see that there is any serious objection to the amendment which I have offered, particularly in view of the fact that under the present arrangement, as I am advised by the gentleman from California [Mr. RAKER], when it is undertaken to put through some public improvement on the public domain for which money is paid into the Treasury now, they are allowed only 35 per cent to go to the credit of the Treasury. It is expected, and I trust that the expectation is well founded, that when this bill becomes a law we will see enormous development of water power in this country and that it will revolutionize the hydroelectric power plants of the country and result in the payment into the Treasury of the United States of many hundreds of thousands of dollars. I submit that the Congress by providing that this should be paid as miscellaneous receipts would be able thereby to keep control of the money and that it should not permit 50 per cent of it to be piled up as a surplus to the credit of some of these public lands and national parks.

Mr. FERRIS. Mr. Chairman, section 17 has to do with the receipts from royalties or rentals, on the franchises herein granted. There are approximately 165,000,000 acres of forest reserves in the country. Many water power sites are on those forest reserves. They are to be developed under this bill. They are scattered throughout the 17 public land States of the West. This bill provides that 50 per cent of the receipts of this water power development shall go to the development of those forests, the construction of roads, the prevention of forest fires, and improvements generally. The gentleman from Massachusetts would take that away from them. The States own the water and the Government owns the land, and this is a conjoint arrangement whereby this development can go forward. This should not be done. The gentleman should not be indulged to strike down the West.

The gentleman would strip the Western States of all of the income that should be expended there. The West has enough to contend with without the gentleman heaping additional burdens of them.

Now, passing from that the next provision is that 50 per cent of the royalty or rentals is to be expended upon the national parks. There are some 30 or 40 national parks and monuments, the Nation's playgrounds, and every citizen of the Republic is interested in their beautification, their preservation, and development. This bill provides that 50 per cent of the proceeds of the water power developed in these 30 or 40 national parks shall be expended for the beautification of the Nation's playgrounds. Again, the gentleman, by his amendment, would strike them down; again he would denude them—strip them—throttle them—deny them. Mr. Chairman, there are about 335,000,000 acres of public lands in the United States, and about 370,000,000 acres in Alaska, 700,000,000 acres in all, and they have many water-power sites on them and this provides that 50 per cent of the water power or receipts of the water power developed on those public lands shall go to the development of the roads and schools in those sparsely settled States. The gentleman from Massachusetts, with all of his earnestness and zeal, would take that away from the States.

Mr. WALSH. If the gentleman will yield, I recognize the gentleman did not interrupt me, but I desire to ask him a question.

Mr. FERRIS. Certainly.

Mr. WALSH. Does not the Federal Government at the present time——

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALSH. I ask unanimous consent that the gentleman from Oklahoma may have five minutes additional.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts? [After a pause.] The Chair hears none.

Mr. WALSH. Does not the Federal Government at the present time provide money from its Treasury for the construction of roads, the prevention of forest fires, and for the erection of school buildings in these various reservations?

Mr. FERRIS. No; not the erection of school buildings and very scarcely ever at all for roads and improvements. They have to hew out their destiny as best they can from cold steel. They are making a heroic effort. They should not be retarded; they should be helped.

Mr. WALSH. Why, we carried an enormous appropriation in the Agricultural bill for this purpose.

Mr. FERRIS. Not an enormous appropriation. While I do not have the items before me, I would say they are slight; yes, very slight.

Mr. WALSH. Of course, I appreciate, in view of the fact that the Western States get money in considerable sums that does not seem enormous to the gentleman from Oklahoma.

Mr. FERRIS. I can not yield to the gentleman any further. No, the gentleman from Massachusetts, in his zeal for the Treasury, forgets that great, teeming West that is struggling and striving to try to get ahead and make itself a creditable productive part of the Republic and trying to increase its population and move forward, and the gentleman should not take the last crumb from the Western States. We do not appropriate lavishly for those roads. There are 165,000,000 acres of forest reserve scattered through those States. Those lands yield no taxes. Those lands are tax free. They are to be held as a Government timber supply and it is a very great burden on these States of the West. In this regard the Western States bear the burden for the whole Republic. They furnish the timber supply. They carry the load of State government while these lands are tax free.

Mr. JOHNSON of Washington. Is it not a matter of real complaint in the large Western States that the highways which the State builds come to a dead end when they touch the forest reserves?

Mr. FERRIS. Yes; it is a tremendous draft on those people to have those great forest reserves go tax free, to have them withdrawn and held in the interior of those States, and they, in a way, have to contribute to the support of the whole Republic. The Republic needs these lands as a timber supply; it must have a timber supply, and those Western States must supply that, and while supplying it they go tax free, and that being so, they are unable to build up their schools and roads and get those States started. Those States are entitled to a chance. They do not deserve to be assailed. They are entitled to be encouraged. Now we come to the Indian reservations and the potential water power on those lands. If we adopt the amendment of the gentleman from Massachusetts, that would take from the Indian tribes, the original settlers of the country, all of the rights in the water power on their lands. They own these reservations, and I know the gentleman does not want to do that. Again, the gentleman is seeking absolutely to obliterate and cripple the reclamation law. Now, the act of 1902, which established the Reclamation Service to irrigate the West, gave all the proceeds of the public lands, whatever they may be, to the fund for the development and irrigation of those western States. Now, the gentleman from Massachusetts, with one fell swoop and with one sweep of the scythe, would strike that great service down. I am afraid the gentleman has not given the attention which he usually gives to such subjects. He goes on and makes other changes. Now, this is not a new matter. Every year we have been having this same thing. The gentleman is all wrong in his position on this matter. He is usually strong and clear-headed. He would here at one fell swoop strip the West of everything that belongs to them and leave them there naked and bare. Surely no such thing should be done. Surely no such thing will be done. Some one will surely see the justice of this course.

Mr. GOODYKOONTZ. Will the gentleman yield?

Mr. FERRIS. I will.

Mr. GOODYKOONTZ. Does the gentleman see any reason why the revenue from the water power of West Virginia should be carried out to educate people in the western country? And if so, give me your reasons for it.

Mr. FERRIS. Please state that again. I did not hear the first part of it.

Mr. GOODYKOONTZ. The gentleman has said that the effect of the passage of this act made provision that the revenue under the plan entailed under it would be used for the education of people in the West. Can the gentleman show any reason now why the revenues produced from the water power de-

veloped in West Virginia should be used for the education of western people?

Mr. FERRIS. The gentleman must have misunderstood me entirely, and if I stated anything of that sort I was clearly outside of the facts, so the gentleman's fears are without foundation.

Mr. GOODYKOONTZ. Does the measure provide that the funds provided by water power generated in West Virginia may be used to educate people in West Virginia?

Mr. FERRIS. Oh, no.

Mr. GOODYKOONTZ. I thought not.

Mr. FERRIS. That is not the case at all; the gentleman has misunderstood me entirely.

Now, Mr. Chairman, I hope the gentleman from Massachusetts [Mr. WALSH] will have seen how futile it will be to let Congress resolve itself into an organization to strip the West of their resources. The West can not grow by hampering them; as they grow the Republic grows.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FERRIS. What few words I have said have been gleaned from a study of this and kindred western problems covering the last 12 years. I have been on the committee during that time, part of the time as chairman of it. But in all that time I have been convinced of the fact that we must not expect the West, those sparsely settled States, with their droughts, and arid conditions, and newly made towns, and newly settled communities to bear the load of this great, rich Republic. If you compel them to do that you will break the West down. If you do that, you are going to allow the great resources of the West to remain idle. You will be guilty of laying burdens unjustly and on those unable to bear them.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 18. That the operation of any navigation facilities which may be constructed as a part of or in connection with any dam or diversion structure built under the provisions of this act, whether at the expense of a licensee hereunder or of the United States, shall at all times be controlled by such reasonable rules and regulations in the interest of navigation, including the control of the level of the pool caused by such dam or diversion structure as may be made from time to time by the Secretary of War. Such rules and regulations may include the maintenance and operation by such licensee at its own expense of such lights and signals as may be directed by the Secretary of War, and such fishways as may be prescribed by the Secretary of Commerce; and for willful failure to comply with any such rule or regulation such licensee shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in section 25 hereof.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The last word or the paragraph?

Mr. WALSH. I have not the temerity to strike out a paragraph after the glowing and pathetic appeal made by the gentleman from Oklahoma [Mr. FERRIS] in opposing the amendment which I offered to the previous section.

But, Mr. Chairman, I desire to state that, while the words of the gentleman were effective in the extreme, those of us who have had the honor to be permitted to follow legislation through the Congress in recent years have observed that the West is pretty well taken care of by Uncle Sam's Treasury—the Indians, reclamation projects, the forest reserves, and last but not least the mighty farmer. And it has gotten to a point, Mr. Speaker, where if it were not for the farmers' vote and the prohibition vote and the western vote Congress could do a pretty good piece of work in legislating. But we have to take all those into consideration and sometimes without getting into a conference we have to make compromises.

The gentleman cites the sparsely settled States of the Great West. I do not know whether there are any waterfall projects in Oklahoma or not, but Oklahoma since its admission into the Union has long since left the class of sparsely settled States, I think. And I believe not very long ago one of the members of that delegation sort of resented the fact when another Member, upon making remarks upon an appropriation, referred to Oklahoma as a sparsely settled State. But it seems to me, Mr. Chairman, that in legislating upon a matter that probably will result in bringing in millions of dollars to the Federal Treasury we ought not to be swept off our feet here and permit 50 per cent practically of receipts in certain instances to go into the Treasury to the credit, not of these particular projects, if you please, but of these poor suffering western communities. Gentlemen would have you understand that some of these great western domains have not advanced beyond the stage of the mining claims and the lean-to and the little log cabin. The Western States are developing and growing and thriving, and we are seeing to it, as far as the farmer goes, that he gets his money for his wheat and that we pay the price for the flour.

But it is interesting to observe, in spite of all this artificially created prosperity, that there is not any increase commensurate with the prosperity we have created and stimulated, or proportionate to that prosperity there is not any great increase in the amount of income taxes that these great Western States contribute to the Federal Treasury.

And so I say, sir, while the distinguished gentleman from Oklahoma was successful in his appeal, that the Members here need not worry or weep about the poor Western States, particularly when any project before Congress calling for a Federal appropriation is involved. They are taken care of every time. And the Members from those States are most watchful in that regard.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. WALSH. I yield to the gentleman from Washington.

Mr. JOHNSON of Washington. If the West is all that the distinguished gentleman from Massachusetts says, why is it that the statesmen and legislators from the Eastern States are always determined to conserve and take care of the Western States?

Mr. WALSH. Well, Mr. Chairman, we were very glad to cooperate in conservation projects, but, as I have said on many occasions before, our first duty should be to conserve the Treasury of the United States.

Why, the great State of Washington, one of the most prosperous empires in the great West, had great cities within its borders years ago that are growing so rapidly that I believe they use hydroelectric power to operate electric signs flashing across the skies, "Keep your eye on Pasco," "Watch Tacoma grow," and "See Seattle prosper," and so forth. The State of Washington is quite a large State and will have several of these projects there. I should like to see efforts put forth by the western Members to come in here behind some comprehensive plan which would provide that these public lands and public domains should no longer be held by questionable constitutional authority and power under Federal jurisdiction, but should be turned over to the States for control, and I shall be ready in my feeble way to assist by my voice and vote those western Members if they will present some such project as that. [Applause.]

Mr. FERRIS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WALSH. I regret to say my time has just expired.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Washington moves to strike out the last two words.

Mr. JOHNSON of Washington. Mr. Chairman, I was much interested in what has been said by the distinguished gentleman from Massachusetts [Mr. WALSH]. I would be only too glad to join him, and I think all far-western Members would also join him, in a movement that would let the States of the West come into their own. The thing we have complained about all these years is that our growing States, drawing their populations from Massachusetts and New York, and Pennsylvania and Ohio, and Indiana and Kentucky, and all the rest of the country, have been conserved, reserved, and preserved at the behest of the Easterners. They have been determined to fix our future for all time. We are left to take what we can get in such a bill as this one—written not by us but for us.

Mr. FERRIS. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. FERRIS. Would not the gentleman from Massachusetts display a little consistency if he would be willing to let us have the crumbs first and then let us get the whole loaf later on?

Mr. JOHNSON of Washington. Quite so.

Mr. FERRIS. In a brief speech here he said he was not willing to let us have these crumbs, and then a moment later he said he was willing to let us have the entire land at one fell swoop.

Mr. WALSH. Of course the trouble with the gentleman is——

The CHAIRMAN. The gentleman from Washington has the floor.

Mr. JOHNSON of Washington. I was about to say that in the passage of these leasing bills the great State of Washington, through the process of the conservation of the public domain, is likely to remain in the future part State and part Province—

partly free, partly under lease; partly run by our governor and our legislature, and partly by the bureaus and the Congress.

Now, when we have tried to develop our own resources out there in our own way we have been met with all sorts of conservation schemes and plans invented by high-minded gentlemen from Pennsylvania and New Jersey and Massachusetts. [Laughter.] While we are a new people out there, coming as we do from all the old States, the South and the East and the Middle West, and are mostly Republicans [applause], we do join at times in the war cry let loose years ago by Henry Watterson—

Things have come to a terrible pass,
When a man can not lick his own jackass.

[Laughter.]

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. WALSH. Mr. Chairman, I ask that the gentleman from Washington have two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. WALSH. If the gentleman from Washington was referring to me as a high-minded theorist, I would be strongly tempted to have his words taken down, but I suppose he did not refer to me. [Laughter.]

Mr. JOHNSON of Washington. I retract the words. [Laughter.]

Mr. WALSH. Will the gentleman name any other Member from Massachusetts whom he would characterize as "a high-minded theorist" who has attempted to foist these conservation schemes on the great State of Washington?

Mr. JOHNSON of Washington. Oh, not in recent years and not in this body; but I did have in mind the Pecks, the Pinchots, the Pecksniffs, and others of that kind, in and out of Congress.

Mr. WALSH. I wondered if there was any "high-minded gentleman" from Massachusetts. [Laughter.]

Mr. FOSTER. The gentleman from Massachusetts is opposed to the development of the West and to woman suffrage, and all along the line.

Mr. WALSH. Why open up another painful subject? [Laughter.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

SEC. 19. That as a condition of the license every licensee hereunder which is a public-service corporation, or a person, association, or corporation owning or operating any project and developing, transmitting, or distributing power for sale or use in public service, shall abide by such reasonable regulation of the services to be rendered to customers or consumers of power, and of rates and charges of payment therefor, as may from time to time be prescribed by any duly constituted agency of the State in which the service is rendered or the rate charged. That in case of the development, transmission, or distribution, or use in public service, of power by any licensee hereunder or by its consumer engaged in public service within a State which has not provided a commission or other authority with power to regulate and control the services to be rendered by such licensee or by its consumer engaged in public service, or the rates and charges of payment therefor, or the amount or character of securities to be issued by any of said parties, it is agreed as a condition of such license that jurisdiction is hereby conferred upon the commission, upon complaint of any person aggrieved or upon its own initiative, to exercise such regulation and control until such time as the State shall have provided a commission or other authority for such regulation and control: *Provided*, That the jurisdiction of the commission shall cease and determine as to each specific matter of regulation and control prescribed in this section as soon as the State shall have provided a commission or other authority for the regulation and control of that specific matter.

Mr. NEWTON of Minnesota. Mr. Chairman, I have an amendment which I ask the Clerk to read.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. NEWTON of Minnesota: On page 27, line 6, strike out all of line 6 and insert in lieu thereof the following: "authorized and empowered a commission or other agency or agencies within said State to."

Mr. NEWTON of Minnesota. Mr. Chairman, the amendment is offered with the idea of carrying out the objects set forth in the fore part of the section. The Water Power Committee very wisely provided here that service and regulation of rates should be under the control of a State regulating body where there was a State regulating body, and at the top of page 27, line 1, it defines the State regulating body as "any duly constituted agency of the State in which the service is rendered or the rate charged."

They then take into consideration the fact that some of the States do not have any commission or body empowered to regulate either service or rates, and they provide in that event that service and rates shall be under the regulation of the Water Power Commission at Washington. Now, some of the States have no commissions. Other States have commissions with only restricted authority. Some States have left to municipal bodies the right to regulate service and rates; sometimes only service and sometimes service and rates.

The amendment that I have offered is designed to cover a particular case where a State has delegated to a municipality, as an agency, the right to regulate service or rates, or both. If the amendment is adopted it will merely carry out the original idea of the authors of the section, to leave the regulation of the rates and service to the local authorities. It would then read, "That in case of the development, transmission, or distribution, or use in public service, of power by any licensee hereunder or by its consumer engaged in public service within a State which has not authorized or empowered a commission or other agency or agencies within said State to regulate and control the services to be rendered, and so forth."

In lieu of the provision "other authority," it places the word "agency," the same term that is used on page 27, in line 1.

Mr. SUMNERS of Texas. Will the gentleman yield for a question?

Mr. NEWTON of Minnesota. Yes.

Mr. SUMNERS of Texas. Perhaps I did not get the language of the gentleman's amendment, but I can not see any difference between the effect of his amendment and the effect of the bill as it is now.

Mr. NEWTON of Minnesota. I will try and enlighten the gentleman. The bill as it reads speaks of "within a State which has not provided a commission or other authority with power."

Mr. SUMNERS of Texas. If a municipality, which is an organization under the State, has the power, is not that municipality authorized under the language of this act now?

Mr. NEWTON of Minnesota. There is some merit in the gentleman's contention, but the clause as it was originally drawn has been submitted to several gentlemen, and it was their opinion that there would be a question about it. Now, unquestionably a municipality is an agency of the State, and the word "agency" is used in the fore part of the section, so that if the term is changed to "agency" it does not seem to me that there would arise any question about the right of a municipality so authorized to regulate rates and service.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. NEWTON].

The amendment was agreed to.

Mr. ESCH. Mr. Chairman, I offer an amendment on page 27, line 4, and also in line 8, on page 27, to change the word "consumer" to "customer." I think we had that in some of the original acts.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ESCH: On page 27, line 4, and also line 8, change the word "consumer" to "customer."

The amendment was agreed to.

The Clerk read as follows:

SEC. 20. That when said power or any part thereof shall enter into interstate or foreign commerce the rates charged and the service rendered by any such licensee, or by any subsidiary corporation, the stock of which is owned or controlled directly or indirectly by such licensee, or by any person, corporation, or association purchasing power from such licensee for sale and distribution or use in public service shall be reasonable, nondiscriminatory, and just to the consumer and all unreasonable discriminatory and unjust rates or services are hereby prohibited and declared to be unlawful; and whenever any of the States directly concerned has not provided a commission or other authority to enforce the requirements of this section within such State or to regulate and control the amount and character of securities to be issued by any of such parties or such States are unable to agree through their properly constituted authorities on the services to be rendered or on the rates or charges of payment therefor, or on the amount or character of securities to be issued by any of said parties, jurisdiction is hereby conferred upon the commission, upon complaint of any person aggrieved, upon the request of any State concerned, or upon its own initiative to enforce the provisions of this section, to regulate and control so much of the services rendered, and of the rates and charges of payment therefor as constitute interstate or foreign commerce and to regulate the issuance of securities by the parties included within this section.

Mr. ESCH. Mr. Chairman, I offer an amendment, on page 28, line 5, to change the word "consumer" to "customer."

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ESCH: Page 28, line 5, strike out the word "consumer" and insert the word "customer."

Mr. WINGO. Mr. Chairman, I should like to ask the gentleman from Wisconsin how late he expects to run to-night?

Mr. ESCH. We want to run until we finish the bill, unless something intervenes.

Mr. WINGO. Last night, after most of us had missed our dinner, we adjourned. Why could not we take a recess and come back at 8 o'clock? We ought not to punish ourselves for some one else's action.

Mr. ESCH. If we can be permitted to go on, we may finish this in half an hour.

Mr. WINGO. At the rate we have been reading, it will take three hours.

Mr. ESCH. I do not think there is much in the following sections that will cause debate.

Mr. WINGO. I appreciate the situation of the gentleman.

Mr. RAKER. Mr. Chairman, I would like to ask the gentleman if it is the purpose to-night to do as we did last night. Mr. Chairman, I rise to be heard in opposition to the amendment.

The CHAIRMAN. The gentleman from Wisconsin has the floor.

Mr. ESCH. I have yielded the floor.

Mr. RAKER. Mr. Chairman, there is an amendment pending, and I would like to be heard on it.

Mr. WALSH. Mr. Chairman——

The CHAIRMAN. The Chair will state to the gentleman from California that the amendment has been adopted.

Mr. WALSH. Mr. Chairman, I desire to ask the gentleman from Wisconsin if, under the provisions of this section, a State has no public-utility commission——

Mr. RAKER. Mr. Chairman, a parliamentary inquiry.

Mr. WALSH. I do not yield for any parliamentary inquiry; the gentleman can not take me off my feet for a parliamentary inquiry.

Mr. WINGO. Mr. Chairman, the amendment offered by the gentleman from Wisconsin has not been agreed to.

The CHAIRMAN. The Clerk informs the Chair that the Chair was in error, and that the amendment was not agreed to. The Chair was mistaken, and the Chair will recognize the gentleman from California, a member of the committee.

Mr. WALSH. Mr. Chairman, I rise to a point of order. The Chair has no right by a ruling, after I have been recognized and have begun my remarks, to then recognize the gentleman from California upon the statement that the amendment is pending that the Chair stated was agreed to. I submit, with all due deference to the Chair, that having begun my remarks under the recognition accorded me by the Chair, I am entitled to complete them.

The CHAIRMAN. The Chair was in error in stating that the amendment had been agreed to, but the Chair has recognized the gentleman from California.

Mr. RAKER. Mr. Chairman, the amendment presented by the gentleman from Wisconsin is to strike out the word "consumer," which runs all through the bill, and I find it in the original bills, and substitute the word "customer." I do not understand, without some explanation, why the change is made.

Mr. ESCH. I think "customer" is a broader term.

Mr. RAKER. The consumer is the actual user.

Mr. ESCH. And so is the customer.

Mr. RAKER. What is the distinction?

Mr. ESCH. A man may be a customer and possibly not a consumer, but if he is a consumer he would be a customer.

Mr. RAKER. The gentleman thinks the word "customer" is broader than the word "consumer"?

Mr. ESCH. Yes.

Mr. RAKER. And the gentleman's purpose is that the law shall be so worded that if they did not actually use the power they should have the benefit of the just and nondiscriminatory provision of the law?

Mr. ESCH. Yes; it would broaden the action of the law itself.

Mr. RAKER. I think the amendment is wise.

Mr. WALSH. Mr. Chairman, I move to strike out the last two words for the purpose of completing the inquiry which began prior to my being taken off the floor by the gentleman from California under the ruling of the Chair. I would like to ask the gentleman from Wisconsin a question. I would like to ask the gentleman from Wisconsin if under the provisions in this section if a State has no public-utilities commission, or has provided no board to pass upon the reasonableness of the rates, or whether they are discriminatory or just, if under the language herein contained a Federal commission can go into that State and pass upon those rates and regulate them?

Mr. ESCH. My answer is yes, based upon the language in line 11, on page 27, where it is made a matter of agreement. If it were not a matter of agreement contained in the license, the gentleman's point would be good.

Mr. WALSH. Line 11 is—

It is agreed as a condition of such license that jurisdiction is hereby conferred upon the commission.

The license may be issued to a corporation or to an individual; and does the gentleman from Wisconsin contend that you can confer jurisdiction upon the Federal Power Commission by an agreement on the part of a corporation in taking out a license, that jurisdiction is given to the Federal Power Commission, and that commission can go into a State and regulate rates and pass upon whether they are just, reasonable, and discriminatory? The corporation that made the agreement might not be involved at all. It might have gone beyond the question of the corporation; and it would seem to me that there is some doubt there whether a corporation can take out a license under an agreement conferring jurisdiction, and that by that agreement in a license the Federal Power Commission can enter into a State and execute its powers.

Mr. ESCH. Mr. Chairman, I admit the difficulties in the framing of this section from a constitutional standpoint, and it gave the committee considerable concern. We inserted the language that it is agreed as a condition of such license that jurisdiction is hereby conferred, basing it upon the decision of the Supreme Court of the United States arising in the State of Maryland. That is, I submit practically the only authority that we can find, and it may not be conclusive, but we put it in in order that in a State where there is no regulatory body under this act there should be a regulatory body, viz, this commission, upon whom jurisdiction will be conferred in a case of that kind. There are three States in the Union to-day that have no commission whatsoever, so that this commission would operate to fill the gap.

Mr. WALSH. Would it interfere with a State commission which might subsequently be provided?

Mr. ESCH. No; because the proviso reads:

That the jurisdiction of the commission shall cease and determine as to each specific matter of regulation and control prescribed in this section as soon as the State shall have provided a commission or other authority for the regulation and control of that specific matter.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. SUMNERS of Texas. Mr. Chairman, I move to strike out the last two words for the purpose of getting some information from the chairman of the committee, if I may have his attention. On page 28 of the bill you undertake to provide for control by this commission in the issuance of securities covering that part of the business—I presume that percentage of the business—which goes into interstate commerce. As a workable proposition I would like to have the idea of the chairman of the committee how this national commission is to deal with the question of securities of these concerns that produce power, part of which is used in interstate commerce and a part in intrastate commerce. I do not see how it is workable. While I am asking the chairman for information, I would like to know how you are to control this matter when the stream is a boundary stream between two States? Which State is to have jurisdiction?

Mr. ESCH. Neither; but both.

Mr. SUMNERS of Texas. And in the event of the States being unable to agree, then does the national commission take jurisdiction?

Mr. ESCH. In a case of disagreement, no doubt the Federal commission would then interfere and control the situation, just as in cases where the State commissions can not agree upon rates the commission steps in.

Mr. SUMNERS of Texas. Recurring to the first inquiry, you provide, near the bottom of the paragraph on page 28, that the Federal commission shall control the issuance of securities covering that part of the business, or, rather, of the securities which represent the proportion of the interstate business. How are you going to determine that proportion when you get to the question of determining what shall be the total of securities to be issued by a concern?

Mr. ESCH. I suppose the matter of securities, where it would be a joint project or a project covering more than one State, would be under the regulatory control of the commission created by this act, for it is rather unlikely that either of the States would be in accord on such a proposition. Therefore the Federal commission should be given jurisdiction, just as in the case of a dispute between the States as to rates. I state frankly to the House there are grave difficulties from a legal standpoint in framing sections 18 and 19 of this act, but we did the very best we could, after a search of the authorities.

Mr. SUMNERS of Texas. I appreciate the difficulty——

Mr. ESCH. I think the gentleman from Texas realizes that where there is no State authority that can fully cover the situation, there ought to be some control lodged somewhere, and in order that there may not be a lapse we give it to this Federal commission. We hope it will work out successfully.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was agreed to.

Mr. WINGO. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Arkansas moves that the committee do now rise.

The question was taken, and the Chairman announced that the noes seemed to have it.

On a division (demanded by Mr. WINGO) there were—ayes 14, noes 58.

Mr. WINGO. Mr. Chairman, I make the point of order there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and twenty Members are present, and the Clerk will read.

The Clerk read as follows:

SEC. 21. That when the licensee is a municipal corporation, or a political subdivision of a State, or a public-service agent of a State, or a public utility or service corporation, and can not acquire by contract or pledges the right to use or damage the lands or property of others necessary to the construction, maintenance, or operation of any dam, reservoir, diversion structure, or the works appurtenant or accessory thereto, it may acquire the same by the exercise of the right of eminent domain in the district court of the United States for the district in which such land or other property may be located, or in the State courts. The practice and procedure in any action or proceeding for that purpose in the district court of the United States shall conform as nearly as may be with the practice and procedure in similar action or proceeding in the courts of the State where the property is situated.

Mr. STEVENSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 30, line 7, after the word "situated," insert the following: "*Provided*, That the United States district courts shall only have jurisdiction of cases where the amount claimed by the owner of the property to be condemned exceeds $3,000."

Mr. STEVENSON. Mr. Chairman, I only want a minute to explain the provision. The jurisdictional amount in all civil cases in the United States district court is now $3,000. This section as it stands leaves the amount for which condemnation can be had in the United States district court just anything. The man who has 100 acres of land worth $1,000 can not afford to go 200 or 300 miles to litigate in the United States district court.

Mr. WALSH. Will the gentleman yield?

Mr. STEVENSON. Yes, sir.

Mr. WALSH. Do I understand the gentleman to say that the jurisdictional amount of the district court is limited to $3,000?

Mr. STEVENSON. In excess of $3,000. You can not bring a suit on the civil side of the court on a claim on which there is not something in excess of $3,000; more than $3,000 must be involved. That is the jurisdictional amount now. The minimum is $3,000.01, and the minimum here should be $3,000.01, because the corporation making the condemnation can also under this very section proceed in the State courts as well as in the United States courts, and certainly the man who has only a very small amount involved should not be required to sacrifice it by attending the United States district court and having expensive litigation when it can be done at home.

Mr. WALSH. Will the gentleman from South Carolina yield further?

Mr. STEVENSON. Yes.

Mr. WALSH. Is the gentleman's claim based upon the amount claimed in the petition? This is for a petition for damages.

Mr. STEVENSON. The amendment states that it shall be based upon the amount claimed by the man whose property is about to be condemned. If he claims in excess of $3,000, then they can go into the United States court, and if he claims less than $3,000, then they have got to condemn it in a State court. That is the provision of the amendment which I have offered.

Mr. WALSH. Well, does the gentleman think that in dealing with large corporations in these poor Western States that the poor struggling landowner would be as apt to get as full an award of damages from the State court as he would from the United States court? I assume that the award made would cover the cost of the proceedings in the United States court?

Mr. STEVENSON. Yes, sir; my experience is that in the poor Southern States—I have never tried it in the poor Western States; I do not think there are any poor Western States; they are the most prosperous people we have—but in the poor Southern States I have always found that a man in his own neighborhood, in his own county, would receive at least justice, and when you go over to another district, or probably the whole State, sometimes he does not get what is coming to him.

Mr. WALSH. Of course some of the poor Western States are going to be confronted with corporation influence perhaps for the first time upon a vast and intricate scale.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. FRENCH. I just rise to express the hope that this amendment may be concurred in. I can see nothing objectionable to it, and it seems to me it will be a most advantageous thing for the many small individual property owners who may live several hundred miles away from the seat of the court in the several districts of the West.

Mr. TAYLOR of Colorado. On behalf of the minority members of the committee, I wish to say that we will be glad to accept an amendment if it meets with the approval of the chairman.

Mr. ESCH. We have no objection to it.

Mr. FRENCH. Then I have nothing further to say.

The CHAIRMAN. The question is on the amendment of the gentleman from South Carolina [Mr. STEVENSON].

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 22. That whenever the public interest requires or justifies the execution by the licensee of contracts for the sale and delivery of power for periods extending beyond the date of determination of the license, such contracts may be entered into upon the joint approval of the commission and of the public-service commission or other similar authority in the State in which the sale or delivery of power is made, or if sold or delivered in a State which has no such public-service commission, then upon the approval of the commission, and thereafter, in the event of failure to issue a new license to the original licensee at the termination of the license, the United States or the new licensee, as the case may be, shall assume and fulfill all such contracts.

Mr. WINGO. Mr. Chairman, I should like the chairman of the committee to explain the meaning of that section. I have read it at different times, and never have been able to understand what it means. I refer to section 22. Does it mean that the United States will have to take over a contract from these corporations and carry it out?

Mr. ESCH. If the Government takes over the project under the recapture clause, the Government assumes the existing contract. Whenever the licensee enters into a contract which will run beyond the period of 50 years of his grant, he can not enter into such a contract without first getting the approval of the Federal commission, and also of the public-service commission or other similar authority in the State in which the sale or delivery of power is made.

Mr. WINGO. That is, six months before the time expired, if the State commission was friendly to it, they would probably approve a contract running, say, for 50 years for the benefit of some State corporation at rates that would be lower than the actual cost of operation, and then in six months' time the United States Government, under the law, would take over this contract and be compelled to carry it out, even though it had been made at a rate that was below the cost of production? Is not that possible under this section?

Mr. ESCH. It is possible, but not at all probable, that a State commission would justify authorizing a contract which in the carrying out would result in a deficit to the company. Of course, no such contract could extend into the next 50 years without the consent of both this Federal commission and the State commission.

Mr. WINGO. Is that true?

Mr. ESCH. Yes. It says the joint approval of the commission—that is, the one appointed under this act—and of the public service commission of the State in which the plant is located.

Mr. WINGO. For how long a time beyond the expiration of the lease can it enter into contract to sell power?

Mr. ESCH. There is no limit fixed in this act. Of course, that would be in the sound discretion of the regulatory body.

Mr. WINGO. It is contemplated that the regulatory body shall undertake to fix the terms in kind?

Mr. ESCH. We can not say what the existing laws will be when the lease expires. That would leave something to future Congresses.

Mr. WINGO. I thought we were not trying to leave anything to the judgment of the future.

Mr. DEMPSEY. If the gentleman will permit, this does not seem to deal with the prices of power but simply for the term of the delivery of power on the termination of the license. The question of prices is adopted in another part of the bill and in another way.

Mr. WINGO. This is for the sale and delivery of power, as well as the contract for them. What enters into such contract except price and time?

Mr. DEMPSEY. All that seems to be covered in this particular item is the time that they shall be permitted to make the term beyond the expiration of the license. That is all there is in this section.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SUMNERS of Texas. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee if he does not think in the experimental stage that the contracts for licenses ought not to extend beyond the 50 years, and leave it to subsequent Congresses to permit a longer contract if experience should prove it desirable?

Mr. ESCH. Than the 50 years?

Mr. SUMNERS of Texas. This section seems to contemplate that contracts may be made for a period beyond 50 years. My question to the chairman of the committee is, that in this the organic act, while we are feeling our way, until we see how the thing works out, would it not be a wise thing to provide that the contract shall not be made now for a longer period of time than the period of the license?

Mr. ESCH. The contention in the committee when we framed this act was about limiting the time to even a less period than 50 years. There were some who desired to make it even as low as 20 years, and some who advocated making it 30 years and 40 years. But in view of the fact that some of these great projects would require millions of dollars of investment and require years before they can get any kind of a return, and before they can develop a market that will bring them any return on their investment, the period certainly ought to be more than 30 or 40 years, and so we made the maximum 50 years, realizing that at the end of that time the Government could take it over or give it to a new licensee, or give a new license to the original licensee for what period of time it would be for Congress to determine.

Mr. SUMNERS of Texas. That is the point. I did not understand the chairman's explanation in answer to the question of the gentleman from Arkansas [Mr. WINGO]. I understood the chairman to say that the contracts for the sale of power might extend beyond 50 years.

Mr. ESCH. That is true.

Mr. SUMNERS of Texas. My question, addressed to the chairman, is this, that as a matter of public policy would it not be wise, until we see where we are going, to limit the contract for the sale of the power to the life of the license, 50 years?

Mr. ESCH. Would it not be well to leave that matter to the determination of a subsequent Congress prior to the expiration of the 50 years?

Mr. SUMNERS of Texas. That is exactly what I want. I may not be clear about it, but if you now permit a contract of 100 years you withdraw the matter from the discretion of subsequent Congresses.

Mr. ESCH. I do not think it likely that any commission would grant a license for 100 years.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. DEMPSEY. I do not think the gentleman's view of what this section means is correct. The gentleman's idea of what it means is not what it means on its face at all. This is not the granting of a contract for more than 50 years at all, but it means that when you get toward the end of a 50-year license and it becomes obvious that both in the interest of the consumer and the producer of power a contract should be made for the delivery of power for some period, not 50 years, but some period of 2 or 3 years that will extend beyond the 50 years, then upon the approval of the State commission and the commission created by this act such an extension may be granted.

Now, that does not mean that the license shall be extended at all. That means that the consumer takes his chances with the ones who shall control that water-power project in the new period beyond the 50 years.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. DEMPSEY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word. The gentleman from New York is recognized.

Mr. DEMPSEY. It means just this, that after this contract for the delivery of power, which may extend two or three years beyond the 50-year period, if the Government takes over the project the Government will deliver the power and step into the place of the previous licensee. If the license is renewed to the same licensee, the licensee will continue. That is all that that section means. It means that business in the production and sale of power shall be continued and shall not be disrupted because within a few years the license period is to end.

Mr. SUMNERS of Texas. I am trying to get this clear in my mind. Your licenses are limited to 50 years?

Mr. DEMPSEY. Yes.

Mr. SUMNERS of Texas. But under the provisions of this bill the right of the licensee to sell power extends beyond 50 years, which is the limit of the license period.

Mr. DEMPSEY. Provided he secures the approval of the State commission and the commission created by this act.

Mr. ELSTON. Mr. Chairman, will the gentleman yield for a moment?

Mr. DEMPSEY. Yes.

Mr. ELSTON. It is not very likely that during the first year of the license, which is to run 50 years, the joint action of the Federal commission and the State commission will permit the making of contracts for power for 49 years. There is no occasion for it, and it would be an astonishing proposition to make when the license is to run so long.

Mr. SUMNERS of Texas. I do not make objection to that; but——

Mr. ESCH. A contract with a municipality may run out before the 50 years are up, and they may want to renew that contract. They ought to have the right to renew it for a longer time.

Mr. SUMNERS of Texas. You put no limitation whatever upon the licensee acting with the approval of these commissions—the State commission and the national commission—to bind future Congresses and future generations in regard to contracts which the licensee may make. If I understand your bill, with the consent of the State and Federal commissions the licensee could make a contract which yould extend 200 years, or indefinitely, and which the Government, if it should exercise its rights under the recapture clause, would have to carry out. Is that right or not?

Mr. ELSTON. Yes.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. RAKER. The gentleman's position is that under this section the Federal commission and the State commission may authorize the licensee to enter into a contract for 200 years, and if it is approved by them and the Government of the United States takes it over it will have to carry out that contract.

Mr. SUMNERS of Texas. And when the right of the licensee expires, then the Government is under obligation to come in and carry out the contract.

Mr. RAKER. For 150 years beyond that time. There is no doubt about that under this bill.

Mr. SUMNERS of Texas. Clearly, no such power ought to exist.

Mr. RAKER. The language is clear and specific, and I suggest to the gentleman from Texas that you might say that whenever the public interest requires or justifies the execution by the licensee of contracts for the sale and delivery of power for periods extending beyond the date of the termination of the license, such contracts may be extended not exceeding a period of, say, 10 years or 5 years.

Mr. SUMNERS of Texas. Or 50 years; but end it some time.

Mr. RAKER. But there is no limitation as to the time beyond which this contract for the sale of power can be extended, and then the licensee who takes it over, or the Government, must assume and does assume and must fulfill all such contracts. There is no doubt about that.

Mr. SUMNERS of Texas. I have the assurance of the chairman of the committee that the point which I have raised will be considered with the view of putting a proper time limit upon the life of contracts which may be made under the provisions of this bill, and therefore will not at this time propose an amendment.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

SEC. 23. That the provisions of this act shall not be construed as revoking any permit or valid existing right of way heretofore granted, or as revoking any authority heretofore given pursuant to law, but any person, association, corporation, State, or municipality, holding or possessing such permit, right of way, or authority may retain the same subject to the conditions set forth in the grant thereof and subject to any and all rules and regulations applicable thereto and existing at the date of the approval of this act, or may apply for a license hereunder, and upon such application the commission may issue to any such applicant a license in accordance with the provisions of this act, and in such case the provisions of this act shall apply to such applicant as a licensee hereunder.

As to all streams or parts of streams, other than streams the use of which is herein authorized to be licensed, over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States, permission is hereby given to construct dams therein: *Provided*, That any applicant who proposes to construct a dam in any such last-mentioned stream or part of stream may at his option make application to the commission, and if the contemplated improvement is, in the judgment of the commission, desirable and justified in the public interest for the purpose of improving or developing a waterway or waterways for the use or benefit of navigation in interstate or foreign commerce, the applicant may receive a license under the conditions with all of the rights and privileges herein provided for streams or parts of streams used for the transportation of persons or property to interstate or foreign commerce in their ordinary, natural, or improved condition.

Mr. BLANTON. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and twelve Members present, a quorum.

Mr. FRENCH. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FRENCH: Page 31, line 2, after the word "authority" strike out all the rest of line 2, all of lines 3, 4, 5, and the first four words of line 6, so that the paragraph will read:

"That the provisions of this act shall not be construed as revoking any permit or valid existing right of way heretofore granted, or as revoking any authority heretofore given pursuant to law, but any person, association, corporation, State, or municipality, holding or possessing such permit, right of way, or authority may apply for a license hereunder, and upon such application the commission may issue to any such applicant a license in accordance with the provisions of this act, and in such case the provisions of this act shall apply to such applicant as a licensee hereunder."

Mr. FRENCH. Just a word as to that amendment. In the part of the section that has been read there are three provisions set forth governing the rights of persons or organizations that have been granted permits or licenses heretofore. The three propositions are:

First. That this act does not attempt to revoke any existing permit.

Second. We affirm the conditions set forth in any permit that may have been granted.

Third. Opportunity is granted for the concern to apply for a license under the provisions of this act.

Now, I submit that the second proposition ought not to be included in this bill. The first one is all right. We do not care to annul or wipe out by legislation any right or grant that exists now under permit or license that may have been issued by either one of the three departments. On the other hand, we ought not, in a general blanket law of this kind, to affirm, approve, and ratify whatever conditions may be set forth in permits or licenses that may have been issued heretofore by the War Department, the Agricultural Department, or the Interior Department.

Mr. ESCH. Mr. Chairman, will the gentleman yield?

Mr. FRENCH. I will be glad to yield.

Mr. ESCH. Is it the gentleman's contention that the language of the bill as we have it now would take away the revocability of permits heretofore issued?

Mr. FRENCH. I think that is a very reasonable interpretation of the language, that we, in very great likelihood, are ratifying and confirming grants that may or may not have been issued in accordance with law and as to which we are not in a position to know at this time.

Mr. ESCH. If the revocability of the permits is taken away, is it the gentleman's construction that this language will make the permit permanent rights?

Mr. FRENCH. I am afraid the language of the bill would do that, and I seek to strike it out. Then there would be left two alternatives. We propose not to disturb any right heretofore granted, and we leave open the future disposition of whatever action should be taken. The department to-day has the authority to modify and revoke permits heretofore granted. We do not disturb that. On the contrary, we add to that authorization the right for these concerns that have received permits or licenses to make application in conformity with the terms of the pending bill.

Mr. ELSTON. The gentleman contends that this could not take away any rights already vested, and the only thing it could do is to add to them, and that is not the intention of the bill, to add to any previous grant.

Mr. FRENCH. We are not deliberately trying to do it, but I am afraid if we leave the language in the bill we will do that very thing.

Mr. RAKER. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. RAKER. I understand the gentleman's contention is that with all the terms and rights and authority now given there might be a possibility of confirming them by this legislation.

Mr. FRENCH. I am afraid of that.

Mr. RAKER. Then, because there is no provision, what will become of his right if the board refuses to grant him a permit under this act? It says "may retain the same subject to conditions set forth in the grants thereof." Now, there is no penalty against a man, no taking away that right extended to him by this act, if the commission fails to grant him a license under this act. Is that right?

Mr. FRENCH. No; he has two alternatives. He may first continue under the present term or license until that, under the authority now conferred on one of the three Secretaries, shall be modified, annulled, or set aside, or he may conform to the provisions of this law itself.

Mr. RAKER. That is what I am getting at; he may retain it subject to conditions set forth in the grant.

Mr. FRENCH. Yes; but I do not think Congress in a bill like this ought to confirm or put its stamp of approval upon that which we know nothing about. I venture to say there is not an officer in any department that can tell the gentleman or this House precisely what is in one-tenth of these grants.

Mr. RAKER. In other words, by this language we may confirm all the applications now pending without knowing anything about them.

Mr. FRENCH. It is a "pig in a poke." We are confirming that which we do not know anything about. It seems to me the language is subject to that interpretation.

Mr. RAKER. If there is any doubt about it there should be no confirmation of these rights. If there is anything in the gentleman's contention, and there is some considerable meat in the point that the gentleman makes that all the applications for rights are now pending for reservoir sites, it would practically cover all the remaining available sites on the public lands. Do not forget that statement. This bill amounts to but little if we permit the present rights to be confirmed. There is practically no remaining lands upon which sites are desired for reservoirs. The question is whether or not we confirm them.

Mr. ELSTON. The gentleman has been on the committee a long time. How did this provision escape his vigilant eye?

Mr. RAKER. Oh, well, these things do come in sometimes and even escape such an acute gentleman as my friend from Berkeley. He sometimes allows these things to go over. I noticed a while ago he permitted the word "consumer" to remain in the bill when according to the statement of the chairman it should be "customer." So the best of men will sometimes allow these things to pass. I say to the committee that the gentleman's amendment ought to be adopted. It is too dangerous to confirm these permits at the present time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Idaho [Mr. FRENCH].

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 24. That any lands of the United States included in any proposed project under the provisions of this act shall, from the date of filing of application therefor, be reserved from entry, location, or other disposal under the laws of the United States until otherwise directed by the commission or by Congress. Notice that such application has been made, together with the date of filing thereof and a description of the lands of the United States affected thereby, shall be filed in the local land office for the district in which such lands are located. Whenever the commission shall determine that the value of any lands of the United States so applied for or heretofore or hereafter reserved or classified as power sites will not be injured or destroyed for the purposes of power development by location, entry, or selection under the public-land laws, the Secretary of the Interior, upon notice of such determination, shall declare such lands open to location, entry, or selection, subject to and with a reservation of the right of the United States or its permittees or licensees to enter upon, occupy, and use any part or all of said lands necessary, in the judgment of the commission, for the purposes of this act, which right shall be expressly reserved in every patent issued for such lands; and no claim or right to compensation shall accrue from the occupation or use of any of said lands for said purposes. The United States or any licensee for any such lands hereunder may enter thereupon for the purposes of this act upon payment of any damages to crops, buildings, or other improvements caused thereby to the owner thereof, or upon giving a good and sufficient bond to the United States for the use and benefit of the owner to secure the payment of such damages as may be determined and fixed in an action brought upon the bond in a court of competent jurisdiction, said bond to be in the form prescribed by the commission: *Provided*, That locations, entries, selections, or filings heretofore made for lands reserved as water-power sites or in connection with water-power development or electrical transmission may proceed to approval or patent under and subject to the limitations and conditions in this section contained.

Mr. RAKER. Mr. Chairman, I move to strike out the last word. I called the attention of the committee to the words in this section from line 4 to line 9, page 32, in committee, and I call the attention of the committee now to them, and also of my distinguished friend from Colorado [Mr. TAYLOR] and the distinguished leader on the other side, who are so much interested in the public domain, because here is a provision that permits every remaining acre of the public domain to be reserved for these corporations without a chance on earth for the homestead or desert claim or any other use until they get through with it. I want them to think for a moment about that provision. I tried to amend it in the committee. I think it ought to be stricken out; it ought to be amended. I desire to read it to the House:

That any lands of the United States included in any proposed project under the provisions of this act shall from the date of filing of application therefor be reserved from entry, location, or other disposal under the laws of the United States until otherwise directed by the commission or by Congress.

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. ELSTON. When an application is made and the land covered by the proposed project is not withdrawn from entry, does it not make every such applicant liable to obstruction and blackmail?

Mr. RAKER. Oh, no.

Mr. ELSTON. If it is not withheld from entry it practically permits it to be cut to pieces by subsequent entrymen.

Mr. RAKER. Oh, no. It permits any corporation who wants to go in northern California and say that on the Sacramento River they are going to ask for a power site and put in a reservoir, to take every remaining acre of public domain in northern California tributary to the Sacramento River, whereby there will not be an acre of land upon which there can be a homestead or desert-entry land claim or any other public lease. It stands there until the commission or until Congress sets aside a part of that land.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. WINGO. Is not that the object of the bill?

Mr. RAKER. The committee in consideration said it would not be operated that way; but I know from experience that when you give a man a blanket he is going to use it to its full extent. He is not going to fold it up and cover only a part of the patch; he is going to take everything that that blanket will cover, just as it will be done by this bill. There ought to be a limitation upon it; there ought to be some restriction whereby the commission, upon the application of those who are interested, who know the character of the land, might have it eliminated at the earliest practical day.

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. ELSTON. If such a dreadful state of affairs as the gentleman has pictured comes to pass, there will be somebody who will be aggrieved and somebody complaining. There is an adequate remedy in the bill for them to go right to the commission, set forth their grievance, and get relief at once. The commission has the power to regulate the whole matter and to open that land to entry if the applicant is not proceeding in good faith. If you do not withhold it temporarily from entry, you give the water-power applicant no right at all. Anyone can come in and cut the project all to pieces and thereby destroy the project.

Mr. RAKER. There is no conclusion to be drawn. The language is plain and specific. It permits the thing to be done as I have stated, and the only remedy that party has is to the commission, which may be one, two, or five years, or to Congress, to relieve the land when it is filed upon.

The CHAIRMAN. The time of the gentleman from California has expired.

The Clerk read as follows:

SEC. 25. That any licensee, or any person, who shall willfully fail or who shall refuse to comply with any of the provisions of this act, or with any of the conditions made a part of any license issued hereunder, or with any subpœna of the commission, or with any regulation or lawful order of the commission, or of the Secretary of War, or of the Secretary of Commerce as to fishways, issued or made in accordance with the provisions of this act, shall be deemed guilty of a misdemeanor, and on conviction thereof shall, in the discretion of the court, be punished by a fine of not exceeding $1,000 in addition to other penalties herein prescribed or provided by law; and every month any such licensee or any such person shall remain in default after written notice from the commission, or from the Secretary of War, or from the Secretary of Commerce, shall be deemed a new and separate offense punishable as aforesaid.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The committee will rise informally to receive a message from the Senate.

Mr. WINGO. Mr. Chairman, I object to the informal rising and I insist upon a formal rising. Mr. Chairman, I move that the committee do now rise. I object to an informal rising of the committee.

MESSAGE FROM THE SENATE—SUNDRY CIVIL BILL.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6176) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, and had further insisted upon its amendments disagreed to by the House of Representatives, had asked a further conference with the House on the disagreeing votes of the two Houses thereon and had appointed Mr. WARREN, Mr. SMOOT, and Mr. OVERMAN as the conferees on the part of the Senate.

Mr. WINGO. Mr. Speaker, I make a point of order against the proceedings.

The SPEAKER. The Chair overrules the point of order.

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The committee will resume its sitting.

The committee resumed its sitting.

Mr. WINGO. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The Clerk will read.

Mr. WALSH. The Clerk will not read until I have my five minutes.

Mr. WINGO. Mr. Chairman, I make the point of order. I do not propose to let the proceeding which has just taken place go by without a protest.

The CHAIRMAN. The gentleman will state his point of order.

Mr. WINGO. The point of order is that the committee can not rise informally where there is objection. There was objection and without consideration the objection was ruthlessly brushed aside.

The CHAIRMAN. The present Chairman is obliged to overrule the point of order raised by the gentleman. The gentleman from Massachusetts is recognized.

Mr. WINGO. I make the point of order there is no quorum if the Chair is going to override the proceedings like that.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and nineteen Members are present, a quorum.

Mr. ESCH. Mr. Chairman, I move that the committee do now rise.

The question was taken, and the motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MOORE of Pennsylvania, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 3184 had come to no resolution thereon.

Mr. BLANTON. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order there is no quorum present, and obviously there is no quorum present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The question was taken, and the Speaker announced the ayes seemed to have it.

On a division (demanded by Mr. BLANTON), there were—ayes 103, noes 1.

So the motion was agreed to.

Mr. BLANTON. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman moves that the House do now adjourn.

Mr. HARDY of Texas. Will the gentleman withhold that until I may ask leave——

[Cries of "No!"]

Mr. HARDY of Texas. All right.

The question was taken, and the motion was rejected.

The SPEAKER. The call of the House is agreed to. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ackerman	Copley	Gallivan	Kleczka
Anthony	Costello	Gandy	Knutson
Ashbrook	Crago	Gard	Lampert
Ayres	Cullen	Garland	Langley
Babka	Dallinger	Godwin	Layton
Bacharach	Davey	Goldfogle	Lazaro
Baer	Denison	Goodall	Lehlbach
Begg	Dent	Graham, Ill.	Lesher
Bell	Dewalt	Greene, Mass.	Linthicum
Benson	Dickinson, Mo.	Griest	Little
Bland, Ind.	Dickinson, Iowa	Hamill	Longworth
Bland, Va.	Donovan	Hardy, Colo.	Luce
Boies	Dooling	Harrison	Lufkin
Booher	Doremus	Heflin	McAndrews
Britten	Doughton	Hill	McClintic
Browne	Dunn	Houghton	McCulloch
Brumbaugh	Eagan	Howard	McKinley
Buchanan	Eagle	Hulings	McLane
Burdick	Echols	Husted	Maher
Burroughs	Ellsworth	Hutchinson	Major
Butler	Emerson	Ireland	Mann
Byrnes, S. C.	Evans, Mont.	Johnson, Ky.	Mansfield
Caldwell	Evans, Nev.	Johnson, Miss.	Martin
Caraway	Fairfield	Johnson, S. Dak.	Mason
Carew	Fess	Johnston, N. Y.	Mead
Carss	Fitzgerald	Jones, Pa.	Merritt
Carter	Flood	Kahn	Moon
Casey	Fordney	Kendall	Mooney
Clark, Fla.	Frear	Kennedy, R. I.	Moore, Ohio
Classon	Freeman	Kettner	Moore, Va.
Cole	Fuller, Ill.	Kiess	Morin
Connally	Fuller, Mass.	Kincheloe	Mott
Cooper	Gallagher	King	Mudd

Murphy	Randall, Wis.	Slemp	Treadway
Neely	Reavis	Small	Vaile
Nelson, Wis.	Reber	Smith, Idaho	Vare
Nichols, Mich.	Reed, N. Y.	Smith, N. Y.	Vestal
O'Connell	Rhodes	Smithwick	Voigt
O'Connor	Riordan	Snell	Walters
Oliver	Robinson, N. C.	Snyder	Ward
Osborne	Rogers	Stedman	Watson, Va.
Padgett	Rowan	Steele	Webb
Paige	Rucker	Steenerson	Welty
Parker	Sabath	Stephens, Ohio	Whaley
Pell	Sanders, N. Y.	Stiness	White, Me.
Peters	Sanford	Strong, Pa.	Wilson, Ill.
Phelan	Saunders, Va.	Sullivan	Wilson, Pa.
Porter	Scully	Sweet	Winslow
Pou	Sells	Temple	Wise
Purnell	Sherwood	Thompson, Okla.	Woodyard
Rainey, Henry T.	Shreve	Tilson	Young, Tex.
Ramsey	Sims	Tinkham	Zihlman
Ramseyer	Sinclair	Towner	

The SPEAKER. The Clerk will call my name.

The Clerk called the name of Mr. GILLETT, and he answered "Present."

Mr. GOOD. Mr. Speaker——

The SPEAKER. One hundred and ninety-eight Members are present, not a quorum.

Mr. GOOD. Mr. Speaker, I move that the Speaker's warrant be issued and that the Sergeant at Arms be instructed to bring in the absent Members.

Mr. BLANTON. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Texas moves that the House do now adjourn.

The motion was rejected.

The SPEAKER. The question is on the motion of the gentleman from Iowa [Mr. GOOD] that the Speaker's warrant issue and that the Sergeant at Arms be instructed to bring in absent Members.

The motion was agreed to.

Mr. GARRETT. Mr. Speaker, is it in order to make a parliamentary inquiry?

The SPEAKER. The Chair will be pleased to listen to the gentleman.

Mr. GARRETT. I desire to inquire whether it would be in order to have the Speaker issue a special warrant for those majority Members of the Rules Committee who are absent.

The SPEAKER. The Chair thinks it would not be.

Two hundred and twenty Members are present, a quorum. The Doorkeeper will open the doors.

Mr. GOOD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

Mr. GOOD. Mr. Speaker, I move that the House further insist on its disagreement to Senate amendments on the bill H. R. 6176, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Iowa moves that the House further insist on its disagreement to the Senate amendments to the sundry civil bill, and agree to the request for a conference.

The motion was agreed to.

Mr. BLANTON. Mr. Speaker, I make a motion to instruct the conferees. I move that the conferees be instructed to further insist on their disagreement to Senate amendment No. 91 on this bill.

The SPEAKER. The gentleman from Texas [Mr. BLANTON] makes a motion, which the Clerk will report.

The Clerk read as follows:

Mr. BLANTON moves that the conferees be instructed to further insist upon their disagreement to Senate amendment No. 91.

Mr. BARKLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARKLEY. Is that not included in the motion made by the gentleman from Iowa [Mr. GOOD] to further insist on disagreement to all the amendments?

The SPEAKER. It is technically included, but it is always held in order to make a motion to especially instruct the conferees and disclose the purpose of the House.

The question is on the motion of the gentleman from Texas [Mr. BLANTON].

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. BLANTON. Division, Mr. Speaker.

The House divided; and there were—ayes 2, noes 90.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum.

Mr. CANNON. Mr. Speaker, I make the point that that motion is dilatory. We have ascertained that there is a quorum present.

The SPEAKER. The Chair thinks that the motion is not a dilatory motion.

Mr. CLARK of Missouri. Mr. Speaker, the right of making the point of no quorum is a constitutional right.

The SPEAKER. The Chair will count. [After counting.] One hundred and forty-two Members are present, not a quorum. The Doorkeeper will close the doors, and the Sergeant at Arms will notify the absent Members.

The question is on the motion of the gentleman from Texas [Mr. BLANTON]. Those in favor of the motion will, as their names are called, answer "yea," those opposed will answer "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 10, nays 209, not voting 211, as follows:

YEAS—10.

Blanton	Gould	Sisson	Walsh
Elliott	Graham, Pa.	Thomas	
Garner	Rayburn	Thompson, Ohio	

NAYS—209.

Alexander	Evans, Nebr.	Larsen	Rhodes
Almon	Focht	Layton	Ricketts
Anderson	Foster	Lea, Calif.	Riddick
Andrews, Md.	French	Lee, Ga.	Robsion, Ky.
Andrews, Nebr.	Ganly	Lever	Rodenberg
Aswell	Gard	Little	Romjue
Bankhead	Garrett	Lonergan	Rose
Barbour	Glynn	Luhring	Rouse
Barkley	Good	McArthur	Rowe
Bee	Goodwin, Ark.	McDuffie	Rubey
Benham	Goodykoontz	McFadden	Sanders, Ind.
Black	Graham, Ill.	McGlennon	Schall
Bland, Mo.	Green, Iowa	McKenzie	Scott
Bowers	Griest	McKeown	Sears
Box	Griffin	McKinley	Siegel
Brand	Hadley	McLaughlin, Mich.	Sinnott
Briggs	Hamilton	McLaughlin, Nebr.	Smith, Idaho
Brinson	Haskell	McPherson	Smith, Ill.
Brooks, Pa.	Hastings	MacCrate	Smith, Mich.
Browning	Haugen	MacGregor	Steagall
Burke	Hawley	Magee	Stevenson
Byrns, Tenn.	Hayden	Mapes	Strong, Kans.
Campbell, Kans.	Hays	Mason	Summers, Wash.
Campbell, Pa.	Hernandez	Mays	Sumners, Tex.
Cannon	Hersey	Michener	Sweet
Cantrill	Hersman	Miller	Taylor, Ark.
Chindblom	Hickey	Minahan, N. J.	Taylor, Colo.
Christopherson	Hicks	Monahan, Wis.	Taylor, Tenn.
Clark, Mo.	Hoch	Mondell	Tillman
Cleary	Holland	Montague	Timberlake
Coady	Huddleston	Moore, Pa.	Tincher
Collier	Hudspeth	Moores, Ind.	Towner
Cramton	Hull, Iowa	Morgan	Vestal
Crisp	Hull, Tenn.	Mott	Vinson
Crowther	Humphreys	Nelson, Mo.	Volstead
Currie, Mich.	Igoe	Newton, Minn.	Wason
Curry, Calif.	Jacoway	Nicholls, S. C.	Watkins
Dale	James	Nolan	Watson, Pa.
Darrow	Jefferis	Ogden	Watson, Va.
Davis, Minn.	Johnson, Wash.	Oldfield	Weaver
Davis, Tenn.	Jones, Tex.	Oliver	Webster
Dempsey	Juul	Olney	Welling
Denison	Kelley, Mich.	Overstreet	Welty
Dominick	Kelly, Pa.	Park	Wheeler
Dowell	Kennedy, Iowa	Parrish	Williams
Drane	Kincheloe	Platt	Wilson, La.
Dunbar	Kinkaid	Quin	Wingo
Dupré	Kitchin	Radcliffe	Woods, Va.
Dyer	Kraus	Ragsdale	Wright
Edmonds	Kreider	Rainey, J. W.	Young, N. Dak.
Elston	LaGuardia	Raker	
Esch	Lanham	Ramseyer	
Evans, Mont.	Lankford	Reed, W. Va.	

NOT VOTING—211.

Ackerman	Crago	Greene, Mass.	McClintic
Anthony	Cullen	Greene, Vt.	McCulloch
Ashbrook	Dallinger	Hamill	McKinley
Ayres	Davey	Hardy, Colo.	McLane
Babka	Dent	Hardy, Tex.	Madden
Bacharach	Dewalt	Harrison	Maher
Baer	Dickinson, Mo.	Heflin	Major
Begg	Dickinson, Iowa	Hill	Mann
Bell	Donovan	Houghton	Mansfield
Benson	Dooling	Howard	Martin
Blackmon	Doremus	Hulings	Mead
Bland, Ind.	Doughton	Husted	Merritt
Bland, Va.	Dunn	Hutchinson	Moon
Boies	Eagan	Ireland	Mooney
Booher	Eagle	Johnson, Ky.	Moore, Ohio
Britten	Echols	Johnson, Miss.	Moore, Va.
Brooks, Ill.	Ellsworth	Johnson, S. Dak.	Morin
Browne	Emerson	Johnston, N. Y.	Mudd
Brumbaugh	Evans, Nev.	Jones, Pa.	Murphy
Buchanan	Fairfield	Kahn	Neely
Burdick	Ferris	Kearns	Nelson, Wis.
Burroughs	Fess	Kendall	Newton, Mo.
Butler	Fields	Kennedy, R. I.	Nichols, Mich.
Byrnes, S. C.	Fisher	Kettner	O'Connell
Caldwell	Fitzgerald	Kiess	O'Connor
Candler	Flood	King	Osborne
Caraway	Fordney	Kleczka	Padgett
Carew	Frear	Knutson	Paige
Carss	Freeman	Lampert	Parker
Carter	Fuller, Ill.	Langley	Pell
Casey	Fuller, Mass.	Lazaro	Peters
Clark, Fla.	Gallagher	Lehlbach	Phelan
Classon	Gallivan	Lesher	Porter
Cole	Gandy	Linthicum	Pou
Connally	Garland	Longworth	Purnell
Cooper	Godwin, N. C.	Luce	Rainey, H. T.
Copley	Goldfogle	Lufkin	Ramsey
Costello	Goodall	McAndrews	Randall, Calif.

Randall, Wis.	Sells	Stephens, Ohio	Ward
Reavis	Sherwood	Stiness	Webb
Reber	Shreve	Strong, Pa.	Whaley
Reed, N. Y.	Sims	Sullivan	White, Kans.
Riordan	Sinclair	Temple	White, Me.
Robinson, N. C.	Slemp	Thompson, Okla.	Wilson, Ill.
Rogers	Small	Tilson	Wilson, Pa.
Rowan	Smith, N. Y.	Tinkham	Winslow
Rucker	Smithwick	Treadway	Wise
Sabath	Snell	Upshaw	Wood, Ind.
Sanders, La.	Snyder	Vaile	Woodyard
Sanders, N. Y.	Stedman	Vare	Yates
Sanford	Steele	Venable	Young, Tex.
Saunders, Va.	Steenerson	Voigt	Zihlman
Scully	Stephens, Miss.	Walters	

So the motion was rejected.

The Clerk announced the following additional pairs:

Mr. WOODYARD with Mr. CARAWAY.

Mr. WHITE of Kansas with Mr. BOOHER.

Mr. PETERS with Mr. SULLIVAN.

Mr. KENNEDY of Rhode Island with Mr. PHELAN.

Mr. ANTHONY with Mr. SAUNDERS of Virginia.

Mr. BLAND of Indiana with Mr. RUCKER.

Mr. BURROUGHS with Mr. AYRES.

Mr. BUTLER with Mr. BABKA.

Mr. CLASSON with Mr. BENSON.

Mr. COSTELLO with Mr. BLAND of Virginia.

Mr. DALLINGER with Mr. BUCHANAN.

Mr. DICKINSON of Iowa with Mr. BYRNES of South Carolina.

Mr. GREENE of Massachusetts with Mr. CARTER.

Mr. EMERSON with Mr. CLARK of Florida.

Mr. FREAR with Mr. CULLEN.

Mr. FREEMAN with Mr. DOOLING.

Mr. FULLER of Illinois with Mr. EVANS of Nevada.

Mr. GREENE of Vermont with Mr. FERRIS.

Mr. HARDY of Colorado with Mr. FIELDS.

Mr. IRELAND with Mr. MAJOR.

Mr. KERNS with Mr. MARTIN.

Mr. KENDALL with Mr. MOON.

Mr. KEISS with Mr. MOORE of Virginia.

Mr. LAMPERT with Mr. O'CONNOR.

Mr. LEHLBACH with Mr. PADGETT.

Mr. LONGWORTH with Mr. POU.

Mr. MURPHY with Mr. HENRY T. RAINEY.

Mr. RAMSEY with Mr. RANDALL.

Mr. REEVES with Mr. SMALL.

Mr. ROGERS with Mr. SANDERS of Louisiana.

Mr. SANDERS of New York with Mr. SIMS.

Mr. SELLS with Mr. STEELE.

Mr. SLEMP with Mr. STEPHENS of Mississippi.

Mr. SNYDER with Mr. THOMPSON.

Mr. STEENERSON with Mr. UPSHAW.

Mr. STRONG of Pennsylvania with Mr. YOUNG of Texas.

Mr. TEMPLE with Mr. FISHER.

Mr. TINKHAM with Mr. HARDY of Texas.

Mr. VAILE with Mr. HOWARD.

Mr. VARE with Mr. JOHNSON of Mississippi.

Mr. WALTERS with Mr. KETTNER.

Mr. WILSON with Mr. LAZARO.

Mr. WOOD of Indiana with Mr. LINTHICUM.

Mr. YATES with Mr. MCANDREWS.

The SPEAKER. The Clerk will call my name.

The Clerk called the name of Mr. GILLETT, and he voted in the negative.

The result of the vote was announced as above recorded.

Mr. CANNON. Mr. Speaker, I ask for a minute to address the House.

The SPEAKER. The gentleman from Illinois asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. CANNON. I trust everybody will stay until this and the other bills are disposed of. We have only a little over a quorum, and we will have to stay here until the sundry civil bill is disposed of, and possibly the deficiency bill. If Members wander out it punishes all of us.

Mr. GARNER. Have we any assurance that the deficiency bill will be considered to-night?

Mr. CANNON. I do not know. I have not been warned in for another conference, but the sundry civil bill has to go back to conference.

Mr. GARNER. I agree with the gentleman; but will the deficiency bill be considered to-night?

Mr. CANNON. I will ask the gentleman, Will the deficiency bill be considered to-night?

Mr. GARNER. I do not know.

Mr. CANNON. I know just as much about it as the gentleman does. [Laughter.]

The SPEAKER. The question is on the motion of the gentleman from Iowa [Mr. GOOD] that the House further insist.

Mr. BLANTON. A point of order. That motion has already been put by the Chair and carried.

Mr. WALSH. It was adopted by the House, and then the gentleman from Texas [Mr. BLANTON] made his motion to instruct the conferees.

Mr. BLANTON. Yes; otherwise my motion would not have been in order.

Mr. WINGO. I desire to offer a motion to instruct the conferees.

Mr. CANNON. That motion has just been voted down.

Mr. WINGO. Yes; but I offer another motion. I move to instruct the conferees to concur in Senate amendment No. 91.

Mr. GOOD. I will say to the gentleman that I do not believe the conferees will have any difficulty in arriving at an agreement and bringing in a report in less time than it will take to act upon the gentleman's motion. I hope the gentleman will not do that.

Mr. WINGO. On the assurance of the chairman that he thinks the conferees will reach an agreement I will withdraw my motion.

The SPEAKER. The Chair appoints as conferees on the part of the House the gentleman from Iowa [Mr. GOOD], the gentlemen from New York [Mr. MAGEE], and the gentleman from Tennessee [Mr. BYRNS].

ORDER OF BUSINESS.

Mr. BLANTON. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Texas moves that the House do now adjourn.

The question being taken, the motion was rejected.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to make a very brief statement.

The SPEAKER. The gentleman from Wyoming asks unanimous consent for three minutes. Is there objection?

There was no objection.

Mr. MONDELL. We hope the conferees on the sundry civil bill will return with an agreement in a very short time, and I trust that all gentlemen will remain here until that report is received. [Applause.] We then expect to ask unanimous consent to consider the conference report.

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. I yield to the gentleman from Tennessee.

Mr. GARRETT. Is it the purpose also to take up the report on the deficiency bill?

Mr. MONDELL. We can not take up the deficiency bill until we have disposed of the sundry civil bill.

Mr. GARRETT. Why not? They are both in the same class.

Mr. MONDELL. We are now operating on the sundry civil bill.

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Texas will suspend. He can not take the gentleman from Tennessee off the floor.

Mr. GARRETT. The gentleman from Wyoming [Mr. MONDELL] has the floor.

The SPEAKER. The gentleman from Wyoming yielded to the gentleman from Tennessee.

Mr. GARRETT. I will say to the gentleman from Wyoming that I think there will be no difficulty whatever about taking up the deficiency bill for consideration under the general rules of the House if any gentleman on that side chooses to ask unanimous consent for that purpose.

Mr. MONDELL. Mr. Speaker, I repeat my request that gentlemen all remain here until the conference report on the sundry civil bill is received.

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. BLANTON. Could the House take up the conference report if it should be brought back here, except by unanimous consent?

The SPEAKER. It can not, until the bill is printed.

Mr. BLANTON. I will state, Mr. Speaker, that it will be useless to wait here for that, because there will not be any unanimous consent. I intend to object. I do not like to have the Senate ram things down the throats of the Members of the House in the way they have attempted to do to-day on several bills. The deficiency bill, with very important appropriations in it, has been sidetracked. It is just as important that the deficiency bill shall become a law as any other bill we have passed in this Congress, and here it has been sidetracked to take a 10 days' recess.

WATER POWER.

Mr. ANDERSON. I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 3184, the water-power bill.

The question being taken, on a division (demanded by Mr. BLANTON) there were—ayes 141, noes 1.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum present.

Mr. CANNON. I make the point of order that that is dilatory.

The SPEAKER. The Chair thinks the point is not dilatory, but will count.

Mr. CLARK of Missouri. Mr. Speaker, the Speaker is not bound by the vote as to whether there was a quorum present or not.

The SPEAKER. That is true, but the Chair will count. [After counting.] One hundred and seventy-two Members present, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 215, nays 4, answered "present" 4, not voting 207, as follows:

YEAS—215.

Alexander	Ferris	Kreider	Rhodes
Almon	Fisher	LaGuardia	Ricketts
Anderson	Fitzgerald	Lanham	Riddick
Andrews, Md.	Focht	Lankford	Robsion, Ky.
Andrews, Nebr.	Foster	Larsen	Rodenberg
Aswell	French	Lea, Calif.	Romjue
Bankhead	Gard	Lever	Rose
Barbour	Garner	Little	Rouse
Barkley	Garrett	Lonergan	Rowe
Bee	Glynn	Luhring	Rubey
Benham	Goodwin, Ark.	McArthur	Schall
Benson	Goodykoontz	McDuffie	Scott
Black	Gould	McFadden	Sears
Bland, Mo.	Graham, Pa.	McGlennon	Siegel
Blanton	Graham, Ill.	McKenzie	Sinnott
Box	Green, Iowa	McKeown	Sisson
Brand	Griest	McLaughlin, Mich.	Smith, Idaho
Briggs	Griffin	McLaughlin, Nebr.	Smith, Ill.
Brinson	Hadley	McPherson	Smith, Mich.
Brooks, Ill.	Hamilton	MacCrate	Smithwick
Brooks, Pa.	Hardy, Tex.	MacGregor	Steagall
Browning	Haskell	Mapes	Stephens, Miss.
Burke	Hastings	Mason	Strong, Kans.
Byrnes, S. C.	Haugen	Mays	Summers, Wash.
Campbell, Pa.	Hawley	Michener	Sumners, Tex.
Candler	Hayden	Miller	Sweet
Cannon	Hays	Monahan, Wis.	Taylor, Ark.
Cantrill	Hernandez	Mondell	Taylor, Colo.
Chindblom	Hersey	Montague	Taylor, Tenn.
Clark, Mo.	Hersman	Moore, Pa.	Thompson, Ohio
Cleary	Hickey	Moores, Ind.	Tillman
Collier	Hicks	Morgan	Timberlake
Cramton	Hoch	Mott	Tincher
Crisp	Holland	Nelson, Mo.	Towner
Crowther	Huddleston	Newton, Minn.	Venable
Currie, Mich.	Hudspeth	Newton, Mo.	Vestal
Curry, Calif.	Hull, Iowa	Nicholls, S. C.	Vinson
Dale	Hull, Tenn.	Nolan	Volstead
Darrow	Humphreys	Ogden	Walsh
Davis, Minn.	Igoe	Oliver	Wason
Davis, Tenn.	Ireland	Overstreet	Watkins
Dempsey	Jacoway	Padgett	Watson, Pa.
Denison	James	Park	Weaver
Dominick	Jefferis	Parrish	Webster
Dowell	Johnson, Wash.	Platt	Welling
Drane	Jones, Tex.	Quin	Welty
Dunbar	Juul	Radcliffe	Wheeler
Dupré	Kelley, Mich.	Ragsdale	Williams
Dyer	Kelly, Pa.	Rainey, J. W.	Wilson, La.
Edmonds	Kennedy, Iowa	Raker	Wingo
Elston	Kiess	Ramsey	Woods, Va.
Esch	Kinkaid	Ramseyer	Wright
Evans, Mont.	Kitchin	Rayburn	Young, N. Dak.
Evans, Nebr.	Kraus	Reed, W. Va.	

NAYS—4.

Coady	Kincheloe	Minahan, N. J.	Thomas

ANSWERED "PRESENT"—4.

Bell	Booher	Christopherson	Steenerson

NOT VOTING—207.

Ackerman	Byrns, Tenn.	Dewalt	Frear
Anthony	Caldwell	Dickinson, Mo.	Freeman
Ashbrook	Campbell, Kans.	Dickinson, Iowa	Fuller, Ill.
Ayres	Caraway	Donovan	Fuller, Mass.
Babka	Carew	Dooling	Gallagher
Bacharach	Carss	Doremus	Gallivan
Baer	Carter	Doughton	Gandy
Begg	Casey	Dunn	Ganly
Blackmon	Clark, Fla.	Eagan	Garland
Bland, Ind.	Classon	Eagle	Godwin, N. C.
Bland, Va.	Cole	Echols	Goldfogle
Boies	Connally	Elliott	Good
Bowers	Cooper	Ellsworth	Goodall
Britten	Copley	Emerson	Greene, Mass.
Browne	Costello	Evans, Nev.	Greene, Vt.
Brumbaugh	Crago	Fairfield	Hamill
Buchanan	Cullen	Fess	Hardy, Colo.
Burdick	Dallinger	Fields	Harrison
Burroughs	Davey	Flood	Heflin
Butler	Dent	Fordney	Hill
Houghton	McKinley	Porter	Steele
Howard	McKinley	Pou	Stephens, Ohio
Hulings	McLane	Purnell	Stevenson
Husted	Madden	Rainey, H. T.	Stiness
Hutchinson	Magee	Randall, Calif.	Strong, Pa.
Johnson, Ky.	Maher	Randall, Wis.	Sullivan
Johnson, Miss.	Major	Reavis	Temple
Johnson, S. Dak.	Mann	Reber	Thompson, Okla.
Johnston, N. Y.	Mansfield	Reed, N. Y.	Tilson
Jones, Pa.	Martin	Riordan	Tinkham
Kahn	Mead	Robinson, N. C.	Treadway
Kearns	Merritt	Rogers	Upshaw
Kendall	Moon	Rowan	Vaile
Kennedy, R. I.	Mooney	Rucker	Vare
Kettner	Moore, Ohio	Sabath	Voigt
King	Moore, Va.	Sanders, Ind.	Walters
Kleczka	Morin	Sanders, La.	Ward
Knutson	Mudd	Sanders, N. Y.	Watson, Va.
Lampert	Murphy	Sanford	Webb
Langley	Neely	Saunders, Va.	Whaley
Layton	Nelson, Wis.	Scully	White, Kans.
Lazaro	Nichols, Mich.	Sells	White, Me.
Lee, Ga.	O'Connell	Sherwood	Wilson, Ill.
Lehlbach	O'Connor	Shreve	Wilson, Pa.
Lesher	Oldfield	Sims	Winslow
Linthicum	Olney	Sinclair	Wise
Longworth	Osborne	Slemp	Wood, Ind.
Luce	Paige	Small	Woodyard
Lufkin	Parker	Smith, N. Y.	Yates
McAndrews	Pell	Snell	Young, Tex.
McClintic	Peters	Snyder	Zihlman
McCulloch	Phelan	Stedman	

So the motion to go into Committee of the Whole was agreed to.

The following additional pairs were announced:

Until further notice:

Mr. ACKERMAN with Mr. BYRNS of Tennessee.

Mr. BOWERS with Mr. CONNALLY.

Mr. CAMPBELL of Kansas with Mr. GANLY.

Mr. COSTELLO with Mr. LEE of Georgia.

Mr. ELLIOTT with Mr. MINAHAN of New Jersey.

Mr. FULLER of Massachusetts with Mr. MOONEY.

Mr. GOOD with Mr. OLDFIELD.

Mr. LUFKIN with Mr. OLNEY.

Mr. MADDEN with Mr. SANDERS of Louisiana.

Mr. MAGEE with Mr. STEVENSON.

Mr. MERRITT with Mr. MCKINLEY.

Mr. BELL. Mr. Speaker, I am paired with the gentleman from Minnesota, Mr. KNUTSON. I wish to withdraw my vote of "aye" and answer "present."

Mr. GARRETT. Mr. Speaker, I desire to inquire if the gentleman from Ohio, Mr. FESS, has voted.

The SPEAKER. He is not recorded.

Mr. GARRETT. Mr. Speaker, is it in order to inquire whether the gentleman from Ohio, the chairman of the Republican campaign committee, is absent making speeches on Republican——

The SPEAKER. The gentleman is out of order, as he well knows.

The result of the vote was then announced, as above recorded.

Mr. HARDY of Texas. Mr. Speaker, before the House resolves itself into the Committee of the Whole, I would like to ask leave to extend my remarks in the RECORD.

The SPEAKER. The gentleman can not do that, because the vote was taken on going into the committee, and as soon as the vote was cast the House goes into the committee.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 3184, with Mr. MOORE of Pennsylvania in the chair.

The Clerk reported the title of the bill.

Mr. WALSH. Mr. Chairman, I desire to propound a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WALSH. When we resume the consideration of the bill, will the gentleman who had the floor on an amendment at the time the committee rose still be entitled to the floor?

The CHAIRMAN. Does the gentleman recall whether an amendment was pending?

Mr. WALSH. There was a very important amendment pending, to strike out the last word.

The CHAIRMAN. Does the gentleman desire to discuss the amendment that was pending at the time the committee rose?

Mr. WALSH. I am asking the Chair if the Member who had proposed the amendment and was recognized at the time the committee rose is now entitled to recognition without reserving his amendment?

The CHAIRMAN. Let the Chair ask the gentleman what section he desires to discuss, because the only amendment pending was the pro forma amendment, as the Chair recollects, which the Chair understood was withdrawn.

Mr. WALSH. Then, Mr. Chairman, I move to strike out the last word simply for the purpose of asking the chairman of the

committee the reason for including the Secretary of Commerce in section 25 as to notifying people with reference to violations of the act.

Mr. ESCH. Mr. Chairman, under a previous section of the act the Secretary of Commerce has authority to order the installation of fishways at the time the original dam is constructed or at any time thereafter. Hence if any order of the Secretary of Commerce is not obeyed it comes under the penalties of this section 25.

Mr. WALSH. Would the gentleman state the need for making the Secretary of War a separate official in this act in the same way?

Mr. ESCH. The Secretary of War is given many separate duties in this bill in connection with dams on navigable streams in that the Secretary of War could determine the level of the pool created by the dam and could order the installation of proper booms to protect the entrance to the locks, and can issue orders with reference to the laying of the booms and the locks, and can issue orders with reference to the operating of the locks. For any violation of these orders penalty is provided in this section.

Mr. WALSH. Then in case the Secretary of Commerce issued an order, even though the permit which was granted by the commission might seem to allow this obstruction, the authority of the Secretary of Commerce would be paramount.

Mr. ESCH. We gave him authority to order fishways, but that is about the only jurisdiction we have given him in this bill. If he ordered a fishway to go in and it was disobeyed, the party disobeying could be penalized under section 25.

Mr. HARDY of Texas. Mr. Chairman, I rise in opposition to the motion of the gentleman from Massachusetts. I ask unanimous consent to proceed for two minutes out of order.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed out of order for two minutes. Is there objection?

There was no objection.

Mr. HARDY of Texas. Mr. Chairman, the other day my colleague from Texas [Mr. BLANTON] made quite an attack on the Secretary of Labor, Mr. W. B. Wilson, for what he was alleged to have said he had done in behalf of Thomas J. Mooney, in a speech delivered by him, Mr. Wilson, on June 13, 1919, at Atlantic City. At the time he made the attack I asked my colleague if he would put in his remarks the speech of Secretary Wilson of which he complained. He did not do this, and therefore I am asking to print Secretary Wilson's entire speech so that readers of the RECORD may judge for themselves whether Mr. Wilson is justly subject to any criticism for anything contained in that speech.

Mr. BLANTON. Mr. Chairman, will the gentleman yield for a question?

Mr. HARDY of Texas. Yes.

Mr. BLANTON. Is the gentleman sure that the Secretary of Labor adhered to his manuscript copy in speaking before a convention and did not, as stated by all the daily newspapers, sidetrack? Is the gentleman sure of that?

Mr. HARDY of Texas. I never have seen any statement by any daily newspaper which leads me to believe that Secretary Wilson made any other speech than the one which he told me he had made and gave me a copy of.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HARDY of Texas. Mr. Chairman, I ask unanimous consent to proceed for a minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BLANTON. The other part of my question is, Does not the Secretary of Labor, in this speech which the gentleman from Texas holds in his hand——

Mr. HARDY of Texas. Oh, the gentleman can not take up my time in trying to discuss the speech.

Mr. BLANTON. Does not he state that he was going——

Mr. HARDY of Texas. This speech, if the House will permit me, will go into the RECORD, and everyone who reads it can determine whether the speech is justly subject to the gentleman's criticisms. If the gentleman had placed it in the RECORD as I suggested he should when he attacked the Secretary, there would be no need of this proceeding of mine now.

I ask permission to extend my remarks by inserting the speech of Secretary W. B. Wilson at Atlantic City.

The CHAIRMAN. The gentleman from Texas [Mr. HARDY] asks unanimous consent to extend his remarks in the RECORD by incorporating a speech delivered by Secretary of Labor Wilson at Atlantic City. Is there objection?

Mr. DENISON. Mr. Chairman, reserving the right to object, I would like to ask the gentleman from Texas whether it is his purpose or the purpose of anyone else he knows of to take advantage of the fact of this speech going into the RECORD by sending it out all over the country under anybody's frank?

Mr. HARDY of Texas. I will say to the gentleman I have no purpose in it except to correct what I believe was an injustice to an honest public servant, but it will, of course, be entitled to circulate just as the attack on the Secretary may be circulated.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. BLANTON. Mr. Chairman, reserving the right to object, and I shall not object, I just would like to state this in reserving it, that the only statement I made in connection with Mr. Wilson was what the newspapers reported, and I put in the RECORD excerpts from three different newspapers bearing out the statement, and there was nothing much more in that statement than in the speech itself, and therefore I do not object.

Mr. HARDY of Texas. I will do the gentleman the justice to say that when I asked him to put the speech in the RECORD, as I recall, he declined to say he would put the speech in the RECORD, but said he would put in newspaper extracts or newspaper criticisms, which he did. I read these criticisms and they were and are as unjust and unfounded as the gentleman's attack. I want to add one more statement. I have known Mr. Secretary Wilson for many years, and in my judgment he has always been an honest, fearless, able public servant since his connection with the Government, and in my judgment this very speech shows him to be just that.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none.

The speech is as follows:

ADDRESS OF HON. WILLIAM B. WILSON, SECRETARY OF LABOR, BEFORE THE AMERICAN FEDERATION OF LABOR CONVENTION, ATLANTIC CITY, N. J., JUNE 13, 1919.

"Mr. President and fellow trade-unionists, it is a great pleasure to have the opportunity of being present, even though it may be at but one of the sessions of this historic victory and reconstruction convention of the American Federation of Labor.

"The wageworkers of our country have reason to be proud of the part which they played in the great World War for freedom and democracy. You have reason to be proud not only of the part you have taken in the struggle but of the great part that has been played in the contest by your selected representative, the president of the American Federation of Labor. [Applause.] Upon him has devolved not only the direction of your forces and associated forces in the great struggle against the military autocracy of Germany, but there has also fallen upon his shoulders—and he has borne the burden manfully; he has directed the movement intelligently—the great burden of conducting the battle against the other insidious forces that would endeavor to utilize violence for the destruction of democracy, the powers of Bolshevism as expressed in some of the countries of eastern Europe.

"The part played by labor has been due in a great measure to the appreciation by labor of the development that has taken place in the progress of human democracies.

"I have a theory, and time alone will demonstrate whether the theory is sound, that every individual and every group of individuals becomes influential in the affairs of the Government just in so far as the individual or the group of individuals is necessary for the defense of the State. I know my British friends will pardon me if I refer to what in my mind was the great starting point in the development of modern democracy. I don't look upon the Battle of Bannockburn as being purely the heritage of the people of Scotland alone, but I look upon it as being the heritage of the masses of the people of all the world. Those of you who are familiar with the history of that struggle and the ones preceding it realize that up until that time the only people who had been permitted to participate in the affairs of government were the monarchs and the nobility, the nobility comprising the flower of knighthood.

"The nobility were permitted to participate because the man on horseback and in armor was the man who at that time was necessary for the defense of the State. Nearly all of the nobility of Scotland had been brought up at the court of England, and when the Battle of Bannockburn took place very few of the men in armor were on the side of the Scottish monarch. He had to depend for support in the conflict upon the yeomanry of his country, and for the first time in the history of warfare the yeomanry, with pikes in their hands, were formed on the battle field of Bannockburn in what has since come to be known as the "hollow square"—only in that case it was the hollow circle. The historians have failed to grasp the importance of that situation. They tell us of the pitfalls that had been made on the moor for the horses of the English monarch and his

men, and how some of these fell into the pits. There were a sufficient number who crossed over the moor to have crushed the Scottish army if it had not been for the new military tactics which the necessity of the situation compelled Bruce to employ, and he formed his men into hollow circles to receive the men of the opposing forces on their pikes, and when the nobles came they came onto the pikes of the yeomanry and were destroyed. The yeoman at that moment became a more important factor in the defense of his country. The British monarch was later compelled to follow the same tactics that Bruce had followed; and when the wars were carried by Edward over onto the Continent, with the yeomen as a fighting factor in his armies, the European military chiefs were compelled also to change their tactics. From that period dated the fall of knighthood and the beginning of manhood. [Applause.]

"Slowly the masses of the people represented in the yeomanry began to realize their importance, and before the reign of Bruce had passed they had compelled him to yield concessions to the yeomanry of his country; and this was true also of Edward and true over all the Continent.

"The individual, the man in the mass, the toiler of society began to see the dawn of a new day. It took centuries before it began to crystallize, but those same people, coming over to our country, settling on our shores, carried with them the ideals of the importance of the workers of humanity. When our Declaration of Independence was proclaimed to the world, when it was being prepared, before it was given to the world, there came down from the North those who insisted that there should be included in the document the statement that taxation without representation was tyranny, and there came up from the South workers who in the meantime had become imbued with a spirit of racial aristocracy but yet were imbued with the same thought that had developed on the other side of the water, who insisted that there should go into the Declaration of Independence that basic principle of all democracies—that every government derives its just powers from the consent of the governed. [Applause.]

"Modern warfare has still more thoroughly accentuated that thought. In the battles of ancient times it was frequently possible for large armies to support themselves upon the country in which they were operating, receiving but a small portion of their supplies from home. From the days when Joshua overcame the enemies of Israel until Sherman made his famous march to the sea great armies supported themselves upon the country in which they were fighting. That is no longer possible. It has been variously estimated that it takes anywhere from 6 to 10 workers in the rear to maintain 1 soldier in the trenches. Consequently, the workers of all the world have become more important factors in the defense of their respective countries, and they are insisting and will continue to insist that in the consideration of the problems of reconstruction the laws shall be so constructed and social affairs so conducted that every individual in the community shall have the greatest possible opportunity for self-determination. [Applause.]

"The labor movement of this country is no exception to the rule in that respect. We have in our country our faddists—people, many of them, who have never had any experience in the practical problems of life. Some of them have been following after false gods. It is not those who are following after the false gods that will be the saviors of the workers of our country. It is those who have persistently made and are continuing to make self-sacrifice for the common good who will achieve results.

"I recall, and I may have mentioned it to you on previous occasions, but it will bear repeating—I recall the conditions we found in the Middle West when the President's Mediation Commission was sent out to investigate the conditions brought about by the activities of the Industrial Workers of the World, some two years ago. The Industrial Workers of the World had almost gone out of existence prior to that time. Suddenly there was a renewal of activities. Industries that were essential for the success of the war were being tied up. There seemed to be no way of keeping them in operation. The President appointed a commission, of which I had the honor of being chairman. We found some oddities and many crude theories that the average man in the labor movement would not stand for. We found that people were coming in on the roads to the mining camps of the mountain regions, coming in quite large numbers, and practically over night establishing locals of the I. W. W., and then, without submitting the question to the voice of the workers themselves, either through organization or otherwise, declaring strikes against the companies that were operating; declaring those strikes for a given wage and for a given number of hours, refusing to meet the employers in conference and insisting that it must be this rate which they published and no other, and that idleness would follow the employers' refusal to comply with their demands.

"But that was not all. We found that wherever the legitimate evolutionary aspirations of the workers were given an opportunity to develop, there the I. W. W. found no foothold; that it was only in the places where there was the iron hand of repression on the part of the employer used upon the workers themselves that this peculiarly revolutionary spirit found expression. It found expression, in addition to the manner I have stated, in the philosophy that was being taught.

"They announced as the basis of their movement the philosophy that every man is entitled to the full social value of what his labor produces. Now, that philosophy is purely of socialistic origin. It had its first exponent in Marx. It is also a philosophy that every individualist can subscribe to with thoroughness and with complete acceptance of the principle. Every man is entitled to the full social value of what his labor produces. The great difficulty has been that human intelligence has not yet devised a method by which we can compute what the social value is of anyone's labor. No one can compute the value of your labor; no one can compute the value of my labor; no one can compute the value of the labor that has been performed by the president of this organization or the labor that was performed by the man with a pick and shovel in the ditch. Our intelligence has not yet devised a method by which we can compute it, and so, in the years gone by, we have endeavored to make the computation by one of three processes: By the process of the employer using his economic power to arbitrarily fix the compensation of the workers; by the process of the worker using his collective power, arbitrarily fixing the compensation and imposing it upon the employer; and by the process of negotiation.

"It is the process of negotiation that the American labor movement has insisted upon for the bringing of the different elements together and endeavoring to work the problems out on as equitable a basis as the circumstances will permit. But there is a wide misapprehension of the scope of the labor movement of our country. There are those who assume that the negotiations that the American labor movement seeks with the employers only involve consideration of the question of wages or the hours of labor. But the negotiations that the American wage workers, the labor movement of America, stand for include in their scope every industrial activity that affects the mental, the material, or the spiritual welfare of mankind.

"They laid down as the second step in their philosophy that property is only valuable in so far as profits can be secured from the property; that if you eliminate the profits the property will become valueless and no one will want to retain it; and that, so far as it goes, is also sound. If there is nothing that can be produced from a piece of property that will be valuable to mankind, then no one wants to be bothered with the possession of that property.

"Then came what to my mind and to the minds of the great bulk of the trade unionists of this country that I have come in contact with was the poison in their whole philosophy. They said that the way to destroy the value of the property was to strike upon the job; that is, to "soldier," as we say here in the East; to produce a stint, as they say in Great Britain; to put sand on the bearings, to break the machinery, to reduce production, and to reduce the amount of returns from labor to as small a point as possible and enable the worker to retain his job, then in this way the profits would be destroyed, the value would be eliminated, the owner would no longer desire to retain the property, and it could be taken over by the workers, operated collectively, and the workers secure the full social value of what their labor produced.

"Whatever there may be of value in the collective ownership and operation of property, there is at least no value whatsoever in that method of bringing it about. [Applause.]

"All we had to do amongst those workers in the Middle West was to point to the historical fact that prior to the rebirth of the inventive genius of man, prior to the building up of our modern factory system with its wonderful processes of machinery, when everything that was produced was produced by hand, there was a much smaller production per individual than could possibly result from any system of sabotage that could now be introduced; and yet in those days there were still profits for the employers and there was still value to the property. What did result was a very much lower standard of living for the workers, and the only thing that would result from such a scheme now would be a lower standard of living for the wageworkers of the present, and our wageworkers are not going to stand for any system that will lower their standards of living.

"The employers and the employees have a mutual interest in securing the largest possible production with a given amount of labor, having due regard to the health, the safety, the opportuni-

ties for rest, recreation, and improvement of the workers. These being safeguarded, the larger the amount that is produced the larger will be the amount that there is to divide. If there is nothing produced there will be nothing to divide. If there is a large amount produced there will be a large amount to divide. Their interests diverge only when it comes to a division of what has been mutually produced, and if they are wise in their generation in these modern times, with labor realizing its importance in the defense of the country and the maintenance of the country, instead of solving the problem by the use of the economic power on the part of the employer, imposing his will upon the worker, or the use of collective power on the part of the employees imposing their will upon the employers, they will sit around the council table and endeavor to work out the problem on a democratic basis that will secure to each all that he is entitled to receive. [Applause.]

"Closely allied to the work of the I. W. W. during the past year, at least, there has been more or less Bolshevist agitation in the United States. It has not been to any great extent prevalent amongst the real workers of the country. It has existed principally amongst the 'parlor coal diggers' of our greater cities. I have no fear of a political revolution in the United States. It may be possible that these 'parlorites' may misguide a sufficient number of laboring men to cause local disturbances that will be annoying, but no one in the ranks of labor, whether he is classed as an extreme radical or an extreme conservative, or any of the elements between these two, will stand for Bolshevism for a minute when he knows what Bolshevism itself stands for.

"They talk a great deal about the dictatorship of the proletariat. We who have been more or less familiar with the theories that have been promulgated by Marx and his assertion of the dictatorship of the proletariat had interpreted the term to mean that a majority of the workers of the land would determine the policy of it and impose it upon the balance of our people. And our workers were not willing to accept even that kind of a principle. They realized the many centuries of struggle there had been to secure the franchise on the part of the workers in the face of the claims that had been made that they had no property to be taxed, and having no property to be taxed they should have no voice in imposing the taxes, and, further, that they had not developed enough, that they had not sufficient intelligence to be permitted to participate in the affairs of state. During all the centuries there has been a struggle to remedy the wrong, and the basis of that struggle, the basis of the contention of the workers, has been that every person who has to obey the laws of a country ought to have a voice in determining what those laws should be. Having fought all through the centuries for the accomplishment of that ideal, having accomplished this purpose, the American workingman was not disposed to impose the same kind of a disfranchisement upon other portions of the people that he did not want imposed upon himself.

"The Bolshevists did not even take that interpretation of the dictatorship of the proletariat as their guide in the countries where they are just now supreme. In his long speech before the National Soviet at Moscow a little more than a year ago, Lenin laid down the principle that the dictatorship of the proletariat meant the dictatorship of a self-selected, so-called 'advance guard'; that the proletariat himself was not to be trusted because he would waver; and that this self-selected advance guard would impose its will upon the workers and the others must obey, and in that obedience was included obligatory labor.

"From the time that Moses led the Israelites out of bondage in Egypt until Lincoln issued the emancipation proclamation the struggle of the masses has been to get away from slavery, to get away from compulsory labor, and yet it is proposed by this new form of government to reintroduce obligatory labor upon the workers of the world, imposed upon them by a small group of the 'parlorites' of Russia. The great distinction between slavery and freedom is that under freedom every man shall have the right to cease work for any reason that may be sufficient to himself. [Applause.]

"We have protested to the extent of sacrificing our blood and our treasure against the military autocracy of Germany, and yet the military autocracy of Germany was built upon the self-same idea, that the Kaiser and his group of advisers knew better what the workingman desired, what he needed, and what was good for him than the workers knew themselves, and this new group is setting itself up as the advance guard, taking exactly the same position that they know better what is good for the workers than the workers know themselves, and that one of the things that is good for them is that they must be compelled to labor at any price that the advance guard may say, at any kind of work they may determine, for any number of hours the advance guard may decide upon, and the powers of government are to be used to enforce that will. That is their policy.

"The American workingman wants nothing of that kind of dictatorship of the proletariat. The American workingman wants nothing of that kind of obligatory labor. The American workingman wants nothing of the political, social, or economic conditions that have existed and still exist in Russia. We have worked out our destiny far beyond that stage, and we are going to continue to work it out to the achievement of higher ideals, not by the will of an advance guard, no matter how right or just their position may be, but by the will of the majority themselves.

"The use of force, as some of these people are advocating, for the overthrow of our institutions we will not tolerate. Why, my friends, our institutions have been until recently the most completely democratic institutions in the world, and it is only recently that Great Britain has come up shoulder to shoulder with us. Our Declaration of Independence, while it declared, as I have stated, that governments derive their just powers from the consent of the governed, did not give to all of the people a voice in the affairs of state. The adoption of our Constitution did not give that right, that privilege. It was not until after 60 or 70 years of struggle that there came to the workers of our country practically universal manhood suffrage, and every element in our country had at least the right to a voice in determining how the affairs of state should be conducted.

"In eastern Europe they had not reached that stage of development. The workers were not permitted to have a voice in determining the affairs. The only method by which they could bring about change was by the use of force. Force over there and force here are two different propositions. The use of force to overthrow an autocracy may be the highest kind of patriotism. But the use of force to overthrow a democracy is treason to the masses of the people. We are proceeding by evolution, not by revolution. We have the power of the ballot to remedy our grievances. If we fail to use the ballot rightly the fault is our own. And those of us who can not be depended upon to vote right can not be depended upon to shoot right. [Applause.] And may I add that in making that statement I am not advocating either the attachment to any political party or the creation of any new political party.

"Our conditions here are very much different from the conditions on the other side of the ocean. Over there there is a snug little island. The great majority of their people are engaged in industrial and commercial pursuits. A separate party over there can, without having an accession from the intellectuals, become a majority party. That is not the case in our country. There are just as many people engaged in agricultural pursuits, in pursuits that do not lend themselves to organizations, as there are engaged in industrial pursuits, and even if we were able to solidify all of the wageworkers of the country in a common mass, as the others would solidify against us, we could not become a majority party, and any progress we might attempt to make would be retarded as a result of the partisan feeling that would be engendered by virtue of these contests. And so we are in a position where we can, if we will, organize a separate party, or we can pursue the policy that has been pursued successfully so far, and that is to throw the weight of our support, of our influence, to the individuals or to the parties that, for the time being, are willing to go along with our program.

"May I also, Mr. President, take this opportunity of giving a word of advice in connection with another situation that has been tense throughout the country? The advice is given freely, honestly, and earnestly. You may accept it or leave it as your own judgment tells you is best. I have been very much interested in the Mooney case. I was requested by the President, when his commission went West, to look into the Mooney case and report to him. We looked into the Mooney case, and in doing so we came to this conclusion: That so far as the jury was concerned that passed upon the evidence presented to it, it could have come to no other conclusion under its sworn duty than to convict Mooney; that so far as the judge was concerned that tried the case, he tried it with absolute fairness. But there were some things existing in addition to that. At the time of the trial certain evidence had been given by certain individuals relative to the supposed activites of Mooney. It afterwards developed that one of the principal witnesses had written to a friend of his in Illinois asking him to come to San Francisco and be prepared to testify that he had seen Oxman (the witness) at a given point at a given time, so as to testify to the possibility of Oxman's being at the point where he claimed to have secured the evidence.

"The commission was of the opinion that in view of that change in the evidence, and in view of other changes that had taken place in the evidence from the date of trial, Mooney ought to be given a new trial, and his innocence or guilt decided upon the evidence as it existed when this new evidence was produced. [Applause.]

"At that time I had no fixed opinions as to either the guilt or the innocence of Mooney. With me it was not a question of whether Mooney was guilty or was innocent, but a question of securing a fair trial for him under the existing circumstances. [Applause.] Every effort that the national administration was able to put forth was put forth for the purpose of trying to secure that new trial, and we are not through with it yet. We are still working on it. [Applause, long and continued.]

"But that is not the phase of the situation that I particularly wanted to advise you about. I am simply stating these facts as preliminary to what is to follow. There has been carried on throughout the country a nation-wide agitation for a universal strike as a protest against the conviction of Mooney. My friends, do you realize just what that action means to the masses of the people? Do you understand fully—most of you do—the struggle that has taken place in order that trials may take place by jury where people are accused, with the accused having the opportunity of meeting the witnesses and the jury face to face, and the jury having opportunity of witnessing the manner in which the witnesses give their testimony? That change, the establishment of the jury system, was not brought about for the purpose of protecting the monarch or protecting the nobility. It has not been principally essential for the protection of men of great wealth; they have usually been in a position to protect themselves. The jury system was brought into existence for the purpose of protecting poor fellows like you and me from the power and influence of the other fellow.

"It may occasionally miscarry; occasionally an injustice or a wrong may be done, but in the great bulk of cases justice is meted out through the jury system. Neither you nor I nor anyone in the labor movement, no one who belongs to the great masses of our people, can afford to undertake to try Mooney by the process of a strike. [Applause.] If he is to be tried, he should be tried by a jury that can meet him face to face and meet the witnesses face to face and be able to digest the evidence as it comes out, bit by bit. Very few of us have had an opportunity of examining the evidence in the Mooney case, very few of us know anything more about the Mooney case than simply that which is connected with Oxman, one of the principal witnesses, and yet it is proposed that every workingman in the country, whether he has information concerning the Mooney case or not, shall become a juror in this case, and at the same time that he becomes a juror shall enter into a strike to bring about a decision. What influence will it have? The man who, under our laws, can pardon him or liberate him from prison is not under the jurisdiction of the voters of any other part of the country than that of California. And I do not know but that, even though there may be a miscarriage of justice occasionally, it is a wise thing that that is the case. The further you get the responsible officers removed from the electorate the less influence the electorate has with those responsible officers, and while the responsible officers may occasionally pursue a course that is not acceptable to the multitude, it is better that they should be close to the multitude, close to the electorate, than that they should be far removed, as would be the case if the responsibility rested with the Federal official instead of with the State or local official.

"My friends, we in this country have been moving on by the evolutionary processes, taking hold of the problems that confront us, holding fast to that which experience demonstrates to be good, letting loose of those things which experience demonstrates to be bad. It is the safest method, the surest method. Revolutionary processes may move us forward rapidly for a brief period. On the other hand, the chances are that when a revolution takes place no one will be able to determine where it will end. That has been true of nearly all the revolutions of the world, and the policy that has been pursued by the American labor movement of going forward by evolutionary processes, making sure of each foothold with every step that it takes, so that there will be no step backward, is the surest and best process for the achievement of the highest ideals of mankind. I thank you. [Applause, long and continued.]"

The Clerk read as follows:

SEC. 26. That the Attorney General may, on request of the commission or of the Secretary of War, institute proceedings in equity in the district court of the United States in the district in which any project or part thereof is situated for the purpose of revoking for violation of its terms any license issued hereunder, or for the purpose of remedying or correcting by injunction, mandamus, or other process any act of commission or omission in violation of the provisions of this act or of any lawful regulation or order promulgated hereunder. The district courts shall have jurisdiction over all of the above-mentioned proceedings and shall have power to issue and execute all necessary process and to make and enforce all writs, orders, and decrees to compel compliance with the lawful orders and regulations of the commission and of the Secretary of War, and to compel the performance of any condition imposed under the provisions of this act. In the event a decree revoking a license is entered, the court is empowered to sell the whole or any part of the project or projects under license, to wind up the business of such licensee conducted in connection with such project or projects, to distribute the proceeds to the parties entitled to the same, and to make and enforce such further orders and decrees as equity and justice may require. At such sale or sales the vendee shall take the rights and privileges belonging to the licensee and shall perform the duties of such licensee and assume all outstanding obligations and liabilities of the licensee which the court may deem equitable in the premises; and at such sale or sales the United States may become a purchaser, but it shall not be required to pay a greater amount than it would be required to pay under the provisions of section 14 hereof at the termination of the license.

Mr. BRIGGS. Mr. Chairman, I move to amend, page 34, line 15, after the word "any," by inserting the words "permit or."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 34, line 15, after the word "any," insert the words "permit or."

Mr. BRIGGS. Mr. Chairman, there is no provision in this bill, as far as I have observed, giving the Attorney General any power to prosecute for violation of any permit.

Mr. ESCH. We will accept the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 29. That all acts or parts of acts inconsistent with this act are hereby repealed: *Provided*, That nothing herein contained shall be held or construed to modify or repeal any of the provisions of the act of Congress approved December 19, 1913, granting certain rights of way to the city and county of San Francisco.

Mr. ANDERSON. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 38, line 8, after the words "San Francisco," strike out the period and insert a colon and insert the following language: "*Provided further*, That section 18 of an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved August 8, 1917, is hereby repealed."

Mr. ANDERSON. Mr. Chairman, the rivers and harbors appropriation act approved August 8, 1917, authorized the President to appoint a commission consisting of seven persons, upon which commission the rivers and harbors act conferred very great powers with respect to water powers.

Mr. CURRY of California. Mr. Chairman, I reserve the point of order on the amendment.

Mr. ANDERSON. Mr. Chairman, I make the point of order it is too late.

The CHAIRMAN. Debate having begun upon this amendment the Chair thinks the point of order comes too late.

Mr. CURRY of California. I do not think debate had begun. The amendment was read and the gentleman started off without an opportunity at all——

The CHAIRMAN. The gentleman from Minnesota was recognized and he had begun the debate.

Mr. CURRY of California. It is a question what you consider beginning debate. This is legislation and bad legislation.

The CHAIRMAN. The Chair thinking a point of order might be made against this amendment was watching so that a gentleman who might make it would be recognized. It was not made and the gentleman from Minnesota began to discuss the amendment, and it is now too late to make the point of order.

Mr. CURRY of California. I will call the attention of the Chair to the fact that I left the side of the gentleman from Kansas [Mr. LITTLE], and came over here on purpose to be in a position as soon as I could rise to my feet and get the eye of the Chair to make the point of order.

The CHAIRMAN. Does the gentleman from Minnesota make the point of order that the point of order made by the gentleman from California comes too late?

Mr. ANDERSON. I make the point of order that his point of order comes too late.

The CHAIRMAN. The Chair is obliged to sustain the point of order made by the gentleman from Minnesota.

Mr. ANDERSON. Mr. Chairman, as I was saying when the gentleman from California interposed the point of order, the river and harbor appropriation act of the last Congress provided for the appointment of a commission of seven persons to be appointed by the President.

The powers granted to this commission were very broad indeed. Many of them were practically identical with the powers granted to the commission created by the bill under consideration. For instance, among the powers given to the commission created by the recent river and harbor act was the power to

bring into coordination and cooperation the engineering, scientific, and constructive services, bureaus, boards, and commissions of the several governmental departments of the United States and commissions created by Congress that relate to study, development, or control of waterways and water resources and subjects related thereto. In addition, this commission was empower to formulate and report to Congress as easly as practicable a comprehensive plan or plans for the development of waterways and water resources of the United States for the purpose of navigation and for every useful purpose related to the use of water and water power, and recommendations for the modification or discontinuance of any project hereinafter or heretofore adopted.

It is clear that these powers granted to this commission are in conflict with the powers granted by this bill. I am told that at the time this amendment was adopted to the river and harbor act there was great question in the minds of the members of the House Committee on Rivers and Harbors as to whether such an amendment ought to be adopted. I am told that great pressure was brought to bear upon the members of the House from the other end of Pennsylvania Avenue to secure the insertion of section 18, creating this commission in the river and harbor bill of the last Congress. As a matter of fact, the commission created by this river and harbor act has never been appointed and probably never will be appointed. There is not any reason on earth for the continuance of that commission. It has power to spend $100,000, which I think the act itself appropriates, and it ought to be abolished, because if it ever should be appointed it will exercise powers in conflict with the powers exercised by the commission created in the bill and in conflict with the action as well as of advice.

Mr. FERRIS. Will the gentleman yield?

Mr. ANDERSON. I will.

Mr. FERRIS. As a matter of fact, the appropriation has lapsed anyway, has it not?

Mr. ANDERSON. I presume it has.

Mr. FERRIS. And the commission never has been appointed?

Mr. ANDERSON. It never has been.

Mr. FERRIS. Then why is not the gentleman entirely right as to repealing it?

Mr. ANDERSON. I am willing to repeal it, and I am willing to let it stand on the gentleman's statement.

The CHAIRMAN. The question is on the amendment of the gentleman from Minnesota [Mr. ANDERSON].

The question was taken, and the Chair announced that the ayes seemed to have it.

On a division (demanded by Mr. RAKER) the committee divided; and there were—ayes 94, noes 2.

So the amendment was agreed to.

Mr. CURRY of California. Mr. Chairman, I make the point of no quorum.

Mr. ESCH. Mr. Chairman, I move to insert, just preceding the amendment that has just been adopted, and following the words "San Francisco," line 8, page 36, the words "in the State of California."

The CHAIRMAN. The gentleman from Wisconsin offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ESCH: Page 36, line 8, after the words "San Francisco" and just preceding the amendment of the gentleman from Minnesota [Mr. ANDERSON], insert the words "in the State of California."

Mr. FERRIS. I want to inquire of the chairman if he thinks it was necessary to amend the title in order to show the repeal?

Mr. WALSH. It is not time to do that.

Mr. FERRIS. I think this is the time.

Mr. ESCH. Has the amendment been adopted?

The CHAIRMAN. The question is on the amendment of the gentleman from Wisconsin [Mr. ESCH].

The question was taken, and the amendment was agreed to.

Mr. ESCH. Mr. Chairman, I ask unanimous consent to revert to section 4, paragraph (a), page 6, line 12, and amend by striking out the word "navigation" and insert in lieu thereof the word "government," in order to make it consonant with other changes made in the bill.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ESCH: Page 6, line 12, strike out the word "navigation" and insert in lieu thereof the word "government."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was agreed to.

Mr. ESCH. Mr. Chairman, I ask unanimous consent to return to section 23, page 32, line 2, and ask that the word "to" before the word "interstate" be changed to the word "in.'

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to revert to page 32 for the purpose of offering an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ESCH: Page 32, line 2, strike out the word "to" before the word "interstate," and insert in lieu thereof the word "in."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. WALSH. We have got to get consent to return, first.

The CHAIRMAN. Is there objection to returning to page 32, as indicated. [After a pause.] The Chair hears none. The Clerk will again report the amendment.

The Clerk read as follows:

Page 32, line 2, after the word "property," strike out the word "to" and insert in lieu thereof the word "in."

The CHAIRMAN. The qustion is on the amendment offered by the gentleman from Wisconsin [Mr. ESCH].

The question was taken, and the amendment was agreed to.

Mr. ESCH. Mr. Chairman, I move that the Committee do now rise and report the bill with the amendments to the House, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MOORE of Pennsylvania, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 3184) to create a Federal power commission and to define its powers and duties, to provide for the improvement of navigation, for the development of water power, for the use of lands of the United States in relation thereto, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. ESCH. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The SPEAKER. The gentleman from Wisconsin moves the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. GOOD. Mr. Speaker, I ask unanimous consent to address the House for three minutes.

Mr. WALSH. Is a separate vote to be had on amendments?

The SPEAKER. The gentleman from Iowa asks unanimous consent to address the House for three minutes. Is there objection?

Mr. SUMNERS of Texas. Reserving the right to object, has the gentleman from Iowa [Mr. GOOD] in view any matter that has a bearing on the bill that is before the House now?

The SPEAKER. It is in regard to the parliamentary business of the House.

Mr. SUMNERS of Texas. I did not understand that the chairman of the Committee on Interstate and Foreign Commerce had completed putting the water power bill through the House on final passage.

The SPEAKER. It simply relates to the proceedings of the House. Is there objection?

There was no objection.

Mr. GOOD. Mr. Speaker, the conferees on the sundry civil bill, in regard to Senate amendment No. 91, have agreed to Senate amendment 91 with an amendment.

The presiding officer of the House had previously decided that the act creating the Department of Labor did not authorize this Employment Service. The Senate amendment provides as follows:

To enable the Secretary of Labor, pursuant to section 1 of the act approved March 4, 1913, entitled "An act to create a Department of Labor"—

And so forth.

To agree to that would be tantamount to the House agreeing that the decision formerly arrived at and adhered to by the House was erroneous, and therefore the conferees have agreed to the amendment of the Senate with an amendment, so that it will read as follows:

To enable the Secretary of Labor to foster, promote, to develop the welfare of the wage earners of the United States—

And so forth.

We strike out "pursuant to section 1 of the act approved March 4, 1913, entitled 'An act to create a Department of

Labor,'" but the rest of the Senate amendment is agreed to verbatim.

I make this statement now because I expect to ask for unanimous consent to dispense with the reading of the report and the amendment. The only other item covered by the report is one to correct an error made by the Senate in regard to rent. The bill as it passed the Senate provided rent for the State Department, whereas it should have been for the Treasury Department, just as it passed the House. It will require at least half an hour to read the statement and the report, and I make this statement so that the House will be informed as to the actual situation.

Mr. BLANTON. Mr. Speaker, will the gentleman yield for a question?

Mr. GOOD. Yes.

Mr. BLANTON. Did the conferees agree to the Senate appropriation of $400,000?

Mr. GOOD. Yes; to the entire amendment, excepting that it is modified as I have explained.

Mr. BLANTON. Will there be any effort on the part of the chairman of the Committee on Appropriations to have the deficiency bill passed to-night?

Mr. GOOD. Yes. I expect to try to have the deficiency bill passed to-night, provided the sundry civil bill goes through. If the sundry civil bill goes through I shall immediately call up the deficiency bill.

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. GOOD. I yield to the gentleman.

Mr. GARRETT. Let us have a very clear understanding about the deficiency bill. I know the gentleman agrees with me that that should be had. We want to consider the deficiency bill to-night?

Mr. GOOD. Yes.

Mr. GARRETT. If it is not going to be considered to-night, there is no use in considering the sundry civil bill. It will have to go over until to-morrow.

Mr. GOOD. I will say to the gentleman that if the sundry civil bill passes to-night I propose to call up the conference report on the deficiency bill; but if the sundry civil bill does not pass to-night I shall not call up the deficiency conference report until a quorum of the Committee on Rules is present and a rule can be had. If the conference report is adopted on the sundry civil bill, I propose to move that the House concur in Senate amendment No. 21 on the deficiency bill.

Mr. GARRETT. That is the procedure which the gentleman outlines. Does he know whether his side of the House will keep that sort of an agreement or not?

Mr. GOOD. I think the Speaker will recognize me to call it up and make that motion. That is as far as my agreement can go.

Mr. GARRETT. That report was made first, was it not? That deficiency bill came back before the sundry civil bill. Let us take that one first.

Mr. GOOD. No; I am not willing to take that one first. I am not willing to take it at all until a rule is had unless the sundry civil bill can go through, and I am only willing to do this because I think it is very important that the sundry civil bill should be passed to-night. I do not like to move to recede on Senate amendment 21, the deficiency bill, but I think it is so very important to pass this bill to-night, in order that all these various civil departments of the Government can function without violating the law, so far as Congress is concerned, that I am willing to do all I can to have both bills enacted into law.

Mr. GARRETT. Let me say to the gentleman that I do not favor receding on Senate amendment 21 on the deficiency bill. So far as there not being a quorum of the Committee on Rules present, of course the gentleman knows I am not responsible for that.

Mr. GOOD. I understand that. The gentleman has been here part of the time.

Mr. GARRETT. I wonder what the disposition is in dealing with the deficiency bill, whether points of no quorum are going to be made when we reach it?

Mr. GOOD. There is only one item in disagreement in the deficiency bill, and that is Senate amendment 21. The conference report as to the rest has been agreed to.

Mr. KITCHIN. The hospital item.

Mr. GOOD. The hospital item.

Mr. BLANTON. I object, until there is a printed copy of the conference report.

Mr. GOOD. I will say to the gentleman that the deficiency bill conference report is printed.

Mr. BLANTON. I mean on the sundry civil bill.

Mr. GARRETT. May I venture to suggest to the gentleman from Iowa that he ask unanimous consent now to consider the conference report on the sundry civil bill, and that at the conclusion of the consideration of that it shall be in order to consider the conference report on the deficiency bill?

Mr. GOOD. I will do that.

Mr. GARRETT. If the gentleman will make that request——

Mr. GOOD. Mr. Speaker, I present a conference report on the sundry civil appropriation bill, H. R. 6176.

The SPEAKER. The Clerk will report it by title.

The Clerk read the title of the bill.

Mr. GOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the conference report on H. R. 6176; and when that is acted upon by the House and a vote has been had upon the conference report, I ask then to take up for consideration the conference report on the third deficiency bill, H. R. 3478.

The SPEAKER. The gentleman from Iowa asks unanimous consent first that he may call up the conference report on the sundry civil bill, and after that is acted upon, the conference report on the deficiency bill. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, would the gentleman mind taking up the other bill first—the deficiency bill?

Mr. GOOD. No; I prefer to take up this one first.

Mr. BLANTON. I object, Mr. Speaker. I will not object if the other bill is taken up first.

Mr. GOOD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GOOD. I desire to know whether it is in order for me at this time to move to suspend the rules and adopt the conference report on H. R. 6176, the sundry civil appropriation bill?

The SPEAKER. At first blush the Chair thinks it is not.

Mr. GOOD. If it is in order, I desire to follow that procedure.

Mr. SEARS. Regular order!

Mr. GOOD. Mr. Speaker, I submit a conference report on H. R. 6176, the sundry civil bill, for printing under the rule.

The SPEAKER. The gentleman submits the bill for printing under the rule. The Clerk will report it by title.

The Clerk read the title of the bill.

The SPEAKER. Ordered printed under the rule.

Mr. MONDELL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. MONDELL. I rise to ask unanimous consent to make a very brief statement.

Mr. BLANTON. Mr. Speaker, I withdraw my objection, with the understanding that the deficiency bill is to be disposed of to-night. I understand that is the agreement.

Mr. GOOD. I will call it up. That is all I can do.

The SPEAKER. Is there objection?

Mr. TAYLOR of Colorado. Reserving the right to object, I want to understand what the request is. Is it understood that the deficiency bill shall come up to be considered to-night?

The SPEAKER. That is a part of the request.

Mr. TAYLOR of Colorado. Then I reserve the right to object.

The SPEAKER. The Chair will state the request of the gentleman from Iowa once more.

Mr. TAYLOR of Colorado. I want to ask the gentleman from Iowa what is the conference report on the deficiency bill? What is the action that you are going to take?

Mr. GOOD. The conferees are in disagreement on Senate amendment 21, which provides for the hospital at Chicago and the $1,500,000 fund that can be expended at the discretion of the Secretary of the Treasury.

Mr. TAYLOR of Colorado. They have been in disagreement on that for 10 days. What are they agreeing to?

Mr. GOOD. I have said to the gentleman from Tennessee that if the report on the sundry civil bill is acted upon to-night, I shall move that the House recede from its disagreement to Senate amendment 21 and agree to the same.

Mr. GARNER. Which concludes the matter.

Mr. GARRETT. All that the request of the gentleman from Iowa includes is that the conference report may be considered now under the general rules of the House.

Mr. GOOD. Yes.

Mr. TAYLOR of Colorado. The other day, when that was considered, the gentleman made a motion, which was held out of order, to defer action for consideration and the appointment of a commission. Now, has the Rules Committee or has the gentleman taken any steps toward bringing about a rule for the consideration of that proposition?

Mr. GOOD. I have done my best; I have labored with the Rules Committee, and submitted a rule with a request that they

report it, but I am advised that when the time came for final action the Rules Committee found itself without a quorum, and therefore no rule was to be obtained. I have followed the hospital matter to the last ditch, and we must act now if we are to pass the bills and have them become laws, as they ought to become laws to-day. But the gentleman understands that we can not have our own way in some of these matters. This bill carries over $600,000,000, and the deficiency bill carries $25,000,000. I am not willing to take on myself the responsibility of having these bills fail because I want legislation on one of them. I think it is a tremendous responsibility. I do not know what might happen, and while I would rather reach some other agreement in regard to these hospitals, I have done the best I can, and have been compelled to submit so far as the hospital item is concerned.

Mr. TAYLOR of Colorado. I want to say that it does seem a queer condition when there is absolutely nothing done under the law four months after it passed. It was supposed to be an emergency matter, and now they come in and endeavor to divert that fund for some other purpose. It seems to me it is a deplorable situation. I feel that I would be doing right and an act of justice by objecting, as far as this is concerned, but I do not want to take the responsibility if the House wants to go ahead.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. GOOD. Mr. Speaker, I ask unanimous consent that the reading of the report and statement be dispensed with.

The SPEAKER. The gentleman from Iowa asks unanimous consent to dispense with the reading of the report and the statement. Is there objection?

Mr. WALSH. Mr. Speaker, I shall have to object to that.

Mr. GARNER. It has been read once.

Mr. WALSH. We want to have it read again to know that it is the same statement.

Mr. GOOD. Mr. Speaker, I ask unanimous consent that the statement in regard to amendment 91 be read and the reading of the balance of the statement be dispensed with and the reading of the report be dispensed with.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the statement in regard to amendment 91.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the reports of the committees of conferences on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

H. R. 5227. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920; and

H. R. 6176. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

The message also announced, in compliance with House concurrent resolution No. 14, providing for a joint commission to confer with officials of the Commonwealth of Massachusetts relative to the contemplated observance of the three hundredth anniversary of the landing of the Pilgrims, the Vice President had appointed the Senator from Ohio, Mr. HARDING, and the Senator from Alabama, Mr. UNDERWOOD, members on the part of the Senate.

The message also announced that the Senate had passed the following resolution without amendment:

House concurrent resolution 16.

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 5227) entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920," the Clerk of the House of Representatives be, and he is hereby, authorized and directed to amend the title so as to read as follows:

"An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes."

THIRD DEFICIENCY BILL.

Mr. GOOD. Mr. Speaker, I call up the conference report on the bill (H. R. 3478) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes. Mr. Speaker, I move that the House recede from its disagreement to amendment 21 and agree to the same.

The SPEAKER. The Clerk will read the conference report.

The Clerk read the conference report, as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 21 to the bill (H. R. 3478) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, having met, after full and free conference have been unable to agree.

JAMES W. GOOD,
J. G. CANNON,
JAMES F. BYRNES,
Managers on the part of the House.
F. E. WARREN,
CHARLES CURTIS,
O. W. UNDERWOOD,
Managers on the part of the Senate.

Mr. GOOD. Mr. Speaker, I move that the House recede from its disagreement to Senate amendment numbered 21 and agree to the same.

The SPEAKER. The gentleman from Iowa moves that the House recede from its disagreement to amendment numbered 21 and agree to the same.

Mr. GOOD. Mr. Speaker, before the vote is taken——

Mr. CANNON. If the gentleman will yield, has the conference report been adopted?

Mr. GOOD. The conference report has been adopted on all items except Senate amendment 21. I think the House should know just what the situation is in regard to Senate amendment 21. Senate amendment 21 made mandatory the provision in the act of March 3, 1919, with regard to the purchase of the Speedway Hospital in Cook County, Ill.

Mr. Speaker, the act of March 3, 1919, entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanitarium facilities for discharged soldiers, sailors, and marines," after providing for the transfer of a number of Army hospitals at training camps that were being abandoned and providing for treatment of such soldiers, sailors, and marines in the Battle Mountain Sanitarium, at Hot Springs, S. Dak., authorized the Secretary of the Treasury to lease bed facilities for such soldiers, exceeding 1,000 beds. The act also authorized the purchase of the following hospitals, either by the building of new hospitals or the acquisition of hospitals already constructed, to wit, the purchase of the hospital at Corpus Christi, Tex., at a limit of cost not exceeding $150,000; the purchase of the Speedway Hospital at Chicago, Ill., at a limit of cost not exceeding $3,000,000; the construction of a hospital at Dawson Springs, Ky., at a limit of cost not exceeding $1,500,000; the construction of a hospital at Norfolk, Va., at a limit of cost not exceeding $900,000; the construction of a hospital in the District of Columbia or vicinity at a limit of cost not exceeding $550,000. For the acquisition of these and other hospital facilities, either by rent or purchase, there was appropriated by that act $9,050,000.

The deficiency bill carries no appropriation for acquiring hospitals. Senate amendment No. 21, however, provides that the Secretary of the Treasury shall acquire the Speedway Hospital as authorized in the act of March 3. It appropriates no money, the money for the acquisition of this hospital having already been appropriated under the terms of the act of March 3.

When the matter of the purchase of the Speedway Hospital was before the House on June 17 it was my purpose to prevent the expenditure of any of the money appropriated by the act of March 3 for the acquisition of hospitals. It seemed to me that the letter of the Secretary of the Treasury justified that course, and that no part of the appropriation made in the act of March 3 should be expended for the purchase of hospitals at the points named. The Secretary of the Treasury had pointed out that abundant hospital facilities already existed in practically every part of the United States. That being true, it seemed to me that in view of the condition of the Treasury and the heavy burden imposed upon the taxpayers the question of the building of additional hospital facilities could be postponed until a more thorough and more complete survey could be made with regard to the needs of the Public Health Service for hospital facilities.

Since the discussion previously had upon this subject I have given considerable time to the investigation of the hospital situation, so far as it relates to the Public Health Service. I was amazed to find that notwithstanding the showing made by the Secretary of the Treasury that no additional hospital facilities were needed by the Public Health Service that the ink was hardly dry on the act of March 3 until the hotel at Corpus Christi was purchased under the authority of the act of March 3. Why was this hospital purchased? I am unable to say. Was it

needed? Certainly not, according to the showing made by the Secretary of the Treasury, and most certainly the showing made by the Public Health Service did not justify its purchase.

In order to go to Corpus Christi, Tex., from the southeast and east and northeast one must pass through Houston, Tex. Under the act of March 3 the hospital at the Army camp at Houston was turned over to the Public Health Service. That hospital has 1,500 beds, according to the showing made at a recent hearing before the Committee on Appropriations, and yet there are only 22 patients in that hospital; but it has 5 nurses, 4 doctors, and 115 attendants. But the hospital at Corpus Christi has been purchased, and I assume by this time the money has been paid for it. At any rate, the Government is obligated to buy it, and the Government pays its obligations.

Notwithstanding the Secretary's letter that we have in the United States about 20,000 beds, with only about 2,500 patients, we find the Public Health Service anxious to proceed to buy land to build a hospital in the District of Columbia to cost $550,000. The act of March 3 provided for the location of this hospital on Government-owned land. But since the receipt of the letter from the Secretary of the Treasury, to which I referred in my remarks on June 17, I have received an estimate from the Secretary asking that the language contained in that act be amended so as to permit the purchase of the land in the District of Columbia for the purpose of erecting a hospital thereon. If there is any place in the United States where a hospital is not needed by the Public Health Department for the treatment of the discharged soldiers, sailors, and marines, it is in the District of Columbia, for there are a great many temporary buildings in the vicinity of Washington, constructed for war purposes, that are available for hospital purposes. Since the enactment of the act of March 3, to which I have referred, the Public Health Service has leased for a period of five years at a monthly rental of $3,000, or $36,000 a year, a rental that no one can justify, the property known as Mount Alto Inn for hospital purposes.

At Norfolk, Va., where it is proposed under the appropriation carried in the act of March 3 to erect a hospital at a cost of $900,000, we find the department busily engaged in the acquisition of lands and in the preparation of the plans to build a hospital at this point. Why? Is a hospital needed there? Certainly not. It is urged that a hospital is desired there because of the importance of Norfolk as a shipping point. There are more Government hospital facilities in the vicinity of Norfolk than there are in the great city of New York, where it is only contemplated to expend under the act of March 3 $225,000 for the purchase of the House of Relief with 100 beds.

At Dawson Springs, Ky., where it is proposed to build a hospital to cost a million and a half dollars, plans are being prepared for the construction of this hospital with great care and unusual rush. Why? No hospital is needed there. This hospital will be located a comparatively short distance from Louisville, where within a few weeks the Army hospital at Camp Zachary Taylor, with 1,000 beds, can be turned over to the Public Health Service.

It is well known that a great many of the Army camps were located in this section of the country. Hospitals were constructed in connection with all of them. The hospital at Alexandria, La., with 1,500 beds, has been turned over to the Public Health Service. Yet that hospital has only 14 patients, 5 officers, 54 attendants, and 4 nurses. At Augusta, Ga., the hospital contains 1,498 beds, but it has only 22 patients, 3 officers, 17 attendants, and 4 nurses. At Greenville, S. C., the hospital with 1,500 beds has but 329 patients, with 14 officers, 228 attendants, and 25 nurses. At Jacksonville, Fla., the hospital with 1,500 beds was available.

So far as I know, no persons have made application for hospital service there and no one admitted there; and yet with all the rush and speed under which any department was working to win the war the Treasury Department and the Public Health Department are now apparently pushing ahead to acquire these hospitals at Corpus Christi, at Dawson Springs, Ky., in the District of Columbia, and at Norfolk, Va. Apparently there is some fear that the act of March 3, 1919, might be modified or repealed before the Government could obligate itself for hospital facilities or the money appropriated by the act of March 3 could be spent for hospitals at each of these places. Now it is urged that all these hospitals be acquired at once, except the hospital at Chicago.

For some reason that I am unable to explain the Public Health Service has entirely changed its point of view with regard to the need of hospital facilities at Chicago, and now insists that the only thing that is needed there at the present time and for the next two years is for the Public Health Service to take over the naval hospital at the Great Lakes Training Station, having a capacity of 1,200 beds. This, too, notwithstanding the fact that the Surgeon General had previously most warmly recommended the acquisition of the Speedway Hospital, and the officers in charge of the Public Health Service in the city of Chicago have likewise strongly recommended its purchase.

Now, what is the situation with regard to the hospital at Chicago? I find that the only hospital in the city of Chicago under the Public Health Service on June 9 had 150 beds, with 195 patients in that hospital. And the telegrams from that city show that all of the hospitals there are full to capacity. The strangest thing that has occurred before the committee for a number of years, in my opinion, was the change of the attitude of the Public Health Service with regard to hospital facilities in Chicago.

While this department felt that it was absolutely necessary to build new fireproof hospitals in the temperate climate of Norfolk and Washington, and Dawson Springs, and Corpus Christi, where in each case abundant hospital facilities existed in the vicinity, and while it is proceeding with great haste to acquire them, yet in the city of Chicago, where the mercury frequently registers as low as 30 degrees below zero in the wintertime, it was seriously contended that a frame hospital was all that was needed. The building at the Great Lakes Training Station is a two-story frame building, and is of the cheapest possible construction. It is built entirely of wood, even the interior walls are constructed of wood. Yet the Public Health Service claimed before the Committee on Appropriations that the buildings constructed in the city of Washington, on the Plaza, were unfit for hospital uses because of the fire hazard. Yet these buildings are of hollow tile construction. It was especially urged by the Surgeon General that if used at all only the first floor could be used for hospital purposes, because it would be dangerous to place patients on the second floor of a building constructed of such inflammable material. Yet in Chicago, where the department has but one hospital of 150 beds, with 195 patients in that hospital, a frame two-story building was not too inflammable for the patients who might be sent to the hospital, and the Secretary of the Treasury is asking legislation to turn that frame hospital over to the Public Health Service. Certainly if a frame building in Chicago is good enough for the discharged soldiers, sailors, and marines, a frame building for hospital purposes is good enough for the discharged soldiers, sailors, and marines in Virginia, in Kentucky, in the District of Columbia, and in Texas. I do not propose knowingly to permit favorites to be played in this way. Hence I asked the Rules Committee for a rule making in order a provision as an amendment to Senate amendment No. 21 that would prevent the spending of a cent under the act of March 3 in the way of acquiring hospitals until after an investigation by Congress.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. I am sure the gentleman will recall that Dr. Blue stated that the buildings on the Plaza in the District of Columbia were not so arranged that they could be used for hospital purposes.

Mr. GOOD. Yes, that is true; but he also said they could not use the second floor, for the reasons I have stated, and that is the point I am making. But they now proposed to use this frame hospital at the Great Lakes Naval Training Station, which is a two-story building, constructed entirely of wood, with the sides nailed to wooden studdings, and ceiling nailed to the wooden studdings on the inside. And they expect to use this for a period of two years, and at the same time are rushing with all possible speed in the acquisition of lands and the building of hospitals in the District of Columbia, Dawson Springs, Ky.; Norfolk, Va.; and Corpus Christi, Tex., in order to build fireproof hospitals to take the place of frame hospitals that are already available. Unquestionably the fire hazard would be much greater in an inflammable building, where it would be necessary to use a great amount of fuel in order to heat the buildings during cold weather of the winter, than it would be in like buildings at Corpus Christi and at Norfolk, and even in Washington and at Dawson Springs, where winters are not severe.

In this connection let us try and keep in mind the entire picture. When the act of March 3 was passed there was no obligation on the part of the Government to buy, build, or take over any hospital in the District of Columbia, or Dawson Springs, or at Norfolk, Va., or at Corpus Christi, Tex. But this can not be said with regard to the Speedway Hospital.

Since the former discussion on this subject on the 17th of June, I have read the hearings taken under Senate resolution 386, and I must confess that I do not see how the United States can escape the payment of the equitable claim of the builders of the Speedway Hospital. I find that the construction of that

hospital was originally commenced because of a request of Secretary Baker to look into the project. I find that afterwards the project was investigated and recommended by the Surgeon General of the Army, that its construction had been recommended by Gen. Marshall, the Chief of Construction, who stated that at the price of $2,500,000 for which the hospital was to be built the Government would be getting the land and the building at $127,000 less than the Government's estimate of the value of the land plus the cost of the construction of the hospital. The Speedway Hospital was also approved by Gen. Jervey, Director of Operations; it was cleared by the War Industries Board; the price of the land was approved by the Division of Purchase, Storage, and Traffic, and subsequently, after the building was well underway, and on September 27, 1918, it was disapproved by the Acting Secretary of War. If the action previously taken by Congress to pay the equitable claims of persons and concerns furnishing war material under contracts that had not been legally executed shall apply to a case like this, then I undertake to say that Mr. Hines and the Shank Co. have an equitable claim against the Government, the extent of which I would not attempt to say, for the building of a hospital under a contract that was dictated in the War Department by an officer of that department. I do not believe that Mr. Hines or the Shank Co. have any claim against the Government for work done subsequent to September 27, but I do believe they have an equitable claim for the work done and the material purchased up to that date. I do not know whether it would be more equitable to acquire this hospital and use it temporarily or to pay this equitable claim.

Hence, it was my opinion that we should not proceed further in the acquisition of any of these hospitals until the matter could be thoroughly investigated by a congressional committee. I asked for a rule to bring about this condition. But by a filibuster in that committee it found it was without a quorum, and was unable to report out the rule which I had requested. Hence, we find ourselves in the embarrassing position of being compelled to accept Senate amendment No. 21, which directs the Secretary of the Treasury to purchase the Chicago hospital, which seems to be needed, but which the department does not wish to purchase; and what is more, we are prevented from reporting out legislation to prevent the acquisition of hospitals at Corpus Christi, Tex.; Norfolk, Va.; Dawson Springs, Ky.; and in the District of Columbia, where no hospital facilities are needed.

No one denies the need of additional hospital facilities in the Chicago district. The Surgeon General of the Public Health Service proposes to meet this need, first, by the utilization of the Cooper-Monotah Hotel, which will hold about 500 patients, and the utilization of the wooden buildings at the Great Lakes Naval Training Station, which will hold about 1,200 patients. Without the utilization of the wooden buildings at the Great Lakes Naval Training Station unquestionably there is not enough hospital facilities in the neighborhood of Chicago for the Public Health Service. This fact is admitted by all.

Again, in this connection, I am unable to understand the Public Health Service or the Secretary of the Treasury. At the hearings held on the 24th of June on this very subject the Surgeon General of the Public Health Service, although having previously recommended the acquisition of the Speedway Hospital, stated that he felt at that time it would be unwise to acquire the Speedway Hospital, because it was too large. Yet under date of June 13, 1919, the Secretary of the Treasury, in a letter to me, states:

Since dispatching to you my letter concerning the Speedway Hospital project a memorandum has come to my desk from James A. Wetmore, acting supervising architect, stating that "the working drawings for the hospital are now nearing completion" and pointing out that to complete the scheme as desired by the Public Health Bureau will necessitate an additional appropriation of $1,915,000, as follows:

Two attendants' quarters	$260,000
One nurses' quarters	230,000
One officers' quarters	230,000
Shops and garage for 20 or 25 cars	120,000
Additional administration building	120,000
Commanding officers' quarters	15,000
Chapel and mortuary	40,000
Improvements in main buildings	600,000
Buildings for recreation and training personnel	300,000
Total	1,915,000

It should also be stated that with this expenditure of $1,915,000 in addition to the $3,000,000 originally appropriated the Public Health Service will acquire 835 additional hospital beds and not a maximum of 2,500 beds or a minimum of 2,000 beds, as contemplated by this hospital project as originally presented to the War Department.

If the Speedway Hospital is too large, then why in the name of common sense is it necessary to add two attendants' quarters costing $260,000, one nurses' quarters costing $230,000, one officers' quarters costing $230,000, shops and garage for 20 or 25 cars costing $120,000, additional administration building costing $120,000, commanding officers' quarters costing $15,000, chapel and mortuary costing $40,000, and buildings for recreation and training personnal costing $300,000. It was the statement of Gen. Blue that all of these activities could be housed in this main building, a structure almost half a mile long, and being so constructed that it can be divided not only to take care of all of the hospital needs but to provide quarters for attendants, nurses, and officers, administration, and so forth. If it is too big, why is an estimate made to make it bigger? I must confess that when I am confronted with such unbusinesslike propositions as this I almost lose faith in the position I took on the 17th of June, when I followed the Secretary of the Treasury and the Public Health Department. But when I took that position I had no idea that with the Secretary's letter before me and before Congress that we had more than enough hospital facilities that he would immediately proceed or permit the Public Health Service to immediately proceed with this unprecedented speed for the acquisition of all these additional hospital facilities in the Southern States.

Mr. AYRES. Will the gentleman yield?

Mr. GOOD. I will.

Mr. AYRES. In view of all the gentleman has said, would he advise the House to vote for this amendment?

Mr. GOOD. I am compelled to ask the House to agree to the amendment.

Mr. BYRNES of South Carolina. I do not desire to ask a question, but I do desire to ask the gentleman if he will yield me some time in opposition.

Mr. GOOD. How much time does the gentleman want?

Mr. BYRNES of South Carolina. I want about 15 minutes.

Mr. GOOD. I will yield to the gentleman.

Mr. JOHNSON of Washington. Will the gentleman yield for a question?

Mr. GOOD. I will.

Mr. JOHNSON of Washington. What would happen if this deficiency bill is not passed for a day or two or a week?

Mr. GOOD. This will happen; the same that has been happening, and that ought not to happen with congressional sanction, and that is the payment of money out of the Treasury of the United States when no appropriation has ever been made. The Constitution prohibits a thing of that kind, and this appropriation bill has been hung up for 10 days because the conferees could not agree upon Senate amendment 21. The deficiency bill carries the longevity pay for school-teachers and appropriations for other Government employees. The school-teachers are now leaving on their vacations. Certainly no one would justify action upon our part that would indefinitely hold up these appropriations. This bill carries many appropriations for worthy objects and should pass with as little delay as possible. It does not carry one dollar for these hospitals.

Mr. RAKER. Will the gentleman yield? I am very much interested in what the gentleman has said, for he has put it in a very clear way. Could not the House by resolution extend these appropriations for 30 days and then this question to which the gentleman calls the attention of the House could be disposed of in a proper way?

Mr. GOOD. Of course, a continuing resolution could be enacted as applied to the sundry civil bill, but not as to the deficiency bill. The gentleman understands very well that we could never reach the items in the deficiency bill by a continuing resolution. And so far as the sundry civil bill is concerned that was enacted for the fiscal year ending June 30, 1919, it carries more than three times the amount that this bill carries; and if we were to continue one-twelfth of the appropriations in that bill for the month of July, this year, the waste that would result in that action alone would be sufficient to more than pay for the Speedway Hospital.

Mr. LAGUARDIA. Will the gentleman yield for a question?

Mr. GOOD. I will.

Mr. LAGUARDIA. This bill can not become a law until it is signed. Now, the Rules Committee should be on the job when we reconvene; and why could not a rule be brought in and the bill passed at that time, and not incur the risk of all this waste of money over the country.

Mr. GOOD. We propose to adjourn for one week and——

Mr. LAGUARDIA. Then this bill can be signed and become a law.

Mr. GOOD. I have nothing to do with that. I understand the President's advisers feel that the President can cable his approval to these bills. I do not think so. But that is not up to the House. That is not the responsibility of the House. The responsibility of the House is to pass these appropriation bills before the beginning of the next fiscal year. Then if the

President is not here to sign them, and the money is not available to carry on the activities of the Government, the responsibility for the failure is not ours; it is the President's.

Mr. LAGUARDIA. True.

Mr. GOOD. And our responsibility does not end until we do that.

Mr. LAGUARDIA. And in the meantime this waste of $9,000,000 for hospitals will wait.

Mr. GOOD. The gentleman must understand that neither of these appropriation bills carry any money for the hospitals. That money was all appropriated in the act of March 3, and what I have attempted in these bills is to get legislation to hold up all of the appropriations contained in the act of March 3. Part of this money has already been expended, and so far as every hospital described in the bill is concerned, excepting the Speedway Hospital, unquestionably the Government's obligation will be made for its acquisition very shortly unless the Rules Committee could be convened in order to report out a rule making in order the legislation which I have sought.

Mr. LEVER. Will the gentleman yield for a question?

Mr. GOOD. I will.

Mr. LEVER. As I understand the gentleman's position, he is unalterably opposed to amendment No. 21 as it now stands, but he finds himself in a situation in which he can not have what he thinks is a just proposition——

Mr. GOOD. No; I will say to the gentleman that I have been trying to make plain this one thing: I am objecting more to the proposition of building a hospital at Norfolk where there is no need for it; of building a hospital at Dawson Springs where they do not need it, with 1,000 beds available within a couple of weeks in the hospital at Louisville; of the building of a hospital in the District of Columbia, costing $550,000, where they do not need it, with the hospital at Perryville to be opened in a couple of weeks, and with the renting of Mount Alto Inn; of the purchase of a hospital at Corpus Christi, where, as I have completely demonstrated, there is absolutely no need for it. I say I am more opposed to the building of these hospitals where they do not need them than I am to the acquisition of the Speedway Hospital, where the Government has already incurred an obligation and where additional hospital facilities are unquestionably needed.

Mr. LEVER. The point I am trying to get at is this: I think the gentleman in his latter statement says he is not friendly to this entire proposition; that he made every effort to put himself into the position to do what he as the chairman of the Committee on Appropriations, handling the appropriations for the Congress, would be satisfied with, but that he finds that another committee of this House, controlled by an overwhelming majority of his party, on account of the lack of a quorum has absolutely hamstrung and hog-tied him.

Mr. GOOD. I will say to the gentleman if he wants to bring that matter up that the Rules Committee met this afternoon. There was a quorum present until the members of the gentleman's own party refused to vote, and broke the quorum. [Applause on the Republican side.] It was not my party that broke the quorum and made it impossible to report out a rule. It was the action of the gentleman's party. I have been trying to keep politics out of this discussion. But, nevertheless, if the gentleman wants all of the facts known I am perfectly willing that they shall be known. And the facts are that it was the Democratic members of the Rules Committee that left the committee room and broke the quorum and prevented the reporting out of the rule.

Mr. LEVER. The Democrats are not in control of this Congress.

Mr. GOOD. That is true, but they have a responsibility, I think.

Mr. RAGSDALE. Had not the gentleman a quorum on his own side of the House, without depending on the Democrats, if the Republicans had been present?

Mr. GOOD. To be frank with the gentleman——

Mr. RAGSDALE. What is the number on the committee?

Mr. GOOD. Twelve.

Mr. RAGSDALE. Eight Republicans and four Democrats?

Mr. GOOD. That is my understanding.

Mr. RAGSDALE. If the Republicans had been there attending to their duties, a quorum would have been present.

Mr. GOOD. A quorum would have been present; yes. A quorum was present until that quorum was broken by the action of the Democratic members in leaving the committee.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The gentleman from South Carolina [Mr. BYRNES] is recognized.

Mr. BYRNES of South Carolina. Mr. Speaker and gentlemen of the House, the gentleman from Iowa has made a most excellent speech against his own motion, and if one-half of what he says is true there is no excuse for your concurring in the Senate amendment. When this proposition was up before, the gentleman from Iowa on the floor of this House stated:

> I am not willing, while I occupy the position of chairman of the Committee on Appropriations, to shirk my duty of trying to prevent an expenditure of an appropriation of $9,000,000 when the Secretary says to you and to me that he does not need it.

The chairman of the Appropriations Committee has been in conference twice since that time. Certainly it is violating no confidence, and I make no mistake, when I say that in the last conference no serious argument was made by the House conferees in behalf of the position taken by the House by an overwhelming vote when this proposition was last considered here. It was stated that a substitute motion was to be offered here. I expected to vote for that substitute motion. And now, at this time, for some reason unknown to me, the chairman has suddenly changed his mind, and instead of saving, as he said he would, this $9,000,000, instead of preventing this extravagant expenditure, and for no reason other than that we may have a recess, he is asking you to reverse your position and vote for a proposition that he appealed to you to vote against just 10 days ago.

What reason is advanced? That the Rules Committee was not here. If members of the Rules Committee are absent today, they are not going to permanently remain away from this House. Why pass this bill to-night? What necessity demands it? Will we not be here to-morrow? Can we not get hold of the members of the Rules Committee? Can the bill be signed to-night? You and I know that it can not be. Will we advance one single step by passing this bill under the circumstances? You know that this bill can not be signed until next week, but for some unknown reason you are called upon to reverse your position and concur in this amendment. Now, what is it?

The gentleman from Iowa [Mr. GOOD] very unfairly and very inaccurately stated that the Secretary of the Treasury was anxious to build a hospital at some place in Virginia. He knew that was not so. He knew that it was no action of the Secretary of the Treasury that caused a hospital to be built there. This Congress passed a bill in the closing hours of the last session which directed the Secretary of the Treasury and the Public Health Service to build a hospital at Dawsonsprings, Ky.; Norfolk, Va.; and at other places. Now, is it fair to come in here and attribute this to the Secretary of the Treasury when he had nothing to do with it? The bill authorizing the construction of a hospital in Virginia was passed by you. The Secretary can only carry out the direction of Congress. Now, is it fair to make such an appeal here in order to induce you to stand for this proposition, which he has denounced time after time?

What was the provisions of that bill in so far as the Speedway Hospital is concerned? This Congress said to the Secretary of the Treasury, "You are to determine whether or not the proposition of the Speedway Hospital shall be accepted. You are to exercise that discretion." The Secretary of the Treasury called upon the Supervising Architect to ascertain whether it could be transformed into a hospital suitable for the Public Health Service. The Supervising Architect has not yet finally reported, but in his preliminary report he says it will cost $1,900,000 more than the Congress appropriated.

And while the Secretary, pursuant to the act of Congress, is endeavoring to determine whether or not the plans can be redrawn so as to bring the cost within the $3,000,000 limit the Senate inserts this amendment, which says, in effect, to the Secretary of the Treasury, "We told you to exercise your discretion. You say you are investigating the matter and that you want to protect the taxpayers of the country and do the right thing, but we, the Congress of the United States, take back from you the discretion we placed in you and, without having one bit of information, command you by this Senate amendment to accept this Speedway proposition. Will you do it?"

Mr. GREEN of Iowa. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. GREEN of Iowa. Does the gentleman want an answer to the questions he has asked with reference to the charge against the Secretary of the Treasury of hastening these buildings?

Mr. BYRNES of South Carolina. Yes.

Mr. GREEN of Iowa. Then I will answer it this way: The gentleman knows perfectly well that when we passed the bill at the former session of Congress it was put up to you and to me on your side that if we did not pass it we would be judged to be against the interests of the wounded soldiers, and you know now that that statement was not correct.

Mr. BYRNES of South Carolina. Did you vote for it?

Mr. GREEN of Iowa. No; I was opposed to it.

Mr. BYRNES of South Carolina. Did you vote against it?

Mr. GREEN of Iowa. No. There was no opportunity for me to vote.

Mr. BYRNES of South Carolina. Why wasn't there? Who disfranchised you in this House? [Applause.]

Mr. GREEN of Iowa. Do you say on your side that we were not willing to provide for the soldiers?

Mr. BYRNES of South Carolina. No; I am not talking about that.

Mr. GREEN of Iowa. No; you are not talking about that.

The SPEAKER. The gentleman will suspend a moment. Gentlemen must observe the rules of the House and not address each other in the second person.

Mr. BYRNES of South Carolina. Both sides of the House clamored for that Public Health Service hospital bill. Gentlemen on that side of the House advocated it. We all know they did, as did gentlemen on this side of the House. My friend from Illinois [Mr. CANNON] properly said, in closing that debate, in opposing it, that "gentlemen were looking after the interests of the back yards of their districts instead of the interests of the taxpayers of the United States." That was true. He said it, and the gentleman from Iowa [Mr. GOOD] said so, and I agree with him. But the difference between us is that he deserts our cause and now wants to concur in this amendment which he has up to this moment opposed. You were right then if you opposed it and you are wrong now if you favor it.

Mr. DENISON. Mr. Speaker, a point of order.

The SPEAKER. What is the gentleman's point of order?

Mr. DENISON. The gentleman is addressing the gentleman from Iowa personally.

Mr. BYRNES of South Carolina. No; I was addressing my good friend from Illinois [Mr. CANNON] and all other gentlemen on this side of the House.

The SPEAKER. What is the gentleman's point of order?

Mr. DENISON. The point of order is that the gentleman from South Carolina was addressing the gentleman from Iowa in a personal way.

Mr. BYRNES of South Carolina. I have no desire to be personal. I want to call attention to another thing here. Senate amendment No. 21 provides that $1,500,000 that never was available to buy lands on which to construct hospitals before this shall, by this provision, be made available for new construction, and I understand the object is to have a new hospital built at Colorado Springs, Colo. The gentleman from Iowa says there is no necessity for it and yet moves to concur. There is no necessity for it. In the original bill it was called an emergency fund, and it was put in there for the purpose of enabling them to take over some hotel property that might be used, when the clamor was made that we did not have sufficient beds to take care of wounded soldiers and sailors, and now when there is no necessity for it, and the gentleman from Iowa proves to you we have thousands of beds that we have no use for, he moves to make this million and a half available for new construction.

Mr. TINCHER. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of South Carolina. No; I can not yield.

Mr. TINCHER. Just for a question.

Mr. BYRNES of South Carolina. No; I regret I can not yield. At this time when there is no necessity, the Senate puts in here a provision making available for the purchase of land and the construction of new buildings that emergency fund of $1,500,000, and while you are here condemning extravagance, you are to-night going to be extravagant to the extent of $1,500,000 more than was the Congress in the closing days of the last session. The gentleman from Iowa [Mr. GOOD] criticizes that bill as extravagance. It was. But even that bill did not make this $1,500,000 available for new construction, and he now proposes to do that.

After arguing that none of these hospitals are needed, the gentleman from Iowa [Mr. GOOD] asks you to agree to build the Speedway Hospital, and then for good measure to spend a million and a half of dollars in addition to what he says you have already thrown away. The gentleman from Wyoming [Mr. MONDELL] will plead for economy, and then the chairman of the Appropriations Committee will plead with you to forsake your economy. I care not what may be said here; I appeal to the gentlemen on this side of the House not to vote to concur in this Senate amendment. The Secretary of the Treasury has made an honest effort to protect the taxpayers of the country against this raid. He is doing his best to comply with the act of Congress. If the original act was unwise legislation, then repeal it. You can bring your Committee on Rules together here next week. Repeal that bill, if you will, but do not pretend that we are trying to save money and then throw away a million and a half in this item and $4,000,000 on the Speedway Hospital. That is the queerest appeal for economy that I ever listened to. I appeal to gentlemen on the Democratic side of the House. You said to the Secretary of the Treasury, "We commission you to go and investigate this matter. We rely on you to protect the interests of the taxpayers." He is doing that. Now you are going to say to him, "We gave you that discretion, we believe you are honestly trying to exercise it, but you are not going to put a hospital in somebody's back yard," as my good friend from Illinois says, "and therefore we take it away from you, and without knowing a single thing about it, we vote to throw away the people's money here to-night"?

I appeal to you not to adopt the motion to concur. Let us go back into conference. You know the unwritten law of conference. The House proposing the legislation on an appropriation bill should recede. This is legislation on an appropriation bill. If an honest, firm effort is made the Senate will recede on this proposition. I stake my reputation that this House will never forgive itself if it indulges in the extravagance asked for by the chairman of the Committee on Appropriations to-night. Following his leadershp you overwhelmingly voted against this amendment. Do not stultify yourselves. Stand by him as he stood two weeks ago and not as he stands to-night. [Applause.]

Mr. TAYLOR of Colorado. I will ask the gentleman for some time.

Mr. GOOD. I will yield five minutes to the gentleman from Colorado.

The SPEAKER. The gentleman from Colorado is recognized for five minutes.

Mr. TAYLOR of Colorado. Mr. Speaker, this is the strangest situation, the most remarkable exhibition I have ever witnessed during the over ten years that I have been a member of this House. The Secretary of the Treasury of the United States comes before Congress and says to you, on pages 1312 and 1313 of its CONGRESSIONAL RECORD of June 17, 1919, that the Public Health Service does not need any more hospitals; that there are some 15,000 idle beds now in good hospitals, and that there will soon be 30,000 idle beds. The chairman of the Committee on Appropriations [Mr. GOOD] made a magnificent, patriotic, splendid speech on this floor on June 17, saying that you would be absolutely throwing away $9,000,000 if you agreed to this identical Senate amendment No. 21. The House stood by him by a vote of 219 to 92. On page 1310 of the RECORD of that day he said:

> Let us keep in mind that during the next two years, without repealing a single tax law in the United States, you will expend all the money provided for by taxation and you will have to borrow more than $7,000,000,000 to pay the actual expenses of the Government, and because of the war, and I want to present this matter to you as a business proposition. I am embarrassed in presenting it. Chicago is at my front door, 200 miles from my home, and I have as much interest in the soldiers of Iowa and in seeing that they get proper hospital facilities as any man from Kentucky or Tennessee can possibly have in the discharged soldiers from his State, but I am not willing while I occupy the position of chairman of the Committee on Appropriations to shirk my duty of trying to prevent an expenditure of an appropriation of $9,000,000 when the Secretary says to you and me that he does not need it.
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> Fifteen thousand beds to-day to accommodate less than 2,500 honorably discharged soldiers and sailors! Just think of that, and that we are seriously thinking of ordering more hospitals. We have just concluded hearing the Bureau of Public Health, and they say that next year they estimate they will have about 10,000 of these soldiers and sailors in the hospitals at one time, and the Secretary of the Treasury says that more than 30,000 beds will be available without building a single additional hospital, without taking over the hospital in Boston, without occupying the hospital in Pennsylvania, and I have no doubt that there are a great many of these hospitals that will be available. While I am willing to appropriate any sum to care for these honorably discharged soldiers and sailors, I am not willing to vote to take out of an empty Treasury $9,000,000 to build hospitals for which we have no need——
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> There are, or soon will be, more than 30,000 beds available for the Public Health Service to take care of these boys that are discharged from the Army and naval service of the United States; and if these hospitals are filled, as estimated by the Surgeon General in the Public Health Service, you will have only 10,000 men for 30,000 beds. [Applause.] And seriously you ask here that an appropriation of $9,000,000, wrung from the taxpayers, who are getting very weary of paying taxes, shall now be expended in the doing of what? The building of more hospitals in the United States.

And in the face of that speech the chairman now comes back here and asks this House to absolutely stultify itself and brazenly throw away $9,000,000 of the people's money. It seems to me if you now reverse yourself and adopt this Senate amendment you are making a mockery of economy and a mockery of the rights of the people by flagrantly squandering their money.

I do not care where the money goes for these hospitals, whether it is North or South or East or West, we have no right to profligately waste it for hospitals we do not need, and it is an outrage to jam this infamous Senate amendment through in this way and try to cram it down our throats to-night. I am

not surprised at the members of the Committee on Rules absenting themselves. It seems to me they are amply justified in hiding out, if they are, when you try to force upon them a rule which permits this kind of thing. For these reasons I feel that this House, if you force the Treasury to squander $9,000,000, will simply disgrace itself before the American people, and with your eyes wide open. There is no use trying to make an excuse by saying that because there is some waste of money somewhere else you are justified in coming here and throwing away $9,000,000 more. That is what it means, and there is no use shirking it or trying to explain it. It seems to me the very explanation of the chairman of the committee is sufficient to condemn the matter and to make every honest man on the floor of this House vote against this amendment, and I certainly hope they will. [Applause.]

Mr. GOOD. Mr. Speaker, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, my young friend from South Carolina is always eloquent, sometimes he is funny, and he was very funny to-night as he endeavored to persuade gentlemen on this side of the House that we were squandering the public money. Why? Because we are proposing out of the great sums of money that are to be spent for hospitals to have one good one, one fine, first-class, up-to-date, fireproof hospital, splendidly located in the largest city in the interior of the country. That is the indictment of the gentleman from South Carolina. He is not satisfied, apparently, because all of the hospitals are not along the Mexican border and down among the rivers and bayous of the south Atlantic coast.

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. MONDELL. I will—I have only five minutes—if the gentleman will be very brief.

Mr. BYRNES of South Carolina. Does the gentleman know that under this bill the hospital had to be built at Chicago; either a new one or this Hines hospital taken over?

Mr. MONDELL. I knew that.

Mr. BYRNES of South Carolina. And then it makes no difference whether you kill this or not, the hospital will be built.

Mr. MONDELL. Apparently, it will not if the Secretary of the Treasury can divert the money from that hospital elsewhere.

Mr. BYRNES of South Carolina. I defy the gentleman to name a single case where he has ever diverted any money.

Mr. MONDELL. When this matter first came before the House I said on the record as it then stood I did not believe we could afford to agree to the Senate amendment. I agreed with the gentleman from Iowa that all this hospital construction should be held up until we could investigate it. Gentlemen on the other side refused to allow us to do that, and we must either accept the Senate amendment or this deficiency bill, carrying many millions that are so badly needed, will fail. At the same time I made that statement I said I did not think the House could afford to vote for the amendment on the record, but that I had mental reservations as to the truth of the record. I could have put it very much stronger than that; I did not entirely believe that record and I do not now.

I believe now, as I believed then, that the Speedway Hospital was a first-class proposition, but I have preferred not to compel the Secretary to take it while he was making statements adverse to it without giving an opportunity for examination. You gentlemen on the other side would not give an opportunity for examination, so we will take the hospital. This hospital has been approved on several occasions by the Public Health Service and by officials close to the Secretary of the Treasury. It is a splendid building. There is not a finer one for hospital purposes anywhere. It will not cost $1,900,000 to complete it. It might cost $1,900,000 to build the buildings that the Public Health Service said they would like to have in connection with it. They could just as well say it would cost $10,000,000 more for additional buildings that could be built in the vicinity.

Mr. SCHALL. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. SCHALL. The hospital is 60 per cent completed now and the claim against the Government in equity would be equivalent to that amount of money. It is not a question of throwing money away, but of conserving the hospital, which is 60 per cent completed.

Mr. MONDELL. I do not know how far it is completed. I know that it is a magnificent building, splendidly adapted to the purposes, and it will not cost $1,900,000 to complete it unless we want to add many buildings to it. This Speedway Hospital is in the very center of the country where there are thousands and tens of thousands of men needing hospital facilities. [Applause.]

Mr. GOOD. Mr. Speaker, I yield three minutes to the gentleman from Pennsylvania [Mr. KREIDER].

Mr. TAYLOR of Colorado. Mr. Speaker, I ask leave to proceed for three minutes, in view of the statement of the gentleman from Wyoming [Mr. MONDELL], which impugned my motive. I ask to be allowed to say a word.

The SPEAKER. The gentleman from Iowa has control of the floor, and has already yielded three minutes to the gentleman from Pennsylvania.

Mr. TAYLOR of Colorado. Then I ask that I may have three minutes after the gentleman from Pennsylvania.

The SPEAKER. The gentleman can present his claims to the gentleman from Iowa.

Mr. KREIDER. Mr. Speaker, I simply rise to clear up what I believe to be a misapprehension on the part of the House. I want to say that when this bill was first passed I was opposed to it, and I wrote a minority report, in which I opposed the passage of the bill, because I believed then and believe now that it was not necessary to build these hospitals, but the bill was passed. This is the situation regarding the Speedway Hospital in Chicago: The War Department authorized, through its officials, the construction of this building. They were in a big hurry for it. At that time they believed they needed the building. The war had not yet ended, and work was begun upon it before the blue prints were even complete. The contractors were rushed on this work. This is the proposition now before us: The War Department is not going to need the hospital, and suspended work on it last fall. In the hospital bill passed on March 3 we provided for a hospital in Chicago, to be used by the Public Health Service. I understand that the Treasury Department feels that a hospital is needed in Chicago, and under the provisions of the hospital bill they are permitted to erect one, not to exceed a limit of cost of $3,000,000. This amendment directs the Secretary of the Treasury to take over and use the hospital which has been partially constructed and is now 60 per cent completed. Here is a photograph of the building. It is under roof.

The windows are all in, but it is not partitioned off. This hospital can be completed for two and a half million dollars and can be equipped for $500,000 as it was originally intended by the War Department it should be equipped, all within a total limit of cost of $3,000,000. I really do not believe the cost need exceed $2,500,000. The building is larger than is necessary, and the only thing they need is the power plant. They can use part of the hospital building for administration purposes, and need not erect a separate building for this purpose. Here is the whole proposition. By accepting this amendment we are directing the Secretary of the Treasury to take the building that was contracted for by the Secretary of War for the War Department.

Mr. BYRNES of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. KREIDER. No; I can not yield. I have only three minutes.

If the proposition could come before the House, as has been advocated by the chairman, Mr. GOOD, that all building on all of the hospitals should be suspended and the building of all the hospitals be referred to a committee to pass on the need of these hospitals, then there is a possibility of saving $9,000,000; but this amendment does not involve the expenditure of any such sum as $9,000,000, and it is only a question whether you want to settle with the contractors on a salvage basis or direct the Secretary of the Treasury to use this building for the Public Health Service. I think there is no question but that we are building more hospitals than are actually needed; yet it seems, under the circumstances, that if we are going to have a hospital in Chicago we should use the building which has been constructed. It will be cheaper and more sensible than to construct another.

Mr. GOOD. Mr. Speaker, I yield two minutes to the gentleman from Colorado [Mr. TAYLOR].

Mr. TAYLOR of Colorado. Mr. Speaker, reference has been made to the possibility of a hospital being purchased or built in Colorado, and that my State is an ideal place for one. There is no question but what Colorado is the best place in the world for a hospital, especially a tubercular hospital, and I would, of course, be delighted to have the Public Health Service select Colorado for its site of a large modern general hospital. But I do not want a hospital in my State bad enough to vote for a $9,000,000 raid on the Treasury like this, no matter where it is put.

If there was an emergency for hospitals when we passed the emergency appropriation for them on March 3 last, the Public Health Service ought to have gone ahead and purchased and used them. But now that they have waited four months and now learn that they don't need any, I am not in favor of forcing them to build any more.

My objection to the bill is placed on what the chairman of the committee himself said here on the 10th. It was an appropriation of $9,000,000 of money that he said was absolutely unnecessary, and the Secretary of the Treasury also said it was absolutely unnecessary, and they submitted figures to show it was utterly unnecessary, and this House voted that it was unnecessary. I feel we can not go before the country and honestly claim that we are trying to economize and save money for the taxpayers in the face of the Treasury Department reporting that $9,000,000 is unnecessary, and the chairman of the Appropriations Committee vigorously reporting it as unnecessary.

The SPEAKER. The time of the gentleman from Colorado has expired.

Mr. GOOD. Mr. Speaker, I am sure the gentleman from South Carolina [Mr. BYRNES] did not intend to make a misstatement in regard to this matter, because he does not indulge in that sort of thing. But I think he misspoke himself when he said that this Senate amendment would take $1,500,000 out of the Treasury. Neither part of this amendment appropriates a dollar out of the Treasury of the United States. The appropriation for the hospitals was carried in the act of March 3, 1919, and all of these hospitals were specified, excepting only the hospital or hospital facilities to be acquired under the provision of the second part of Senate amendment No. 21. The act of March 3 did carry $1,500,000 as an emergency fund for the purchase of land and buildings suitable for hospital and sanatoria purposes. The second part of Senate amendment No. 21 changes the language so as to permit the purchase of land and the construction of a building suitable for hospital and sanatoria purposes. The only difference in that respect is that by the terms of the original act the Secretary could buy land and buildings suitable for hospital purposes, whereas by the terms of the amendment he may buy the land and construct the building. But in neither case is it mandatory on the Secretary of the Treasury to expend this $1,500,000 if it is unnecessary. I understand it is intended to expend this appropriation of $1,500,000 at some point in Colorado for a tuberculosis hospital, and I want to commend the selection of Colorado for a tuberculosis hospital as contrasted with the location of one in Kentucky.

Mr. TAYLOR of Colorado. Why did not the gentleman say so?

Mr. GOOD. I have said so, and all amendment No. 21 does is to give the Secretary of the Treasury the right to locate such hospital wherever he pleases, and it does not appropriate a single dollar out of the Treasury of the United States.

Now, a word more regarding the Speedway Hospital. I can well understand how the friends of the Speedway project should urge the adoption of Senate amendment No. 21. The speed with which the Public Health Service is rushing the acquisition of these fireproof hospitals in the South, where they have plenty of wooden hospitals just as good as the one at the Great Lakes Naval Training Station, coupled with the suggestion that the wooden hospital at Chicago will be sufficient for two years, might well cause apprehension that the $3,000,000 appropriated for the Speedway Hospital may, if that hospital is not acquired, be expended in the construction of additional fireproof hospitals elsewhere. The letter of the Secretary of the Treasury which so plainly pointed out that there was no need for additional hospitals for the Public Health Service ought to have been a sufficient argument to the Public Health Service to postpone the acquisition of hospital facilities. But such was not the case. With all possible haste they are condemning land in Norfolk on which to build a $900,000 hospital, preparing plans for building a $1,500,000 hospital at Dawsonsprings, Ky., the Secretary himself wants authority to buy land in the District of Columbia on which to build a $550,000 hospital, and already he has expended $140,000 for a fireproof hospital at Corpus Christi, Tex.

Mr. AYRES rose.

Mr. GOOD. No; I can not yield. At Dawsonsprings title has already been acquired to about 5,000 acres of land on which to build this hospital for the treatment of tubercular patients. I have asked the Rules Committee for a rule making in order an amendment to Senate amendment No. 21 providing that no part of the money appropriated by the act of March 3 shall be expended and no obligations incurred for hospital facilities until after a congressional investigation and report. A quorum being broken in the Rules Committee, the question is whether the House shall longer hold up this great appropriation bill until a quorum of the Rules Committee can be had in order to favorably report a rule making in order legislation that affects an appropriation of the last Congress.

Mr. NICHOLLS of South Carolina. Will the gentleman yield?

Mr. GOOD. Just for a question.

Mr. NICHOLLS of South Carolina. Mr. Speaker, I have listened with a great deal of interest——

Mr. GOOD. I yielded for a question.

Mr. NICHOLLS of South Carolina. I want to ask the gentleman this: I voted with the gentleman before because the gentleman convinced me he was right. Now, what has happened since that time that convinced the gentleman that he was wrong? What has taken place to make the gentleman change his position since his last argument?

Mr. GOOD. I will say to the gentleman that I have not changed my mind upon this subject, and if I have changed my position at all I believe the facts in the case that I have already detailed sufficiently justify it. Let me call the attention of the gentleman from South Carolina [Mr. NICHOLLS] to the fact that the Secretary of the Treasury, over his own signature, approved the Speedway Hospital since the act of March 3. He disapproves it now. There is at least, therefore, high authority for any change that has come about in my own position. I will say to the gentleman that I have been forced to change my position in order to pass these appropriation bills. Unless I agreed to bring up the deficiency bill, objection would be made by the gentleman's side of the House to consider the sundry civil bill, carrying $604,000,000. This is the last day of the fiscal year. Unless we pass the sundry civil bill to-night, the various departments of the Government receiving their funds through the sundry civil appropriation bill will not have one dollar with which to transact business on to-morrow. I have attempted to secure unanimous consent to bring up the appropriation bill, and objection has been made on the gentleman's side of the House unless I would also agree to bring up the deficiency bill. The conference report on the deficiency bill has been agreed to; the only thing in dispute is Senate amendment No. 21. The Senate refuses to yield, and the only thing the House can do is to recede from its disagreement and agree to Senate amendment No. 21. Humiliated as I have been because of the failure of the Rules Committee to report out a rule, and actuated only by a desire to pass the appropriation bills within the limit of time, I have been forced to take this position. I believe, under these circumstances, the House should recede and concur in this amendment.

Certainly if it is necessary to replace the wooden hospitals in the South with concrete buildings, where hospital facilities are not needed, should not the same policy be followed in the acquiring of hospital facilities in the vicinity of Chicago, where everybody admits additional hospital facilites are needed. If a wooden hospital is too great a fire hazard in Kentucky, and Virginia, and Texas, and the District of Columbia in which to house our discharged soldiers, sailors, and marines, is it too much to say that that kind of a hospital is too great a fire hazard if located in the city of Chicago? Inasmuch as we are unable to secure a rule that will tie up the entire fund and prevent the making of additional contracts, then I submit there is really no use in trying to have this department of the Government attempt the practice of economy in the expenditure of money for hospital facilities. Nothing that we can do, of course, will save the money that has already been expended or obligated for these hospitals in Texas, in Virginia, and in Dawsonsprings. My reading of the hearings before the Senate committee has convinced me that a prejudice exists by some one in the War Department against the Speedway Hospital, and I am inclined to think this prejudice extends also to the Treasury Department, though perhaps not for the same reason. But as to that I have no concern. My only purpose in offering this motion is to secure the enactment to-night of the sundry civil bill. On the floor of the House I promised the gentleman from Tennessee [Mr. GARRETT] that if we were permitted to take up the sundry civil bill under unanimous consent and pass it I would then call up the third deficiency bill. The sundry civil bill has been disposed of with that agreement, and I now move that the House recede from its disagreement to Senate amendment No. 21 and agree to the same. I feel I have been entirely justified in this course. While I regret, of course, that a rule could not be had tying up the entire appropriation contained in the act of March 3, I do not believe I would be further justified in asking the House to still further insist upon its disagreement in view of the entire situation.

Mr. GARRETT. Mr. Speaker, inasmuch as the gentleman has abused the Rules Committee, can he give me a little bit of time?

Mr. GOOD. I have used all my time.

The SPEAKER. The gentleman has only one minute remaining.

Mr. GARRETT. I can say all I want to say in that time.

The SPEAKER. The gentleman from Iowa moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion to recede and concur in the Senate amendment.

Mr. TAYLOR of Colorado. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 134, nays 91, answered "present" 7, not voting 198, as follows:

YEAS—134.

Anderson	Esch	Lea, Calif.	Ricketts
Andrews, Md.	Focht	Little	Riddick
Andrews, Nebr.	French	Lonergan	Robsion, Ky.
Barbour	Garner	Luhring	Rodenberg
Barkley	Glynn	McArthur	Rose
Bee	Good	McGlennon	Rouse
Benham	Goodykoontz	McKeown	Rowe
Bowers	Graham, Ill.	McLaughlin, Mich.	Sanders, Ind.
Briggs	Green, Iowa	McLaughlin, Nebr.	Schall
Brooks, Ill.	Griest	MacCrate	Scott
Brooks, Pa.	Griffin	MacGregor	Siegel
Browning	Hadley	Magee	Sinnott
Burke	Hamilton	Mapes	Slemp
Campbell, Pa.	Haskell	Mason	Smith, Idaho
Cannon	Hawley	Miller	Smith, Ill
Chindblom	Hays	Minahan, N. J.	Smith, Mich.
Christopherson	Hernandez	Monahan, Wis.	Summers, Wash.
Classon	Hersey	Mondell	Sweet
Cleary	Hickey	Montague	Thomas
Coady	Hicks	Moore, Pa.	Thompson, Ohio
Cramton	Hoch	Moores, Ind.	Timberlake
Crowther	Holland	Morgan	Tincher
Cullen	Hudspeth	Mott	Towner
Currie, Mich.	Hull, Iowa	Newton, Minn.	Vestal
Curry, Calif.	Ireland	Newton, Mo.	Volgt
Darrow	Jefferis	Nolan	Volstead
Dempsey	Juul	Ogden	Wason
Denison	Kelley, Mich.	Parrish	Watson, Pa.
Dunbar	Kennedy, Iowa	Platt	Watson, Va.
Dupré	Kincheloe	Radcliffe	Webster
Dyer	Kinkaid	Rainey, J. W.	Williams
Echols	Kreider	Ramseyer	Wood, Ind.
Elliott	Layton	Reed, W. Va.	
Elston	Lazaro	Rhodes	

NAYS—91.

Alexander	Evans, Mont.	Lanham	Sears
Almon	Evans, Nebr.	Lankford	Small
Aswell	Ferris	Larsen	Smithwick
Ayres	Fisher	Lee, Ga.	Steagall
Bankhead	Foster	Lesher	Stephens, Miss.
Black	Gard	Lever	Stevenson
Bland, Mo.	Garrett	McDuffie	Strong, Kans.
Blanton	Goodwin, Ark.	McFadden	Sumners, Tex.
Box	Graham, Pa.	McPherson	Taylor, Ark.
Brand	Hardy, Tex.	Mays	Taylor, Colo.
Brinson	Hastings	Michener	Tillman
Byrnes, S. C.	Hayden	Nelson, Mo.	Venable
Byrns, Tenn.	Howard	Nicholls, S. C.	Vinson
Campbell, Kans.	Huddleston	Oliver	Walsh
Candler	Hull, Tenn.	Overstreet	Watkins
Clark, Mo.	Humphreys	Padgett	Weaver
Collier	Igoe	Park	Welty
Crisp	Jacoway	Quin	Wilson, La.
Dale	James	Ragsdale	Wingo
Davis, Tenn.	Jones, Tex.	Raker	Woods, Va.
Dominick	Kitchin	Rayburn	Wright
Drane	Kraus	Romjue	Young, N. Dak.
Edmonds	LaGuardia	Rubey	

ANSWERED "PRESENT"—7.

Bell	Burroughs	Harrison	Kearns
Booher	Davis, Minn.	Johnson, Wash.	

NOT VOTING—198.

Ackerman	Doremus	Johnson, Ky.	Morin
Anthony	Doughton	Johnson, Miss.	Mudd
Ashbrook	Dowell	Johnson, S. Dak.	Murphy
Babka	Dunn	Johnston, N. Y.	Neely
Bacharach	Eagan	Jones, Pa.	Nelson, Wis.
Baer	Eagle	Kahn	Nichols, Mich.
Begg	Ellsworth	Kelly, Pa.	O'Connell
Benson	Emerson	Kendall	O'Connor
Blackmon	Evans, Nev.	Kennedy, R. I.	Oldfield
Bland, Ind.	Fairfield	Kettner	Olney
Bland, Va.	Fess	Kiess	Osborne
Boies	Fields	King	Paige
Britten	Fitzgerald	Kleczka	Parker
Browne	Flood	Knutson	Pell
Brumbaugh	Fordney	Lampert	Peters
Buchanan	Frear	Langley	Phelan
Burdick	Freeman	Lehlbach	Porter
Butler	Fuller, Ill.	Linthicum	Pou
Caldwell	Fuller, Mass.	Longworth	Purnell
Cantrill	Gallagher	Luce	Rainey, H. T.
Caraway	Gallivan	Lufkin	Ramsey
Carew	Gandy	McAndrews	Randall, Calif.
Carss	Ganly	McClintic	Randall, Wis.
Carter	Garland	McCulloch	Reavis
Casey	Godwin, N. C.	McKenzie	Reber
Clark, Fla.	Goldfogle	McKiniry	Reed, N. Y.
Cole	Goodall	McKinley	Riordan
Connally	Gould	McLane	Robinson, N. C.
Cooper	Greene, Mass.	Madden	Rogers
Copley	Greene, Vt.	Maher	Rowan
Costello	Hamill	Major	Rucker
Crago	Hardy, Colo.	Mann	Sabath
Dallinger	Haugen	Mansfield	Sanders, La.
Davey	Heflin	Martin	Sanders, N. Y.
Dent	Hersman	Mead	Sanford
Dewalt	Hill	Merritt	Saunders, Va.
Dickinson, Mo.	Houghton	Moon	Scully
Dickinson, Iowa	Hulings	Mooney	Sells
Donovan	Husted	Moore, Ohio	Sherwood
Dooling	Hutchinson	Moore, Va.	Shreve
Sims	Stiness	Vaile	Wilson, Ill.
Sinclair	Strong, Pa.	Vare	Wilson, Pa.
Sisson	Sullivan	Walters	Winslow
Smith, N. Y.	Taylor, Tenn.	Ward	Wise
Snell	Temple	Webb	Woodyard
Snyder	Thompson, Okla.	Welling	Yates
Stedman	Tilson	Whaley	Young, Tex.
Steele	Tinkham	Wheeler	Zihlman
Steenerson	Treadway	White, Kans.	
Stephens, Ohio	Upshaw	White, Me.	

So the motion to recede and concur was agreed to.

The Clerk announced the following additional pairs:

On the vote:

Mr. DAVIS of Minnesota (for) with Mr. SISSON (against).

Until further notice:

Mr. DOWELL with Mr. HERSMAN.

Mr. MCKENZIE with Mr. WELLING.

Mr. JOHNSON of Washington. Mr. Speaker, I voted "no." I wish to withdraw that vote and vote "present."

Mr. KEARNS. Mr. Speaker, I wish to vote "yea."

The SPEAKER. Was the gentleman in the Hall listening when his name was called?

Mr. KEARNS. No. I just came into the Hall.

The SPEAKER. Then the gentleman does not qualify.

Mr. KEARNS. I wish to be recorded as "present."

Mr. BURROUGHS. Mr. Speaker, I was not here in time to vote, but I will record my vote as "present."

The result of the vote was announced as above recorded.

On motion of Mr. GOOD, a motion to reconsider the last vote was laid on the table.

Mr. GOOD. Mr. Speaker, I also move to reconsider the vote whereby the conference report on the sundry civil bill was agreed to and move to lay that on the table.

The motion was agreed to.

EXTENSION OF REMARKS.

Mr. GOOD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. MASON. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Illinois makes the same request. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Speaker, I offer a privileged resolution.

Mr. WINGO. Mr. Speaker, I reserve the right to object to the extension of remarks by the gentleman from Illinois [Mr. MASON]. Are they his remarks on this bill?

Mr. MASON. I decline to recognize the gentleman from Arkansas on that question, although I will recognize him on any other. [Laughter.]

The SPEAKER. The gentleman from Arkansas reserves the right to object.

Mr. MASON. He did not do so in time.

Mr. WINGO. I was in the back of the Hall, and there was some confusion.

The SPEAKER. The Chair thinks he is entitled to reserve the right to object. The Chair put it quickly.

Mr. WINGO. Of course, if the gentleman will decline to state to the House what it is, I shall object.

The SPEAKER. The Chair will recognize the gentleman from Wyoming [Mr. MONDELL] at present, and the gentleman from Illinois [Mr. MASON] later.

ADJOURNMENT UNTIL JULY 8, 1919.

Mr. MONDELL. Mr. Speaker, I present a privileged resolution.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House concurrent resolution 17.

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Tuesday, the 1st day of July, 1919, they stand adjourned until 12 o'clock, meridian, on Tuesday, the 8th day of July, 1919.

Mr. MONDELL. Mr. Speaker, in presenting this resolution I do it in the hope that the bills which passed the two bodies may be engrossed and signed before we adjourn to-night. In fact, they must be signed before we adjourn, and I hope that all gentlemen will remain here until the hour of adjournment, as the point of no quorum is likely to be raised at any time. I hope that if we all remain here the House may adjourn within an hour or an hour and a half at the latest.

Mr. CLARK of Missouri. Mr. Speaker, I would like to ask the gentleman what he wants with this resolution? What is the reason for the resolution?

Mr. MONDELL. In order to secure an adjournment.

Mr. CLARK of Missouri. I know, but what do you want with an adjournment?

Mr. MONDELL. I supposed the gentleman from Missouri wanted an adjournment for a week.

Mr. CLARK of Missouri. No; I do not. I would like to have one for two or three or four months. [Laughter.]

Mr. MONDELL. That would please many of us, but unfortunately the public business requires attention, and a week seemed to be about the longest time that we could adjourn in good conscience at this time.

Mr. CLARK of Missouri. Why do you want to adjourn at all now? Is there not any business to be transacted?

Mr. MONDELL. I have no consuming desire to adjourn personally. I expect to remain here. For one thing I would not want the House to adjourn beyond the coming return to our shores of our dear President. [Applause.]

Mr. CLARK of Missouri. He will be here before that. He will be here before the week is up, or in 10 days.

Mr. MONDELL. Not long before the week is up; only long enough to get accustomed to the White House.

Mr. CLARK of Missouri. Is there no public business to transact? This House is not through with its business, is it?

Mr. MONDELL. The motion to adjourn will not be made until the House has completed its business and until the bills that have been passed shall have been signed.

Mr. CLARK of Missouri. I know; but that is not the question I asked of you. Have you no more business that you are going to transact at this session, or undertake to transact?

Mr. MONDELL. Oh, yes; a very considerable amount of business. We have a very important piece of legislation, as the gentleman from Missouri knows, awaiting our return, reported from the Committee on the Judiciary, to enforce war-time and constitutional prohibition.

Mr. CLARK of Missouri. Does it come in in two pieces or one?

Mr. MONDELL. I understand it is in tandem at present—three in one, as it were.

Mr. GARNER. Will the gentleman yield for a question?

Mr. MONDELL. I yield to the gentleman.

Mr. GARNER. A great many gentlemen have asked me the question, and I should like to ask the gentleman from Wyoming. He proposes to stay here and continue to transact business—such business as may come before the House—while the Senate is considering the treaty, I presume?

Mr. MONDELL. That is our present thought. Of course, that is for the House to determine after we get back and dispose of the matters that will require our immediate attention.

Mr. GARNER. I was just trying to ascertain when it is likely that there will be a recess—whether in the fall or in mid-summer?

Mr. MONDELL. If the gentleman is seeking my opinion, I would say that I think the House will be quite busy for some considerable time after we reconvene.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. RAKER) there were—ayes 155, noes 54.

Mr. RAKER. Mr. Speaker, I raise the point of order that there is no quorum present.

The SPEAKER. The gentleman from California makes the point of order that there is no quorum present. The Chair will count. [After counting.] Two hundred and twenty-six Members present, a quorum.

Mr. RAKER. I withdraw the point.

Mr. CLARK of Missouri. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 134, nays 90, answered "present" 4, not voting 202, as follows:

YEAS—134.

Anderson	Denison	Hickey	McLaughlin, Mich.
Andrews, Md.	Dunbar	Hicks	McLaughlin, Nebr.
Andrews, Nebr.	Dyer	Hoch	McPherson
Barbour	Echols	Holland	MacCrate
Benham	Edmonds	Hull, Iowa	MacGregor
Bowers	Elliott	Humphreys	Mapes
Brooks, Ill.	Elston	Ireland	Miller
Brooks, Pa.	Esch	Jefferis	Minahan, N. J.
Browning	Evans, Nebr.	Johnson, Wash.	Monahan, Wis.
Burke	Focht	Juul	Mondell
Burroughs	Foster	Kelley, Mich.	Montague
Campbell, Kans.	French	Kennedy, Iowa	Moore, Pa.
Campbell, Pa.	Gard	Kinkaid	Moores, Ind.
Cannon	Garner	Kitchin	Morgan
Chindblom	Garrett	Kraus	Mott
Christopherson	Glynn	Kreider	Newton, Minn.
Classon	Goodykoontz	LaGuardia	Newton, Mo.
Cleary	Graham, Ill.	Layton	Nicholls, S. C.
Coady	Griest	Lea, Calif.	Nolan
Cramton	Hadley	Little	Ogden
Crowther	Hamilton	Lonergan	Platt
Cullen	Haskell	Luhring	Radcliffe
Curry, Calif.	Hawley	McAndrews	Rainey, J. W.
Darrow	Hernandez	McArthur	Ramseyer
Dempsey	Hersey	McFadden	Reed, W. Va.
Rhodes	Siegel	Thompson, Ohio	Watson, Pa.
Ricketts	Sinnott	Timberlake	Watson, Va.
Riddick	Slemp	Tincher	Webster
Robsion, Ky.	Smith, Idaho	Towner	White, Kans.
Rodenberg	Smith, Ill.	Vestal	Williams
Rose	Smith, Mich.	Voigt	Woods, Va.
Rowe	Summers, Wash.	Volstead	Young, N. Dak.
Sanders, Ind.	Sweet	Walsh	
Schall	Thomas	Wason	

NAYS—90.

Alexander	Dowell	Larsen	Rubey
Almon	Dupré	Lazaro	Scott
Aswell	Evans, Mont.	Lee, Ga.	Sears
Ayres	Ferris	Lesher	Small
Bankhead	Fisher	Lever	Smithwick
Barkley	Goodwin, Ark.	McDuffie	Stephens, Miss.
Bee	Green, Iowa	McGlennon	Stevenson
Black	Griffin	McKeown	Strong, Kans.
Bland, Mo.	Hardy, Tex.	Magee	Sumners, Tex.
Blanton	Hastings	Major	Taylor, Ark.
Box	Hayden	Mays	Taylor, Colo.
Brand	Howard	Michener	Tillman
Briggs	Huddleston	Nelson, Mo.	Venable
Brinson	Hudspeth	Padgett	Vinson
Byrns, Tenn.	Hull, Tenn.	Park	Watkins
Candler	Igoe	Parrish	Weaver
Clark, Mo.	Jacoway	Quin	Welty
Collier	James	Ragsdale	Wilson, La.
Crisp	Jones, Tex.	Raker	Wingo
Currie, Mich.	Kearns	Randall, Calif.	Wood, Ind.
Dale	Kincheloe	Rayburn	Wright
Davis, Tenn.	Lanham	Romjue	
Dominick	Lankford	Rouse	

ANSWERED "PRESENT"—4.

Bell	Booher	Davis, Minn.	Harrison

NOT VOTING—202.

Ackerman	Fess	Longworth	Rowan
Anthony	Fields	Luce	Rucker
Ashbrook	Fitzgerald	Lufkin	Sabath
Babka	Flood	McClintic	Sanders, La.
Bacharach	Fordney	McCulloch	Sanders, N. Y.
Baer	Frear	McKenzie	Sanford
Begg	Freeman	McKiniry	Saunders, Va.
Benson	Fuller, Ill.	McKinley	Scully
Blackmon	Fuller, Mass.	McLane	Sells
Bland, Ind.	Gallagher	Madden	Sherwood
Bland, Va.	Gallivan	Maher	Shreve
Boies	Gandy	Mann	Sims
Britten	Ganly	Mansfield	Sinclair
Browne	Garland	Martin	Sisson
Brumbaugh	Godwin, N. C.	Mason	Smith, N. Y.
Buchanan	Goldfogle	Mead	Snell
Burdick	Good	Merritt	Snyder
Butler	Goodall	Moon	Steagall
Byrnes, S. C.	Gould	Mooney	Stedman
Caldwell	Graham, Pa.	Moore, Ohio	Steele
Cantrill	Greene, Mass.	Moore, Va.	Steenerson
Caraway	Greene, Vt.	Morin	Stephens, Ohio
Carew	Hamill	Mudd	Stiness
Carss	Hardy, Colo.	Murphy	Strong, Pa.
Carter	Haugen	Neely	Sullivan
Casey	Hays	Nelson, Wis.	Taylor, Tenn.
Clark, Fla.	Heflin	Nichols, Mich.	Temple
Cole	Hersman	O'Connell	Thompson, Okla.
Connally	Hill	O'Connor	Tilson
Cooper	Houghton	Oldfield	Tinkham
Copley	Hulings	Oliver	Treadway
Costello	Husted	Olney	Upshaw
Crago	Hutchinson	Osborne	Vaile
Dallinger	Johnson, Ky.	Overstreet	Vare
Davey	Johnson, Miss.	Paige	Walters
Dent	Johnson, S. Dak.	Parker	Ward
Dewalt	Johnston, N. Y.	Pell	Webb
Dickinson, Mo.	Jones, Pa.	Peters	Welling
Dickinson, Iowa	Kahn	Phelan	Whaley
Donovan	Kelly, Pa.	Porter	Wheeler
Dooling	Kendall	Pou	White, Me.
Doremus	Kennedy, R. I.	Purnell	Wilson, Ill.
Doughton	Kettner	Rainey, H. T.	Wilson, Pa.
Drane	Kiess	Ramsey	Winslow
Dunn	King	Randall, Wis.	Wise
Eagan	Kleczka	Reavis	Woodyard
Eagle	Knutson	Reber	Yates
Ellsworth	Lampert	Reed, N. Y.	Young, Tex.
Emerson	Langley	Riordan	Zihlman
Evans, Nev.	Lehlbach	Robinson, N. C.	
Fairfield	Linthicum	Rogers	

So the concurrent resolution was agreed to.

The following additional pairs were announced:

Until further notice:

Mr. COLE with Mr. HERSMAN.

Mr. JONES with Mr. CARTER.

Mr. HAYS with Mr. BYRNES of South Carolina.

Mr. WOODYARD with Mr. CARAWAY.

Mr. BYRNES of South Carolina. Mr. Speaker, am I recorded?

The SPEAKER. The gentleman is not.

Mr. BYRNES of South Carolina. I would like to vote.

The SPEAKER. Was the gentleman present and listening when his name should have been called?

Mr. BYRNES of South Carolina. I was not.

The SPEAKER. The gentleman does not bring himself within the rule.

The result of the vote was then announced as above recorded.

THREE HUNDREDTH ANNIVERSARY OF THE LANDING OF THE PILGRIMS.

The SPEAKER. The Chair lays before the House the following appointments.

The Clerk read as follows:

Pursuant to House concurrent resolution No. 14, providing for the appointment of a joint special committee to confer with officials of the Commonwealth of Massachusetts relative to the contemplated observance of the three hundredth anniversary of the landing of the Pilgrims, the Chair appoints as the four members on the part of the House: Mr. WALSH, Mr. MCARTHUR, Mr. DOREMUS, and Mr. WHALEY.

LEAVE OF ABSENCE.

Mr. BABKA, by unanimous consent, was given leave of absence for to-day on account of official business.

WITHDRAWAL OF PAPERS.

Mr. CRISP, by unanimous consent, was given leave to withdraw from the files of the House without leaving copies the papers in the case of E. F. Ellis, Sixty-fifth Congress, no adverse report having been made thereon.

WATER-POWER DEVELOPMENT.

The SPEAKER. On the bill H. R. 3184, the water-power bill, the previous question has been ordered on the bill and amendments to final passage. Is a separate vote demanded on any amendment?

Mr. RAKER. Mr. Speaker, I ask for a separate vote on the last amendment repealing section 18 of the river and harbor bill.

The SPEAKER. Is a separate vote demanded on other amendments? If not, the Chair will put them in gross.

There was no demand for a separate vote on the other amendments, and they were agreed to.

The SPEAKER. The gentleman from California demands a separate vote on the amendment repealing section 18 of the river and harbor bill of August 8, 1917.

The question was taken, and on a division (demanded by Mr. RAKER) there were 122 ayes and 8 noes.

So the amendment was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. ESCH, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that I may extend my remarks in the RECORD on this last amendment repealing section 18 of the river and harbor bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. ESCH. Mr. Speaker, I ask unanimous consent that the Clerk may correct the title to conform with the text.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. WINGO. Mr. Speaker, I understand the gentleman wants to extend his remarks on the Speedway Hospital matter?

Mr. MASON. Yes.

The SPEAKER. Is there objection?

There was no objection.

RECESS.

Mr. WALSH. Mr. Speaker, I ask unanimous consent that the House stand in recess for 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

Accordingly (at 11 o'clock and 42 minutes p. m.) the House stood in recess for 10 minutes.

AFTER THE RECESS.

The recess having expired, at 11 o'clock and 52 minutes p. m. the House was called to order by the Speaker.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment House concurrent resolution 17.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 4631. An act granting the consent of Congress to the county of Miller, State of Arkansas, to construct a bridge across Sulphur River, at or near Blackmans Point, in said county and State;

H. R. 5227. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 4226. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 4630. An act granting the consent of Congress to the county of Miller, State of Arkansas, to construct a bridge across Sulphur River, near the Texas & Pacific Railroad bridge, in said county and State;

H. R. 6176. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes; and

H. R. 3478. An an act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes.

EXTENSION OF REMARKS.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

Mr. GARRETT. On what subject?

Mr. CRAMTON. On the subject of prohibition.

The SPEAKER. Is there objection?

There was no objection.

Mr. DUPRÉ. Mr. Speaker, I make the same request on behalf of my colleague [Mr. LAZARO].

Mr. WALSH. On what subject?

Mr. DUPRÉ. In regard to the meeting of the American Medical Association, where a very interesting article was presented by Dr. Alexander Lambert on the subject of war-time medical conditions.

The SPEAKER. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to insert in the RECORD a brief statement of the work of this session of Congress up to date.

The SPEAKER. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Speaker, it is proper that as the Congress is closing the first period of the special session that a brief statement of the work accomplished should be made, and it affords me pleasure to make such a statement.

After having been in session 38 days the special session of the Sixty-sixth Congress has adjourned for one week, to enable Members to attend celebrations in honor of the returning soldiers, sailors, and marines on the Fourth of July, with the program of appropriation and legislation as outlined and contemplated for the closing period of the fiscal year carried out practically in its entirety.

There has been a saving of approximately $800,000,000 in the six great supply bills which were passed, compared with the amounts carried by the same bills as they failed in the closing hours of the Sixty-fifth Congress, and a saving of four hundred and fifty millions on the railroad deficiency bill, as compared with the estimates of the Railroad Administration, or a total reduction of one billion two hundred and fifty millions.

These savings were in the main on three regular supply bills and the railroad deficiency bill, as follows:

Army appropriation bill	$343,000,000
Navy appropriation bill	211,000,000
Sundry civil appropriation bill	247,000,000
Railroad deficiency (below estimates)	450,000,000

In addition to this extraordinary record of consideration and passage of appropriation bills the Congress has adopted the woman-suffrage resolution, has passed the daylight-saving repeal, the bill returning the wires to their owners, and a bill carrying an appropriation of $6,000,000 for vocational rehabilitation of disabled soldiers and sailors, as well as a number of other measures of general or local interest. The House has also passed the water-power bill.

The Committee on the Judiciary has reported a measure containing provisions for the enforcement of war-time and of constitutional prohibition, which will be taken up for consideration immediately upon the reconvening of the House on July 8. The other legislative committees of the House have been busily engaged in hearings on measures which will be brought to the attention of Congress in the near future.

The record up to date is all that could have been hoped for or expected. The House is well organized for work, and Mem-

bers are earnest and enthusiastic in their desire to work out the many important problems pending for solution in the best possible manner. They will return from their brief vacation prepared to carry forward a program of constructive legislation.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 58 minutes p. m.) in accordance with the concurrent resolution heretofore agreed to, the House adjourned until Tuesday, July 8, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the chairman of the Interstate Commerce Commission, transmitting a report of the Chief of the Bureau of Safety upon tests of the automatic train-control system of the National Safety Appliance Co. (H. Doc. No. 139), was taken from the Speaker's table, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. McKINLEY, from the Committee on Claims, to which was referred the bill (H. R. 1812) making appropriation to compensate James M. Moore for damages sustained while in the service of the Government of the United States, reported the same with amendment, accompanied by a report (No. 95), which said bill and report were referred to the Private Calendar.

Mr. BEE, from the Committee on Claims, to which was referred the bill (H. R. 1853) to reimburse E. T. Thing and S. A. Thing for losses and damages sustained by them by the negligent dipping of their cattle by the Bureau of Animal Industry, Department of Agriculture, reported the same with amendment, accompanied by a report (No. 96), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. McLAUGHLIN of Nebraska: A bill (H. R. 6950) to provide for the purchase of a site and the erection of a public building thereon at Wymore, Nebr.; to the Committee on Public Buildings and Grounds.

By Mr. STEENERSON: A bill (H. R. 6951) authorizing the return to the sender or the forwarding of undeliverable second, third, and fourth class mail matter; to the Committee on the Post Office and Post Roads.

By Mr. VOIGT: A bill (H. R. 6952) providing for the purchase of a site and the erection of a public building thereon at Portage, Wis.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6953) providing for the purchase of a site and the erection of a public building thereon at Hartford, Wis.; to the Committee on Public Buildings and Grounds.

By Mr. WASON: A bill (H. R. 6954) authorizing the Secretary of Agriculture to investigate the nature and habits of the fungi and bacteria causing the decay of pulp wood; to the Committee on Agriculture.

By Mr. BROOKS of Pennsylvania: A bill (H. R. 6955) authorizing the Secretary of War to donate to the borough of New Oxford, Adams County, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6956) authorizing the Secretary of War to donate to the borough of Dallastown, York County, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6957) authorizing the Secretary of War to donate to the borough of Yoe, York County, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 6958) authorizing the Secretary of War to donate to the borough of Jefferson, York County, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. IRELAND: A bill (H. R. 6959) authorizing the Secretary of War to donate to the town of Buda, Ill., one German cannon or fieldpiece, with shells; to the Committee on Military Affairs.

By Mr. UPSHAW: Concurrent resolution (H. Con. Res. 15) requesting the President to appoint a special day of thanksgiving; to the Committee on the Judiciary.

By Mr. LaGUARDIA: Resolution (H. Res. 155) fixing salary of special messenger at Speaker's desk; to the Committee on Accounts.

By Mr. RODENBERG: Resolution (H. Res. 156) directing the Secretary of the Navy to investigate charges against the Bank of Quantico, Quantico, Va.; to the Committee on Naval Affairs.

By Mr. MacGREGOR: Resolution (H. Res. 157) to appoint a committee to devise plans and methods to provide the people an adequate supply of anthracite coal, properly distributed and at fair prices, and to suggest to the House of Representatives such legislation as may or shall tend to accomplish the end in view; to the Committee on Rules.

By Mr. PARRISH: Resolution (H. Res. 158) authorizing the Speaker of the House to appoint a committee from the House to investigate the causes of the high cost of the necessities of life, the reason therefor, and those who have been and are profiteering in the sale of such necessities; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 6960) granting a pension to Katie B. James; to the Committee on Invalid Pensions.

By Mr. DAVIS of Tennessee: A bill (H. R. 6961) granting a pension to William L. Brown; to the Committee on Pensions.

By Mr. FOCHT: A bill (H. R. 6962) granting an increase of pension to Elias C. Minium; to the Committee on Invalid Pensions.

By Mr. FULLER of Massachusetts: A bill (H. R. 6963) for the relief of Frank Williams; to the Committee on Claims.

By Mr. GLYNN: A bill (H. R. 6964) granting an increase of pension to Joanna Gloster; to the Committee on Invalid Pensions.

By Mr. GOODYKOONTZ: A bill (H. R. 6965) granting a pension to Lydia Estep; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6966) granting a pension to Sarah J. Holley; to the Committee on Pensions.

By Mr. HOWARD: A bill (H. R. 6967) granting a pension to James A. Cox; to the Committee on Pensions.

By Mr. KAHN: A bill (H. R. 6968) to permit the reenlistment of Omer Germain Paquet in the United States Army; to the Committee on Military Affairs.

Also, a bill (H. R. 6969) granting an increase of pension to Joseph Freeman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6970) granting a pension to Lindley Herrington; to the Committee on Pensions.

Also, a bill (H. R. 6971) granting an increase of pension to George R. Elder; to the Committee on Pensions.

Also, a bill (H. R. 6972) granting a pension to Hattie G. Parnell; to the Committee on Pensions.

Also, a bill (H. R. 6973) granting a pension to Marion J. Morgan; to the Committee on Pensions.

By Mr. LAZARO: A bill (H. R. 6974) to reimburse the postmaster at Bayou Chicot, La., for money taken by burglars; to the Committee on Claims.

By Mr. RAKER: A bill (H. R. 6975) to correct the military record of Daniel Schneider; to the Committee on Military Affairs.

Also, a bill (H. R. 6976) granting a pension to Louis F. Ursenbach; to the Committee on Pensions.

By Mr. ROUSE: A bill (H. R. 6977) granting an increase of pension to George G. Hughes; to the Committee on Invalid Pensions.

By Mr. SANDERS of Indiana: A bill (H. R. 6978) granting a pension to Mary St. Clair; to the Committee on Pensions.

Also, a bill (H. R. 6979) granting a pension to Patrick Lehan; to the Committee on Pensions.

Also, a bill (H. R. 6980) granting an increase of pension to John A. Kirkham; to the Committee on Invalid Pensions.

By Mr. SINNOTT: A bill (H. R. 6981) granting an increase of pension to Thomas E. Kellogg; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 6982) granting a pension to Annie E. Frost; to the Committee on Pensions.

Also, a bill (H. R. 6983) granting a pension to James C. Claxton; to the Committee on Pensions.

Also, a bill (H. R. 6984) granting a pension to James F. Romines; to the Committee on Pensions.

Also, a bill (H. R. 6985) granting a pension to Jesse W. Beam; to the Committee on Pensions.

By Mr. TOWNER: A bill (H. R. 6986) granting an increase of pension to George S. Jenkins; to the Committee on Pensions.

Also, a bill (H. R. 6987) granting a pension to Margretta P. Davis; to the Committee on Pensions.

By Mr. WINGO: A bill (H. R. 6988) granting an increase of pension to James M. Pollock; to the Committee on Pensions.

By Mr. HUDDLESTON: A bill (H. R. 6989) granting a pension to Ben Lanier Dunn; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the National Woman's Christian Temperance Union of Evanston, Ill., protesting against national holiday prize fighting; to the Committee on the Judiciary.

By Mr. AYRES: Petitions of citizens of the rural district of Clearwater, Kans., and citizens of Wichita, Kans., protesting against repeal of war-time prohibition; to the Committee on the Judiciary.

Also, petitions of the citizens of Mulvane, Kans., protesting against repeal of war-time prohibition and urging the adoption of the Federal amendment; to the Committee on the Judiciary.

By Mr. BABKA: Petition of sundry citizens of Cleveland, Ohio, to repeal tax on candy, ice cream, and soda-fountain foods and drinks; to the Committee on Ways and Means.

By Mr. BEE: Petition of W. Simpson and others, of San Antonio, Tex., for the repeal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. CLARK of Missouri: Petition of the Union Army Veterans, of Mexico, Mo., asking that Congress pass certain pending pension legislation; to the Committee on Pensions.

By Mr. CLEARY: Petition of sundry citizens of New York, to repeal tax on soda, ice cream, soft drinks, etc.; to the Committee on Ways and Means.

By Mr. FITZGERALD: Petition of sundry citizens of Boston, Mass., protesting against the repeal of the so-called daylight-saving law; to the Committee on Agriculture.

By Mr. FULLER of Illinois: Petition of 51 citizens of De Kalb, Ill., favoring repeal of the tax on candy, ice cream, and soda-fountain foods and drinks; to the Committee on Ways and Means.

By Mr. GRAHAM of Illinois: Petition of certain citizens of Rock Island County, Ill., requesting the repeal of the taxes on candy, ice cream, and soda-fountain foods and drinks; to the Committee on Ways and Means.

Also, petition of certain citizens of Warren County, Ill., requesting the repeal of the taxes on candy, ice cream, and soda fountain foods and drinks; to the Committee on Ways and Means.

Also, petition of sundry citizens of Rock Island, Ill., requesting repeal of taxes now levied on medicines and dental preparations under section 907 of the revenue act; to the Committee on Ways and Means.

By Mr. HAYS: Petition of 21 citizens of Taney County, Mo., urging repeal of tax on medicines, etc.; to the Committee on Ways and Means.

Also, petition of 125 citizens of Fisk, Butler County, Mo., urging repeal of tax on soda water, ice cream, and similar articles; to the Committee on Ways and Means.

By Mr. HERSMAN: Petition of the Fortuna Board of Trade, Fortuna, Calif., praying for the passage of legislation placing a high protective tariff on foreign-grown beans; to the Committee on Ways and Means.

Also, resolution adopted by the San Jose Chamber of Commerce, San Jose, Calif., praying for the passage of legislation placing a high protective tariff on foreign-grown beans; to the Committee on Ways and Means.

By Mr. JAMES: Petition of citizens of Michigan asking repeal of the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. KELLY of Pennsylvania: Resolutions of the Pittsburgh (Pa.) Chamber of Commerce, favoring extension of patent rights to American inventors; to the Committee on Patents.

Also, resolutions of the Pittsburgh Conference of the United Evangelical Church, protesting against extension of liquor traffic to China by American dealers; to the Committee on Foreign Affairs.

By Mr. KETTNER: Petition of the fourth district of California, Congress of Mothers and Parent-Teacher Associations, Santa Ana, Calif., with a membership of 625, of the Santa Ana Federation, indorsing the educational bill; to the Committee on Education.

Also, petition of Needles Union Labor Council, Needles, Calif., urging Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. KINKAID: Petition of residents of Sioux and Dawes Counties, State of Nebraska, to repeal the so-called "stamp taxes" on certain necessaries; to the Committee on Ways and Means.

Also, petition of residents of Mitchell, Melbeta, Sumner, and Alliance, all in the State of Nebraska, asking for the repeal of the tax on candies, ice cream, and soda-fountain foods and drinks; to the Committee on Ways and Means.

By Mr. LEHLBACH: Petition of citizens of Newark, N. Y., relating to the prohibition law; to the Committee on the Judiciary.

By Mr. MACGREGOR: Petition of the Sterling Engine Co., Buffalo, N. Y., favoring repeal of 10 per cent war tax on new motor boats; to the Committee on Ways and Means.

Also, petition of Gerhard Lang Council, No. 298, of Buffalo, N. Y., protesting against the passage of the Smith-Towner school bill; to the Committee on Education.

Also, petition of the Texas Cotton Seed Crushers' Association, of Dallas, Tex., relating to cottonseed meal products; to the Committee on Agriculture.

Also, petition of Mrs. L. F. Pease, Buffalo, N. Y., president of Cold Spring Woman's Christian Temperance Union, for enforcement of the eighteenth amendment; to the Committee on the Judiciary.

Also, petition of the Fairbanks Co., Buffalo, N. Y., for passage of H. R. 1342; to the Committee on Education.

By Mr. MOORE of Pennsylvania: Resolution of the council of the city of Pittsburgh, in favor of an aerial Postal Service station in that city; to the Committee on the Post Office and Post Roads.

By Mr. MOTT: Petition of sundry citizens of Pulaski, N. Y., urging enforcement of prohibition amendment; to the Committee on the Judiciary.

By Mr. O'CONNELL: Petition of sundry citizens of New York, for the repeal of the tax on sodas, soft drinks, ice cream, etc., to the Committee on Ways and Means.

By Mr. PELL: Petition of sundry citizens of New York City, protesting against the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

Also, petition of sundry citizens of New York City, protesting against the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. PLATT: Petition of the International Order of Good Templars, for the full enforcement of the eighteenth amendment; to the Committee on the Judiciary.

By Mr. RADCLIFFE: Petition of Laurel Lodge, No. 31, International Order of Good Templars, of Paterson, N. J., for the enforcement of the prohibition amendment; to the Committee on the Judiciary.

By Mr. ROUSE: Petition of citizens of Walton, Ky., asking for law for enforcement of war and prohibition legislation; to the Committee on the Judiciary.

By Mr. ROWAN: Petition of Austin, Nichols & Co., to amend national prohibition bills so as to allow manufacture of flavoring extracts; to the Committee on the Judiciary.

Also, petition of 4,000 citizens of New York, requesting the repeal of section 904 of the revenue bill of 1918; to the Committee on Ways and Means.

Also, petition of L. M. Williams, of Richmond, Va., relating to Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of the executive committee of the Savings Bank Association of New York, in relation to the railroad situation; to the Committee on Interstate and Foreign Commerce.

By Mr. SANFORD: Petition of residents of Albany, N. Y., favoring removal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

Also, petition of residents of Cohoes, Green Island, Troy, and Watervliet, N. Y., favoring enforcement of the eighteenth amendment to the Constitution; to the Committee on the Judiciary.

Also, petition of residents of Cohoes, N. Y., favoring rigid enforcement of all prohibition legislation; to the Committee on the Judiciary.

By Mr. SCHALL: Resolutions of the International Order of Good Templars, Sandstone, Minn., and citizens of Minneapolis, for the full enforcement of the eighteenth amendment; to the Committee on the Judiciary.

By Mr. SNELL: Petition of sundry citizens of Plattsburg, N. Y., for repeal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. TINKHAM: Petition of employees of the United States Navy Department urging legislation for the establishment of the 44-hour week; to the Committee on Labor.

By Mr. YATES: Petition of sundry citizens of Peoria, Ill., for the repeal of the luxury-tax law; to the Committee on Ways and Means.

Also, petition of the Council of Farms and Markets, Albany, N. Y., for appropriation to exterminate insect called European corn borer; to the Committee on Appropriations.

Also, petition of the San Francisco Parlor, N. S. G. S., relating to the treaty of Paris; to the Committee on Foreign Affairs.

Also, petition of the United States Customs Inspectors' Association, of Chicago, Ill., concerning revised estimate for customs expenditures; to the Committee on Expenditures in the Treasury Department.

By Mr. YOUNG of North Dakota: Petition of S. Berg and 29 other citizens of Courtenay, N. Dak., for the repeal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

Also, petition of John A. Hoffman and 29 other citizens of Bismarck, N. Dak., for the repeal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

SENATE.

TUESDAY, *July 8, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to Thee with glad and brave hearts to face the challenge of our day. We have the assurance that Thy hand is upon us. Thou hast led our way. We know Thou hast held a great mission for us in the world's life. We come once more to commit ourselves to Thy guidance. We pray that we may register in the laws enacted here the highest ethical achievement of this God-fearing people, and that it may redound to the honor and glory of Thy name and the extension of Thy kingdom in the earth. We ask it for Christ's sake. Amen.

The Vice President being absent, the President pro tempore (Mr. CUMMINS) took the chair.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Monday, June 30, 1919, when, on request of Mr. NELSON and by unanimous consent, the further reading was dispensed with and the Journal was approved.

AUTOMATIC TRAIN-CONTROL SYSTEM (H. DOC. NO. 139).

The PRESIDENT pro tempore laid before the Senate a communication from the Interstate Commerce Commission, transmitting a report of the Chief of the Bureau of Safety, relative to tests of the systems and appliances for the automatic control of railway trains and appliances of the National Safety Appliance Co. of San Francisco, Calif., which, with the accompanying papers, was referred to the Committee on Interstate Commerce and ordered to be printed.

WOMAN SUFFRAGE.

The PRESIDENT pro tempore presented a joint resolution of the General Assembly of the State of Iowa, ratifying the proposed amendment to the Constitution of the United States of America extending the right of suffrage to women, which was ordered to be placed on the files of the Senate.

He also presented a joint resolution of the General Assembly of the State of Missouri, ratifying the proposed amendment to the Constitution of the United States of America extending the right of suffrage to women, which was ordered to be placed on the files of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 3184) to create a Federal power commission and to define its powers and duties; to provide for the improvement of navigation, for the development of water power, for the use of lands of the United States in relation thereto; to repeal section 18 of "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved August 8, 1917, and for other purposes, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a resolution adopted at the Methodist centenary celebration in Columbus, Ohio, favoring the enactment of legislation providing for the enforcement of prohibition, which was ordered to lie on the table.

He also presented a resolution adopted by the thirty-ninth annual convention of the American Federation of Labor, expressive of the sentiment of organized labor in opposition to mob rule and lynchings, which was referred to the Committee on Education and Labor.

He also presented a resolution adopted at a mass meeting of the Mid-City Citizens' Association of the District of Columbia, favoring the acquisition by Congress of Mount Vernon, which was referred to the Committee on Public Buildings and Grounds.

Mr. LODGE. I present certain resolutions passed by the Legislature of the State of Massachusetts, which I ask may be printed in the RECORD and referred to the Committee on Foreign Relations.

The resolutions are as follows:

THE COMMONWEALTH OF MASSACHUSETTS, 1919.

Resolutions in favor of Lithuanian independence.

Whereas the future prosperity and peace of the world depends upon a just and equitable settlement of the problems of the European war whereby each and every nationality, however small, be granted the liberty to determine its own destiny and the opportunity of living its own life; and

Whereas the Government of the United States of America is recognized as an ardent exponent of the rights of the small nations; and

Whereas the people of Lithuania, by their heroic conduct and voluntary sacrifices in the Great War, have proved themselves worthy of the blessings of freedom: Therefore be it

Resolved, That it is the opinion of the General Court of Massachusetts that the ancient people of Lithuania ought to be free and independent, and that as a matter of elementary justice express provisions should be made at the peace conference for the purpose of granting and guaranteeing the complete independence of the Lithuanian people; and be it further

Resolved, That copies of these resolutions be sent by the Secretary of the Commonwealth to the President of the United States, to the Representatives of the United States at the peace conference, and to the Senators in Congress from this Commonwealth.

In house of representatives, adopted June 25, 1919.
In senate, adopted, in concurrence, June 27, 1919.
A true copy.
Attest:

ALBERT P. LANGTRY,
Secretary of the Commonwealth.

Mr. LODGE presented memorials of employees of sundry business firms in the State of Massachusetts remonstrating against repeal of the so-called daylight-saving law, which were ordered to lie on the table.

He also presented a petition of Bunker Hill Lodge, No. 634, International Association of Machinists, of Charlestown, Mass., praying for the establishment of a 44-hour work week for employees of the Navy Department, which was referred to the Committee on Naval Affairs.

He also presented a petition of the Lithuanian Alliance of St. Casimer, of Boston, Mass., praying for the independence of Lithuanians, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of the State of Massachusetts praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a petition of the City Council of Worcester, Mass., praying for an investigation into the high price of gasoline, which was referred to the Committee on Manufactures.

Mr. CURTIS. I present a memorial of the Military Order of the Loyal Legion of the United States, which I desire to have printed in the RECORD. It is very short and is in favor of the enactment of a pending bill into law.

There being no objection, the memorial was ordered to be printed in the RECORD, as follows:

MILITARY ORDER OF THE LOYAL
LEGION OF THE UNITED STATES,
COMMANDERY OF THE STATE OF KANSAS,
Leavenworth, July 2, 1919.

To the Congress of the United States:

Brig. Gen. Orpheus S. Woodward died June 26 at the National Military Home, Leavenworth, Kans., aged 84 years. He enlisted as a private in Company D, Eighty-third Pennsylvania Volunteer Infantry, was promoted step by step. He was wounded through the left arm at Malvern Hill, and lost right leg above the knee at the Wilderness.

He lived a patriot, battled as an American, and the record of his life is an added glory to our name and flag.

Congress, by law, promised him the same desert that was provided for the officers of the Regular Army. All his wrecked years, through all his uncomplaining needs, he dallied with old age and dulled his pains, down to his grave, full of the hope and belief that this promise of Congress would be fulfilled.

The few who remain, busy with their infirmities, turn their dimmed eyes toward your body which promised this and repeated the promise.

This paper has only the force of feeble old men yet lingerers by the clear grace of God.

The Congress is the one mighty power of all the earth which trooped 3,000,000 men across wide seas, through storms and night and over murder zones to punish the Hun for his breach of a promise to Belgium.

Capt. MOSES M. BECK,
United States Volunteers, Commander,
And the Sixty Surviving Volunteer Officers.

Official:
Capt. J. T. TAYLOR,
United States Volunteers, Recorder.

Mr. CURTIS presented petitions of the Graham County Sunday School Association of Hill City, of the Congregation of the Christian Church of Herington, and of sundry citizens of Mankato and Topeka, all in the State of Kansas, praying for the enactment of legislation providing for the enforcement of prohibition, which were referred to the Committee on the Judiciary.

He also presented a telegram in the nature of a petition from the Ministerial Association of Wichita, Kans., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Council of Kansas Medical Society, of Kansas City, Kans., praying for the repeal of the so-called antinarcotic tax, which was referred to the Committee on Finance.

He also presented a memorial of the Woman's Missionary Society and the Westminster Guild of the First Presbyterian Church of Girard, Kans., remonstrating against the persecutions of Christians and Christian missionaries in Korea, which was referred to the Committee on Foreign Relations.

Mr. FLETCHER. I present a communication signed by A. N. O'Keefe, president of the Friends of Irish Freedom, of Jacksonville, Fla., inclosing a large number of memorials signed by citizens of that city, remonstrating against the ratification of the proposed league of nations treaty unless Ireland is granted self-determination. I move that the communication and accompanying memorials be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. FLETCHER presented a petition of the Chamber of Commerce of Tallahassee, Fla., praying for the continuance of the United States Employment Service, which was referred to the Committee on Appropriations.

He also presented memorials of sundry citizens of Jacksonville, Fla., remonstrating against the ratification of the proposed league of nations treaty unless self-determination is granted to Ireland, which were referred to the Committee on Foreign Relations.

He also presented a petition of Seminole Lodge, No. 667, Brotherhood of Railroad Carmen, of Florida, praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a petition of Seminole Lodge No. 667, Brotherhood of Railroad Carmen, of Florida, praying for the restriction of immigration, which was referred to the Committee on Immigration.

Mr. SHERMAN. I present a copy of a resolution adopted by the Illinois Manufacturers' Association, commending the work of the National War Labor Board. I ask to have it printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the National War Labor Board upon the conclusion of peace will go out of existence and its principles and decisions, designed to meet the exigencies and unusual circumstances of war, will cease to be of binding effect; and

Whereas the Nation is now confronted with the many complex problems involved in the readjustment of its industries to peace-time operation under new and changed conditions in its national and international trade and commercial relations:

Resolved, That the Illinois Manufacturers' Association for itself and in behalf of Illinois industry desires to express its sense of deep obligation to the members of said National War Labor Board for their devoted and self-sacrificing service; and

That it desires further to offer its facilities and cooperation to the Government or any responsible body in any rational plan or effort to insure stability and peace in industry, and bring about the establishment of relations of employer and employee upon a basis of right principles, and with the greatest possible recognition of individual rights and liberties in private industry consistent with the public interest.

Mr. MOSES. I present resolutions adopted by the City Council of Manchester, N. H., which I ask to have printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Resolution indorsing the Irish Republic, requesting the Congress of the United States to pass a resolution recognizing it, and expressing sympathy with the people of Ireland in their determination to achieve their freedom.

CITY OF MANCHESTER, 1919.

Resolved by the board of mayor and aldermen of the city of Manchester, in city council assembled, as follows, that—

Whereas the Senate of the United States has passed a resolution requesting the American Peace Commission in Paris to obtain a hearing for the delegates chosen by the people of Ireland, and expressing sympathy with the aspirations of the Irish people for a government of their own choice; and

Whereas the people of Ireland, in the general election held in December, 1918, elected by an overwhelming majority 73 members of Parliament out of a total of 105, and the majority thus elected met as an Irish Parliament on January 21, 1919, declared the independence of Ireland, proclaimed a republic, selected three delegates to the peace conference then sitting in Paris, and appealed to the free nations of the world for sympathy: Therefore,

Resolved, That the board of mayor and aldermen of the city of Manchester, voicing the opinion of the majority of the citizens, believes that the principle of self-determination so often and so forcibly proclaimed in the noble declarations of President Wilson as to the objects of the United States in the war that has just closed, should be applied to Ireland, and that the time has come to recognize the republic proclaimed by her elected representatives.

Resolved, That the board of mayor and aldermen of the city of Manchester urges the adoption by the Congress of the United States of a resolution providing for such recognition of the republic of Ireland.

Resolved further, That the board of mayor and aldermen, on behalf of the city, extend to the people of Ireland its sympathy and good wishes in their determination to achieve their national independence; and be it further

Resolved, That the clerk of the board of mayor and aldermen of the city of Manchester be, and hereby is, instructed to forward a copy of this resolution to each and every Representative in the United States Congress elected from the State of New Hampshire.

(Introduced by Alderman James J. Hogan.)

July 1, 1919, in board of mayor and aldermen, passed to be enrolled.

MOISE VERRETTE, *Mayor.*

A true copy. Attest:

[SEAL.]

WILLIAM J. O'BRIEN,
City Clerk.

Mr. MOSES presented a petition of Charity Lodge, No. 53, International Order of Good Templars, of Wilmot Flat, N. H., and a petition of Northern Star Lodge, No. 60, International Order of Good Templars, of Littleton, N. H., praying for the enactment of legislation providing for the enforcement of prohibition, which were referred to the Committee on the Judiciary.

Mr. SPENCER. I present a petition concerning pensions which I ask to have printed in the RECORD because of the interesting fact that it is signed by 24 residents of Missouri, the average age of whom is over 77.

There being no objection, the petition was referred to the Committee on Pensions and ordered to be printed in the RECORD, as follows:

MEXICO, MO., *June 25, 1919.*

To our representatives in Congress:

We, the undersigned comrades of 1861 to 1865, do desire your cooperation in the bill now pending in Congress for the $50 raise to all soldiers and $30 for the widows, for the following reasons:

We, your petitioners, are upward of 76 years old and but few of us are able to perform manual labor. The cost of living is so high that our present pension is not sufficient to give us a reasonable amount of food and clothing, and it is very true that we can merely exist upon the amount.

Another reason is that we went out and fought for our country in our young days to preserve our country. Wage earners are demanding and receiving increased compensation for their services; producers of the necessaries of life are firm in their demands for their products, upon which the pensioner is dependent. The Government being willing to meet these demands for those in their service should consider it a part of their obligation to also provide means for those to whom they are so much indebted, to meet those demands so necessary to preserve and prolong life.

Passing away as rapidly as they are, a magnanimous Government can do no less than make adequate provisions without just complaint or sacrifice, not only for the veterans but also for the widows of our comrades, who are just as sorely in need of the necessaries of life.

Archibald W. Collins, Company A, Sixteenth Regiment Kentucky Infantry, age 80; George F. Clark, Company G, Sixty-first Regiment Illinois Infantry, age 70; Moses Knight, Company A, Fifty-sixth Regiment Missouri Infantry, age 81; R. H. Kernan, Company M, Second Regiment Missouri Cavalry, age 81; Loyd Mittercoop, Company C, One hundred and ninety-first Regiment Ohio Infantry, age 78; Taylor Truley, Company H, Second Regiment Iowa Cavalry, age 74; W. T. Kearth, Company A, One hundred and thirty-seventh Regiment Illinois Infantry, age 73; T. J. Roberts, Company F, Forty-fourth Regiment Ohio Infantry, age 74; David G. McKee, Company G, One hundred and thirty-second Regiment Indiana Infantry, age 79; W. H. Upham, Company G, Seventh Regiment Vermont Infantry, age 76; A. C. Barnes, Company G, One hundred and seventy-sixth Regiment Ohio Volunteer Infantry, age 78; J. G. Head, Company K, Seventh Regiment Illinois Cavalry, age 90; Frank Christian, Company Y, Forty-sixth Regiment New York Infantry, age 78; George D. Wagner, Company B, First Regiment Maryland Infantry, age 75; Hugh A. Lowson, Company F, Third Regiment Pennsylvania Artillery, age 75; Andrew Voerge, Company H, Sixty-fourth Regiment Ohio Infantry, age 75; James H. Roberson, Company A, Twentieth Regiment Kentucky Infantry, age 75; George Clark, Company A, Eighteenth Regiment Missouri Infantry, age 78; J. B. Bothken, Company F, Forty-fourth Regiment Ohio Infantry, age 76; S. P. Finley, Company E, Third Regiment Illinois Cavalry, age 79; Robert Monroe, Company E, Eleventh Regiment Missouri Cavalry, age 78; John Rist, Company C, Eighth Regiment New York Heavy Artillery, age 76; Martin O. Clutter, Company K, Third Regiment West Virginia Cavalry, age 74; Soloman Fox, Company A, First Regiment Missouri Infantry, age 80.

Total of ages, 1,853. Average, 77 years 5 months on whole number.

TAYLOR TRULEY.

Mr. LENROOT presented a petition of sundry citizens of Milwaukee, Wis., praying for the settlement of the Jugo-Italo controversy through a plebiscite, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Wisconsin, praying for the enactment of legislation providing for the enforcement of prohibition, which was referred to the Committee on the Judiciary.

Mr. KENDRICK presented petitions of sundry citizens of Wyoming, praying for the adoption of an amendment to the general leasing bill so as to include bona fide occupants prior to January 1, 1919, which were referred to the Committee on Public Lands.

Mr. McLEAN presented a petition of Framat Lodge, No. 51, International Order of Good Templars, of Ansonia, Conn., praying for the enactment of legislation providing for the enforcement of prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of the Naugatuck Valley Association of Churches and Ministers of Middlebury, Conn., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. SHEPPARD presented a petition of sundry citizens of Grayson County, Tex., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. KNOX presented a petition of sundry citizens of Center County, Pa., and a petition of sundry citizens of Jefferson County, Pa., praying for the repeal of the stamp tax on medicines, toilet preparations, clothing, etc., which were referred to the Committee on Finance.

He also presented a petition of Lawrence Grange, No. 533, Patrons of Husbandry, of Clearfield, Pa., and a petition of Pomona Grange, No. 26, Patrons of Husbandry, of Crawford County, Pa., praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

He also presented a petition of the Lawrenceville Board of Trade of Pittsburgh, Pa., praying for the independence of Ireland, which was referred to the Committee on Foreign Relations.

He also presented memorials of sundry citizens of Pennsylvania, remonstrating against the repeal of war-time prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union, of Nanticoke, Pa., and a petition of sundry citizens of Leechburg, Pa., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

REPORTS OF COMMITTEE ON PUBLIC LANDS.

Mr. SMOOT, from the Committee on Public Lands, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 2128) for the relief of Albert N. Collins (Rept. No. 61); and

A bill (S. 2129) to amend an act approved March 26, 1908, entitled "An act to provide for the repayment of certain commissions, excess payments, and purchase moneys paid under the public-land laws" (Rept. No. 62).

Mr. KENDRICK, from the Committee on Public Lands, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

A bill (S. 276) to amend sections 4 and 5 of an act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916 (Rept. No. 63); and

A bill (S. 277) to authorize absence by homestead settlers and entrymen, and for other purposes (Rept. No. 64).

RAILROAD LAND FOR ROAD PURPOSES.

Mr. NORRIS. From the Committee on Public Lands I report back favorably without amendment the bill (S. 2100) authorizing the Union Pacific Railroad Co., or its successors, to convey, for public-road purposes, certain parts of its right of way, and I submit a report (No. 65) thereon. I ask for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, and it was read, as follows:

Be it enacted, etc., That the Union Pacific Railroad Co., or any of its successors or assigns, is hereby authorized to convey to any State, county, or municipality any portion of its right of way, to be used as a public highway or street: *Provided*, That no such conveyance shall have the effect to diminish the right of way of said railroad company to a less width than 50 feet on each side of the center of the main track of the railroad as now established and maintained.

The bill was reported to the Senate without amendment.

Mr. HITCHCOCK. Will the Senator briefly explain why the United States gives its consent in this matter?

Mr. NORRIS. Mr. President, the bill is of only a few lines. It is very brief and has only one point in it. It grants permission to the Union Pacific Railroad to convey part of its right of way for public-road and street purposes. The story, which I will not try to relate at any length, is one that has gone over the space of 50 years. The Union Pacific Railroad Co. was granted a right of way 400 feet in width across public land. It was supposed for about 50 years that this right of way was only 200 feet in width, and the Union Pacific Railway Co. in every alternate section deeded to purchasers the land, as the country was settling up through Nebraska and Kansas, reserving only 200 feet. Streets were laid out along the railroad outside of the 200 feet, but within the 400 feet, and public roads were established. But a few years ago, under a decision of the Supreme Court of the United States, it was held that the right of way was 400 feet in width and always had been and that the company had no power to convey it.

We passed a law five or six years ago seeking to remedy the situation and cut it down, but the Supreme Court in passing upon one feature at least of the law held the act invalid in part, so that it left the right of way 200 feet in width, wherever they had conveyed by deed or title, and left it 400 feet wherever the adjoining land had been taken up and homesteaded or preempted. The Senate will remember that one-half the land, every alternate section, was given outright to the road. So it left the thing in a sort of checkerboard condition. The public road, at least in most of the distance across Nebraska, was laid out just outside of the right of way allowing but 200 feet. This takes possession of the land, as the checkered condition of the road is in fact impracticable. The Union Pacific Railway Co., I understand, are offering no objection for these roads to continue, but the title is uncertain.

The Secretary of Agriculture has refused to permit the use of any public funds for the improvement of the road under the good-roads act which Congress passed a year or two ago. This bill simply grants permission to the railroad company to convey the land to the counties and municipalities where the road is in order that they may get for the Lincoln Highway the part of the public funds that they would otherwise be entitled to receive under the statute which we passed.

Mr. HITCHCOCK. It will, then, enable the permanent improvement of roads that otherwise would go without improvement?

Mr. NORRIS. Assuming that the railway company will convey the lands that will be true, and I am informed they are willing to do that. In fact, a road is there now, and has been in a good many instances for 50 years.

Mr. CURTIS. We have the same situation in the State of Kansas that there is in Nebraska.

Mr. NORRIS. It applies to Kansas the same as to Nebraska.

Mr. CURTIS. I understand the railroad authorities are perfectly willing to grant rights of way if they are authorized by this act, and I hope the bill will be passed.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. NORRIS. I ask that the report of the committee be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

The Committee on Public Lands, to whom was referred the bill (S. 2100) authorizing the Union Pacific Railroad Co., or its successors, to convey for public-road purposes certain parts of its right of way, having had the same under consideration, report thereon with a recommendation that the bill do pass.

The object of this bill is to permit the Union Pacific Railroad Co. to convey some of its right of way for public streets and roads. For a great many years it was supposed that the right of way of this railroad was only 200 feet. Deeds were executed, streets were opened, towns laid out, and public highways established on this theory. After about 50 years had elapsed the court decided that the right of way was 400 feet, and that the railroad company had no right to alienate it. Congress passed an act several years ago with the intention of remedying this difficulty, but under a construction put on it by the Supreme Court of the United States it was held that the portion of the act which this court had under consideration had no legal effect, excepting that it validated the title in all cases where the railroad company had conveyed part of its right of way by deed. The effect of this was to give the Union Pacific Railroad Co. a right of way resembling a checkerboard. Every other section where title was given to the railroad company and where the company conveyed part of it by deed the right of way was 200 feet wide. The balance of the land that was homesteaded and preempted by settlers the right of way was 400 feet wide. Along a large portion of the railroad right of way a public highway has been laid out and used by the public for a great many years. The Lincoln Highway across the continent is, in a great many cases, located on this disputed strip, and the principal object of this bill is to permit the railroad company to convey to the public portions of its right of way upon which this highway is located. Under existing law the Secretary of Agriculture has declined to permit the use of funds in the improvement of this highway because of doubt of the title of the public in the land upon which the highway is located, and it is believed that the railroad company will, for a nominal consideration if authorized by law, convey to counties and municipalities a title to the land where the road is located on what would otherwise be the railroad company's right of way, and thus enable the public officials in the counties where this condition exists to secure Federal aid under the statute to improve the Lincoln Highway.

ISSUANCE OF RAILROAD PASSES.

Mr. McLEAN. From the Committee on Interstate Commerce I report back favorably with an amendment Senate resolution 102, calling upon the Director General of Railroads to furnish the Senate with certain information concerning the issuing of passes in 1919.

Mr. NEWBERRY. I ask unanimous consent for the immediate consideration of the resolution.

The Senate, by unanimous consent, proceeded to consider the resolution.

The amendment was, in line 3, after the word "issued," to strike out "for the year 1919" and to insert "during the period of Federal control," so as to make the resolution read:

That the Director General of Railroads report to the Senate as soon as practicable the number of annual passes issued during the period of Federal control, good over all lines, under the United States Railroad Administration, including passes good for sleeping-car and parlor-car accommodations, or free dining-car service, the report to include the name and residence of the recipient, date of mailing, by whose order, and for what reason each pass was issued.

The amendment was agreed to.

The resolution as amended was agreed to.

RECLAMATION OF ARID LANDS IN NEVADA.

Mr. PITTMAN. From the Committee on Public Lands I report back favorably with amendments the bill (S. 9) to encourage the reclamation of certain arid lands in the State of Nevada, and for other purposes, and I submit a report (No. 66) thereon. I ask for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, and it was read.

Mr. SIMMONS. Mr. President, I should be very glad if the Senator from Nevada would make a statement as to the purpose and character of the irrigation program covered by the bill.

Mr. PITTMAN. Mr. President, this is a similar bill to one which I introduced and which unanimously passed the Senate at two other sessions. The object of the bill is to encourage the sinking of wells for artesian and subsurface water in Nevada alone; it grants a permit on the public lands for that purpose; and proposes to grant title to a portion of the land if water is discovered thereon in sufficient quantity with which to successfully irrigate the land. Such legislation is necessary there, for we have not sufficient rainfall for dry farming, and all surface water has long ago been appropriated. This is the only plan by which we can accomplish the desired object.

The Department of the Interior recommends the passage of the bill. The bill has been debated on the floor of the Senate at two prior sessions, and, as I have stated, it then passed unanimously. It is now reported with certain amendments from the Committee on Public Lands, which, I think, will remove all objections which might be made to it.

The PRESIDENT pro tempore. The amendments reported by the Committee on Public Lands will be stated.

The amendments of the Committee on Public Lands were, in section 1, page 1, line 10, before the word "susceptible," to insert "known to be"; on page 2, line 2, before the words "source of," to strike out "available," and, in the same line, before the word "water," to strike out "surface"; in section 6, page 5, line 2, after the words "thereafter be," to strike out "reserved from other disposition and may, within the discretion of the Secretary of the Interior, be sold at public auction to citizens of the United States under such rules and regulations as he may prescribe and in such farm units not less than 40 acres in area as he may prescribe to the highest bidder for cash or for amounts payable in annual installments not exceeding five" and insert "subject to entry and disposal only under 'An act to secure homesteads to actual settlers on the public domain,' approved May 20, 1862, and amendments thereto, known as the 160-acre homestead act," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to grant to any citizen of the United States, or to any association of such citizens, a permit, which shall give the exclusive right, for a period not exceeding two years, to drill or otherwise explore for water beneath the surface of not exceeding 2,560 acres of unreserved, unappropriated, nonmineral, nontimbered public lands of the United States in the State of Nevada not known to be susceptible of successful irrigation at a reasonable cost from any known source of water supply: *Provided, however*, That not more than one such permit shall be issued to the same citizen or the same association of citizens within an area of 40 miles square: *And provided further*, That said land shall not be fenced or otherwise exclusively used by the permittee except as herein provided: *And provided further*, That said land shall theretofore have been designated by the Secretary of the Interior as subject to disposal under the provisions of this act.

SEC. 2. That the Secretary of the Interior is hereby authorized, on application or otherwise, to designate the lands subject to disposal under the provisions of this act: *Provided, however*, That where any person or association qualified to receive a permit under the provisions of this act shall make application for such permit upon land which has not been designated as subject to disposal under the provisions of this act (provided said application is accompanied and supported by properly corroborated affidavit of the applicant, in duplicate, showing prima facie that the land applied for is of the character contemplated by this act), such application, together with the regular fees and commissions, shall be received by the register and receiver of the land district in which said land is located and suspended until it shall have been determined by the Secretary of the Interior whether said land is actually of that character. That during such suspension the land described in the application shall not be disposed of; and if the land shall be designated under this act, then such application shall be allowed; otherwise it shall be rejected, subject to appeal.

SEC. 3. That any qualified applicant for a permit under section 1 of this act shall file with the register or receiver of the land district in which said land is located the application for such permit and shall make and subscribe before the proper officer and file with said register or receiver an affidavit that such application is honestly and in good faith made for the purpose of reclamation and cultivation and not for the benefit of any other person or corporation, and that the applicant is not acting as agent for any person, corporation, or syndicate in making such application, nor in collusion with any person, corporation, or syndicate to give them the benefit of the land applied for or any part thereof, and that the applicant will faithfully and honestly endeavor to comply with all of the requirements of this act, and shall pay to said register and receiver a filing fee of 1 cent per acre for each acre of land embraced in said application, and such applicant shall then be entitled to receive such permit after the lands embraced therein are designated as provided in section 2 of this act.

SEC. 4. That such a permit shall be upon condition that the permittee shall begin operations for the development of underground waters within six months from the date of the permit and continue such operations with reasonable diligence until water has been discovered in the quantity hereinafter described, or until the date of the expiration of the permit. Upon the presentation at any time of proof satisfactory to the Secretary of the Interior that any permittee is not conducting such operations in good faith and with reasonable diligence, or has violated any of the terms of the permit, the Secretary shall forthwith cancel such permit, and such permittee shall not again be granted a permit under this act.

SEC. 5. That on establishing at any time within two years from the date of the permit to the satisfaction of the Secretary of the Interior that underground waters in sufficient quantity to produce at a profit agricultural crops other than native grasses upon not less than 20 acres of land has been discovered and developed and rendered available for such use within the limits of the land embraced in any permit the said permittee shall be entitled to a patent for one-fourth of the land embraced in the permit, such area to be selected by the permittee in compact form according to the legal subdivisions of the public land surveys if the land be surveyed, or to be surveyed at his expense under rules and regulations established by the Secretary of the Interior if located on unsurveyed land.

SEC. 6. That the remaining area within the limits of the land embraced in any such permit shall thereafter be subject to entry and disposal only under "An act to secure homesteads to actual settlers on the public domain," approved May 20, 1862, and amendments thereto, known as the 160-acre homestead act.

SEC. 7. That the receipts obtained from the sale of lands under the provisions of section 6 hereof shall be paid into, reserved, and appropriated as a part of the reclamation fund created by the act of Congress approved June 17, 1902, known as the reclamation act.

SEC. 8. That all entries made and patents issued under the provisions of this act shall be subject to and contain a reservation to the United States of all the coal and other valuable minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same. The coal and other valuable mineral deposits in such lands shall be subject to disposal by the United States in accordance with the provisions of the coal and mineral land laws in force at the time of such disposal. Any person qualified to locate and enter the coal or other mineral deposits, or having the right to mine and remove the same under the laws of the United States, shall have the right at all times to enter upon the lands entered or patented, as provided by this act, for the purpose of prospecting for coal or other mineral therein, provided he shall not injure, damage, or destroy the permanent improvements of the entryman or patentee, and shall be liable to and shall compensate the entryman or patentee for all damages to the crops on such lands by reason of such prospecting. Any person who has acquired from the United States the coal or other mineral deposits in any such land, or the right to mine or remove the same, may reenter and occupy so much of the surface thereof as may be required for all purposes reasonably incident to the mining or removal of the coal or other minerals, first, upon securing the written consent or waiver of the homestead entryman or patentee; second, upon payment of the damages to crops or other tangible improvements to the owner thereof, where agreement may be had as to the amount thereof; or, third, in lieu of either of the foregoing provisions, upon the execution of a good and sufficient bond or undertaking to the United States for the use and benefit of the entryman or owner of the land, to secure the payment of such damages to the crops or tangible improvements of the entryman or owner, as may be determined and fixed in an action brought upon the bond or undertaking in a court of competent jurisdiction against the principal and sureties thereon, such bond or undertaking to be in form and in accordance with rules and regulations prescribed by the Secretary of the Interior and to be filed with and approved by the register and receiver of the local land office of the district wherein the land is situate, subject to appeal to the Commissioner of the General Land Office: *Provided*, That all patents issued for the coal or other mineral deposits herein reserved shall contain appropriate notations declaring them to be subject to the provisions of this act with reference to the disposition, occupancy, and use of the surface of the land.

SEC. 9. That the Secretary of the Interior is authorized to prescribe the necessary and proper rules and regulations and to do any and all things necessary to carry out and accomplish the purposes of this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. PITTMAN. I ask unanimous consent that the report of the Committee on Public Lands accompanying the bill be printed in the RECORD, as it carries with it the report of the Department of the Interior on the subject.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The report is as follows:

The Committee on Public Lands, to whom was referred the bill (S. 9) to encourage the reclamation of certain arid lands in the State of Nevada, and for other purposes, having had the same under consideration report thereon with the following amendments:

Page 1, section 1, line 10, after the word "not," insert "known to be."

Page 2, section 1, line 2, strike out "available" and "surface."

Page 5, section 6, strike out all of the paragraph after line 2 and insert "subject to entry and disposal only under 'An act to secure homesteads to actual settlers on the public domain,' approved May 20, 1862, and amendments thereto, known as the 160-acre homestead act."

As thus amended, the committee unanimously recommends that the bill be passed.

This bill deals solely with public lands in the State of Nevada. Nevada has the smallest amount of available surface water of any State in the Union. Nevada has the lowest precipitation of moisture. By reason of the low precipitation of moisture, dry farming has not proven successful. All the land now known to be suitable for entry under the homestead law was taken up years ago. There remains of the public land in the State of Nevada about 18,000,000 acres in the valleys that would be subject to cultivation if water could be obtained. There is no surface water available for such purpose. There is no known way under which this land may be brought under cultivation except by the development of subsurface waters in sufficient quantities and sufficiently economical to raise profitable crops. The Senate has twice passed bills practically identical, but no action has been obtained upon them in the House.

The amendments on page 2 were suggested by Mr. LENROOT, of Wisconsin, who was a member of the Public Lands Committee of the House at the time the former bills were under consideration before that committee.

The amendment on page 5, section 6, was offered by Mr. PITTMAN.

The bill was referred to the Interior Department for consideration and recommendation. The department recommends that the bill be passed. The report of the department is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, June 24, 1919.

Hon. REED SMOOT,
Chairman Committee on Public Lands, United States Senate.

MY DEAR SENATOR: I am in receipt of your request for report on S. 9, a bill to encourage the reclamation of arid lands in the State of Nevada.

It is observed that this bill is the same in purpose as two other measures heretofore introduced at previous sessions of Congress, both of which had the approval of this department. The first of these, known as S. 7109, died without consideration upon adjournment of the Sixty-third Congress. The second, known as S. 2519, passed the upper House at the first session of the Sixty-fourth Congress. With some additions, notably a clause providing for the designation of the land proposed to be reclaimed and another providing for the payment of a fee of 1 cent per acre, the present bill is not materially different from the one passed by the Senate. The primary purpose of the bill appears to be to encourage the development of artesian water on the public domain without expense to the Government. The bill is local in its effect, extending only to the State of Nevada, where peculiar conditions, such as geographic situation, the absence of streams or other bodies of surface water, the aridity or semiaridity of the soil, etc., seem to require such development, if large areas of unproductive lands insusceptible of irrigation from any known surface-water supply, but capable of being reclaimed by the application of underground waters, are to be made available for agricultural purposes.

Briefly, the Secretary of the Interior is authorized by the terms of the bill to grant to any qualified citizen of the United States, association, or corporation a permit for not exceeding two years to explore for water beneath the surface of not to exceed 2,560 acres of public lands in the State of Nevada, and upon proof that water has been developed in sufficient quantities to produce agricultural crops other than native grasses upon as much as 20 acres, is authorized to patent to the permittee one-fourth of the land covered by the permit, a maximum of 640 acres, and to dispose of the remaining lands at public auction in farm units of not less than 40 acres.

The land area of the State of Nevada, as shown by a report of the Commissioner of the General Land Office, is 70,841,600 acres, and the area of undisposed of and unreserved public lands within the State, as shown by the commissioner's report of July 1, 1918, is 55,082,200 acres. It has been demonstrated that in certain valleys of the State quantities of water exist which can be brought to the surface and applied successfully to the irrigation of these lands. The large surface areas, sparse population, and comparatively small amount of assessable property at present in the State call for the need of further development, and, as before intimated, it is believed that the peculiar circumstances and conditions and the resulting benefit that would accrue to the State and incidentally to the United States, warrant the enactment of the legislation. The amendments noted in the present bill are considered an improvement upon the measure passed by the Senate at a previous session of Congress, and I have no objection to interpose thereto.

I recommend that S. 9 be passed.

Cordially, yours, ALEXANDER T. VOGELSANG,
Acting Secretary.

LAND SURVEYS IN FLORIDA.

Mr. LENROOT. By direction of the Committee on Public Lands I report back favorably with amendments the bill (S. 55) to authorize the Secretary of the Interior to adjust disputes or claims by entrymen, selectors, grantees, and patentees of the United States against the United States and between each other, arising from faulty surveys in townships 36, 37, and 38 south, ranges 29 and 30 east, Tallahassee meridian, in the State of Florida, and for other purposes, and I submit a report (No. 67) thereon.

Mr. FLETCHER. I ask unanimous consent for the present consideration of the bill, which relates to certain surveys which have been made in the State of Florida. The bill has been reported by the committee with one or two amendments, which are entirely satisfactory.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendments were, on page 2, line 8, after the words "United States," to insert "in the said townships open to entry or settlement"; and on page 3, line 9, after the word "survey," to insert "*Provided further*, That nothing herein shall be construed as authorizing the Secretary of the Interior in the said settlement to patent to any entryman, selector, grantee, or patentee, or his heirs or assigns an area which, when added to the area retained by the said entryman, selector, grantee, patentee, or his heirs or assigns, shall give a larger acreage than that originally entered or thought to be acquired from the United States or any grantee of the United States," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to equitably adjust disputes and claims by entrymen, selectors, grantees, and patentees of the United States, their heirs or assigns, against the United States and between each other, arising from faulty surveys in townships 36, 37, and 38 south, ranges 29 and 30 east, Tallahassee meridian, in the State of Florida, the said surveys having been shown to have been faulty by the resurvey of certain lands in said townships, and for this purpose the said Secretary is authorized to accept conveyances from and grant patents to any such entrymen, selectors, grantees, patentees, their heirs or assigns, of any of the lands of the United States in the said townships open to entry or settlement which, in the judgment or discretion of said Secretary, it shall be just and equitable to grant or convey to such parties or any of them, to make up any deficiency or loss sustained by any such parties by reason of such faulty surveys, or by the meander lines, locations, or existence of lakes or other bodies of water, not shown or incorrectly shown by such original faulty surveys of the United States in said townships, to the end that such entrymen, selectors, grantees, patentees, their heirs or assigns, may be duly vested with the title to such part of the lands of the United States as shall be necessary or proper to make up any deficiency in acreage or loss, as far as possible, due to such faulty survey, as shown by the resurvey of the said townships, preserving to the owners who have lands shown by the former faulty surveys to be actually bounded by lakes or other bodies of water, as far as practicable, the right to have patented to them the lands shown by such new resurveys to lie between their holdings and such lakes or bodies of water: *Provided*, That in the said adjustment no greater area shall be patented to any claimant than that which is surrendered by him or of which he is deprived by the fact that, under the corrected survey, the area to which title, derived from the United States, is now asserted by the entryman, selector, grantee, patentee, his heirs or assigns, is found to have no existence in fact, or to be covered by water and to have been so covered at the time of the faulty survey. *Provided further*, That nothing herein shall be construed as authorizing the Secretary of the Interior in the said settlement to patent to any entryman, selector, grantee, or patentee, or his heirs or assigns an area which, when added to the area retained by the said entryman, selector, grantee, patentee, or his heirs or assigns, shall give a larger acreage than that originally entered or thought to be acquired from the United States, or any grantee of the United States.

SEC. 2. That the said Secretary of the Interior be, and is hereby, authorized to cause to be made such surveys or resurveys in said townships as may, in his judgment, be necessary in order to carry out the provisions of this act.

SEC. 3. That from and after the date of the introduction of this bill the lands in townships 36, 37, and 38 south, ranges 29 and 30 east, Tallahassee meridian, shall be withdrawn from all settlement and entry, and shall remain so withdrawn until the adjustments hereinbefore alluded to shall have been completed.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. FLETCHER. I ask that the report of the committee on the bill be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The report is as follows:

The Committee on Public Lands, to whom was referred the bill (S. 55) to authorize the Secretary of the Interior to adjust disputes or claims by entrymen, selectors, grantees, and patentees of the United States against the United States and between each other, arising from faulty surveys in townships 36, 37, and 38 south, ranges 29 and 30 east, Tallahassee meridian, in the State of Florida, having had the same under consideration, report thereon with the following amendments:

Page 2, line 8, after the word "States," insert "in the said townships open to entry or settlement."

Page 3, line 9, after the word "survey," add "*Provided further*, That nothing herein shall be construed as authorizing the Secretary of the Interior in the said settlement to patent to any entrymen, selector, grantee, or patentee, or his heirs or assigns an area which, when added to the area retained by the said entryman, selector, grantee, patentee, or his heirs or assigns, shall give a larger acreage than that originally entered or thought to be acquired from the United States, or any grantee of the United States."

As thus amended the committee recommend that the bill do pass.

The bill was referred to the Interior Department, and the Secretary of that department furnished the committee with the following report thereon:

DEPARTMENT OF THE INTERIOR,
Washington, June 12, 1919.

Hon. REED SMOOT,
Chairman Committee on Public Lands, United States Senate.

MY DEAR SENATOR: I am in receipt of your letter dated May 26, 1919, transmitting for review and report Senate bill 55, in reference to the

adjustment of disputes or claims by entrymen, selectors, grantees, and patentees of the United States against the United States and between each other, arising from faulty surveys in townships 36, 37, and 38 south, ranges 29 and 30 east, Tallahassee meridian, in the State of Florida, and for other purposes.

In reporting upon this proposed legislation I am advised by the Commissioner of the General Land Office that the matter of the resurvey of the above-named townships was initiated in January, 1916, by formal application submitted by the settlers and interested landowners. The petition contains the following caption:

"We hereby bind ourselves to fully cooperate in the effort that is now being made to get the United States Land Office to order a resurvey and relocation or retracement of township, range, and section lines in the townships above mentioned, and others if there be such as known to be in error."

The application was supported by certain maps, field notes, and exhibits submitted by the applicants as evidence both of the conditions then existing and of the necessity for resurvey.

After consideration of the data presented, and after conference with the proponents of the resurvey, the Commissioner of the General Land Office reached the conclusion that no general resurvey of the townships in question was necessary or desirable, particularly on account of the fact that the interest retained in the premises by the United States appeared to be so small as to render the petition inadmissible under the departmental ruling of May 22, 1909.

It appeared, however, that the obliteration of the evidences of the original survey was so general as to preclude the possibility of restorations by local surveyors, and that there was considerable confusion and uncertainty as to the boundary lines which the settlers, entrymen, and owners were unable to overcome. Under the circumstances the commissioner was disposed to grant whatever relief could properly be offered short of a general resurvey, and was of the opinion that inasmuch as practically all of the individual entries and unpatented lands were confined to a highly restricted area, the execution of a corrective survey limited to the western portions of townships 36, 37, and 38 south, range 30 east, would be sufficient to clear the situation and accomplish the purpose of the applicants. No action appeared to be necessary in townships 36, 37, and 38 south, range 29 east.

A field examination was accordingly authorized, and it was developed that only a small portion of the monuments of the original surveys could be identified with any degree of certainty, sufficient in number, however, and bearing a satisfactory relation to one another to afford a satisfactory control for the reestablishment of the lines of the original surveys.

It was shown by the applicants for the resurvey and by the examiner who made the preliminary investigation that very large discrepancies existed in townships 36 and 37 south, range 30 east, with respect to the position of numerous lakes which exist in these townships. The original township plats show several lakes, but these lakes were not represented in their correct positions, i. e., the lakes are located in a different position from that represented on the approved township plats, and with different sinuosities of the shore lines. There are also numerous lakes in these townships which are not represented on the original township plats. The information before the department indicated that much of the doubt and confusion of the settlers in regard to the true position of their boundary lines was due to the discrepancies in the position of the lake areas in these townships. The resurvey of certain lines and boundaries in which the Government has an interest in the proper location of public lands was therefore authorized by the department on December 11, 1916. Such resurvey has been made, and it shows conclusively that the old survey was erroneous in certain details, particularly with reference to the location and identification of numerous lakes in this region, such lakes being in some instances entirely omitted from the original plats, and in other cases not correctly located. This condition complicated the resurvey, but in no measure disqualifies the identification of the position of the original section lines. Careful technical examination of the resurvey demonstrates that only one position can result from the control based upon the best available evidences of the original survey to be found upon the ground.

A condition developed by the resurvey heretofore made is that an extension of the resurvey to include adjoining areas will probably disclose additional areas of unsurveyed public land, and likewise show that areas disposed of as land will prove to be lake, or that areas shown on the original plats as lake will be found to be land. It is this condition that has led to the introduction of this bill.

While the Land Department may, under existing law (2372 R. S.) by amendment of entries and patents, correct mistakes in descriptions to the end that the Government's patents shall convey the land intended to be entered, such law is hardly broad enough to cover what I understand is desired to be done here, namely, to authorize an exchange of the areas originally entered, now found to be lake, for vacant areas of public land. As the provisions of the bill appear to be entirely discretionary with the Land Department, I see no objections to it, and it may enable us to make equitable adjustments which might otherwise result in loss or damage by reason of these old erroneous surveys.

I do not think section 3 is necessary, and it best be omitted from the bill, for the President has ample authority under the act of June 25, 1910 (36 Stat., 847), as amended by the act of August 24, 1912 (37 Stat., 497), to make withdrawals in aid of legislation or for other purposes, and I have already submitted to the President a proposed Executive order for the temporary withdrawal of the areas that may be affected by this legislation until the adjustments contemplated may be brought about.

Cordially, yours, FRANKLIN K. LANE, *Secretary.*

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 2378) to authorize the issuance of patent to John Albert Thompson, and for other purposes; and

A bill (S. 2379) to provide for the disposition of certain public lands withdrawn and improved under the provisions of the act of Congress approved June 25, 1910 (36 Stat. L., 847), as amended by the act of August 24, 1912 (37 Stat. L., 497), and which are no longer needed; to the Committee on Public Lands.

A bill (S. 2380) to provide for an increased annual appropriation for agricultural experiment stations, to be used in researches and experiments in home economics, and regulating the expenditure thereof; to the Committee on Agriculture and Forestry.

By Mr. NELSON (by request):

A bill (S. 2381) relating to procedure in divorce cases in the Panama Canal Zone; to the Committee on the Judiciary.

By Mr. LENROOT:

A bill (S. 2382) for the relief of John P. Chesley; to the Committee on Military Affairs.

By Mr. SPENCER:

A bill (S. 2383) to authorize the Secretary of War to confer certain insignia; to the Committee on Military Affairs.

By Mr. SHEPPARD:

A bill (S. 2384) to amend an act approved May 23, 1918, and entitled "An act to prohibit the sale, manufacture, and importation of intoxicating liquors in the Territory of Hawaii during the period of the war, except as hereinafter provided"; to the Committee on Pacific Islands and Porto Rico.

A bill (S. 2385) to authorize the President, on recommendation of the Secretary of Agriculture, to accept lands donated to the United States as refuges for wild game animals and wild birds, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. NUGENT:

A bill (S. 2386) for the relief of William W. Hawley; to the Committee on Military Affairs.

A bill (S. 2387) granting a pension to Levi T. Miller; and

A bill (S. 2388) granting a pension to John Hermo; to the Committee on Pensions.

By Mr. NEWBERRY (for Mr. TOWNSEND):

For my colleague [Mr. TOWNSEND], who is still detained at his home by reason of the serious illness of his wife, I introduce the following bill, which I ask to have referred to the Committee on Post Offices and Post Roads:

A bill (S. 2389) granting 30 days' leave of absence to employees of the Postal Service of the United States; to the Committee on Post Offices and Post Roads.

By Mr. CHAMBERLAIN:

A bill (S. 2390) for the relief of William Fulton Hedges; to the Committee on Claims.

By Mr. SWANSON (for Mr. MARTIN):

A bill (S. 2391) granting a pension to James W. Weaver; to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 2392) granting a pension to Rebecca Buffington; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 2393) repealing section 630, chapter 18, public, No. 254, entitled "An act to provide revenue, and for other purposes"; to the Committee on Finance.

By Mr. MYERS:

A bill (S. 2394) granting a pension to David W. Beaver; to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 2395) amending section 25 of the act approved December 23, 1913, known as the Federal reserve act, as amended by the act approved September 7, 1916; to the Committee on Banking and Currency.

A bill (S. 2396) granting an increase of pension to Charles L. Stevens (with accompanying papers); to the Committee on Pensions.

By Mr. REED:

A bill (S. 2397) to reimburse Martin Carroll for additional face work on walls of officers' quarters over the price named in the contract for the United States noncommissioned officers' quarters at Fort Leavenworth, Kans.;

A bill (S. 2398) to authorize the Secretary of the Treasury to pay the claim of Mary Clerkin; and

A bill (S. 2399) for the relief of the heirs of Patrick McIntyre, deceased; to the Committee on Claims.

A bill (S. 2400) to authorize the commissioning of Maj. Robert W. Barr;

A bill (S. 2401) for the relief of Northrop Banks; and

A bill (S. 2402) to correct the military record of J. W. Metler; to the Committee on Military Affairs.

A bill (S. 2403) to purchase a site for the erection of a post-office building in the city of Fredericktown, Mo.;

A bill (S. 2404) to erect a Federal building in the city of Caruthersville, Mo., on the site now owned by the United States Government; and

A bill (S. 2405) to erect a Federal building in the city of West Plains, Mo., on the site now owned by the Government; to the Committee on Public Lands.

A bill (S. 2406) granting a pension to James Grimmet;

A bill (S. 2407) granting an increase of pension to Eddie Thomas (with accompanying papers);
A bill (S. 2408) granting an increase of pension to Thomas B. Fogle (with accompanying papers);
A bill (S. 2409) granting an increase of pension to Frank Morgan;
A bill (S. 2410) granting an increase of pension to Jonathan J. Ragner;
A bill (S. 2411) granting a pension to Daniel Wootan;
A bill (S. 2412) granting an increase of pension to Samuel S. Householder;
A bill (S. 2413) granting a pension to B. F. Shields;
A bill (S. 2414) granting a pension to Daniel J. Begley;
A bill (S. 2415) granting a pension to Catherine L. Nixon Rogers;
A bill (S. 2416) granting a pension to Edward F. Rostock;
A bill (S. 2417) granting a pension to Mary E. Stafford;
A bill (S. 2418) granting an increase of pension to James Hanners; and
A bill (S. 2419) granting an increase of pension to Ella R. Brown; to the Committee on Pensions.

By Mr. CURTIS:
A bill (S. 2420) for the relief of Etta H. Peck (with accompanying papers); to the Committee on Claims.
A bill (S. 2421) granting a pension to John B. Hamblin (with accompanying papers);
A bill (S. 2422) granting a pension to Rosala F. Wilson (with accompanying papers);
A bill (S. 2423) granting an increase of pension to Louisa E. Street (with accompanying papers);
A bill (S. 2424) granting a pension to Francis T. Minahon; and
A bill (S. 2425) granting a pension to Edward J. Meacum; to the Committee on Pensions.

By Mr. MYERS:
A joint resolution (S. J. Res. 68) for the relief of homesteaders who are suffering from the effects of great and serious droughts; to the Committee on Public Lands.

By Mr. KENYON:
A joint resolution (S. J. Res. 69) appointing a commission to report on conditions in the Virgin Islands; to the Committee on Pacific Islands and Porto Rico.

FEDERAL FARM LOAN BOARD.

Mr. SMOOT. I introduce a bill in relation to which I merely desire to make a word of explanation.

The bill (S. 2377) to amend section 1 of the act approved July 17, 1916, known as the Federal farm-loan act, so as to provide for the payment of the expenses of the Federal Farm Loan Board and employees by the Federal land banks and joint-stock land banks, was read twice by its title.

Mr. SMOOT. The Federal farm-loan act provides that all of the expenses and salaries of the Federal Farm Loan Board and of the farm-loan registers and examiners authorized by that act shall be paid by the United States. After an examination of this question, I find that it costs the Government of the United States about $342,000 a year to pay such salaries and expenses. These institutions are very profitable, and I can not see why the Government of the United States should pay $342,000 a year for administering the affairs of those banks. The bill which I have introduced simply amends the act so that such expenses shall be paid by the banks themselves and that the amounts necessary to be collected for that purpose shall be collected on the basis of the gross assets of such banks. The Federal Farm Loan Board, therefore, will collect according to the gross assets of these banks enough to pay such expenses.

The national banks of our country, whenever an examiner is sent to them to examine the condition of the banks, themselves pay for that service. It is an administrative affair, and these banks ought to pay for it. I am quite sure that the bill will meet the approval of the Treasury Department. I desire further to say that I hope the bill will be reported from the committee at an early date.

The PRESIDENT pro tempore. The bill will be referred to the Committee on Banking and Currency.

RECEPTION OF THE PRESIDENT ON THURSDAY.

Mr. LODGE. Mr. President, I desire to offer an order.

The order was read, as follows:

Ordered, That a committee of five Senators be appointed by the President pro tempore to inform the President that the Senate will be pleased to receive his communication in open executive session at 12.15 p. m. on Thursday, July 10, 1919, and that the same committee receive him on his arrival at the Capitol and escort him to the Senate Chamber.

Mr. LODGE. Mr. President, I merely desire to say to the Senate that the Vice President, who is unable to be here to-day, has notified the President pro tempore officially that the President desires to address the Senate at 12.15 on Thursday next, day after to-morrow. Therefore I have offered the usual order which has been submitted on previous occasions for the reception of the President.

The PRESIDENT pro tempore. Without objection, the order is agreed to; and the Chair appoints the Senator from Massachusetts [Mr. LODGE], the Senator from North Dakota [Mr. MCCUMBER], the Senator from Idaho [Mr. BORAH], the Senator from Nebraska [Mr. HITCHCOCK], and the Senator from Mississippi [Mr. WILLIAMS] as the committee.

ADJOURNMENT TO THURSDAY.

Mr. LODGE. I move that when the Senate adjourns to-day it be to meet at 12 o'clock on Thursday next.

The motion was agreed to.

GERMAN-JAPANESE TREATY.

Mr. KELLOGG. I ask unanimous consent for the present consideration of Senate bill 715, being Calendar No. 36.

Mr. LODGE. Mr. President, I inquire if morning business has been concluded?

The PRESIDENT pro tempore. Morning business has not yet been concluded.

Mr. LODGE. I should like to have an opportunity to present morning business. I have no objection to the bill of the Senator from Minnesota.

The PRESIDENT pro tempore. The Senator from Minnesota asks unanimous ocnsent for the present consideration of the bill named by him.

Mr. LODGE. Mr. President, I ask for the regular order; I should like to present a matter of morning business. I do not wish to interfere with the bill of the Senator from Minnesota at all, but I have been waiting here for some time to offer a resolution.

The PRESIDENT pro tempore. The resolution will be received.

Mr. LODGE. I offer the resolution which I send to the desk.

The resolution (S. Res. 110) was read, as follows:

Resolved, That the President be requested, if not incompatible with public interest, to send to the Senate a copy of the treaty between Germany and Japan referred to in the press dispatch hereto annexed, and to inform the Senate whether such treaty has been abrogated under clause 2 of article 289 of the treaty with Germany or whether it is still in force and effect.

Mr. LODGE. I ask that the newspaper clipping accompanying the resolution be read.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

"JAPAN AND FOE IN SECRET PACT—SOVIET GOVERNMENT MAKES PUBLIC TREATY BETWEEN NIPPON EMPIRE AND GERMANY.

[By United Press.]

"BUDAPEST, *June 20*.

"The Soviet Government to-day made public in a wireless dispatch from Moscow the following version of an alleged secret treaty negotiated between Japan and Germany:

"'First. Both parties undertake to lend a helping hand to the third treaty party (Russia) as soon as compatible with the world's political situation, for the restoration of her internal order, international prestige, and power.

"'Second. Japan undertakes the granting to Germany of advantages resulting from the most-favored-nation reciprocity clauses of the existing Russo-Japanese treaty.

"'Third. Japan undertakes to permit Germany to participate, in accordance with concessions embodied in this special treaty, in Japan's preferential treaty rights in China, the parties undertaking to exclude foreign powers (United States and Great Britain) from securing further concessions there.

"'Fourth. Japan undertakes the safeguarding indirectly of Germany's interests in the forthcoming peace conference, striving for minimum territorial and material disadvantages to Germany.'

"The dispatch declared that the alleged treaty was negotiated by Oda, Japanese plenipotentiary, who arrived in Stockholm on October 18, 1918, to begin secret conferences with German Ambassador Lucius. The Bolsheviki claim that Oda transmitted to Tokyo secret German overtures for a separate peace.

"Oda and Lucius, agreeing upon the principles of a treaty, later went to Berlin to complete the draft, the Bolsheviki charge. The German Government approved the document, it was said, but the revolution rendered it impossible of execution.

"The alleged existence of such a treaty was first definitely asserted by Foreign Minister Tchitcherin in a recent interview with the United Press. The Bolsheviki's bitter opposition to the alleged treaty and their desire to make it public results,

Tchitcherin explained, from the fact it could only become operative through their overthrow and the restoration of the Russian Empire."

Mr. WALSH of Montana. I should like to hear the resolution read again before it is referred.

The PRESIDENT pro tempore. The Secretary will again read the resolution.

The Secretary again read the resolution.

The PRESIDENT pro tempore. The resolution and accompanying paper will be referred to the Committee on Foreign Relations.

CURRENCY IN CIRCULATION.

Mr. MYERS. I offer a resolution which I ask to have read, and then I will ask unanimous consent for its immediate consideration.

The resolution (S. Res. 111) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, requested to inform the United States Senate of the amount of emergency or additional currency issued by the United States or the Federal reserve banks of the country or otherwise under or by authority of the United States Government since the 1st day of August, 1914, and how much, if any thereof has been retired or withdrawn from circulation, and what is the intention of the Treasury Department in regard thereto, and when it may be the intention of the Treasury Department to retire or withdraw from circulation any thereof, and how much and how fast; and, further, to inform the United States Senate of the amount of money in circulation in the United States, its territories and possessions, August 1, 1914, and the amount now in circulation therein.

TREATY WITH MEXICO IN 1844.

Mr. SHERMAN. I present an extract from Woodrow Wilson's history of the United States relative to the treaty with Mexico sent to the Senate by President Tyler in 1844 and the comments of Mr. Wilson thereon. I ask that it be read. It is very short.

The PRESIDENT pro tempore. Without objection, the Secretary will read as requested.

The Secretary read as follows:

THE TREATY MAKER.

"In April, 1844, Mr. Tyler sent to the Senate a treaty of annexation which he had negotiated with Texas. Secret negotiations, a piece of business privately carried to completion and made public only when finished, suited well with the President's temper and way of action. A man naturally secretive, naturally fond, not of concealments but of quiet and subtle management, not insincere but indirect in his ways of approach, he relished statecraft of this sort and no doubt liked the Texas business all the better because it seemed to demand, in its very nature, a delicate and private handling. The Senate rejected the treaty by the very decisive vote of 16 to 35, men of both parties alike deeply irritated that the President should spring this weighty matter upon the country in such a fashion, taking no counsel beforehand save such as he chose to take." (From Woodrow Wilson's "A History of the American People," vol. 4, p. 102.)

HOUSE BILL REFERRED.

H. R. 3184. An act to create a Federal power commission and to define its powers and duties; to provide for the improvement of navigation, for the development of water power, for the use of lands of the United States in relation thereto; to repeal section 18 of "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved August 8, 1917, and for other purposes, was read twice by its title and referred to the Committee on Commerce.

IRRIGATION PROJECTS ON INDIAN LANDS.

Mr. CURTIS. I offer the resolution which I send to the desk, and I ask unanimous consent for its immediate consideration. It simply calls for information from the Interior Department.

The resolution (S. Res. 112) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Interior be, and he is hereby, authorized and directed to furnish to the United States Senate full and complete information in regard to the various irrigation projects or systems on Indian reservations or on tracts of lands allotted to Indians under his jurisdiction, including those under construction by the United States Reclamation Service, said report shall give full information as to the size of each reservation, the number of Indians, the number of acres of allotted and unallotted lands on each reservation, the number of acres susceptible of irrigation, the number of acres under each project, the cost of construction to date, the cost of maintenance, the cost of completion, the cost per acre to complete, the estimate value per acre when complete, the number of acres of land on each reservation or allotted tracts under each irrigation project actually cultivated, the number of acres under each system or project cultivated by Indians, the number of Indians actually using water from the project for farming purposes, the number of acres under each project farmed by tenants, the number of acres farmed by white settlers, the number of acres farmed by agency employees, the funds from which each system is being constructed, the amount reimbursed to each fund, and the income derived from each project.

PUBLIC BUILDINGS COMMISSION.

Mr. SMOOT. Mr. President, by the legislative, executive, and judicial appropriation act approved March 1, 1919, there was created what is known as the Public Buildings Commission. The act provides that—

Said commission shall have the absolute control of and the allotment of all space in the several public buildings owned or buildings leased by the United States in the District of Columbia, with the exception of the Executive Mansion and office of the President, Capitol Building, the Senate and House Office Buildings, the Capitol power plant, the buildings under the jurisdiction of the Regents of the Smithsonian Institution, and the Congressional Library Building, and shall from time to time assign and allot, for the use of the several activities of the Government, all such space.

The commission was appointed, and I desire to make a brief report to the Senate as to what that commission has done up to date.

After the organization of the commission a complete survey was made of all of the Government buildings in the District, together with all of the buildings or parts of buildings that were rented by the Government. After that survey was completed the commission met and assigned the space in the different Government buildings in the District; and in that assignment, Mr. President, the following result was accomplished in saving rented space in the District of Columbia:

The net rented space occupied June 1, 1919—that was before the commission had made its first assignment, and in passing I wish to say that this is simply the first assignment; there will be further assignments hereafter, and we expect to save a great deal of rented space in the District of Columbia in the future surveys and assignments—but the net rented space occupied June 1, 1919, was 1,809,293 square feet. The net rented space vacated in the assignment of space by the commission is 410,132 square feet. The annual rental being paid June 1, 1919, was $964,562.20. The annual rental beginning July 1, 1919, will be $607,995.44, or a net saving to the Government in rental charges on the basis of the first assignment of $356,560.76.

There are some of the buildings the rent of which is exceedingly high, but for lack of Government buildings it is impossible for us to assign space to the employees occupying such buildings. We expect that the Arlington Annex will be completed by the 1st day of August, or, at the latest, by the 1st day of September. The War Risk Bureau, with its thousands of employees, expects to use that building, as far as possible, together with other employees of the Treasury Department.

Mr. POMERENE. Mr. President, does the Senator think that the War Risk Bureau will have to occupy the entire building?

Mr. SMOOT. I will say that the building at the present time is just as crowded as it ought to be; and if the Senator will go down to the building and walk through it and go into the rooms he will find that it is one of the most crowded buildings in the District. I will say in passing, however, that I do hope that the number of employees of the War Risk Bureau, beginning with September or October, will decrease. I noticed in the press the other day that they were advertising for 1,000 more stenographers, and when one of the clerks of the bureau came to my office the other morning pleading for more space he advised me that within the next 30 days they would have to have 3,000 additional employees. I told him that I did not believe Congress was going to allow any such increase in the employees of the bureau, and that the best thing for him to do was to begin to cut down, rather than to increase, the number of employees; and as far as the Public Buildings Commission is concerned, we are not going to provide space for 3,000 additional employees for that bureau.

Mr. POMERENE. Mr. President, my attention has been called to some of the most wretched mistakes that it is possible for any human being to make as coming from that bureau, and it indicates a good deal of incompetency somewhere. I do not know who is responsible for it, but it occurred to me that some efficiency methods might be in good place.

Mr. SMOOT. I will say to the Senator that in the first organization of the Bureau of War Risk Insurance it seemed to be the policy of the director of that bureau to see how many employees he could secure irrespective of the work accomplished. It had nearly 18,000 employees, and every girl that they could induce to come here from any part of the country was added to the list. That is why the bureau collapsed. That is why these mistakes referred to were made. I have been in the building and noticed the girls were so crowded that they were falling over each other. I do not believe that the girls in that bureau did as much work in a seven-and-a-half-hour day as could have been done, and done much better, by competent employees in an hour and a half. I have heard many of them make this statement, and they have complained many times that they were not

doing the work that they would like to do, and with such management the collapse came.

I am in hopes now, Mr. President, that under the new management such conditions will not be tolerated. I will say to the Senator that a great quantity of the information collected in the beginning, and the records that they have, had to be done away with entirely. The information was incorrect. That is why we had such great trouble in finding out the condition of our soldiers that were wounded, and especially in relation to the failure of the payment of allotments to the families of our soldiers or the insurance that was due to the beneficiaries of the dead.

Mr. POMERENE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Ohio?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. POMERENE. It has come to my knowledge that in a number of these departments there are a large number of clerks who have nothing to do, and I know in several instances they have said they would resign rather than receive their salaries for doing nothing.

Mr. SMOOT. I will say to the Senator that at least 20 of the employees in that department have come into my office and said, "Can you not get me a transfer?" And when I have asked them why they wanted a transfer they have said, "I want to go into some Government office where I can do some work. I have been in the War Risk Bureau for over a month, and I have not done two days' work in that whole time."

Mr. HITCHCOCK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. SMOOT. Certainly.

Mr. HITCHCOCK. I should like to ask the Senator, who is the chairman of this commission, whether the commission has any authority now to inquire into the need of employees for whom housing is asked?

Mr. SMOOT. I was honored with the chairmanship. We have no such authority; and the only reason why I speak of it now is because in the survey we require that the number of employees shall be stated, so that we can determine the space that each employee should have, and the space required by the department or the bureau as a whole. I will say that we have tried as nearly as possible to give 75 square feet to each employee of the Government. That is net space, and does not include the amount required for closets and files and the other paraphernalia necessary to every office in which clerks are employed.

Mr. HITCHCOCK. I think the Senator has touched upon a matter which ought to receive consideration. It seems to me that there should be some congressional authority having power to take testimony and ascertain whether the present number of employees in a department is necessary, and also whether the employees are efficient. I do not know whether there is any such authority now or not.

Mr. SMOOT. There is no such authority now.

Mr. HITCHCOCK. But the idea occurred to me while the Senator was speaking that possibly this act might be so broadened as to give the commission the proper authority to make the inquiry and make an intelligent effort to reduce not only office space but office employees.

Mr. SMOOT. As I stated on the floor of the Senate sometime ago, in my opinion the only way in which we will ever get rid of these extra employees is for the Appropriations Committees of the two Houses to refuse to appropriate, or to have Congress appoint some commission with authority to discharge them.

Mr. FLETCHER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Florida?

Mr. SMOOT. I do.

Mr. FLETCHER. Is there not a commission now operating with reference to the readjustment of salaries and the number of employees?

Mr. SMOOT. That commission has no authority whatever to readjust the number of employees. What it is investigating is the question of the proper compensation to be paid by the Government to the different classes of employees in the Government service. That commission is at work. The first appropriation we made for it was $25,000, and I think that in the last sundry civil bill we appropriated $65,000 more.

Mr. FLETCHER. I was under the impression that they had authority to investigate and report, anyhow, to Congress as to the need of the employees.

Mr. SMOOT. No; not as to the need and number, but as to the amount of compensation which should be paid to them.

Mr. SWANSON. Mr. President, as I understand, all of the departments in Washington are under the control of the Appropriations Committees—the Navy Department, the War Department, and all of them. The clerical force appropriated for, the number of clerks designated, and everything is under the control of the Appropriations Committees. The entire departmental service in Washington is usually, I think, carried in the legislative bill and the sundry civil bill.

Mr. SMOOT. Most of it in the legislative bill; some in the sundry civil bill.

Mr. SWANSON. Consequently those committees have full authority to investigate every department, ascertain the number of clerks that are needed to do the work, and have entire control of the situation as to the number of clerks in all the departments in Washington.

Mr. SMOOT. Mr. President, I will say that an appropriation of $10,000 was made for the Public Buildings Commission. Up to the present time I do not think we have spent $750. We are going, however, in a very few months to make a further survey of all the buildings and see if further changes can be made.

Mr. FLETCHER. Mr. President, may I ask the Senator whether or not that commission is authorized to investigate the operations of the Housing Corporation, the whole subject?

Mr. SMOOT. No; this commission is only authorized to assign space.

Mr. FLETCHER. It seemed to me that it would be a good idea to extend the power of that commission and to authorize a thorough investigation of the Housing Corporation.

Mr. SMOOT. I will say to the Senator that with the expenditure of about $750 we have already saved to the Government $356,560.76 annually.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

Mr. SMOOT. Yes; I yield.

Mr. CHAMBERLAIN. I will ask the chairman of the committee if they are making inquiry as to the duplication of work by the different bureaus and departments?

Mr. SMOOT. No; and that is one question that ought to be investigated foremost and above all things. There is duplication of work in every department of the Government.

Mr. CHAMBERLAIN. I think there is duplication, as the Senator says, in every department of the Government, and in making the investigation for the assignment of space it seems to me the commission might do a good work by suggesting to the Senate where it finds a duplication.

Mr. SMOOT. I thank the Senator for his suggestion.

Mr. KING. Before my colleague leaves that question, if he will permit an interruption, we have an efficiency board or organization, I do not now remember the exact title of the agency. Sometime ago I called the attention of that organization or its chairman to this duplication and to the superabundance of employees in many departments and urged that some action be taken to reduce expenses, cut down the number of employees, and increase efficiency. I should like to ask the Senator whether there are any particular limitations upon the power of that agency, and what, if anything, it has done to promote efficiency and reduce expenditures and, of course, incidentally to reduce the number of employees?

Mr. SMOOT. I will say if anything has been done along that line I am not aware of it. I do know that something will have to be done in order to stop the duplication of work. It was reported to the Appropriations Committee of the Senate the other day, when the sundry civil appropriation bill was before the committee, that there were 47 agencies expending money in the Public Health Service alone.

Mr. HITCHCOCK. Mr. President, is it not the fault now with the efficiency commission, to which the Senator from Utah [Mr. KING] refers, that they themselves are simply a commission employed by the Government? They make recommendations to the departments, and the recommendations may or may not be taken up. If this efficiency commission were acting under authority of a congressional committee, such as this office committee, then the recommendations would have the force of congressional sanction and would be carried out.

Mr. SMOOT. And without that power granted to any commission there will be nothing done, as I said before.

Mr. HITCHCOCK. I should like to see the powers of the commission so broadened as to give them authority to inquire into the matter of efficiency and into the necessity of employing clerks for whom the commission is required to assign space. I should like to cooperate with any effort that is made in that direction, and I believe it would meet with general approval.

Mr. SWANSON. Mr. President, the commission which the Senator from Utah [Mr. SMOOT] and myself represent would have been absolutely ineffective if we had not had the power to act.

Mr. SMOOT. There is no doubt about that.

Mr. SWANSON. Last year or year before last we had in an appropriation bill the matter of the creation of this commission. As chairman of the Committee on Public Buildings and Grounds I ascertained the fact that in a great many of the departments they were overcrowded, and many of them had a vast amount of unnecessary space which they were needlessly occupying. This commission was agreed to in the Senate nearly two years ago, but the House refused to accept it. This year the same commission was included in the bill with authority to act. Consequently the heads of the various departments were called before the committee. We have authority to assign space to every department here in Washington, and the decision of this commission is final and must be accepted. We have had a great deal of difficulty, a great deal of kicking, as is said in common parlance, on the space assigned, but we fixed it on a specific basis, and we have been firm in it, and I think, as the Senator from Utah [Mr. SMOOT] stated, it has resulted in a great saving to the Government. We have no authority except to assign space in the buildings constructed after we entered the war.

Mr. NELSON. Will the Senator from Utah yield to me?

Mr. SMOOT. Certainly.

Mr. NELSON. Why ought we not to equip this same commission with authority to determine the number of employees in each bureau and department?

Mr. SWANSON. I was going to make that suggestion. The commission is too small to do all this work. The Senator from Utah and myself could not examine all these departments to ascertain the number of clerks needed, but a commission like this with authority to act, with authority to dismiss clerks where they found there were too many employed, would be very effective. Unless we had absolute power to make our decision final, we never could accomplish anything by making a mere recommendation.

Mr. HITCHCOCK. Mr. President, I realize that there is much of that work which could not be done by this commission, which is a very good one; but would it not be possible to place the efficiency commission under the authority of the congressional commission, and give to the efficiency commission the sanction of Congress?

Mr. SWANSON. My idea is to authorize the Appropriations Committee, which has usually been a very economical committee, to investigate the different departments, that we should direct them to investigate the departments as to the number of clerks needed, and give the committee full authority to act.

Mr. HITCHCOCK. The difficulty there is that you have an Appropriations Committee, and you have also a Naval Affairs Committee, a Military Affairs Committee, and a number of others which bring in appropriation bills for the various departments. What I am seeking is to centralize in one commission the responsibility for the size of the departments and the number of employees.

Mr. SWANSON. The Military Committee and the Naval Committee have nothing whatever to do with the number of clerks in the War and Navy Departments. The naval bill does not carry an appropriation for clerks in the Navy Department, and the military bill carries no appropriation for clerks in the War Department. The appropriations for the entire departmental work here in Washington are carried in the legislative, executive, and judicial bill or the sundry civil bill.

Mr. SMITH of Georgia. Oh, no; the Senator is mistaken. There is the Agricultural appropriation bill——

Mr. SWANSON. I believe the Post Office appropriation bill does not make appropriations for clerks here in Washington.

Mr. SMOOT. The Senator is mistaken.

I want to say that the assignment of space to the different departments is the most unpleasant job I have had since I have been in the Senate of the United States. It was very difficult to assign space satisfactory to the departments, because nearly every department thought they ought to have more space than they were occupying. I will say this for the commission, that when the final decisions were reached there were very, very few complaints made by the departments.

Mr. HITCHCOCK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. SMOOT. I yield.

Mr. HITCHCOCK. I want to make a comment on what the Senator from Virginia [Mr. SWANSON] said. This commission, it seems to me, is valuable to Congress not only because it centralizes in one body the powers of the Senate, but because it is a joint committee of the two Houses. The House of Representatives may do one thing and the Senate another, but in this commission they meet, they cooperate, they act together. I think if the Senator from Virginia will look into the matter he will find that both in the House and in the Senate a good many different committees are passing upon appropriations from the different departments. This commission would bring them all into one.

Mr. SMOOT. In order that Congress may know and that every one of the departments of our Government may know just what has been done by this commission by way of assignment of space, I ask that the report giving the detailed statements of each department, the space, the rent paid, and the buildings to be occupied by them be printed in the RECORD at this time.

The PRESIDENT pro tempore. Without objection, leave is granted.

The matter referred to is as follows:

REPORT OF THE PUBLIC BUILDINGS COMMISSION (S. Doc. No. 48).

DEPARTMENT OF AGRICULTURE.

Space allotted: The following space is hereby allotted to the Department of Agriculture, to be effective when the space is available and is occupied by your department:

(a) All space occupied on June 1 by the Department of Agriculture in rented and Government-owned buildings, except 224 Twelfth Street; 215 Twelfth Street; 217 Twelfth Street; Bank of Commerce Building, Seventh and E Streets; Legal Building, Eighth and G Streets; 1120 Virginia Avenue SW.; and 224 Fourteenth Street.

(b) Council of National Defense Building, as shown on plan of building on file in the office of the commission, and approximately described as follows: First floor, wings Nos. 2 and 4, with portion of head house; second floor, wings Nos. 1, 2, and 3, with portion of head house.

Vacate: The Department of Agriculture will vacate the buildings listed in (a), above, immediately after the space in (b) becomes vacant.

THE ALIEN PROPERTY CUSTODIAN.

Space allotted: The following space is hereby allotted to the Alien Property Custodian, to be effective when the space is available and is occupied by your department: All space occupied on June 1 by the Alien Property Custodian in rented and Government-owned buildings, except 1728 N Street, which should be vacated immediately.

DEPARTMENT OF COMMERCE.

Space allotted: The following space is hereby allotted to the Department of Commerce, to be effective when the space is available and is occupied by your department:

(a) All space occupied on June 1 by the Department of Commerce in rented and Government-owned buildings, except in the Council of National Defense Building. In the latter building there is hereby allotted the space as shown on plan of building on file in the office of the commission and approximately described as follows: Second floor, wing No. 4, and portion of head house.

(b) In building D, as shown on plan of building on file in the office of the commission and approximately described as follows: First floor, wings 1, 2, 3, 7, and 8; second floor, wings 6 and 7 and portion of head house; third floor, wings 5, 6, 7, and 8, and portion of head house. This space will be given up by the War Department as demanded and needed for occupancy by Commerce Department.

Vacate: The Department of Commerce will at once vacate all space which is now occupied and not allotted above.

THE COMMITTEE ON PUBLIC INFORMATION.

Space allotted: The following space is hereby allotted to the Committee on Public Information: The space in Fuel Building No. 3, as shown on plan of building on file in the office of the commission and approximately described as follows: Second floor, wing 10, and portion of head house.

Vacate: The Committee on Public Information will vacate the space now occupied in 8 Jackson Place immediately after the space allotted above is vacated by the Fuel Administration.

THE COUNCIL OF NATIONAL DEFENSE.

Space allotted: The following space is hereby allotted to the Council of National Defense: In the Council of National Defense Building, as shown on plan of building on file in the office of the commission and approximately described as follows: First floor, wing 6, and portion of head house; wing 3; second floor, wing 6 and portion of head house.

Vacate: The Council of National Defense will immediately vacate all space now occupied which is not allotted above.

THE FOOD ADMINISTRATION.

Space allotted: The following space is hereby allotted to the Food Administration: In the Food Administration Building No. 1, as shown on plan of building on file in the office of the commission and approximately described as follows: First floor, wings 4, 5, 6, 7, and portion of head house; second floor, portion of head house and certain other rooms.

Vacate: The Food Administration will immediately vacate all space now occupied which is not allotted above.

THE FUEL ADMINISTRATION.

Space allotted: The following space is hereby allotted to the Fuel Administration: In the Fuel Building No. 3, as shown on plan of buildings on file in the office of the commission and approximately described as follows: First floor, wings 1, 2, 3, and portion of head house; second floor, wings 8 and 9 and portion of head house.

Vacate: The Fuel Administration will immediately vacate all space now occupied which is not allotted above.

THE FEDERAL TRADE COMMISSION.

Space allotted: The following space is hereby allotted to the Federal Trade Commission: In Fuel Building No. 3, as shown on plan of building on file in the office of the commission and approximately described as follows: First floor, half of wing 4, all of wings 5, 6, and 7, and portion of head house; second floor, wings 11, 12, 13, and 14, and portion of head house.

Vacate: The Federal Trade Commission will vacate all space now occupied which is not allotted above. It is understood that the space allotted above is the only space now occupied by the commission.

FEDERAL BOARD FOR VOCATIONAL EDUCATION.

Space allotted: The following space is hereby allotted to the Federal Board for Vocational Education: Senate Annex, Baltic Building, Bliss Building.

GOVERNMENT PRINTING OFFICE.

Space allotted: The following space is hereby allotted to the Government Printing Office: All space occupied on June 1 by the Government Printing Office in rented and Government-owned buildings.

INTERIOR DEPARTMENT.

Space allotted: The following space is hereby allotted to the Interior Department:

New Interior Building, all except 85,000 square feet of net contiguous office space to be selected by the Secretary of Interior and turned over to the Treasury Department immediately.

Pension Building, entire.

Old Land Office Building, as shown on plan of building on file in the office of the commission and approximately described as follows: First floor, west half.

Patent Office, entire.

Civil Service Building, 1724 F Street, entire.

Century Building, space now occupied therein.

Emery Building, space now occupied therein.

Old Central High School, space now occupied therein.

Vacate: The Interior Department will immediately vacate all space now occupied which is not allotted to the department above.

THE INTERSTATE COMMERCE COMMISSION.

Space allotted: The following space is hereby allotted to the Interstate Commerce Commission: All space occupied on June 1 by the Interstate Commerce Commission in rented and Government-owned buildings.

THE INTERNATIONAL JOINT COMMISSION.

Space allotted: The following space is hereby allotted to the International Joint Commission: All space occupied on June 1 by the International Joint Commission in rented and Government-owned buildings.

THE INTERNATIONAL BOUNDARY COMMISSION.

Space allotted: The following space is hereby allotted to the International Boundary Commission: All space occupied on June 1 by the International Boundary Commission in rented and Government-owned buildings.

THE DEPARTMENT OF JUSTICE.

Space allotted: The following space is hereby allotted to the Department of Justice: All space occupied on June 1 by the Department of Justice in rented and Government-owned buildings.

DEPARTMENT OF LABOR.

Space allotted: The following space is hereby allotted to the Department of Labor: Food Building No. 2, entire, except one room at main entrance, as shown on plan of building on file in the office of the commission, and the Labor Building, 1712 G Street, entire building.

Vacate: The Department of Labor will vacate immediately all space now occupied which is not allotted above.

NAVY DEPARTMENT.

Space allotted: The following space is hereby allotted to the Navy Department: New Navy Building, Seventeenth and B Streets NW., all except 6,000 feet of contiguous office space, to be selected by the Secretary of the Navy and turned over to the Treasury Department for use of the Public Health Service; State, War, and Navy Building, space now occupied therein, except the Navy library room.

Vacate: The Navy Department will vacate immediately all space now occupied (including the entire Corcoran Courts) which is not allotted to the department above.

PANAMA CANAL OFFICE.

Space allotted: The following space is hereby allotted to the Panama Canal office: All space occupied on June 1 by the Panama Canal office in rented and Government-owned buildings.

POST OFFICE DEPARTMENT.

Space allotted: The following space is hereby allotted to the Post Office Department: All space now occupied by the department in Government-owned buildings.

RAILROAD ADMINISTRATION.

Space allotted: The following space is hereby allotted to the Railroad Administration: All space occupied on June 1 by the United States Railroad Administration in rented and Government-owned buildings.

STATE DEPARTMENT.

Space allotted: The following space is hereby allotted to the State Department: State, War, and Navy Building, all space now occupied therein, plus space occupied by Navy library; Sanda Court, all space now occupied therein.

SHIPPING BOARD AND EMERGENCY FLEET CORPORATION.

Space allotted: The following space is hereby allotted to the Shipping Board and Emergency Fleet Corporation: In C building, as shown on plan of building on file in the office of the commission and approximately described as follows: First floor, front of wing 3, all of wings 4 and 5 and portion of head house; second floor, rear of wing 2, all of wings 3, 4, 5, 6, and portion of head house; third floor, all of wings 3, 5, and 6 and portion of head house.

Vacate: The Shipping Board and Emergency Fleet Corporation will vacate all rented space in Washington immediately after building C becomes available. No rented space will be assigned in Washington to the Emergency Fleet Corporation. As the War Department reduces, more space may be later assigned in C building to the full capacity of the building of 290,940 square feet net.

TREASURY DEPARTMENT.

Space allotted: The following space is hereby allotted to the Treasury Department:

All space in rented and Government-owned buildings now occupied by you, except upper three floors of old Emergency Hospital, Fifteenth Street and Ohio Avenue.

Six thousand square feet of contiguous office space in the New Navy Building, Seventeenth and B Streets NW., said space to be in a location to be selected by the Secretary of the Navy.

Eighty-five thousand square feet of contiguous net office space in the New Interior Building, said space to be in a location to be selected by the Secretary of the Interior.

In building A approximately as follows: First floor, wings 3, 5, and 6, with portion of head house; second floor, wings 2, 3, 4, 5, and 6, with portion of head house; third floor, wings 3, 4, 5, and 6, with portion of head house.

Vacate: The Emergency Hospital will be vacated in such a way as to least inconvenience the Public Health Service.

UNITED STATES BUREAU OF EFFICIENCY.

Space allotted: The following space is hereby allotted to the United States Board of Efficiency: All space occupied on June 1 by the United States Bureau of Efficiency in rented and Government-owned buildings.

UNITED STATES COURT OF CLAIMS.

Space allotted: The following space is hereby allotted to the United States Court of Claims: All space occupied on June 1 by the United States Court of Claims in rented and Government-owned buildings.

UNITED STATES COURT OF CUSTOMS APPEALS.

Space allotted: The following space is hereby allotted to the United States Court of Customs Appeals: All space occupied on June 1 by the United States Court of Customs Appeals in rented and Government-owned buildings.

UNITED STATES BOARD OF CONCILIATION AND MEDIATION.

Space allotted: The following space is hereby allotted to the United States Board of Conciliation and Mediation: All space occupied on June 1 by the United States Board of Conciliation and Mediation in rented and Government-owned buildings.

UNITED STATES TARIFF COMMISSION.

Space allotted: The following space is hereby allotted to the United States Tariff Commission: All space occupied on June 1 by the United States Tariff Commission in rented and Government-owned buildings.

UNITED STATES EMPLOYEES' COMPENSATION COMMISSION.

Space allotted: The following space is hereby allotted to the United States Employees' Compensation Commission: In the Council of National Defense Building as shown on plan of building on file in the office of the commission and approximately described as follows: First floor—Wing No. 1 and portion of head house.

Vacate: The United States Employees' Compensation Commission will vacate the Union Trust Building immediately as soon as the above space in the Council of National Defense Building is available.

WAR DEPARTMENT.

Space allotted: The following space is hereby allotted to the War Department:

State, War, and Navy Building, 166,168 square feet, as now located.

Munitions Building, space now occupied therein.

Building "A," as shown on plan of building on file in the office of the commission and approximately described as follows: First floor, wings 1, 2, and 4, with portion of head house; second floor, wing 1, with portion of head house; third floor, wings 1 and 2, with portion of head house.

Building "B," space now occupied therein.

Building "C," as shown on plan of building on file in the office of the commission and approximately described as follows: First floor, wings 1 and 2, rear of 3, front of 6, and portion of head house; second floor, wing 1, front portion of 2, and portion of head house; third floor, wings 1 and 2 and portions of head house.

Building "D," as shown on plan of building on file in the office of the commission and approximately described as follows: First floor, wings 4, 5, and 6, and entire head house; second floor, wings 1, 2, 3, 4, and 5 and portion of head house; third floor, wings 1, 2, 3, and 4 and portion of head house.

Building "E," space now occupied therein.

Building "F," space now occupied therein.

Ford Theater, entire.

War College, entire.

Medical Museum, entire.

Old Land Office, as shown on plan of building on file in the office of the commission and approximately described as follows: All except east half of first floor.

Ordnance Annex, entire.

Quartermaster Building, all space now occupied therein.

War Trade Building, as shown on plan of building on file in the office of the commission and approximately described as follows: First floor, north half and west portion of south half; second floor, entire floor.

Ordnance Building, 1800 E Street, entire.

Archie Butt Building, entire.

Fuel Building, Nos. 1 and 2 (War Industries Annex), entire.

Pettus Building, entire.

Corcoran Courts, entire.

Lemon Building, entire.

Knickerbocker Building, space now occupied therein.

Food No. 1, as shown on plan of building on file in the office of the commission and approximately described as follows: First floor, wing 3; second floor, all space now occupied therein, plus certain rooms.

Council of National Defense Building, second floor, wing 5.

Vacate: The War Department will vacate at once all space now held in the following buildings which is not allotted above: Ford Building, garage at Twenty-fourth and M Streets, Mills Building, "A" Building (to be vacated immediately), "C" Building, "D" Building (to be vacated as demanded by Department of Commerce).

THE WAR TRADE BOARD.

Space allotted: The following space is hereby allotted to the War Trade Board: The four wings in the southeast corner of the first floor of the War Trade Board Building.

WAR INDUSTRIES BOARD.

Space allotted: The following space is hereby allotted to the War Industries Board: Council of National Defense Building, first floor, wing 5.

THE INTERDEPARTMENTAL SOCIAL HYGIENE BOARD.

Space allotted: The following space is hereby allotted to the Interdepartmental Social Hygiene Board: All space occupied on June 1 by the Interdepartmental Social Hygiene Board in rented and Government-owned buildings.

THE HOUSING CORPORATION.

Space allotted: The following space is hereby allotted to the Housing Corporation: All space occupied on June 1 by the Housing Corporation in rented and Government-owned buildings.

JOINT CONGRESSIONAL COMMISSION ON RECLASSIFICATION OF SALARIES.

Space allotted: The following space is hereby allotted to the Joint Congressional Commission on Reclassification of Salaries: In D building, as shown on plan of building on file in the office of the commission and approximately described as follows: Seventh floor, eighth wing.

SUPERINTENDENT STATE, WAR, AND NAVY BUILDING.

Space allotted: The following space is hereby allotted to the superintendent State, War, and Navy Building:

(a) All corridors, halls, stairways, entrances, toilets, and lavatories in the following buildings, same to be under your absolute control and to be used under rules prescribed by you for the common benefit of the occupants of the building:

State, War, and Navy Building, Seventeenth Street and Pennsylvania Avenue.

WalkerJohnson Building, 1734 New York Avenue.

Mall office buildings, known as buildings A, B, C, D, E, F, administration, mechanics, cafeteria, and heating plant, in the vicinity of Seventh and B Streets NW.

Potomac Park buildings, known as Navy and Munitions Buildings, on B Street NW. between Seventeenth and Twenty-first Streets.

War Trade Building, between B and C Streets and Twentieth and Twenty-first Streets.

Food Administration Building No. 1, between Eighteenth and Nineteenth Streets and C and D Streets NW.

Food Administration Building No. 2, between New York Avenue and D Street and Nineteenth and Twentieth Streets NW.

Council of National Defense Building, on Eighteenth Street between C and D Streets NW.

Fuel Administration Buildings Nos. 1 and 2, bounded by Virginia Avenue, Eighteenth and C Streets NW.

Fuel Administration Building No. 3, on D Street between Twentieth and Twenty-first Streets NW.

H. L. Pettus Building, on Nineteenth Street between Virginia Avenue and D Street NW.

Archie Butt Building, 1725 New York Avenue NW.

Corcoran Court Building, on New York Avenue between Seventeenth and Eighteenth Streets NW.

(b) All other space in the above buildings now occupied by you.

(c) All space now occupied by char and guard force in the temporary buildings north of B Street NW. and west of Seventeenth Street NW., this allotment to be deducted from any space heretofore allotted to departments or independent offices occupying said buildings.

(d) Food Administration Building No. 1, as shown on the plan of building on file in the office of the commission and approximately described as follows: First floor, entire second wing and portion of head house.

Department.	Net rented space occupied June 1, 1919.[1]	Net rented space vacated.[1]	Annual rental being paid June 1, 1919.	Annual rental beginning July 1, 1919.	Net saving to the Government in rental charges.
Agriculture	465,557	32,980	$190,910.00	$173,930.00	$16,980.00
Alien Property Custodian	44,527	3,582	31,200.00	30,000.00	1,200.00
Commerce	161,841	.....	66,900.00	66,900.00	.....
Committee on Public Information	5,130	5,130	3,000.00	.....	3,000.00
Federal Trade Commission	17,000	17,000	12,600.00	.....	12,600.00
Government Printing Office	27,073	27,073	4,793.76	.....	4,793.76
Housing Corporation	21,360	21,360	20,700.00	20,700.00	.....
Interior	113,931	7,038	39,875.00	29,875.00	10,000.00
Interstate Commerce Commission	162,600	.....	72,058.04	72,058.04	.....
International Joint Commission	1,500	.....	1,724.40	1,724.40	.....
International Boundary Commission	2,000	.....	2,040.00	2,040.00	.....
Justice	82,035	.....	36,000.00	36,000.00	.....
Labor	100,744	36,550	53,914.36	24,000.00	29,914.36
Panama Canal	15,448	.....	7,500.00	7,500.00	.....
Railroad Administration	95,006	.....	86,985.00	86,985.00	.....
State	11,520	11,520	5,000.00	.....	5,000.00
Shipping Board	133,975	133,975	210,105.56	.....	210,105.56
Court of Customs Appeals	9,500	.....	1,773.00	1,773.00	.....
United States Board of Conciliation and Mediation	2,113	.....	2,460.00	2,460.00	.....
United States Tariff Commission	10,343	.....	11,000.00	11,000.00	.....
United States Employees' Compensation Commission	4,031	4,031	3,600.00	.....	3,600.00
War	285,059	109,893	81,867.08	22,500.00	59,367.08
Zone Finance	37,000	.....	18,550.00	18,550.00	.....
Total	1,809,293	410,132	964,556.20	607,995.44	356,560.76

[1] "Net space" means the net amount available for the use of clerks, after deducting space occupied by halls, closets, stairways, and flies.

THE LEAGUE OF NATIONS.

Mr. SHERMAN. I offer a resolution, and I ask that it may go over under the rule.

The PRESIDENT pro tempore. Does the Senator from Illinois desire to have the resolution read?

Mr. SHERMAN. Yes, sir.

The PRESIDENT pro tempore. It will be read.

The Secretary read the resolution (S. Res. 113), as follows:

Whereas the President of the United States with four other citizens thereof have assumed at the Paris conference since December, 1918, to represent the United States Government in negotiations for a treaty of peace with Germany, and further to compose and frame a so-called covenant of the league of nations at such Paris peace conference; and

Whereas the document known as the league of nations has been prepared at this conference and a tentative peace treaty has been so written into and blended with the former as to constitute an attempt to make one instrument of both; and

Whereas the league of nations is so prepared as to constitute vital powers exercised only by a sovereign independent State, and it being further evident by an examination of such league document that the organism proposed to be created by it contains all the necessary vital organs of an independent government whose powers are absolute over the member nations; and

Whereas the Government of the United States and the American people ruled thereby are sought by the President to be made subject to such league of nations: Now, therefore, be it

Resolved, That the President be, and is hereby, requested to inform the Senate under and by what right in virtue of any provision or power of the Constitution of the United States, or by what lawful authority, he has undertaken to impose upon the people of this country and to make its Government subject to such powers and an organization created in the league of nations, and by what authority he has assumed to exercise the powers claimed by him at the peace conference in so framing the league of nations and in the appointing or joining in the appointment of officers of such league, whose expenses and compensation will be in part charged to the United States Government, in the absence of any advice and consent by the United States Senate to such procedure; and further to inform the Senate if the Executive, as one of the joint treaty-making powers of our Government, is vested with authority to do more under the law than to negotiate and present to the Senate a tentative peace treaty with Germany, and if his assumption of power to go beyond the negotiation of the peace treaty and bind the United States to a perpetual alliance, offensive and defensive, and to make war pursuant thereto in any part of the world, and the other powers of the league are within any constitutional or other power vested in the President of the United States; and if so, to refer to the same for the information of the Senate.

Mr. SWANSON. Mr. President——

The PRESIDENT pro tempore. The resolution goes over under the rule.

Mr. POMERENE. I have before me a letter from Mr. F. E. Reynolds, who is secretary-treasurer of the Ohio State Teachers' Association, an organization with a membership of about 10,000. It contains a resolution adopted at a convention, in which there were present more than 1,500 members, relating to the peace treaty. I ask that it may be read for the information of the Senate.

The PRESIDENT pro tempore. The Secretary will read.

The Secretary read as follows:

OHIO STATE TEACHERS' ASSOCIATION,
Wapakoneta, Ohio, July 1, 1919.

Hon. ATLEE POMERENE,
Washington, D. C.

MY DEAR SENATOR: The Ohio State Teachers' Association closed its annual session Thursday of last week. This is an organization embracing within its ranks over 10,000 teachers of Ohio. More than fifteen hundred were present at the meeting, representing every county in the State and every kind of teacher—city and rural, high school and grade, college president and primary teacher—a truly representative body of teachers. The following resolution was unanimously adopted, and I was instructed to transmit the same to you:

"Now that the supreme task of the civilized world in crushing the insolent attempt of the German autocracy to substitute a military dictatorship for self-government and the right of independent thought has been accomplished, an equally great task faces us. The safety of the world must be secured by a league of nations to insure justice and enforce peace. We rejoice in the incorporation of the plans for a league of nations as an integral part of the treaty of peace which is about to be signed by the nations of the world—a declaration of interdependence and covenant of peace and justice without which the treaty itself would be of little avail in securing the ends for which America entered the world conflict. We urge the Senate of the United States to ratify this covenant without further amendment, and we ask the Senators from Ohio to lead in the movement for such ratification to the end that America may assume her true responsibility in helping to maintain that peace and justice for which her sons so nobly fought and died on the battle fields of Europe."

Yours, very truly,

F. E. REYNOLDS,
Secretary-Treasurer.

Mr. HITCHCOCK. Mr. President, in line with the resolution of the Ohio State Teachers' Association presented by the Senator from Ohio [Mr. POMERENE] I want to put into the RECORD the fact that in Minnesota in what is known as the St. Paul district at the election of a Congressman to fill the vacancy caused by the death of Mr. Carl C. Van Dyke there were three candidates: Oscar E. Keller, the independent Republican, was the winner with about 1,500 plurality. The vote with two precincts missing on July 2 gave Keller 9,278, Cummins 7,837, and Richard D. O'Brien, Democrat, 5,300. I desire to say that all three of these candidates indorsed the league and its immediate ratification, but I particularly want to read the platform which was adopted by the winning candidate on this subject. It reads as follows:

[*From platform of Oscar E. Keller addressed to Ramsey County electorate, fourth congressional district Minnesota, published in St. Paul Daily News June 19.*]

1. I believe that the peace treaty should be ratified at the earliest possible moment so that the United States and the whole world may be relieved of uncertainty, and that industrial and business life may be resumed on a basis of human safety, happiness, and progress.

2. I believe that the permanence of this peaceful safety and happiness is largely bound up in the plan for a league of nations and that the covenant for this league of nations should be agreed to immediately by the United States.

I cite this as indicating the overwhelming or practically unanimous sentiment of the voters of the St. Paul district in Minnesota.

WAR EXPENDITURES.

Mr. GERRY. Mr. President, during the last few months there has been a good deal of discussion in the press and elsewhere concerning the probable amount of the expenditures of our Government on account of the war. It seems to me that

there has been some confusion in the public mind in regard to these expenditures, due to the fact that they have considered the amount loaned to our allies as part of our war indebtedness.

I have some figures here that I think may be of interest to the Senate. I have taken the last two fiscal years. The expenditures for the fiscal year ending June 30, 1918, amounted to over $12,600,000,000.

The loans to our allies, if we deduct the Russian loan of $187,000,000, amounted to $4,551,000,000, leaving an actual expenditure of $8,144,000,000 on the part of the United States, the interest and capital of which will not be repaid by our allies.

In that year we raised by taxation $4,174,000,000, which meant that the total indebtedness which would have to be borne by the United States amounted to a little under $4,000,000,000. In other words, the percentage raised by taxation was over 50 per cent of the expenditures for the fiscal year ending June 30, 1918. For the fiscal year just passed, ending June 30, 1919——

Mr. SIMMONS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Rhode Island yield to the Senator from North Carolina?

Mr. GERRY. Certainly.

Mr. SIMMONS. Does not the Senator fail to take into consideration in connection with his figures by which he has reached the conclusion that we raise 50 per cent for the fiscal year in taxes the fact that the last two installments of the income and net-profits tax have not yet been paid?

Mr. GERRY. If the Senator will pardon me——

Mr. SIMMONS. When they are paid the percentage of taxes for the fiscal year will be greater than the Senator has stated.

Mr. GERRY. I think the Senator misunderstood me. I was discussing the fiscal year ending June 30, 1918, and now I am going to take up the fiscal year ending June 30, 1919.

In the fiscal year ending June 30, 1919, which has just closed, our actual expenditures were eighteen billion five hundred and some odd million dollars. Our loans to our allies were over $3,400,000,000. In other words, our actual expenditures were a little over $15,000,000,000. The Treasury Department estimates that we will raise $6,000,000,000, or thereabouts, by taxation. This means that the total debt that will have to be borne by the United States will amount to a little over $9,000,000,000, and that the percentage of the entire cost raised by taxation in 1919 was something like 40 per cent. Taking the two years together, the total debt remaining amounts to just a little over $13,000,000,000, and the amount raised by taxation in those two years was nearly 44 per cent of the total expenditure.

Mr. President, I do not think in the history of world finance there has ever been another country that has raised by taxation so large a percentage in payment of war expenditures. It is a tremendously high percentage, and is undoubtedly one of the best fiscal operations for financing war expenses that any nation has ever carried through. Its soundness can not be questioned by any political economist.

Mr. SMOOT. Mr. President, there is no question that there will be an indebtedness upon the part of the United States on account of this war of some $32,000,000,000, including about $10,000,000,000 which will be advanced to our Allies. Up to the present time the United States has advanced about $9,400,000,000 to our Allies, and there is authorization by law of $600,000,000 more, which will end the advances to our Allies unless further legislation be had authorizing additional advances. So, Mr. President, taking the $10,000,000,000 advanced and to be advanced to our Allies off of the $32,000,000,000 of obligations, leaves $22,000,000,000 we owe for the cost of the war, so there is no doubt as to the accuracy of the statement so often made upon the floor of the Senate as to the amount of obligations the Government will be under by the end of the present fiscal year.

The Senator from Rhode Island [Mr. GERRY] is correct in stating that in so far as the percentages of the direct expenses of the war being collected by direct taxation are concerned, there are no other two Governments in the world that have collected by direct taxation the percentage that the United States has collected for paying her war debts as the war proceeded. I was surprised to find that France had only increased her taxation during the war something like 10 per cent; Italy a little more than that, but very little more; England increased her taxation nearly 1,000 per cent, and the United States nearly 2,000 per cent. I mean the taxes collected from the people directly for the cost of carrying on the war.

Mr. GERRY. Mr. President, will the Senator yield?

Mr. SMOOT. Yes.

Mr. GERRY. Does not the Senator think that that is one of the difficulties France has to meet now, namely, that she did not raise a sufficient amount by taxation during the war when all of her industries were running at their height?

Mr. SMOOT. Of course I wish to be perfectly frank, and say that, if my information is correct—and, by the way, I do not say that it is, although I received it direct from men in France in whom I have absolute confidence—if France had undertaken to raise a greater percentage by taxation to pay the expenses of the war than she did, there would have been trouble at home.

Mr. GERRY. But, of course, that is no answer to the soundness of the economic theory.

Mr. SMOOT. There is no question as to the soundness of the economic policy that has been followed by the Government of the United States. England recognized that; and I think that England raised by taxation just as large an amount as she could raise. As I have said, England increased her taxation about 1,000 per cent.

Mr. SIMMONS. Mr. President, I wish to ask the Senator from Utah—for he has given a great deal of study to this subject—if the fact that we have been compelled to increase our rate of taxation much more than Great Britain was compelled to increase her rate of taxation has not resulted from the circumstance that we were only two years in getting ready, while Great Britain was nearly five years in getting ready?

Mr. SMOOT. Yes.

Mr. SIMMONS. If our expenditures had been spread out as Great Britain's were probably it would not have been necessary for us to have increased our taxation at any greater rate than Great Britain did.

Mr. SMOOT. That was demonstrated in England's own case. When she started in the war her taxation was comparatively light; the next year of the war, the second year, it was increased slightly; the third year a considerable increase was made; and the fourth year England assessed a very heavy rate of taxation, being 80 per cent upon all of the so-called war profits. If the United States and gone into the war at the same time that England went into the war and had begun to fight at the same time that England began to fight, she would not have imposed the taxes that were imposed for the year 1919.

Mr. SIMMONS. It would not have been necessary.

Mr. SMOOT. It would not have been necessary; and, not only that, she could not have done it; but she had had two years of the most prosperous business furnishing munitions of war of all kinds to the warring nations, and she was in such a strong financial position that the people could pay the heavy taxes imposed, and the Congress of the United States did just what it ought to have done by imposing them; but the amounts collected could have been more justly distributed.

The PRESIDENT pro tempore. Morning business is closed, and the calendar under Rule VIII is in order.

THE SEMINOLES.

Mr. FLETCHER. Mr. President, before proceeding with the calendar I wish to say that I have a short article appearing in the Evening News, of Ada, Okla., Saturday, June 28, 1919, entitled "A human-interest story of the Seminoles." It deals with the progress made by the Seminole Indians in Oklahoma and has reference to that problem with which we are dealing in Florida. It is a very brief article, and I ask to have it printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

A HUMAN INTEREST STORY OF THE SEMINOLES.

[From the Evening News, Ada, Okla., Saturday, June 28, 1919.]

"In the merging into our citizenship of the 67 tribes and remnants of tribes of the State, probably no tribe has made such great progress, and at the same time less understood, than the Seminoles. Years after the Cherokees, Creeks, Choctaws, and Chickasaws had settled on their reservations in Oklahoma and had made much progress toward the changed conditions wrought through their removal from the Southland to this new and strange country, the Seminoles were furiously contesting the efforts of the United States Government to bring them here, although by the treaty at Paynes Landing in 1832 they had accepted lands west of the Mississippi River.

"As warriors they had proven themselves the equals, at least, of any southern tribe, and the simple story of their seven years' resistance to the power of the Federal Government is a story of heroic devotion to what they conceived to be their rights. As warriors they possessed a keen and discriminating judgment and a strategy that was masterful.

"The Seminoles were removed to Oklahoma in 1842. They had lived so long in the semi-Tropics, had become so accustomed to the life in the Everglades, that they stoutly resisted removal. The Government refused to allow them their slaves, and the restrictions placed about them necessitated a complete change in their lives. Many of them were so bitter at what they conceived to be the injustice of the Government that they stole away from their guards and went into Mexico. Others hid away in the inaccessible places in the Everglades rather than make a new home in an untried and unknown section. Many died on the trip into Oklahoma.

"On arrival here in 1842 an attempt was made on the part of the Government to merge them with the Creeks, and while the Muskogeean blood flowed in their veins, they became so dissatisfied that in 1866 the Government assigned them a separate reservation.

"From the time of the establishment of their nation till its extinguishment they never had a written constitution as did other of the tribes.

"What a wonderful change has taken place in the past 53 years. What other tribe has equaled them in progress? From a fierce and relentless tribe of men in 1840, that did not fear death—men that were willing to undergo any hardship that they might remain in the fastnesses of their beloved Florida—to-day they stand high in the arts and ways of civilized men among Oklahoma Indians.

"Less of Caucasian blood flows in their veins than any of the Five Civilized Tribes, and only the Cherokees—among whom but few if any full bloods are found—surpass them. It is claimed also that this tribe has moved less with the Negro than any other of the Five Civilized Tribes. In less than 90 years they have merged from savagery into civilization. Where formerly the warrior stood as the embodiment of prowess, courage, and savagery to-day stands the citizen willing to help solve the problems of citizenship and share in the duties that citizenship requires.

"The Seminoles have for many centuries been considered the most astute of our aborigines. He was unusually keen in following trails; possessed a vision trained to minute detection; intensely devoted to his family; frank and open in his ideas on all tribal subjects; bravely battled for his ideals, whether alone or with his tribesmen—all of which made him a warrior to be feared and a man to be reckoned with in all matters tribal or otherwise.

"In the Everglades there still remain nearly 300, and in this State there are about 2,500. The change since the tribe divided is truly remarkable—probably having no counterpart except, perhaps, in the Japanese—and no student of the Indian and the problems he has presented to Americans has reason to feel aught but proud of the great achievements in the civilizing of the Seminoles, and the making of the tribe self-supporting, self-respecting citizens of the great Commonwealth of Oklahoma."

ADJOURNMENT.

Mr. CURTIS. I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock and 30 minutes p. m.) the Senate adjourned until Thursday, July 10, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *July 8, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Once more under the dispensation of Thy providence, our Heavenly Father, the Congress of the United States of America, after a brief respite, is ready to take up the great problems which confront it.

We thank Thee that the President of this great Nation has reached our shores, and we pray that he may be able to take up the conditions of our people and explain to them the work in which he has been engaged; that the congressional, executive, and judicial departments of our Government may work together with Thee in fulfilling the ideals of life to the good of all concerned; that peace, happiness, and good will may reign supreme, now and evermore. Amen.

The Journal of the proceedings of Tuesday, July 1, 1919, was read and approved.

RATIFICATION OF THE WOMAN SUFFRAGE AMENDMENT.

The SPEAKER laid before the House a communication from the secretary of state of the State of Missouri announcing the ratification by the legislature of that State of the proposed amendment to the Constitution of the United States relating to woman suffrage.

Also, a communication from the State of Iowa announcing the ratification by the legislature of that State of the proposed amendment to the Constitution of the United States relating to woman suffrage.

[Applause.]

COMMUNICATION FROM THE SPEAKER OF THE HOUSE OF COMMONS.

The SPEAKER. The Chair thought the House would be interested to listen to a letter from the Speaker of the House of Commons.

The Clerk read as follows:

SPEAKER'S HOUSE,
Westminster, London, June 12, 1919.

SIR: The Speaker of the House of Commons presents his compliments to the Speaker of the House of Representatives, Washington, and takes the opportunity of the voyage of airship *R-34* to send by this unique method of communication a message of good will and friendship across the Atlantic, and to add his fervent hopes for the development and improvement for the benefit of the peoples severally represented by their two great national institutions.

PERMISSION TO ADDRESS THE HOUSE.

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent that on Friday I may be permitted to address the House for 30 minutes, subject to business on the Speaker's desk.

The SPEAKER. The gentleman from New York asks unanimous consent that on Friday he may address the House for 30 minutes, after disposition of business on the Speaker's table. Is there objection?

Mr. GARNER. On what subject?

Mr. LAGUARDIA. On the subject of Mexico.

The SPEAKER. Is there objection?

Mr. DYER. Mr. Speaker, reserving the right to object, I shall for the present, until I know what is to be done with reference to the matter of prohibition.

The SPEAKER. Objection is made.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries, who informed the House of Representatives that the President had, on June 17, 1919, approved and signed joint resolution and bill of the following titles:

H. J. Res. 79. Joint resolution authorizing the Secretary of War to loan to the city of Dawson, Ga., tents and cots for use of Confederate veterans in their State convention, June 17 and 18, 1919; and

H. R. 1200. An act making appropriations for certain expenses incident to the first session of the Sixty-sixth Congress, and for other purposes.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 1694. An act providing for the refund of taxes collected for stamp tax on certain policies under the emergency-tax act of October 22, 1914, under the proviso to which act such policies were exempt;

S. 1361. An act further extending the time for the commencement and completion of the bridge or bridges authorized by an act entitled "An act to amend an act to authorize the Dauphin Island Railway & Harbor Co., its successors or assigns, to construct and maintain a bridge or bridges, or viaducts, across the water between the mainland, at or near Cedar Point, and Dauphin Island, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay into Dauphin Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Islands," approved June 18, 1912, as extended by an act approved June 30, 1916;

S. 1358. An act providing for an additional judge for the northern district of California;

S. 1377. An act for the relief of Amhurst W. Barber; and

S. 282. An act providing for an additional judge for the district of Arizona.

ENROLLED BILLS PRESENTED TO THE WHITE HOUSE FOR APPROVAL OF THE PRESIDENT OF THE UNITED STATES.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that on July 2, 1919, at 1.30 a. m., they presented to the White House, for approval of the President of the United States, the following bills:

H. R. 3478. An act making appropriation to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes;

H. R. 4630. An act granting the consent of Congress to the county of Miller, State of Arkansas, to construct a bridge across Sulphur River, near the Texas & Pacific Railroad bridge, in said county and State;

H. R. 1706. An act authorizing the construction of a bridge and approaches thereto across the Snake River about 3 miles above its confluence with the Columbia River, near Pasco, Wash.;

H. R. 5608. An act making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 4226. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 5227. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 4631. An act granting the consent of Congress to the county of Miller, State of Arkansas, to construct a bridge across Sulphur River at or near Blackmans Point in said country and State; and

H. R. 6176. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 282. An act providing for an additional judge for the district of Arizona; to the Committee on the Judiciary.

S. 1358. An act providing for an additional judge for the northern district of California; to the Committee on the Judiciary.

S. 1361. An act further extending the time for the commencement and completion of the bridge or bridges authorized by an act entitled "An act to amend an act to authorize the Dauphin Island Railway & Harbor Co., its successors or assigns, to construct and maintain a bridge or bridges, or viaducts, across the water between the mainland, at or near Cedar Point, and Dauphin Island, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay into Dauphin Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Islands," approved June 18, 1912, as extended by an act approved June 30, 1916; to the Committee on Interstate and Foreign Commerce.

S. 1694. An act providing for the refund of taxes collected for stamp tax on certain policies under the emergency-tax act of October 22, 1914, under the proviso to which act such policies were exempt; to the Committee on Claims.

S. 1377. An act for the relief of Amherst W. Barber; to the Committee on Claims.

CHINESE STUDENTS AT WEST POINT.

Mr. KAHN. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Joint resolution (H. J. Res. 120) authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Tao Hung Chang and Zeng Tze Wong, citizens of China.

Resolved, etc., That the Secretary of War be, and he hereby is, authorized to permit Mr. Tao Hung Chang and Mr. Zeng Tze Wong, citizens of China, to receive instruction at the United States Military Academy at West Point: *Provided*, That no expense shall be caused to the United States thereby, and that the said Tao Hung Chang and Zeng Tze Wong shall agree to comply with all regulations for the police and discipline of the academy, to be studious, and to give their utmost efforts to accomplish the course in the various departments of instruction, and that the said Tao Hung Chang and Zeng Tze Wong shall not be admitted to the academy until they shall have met the mental and physical requirements prescribed for candidates from the United States, and that they shall be immediately withdrawn if deficient in studies or conduct and so recommended by the academic board: *Provided further*, That in the cases of the said Tao Hung Chang and Zeng Tze Wong the provisions of sections 1320 and 1321 of the Revised Statutes shall be suspended.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object——

Mr. KAHN. Mr. Speaker, it has been customary in the past to receive at the Military and Naval Academies citizens of foreign countries for instruction at West Point and Annapolis. The new school year begins in the Military Academy on the 10th, the day after to-morrow. It is therefore desirable that if this resolution can be passed at all that it be passed at once in order that the young men named therein shall enter their classes as soon as the school opens. It is not an unusual action. The Government of China pays all the expenses for the tuition for the young men. There is no cost to our Government, and it is in keeping with the custom that has prevailed for many years.

Mr. FLOOD. Mr. Speaker, reserving the right to object, I want to ask the gentleman if resolutions of this kind have not always been heretofore referred to the Committee on Foreign Affairs?

Mr. KAHN. The Committee on Military Affairs has frequently reported them. It comes to the Committee on Military Affairs in this manner: The application for this privilege is made by the foreign countries to the Secretary of State. The Secretary of State after passing upon the question refers the matter to the Secretary of War, and the Secretary of War sends it to the Committee on Military Affairs in proper form.

Mr. FLOOD. The Secretary of War refers it to the House of Representatives, and the Speaker has heretofore, at least in a number of instances, referred it to the Committee on Foreign Affairs, which is the proper committee to handle a matter of this kind.

Mr. KAHN. The Committee on Military Affairs, so far as my knowledge goes, has for many years handled resolutions of this kind.

Mr. FLOOD. Well, the Committee on Foreign Affairs has also handled them, and, Mr. Speaker, I desire to look into the question of the jurisdiction of this matter, and for the present I object.

Mr. BLANTON. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The Chair will count.

Mr. BLANTON. I withdraw it for the present.

Mr. GARD. Mr. Speaker, I make the point of order there is no quorum present Mr. Speaker, I withdraw it for the present.

HOUSING BUREAU REPORT

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Florida asks unanimous consent to address the House for five minutes. Is there objection?

Mr. WALSH. What about?

Mr. CLARK of Florida. On the housing situation.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. CLARK of Florida. Mr. Speaker, I wish the Chair would notify me when I have spoken for three minutes. Mr. Speaker, I have asked to have this time——

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to withdraw the objection I made to the consideration of the bill offered by the gentleman from California.

The SPEAKER. The Chair suggests that that be done at the conclusion of the five minutes.

Mr. CLARK of Florida. Mr. Speaker, I have asked for this time just to call the attention of the House to a situation of which I think the House ought to be advised. The House remembers that during the last session of Congress a bill was passed, reported from the Committee on Public Buildings and Grounds, which provided for the establishment of a United States Bureau of Housing and Transportation. That act, of course, never would have been reported and never would have been passed if it had not been for the exigencies of the Great War which confronted us. It was no function of Congress to build houses nor to establish hotels. But under the exigencies then existing it was thought proper to do it, and it was done. Everybody supposed, of course, that as soon as the war had ended these matters would cease to function, but instead of that in the last sundry civil appropriation bill, passed here during the last night of the session, a week ago, about $700,000 was appropriated to carry on the hotels down on the Plaza. Now, Mr. Speaker, the law requires that this bureau shall make a complete itemized report to every session of Congress. That report has been made, and the only thing that has been printed is the letter of the President transmitting the report, and I want before I get through to make a motion that a thousand copies of that report be printed so that Members may see it and know just what these people claim they have been doing.

I claim that it has been one of the most flagrant wastes of public funds that has ever existed in this Capital. It is going on to-day, and I want to say that not only are the hotels running under the $700,000 appropriated in the sundry civil bill but they are absolutely advertising for transient patronage and offering to take care of them in the Government hotels at a $1.75 a day, which pays for room and two meals per day. So you have not only houses in which to take care of war workers but you have a hotel advertising for transient trade in competition with all the other hotels in the city and being run by the Government of the United States.

Mr. HAMILTON. May I ask the gentleman how these hotels are managed? Who is in charge?

Mr. CLARK of Florida. There are some ladies in charge now. From all reports the houses are badly managed. For instance, a table seats six. I understand that a rule has been issued lately where if a girl goes to a table she can not be waited on until the other five get there. All sorts of foolish rules are in vogue, women with no experience in the hotel business are conducting them, large salaries are being paid, and there is waste on every hand.

I shall expect to present all these facts to the House before long. My purpose in rising now was to advise Congress of what is being done in a brief way with this experiment, and call attention to the enormous waste and extravagance which is going on in an operation which is entirely foreign to every legitimate function of government on earth. Nothing would have ever justified this undertaking except the World War that we were engaged in, and that only justified it as a purely temporary expedient.

I move, Mr. Speaker, that a thousand copies of this report be printed for the use of the House of Representatives.

Mr. BLANTON. Mr. Speaker, I renew the point of no quorum.

The SPEAKER. The gentleman from California [Mr. KAHN] wishes to renew his request. Will the gentleman from Florida withhold his request for a moment?

Mr. CLARK of Florida. I will.

CHINESE STUDENTS AT WEST POINT.

Mr. KAHN. Mr. Speaker, I understand the gentleman from Virginia [Mr. FLOOD] has withdrawn his objection to the consideration of House joint resolution 120.

Mr. WALSH. Mr. Speaker, I reserve the right to object——

Mr. ALEXANDER. Regular order, Mr. Speaker.

Mr. WALSH. If the regular order is demanded I shall object. I desire to ask a question or two about this resolution. Can the gentleman state——

Mr. ALEXANDER. Regular order, Mr. Speaker.

The SPEAKER. The point of no quorum is made.

Mr. DYER. Mr. Speaker, I make the point that a gentleman should arise when asking for the regular order. No one is entitled to recognition if he does not rise in his place to demand it.

The SPEAKER. The point of order is not good. The question is, Is there objection to the request of the gentleman from California [Mr. KAHN] for the immediate consideration of the resolution?

Mr. WALSH. Reserving the right to object, I desire to ask the gentleman from California if China in the past has had two students at the Military Academy?

Mr. KAHN. She has not. She has generally had one.

Mr. WALSH. May I ask the gentleman how many nations are represented by students there?

Mr. KAHN. I do not know how many are represented at present, but probably three or four. The Chinese Government received information from some source that they would be entitled to ask for two students. That probably arose from the fact that recently we have enlarged the academy so that there are two cadets from every congressional district and two additional for every United States Senator.

Mr. CALDWELL. Will the gentleman from California yield?

Mr. KAHN. Yes.

Mr. CALDWELL. The way I think it happens is this: We used to have a four years' course at West Point, and there were two Chinamen there, one in one class and one in another. Those two have been graduated, and there is no one from China there now.

Mr. WALSH. They are getting along all right without having them, are they not?

Mr. Speaker, this is considered as an act of courtesy to the Chinese Government. I suppose this might be thought to make amends for the treatment which that Government received in the Shantung situation.

Mr. KAHN. Of course, I have my own views about the Shantung situation, and probably some day, if I can get time, I will express them in the House.

Mr. WALSH. I will not object.

The SPEAKER. Is there objection to the consideration of the resolution? [After a pause.] The Chair hears none. The Clerk will report the resolution.

The Clerk read as follows:

House joint resolution (H. J. Res. 120) authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Tao Hung Chang and Zeng Tze Wong, citizens of China.

Resolved, etc., That the Secretary of War be, and he hereby is, authorized to permit Mr. Tao Hung Chang and Mr. Zeng Tze Wong, citizens of China, to receive instruction at the United States Military Academy at West Point: *Provided*, That no expense shall be caused to the United States thereby, and that the said Tao Hung Chang and Zeng Tze Wong shall agree to comply with all regulations for the police and discipline of the academy, to be studious, and to give their utmost efforts to accomplish the course in the various departments of instruction, and that the said Tao Hung Chang and Zeng Tze Wong shall not be admitted to the academy until they shall have met the mental and physical requirements prescribed for candidates from the United States, and that they shall be immediately withdrawn if deficient in studies or conduct and so recommended by the academic board: *Provided further*, That in the cases of the said Tao Hung Chang and Zeng Tze Wong the provisions of sections 1320 and 1321 of the Revised Statutes shall be suspended.

Mr. HULINGS. Mr. Speaker, on general principles I would be quite opposed at this stage of the world's peace to the United States providing tuition for any foreigner, but in the hope that these cadets who are going to West Point may be able at some future time to help the Chinese drive the Japanese out of Shantung I shall not object to the resolution.

The SPEAKER. The question is on ordering the resolution to be engrossed and read a third time.

The resolution was ordered to be engrossed and read a third time.

The SPEAKER. The question is on the passage of the resolution.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. BLANTON. Division, Mr. Speaker.

The SPEAKER. The gentleman from Texas [Mr. BLANTON] demands a division.

The House divided; and there were—ayes 227, noes 2.

Mr. BLANTON. I raise the point of no quorum.

The SPEAKER. A quorum is present.

So the resolution was agreed to.

On motion of Mr. KAHN, a motion to reconsider the vote by which House joint resolution 120 was agreed to was laid on the table.

EXTENSION OF REMARKS.

Mr. McKINLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a description by Representative YATES of his trip over the battle fields in France.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD by printing a description by his colleague [Mr. YATES] of his trip over the battle fields in France. Is there objection?

Mr. GALLIVAN. Mr. Speaker, reserving the right to object, I did not understand to whose remarks he was referring.

Mr. McKINLEY. I was referring to the remarks of my colleague [Mr. YATES].

Mr. GALLIVAN. Are they his own remarks?

Mr. McKINLEY. They are.

Mr. GALLIVAN. And he has written every word of them himself? [Laughter.]

Mr. McKINLEY. Every word.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

HOUSING BUREAU REPORT.

Mr. CLARK of Florida. Mr. Speaker, I desire to ask unanimous consent that 1,000 copies of the Housing Bureau report be printed.

The SPEAKER. The gentleman from Florida asks unanimous consent that 1,000 copies of the United States Housing Bureau report be printed. Is there objection?

Mr. DYER. Mr. Speaker, reserving the right to object, we do not know what the expense is going to be. I think it ought to go to the Committee on Printing first.

Mr. CLARK of Florida. Mr. Speaker, if the gentleman will permit me——

Mr. DYER. Can the gentleman tell us how much the expense will be?

Mr. CLARK of Florida. I can not tell as to that.

Mr. DYER. Will it be less than $500?

Mr. CLARK of Florida. I think so; but I can not say positively.

The SPEAKER. Is there objection?

Mr. MONDELL. I object.

The SPEAKER. Objection is made.

PROHIBITION OF INTOXICATING BEVERAGES.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER. The gentleman from Kansas submits a privileged report from the Committee on Rules.

Mr. GARD. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair announced a few moments ago that a quorum was present. The Chair announced that 229 Members were present. The Chair will announce it again if the gentleman desires. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into Committee of the Whole House on the state of the Union for the consideration of H. R. 6810, entitled "A bill to prohibit intoxicating beverages and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries"; that there shall be not exceeding 12 hours of general debate, to be equally divided between those supporting and those opposing the bill, which debate shall be confined to the said bill, at the end of which time the bill shall be read for amendments under the five-minute rule, and at the conclusion of such reading the committee shall rise and report the bill to the House, together with amendments, if any, whereupon the previous question shall be considered as ordered upon the bill and all amendments thereto to final passage without intervening motion, except the motion to recommit.

Mr. CAMPBELL of Kansas. Mr. Speaker, I would like to get an agreement with the gentleman from North Carolina [Mr. POU] about the time for debate on the resolution. I will ask the gentleman if we can agree upon time for the discussion of the resolution.

Mr. POU. I think there will be no trouble about an agreement.

Mr. CAMPBELL of Kansas. How much time does the gentleman from North Carolina suggest?

Mr. POU. I suggest an hour on a side.

Mr. CAMPBELL of Kansas. Can not the gentleman get along with half an hour?

Mr. POU. I think so. I think we can get along with that.

Mr. CAMPBELL of Kansas. Then, Mr. Speaker, I ask unanimous consent that debate on the resolution continue for not longer than one hour, one-half to be controlled by myself and one-half by the gentleman from North Carolina [Mr. POU].

The SPEAKER. The gentleman from Kansas asks unanimous consent that the debate on the resolution continue for not longer than an hour, 30 minutes to be controlled by himself and 30 minutes by the gentleman from North Carolina. Is there objection?

There was no objection.

Mr. CAMPBELL of Kansas. Mr. Speaker, the resolution brings before the House for consideration the prohibition bill. We have allowed not to exceed 12 hours of general debate. It is not probable that the time allowed in the resolution will be taken, but the Committee on Rules thought it was wise in the consideration of so important a measure that general debate be extended beyond the usual time allowed in the House of Representatives upon ordinary measures.

The bill is divided under three titles, each of them of very great importance, and it was thought that Members would want the opportunity of discussing matters under the titles in which they were interested for a longer period than the five minutes they would be entitled to under the rules for debate when the bill was being read for amendment.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Kansas yield to the gentleman from Pennsylvania?

Mr. CAMPBELL of Kansas. I yield for a question.

Mr. MOORE of Pennsylvania. Some gentlemen are endeavoring to figure out when the bill will come to a vote. The gentleman would assist them very much if he would indicate whether general debate will run all day to-day and all day to-morrow.

Mr. CAMPBELL of Kansas. The general debate is permitted for 12 hours. If the House adjourns at the usual time, about 5 o'clock to-day, there will be about four hours of debate to-day. To-morrow being Calendar Wednesday, the bill would pass over until Thursday. That would leave——

Mr. MOORE of Pennsylvania. Would Calendar Wednesday be taken out? Would the gentleman expect to have the bill considered during Calendar Wednesday?

Mr. CAMPBELL of Kansas. Calendar Wednesday is not set aside by this resolution.

Mr. MOORE of Pennsylvania. Then to-day, being Tuesday, would be used up entirely in general debate?

Mr. CAMPBELL of Kansas. Yes; to-day would be used up entirely in general debate and Thursday would be used up entirely in general debate, if all the time were taken.

Mr. MOORE of Pennsylvania. And the bill would not be read for discussion or amendment under the five-minute rule until Friday?

Mr. CAMPBELL of Kansas. Until some time on Friday, if all the time is permitted for general debate.

Mr. MOORE of Pennsylvania. Then it is not likely, under all the general conditions, that the bill will be voted upon until some time during Friday night or Saturday. Is that the idea?

Mr. CAMPBELL of Kansas. That would be the conclusion one would reach in computing the time for general debate.

Mr. MOORE of Pennsylvania. It can be safely stated that the bill will not be discussed on Calendar Wednesday and that Calendar Wednesday will be used for the usual purposes?

Mr. CAMPBELL of Kansas. Calendar Wednesday is not set aside by this resolution. That would have to be done by a vote of the House, taking a two-thirds vote, or by unanimous consent on to-morrow.

Mr. MOORE of Pennsylvania. Will the gentleman permit me in his time to ask the gentleman from Minnesota [Mr. VOLSTEAD] whether his views coincide with those of the gentleman from Kansas?

Mr. CAMPBELL of Kansas. Yes.

Mr. VOLSTEAD. I can not say as to that.

Mr. MOORE of Pennsylvania. It is a matter of concern to all the Members of the House.

Mr. VOLSTEAD. It is not possible to set aside Calendar Wednesday, and consequently I do not expect this bill will come up to-morrow. But I think there may be a very much less demand for time than is expected.

Mr. LINTHICUM. Mr. Speaker, I have a suggestion that I think will solve the situation.

Mr. VOLSTEAD. I do not think there will be a great demand for time under general discussion, and it may be that that time may expire long before we expect it.

Mr. MOORE of Pennsylvania. Then there is just that contingency, that general debate may fall down sooner than the 12-hour limit, and it is possible, as the gentleman sees it, that we might begin reading the bill on Thursday?

Mr. VOLSTEAD. I think there is a possibility of it.

Mr. MOORE of Pennsylvania. But the gentleman does not intend to ask for Calendar Wednesday for the discussion of this prohibition bill?

Mr. VOLSTEAD. I do not.

Mr. LONGWORTH. Will the gentleman yield?

Mr. CAMPBELL of Kansas. I yield for a question.

Mr. LONGWORTH. Would the effect of the adoption of this rule be to make this bill the continuing order until disposed of?

Mr. CAMPBELL of Kansas. Barring Calendar Wednesday. It does not set aside Calendar Wednesday.

Mr. LONGWORTH. But is it a continuing order? Could it be displaced by any other business?

Mr. CAMPBELL of Kansas. I think not.

Mr. LONGWORTH. From a reading of the rule it would appear to be a continuing order.

Mr. CAMPBELL of Kansas. Yes.

Mr. MOORE of Pennsylvania. May I ask the gentleman from Minnesota a question?

Mr. VOLSTEAD. I yield to the gentleman.

Mr. MOORE of Pennsylvania. Will the gentleman agree that there shall be no vote on this bill until Saturday?

Mr. DYER. Regardless of what the gentleman from Minnesota may do, I will not be bound by any agreement to that effect.

Mr. MOORE of Pennsylvania. I do not suppose the gentleman could force a vote before Saturday.

Mr. DYER. I will say to the gentleman from Pennsylvania that as one of the members of this committee I shall do what I can to hasten action upon the bill.

Mr. CAMPBELL of Kansas. I have not yielded the floor.

Mr. SIMS. Will the gentleman yield for a question about the rule?

Mr. CAMPBELL of Kansas. I yield to the gentleman for a question.

Mr. SIMS. Is it the purpose to confine the general debate to the subject matter of the bill?

Mr. CAMPBELL of Kansas. The rule itself provides that general debate shall be confined to the bill.

Mr. SIMS. Then six hours will be all you can possibly put in.

Mr. LAGUARDIA. Will the gentleman yield for a question?

Mr. CAMPBELL of Kansas. I yield to the gentleman.

Mr. LAGUARDIA. If this rule were not adopted, when would this bill come before the House in regular order?

Mr. CAMPBELL of Kansas. I give it up.

Mr. LAGUARDIA. Will the gentleman explain what is the necessity of forcing this bill before the House at this time?

Mr. CAMPBELL of Kansas. In order to give the House an opportunity to consider it at this time. [Laughter.]

Mr. LAGUARDIA. Is that the best reason the gentleman can give?

Mr. CAMPBELL of Kansas. That is the purpose of the rule. Mr. Speaker, I reserve the remainder of my time.

Mr. CALDWELL. Will the gentleman yield?

Mr. CAMPBELL of Kansas. I yield for a question.

Mr. CALDWELL. Has the fact that there is a great ship crossing the ocean, which is likely to arrive at some time to-day, anything to do with the hastening of this legislation?

Mr. CAMPBELL of Kansas. No.

Mr. GALLIVAN. Will the gentleman yield for a question?

Mr. CAMPBELL of Kansas. For a question.

Mr. GALLIVAN. The gentleman from New York [Mr. LAGUARDIA] asked if this rule were adopted when this bill would come up for consideration? Would it not be considered to-morrow?

Mr. CAMPBELL of Kansas. No.

Mr. GALLIVAN. To-morrow is Calendar Wednesday.

Mr. CAMPBELL of Kansas. But the call does not fall on the Committee on the Judiciary to-morrow.

The SPEAKER. The gentleman from Kansas [Mr. CAMPBELL] has used 10 minutes and reserves the remainder of his time.

Mr. POU. Mr. Speaker, I do not know whether the membership of the House have examined this bill carefully and in detail or not. Those who have not done so had best get to work and examine it carefully and critically, because in all the history of this Government never has there been a more drastic, a more far-reaching, and, in my humble judgment, a more oppressive measure than this bill will prove to be if it becomes the law of the land. A young friend of mine reminded me awhile ago that at one time in the history of England there were more than 120 capital offenses, and he also reminded me that the historian says that at the time under the law these 120 offenses were punished by death there was more crime in England than ever before. Now, here you have a bill that makes innumerable acts of the citizen heretofore considered entirely harmless violations of the law. The woman at home who makes a quart of blackberry wine for use in her own family can be prosecuted and sent to jail.

There is an old hack driver in my town who has served that community for 30 years. If you take passage in that man's hack and take a drink of liquor or wine or beer, or even cider, while you are in it, you violate the law. And the tragedy of it all is the wealthy man who has been able to stock up—I heard one man say he had $16,000 worth of wine and liquor in his cellar—is exempt entirely from the operation of this law. Gentlemen, are you willing to stand for it? For my part, holding the convictions I do, I would be ashamed of myself if I stood for such a measure. Now, vote for it and pass it if you must, and then the Nation's trouble is going to begin.

We have had prohibition down in my State for a good while. I voted for it. I hold no brief for the whisky business in any manner, shape, or form. I do not touch beer, wine, whisky, or anything alcoholic. But when you put this law on the statute books your trouble will begin, because at this minute, while I am standing here, there are in a dozen States which have already adopted prohibition more illicit stills in operation than there ever were saloons at any time in the history of those States. You had better go about this thing in a practicable, sensible way. No law is stronger than public sentiment. Some years ago I was in a northern city in a State which had had constitutional prohibition for a generation or more. There were in that city 87 places where whisky could be had without any trouble at all. There are communities where people have been accustomed to drink beer from childhood. It is part of their food. The percentage of alcohol is so small that drunkenness would be almost impossible. You now propose to make the practice of a lifetime a violation of the law. The bill is not without absurdities. Look on page 30 and see what it says about the indictment:

> It shall not be necessary in any affidavit, information, or indictment to give the name of the purchaser or to include any defensive negative averments, but it shall be sufficient to state that the act complained of was then and there prohibited and unlawful.

This bill would make an indictment sufficient which merely charged that John Doe had committed an act prohibited by this proposed law. Put him on trial, find him guilty, and send him to jail; he made cider from his own apples, and he is guilty. He made wine from his own scuppernong grapes, and he is guilty. Take a bottle of blackberry wine to a sick friend—you are guilty and run the risk of jail. The house in which cider is made for one's own use is made a nuisance under this proposed law. Russia in the days of her Czar's highest power never had a law which is more far-reaching. I was prepared to vote for a reasonable measure for enforcement, but holding the views I do I would not be true to myself if I did not here and now enter this protest and sound a warning also.

Mr. Speaker, there is no pressing need for action by Congress. The eighteenth amendment invests every State with power of enforcement. Why must Congress act? Why pass a law creating a great army of marshals, detectives, and other officials? Are you ready to send the man to jail who makes cider for his own use? Oh, yes; the bill does that, but the man of means who has bought whisky enough to last a lifetime and has it stored away in his cellar may go on drinking. He can not be touched by this law. Gentlemen, are you going to stand for that sort of law? For my part, I will not. There are hundreds of homes already provided with whisky and wine to last a lifetime. I have heard men boast that they had taken care for the future. One told me recently that he did not care what sort of a prohibition law was passed if his own stock was not disturbed; and under this bill that man may go on drinking, but the housewife who makes a bottle of blackberry wine—the best wine in the world; often needed in the home as medicine—may be arrested and sent to jail.

Now, Mr. Speaker, there is a great deal I would like to say. All my life I have stood for temperance, but I can not tell the truth and say I favor such extreme legislation. I do not believe a majority of the voters of this Nation want such extreme legislation. As long as I am in public life I shall at least try to be true to my convictions, no matter what consequence may follow. I can not, I will not, support a law which, in my judgment, destroys liberty; and mark this prediction: The day will come when men from the South will regret the precedents you have already set—the precedent some of you propose to set in this bill. Mark this prediction also: The day will come when the people of this Nation will protest in no uncertain way against these repeated restrictions upon personal liberty.

The bill ought to be amended in several important particulars. Whether there is enough legislative sanity left to do this remains to be seen. For my part, I repeat, I can not support a measure so oppressive, so destructive of liberty, so unfair in the exception it makes in favor of the rich and against the poor. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, I shall support the rule, and it will not take 10 minutes to give you my reasons for that support. I shall not discuss the bill which the rule makes in order; that will come a little later when there will certainly be ample opportunity for discussion, as written in the rule.

I support the rule, first, because under the decree of the highest authority in the Nation, we have technically prohibition. All that is needed to make it effective is to back up the decree by legislative enactment.

There is no Member of the House who has thought over the difference between constitutional sanction and legislative enactment that does not recognize immediately that any constitutional provision or any Executive decree that is not backed by legislative enactment becomes at once a dead letter. There are numerous instances of that sort. One good example of that is the fourteenth amendment of the Constitution of the United States, with which everybody is perfectly familiar. That has constitutional sanction, but since there is no legislative enactment to enforce it it is an absolutely dead letter. Everyone will recognize that.

Mr. GRIFFIN. Will the gentleman yield?

Mr. FESS. For a question.

Mr. GRIFFIN. May I ask why it is that legislation of this character has not been passed by Congress in the past in regard to the fourteenth amendment?

Mr. FESS. I think my friend from New York is as familiar with the lack of legislation upon that subject as am I, and while I would be glad to enter upon the discussion of the dead-letter situation of the fourteenth amendment I am not caring to do that now; I am simply calling attention to it as a concrete example of needed legislation for constitutional amendments.

Mr. GRIFFIN. I want to say that I asked the question to accentuate the fact that the men who are clamoring for legislation for the enforcement of this provision are the most conspicuous in being opposed to Federal legislation for the enforcement of the fourteenth amendment.

Mr. FESS. That may be true, but that does not alter the fact that we need legislation to enforce this amendment.

My first reason for supporting the rule is that without such legislation as we are proposing it will remain without any force in real action. We have all the authority, we have the executive sanction and decree, but without the legislative enactment to back up this sanction we might as well write it off. That is my first reason for making this in order through this special rule.

Mr. DEWALT. Will the gentleman yield?

Mr. FESS. For a question.

Mr. DEWALT. The constitutional amendment provides that there shall be concurrent power by the States, and how does the gentleman construe that? In other words, suppose this legislation is passed by Congress, will it be effective without legislation by the State, because the constitutional amendment provides for concurrent power?

Mr. FESS. If my friend will think for a moment he will recognize that the constitutional amendment about which he speaks, which gives concurrent jurisdiction to the Federal Government with the States——

Mr. DEWALT. It is not jurisdiction, it is power. There is a wide distinction between the two.

Mr. FESS. That is the difference between tweedledee and tweedledum. The gentleman is speaking as a technical lawyer and I am speaking in general common sense. [Laughter.] Oh, gentlemen may laugh, but it is true. Edmund Burke told the truth when he said that the man who deals simply as a technical lawyer can not be a great lawyer.

Mr. DEWALT. Edmund Burke might have been correct about that, but I want to ask the gentleman a further question. He says there is no distinction between jurisdiction and power. I think anybody who has read law or studied law or knows anything about jurisprudence knows that there is a wide distinction.

Mr. FESS. Now, the gentleman can not in my time by a confusion of terms cloud the issue.

Mr. DEWALT. But let me ask the question.

Mr. FESS. No; I will not yield any further; the gentleman may take his own time. The gentleman refers to concurrent jurisdiction. The gentleman wants to say power——

Mr. DEWALT. No; the Constitution says "power," I do not.

Mr. FESS. We here are not legislating for enforcement by the States, and the gentleman knows we have no jurisdiction to do that. We are not proposing here to confer what a State may already have. We can by a Federal amendment to the Constitution give concurrent jurisdiction of the Federal Government with the State, but not in this legislation. This is enforcement by Congress, and we do not want to confuse the war prohibition with the Federal amendment. The war prohibition is now in force awaiting this legislation to make it effective. The Federal amendment will not be in force until six months from now.

Mr. DEWALT rose.

Mr. FESS. I do not yield. The gentleman can take his time later on. The other reason why I support the rule is that as long as you have anything in doubt, so that one can say it is this and another can say it is that, with nothing decisive, you are going to have the law suspended, which is equivalent to no law. Here we are with a great group of people in and out of Congress who insist that this prohibition should not be applicable to what the war prohibition decreed. Nobody knows just how long the war prohibition will continue. We know it will be up to the time when the President will declare demobilization ended, and will continue indefinitely, provided the President does not use the authority to end it.

Mr. CALDWELL. Mr. Speaker, will the gentleman yield?

Mr. FESS. I do not yield.

Mr. CALDWELL. I just want to get the gentleman's point of view, that is all. If he does not want to yield, all right.

Mr. FESS. I do not want to be discourteous with the gentleman, but there is too much of a habit of wanting to introduce extraneous matter when we are trying to discuss particular things.

Mr. CALDWELL. The gentleman ought to be fair with me.

Mr. FESS. I yield to the gentleman for a question, but I want the gentleman to specify the question and not argue.

Mr. CALDWELL. I shall do that. Did not the Congress when it passed the constitutional provision deliberately leave open a period of time in which the people could dispose of their stocks?

Mr. FESS. Yes.

Mr. CALDWELL. If we enforce this thing now, does not that go back on the tentative promise of the Congress?

Mr. FESS. Certainly not. After authority was given the President made this decree and set it in operation months after it was decreed, and the gentlemen would have plenty of time in which to dispose of their stocks if they wanted to. The very question that my friend from New York is putting is the suggestion of the suspense, in the hope that it will not become effective, but as long as that rests in the public mind there will be violation of this decree, and the only thing that will make it effective is for this Congress to put it in force, and without such legislation it will not be in force. [Applause.]

Mr. CALDWELL. Mr. Speaker, will the gentleman yield?

Mr. FESS. I yield for a question.

Mr. CALDWELL. The gentleman says that there was plenty of time in which they could dispose of it. Does the gentleman know of anybody who has any stock——

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. CALDWELL. Mr. Speaker, I ask that the gentleman be granted one minute more.

The SPEAKER. The time is in the control of the gentleman from Kansas.

Mr. CAMPBELL of Kansas. Mr. Speaker, does the gentleman wish more time?

Mr. FESS. I would like to have two minutes more.

Mr. CAMPBELL of Kansas. I yield two minutes to the gentleman from Ohio.

Mr. CALDWELL. The gentleman stated that they had ample time in which to dispose of the stocks they had on hand.

Mr. FESS. Yes.

Mr. CALDWELL. Does the gentleman know of anyone who had any stock that was not doing his best to dispose of it? [Laughter.]

Mr. FESS. I have no doubt that they were attempting to capitalize their business and turn it into money just as quickly as it was possible to do so, but in spite of lack of power, and as my friend would suggest, they are disposing of it in the hope that they can still continue the stock and continue the business after the present stock is sold.

Mr. CALDWELL rose.

Mr. FESS. I will not yield further.

Mr. CALDWELL. I do not understand what the gentleman means—that they will continue the disposal of their stock after the present stock is sold.

Mr. FESS. Mr. Speaker, in order to bring the matter before the House with plenty of time in which to discuss it, 12 hours having been allowed, and in order to make the sanction effective by legislative enactment, in order to get through the period of suspense during which interested parties will violate the decree, I voted to give this Congress power to put this decree into effect by legislation, and I have no doubt the Congress will put it into effect. [Applause.]

Mr. POU. Mr. Speaker, I yield 10 minutes to the gentleman from Kentucky [Mr. CANTRILL].

Mr. CANTRILL. Mr. Speaker, as is well known to the older Members of the House, I have always strongly opposed prohibition legislation. I voted against the national prohibition amendment, and in the past, when the matter has been up before the House, I have voted against prohibition legislation. So far as the use of liquor is concerned, it does not affect me personally, because I do not use it in any way, shape, or form, nor have I any private stocks stored away. The reason that I opposed national prohibition was because I was convinced that well-regulated open saloons meant more for temperance in the country than bootlegging prohibition, in addition to the fact that under a well-regulated saloon the Government has secured a tremendous amount of revenue, which was sadly needed, whereas under prohibition legislation millions of dollars will be required to enforce the legislation and no revenue will be obtained. Those were my individual views.

At this time, however, as a member of the Committee on Rules, this morning I voted to bring this bill before the House, because I think the prohibition question is a question in which the Nation is interested and as to which the Congress of the United States is entitled at this time to have a say.

Therefore I voted to report the bill to the House for its consideration. But I am frank to say that so far as I am concerned, that my individual judgment in the past having been so overwhelmingly overridden by public sentiment apparently, and by the fact that practically every State in the Union has indorsed the Federal amendment, I do not feel that it is my right as a legislator, when I have gone into a square and open fight with the Anti-Saloon League, which in many of my campaigns has fought me openly in my district, and my district is a dry district, and I have always voted against it, but with the Kentucky spirit of sportsmanship, when I have been defeated in an open and square fight, I feel that upon this occasion and at this time it is my duty as a legislator to give to the Anti-Saloon League and its adherents a law which will enable them to enforce the ideas for which for years they have been contending. [Applause.]

That is the spirit which actuated me to vote for this law, unless there is some question in the law which to my mind is clearly unconstitutional, and I vote for it with the hope that the law when it is put into effect—because there is not a man on the floor of this House but who knows that this law will pass—I vote for it in the sincere hope that the law will accomplish exactly what the most extreme advocates of prohibition have contended, and that is that it will lead to a temperate America. I hope that will be the result, and the only reason that I have opposed this character of legislation in the past is because I honestly believed that drastic, sumptuary legislation would not bring about temperance and sobriety. I think I have

made my position clear that for the past 20 years in official life, in my State legislature and on the floor of this House here, having strongly opposed all sumptuary prohibition legislation, it does seem to me that it is a fact which no man can overlook that the American people are determined to try out this question of prohibition, and, though I have been an opponent of it in the past, I believe upon this occasion, with 45 States of the Union having ratified national prohibition, when both branches of the American Congress by an overwhelming majority, evidently voicing the ideas of their constituents, have voted drastic prohibition legislation, I do believe that the Anti-Saloon League and its leaders, having won a fair, square fight before the bar of public opinion, are entitled to have legislation which will at least give them an opportunity to try out their plan. If within the next three or four years their plans are not successful, if it does not bring sobriety and temperance to the country, the American Congress will still be here. It can report legislation. It can submit the question back to the American people and if it has been proven a failure they can repeal it. But I believe, gentlemen of the House, that now upon this occasion that it is the duty of those of us upon our side who have bitterly opposed prohibition in the past, having lost a fair, square fight, I believe that it is our duty, the liberal element, if you please, in the House, to give this law to the men who have outvoted us and give them a chance to try out their plan, with the hope with Almighty God their plans will be successful, and bring a sober and temperate American people. [Applause.]

Mr. GALLIVAN. Will the gentleman yield for a question?

Mr. CANTRILL. Yes.

Mr. GALLIVAN. Has the gentleman read this bill?

Mr. CANTRILL. I am very frank to say to the gentleman that, if he had listened to my remarks, I stated I had not read the bill in detail, and that I reserved the right to vote against any measure in the bill which I deemed unconstitutional, but that as a member of the Committee on Rules I voted for the rule, believing it was of great importance to the country to give the House an opportunity to discuss the bill on its merits.

Mr. GALLIVAN. The gentleman does not want the House to understand——

The SPEAKER. The time of the gentleman has expired.

Mr. GALLIVAN. To understand that he agrees to this bill? The gentleman does not agree to this bill.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Speaker, I was very much interested in the remarks of my friend from Kentucky [Mr. CANTRILL], who has just spoken. When Kentucky surrenders and a gentleman who is so firmly fixed in his convictions as my friend, the cause indeed is lost, and all the others might as well come in and get out of the wet. My friend stated, if I understood him correctly, that the American people were determined to thrash out this question of prohibition. The American people are determined on more. They are determined that the saloon shall go. They know it to be the nursery of vice and crime unequaled in that respect by any other demoralizing influence. But, Mr. Speaker, I did not rise to speak upon these general matters, but rather with reference to why this rule should be adopted at this time. I was somewhat surprised at the statement of my friend from North Carolina, who I know, as he has stated, has supported the prohibition measures in his own State. Yet he says that he thinks the State is the only effective unit for the enforcement of laws that are necessary in cases of this kind. I think my friend, however hearty may have been his support of prohibition measures, has had but little experience in undertaking the enforcement of laws which are necessary to make them effective. I have had a good deal of such experience for the last 30 years. I know that in the enforcement of these laws the greatest opposition that we have found at all times to the practical working of the law was the fact that there was no Federal law which applied to the case; that local laws were often found to be in conflict with either the Federal statutes or the Federal Constitution itself. The law books and the decisions are full of cases where the actions of the State court have been held invalid and State laws held unconstitutional by reason of the fact that our State provisions were contrary to the Constitution of the United States or some of its laws. We find this with reference to cases against the express companies, cases against the railroad companies, cases against others who were endeavoring to nullify the law, cases on every hand that failed because the United States itself had no law for the suppression of the liquor traffic. The gentleman from Ohio [Mr. FESS] said very properly that a constitutional provision without a law to support it becomes a dead letter. That principle applies with redoubled force to cases of this kind, because we need the support of a Federal law in order to make these provisions effective. If we do not have it, the law will become worse than a dead letter. It will become a mere farce, a laughing stock, useless, of no effect, and will set the cause of prohibition back instead of advancing it. I trust that this rule will be adopted.

Mr. POU. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, notwithstanding the statement of the gentleman who has preceded me and regardless of the many abuses that are charged against the saloons, which I will not deny, I maintain that America is the most moral country in the world, and notwithstanding all the statements of the prohibition advocates, we have a more prosperous, stronger, and better country than any other.

The gentleman from Kentucky [Mr. CANTRILL] has stated that the majority of the people of our Nation demand prohibition. I question that statement. You do not and I do not know whether or not the majority of the people desire prohibition. I admit that the legislatures of more than two-thirds of the various States have voted on the question and cast a majority in favor of it, but they have not, no more than you have, consulted the wishes of the people of their respective districts and did not know whether the majority of the people whom they represented desire prohibition. And I venture to predict and say now, Mr. Speaker, that if this question be submitted to the people of this country to-day you would find a large majority of them against this drastic prohibition legislation.

Mr. FOSTER. Will the gentleman yield for one short question?

Mr. SABATH. No. I have only five minutes.

Only a few months ago in the city of Chicago an election was held at which the question was submitted to the people, and out of about 600,000 votes cast by women and men a majority of nearly 300,000 was registered against prohibition and for license.

Mr. BARKLEY. Will the gentleman yield?

Mr. SABATH. If you can give me more time I will yield gladly. Otherwise I have not the time.

I would suggest to you, all of you honest men who are not carried away by prejudice, to inquire of the people at large, inquire of the millions and millions of laboring men, organized and unorganized, whether they approve of this drastic measure, this drastic law. I know that over 90 per cent of the honest American laboring men are against prohibition. I know that 90 per cent of the boys who are returning from France will hold you responsible if you pass this infamous legislation depriving them and other American citizens of their personal liberty. I say to you, gentlemen, that before you act you should take into consideration the wishes of the people and not be misled by the professional prohibition lobbyists who have misled the legislatures of many States and are now trying to mislead the Nation and have so well succeeded in misleading the majority of the Members of this House.

Mr. Speaker, I just arrived this morning from my home city, the city of Chicago, which I have had the honor, in part, to represent in this body for more than 12 years, and which city I have seen grow from less than half a million to nearly 3,000,000 of people; America's most cosmopolitan, prosperous, and progressive city, where, in proportion to population, more beer and wine, yes, even whisky, has been consumed annually than in any other community, and notwithstanding that fact, it has progressed not only in population, but in wealth and commerce, in literature, science, and art, as no other city has progressed from the beginning of the world. It is a city where higher wages and better living conditions obtain than in any other city in the world, where a larger percentage of people own their individual homes than in any large city in the United States. It is a city that has more churches, more public and private, common, high, and technical schools, and a larger number of students in its own and other universities than any other city in America, and that, notwithstanding the large consumption of what the professional prohibitionists designate poisonous and ruinous beverages. It is recognized as the leading commercial and manufacturing center of our country, and during my short stay at home I met women and men of all walks of life. I met business, laboring, and professional men; I talked to hundreds of the boys who have just returned from service across the sea, and their opinion is nearly unanimous that they and the country be given a chance and opportunity to speak and vote on this question. They demand the repeal of the so-called war-time prohibition, and demand that they be not denied the right and privilege of their personal liberty guaranteed them under the Constitution. All these peoples can not believe that they should be deprived of

the right to a glass of wine or beer. They do not argue for whisky, but they insist that the harmless, stimulating, and nourishing beverage of beer, which can be secured at a reasonable price and which to the laboring masses especially is a food, nourishment, and stimulant, should not be denied them. They can not believe that the Congress of the United States, notwithstanding the frequent insinuations of the press, the most representative body of men in the world, could be swayed by the temporary, artificially created sentiment into enacting this proposed sumptuary prohibition legislation, impossible of enforcement. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. POU. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Speaker, in case that there should be no roll call on this resolution, I want to say that I would vote against it. And I want to call the country's attention to the fact that a rule is brought in to bring this measure before the House out of its natural order and to jam it through at this time.

A mere casual reading of the bill shows that it is not the result of mature deliberation and study, but it shows that it is the result of hysteria and of coercion. It will meet with the approval of some of the lobbyists who are protecting special interests, those men who are either dopey with narcotics or slimy with sirup.

I do not see why it is necessary to jam this through at this time. The constitutional prohibition does not go into effect until January of 1920. There are sufficient enforcement provisions in the agricultural law to take care of the war-time prohibition. It is intimated that the President is going to rescind the war-time prohibition measure. Now, then, what is the hurry for jamming this through at this time?

Mr. UPSHAW. Will the gentleman yield?

Mr. LAGUARDIA. Certainly.

Mr. UPSHAW. Did the gentleman ever know the friends of liquor interests to come to any time which they thought was a good time to put them out of business?

Mr. LAGUARDIA. The gentleman knows that the moonshiners of the South are very anxious to get this through, because their business will increase. [Applause and laughter.]

Mr. UPSHAW. Will the gentleman yield again?

Mr. LAGUARDIA. Certainly.

Mr. UPSHAW. I will give the answer to that when the time comes for me to deliver myself on this question in the regular debate. I will answer fully the gentleman's statement about moonshiners.

Mr. DYER. Will the gentleman claim there are not any in Georgia?

Mr. LAGUARDIA. No doubt the gentleman is authority on the subject. [Laughter and applause.]

Mr. UPSHAW. I will answer the gentleman by saying that as long as New York and Baltimore and virtuous Chicago, that gave that great "wet" majority that our friend has just spoken of, the same city that elected——

Mr. LAGUARDIA. A question, not a statement.

Mr. UPSHAW. A question? In all good humor, the gentleman ought not to leave my answer suspended in the air like that.

Mr. LAGUARDIA. I will say to the gentleman that if the people traveling from dry States would keep out of New York City we would have no drunks on the streets.

Mr. UPSHAW. Will the gentleman yield? Does the gentleman intend to suggest that they do not want the commercial patronage of the glorious dry South in the cities that have clung on to liquor so long?

Mr. LAGUARDIA. Absolutely not. It keeps our courts congested. [Laughter and applause.] I shall vote against the rule. There is no need for this hurry. Let the Committee on the Judiciary study this matter coolly, calmly, and deliberately.

Mr. POU. Mr. Speaker, I yield four minutes to the gentleman from New York [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. Speaker and gentlemen, I am from New York, and I oppose prohibition. I oppose the bill itself, but I can not very well say much, if anything, against the bill in the few moments that we have in which to discuss the resolution.

The question now is whether this proposed Federal measure, defining intoxicants and making it a crime to sell light wines and beers or to make them in the family, ought to be made the subject of Federal legislation. It is most astonishing to me to look back at the history of this country and observe the passage of successive amendments to our Constitution. Never before, where the Congress of the United States has passed a resolution amending the Constitution, has it attempted to follow it up by enacting a code of criminal laws to enforce it. As the gentleman from Ohio [Mr. FESS] said, you did not attempt it with the fourteenth amendment, and you did not do it with any other constitutional amendment. Why do you want to do it with this amendment? You entirely upset all the traditions of our Government and the whole history of constitutional amendments. It is essentially wrong for the Federal Government to undertake to enact criminal laws that ought better be left to the administration and the control of the respective States.

But the point I am chiefly interested in now is that you bring this resolution up for consideration at a time when you inevitably take advantage of the Members of this House who have had no warning that this bill was going to come up. There are a little more than half the Members of Congress present to-day, and you want to take up a bill as important as this when 150 of our Members are on the way to Atlantic City or are already there now to attend an important convention. You are going to debate and will probably vote on this measure with half the Members of this House absent. I tell you it is wrong. The gentlemen who are behind this prohibition proposition are pretty astute politicians.

The gentleman from Kentucky [Mr. CANTRILL] says that he bows to the will of the majority. I deny that prohibition as enacted by this House or by the Senate or by the legislatures of the various States has been accomplished by virtue of a fair majority of the people of this land. Take the membership of this House itself. On any proposition of this character you do not get a fair representation of the people of this country. Take some of the States which are most conspicuous in clamoring for prohibition, and you gentlemen who represent those States are elected to this House upon the vote of 10,000, 11,000, 15,000, or 20,000 constituents, whereas the Representatives of the people of New York, of Illinois, California, all the great Northern States, the States that are opposed to this legislation, each represent from 60,000 to 80,000 constituents. [Applause.]

The SPEAKER. The time of the gentleman from New York has expired.

Mr. SABATH. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present. The Chair will count.

Mr. GRIFFIN. Mr. Speaker, before going into that may I ask unanimous consent to extend my remarks in the RECORD?

Mr. WALSH. You can not do that while the point of no quorum is pending.

The SPEAKER. The gentleman can get that later. The Chair will count. [After counting.] One hundred and eighty Members are present, not a quorum.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Gandy	Lufkin	Sanders, N. Y.
Andrews, Md.	Ganly	McAndrews	Sanford
Anthony	Garrett	McClintic	Saunders, Va.
Ashbrook	Glynn	McDuffie	Scully
Baer	Godwin, N. C.	McLaughlin, Mich.	Sells
Bland, Mo.	Goldfogle	Madden	Sherwood
Browne	Goodall	Magee	Sinclair
Butler	Gould	Mann	Slemp
Caraway	Graham, Pa.	Mason	Smith, Ill.
Carew	Greene, Vt.	Mays	Smith, N. Y.
Carter	Hamill	Mead	Snyder
Casey	Haskell	Morin	Stevenson
Clark, Mo.	Hastings	Mott	Stiness
Cleary	Heflin	Neely	Strong, Pa.
Copley	Hicks	Nelson, Wis.	Sullivan
Costello	Hill	Nicholls, S. C.	Sweet
Crowther	Howard	Oliver	Taylor, Colo.
Davis, Minn.	Hull, Iowa	Olney	Taylor, Tenn.
Dempsey	Hull, Tenn.	Parker	Thompson, Ohio
Donovan	Hutchinson	Peters	Tinkham
Dooling	Johnson, S. Dak.	Platt	Treadway
Doughton	Johnston, N. Y.	Porter	Vare
Dunn	Juul	Purnell	Ward
Eagan	Kearns	Ragsdale	Wason
Eagle	Kennedy, R. I.	Rainey, H. T.	Webb
Echols	Kettner	Raker	Welling
Emerson	King	Ramsey	Wilson, Ill.
Evans, Nev.	Kleczka	Randall, Calif.	Wilson, Pa.
Fairfield	Lampert	Riordan	Winslow
Ferris	Langley	Robsion, Ky.	Wise
Focht	Layton	Romjue	Woodyard
Freeman	Lee, Ga.	Rowan	Yates
Fuller, Mass.	Lesher	Rowe	
Gallagher	Lever	Rucker	

The SPEAKER. Two hundred and ninety-four Members have answered to their names. A quorum is present.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The SPEAKER. The gentleman from Kansas moves that further proceedings under the call be dispensed with. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. The gentleman from Kansas is recognized for six minutes remaining.

Mr. CAMPBELL of Kansas. Mr. Speaker, the rule that we have offered here for consideration of this bill has not been criticized.

Mr. WALSH rose.

Mr. CAMPBELL of Kansas. I yield three minutes to the gentleman from Massachusetts.

The SPEAKER. The gentleman from Massachusetts is recognized for three minutes.

Mr. WALSH. Mr. Speaker, I was unaware that the gentleman from Kansas [Mr. CAMPBELL] was going to close the debate on the rule and in his opening sentence make any such claim. I do want to criticize the rule under which this bill is brought before the House. We have here a situation somewhat analagous to that which will be presented to another branch of the legislative body in a few days with a treaty of peace presented containing something known as "a covenant." We have a bill here providing for national country-wide prohibition containing war-time prohibition as a separate title.

Now, I have been in favor ever since this has been under consideration of reporting in a war prohibition measure as a separate piece of legislation, and I submit that that would have been better than to have combined it with a measure which is supposed to enforce the provisions of the eighteenth amendment, particularly because war prohibition has come into being as the result of legislation which was enacted under the war powers of the Constitution.

Mr. CALDWELL. Mr. Speaker, will the gentleman yield?

Mr. WALSH. I have only three minutes, and I dislike to have my thoughts interrupted, scattered as they are; whereas national prohibition is a subject which must be legislated upon because of a separate amendment to the Constitution.

Now the provisions of the war prohibition act, so called, which are contained in a rider upon another piece of legislation, are such as to make necessary further legislation in order properly to enforce that law; and we may be confronted with a situation where, before war prohibition has been signed by the Executive, a proclamation will have been issued to the effect that demobilization has been completed. If that situation is to be met, I submit that it would be much more expedient and in keeping with good legislation to report a separate war prohibition measure, and let us put it through here with two hours' general debate if necessary, or with half an hour, because the Attorney General has said that he needs further legislation, and, with all due respect and all admiration and regard for that distinguished body of our colleagues whom we entitle the Committee on Rules, I do mildly and sincerely offer this as a criticism of this rule.

The SPEAKER. The gentleman's time has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I conclude the sentence that I began and say that up to this time no serious criticism has been made of the rule under which this bill is brought before the House. The gentleman from Massachusetts, my friend [Mr. WALSH], has made serious criticism of the Judiciary Committee, not of the Committee on Rules.

Mr. WALSH. It is not the first time, either.

Mr. CAMPBELL of Kansas. If there is any fault to be found with the fact that war-time prohibition has been united with the bill to enforce the prohibitory amendment, that criticism lies against the Judiciary Committee and not against the Committee on Rules. We brought in here for consideration the bill as it was brought to us by the Judiciary Committee.

Mr. WALSH. Will the gentleman yield?

Mr. CAMPBELL of Kansas. For a question.

Mr. WALSH. Does the gentleman contend that the Committee on Rules would not have the jurisdiction to report title 1 of this bill as a separate proposition?

Mr. CAMPBELL of Kansas. We usually act as the instrument of the House, which gives the House an opportunity to act upon bills which are reported.

The Judiciary Committee asked for a rule that would give the House an opportunity to consider this whole question, and the bill is here for the consideration of the House.

Mr. CALDWELL. Will the gentleman yield?

Mr. CAMPBELL of Kansas. No; I will not yield. This is not the last act of legislation upon the subject of prohibition in the United States. This law will have to be amended in the future, and for years to come perhaps every session of the Congress will have to deal with laws enforcing the eighteenth amendment.

Mr. Speaker, I move the previous question on the resolution.

The SPEAKER. The gentleman from Kansas moves the previous question on the adoption of the resolution.

The question being taken, on a division (demanded by Mr. DYER) there were—ayes 107, noes 31.

Mr. CALDWELL. I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from New York makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and seventy-three Members present—not a quorum.

Mr. DYER. I move a call of the House.

The SPEAKER. This is an automatic call. The Doorkeeper will close the doors. The Sergeant at Arms will notify absent Members. Those in favor of ordering the previous question will, when their names are called, vote "yea," those opposed will vote "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 229, nays 59, answered "present" 4, not voting 138, as follows:

YEAS—229.

Ackerman	Dunbar	Kendall	Robinson, N. C.
Alexander	Echols	Kennedy, Iowa	Rogers
Almon	Edmonds	Kiess	Rose
Andrews, Nebr.	Elliott	Kincheloe	Rouse
Aswell	Ellsworth	Kinkaid	Rubey
Ayres	Elston	Kitchin	Sanders, Ind.
Bankhead	Esch	Knutson	Sanders, N. Y.
Barbour	Evans, Mont.	Kreider	Schall
Barkley	Evans, Nebr.	Lanham	Scott
Begg	Evans, Nev.	Lankford	Shreve
Bell	Fess	Larsen	Sims
Benham	Fields	Layton	Sinnott
Black	Fisher	Lea, Calif.	Sisson
Bland, Ind.	Flood	Little	Small
Bland, Mo.	Fordney	Luce	Smith, Idaho
Bland, Va.	Foster	McArthur	Smith, Mich.
Blanton	Frear	McCulloch	Smithwick
Boies	French	McFadden	Steagall
Bowers	Fuller, Ill.	McKenzie	Stedman
Box	Gard	McKinley	Steenerson
Brand	Garner	McLaughlin, Nebr.	Stephens, Miss.
Briggs	Good	McPherson	Strong, Kans.
Brinson	Goodwin, Ark.	MacCrate	Sumners, Tex.
Brooks, Ill.	Goodykoontz	MacGregor	Taylor, Ark.
Browning	Gould	Magee	Taylor, Colo.
Brumbaugh	Graham, Ill.	Major	Temple
Buchanan	Green, Iowa	Mapes	Thomas
Burroughs	Griest	Michener	Thompson, Okla.
Butler	Hadley	Miller	Tillman
Byrnes, S. C.	Hamilton	Monahan, Wis.	Timberlake
Byrns, Tenn.	Hardy, Colo.	Mondell	Tincher
Campbell, Kans.	Hardy, Tex.	Montague	Towner
Candler	Harrison	Moon	Upshaw
Cannon	Haugen	Moore, Ohio	Valle
Cantrill	Hawley	Moore, Pa.	Vestal
Carss	Hayden	Moore, Va.	Vinson
Carter	Hays	Morgan	Volstead
Chindblom	Hernandez	Murphy	Walters
Christopherson	Hersey	Nelson, Mo.	Watkins
Clark, Fla.	Hersman	Oldfield	Watson, Va.
Classon	Hickey	Osborne	Weaver
Cole	Hoch	Overstreet	Webster
Collier	Holland	Padgett	Welty
Connally	Houghton	Paige	Whaley
Cooper	Huddleston	Park	Wheeler
Cramton	Hudspeth	Parrish	White, Kans.
Crisp	Hulings	Quin	White, Me.
Currie, Mich.	Husted	Ramseyer	Williams
Dale	Ireland	Randall, Calif.	Wilson, La.
Dallinger	Jacoway	Randall, Wis.	Wingo
Darrow	James	Rayburn	Wood, Ind.
Davey	Johnson, Ky.	Reavis	Woods, Va.
Davis, Tenn.	Johnson, Miss.	Reber	Young, N. Dak.
Dickinson, Mo.	Johnson, S. Dak.	Reed, N. Y.	Young, Tex.
Dickinson, Iowa	Johnson, Wash.	Reed, W. Va.	Zihlman
Dominick	Jones, Pa.	Rhodes	
Dowell	Jones, Tex.	Ricketts	
Drane	Kelly, Pa.	Riddick	

NAYS—59.

Babka	Fitzgerald	McGlennon	Olney
Bacharach	Gallivan	McKiniry	Pell
Bee	Garland	McLane	Phelan
Benson	Griffin	Maher	Pou
Burdick	Hull, Iowa	Martin	Radcliffe
Burke	Humphreys	Merritt	Rainey, J. W.
Caldwell	Igoe	Minahan, N. J.	Rodenberg
Coady	Jefferis	Mooney	Sabath
Crago	Kahn	Moores, Ind.	Siegel
Cullen	LaGuardia	Mudd	Steele
Curry, Calif.	Lazaro	Newton, Mo.	Stephens, Ohio
Dent	Lehlbach	Nolan	Voigt
Dewalt	Linthicum	O'Connell	Walsh
Dupré	Lonergan	O'Connor	Watson, Pa.
Dyer	Longworth	Ogden	

ANSWERED "PRESENT"—4.

Blackmon	McKeown	Mansfield	Snell

NOT VOTING—138.

Anderson	Booher	Caraway	Copley
Andrews, Md.	Britten	Carew	Costello
Anthony	Brooks, Pa.	Casey	Crowther
Ashbrook	Browne	Clark, Mo.	Davis, Minn.
Baer	Campbell, Pa.	Cleary	Dempsey

Denison	Hill	Mott	Slemp
Donovan	Howard	Neely	Smith, Ill.
Dooling	Hull, Tenn.	Nelson, Wis.	Smith, N. Y.
Doremus	Hutchinson	Newton, Minn.	Snyder
Doughton	Johnston, N. Y.	Nicholls, S. C.	Stevenson
Dunn	Juul	Nichols, Mich.	Stiness
Eagan	Kearns	Oliver	Strong, Pa.
Eagle	Kelley, Mich.	Parker	Sullivan
Emerson	Kennedy, R. I.	Peters	Summers, Wash.
Fairfield	Kettner	Platt	Sweet
Ferris	King	Porter	Taylor, Tenn.
Focht	Kleczka	Purnell	Thompson, Ohio
Freeman	Kraus	Ragsdale	Tilson
Fuller, Mass.	Lampert	Rainey, H. T.	Tinkham
Gallagher	Langley	Raker	Treadway
Gandy	Lee, Ga.	Ramsey	Vare
Ganly	Lesher	Riordan	Venable
Garrett	Lever	Robsion, Ky.	Ward
Glynn	Lufkin	Romjue	Wason
Godwin, N. C.	Luhring	Rowan	Webb
Goldfogle	McAndrews	Rowe	Welling
Goodall	McClintic	Rucker	Wilson, Ill.
Graham, Pa.	McDuffie	Sanders, La.	Wilson, Pa.
Greene, Mass.	McLaughlin, Mich.	Sanford	Winslow
Greene, Vt.	Madden	Saunders, Va.	Wise
Hamill	Mann	Scully	Woodyard
Haskell	Mason	Sears	Wright
Hastings	Mays	Sells	Yates
Heflin	Mead	Sherwood	
Hicks	Morin	Sinclair	

So the previous question was ordered.

The following pairs were announced:

Until further notice:

Mr. WASON with Mr. MAYS.

Mr. KELLEY of Michigan with Mr. HULL of Tennessee.

Mr. COPLEY with Mr. SULLIVAN.

Mr. STRONG of Pennsylvania with Mr. CLEARY.

Mr. SUMMERS of Washington with Mr. CARAWAY.

Mr. THOMPSON of Ohio with Mr. DOOLING.

Mr. GREENE of Massachusetts with Mr. RAGSDALE.

Mr. DAVIS of Minnesota with Mr. SMITH of New York.

Mr. COSTELLO with Mr. STEVENSON.

Mr. ANDREWS of Maryland with Mr. WRIGHT.

Mr. TINKHAM with Mr. CAREW.

Mr. ANTHONY with Mr. WEBB.

Mr. ANDERSON with Mr. WISE.

Mr. TILSON with Mr. CASEY.

Mr. MOTT with Mr. GALLAGHER.

Mr. FREEMAN with Mr. ROWAN.

Mr. KENNEDY of Rhode Island with Mr. HEFLIN.

Mr. GLYNN with Mr. ROMJUE.

Mr. LUFKIN with Mr. GOLDFOGLE.

Mr. SLEMP with Mr. DOUGHTON.

Mr. STINESS with Mr. DOREMUS.

Mr. VARE with Mr. ASHBROOK.

Mr. WARD with Mr. MEAD.

Mr. BRITTEN with Mr. WILSON of Pennsylvania.

Mr. GREENE of Vermont with Mr. HENRY T. RAINEY.

Mr. ROBSION of Kentucky with Mr. LESHER.

Mr. JUUL with Mr. KETTNER.

Mr. HICKS with Mr. OLIVER.

Mr. GRAHAM of Pennsylvania with Mr. RUCKER.

Mr. WILSON of Illinois with Mr. MCDUFFIE.

Mr. WINSLOW with Mr. LEE of Georgia.

Mr. YATES with Mr. MCANDREWS.

Mr. HUTCHINSON with Mr. NICHOLLS of South Carolina.

Mr. KEARNS with Mr. JOHNSTON of New York.

Mr. WOODYARD with Mr. LEVER.

Mr. PARKER with Mr. EAGLE.

Mr. DUNN with Mr. SHERWOOD.

Mr. MADDEN with Mr. GARRETT.

Mr. MASON with Mr. GANDY.

Mr. DENISON with Mr. SAUNDERS of Virginia.

Mr. MORIN with Mr. GANLY.

Mr. HASKELL with Mr. OLNEY.

Mr. BROWNE with Mr. VENABLE.

Mr. PETERS with Mr. EAGAN.

Mr. EMERSON with Mr. SANDERS of Louisiana.

Mr. FOCHT with Mr. RUCKER.

Mr. MCLAUGHLIN of Michigan with Mr. GODWIN of North Carolina.

Mr. SANFORD with Mr. HASTINGS.

Mr. FAIRFIELD with Mr. SEARS.

Mr. SNELL with Mr. RIORDAN.

Mr. MANN with Mr. BLACKMON.

Mr. PURNELL with Mr. MCCLINTIC.

Mr. KING with Mr. NEELY.

Mr. TREADWAY with Mr. BOOHER.

On this vote:

Mr. MCKEOWN (for previous question) with Mr. DONOVAN (against).

Mr. FERRIS (for previous question) with Mr. SCULLY (against).

Mr. NELSON of Wisconsin (for previous question) with Mr. LAMPERT (against).

Mr. SNELL. Mr. Speaker, I wish to withdraw my vote of "aye" and answer "present." I am paired with the gentleman from New York, Mr. RIORDAN.

Mr. CANTRILL. Mr. Speaker, I have a general pair with the gentleman from Kentucky, Mr. LANGLEY, but if he was present, he would vote "aye."

Mr. MCKEOWN. Mr. Speaker, I wish to withdraw my vote of "aye" and answer "present." I am paired with the gentleman from New York, Mr. DONOVAN.

The result of the vote was then announced, as above recorded.

A quorum being present, the doors were opened.

The SPEAKER. The question now is on agreeing to the resolution.

Mr. DYER. Mr. Speaker, on that question I ask for a division.

The question was taken; and there were—ayes 130, noes 32.

Mr. GRIFFIN. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from New York makes the point that no quorum is present, and the Chair will count. [After counting.] Two hundred and seven Members present, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 229, nays 58, answered "present" 2, not voting 141, as follows:

YEAS—229.

Ackerman	Dunbar	Kincheloe	Rose
Alexander	Echols	Kinkaid	Rouse
Almon	Edmonds	Kitchin	Rubey
Andrews, Nebr.	Elliott	Knutson	Sanders, Ind.
Aswell	Ellsworth	Kreider	Sanders, N. Y.
Ayres	Elston	Lanham	Schall
Bankhead	Esch	Lankford	Scott
Barbour	Evans, Mont.	Larsen	Shreve
Barkley	Evans, Nebr.	Layton	Sims
Begg	Evans, Nev.	Lea, Calif.	Sinnott
Bell	Fess	Little	Sisson
Benham	Fields	Luce	Small
Black	Fisher	McArthur.	Smith, Idaho
Bland, Va.	Flood	McCulloch	Smithwick
Blanton	Fordney	McFadden	Snell
Boies	Foster	McKenzie	Steagall
Booher	French	McKinley	Stedman
Bowers	Fuller, Ill.	McLaughlin, Nebr.	Steenerson
Box	Garner	McPherson	Strong, Kans.
Brand	Good	MacGregor	Summers, Wash.
Briggs	Goodwin, Ark.	Magee	Sumners, Tex.
Brinson	Goodykoontz	Major	Taylor, Ark.
Brooks, Ill.	Gould	Mansfield	Temple
Browning	Graham, Ill.	Mapes	Thomas
Brumbaugh	Green, Iowa	Michener	Thompson, Okla.
Buchanan	Griest	Miller	Tillman
Burroughs	Hadley	Monahan, Wis.	Timberlake
Butler	Hamilton	Mondell	Tincher
Byrnes, S. C.	Hardy, Colo.	Montague	Towner
Byrns, Tenn.	Hardy, Tex.	Moore, Ohio	Treadway
Campbell, Kans.	Harrison	Moore, Pa.	Upshaw
Candler	Haugen	Moore, Va.	Vaile
Cannon	Hawley	Moores, Ind.	Venable
Cantrill	Hayden	Morgan	Vestal
Carss	Hays	Murphy	Vinson
Carter	Hernandez	Nelson, Mo.	Volstead
Chindblom	Hersey	Newton, Minn.	Walters
Christopherson	Hersman	Nichols, Mich.	Watkins
Clark, Fla.	Hickey	Oldfield	Watson, Va.
Classon	Hoch	Osborne	Weaver
Cole	Holland	Padgett	Webster
Collier	Houghton	Paige	Welty
Connally	Huddleston	Park	Whaley
Cooper	Hudspeth	Parrish	Wheeler
Cramton	Hulings	Quin	White, Kans.
Crisp	Husted	Ramseyer	White, Me.
Currie, Mich.	Ireland	Randall, Calif.	Williams
Dale	Jacoway	Randall, Wis.	Wilson, La.
Dallinger	James	Rayburn	Wingo
Darrow	Johnson, Ky.	Reavis	Wood, Ind.
Davey	Johnson, Miss.	Reber	Woods, Va.
Davis, Tenn.	Johnson, Wash.	Reed, N. Y.	Wright
Denison	Jones, Pa.	Reed, W. Va.	Young, N. Dak.
Dickinson, Mo.	Jones, Tex.	Rhodes	Young, Tex.
Dickinson, Iowa	Kelly, Pa.	Ricketts	Zihlman
Dominick	Kendall	Riddick	
Dowell	Kennedy, Iowa	Robinson, N. C.	
Drane	Kiess	Rogers	

NAYS—58.

Babka	Dewalt	LaGuardia	Merritt
Bacharach	Dupré	Lazaro	Minahan, N. J.
Bee	Dyer	Lehlbach	Mooney
Benson	Fitzgerald	Linthicum	Mudd
Blackmon	Gallivan	Lonergan	Newton, Mo.
Burdick	Gard	Longworth	Nolan
Burke	Garland	McGlennon	O'Connell
Caldwell	Griffin	McKiniry	O'Connor
Coady	Hull, Iowa	McLane	Ogden
Cullen	Humphreys	MacCrate	Pell
Curry, Calif.	Igoe	Maher	Phelan
Dent	Kahn	Martin	Pou

Radcliffe	Sabath	Stephens, Ohio	Watson, Pa.
Rainey, J. W.	Siegel	Voigt	
Rodenberg	Steele	Walsh	

ANSWERED "PRESENT"—2.

Brooks, Pa. McKeown

NOT VOTING—141.

Anderson	Gandy	Luhring	Saunders, Va.
Andrews, Md.	Ganly	McAndrews	Scully
Anthony	Garrett	McClintic	Sears
Ashbrook	Glynn	McDuffie	Sells
Baer	Godwin, N. C.	McLaughlin, Mich.	Sherwood
Bland, Ind.	Goldfogle	Madden	Sinclair
Bland, Mo.	Goodall	Mann	Slemp
Britten	Graham, Pa.	Mason	Smith, Ill.
Browne	Greene, Mass.	Mays	Smith, Mich.
Campbell, Pa.	Greene, Vt.	Mead	Smith, N. Y.
Caraway	Hamill	Moon	Snyder
Carew	Haskell	Morin	Stephens, Miss.
Casey	Hastings	Mott	Stevenson
Clark, Mo.	Heflin	Neely	Stiness
Cleary	Hicks	Nelson, Wis.	Strong, Pa.
Copley	Hill	Nicholls, S. C.	Sullivan
Costello	Howard	Oliver	Sweet
Crago	Hull, Tenn.	Olney	Taylor, Colo.
Crowther	Hutchinson	Overstreet	Taylor, Tenn.
Davis, Minn.	Jefferis	Parker	Thompson, Ohio
Dempsey	Johnson, S. Dak.	Peters	Tilson
Donovan	Johnston, N. Y.	Platt	Tinkham
Dooling	Juul	Porter	Vare
Doremus	Kearns	Purnell	Ward
Doughton	Kennedy, Iowa	Ragsdale	Wason
Dunn	Kennedy, R. I.	Rainey, H. T.	Webb
Eagan	Kettner	Raker	Welling
Eagle	King	Ramsey	Wilson, Ill.
Emerson	Kleczka	Riordan	Wilson, Pa.
Fairfield	Kraus	Robsion, Ky.	Winslow
Ferris	Lampert	Romjue	Wise
Focht	Langley	Rowan	Woodyard
Frear	Lee, Ga.	Rowe	Yates
Freeman	Lesher	Rucker	
Fuller, Mass.	Lever	Sanders, La.	
Gallagher	Lufkin	Sanford	

So the resolution was agreed to.

The Clerk announced the following additional pairs:

On the vote:

Mr. NELSON of Wisconsin (for) with Mr. LAMPERT (against).

Mr. FERRIS (for) with Mr. SCULLY (against).

Mr. MCKEOWN (for) with Mr. DONOVAN (against).

Until further notice:

Mr. MANN with Mr. CLARK of Missouri.

Mr. FREAR with Mr. BLAND of Missouri.

Mr. ANDREWS of Maryland with Mr. OVERSTREET.

Mr. SNYDER with Mr. MOON.

Mr. SMITH of Illinois with Mr. STEPHENS of Mississippi.

Mr. RAMSEY with Mr. TAYLOR of Colorado.

Mr. BLAND of Indiana with Mr. WELLING.

Mr. CANTRILL. Mr. Speaker, I desire to state that if my colleague, Mr. LANGLEY, were here, he would vote "yea."

Mr. MCKEOWN. Mr. Speaker, I am paired with the gentleman from New York, Mr. DONOVAN, and I desire to withdraw my vote of "yea" and answer "present."

The name of Mr. MCKEOWN was called, and he answered "Present."

The result of the vote was announced as above recorded.

A quorum being present, the doors were opened.

The SPEAKER. Under the resolution the House will resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6810.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill 6810, with Mr. GOOD in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk reported the title of the bill.

Mr. VOLSTEAD. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to dispense with the first reading of the bill. Is there objection?

Mr. SABATH. Mr. Chairman, I object. Let us have the bill read. No one is familiar with it.

Mr. VOLSTEAD. Mr. Chairman, then I move that the first reading of the bill be dispensed with.

Mr. CRISP. Mr. Chairman, I make the point of order that that motion is not in order under the rules of the House. Under the rules of the House a bill shall be read three times, and there is no provision for dispensing with either of the readings under the rules.

The CHAIRMAN. Does the gentleman from Minnesota desire to be heard on the point of order?

Mr. VOLSTEAD. I do not.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read the bill, as follows:

Be it enacted, etc.—

TITLE I.

TO PROVIDE FOR THE ENFORCEMENT OF WAR PROHIBITION.

That the term "war prohibition act" used in this act shall mean the provisions of any act or acts prohibiting the sale and manufacture of intoxicating liquors until the conclusion of the present war and thereafter until the termination of demobilization, the date of which shall be determined and proclaimed by the President of the United States. The words "beer, wine, or other intoxicating malt or vinous liquors" in the war prohibition act shall be construed to mean any liquors which contain one-half of 1 per cent or more of alcohol by volume.

SEC. 2. That the Commissioner of Internal Revenue, his assistants, agents, and inspectors, shall investigate and report violations of the war prohibition act to the United States attorney for the district in which committed, who shall be charged with the duty of prosecuting, subject to the direction of the Attorney General, the offenders as in the case of other offenses against laws of the United States; and such Commissioner of Internal Revenue, his assistants, agents, and inspectors may swear out warrants before United States commissioners or other officers or courts authorized to issue the same for the apprehension of such offenders, and may, subject to the control of the said United States attorney, conduct the committing trial for the purpose of having the offenders held for the action of a grand jury.

SEC. 3. That any room, house, building, boat, vehicle, structure, or place of any kind where intoxicating liquor is sold, manufactured, kept for sale, or bartered in violation of the war prohibition act, and all intoxicating liquor and all property kept and used in maintaining such a place, is hereby declared to be a public and common nuisance, and any person who maintains or assists in maintaining such public and common nuisance shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than $100 or more than $1,000, or be imprisoned for not less than 30 days or more than 1 year, or both. If a person has knowledge or reason to believe that his property is occupied or used in violation of the provisions of the war prohibition act and suffers the same to be so used, such property shall be subject to a lien for any that may be sold to pay all fines and costs assessed against the occupant of such building or property for any violation of the war prohibition act, which said lien shall attach from the time of the service of summons on the owner or his agent; and any such lien may be established and enforced by legal action instituted for that purpose in any court having jurisdiction.

SEC. 4. That the United States attorney for the district where such nuisance as is defined in this act exists, or any officer designated by him or the Attorney General of the United States, may prosecute a suit in equity in the name of the United States to abate and enjoin the same. Actions in equity to enjoin and abate such nuisances may be brought in any court having jurisdiction to hear and determine equity causes. The jurisdiction of the courts of the United States under this section shall be concurrent with that of the courts of the several States.

If it be made to appear by affidavit, or other evidence under oath, to the satisfaction of the court, or judge in vacation, that the nuisance complained of exists, a temporary writ of injunction shall forthwith issue restraining the defendant or defendants from conducting or permitting the continuance of such nuisance until the conclusion of the trial. Where a temporary injunction is prayed for, the court may issue an order restraining the defendants and all other persons from removing or in any way interfering with the liquor or fixtures, or other things used in connection with such alleged illegal sale of such liquor. No bond shall be required as a condition for making any order or issuing any writ of injunction under this act. If the court shall find the property involved was being unlawfully used as aforesaid at or about the time alleged in the petition, the court shall order that no liquors shall be sold, bartered, or stored in such room, house, building, boat, vehicle, structure, or places of any kind, for a period of not exceeding one year, or during the war and the period of demobilization. Whenever an action to enjoin a nuisance shall have been brought pursuant to the provisions of this act, if the owner appears and pays all costs of the proceedings and files a bond, with sureties to be approved by the clerk of the court in which the action is brought, in the full value of the property, conditioned that he will immediately abate said nuisance and prevent the same from being established or kept therein a period of one year thereafter, the court, or in vacation the judge, may, if satisfied of his good faith, direct by appropriate order that the property, if already closed or held under the order of abatement, be delivered to said owner, and said order of abatement canceled, so far as the same may relate to said property; or if said bond be given and costs therein paid before judgment on an order of abatement, the action shall be thereby abated as to said room, house, building, boat, vehicle, structure, or places only. The release of the property under the provisions of this section shall not release it from any judgment, lien, penalty, or liability to which it may be subject by law.

In the case of the violation of any injunction, temporary or permanent, granted pursuant to the provisions of this act, the court, or in vacation a judge thereof, may summarily try and punish the defendant. The proceedings for punishment for contempt shall be commenced by filing with the clerk of the court from which such injunction issued information under oath setting out the alleged facts constituting the violation, whereupon the court or judge shall forthwith cause a warrant to issue under which the defendant shall be arrested. The trial may be had upon affidavits, or either party may demand the production and oral examination of the witnesses. Any person found guilty of contempt under the provisions of this section shall be punished by a fine of not less than $500 nor more than $1,000, or by imprisonment of not less than 30 days nor more than 12 months, or by both fine and imprisonment.

SEC. 5. That the Commissioner of Internal Revenue, his assistants, agents, and inspectors, and all other officers of the United States whose duty it is to enforce criminal laws, shall have all the power for the enforcement of the war prohibition act or any provisions thereof which is conferred by law for the enforcement of existing laws relating to the manufacture or sale of intoxicating liquors under the laws of the United States.

SEC. 6. That if any section or provision of this act shall be held to be invalid, it is hereby provided that all other provisions of this act which are not expressly held to be invalid shall continue in full force and effect.

SEC. 7. That none of the provisions of this act shall be construed to limit or annul any order or regulation prohibiting the manufacture,

sale, or disposition of intoxicating liquors within certain prescribed zones or districts, nor shall the provisions of this act be construed to prohibit the use of the power of the military or naval authorities to enforce the regulations of the President or Secretary of War or Navy issued in pursuance to law, prohibiting the manufacture, use, possession, sale, or other disposition of intoxicating liquors during the period of the war and demobilization thereafter.

TITLE II.

PROHIBITION OF INTOXICATING BEVERAGES.

That when used in title 2 and title 3 of this act (1) the word "liquor" or the phrase "intoxicating liquor" shall be construed to include alcohol, brandy, whisky, rum, gin, beer, ale, porter, and wine, and in addition thereto any spirituous, vinous, malt, or fermented liquor, liquids, and compounds, whether medicated, proprietary, patented, or not, and by whatever name called, containing one-half of 1 per cent or more of alcohol by volume which are potable or capable of being used as a beverage.

(2) The word "person" shall mean and include natural persons, associations, copartnerships, and corporations.

(3) The word "commissioner" shall mean Commissioner of Internal Revenue.

(4) The term "application" means a formal written request supported by a verified statement of fact showing that the commissioner may grant the request.

(5) The term "permit" means a formal written authorization by the commissioner setting forth specifically the things that are authorized.

(6) The term "bond" means an obligation authorized or required by or under this act or any regulation issued in such form and for such a penal sum as may be required by a court, the commissioner, or prescribed by regulation.

(8) The term "regulation" shall include all regulations prescribed by the commissioner with the approval of the Secretary of the Treasury for carrying out the provisions of this act so as to afford safety to the revenues and adequate protection against diversion of liquor for illegal uses, and the commissioner is authorized to make such regulations.

Any act authorized to be done by the commissioner may be performed by any assistant or agent designated by him for that purpose. Records required to be filed with the commissioner shall be filed with an assistant commissioner or other person designated by the commissioner to receive such records.

SEC. 2. That the Commissioner of Internal Revenue, his assistants, agents, and inspectors shall investigate and report violations of this act to the United States attorney for the district in which committed, who shall be charged with the duty of prosecuting the offenders, subject to the direction of the Attorney General, as in the case of other offenses against the laws of the United States; and such Commissioner of Internal Revenue, his assistants, agents, and inspectors may swear out warrants before United States commissioners or other officers or courts authorized to issue the same for the apprehension of such offenders, and may, subject to the control of the said United States attorney, conduct the committing trial for the purpose of having the offenders held for the action of a grand jury. Section 1014 of the Revised Statutes of the United States is hereby made applicable in the enforcement of this act.

SEC. 3. That no person shall, on or after the date when the eighteenth amendment to the Constitution of the United States goes into effect, manufacture, sell, barter, give away, transport, import, export, deliver, furnish, receive, or possess any intoxicating liquor except as authorized in this act, and all the provisions of this act shall be liberally construed to the end that intoxicating liquor as a beverage may be prohibited. Liquor for nonbeverage purposes and wine for sacramental purposes may be purchased, sold, transported, and used as herein provided.

SEC. 4. That the purchase, sale, transportation, importation, exportation, and use of the articles enumerated in this section shall not, after having been manufactured and prepared for the market, be subject to the provisions of this act if they correspond with the following descriptions and limitations, namely:

(a) Denatured alcohol or denatured rum produced and used as provided by laws and regulations now or hereafter in force.

(b) Medical preparations manufactured in accordance with formulas prescribed by the United States Pharmacopœia or National Formulary of the American Institute of Homeopathy that are nonpotable and unfit for use for beverage purposes.

(c) Patented, patent, and proprietary medicines that are nonpotable and unfit for use for beverage purposes.

(d) Toilet, medical, and antiseptic preparations and solutions that are nonpotable and unfit for use for beverage purposes, contained in bottles or packages, upon which are printed conspicuously and legibly in English the quantity by volume in alcohol in such preparation.

(e) Flavoring extracts that are nonpotable and incapable of being used for intoxicating beverage purposes.

(f) Vinegar

A person who manufactures any of the articles mentioned in this section may purchase and possess liquor for that purpose, but he shall secure permits to manufacture such articles and to purchase such liquor, give the bonds, keep the records, and make the reports specified in this act and as directed by the commissioner. No such manufacturer shall sell, use, or dispose of any liquor otherwise than as an ingredient of the articles authorized to be manufactured therefrom.

Any person who shall knowingly sell any of the articles mentioned in this section for beverage purposes, or who shall sell same under circumstances from which the seller might reasonably deduce the intention of the purchaser to use them for beverage purposes, shall be subject to the penalties provided in section 30 of this act.

SEC. 5. That whenever the commissioner has reason to believe that any article mentioned in section 4 is capable of being used as a beverage he shall cause an analysis of said article to be made, and if, upon such analysis, the commissioner shall find that said article is capable of being used for beverage purposes he shall give not less than 15 days' notice in writing to the person who is the manufacturer thereof to show cause why said article should not be dealt with as an intoxicating liquor, such notice to be served personally or by registered mail, as the commissioner may determine, and shall specify the time when, the place where, and the name of the agent or official before whom such person is required to appear.

If the manufacturer of said article fails to show to the satisfaction of the commissioner that the article is not capable of being used for beverage purposes it shall be treated as liquor. The manufacturer may, by appropriate proceeding in a court of equity, have the action of the commissioner reviewed, and the court may affirm, modify, or reverse the finding of the commissioner, as the facts and law of the case may warrant, and during the pendency of such proceedings may restrain the manufacture, sale, and other disposition of such article.

SEC. 6. That no one shall manufacture, sell, purchase, transport, or prescribe any liquor without first obtaining a permit from the commissioner so to do, except that a person may purchase and use liquor for medicinal purposes when prescribed by a physician as herein provided.

All permits to manufacture, prescribe, sell, or transport liquor shall expire on the 31st day of December next succeeding the issuance thereof. All permits to purchase liquor shall, among other things, specify the quantity and kind to be purchased and the purpose for which it is to be used, and shall not be in force more than 10 days from the day of its issuance. No permit shall be issued to any person who within one year prior to the application therefor or issuance thereof shall have violated any permit issued under this title or any law of the United States or of any State regulating traffic in liquor. No permit shall be issued to anyone to sell liquor at retail unless such sale is made by a pharmacist designated in the permit who is duly licensed under the laws of his State to compound and dispense medicine prescribed by a duly licensed physician. No one shall be given a permit to prescribe liquor unless he is a physician duly licensed to practice medicine and actively engaged in the practice of such profession. All permits shall be in writing, dated when issued, and signed by the commissioner or his authorized agent. It shall, among other things, give the name and address of the person to whom it is issued and of those who are permitted to do the authorized acts. It shall designate and limit the acts that are permitted and the time and place when and where such acts may be performed. No permit shall be issued until a verified, written application shall have been made therefor setting forth the qualification of the applicant and the purpose for which the liquor is to be used, together with such other facts as shall show that the permit may properly be granted.

The commissioner may prescribe the form of all permits and applications and the facts to be set forth therein. Before any permit is granted the commissioner may require a bond in such form and amount as he may prescribe to insure compliance with the terms of the permit and the provisions of this title.

SEC. 7. That no one but a physician duly licensed to practice medicine and actively engaged in the practice of such profession shall issue any prescription for liquor. Such physician shall at the time of prescribing personally make a careful physical examination of the person for whom the liquor is prescribed and shall only prescribe liquor when in good faith he believes that its use as a medicine by the one for whom he prescribes will afford relief to him from some ailment specified in the prescription. Not more than a pint of spirituous liquor shall be prescribed for use by the same person within any period of 10 days and no prescription shall be filed more than once. Any pharmacist filling a prescription shall at the time indorse upon it over his own signature the word "canceled," together with the date when the liquor was delivered, and then make the same a part of the record that he is required to keep as herein provided.

Every physician who issues a prescription for liquor shall keep a record, alphabetically arranged in a book prescribed by the commissioner, which shall show, among other things, date, amount prescribed, to whom issued, directions for use, stating the amount and frequency of dose, and the druggist to whom addressed.

SEC. 8. That the commissioner shall cause to be printed forms of the prescriptions herein required, and he shall furnish the same, free of cost, to physicians. The prescriptions shall be printed in book form. Each shall be numbered with consecutive serial numbers from 1 to 100, and each book shall be given a number, and stubs in each book shall carry the same numbers as and be copies of the prescriptions. The books containing such stubs shall be returned to the commissioner when the prescriptions are used, or sooner, if directed by the commissioner. All unused, mutilated, or defaced blanks shall be returned with the book. No physician shall prescribe and no pharmacist fill any prescription for liquor except on blanks so provided.

SEC. 9. That if at any time there shall be filed with the commissioner a complaint under oath setting forth facts showing, or if the commissioner has reason to believe, that any person who has a permit is not in good faith conforming to the provisions of this act, or has violated the laws of any State relating to intoxicating liquor, the commissioner or his agent shall immediately issue an order citing such person to appear before him on a day named not more than 30 and not less than 15 days from the date of service upon such permittee of a copy of the citation and of the violation charged, at which time a hearing shall be had unless continued for cause. Such hearing shall be held within 50 miles of the place where the offense is alleged to have occurred. If it be found that such person has been guilty of willfully violating any such laws, or has not in good faith conformed to the provisions of this act, such permit shall be revoked, and no permit shall be granted to such person within one year thereafter.

SEC. 10. That no person shall manufacture, purchase for sale, sell, or transport any liquor without making at the time a permanent record thereof showing in such detail as may be required by regulation the amount and kind of liquor manufactured, purchased, sold, transported, used, or otherwise handled, together with the names and addresses of persons connected with each transaction and the time and place thereof. A verified report of facts required to be recorded shall be made to the commissioner for and at the end of every three months and within 10 days thereafter. The commissioner may prescribe the form of such record and report and designate where such record is to be kept and when and where the reports are to be filed.

SEC. 11. That all manufacturers and wholesale or retail druggists shall keep as a part of the records required of them a copy of all permits to purchase on which a sale of any liquor is made, and no manufacturer or wholesale druggist shall sell or otherwise dispose of any liquor except at wholesale and only to persons having permits to purchase in such quantities.

SEC. 12. That all persons manufacturing liquor for sale shall securely and permanently attach to every container thereof, as the same is manufactured, a label stating name of manufacturer, kind and quantity of liquor contained therein, and the date of its manufacture, together with a copy of the permit authorizing the manufacture thereof; and all persons possessing such liquor in wholesale quantities shall securely keep and maintain such label thereon; and all wholesale druggists shall attach to every package of liquor, when sold, a label setting forth the kind of liquor contained therein, by whom manufactured, the date of sale, and the person to whom sold; which label shall likewise be kept and maintained thereon until the liquor is used for the purpose for which such sale was authorized.

SEC. 13. That it shall be the duty of every carrier that transports liquor to secure a permit therefor and make a record at the place of shipment of the receipt of any liquor transported, and he shall

only deliver liquor to persons who present a verified copy of a permit to purchase and an affidavit to the carrier that such liquor will not be used in violation of law. The form of the affidavit shall be prescribed by the commissioner and shall contain such information as he deems necessary for the enforcement of this act. The copy of such permit and the affidavit presented to the carrier to obtain such delivery shall be made a part of the carrier's permanent record at the office from which delivery is made.

The agent of the common carrier is hereby authorized to administer the oath to the consignee, who, if not personally known to the agent, shall first be identified before the delivery of the liquor to him. The name and address of the person identifying the consignee shall be included in the record.

SEC. 14. That it shall be unlawful for a person to use or induce any carrier, or any agent or employee thereof, to carry or ship any package or receptacle containing liquor without notifying the carrier of the true nature and character of the shipment. No carrier shall transport nor shall any person receive liquor from a carrier unless there appears on the outside of the package containing such liquor the following information:

Name and address of the consignor or seller, name and address of the consignee, or persons receiving the liquor; kind and quantity of liquor contained therein, and number of permit and name and address of person using the same.

SEC. 15. That it shall be unlawful for any consignee to accept or receive any package containing any liquor upon which appears a statement known to him to be false, or for any carrier or other person to consign, ship, transport, or deliver any such package, knowing such statement to be false.

SEC. 16. That it shall be unlawful to give to any carrier or any officer, agent, or person acting or assuming to act for such carrier an order requiring the delivery to any person of any liquor or package containing liquor consigned to, or purporting or claimed to be consigned to a person, when the purpose of the order is to enable any person not an actual bona fide consignee to obtain such liquor.

SEC. 17. That it shall be unlawful to advertise liquor, or the manufacture, sale, keeping for sale or furnishing of the same, or where, how, from whom, or at what price the same may be obtained. No one shall permit any sign or billboard containing such advertisement to remain upon one's premises or circulate any price list, order, blank, or other matter designed to induce or secure orders for intoxicating liquors. But nothing herein shall prohibit manufacturers and wholesale druggists holding permits to sell liquor from furnishing price lists, with description of liquor for sale, to persons permitted to sell liquor. The commissioner and other officers charged with the enforcement of this title are authorized to remove, paint over, or otherwise obliterate any such advertisement from any sign, billboard, or other place, and shall do so upon the demand of any citizen who has first requested the person in charge of such advertisements, or the owner of the property on which it is located, to remove the same.

That any advertisement or notice containing the picture of a brewery, distillery, bottle, keg, barrel, or box, or other receptacle represented as containing liquor, and designed to serve as an advertisement thereof, shall be within the inhibition of this section.

SEC. 18. That it shall be unlawful to advertise, manufacture, sell, or possess for sale any preparation, compound, tablet, substance, formula direction, or recipe advertised, designed, or intended for use in the unlawful manufacture of intoxicating liquor.

SEC. 19. That it shall be unlawful for any person to permit any employee to procure liquor for or give direction or information by which liquor can be secured by any person, and no person shall solicit or receive from any person any order for liquor or give any information of how liquor may be obtained in violation of this act.

SEC. 20. That it shall be unlawful for any person to drink liquor in or upon any car, train, automobile, boat, or other public conveyance. Any conductor or person in charge of any car, train, automobile, boat, or other public conveyance may arrest any person therefor who is being conveyed in or by such car, coach, automobile, or other public conveyance, and turn him over to the proper officer to be proceeded against according to law.

SEC. 21. That any person who shall be injured in person, property, means of support, or otherwise by any intoxicated person shall have, in addition to the right of action against the intoxicated person, a right of action against any person who shall, by unlawfully selling to or assisting in procuring liquor for such intoxicated person, have caused or contributed to such intoxication, and in any such action the "plaintiff" shall have a right to recover actual and exemplary damages. In case of the death of either party, the action or right of action given by this section shall survive to and against his or her executor or administrator, and the amount so recovered by either wife or child shall be his or her sole and separate property. Such action may be brought in any court of competent jurisdiction. In any case where parents shall be entitled to such damages either the father or mother may sue alone therefor, but recovery by one of such parties shall be a bar to suit brought by the other.

SEC. 22. That any room, house, building, boat, vehicle, structure, or place where intoxicating liquor is manufactured, sold, kept, or bartered in violation of this title, and all intoxicating liquor and property kept and used in maintaining the same, is hereby declared to be a common nuisance, and any person who maintains such a common nuisance shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $1,000 or be imprisoned for not more than one year, or both. If a person has knowledge or reason to believe that his room, house, building, boat, vehicle, structure, or place is occupied or used for the manufacture or sale of liquor contrary to the provision of this title and suffers the same to be so occupied or used, such room, house, building, boat, vehicle, structure, or place shall be subject to a lien for and may be sold to pay all fines and costs assessed against the person guilty of such nuisance for such violation, and any such lien may be enforced by action in any court having jurisdiction.

SEC. 23. That an action to enjoin any nuisance defined in this title may be brought in the name of the United States by the Attorney General of the United States or by any United States attorney or any prosecuting attorney of any State or any subdivision thereof or by the commissioner or his deputies or assistants. Such action shall be brought and tried as an action in equity and may be brought in any court having jurisdiction to hear and determine equity cases. If it is made to appear by affidavits or otherwise, to the satisfaction of the court, or judge in vacation, that such nuisance exists, a temporary writ of injunction shall forthwith issue restraining the defendant from conducting or permitting the continuance of such nuisance until the conclusion of the trial. Where a temporary injunction is prayed for, the court may issue an order restraining the defendant and all other persons from removing or in any way interfering with the liquor or fixtures, or other things used in connection with the violation of this act constituting such nuisance. No bond shall be required in instituting such proceedings. It shall not be necessary for the court to find the property involved was being unlawfully used as aforesaid at the time of the hearing, but on finding that the material allegations of the petition are true, the court shall order that no liquors shall be manufactured, sold, bartered, or stored in such room, house, building, boat, vehicle, structure, or place, or any part thereof. And upon judgment of the court ordering such nuisance to be abated, the court may order that the room, house, building, structure, boat, vehicle, or place shall not be occupied or used for one year; but the court may, in its discretion, permit it to be occupied or used if the owner, lessee, tenant, or occupant thereof shall give bond with sufficient surety, to be approved by the court making the order, in the penal and liquidated sum of not less than $500 nor more than $1,000, payable to the United States, and conditioned that intoxicating liquor will not thereafter be manufactured, sold, bartered, kept, or otherwise disposed of therein or thereon, and that he will pay all fines, costs, and damages that may be assessed for any violation of this title upon said property.

SEC. 24. That when it appears in any criminal proceeding that any common nuisance as defined herein exists it shall be the duty of any officer authorized to enforce this act to proceed promptly in a court of equity to abate such nuisance, and in case the defendant is adjudged guilty in such criminal trial shall, unless reversed, be conclusive evidence against such defendant of the facts adjudged therein as to the existence of the nuisance. For removing and selling the property in enforcing this act the officer shall be entitled to charge and receive the same fee as the sheriff of the county would receive for levying upon and selling property on execution, and for closing the premises and keeping them closed a reasonable sum shall be allowed by the court.

Any violation of this title upon any leased premises by the lessee or occupant thereof shall, at the option of the lessor, work a forfeiture of the lease.

SEC. 25. That any person violating the terms of the injunction as provided for in this title shall be punished for contempt by a fine of not more than $1,000 and by imprisonment of not less than 30 days nor more than one year; and the court shall have the power to enforce such injunction by such measures and means as in the judgment of the court may be necessary.

SEC. 26. That it shall be unlawful to have or possess any liquor or property designed for the manufacture of liquor intended for use in violating this title or which has been so used, and no property rights shall exist in any such liquor or property. A search warrant may issue as provided in Title XI of public law No. 24 of the Sixty-fifth Congress, approved June 15, 1917, and such liquor and other property seized shall be subject to such disposition as the court may make thereof. If it is found that such liquor or property was so unlawfully held or possessed, or had been so unlawfully used, the liquor and all property designed for the unlawful manufacture of liquor shall be destroyed and the other property forfeited to the United States and disposed of in the manner provided for in section 27 in case of vehicles in which intoxicating liquor is being transported contrary to law. No search warrant shall issue to search any private dwelling occupied as such unless it is in part used for some business purpose, such as a store, shop, saloon, restaurant, hotel, or boarding house. The property seized on any warrant shall not be taken from the officer seizing the same on any writ of replevin or other like process.

SEC. 27. That when the commissioner, his assistants, inspectors, or any officer of the law shall discover any person in the act of transporting in violation of the law intoxicating liquors in any wagon, buggy, automobile, water or air craft, or other vehicle, it shall be his duty to seize any and all intoxicating liquors found therein being transported contrary to law. Whenever intoxicating liquors transported or possessed illegally shall be seized by an officer, he shall take possession of the vehicle and team or automobile, boat, air or water craft, or any other conveyance, and shall arrest any person in charge thereof. Such officers shall at once proceed against the person arrested under the provisions of this title in any court having competent jurisdiction. The court, upon conviction, shall order the liquor destroyed, and unless good cause to the contrary is shown by the owner, such as ignorance of the purpose for which his team, vehicle, water or air craft, or automobile was being used, order a sale by public auction of the property seized, and the officer making the sale, after deducting the expenses of keeping the property, the fee for the seizure, and the cost of the sale, shall pay the proceeds into the Treasury of the United States as miscellaneous receipts. If, however, no one shall be found claiming the team, vehicle, water or air craft, or automobile, the taking of the same shall be advertised in some newspaper published in the city or county, or if there be no newspaper published in such city or county, in a newspaper having circulation in the county, once a week for two weeks, and by handbills posted in three public places near the place of seizure, and if no claimant shall appear within 10 days after the last publication of the advertisement, the property shall be sold and the proceeds, after deducting the expenses and costs and advertising, shall be paid into the Treasury of the United States as miscellaneous receipts.

SEC. 28. That in all cases in which intoxicating liquors may be subject to be destroyed under the provisions of this act the court shall have jurisdiction, upon the application of the United States attorney, to order them delivered to any department or agency of the United States Government for medicinal, mechanical, or scientific uses, or to order the same sold at private sale for such purposes to any person having a permit to purchase liquor, the proceeds to be covered into the Treasury of the United States to the credit of miscellaneous receipts, and all liquor heretofore seized in any suit or proceeding may likewise be so disposed of.

SEC. 29. That the commissioner, his assistants, and all other officers of the United States, whose duty it is to enforce criminal laws, shall have all the power and protection in the enforcement of this act, or any provisions thereof, which is conferred by law for the enforcement of existing laws relating to the manufacture or sale of intoxicating liquors under the law of the United States.

SEC. 30. That any person who manufactures intoxicating liquor, or any wholesale or retail druggist or pharmacist who sells liquor in violation of this title shall for a first offense be fined not more than $1,000, or imprisonment not exceeding six months, and for a second or subsequent offense shall be fined not less than $200 nor more than $2,000 and be imprisoned in the penitentiary not less than one month and not more than five years.

Any person violating any of the provisions of this title, or the provisions of any permit, or making any false record, report, or affidavit for

which a special penalty is not prescribed, shall be fined for a first offense not more than $500; for a second offense not less than $100 nor more than $1,000, or be imprisoned not more than 90 days; for any subsequent offense he shall be fined not less than $500 and be imprisoned in the penitentiary not less than three months and not more than two years. It shall be the duty of the prosecuting officer to ascertain whether the defendant has been previously convicted and to plead the prior conviction in the affidavit, information, or indictment.

SEC. 31. That in addition to the penalties imposed by this act for the violation of any of its provisions the court may, in its discretion, after conviction, require the defendant to execute a bond with security approved by the court in a penal sum of not less than $500 nor more than $5,000, conditioned that he will not violate any of the provisions of this act for the term of one year. And if said bond shall not be given the defendant may be committed to jail until it is given or until he is discharged by the court, provided he shall not be confined for a longer period than six months.

SEC. 32. That no person shall be excused, on the ground that it may tend to incriminate him or subject him to a penalty or forfeiture, from attending and testifying, or producing books, papers, documents, and other evidence in obedience to a subpœna of any court in any suit or proceeding based upon or growing out of any alleged violation of this act; but no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing as to which, in obedience to a subpœna and under oath, he may so testify or produce evidence, but no person shall be exempt from prosecution and punishment for perjury committed in so testifying.

SEC. 33. That in case of a sale of liquor where the delivery thereof was made by a common or other carrier the sale and delivery shall be deemed to be made in the county or district wherein the delivery was made by such carrier to the consignee, his agent or employee, or in the county or district wherein the sale was made, or from or through which the shipment was made, and prosecution for such sale or delivery may be had in any such county or district.

SEC. 34. That in any affidavit, information, or indictment for the violation of this act, separate offenses may be united in separate counts, and the defendant may be tried on all at one trial and the penalty for all offenses may be imposed. It shall not be necessary in any affidavit, information, or indictment to give the name of the purchaser or to include any defensive negative averments, but it shall be sufficient to state that the act complained of was then and there prohibited and unlawful.

SEC. 35. That after 10 days after the date when this act has become operative the possession of liquors by any person not legally permitted under this title to possess liquor shall be prima facie evidence that such liquor is kept for the purpose of being sold, bartered, exchanged, given away, furnished, or otherwise disposed of in violation of the provisions of this title. Every person legally permitted under this title to have liquor shall report to the commissioner within 10 days after the passage of this act the kind and amount of intoxicating liquors in his possession. But it shall not be unlawful to possess liquors in one's private dwelling while the same is occupied and used by him only as his dwelling and such liquor need not be reported: *Provided*, The burden of proof shall be upon the possessor to prove that the liquor was lawfully acquired and possessed.

SEC. 36. That it shall be the duty of the commissioner to file the reports, statements, and information required by this title as a part of the file of the office in a permanent record alphabetically arranged, and to permit any and all persons desiring to do so to inspect the said statements at any time during office hours. It shall be the further duty of said commissioner to furnish certified copies of such statements to any persons requesting the same, upon payment of the reasonable fees therefor, and the said original statement or certified copies thereof shall be competent evidence in any suit or proceeding in which the same may be relevant. All records required by this act to be kept by any manufacturer, wholesale or retail druggist, physician, or transportation company shall be subject to inspection at any reasonable hours by any of the officers authorized to enforce this title, including the peace officers in the State where the record is kept.

SEC. 37. That all provisions of law that are inconsistent with this act are only repealed to the extent of such inconsistency and the regulations herein provided for the manufacture or traffic in intoxicating liquor shall be construed as in addition to existing laws. This act shall not relieve anyone from paying any taxes or other charges imposed upon the manufacture or traffic in such liquor. No liquor revenue stamps or tax receipts for any illegal manufacture or sale shall be issued in advance, but upon evidence of such illegal manufacture or sale such tax shall be assessed in double the amount now provided by law, with an additional penalty of $500 on retail dealers and $1,000 on manufacturers. The payment of such tax or penalty shall give no right to engage in the manufacture or sale of such liquor, or relieve anyone from criminal liability, nor shall this act relieve any person from any liability, civil or criminal, heretofore or hereafter incurred under existing laws.

The commissioner, with the approval of the Secretary of the Treasury, may compromise any civil cause arising under this title before bringing action in court; and with the approval of the Attorney General he may compromise any such cause after action thereon has been commenced.

SEC. 38. That if any provision of this act shall be held invalid it shall not be construed to invalidate other provisions of the act.

SEC. 39. That nothing herein shall prevent the storage in United States bonded warehouses in the custody of a United States collector of internal revenue of all liquors manufactured prior to the taking effect of this act, or to prevent the transportation of such liquor for purposes not prohibited when the tax is paid.

A manufacturer of any beverage containing less than one-half of 1 per cent of alcohol by volume may, on making application and giving such bond as the commissioner shall prescribe, be given a permit to develop in the manufacture thereof a liquid containing more than one-half of 1 per cent of alcohol by volume, but before any such liquid is withdrawn from the factory or otherwise disposed of the alcoholic contents thereof shall under such rules and regulations as the commissioner may prescribe be reduced below such one-half of 1 per cent of alcohol. The alcohol removed from such liquid, if evaporated and not condensed and saved, shall pay no tax; if saved, shall be subject to the same law as other alcoholic liquors.

SEC. 40. That the Commissioner of Internal Revenue and the Attorney General of the United States are hereby respectively authorized to appoint and employ such assistants, experts, clerks, and other employees as they may deem necessary for the enforcement of the provisions of this act, and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sum as may be required for the enforcement of this act.

TITLE III.

INDUSTRIAL ALCOHOL.

That when used in this title—

The term "alcohol" means that substance known as ethyl alcohol, hydrated oxide of ethyl, or spirit of wine, from whatever source or whatever processes produced.

The term "container" includes any receptacle, vessel, or form of package, tank, or conduit used or capable of use for holding, storing, transferring, or shipment of alcohol.

INDUSTRIAL ALCOHOL PLANTS AND WAREHOUSES.

SEC. 2. That any person now producing alcohol shall, within 30 days after the passage of this act, make application for registration as proprietor of an industrial alcohol plant, and as soon thereafter as practicable the premises shall be bonded and permit may issue for the operation of such plant, and any person hereafter establishing a plant for the production of alcohol shall likewise before operation make application, file bond, and receive permit, except that no manufacturer of vinegar under section 3282 of the Revised Statutes, as amended, shall be required to register as the proprietor of an industrial alcohol plant.

SEC. 3. That warehouses for the storage and distribution of alcohol exclusively for other than beverage purposes may be established upon filing of application and bond and issuance of permit at such places, either in connection with the manufacturing plant or elsewhere, as the commissioner may determine; and the entry and storage of alcohol therein, and the withdrawals of alcohol therefrom, shall be made in such containers and by such means as regulations may prescribe.

SEC. 4. That alcohol produced at any registered industrial alcohol plant or stored in any bonded warehouse may be transferred under regulations to any other registered industrial alcohol plant or bonded warehouse for any lawful purpose.

SEC. 5. That any tax imposed by law upon alcohol shall attach to such alcohol as soon as it is in existence as such, and all proprietors of industrial alcohol plants and bonded warehouses shall be jointly and severally liable for any and all taxes on any and all alcohol produced thereat or stored therein. Such taxes shall be a first lien on such alcohol and the premises and plant in which such alcohol is produced or stored, together with all improvements and appurtenances thereunto belonging or in anywise appertaining.

SEC. 6. That any distilled spirits produced and fit for beverage purposes remaining in any bonded warehouse on or before January 16, 1920, may, under regulations, be withdrawn therefrom either for denaturation at any bonded denaturing plant or for deposit in a bonded warehouse established under this act; and when so withdrawn, if not suitable as to proof, purity, or quality for other than beverage purposes, such distilled spirits shall be redistilled, purified, and changed in proof so as to render such spirits suitable for other purposes, and having been so treated may thereafter be denatured or sold in accordance with the provisions of this act.

SEC. 7. That any distillery or bonded warehouse heretofore legally established may, upon filing application and bond and the granting of permit, be operated as an industrial alcohol plant or bonded warehouse under the provisions of this title and regulations made thereunder.

SEC. 8. That at any industrial alcohol plant established under the provisions of this title alcohol may be produced from any raw materials or by any processes suitable for the production of alcohol, and, under regulations, may be used at any industrial alcohol plant or bonded warehouse or sold or disposed of for any lawful purpose, as in this act provided.

SEC. 9. That industrial alcohol plants and bonded warehouses established under the provisions of this title shall be exempt from the provisions of sections 3154, 3244, 3258, 3259, 3260, 3263, 3264, 3266, 3267, 3268, 3269, 3271, 3273, 3274, 3275, 3279, 3280, 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3293, 3294, 3295, 3302, 3303, 3307, 3308, 3309, 3310, 3311, 3312, 3313, 3314, and 3327 of the Revised Statutes; sections 48 to 60, inclusive, and sections 62 and 67 of the act of August 27, 1894 (28 Stat., pp. 563–568).

Regulations may be made embodying any provision of the sections above enumerated.

TAX-FREE ALCOHOL.

SEC. 10. That upon the filing of application and bond and issuance of permit denaturing plants may be established upon the premises of any industrial alcohol plant, or elsewhere, and shall be used exclusively for the denaturation of alcohol by the admixture of such denaturing materials as shall render the alcohol, or any compound in which it is authorized to be used, unfit for use as an intoxicating beverage.

Alcohol lawfully denatured may, under regulations, be sold free of tax either for domestic use or for export.

Nothing in this act shall be construed to require manufacturers of distilled vinegar to raise the proof of any alcohol used in such manufacture or to denature the same.

SEC. 11. That alcohol produced at any industrial alcohol plant or stored in any bonded warehouse may, under regulations, be withdrawn tax free as provided by existing law from such plant or warehouse for transfer to any denaturing plant for denaturation, or may, under regulations, before or after denaturation, be removed from any such plant or warehouse for any lawful tax-free purpose.

But any person permitted to obtain alcohol tax free, except the United States and the several States, shall first apply for and secure a permit to purchase the same and give the bonds prescribed under title 1 of this act, but alcohol withdrawn for nonbeverage purposes for use of the United States and the several States may be purchased and withdrawn subject only to such regulations as may be prescribed.

GENERAL PROVISIONS.

SEC. 12. That the penalties provided in this title shall be in addition to any penalties provided in Title II of this act, unless expressly otherwise therein provided.

SEC. 13. That the commissioner shall from time to time issue regulations respecting the establishment, bonding, and operation of industrial alcohol plants, denaturing plants, and bonded warehouses authorized herein, and the distribution, sale, export, and use of alcohol which may be necessary, advisable, or proper, to secure the revenue, to prevent diversion of the alcohol to illegal uses, and to place the nonbeverage alcohol industry and other industries using such alcohol as a chemical raw material or for other lawful purpose upon the highest possible plane of scientific and commercial efficiency consistent with the interests of the Government, and which shall insure an ample supply of such alcohol and promote its use in scientific research and the development of fuels, dyes, and other lawful products. All regulations so issued shall have the force and effect of law.

SEC. 14. That whoever operates an industrial alcohol plant or a denaturing plant without complying with the provisions of this title and lawful regulations made thereunder, or whoever withdraws or attempts to withdraw or secure tax free any alcohol subject to tax, or whoever violates any of the provisions of this title or of regulations lawfully made thereunder shall be liable, for the first offense, to a penalty of not exceeding $1,000, or imprisonment not exceeding 30 days, or both, and for a second or cognate offense to a penalty of not less $100 nor more than $10,000, and to imprisonment of not less than 30 days nor more than one year. It shall be lawful for the commissioner in all cases of second or cognate offense to refuse to issue for a period of one year permit for the manufacture or use of alcohol upon the premises of any person responsible in any degree for the violation.

SEC. 15. That any tax payable upon alcohol under existing law may be collected either by assessment or by stamp as regulations shall provide; and if by stamp, regulations shall issue prescribing the kind of stamp to be used and the manner of affixing and canceling the same.

SEC. 16. That where any property is seized for violation of this title it may be released to the claimant or to any intervening party, in the discretion of the commissioner, on a bond given and approved.

SEC. 17. That all administrative provisions of internal-revenue law, including those relating to assessment, collection, abatement, and refund of taxes and penalties, and the seizure and forfeiture of property, are made applicable to this title in so far as they are not inconsistent with the provisions thereof.

SEC. 18. That all prior statutes relating to alcohol as defined in this title are hereby repealed in so far as they are inconsistent with the provisions of this title.

SEC. 19. That this act may be cited as the national prohibition act.

SEC. 20. That Titles I and III and sections 1 and 40 of Title II of this act shall take effect and be in force from and after the passage and approval of the act. The other sections of Title II shall take effect and be in force on and after January 16, 1920.

During the reading of the bill the following occurred:

After the conclusion of the reading of section 16:

Mr. SABATH (interrupting the reading). Mr. Chairman, I make the point of order that there is no quorum present. This is an important measure and I think the Members should be here to become familiar with the provisions of the bill.

The CHAIRMAN. The gentleman from Illinois makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and six Members present, a quorum. The Clerk will read.

The Clerk proceeded with the reading of the bill.

After the conclusion of the reading of section 17:

Mr. CALDWELL (interrupting the reading). Mr. Chairman, I make the point of order that there is not quorum present. Manifestly there is not. More than 20 Members have left the room since the Chair last counted.

The CHAIRMAN. The Chair has just counted 106 Members present.

Mr. CALDWELL. But more than 20 Members have walked out of the room since the Chair counted. If the Chair will look about the room he will see that manifestly there is no quorum present. I make the point of order that there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting]. One hundred and eleven Members present, a quorum, and the Clerk will read.

The Clerk proceeded with the reading of the bill.

After the conclusion of the reading of section 21:

Mr. CALDWELL (interrupting the reading). Mr. Chairman, I think it is only fair to this House that the proponents of the bill sit here and listen to the reading of it. As soon as we start the reading of the bill they rush off to their various cubby-holes. I make the point of order that there is no quorum present.

Mr. WALSH. Mr. Chairman, I make the point of order that that is dilatory.

The CHAIRMAN. The Chair sustains the point of order of the gentleman from Massachusetts.

Mr. BLANTON. The proponents of the bill know what is in the bill, every word of it.

The CHAIRMAN. The gentleman is out of order. The Clerk will read.

The Clerk proceeded with the reading of the bill.

At the conclusion of the reading of section 23:

Mr. CALDWELL. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. CALDWELL. I rise for the purpose of making the point of order that there is no quorum present. I expect the Chair to rule against me——

The CHAIRMAN. The gentleman from New York makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and eight Members present, a quorum, and the Clerk will read.

The Clerk concluded the reading of the bill.

Mr. SABATH. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Illinois moves that the committee do now rise.

The question was taken; and on a division (demanded by Mr. SABATH) there were—ayes 8, noes 65.

Mr. SABATH. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Illinois makes the point of order that there is no quorum present, and the Chair will count. [After counting.] One hundred and ten Members present, a quorum.

Mr. CALDWELL. Mr. Chairman, on that I demand tellers.

The CHAIRMAN. Tellers are not in order on the count of a quorum. The Chair will recognize the gentleman from Minnesota.

Mr. IGOE rose.

The CHAIRMAN. For what purpose does the gentleman from Missouri rise?

Mr. IGOE. Mr. Chairman, I ask unanimous consent that at this point in the RECORD the majority and minority reports shall be printed.

The CHAIRMAN. The Chair would suggest to the gentleman that the Committee of the Whole has not the power to order the printing of the reports. The gentleman may ask unanimous consent to extend his remarks in the RECORD.

Mr. IGOE. Then, Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by having printed therein at this point the majority and minority reports. One reason for asking that is that there has been considerable delay in getting the minority report before the House. The printer delayed it, and a great many Members have not seen it.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD by printing the majority and minority reports. Is there objection? [After a pause.] The Chair hears none.

The majority and minority reports are as follows:

[House Report No. 91, Sixty-sixth Congress, first session.]

Mr. VOLSTEAD, from the Committee on the Judiciary, submitted the following report:

The Committee on the Judiciary, having had under consideration H. R. 6810, "A bill to prohibit intoxicating beverages, and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries," beg leave to report the same with a recommendation that it do pass.

The bill is divided into three chapters designated as title 1, 2, and 3.

Title 1 deals with what is familiarly known as war prohibition; title 2 with prohibition authorized under the eighteenth amendment to the Constitution; and title 3 with industrial alcohol.

The committee deemed it advisable to provide different provisions for enforcing war prohibition from those embodied in the permanent prohibition code. It hesitated to ask Congress to broaden the inhibition against the manufacture and use of intoxicating beverages contained in the existing war prohibition acts; and as war prohibition goes into effect before this bill can be enacted into law and necessarily must be temporary, it was not considered advisable to insist on all the machinery deemed necessary for the enforcement of permanent prohibition.

Title 3 as originally introduced was prepared by the Commissioner of Internal Revenue. Its purpose is to remove a number of restrictions placed on the manufacture of industrial alcohol that are deemed unnecessary and to permit the commissioner to substitute regulations. This is with a view of encouraging this very essential industry.

The title relating to war prohibition, after defining the liquor to which it applies, authorizes the Commissioner of Internal Revenue, his assistants, agents, and inspectors, to investigate and report violations to the appropriate United States attorney, and to make complaints and conduct proceedings before committing magistrates the same as they now do for violations of the tax laws. The United States attorneys are charged with the prosecution of the offenders. The saloon, whether in a building or in any kind of conveyance, is declared a common nuisance and its maintenance is made subject to a penalty. If the property is knowingly permitted or suffered by the owner to be used as such nuisance, it becomes liable to pay the fine and cost assessed against any person who maintains it, and an injunction may be issued to restrain such a nuisance.

Title 2, to enforce prohibition under the eighteenth amendment to the Constitution, contains substantially the same features as title 1 and in addition a system of permits such as is now in force under regulations of the Revenue Department, Treasury Decision 2788, and in the various prohibition codes. These permits are designed to prevent diversion of liquor from legal to illegitimate uses. This system greatly lessens prosecution by making it difficult for persons to obtain liquor except for legitimate purposes. In addition to the permit system, which is also provided for in title 3 (the industrial-alcohol section), the act carries a number of the more essential penal provisions of the ordinary prohibition codes, such as those against advertising liquor.

Section 4 of title 2 makes provision for medicines, toilet articles, and flavoring extracts. The restrictions placed on these are less strict than like restrictions in many of our States, and are believed to be as liberal as it is safe to make them. No doubt the present policy pursued by the Commissioner of Internal Revenue with regard to these preparations will be continued. We are assured that there is nothing in the restrictions contained in this bill that will necessitate a change in that policy, and it is believed that the restrictions should not be made less stringent. Alcohol should not be given to manufacturers for the purpose of making medicine or any of these other articles with a license to convert that alcohol into a beverage. Some years ago several hundred of these preparations masquerading as medicine were properly put out of business. They were nothing but alcoholic beverages.

WAR PROHIBITION.

As a part of the so-called food stimulation act, approved November 21, 1918, the Congress adopted legislation prohibiting the manufacture and sale, after June 30, 1919, of intoxicating liquors for beverage purposes. This legislation, which is known as the war-prohibition act,

is to continue in force during the present war and thereafter until the end of demobilization, the date of which is to be determined and proclaimed by the President.

This act provides no machinery for its enforcement. It simply prescribes a penalty for the manufacture or sale of intoxicating beverages. That such a statute can not be effectively enforced without additional remedies has been abundantly demonstrated by the experience of States and communities where it has been tried. The Attorney General, answering a request for his views in regard to a similar measure, said, under date of February 10, 1919: "When this law (war prohibition) goes into effect, some legislation for its enforcement would seem to be imperative." The Secretary of the Treasury, in a report on that bill likewise recommended legislation for its enforcement. A law prohibiting traffic in intoxicating liquors that can not be enforced is worse than no law.

It is not necessary to discuss whether Congress had the power to pass war prohibition or whether these statutes are still in force. As recently as June 26, four days ago, the circuit court of appeals in New York sustained the validity of these acts.

It has been frequently asserted that war prohibition will be terminated in the near future. So far as the committee is advised there is no reason for these assertions. Congress in the act declares that it shall continue in force during the present war and during demobilization. The President is given power to declare when demobilization is complete, but he has no power to determine when in his judgment it might be unnecessary to longer maintain it in force; that is a question that Congress has settled. That war exists with both Germany and Austria-Hungary needs no argument. The armistice only suspends actual hostilities, and until treaties of peace have been ratified there is no peace. It can not be said with any assurance that hostilities may not be resumed at any time, and in view of the unsettled conditions it is difficult to guess not only when the war will end but still more difficult to determine when demobilization will be complete. With an Army of more than a million men still in the service we are clearly on a war footing. Our peace army, as fixed by law, is only 175,000 men. Until conditions in Europe become more settled it is evident that it will not be possible to demobilize the Army so as to reduce it within the next few months to peace figures, and especially is that true if the treaty of peace contains stipulations that require of us a force to maintain peace abroad. In this condition it would seem that there is a fair chance war prohibition may last until constitutional prohibition takes effect in January of next year, which is only a little more than six months off. From the standpoint of those who believe in prohibition this is desirable and will no doubt meet the wishes of a vast majority of our people.

The argument that under the constitutional amendment the liquor traffic was given a year in which to wind up its business, and that an act to shorten that period is a breach of good faith, is not at all persuasive. Congress has made no promise to the liquor traffic of a year's respite. When it submitted the constitutional amendment it had under consideration war prohibition. Had it passed the two at the same time no one would ever have suggested bad faith. The submission of the amendment did not relieve Congress of its duty to legislate nor deprive it of any authority over the subject. This charge, stripped of its baseless accusation against Congress, is simply a plea that the saloon should have a year in which to unload on the public its stock of liquors, a commodity that the Nation with singular unanimity has branded as inimical to its welfare.

PERMANENT NATIONAL PROHIBITION.

There is no occasion to discuss the question whether the manufacture and sale of intoxicating liquor for beverage purposes should be permitted after January 16, 1920. That was settled by the eighteenth amendment to the Constitution, which reads:

"SECTION 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from, the United States, and all territory subject to the jurisdiction thereof, for beverage purposes is hereby prohibited.

"SEC. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation."

In considering this bill it has been suggested that Congress has no power to define the phrase "intoxicating liquor" contained in this amendment. This suggestion does not appear to raise any real difficulty. Congress is given power to enforce this amendment by appropriate legislation. To do that it must necessarily determine its scope and meaning. The right to define the power conferred upon it by the Constitution has been exercised by Congress ever since we had a Government. Every act that it passes is, in effect, an assertion that the Constitution confers power to pass it, and is a construction of its terms. To illustrate, Congress has defined the term "bankrupt," "income," "involuntary servitude," "immigration," "insurrection," "counterfeiting," "equal protection of the laws," and a number of other words and phrases contained in the Constitution. None but the most absurd strict constructionist would contend that Congress must simply repeat the language of the amendment and provide a penalty for violating the prohibition it contains. Such a construction would have penalized the National Government. "The letter killed, but the spirit giveth life and this Nation lives." The Constitution nowhere says that Congress may provide for carrying the mails—it only authorized the establishment of "post offices and post roads," still Congress not only makes provision for that purpose but makes it a crime for a private person to carry it. A court can not say that a statute is unconstitutional unless it finds that it is clearly outside of any power expressly granted, or if passed in the exercise of such a power that Congress could have no reason to believe that its provisions are either necessary or appropriate for carrying such power into execution.

In determining what is meant by the phrase "intoxicating liquor," Congress has the same power as a court to compare it with prior legislation on the subject and to take notice of the purpose had in mind in passing it. It is a part of the history of this country that for many years a bitter and persistent struggle has been going on against the liquor traffic. This amendment is the culmination of that struggle. Many States have passed constitutional amendments to accomplish locally the same objects as that sought by this amendment; they are all substantially in the same language as this one. The legislatures of these States, more than 30 in number, have passed statutes to carry these amendments into effect, and they have all without exception defined the meaning of this phrase "intoxicating liquors" as all spirituous, vinous, malt, and fermented liquors, or all such liquors that contain one-half of 1 per cent or more of alcohol. The phraseology may differ somewhat, but that is the effect of all of them. This clearly argues that as this phrase is understood in these amendments it includes all liquor that contains any alcohol in excess of one-half of 1 per cent. Every State in the Union has in dealing with alcoholic liquors treated all beverages containing more than one-half of 1 per cent of alcohol as intoxicating, and has either prohibited their use or subjected them to a heavy tax. The National Government has for years imposed a tax upon all alcoholic liquors containing one-half of 1 per cent or more of alcohol and thus recognized this distinction between intoxicating and nonintoxicating liquor. This policy has put a legislative construction on the phrase that has become popularly known and thoroughly understood everywhere. No one who supported this amendment had in mind that there could be any question as to the meaning of the term. It meant to them as it meant to all the people, that all the liquor that has been treated and taxed as intoxicating should forever be banished, and they are asking Congress to carry out in good faith what everybody understood was the mandate written into the Constitution.

Cyclopedia of Law and Procedure, volume 8, page 737, says:

"Practical construction of constitutional provisions by the legislative department in the enactment of laws necessarily has great weight with the judiciary and is sometimes followed by the latter when clearly erroneous.

"If the meaning is doubtful, a practical construction thereof by the legislature will be followed by the courts, if it can be done without doing violence to the fair meaning of the words used, in order to sustain the constitutionality of a statute."

On page 739 of the same volume is found this language:

"It is an established rule of construction that whenever, in framing a constitution, provisions from the constitutions of other States are adopted, the judicial construction of all such provisions from the other States are presumed to have been also adopted."

In support of these statements a large number of cases are cited.

To define what is intoxicating does not trespass on the province of the court; no court can say, as a matter of law, what percentage of alcohol in liquor makes it intoxicating, nor what toxic effect is intoxication. These are questions of fact and not law, and as such are clearly within the province of Congress. An equal quantity of the same liquor may make one person dead drunk and but slightly affect another. As some contend, there may be persons who have become so tolerant of alcohol that they can not get drunk on beer containing 2¾ per cent of alcohol by weight, which, by the way, contains only one-half of 1 per cent of alcohol less than the ordinary beer; but we are not legislating for a special class. This amendment was intended to apply generally and to prevent the sale of any liquor that will make anybody drunk. It is not only intoxication that this amendment seeks to prohibit, but the useless waste as well of the uncounted millions in money that should go to provide luxuries, comforts, and conveniences in the home.

Aside from these considerations there is another reason why Congress has the power to define the meaning of the phrase "intoxicating liquor." The amendment in express terms gives Congress power to prohibit such liquor and to enforce that prohibiton by appropriate legislation. If to accomplish that purpose it finds that it is necessary to prohibit liquor that is not in fact intoxicating, it may do so. This right does not rest upon any police power, but is derived from the Constitution, as interpreted by our courts. Article VIII of the Constitution provides that the powers granted in it may be enforced by any legislation that may be "necessary or proper" for that purpose. The Supreme Court, in the case of United States *v.* Doremus, decided March 3, 1919, sustained a law passed by Congress which was in effect a police regulation of the sale of certain drugs. The question of the legality of its provisions depended upon the question whether they had any reasonable relation to the object sought, which was the collection of a tax. In deciding the case the court called attention to a large number of cases in which Federal statutes had been sustained upon this principle. In United States *v.* Hoke (227 U. S., 309), the doctrine was announced in this form:

"Congress may adopt not only means necessary, but convenient to its exercise, and the means may have the quality of police regulations."

The State of Mississippi, in its endeavor to suppress the traffic in intoxicating liquor, made unlawful "Poinsetta," an entirely harmless nonalcoholic liquor. It was contended, as well it might, that the police power of the State would not permit of its suppression. The question reached the Supreme Court of the United States in Purity Extract Co. *v.* Lynch (226 U. S., 192). The court sustained the statute, not because of any right to suppress it under the police power, but because the legislature deemed it necessary as a means of suppressing the liquor traffic. The court said:

"When a State, exerting its recognized authority, undertakes to suppress what it is free to regard as a public evil, it may adopt such measures having reasonable relation to that end as it may deem necessary in order to make its action effective. It does not follow that because a transaction separately considered is innocuous it may not be included in a prohibition the scope of which is regarded as essential in the legislative judgment to accomplish a purpose within the admitted power of the Government."

The Supreme Court of Ohio, in Eighty-third Ohio, page 68, deciding whether or not beer containing four-tenths of 1 per cent of alcohol was intoxicating announced this same doctrine. It said:

"The legislature may have heard of Bishop's beer, Friedon beer, and later of near beer, and concluded that the enforcement of the will of the majority should not be defeated by subterfuge or the juggling in percentages of alcohol, and has said that for the purpose of carrying out the intention of the people to prohibit the sale of intoxicating liquors, certain beverages shall be legally considered intoxicating although not so in fact; and malt liquor is one of those so designated. 'Near beer' being a malt liquor, the statute pronounces it an intoxicating liquor, and made proof of its real intoxicating qualities unnecessary. It is no more protected than 'altogether' beer, and the attempt to evade the law by brewing a 'near' or 'almost' beer is, by section 3, supra, rendered futile."

In the case of Feibelmen *v.* State (130 Ala., 112), which has been affirmed repeatedly by the Supreme Court of Alabama, the proof showed that the article in question was a nonintoxicating malt liquor called hop-jack. The court said:

"But if the prohibition should go only to the sale of intoxicating malt liquors, there would be left open such opportunities for evasions and there would arise such difficulties of proof as the law could not be effectively executed."

The object of all prohibition measures is to prevent the consumption of liquor. The United States Circuit Court of Appeals (219 Fed. Rep., 794), in sustaining the constitutionality of the Webb-Kenyon law, said:

"In trying to comprehend the legislative purpose in prohibition statutes it is important to remember that the ultimate end sought in prohibition legislation is not the prevention or restriction of the mere

sale of intoxicants, but the prevention of their consumption as a beverage."

See also State *v.* Maine (20 L. R. A., 496); the 151 Pac. Rep., 1006; Lincoln *v.* Smith (27 Vermont, 320, at 337); Marks *v.* State (159 Ala., 71, at page 84); So. Exp. Co. *v.* Whittle (69 So., 652).

It may to that end prohibit possession for personal use. Justice McReynolds, in rendering the opinion in Crane *v.* Campbell (245 U. S., 304), said:

"And considering the notorious difficulties always attendant upon efforts to suppress traffic in liquors, we are unable to say that the challenged inhibition of their possession was arbitrary and unreasonable or without relation to the legitimate purpose.

"As the State has the power above indicated to prohibit, it may adopt such measures as are reasonably appropriate or needful to render exercise of that power effective." (Booth *v.* Illinois, 184 U. S. 425, 46 L. ed. 623, 22 Sup. Ct. Rep. 425; New York ex rel. Sils *v.* Hesterberg, 211 U. S. 31, 53 L. ed. 75, 29 Sup. Ct. Rep. 10; Murphy *v.* California, 225 U. S. 623, 56 L. ed. 1229, 41 L. R. A. (N. S.) 153, 32 Sup. Ct. Rep. 697; and Rast *v.* Van Deman & L. Co., 240 U. S. 342, 364, 60 L. ed. 697, 689, L. R. A. 1917, A. 421, 36 Sup. Ct. Rep. 370, Ann. Cas. 1917, B. 455.)

Title 2 for the enforcement of the eighteenth amendment has in it no new or experimental features. Every provision in it has precedents in State or Federal legislation. Many States have provisions in their laws that are much more drastic than any contained in this bill. The aim of the committee has been to present a measure that would, if enacted into law, carry into effect in good faith the purpose of this amendment, and would not present any feature to which any law-abiding citizen could reasonably object.

[House Report 91, part 2, Sixty-sixth Congress, first session.]

MINORITY REPORT.

Messrs. IGOE, STEELE, DYER, CLASSON, and GARD, from the Committee on the Judiciary of the House of Representatives, submitted the following as their minority report on H. R. 6810, "A bill to prohibit intoxicating beverages, and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries":

The members presenting this report base their objections principally upon these grounds:

1. That the provisions for the enforcement of war-time prohibition carry a definition of intoxicating liquors which extends the prohibition beyond that of the original act, and to that extent is new legislation which Congress has not the right now to pass under the war power. We believe the original act should be repealed.

2. That as to constitutional prohibition, section 2 of the amendment provides that—

"The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation"—

and the bill presented is wholly upon the theory that the action of Congress is supreme, and totally ignores the concurrent power of the several States.

3. That the bill goes beyond the prohibitions of the constitutional amendment, particularly in defining "intoxicating liquors" so as to include beverages that are not in fact intoxicating.

I.

ENFORCEMENT OF WAR-TIME PROHIBITION.

The provisions for enforcement of the war prohibition act contain a definition of intoxicating liquor which is in effect new legislation. The act of November 21, 1918, prohibited the sale of distilled spirits for beverage purposes and also beer, wine, or other intoxicating malt or vinous liquor for beverage purposes. In the recent cases in New York, where this statute was construed, it was held that only intoxicating beverages were included, and that beer containing 2.75 per cent of alcohol by weight was within the statute only if intoxicating, which was to be determined as other questions of fact. Whether or not the original act of November 21, 1918, can be sustained as valid under the war power, it seems to us that at this date, under the peace conditions that now exist, Congress is wholly without power to extend the provisions of that act so as to include all beverages which contain in excess of one-half of 1 per cent of alcohol and call them intoxicating.

This legislation can not be justified on the theory that the original act being valid and in force that any amendment thereof extending its provisions would likewise be valid. The power of Congress rests wholly on the war power, and the conditions existing at this time are such that not only should the act not be extended but it should be repealed. War activities have ceased, the treaty with Germany has been signed, orders for the demobilization of the Army will have been carried out in a few weeks, contracts for supplies for the Army have been canceled, control of the wires by the Government has been ordered terminated, and restrictions upon trade have practically all been removed. As to all other subjects of legislation Congress is proceeding upon the theory that the war is over.

On May 20 last, in his message to Congress, the President said:

"The demobilization of the military forces has progressed to such a point that it seems to me entirely safe now to remove the ban upon the manufacture and sale of wines and beers."

Instead of extending the act to include beverages not now included in the prohibition, Congress should at least lift the ban to the extent suggested by the President.

If, however, the act is valid and is not to be repealed, the other provisions will materially aid in its enforcement and should be adopted.

II.

CONCURRENT POWER TO ENFORCE LEGISLATION.

Previous to the adoption of the eighteenth amendment it was never doubted but that the power to prohibit the manufacture and sale of liquors was reserved to the several States. This has heretofore been regarded as an elementary principle by the Supreme Court of the United States. The tenth amendment to the Constitution provides: "The powers not delegated to the United States, nor prohibited by it to the States, are reserved to the States respectively or to the people." Until the adoption of the eighteenth amendment no such power was delegated to the United States.

It was the purpose of the framers of the Constitution to provide a paramount rule that would determine the occasions on which the authority of the State should cease to be supreme leaving that of the United States unobstructed. Certain conditions were made necessary to the operation of this rule. The State law must conflict with some provision of the Constitution of the United States, or with a law of the United States enacted in pursuance of the constitutional authority of Congress, or with a treaty duly made by the authority of the Union. The operation of this rule constitutes the supremacy of the National Government.

It was supposed that by a careful enumeration of the objects to which the national authority was to extend there would be no uncertainty as to the occasions on which the rule was to apply, and as to all other objects were to remain exclusively subject to the authority of the States within their respective territorial limits. The operation of the rule was carefully limited to those occasions. This is made plain from a casual reading of the Constitution. Thus the tenth section of Article I contains the prohibitions which it has laid upon the State. Some of these prohibitions are absolute, others relate to things that can be done only by the consent of Congress. Every one of them, both those that are absolute and those that are conditional, relate to things that every State would have a perfect right to do if it had no covenant with the United States in and by the Constitution that it will not do them. But the prohibitions owe all their force, all their obligations, all their restraining efficiency, to the contract which every State has made with all the other collectively styled the United States, whereby each State has limited its own sovereignty in certain respects over which it would otherwise have retained control. Take, for example, one of the absolute prohibitions: "No State shall enter into any treaty, alliance, or confederation," etc. Take the two conditional prohibitions. Section 2 provides that "No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports," etc. Section 3 provides that "No State shall, without the consent of the Congress, lay any duty of tonnage," etc.

These conditional prohibitions call for the exercise of joint action by Congress and the State—first, the enactment of legislation by the State, and the consent of Congress to the enactment of the legislation. But joint action is required before such legislation can be made effective.

What, then, was the power delegated to the United States in the eighteenth amendment? The first section of the amendment prohibits the manufacture or sale of intoxicating liquors for beverage purposes. This provision will undoubtedly be self-executed in so far as it prohibits the manufacture and sale for beverage purposes in any part of the United States. As soon as it becomes operative it sets aside all laws inconsistent with it.

The second section of the amendment further provides that "the Congress and the several States shall have concurrent power to enforce this article by appropriate legislation:" In the thirteenth amendment it was provided that "Congress shall have power to enforce this article by appropriate legislation"; and subsequently the same language is used in the fourteenth and fifteenth amendments. The eighteenth amendment was first passed by the Senate with the same enforcement language as was used in the previous amendments, but the House Committee on the Judiciary changed this language in the form above recited. Instead of Congress having the sole power of enacting enforcement legislation, it was delegated to Congress and the several States with "concurrent power" to enact the same. Why this change? What was intended by Congress and the people who ratified the amendment in using the qualifying phrase mentioned? Constitutions are instruments of a practical nature, founded on the common business of human life, adapted to common wants, designed for common use, and fitted for common understandings. The people make them, the people adopt them, the people must be supposed to read them, with the help of common sense, and can not be presumed to admit in them any abstruse meaning. If its words are plain, clear, and determinate, they require no interpretation.

The word "concurrent" is usually defined as "acting jointly or together, to cooperate, to unite." It is in this sense that the word is commonly understood. If Congress is supreme to legislate upon the subject matter of the amendment, then the word "concurrent" as used in the amendment, is meaningless. It is contended, however, that both Federal and State Governments have equal powers, and each can enact its own laws of enforcement, and in the event of conflict there would be two offenses, one against the Federal and one against the State Government.

It can readily be admitted that every citizen of the United States is also a citizen of a State. He may be said to owe allegiance to two sovereigns, and may be liable to punishment for infraction of the laws of either, and the same act may be an offense or transgression of the laws of both. In these cases, each government punishes for violation of duty to itself only. To which government does the citizen owe his duty to observe the eighteenth amendment? The answer is simple. The State surrendered to the Federal Government the prohibition of the manufacture and sale of intoxicating liquors for beverage purposes and simply reserved the power that in the enforcement of the amendment the legislation should be concurrent.

The power referred to in the second section of the amendment is legislative power to enact laws. A law is a rule of action prescribed by a supreme power. It is manifest that there can not be two supreme powers in the same community if both are to operate upon the same object, but there is nothing in the nature of political sovereignty to prevent its powers from being distributed among different agents for different purposes. This is constantly seen under the same government, when its legislative, executive, and judicial powers are exercised through different officers; and in truth when we come to the law-giving power alone, as soon as we separate its objects into different classes it is obvious that there may be several enacting authorities and yet each may be supreme over the particular subject committed to it by the fundamental arrangement of society. Supreme laws emanating from separate authorities may and do act on different objects without clashing, or they may act on different parts of the same object with perfect harmony. They are inconsistent when they are aimed at each other or at the same indivisible object. When this takes place, one or the other must yield, or in other terms, one of them ceases to be supreme upon a particular occasion. This thought was well expressed by Alexander Hamilton in the New York constitutional convention, where he said:

"That two supreme powers can not act together is false. They are inconsistent only where they are aimed at each other or at one indivisible object. The laws of the United States are supreme as to all their proper constitutional objects; the laws of the States are supreme in the same way. These supreme laws may act on different objects without clashing, or they may operate on different parts of the same object with perfect harmony. Suppose both Governments should lay a tax of a penny on a certain article; had not each an independent and uncontrollable power to collect its own taxes? The meaning of the maxim, 'There can not be two supremes' is simply this: Two powers can not be supreme over each other."

It is, moreover, claimed that the provision in the sixth article of the Constitution makes the power of Congress supreme in legislating upon

the subject. That provision is as follows: "This constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land." It will be observed, however, that the supreme law of the land is only such laws "which shall be made in pursuance thereof"; that is, in pursuance of the Constitution. Can it be said that a law is made in pursuance of the Constitution when the specific language of the Constitution requires joint action, and action has only been taken by one of the parties? We can not eliminate from the Constitution that concurrent power to enforce its provisions was given to both Congress and the several States. No law would be passed in pursuance of the Constitution which failed to observe this limitation. Just as in the tenth section of Article I, the States are prohibited from legislating without the consent of Congress, so here joint or concurrent legislation is necessary for the enactment of proper enforcement legislation. And the reason for this reservation of State power in the present instance is plainly apparent from the drastic legislation now attempted to be imposed upon the people, and plainly offensive to probably a majority of them. The widest possible latitude of interpretation is given to the prohibitory section, while in the enforcement section the States are reduced to subject people. We believe the same rule of interpretation should be applied to both sections, and if this is done there can not be any doubt as to the understanding of the people when the amendment was ratified.

In Fairbanks *v.* United States (181 U. S., 283), the court said:

"We are not here confronted with the question of the extent of the powers of Congress but one of the limitations imposed by the Constitution on its action, and it seems to us clear that the same rule and spirit of construction must also be recognized. If powers granted are to be taken as broadly granted and as carrying with them authority to pass those acts which may be reasonably necessary to carry them into execution; in other words, if the Constitution in its grant of powers is to be so construed that Congress shall be able to carry into effect the powers granted, it is equally imperative that where prohibition or limitation is placed upon the power of Congress, that prohibition or limitation should be enforced in its spirit and in its entirety. It would be a strange rule of construction that language granting powers is to be liberally construed and that language of restriction is to be narrowly and technically construed. Especially is this true when, in respect to grants of powers, there is, as heretofore noticed, the help found in the last clause of the eighth section and no such helping clause in respect to prohibitions and limitations. The true spirit of constitutional interpretation in both directions is to give full liberal construction to the language, aiming to show fidelity to the spirit and purpose."

III.

EXTENT OF POWER OF CONGRESS TO ENFORCE CONSTITUTIONAL AMENDMENT.

Assuming, however, that Congress has power to legislate without regard to the concurrence of the States, what is the extent of that power? The majority contend that Congress may not only enact a full code of law for enforcement, but under the authority to enforce by appropriate legislation Congress may define intoxicating liquors so as to include nonintoxicants and punish acts which themselves are not forbidden by the amendment. This amendment must be distinguished from those provisions of the Constitution which give to Congress plenary power over certain matters, as, for instance, the right to regulate commerce, to establish post offices and post roads, the coining of money, etc. In such cases the subject is submitted to the general legislative power of Congress, but in the amendment under consideration the power of Congress to legislate is confined to the particular acts which are prohibited by the first section of the amendment. To hold otherwise would place in the hands of Congress the power to rewrite the amendment and extend it far beyond any reasonable construction of its words. If Congress may now legislate so that intoxicating liquors may be defined to include nonintoxicating liquors, then any future Congress may define it so as to exclude liquors that are intoxicating. The things prohibited are specifically and definitely set forth, and section 1 of the amendment leaves nothing for Congress to add or take away. It is legislation complete in itself and the only power given to Congress is in section 2 and that power is to enforce the prohibition of section 1.

The contention of the majority, if upheld, would make void the carefully selected words used in the amendment to restrict and define the acts which are made unlawful. It would substitute for the words "intoxicating liquors" the words "any liquor" or the words "alcoholic liquor." It would likewise extend the power of Congress beyond "manufacture," "transportation," "sale," "import," and "export," and in their stead would insert a general control for every purpose. Followed to its logical conclusion it would render meaningless the limitation imposed by the use of the words "for beverage purposes" because some Congress might say that you can not completely prohibit the manufacture or sale unless you prohibit the manufacture and sale for any purpose whatever, a prohibition which has been proposed in some States under the general police power.

The majority report lays much stress upon the legislation of several States which have gone so far as to prohibit nonintoxicants and, in one State, the personal use of intoxicating liquor. We can not concede that Congress may legislate upon this subject with the same free hand exercised by the several States. Their authority is as broad as the general police power, and that power permits them to proceed in a manner which Congress could not do, since the Federal Government has no general police power to legislate on this question. The only authority Congress has to legislate on the question as to intrastate matters must be found in the amendment. As stated before, that amendment sets out the prohibition in definite, precise, and exact language, and nowhere therein is Congress given power to broaden or narrow the prohibition, nor can Congress write a new amendment to the Constitution under the power given to enforce one already adopted.

The majority report makes much of the fact that Congress has defined many things over which the Constitution gives it control. It is sufficient answer to say that notwithstanding the plenary power of Congress over certain matters the courts do not please to hold everything as within its power which Congress may choose to so regard or designate. The difficulties of Congress in trying to legislate on the subjects of child labor, migratory birds, employees of railroads, etc., would not have been so great if the mere assumption by Congress of authority to legislate had been accepted by the courts as sufficient proof of the power to legislate. (See Trade-Mark cases, 100 U. S., 82; Keller *v.* United States, 213 U. S., 138.)

It is unnecessary to show that the definition in title 2 does in fact include nonintoxicants. By its very language it denominates certain beverages as prohibited, even though they may contain no alcohol whatever. The words "intoxicating liquor" have a definite meaning, and whether a beverage is intoxicating is a question of fact. Courts have defined the phrase and legislatures and Congress have used it freely. The fact that so many States have defined intoxicating liquors, as stated in the majority report, is proof that Congress did not intend when drafting the constitutional amendment to forbid nonintoxicants. In States where local option and prohibition laws were in force experience had shown that under State laws where the term "intoxicating liquor" was used the courts would not convict when in fact a nonintoxicating beverage was sold. So in those States the statutes were broadened under the general police powers and such words and phrases were used as would prohibit certain beverages by name, whether they were intoxicating in fact or not. Congress in general legislation affecting liquor has always used the words "intoxicating liquor" and has never in such legislation defined liquors so as to include nonintoxicants.

The act of August 8, 1890, refers to "fermented, distilled, or other intoxicating liquors or liquids."

The act of March 4, 1909, revising the penal laws, in sections 238, 239, 240, refers to "any spirituous, vinous, malted, fermented, or other intoxicating liquor of any kind."

The Webb-Kenyon law refers to "any spirituous, vinous, malted, fermented, or other intoxicating liquor of any kind."

Section 5 of the act of March 3, 1917, relates to the use of the mails for advertising "spirituous, vinous, malted, fermented, or other intoxicating liquors of any kind," and the Reed amendment, incorporated in the same section, refers to "intoxicating liquors."

Black, on Intoxicating Liquors, defines intoxicating liquor as follows:

"But if the general expression is used, without more, it may be defined as meaning any liquor intended for use as a beverage or capable of being so used which contains alcohol, either obtained by fermentation or by the additional process of distillation, in such a proportion that it will produce intoxication when taken in such quantities as may practically be drunk."

Words and Phrases cites the following definitions:

"'Intoxicating liquors' is a broad term which embraces all liquors used as a beverage which, when so used, will or may intoxicate.

"'Intoxicating liquors' within the meaning of the local-option law are such as are intended for use as a beverage, or capable of being so used, which contain alcohol, either obtained by fermentation or by the additional process of distillation, in such proportion that it would produce intoxication when taken in such quantities as may practically be drunk.

"Any liquor intended for use as a beverage, or capable of being so used, which contains alcohol, either obtained by fermentation or by the additional process of distillation, in such a proportion that it will produce intoxication when taken in such quantities as may be practically drunk is an intoxicant."

The wording of the second section of the eighteenth amendment, as it affects the power of Congress, is identical with the enforcement provisions of the thirteenth, fourteenth, and fifteenth amendments. The courts have frequently been called upon to pass upon the extent of the power of Congress under those amendments, and particularly to pass upon the question of whether specific grant of authority to enforce by appropriate legislation can sustain legislation going beyond the acts prohibited or the rights given or safeguarded in the amendments.

Civil Rights cases (109 U. S., l. c., 11), speaking of the fourteenth amendment, says:

"* * * the last section of the amendment invests Congress with power to enforce it by appropriate legislation. To enforce what? To enforce the prohibition. To adopt appropriate legislation for correcting the effects of such prohibited State laws and State acts and thus to render them effectually null, void, and innocuous. That is the legislative power conferred upon Congress, and this is the whole of it. It does not invest Congress with power to legislate upon subjects which are within the domain of State legislation but to provide modes of relief against State legislation or State action of the kind referred to. It does not authorize Congress to create a code of municipal law for the regulation of private rights but to provide modes of redress against the operation of State laws and the action of State officers, executive or judicial, when these are subversive of the fundamental rights specified in the amendment."

The courts have held (R. S. 5507) that "every person who prevents, hinders, controls, or intimidates another from exercising or in exercising the right of suffrage to whom that right is guaranteed by the fifteenth amendment to the Constitution of the United States by means of bribery or threats," etc., shall be punished, void, as beyond the constitutional power of Congress. The only power possessed by Congress to legislate with reference to elections held solely for State or municipal purposes is derived from the fifteenth amendment, providing that "the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude."

And that "the Congress shall have power to enforce this article by appropriate legislation," but the right conferred by such article, and which Congress may enforce by legislation, is not the right of suffrage, but the right of the citizen to exemption from being discriminated against in the exercise of the elective franchise by the United States or a State on account of race, color, or previous condition of servitude, while the statute is not limited to the enforcement of such right, and in fact has no relation to it, but is so broad in its terms as to make punishable as a criminal offense an act of a private person committed at a State election if committed against a voter of African descent, although it has no relation to the race, color, or previous condition of such voter. (Lackey *v.* U. S., 107 Fed. 114, 53 L. R. A. 660; James *v.* Bowman, 190 U. S. 127; Karem *v.* U. S., 121 Fed. 250.)

A penal act of Congress can not be sustained as an exercise of the power given by a constitutional provision to enact appropriate legislation for its enforcement where the act is broader in its terms than the constitutional provisions and the language used covers wrongful acts without as well as within the same. (Karem *v.* U. S., 121 Fed. 250, 61 L. R. A. 437.)

Revised Statute 5507, based on the fifteenth amendment alone, provides that every person who prevents, hinders, controls, or intimidates another from exercising or in exercising the right of suffrage guaranteed by this amendment by means of bribing, etc., shall be punished. Held, that such statute was unauthorized by this amendment, since the latter does not grant Congress the power to make criminal the deprivation of a citizen's right to vote, except in the instance of a discrimination on account of race, color, or previous condition of servitude, and the statute makes it an offense to deprive a man of his right to vote on any account whatever, hence an indictment in the words of the statute is demurrable. (U. S. *v.* Miller, 107 Fed. 913.)

As was said in Keller *v.* United States (213 U. S., l. c., 149):

"While the acts of Congress are to be liberally construed in order to enable it to carry into effect the powers conferred, it is equally true that the prohibitions and limitations upon those powers should also be fairly and reasonably enforced. To exaggerate in the one direction and restrict in the other will tend to substitute one consolidated government for the present Federal system."

In the case of Hodges *v.* United States (203 U. S., 1) the court held that it had no jurisdiction under the thirteenth amendment or sections 1978, 1979, 5508, 5510, Revised Statutes, of a charge of conspiracy made and carried out in a State to prevent citizens of African descent, because of their race and color, from making or carrying out contracts and agreements to labor. The court said, page 16:

"Notwithstanding the adoption of these three amendments, the National Government still remains one of enumerated powers, and the tenth amendment, which reads 'the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people,' is not shorn of its vitality. True, the thirteenth amendment grants certain specified and additional power to Congress, but any congressional legislation directed against individual action which was not warranted before the thirteenth amendment must find authority in it. And in interpreting the scope of that amendment it is well to bear in mind the words of Mr. Chief Justice Marshall, in Gibbons *v.* Ogden (9 Wheat., 1, 188), which, though spoken more than fourscore years ago, are still the rule of construction of constitutional provisions:

"'As men whose intentions require no concealment generally employ the words which most directly and aptly express the ideas they intend to convey, the enlightened patriots who framed our Constitution, and the people who adopted it, must be understood to have employed words in their natural sense, and to have intended what they have said.'

"The thirteenth amendment reads:

"'SEC. 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

"'SEC. 2. Congress shall have power to enforce this article by appropriate legislation.'

"The meaning of this is as clear as language can make it. The things denounced are slavery and involuntary servitude, and Congress is given power to enforce that denunciation. All understand by these terms a condition of enforced compulsory service of one to another."

In United States *v.* Harris (106 U. S., 629, l. c. 642), declaring section 5519 unconstitutional, the court said:

"There is another view which strengthens this conclusion. If Congress has constitutional authority under the thirteenth amendment to punish a conspiracy between two persons to do an unlawful act, it can punish the act itself, whether done by one or more persons.

"A private person can not make constitutions or laws, nor can he with authority construe them, nor can he administer or execute them. The only way, therefore, in which a private person can deprive another of the equal protection of the laws is by the commission of some offense against the laws which protect the rights of persons, as by theft, burglary, arson, libel, assault, or murder. If, therefore, we hold that section 5519 is warranted by the thirteenth amendment, we should, by virtue of that amendment, accord to Congress the power to punish every crime by which the right of any person to life, property, or reputation is involved. Thus, under a provision of the Constitution which simply abolished slavery and involuntary servitude, we should, with few exceptions, invest Congress with power over the whole catalogue of crimes. A construction of the amendment which leads to such a result is clearly unsound."

Respectfully submitted.

W. L. IGOE.
H. J. STEELE.
L. C. DYER.
WARREN GARD.
D. G. CLASSON.

Mr. VOLSTEAD. Mr. Chairman, I ask unanimous consent that the time be divided, half to be controlled by myself and the other half by the gentleman from Missouri [Mr. IGOE], who is a member of the committee.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the control of the time be one-half by himself and one-half by the gentleman from Missouri [Mr. IGOE]. Is there objection?

Mr. CAMPBELL of Kansas. Mr. Chairman, I think that arrangement should be made in the House.

The CHAIRMAN. Unanimous consent can also be granted in the committee. Is there objection?

Mr. SABATH. Mr. Chairman, reserving the right to object, I do not think it is in order now to make such an arrangement.

Mr. CAMPBELL of Kansas. The rule divides the time equally between the two sides, and the request of the gentleman from Minnesota only designated the persons who shall control the time.

Mr. SABATH. Where is the rule? Can we have the rule read?

The CHAIRMAN. Only by unanimous consent.

Mr. CALDWELL. Mr. Chairman, a point of order.

Mr. SABATH. I ask that the rule might be read.

Mr. WALSH. Oh, well, the gentleman made his speech on the rule. What does he want it read for?

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the rule be read. Is there objection?

Mr. WALSH. I object.

Mr. BLANTON. I object.

Mr. SABATH. Three gentlemen have objected, including the gentleman from Texas.

The CHAIRMAN. The gentleman from Minnesota [Mr. VOLSTEAD] asks unanimous consent that the time be controlled one-half by himself and the remaining one-half by the gentleman from Missouri [Mr. IGOE]. Is there objection?

Mr. CALDWELL. Mr. Chairman, reserving the right to object——

Mr. BLANTON. Mr. Chairman, regular order. I ask for the regular order.

The CHAIRMAN. The regular order is, Is there objection?

Mr. CALDWELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CALDWELL. Do I understand the gentleman from Minnesota is a Republican and is dry and the gentleman from Missouri is a Democrat and is wet?

The CHAIRMAN. That is not a parliamentary inquiry. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The gentleman from Minnesota is recognized for six hours.

Mr. VOLSTEAD. Mr. Chairman, I do not expect to devote any six hours to this discussion. I have only in mind to make a few general observations on the bill. I presume when we reach it under the five-minute rule there will be abundant opportunity to ask questions, and I shall then be glad to go more into detail. I have noticed that those who are opposed to this bill have taken special delight in calling it an extremely drastic bill and those who support it as extremists. Personally I have received a large number of letters, some of them without signature, classing me with long-haired men and short-haired women, generally famous as cranks.

I want to say to you that I never made a prohibition speech in my life. I never belonged either to the Prohibition Party or the Anti-Saloon League. Some people who come from wet sections can not understand how men can be in favor of prohibition without being in fact cranks. Those who suffer from that sort of delusion are entirely unconscious of the vast movement that has gone on in this country in the last few years. They look upon the matter from an entirely different angle from what I believe the large majority of our people do, and I believe that if this bill is passed, and passed so as to become an effective measure for prohibition, they will be apologizing for their attitude and be anxious to forget many of the things they said against those who have stood for prohibition. [Applause.] It is not the prohibition crank who is to-day back of this measure. He has done a great deal and deserves a great deal of credit, but that man has passed on his convictions to the public. It is the great industrial forces of this country that are back of this bill, and you will find before you get through that they are the men who will hold you responsible for a refusal to carry out in good faith the mandate that was written into the Constitution of the United States. [Applause.] It will not be the crank that you will have to reckon with. Is this bill a drastic, radical bill? Personally I know it is not. I have had occasion for many years to enforce criminal statutes, as it was my good fortune to be honored with the position of a prosecuting officer in my own county for 14 years. Besides that I have acted as a prosecuting officer in other capacities, so I have had some experience and know a little about criminal matters. I have no hesitation in saying that you can find in almost every State in this country laws that are very much more drastic than anything that is contained in this bill. The search and seizure provisions of this bill are especially denounced as outrageous. If there is a State in the Union that has anything as moderate or innocuous as the provisions of this bill on that subject I wish some one would name it. But I realize that the same song will be sung until the end of the chapter. Those who oppose the bill will continue to insist it is drastic, that it is unreasonable, and that it is utterly subversive of human liberty.

I have noticed one thing in connection with this contest, and that is that very few men dare to defend the saloon. Once in a while some man has the courage to stand up on this floor and say, "I believe that the legalized sale of liquor is a good thing"; but when you come to talk with the men on the streets anywhere, you find very few who will openly defend it. Not having the courage to openly defend the saloon, they resort to abuse of the bill and of those who support it. In considering the subject we concluded to embody war-time prohibition in the same bill with constitutional prohibition. War-time prohibition may or may not last until constitutional prohibition takes effect. Personally, I believe it might as well. I have no sympathy whatever with the claim that we have made promises to the liquor traffic that it should have a year in which to close up its business and dispose of its stock in trade.

We never did make any such promise. What we did was this: We submitted a constitutional amendment in which we said it should not go in force until the end of a year after its ratification. But at the same time we had under consideration war-

time prohibition. You who were here at that time know that there was a constant agitation and demand for war-time prohibition. When we submitted the constitutional amendment to the States for ratification, could we at the same time have passed war-time prohibition, no one would have said, as has since been said, that we had done any unfair thing or that we had taken away anything we had promised. The States had practically nothing to say about the length of time after ratification before it should take effect. We were the ones that determined that by putting it into the constitutional amendment and submitting it to the States. The States had to take what we offered them. My contention is that when we passed war-time prohibition we passed it upon the demand of the people of this country. We had the power to do so, and if it was our duty to act we could not excuse ourselves by saying we had submitted a constitutional amendment that would not go into effect for a year after it was ratified.

I know one way in which it can be made permanent despite all contentions to the contrary. We can, if we see fit, tax liquor out of existence, just as we taxed oleomargarine and bank notes out of existence. If you put a tax upon liquor so high that nobody can afford to buy it, it will go out of business and stay out of business until constitutional prohibition goes into force.

Mr. SABATH. Will the gentleman yield?

Mr. VOLSTEAD. I will.

Mr. SABATH. The gentleman states that we taxed oleomargarine out of existence. Do you think it was a wise thing to tax the people who can not afford to buy butter 10 cents a pound on a substitute for butter?

Mr. VOLSTEAD. That is beside the question.

Mr. SABATH. But if that was wrong, so is this wrong.

Mr. VOLSTEAD. That has not anything to do with prohibition. The American people have said that they do not want any liquor sold, and they have said it emphatically by passing almost unanimously the constitutional amendment; and there is not any doubt but that the overwhelming sentiment would be to maintain war prohibition to the end, and personally I would be glad to see it taxed out of existence.

Mr. BLANTON. Will the gentleman yield for a question?

Mr. VOLSTEAD. Yes.

Mr. BLANTON. Is not there a better way of getting rid of it than taxing it out of existence? Has there ever been a holding of the Supreme Court of the United States that would even tend to make us believe that we have not a right to make a statute against it personally?

Mr. VOLSTEAD. Well, that is a question of law.

Mr. BLANTON. There has been no such holding against it.

Mr. VOLSTEAD. Personally, my impression is that whenever war comes to an end by the ratification of treaties of peace, and we have resumed peace conditions, then our war power ceases, but our courts have held within the last few days that that power still exists. Just when it will end depends on how rapidly we resume peace conditions.

Mr. CALDWELL. I understand from the gentleman's remarks that he is a prohibitionist, because he is opposed to the sale of intoxicating drink. Is that right?

Mr. VOLSTEAD. Yes; in that sense I am a prohibitionist.

Mr. CALDWELL. Now, the courts in some portions of our country have held that 2.75 beer is not intoxicating.

Mr. VOLSTEAD. They have held nothing of the kind. They have held that the affidavits presented in the case you refer to were sufficient to raise the question of whether there was anything to try or not.

Mr. CALDWELL. According to this bill you take it to the Congress as to the power to determine whether or not anything more than one-half of 1 per cent is intoxicating, do you not? And just a few pages over, on pages 10 and 11, where you are talking about patent medicines, proprietary medicines, no matter what the alcoholic content, no matter whether usable as a beverage or not, you give those people an opportunity to go into the United States courts and try out the question of fact, do you not?

Mr. VOLSTEAD. I am not going to discuss the details of that.

Mr. CALDWELL. You are chairman of this committee, and we are certainly entitled to know.

Mr. CAMPBELL of Kansas. Mr. Chairman, I shall have to make the point of order that the gentleman from New York [Mr. CALDWELL] is violating the rules of the House in addressing his colleague in the second person.

The CHAIRMAN. The point is well taken.

Mr. CALDWELL. Then, will the gentleman from Minnesota yield for a question that I will propound to him?

The CHAIRMAN. Does the gentleman from Minnesota yield to the gentleman from New York?

Mr. VOLSTEAD. I do.

Mr. CALDWELL. I ask the gentleman from Minnesota if he does not differentiate in that particular just pointed out, that in the question of a beverage, where everybody agrees if it is not used to excess it is not injurious, they say in this bill one-half of 1 per cent of alcohol content, and a man shall not have the power to go to a court to determine whether or not it is an intoxicating beverage, whereas in the case of a patent medicine, where, if used to excess, it will not only intoxicate but destroy the human system, they give the vendor the right to go to court to determine whether it is a beverage or not?

Mr. VOLSTEAD. We did make the distinction, and I think it is a proper distinction. In one case the matter is left largely, almost entirely, to the Commissioner of Internal Revenue as an administrative officer. We can not afford to shut out patent medicines or any medicines from being sold if of use to the public, but we can afford to shut out liquor sold for beverage use no matter how small a percentage of the people might become intoxicated from its use.

Mr. CALDWELL. The gentleman knows that Peruna and Jamaica ginger and many other articles in that class of proprietary medicines have a larger alcoholic content than whisky?

Mr. VOLSTEAD. Yes; some of them have.

Mr. CALDWELL. And whisky is prescribed as a remedy in cases of influenza.

Mr. VOLSTEAD. I do not care to yield further.

Mr. LAYTON. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. LAYTON. As a physician I say the gentleman from New York does not know what he is talking about.

Mr. CALDWELL. Are you a physician?

Mr. LAYTON. I am. I challenge the gentleman's remark that in the last epidemic of grippe alcoholic liquors of any kind were the best remedies for grippe. It is not true. [Applause.]

Mr. GALLIVAN. May I ask for whom the gentleman speaks?

Mr. LAYTON. I speak for myself.

Mr. GALLIVAN. That is enough.

Mr. LAYTON. I speak for myself, and as a participant in the campaign against the epidemic of influenza in the State of Delaware, I speak the consensus of opinion all along the line on that subject.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. BARKLEY. Is not the basis for this alleged discrimination the theory that when you are dealing with intoxicants as a beverage the question of percentage of alcohol becomes material, and when dealing with a medicine which is deemed not to be suitable or capable of being used as a beverage the question of alcoholic content is not material, but if there are grounds for the belief that it can be used as a drink, then the question of alcoholic content is a matter of pertinent inquiry, and that is the reason for the difference that is made?

Mr. VOLSTEAD. Yes; and there is this further reason: A man who makes medicines has a property interest; he has the legal right to use intoxicating liquors. We give him the right under the bill. When we come to deal with the man who sells liquor, we determine what is illegal by condemning the liquor that contains one-half of 1 per cent alcohol or more. In one case we define a property right, in the other we define a crime. A court may pass on one; Congress passes on the other.

Mr. BARKLEY. And if, upon examination, that patent medicine is found to be potable and susceptible of being used as a beverage, then it comes under the same description as if it were manufactured as a beverage?

Mr. VOLSTEAD. Yes; the same in either case.

Mr. FOSTER. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. FOSTER. Pages 4, 5, and 6 of the report tell us why you seek to define it, giving the decisions of the supreme courts, including the one from Ohio, of which I have some knowledge, so that as a matter of knowledge pages 4, 5, and 6 will throw a good deal of light on it. [Applause.]

Mr. VOLSTEAD. As to patent medicines, flavoring extracts, and things of that kind, a propaganda has been carried on among manufacturers against this bill. They have been led to believe that we were such extreme cranks that we intended to stop the manufacture of all such articles. I have my office full of letters of that kind.

Mr. BENSON. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. I can not yield now. I want to say for the committee that there is no disposition on the part of the committee or anyone that I know of connected with this legislation to shut off anything that is fair and legitimate. But we do not want to have the same conditions exist as existed some years ago, when there were several hundred preparations masquerad-

ing in the market as medicines, when, in fact, they were not medicines but just common, ordinary cheap dope of the vilest kind. We do not want to revive that. We want the cordial support of the membership of this House to help us keep within reasonable limits so only legitimate manufacturers of such products may be licensed.

Mr. BENSON. Mr. Chairman, will the gentleman yield now?

The CHAIRMAN. Does the gentleman from Minnesota yield to the gentleman from Maryland?

Mr. VOLSTEAD. I do.

Mr. BENSON. I will ask the chairman of the committee why it is that the language with reference to patent medicines, toilet waters, and so forth, contains the words "nonpotable and unfit for use for beverage purposes," while the language with reference to flavoring extracts and other preparations describes them as "nonpotable and incapable of being used for intoxicating beverage purposes"?

Mr. VOLSTEAD. I propose later on to discuss that when we come to debate under the five-minute rule.

Mr. BENSON. I would like an answer to that question now.

Mr. VOLSTEAD. I am not prepared to answer it now. I would rather answer it when we reach it in the consideration of the bill itself. I do not want to go into the details at this time. I want to be frank with you, however. My impression is that the last subdivision ought to be amended. That is my personal view, and I intend, if possible, to submit it to the committee with a view of seeing whether there should not be a slight change made in that particular paragraph.

Mr. GARD. Which section does the gentleman ask to be recommitted?

Mr. VOLSTEAD. I am not going to ask that it be recommitted. I am simply going to ask the committee to meet some morning and take it up and discuss it and ascertain whether we ought not to change the language in that particular paragraph in regard to flavoring extracts.

Mr. GARD. Has the gentleman some proposed amendment as to that?

Mr. VOLSTEAD. No; but I am anxious to liberalize that sufficiently so that we may be able to make it right. There has been a good deal of discussion going on among various parties as to the exact language we ought to use.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Minnesota yield to the gentleman from Texas?

Mr. VOLSTEAD. I can not yield.

Mr. BLANTON. Just for a question?

Mr. GALLIVAN. Mr. Chairman, I ask for the regular order.

Mr. BLANTON. Mr. Chairman, will the gentleman yield for a question?

Mr. VOLSTEAD. I will yield just for a question.

Mr. BLANTON. What objection is there to the language now framed by the committee? I see no objection to it. I think it is properly framed.

Mr. VOLSTEAD. I was going to say this: There are about 18 States that, in connection with this subject—the making of flavoring extracts—limit them to articles that are "nonpotable and incapable of being used for beverage purposes." These extracts have been sold for years in those States. They have been manufactured under regulations prescribed by the Internal Revenue Department at Washington, but a very strong pressure has been brought to bear upon me and others to modify this section, for fear that it is a little too drastic in view of the criminal penalties, and I do not want to do anything about it that is unfair.

Mr. GARD. Will the gentleman yield for a question?

Mr. VOLSTEAD. Yes.

Mr. GARD. Is it not true that a flavoring extract is useless in the household economy unless it is potable and fit to be used in that way?

Mr. VOLSTEAD. Oh, no.

Mr. VENABLE. Is not the chairman of the opinion that if exception (e) relating to flavoring extracts were applied literally it would prohibit practically all of the extracts which are now on the market?

Mr. VOLSTEAD. No; I do not think so. The difficulty in the construction grows out of the fact that nearly everyone ignores what is meant by the word "beverage." The word "beverage" as defined by our courts is a liquid drunk because it is a pleasure to drink it. That is not true of everything which people drink. People sometimes drink a little kerosene. I have seen it drunk for a cold, but it can not be said to be a beverage. There are a great many other things that a man can drink that are not beverages and that are not called beverages by the courts. When applied to alcoholic compounds the courts clearly require that the liquid shall be one that is pleasant to drink.

The original meaning of the word carries that idea with it, and the courts, as well as the Revenue Department, for years have construed it to mean a liquid pleasant to drink.

Mr. VENABLE. Will the gentleman yield further?

Mr. VOLSTEAD. Yes.

Mr. VENABLE. As a matter of fact nearly all intoxicating liquors are unpleasant to drink, especially the high-proof spirits.

Mr. VOLSTEAD. I wish that everybody thought so.

Mr. GALLIVAN. Of course, that is only to prohibitionists. [Laughter.]

Mr. VENABLE. They may be pleasant in their effects, but they are hardly pleasant in their taste. Now, the language of exception (e) is that they are nonpotable and incapable of being used for intoxicating beverage purposes. In other words, the word "beverage," upon which the gentleman's argument stands, is qualified by the words "incapable of being used for intoxicating beverage purposes."

Mr. VOLSTEAD. Yes.

Mr. VENABLE. Now, taking that language literally, would it not, in the gentleman's judgment, prohibit such extracts as vanilla, lemon, pineapple, and all the liquid flavoring extracts that are generally sold upon the market?

Mr. VOLSTEAD. No; most of them carry a comparatively small amount of alcohol, and to make them suitable to drink you would have to mix them with so much water that ordinarily people would not drink enough to make them intoxicated.

Mr. VENABLE. Is it not a fact, and a matter of common knowledge also, that men who desire to drink intoxicating liquors and can not get them are in the habit of buying lemon extract and vanilla extract, and these other extracts, and drinking them for that purpose?

Mr. VOLSTEAD. The Indians do, out in the part of the country in which I live.

Mr. VENABLE. Some white Indians do it, too. [Laughter.]

Mr. VOLSTEAD. Perhaps.

Mr. CALDWELL. Will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. CALDWELL. Is it not the gentleman's idea that they want to destroy the manufacture and sale of any kind of liquor that an antiprohibitionist would drink, and want to have all the kinds of liquor that a prohibitionist would drink?

Mr. VOLSTEAD. I think that answers itself. I do not think it needs an answer. [Applause.]

Mr. SABATH. That means that it is interesting. [Laughter.]

Mr. ALEXANDER. In the opinion of the gentleman from Illinois.

Mr. MILLER. Will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. MILLER. I should like to ask the gentleman if the committee considered the question of sweet apple and orange cider? I am told that sweet apple cider carries about three-tenths of 1 per cent of alcohol within two hours after it is manufactured, and slightly over one-half of 1 per cent within eight hours after it is manufactured. Did the committee consider the advisability of permitting the sale of sweet orange and sweet apple cider carrying slightly more than one-half of 1 per cent of alcohol?

Mr. VOLSTEAD. The matter was not brought to the attention of the committee. It has been brought to my attention during the last few days. I do not remember that anything was said on the subject in the hearings.

It has been contended that we can not define intoxicating liquors, that the Constitution does not give us that power. This contention applies to both war-time and constitutional prohibition. It is said that we can not extend war prohibition, or pass any additional laws in regard to that matter. I have not been able to discover any argument which sustains that contention.

If war prohibition is in existence now and is a legal statute, it is because we have the power to pass it. If it is a law to-day, it is a law that we can make now, because, when we lose the power to make it, then the power of the law itself ceases. There can not be any doubt about that. Now, the contention in regard to the definition in that act is that we are changing the present law. We are changing the construction placed on it by a New York court. The district court in New York held that under the phraseology in the war prohibition act it prohibited intoxicating liquors only, and not beer specifically, so that it becomes necessary to prove that beer is intoxicating. The district judge over here at Baltimore, in passing upon that same question, said he did not believe that was a proper construction. One of the judges on the Pacific coast has also lately passed upon it and has said the same thing, namely, that it does prohibit the manufacture and sale of all beer, regardless of the percentage of alcohol that it contains. But that is not material; we have the

right, as we view it, to define it. The present situation shows clearly the necessity for some legislation along that line. Why, many are absolutely setting the law at naught, selling what they call 2¾ per cent beer under the claim that it is not intoxicating.

I was curious to know just what this 2¾ per cent beer does contain. It is beer containing 2¾ per cent of alcohol by weight instead of by volume. So I called at a drug store last night to find out. I found in a United States pharmacopœia a table giving the relative values by volume and by weight. I was surprised to find that 2¾ per cent by weight is equal to 3.45 by volume. What does that mean? The ordinary beer sold in our saloons has for years only contained from 3½ to 4½ by volume, so that all the alcohol the brewers propose to take from ordinary beer to make it nonintoxicating is five one-hundredths of 1 per cent; and they solemnly support that sort of claim with a lot of rubbish said to be scientific—the usual expert testimony. How large an army of that kind of experts do you imagine it will take to convince the public that beer is not intoxicating?

How much is it? Stop and look at it; 3½ per cent, that is practically it. Take 100 glasses, that would mean three and a half glasses of alcohol.

A MEMBER. Who is going to drink 100 glasses of beer?

Mr. VOLSTEAD. I am not claiming that anyone will. Now, three glasses of alcohol will make seven glasses of the strongest whisky you can buy anywhere. How many of those glasses would you have to drink to get the equivalent of one beer glass full of whisky? A little more than 14 glasses. Is there any difficulty on the part of people accustomed to drink beer to drink 14 glasses?

Mr. SABATH. Is the gentleman talking about 2¾ per cent beer?

Mr. VOLSTEAD. Yes.

Mr. SABATH. The former beer that was manufactured contained about 4½ per cent.

Mr. VOLSTEAD. Three and a half to four and a half, but of late years it has usually been close to three and a half, because it was cheaper to make than four and a half. It takes less material to make the lighter beers. Those who drink have been buying and drinking 3½ per cent beer, and have always understood it to be intoxicating; but now, all of a sudden, they tell us that it is not intoxicating.

Do you believe that you can fool the American public in that fashion? No one who voted for prohibition imagined for a moment that 3½ per cent beer, the common stuff, everybody considered intoxicating was not to be prohibited. To claim the contrary is ridiculous. What did they mean when they passed the prohibition amendment? I believe that every State in this Union either had a provision that liquor that contained any alcohol at all or liquor that contained in excess of one-half of 1 per cent was treated and taxed as intoxicating. It was either absolutely prohibited or in licensed States subject to a heavy tax for the privilege of selling it. Everybody understood that was the kind of liquor that was to be put out of business.

And let me add for 20 years the Government of the United States has treated and taxed everything that contained more than one-half of 1 per cent of alcohol as intoxicating liquor, and has treated everything below that as nonintoxicating.

When we passed the amendment did anybody imagine that it meant that we would prohibit whisky and not beer, did anybody suggest anything of the kind? There was no such mistake made; and if we enact legislation of that sort you will have the worst time possible explaining and apologizing, because we can not say that we have honestly done our duty. If we refuse to carry out the amendment that most of us helped to pass we will be condemned as insincere and face a situation that will be infinitely worse to deal with than the disappointment of the men who now are praying and pleading that we disregard it and our duty to enforce it. [Applause.]

I have not had an opportunity to read all of the minority report. Printed copies have just become available. I do not know all that it does contain, so I am not able to discuss it intelligently. So far as I have been able to gather from the general drift of it I may say I am unable to see anything in it to shake the position taken in the majority report which I filed.

This is the situation: When we passed the eighteenth amendment we passed it in the language, or in substantially the same language, as it has been passed in a number of different States. I do not know just how many States, I believe in the neighborhood of 30. The supreme courts of those various States have repeatedly passed upon the meaning of those various amendments, so has the Supreme Court of the United States. The legislatures of those States have passed laws to enforce those amendments, and those laws have been sustained by those courts. When we drew this constitutional amendment we had a right to assume that our Supreme Court and Congress would give it the same construction like amendments had been given in every State. I can not understand how anybody can expect our courts or Congress to put any different construction upon it. We borrowed this amendment from the States, and it is a general rule, well recognized everywhere, that when you take a statute or a constitutional provision from some other State and embody it in your legislation you take along with it the construction that was placed upon it in that State. We adopt such language for the very purpose of avoiding disputes. The language having been passed on judicially, has acquired a meaning that we have a right to assume our courts will adopt in construing it.

Mr. IGOE. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. IGOE. Is it not true that in the States that passed these laws of which the gentleman speaks the statute was in broader language than is the constitutional amendment? For instance, in the State of Mississippi the statutes prohibited a certain beverage, and it used language that was broader than the language of the constitutional amendment.

Mr. VOLSTEAD. I do not think so; but, even conceding that to be true, I do not think it cuts any figure. My contention is that under this amendment we have as much power to prohibit intoxicating beverages as the States have. The police power, to which I presume the gentleman expects to call attention, has nothing whatever to do with the proposition. Take the Mississippi or the Ohio case cited in the majority report. One is just as good as the other. They both rest on the very same principle. In those two States they prohibited a liquor that was not intoxicating.

Mr. FOSTER. Less than one-half of 1 per cent of alcohol.

Mr. VOLSTEAD. It is conceded in these cases that an absolutely innocent beverage was prohibited.

Mr. FOSTER. The brief in the Ohio case shows less than one-half of 1 per cent.

Mr. IGOE. If the gentleman will read the constitution of the State of Ohio and the law as well as the brief——

Mr. FOSTER. I have them all here, if the gentleman cares to go into them.

Mr. IGOE. I have gone into them; but may I ask the gentleman from Minnesota another question? Does he think that the provision in respect to the prohibition of the use of intoxicating liquors for beverage purposes has any meaning?

Mr. VOLSTEAD. Yes.

Mr. IGOE. Do you have to confine yourself to use for beverage purposes?

Mr. VOLSTEAD. Yes; and so must the States. They have no power to prohibit an innocent act unless it is necessary to prohibit some public wrong.

Mr. IGOE. Then, where does the gentleman get the authority for extending the authority to prohibition beyond intoxicating liquor?

Mr. LAYTON. Mr. Chairman, will the gentleman yield to me?

Mr. VOLSTEAD. In just a moment. We get it from the Constitution itself. The amendment provides that Congress may enforce it by appropriate legislation, and the original Constitution provides that it may be enforced by any necessary or proper legislation. That language has been construed by our courts and applied in the interpretation of various acts. If we have the power to prohibit, we have the power to do anything necessary or appropriate, or, as said in a late case, "necessary or convenient," to carry that prohibition into effect. That is what has been held in a number of cases. You can to that end prohibit an innocent act. In passing on a recent case the United States Supreme Court said in so many words that the State could not prohibit an innocent article unless it was found necessary to effect prohibition of the liquor condemned as injurious.

Mr. LAYTON. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. LAYTON. Is it like this: Here is a nonintoxicating liquor per se, that is commonly used, which can be used, however, for a surreptitious purpose, into which alcohol may be placed, and which may therefore defeat the end of prohibition.

Mr. VOLSTEAD. That is what I was calling attention to.

Mr. LAYTON. Just as you have a law against murder. In order to make that law against murder more effective, you pass laws prohibiting the carrying of firearms.

Mr. VOLSTEAD. In carrying out any acknowledged power you can go just as far as it is necessary for the purpose of doing it, and you may in doing it prohibit an innocent act, just as they did in Ohio and Mississippi and have done in many other cases. Take our tax laws.

It is claimed we have no police powers. Still in the exercise of our power to tax we pass all sorts of police regulations. We have done the same under almost every power granted to us, regulations that everybody will recognize at once to be nothing

but ordinary police regulations. Every grant of power carries with it the necessary police powers to make it effective. In carrying out prohibition we may pass any law that is necessary to make it effective, though it may have the character of a police regulation.

Mr. DEWALT. Will the gentleman yield?

Mr. VOLSTEAD. I want to quit pretty soon, but I will yield to the gentleman.

Mr. DEWALT. I desire to ask the gentleman in regard to the one-half per cent or more of alcohol by volume. Does the gentleman, who is the chairman of the Committee on the Judiciary, regard that as a construction of the constitutional amendment?

Mr. VOLSTEAD. I think it is a fair construction of it.

Mr. DEWALT. The gentleman admitting that, I would like to ask him where the power of construction of the Constitution lies? Does it lie in the legislature——

Mr. VOLSTEAD. Oh, well——

Mr. DEWALT. Just a moment until I finish my question. Admitting that that is the construction of the clause of the Constitution, then I ask the gentleman where lies the power of construction of any constitutional clause? Does it lie in the legislative body or does it lie in the judicial body?

Mr. VOLSTEAD. I think I get the gentleman's idea. The Constitution confers upon us certain powers. In the first instance, the Congress must construe that power, because without construing it it can not put it into effect. Congress has repeatedly construed and defined phrases of the Constitution and State legislatures constantly construe State constitutions. Every statute that we pass is in effect a construction of the Constitution. In many instances the courts will follow that construction, though they doubt that the construction is correct. They recognize our power to do so and have frequently called attention to it in their decisions.

Mr. DEWALT. I want to agree with the gentleman; will the gentleman yield further just a moment?

Mr. VOLSTEAD. I do.

Mr. DEWALT. I want to pursue the argument with him. Now, granting the gentleman is correct, this Congress then construes the Constitution and this particular amendment thereof to mean one-half per cent. That is the gentleman's argument, to be one-half of 1 per cent. Now, we will have a Congress in two years from this time. That may be differently constituted in membership.

A MEMBER. It no doubt will be.

Mr. DEWALT. And they will say that they think that per cent ought to be 2 or 2½ per cent.

Mr. VOLSTEAD. I grant you——

Mr. DEWALT. Then the gentleman has a different construction of the Constitution by different Congresses, and each time we have a new Congress we have a new Constitution? Is that the gentleman's argument?

Mr. VOLSTEAD. The Constitution is not changed, but the construction may be. Courts change their views often enough on its proper construction; that does not change the Constitution. Congress has just as much right to change its views as the courts.

Mr. FOSTER. Will the gentleman yield?

Mr. DEWALT. I am glad to hear the chairman of the Committee on the Judiciary has that view of the Constitution.

Mr. VOLSTEAD. Let me ask the gentleman a question. Do you mean to say you could not repeal this law?

Mr. DEWALT. Certainly you could repeal this law, but you can not construe the Constitution.

Mr. VOLSTEAD. Well, that is a difference of opinion.

Mr. FOSTER. If the gentleman will yield for a question——

Mr. VOLSTEAD. I am going to quit.

Mr. FOSTER. I will ask the gentleman if he will again refer to pages 4 and 6 in answer to the gentleman's question, which hinges solely on the word "construction"?

Mr. KNUTSON. Will the gentleman yield?

Mr. VOLSTEAD. I can not now; I am going to quit.

The CHAIRMAN. The gentleman refuses to yield.

Mr. VOLSTEAD. I gave a good deal of thought to the question of construction, because it was raised early. I felt that was one of the things that would be necessary for me to think about, and the more I have thought of it the more ridiculous it has seemed to me to contend that we can not define what is meant by the amendment. When I first started in to investigate it I looked up a number of cases to see what the courts had said about it, and I found that it was not a new question at all. There can not be any doubt of the fact that the Constitution itself delegates to us and requires of us a construction. We must of necessity construe it or we can not enforce it. It is not necessary, however, that we find or determine that the phrase "intoxicating liquor" means liquor containing more than one-half of 1 per cent of alcohol by volume. The legislative history of this country, both State and National, shows clearly that is what is meant by the phrase, but be that as it may, we have a right to so define it, because we can not effectively prohibit intoxicating liquors unless we prohibit all alcoholic liquors or liquors containing a very small amount of alcohol, and the courts will unhesitatingly allow us to do so. If your hope hangs on any such technicality, I am sure you will be disappointed. I do not believe that over there in that inner room where once sat the Senate of the United States there is going to be any question of what construction they are going to put on it. That court is going to say that "This is a copy of the constitutions passed years gone by in various States; this is the construction that was put upon them by the courts and legislatures of the various States; this is what we held in support of sobriety and decency; and we are not going back on it to suit any liquor interest." [Applause.]

Mr. LAGUARDIA. Will the gentleman yield?

Mr. VOLSTEAD. No; I am not going to yield. I have to beg your pardon, I wish to close.

Mr. LAGUARDIA. I want some information.

Mr. VOLSTEAD. I have talked a good deal longer than I wanted to and I desire to quit.

Gentlemen, I feel deeply interested in this bill. Not that I have any personal concern in it. Simply the interest of any citizen. I feel that the people of this country have a right to ask of us, every one of us, an honest and fair interpretation of the prohibition amendment, an honest and fair interpretation of it as it was understood when adopted. When you have done that you can go home and say to your people, "We did what you told us to do." If, on the other hand, you shift around and juggle in percentages, and try to wipe out the provisions that will make the law effective, you will have explanations and apologies to make, and when you get through explaining or apologizing you will be either invited to stay at home or you will have to promise to do better next time. Wherever prohibition has gone into effect—and I have lived in both dry and wet territory for many years, and I think I can advise you people who never saw a dry situation—you will be surprised. You will find, if an effective law is passed, that the laboring man, to whom some of you are, perhaps, pandering to-day, will refuse to support you. Your promise of beer will not budge him. You will find that he is infinitely better off without beer, and that his wife will never forgive you for having voted or spoken against prohibition. She will get that money that now goes into the till of the saloon keeper. It will go to the children. It will go for comforts and conveniences, for the luxuries and necessities of the home. That man will feel very much different. He will feel much more independent, happier, and more contented. Hope and courage will brighten his life, and he will not care for the fellow that has been selling him his booze and that now is so solicitous of his personal liberty. He will realize that a sober life, with all its rewards, is worth a good deal more to him than liberty to drink or swill over a bar. [Applause.]

In my country practically every railroad refuses to employ men that patronize the saloons. The same is true in many of the mines and factories. And nearly every one of those workers are strong prohibitionists, because they realize the advantage of it. That is the situation that you have got to confront in your own States after you have prohibited liquor. You will find every business man back of the law. He will know that instead of a man squandering his money in the saloon he will come in and pay his bills. He will sell him a lot more of groceries and other merchandise that otherwise might remain on his shelves. For that reason if for no other he becomes a persistent advocate of prohibition.

They were bitterly opposed to prohibition in this city when we passed the District dry law. To-day you will find that the great bulk of the business interests of this city favor it. Your own cities will be exactly the same if you are honest about it, if you write a decent law; but if you write a law that allows the saloon to continue and sell booze in one shape or another, you are going to have all kinds of trouble and are going to get no advantage from prohibition at all. [Applause.]

Mr. GARD. Will the gentleman yield? I wish to inquire whether the gentleman at some future time in the general debate will explain to the members of the committee in more detail than he has the different paragraphs of the bill?

Mr. VOLSTEAD. I presume we may do that when we get under the five-minute rule.

Mr. SABATH. Mr. Chairman, I move that the committee do now rise. [Cries of "Regular order!"]

The CHAIRMAN. The Clerk will read.

Mr. SABATH. Mr. Chairman, I have made a motion that the committee do now rise.

The CHAIRMAN. The Chair does not recognize the gentleman from Illinois.

Mr. SABATH. Well, I rose for that purpose.

The CHAIRMAN. The time is under the control of the gentleman from Minnesota [Mr. VOLSTEAD] and the gentleman from Missouri [Mr. IGOE].

Mr. SABATH. A parliamentary inquiry, Mr. Chairman. Is it not in order for any Member to rise at any time and move that the House adjourn?

The CHAIRMAN. The gentleman did not move that the House adjourn.

Mr. SABATH. Well, I move that the committee do now rise.

The CHAIRMAN. The gentleman can not move to adjourn the committee.

Mr. GALLIVAN. He did not move to adjourn.

The CHAIRMAN. The Chair has decided that the time is divided between the gentleman from Minnesota [Mr. VOLSTEAD] and the gentleman from Missouri [Mr. IGOE].

Mr. GALLIVAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GALLIVAN. Has not the gentleman from Illinois [Mr. SABATH] or any other member of this committee the right at any time to rise and move that the committee do now rise?

The CHAIRMAN. He has not.

Mr. GALLIVAN. All right.

The CHAIRMAN. The gentleman from Illinois did not have the recognition of the Chair for any purpose.

Mr. GALLIVAN. I did not ask the Chairman that question. I asked if any member of this committee did not have the right to rise at any time and move that the committee do now rise?

The CHAIRMAN. The time is under the control of the gentleman from Minnesota and the gentleman from Missouri, and gentlemen can not get the floor properly without being yielded to by them.

Mr. GALLIVAN. Then the rest of us are strangled.

Mr. SABATH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SABATH. If the ruling of the Chair is correct, then no one but the chairman of the committee who has charge of the bill or the other gentleman who may secure recognition from the Chair would have the right to move that the committee should rise or move to adjourn. Is that the ruling of the Chair?

The CHAIRMAN. The ruling of the Chair is that the time is divided between these two gentlemen by order of the House.

Mr. FESS. Regular order, Mr. Chairman.

The CHAIRMAN. The regular order is the gentleman from Minnesota or the gentleman from Missouri.

Mr. IGOE. Mr. Chairman, I would like to ask the gentleman from Minnesota what he proposes to do to-night with regard to general debate?

Mr. VOLSTEAD. I think, in view of the fact that so much time has been wasted, we should go on and take up at least half an hour.

Mr. IGOE. I yield 15 minutes to the gentleman from North Carolina [Mr. SMALL].

The CHAIRMAN. The gentleman from North Carolina is recognized for 15 minutes.

Mr. GARD. Mr. Chairman, may I ask a question of the gentleman from Minnesota? Will the gentleman from North Carolina yield to me for a moment?

The CHAIRMAN. Does the gentleman from North Carolina yield?

Mr. SMALL. I do.

Mr. GARD. I desire to ask the gentleman from Minnesota, the chairman of the committee, if he will not move that the committee rise after the gentleman from North Carolina [Mr. SMALL] makes his presentation?

Mr. VOLSTEAD. I think we ought to run along. I do not know how long the gentleman from North Carolina will speak.

Mr. GARD. Fifteen miutes.

Mr. VOLSTEAD. If we had done any work, instead of filibustering so long, then I might be willing that the committee rise.

Mr. GARD. It is entirely immaterial to me, but the gentleman suggested half-past 4 as a suitable time for the rising of the committee.

Mr. DYER. I think we should stay until at least 6 o'clock. We should go on with this bill.

Mr. FITZGERALD. It is "the good old summer time."

Mr. IGOE. Mr. Chairman, I yield 20 minutes to the gentleman from Massachusetts [Mr. GALLIVAN].

Mr. GALLIVAN. Mr. Chairman, I learned to-day during this debate that in some of the prohibition districts of this country men drink kerosene. [Laughter.] I have learned to-day that in some of the prohibition districts of this country men can drink 100 glasses of beer. I never heard of it before. I come from a Puritan Commonwealth, and, like the gentleman who opened this discussion, I have lived in a wet and in a dry territory. The ancient Bay State, after having tried prohibition for a long period of years, gave it up, disgusted, disorganized, humiliated, and adopted a license system which up until this hour has kept its people happy and progressive and prosperous, and no man will say that there is a Commonwealth in all the land which takes the lead over Massachusetts for intelligence, patriotism, and Americanism.

In a recent Congress, and I think I was the first man to make the statement, I said that liquor has more enemies in public and more friends in private than any other substance known in the world. I thought then that I had found a Congress which I hit square in the face, but this one beats it to death. Also, on a memorable occasion I said that if the Congress had its way, the men who are voting for prohibition would make the ashes of Sodom and Gomorrah look like 30 cents. Mr. Chairman, they have had their way in this Congress, and the Lord alone knows what will happen.

I have not risen to discuss this bill, because I am not a lawyer, and I am sorry to say that my excellent friend, the chairman of the committee [Mr. VOLSTEAD] does not know much about the bill. There is a reason why he does not. He did not write the bill. The committee did not write the bill. It was not written by a Member of Congress. The distinguished leader whom the gentleman from Georgia [Mr. UPSHAW] is so proud to follow, the Hon. Wayne B. Wheeler [applause], of the Anti-Saloon League, wrote this bill, and he is now listening to my words and smiles with approval as his humble follower from the coco cola district, the gentleman from Georgia [Mr. UPSHAW], applauds him. [Laughter and applause.]

When this bill gets into the five-minute stage, we are going to have a whole lot to say about it, and the distinguished gentleman from Minnesota [Mr. VOLSTEAD], chairman of the Committee on the Judiciary, and the distinguished gentleman from Georgia [Mr. UPSHAW] will have to have many and frequent conferences with the head of the Anti-Saloon League, so that they may be able to answer questions which are going to be put to them.

They are riding roughshod over the country to-day, but they are not going to get away with it as easily as they think. When we are under the five-minute rule I believe that not only will liquor be done away with but the great product of Georgia will be done away with in the committee, because if gentlemen are not hypocrites, if they are sincere, every man of them will vote for certain amendments which will be offered by those of us who believe there are other beverages just as harmful as alcoholic liquors.

Mr. DYER. Will the gentleman yield?

Mr. GALLIVAN. I will not yield. [Laughter.] There is hardly need for this legislation according to the Prohis. King Alcohol is dead. If you do not believe it listen to this; a congressional friend has just handed it to me and I have no doubt that he read it with care before passing it to me. Listen to an interesting tale:

[From the National Hotel and Travel Gazette, July 7, 1919.]

CELEBRATING THE DEMISE OF DEMON RUM.

(Editorial correspondence.)

The Bone Dry Society held a wake for the late John Barleycorn last week, and it was anything but a funereal affair. Indeed, it is described as one of the most unique and brilliant banquets ever given in Washington or elsewhere since those good old days in Rome when Lucullus won a world-wide and everlasting reputation as a royal entertainer. The committee on entertainment, composed of Senator ———, Representative ———, and Wayne B. Wheeler, general counsel of the Anti-Saloon League, exercised such taste and discretion that, without violating the Sheppard law for the District or the Randall war-time prohibition law, the guests had a royal good time, and some of those present who had lived in the wicked old days admitted that Shoomaker's, Hancock's, and Chamberlin's never produced such high grade spirits, both material and psychological, as were presented at the bone-dry banquet to wake the late lamented John B.

The decorations of the banquet hall were symbolic, with the skull and cross bones in carnations over the president's chair, and the old implements, mortar and pestle, on the table in the place of a gavel. Large patent medicine posters and the famous four-sheet bill board "Open Your Eyes," in rich and varied colors covered the walls to remind the guests that they were in the hands of old Doctor Cure All, with remedies at hand for all diseases, temporary and chronic, so that they might eat without fear, drink without a prescription, and live to tell the tale.

The menu card was in the form of Ayer's Almanac with a full-page presentation of human torso and the inner works of man outlined in blue and the specific dangers from the introduction of 2¾ per cent beer annotated in red ink. Through the little book were interspersed symptoms with cures and jokes of the vintage of 1840; but the triumph of this literary masterpiece was the menu itself, in the preparation of which the committee consulted Dr. Harvey Wiley to be certain that the viands were not only strictly within the law but also strictly of guaranteed purity. Senator ——— was somewhat peeved because

the committee would not place Yakima hard cider on the menu, but Representative ——— insisted that cider harked back to the wicked days and was as closely associated with the late lamented as were the vintages of California. Wayne B. Wheeler was loath to give up buttermilk, but Senator ——— reminded him of his hearing before the Senate Judiciary Committee where Senator ——— had demonstrated that buttermilk fermented just like beer; and that like cider it was barred by the definition of intoxicating beverages written into the Volstead enforcement bill. Since Mr. Wheeler has drawn all the prohibition legislation before Congress, he was forced to yield to the logic of Senator ———, and agree that no liquids should be placed on the menu that were not perfectly familiar to the readers of the advertising pages of the religious press. More than that, Senator ——— insisted that the Bone Dry Society owed much to those tireless prohibitionists, the manufacturers of proprietary medicines, who had materially assisted in rolling back the clouds of darkness to usher in the new day.

The menu, here reproduced, shows how wisely and discreetly the committee made the selections of medical substitutes for beverages, and at the close of the evening, the next morning, the guests, one and all, vowed that the nectar of the gods could not hold a candle to the medical substitutes for drinks and the substitutes for drunks produced at the banquet of the Bone Dry Society, or the wake for the late John Barleycorn. Even Senator ——— was reported to have laughed outright at the wit of Representative ——— along toward morning.

The "Rev." Clarence True Wilson did not attend the banquet because he learned that there would be no "doped cigarettes" since all the supply had been shipped to the boys in the trenches.

The menu, which was a corker, follows:

MENU.

Hostetter's Bitters, 25% alcohol — Laxative Appetizer, 12%
Grape Fruit Supreme — Celery — Olives — Radishes
Tangaline, 33.5% — Honey Wine, 7½% — Cold Tomato Bouillon
Bay Rum, 50% — Ale and Beef, 7% — Grilled Pompano
Louisiana Sweet Potatoes Imperiale
Wine of Life, 12% — Florida Vegetable Bitters, 11%
Mousse of Virginia Ham with Spinach
Cocoa Wine, 24% — Lydia Pinkham Compound, 18%
Roast English Ring-Neck Pheasants — New Asparagus Hollandaise
Buchu Gin and Juniper, 44% — S. B. C. Essence of Peppermint, 31%
Orange Bitters Glace, 40% — Dandelion Bitters Glace, 34%
Salad a la Fantastic — Webb's A No. 1 Tonic, 17% — Wine of Cardui, 20%
Hinkley's Bone Liniment (Extra Dry), 83%
Peruvian Strengthening Elixir, 45% — Stoufen Celery Bitters, 63.5%
Fancy Ices — Assorted Cakes — Cafe Noir
Florida Waters, 75% — Violet Water, 79% — Opium Pipes.

NOTE.—The purity and percentages of these substitutes are guaranteed by the Bureau of Internal Revenue; but Commissioner Roper, we regret to say, insisted on using the old and obsolete word "alcohol" instead of the modern "medical spirits," which belongs to the New Day. Before we hold our next annual dinner we hope that the Government will have caught up with the times and substituted the new title.

Now, that dinner is said to have occurred. I do not believe a dreamer could make up that story. My friend from Wisconsin said that when we put Washington dry there was great objection and opposition here among the business men, and I recall that there was. He said that now the business men of Washington with one acclaim applaud the day that prohibition came here. Do you know what has happened up to this time in the way of crime since you made Washington dry without giving the people of Washington a chance to say whether they wanted it to go dry or not? Let me give you a few figures.

A recent grand jury in this District found 107 new indictments which, added to the 80 other true bills previously reported, made 187 criminal indictments for this District in one week. United States District Attorney Laskey is quoted as having said that no grand jury since he has been in office has ever returned so many indictments against violators of the criminal law——

The CHAIRMAN. The time of the gentleman has expired.

Mr. IGOE. I yield the gentleman five minutes additional.

Mr. GALLIVAN. And what were those indictments for?

Gentlemen, mostly for criminal violent attacks. Sixteen were for the taking of human life here in Washington, the Capital of what we love to call the greatest Nation in the world—16 indictments by one grand jury in bone-dry Washington for the taking of human life. The degrees ranged from murder outright to homicide. Some of the murders committed were in the most cold-blooded and savage way. We do not have to be told that in the newspapers, or, rather, I do not have to tell you of it in this way—you have read this yourself in the Washington newspapers. One man accused was charged with having thrown a lighted lamp at a woman, setting fire to her clothing and causing her to be burned to death. Several were beaten to death with lead pipes. A great number of automobile collisions occurred owing to those men driving them being under the influence of liquor. In bone-dry Washington! Such acts of depravity and savage violence are too often pictured in bone-dry Washington, when we recall that Washington in other days was a fine, wholesome, safe place to abide in. In Massachusetts, gentlemen, since you passed your constitutional amendment, I can show you where 28 towns which never before had voted for license have changed from dry to wet this year, since the Congress rode roughshod over the people of the country without consulting the people. And they changed what was a dry majority of 3,379 in those 28 towns into a wet majority of 3,857.

In my own city of Boston, where the business has been conducted under a well-regulated license system, our grand jury, in its entire history, could never show a parallel to that grand jury which recently sat here in the District of Columbia.

Let me make a prediction here and now: You will not be running on a platform of the league of nations in the next congressional fight if the discussion between the two distinguished lawyers, the chairman of the Committee on the Judiciary and my excellent friend from Pennsylvania [Mr. DEWALT], is true. You will be running on this kind of a platform: "Will you vote for a 2 per cent liquor bill, or will you vote for a 3 per cent liquor bill, or will you vote for a 5 per cent liquor bill?" You have injected into the congressional fight for the future the percentage of alcohol that your people are going to demand they have a right to drink.

Oh, talk to me about the glorious temperate South. I was there not long ago. When I was discussing on this floor in a recent Congress which was putting Washington dry the romance of getting a drink in Washington under dry conditions, I said it was easy then to go into a saloon and buy a high ball and a glass of beer, but under bone-dry conditions the youth of Washington would forget the cabaret show, inasmuch as he would be looking for moonshine. I was in this glorious sunny South not long ago, and I went there after a wearing session in Congress to get some strength.

The CHAIRMAN. The time of the gentleman has expired.

Mr. IGOE. I yield to the gentleman two minutes more.

Mr. GALLIVAN. And if I did not have a firm purpose and no appetite for the stuff, why, every hour of the day in that glorious temperate South I would either be introduced to moonshine whisky or the real goods. I found place after place, and good fellow after good fellow, who said he had plenty of it and that his neighbor had plenty of it. So do not tell me about it. I have just come from there. We who are pleading to give the people a chance are not hypocritical. If we were hypocritical, we would find some other excuses to give for our attitude. I hold no brief for the saloon keeper; I hold no brief for the distiller; I hold no brief for the brewer. I am speaking for the average American citizen who wants to have a drink when he wants it, and who does not think that Congress has the right to say to him, "No; we have hamstrung you and we have shackled you, and forever afterwards you shall go dry unless you drink coca cola." [Applause.]

Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. VOLSTEAD. Mr. Chairman, I yield two minutes to the gentleman from Ohio [Mr. COOPER].

Mr. COOPER. Mr. Chairman and gentlemen of the committee, the hour is growing late and I would not attempt to make any statement at this time if it was not for the fact that my good friend from Massachusetts [Mr. GALLIVAN] has just related certain conditions that have existed in the District of Columbia since we have had prohibition.

Only yesterday Mr. Brownlow, one of the District Commissioners, made the statement that since the District of Columbia had adopted prohibition the inmates in the District penitentiary had dropped from 600 to 200.

Mr. GALLIVAN. Because the police are chasing bootleggers.

Mr. COOPER. I have here a recent statement made by the superintendent of police in Washington, Maj. Pullman, which I will read:

Prohibition has brought good results, although the law was imperfect here up to March 1, when liquor could be brought in for personal use. Drunkenness has been reduced to a minimum and crime growing out of drunkenness, such as assault, has been greatly reduced.

[Applause.]

Mr. UPSHAW. Will the gentleman yield?

Mr. COOPER. If I have any more time.

Mr. UPSHAW. Does not the gentleman also believe that if conditions so splendid have come, with Baltimore liquor so close by, that when we make it nation wide we will have sure-enough prohibition?

Mr. COOPER. Certainly.

Mr. VOLSTEAD. Mr. Chairman, I move the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GOOD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 6810) to pro-

hibit intoxicating beverages, and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries, and had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to revise and extend the remarks that I made on the rule.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. GRIFFIN. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from New York makes the same request. Is there objection?

There was no objection.

Mr. VOLSTEAD. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Minnesota makes the same request. Is there objection? [After a pause.] The Chair hears none.

WITHDRAWAL OF PAPERS.

Mr. REED of West Virginia, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Arzanna Nesbitt (H. R. 10050, 2d sess., 65th Cong.), no adverse report having been made thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. MCDUFFIE, for the day, on account of important business.

To Mr. GARRETT, indefinitely, on account of illness in his family.

ADJOURNMENT.

Mr. VOLSTEAD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 56 minutes p. m.) the House adjourned until Wednesday, July 9, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting a tentative draft of a joint resolution, authorizing the legal heirs of certain officers of the United States Coast Guard who lost their lives when the coast guard cutter *Tampa* was destroyed in Bristol Channel September 26, 1918, to receive pay and allowances that would have accrued to said officers (H. Doc. No. 140); to the Committee on War Claims and ordered to be printed.

2. A letter from the Secretary of War, transmitting certain information requested by the House of Representatives June 21, 1919, regarding the number of commissioned officers holding commissions of a higher grade than that to which they are entitled in the Regular Army (H. Doc. No. 141); to the Committee on Military Affairs and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 4710) granting a pension to James Mitchell; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 1303) granting a pension to Adell O'Neil; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6186) granting an increase of pension to Stamford W. Rife; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5799) granting an increase of pension to Delila Moore; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6831) granting a pension to George W. Malin; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6614) granting a pension to Annie Kelly; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LANGLEY: A bill (H. R. 6990) to establish a mine rescue station and an experiment station for analyzing and testing coals, lignite, and mineral substances at or near Jenkins, Ky.; to the Committee on Mines and Mining.

Also, a bill (H. R. 6991) to establish a fish hatchery and biological station at Booneville, Ky.; to the Committee on the Merchant Marine and Fisheries.

By Mr. KINCHELOE: A bill (H. R. 6992) to amend the act establishing the western district of Kentucky; to the Committee on the Judiciary.

By Mr. HERNANDEZ: A bill (H. R. 6993) making partial restoration of certain temporarily withdrawn lands; to the Committee on the Public Lands.

By Mr. CHRISTOPHERSON: A bill (H. R. 6994) to provide for the issuance of patent to homesteads to certain persons who have served in the Army or Navy for a period of six months or more since February 1, 1917; to the Committee on the Public Lands.

By Mr. GRIEST: A bill (H. R. 6995) authorizing the Secretary of War to donate to the borough of New Holland, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PETERS: A bill (H. R. 6996) authorizing the Secretary of War to donate to the town of Blue Hill, Me., one bronze or brass cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MAJOR: A bill (H. R. 6997) authorizing the Secretary of War to donate and furnish to the national cemetery at Springfield, Green County, Mo., two German cannon or fieldpieces, with equipment; to the Committee on Military Affairs.

By Mr. MURPHY: A bill (H. R. 6998) providing for the purchase of a site and the erection thereon of a public building at Barnesville, in the State of Ohio; to the Committee on Public Buildings and Grounds.

By Mr. KAHN: A bill (H. R. 6999) extending the provisions of an act entitled "An act to provide quarters or commutation thereof to commissioned officers in certain cases," approved April 16, 1918; to the Committee on Military Affairs.

By Mr. REED of West Virginia: A bill (H. R. 7000) authorizing the Secretary of the Treasury, in his discretion, to purchase a new site and erect thereon a new public building for the use of the post office and other Government offices in the city of Weston, W. Va.; to the Committee on Public Buildings and Grounds.

By Mr. JONES of Texas: A bill (H. R. 7001) to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes; to the Committee on Appropriations.

By Mr. BARBOUR: A bill (H. R. 7002) authorizing the Secretary of War to donate to the city of Selma, Fresno County, Calif., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LONERGAN: A bill (H. R. 7003) authorizing the Secretary of War to donate to the town of Berlin, Conn., one German cannon or fieldpiece, with its accompaniments; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 7004) to provide employment and rural homes for those who have served with the military and naval forces, and others, through the reclamation and redistribution of lands to be known as the "soldiers' land bill," and for other purposes; to the Committee on the Public Lands.

By Mr. VESTAL: A bill (H. R. 7005) fixing the rate of pension for soldiers of the Civil War; to the Committee on Invalid Pensions.

By Mr. HUDDLESTON: A bill (H. R. 7006) to provide further for the national security and defense by encouraging the production and distribution of fuel, etc.; to the Committee on the Judiciary.

By Mr. BRITTEN: A bill (H. R. 7007) to require the installation of wireless equipment on all passenger-carrying ships measuring more than 150 feet in length; to the Committee on the Merchant Marine and Fisheries.

By Mr. BRINSON: A bill (H. R. 7008) for the erection of a public building in the city of Mount Olive, Wayne County, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. SHERWOOD (by request): A bill (H. R. 7009) to provide for legal-tender money without interest for public improvements, needs, and employment of discharged soldiers, sailors,

marines unemployed, and other citizens of the United States; to the Committee on Banking and Currency.

By Mr. NOLAN (by request): A bill (H. R. 7010) to increase the force and salaries in the Patent Office; to the Committee on Patents.

By Mr. HAYS: A bill (H. R. 7011) authorizing the Secretary of War to donate to the city of Hayti, Pemiscot County, Mo., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROUSE: A bill (H. R. 7012) granting 30 days' annual leave with pay to regular postal employees; to the Committee on Expenditures in the Post Office Department.

By Mr. GREEN of Iowa: A bill (H. R. 7013) to amend section 339 of the tariff act of October 3, 1913, in respect to the tariff on buttons of shell and pearl; to the Committee on Ways and Means.

By Mr. TINKHAM: A bill (H. R. 7014) to create a bureau of housing and living conditions in the Department of Labor; to the Committee on Public Buildings and Grounds.

By Mr. ESCH: A bill (H. R. 7015) governing the tolls to be paid at the Panama Canal; to the Committee on Interstate and Foreign Commerce.

By Mr. McFADDEN: A bill (H. R. 7016) to amend an act entitled "An act to provide capital for agricultural development, to create standard forms of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositaries and financial agents for the United States, and for other purposes," approved July 17, 1916; to the Committee on Banking and Currency.

By Mr. RHODES: A bill (H. R. 7017) to extend the provisions of the pension act of May 11, 1912, and subsequent acts amendatory thereof, to the Enrolled Missouri Militia and other militia organizations of the State of Missouri that cooperated with the military or naval forces of the United States in suppressing the War of the Rebellion, who served 90 days or more, and providing pensions for their widows, minor children, and dependent parents, and for other purposes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7018) to correct the military record of the officers and enlisted men of the Enrolled Missouri Militia and all other militia organizations of the State of Missouri that cooperated with the military forces of the United States in suppressing the War of the Rebellion, who served 90 days or more; to the Committee on Military Affairs.

By Mr. SUMMERS of Washington: A bill (H. R. 7019) providing for the extension of the Yakima project, Washington, to be known as the Kittitas high-line unit; to the Committee on Irrigation of Arid Lands.

By Mr. WILLIAMS: A bill (H. R. 7020) authorizing the Secretary of War to donate to the city of Bone Gap, Ill., one captured German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KIESS: A bill (H. R. 7021) authorizing the Secretary of War to donate to the town of Westfield, Pa., one captured German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: A bill (H. R. 7022) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, to certain widows and former widows and certain helpless and dependent children of such soldiers and sailors, and to certain Army nurses, and for the payment of pensions monthly; to the Committee on Invalid Pensions.

By Mr. CANTRILL: A bill (H. R. 7023) to amend the act establishing the eastern district of Kentucky; to the Committee on the Judiciary.

By Mr. WEAVER: A bill (H. R. 7024) to establish a fish hatchery and fish-cultural station in the State of North Carolina; to the Committee on the Merchant Marine and Fisheries.

By Mr. MOONEY: A bill (H. R. 7025) to provide American register for the tugboat *Lynn B;* to the Committee on the Merchant Marine and Fisheries.

By Mr. RIDDICK: A bill (H. R. 7026) providing for employment for returning soldiers and sufferers from the drought, by the construction of irrigation projects; to the Committee on Appropriations.

By Mr. LEA of California: Resolution (H. Res. 159) to direct the Secretary of the Interior to report upon the suitability, location, cost, if any, and advisability of securing a national redwood park; to the Committee on the Public Lands.

By Mr. BACHARACH: Resolution (H. Res. 160) requesting the Director General of the United States Railroad Administration to furnish to the House of Representatives certain information; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ACKERMAN: A bill (H. R. 7027) granting an increase of pension to William H. Struble; to the Committee on Invalid Pensions.

By Mr. AYRES: A bill (H. R. 7028) granting an increase of pension to George H. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7029) granting an increase of pension to George W. Page; to the Committee on Invalid Pensions.

By Mr. BACHARACH: A bill (H. R. 7030) for the relief of Martin Goldsmith; to the Committee on War Claims.

By Mr. BEGG: A bill (H. R. 7031) granting a pension to Richard M. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7032) granting a pension to Harry Patterson; to the Committee on Pensions.

By Mr. BOOHER: A bill (H. R. 7033) granting an increase of pension to Jesse A. Sisk; to the Committee on Invalid Pensions.

By Mr. BRIGGS: A bill (H. R. 7034) for the relief of Charles Funk; to the Committee on Claims.

By Mr. BURROUGHS: A bill (H. R. 7035) granting a pension to Harriet M. Godfrey; to the Committee on Invalid Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 7036) granting a pension to Rankin A. Hutsell; to the Committee on Invalid Pensions.

By Mr. COADY: A bill (H. R. 7037) for the relief of estate of Benjamin Mordecai, deceased; to the Committee on War Claims.

By Mr. COOPER: A bill (H. R. 7038) to correct the military record of Irvin M. Kyle; to the Committee on Military Affairs.

By Mr. DICKINSON of Iowa: A bill (H. R. 7039) to authorize the President to appoint Fred H. Gallup major of Field Artillery in the United States Army; to the Committee on Military Affairs.

By Mr. DYER: A bill (H. R. 7040) to reappoint Col. William H. Arthur, Medical Corps, retired, to the active list of the Army; to the Committee on Military Affairs.

Also, a bill (H. R. 7041) to reappoint Col. George K. Hunter, retired, to the active list of the Army; to the Committee on Military Affairs.

By Mr. EDMONDS: A bill (H. R. 7042) for the relief of John A. Ryan; to the Committee on Claims.

By Mr. EVANS of Nebraska: A bill (H. R. 7043) granting an increase of pension to Mrs. Melissa E. Dickinson; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 7044) for the relief of William W. Stewart; to the Committee on Claims.

By Mr. HAWLEY: A bill (H. R. 7045) granting a pension to Henry McGuire; to the Committee on Pensions.

Also, a bill (H. R. 7046) granting a pension to Katherine Retter; to the Committee on Pensions.

By Mr. HERNANDEZ: A bill (H. R. 7047) for the relief of Martina Sena and Luis E. Armijo; to the Committee on Claims.

By Mr. HERSEY: A bill (H. R. 7048) granting a pension to Bert B. Hughes; to the Committee on Pensions.

By Mr. HILL: A bill (H. R. 7049) granting an increase of pension to George Broughton; to the Committee on Invalid Pensions.

By Mr. HUDSPETH: A bill (H. R. 7050) for the relief of the First State Bank of Kerrville, Kerr County, State of Texas, and to refund to that bank moneys which were deducted from its securities following the loss of war-savings stamps or certificates mailed by the said Kerrville bank to the Federal reserve bank at Dallas, Tex.; to the Committee on Claims.

By Mr. HULINGS: A bill (H. R. 7051) for the relief of J. E. Cunningham, sr.; to the Committee on Military Affairs.

By Mr. JACOWAY: A bill (H. R. 7052) for the relief of the estate of James A. Frey, deceased; to the Committee on Claims.

Also, a bill (H. R. 7053) for the relief of H. L. McFarlin; to the Committee on Claims.

By Mr. JOHNSON of Kentucky: A bill (H. R. 7054) for the relief of Franklin Nix; to the Committee on Military Affairs.

Also, a bill (H. R. 7055) to correct the military record of James Renfrow; to the Committee on Military Affairs.

By Mr. JONES of Texas: A bill (H. R. 7056) for the relief of Milton W. Cunningham; to the Committee on Claims.

By Mr. KETTNER: A bill (H. R. 7057) granting a pension to Levi Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7058) granting an increase of pension to Ebenezer Codling; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7059) for the relief of the heirs of C. H. Pyle; to the Committee on Claims.

By Mr. LEA of California: A bill (H. R. 7060) granting a pension to Jane C. A. Porter; to the Committee on Pensions.

By Mr. LEE of Georgia: A bill (H. R. 7061) granting a pension to James I. Sloan; to the Committee on Pensions.

By Mr. McARTHUR: A bill (H. R. 7062) granting a pension to Joseph Willms; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7063) granting an increase of pension to Edmond Bonneau; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7064) granting a pension to Cynthia Rudler Osgood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7065) granting a pension to Lou Patriquin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7066) granting an increase of pension to Cora L. Buckley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7067) granting a pension to Marianne H. D'Arcy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7068) granting an increase of pension to Lorenzo D. Romine; to the Committee on Pensions.

Also, a bill (H. R. 7069) granting a pension to George Bales; to the Committee on Pensions.

Also, a bill (H. R. 7070) granting a pension to Henry Houghton; to the Committee on Pensions.

Also, a bill (H. R. 7071) granting a pension to Charles P. Hagely; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7072) granting an increase of pension to Jacob Imhoff; to the Committee on Pensions.

Also, a bill (H. R. 7073) granting a pension to Frederick J. Kupfer; to the Committee on Pensions.

Also, a bill (H. R. 7074) granting an increase of pension to June MacM. Ordway; to the Committee on Pensions.

Also, a bill (H. R. 7075) granting an increase of pension to Henry Lee; to the Committee on Pensions.

Also, a bill (H. R. 7076) granting a pension to Robert H. Sheaffer; to the Committee on Pensions.

Also, a bill (H. R. 7077) granting a pension to Thomas E. Read; to the Committee on Pensions.

Also, a bill (H. R. 7078) granting a pension to John H. Page; to the Committee on Pensions.

By Mr. McDUFFIE: A bill (H. R. 7079) to authorize Louis M. Tisdale to construct and operate a ship canal or channel from Mon Louis Island, Mobile County, Ala., to the deep water basin in Mobile Bay, between Fort Morgan and Fort Gaines, Ala., through the lands and waters of the United States, and to grant to said L. M. Tisdale the right of way for that purpose; and for other purposes; to the Committee on Rivers and Harbors.

By Mr. MacGREGOR: A bill (H. R. 7080) granting a pension to Stephen Harden; to the Committee on Pensions.

By Mr. McKEOWN: A bill (H. R. 7081) granting a pension to Martha J. Morrow; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 7082) granting an increase of pension to Martha Jane Griffin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7083) granting an increase of pension to Horace B. Scoville; to the Committee on Invalid Pensions.

Also a bill (H. R. 7084) granting a pension to Agnes May Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7085) granting an increase of pension to Peter Wagener; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7086) granting an increase of pension to John W. Beckett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7087) granting a pension to A. H. Fox; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7088) granting an increase of pension to Aoarilla C. Culler; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 7089) granting an increase of pension to Armanda J. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7090) granting a pension to Charles C. Abernathy; to the Committee on Pensions.

By Mr. ROMJUE: A bill (H. R. 7091) granting a pension to Catherine Osborn; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 7092) granting an increase of pension to Edward H. Thomas; to the Committee on Invalid Pensions.

By Mr. RANDALL of California: A bill (H. R. 7093) granting a pension to Rosa E. Stephens; to the Committee on Invalid Pensions.

By Mr. REED of West Virginia: A bill (H. R. 7094) granting a pension to Henry Neff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7095) granting an increase of pension to David C. Morgan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7096) granting an increase of pension to George Vandergrift; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7097) granting a pension to Sarah J. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7098) granting a pension to Elizabeth F. Humbert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7099) granting an increase of pension to William T. Marshall; to the Committee on Invalid Pensions.

By Mr. RHODES: A bill (H. R. 7100) for the relief of James N. Bowles; to the Committee on War Claims.

By Mr. SANDERS of New York: A bill (H. R. 7101) granting a pension to James E. Tompkins; to the Committee on Invalid Pensions.

By Mr. SNYDER: A bill (H. R. 7102) granting an increase of pension to Daniel Madigan; to the Committee on Pensions.

By Mr. YATES: A bill (H. R. 7103) granting an increase of pension to William Green; to the Committee on Invalid Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 7104) to remove the charge of desertion from the military record of Warren R. Reed; to the Committee on Military Affairs.

By Mr. VESTAL: A bill (H. R. 7105) granting a pension to Maria L. Keener; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7106) granting a pension to Charlotte I. Johnson; to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 7107) granting a pension to William C. Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7108) granting an increase of pension to Joseph P. Pitman; to the Committee on Invalid Pensions.

By Mr. WILSON of Illinois: A bill (H. R. 7109) granting a pension to Harriet M. Powers; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of centenary celebration American Methodist Missions of Columbus, Ohio, for an adequate law-enforcement code to make effective the eighteenth amendment to the Constitution; to the Committee on the Judiciary.

Also (by request), petition of Milton B. Zeiler, chairman committee on education, Mid-City Citizens' Association, for Government ownership of Mount Vernon, the home of Washington; to the Committee on Public Buildings and Grounds.

Also (by request), petition of John P. Meyers and sundry other citizens of Springfield, Mass., asking for repeal of the tax on candy, ice cream, and soda-fountain foods and drinks; to the Committee on Ways and Means.

Also (by request), petition of Hampden Lumber Co., of Springfield, Mass.; Page Paper Box Co., of Chicopee Falls, Mass.; H. P. Cummings Construction Co., of Massachusetts; the Torrington Co., Springfield plant, of Massachusetts; K. F. Miller and 200 others, of Turners Falls, Mass.; and the William Carter Co., carrying 358 signatures, of Springfield, Mass., protesting against the repeal of the so-called daylight-saving law; to the Committee on Agriculture.

Also (by request), petition of Council of the City of Cincinnati, Ohio, relating to the Irish people; to the Committee on Foreign Affairs.

Also (by request), petition of Alumni Association, Mechanics and Trademen's Institute, New York City, asking for legislation which will permit additional payments to all soldiers, sailors, and marines who have served in this World War; to the Committee on Military Affairs.

Also, petition of Mittineager Congregational Church, West Springfield, Mass., urging adoption of league of nations and ratification of peace treaty; to the Committee on Foreign Affairs.

Also, petition of Kavel Havlicek Society, Springfield, Mass., urging adoption of league of nations and ratification of peace treaty; to the Committee on Foreign Affairs.

Also, petition of Coal Teamsters and Helpers' Union No. 154, urging adoption of the league of nations as part of the treaty of peace; to the Committee on Foreign Affairs.

Also, petition of Lithuanian societies and organizations from New York, New Jersey, and Connecticut, urging United States to demand the withdrawal of Polish troops from Lithuanian territory and to give Lithuania a moral support in her war against Bolshevism; to the Committee on Foreign Affairs.

Also, petition of Lithuanian societies and organizations from New York, New Jersey, and Connecticut, urging United States

to recognize the Lithuanian Republic and its present government as de facto government; to the Committee on Foreign Affairs.

Also, petition of Lithuanian societies and organizations from New York, New Jersey, and Connecticut, relating to Prussian Lithuania and the River Niemen; to the Committee on Foreign Affairs.

Also, petition of Ukrainian Federation relating to the government of Ukraine; to the Committee on Foreign Affairs.

By Mr. BEGG: Petition of the patrons of the Luckey (Ohio) post office, asking immediate restoration of rural route No. 1 out of Luckey, Wood County, Ohio; to the Committee on the Post Office and Post Roads.

By Mr. BRINSON: Petition of citizens of Duplin, Wayne, and Craven Counties, N. C., asking repeal of tax on soda water, ice cream, etc.; to the Committee on Ways and Means.

By Mr. BURROUGHS: Petition of 156 residents of Manchester, N. H., and vicinity, advocating the immediate enactment of laws at the present session of Congress for the full enforcement of the eighteenth amendment to the Constitution and also definitely defining intoxicating liquors; to the Committee on the Judiciary.

Also, memorial of Meredith Woman's Christian Temperance Union, Meredith, N. H., May H. Woodbury, president, Grace L. Swain, secretary, urging the enforcement of both war and constitutional prohibition; to the Committee on the Judiciary.

Also, petition of Stark Lodge, No. 4, Independent Order of Good Templars, at Manchester, N. H., by Henry B. Beard, chief templar, and N. L. Potter, secretary, advocating prompt enactment at this session of Congress of laws providing for the full enforcement of the eighteenth amendment to the United States Constitution, and also definitely defining "intoxicating liquors"; to the Committee on the Judiciary.

Also, memorial of Epping Woman's Christian Temperance Union, Epping, N. H., urging the retention of war-time prohibition and the enforcement of the prohibition amendment; to the Committee on the Judiciary.

Also, memorial of Northwood Woman's Christian Temperance Union, Northwood Narrows, N. H., urging the enforcement of the prohibition amendment; to the Committee on the Judiciary.

Also, petition of Charity Lodge, No. 53, Independent Order of Good Templars, at Wilmot Flat, N. H., advocating the prompt enactment at this session of Congress of laws providing for the full enforcement of the eighteenth amendment to the Constitution and also definitely defining "intoxicating liquors"; to the Committee on the Judiciary.

Also, resolution of the board of mayor and aldermen of the city of Manchester, N. H., indorsing the Irish Republic, requesting the Congress of the United States to pass a resolution recognizing it, and expressing sympathy with the people of Ireland in their determination to achieve their freedom; to the Committee on Foreign Affairs.

By Mr. CAREW: Petition of Automotive Equipment Association, favoring universal military training; to the Committee on Military Affairs.

Also, petition of Ascension Parish Division, Farmers' Educational and Cooperative Union of America, opposing laws proposed under Sims and Kendrick bills and favoring erection of packing-house plants in New Orleans; to the Committee on Agriculture.

Also, petition of Ascension Parish Division, Farmers' Educational and Cooperative Union of America, opposing removal of Postmaster General Burleson and urging Congress to aid Burleson in his efforts to give rural districts greater facilities in the way of parcel post and deliveries; to the Committee on the Post Office and Post Roads.

Also, petition of Ascension Parish Division, Farmers' Educational and Cooperative Union of America, urging removal of all restrictive legislation from the sale of oleomargarine and other products manufactured from vegetables and Government-inspected animal-fat oils; to the Committee on Ways and Means.

By Mr. CARSS: Petition of Vseslovani, Kitzville, Minn., relating to the controversy between Italy and the Jugo-Slavs; to the Committee on Foreign Affairs.

By Mr. CHRISTOPHERSON: Petition of residents of Sioux Falls, Vermilion, Letcher, Parkston, Alexandria, Elk Point, and Irene, S. Dak.; to the Committee on Ways and Means.

By Mr. CLARK of Florida: Petition of Tallahassee (Fla.) Chamber of Commerce, asking for the continuance of the United States Employment Service; to the Committee on Labor.

Also, petition of employees of the Gulf, Florida & Alabama Railway Co., for the relief of short-line railways; to the Committee on Interstate and Foreign Commerce.

By Mr. DENISON: Petition of sundry citizens of Du Quoin, West Frankfort, Murphysboro, and Cambria, all in the State of Illinois, asking for the repeal of tax on candy, ice cream, and soda-fountain drinks; to the Committee on Ways and Means.

Also, petition of Illinois State Medical Society, by W. H. Gilmore, secretary, of Mount Vernon, Ill., for the repeal of the Harrison narcotic law; to the Committee on Ways and Means.

By Mr. DYER: Petition of the employees of the Thread Agency, protesting the repeal of the daylight-saving law; to the Committee on Agriculture.

Also, petition of sundry citizens of St. Louis, Mo., urging repeal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

Also, petition of William A. Munger, of St. Louis, Mo., urging amendment of Adamson eight-hour law so as to place yardmasters on an eight-hour day basis; to the Committee on Labor.

Also, petition of Joseph S. McConnell, St. Louis, Mo., urging amendment of Adamson eight-hour law so as to place yardmasters on an eight-hour day basis; to the Committee on Labor.

By Mr. ELLIOTT: Petition of National Association of Letter Carriers, Richmond, Ind., for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. ESCH: Petition of Mrs. William Gorham and others, all citizens of the State of Wisconsin, urging the enforcement of the eighteenth amendment; to the Committee on the Judiciary.

Also, petition of Ward Williams and others, all citizens of the State of Wisconsin, urging the enforcement of the eighteenth amendment; to the Committee on the Judiciary.

Also, petition of Automotive Equipment Association of the United States, recommending universal military training in the United States; to the Committee on Military Affairs.

By Mr. FITZGERALD: Petition of Boston Terminal Lodge, No. 80, United Brotherhood Maintenance of Way Employees, Boston, Mass., urging adoption of the league of nations; to the Committee on Foreign Affairs.

Also, petition of sundry citizens of Massachusetts, urging repeal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

Also, petition of the Thread Agency, Stickney & Poor Spice Co., the Brockway-Smith Corporation, Armour Leather Co., E. B. Badger & Sons Co., Maverick Mills, and sundry citizens, all of Boston, in the State of Massachusetts, protesting against the repeal of the so-called daylight-saving law; to the Committee on Agriculture.

By Mr. FULLER of Illinois: Petition of H. H. Hogan and 75 other citizens of Rockford, Ill., favoring the repeal of the tax on soda water, ice cream, and other similar articles of food and drink; to the Committee on Ways and Means.

Also, petition of Brooklyn Post, No. 368, Department of Ohio, Grand Army of the Republic, favoring the enactment of the Fuller pension bill; to the Committee on Invalid Pensions.

Also, petition of Gus S. Brown and 43 other citizens of Rockford, Ill., opposing repeal of the war prohibition act and favoring enforcement legislation; to the Committee on the Judiciary.

By Mr. FULLER of Massachusetts: Petition of Mrs. Frederick Beebe, standard bearer of the Massachusetts Council of the Daughters of the Nation, that the Congress of the United States establish a national anthem and tune; to the Committee on the Judiciary.

By Mr. GOODYKOONTZ: Papers to accompany House bill 6966, granting a pension to Sarah J. Holley; to the Committee on Pensions.

By Mr. HILL: Petition of residents of Fleischmanns, N. Y., and elsewhere, for the repeal of taxes upon soda water, ice cream, and soft drinks; to the Committee on Ways and Means.

Also, petition of residents of Binghamton, N. Y., for the repeal of taxes upon soda water, ice cream, and soft drinks; to the Committee on Ways and Means.

Also, petition of residents of the village of Milford, N. Y., for the repeal of taxes upon soda water, ice cream, and soft drinks; to the Committee on Ways and Means.

By Mr. KETTNER: Petition of the Rialto Methodist Episcopal Sunday School, with enrollment of 200, protesting against recommendation of President Wilson for lifting of ban upon light wines and beer; to the Committee on the Judiciary.

By Mr. KINKAID: Petition signed by 96 residents of Dawson County, Nebr., asking for the repeal of the so-called stamp tax on necessaries, especially on family medicines, toilet preparations, stock and poultry preparations, clothing, etc.; to the Committee on Ways and Means.

By Mr. LINTHICUM: Petition of Harry M. Hoen, relating to immigration and naturalization law; to the Committee on Immigration and Naturalization.

Also, petition of Dietrich Bros., Baltimore, Md., opposing appropriation for the continuance of Government employment agency; to the Committee on Appropriations.

Also, petition of McDowell, Pyle & Co., Baltimore, Md., urging repeal of tax on ice-cream cones, cough drops, and candy; to the Committee on Ways and Means.

Also, petition of Archdiocesan Union of Sodalities, urging repeal of Smith educational bill; to the Committee on Education.

Also, petition of sundry citizens of Hagerstown, Md., urging enforcement of war-time prohibition and eighteenth constitutional amendment; to the Committee on the Judiciary.

Also, petition of James Baily & Sons, Baltimore, Md., relating to Senate bill 2081 and House bill 5549, and urging that druggists and manufacturers of flavoring extracts be permitted to use alcohol in the manufacture of simple drugs and extracts; to the Committee on the Judiciary.

Also, petition of Margaret C. Ryan, urging support of Lehlback retirement bill, H. R. 3149; to the Committee on Reform in the Civil Service.

Also, petition of Henry S. Wampole Co., Baltimore, Md., urging that war prohibition act be modified so as to permit the use of alcohol in the manufacture of flavoring extracts; to the Committee on the Judiciary.

Also, petition of Women's Club of Irvington, urging support of educational bill, House bill 7; to the Committee on Education.

Also, petition of Woman's Christian Temperance Union of Frederick County, Md., urging enforcement of war prohibition and national prohibition; to the Committee on the Judiciary.

Also, petition of a citizen of Baltimore, Md., urging that a bill be passed which would allow ex-service men to borrow money from the Government with which to purchase homes; to the Committee on the Public Lands.

Also, petition of Baltimore Chamber of Commerce, urging passage of House bill 1201 and House resolution 107; to the Committee on Appropriations.

By Mr. LONERGAN: Petition of 5,000 citizens of Hartford, Conn., at an open meeting June 5, 1919, in Hartford, protesting against the so-called prohibition laws; to the Committee on the Judiciary.

By Mr. MACGREGOR: Petition of B. I. Crooker, of Buffalo, N. Y., protesting against the continuance of the United States employment agency, Senate bill 234; to the Committee on Labor.

Also, petition of Mrs. A. Elberson, of Buffalo, N. Y., urging the enforcement of the eighteenth amendment; to the Committee on the Judiciary.

Also, petition of T. N. Clough, of Buffalo, N. Y., urging an amendment in the prohibition bills to permit the manufacture and sale of flavoring extracts, soda-water flavors, and perfumes; to the Committee on the Judiciary.

Also, petition of Nettie Fraufelter, urging the enforcement of the eighteenth amendment to the Constitution; to the Committee on the Judiciary.

Also, petition of the Savings Banks' Association of the State of New York, urging the passage of an act, known as the Warfield plan, regarding railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. MAHER: Petition of the members of the Lithuania Alliance of America, requesting the United States Government to recognize the complete independence of the Lithuanian Republic; to the Committee on Foreign Affairs.

Also, petition of Robert A. Thomas and several hundred other citizens of Brooklyn, N. Y., for the repeal of the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. MAJOR: Petition of numerous citizens of the seventh district of Missouri, asking for the repeal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

Also, petition of First Presbyterian Church of Springfield, protesting against repeal of war-time prohibition; to the Committee on the Judiciary.

By Mr. MOONEY: Petition of George Fredebaugh and others of Cleveland, Ohio, urging the repeal of the tax on candy, ice cream, and soda-fountain foods and drinks; to the Committee on Ways and Means.

Also, petition of Brooklyn Post No. 368, Department of Ohio, Grand Army of the Republic, in favor of the Fuller pension bill; to the Committee on Pensions.

By Mr. MURPHY: Petition of First Church of Christ of East Liverpool, Ohio, praying for citizenship for American Indians; to the Committee on Indian Affairs.

Also, memorial of Pomona Grange No. 29 of Carrollton, Ohio, protesting against repeal of war-time prohibition act and asking for delivery of mail every day, Sunday excepted; to the Committee on the Judiciary.

By Mr. NEWTON of Minnesota: Petition of sundry citizens of Minneapolis, Minn., for full enforcement of the eighteenth amendment; to the Committee on the Judiciary.

By Mr. O'CONNELL: Petition of Joseph Johnson and others, of Brooklyn, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

By Mr. RANDALL of California: Petition of International Reform Bureau, for amendment of prohibition enforcement bill to apply prohibition to Americans in China and other extra-territorial lands; to the Committee on the Judiciary.

Also, petition of citizens of Santa Monica, Calif., for effective legislation to enforce war prohibition act; to the Committee on the Judiciary.

By Mr. ROWAN: Petition of Philippine Mission, Washington, D. C., urging the immediate release of the Philippine Islands; to the Committee on the Territories.

Also, petition of National Civil Liberties Bureau, New York City, against further legislation to deal with Bolshevism and I. W. W.'s in the United States; to the Committee on the Judiciary.

Also, petition of Rev. E. J. Power, Owen Larkin, and Thomas M. Coy, all of New York City, urging the United States to demand the withdrawal of the English army of occupation from Ireland; to the Committee on Foreign Affairs.

Also, petition of the Chinese Nationalist League, of Chicago, Mr. Tom Chan, president, and Fong Sui Hong, secretary, urging some action by the United States for the protection of China from Japan; to the Committee on Foreign Affairs.

Also, petition of the Ascension Parish Division, Farmers' Educational and Cooperative Union of America, opposing the removal of Postmaster General Burleson as Postmaster General of the United States; to the Committee on the Post Office and Post Roads.

Also, resolution by the Ascension Parish Division, Farmers' Educational and Cooperative Union of America, opposing the Kendrick and Sims bills; to the Committee on Agriculture.

Also, petition of Self-Determination League of Liberty, headquarters Hotel Walton, New York City, urging every member of the league in every State in the Union and all others concerned to comply with the provisions of the war-time prohibition act; to the Committee on the Judiciary.

Also, petition of the Ascension Parish Division of the Farmers' Educational and Cooperative Union of America, in session at Brittany, La., urging the removal of all restrictions in the legislation from the sale of oleomargarine and other products manufactured from vegetables and Government-inspected animal-fat oils; to the Committee on Agriculture.

Also, petition of Farmers' National Council, relating to international finance; to the Committee on Banking and Currency.

By Mr. SANDERS of New York: Petition of 56 residents of Perry, N. Y., urging the repeal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. SNYDER: Petition of various residents of Oneida County, N. Y., protesting against an appropriation of $500,000,000 for the purchase of farming lands for returned soldiers; to the Committee on Agriculture.

By Mr. TINKHAM: Petition of Sailmakers, Operators, and Helpers' Union of Boston, Mass., urging the enactment of the necessary legislation for the establishment of the 44-hour week as the standard of employment for the employees of the United States Navy Department; to the Committee on Naval Affairs.

By Mr. WEAVER: Petition of R. L. Kennedy and others, of Asheville, N. C., for the repeal of the tax on soda water and ice cream, etc.; to the Committee on Ways and Means.

By Mr. YATES: Petition of John S. Collier, secretary Kankakee County Farm Bureau, Kankakee; John E. Barrett, president Lake County Farmers' Institute, Libertyville; Lee Ragsdale, of Oreana; Sidney B. Smith, of Decatur; George Fulk, of Bethany; T. D. Flanders, of Elbon; and B. O. Thompson, of Illinois Agricultural Association of Chicago, all in the State of Illinois, for the repeal of the daylight-saving law; to the Committee on Agriculture.

Also, petition of Theodore Kuhl, secretary Association of Commerce of Peoria; S. C. Smith, of Dekalb; H. L. Keck, of Peoria, all in the State of Illinois; committee on taxation of the National Retail Dry Goods Association of New York City; J. Bloom, president of the B. & M.; E. Kepler; A. Schradzki Co.; Frank H. Ueberrheim; and Profitlich High Grade Furs Co., all of Peoria, Ill., against the luxury-tax law; to the Committee on Ways and Means.

Also, petition of A. G. Gremdy, of Rockford; Adam Huebsch, of Galena; C. L. VanSchriack, of Aurora; union meeting of all churches of Paw Paw; and S. L. Larson, of Rockford, all in the State of Illinois, for the enforcement of prohibition; to the Committee on the Judiciary.

Also, petition of W. C. Thomson, of Dixson, Ill., for the enforcement of the prohibition law; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *July 9, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We lift up our hearts in gratitude to Thee, our Father in Heaven, that the President of the United States of America has been landed safely in the White House of this Capital City—the home of all its Presidents since the days of President Adams; that he received a royal welcome from his mission abroad, befitting a President of 100,000,000 of people, who have proved themselves worthy of the liberty, freedom, and justice vouchsafed unto them of Heaven; for the brave and gallant soldiers who went forth to maintain that liberty and justice, not only for themselves and the people whom they represented, but for all the liberty-loving people of the world.

May the fruits of their sacrifices live and blossom as the rose. Their work is done, and well done. May the last of them soon reach their beloved land and be received by a grateful people and their loved ones at home; and all praise shall be Thine, in the name of Him who taught us liberty and justice. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE TO SIT DURING SESSIONS.

Mr. NOLAN. Mr. Speaker, by direction of the Committee on Patents, I ask unanimous consent that that committee be granted the privilege of sitting during the sessions of the House.

The SPEAKER. To-day is Calendar Wednesday. It is not now in order to do that.

LEAVE TO ADDRESS THE HOUSE.

Mr. DYER. Mr. Speaker, I ask unanimous consent to address the House not to exceed five minutes.

The SPEAKER. The gentleman from Missouri asks unanimous consent to address the House for not exceeding five minutes. Is there objection?

Mr. CLARK of Missouri. What is the subject of the gentleman's discourse?

Mr. DYER. A question with reference to the bill we had up yesterday—the procedure in the matter.

Mr. CLARK of Missouri. Are you going to discuss that? Have we not 12 hours of general debate on that bill?

Mr. DYER. I do not desire to discuss the bill, I will say to the gentleman.

Mr. CLARK of Missouri. What is the matter that the gentleman proposes to discuss?

Mr. DYER. It is a personal matter in reference to my position in yesterday's proceedings.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Missouri is recognized for five minutes.

Mr. DYER. Mr. Speaker, the public press of yesterday, including the Washington Post, states in effect that I, together with certain other Representatives, filibustered against the prohibition enforcement bill which we had up yesterday for consideration. I desire to state that I did not at any time filibuster or attempt to delay the proceedings with reference to that bill. The RECORD and the Journal of yesterday will show that when the gentleman from Pennsylvania [Mr. MOORE] interrogated the gentleman from Minnesota [Mr. VOLSTEAD], the chairman of the committee in charge of the bill, as to whether or not some agreement could be had with reference to obtaining or fixing a date for a vote, I interrupted by stating that regardless of what the gentleman from Minnesota might say I would not be bound by any agreement to that effect.

I stated also to the gentleman from Pennsylvania that as one of the members of this committee I would do what I could to hasten action upon the prohibition bill.

That is, I think, Mr. Speaker, a sufficient statement for me to make to show that I did not at any time filibuster. I do not care to be put in the attitude of being a filibusterer for the purpose of trying to defeat action upon any legislation that the House may desire to take action upon. I may be opposed to certain legislation, but I have never at any time during my eight years here been engaged in any tactics that had for their sole purpose the delaying or preventing the House from taking a vote upon a bill.

I wanted to make this statement so that the reports in the press may be corrected.

LEAVE TO SIT DURING SESSIONS.

Mr. NOLAN. Mr. Speaker, I renew my request, at the direction of the Committee on Patents, that the committee be permitted to sit during the sessions of the House.

The SPEAKER. The gentleman from California asks unanimous consent that the Committee on Patents may be permitted to sit during the sessions of the House. Is there objection?

Mr. CLARK of Missouri rose.

The SPEAKER. Will the gentleman wait a moment? [After a pause.] The Chair hears none.

Mr. CLARK of Missouri. I would like to ask the gentleman a question. Has the committee devised a bill to reform the patent laws in existence?

Mr. NOLAN. The committee started in this morning, holding hearings on three bills. One is to create a patent court of appeals and to provide damages where injunctions are granted in infringement cases; another is to create a separate and independent bureau of the Patent Office; and the third is to revise and reclassify the force and the salaries in the Patent Office.

The SPEAKER. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, I do not believe it is very good practice to have the minor committees of the House sit during the sessions of the House. There is a very considerable incentive as matters now stand for absence from the Chamber during the sessions of the House, and——

Mr. NOLAN. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. And unless this committee has tremendously important business before it, it seems to me it ought to be able to transact its business in the forenoon.

Mr. NOLAN. I want the gentleman to understand that this is one of the very important and major committees in the House; not one of the minor committees. [Laughter.]

Mr. MONDELL. Mr. Speaker, until we have some information as to just how much important legislation this major committee has, I shall have to object.

Mr. NOLAN. Mr. Speaker, I rise to a point of order. The gentleman's objection comes too late. The Chair decided the proposition, and I answered the question of the minority leader.

The SPEAKER. The Chair thinks not. After the Chair stated that he heard no objection, the gentleman from Missouri rose, and, the Chair assumed, reserved the right to object, and asked some questions. Then the gentleman from Wyoming [Mr. MONDELL] intervened. It has happened several times and is likely to happen again, and so it may be well to make this general statement that the Chair, when he thought there would be no objection, has stated quickly, in order to hasten the business of the House, that no objection was made and the consent was granted. But if some gentleman after that objects, the Chair has allowed it on the ground that because of the precipitate action of the Chair he did not have a fair opportunity. The Chair thinks that was the case here and that the gentleman from Wyoming still has the right to object.

Mr. NOLAN. I simply call the Chair's attention to the fact that the unanimous-consent request had been granted, and the gentleman from Missouri, the minority leader, rose to ask a question.

The SPEAKER. Exactly. The Chair thought that the gentleman from Missouri desired to ask a question, reserving the right to object, and that he was entitled to do so despite the hasty statement of the Chair that there was no objection, and then the gentleman from Wyoming had the same right of objecting.

Mr. NOLAN. I did not so understand it. I ask unanimous consent to make a statement for one minute.

The SPEAKER. The gentleman asks unanimous consent to address the House for one minute. Is there objection?

Mr. MADDEN. Reserving the right to object, I just want to say that I do not see any reason in the world why the committee should not have leave to sit if it wants to. There can not be any reason why it should not.

Mr. NOLAN. The hearing that was set for this morning by the Committee on Patents was set several weeks ago. There are a number of very eminent patent lawyers and scientists who have come to Washington from various parts of the country, with the understanding that the Committee on Patents would sit all the rest of this week. These bills are very important, and while I might have said in a jocular way that the Committee on Patents was a major committee, it is the intention of the committee to make it a working committee of this House, and to try during this Congress to enact some legislation that will be of real benefit to the inventors and manufacturers of this country.

I think these hearings are very important, and I believe this committee should have the right to sit during the sessions of the House, inasmuch as we have brought these men to this city from all over the country. I hope the majority leader will withdraw his objection.

The SPEAKER. Is there objection?

Mr. MONDELL. Reserving the right to object, the right to sit during the sessions of the House is one that has been granted ordinarily only to the major committees of the House which have to do with legislation or appropriations, and whose duties are such as to require continuous sittings. In referring to the Committee on Patents as a minor committee I do not mean to say that it is not an important committee, but it certainly is not one of what are generally known as the major committees of the House, and the minor committees of the House have very infrequently been granted permission to sit during the sessions of the House. During the last few days Members have been kept here much longer than necessary for the transaction of the public business, by continuous roll calls to develop a quorum. That will continue during the session if a large number of the committees are to sit during the sessions of the House. The only way to keep a quorum here is to have the Members free from their committee duties in the main during the time that the House sits. There are certain committees that must necessarily sit, and I have no objection personally to this committee sitting the remainder of this week, if it is necessary that they sit during the sessions of the House; but I do not think it is good practice to have the committees generally sit during the sessions of the House. If the gentleman will modify his request, I shall make no objection.

Mr. TOWNER. Reserving the right to object, I want to make one statement for the consideration of the leader of the majority. I think all the Members on this side appreciate the gentleman's responsibility, and are grateful for the activity that he has shown in securing the attendance of Members. The gentleman very well says that under ordinary circumstances only the major committees ask for this permission. But let me call the attention of the gentleman to the fact, however, that in a great many cases, when minor committees have had specially important matters pending, this permission has been granted to them. Let me suggest also to the leader of the majority that the legislation now pending before the Committee on Patents is of the utmost importance. I am not a member of the committee, nor am I specially interested in the legislation, but as a lawyer I know that the entire bar of the United States have been greatly interested for many years in obtaining the changes proposed in these bills, as recited by the gentleman from California [Mr. NOLAN]. It is very important legislation, and certainly under these circumstances, when these men have come from all over the United States to testify, they ought not to be delayed by circumstances that will keep them here for weeks. I suggest to the majority leader that he modify his objection so as to allow the Committee on Patents to sit while the hearings on these particular bills are in progress.

Mr. NOLAN. Mr. Speaker, I ask unanimous consent that the Committee on Patents be granted permission to sit during the sessions of the House while holding hearings on H. R. 5011, H. R. 5012, and H. R. 7010.

The SPEAKER. The gentleman from California modifies his request and asks unanimous consent that the Committee on Patents be allowed to sit during the sessions of the House while they are considering H. R. 5011, 5012, and 7010. Is there objection?

Mr. KREIDER. Reserving the right to object, I should like to ask the majority leader whether it would not be possible to have some understanding that the committees which have bills pending that require hearings may proceed with those hearings, and that during that time the House will not undertake any important business, but let the hearings be held, and the bills prepared and brought into the House, when we can all be here to consider them. As it is, the Committee on Ways and Means, the Committee on Appropriations, the Committee on Patents, and other committees will sit during the sessions of the House, and you will not have the membership of the House present to enact proper legislation.

I think we might make headway by having it understood that after we get rid of the legislation which we now have pending in the House there shall be a certain time for all these hearings and that the committees may be allowed to have those hearings all at the same time. Let them prepare their legislation and bring it into the House. Let the House adjourn for three days at a time, with the understanding that no important business shall be transacted until the committees have had their hearings and until the bills are prepared and presented for the consideration of the House. Then we can have the attendance of the whole membership. Furthermore, all the hearings had by all the committees should be printed and a copy sent to each Member of the House by the committee. There are many new Members—and old ones, for that matter—who are not informed as to these hearings and do not have an opportunity to look over and examine the hearings before the bills are taken up for consideration by the House. If this were done, Members would have an opportunity to be fully informed, which is not always the case now. I do not intend to object, but simply offer this as a suggestion.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

SPEECHES OF THE PRESIDENT.

Mr. GOODWIN of Arkansas. Mr. Speaker, I ask unanimous consent to have inserted in the RECORD the speech made on yesterday by the President of the United States, upon his return from the peace conference in Paris, in response to the greeting extended to him by the citizens of New York and elsewhere, and also to have printed in the RECORD the speech delivered by the President on the 4th of July on board ship to the soldiers and sailors of the United States.

The SPEAKER. The gentleman from Arkansas asks unanimous consent to extend his remarks in the RECORD by inserting the speech made by the President on July 4 and also the speech made yesterday by the President in New York. Is there objection?

There was no objection.

CALENDAR WEDNESDAY.

Mr. DYER. Mr. Speaker, I ask unanimous consent that Calendar Wednesday may be dispensed with to-day.

The SPEAKER. The gentleman from Missouri asks unanimous consent that Calendar Wednesday be dispensed with to-day. Is there objection?

Mr. MONDELL. I object.

Mr. DYER. I move that Calendar Wednesday be dispensed with to-day.

The SPEAKER. The gentleman moves that Calendar Wednesday be dispensed with to-day.

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. DYER. I ask for a division. I will state that it is for the purpose of expediting the consideration of the prohibition bill.

The House divided; and there were—ayes 4, noes 112.

Mr. DYER. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Missouri makes the point of order that there is no quorum present. Obviously there is no quorum present. The Doorkeeper will close the doors, and the Sergeant at Arms will notify the absentees. Those in favor of dispensing with Calendar Wednesday will vote yea, those opposed will vote nay, and the Clerk will call the roll.

The question was taken, and there were—yeas 8, nays 297, answered "present" 2, not voting 123, as follows:

YEAS—8.

Blanton	Dyer	Rucker	Thomas
Booher	Huddleston	Sims	Thompson, Okla.

NAYS—297.

Ackerman	Cannon	Ellsworth	Hersey
Alexander	Cantrill	Elston	Hersman
Almon	Carss	Esch	Hickey
Anderson	Carter	Evans, Mont.	Hoch
Andrews, Md.	Chindblom	Evans, Nebr.	Houghton
Andrews, Nebr.	Clark, Fla.	Evans, Nev.	Hudspeth
Aswell	Clark, Mo.	Ferris	Hulings
Ayres	Classon	Fess	Hull, Tenn.
Babka	Coady	Fields	Humphreys
Bacharach	Cole	Fisher	Husted
Bankhead	Collier	Flood	Igoe
Barbour	Connally	Focht	Ireland
Barkley	Cooper	Fordney	Jacoway
Bee	Copley	Foster	James
Begg	Crago	Frear	Jefferis
Bell	Cramton	French	Johnson, Ky.
Benham	Crisp	Fuller, Ill.	Johnson, Miss.
Black	Cullen	Gallagher	Johnson, Wash.
Blackmon	Currie, Mich.	Gallivan	Johnston, N. Y.
Bland, Ind.	Curry, Calif.	Gandy	Jones, Pa.
Bland, Va.	Dale	Ganly	Jones, Tex.
Boies	Dallinger	Gard	Kelly, Pa.
Bowers	Darrow	Goldfogle	Kendall
Box	Davey	Good	Kettner
Brand	Davis, Minn.	Goodwin, Ark.	Kiess
Briggs	Davis, Tenn.	Goodykoontz	Kincheloe
Brinson	Denison	Gould	Kinkaid
Brooks, Ill.	Dent	Graham, Pa.	Kitchin
Brooks, Pa.	Dewalt	Graham, Ill.	Kleczka
Browning	Dickinson, Mo.	Greene, Mass.	Knutson
Buchanan	Dickinson, Iowa	Hadley	Kreider
Burdick	Dominick	Hamilton	LaGuardia
Burroughs	Doremus	Hardy, Colo.	Lampert
Butler	Doughton	Hardy, Tex.	Langley
Byrnes, S. C.	Dowell	Haskell	Lanham
Byrns, Tenn.	Dunbar	Haugen	Lankford
Caldwell	Dunn	Hawley	Larsen
Campbell, Kans.	Echols	Hayden	Layton
Campbell, Pa.	Edmonds	Hays	Lea, Calif.
Candler	Elliott	Hernandez	Lee, Ga.

Lehlbach	Moores, Ind.	Romjue	Upshaw
Lesher	Morgan	Rose	Vaile
Little	Mudd	Rouse	Venable
Lonergan	Murphy	Rowe	Vestal
Longworth	Nelson, Mo.	Rubey	Vinson
McArthur	Newton, Mo.	Sanders, La.	Volgt
McCulloch	Nicholls, S. C.	Sanders, N. Y.	Volstead
McDuffie	Nolan	Schall	Walsh
McGlennon	O'Connell	Sherwood	Walters
McKenzie	Ogden	Shreve	Watkins
McKeown	Oldfield	Siegel	Watson, Pa.
McKinley	Osborne	Sinclair	Watson, Va.
McLane	Overstreet	Sinnott	Weaver
McLaughlin, Nebr.	Padgett	Sisson	Webb
McPherson	Paige	Smith, Idaho	Webster
MacCrate	Park	Smith, Ill.	Welling
Madden	Parrish	Smith, Mich.	Welty
Magee	Pell	Smithwick	Whaley
Maher	Phelan	Steagall	Wheeler
Major	Platt	Stedman	White, Kans.
Mansfield	Quin	Steele	White, Me.
Mapes	Radcliffe	Steenerson	Williams
Mays	Rainey, J. W.	Stephens, Ohio	Wilson, Ill.
Merritt	Raker	Strong, Kans.	Wilson, La.
Michener	Ramsey	Summers, Wash.	Wilson, Pa.
Miller	Ramseyer	Sumners, Tex.	Wingo
Minahan, N. J.	Randall, Calif.	Taylor, Ark.	Wood, Ind.
Monahan, Wis.	Randall, Wis.	Taylor, Colo.	Woods, Va.
Mondell	Reber	Taylor, Tenn.	Wright
Montague	Reed, N. Y.	Temple	Yates
Moon	Ricketts	Tillman	Young, N. Dak.
Mooney	Riddick	Tilson	Young, Tex.
Moore, Ohio	Robinson, N. C.	Timberlake	
Moore, Pa.	Rodenberg	Tincher	
Moore, Va.	Rogers	Treadway	

ANSWERED "PRESENT"—2.

Rhodes	Snell

NOT VOTING—123.

Anthony	Glynn	Luhring	Robsion, Ky.
Ashbrook	Godwin, N. C.	McAndrews	Rowan
Baer	Goodall	McClintic	Sabath
Benson	Green, Iowa	McFadden	Sanders, Ind.
Bland, Mo.	Greene, Vt.	McKinley	Sanford
Britten	Griest	McLaughlin, Mich.	Saunders, Va.
Browne	Griffin	MacGregor	Scott
Brumbaugh	Hamill	Mann	Scully
Burke	Harrison	Martin	Sears
Caraway	Hastings	Mason	Sells
Carew	Heflin	Mead	Slemp
Casey	Hicks	Morin	Small
Christopherson	Hill	Mott	Smith, N. Y.
Cleary	Holland	Neely	Snyder
Costello	Howard	Nelson, Wis.	Stephens, Miss.
Crowther	Hull, Iowa	Newton, Minn.	Stevenson
Dempsey	Hutchinson	Nichols, Mich.	Stiness
Donovan	Johnson, S. Dak.	O'Connor	Strong, Pa.
Dooling	Juul	Oliver	Sullivan
Drane	Kahn	Olney	Sweet
Dupré	Kearns	Parker	Thompson, Ohio
Eagan	Kelley, Mich.	Peters	Tinkham
Eagle	Kennedy, Iowa	Porter	Towner
Emerson	Kennedy, R. I.	Pou	Vare
Fairfield	King	Purnell	Ward
Fitzgerald	Kraus	Ragsdale	Wason
Freeman	Lazaro	Rainey, H. T.	Winslow
Fuller, Mass.	Lever	Rayburn	Wise
Garland	Linthicum	Reavis	Woodyard
Garner	Luce	Reed, W. Va.	Zihlman
Garrett	Lufkin	Riordan	

So the motion to dispense with Calendar Wednesday was rejected.

The following pairs were announced:

Until further notice:

Mr. MORIN with Mr. LEVER.

Mr. STRONG of Pennsylvania with Mr. CASEY.

Mr. SLEMP with Mr. HOLLAND.

Mr. MOTT with Mr. HOWARD.

Mr. SANDERS of Indiana with Mr. POU.

Mr. ROBSION of Kentucky with Mr. CLEARY.

Mr. PORTER with Mr. GARNER.

Mr. STINESS with Mr. DONOVAN.

Mr. MASON with Mr. RAGSDALE.

Mr. REED of West Virginia with Mr. DRANE.

Mr. SCOTT with Mr. DUPRÉ.

Mr. GREEN of Iowa with Mr. MARTIN.

Mr. EMERSON with Mr. MEAD.

Mr. PETERS with Mr. EAGAN.

Mr. REAVIS with Mr. GARRETT.

Mr. BRITTEN with Mr. OLIVER.

Mr. ANTHONY with Mr. OLNEY.

Mr. WOODYARD with Mr. GRIFFIN.

Mr. PARKER with Mr. GODWIN of North Carolina.

Mr. KAHN with Mr. SMITH of New York.

Mr. SNYDER with Mr. HASTINGS.

Mr. LUFKIN with Mr. HENRY T. RAINEY.

Mr. MCFADDEN with Mr. STEPHENS of Mississippi.

Mr. HUTCHINSON with Mr. STEVENSON.

Mr. KELLEY of Michigan with Mr. RAYBURN.

Mr. MCLAUGHLIN of Michigan with Mr. ROWAN.

Mr. HICKS with Mr. SULLIVAN.

Mr. KEARNS with Mr. SABATH.

Mr. JOHNSON of South Dakota with Mr. SAUNDERS of Virginia.

Mr. MCKINLEY with Mr. SCULLY.

Mr. LUCE with Mr. SMALL.

Mr. NELSON of Wisconsin with Mr. HEFLIN.

Mr. GREENE of Vermont with Mr. MCANDREWS.

Mr. SELLS with Mr. LAZARO.

Mr. ZIHLMAN with Mr. CARAWAY.

Mr. VARE with Mr. CAREW.

Mr. WARD with Mr. BLAND of Missouri.

Mr. WINSLOW with Mr. AYRES.

Mr. WASON with Mr. BENSON.

Mr. SANFORD with Mr. HARRISON.

Mr. FAIRFIELD with Mr. SEARS.

Mr. SNELL with Mr. RIORDAN.

Mr. THOMPSON of Ohio with Mr. DOOLING.

Mr. KING with Mr. NEELY.

Mr. PURNELL with Mr. MCCLINTIC.

Mr. MANN with Mr. BLACKMON.

Mr. PARKER with Mr. EAGLE.

Mr. GRIEST with Mr. WISE.

Mr. SNELL. Mr. Speaker, I voted "no." I wish to withdraw that vote and answer "present," as I am paired with the gentleman from New York, Mr. RIORDAN.

The result of the vote was then announced as above recorded.

A quorum being present, the doors were opened.

The SPEAKER. This being Calendar Wednesday, the Clerk will call the committees.

AMERICAN PRINTING HOUSE FOR THE BLIND.

The Clerk called the committees, and when the Committee on Education was reached,

Mr. FESS. Mr. Speaker, I call up the bill H. R. 2847, providing additional aid for the American Printing House for the Blind.

The SPEAKER. The bill is on the Union Calendar, and the House automatically resolves itself into Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. WOOD of Indiana in the chair.

The Clerk read the bill, as follows:

A bill (H. R. 2847) providing additional aid for the American Printing House for the Blind.

Be it enacted, etc., That for the purpose of enabling the American Printing House for the Blind more adequately to provide books and apparatus for the education of the blind there is hereby authorized to be appropriated annually to it in addition to the permanent appropriation of $10,000 made in the act entitled "An act to promote the education of the blind," approved March 3, 1879, as amended, the sum of $40,000, which sum shall be expended in accordance with the requirements of said act to promote the education of the blind.

Mr. FESS. Mr. Chairman, I ask unanimous consent that the gentleman from Kansas [Mr. CAMPBELL] may be permitted to speak out of order for 15 minutes, the time to be taken out of my time.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the gentleman from Kansas [Mr. CAMPBELL] be permitted to speak out of order for 15 minutes, the time to be taken out of the time in control of the gentleman from Ohio [Mr. FESS]. Is there objection?

Mr. SUMNERS of Texas. Mr. Chairman, reserving the right to object, I ask unanimous consent to speak for two minutes out of order on a matter of concern to the Members of the House after the gentleman from Kansas has concluded.

The CHAIRMAN. The time is in the control of the gentleman from Ohio.

Mr. FESS. Mr. Chairman, if the other request is granted, I shall be glad to yield the two minutes to the gentleman from Texas, provided no one objects, as he wants to speak out of order.

The CHAIRMAN. Is there objection?

Mr. BLANTON. Mr. Chairman, reserving the right to object, we have just sidetracked a very important bill—the prohibition enforcement bill—to take up Calendar Wednesday. I take it that we ought to devote the time to-day to the consideration of bills on the calendar, and if we can get through this bill from the Committee on Education, of which I am a member, without any debate, or with very little debate, we ought to do it and pass to something else. Therefore I object.

The CHAIRMAN. The gentleman from Ohio is recognized.

Mr. RAKER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RAKER. If there is no one opposed to the bill, under the rule that debate is limited to two hours, one hour to those in favor and one hour to those opposed, would the debate be then confined to one hour?

The CHAIRMAN. The Chair can not answer that, as the committee has control of the bill, whether they wish to use all of the time or not.

Mr. RAKER. There would not be two hours of debate upon the bill. Those who are in favor of the bill are entitled to one hour and those who are opposed to it are entitled to one hour. If no one is opposed to the bill, will more than one hour be used?

The CHAIRMAN. If it is asked for by the friends of the bill, the Chair understands that the entire two hours may be consumed.

Mr. FESS. Mr. Chairman, in 1858, two years before the opening of the Civil War, there was incorporated in the city of Louisville, Ky., what is known as the American Printing House for the Blind. This printing house is purely an eleemosynary institution, having no stock, making no profits, existing wholly for the printing of books for the blind to be distributed to the various schools for the blind. In 1879 Congress subsidized the institution by an annual appropriation of $10,000. When it did that there were in the blind schools of the United States 2,180 pupils. To-day there are 5,347 pupils in the blind schools of the country. There is an estimate of 75,000 blind people, adults included, throughout the United States, without including those made blind by the late war.

Aid to this institution by the Government might be objected to upon the ground that the Government can not properly aid it because it is not a Government institution. In view of the fact that the Government has been supporting it ever since 1879, I do not believe that a legitimate objection can be raised on that score.

Mr. BEE. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes.

Mr. BEE. I just wanted to ascertain whether the appropriation has been a continuing one since 1879.

Mr. FESS. It has.

Mr. BEE. Is this an increase of the original appropriation or is it the same amount?

Mr. FESS. It is an increase of $40,000, which makes it an annual appropriation of $50,000.

Mr. BEE. What is the object of the increase from the original appropriation?

Mr. FESS. There are several reasons. One is that the original appropriation was made when there were 2,180 pupils, while now there are 5,347. Another reason is that the expense of the books, the making of the books, has so vastly increased to-day over what it was in 1879. Brass for the plates in 1912 cost 10 cents a pound, and in 1918 36 cents a pound. The plates used in the printing of the books for the blind, therefore, cost considerably more. In 1912 paper cost 11¼ cents a pound, and 1918 17¾ cents a pound. The cost of binder boards in 1912 was $36 per ton, and in 1918 $82.50 per ton. Labor employed in the printing house is paid at the rate of $36 per month, girls being employed, which is entirely too small a wage.

Mr. BEE. I do not object to the amount. I just wanted to be certain that it is under existing law, and that the only way to avoid the appropriation would be by specific repeal.

Mr. FESS. The gentleman is correct. This is simply to authorize the appropriation of $40,000 additional to the $10,000, not to appropriate it.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes.

Mr. RAKER. Will the gentleman explain to the House just how this money is expended and how the books are distributed?

Mr. FESS. The money is expended for overhead charges. I can give the gentleman the items. The money is expended for various items in the way of overhead charges, also for the labor employed, which would require some training, and for the raw material that goes into the books.

Mr. RAKER. That is all set out in the hearings?

Mr. FESS. Yes.

Mr. RAKER. Would the gentleman explain to the committee just how these books are distributed to the various blind institutions?

Mr. FESS. The books are distributed on a per capita basis according to the number of blind pupils in the schools, and they are extended to all of the schools in the various States.

Mr. RAKER. Free of expense?

Mr. FESS. To the schools free of expense, and they are sold to blind people not in school at actual cost without any profit to a living human being.

Mr. RAKER. This, then, is solely for the purpose of printing the books and getting the material to be sent to the various institutions over the United States, and then to be resold to the blind children——

Mr. FESS. Not necessarily resold.

Mr. RAKER. I meant resold to the blind children at actual cost to the Government.

Mr. FESS. The blind children as a rule do not buy the books. The institution gets the books from this printing house, and the blind pupils use the books not as their own but as the institution's books, and it is frequently the case that one book will be used by from three to five blind pupils.

Mr. RAKER. The book goes to the blind institution, for instance, in my State, and that institution pays the Government back the actual cost of the purchase of that book.

Mr. FESS. So far as the Government subsidy is concerned, the institution does not pay for books to that extent. They are given gratis. I will let Mr. OGDEN, of Louisville, where the printing house is located, make a statement in regard to that.

Mr. OGDEN. If the gentleman will yield, to the extent of this appropriation books and apparatus are furnished to the pupils in the schools throughout the country without any charge whatever. In excess of the appropriation the pupils of these institutions purchase the books at actual cost.

Mr. RAKER. Do the institutions pay for them or the pupils themselves, ordinarily speaking?

Mr. OGDEN. Well, I am not sure whether the institution pays for the excess or not.

Mr. RAKER. The purpose is to get these books as quickly as possible to as many of these blind girls and boys as possible. That is the purpose of the appropriation.

Mr. FESS. Let me say to my friend from California, a primer, for instance, like one for which a child pays 60 cents, if printed for the blind on raised letters, will cost from $5 to $8, and the common schoolbook, such as the Montgomery History we use in some of the high schools, if printed for the blind, it is estimated will be printed in something like 11 volumes, which, if printed for seeing children, would make one book that would cost $1.25, while the 11 volumes would cost probably $35, which makes it very expensive, so expensive that no private enterprise can enter upon the printing of books for the blind because there is no profit possible. It would make it so costly to the blind children or their parents that it would be prohibitive. This is an eleemosynary institution, built in 1858, subsidized by the Government in 1879, simply to supply at Federal cost the books which are used by these children.

Mr. RAKER. What I was trying to get at was this: These 6,000 pupils and 75,000 adults, so far as the Government is concerned, this is the only appropriation and expenditure the Government is making. Is that true?

Mr. FESS. So far as I know; and of the 75,000 blind adults who obtain books, all of them have to pay for them at the actual cost.

Mr. RAKER. Somebody made the suggestion the Government is spending other money for the blind.

Mr. GOOD. If the gentleman will permit, the legislative bill carries an appropriation for the blind.

Mr. FESS. In the District of Columbia?

Mr. RAKER. Not for the District of Columbia.

Mr. GOOD. In the appropriation for the Congressional Library there is an item carried; I have forgotten the amount now. There is quite a force at work, but that has nothing to do with the distribution of these books.

Mr. RAKER. That is the reason I was trying to get information.

Mr. GOOD. But the gentleman's statement is so broad, that this was the only thing the Government was doing for the blind, that my mind went to that one item where the Government made an appropriation.

Mr. RAKER. Is it not a fact that the amount referred to as making up an expenditure is used for the library to keep up work in the Congressional Library? The District of Columbia has no provision here for its blind at all. If there is need, it has to go to Maryland or somewhere. Is not that true?

Mr. OGDEN. That is correct.

Mr. GOOD. I can not tell the gentleman the extent of their activities. I only remember the item. But it had nothing to do with the provision for books carried in this bill.

Mr. FESS. I now yield to the gentleman from New York [Mr. GOLDFOGLE].

Mr. GOLDFOGLE. As to the blind who are in these institutions or connected with the institutions, how will they obtain the books and at what rate?

Mr. FESS. Those who are not in the blind schools will have to pay for the books at actual cost. It is only to the pupils of the blind schools that these books are to be distributed.

Mr. GOLDFOGLE. So that any blind, though not connected, or if connected, with any institution or school, could on application obtain these books at cost?

Mr. FESS. That is correct; that has been their practice.

Mr. TOWNER. If the gentleman will permit, in regard to the inquiry of the gentleman from New York, let me say nearly all the State institutions have made arrangements by which they loan to the adult blind these books. These books all come from some printing establishment such as this.

Mr. RAKER. Will the gentleman yield for one more question? In going over the matter, does the gentleman estimate that this additional $40,000 or $50,000—or rather I want to get from the gentleman and from the committee as to how many more books are necessary that would be provided for by this appropriation? Some of these are only partially provided for now, I understand.

Mr. FESS. I think I could answer more satisfactorily to the Member from California if I gave the report of the special committee appointed to make this investigation as to the facilities of this printing establishment as to its needs——

Mr. RAKER. I wish the gentleman would do that.

Mr. FESS. The report was made by experts, one representing the blind school in Cleveland, another the blind school in Pittsburgh, and another of Watertown, Mass., and one, I think, from New York. The committee was very representative, and they made these recommendations:

First. Readjustment of floor space to accommodate new equipment.
Second. Sale of obsolete plates, the property of the printing house, and all unbound embossed books now in stock.
Third. Return to the owners of obsolete plates the property of other organizations.
Fourth. Disposal of all embossing machines for which there is no longer need.
Fifth. The employment of sufficient additional help in the binding department to keep stitching machines continuously in operation.
Sixth. Repair of two Braille stereotype plate-making machines already owned by the printing house, and the purchase of additional Braille stereotyping machines and embossing presses as may be needed.
Seventh. Purchase of tangible apparatus in wholesale quantities for distribution to the schools until the printing house is ready to manufacture same.
Eighth. Improved methods of ordering books and filling orders for same.
Ninth. Employment of privately owned stereotype plate-making machines for immediate increase of output.
Tenth. Such increases in compensation of present employees as in the judgment of the management need and deserve them.
Eleventh. Employment of a competent superintendent, who shall give his whole time to the printing house.
Twelfth. To accomplish these results, we urge that the congressional subsidy be increased to $50,000 per annum.

This statement, let me say, was brought to us at the last Congress by the chairman of the Appropriations Committee, Mr. Sherley, who made the request that the Rules Committee make it in order, but later on came on the floor of the House and got unanimous consent for the consideration of it, and it was passed without opposition.

Mr. TILSON. Will the gentleman yield?

Mr. FESS. I yield.

Mr. TILSON. The gentleman has stated that the cost of the books and the number of the blind have materially increased, and that the increase from $10,000 to $50,000 will be immediately needed?

Mr. FESS. I think it will be immediately needed, but we put the authorization here rather than the appropriation, because there is very strong conviction that the committee ought not to appropriate.

Mr. TILSON. That is all right; but I was thinking the gentleman had left no elasticity to his authorization and that if the number of blind keeps on increasing or if the expense should be any higher, the gentleman, by fixing it at $50,000, could not increase it.

Mr. FESS. Subsequent legislation would have to correct that. If you will allow me to present these items first, I will then yield:

Present salaries and wages, $12,000; salaries and wages of additional employees and increases in salaries and wages, $8,000; new equipment, $5,000; supplies in all departments, $20,000; repairs and miscellaneous expenses, $5,000, making a total of $50,000.

That estimate was presented here in the last session by the chairman of the committee.

Mr. HUSTED. Will the gentleman yield?

Mr. FESS. I will.

Mr. HUSTED. Is the entire congressional subsidy given away, or is some of it kept for the purpose of paying the expense of upkeep?

Mr. FESS. It is given away in books.

Mr. HUSTED. It is all given away?

Mr. FESS. Yes; the whole thing, and it is that portion that is purely gratuitous.

Mr. CANNON. Will the gentleman yield?

Mr. FESS. I will yield.

Mr. CANNON. This is a mere authorization——

Mr. FESS. It is.

Mr. CANNON (continuing). Just as you have read, for the buying of additional machinery and the increase of wages, and so forth, and need not necessarily be duplicated every year. But the Committee on Appropriations would, I apprehend, under the law, after hearings on this estimate, recommend an appropriation up to the limit of $50,000 and appropriation would be made to that amount in the event that it was the will of Congress. It may be less than that after this institution is fully equipped, and probably will be.

Mr. FESS. The gentleman is correct in his observation.

Mr. BEE. Will the gentleman yield?

Mr. CANNON. I will.

Mr. BEE. I understood the gentleman from Iowa [Mr. TOWNER] to state that if, for instance, the State institutions for the blind in Texas wanted to loan books to the blind in our State, they must get these books through this concern?

Mr. FESS. There is no other place that I know of where they can get them.

Mr. OGDEN. And this is the only printing establishment for the blind in this country.

Mr. FESS. I may say that there is the Howe Publishing House, that does a little work in printing a certain style of books, but nothing like those that are needed in the schools. It is the only institution of which I know in the whole country that does this work.

Mr. ANDREWS of Nebraska. Will the gentleman yield?

Mr. FESS. I yield to my friend from Nebraska.

Mr. ANDREWS of Nebraska. Mr. Chairman, personally I have had a great deal of pleasure in reviewing the annual accounts of this institution for several years. I wish to say this, that there is no institution or agency with which I have a personal acquaintance that renders better statements as to the economical use of the money appropriated for the purpose than this institution does. I do not believe that we could spend a like amount of money in any direction or for any benevolent purpose that would be more wisely applied than in the direction of the recommendation of the committee. [Applause.]

Mr. FESS. I thank the gentleman for the statement. Mr. Chairman, I reserve the balance of my time.

Mr. BANKHEAD. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, at the proper time, when this bill is read under the five-minute rule, I expect to offer an amendment to strike out the word "annually" appearing on line 6, page 1, and also to strike out the sum "$40,000," on line 9, and insert in lieu thereof "$20,000." I want to explain my position to my colleagues for offering such an amendment. The chairman of the committee has explained to the House that the necessities existing for raising this subsidy of $10,000, which has existed since 1879, to $50,000 are in substance threefold. First, he says that copper plates cost more money; that copper, for instance, costs more now than it did formerly by reason of war-time conditions.

Mr. BLACK. Will my colleague yield?

Mr. BLANTON. Yes.

Mr. BLACK. The statement is made, as I understand, that since the armistice was signed copper is the one product that has gone back to prewar prices.

Mr. BLANTON. I am going to discuss that.

Secondly, that there are twice as many blind people. For instance, as compared with the figure 2,500, there are 5,400 or 5,500 now.

Mr. FESS. Fifty-three hundred.

Mr. BLANTON. Fifty-three hundred, to be exact.

Mr. FESS. In schools.

Mr. BLANTON. Yes, in schools, for whose benefit we appropriate this money every year. And thirdly, that there are adult blind people and other blind made so by reason of the war that are going to have to be helped in the way of furnishing equipment where they desire it at actual cost.

Mr. FESS. Seventy-five thousand adult blind, not including those blinded in the war.

Mr. ANDREWS of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. In a moment. Let us take up that feature of it first. The ones blinded by the war are going to be handled entirely by a different department of this Government, and for whose benefit ample appropriation has already been made.

Mr. RAKER. Mr. Chairman, will the gentleman yield right there?

Mr. ANDREWS of Nebraska. I suppose we can discuss this question not under the head of a subsidy but rather——

Mr. BLANTON. The gentleman can get time in his own right.

Mr. ANDREWS of Nebraska. Out in my country we do not like the word "subsidy." I want to vote for the proposition.

Mr. BLANTON. Well, it is a subsidy. That is exactly what it is, and if the gentleman votes for this bill he will be voting a subsidy of $50,000 annually to a private corporation. We might just as well look that squarely in the face, now that the war is over. When it is a subsidy pure and simple we ought to call it a "subsidy."

Mr. RAKER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from California?

Mr. BLANTON. Gladly.

Mr. RAKER. I do not find it in the hearings, but only in the report. Is it not a fact that provision is made in the Army bill for books for the blind, and this is the only institution where they can be got? Why should not this institution be given a sufficient amount to provide them, even running up to $50,000 or $100,000?

Mr. BLANTON. Every person who has been blinded by reason of the war will be cared for by the vocational education institutions. The chairman will admit that there is ample provision to take care of every one so blinded who may need help or assistance along that line. Ample millions are now available under appropriations made already.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. No; I am sorry, I have a short time only, and I refuse to yield any further; otherwise I would gladly yield to my friend from Minnesota. The gentleman may get time in his own right.

Since 1879 every year this institution has been given by the United States Government $10,000. Surely in that length of time there has been an accumulation of equipment. Numerous private donations have been made to this corporation. Surely in that length of time there has been an accumulation of books and supplies for the blind children of the country. All these books are not obsolete. All of these plates are not obsolete. Why, even if copper did cost more at this time, those obsolete copper plates are still copper. They have not changed their form or their substance, and they are worth just as much as copper to this book concern in Louisville, Ky., to-day as they were before the war, and they can be made into new plates. I think the present conditions are not going to last long. We are soon going to get back to a normal basis and a normal status, and why should we appropriate annually $40,000 additional when we have given them $10,000 a year since 1879, and that is all they asked for? Not until this last year have they ever come here and asked for another cent in behalf of this institution.

The institution is worthy. I heard the good woman testify here several months ago before our committee. I questioned her carefully on these different matters. If they have been satisfied with $10,000 a year up to this time, if the number of blind children for whose benefit we make this appropriation has merely doubled in the schools, then why should we give them four times as much as we have given them heretofore and then make it an annual subsidy, something that occurs and recurs every year, no matter how quickly we get back to normal conditions?

I do not think it is necessary. I want to give them every cent that they can use and should use properly. I want to do everything that is necessary for the blind children of the country. But just as surely as you appropriate $50,000 when a lesser sum would be adequate, that extra amount will be wasted. It will never be returned to the Treasury, and you gentlemen, colleagues of mine, know that as well as I do. I think that $20,000 additional this year is plenty. It will make three times as much as they had last year. "Sufficient unto the day is the evil thereof," and if they need more next year let them come in and ask for it, and there will be Congressmen sitting here ready to appropriate for them in the years to come. Why should we make it a permanent annual affair and give them $40,000 additional? Let them come back next year and we will take care of their needs and necessities.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. GOOD. I do not understand that the language of the bill grants a permanent annual appropriation. It simply makes it in order for the Committee on Appropriations to report out——

Mr. BLANTON. If the distinguished chairman of the Committee on Appropriations will look at line 6 he will see that that word "annual" makes it a permanent affair by authorizing each year an additional appropriation of $40,000, which the Committee on Appropriations will deem a direction by Congress.

Mr. GOOD. It says:

There is hereby authorized to be appropriated annually.

Mr. BLANTON. That means annually if the Committee on Appropriations is willing to put it in the bill.

Mr. GOOD. That does not make it a permanent appropriation, so far as the $40,000 additional is concerned, if I understand the language correctly.

Mr. BLANTON. The gentleman's understanding of the language and my own are wholly different, because, as I understand it, according to the meaning of the English language, when we authorize a thing to be appropriated annually the Committee on Appropriations has authority to put it in a bill, and a point of order will not hold against it, because there will be ample legislation authorizing the appropriation, and it will be so appropriated.

Mr. GOOD. If you strike out the word "annually," you simply authorize to be appropriated $40,000 additional, and that would be for one year.

Mr. BLANTON. Yes; for this year; and that is all we ought to take care of, because, as I say, whether we are here or not, there will be Congressmen here every year, ready to take care of the needs and necessities of the blind children.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BANKHEAD. Mr. Chairman, I desire to be recognized.

The CHAIRMAN. The gentleman from Alabama is recognized.

Mr. BANKHEAD. Mr. Chairman and gentlemen of the committee, in order that you may have an intelligent idea of the origin of this institution, as far as the Federal aid to it is concerned, it might be well enough to call your attention to a few features of the original act making this appropriation.

This act was approved March 3, 1879, and I want to call your attention to a few of its purposes, and especially the limitations and safeguards thrown around this appropriation, as I feel sure, from some of the inquiries that have been made here, you are interested in that phase of the situation. It is a rather long act, and, of course, I will not undertake to read it all. As a part of the preamble it says:

Whereas it is desirable that the blind of the country should be equally benefited and the intention of the trustees to establish an educational institution of the most practical beneficence and wisest philanthropy upon a national basis should be accomplished, inasmuch as the education of the blind is a subject of national importance.

It is rather interesting to observe in this connection that it is also stated in the preamble that at the time when this bill was passed in 1879 it was contended that there were 30,000 blind persons in the United States for whom it was necessary to provide books of instruction and ordinary literature, instead of 75,000, as now is the case.

This was an appropriation of an amount of $250,000 to be under the direction of the Secretary of the Treasury, who was directed in this act to invest this sum of $250,000 then appropriated in bonds of the Government of the United States, at a minimum rate of interest of 4 per cent per annum, which would yield, and has yielded since that time, of course, an annual revenue of $10,000. The act provides that—

The income upon the bonds thus held in trust for the education of the blind shall be expended by the trustees of the American Printing House each year in manufacturing and furnishing embossed books for the blind and tangible apparatus for their instruction, and the total amount of such books and apparatus so manufactured and furnished by this income shall each year be distributed among all the public institutions for the education of the blind in the States and Territories of the United States and the District of Columbia, upon the requisition of the superintendent of each, duly certified by its board of trustees. The basis of such distribution shall be the total number of pupils in all the public institutions for the education of the blind, to be authenticated in such manner and as often as the trustees of the said American Printing House shall require.

So that you will see, gentlemen, in the organic act here, while it is endowed by this Federal appropriation, it is really upon the basis of its benefits being equally bestowed upon all the unfortunate blind of the different States in proportion to the number of blind in each State to the total population of the country. It is provided that—

No part of the income of said bonds shall be expended in the erection or leasing of buildings.

And it is also provided that—

No profit shall be put on any books or tangible apparatus for the instruction of the blind manufactured or furnished by the trustees of said American Printing House for the Blind, located in Louisville, Ky.; and the price put upon each article so manufactured or furnished shall only be its actual cost.

Then the act goes on to provide for the bond of the treasurer, and so forth.

It developed in the hearings before our committee that in view of the very largely increased number of blind people in the United States whose literary necessities have to be supplied almost entirely by this one institution, and in view of the in-

creased cost of production of these peculiar books required for the blind, and in view of possibly some additional administrative expenses, it was absolutely impossible to operate this great philanthropic and humanitarian institution successfully, as it was the purpose of the Congress in 1879 that it should be conducted, upon the income derived from this annuity from the interest on the bonds.

Mr. CANNON. Will the gentleman yield?

Mr. BANKHEAD. I yield to the gentleman from Illinois.

Mr. CANNON. I want to see if I have a correct understanding. These books are furnished to the students in the blind asylums in the country without expense. Am I correct in that?

Mr. BANKHEAD. As far as the students are concerned, yes.

Mr. CANNON. Now, when the rest of the 75,000 blind citizens of the United States, not in these institutions, desire to buy these books, they buy them at cost from this corporation, and, of course, the money so received goes to the corporation, and is, I suppose, in one sense a revolving fund. Is that correct?

Mr. BANKHEAD. That is true, as I understand the situation.

This matter came up in the last Congress, as has been suggested by the gentleman from Ohio, Dr. FESS. We had hearings before our committee. The matter was fully presented, and the extreme necessity for increasing this appropriation appealed very strongly to the committee; and I think those of you who remember the reputation and action of the gentleman from Kentucky, Mr. Sherley, along lines of economy in the House will be persuaded of the necessity for the appropriation when I state to you that he very earnestly and ardently sponsored and favored the amount of the appropriation carried in a similar bill in the last Congress. I feel sure that that will be a persuasive argument to your minds that the amount here carried is one that is entirely within reason.

Mr. BLANTON. Will my colleague yield?

Mr. BANKHEAD. Yes.

Mr. BLANTON. Might not our good friend from Kentucky, Mr. Sherley, have been influenced in the same way that a great many of us Congressmen are influenced when the matter involves consideration of an institution located in our home town?

Mr. BANKHEAD. From my knowledge and observation of the character and intellectual and moral integrity of the gentleman from Kentucky, Mr. Sherley, I will say to the gentleman that I believe a consideration of that sort would not appeal to him in the slightest degree from the standpoint of his position as chairman of the Committee on Appropriations. [Applause.]

Mr. HUSTED. Will the gentleman yield?

Mr. BANKHEAD. I yield to the gentleman from New York.

Mr. HUSTED. What fund has this institution with which to carry on its work, beyond the congressional appropriation?

Mr. BANKHEAD. As far as the evidence appeared before the committee, there is none. It is possible that there may have been voluntary contributions from private sources, but this $10,000 a year is the only dependable amount, as far as the knowledge of the committee goes, upon which the institution can operate.

Now, gentlemen, as has been suggested, this is certainly an institution that deserves to be fostered along the lines of this original act by reasonable appropriations from the Federal Treasury. When the Committee on Appropriations of this House proceed to carry into effect the authorization hereby provided, of course they will exercise their authority to call before them witnesses to show the necessity for the amount of the appropriation. It is only authorized, and if the sum of $50,000 annually is not needed to carry on the great work of this institution, why then the Committee on Appropriations, in its sound discretion, will reduce the amount to what is actually required each year. But it is patent, and must appeal to your sound judgment, that in view of the changed conditions, in view of the necessarily increased cost of production, of wages and material, and in view of the more than doubling of the total number of blind persons in the United States since the original act was passed, it is certainly a matter of absolute necessity to increase the amount of the appropriation.

Mr. FESS. Will the gentleman yield?

Mr. BANKHEAD. I will.

Mr. FESS. I wish the gentleman would call the attention of the committee to the difference between the course of study in 1879 and to-day in any college or in any institution of learning. I recall that we were told that the titles of the books in 1879 were less than 8, while now they are over 2,000.

Mr. BANKHEAD. That is a matter I feel sure will appeal to the consideration of the committee.

Now, gentlemen, I do not think I care to discuss this particular proposition any further. I had intended under general debate to ask leave to proceed out of order and discuss a related matter of education, but in view of the fact that the request of the gentleman from Kansas [Mr. CAMPBELL] was denied I will withhold my request.

But I do desire, Mr. Chairman, to ask unanimous consent at this point to insert in the RECORD, for the benefit of the Members of this House, a statement furnished me by Mr. Charles A. Prosser, Director of the Federal Board for Vocational Education, upon the question of conflict of opinion and evidence that arose in the debate seeking an appropriation for that board under the sundry civil bill and under the special bill that we passed extending the authority of the Vocational Board over disabled soldiers. I feel sure that the Committee of the Whole was not aware of the real facts in the case, and there was a considerable amount of confusion as to the actual necessities of the board from a financial standpoint. In order that the Members of Congress may have the facts recently given to bear out the contention I made on the floor at that time, and made by other members of the Committee on Education, I ask unanimous consent to insert this statement of Dr. Prosser in the RECORD. I expect to refer to this statement more in detail upon an appropriate occasion.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The statement is as follows:

FEDERAL BOARD FOR VOCATIONAL EDUCATION,
OFFICE OF THE BOARD,
Washington, July 3, 1919.

Hon. WILLIAM B. BANKHEAD,
House of Representatives, Washington, D. C.

DEAR MR. BANKHEAD: In answer to your request for a summary of congressional action regarding the vocational rehabilitation of disabled soldiers, sailors, and marines, and the present condition of this work under the Federal Board for Vocational Education, I submit the following information:

APPROPRIATIONS.

The vocational rehabilitation act, approved June 27, 1918, carried a continuing appropriation of $2,000,000. This sum was budgeted in the measure between such items as equipment, salaries and wages, traveling expenses of employees, subsistence, traveling expenses and medical care of disabled men, study and investigation, mechanical appliances, contingencies, and office administration. As it was not humanly possible in this absolutely new work, with every factor unknown, to make such an itemizing of expenditures, the board found it necessary to ask the Congress to coalesce these funds so that moneys not needed for one item could be used for another. This was done by an act entitled "An act extending the use of the special fund for vocational education provided by section 7 of the vocational rehabilitation act approved June 27, 1918, and for other purposes," approved February 26, 1919.

It was pointed out at the time the vocational rehabilitation act was passed that the $2,000,000 would probably not be sufficient. As a matter of fact, the board found it necessary, with the rapid increase in the number of soldiers following the opening of the hospitals to representatives of the board about January 1, to accept the generous gift of $77,025 to the special fund, under section 7 of the act, made by the American Red Cross and the National Catholic War Council. All of this total of $2,077,025 has been expended during the period ending June 30, 1919.

Preliminary to a hearing before the House Committee on Appropriations in February, 1919, the board submitted, through the Secretary of the Treasury, an estimate of $4,000,000. In the hearing before the Appropriations Committee on February 1 the representatives of the board frankly stated that it was impossible to state how many men would be trained or placed during the year, and that the $4,000,000 asked for would not be sufficient to carry the work for the year.

The Appropriations Committee reported an item of $1,500,000 for the work in the sundry civil appropriation bill, which was raised to $2,000,000 in the House Committee of the Whole, the effort to make the item $4,000,000 being defeated by a close vote. As you remember, the sundry civil bill did not pass the Senate at the last session.

Early in June, after a conference with the chairman of the House Committee on Appropriations, and at his suggestion, we filed with him an estimate of the cost of the work for 1919–20, based on the best information we could gather as to the number of men to be interviewed, the number to be examined medically, the number to be put into training, and the number to be helped to find employment, together with a per capita and total estimate for each item.

In the meantime, for reasons that need not be given here, the Secretary of the Treasury and the board had agreed that the best interests of disabled men needing training and of the work of the Bureau of War Risk Insurance and of the board required the separation of their duties and responsibilities under the vocational rehabilitation act. A bill was accordingly submitted to the chairmen of the Senate and House Committees on Education, as requested by the Secretary of the Treasury and the board. This bill, after amendment in the Senate committee, was reported favorably and passed unanimously. Reported favorably by the House Committee on Education, it was, after considerable discussion, amended by the House so as to raise the support for single men in training from $75 per month, as provided in the Senate bill, to $80 in the House bill, and so as to set the support of a man with wife in training at $100 per month. As amended this bill was concurred in by the Senate.

Senate bill 1213 was entitled "An act to amend an act entitled 'An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes,' approved June 27, 1918."

This bill as it passed both Senate and House carried an appropriation of $6,000,000 with which to pay the support of soldiers in training and their dependents and the administrative expenses incident thereto, meaning the necessary cost involved in the disbursements of a pay roll for men in training.

The bill provides that disabled soldiers, sailors, and marines who meet certain legal requirements and in the opinion of the board are in need of vocational rehabilitation to overcome the handicap of their disability

shall be placed in training by the board, and the full support of them and their dependents be paid by the board, all payments as compensation for disability by the War Risk Insurance Bureau being suspended during the period of training.

Under the original act the bureau paid to the man while in training the compensation due him or his pay as of last month of active service, whichever was the greater. In most cases this was $30 per month, but averaged for each man about $35 per month. As this was not sufficient to support a disabled man in training, the board, under the authority granted it by the vocational rehabilitation act, set $65 as the support necessary and paid to the man, as subsistence, the difference between $65 and $35 per month, or $30 per month. Finding by June that many disabled men were unable to live without privation on $65 per month while in training, the board raised this to $75 per month, making the payment to them under the original act average $45 per man.

When the Senate committee reported favorably an appropriation of $6,000,000 in the bill providing that the Federal board should pay for the full support of men in training and their dependents, and thus assume a financial obligation formerly met by the War Risk Insurance Bureau, the representatives of the board pointed out that this amount would be sufficient for about 7,000 men only, and that our belief was that the numbers to be trained would be in excess of this amount for the year. We accepted the $6,000,000 with the full recognition that it might prove insufficient and require a supplemental appropriation.

When the House raised the support of single men to $80 and of married men to $100 it added at least $600,000 to the financial burden on the appropriation of $6,000,000, but made no change in the amount appropriated.

There seemed to be a failure in the Congress to realize these things:

1. That the support of these men under the bill is to be paid entirely by the board, but that approximately 40 per cent of it was formerly paid by the bureau.

2. That the increase in support made by the House amendment could not be met by the $6,000,000 provided in the Senate bill.

3. That by making, through the bill, disabled men discharged after April 7 and before October 6, 1917, eligible to the benefits of the act, the Congress was greatly increasing the number of disabled men to be interviewed, examined medically, tested, trained, and placed, without making any provision, either in the sundry civil appropriation bill or in the bill admitting this large group of men injured by accidents in camps or by disease due to exposure while in camps, for increased administrative expenditures.

At the request of the chairman of the Senate Committee on Education and Labor, representatives of the board went to the chairman of the House Committee on Appropriations and called his attention to the bill amending section 2 of the vocational rehabilitation act then pending in the Senate committee. We pointed out that, inasmuch as the appropriation made in this bill covered full support for disabled men in training, it duplicated so much of the $6,000,000 we had asked for in the sundry civil bill as we had planned to use for support of men in training. At his request a letter was sent by me to him on June 6 explaining the situation, which closed with this statement:

"I am therefore taking the liberty, in order to avoid confusion and in justice to the House Committee on Appropriations, to call your attention to this situation, and to request that the above facts be taken into consideration in determining the appropriation for the Federal board to be made as an item in the sundry civil appropriation bill for the fiscal year 1919–20 for the administration of the vocational rehabilitation act for disabled soldiers."

In a letter of June 11 the chairman of the committee acknowledged the receipt of this communication, stating that he would call the letter to the attention of the subcommittee and would summon representatives of the board if the committee desired any additional information.

The House Committee on Appropriations reported $4,000,000 for the work in the sundry civil appropriation bill instead of the $6,000,000 asked for. This passed the House. In the meantime the bill amending the vocational rehabilitation act, by extending the scope to cover many more beneficiaries and increasing the support of disabled men while in training to $80, passed the House and was concurred in by the Senate, with the appropriation, after a fight in the House, left in the bill, but set at $6,000,000.

When the sundry civil bill reached the Senate Committee on Appropriations the item for vocational rehabilitation was raised from $4,000,000 to $6,000,000 for all expenditures, including the full support of men in training. At the same time, however, the committee added a clause providing that this appropriation should be in lieu of the appropriation contained in the bill carrying an appropriation of $6,000,000 for full support of men in training. The effect of this was to reduce the total amount for the work with disabled soldiers from $10,000,000 to $6,000,000, a sum less than would really be required to carry on the work under the original act, and leaving nothing for the added numbers and expenditures placed on the board by the bill amending section 2.

RENT.

Even without the additional responsibilities imposed by the bill amending section 2 of the vocational rehabilitation act, the board is so badly crowded in the Maltby Building that it was compelled last year to rent space in two buildings—the Bliss and Baltic—widely scattered. Even without additional legislation it was necessary to secure additional space for office and clerical force and for a huge volume of files and records regarding disabled men which already overflow our present quarters. With the additional legislation imposing new duties and a greater volume of work, the situation is already distressing, and it will be impossible to perform the work.

All our efforts to secure additional quarters in Government-owned space have failed, the Public Buildings Commission having notified us that none are available. In response to our request for additional quarters this commission has granted the board authority to use the Maltby Building and the present quarters of the board in the Bliss and Baltic Buildings, provided we have authority to rent the same. These quarters are utterly inadequate for our work, yet even the permission granted by the commission, subject to authority to pay rent, admits of no increase in our space—a hopeless situation.

The original vocational rehabilitation act authorized the payment of rent in the District of Columbia, but the item of appropriation in the sundry civil bill removes, by the inference of its failure to include such rent as an authorized expenditure, the right to use for this purpose any part of the appropriation made. Unless some relief can be obtained at once the work for the soldiers will suffer from confusion and delay. The attention of the Senate and House Committees on Appropriations has been called to this matter.

SALARY LIMITATIONS.

When the House Committee on Appropriations reported the sundry civil bill in February, the item of $1,500,000 for vocational rehabilitation provided "that no person shall be employed hereunder at a rate of compensation in excess of $5,000 per annum, not more than 20 persons shall be employed at rates of compensation in excess of $3,000 each per annum, and not more than 30 persons shall be employed at rates of compensation from $2,500 to $3,000, inclusive, per annum." As you know, this bill failed to become law.

Presumably these limitations as to numbers and amounts of salary were based on the list of persons and salaries paid, given in the quarterly report of January 1 made by the board, as required by the vocational rehabilitation act. At the time of the hearing of the board before the House Committee on Appropriations on February 1 the total number of persons employed in the work was 300, and the salary limits set by the House committee met the situation as it then existed but made no provision for future expansion. Since that time what has happened can perhaps best be expressed statistically.

With the exception of some 10 or 12 reconstruction hospitals the board did not receive the permission of the War Department to place representatives in hospitals and other points of discharge until December 11—six months after the passage of the act. It was not until the middle of January that this provision really became effective, 15 days after our quarterly report on employees was made. Since that time the board was compelled to place competent representatives at 187 different points of discharge to interview disabled men, to advise with them as to their opportunities and possibilities, and recommend to the district office what should be done. Men capable of doing this work as the Congress would have it done could not be secured at an average salary of less than about $3,000, since they must have the qualities, ability, training, and experience to reach and help the disabled man in the way you would want it done if he were your own son.

On January 1 12,664 cases of disabled men had been reported and registered by the district offices of the board. To-day there are 129,431 cases. Then 2,183 cases had been interviewed and surveyed. Now the number is 84,859. Then there were 520 disabled men recommended for training. Now there are 14,129. Then we had helped to place and to follow up after placement to see if the disabled man was able to carry on successfully 1,215 men. Now the number of whose welfare for one year we are responsible under our policies has reached 10,198. Then 69 men were in training in a few institutions. Now more than 4,500 men are being trained in more than 500 institutions, as well as 186 shops, offices, and farms scattered through 48 States, as the disabled men must, as far as possible, be trained near home, if at all. The course for each man, since no two of them are alike as to ability, previous education, experience, or disability, must be carefully planned. Arrangements must be made with the school or shop. His training must be carefully inspected and constant adjustments made, for many of these men are like children, groping their way back to civilian life after their suffering. Here, again, as the work grew it was necessary to secure capable persons of approved experience, who were taken from regular positions on leave of absence for the temporary service away from their established homes, at increased cost of living, and they could not be secured at salaries averaging less than about $3,000.

We had no medical service established on January 1, as we relied for the time, in the interests of economy, on the hope that this might be provided by the War Department under section 6 of the act. This failing, we were compelled to appoint medical officers. When the civil-service examination was offered, only five doctors applied for the examination, the salary range being set at from $2,500 to $3,500. Three failed, and the remaining two accepted a position in one of the 14 district offices. Until physicians and surgeons began to be discharged from the service of late we were compelled, therefore, largely to rely upon examinations of disabled men on the individual fee basis. We have within the last two months been able to secure an organized medical service in our central and district offices at salaries ranging from $3,000 to $4,000 and averaging $3,500. Men competent for this work of examining men and of inspecting and supervising the physical and mental condition in training can not be secured under the salary limitations set by the Congress, and this service goes by the board. With the passage of the bill amending section 2 of the vocational rehabilitation act the situation becomes acute. Under this amendment the board is authorized and directed to deal directly with the disabled man and to train those entitled to and needing vocational rehabilitation to overcome the handicaps of their disability without waiting for the award of compensation from the Bureau of War Risk Insurance. This makes absolutely imperative a competent medical service to determine degree and kind of disability, physical and mental condition, relation of disability to the occupation formerly pursued, extent of handicap, and the fitness of the man for the training proposed. Without it, much of the work will be a farce.

Perhaps the most difficult problem before the board is that of the disabled soldier, sailor, or marine with arrested tuberculosis. With the provision in the amendment to section 2 of the vocational rehabilitation act, including those discharged from the service after April 7, 1917, the number of such cases must, as a conservative estimate, be 30,000. Personally, I regard this as the greatest of all disabilities and the most difficult to handle, since in many instances the man can not go back to his old employment, and the occupations he can follow successfully, for which he is adapted, are so few in number. An advising committee of the National Tuberculosis Association has, as the result of months of study, prepared for the board a program for these men who are now coming out of hospitals with the disease arrested. This program goes by the board, since men competent to execute it can not be obtained at the salary limits set by the House sundry civil bill of February, and made more drastic by the sundry civil bill passed at this session. What is said here is equally true of the equally important and difficult problem of the shell-shock cases and the convalescent soldier groping his way back to strength who needs special consideration and treatment.

When the hearing of the board was held before the subcommittee of the House Committee on Appropriations in June the question of a salary limitation was not raised except by a question from the chairman as to placing a top salary limitation of $5,000, which was agreed to without discussion. The rapid handling of the sundry civil bill by the House prevented any effort to raise the question then. It was raised with the Senate Committee on Appropriations. A hearing was asked, but only permission to send a letter granted. This was done by the vice chairman of the board, the chairman being absent from the city. In this letter the serious and practically fatal effects of these limitations on the work of the board was pointed out with the plea that if any limitations be adopted they should restrict all salaries below $4,000, except one at $5,000. The entire salary limitations were removed by the Senate committee, and this action was approved by the Senate.

Later in the closing hours they were restored by the conferees in a proviso that no person shall be employed hereunder at a rate of compensation exceeding $2,500 per annum except the following: One at $7,500, 1 at 5,000, 10 at $3,000 each, and 40 from $2,500 to $3,000 each, inclusive. It will be noted that whereas the restriction of 20 was set at from $3,000 to $4,000 in the February bill, in the sundry civil bill finally passed, as agreed to by the conferees, these 20 are reduced to 10 at $3,600.

When the original limitation was imposed in February the board had 300 employees. It now has 1,600, and, in the expansion of the work, the proportion of service requiring competent men of training and experience has kept pace with the development of our responsibilities. This means the retirement of many of our best experienced men, who have become invaluable in the service, at a time when they are most needed, and persons even of less competency with any experience can not be had. Such a force can not now ever be restored. Furthermore, it will require at least three months to build up even the semblance of a similar organization. The blow is one from which I wish to go on record as saying the work for disabled soldiers, sailors, and marines will never recover.

Perhaps I can best illustrate the situation by inserting here the instructions sent by wire to all district officers, on July 3, 1919:

[Telegram.]

"JULY 3, 1919.

"Under legislation just passed, there must be drastic reduction of salaries unless, as we hope, some way can be found to prevent it. Therefore withdraw immediately all forces from hospitals and other points of discharge and discontinue this service at once. Readjust your forces by releasing a number of men equal to the number so withdrawn. Retain the best qualified men. Inform all men remaining in the service who are receiving over $2,500 that such excess can not be guaranteed after July 1. Urge all good men to stick by the disabled soldier to see if the matter can not be straightened out."

Had the Congress even provided for the enforcement of these salary limitations beginning January 1, 1920, the board would have been able to "tide over" the situation and reorganize on some basis to get along now and hereafter. But the action was taken after we had entered upon the new fiscal year for which the limitation in the appropriation was made, and became operative at once, since we could not incur obligations for the service of these men at rates of compensation forbidden by the measure. It would be difficult for me to describe, as I write, either the conditions in our district service or at the central office at this moment, with the service disorganized and the board facing the necessity of placing in training the thousands of cases awaiting the approval by the President of the amendment to section 2 of the vocational rehabilitation act separating our work from that of the bureau and making it incumbent on us to proceed immediately with their cases. I sincerely hope you may never have such an experience.

This letter is written to you in response to your request, in no spirit of fault-finding or bitterness. I believe the Congress wants to redeem all the promises made to soldiers while the war was on, and particularly to see that they have adequate compensation for their disabilities, and effective vocational rehabilitation to overcome their disabilities when they need it. Furthermore, I know that no Member of Congress would wittingly and knowingly cripple the work in behalf of these disabled men. In the rush of legislation due to unavoidable circumstances, there has not been time for committees or the Congress to fully understand that this problem of vocational rehabilitation is perhaps the most difficult, from many standpoints, which any Government agency has ever faced, and that to solve it as it should be solved requires liberal support, a reasonably free hand, at least, and the retention of the services of a competent group of men whose experience already gained is the only asset the Government has in the furtherance of the work. Without these, neither the Federal board nor any other agency can do more than discharge the task in a perfunctory, slow-moving, mediocre way.

Very truly, yours,

C. A. PROSSER,
Director.

Mr. FESS. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. TOWNER]. Mr. Chairman, how does the time stand?

The CHAIRMAN. The gentleman from Ohio has 35 minutes, and the gentleman from Alabama 40 minutes remaining.

Mr. TOWNER. Mr. Chairman, the matter involved in this case is quite simple. In the first place, what is the parliamentary status? It is asked in this bill that an authorization—and I request particularly the attention of the gentleman from Texas [Mr. BLANTON]—shall be made for $40,000 annually for the purpose of supporting this institution. Not one dollar is appropriated. Not one dollar is taken out of the Treasury, or can be taken out of the Treasury, except by the action of the Appropriations Committee.

Mr. BLANTON. Will the gentleman yield?

Mr. TOWNER. No; I can not just now.

Mr. BLANTON. The gentleman addressed his remarks to me.

Mr. TOWNER. Yes; but I do not yield for an interruption. Any year that this institution desires this appropriation it must come before the Appropriations Committee and convince them of the necessity of the appropriation. If $40,000 is needed, doubtless it will be given. If a less amount is needed, the appropriation will be reduced to that amount. The only reason this is deemed necessary is, if the Appropriations Committee should make an appropriation, as they must if they continue to help the institution, it would be subject always to a point of order unless this authorization is made. That is all there is so far as the parliamentary situation is concerned.

Now, let us see as to the necessity of the legislation. The printing of books for the blind is, as gentlemen know, a different proposition from the ordinary printing of books. As was shown by the gentleman from Ohio [Mr. FESS], a book costing 60 cents to print ordinarily would cost printed for the blind $6 or $7. The books furnished for the blind are primarily schoolbooks for the education of the blind. A greater amount is continually needed for them as a greater number and amount is continually needed for children who are not blind. That necessitates larger appropriations.

Besides this, it is necessary to have books of history, books of literary merit, some standard classical books for the benefit of the 75,000 adult blind in the United States. We had before the committee the heads of the blind asylums of New York and Pennsylvania and four or five other States. They say they can not begin to get the number and amount of books that they need. They say that there is a constant demand for them, from not only the children who are helped in the school, but those who take the higher education must have books, and also for the 75,000 blind people in the United States that are demanding some knowledge of and insight into the beautiful literature of the world.

This is denied them continually. They can not buy the books; an ordinary history would cost $25 or $30. These blind people can not buy them. They must in the majority of cases borrow them. The State institutions do not feel as if they could manufacture them, because it takes a special manufactory and a special institution for the purpose of making the books. But they are willing to buy them and lend them to the adult blind.

Gentlemen talk about not needing $40,000. If it had not been for the unfortunate experience in the past of these people in asking for help of the National Government they would have asked, as they ought to have asked, for $100,000, and that would not have been sufficient to have answered the demands of these 75,000 blind people in the United States.

Does any gentleman here desire that these blind people should continually grope in the dark because of the want of a little appropriation of this kind? It is not an appropriation made for anybody's benefit; it is simply an eleemosynary work. It is a charitable institution of the highest grade and character. It is national in its character because the State can not take it up. I think this one small institution ought to have $100,000 to answer demands made by these blind people in the United States. In effect, the various asylums and hospitals and schools for the blind all over the country, in every State, have made this institution an agency for the purpose of supplying them with the books they need.

One small institution with only $100,000 of annual support can practically answer the demands of the blind people of the United States. It is a national matter and should be treated as such. I am surprised that there is any suggestion from a Member of this House against this most excellent and necessary work.

Mr. YATES. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. TOWNER. Will the gentleman from Ohio yield me two minutes more?

Mr. FESS. I yield two minutes to the gentleman.

Mr. YATES. I simply wanted to ask a question which I think has already been asked. Has this institution any income whatever from sources other than this; and if so, how much?

Mr. TOWNER. Yes; but no one can tell how much, because it depends entirely upon voluntary contributions, and they are very small. It has no other permanent source of income. It has no endowment, although it has been hoped that it might have.

Mr. WELLING. Is it a State institution?

Mr. TOWNER. No; it is entirely private.

Mr. WELLING. Does it take care of the blind of the State of Kentucky?

Mr. TOWNER. Yes; but no more than it does the blind of other States, in so far as furnishing books is concerned.

Mr. WELLING. It is not a publishing house?

Mr. TOWNER. It is not a blind asylum. It is exclusively a publishing house, and, as I understand it, the State of Kentucky gave it a site and perhaps a building for the purpose. If that is not correct, the gentleman from Kentucky [Mr. OGDEN] can correct me.

Mr. HUSTED. Does the gentleman not think the Government should take up this great work and make adequate appropriations to fully do this work?

Mr. TOWNER. Why should we? This is being done well now as at present carried on.

Mr. HUSTED. I do not mean that question as an indication of opposition to the bill. I am in favor of the bill, but the gentleman stated that this is not nearly adequate.

Mr. TOWNER. Let me say this to the gentleman: I do not know that the time will not come when we can do better work through the Government, but I am satisfied now that they are

doing the work better than the Government could, and certainly a great deal cheaper. The gentleman perhaps read the statement from the ex-Auditor of the Treasury with regard to these people. They are very generous-hearted, noble people, who are working in a most beautiful and charitable way.

Mr. HUSTED. I do not think we are giving them enough money.

Mr. TOWNER. Neither do I.

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. BANKHEAD. Mr. Chairman, I yield two minutes to the gentleman from New York [Mr. PELL].

Mr. PELL. Mr. Chairman, there is no class in this country more unfortunate than the blind and no class less able to help themselves. I have not the time to utter rounded periods on the advantages and value of our sight to us and what it means to our happiness, but we must realize that the 75,000 men and women who are blind in this country have absolutely no means of contact with the outer world except through what they read, and this they can not do except they read these books which are printed by this publishing house. It seems to me ridiculous that we should adopt a cheese-paring policy, that we should not give and give generously to provide the only happiness that can possibly be given to the blind.

Of course, they can talk, but they can not adequately communicate with the world, they can not know what is going on, they can not enjoy the theaters, and there is nothing in the world for them except these books. Anyone who ever saw a blind man reach for these books would realize how they are treasured by the blind when they get hold of them, and he would not hesitate for one moment to vote not only the $50,000 but $100,000 or $150,000 or whatever sum may be needed.

Ordinarily I am for economy, but this appropriation promises to provide so much happiness to the most unfortunate of our fellow citizens that I feel we should all support it.

Mr. FESS. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. PLATT].

Mr. PLATT. Mr. Chairman, having been brought up in the printing business, I think I can say with some authority that it is absolutely impossible to print books for the blind on a commercial basis. The cost is prohibitive, and comparatively few of the blind people are able to pay anywhere nearly enough for the books to make it remunerative at all to a publishing house that would try to print them for profit. It has occurred to me that it would be possible to teach the blind to read the headlines of newspapers from the stereotyped matrices, as we call them. As you know, most of the large newspapers nowadays are printed from stereotyped plates cast from matrices pressed out in papier-mâché, but it would be impossible, anyway, I have been told, for the blind to read the small letters in the matrices, as they are too close together.

The point system now used saves some space over printing large raised letters, but only a comparatively small amount of literature can be printed for the blind. Very careful selections are made, and, as the gentleman from Ohio [Mr. FESS], chairman of the committee, has said, only some 2,500 titles have been printed altogether. It is my understanding that they do print some synopsis of news, but I would not want anybody to get the impression that the great mass of trash of all sorts of magazines, novels, and books that are published are printed for the blind. They have no acquaintance with those things whatever, except as somebody may read them aloud. The number of books printed for the blind is very small compared with the number of things that we have before us to read all of the time. To some extent that may be said to be an advantage to them, although it keeps them out of touch with the world to a great extent. They read only the best.

Mr. HUSTED. Is the best literature available for the blind, including, for example, novels by Scott, Dickens, and Thackeray?

Mr. PLATT. I think novels like those of Scott, and Dickens, and Thackeray, that are standardized by years of selection as the best, are printed for the blind, but current novels are not, as a rule.

Mr. FESS. Mr. Chairman, if the gentleman will permit, taking Paradise Lost, for example, only certain select portions of it are printed, although it is almost a library in itself.

Mr. PLATT. I think that is true. I think anyone who has ever talked with a well-educated blind man must have been impressed by the fact of his rather close knowledge of certain classics which we have all read, but which we have read only incidentally and perhaps not more than once.

Blind persons having only a few books to read will read them over and over again, and perhaps learn some parts of the old classics by heart. They know some of these classics much better than most of us do, but at the same time they are necessarily more or less out of touch with the modern affairs of the day. We ought to realize that with the best that can be done it is impossible to keep the blind in touch with modern affairs as we are in touch with them, even if we appropriated considerably more than is contained in this authorization.

Mr. BLANTON. Will the gentleman yield for a question?

Mr. PLATT. I will yield to the gentleman.

Mr. BLANTON. Does the gentleman realize that if we pass this bill we are constituting this private enterprise a monopoly with a subsidy from the United States Government of $50,000 a year?

Mr. PLATT. No; I do not realize anything of the kind. This bill simply authorizes, and this publishing house will have to go before the Committee on Appropriations and present its case every year.

Mr. BLANTON. But the gentleman knows that whenever we authorize an appropriative committee to appropriate, that committee feels instructed and bound to carry out the wish of the House.

Mr. PLATT. Not necessarily.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BANKHEAD. Mr. Chairman, I yield the gentleman two minutes additional for the purpose of making a suggestion along the line he has been speaking. I think it would be interesting for the gentleman from New York to refer to the fact that in printing, for instance, the New Testament, instead of the blind reader being able to have that in one volume, it would take some 10 or 12 large books?

Mr. PLATT. That is true. Books for the blind are of great bulk by comparison with the books which we have to read. That is one thing I think we entirely fail to realize. It makes them very expensive. For that reason it seems to me this authorization should be granted. It is an authorization and not an appropriation, for the publishing house will have to come before the Appropriations Committee each year and present its case, and I have no doubt they will make a good case. There is little enough that we can do for the blind, and it seems to me that this bill ought not to meet with any opposition.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BANKHEAD. Mr. Chairman, I yield two minutes to the gentleman from Texas [Mr. BEE].

Mr. BEE. Mr. Chairman and gentlemen, this matter was all new to me until this bill was called up this morning. I did not know there was a law of this kind on the statute books. I just desire to supplement, however, what has been said by stating that any matter that will bring relief and help to the afflicted blind of this country ought not to be dealt with as a question of dollars and cents. It ought not to be a question of whether it is $40,000 or $10,000. If this company is furnishing books at cost in order to give relief to the blind people, we ought not to raise questions of that kind. I was struck with the amendment of the gentleman from Texas [Mr. BLANTON] that seeks to reduce the amount to $20,000.

Now, if I were organically opposed to this law, I would vote for its absolute repeal, but as long as we are going to continue its existence I will vote all the committee has asked for, because the purpose is of that character that appeals to the sympathy, the sentiment, and the best instincts of every man and woman in this country. I have had some experience in my State with matters of the blind. I was a member of the senate of Texas that built a great blind institute there. I know the relief and comfort it brought to those unfortunate people. In view of the statements which have been made by members of this committee that this institution is organized for the purpose of furnishing a special work to these people, I not only hope this committee will vote down the amendments of the gentleman from Texas but, if necessary and the needs require it, will vote more money than is provided for in the bill before the House in order that we may help the blind people of this country. [Applause.]

Mr. FESS. Mr. Chairman, I yield four minutes to the gentleman from Washington [Mr. SUMMERS].

Mr. SUMMERS of Washington. Mr. Chairman and gentlemen, I desire to call attention to the fact that we are dealing with a class of our citizens who are handicapped as is no other class, and they are handicapped not because of any fault of their own but because of heredity, accidents, and often unavoidable disease. We are going to provide an opportunity for those people to have more and better literature or else we are going to limit them in the supply. This publishing house, as I understand, at the present time is not able to supply the demand. By the authorization that we are dealing with at this time it will

make it possible for the poor blind who are not in the public institutions to purchase books that they would not be able otherwise to purchase.

Mr. FESS. Will the gentleman yield?

Mr. SUMMERS of Washington. I will yield.

Mr. FESS. Being somewhat familiar with the subject of blindness, would the gentleman state whether the statement that 75,000 people represents the blind adults is a correct statement?

Mr. SUMMERS of Washington. I believe the statement is not correct. Scientific literature places the number in this country at from 100,000 to 125,000, and has so placed it during the past several years. I think that at a time when we are voting billions for other purposes that the gentleman from Texas is "straining at a gnat and swallowing a camel," and that this appropriation for $50,000, or a larger sum, should be supported.

Mr. FESS. Mr. Chairman, I yield five minutes to the author of the bill [Mr. OGDEN].

Mr. OGDEN. Mr. Chairman, I was not familiar with the American Printing House for the Blind until a few months ago, although it is located in Louisville. There are 57 schools for the blind throughout the country, located in 46 States. Even at the time it was made the amount of the appropriation of $10,000 was not sufficient. It has been said that at that time there were 2,134 pupils in these various institutions. There are now more than 5,000 pupils in them, as shown when the census was taken in 1918, and I understand from the superintendents of the schools that at this time the number is perhaps 6,000. When we consider that under the existing appropriation 6,000 pupils must be served on the sum of $10,000 we can readily understand that each pupil is benefited only to the extent of approximately $1.85. One dollar and eighty-five cents will not purchase one book used in these schools. The superintendents say that it is necessary for as many as five or six of the pupils to use one book, and if the amount of the appropriation which is asked should be devoted entirely to the purchase of the books used by these pupils each child would be supplied with about four or five dollars' worth of books. It requires as much as four or five dollars to emboss one of these schoolbooks. So when we look at the matter from that viewpoint, it is not extravagance upon the part of this Congress to appropriate the amount carried in the bill. While it is true that this printing house is located in Louisville, it is also true that it is not a local institution in any sense of the word. It serves all of the schools throughout the country and it is the sole source of supply to these schools. If the operation of the printing house were hampered by an insufficient appropriation the blind children throughout the country would be the ones to suffer. The school at Louisville has slightly more than 100 pupils. In Texas there are more than 300 blind pupils in the two institutions of that State. Texas has the largest school for the blind of any State in the Union, and I am indeed surprised that the gentleman from Texas [Mr. BLANTON] would offer the amendment to reduce the authorization to $20,000.

Mr. BLANTON. Will the gentleman yield right there?

Mr. OGDEN. I will.

Mr. BLANTON. If it is just a question where we ought not to consider dollars and cents at all, if it is a question of working on the sympathy of the Congress, why do we not give them a billion dollars instead of $40,000?

Mr. OGDEN. I will say to the gentleman that if he had been present and attended the sessions of his committee and heard the statements of persons conversant with the real conditions——

Mr. BLANTON. I have been there more times than the gentleman has.

Mr. OGDEN (continuing). He would not have suggested that amendment. Now, last spring, while the gentleman was lying on the floor of his office and looking at his files, Miss Merwin, the assistant secretary of the printing house, called, and, without doing her the courtesy of offering her a chair, the gentleman asked her only a question or two about the bill. The American Printing House for the Blind has been in existence since its incorporation in 1858. The philanthropic people of Louisville, by the establishment of this institution, made it possible for the unfortunate blind children of the country to be supplied with books for their education. The printing house really became the cornerstone of the education of the blind in the United States, and under the administration of capable and excellently qualified gentlemen, such as Col. Andrew Cowan, Mr. Helm Bruce, Mr. John W. Barr, and a score of other gentlemen, it has continued throughout its years of existence as one of the most helpful eleemosynary institutions in this country.

Mr. Chairman, it is the sole and exclusive source of supply for the books and literature used by our blind citizenship. The importance of the work done by this printing house and the extent of the benefits to accrue to the people whom it serves is little known by the general public. It is a corporation, but has no stock, and no one is paid out of its treasury except the employees. The books are sold at the actual cost of publishing them, without one cent of profit.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. BANKHEAD. Mr. Chairman, I yield three minutes to the gentleman from New York [Mr. CALDWELL].

Mr. CALDWELL. Mr. Chairman, it happened that when I was a young man I lived in the State of Texas, not very far from the blind institution spoken of by the gentleman who has introduced this bill, and it so happened that in my young manhood I went to school with one of the graduates of that institution, a man by the name of Phil Dorhman, the friend of another gentleman from Texas. I saw that man day after day lean on those who had eyes in order that he might see the great truths that are written in books. I saw his sister lead him through the streets and heard her read the books of our university to him, and I saw him as he developed a system of shorthand that he made by punching holes through a piece of metal. I saw that young man compete with men who had eyes and come away with the honors of the University of Texas, where there were those who believed that they had great intellect.

If this bill is going to enable other men who have been deprived of their sight to obtain the opportunities that that man got by his great and laborious effort, the money authorized here is very small.

And, in passing, I might mention that only a few doors away from my home in Forest Hills, Long Island, there lives one of the most wonderful women in the world, one who was born blind, born deaf, and born speechless, Helen Keller, who, because of the care, patience, and kindness of a noble woman, has been able to open pictures in her mind that only few people with clear vision can see, and who has demonstrated by her conduct and by her labor the magnitude of her heart, that even the most calloused, the most selfish, and the most penurious man that ever lived must blush in shame when he considers denying others the privilege that that great woman enjoys. And, gentlemen, how foolish it would be for the great Congress of the United States to say that for a paltry $40,000 it is going to deprive these 75,000 real Americans who are afflicted, not because of anything that they have done but because of things over which they had no control, of this happiness. How foolish it would be to say that this Congress in a penurious way was going to deprive them not only of pleasure but of education, and, above all, of the great satisfaction that comes to him who devotes a part of his day to reading the Holy Scriptures.

I understand that one of the greatest publications of this institution is a raised-letter type of the Holy Bible. How often have we passed through the streets and seen good old women and good old men who have been deprived of their sight from the day of their birth, reading to those who have eyes to see God's Word, out of the greatest book that has ever been compiled in the history of mankind. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FESS. Mr. Chairman, I ask for a reading of the bill.

Mr. BANKHEAD. I will state that the gentleman from Texas [Mr. BLANTON], in view of the statement of the gentleman from Kentucky [Mr. OGDEN], has asked me to yield him three minutes.

Mr. FESS. All right.

Mr. BLANTON. Mr. Chairman, I merely want to correct the statement of my friend from Kentucky [Mr. OGDEN]—the new gentleman representing Mr. Sherley's district, the district formerly represented by the distinguished gentleman from Kentucky, Mr. Sherley, and who represents Louisville, in which city this institution is spending the money of the people of this country—when he intimates that I did not treat the lady lobbyist with courtesy at the time she came in my office; the gentleman is mistaken. He was not present. I treated the lady with all courtesy, as I always do all ladies, but told her that I was too busy to discuss this bill with her, as I understood it fully and completely. I questioned this good lady quite extensively concerning the merits of this measure last year when this bill was before our committee and went into the details of the matter with her, and told her that if it were merely a question of the rights of unfortunate blind people I would go as far as any man would go to give them everything that was needed, but I tried to find out all about this private corporation—not a Government institution, but a private corporation—which enjoys an annual subsidy of $10,000, and has enjoyed it every year since 1879; not an institution where other public concerns can meet it in competition in the marts of trade in this Nation, but an institution of which this Government and Congress, since 1879, has made a monopoly, because we have given it a subsidy against which

no other competitor can go into the world's field of printing and meet it on a fair basis.

Who would not help the unfortunate blind? There is not a Member of this House who would take from them one chance or one dollar necessary for their welfare. But this is not a question of helping the blind. It is a question of subsidizing a private corporation, over which the Government has no control, to the extent of $50,000 every year, and making of it a monopoly.

Mr. BEE. Mr. Chairman, will the gentleman yield for a question?

Mr. BLANTON. No; I would gladly yield to my colleague from Texas, but I have only three minutes. But I want to emphasize this, that we are appealing to Congress and to the sympathy of Congressmen on the subject of blind children, when it is not the rights of blind children that are involved; it is the rights of a private corporation, if you please, that are involved, a corporation that is asking us to fix upon the taxpayers an annual subsidy of five times what it has enjoyed every year since 1879.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. No; I can not. I carefully investigated this matter fully last year. That is the reason why I did not come before the committee at the time this lady last testified. I was busy investigating other bills, trying to stop waste and extravagance. I knew what her testimony would be.

The CHAIRMAN. The time of the gentleman from Texas has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That for the purpose of enabling the American Printing House for the Blind more adequately to provide books and apparatus for the education of the blind there is hereby authorized to be appropriated annually to it in addition to the permanent appropriation of $10,000 made in the act entitled "An act to promote the education of the blind," approved March 3, 1879, as amended, the sum of $40,000, which sum shall be expended in accordance with the requirements of said act to promote the education of the blind.

Mr. BLANTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 1, line 6, strike out the word "annually."

Mr. BLANTON. Mr. Chairman, the only purpose of this amendment is to prevent this appropriation from becoming a fixed subsidy on the Nation and on Congress. If we strike out this word "annually," every year, according to the needs and necessities of this institution, its officers can come before Congress and show what they need and get what they are entitled to.

Why should we make it a permanent law? This bill will make it an authorization for a permanent annual appropriation of $50,000. My good friends know that the Committee on Appropriations, whenever we authorize them to appropriate, consider that that is a direction on the part of Congress, and appropriate accordingly. They do not use their own judgment and discretion. We authorize them to appropriate for a public building, for instance, in the city of Washington, and they consider that as an authorization and direction from Congress, and they almost invariably appropriate accordingly. I am not afraid of the Committee on Appropriations not doing its duty in the future. I am not afraid of the Committee on Education not doing its duty in the future, no matter upon whose shoulders as members it falls. They will look after the rights of the blind. They will look after the rights and necessities of this private corporation in the future, and I think that we should not make it a fixed annual subsidy, to be appropriated for every year, constituting this private corporation a monopoly, but we should let them come in every year to future Congresses and let future Congresses appropriate for them according to their needs and necessities. I hope the amendment will prevail.

Mr. BANKHEAD. Mr. Chairman, I trust that the amendment of the gentleman from Texas [Mr. BLANTON] will be defeated. It is really the purpose of the legislation to authorize an annual appropriation. The committee has heard the basic arguments in favor of this proposition, and I sincerely trust that the committee will vote down the amendment and let it be put on the basis upon which it was reported by the committee and upon the basis of the necessities of the school, as shown by the testimony.

Mr. HUDDLESTON. Mr. Chairman, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. HUDDLESTON. I want to inquire if there is any method provided by which this concern shall render an account?

Mr. BANKHEAD. They have to make an annual report to the Secretary of the Treasury. If the gentleman will read the act creating this endowment, he will see that it is amply provided for.

Mr. HUDDLESTON. I see nothing in this act to that effect.

Mr. BANKHEAD. I mean the original act.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas [Mr. BLANTON].

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. BLANTON. I call for a division, Mr. Chairman.

The CHAIRMAN. A division is called for.

The committee divided; and there were—ayes 3, noes 72.

Mr. BLANTON. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and thirty-five Members are present, a quorum.

So the amendment was rejected.

Mr. BLANTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Texas.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 1, line 9, strike out "$40,000" and insert "$20,000."

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Texas.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. BLANTON. A division!

The CHAIRMAN. The gentleman from Texas asks for a division.

The committee divided; and there were—ayes 1, noes 114.

So the amendment was rejected.

Mr. WATSON of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. WATSON of Pennsylvania. This bill appropriates $40,000. Does this institution designate the title and character of the books?

Mr. FESS. The printing establishment is controlled by a board of trustees, and those who have charge of the titles are a committee made up of the various superintendents of the blind schools of the country, purely voluntary.

Mr. WATSON of Pennsylvania. Are the blind men at all asked as to the nature of the books they desire? Is this all done by the committee of the blind institutions?

Mr. FESS. The blind are considered. One of the most important figures in this matter is Mr. Halleck, of Louisville, Ky., of years of experience as an up-to-date school man, although he is not a blind man.

Mr. WATSON of Pennsylvania. Are these books textbooks and schoolbooks as well as general literature?

Mr. FESS. Yes.

Mr. TOWNER. Let me make this suggestion to the gentleman: Perhaps the situation will be better understood by this statement than anything else. No private institution can engage in this business, because it is not profitable. The blind asylums can not produce these books because of the large expenditure required and the limited production needed. This institution in Louisville, Ky., is in fact an agency of the blind asylums of the United States, from which they procure the books used throughout the United States for the instruction and entertainment of blind people.

Mr. FESS. Mr. Chairman, I move that the committee do now rise and report the bill with favorable recommendation to the House.

The motion was agreed to.

Mr. OGDEN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. SUMMERS of Washington. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. WOOD of Indiana, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 2847) providing additional aid for the American Printing House for the Blind had directed him to report the same back to the House with the recommendation that it do pass.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. BLANTON. Mr. Speaker, I desire to make a motion to recommit.

The SPEAKER. The gentleman from Texas is recognized to make that motion.

Mr. BLANTON. I move, Mr. Speaker, to recommit this bill to the Committee on Education, with instructions to report it back to the House forthwith with the following amendments: On page 1, line 6, strike out the word "annually," and on page 1, line 9, strike out the sum "$40,000" and insert "$20,000."

The SPEAKER. The gentleman from Texas makes a motion to recommit the bill. The Clerk will report the motion.

The Clerk read as follows:

Mr. BLANTON moves to recommit the bill to the Committee on Education, with instructions to that committee to report the same back forthwith with the following amendments:

On page 1, line 6, strike out the word "annually," and on page 1, line 9, strike out "$40,000" and insert in lieu thereof "$20,000."

Mr. FESS. Mr. Speaker, I move the previous question upon the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Texas [Mr. BLANTON] to recommit the bill.

The question being taken, on a division (demanded by Mr. BLANTON) there were—ayes 1, noes 124.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum present.

The SPEAKER. The gentleman from Texas makes the point that there is no quorum present. Evidently there is not. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absent Members. Those in favor of the motion to recommit the bill will, when their names are called, answer "yea"; those opposed "nay"; and the Clerk will call the roll.

The question was taken; and there were—yeas 2, nays 279, not voting 149, as follows:

YEAS—2.

Blanton	Huddleston		

NAYS—279.

Ackerman	Dewalt	Jones, Pa.	Overstreet
Alexander	Dickinson, Iowa	Jones, Tex.	Padgett
Almon	Dickinson, Mo.	Kearns	Paige
Anderson	Dominick	Kelly, Pa.	Park
Andrews, Md.	Doremus	Kendall	Parrish
Andrews, Nebr.	Doughton	Kettner	Pell
Aswell	Dowell	Kiess	Platt
Ayres	Dunbar	Kincheloe	Quin
Babka	Dunn	Kinkaid	Radcliffe
Bankhead	Dyer	Kitchin	Rainey, J. W.
Barbour	Eagle	Kleczka	Raker
Barkley	Elliott	Knutson	Ramsey
Bee	Elston	Kreider	Ramseyer
Begg	Esch	LaGuardia	Randall, Calif.
Bell	Evans, Nebr.	Lampert	Randall, Wis.
Benham	Ferris	Lanham	Rayburn
Blackmon	Fess	Lankford	Reber
Bland, Ind.	Fields	Larsen	Reed, N. Y.
Bland, Va.	Fisher	Layton	Rhodes
Boies	Fitzgerald	Lea, Calif.	Ricketts
Booher	Flood	Lee, Ga.	Riddick
Bowers	Focht	Lehlbach	Robinson, N. C.
Box	Fordney	Lonergan	Rogers
Brand	Foster	Longworth	Romjue
Briggs	French	Luce	Rowe
Brooks, Ill.	Fuller, Ill.	McArthur	Rubey
Brooks, Pa.	Gallagher	McCulloch	Rucker
Browning	Sullivan	McDuffie	Sabath
Buchanan	Gandy	McFadden	Sanders, La.
Burroughs	Gard	McGlennon	Sanders, N. Y.
Butler	Garner	McKeown	Schall
Byrnes, S. C.	Goldfogle	McPherson	Sells
Byrns, Tenn.	Good	MacCrate	Shreve
Caldwell	Gould	MacGregor	Siegel
Campbell, Kans.	Graham, Pa.	Madden	Sims
Campbell, Pa.	Hadley	Magee	Sinclair
Candler	Hamilton	Maher	Sinnott
Cannon	Hardy, Colo.	Major	Smith, Idaho
Cantrill	Hardy, Tex.	Mansfield	Smith, Ill.
Carss	Harrison	Mapes	Smith, Mich.
Carter	Haskell	Mays	Smithwick
Chindblom	Haugen	Michener	Snell
Clark, Fla.	Hawley	Miller	Steagall
Clark, Mo.	Hayden	Monahan, Wis.	Stedman
Classon	Hays	Mondell	Steele
Cleary	Hernandez	Montague	Stephens, Miss.
Condy	Hersey	Moon	Stephens, Ohio
Cole	Hersman	Moore, Ohio	Strong, Kans.
Collier	Hickey	Moore, Pa.	Summers, Wash.
Connally	Hoch	Moores, Ind.	Sumners, Tex.
Cooper	Houghton	Morgan	Taylor, Tenn.
Copley	Hudspeth	Murphy	Temple
Cramton	Hulings	Nelson, Mo.	Thomas
Crisp	Hull, Tenn.	Newton, Minn.	Thompson, Okla.
Cullen	Humphreys	Newton, Mo.	Tillman
Currie, Mich.	Husted	Nicholls, S. C.	Tilson
Curry, Calif.	Igoe	Nichols, Mich.	Timberlake
Dale	Ireland	Nolan	Tincher
Dallinger	Jacoway	O'Connell	Towner
Darrow	James	Ogden	Upshaw
Davey	Jefferis	Oldfield	Vaile
Davis, Minn.	Johnson, Ky.	Oliver	Venable
Davis, Tenn.	Johnson, Miss.	Olney	Vinson
Dent	Johnston, N. Y.	Osborne	Voigt
Volstead	Webster	White, Me.	Woods, Va.
Walters	Welling	Williams	Wright
Watkins	Welty	Wilson, La.	Yates
Watson, Pa.	Whaley	Wilson, Pa.	Young, N. Dak.
Watson, Va.	Wheeler	Wingo	Young, Tex.
Weaver	White, Kans.	Wood, Ind.	

NOT VOTING—149.

Anthony	Garland	Luhring	Rowan
Ashbrook	Garrett	McAndrews	Sanders, Ind.
Bacharach	Glynn	McClintic	Sanford
Baer	Godwin, N. C.	McKenzie	Saunders, Va.
Benson	Goodall	McKiniry	Scott
Black	Goodwin, Ark.	McKinley	Scully
Bland, Mo.	Goodykoontz	McLane	Sears
Brinson	Graham, Ill.	McLaughlin, Mich.	Sherwood
Britten	Green, Iowa	McLaughlin, Nebr.	Sisson
Browne	Greene, Mass.	Mann	Slemp
Brumbaugh	Greene, Vt.	Martin	Small
Burdick	Griest	Mason	Smith, N. Y.
Burke	Griffin	Mead	Snyder
Caraway	Hamill	Merritt	Steenerson
Carew	Hastings	Minahan, N. J.	Stevenson
Casey	Heflin	Mooney	Stiness
Christopherson	Hicks	Moore, Va.	Strong, Pa.
Costello	Hill	Morin	Sullivan
Crago	Holland	Mott	Sweet
Crowther	Howard	Mudd	Taylor, Ark.
Dempsey	Hull, Iowa	Neely	Taylor, Colo.
Denison	Hutchinson	Nelson, Wis.	Thompson, Ohio
Donovan	Johnson, S. Dak.	O'Connor	Tinkham
Dooling	Johnson, Wash.	Parker	Treadway
Drane	Juul	Peters	Vare
Dupré	Kahn	Phelan	Vestal
Eagan	Kelley, Mich.	Porter	Walsh
Echols	Kennedy, Iowa	Pou	Ward
Edmonds	Kennedy, R. I.	Purnell	Wason
Ellsworth	King	Ragsdale	Webb
Emerson	Kraus	Rainey, H. T.	Wilson, Ill.
Evans, Mont.	Langley	Reavis	Winslow
Evans, Nev.	Lazaro	Reed, W. Va.	Wise
Fairfield	Lesher	Riordan	Woodyard
Frear	Lever	Robsion, Ky.	Zihlman
Freeman	Linthicum	Rodenberg	
Fuller, Mass.	Little	Rose	
Ganly	Lufkin	Rouse	

So the motion to recommit was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. RODENBERG with Mr. SHERWOOD.

Mr. BROWN with Mr. LAZARO.

Mr. MCKENZIE with Mr. PHELAN.

Mr. BACHARACH with Mr. EVANS of Montana.

Mr. ROSE with Mr. SISSON.

Mr. GLYNN with Mr. EVANS of Nevada.

Mr. TREADWAY with Mr. TAYLOR of Arkansas.

Mr. GREENE of Massachusetts with Mr. LESHER.

Mr. STEENERSON with Mr. TAYLOR of Colorado.

Mr. JOHNSON of Washington with Mr. BLACK.

Mr. DENISON with Mr. MCKINIRY.

Mr. JUUL with Mr. LINTHICUM.

Mr. STRONG of Kansas with Mr. MINAHAN of New Jersey.

Mr. MUDD with Mr. RIORDAN.

Mr. CRAGO with Mr. SMALL.

Mr. KENNEDY of Iowa with Mr. BENSON.

Mr. PARKER with Mr. MCLANE.

Mr. LITTLE with Mr. O'CONNOR.

Mr. WILSON of Illinois with Mr. WEBB.

Mr. LANGLEY with Mr. MOORE of Virginia.

Mr. FREAR with Mr. BRINSON.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors. The question is on the passage of the bill.

The bill was passed.

On motion of Mr. FESS, a motion to reconsider the vote by which the bill was passed was laid on the table.

REQUEST TO ADDRESS THE HOUSE.

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent that I may address the House for 30 minutes to-morrow morning immediately after the reading of the Journal and the disposition of business on the Speaker's table.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for 30 minutes to-morrow morning immediately after the reading of the Journal and disposition of business on the Speaker's table. Is there objection?

Mr. CLARK of Missouri. What is it about?

Mr. LAGUARDIA. Mexico.

Mr. BLANTON. Reserving the right to object, is the gentleman's subject of such importance just now that we should sidetrack the prohibition measure, which is under discussion before the House?

Mr. LAGUARDIA. I do not think there is much business before the House, and I am trying to go to New York to-morrow evening if I can.

Mr. BLANTON. Has the gentleman ever been in Mexico?
Mr. LaGUARDIA. No.
Mr. BLANTON. Has he ever been on the Rio Grande border?
Mr. LaGUARDIA. No.
Mr. BLANTON. I object.

MINIMUM WAGE BILL.

The SPEAKER. The Clerk will continue the call of committees.

The Clerk called the committees, and when the Committee on Education was reached,

Mr. NOLAN. Mr. Speaker, by direction of the Committee on Labor, I call up the bill H. R. 5726, No. 16 on the Union Calendar.

The SPEAKER. The gentleman calls up the bill H. R. 5726 on the Union Calendar, and the House automatically resolves itself into Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. WOOD of Indiana in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 5726) to fix the compensation of certain employees of the United States.

Be it enacted, etc., That after the passage of this act the minimum compensation of any person employed by the United States or by the government of the District of Columbia shall be not less than $3 per day; or if employed by the hour not less than 37½ cents per hour; or if employed by the month not less than $90 per month; or if employed by the year not less than $1,080 per annum: *Provided*, That persons employed on a monthly or annual salary basis and who regularly perform less than a full day's service shall receive compensation at the rate of not less than 37½ cents per hour: *Provided further*, That the provisions of this act shall not apply to persons enlisted in the military or naval branches of the Government nor to the employees in the Philippine Islands, Porto Rico, the Territory of Hawaii, the Territory of Alaska, and the Panama Canal Zone, nor to persons holding appointments as postmasters, assistant postmasters, rural carriers, postal clerks, carriers in the City Delivery Service, or railway mail clerks: *Provided further*, That the provisions of this act shall apply only to those persons who shall have attained the age of 18 years: *And provided further*, That in the case of an employee receiving quarters and subsistence in addition to his compensation, the value of such quarters and subsistence shall be determined by the head of the department, and the compensation of such employees, plus the value of quarters and subsistence, shall in no event be less than the rate fixed by this act.

SEC. 2. That upon the passage of this act the heads of departments in which are employed persons as defined in section 1 of this act shall issue new appointments at the increased rate of compensation herein provided.

Mr. NOLAN. Mr. Chairman, I spoke with the ranking minority member of the Committee on Labor regarding the control of the time. I do not see him present, but I would like to do something as to the control of the extra hour, if anybody is in opposition to the bill. I ask unanimous consent that the time be divided, one hour to be controlled by myself and one hour by the gentleman from New York [Mr. MAHER], with the understanding that ample time will be given to those opposed to the bill, if there are any. The bill is such a meritorious measure that I have not heard of anybody that wanted to oppose it.

Mr. CALDWELL. The gentleman from North Carolina [Mr. KITCHIN] will take Mr. MAHER's place until he comes in.

Mr. MADDEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MADDEN. Is it possible to agree on a division and control of time in Committee of the Whole?

The CHAIRMAN. It is not. The gentleman from California is recognized for an hour.

Mr. NOLAN. Mr. Chairman, I would like to be notified when I have used 15 minutes. Mr. Chairman and gentlemen of the House, this bill is a minimum-wage bill to fix the compensation of certain employees of the United States. It provides for $3 per day minimum wage, 37½ cents an hour for an hourly wage, $90 a month if employed by the month, and $1,080 if employed by the year.

Mr. MADDEN. Will the gentleman yield?

Mr. NOLAN. Yes.

Mr. MADDEN. How much less is that than what they are getting now?

Mr. NOLAN. This is in some instances considerably more than they are now receiving. Those who are getting more than this rate, of course, it does not affect.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. NOLAN. I will.

Mr. MOORE of Pennsylvania. This is more than the scrub women now get?

Mr. NOLAN. Thirty-seven and a half cents an hour is a little more than they now get, minus the bonus.

Mr. MOORE of Pennsylvania. It would be an advantage to them, and they deserve it as much as anybody.

Mr. NOLAN. Yes; they are provided for in the bill.

Mr. MOORE of Pennsylvania. I wanted to ask the gentleman, because I do not think the question was raised when the bill was up before, whether the passage of this bill would mean that the scrub women about the Capitol—hard-working women, and we want to see them paid—would receive $3 a day and be paid on the per diem basis?

Mr. NOLAN. If they perform the regular day's service in the District of Columbia or at the Capitol of seven hours they would receive $3 per diem. Less than the regular day their hourly rate would be 37½ cents.

Mr. MOORE of Pennsylvania. And that would apply to the scrub women in the House Office Building?

Mr. NOLAN. Yes; they would get 37½ cents an hour; they do not work full days.

Mr. MOORE of Pennsylvania. That would apply anywhere throughout the country with respect to Federal employees?

Mr. NOLAN. Precisely.

Mr. MOORE of Pennsylvania. Those working by the hour would not receive less than 37½ cents throughout the United States, and those working at per diem rates would not receive less than $3?

Mr. NOLAN. Yes; and those working by the year would not receive less than $1,080.

Mr. MOORE of Pennsylvania. And as to age, the bill on its first page says "any person employed in the United States"——

Mr. NOLAN. If the gentleman will permit, I was trying to explain the whole bill. There is a limitation as to that.

Mr. SABATH. Will the gentleman yield for a question?

Mr. NOLAN. I will be glad to yield if the gentleman will let me have two minutes or more in which to explain the bill. This bill excludes from its operation persons enlisted in the military or naval branches of the Government and employees in the Philippine Islands, in Porto Rico, the Territory of Hawaii, the Territory of Alaska, and the Panama Canal Zone. It does not apply either to persons holding appointments as postmasters, as assistant postmasters, rural carriers, postal clerks, carriers in the City Delivery Service, or railway mail clerks. This provision was inserted in the bill on the floor of the House when it passed at the last Congress, at the instance of the Committee on the Post Office and Post Roads, all of the employees of the Postal Service being legislated for in the Post Office appropriation bill. There is a provision also that the bill shall apply only to those persons who have attained the age of 18 years. That is the age when they generally go into the classified civil service. Within the last two or three months the Civil Service Commission has let down the bars for certain employees—stenographers and typewriters. They are now being employed at the age of 16. Those employees would not receive the benefits of this bill.

Mr. MOORE of Pennsylvania. Mr. Chairman, may I ask the gentleman to yield again?

Mr. NOLAN. Yes.

Mr. MOORE of Pennsylvania. There are quite a number of messengers employed under the Government control of wires, who are engaged in running about this building and elsewhere. Is it possible that any of them are not 18 years of age?

Mr. NOLAN. Possibly there might be a few; but I remember here a few months ago, while the telegraph and telephone wires were under the control of the Government service, both men and women were advertised for in the District of Columbia and throughout the country, and they were given when employed considerably in excess of $3 a day.

Mr. MOORE of Pennsylvania. That was the allowance made to them by the wire control?

Mr. NOLAN. Whoever had charge of the setting of the wages of the messengers gave them considerably over $3 a day.

Mr. MOORE of Pennsylvania. Some of these messengers have a remarkably youthful appearance, and I wanted to know whether the gentleman knew if any of them were under 18 years of age.

Mr. NOLAN. I could not say. I do not know that this bill will ever affect them, because from all indications control of the wires will pass into private hands long before this bill becomes a law.

Mr. MOORE of Pennsylvania. But so far as the administration is concerned, it has really paid them more than this bill would allow.

Mr. NOLAN. That is my understanding. There is a provision in this bill that in case of an employee receiving quarters and subsistence in addition to his compensation the value of such quarters and subsistence shall be determined by the head of the department, and compensation of such employees, plus the value of quarters and subsistence, shall in no events be less than

the rates fixed by this act. In the Life-Saving Service, the Coast Guard Service, in the Indian Service, and in other Government activities men are employed and are receiving subsistence and quarters, or subsistence or quarters, and this provision of the bill would permit of their receiving the benefits of the bill, so far as the money end of it is concerned, but consideration must be given to the value of the quarters and the subsistence given them. This bill passed the House in the last Congress in September by a vote of 252 to 16. Since that time it has been amended so that the act will take effect immediately on the passage rather than in the beginning of the fiscal year following the passage of the act.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman yield?

Mr. NOLAN. Yes.

Mr. HUMPHREYS. Does this refer to the employees of the House?

Mr. NOLAN. With the going on the rolls now; yes. It is my understanding that it will.

Mr. HUMPHREYS. Under the resolution passed the other day authorizing the members to divide the $3,200 up among two employees?

Mr. NOLAN. Yes.

Mr. HUMPHREYS. Would that require that a clerk should get at least $3 a day?

Mr. NOLAN. Exactly. If employed by the day they would get that amount, and if employed by the month, $90 a month.

Mr. HUMPHREYS. They would come under the provisions of this bill?

Mr. NOLAN. Yes; I think if we legislate generally and fix a minimum wage for the rest of the Government employees we ought to be consistent and make that minimum wage apply to our own.

Mr. HUMPHREYS. Undoubtedly, but I want to know whether this provision that was permissible under the resolution which we passed the other day in respect to the $3,200 for clerk-hire allowance would be limited or affected by this bill?

Mr. NOLAN. I think it would be affected to this extent, that the second clerk could not be employed for less than $90 a month, or, if employed by the day, for less than $3 a day.

Mr. HUMPHREYS. For less than the compensation fixed here?

Mr. NOLAN. No.

Mr. CANNON. Suppose a man has two clerks and appoints one at $3,000 a year and one at $200. Would the one who receives the $200 get from the Treasury enough to make up the $3 a day?

Mr. NOLAN. No; but it would prohibit a member of Congress from doing that. It would prohibit him from employing one at $3,000 and the other at $200 a year by making the minimum $1,080.

Mr. CANNON. That is not in the bill.

Mr. NOLAN. It covers all employees. A Member could avoid that by employing them by the day or the hour.

Mr. HUMPHREYS. That would not run very long.

Mr. NOLAN. No.

Mr. HUMPHREYS. The $200 would soon be expended.

Mr. NOLAN. As I understand the interpretation placed upon it, it can only be drawn at the rate of so much each month, so that it would be in 12 monthly installments.

Mr. CANDLER. Under the provisions of the bill would it be against the law to pay a Federal employee less than $3 a day?

Mr. NOLAN. We fixed the minimum.

Mr. CANDLER. But no penalty is attached to it, however, is it?

Mr. NOLAN. No; there is no penalty attached to it, but I think the disbursing officer would be the penalizing officer.

Mr. CANDLER. And require everyone to receive at least $3 a day?

Mr. LONGWORTH. Will the gentleman yield?

Mr. NOLAN. I will.

Mr. LONGWORTH. What became of this bill after it passed the House last September?

Mr. NOLAN. It was referred to a subcommittee of the Senate Committee on Education and Labor. They held an investigation and hearings upon it. The chairman of that committee attempted to get an up-to-date estimate of the cost and number of employees who would be affected under the bill, but due to the fact that there was such a great turnover in the Government with this class of employees, Senator JONES of New Mexico, who was chairman of that subcommittee, was unable to get accurate information from the various officials.

Mr. LONGWORTH. So the bill was never reported to the Senate?

Mr. NOLAN. No.

Mr. LONGWORTH. And the Senate has never acted upon a similar bill?

Mr. NOLAN. Not to my knowledge.

Mr. MONTAGUE. Will the gentleman yield?

Mr. NOLAN. I will.

Mr. MONTAGUE. I understood the gentleman to say this minimum wage would apply to one of the two clerks provided for in the recent bill passed by the House.

Mr. NOLAN. I am not a lawyer, and I would not want——

Mr. MONTAGUE. I am not taking issue with the gentleman's construction at all, but just asking for information.

Mr. NOLAN. My impression is it would.

Mr. MONTAGUE. Does the gentleman think it would be wise to except those clerks from the operation of this bill?

Mr. NOLAN. Let us see whether it would be. We are providing a minimum wage for everybody else's employees in the Government of the United States. Why not employ that principle to our own employees. If it is a wise principle to legislate generally, would it not be wise as affecting our own employees?

Mr. MONTAGUE. Take this case as an example. There are some of us in this House who voted against the increase to clerks. Now, this bill puts us in the position of taking from the Government a larger compensation for these employees than allowed by the recent act.

Mr. NOLAN. Take the men who have voted against it and they certainly voted against it for some good reason.

Mr. MONTAGUE. I did for the very good reason of governmental economy.

Mr. NOLAN. There is not any obligation upon any Member of this House under the resolution recently passed to pay an extra clerk.

Mr. MONTAGUE. Am I not compelled to name two?

Mr. NOLAN. No; I received, and I guess every other Member of the House did, a circular letter from the Clerk of the House, in which he specified a way in which they can be placed upon the roll and removed from the roll and you can put one on or two.

Mr. MONTAGUE. That was not the understanding in the debate in the House upon the measure.

Mr. NOLAN. There is not anything compulsory that forces any Member of this House to spend any more of the $3,200 than he desires to spend, except he must spend it in monthly installments.

Mr. DYER. The resolution says he may have two.

Mr. KREIDER. Will the gentleman yield?

Mr. NOLAN. I will.

Mr. KREIDER. I would like to ask whether the bonus of $20 per month or $240 a year paid to Government employees would apply in all cases—that is to say, does that apply to those who are working by the hour and by the month or by the day? Is there any distinction?

Mr. NOLAN. The ruling of the Comptroller of the Treasury is to the effect that the bonus can be applied by the day, the month, or by the hour. If it goes by the year it is $240, by the month, $20, and by the day, after the 1st of July, 80 cents a day, on the 30-day basis.

Mr. KREIDER. Another question. I understood the gentleman to say a moment ago that the reason the rural carriers and postal clerks, carriers in the City Delivery Service, and railway mail clerks were eliminated from the provisions of this law is due to the fact that legislation was had affecting them. Can the gentleman say whether or not these men in these various services will also get the bonus of $240 a year or whether their minimum wage is lower than the wage provided for.

Mr. NOLAN. The bonus provides for an exemption of the postal employees, except post office laborers.

The CHAIRMAN. The gentleman has occupied 15 minutes of time.

Mr. NOLAN. I will take just five minutes more. The exceptions put in here were put in by the Committee on the Post Office and the Post Roads, practically all on the floor, because of the fact that the postal employees are legislated for either in the postal appropriation bill or in separate legislation.

Mr. KREIDER. Does the gentleman know whether or not the wages or salaries are below the wages provided for in this bill if they are employees of the Government?

Mr. NOLAN. Well, I could hardly say. I am not so well qualified to speak. The minimum rate of pay, the hourly rate of pay for postal employees, is 40 cents an hour, and substitute letter carriers and substitute clerks get this rate, which is 2½ cents above the rate provided here. My understanding is that, with automatic promotions for the City Delivery Service, they are considerably higher than the amount provided in this bill.

Mr. ANDREWS of Nebraska. Will the gentleman yield?

Mr. NOLAN. I will yield.

Mr. ANDREWS of Nebraska. It is suggested that the postmasters, assistant postmasters, and rural carriers were eliminated because they were provided for in the Post Office appropriation bill, as I understand it.

Mr. NOLAN. The amendment was inserted on the floor here in the last Congress by a motion of the gentleman from Illinois [Mr. MADDEN], a member of the Committee on the Post Office and Post Roads, and backed up by that committee.

Mr. ANDREWS of Nebraska. Now, if every provision in the bill applies with force to them, why not make the same exemption in relation to 11,411 people in the Treasury Department and 19,100 people in the War Department, and so on through the list as you give it here?

Mr. NOLAN. We tried to legislate generally until the House inserted that amendment. If you went down the line, of course, you would not have any bill.

Mr. ANDREWS of Nebraska. May I suggest a word further, that the legislative bill carries regularly provision for nearly all these people that are enumerated in the list on pages 6 and 7 of the report, and that the regular appropriation bills make provisions for those people?

Mr. NOLAN. I will say to the gentleman from Nebraska that since 1854 the appropriation bills of this House have made annual provisions for them, and outside of the bonus there are thousands of Government employees in the District of Columbia and throughout this country who are working for the salary that Congress set by statute in 1854.

Mr. ANDREWS of Nebraska. I am well aware of that fact. I have been over it a dozen times.

Mr. NOLAN. And that is the reason why we are trying to cover these low-grade employees in the present bill.

Mr. HAUGEN. A number of the employees are now receiving a salary of $480 a year—for instance, charwomen. Will they have to be advanced to $1,080 now?

Mr. NOLAN. The bill provides that persons employed on a monthly or an annual salary basis and who regularly perform less than a full day's service shall receive compensation at a rate of not less than 37½ cents per hour.

Mr. HAUGEN. We have many employed at $600 or $700, many of them students, and who seem to be satisfied with the salary they are receiving.

Mr. NOLAN. If they are 18 years old and they are performing full day's work, they will receive——

Mr. HAUGEN. In addition to the $1,080, will they receive a bonus of $240?

Mr. NOLAN. Yes. I understand the committee on classification is to settle the question about the bonus.

Mr. SABATH. This is similar to the bill that was passed in the last session?

Mr. NOLAN. Yes; with several amendments.

Mr. SABATH. What are they?

Mr. NOLAN. The first amendment is that the bill becomes effective immediately upon its passage.

Mr. SABATH. That improves the bill.

Mr. NOLAN. The second amendment is that to those who are receiving subsistence and quarters proper allowance will be made for subsistence and quarters, and they will be paid, considering subsistence and quarters, not less than the rate provided for in this bill.

Mr. SABATH. So that amount would be deducted?

Mr. NOLAN. The proper allowance, if they be allowed subsistence worth $25 a month, that they be paid $25 a month less than the amount provided in this bill.

There was an age limit in it, and that has been reduced to 18 years. Those are the changes in the bill from the way it passed in the last Congress.

Mr. LAYTON. There are over in the House Office Building, for instance, several employees who are receiving $850 a year. They are on annual salaries. Will this increase their salary to $1,080, and then will they get the bonus besides?

Mr. NOLAN. Yes. They get $850 now and the bonus, and they will get the benefit of this act.

Mr. BLANTON. As to the char employees who are employed by the month, and who render seven hours' service a day, under this bill such char employees as are working by the month and ordinary messengers and porters who sit at the doors of the various departments throughout the working day, and all such employees, will receive $90 a month?

Mr. NOLAN. That is true.

Mr. BLANTON. Now, in addition to the $90 a month, they will also receive the $240 bonus a year?

Mr. NOLAN. That is true.

Mr. BLANTON. Which will cause all the messengers, char employees, working by the month, seven hours a day, and these ordinary porters who sit at the doors to get $120 a month from this Government? That is true, is it not?

Mr. NOLAN. Yes. They will all be in line, although there is probably a good deal of abuse in the Government service. It seems to me that we have in some of our departments a surplus of certain kinds of employees, and this question could be settled by the heads of the departments. That is purely a matter of administration.

I am not in favor of providing soft berths for anybody. Everybody should perform a full day's labor for the Government. The principle of this bill is to establish a minimum wage. Anybody who knows anything about living conditions and the cost of living will agree that any man or woman who works for a living, no matter how menial their position may be, is entitled to receive a living wage.

Under present-day conditions and in the larger cities of this country, especially in Washington, $90 or $100 or $110 per month, where the employee performs a full day's service, is not more than enough to keep body and soul together, let alone to provide a good living.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. NOLAN. Yes.

Mr. JONES of Texas. What is the reason for exempting postmasters and assistant postmasters?

Mr. NOLAN. I explained that a while ago.

Mr. JONES of Texas. I was not here then.

Mr. NOLAN. The Committee on the Post Office and Post Roads claimed that they had always legislated for postal employees, and an amendment was put on the bill on the floor of the House at the last session taking out of the bill all those in the Postal Service and only leaving in the bill the post-office laborers.

Mr. JONES of Texas. Then there are no people engaged in the classified service that are included in this bill?

Mr. NOLAN. In the Postal Service only what they call the City Delivery Service and postmasters. The only postal employees included here are the post-office laborers.

Mr. JONES of Texas. Are there any others in the classified service?

Mr. NOLAN. Oh, we take in everything in every other department, and it was only at the instance of the Committee on the Post Office and Post Roads that those amendments were adopted.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. NOLAN. Yes.

Mr. BANKHEAD. Was provision made at that time for the bonus? Was the bonus in existence at that time?

Mr. NOLAN. Yes. The provision for bonus had been in existence, I think, for over two years.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. NOLAN. Yes; I yield to the gentleman from Illinois.

Mr. CANNON. The cost of living has advanced one and three-fourths as against one?

Mr. NOLAN. Yes; over that.

Mr. CANNON. Over that. Now then, this bill is passed on account of the increased cost of living. When pork comes down, when bacon is bought for 8 cents, and pork at 5 cents, and wheat at less than $1; in other words, when a dollar will buy as much of everything substantially as $2 will now buy, is there any possible prospect that the compensation of labor will be reduced?

Mr. NOLAN. In answer to the gentleman from Illinois, I will say that I took up this very question in the last Congress. I very well remember when the gentleman from North Carolina [Mr. KITCHIN], who was then chairman of the Committee on Ways and Means, speaking on the bond bill, called attention to the fact that this country would have, even after the armistice and peace were signed—in those days we did not talk about armistice, but we talked only about when peace would come—he predicted that this country would have to raise annually for a number of years from $4,000,000,000 to $5,000,000,000, and in the same speech he spoke about 50-cent corn and $1 wheat and 10-cent cotton. I called his attention to the fact that it would be impossible for this country to get back to 50-cent corn and $1 wheat and 10-cent cotton. That was before the armistice was signed. I asserted that 4 or 5 or 6 or 8 cent pork would not become a fact so long as we had to raise in taxes annually $4,000,000,000 or $5,000,000,000. The taxes which this great Government is called upon to raise will naturally reflect themselves in the prices of the staples of life, and so long as the staples of life are high the cost of living will be high. There is not a man on this floor or in the world who can predict the time when we shall get back to 50-cent corn or $1 wheat or 10-cent cotton,

and I do not know of a man on this floor who in his heart wishes that those days will ever come back to this country.

Mr. CANNON. If the gentleman will permit, I think the time will come, perhaps not in my day, but in the gentleman's time, when he will still be a Member of this body, when the purchasing power of a dollar will be doubled. Would the gentleman then advocate a reduction of wage if such a thing could happen? [Applause.]

Mr. NOLAN. I do not think reductions in wages are for the benefit of the country, especially where the Government is the employer. Undoubtedly if that condition comes wages must fall. They certainly will fall in private employment, notwithstanding every effort that is made to resist it. But it seems to me that you must have high prices in accordance with high Government taxes and expenses. A few years ago a Congress was called "a billion dollar Congress." It is now a $5,000,000,000 or $6,000,000,000 Congress. In the years to come it will continue to run into the billions of dollars, and in the future this country can not raise that revenue on 50-cent corn and $1 wheat and 10-cent cotton. You must have high prices to get big returns in the way of taxes to meet fixed expenses. Taxation must necessarily reflect itself in prices and wages, and it will go on for years and years. I look to see the gentleman from Illinois going on as he has gone in the Congress of the United States for many years to come, certainly as long as I live, and I hope many years thereafter, and I will predict this: That as long as either of us is alive we will never see the day that the gentleman from Illinois is now predicting, where the purchasing power of the dollar will ever get back to what it was in 1909 or 1910, or even what it was in 1914.

Mr. CANNON. One other word, if the gentleman will permit.

Mr. NOLAN. Yes.

Mr. CANNON. The Government now fixes the prices of certain products, notably of wheat, and during the war period it fixed other prices. Does the gentleman anticipate that the Government will fix the prices on all articles, or will the time come, when the whole world is producing, when the value of the dollar in its purchasing power will increase, and if so, should not everything correspond to that?

Mr. NOLAN. I have never been in favor of the Government fixing a minimum price, and I doubt the advisability of the Government fixing a maximum price. I think the best course to pursue would be to let the natural law of supply and demand regulate prices. I think there would then be more general satisfaction. But I think—and I think every other Member of this House agrees with me—that when we looked during the last Congress for wheat to go down to $1 or $1.50 everybody was fearful that the guaranteed price would not be met, and accordingly we provided a billion dollar guaranty fund. The farmers wanted it. We obligated ourselves to have a fixed price for three years. The farmer wants to have the same opportunity that every other human being has in this country to get all that he can, unrestricted, and the price set on wheat is the only fixed price that the Government has set, and the farmers of the country do not feel happy under it.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. NOLAN. Yes.

Mr. CARTER. I want to call the gentleman's attention to a fact that he probably already knows, that one of the principal food products has already gone down to a large extent to the prewar conditions of the country, and that is beef. The price of beef on the foot now is from $20 to $40 less per steer than it was during the war period.

Mr. NOLAN. If the gentleman reads the statistics, he will find that as beef reaches the consumer there is no such reduction as $20 on the beef on the hoof or a less price per pound. On the contrary, it is going up.

Mr. CARTER. The producer is getting $20 to $40 per head less than he did.

Mr. NOLAN. The discrimination, then, is against the producer and not in favor of the consumer. Somebody between the producer and the consumer is getting the benefit of the reduced price to the producer, and that benefit is not being transmitted to the consumer.

Mr. CARTER. That may be true, but at the same time the producer is not getting a profit adequate to the conditions as they exist to-day.

Mr. NOLAN. But the consumer is not getting the benefit of it, and no Government employee or any other employee can look forward to the time when he can buy more cheaply unless retail prices are cheaper.

Mr. CARTER. If the wholesale prices continue to be $20 to $40 per head less than they were, naturally the retail price of the product must come down.

Mr. NOLAN. I think my friend from Oklahoma will agree with me that there are certain institutions in the country which control that situation. We have tried here, through investigations and through other methods to solve that difficulty, but we do not seem to be able to do it, either by legislation or regulation. It goes on and goes on and goes on. The producer is not getting any more, and the consumer is paying more, or is not getting it for any less.

Mr. CARTER. The producer is getting less by $20 to $40 per head. Now, I want to ask the gentleman if he has made any figures as to the additional cost which this legislation will entail upon the Government in a general way?

Mr. NOLAN. In the Sixty-fourth Congress we got some figures that were accurate and up to date at that time. Since that time we have tried to get them, but with the confusion in the Government departments here it seems impossible to get them; that is, to get figures which are down to date. Senator JONES tried to get those figures. In 1914 there were 66,286 employees throughout the country and in the District of Columbia who would have been benefited, and the estimated additional cost at that time was $25,004,206. Since that time District of Columbia employees to the number of 3,812 have received increases in compensation, and they are put on the same basis as employees in the navy yard, who get the benefit of the Macy award, and will not get any benefits under this bill. I would say that probably 40,000 employees would be near the number of men and women throughout the country who would be benefited, and the approximate increase in expense will be not more than $15,000,000 or $16,000,000.

Mr. TEMPLE. Will the gentleman yield?

Mr. NOLAN. I yield to the gentleman from Pennsylvania.

Mr. TEMPLE. This bill will provide $3 a day as a minimum, or $90 a month?

Mr. NOLAN. Yes.

Mr. TEMPLE. Are there not now many Government employees who are receiving $65 or $75 a month?

Mr. NOLAN. Thousands of them. All of the employees in the custodians' force throughout the country, in the public buildings, large and small, the firemen, elevator attendants, laborers, watchmen in the customhouse force throughout the country are getting from $65 to $75 a month.

Mr. TEMPLE. By what authority is the rate of their pay fixed?

Mr. NOLAN. By legislation passed in 1854.

Mr. TEMPLE. Then the question seems to be, not whether $3 a day or $90 a month will be right 10 years from now, but whether $65 is right now?

Mr. NOLAN. That is it.

Mr. TEMPLE. The wages are fixed by law, and it seems to me we ought to fix them right.

Mr. NOLAN. We can not change them on an appropriation bill without bringing in some sort of legislative rider protected by a rule.

Mr. Chairman, how much time have I used?

The CHAIRMAN. The gentleman has used 37 minutes.

Mr. NOLAN. I reserve the remainder of my time.

Mr. MAHER. I yield 10 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, I am going to be one Member of Congress to vote against this bill, although I may be by myself in doing so. I am going to do this advisedly. If you go down here to the War Department, you can hardly walk down one of the corridors without stepping on the feet of the numerous negro porters who sit at the entrances to the outside rooms that lead through two or three other rooms to where the chief of some department whom you may be seeking can be found.

Mr. SABATH. Will the gentleman yield?

Mr. BLANTON. Not right now. I have only 10 minutes. Hundreds of these negro porters idly sit in the halls at the numerous entrances in the various departments and bureaus of this Government, rendering absolutely no service of any value whatever to this Nation. If they were white men, I would make the same criticism, but I mention that they are negroes because all of said porters are negroes.

They wear out the expensive carpets in the halls, they assimilate the breeze from the electric fans, reduce the quantity of ice water in the District of Columbia, and under this bill will draw not $90 a month, but $110 a month for doing nothing, because all will get the $240 bonus. Every one of them ought to be put out of their jobs, because they are useless jobs, worth nothing to this Government, and such waste and extravagance should stop, yet they will get $110 a month for being on the job seven hours a day, six days a week, with one month vacation on full pay in each year, enjoying all of the extra holidays and special privileged days that we have in the District of Columbia, and the extra 30 days' sick leave on full pay generally allowed. There are hundreds of charwomen working in the various departments of this Government to-day who are sup-

posed to put in seven hours, lots of them at night, hired by the month, who will receive $110 a month for seven hours' work, six days in the week, and getting their month vacation on full pay every year, and they will come and hire out to you to be your cooks and charge you $75 or $80 a month in addition, and you have to pay that to get one to cook for you part of the time four or five days each week. If you do not pay that you will take your family to a hotel or do your own cooking.

Mr. GALLIVAN. Or go hungry.

Mr. BLANTON. Or go hungry; something that the gentleman from Boston never did in his whole life.

Mr. GALLIVAN. I certainly never did and never will.

Mr. BLANTON. Well, I have, and others in the United States have. There are lots of ordinary messengers in the numerous departments who will be drawing $110 a month under this bill for 7 hours' work a day, 6 days in the week, receiving their 30 days' vacation each year on full pay and their additional 30 days' sick leave on full pay. The people are paying for all this.

The time is coming some day when the people of this country are going to call a halt, and if we Members of Congress do not do it we are going to see more new faces in these seats in the future than we have seen in the past.

The war is now over. We will soon return to normal conditions. We must awake and use practical common sense. Why, many bank clerks and even assistant cashiers of banks in my district do not receive more than this $110 per month we are proposing to give janitors, porters, charwomen, messengers, and elevator boys. The people are going to get tired of it; they are tax burdened too much now. These proposed wages are out of all reason. They are out of all proportion. No wonder we have over 100,000 negroes in Washington. This is certainly the place for them. If I were one, I would live here. The porters and messengers in your own town do not get $110 a month, working 7 hours a day and only 6 days a week, with a month vacation and 30 days additional sick leave on full pay in each year. Your charwomen in your own towns do not get $110 a month all 12 months in the year, but working only 6 days a week, 7 hours a day, and 11 months in the year. Your porters in your banks and private offices in your home towns do not get anything like that. It is out of all reason. It is creating a false idea of the value of some of these positions and of this kind of labor. We are simply going mad on this subject of extra compensation.

I want to say to you that I am glad it is a Republican who is the author of this bill. I am glad it is a Republican House that is going to help to put this kind of legislation upon the people of this country. People are going to hold you Republicans responsible for it, you see if they do not. The time is going to come some day when the people are going to say to you that you must quit making special pets of the employees of this Government, especially when the people have to pay the bills.

Talk about the postmasters not being in the bill because they are cared for in other legislation. Why, under this bill negro janitors, watchmen, and messengers in a post office will get more than the postal clerk and even many postmasters themselves. I will tell you how the fourth-class postmasters are cared for. I have some third and fourth class postmasters in my district who work 16 hours a day and they do not get $75 a month. That is true and you know it. Do you know why they are not cared for in this bill? I will tell you, because they do not belong to a union. That is the reason. We are not afraid of them. If they did belong to a union, my good friend from California would never have overlooked them.

Mr. SABATH. Why do you not get them to join?

Mr. BLANTON. I am not against unions if they obey the law, but I am against the unions running this Government. I will tell you, gentlemen, we have got to use a little common sense in this House when passing on these matters. It is something we are not using right now. It is not common sense to give these useless, idle negro porters, charwomen, and messengers in the various departments of the Government $110 a month for doing absolutely nothing of value to anybody, and you know it as well as I do. You send one of your good women from one of your districts down to one of these departments and these porters are a hindrance to them. It takes 15 minutes to get past one of them into merely the outer chamber, so great is their importance at the outer door, and they are a hindrance to the transaction of the Government business.

Mr. RICKETTS. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. RICKETTS. What remedy would the gentleman suggest to get rid of these messenger employees?

Mr. BLANTON. I am not talking about that now, but we ought to get rid of at least half or two-thirds of them.

Mr. RICKETTS. Who is to blame for having so many?

Mr. BLANTON. The Republican Party ought to get rid of them, for being in power it is responsible, and instead of increasing the minimum wage to $110 for six days in the week seven hours in the day, with one month vacation on full pay, it ought to make them do some productive work of value.

Mr. RICKETTS. Does not the gentleman think that the department heads ought to weed them out?

Mr. BLANTON. No; the department heads will never weed them out, whether they are Democrats or Republicans, for they all love to be waited on by negro flunkies. You will have to do it in this House; you will never get the departments to weed them out. As long as our departments are organized under the old system existing for the past 50 years or more, no such reform will be made by department heads. But Congress must do it. Now, employees want to get as much as they can and do just as little for it as they can. There is no such thing as efficiency prevailing now. It is not even recognized when it exists. If the doctor in your district does not attend to his patients properly, he loses his patrons. The lawyer must be able to deliver the goods in the courthouse or they will quit employing him. A merchant must successfully compete by giving as much or more for the money or he fails and goes out of business. The banks have to meet competition or they go out of business. There is no competition in efficiency in these departments. They hold the jobs by means of the civil service.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MAHER. Mr. Chairman, I yield five minutes to the gentleman from Nebraska [Mr. ANDREWS].

Mr. ANDREWS of Nebraska. Mr. Chairman, the number of employees in the departments should be measured by the absolute needs of the service. The heads of the offices in the departments are expected to apply that rule. We know that they are closely and carefully examined from time to time by the Committee on Appropriations. Glancing at the tabulations given on pages 6 and 7 of the report I note the number of employees and the estimated increase of compensation. I note on page 2 of this bill the exemption of persons in the military and naval service, in the Territories and Panama, postmasters and assistant postmasters, rural and city carriers, and railway mail clerks. I see no valid reasons for making those exemptions while the others tabulated in the report remain in the bill. There ought to be a square deal with reference to employees in all branches of the service, especially with those that must endure exposure and risk in all kinds of weather.

Let us observe for a moment the suggestion of the gentleman from Texas [Mr. BLANTON]. He told you it was quite impossible, at least at times, to find the way to the officers in the departments, because of a multitude of useless messengers in the hallways. I am not prepared to deny that proposition without going with him and viewing the conditions to which he refers. The responsibility for any excess employees in those places must rest primarily with the heads of the departments and the officers there concerned, and Congress must necessarily rely upon them for the information that leads to the appropriations in these various bills. Let me tell you this, that after viewing departmental conditions under Republican and Democratic administrations alike, I am sure that the gentleman from Texas has drawn heavily on his imagination and not upon facts. With reference to that matter let me say that those messengers are called to their places of service an hour in advance of the opening of the offices. They are detained for a considerable time after the office is closed. They are held on duty subject to call. Some days they may spend every hour or every minute in work, and some days they may have a few leisure hours. That question can be measured only by the heads of the departments and the chief in charge of the office or the division. But I challenge here and now the allegation that they have, as a rule, in these departments this overplus of service to which our attention has been directed. Surely we want to be cautious along the practical line of business, particularly at this time.

Let me add one more point. I know from actual observation that a very large majority of the men and women in these departments are doing their duty there just as well as you and I are doing our duty here, and we should not engage in this wholesale malediction in regard to their work. This kind of challenge throws a spirit of nervousness into the midst of the working forces of the departments and reduces efficiency and never increases it.

Just a moment in regard to the bill. I should like to see it amended so that the persons exempted on page 2 shall have the same benefits that may be accorded to those in the other departments. With reference to that I need not enlarge my remarks and take the further time of the committee. I thank you for your attention. [Applause.]

Mr. NOLAN. Mr. Chairman, I yield 20 minutes to the gentleman from Maine [Mr. HERSEY].

Mr. HERSEY. Mr. Chairman, this bill is very simple. It is short in its provisions and is easily understood. It provides "That after the passage of this act the minimum compensation of any person employed in the United States or by the government of the District of Columbia shall not be less than $3 per day; or if employed by the hour, not less than 37½ cents per hour; or if employed by the month, not less than $90 per month; or if employed by the year, not less than $1,080 per annum."

This bill does not fix the wage of the Federal employee only so far as to fix a minimum wage, a living wage, a wage that the committee said, after careful examination, was a wage on which a man or a woman who had attained the age of 18, either married or single, with or without a family, could live decently and honestly in the community in which employed.

What is true of Washington is now largely true of all cities in the United States. The cost of living in one place is very much as it is in another. It seems that the great cities outside of Washington have the habit of raising the cost of living by high rents as well as the exorbitant price of food.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. HERSEY. I do.

Mr. MILLER. I want the gentleman to tell me if it is not a fact that it would be possible in our own clerk hire in this House for us to allow one of our clerks $3,000 per year, or $3,100 per year, and the other clerk thereby to draw $110 per month under this bill? If so, then every Member of this Congress would be receiving $4,300 a year clerk hire. I would like to know whether that is possible?

Mr. HERSEY. I would say to the gentleman that the question raised by him was not called to the attention of the committee, but as one member of that committee I would be in favor of an amendment exempting our clerk hire from the provisions of this bill. I can see where without such an amendment it might muddle up things.

This bill does not fix the number of employees of the Federal Government. It does not say what position they shall hold. It does not hire useless messengers, as the gentleman from Texas [Mr. BLANTON] would have you believe. It does not provide places for useless employees. This bill simply assumes that the Federal Government has no useless employees. This bill assumes that all of the Government employees are efficient and that they are all entitled to a living wage.

The gentleman from Texas [Mr. BLANTON] in opposing this bill said:

I want to say to you that I am glad it is a Republican who is the author of this bill. I am glad it is a Republican House that is going to help to put this kind of legislation upon the people of this country. People are going to hold you Republicans responsible for it; you see if they do not. The time is going to come some day when the people are going to say to you that you must quit making special pets of the employees of this Government, especially when the people have to pay the bills.

I do not think this is or ought to be made a partisan question. It is true that the Republicans have the control of legislation in so far as its passage in this Congress is concerned. It is true that the Republicans have a policy and a program in regard to present labor legislation. The party of the gentleman from Texas has had control of labor legislation in Congress for the last six years and the laborer may have been satisfied. He may have had justice, but I seriously doubt it. In my opinion a great deal of legislation has been passed by a Democratic Congress that has not been for the interest of labor generally, but for the interest of certain classes of labor and to obtain political influence and votes. Is it true that the coercion of a Democratic President and a Democratic Congress by the railroad employees has resulted to the benefit of labor throughout the Nation? Not at all. While you surrender to a strike holdup and threat of one class of labor you dissatisfied all other classes of labor. The Republican policy and program is for justice to labor and also justice to capital.

The Republican Party in this Congress will not be intimidated or coerced to stand for vicious labor legislation in an attempt to catch the labor vote. This Republican Congress will stand for justice to the laboring man whether we get his vote or whether we do not, and I am of the opinion that if we do justice to labor, labor will appreciate it—maybe not at this hour, but to-morrow. You can not do injustice to capital and justice to labor at the same time. You can not do injustice to labor and do justice to capital, and whoever attempts to arraign capital and labor against each other is an enemy to his country.

Now, the Republican platform and program stands for no class legislation or for any interest of capital or labor. We shall enact no political legislation to obtain the votes of the elements of unrest. We do not stand for the retention of useless, unnecessary, or inefficient employees of the Government. We do not stand for the interests of those who have a vote against the interest of the Federal employers who have no vote. We will not awaken any false hopes in the breast of the laboring man by telling him, in the words of the President, that "labor is in the saddle." Labor is not in the saddle, and I hope the time will never come when either capital or labor will be in the saddle. The American people, whether poor or rich, high or low, are in the saddle in America and no one rules except the people. The Republicans will not by threats be intimidated or coerced into passing labor legislation that is vicious or that will recognize the elements of unrest—Bolshevism, socialism, and anarchy—in our country to-day, but they will enact just and healthy legislation such as is provided in this bill.

We seek to do justice to Federal employees whether in Washington or elsewhere, whether they have a vote or whether they have none. We shall insist that they have impartial justice, that they have a living wage, and when we have passed this bill we shall take up and pass other needed labor legislation, such as the retirement bill, whereby old men and women, long in the service of this Government, too old and feeble to longer perform efficient work, shall be retired on a living pension, and their places taken by those who are efficient. If after the report of the Committee on Reclassification is made and it is found that there is under a Democratic administration a lot of useless and worthless employees, as described by the gentleman from Texas, then as far as we have authority and power we shall change all that.

The Republican party, I will tell the gentleman from Texas, will pass a good immigration law that will protect the American laborer against the cheap and undesirable foreign laborer. We shall not interest ourselves so much for international labor as for national labor. We will also enact a tariff law that will protect American workmen against the pauper labor of the world. We will stand for justice every day and every hour between capital and labor. Mr. Alifas, who is president of the International Association of Machinists, before our committee made a statement that meets my views, and it ought to meet the views of this House in regard to this labor question. He said:

We can not hope to obtain high American standards of citizenship unless we see to it as a people that our ideals of that standard are lived up to. Regardless of how simple and insignificant a man's or a woman's work may seem, if it is necessary work or work which the Government desires to have done, it is worth a living wage, whether that work be that of a messenger who does nothing but sit at a door of one of the departments to receive visitors or an employee who picks leaves off the Capitol Grounds. If any given work is not sufficiently important to deserve a living wage on the part of one who does it, it should be abandoned.

If there are useless employees, worthless employees, in the Federal employment, they should be discharged. If there are inefficient men and women working there, they should be discharged and their places taken by the efficient. We should reduce Federal employment to an efficient and economical basis. But I could not stand here to-day and deny to the deserving a living wage because there are inefficient and useless employees in the Federal Government. We ought to give to the lowest and most humble employees of the Federal Government simple justice and see that their work is done faithfully and well. We should give these employees a reasonable and living wage. Without such even-handed justice to the poorest and most humble of our Government workers we are not doing our duty to the people who sent us here. [Applause.]

Mr. NOLAN. Will the gentleman yield back what time he did not use?

The CHAIRMAN. The gentleman yields back eight minutes.

Mr. MAHER. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. SMITH].

Mr. SMITH of Michigan. Mr. Chairman, I thank the gentleman from New York [Mr. MAHER]. I looked for time on this side and did not think the gentleman was referring to me. We have listened to some violent remarks by the gentleman from Texas [Mr. BLANTON], who is probably a great reformer and economist in his way. A day or two ago an open letter came to our desk—I think to the desk of every Member of this House—and I want to read to the committee the great economies expressed by the gentleman in a bill which he filed, dated May 19, 1919, to pay to each Confederate soldier and to the widow of each Confederate soldier $1,000 and the further sum of $25 a month during their natural lives. It provides as follows:

Providing for the return to the South of certain of the "cotton tax" collected from 1863 to 1868 by paying to each living Confederate soldier and each living widow of a Confederate soldier, as proper representatives of the South, the sum of $1,000 and a further sum of $25 per month during the remainder of their lives and authorizing the appropriation of money therefor.

Well, now, that does not sound as if he was trying to save the people's money to any great extent. Not only that, but he de-

clares as a good Representative from the Rio Grande that he would not vote for such a bill as this bill is. If you turn over to the CONGRESSIONAL RECORD of September 24, 1918, only nine months ago, I will read to you a little article found there to show whether he stands here as the sure, absolute, only unalloyed, and purified economist, and what there is about it. I am not complaining about it, but what about his consistency here? I read you a little of his attitude nine months ago upon this very same bill, as far as the cost is concerned.

It is changed from 20 years to 18 years. I read from page 11634 of the CONGRESSIONAL RECORD of September 24, 1918:

Mr. BLANTON rose.
The SPEAKER. For what purpose does the gentleman from Texas rise?
Mr. BLANTON. To make a motion to recommit this bill back to the Committee on Labor, with instructions to report it back forthwith with the following amendment: On page 2, line 1, after the colon following the word "hour," insert the following——
Mr. NOLAN. Mr. Speaker, I make a point of order.
The SPEAKER. Is the gentleman from Texas opposed to this bill?
Mr. BLANTON. I am not.

And among the names of those who voted at that time, and the vote was almost unanimous, for this bill, right up near the top of the column, is the name of my good friend from Texas [Mr. BLANTON]. That was his position on this bill at that time, and now he says he will vote against this bill whether there is another vote against it or not. What has come over the gentleman?

Mr. BLANTON. Will the gentleman be fair enough to yield?

Mr. SMITH of Michigan. Certainly.

Mr. BLANTON. I will ask the gentleman if my motion to recommit would not have perfected the other bill in several very important ways, and I will ask him further if this bill is not a changed bill in three different particulars and carries with it a bonus of $20 a month that the other bill did not carry?

Mr. SMITH of Michigan. The bill does not carry a bonus of $240. And I think your motion would have made the bill a great deal worse.

Mr. NOLAN. The last bill carried with it $120-a-year bonus.

Mr. SMITH of Michigan. If the gentleman from Texas will allow, of course, he presents a very convincing argument here, and he presented it very forcefully, to the effect that this bill is among those extravagant ones that he would not vote for in any way; and in order to show his inconsistency I only want to call the attention of the House to the fact that the gentleman did vote for such a bill, and a similar bill, and for the identical purpose of fixing a minimum wage. And he did it rightly. I will tell him why. We took testimony for two or three days and a splendid array of witnesses came before the committee. All of them appeared in favor of the bill, and not a person appeared against it. We inquired of those who were present if they had any opposition to it, and there was not a witness against it. Has any Member ever received a letter in opposition to this bill? Certainly not.

I will tell you that this bill will keep some of these people from starvation. There are two ways of keeping your employees. I have employed help during my short earthly career to some extent. When I get a good man he does not have to follow me around and ask me to pay him a little more and threaten to quit if I do not. I pay him more if he is worthy and he does not quit. And the Government can do the same thing. The Government can pay a proper sum to its employees. It can be the model employer.

Mr. MILLER. Will the gentleman yield?

Mr. SMITH of Michigan. I will be glad to do so.

Mr. MILLER. What is the philosophy in exempting Federal employees in the District of Alaska from the benefit of this?

Mr. SMITH of Michigan. I do not know. The question was not raised before the committee.

Mr. NOLAN. The fact of the matter is that the amendment exempting the Territory was put in at the instance of the War Department, but the bill will not affect the employees in the Territory of Alaska, because they all receive above the sum required.

Mr. MILLER. What was the philosophy of the request of the War Department, then?

Mr. SMITH of Michigan. In relation to what happened in connection with this bill, here is the testimony of Mr. Steward, who is president of the National Federation of Federal Employees, of Washington, D. C., a very learned and cultured gentleman, holding a high and responsible position. He was asked by a member of the committee:

Mr. MACCRATE. Of course, when you say a starvation wage, less than $3 does mean relatively a starvation wage?

I might also say that one of the witnesses who appeared before that committee said that when a little child of one of their coworkers in one of the departments down here died, they had to take up a collection to buy a little coffin for it.

Now, I call your attention to this further statement of Mr. Steward in reply to the question of Mr. MACCRATE, a member of the committee:

Mr. STEWARD. I mean less than that is a starvation wage in that in order to keep soul and body together it is necessary to live below the standards that any American citizen should live; necessary to work longer hours than we in this country feel is proper, not only for the benefit of the present generation but for those to come. It is necessary to seek outside employment, necessary to go into debt with no prospect of getting out of debt, necessary to take children out of school, to evade the compulsory-education laws, necessary for all the members of a family to work and do all of those things that tend to lower our standards and to vitiate what we have always felt in this country should be an example to the world of the condition of our citizenship.

We are not fixing the wage here, if you please, gentlemen, of just one person alone. We are allowing a man a sufficient wage by which he can earn a comfortable living for himself, and so that he can support his wife and children. The Government is paying less wages than any firm in the United States for similar work.

They talk about these men down here. We have a wage-adjustment committee at work now, and if there is such a person as the gentleman from Texas [Mr. BLANTON] mentions, he ought to be relieved from that position. If a man does not work, the Government should dispense with his services. If no work is given him, I would not think it is wholly the man's fault. He is employed, and, if employed, he is entitled to a remuneration sufficient to live on at least. I am talking about a man who works. The man who works is entitled to a living wage in these United States of America.

So we ask you to pass this bill. We say it is a wholesome one. It is a bill that affects the very people that are usually ignored, the lowest-paid employees of our Government. They have nobody in particular to speak here for them. These men who are getting the least wage of any person employed by the Government ask you to vote for this bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER. I ask unanimous consent that the gentleman's time be extended two minutes.

The CHAIRMAN. The gentleman from California [Mr. NOLAN] controls the time.

Mr. NOLAN. I yield two minutes to the gentleman.

Mr. MILLER. I would like to ask the gentleman a question, which I attempted to ask him a few moments ago. What is the philosophy of exempting Federal employees in the Territory of Alaska? And what is the philosophy of exempting the rural mail carrier? If a mail carrier in the city of Washington gets the benefit of this law, why not the mail carrier in the gentleman's district and in mine?

Mr. SMITH of Michigan. Let me tell the gentleman about the philosophy of it. I am in favor of his philosophy. I am in favor of the rural carrier getting the benefit of this bill, and I am in favor of the Federal employees in Alaska getting the benefit of this bill. The reason given for exempting the rural carriers and the letter carriers, I am told, is that they are provided for in the bill filed by the Committee on the Post Office and Post Roads, and that committee asked that they be given the right to fix the salaries on those particular employments, and they came in here with a motion, and it was carried by the Members voting at that time and put through. The Federal employees in Alaska have their wages fixed by statute in the same way by the membership of this House, and if the post-office employees and rural carriers and employees do not get as much now as they would under this bill, I am in favor of giving it to them.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Michigan. Yes.

Mr. GOOD. The gentleman from Texas [Mr. BLANTON] made the statement a few moments ago—and I understand the gentleman from Michigan confirmed the statement—that the compensation as provided for in the bill did not include the $240 per year additional compensation. Is that correct?

Mr. SMITH of Michigan. No. I understand they draw the $240 bonus in addition to the provisions in the bill.

Mr. GOOD. I would like to ask somebody who is familiar with the bill where they provide any provision of that kind in the bill that we are now considering, that the $240 additional compensation is not a part of the compensation of an employee of the Government?

Mr. BLANTON. It is a question of law.

Mr. SMITH of Michigan. It is a ruling put upon the construction of the law that all Federal employees drawing less than $2,500 get the bonus, but I would not be too sure about that.

Mr. BLANTON. They are employees of the Government on the roll, and every employee of the Government on the roll ipso facto automatically gets $240.

Mr. GOOD. That is part of his compensation, then?
Mr. BLANTON. Yes.
Mr. FIELDS. Mr. Chairman, will the gentleman yield?
Mr. SMITH of Michigan. Yes.
Mr. FIELDS. Under the law would a janitor in a post office receive greater compensation than most of the postal clerks?
Mr. SMITH of Michigan. If they do, that would be wrong. I do not think they would. This is to fix the basic pay.
Mr. FIELDS. It seems to me as the bill is drawn it would pay to the janitor a greater compensation than is paid to a majority of the postal employees.
Mr. SMITH of Michigan. That is, leaving the pay of the postal clerks as it is now and letting the janitors have the benefit of the bill?
Mr. FIELDS. Yes. The salary of the janitor under the bill as it is drawn would be a greater compensation than that of the clerk. I think that ought to be corrected.
Mr. SMITH of Michigan. This fixes the basic pay, and they both would be entitled to the increase under it, providing they were now receiving less than the amount provided for in the bill.
The CHAIRMAN. The time of the gentleman from Michigan has expired.
By unanimous consent, Mr. SMITH of Michigan was granted leave to revise and extend his remarks.
Mr. MAHER. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. SABATH].
The CHAIRMAN. The gentleman from Illinois is recognized for five minutes.
Mr. SABATH. Mr. Chairman and gentlemen, I am indeed pleased to hear from the gentleman from Maine [Mr. HERSEY] that the Republican Party has agreed upon a program for labor legislation, and I hope that they will not forget in the future as they have in the past the promise which he has made for the party. At the same time I do not know whether the gentleman from Texas [Mr. BLANTON] is speaking for anyone else on the Democratic side than himself. I know that he is not speaking for the Democrats that come from the East, the North, or the West, and I am just as certain that he does not speak for the Democrats from the South. I know that the great majority of the Democrats are in favor of legislation that will be beneficial to the laboring people of this country.
A similar bill was reported out and passed by the House under a Democratic majority at the last session, and had it not been for the Republican filibuster on the Senate side this bill would have been the law to-day.
I am pleased to say that twice before I had the pleasure and satisfaction to work and to vote for similar bills. I believe it is legislation in the right direction. Some so-called friends of labor are fearful that $3 is too much for a day's work. I never as yet have heard of anyone anywhere earning $3, $4, or $5 a day who became dangerously rich or whose name can be found among the 14,000 newly made millionaires. You gentlemen from the rural districts of the North are solicitous that the farmer should get $2.20 for his wheat; others of you from the South are very solicitous that you receive from 30 to 40 cents a pound for cotton; those of you from New England are very solicitous that the woolen, cotton, or textile manufacturers receive from two to three hundred per cent more for their fabrics than before. But whenever the question of increasing the wage of labor comes up we always find those who will make promises for the future with no intention to fulfill them, and others who object to any proposition that has for its aim to improve or benefit the cause of the wage earner. Therefore I am pleased to learn that the Republican Party has agreed on a program to do justice to labor. To me it is not surprising that in the same breath the gentleman speaking for that party states that justice will also be done to capital.
I feel that the capital has reasons that its own party will look after its interest, but I doubt that the labor has so much confidence in the party that has for so many years failed in all its duties and promises to the wage earners of America. I know that even you gentlemen on the Republican side will be obliged to agree with me when I say that the Democratic Party whilst in power has enacted more favorable legislation in the interest of labor than the Republican Party has during its entire existence, the views of the gentleman from Texas [Mr. BLANTON] notwithstanding, who, however, as I said before, does not speak for anyone on the Democratic side but himself. This legislation, I again repeat, is in the right direction. These people are deserving. There may be some holdovers and aged civil-service employees in some of the offices in Washington and elsewhere who, due to age and infirmities, may not put in an entire day of hard work, a majority of whom, however, should have long ago been retired on a pension, and if the retirement civil-service bill had not been defeated by the Republican filibuster, the same as this legislation in the last Congress, that would have been done. But the great majority of these people are obliged to earn their wage. They are hard-working men and women, and when you go through this building and through other Government buildings you will invariably see men and women working mighty hard who at the present time receive as low as $40 a month, a wage on which they can not live or exist. I believe that it is our duty to economize, but to deprive the Government worker of a living wage is not economy. It is our duty to adjust the pay of these thousands of underpaid employees. I am confident that the country is in favor of such action, and it should receive the unanimous vote of Congress. [Applause.]
The CHAIRMAN. The time of the gentleman from Illinois has expired.
Mr. MAHER. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. MACCRATE].
The CHAIRMAN. The gentleman from New York is recognized for 10 minutes.
Mr. MACCRATE. Mr. Chairman and gentlemen, it would not be fair for a Republican member of this committee to assume either the entire credit or the responsibility for this bill. There has been no gentleman more interested in putting this bill before the House than the ranking minority member, Mr. MAHER, my colleague from New York.
If the bill goes through, I believe he should receive as much credit as any other man in this House. [Applause.] But if it becomes a question of Republican responsibility, I believe the Republican Party may accept that responsibility with pleasure and go before the country upon it with profit.
It is indeed amusing to hear everlastingly that organized labor is doing this and that. Any man in his senses knows that organized labor to-day has a higher minimum than $3 a day, and organized labor would not ask this House or any other legislative body to establish a minimum as low as $3 a day. But organized labor is unselfish in this matter, and it believes that we ought to fix some minimum that will provide a living wage for Federal employees. I do not know why reference is made to colored or negro help at the doors of executive and administrative offices. I have but few black men in my district, but I believe, and we all believe, that whether a man is black or white, in America he has a right to live and a right, if he is willing to work, to get wages that will keep him alive. [Applause.] If you Democrats are going to let it go out that you do not want to vote $3 a day for help in this Government because some black men are employed, the Republican Party will gladly go before the country on that issue.
In the Chicago public buildings there was a 60 per cent turnover, in the labor getting less than $3 a day, between January and May of this year. That is, 60 per cent of the employees in the Chicago customhouse receiving less than $3 per day left their employment because they could not exist on the money that was being paid them. There were charwomen getting 21 cents an hour and working five hours a day, making about a dollar to take home to support a family. The underlying theory of this minimum wage bill is not that you are paying for services rendered, but that you are fixing a minimum at which Federal employees can meet the cost of living. The figures in the city of Washington, I understand, approximate $1,500 per annum on which a family of five can subsist. If you require $1,500 for a family of five, that does not necessarily mean that one person can subsist on $310. We who have clerks know that those clerks consume at least $1,000 on subsistence, clothing, and the usual entertainment that any healthy individual is entitled to.
But I have been rereading the President's message. If this is not an Executive lollipop for labor to lick and have nothing left but the stick, then we must do something in this Congress. There are no direct statements as to what we should do for general labor in the President's message, but he did say, and I reread it just for your information and to refresh your minds:

> The members of the committees on labor in the two Houses will hardly need suggestions from me as to what means they shall take to seek to make the Federal Government the agent of the whole Nation in pointing out, and, if need be, guiding, the process of reorganization and reform.

You who profess to follow the President as a leader must, we insist, guide the Nation by fixing a minimum at which men and women can be employed by the Federal Government. Whether the Republican Party has a labor program or not, the Committee on Labor are interested in seeing that justice is done throughout the length and breadth of this country. We, as Republicans, do not believe that the salvation of labor lies in the hands of Congress or any legislative body. If labor is to be well taken care of, it must be by the manufacturers and the men who guide the industries of this Nation consulting with their workers. The best friends of American labor are American employers and not

American executives or legislators. [Applause.] The suggestion of the President that there has been a gulf between labor and capital does no service to the country, but only indorses the radicals' claim that there are two big movements in America, one the movement of those who work and one the movement of those who employ, and emphasizes class distinction and class consciousness. What this Congress ought to do is to emphasize the fact that in America, viewed legislatively, there is no black workman or white workman, there is no class consciousness or class distinction, but that all are Americans, and justice, and not special consideration of any group, should guide us in our legislation. [Applause.]

By unanimous consent, Mr. SABATH was given leave to revise and extend his remarks in the RECORD.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 55. An act to authorize the Secretary of the Interior to adjust disputes or claims by entrymen, selectors, grantees, and patentees of the United States against the United States and between each other, arising from faulty surveys in townships 36, 37, and 38 south, ranges 29 and 30 east, Tallahassee meridian, in the State of Florida, and for other purposes;

S. 2100. An act authorizing the Union Pacific Railroad Co., or its successors, to convey for public-road purposes certain parts of its right of way; and

S. 9. An act to encourage the reclamation of certain arid lands in the State of Nevada, and for other purposes.

MINIMUM WAGE BILL.

The committee resumed its session.

Mr. MAHER. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. GOLDFOGLE].

Mr. GOLDFOGLE. Mr. Chairman, the high cost of living which seems ever to increase makes it essential that this bill to fix a minimum wage for Government employees should pass. The arguments made to-day amply prove the necessity for this legislation. The time has come when it is impossible for any man to live decently and maintain his family properly, however frugally he may manage, on less than the minimum sums fixed by this bill.

In the past I was often surprised at the cheeseparing policy pursued by the Government toward some of its employees. When I speak of these employees, I have reference to those small-salaried men or women and those to whom were paid small daily or weekly wages. These employees were too frequently overlooked, while men in the higher stations of official life were well provided for and given increases on their already high-priced salaries. During some of the years of my service in the House I witnessed with amazement and listened with surprise to arguments advanced in opposition to increasing pay of underpaid employees when appropriations came up, despite the fact that those for whom advances were asked had rendered efficient and valuable service to the Government.

To-day labor is justly knocking at our doors, and its demands merit and deserve our earnest and favorable consideration. With this view in mind, I gladly and cheerfully give my support to this bill.

I recall that when the pay of letter carriers and postal clerks was from time to time the subject of discussion how exceedingly difficult it was to get Congress to make proper and suitable increases and give to this class of Government workers, who really deserve so well the people's favor, a living wage. I once remarked on the floor of the House supporting the proposition to increase the postal men's pay, and I repeat it with respect to all the employees generally affected by this present bill, that the Government ought to be as fair and considerate to its employees as a private employer is expected to be in dealing honestly and uprightly with his own employees.

Mr. Chairman, in these times when there is so much unrest manifest everywhere, often arising from the high and burdensome cost of living, our Government should be the first to set an example, and, indeed, become a model for private employers in the fixing of adequate compensation for labor and a proper living wage. To-day we had an exhibition on the floor which indicated how some gentlemen view with narrowness propositions calling in fairness for appropriations. The bill to render relief to the unfortunate blind was up. I heard, as you did, an argument advanced to cut down an appropriation which should have remained wholly unopposed, if for no other reason than that the worthy cause it is designed to further awakened a tender sympathy for a class of people whose sad affliction requires our help and the Government's aid.

But I return to the subject of the pending bill. The men and women whom this measure is designed to cover are entitled to our protection. Out of their present meager pay they can not meet the necessary present living expenses. They have frequently no other way of moving Congress to action than through the recognized representatives of labor, and these men in the consciousness of duty came before the Labor Committee and presented what I regard as a just and righteous case.

Before I close I desire to pay tribute to my colleague from New York [Mr. MAHER], who, while he was chairman of the Labor Committee, worked faithfully in labor's cause and in the interest of deserving men, and I want to congratulate the present chairman and the members of that committee for bringing to us this meritorious measure. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MAHER. Mr. Chairman, I yield five minutes to the gentleman from Kentucky [Mr. FIELDS].

Mr. FIELDS. Mr. Chairman, I am for the bill and expect to vote for it, but I hope that the membership of this House will not put me and itself in the position of voting to pay a larger salary by $100 or $200 a year to janitors in post offices of the first, second, and third classes than most of the clerks in those offices get.

In one of the post offices in my district I recall that there are 15 clerks. There are only two who receive a compensation in excess of $1,100 per annum. Yet this bill will pay the janitor something over $1,200 per annum. The bill is right in principle; labor must receive an adequate wage, the wage to which it is entitled, but we should not lose sight of the fact that we are neglecting in this bill as it is drawn men and women who have devoted years of study to their preparation for the highly technical work they are doing, and will receive less compensation than the janitor that has not incurred the expense in preparing for his duty and whose duty is not so technical or so strenuous.

I shall offer an amendment at the proper time to exclude from this bill the language that prohibits postmasters, postal clerks, mail carriers, and railway post-office clerks from receiving the benefits of the law, also the language that applies to the employees in the Territory of Alaska. I am not familiar with the living conditions in Hawaii or the Panama Canal Zone, but I do know something of the conditions in the Territory of Alaska, and I know that the cost of living is higher in the Territory of Alaska than it is in the United States. I therefore see no reason why the employees of the Government in the Territory of Alaska should be discriminated against in this bill.

Nor do I see any reason why the postal clerks and letter carriers and all other postal employees except the janitors should be discriminated against in this bill. Gentlemen, legislation of that kind can not be explained or defended before the people of this country, and at the proper time I shall offer the amendment to which I refer. I call the attention of the membership of the committee to it at this time, and sincerely trust that when it is offered it will be adopted by the House.

Mr. ROGERS. Will the gentleman yield?

Mr. FIELDS. I will.

Mr. ROGERS. Will the gentleman's amendment strike out the entire clause relating to post offices, beginning on line 4, page 2, and ending with the proviso on line 7?

Mr. FIELDS. My amendment proposes to strike out in line 3 the words "the Territory of Alaska," and in line 4, after the word "zone," the remainder of line 4, all of lincs 5 and 6, down to and including the word "clerks" in line 7.

Mr. ROGERS. I had proposed to offer the amendment myself, and I am glad the gentleman is going to do it.

Mr. MAHER. Mr. Chairman, I yield five minutes to the gentleman from Virginia [Mr. MONTAGUE].

Mr. MONTAGUE. Mr. Chairman, if no one offers an amendment to this bill, I shall do so at the proper time, excluding from its operation the salaries of clerks to Senators and Members of the House, Delegates, and Resident Commissioners. I somewhat doubt whether the bill applies to the clerks just mentioned, but I think it very advisable that they should not fall within the operation of this bill. Unless such an amendment is adopted we will find ourselves involved in this dilemma: We will be either unable to apportion the salaries which the acts recently passed authorize us to apportion, or we will add very largely to the total salaries provided in those acts. For example, suppose a Member of the House has apportioned his salary of $3,000 to one clerk and $200 to another. Then the $200 clerk at once becomes entitled to receive a salary of $1,080 a year plus perhaps $240 bonus. Therefore we will find ourselves in the position of paying our clerks over $4,500 per year as against $3,200 now authorized by the statutes to which I have referred. It does seem to me, therefore, in the interest of economy, if that

is a moving consideration with us here at all, that we should at least put ourselves beyond the criticisms that may necessarily result from such unnecessary and unwise expenditure of the public funds.

One more word. I think it sound policy that the clerks of the Members of Congress should be dealt with as they have been heretofore dealt with. They should be in a class to themselves. That has been the policy of Congress from the beginning, and if I am mistaken in that statement some of the older Members here will correct me. We have made some departure in the last two acts, but that departure has not gone so far as to place such clerks under the control of the departments of the Government so far as the apportionment and amount of salaries to be paid are concerned. They are covered by a piece of special legislation dealing with special and peculiarly personal services, and I believe they should be retained within that classification.

I do not care to trespass further upon the time of the committee, and I yield back any time I have not consumed.

Mr. MAHER. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. PELL].

Mr. PELL. Mr. Chairman, the passage of this bill will, of course, cost the Government a certain amount of money directly, but there will also be a very considerable economy if it is passed. That is a point which I do not think has been brought out so far. Where we employ men at a very low wage, paying the least it is possible to get anybody to come in and do the work for, it is quite obvious that the man will, as soon as he can get anything better, go away, and the Government thereby loses a partly trained man who is worth a good deal. If we pay an adequate wage, a man will see that his position under the Government is worth while, that it is worth keeping, and the man's value will quite obviously increase to a very considerable extent.

So there really is no question of extravagance whatever in the passage of this bill. It seems to me also that the United States Government in its relations to labor should stand as the model employer, and it certainly has not been that in the past. It seems to me that a man hired by the United States Government should be the most fortunate of the men of his class, that he should be well taken care of, and that any person who would wish to find a good standard in respect to the treatment of his employees would have only to look to the Government of this country for an example. That seems to be the most desirable result, a thing which we should undoubtedly do our best to bring about.

Mr. NOLAN. Mr. Chairman, I yield four minutes to the gentleman from California [Mr. OSBORNE].

Mr. OSBORNE. Mr. Chairman, I was deeply interested in the remarks made by the distinguished gentleman from Illinois [Mr. CANNON]. I always regard what he may say with the respect that is due to long experience and a candid study of public questions. I can not, however, bring myself quite to agree with him in the idea that prices are going to greatly decrease in the future or in the near future. There is a process going on which in its essence forbids the return to such low prices as existed before the war. In fact, the vast increase in the production of gold through the last 25 years has increased the body of money in the world, and especially in the United States, and had the effect of increasing the circulating medium—of increasing that with which you buy as against those things which are bought.

The purchasing power of gold has been decreasing steadily since the rich discoveries of gold in Alaska in 1897, in South Africa about the same time, and at Cripple Creek and Goldfield a little later. The prices which existed 25 years ago, before the addition of these great quantities of gold to the world's supply, have not come back and, in all probability, they never will.

We have more recently, however, in this country, injected into the proposition, into the circulating medium, the Liberty bonds. Over $21,000,000,000 of them have been disposed of in the United States; and, to a very great degree, while they are not legal tender, they do increase vastly the volume of the purchasing medium. Persons who have bonds—and nearly everyone of any means has them—when an exigency arises pay over these bonds for things which otherwise would have to be paid for with money. My time is too short to permit a detailed discussion of this subject, but there is no question but that the increase in gold production in the last 35 years, amounting to a doubling of the quantity of that metal in the world, so that in 35 years there has been produced nearly as much gold as was produced before from the time of King Solomon, and the addition in the United States of considerably more than $21,000,000,000 of Liberty bonds to our money circulation, has had the effect of diluting the money of the world, rendering it less potent and valuable and incapable of purchasing the same quantity of things as before.

The enormous extent of this expansion may be better appreciated when it is stated that the entire world's production of gold from the beginning of recorded time to date is only about $16,000,000,000, while the Liberty loans are in excess of $21,000,000,000.

On the other hand, it has increased the price of food, clothing, manufactures, and everything that enters into the cost of living; this aside from and in addition to the increased cost of all commodities, caused by the war, due to the interruption of production in the warring nations. This last condition will be remedied by the return of peace, and with renewed production in agriculture, manufacture, and commerce there will come a relative reduction in prices. That, however, will not affect the permanent changes I have mentioned, viz, the enormous increase in the measures of value—gold and bonds—and the vast expansion in many foreign countries of paper currency. The purchasing power of money will continue relatively low and the cost of things necessary to existence will continue, as measured by money, relatively high.

Wages, therefore, must continue much higher than they were before the war if we would have our wage earners live upon the same scale of comfort as they then enjoyed. That is no more than justice. While the employees of the Government embrace only a small percentage of the wage earners of the United States, the Government should recognize the economic conditions that I have endeavored to point out, if they actually exist, and set a good example to other employers by doing justice to its own employees.

This bill of my colleague, Mr. NOLAN, is directed to the relief of the very poorest paid workers for the Government, and, in my humble opinion, is both just and timely. I am glad to give it my full support.

Mr. MILLER. Mr. Chairman——

Mr. NOLAN. I would like for the Clerk to read the bill.

Mr. MILLER. Mr. Chairman, for the purpose of information I would like to ask the chairman of the committee a question with regard to this bill.

Mr. NOLAN. I will yield. I will use some of my two minutes remaining.

Mr. MILLER. I would like to ask the gentleman from California this: Certain clerks or employees of the Government are on the pay roll of the Government, but while they get a certain amount for the work they do, such as barbering in the House Office Building, I would like to know whether, under this bill, they would draw $120 a month and likewise charge the present prices for shaving?

Mr. NOLAN. The barbers, I understand, of the House Office Buiding are not on the Government pay roll.

Mr. MILLER. At $60 a month, I think the gentleman will find.

Mr. NOLAN. They are not on the pay roll. The only barbers on the pay roll are the men in the House barbershop, and they perform janitor service, and they are getting $60 a month.

Mr. FIELDS. I think two of them in the House Office Building are on the roll.

Mr. NOLAN. I did not know any of them were on the roll; if so, it is only of recent date.

Mr. MILLER. And automatically their pay will be increased to $120 a month?

Mr. NOLAN. At $90 a month, and if they get $60 they get the bonus, and if this bill passes and the bonus applies to them they will get the bonus on top of that.

Mr. MILLER. Which would be $110?

Mr. NOLAN. These men downstairs take care of this Chamber here and certain portions of the Capitol, and when they are not themselves employed they have some one else to do the work.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

Be it enacted, etc., That after the passage of this act the minimum compensation of any person employed by the United States or by the government of the District of Columbia shall be not less than $3 per day; or if employed by the hour, not less than 37½ cents per hour; or if employed by the month, not less than $90 per month; or if employed by the year, not less than $1,080 per annum: *Provided*, That persons employed on a monthly or annual salary basis and who regularly perform less than a full day's service shall receive compensation at the rate of not less than 37½ cents per hour: *Provided further*, That the provisions of this act shall not apply to persons enlisted in the military or naval branches of the Government nor to the employees in the Philippine Islands, Porto Rico, the Territory of Hawaii, the Territory of Alaska, and the Panama Canal Zone, nor to persons holding appointments as postmasters, assistant postmasters, rural carriers, postal clerks, carriers in the City Delivery Service, or railway mail clerks: *Provided further*, That the provisions of this act shall apply only to those persons who shall have attained the age of 18 years: *And provided further*, That in the case of an employee receiving quarters and subsistence in addition to his compensation, the value of such quarters and subsistence shall be determined by the head of the department, and the compensation of such employees, plus the value of quarters and subsistence, shall in no event be less than the rate fixed by this act.

Mr. GOOD, Mr. FIELDS, Mr. RUBEY, Mr. MONTAGUE, Mr. JONES of Texas, and Mr. DAVIS of Tennessee rose.

The CHAIRMAN. The gentleman from Iowa [Mr. GOOD].

Mr. GOOD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 7, after the word "clerks," add: "*Provided further*, That the additional compensation granted to certain Government employees under section 7 of the legislative, executive, and judicial appropriation act approved March 1, 1919, shall be computed as a part of the total compensation of such employees in determining their right to the benefits of the minimum compensation herein authorized."

Mr. GOOD. Mr. Chairman, I do not believe this amendment is necessary, but from the statement made by the chairman of the committee——

Mr. BLANTON. Mr. Chairman, a parliamentary inquiry.

Mr. GOOD. Mr. Chairman, I can not yield for that purpose.

Mr. BLANTON. I desire to offer a perfecting amendment to the gentleman's amendment.

Mr. GOOD. The gentleman can not take me off the floor for that purpose. I offer that amendment because I think some misunderstanding may arise by reason of the peculiar wording of the provisions of section 7 of the legislative act. That act designates the $240 per year as "additional compensation." Now, I am in sympathy with the gentleman's bill and what he attempts to arrive at in reference to the minimum wage. But in determining whether a minimum wage is sufficient or not we must know what the total wage is. Is the total wage of an employee of the United States the amount at which he is carried on the rolls plus the $240 additional compensation provided for in the act or is it only the regular salary? I submit that anyone who will read the provisions of the legislative act will come to the conclusion that the compensation is the total compensation paid. The compensation provided for in section 7 of the legislative act is described as additional compensation, but in order to find out what salary a person was receiving during the fiscal year 1919 that act provides that the increased compensation at the rate of $120 per annum for the fiscal year ending June 30, 1919, "shall not be computed as salary in construing this section."

Now, some comptroller might say, relative to section 7, that granted $240 additional compensation, that that additional compensation should not be counted in computing how much salary an employee received.

Now, it seems to me we ought to determine whether or not we are to have $3 a day as a minimum wage or $3.80 a day as a minimum wage, for if that provision of the legislative act shall be construed by any Comptroller of the Treasury as not additional compensation because of that peculiar wording, then, instead of granting $3 a day for the fiscal year 1920 as a minimum wage, we have one standard for 1920 and may have another standard for each succeeding year, just as we may or may not appropriate money as additional compensation. It seems to me that the total compensation a clerk receives out of the Treasury of the United States should be his compensation, whether it comes in one check from the Treasury or in half a dozen checks, and we ought to have a fair and reasonable basis at which to start. I do not think that a Comptroller of the Treasury would ever be foolish enough to hold that that provision of section 7 which granted $240 per year additional compensation to certain employees was not compensation paid to such employees, but in order that there may be no confusion in the matter, and in order that we may understand just what we are doing, I have offered this amendment, which simply provides that in construing what compensation an employee receives the compensation provided for in section 7 of the legislative act as "additional compensation" shall be considered as a part of his compensation.

Mr. BLANTON. Mr. Chairman, I offer a substitute.

Mr. RUBEY. Mr. Chairman, I desire to offer a substitute.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri.

Mr. RUBEY. I desire to offer a substitute to the amendment offered by the gentleman from Iowa.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. RUBEY: Page 1, line 3, after the word "compensation," insert a comma and the following: "Including the bonus provided by the act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, approved March 30, 1919."

Mr. GOOD. Mr. Chairman, I make a point of order on that.

Mr. RUBEY. Do not do that. I simply offered that for the purpose of finding out if it would not do the same thing you are attempting to do, and a little bit better possibly.

Mr. GOOD. I reserve the point of order on that, Mr. Chairman. I had an amendment similar to that, and after thinking it over I was fearful that that amendment might prevent a person who is working overtime or doing work for which he was entitled to additional compensation under the law might be cut out of additional compensation. I did not wish to do that. I only desire to make certain the question with regard to the $240 additional compensation.

Mr. RUBEY. I will say to the gentleman and to the committee that I am in entire sympathy with the purpose sought by the amendment offered by the gentleman from Iowa. I do not believe that under this bill employees should receive, in addition to the provisions of this bill, the $240 bonus. In other words, I do not believe he should receive what he will receive under this bill—$3.60 a day, or $110 a month, or $1,320 a year, and which he would receive unless an amendment similar to the one offered by the gentleman from Iowa or the one offered by myself is adopted.

Mr. GOOD. Let me read to the gentleman my amendment. I think it reaches the whole question:

That the additional compensation granted certain Government employees under section 7 of the legislative, executive, and judicial appropriation act, approved March 1, 1919, shall be computed as a part of the total compensation of such employees in determining their rights to benefits of the minimum compensation herein authorized.

Mr. RUBEY. I think the gentleman's amendment would do that, but I am satisfied my amendment will also reach the same point. But we can not have both of them, and I therefore withdraw my substitute. I am perfectly willing to have the gentleman's amendment adopted.

Mr. NOLAN. Is the substitute offered or is it withdrawn?

The CHAIRMAN. It is withdrawn.

Mr. NOLAN. Mr. Chairman, I rise to oppose the amendment of the gentleman from Iowa. I trust it will not be adopted. When this bill was originally introduced several years ago there was some question as to the advisability of passing a minimum of $3 a day, or $90 a month. That was along in 1913. During the discussion of this bill by the committee a number of the members of the committee felt a $3 a day minimum was too small; that living conditions in this country had got to be such that no man or woman could take care of themselves, not to mention their families, on a wage of $3 a day. Now, if you are going to start a limitation on the application of your monthly or yearly bonus, why start with the employees who will receive the benefit of this minimum wage? Why should they be the ones to suffer? Why should the man who is getting $60 or $70 a month and who will be raised to $90 per month be deprived of this bonus and the people who are getting up to $2,500 a year allowed to enjoy the benefits of it?

Mr. HUDDLESTON. Mr. Chairman, will the gentleman yield?

Mr. NOLAN. Yes.

Mr. HUDDLESTON. I am in sympathy with the gentleman. I want to call his attention to the fact that this $240 bonus is given only to employees in the District of Columbia. Now, this minimum-wage bill applies to all the employees of the Government all over the country, with the result that under the amendment of the gentleman from Iowa the employees of the District of Columbia are preferred to the extent of $240 over and above the others.

Mr. GOOD. No; the gentleman is mistaken about that.

Mr. NOLAN. Yes. The gentleman is incorrect as to that. The $240 bonus applies to every employee of the United States Government in this country up to $2,500 a year. But here is the limitation on the application of this bonus, and the limitation is going to be placed upon the men and women employed by the Government of the United States who need the greatest amount of assistance.

Let me call your attention to this fact, that the legislative bill carried a rider which was reported to the House at the last session containing the bonus of $240. The committee reported only $120, and the House provided the additional $120 a year. This legislative bill also provided for a commission—to do what? To reclassify the employees in the District of Columbia, to provide some method whereby each class of employees doing a certain line of work would receive the same benefits in pay and conditions. It applies to every employee of the Government in the District of Columbia. That reclassification commission must report to this Congress by the 1st of January next year. Following that report, undoubtedly there will be some legislation, and this Congress will not try to legislate alone for the employees for the District of Columbia in the matter of reclassification of salaries and positions, but it will reclassify Government employees over the entire country.

Now, why in this minimum-wage bill should we adopt this limitation and deprive the people who are trying to exist and who need the greatest amount of assistance of the benefits of this bonus, which can be stricken out on a point of order

unless it is put in by a rule every time the Committee on Appropriations brings in their appropriation bill? The legislation providing for the bonus is not in order unless by unanimous consent or by being protected by a rule. But why put this limitation on this bill that is intended to benefit the lowest-paid employees of the Government of the United States? [Applause.]

I trust the committee will defeat the amendment.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. BLANTON. Mr. Chairman, I desire to offer an amendment.

Mr. ELLIOTT. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. Does the gentleman from Texas desire to make a motion?

Mr. BLANTON. Yes.

The CHAIRMAN. The gentleman from Texas offers a substitute, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 1, line 1, strike out the enacting clause.

Mr. GOOD. Mr. Chairman, I make the point of order that that is not a substitute.

The CHAIRMAN. The point of order is well taken.

Mr. BLANTON. It is perfecting the amendment.

Mr. ELLIOTT. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Indiana moves to strike out the last word.

Mr. BLANTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. Is not a motion to strike out the enacting clause in order at any time?

The CHAIRMAN. It is in order, but it is not in order as a substitute.

Mr. BLANTON. I did not offer it as a substitute, if the Chair please. I withdrew the amendment I offered as a substitute.

Mr. GOOD. No motion is in order except an amendment to the pending amendment.

The CHAIRMAN. It is not in order now until the other amendment is disposed of.

Mr. BLANTON. May I ask the Chair——

The CHAIRMAN. The Chair will state the rule. Unless the gentleman's amendment is offered as a substitute to the pending amendment, it would not be in order until that amendment is disposed of.

Mr. BLANTON. I offer a substitute, Mr. Chairman.

Mr. ELLIOTT. Mr. Chairman, I have the floor now.

The CHAIRMAN. The gentleman from Indiana has the floor. The Chair will recognize the gentleman from Texas later.

Mr. ELLIOTT. Mr. Chairman and gentlemen of the House, I had not intended to say anything on this most important bill, which fixes the minimum wage of the Federal employee at $3 per day, for the reason that it seemed to me that a bill that is as manifestly fair and just as this should meet with no opposition from thinking people in times like these. But I have become very much interested in this debate, and I desire, in the few short minutes allotted to me, to speak in favor of this bill.

I have always noticed that in every good, healthy, moral, and upright community that if you will inquire into the cause of such conditions you will find that in such a community the people are well fed, well housed, and well paid. When you find these three factors together and everybody in possession of them there is no reason why such a community should not be a good one.

It has been said in this debate that the present minimum wage scale was established in 1854 and had not been changed since that time. It is simply foolish to say that a wage scale adopted in the era of low food prices is adequate to furnish comfort and sustenance to the man and his family who have to purchase their food and clothing and pay rent at 1919 prices obtaining in Washington and elsewhere throughout this country.

A few days ago I went through the Washington market, and I was astonished at the prices which the people have to pay for staple articles of food—bacon, 60 cents per pound; butter, 80 cents; berries, 40 cents per quart; and other things in like proportion. Twenty years ago $3 would buy 30 pounds of good bacon; now it buys 5 pounds. Twenty years ago $3 would buy 12 pounds of good butter; now it will buy 3¾ pounds.

I had an object lesson presented to me the other day which illustrates how prices have advanced in the last few years. A relative of mine had a farm sale during the month of February, this year, and when I was home in the spring he talked to me about the remarkable prices he had received for the things sold at the sale. Among other things, he sold an old farm wagon for $75. He told me his father had bought the wagon new some twenty-odd years ago for $65. About 10 years later his father died, and my relative purchased the wagon at the sale for $40. He kept the wagon until last February, and sold it for $75, or $10 more than it cost new, after it had been used for more than 20 years. He also told me that he had a self-binder that he bought years ago, for which he paid $135; that he had cut nine crops of wheat with it, and that he had sold it for $150 at the sale. These incidents show how commodities have increased in price in the last 20 years.

Something has been said in this debate about the attitude of various Democrats and Republicans on this measure, but I wish to state that this is not a party question. It makes little difference to me whether the advocates of this measure are Democrats or Republicans, so long as the bill is just and of benefit to the men and women who have to struggle along in life. We, as representatives of the people, should not overlook a chance to do what we can to make their pathways brighter, smoother, and happier, for it not only helps them to live more comfortably but makes them better citizens of our great Republic.

I do not know how long this era of high prices will keep up in this country, but there is nothing in sight now which indicates that prices will go back to the low stages of 20 years ago. If they should be cut in half, the minimum wage fixed in this bill will not even then be excessive, in my opinion.

But we can not conscientiously let the man who has to struggle for his existence carry this burden any longer in the hope that he will eventually be relieved by the fall of prices. Should the prices for the necessities of life fall to the point where the minimum wage fixed in this bill will be excessive, the Congress can easily regulate it at that time.

Mr. BLANTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. Is not a motion to strike out the enacting clause in order at any time?

The CHAIRMAN. It is in order, but not as a substitute.

Mr. BLANTON. I ask recognition now to offer such a motion.

The CHAIRMAN. The gentleman will send up his motion, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 1, line 1, strike out the enacting clause.

Mr. BLANTON. I move the previous question on the amendment.

Mr. GOOD. I make the point of order that that motion is not in order in the Committee of the Whole.

The CHAIRMAN. The point of order is sustained. The question is on the motion to strike out the enacting clause.

The question being taken, on a division (demanded by Mr. BLANTON) there were—ayes 1, noes 118.

Accordingly the motion was rejected.

Mr. BLANTON. I make the point of order that there is no quorum present.

The CHAIRMAN. The Chair has just counted 119 Members present and voting.

Mr. BLANTON. I did not understand the Chair's announcement.

Mr. CANNON. Mr. Chairman, I move to strike out the last word. I am going to vote for this bill. Then, if I happen to be in this Congress when things get back to normal I am going to vote to repeal this minimum-wage provision. Under existing conditions I am satisfied that in equity and justice the bill ought to pass.

Judging from the bills that have been introduced much legislation is to follow attempting to make a charge upon the Treasury. I think the Committee on Reform in the Civil Service has a bill proposing to retire civil employees at a certain age. I can recollect the time when if a man had taken the position as a candidate for Congress that he favored a civil pension list he would not have received the vote of a corporal's guard.

As to Government employees, I want to say that it is wonderful how all our constituents, enough to fill up all the places under the Government, agonize to get on the Government rolls. Why, God bless my soul, we have turned out all your employees in the reorganization of this House, and put in our employees, after something of a kick.

Mr. KNUTSON. Not all of them.

Mr. CANNON. Not all, but substantially all. Those who were in were willing to be retained. I am not criticizing you on the one hand or those on this side on the other hand. When you come to consider about paying for labor and service, the last census shows that the preachers get an average of less than $700, and nearly all of them have families. You may say that they should have more, but that would depend on their parishioners.

Government employees are not alone embarrassed by the great advance in the cost of living. They say a man has to have that pay to support his wife and support his children. If that is the universal rule, very frequently the children will be spoiled. In my time, and in your time, I will say to the gentleman from Ohio [Gen. SHERWOOD], the man worked to support his family, the women, as a rule, doing the housework, doing the cooking, and the boy, of what would now be called of tender age, aiding with his mite.

I think I have trod and seen my friends that have grown up in the Middle West tread every path that is now being trodden by 110,000,000 people.

I do not want to weary the House. You may say here is a great capitalist and his children do not do anything. They grow up in the main men of no account, but the men who are doing things in the United States—four-fifths of them to-day in this House—very largely are the children of what are called poor parents. They contributed their effort to keep the wolf from the door, and frequently got far better education than they can get in any high school or college in this country.

Go about your streets here; take the boys that we are sorry for. I am not sorry as a rule for the poor man's children—children that hustle to earn the value of a dollar or a nickel. I am sorry for the rich man's children that do not do something by honest toil to help support the family. [Applause.]

Thank God that one thing is true. There was an old adage when I was a kid that it was three generations from shirt sleeves to shirt sleeves. We have got to go back and touch the earth. Take the old fable about the tasks of Hercules. He had one task to perform, and that was to meet and overcome Antæus. But being half divine he consulted the divine mother, and she gave him the secret of the strength of old Antæus, and that was that every time he touched the ground he had his strength renewed. Possessing that secret Hercules threw his arms about Antæus and held him up in the air until he overcame him, performing the last task laid upon him.

Who pays, who pays? One hundred and ten million people pay. You may take your Vanderbilts, your Morgans, and your Bernard Baruch and add their total wealth together and it is a very small sum as compared with the total wealth of 110,000,000 people that make up the country and, in the last analysis, pay the taxes.

You may say, Are you speaking to defeat this bill? No; I am not. I think temporarily the bill ought to be enacted, but I want to say that while I will not live long enough to be with you there will be others here who, I think, will have the good judgment when the prices of products upon which we live are decreased to decrease the pay of the people on the Government pay roll.

Why, it is a desirable thing to be on the Government pay roll. Sick leave with full pay. A month's leave of absence and full pay. Bountiful holidays with full pay. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired. The question is on the amendment offered by the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. NOLAN) there were—77 ayes and 43 noes.

So the amendment was agreed to.

Mr. NOLAN. Mr. Chairman, I move that the committee do now rise.

The question was taken; and on a division (demanded by Mr. NOLAN) there were—ayes 106, noes 15.

So the motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WOOD of Indiana, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 5726 and had come to no resolution thereon.

HOUR OF MEETING TO-MORROW.

Mr. CLARK of Missouri. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 2 o'clock p. m. to-morrow.

The SPEAKER. Is there objection?

There was no objection.

ORDER OF BUSINESS.

Mr. FESS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FESS. Mr. Speaker, just before the committee rose there was a vote on an amendment offered by the gentleman from Iowa. Announcement was made of the vote, but no decision was stated by the Chairman, whether it was carried or lost. Will there be a decision upon that when the committee again meets?

The SPEAKER. That will be a matter for the Chairman of the committee to decide.

LEAVE TO ADDRESS THE HOUSE.

Mr. GOOD. Mr. Speaker, I ask unanimous consent that when the House meets to-morrow, after the reading of the Journal and the disposition of business on the Speaker's table, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, on what subject?

Mr. GOOD. On the question of appropriations.

Mr. BLANTON. I have no objection.

The SPEAKER. Is there objection?

There was no objection.

Mr. CLARK of Missouri. Was not permission given to the gentleman from New York [Mr. LAGUARDIA] to speak for 30 minutes to-morrow?

Mr. LAGUARDIA. No; the gentleman from Texas [Mr. BLANTON] objected.

Mr. MONDELL. Mr. Speaker, on behalf of the gentleman from New York [Mr. LAGUARDIA], I ask unanimous consent that he may have 30 minutes in which to address the House, following the remarks of the gentleman from Iowa [Mr. GOOD].

The SPEAKER. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, may I ask upon what subject?

Mr. LAGUARDIA. I stated that the other day.

Mr. BLANTON. We are to have 12 hours of general debate upon the prohibition bill, and the gentleman could secure the time when the bill was under discussion. I object.

Mr. MONDELL. But under the rule he can not speak on anything except the bill under consideration.

Mr. BLANTON. Mr. Speaker, I withdraw my objection.

The SPEAKER. Is there objection?

There was no objection.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 9. An act to encourage the reclamation of certain arid lands in the State of Nevada, and for other purposes; to the Committee on Irrigation of Arid Lands.

S. 55. An act to authorize the Secretary of the Interior to adjust disputes or claims by entrymen, selectors, grantees, and patentees of the United States against the United States and between each other arising from faulty surveys in townships 36, 37, and 38 south, ranges 29 and 30 east, Tallahassee meridian, in the State of Florida, and for other purposes; to the Committee on the Public Lands.

S. 2100. An act authorizing the Union Pacific Railroad Co. or its successors to convey for public road purposes certain parts of its right of way; to the Committee on the Public Lands.

ADJOURNMENT.

Mr. NOLAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 32 minutes p. m.), in accordance with the order heretofore made, the House adjourned until to-morrow, Thursday, July 10, 1919, at 2 o'clock p. m.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 1765) granting a pension to Dora Snyder, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PARK: A bill (H. R. 7110) extending the time for the construction of a bridge across Flint River, in the State of Georgia; to the Committee on Interstate and Foreign Commerce.

By Mr. MONAHAN of Wisconsin: A bill (H. R. 7111) for the purchase of a site for a public building at Prairie du Chien, Wis.; to the Committee on Public Buildings and Grounds.

By Mr. STEPHENS of Ohio: A bill (H. R. 7112) to amend the war-risk insurance act as amended, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HERNANDEZ: A bill (H. R. 7113) to exclude from the Jicarilla Apache Indian Reservation certain lands included in the Executive orders of November 11, 1907, and January 28, 1908, in the county of Rio Arriba, State of New Mexico; to the Committee on the Public Lands.

By Mr. CAMPBELL of Kansas: A bill (H. R. 7114) to amend chapter 28, United States Statutes at Large, being "An act for establishing the temporary and permanent seat of government of the United States," approved July 16, 1790; to the Committee on the Judiciary.

By Mr. JONES of Pennsylvania: A bill (H. R. 7115) to provide revenue for the Government and to establish and maintain the manufacture of the products derived from the destructive distillation of wood; to the Committee on Ways and Means.

By Mr. RHODES: A bill (H. R. 7116) making appropriations for the improvement of the Mississippi River at Hughs Landing, near Crystal City, Mo., and at other points on the Mississippi River in Jefferson County, Mo.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 7117) making appropriations for the improvement of the Mississippi River at Clearyville, Mo., and other points on the Mississippi River, in Perry County, Mo.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 7118) making appropriations for the improvement of the Mississippi River at St. Genevieve, Mo., and at other points on the Mississippi River in St. Genevieve County, Mo.; to the Committee on Rivers and Harbors.

By Mr. MAJOR: A bill (H. R. 7119) to provide for the erection of a public building at Sedalia, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. MONDELL: A bill (H. R. 7120) authorizing the Secretary of the Interior to sell certain lands to school district No. 21, of Fremont County, Wyo.; to the Committee on the Public Lands.

By Mr. DAVIS of Minnesota: A bill (H. R. 7121) donating a captured German cannon or field gun and carriage to the city of Zumbrota, county of Goodhue, Minn.; to the Committee on Military Affairs.

By Mr. YOUNG of North Dakota: A bill (H. R. 7122) to repeal the act of Congress of July 26, 1911, to promote reciprocal trade relations with the Dominion of Canada; also to repeal paragraphs 581 and 644 of the tariff act of October 3, 1913, to reduce tariff duties and provide revenue for the Government, and for other purposes; to the Committee on Ways and Means.

By Mr. KAHN: A bill (H. R. 7123) to amend section 56 of an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs.

By Mr. GREENE of Massachusetts (by request): A bill (H. R. 7124) authorizing suits against the United States in admiralty, suits for salvage services, and providing for the release of merchant vessels belonging to the United States from arrest and attachment in foreign jurisdictions, and for other purposes; to the Committee on the Judiciary.

By Mr. MACGREGOR: Joint resolution (H. J. Res. 143) to fix and state the Monroe doctrine; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROOKS of Illinois: A bill (H. R. 7125) granting an increase of pension to George B. Sprouse; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7126) for the relief of Peter Helfman; to the Committee on Claims.

By Mr. BRUMBAUGH: A bill (H. R. 7127) granting a pension to Sarah Cronin; to the Committee on Pensions.

Also, a bill (H. R. 7128) granting a pension to Elizabeth Henson; to the Committee on Invalid Pensions.

By Mr. BURROUGHS: A bill (H. R. 7129) granting an increase of pension to Kate B. Horan; to the Committee on Pensions.

By Mr. CARTER: A bill (H. R. 7130) granting a pension to Blaine E. Davis; to the Committee on Pensions.

Also, a bill (H. R. 7131) granting a pension to Leroy F. Moore; to the Committee on Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 7132) for the relief of William F. Smith; to the Committee on War Claims.

By Mr. EVANS of Montana: A bill (H. R. 7133) authorizing the conveyance of certain land to the city of Miles City, State of Montana, for park purposes; to the Committee on the Public Lands.

By Mr. FESS: A bill (H. R. 7134) granting an increase of pension to Milton Barrere; to the Committee on Invalid Pensions.

By Mr. GOODYKOONTZ: A bill (H. R. 7135) to correct the military record of Joseph May; to the Committee on Military Affairs.

Also, a bill (H. R. 7136) granting an increase of pension to I. M. Conley; to the Committee on Pensions.

By Mr. HERNANDEZ: A bill (H. R. 7137) granting a pension to George F. Ludi; to the Committee on Pensions.

By Mr. HICKS: A bill (H. R. 7138) granting a franking privilege to Edith Carow Roosevelt; to the Committee on the Post Office and Post Roads.

By Mr. JOHNSON of Washington: A bill (H. R. 7139) granting an increase of pension to Brigham Buswell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7140) for the relief of John A. Olson; to the Committee on Claims.

By Mr. JONES of Pennsylvania: A bill (H. R. 7141) granting a pension to Ruth Gunsallus; to the Committee on Invalid Pensions.

By Mr. LEHLBACH: A bill (H. R. 7142) for the relief of John R. Riley; to the Committee on Military Affairs.

By Mr. MAJOR: A bill (H. R. 7143) granting a pension to Leonard Walker; to the Committee on Invalid Pensions.

By Mr. MASON: A bill (H. R. 7144) to remove the charge of desertion against Jabez B. McKnight; to the Committee on Military Affairs.

By Mr. McKEOWN: A bill (H. R. 7145) for the relief of John P. Owens; to the Committee on Claims.

By Mr. NEWTON of Missouri: A bill (H. R. 7146) for the relief of Frieda Hoermann; to the Committee on Claims.

By Mr. OGDEN: A bill (H. R. 7147) granting an increase of pension to William E. Bybee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7148) granting an increase of pension to Frederick Journal; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 7149) granting a pension to William S. Beachum; to the Committee on Pensions.

By Mr. TINCHER: A bill (H. R. 7150) granting an increase of pension to Manley B. Rush; to the Committee on Invalid Pensions.

By Mr. WEAVER: A bill (H. R. 7151) conferring jurisdiction on the Court of Claims to hear, consider, examine, and adjudicate the claims of the heirs at law of James Taylor, deceased; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BEE: Petition of E. H. Schwab and others, of San Antonio, Tex., for the repeal of the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

Also, petition of Victor Keller and others, of San Antonio, Tex., for the repeal of the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. DYER: Petition of sundry citizens of St. Louis, Mo., favoring repeal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. EVANS of Montana: Petition of Kalispell Chamber of Commerce, asking for the early beginning of work on roads throughout Montana, thus affording immediate work for dry-land farmers in drought-stricken sections; to the Committee on Roads.

By Mr. FESS: Petition of Yearly Meeting of Friends, Wilmington, Clinton County, Ohio, protesting against universal military training; to the Committee on Military Affairs.

Also, petition of Home City Lodge No. 1385, Springfield, Ohio, favoring continuance of Government ownership and operation of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of Automotive Equipment Association, Chicago, Ill., favoring universal military training; to the Committee on Military Affairs.

Also, petition of Minnesota Federation of Women's Clubs, indorsing H. R. 7, a bill creating a department of education; to the Committee on Education.

Also, petition of Yearly Meeting of Friends, Wilmington, Clinton County, Ohio, protesting against enlargement of Army; to the Committee on Military Affairs.

Also, petition of Benevolent and Protective Order of Elks, California, favoring vocational rehabilitation of disabled service men and civil employees; to the Committee on Education.

By Mr. FITZGERALD: Petition of employees of Patterson, Teele & Dennis, against repeal of the so-called daylight-saving law; to the Committee on Agriculture.

By Mr. FRENCH: Petition of sundry citizens of Spirit Lake, Idaho, favoring Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Memorial of the American Federation of Labor, condemning mob rule and lynching; to the Committee on the Judiciary.

Also, petition of Mount Rockford (Ill.) district, Epworth League, opposing repeal of the war-time prohibition act and favoring enforcement legislation; to the Committee on the Judiciary.

By Mr. HAYS: Petition of citizens of Cape Girardeau, Mo., for the formation of a league of nations; to the Committee on Foreign Affairs.

By Mr. HUDSPETH: Document to accompany House bill 7050, relating to the claim made by First State Bank, Herrville, Tex.; to the Committee on Claims.

By Mr. JOHNSTON of New York: Petition of executive committee, the Savings Banks Association of the State of New York, favoring passage of act proposed by the National Association of Owners of Railroad Securities, known as the Warfield plan; to the Committee on Interstate and Foreign Commerce.

Also, petition of New York State Council of Farms and Markets, requesting appropriation of $500,000 for the purpose of exterminating insect known as the European corn borer; to the Committee on Appropriations.

Also, petition of sundry citizens of Brooklyn, N. Y., urging repeal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. LUFKIN: Petition of Local Union 924, Manchester, Mass., in favor of a league of nations; to the Committee on Foreign Affairs.

By Mr. MAGEE: Petition of many residents of the city of Syracuse and vicinity, requesting the repeal of the tax on sodas, soft drinks, and ice cream as contained in the revenue law; to the Committee on Ways and Means.

By Mr. McDUFFIE: Petition of Bertha Jacobsen and 161 other employees of the Gulf, Florida & Alabama Railway Co., urging Congress to enact such laws as will enable short-line railways to exist and to continue operations at a fair and just profit, and to provide such funds as required for the restoration of the various properties to the prewar status; to the Committee on Interstate and Foreign Commerce.

By Mr. MONAHAN of Wisconsin: Petition of 25 citizens of Hazel Green, Wis., protesting against the repeal of war-time prohibition, and urging enactment of legislation for the enforcement of same; to the Committee on the Judiciary.

Also, petition of Women's Christian Temperance Union, consisting of 85 members, of Mineral Point, Wis., urging enforcement of both war-time and constitutional prohibition; to the Committee on the Judiciary.

Also, petition of 41 citizens of Grant County, Wis., residing in the vicinity of Millville, protesting against the repeal of war-time prohibition, and urging enactment of legislation for the enforcement of same; to the Committee on the Judiciary.

Also, petition of 26 citizens of Madison, Wis., urging the repeal of the tax on candy, ice cream, and soda-fountain foods and drinks; to the Committee on Ways and Means.

Also, petition of 51 citizens of Madison, Wis., protesting against and urging repeal of section 904 of the 1918 Federal income-tax law; to the Committee on Ways and Means.

By Mr. MURPHY: Memorial of the American Federation of Labor, protesting against lynching peoples of the colored race; to the Committee on the Judiciary.

Also, petition of citizens of Belmont County, Ohio, asking for an investigation as to the treatment of those of Jewish faith in the new Republic of Poland; to the Committee on Foreign Affairs.

By Mr. NEWTON of Missouri: Petition of a number of citizens of St. Louis, Mo., asking for the repeal of the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. RAMSEYER: Resolution adopted at the thirty-third annual convention of the Iowa Bankers' Association, held at Fort Dodge, Iowa, June 24–25, 1919; to the Committee on Banking and Currency.

By Mr. REBER: Petition of Mr. Joseph Matlauskas, Mr. John A. Kenizura, Mr. Frank Wasilanekas, Mr. John Mikalauckas, Mr. Stanley, Mr. Sosta Rauskas, Mr. Charles Yushkauskas, Mr. Mike Milbuth, Mr. Thomas Wilxaitis, and Mr. Peter Cober, all members of Lithuanian societies and organizations from Tamaqua, Pa., urging the United States to demand the withdrawal of Polish troops from Lithuanian territory and to give Lithuania a moral support in her war against Bolshevism; to the Committee on Foreign Affairs.

By Mr. VARE: Petition of the Philadelphia Board of Trade, protesting against tax exemption on further Government bond issues; to the Committee on Ways and Means.

Also, petition of supervisors of State banks, asking abolition of office of Comptroller of Currency, with letter of commissioner of banking of Pennsylvania attached; to the Committee on Banking and Currency.

By Mr. WATSON of Pennsylvania: Resolution recommending abolition of the office of Comptroller of Currency; to the Committee on the Judiciary.

By Mr. WEBSTER: Petition of Fidsvold Lodge, No. 19, International Order of Good Templars, at Spokane, Wash., requesting the House of Representatives to promptly enact at this session of Congress laws providing for the full enforcement of the eighteenth amendment to the United States Constitution and also definitely defining intoxicating liquors; to the Committee on the Judiciary.

By Mr. WINSLOW: Petition of residents of Worcester, Mass., against the imposition of the tax on ice cream and soft drinks; to the Committee on Ways and Means.

Also, petition of Union Lodge, No. 140, International Order of Good Templars, Worcester, Mass., urging enactment of legislation providing for the enforcement of the eighteenth amendment, etc.; to the Committee on the Judiciary.

SENATE.

THURSDAY, *July 10, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D D., offered the following prayer:

Almighty God, at the threshold of this sacred day we pause for prayer. We lift up our eyes to Thy throne, from which comes all our help. We submit ourselves to Thee, the sovereign King and Lord of all the earth. With the tremendous responsibilities of the hour, with the ever-increasing burdens of the world's life upon us, we turn to God for wisdom and strength and guidance, and pray that the God of our fathers will lead us on and fulfill the great design in us as a Nation. For Christ's sake. Amen.

The VICE PRESIDENT resumed the chair.

The Secretary proceeded to read the Journal of the proceedings of Tuesday last, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PETITIONS AND MEMORIALS.

Mr. FLETCHER. I present a telegram, in the nature of a memorial, which I ask may be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

SANFORD, FLA., *July 7, 1919.*

HON. DUNCAN U. FLETCHER,
United States Senator from Florida, Washington, D. C.

DEAR SIR: Recognizing that there are but three choices before our Nation, either to return to the old world conditions prevailing before the war, the war-making status; or, second, the acceptance of some form of soviet or Bolshevik régime, with democracy swept aside; or, third, the adoption of the league of nations, we, people of Sanford, Fla., in patriotic mass meeting, July 6, heartily commend your efficient service and earnestly urge the throwing of your every influence in behalf of the league, that the United States, standing together with other free nations, may insure peace, promote just and humane international cooperation, and help build the new world for which the war was fought.

By committee.

F. P. FORSTER,
President First National Bank.
E. A. DOUGLAS,
Clerk Court.
R. J. HOLLY,
Editor Herald.
Rev. C. W. WHITE,
Pastor Methodist Church.

Mr. FLETCHER. I have a communication from A. S. Butterworth, of Pensacola, Fla., transmitting a petition of the employees of the Gulf, Florida & Alabama Railway, praying for the enactment of legislation to enable short-line railways to exist, and to continue operations at a fair and just profit. I ask that the communication and accompanying petition be referred to the Committee on Interstate Commerce.

The VICE PRESIDENT. Without objection, that action will be taken.

Mr. McCUMBER presented a petition of sundry citizens of Ward County, N. Dak., praying for the repeal of the stamp tax

on medicines, toilet articles, clothing, etc., which was referred to the Committee on Finance.

Mr. WARREN presented a petition of sundry citizens of Wyoming, praying for the adoption of an amendment to the general leasing bill so as to include bona fide occupants of lands prior to January 1, 1919, which was referred to the Committee on Public Lands.

Mr. FERNALD presented a resolution adopted by the City Council of Lewiston, Me., favoring the independence of Ireland, which was referred to the Committee on Foreign Relations.

Mr. SUTHERLAND presented a petition of sundry citizens of Ohio County, W. Va., praying for the repeal of the tax on ice cream, sodas, and soft drinks, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Martinsburg, W. Va., praying for Government ownership and control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. HALE presented a petition of Advance Lodge No. 10, International Order of Good Templars, of South Lewiston, Me., praying for the enactment of legislation providing for the enforcement of prohibition, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Belgrade Lake, Me., and a memorial of sundry citizens of Houlton, Me., remonstrating against the proposed plan of the Secretary of the Interior to reclaim swamp and desert lands, etc., which were referred to the Committee on Public Lands.

He also presented a memorial of sundry labor organizations of Portland, Me., remonstrating against the sale of uncompleted ships to any foreign Government, and favoring legislation providing for the completion of such ships, which was referred to the Committee on Commerce.

Mr. WILLIAMS. I ask leave to have inserted in the RECORD a petition addressed to the President and the Senate and House from the Grand Lodge, Brotherhood of Railroad Trainmen of the United States, dealing with the question of the covenant of the league of nations.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

GRAND LODGE,
BROTHERHOOD OF RAILROAD TRAINMEN,
GENERAL OFFICES,
Cleveland Ohio, June 26, 1919.

To His Excellency Woodrow Wilson, President of the United States, and Members of the Senate and House of Representatives.

SIRS: We take pleasure in handing you herewith copies of resolutions adopted by the second triennial convention of the Brotherhood of Railroad Trainmen, representing a membership in excess of 188,000, which convention was held in Columbus, Ohio, May 14 to June 4, 1919:

"Whereas the greatest armed conflict of history is over. It has been the bloodiest and most cruel and destructive war since the world began. Already we look back upon it as a horrible nightmare; and

"Whereas people never voluntarily enter war, which is the result of misgovernment and comes as a lack of cooperation among nations; and

"Whereas President Wilson and the learned representatives of our Allies and the neutral countries have formulated a plan which we hope will bring about closer cooperation among nations, with a view of avoiding future wars—the league of nations. Millions of mothers in the broken homes of the world are dreaming of it to-day. The spirits of 10,000,000 dead men who but yesterday fell victims to the folly and criminal shortsightedness of man are whispering their supplications into the ears of a just God that national butchery shall cease and war shall be no more: Therefore be it

"*Resolved*, That we, the Grand Lodge of the Brotherhood of Railroad Trainmen, in session assembled, go on record as in favor of the league of nations; and be it further

"*Resolved*, That a copy of these resolutions be sent to each Member of Congress and a copy to President Wilson, in care of his secretary, at Washington, D. C."

—

"Whereas in the titanic struggle between democracy and autocracy Woodrow Wilson, our beloved President, the master interpreter of the principles of democracy and the brotherhood of man, has given voice to and made the whole world listen to those principles and ideals for which the workers have struggled and died from time immemorial and has declared that weak nations must receive the same consideration in the affairs of the world as strong ones, and that this is the very basis of humane civilization; and

"Whereas the President in his message cabled to Congress, now in special session convened, has declared that the question of labor stands at the front of all others in every country amidst the present great awakening, and that by calling for a new organization of industry, by which workers may have the opportunity for a genuine partnership and participate in control with capital through voluntary and cooperative means to effect the object of genuine democratization of industry based upon a full recognition of the right of those who work, in whatever rank, to participate in some organic way in every decision which directly affects their welfare or the part they are to play in industry, he has again demonstrated fealty and loyalty to the cause of labor and humanity: Therefore be it

"*Resolved*, That the Brotherhood of Railroad Trainmen in national triennial convention assembled at Columbus, Ohio, hereby expresses its gratitude to and its willingness to support as a solid and united body the greatest, most eloquent, and honest advocate of the rights of the common people since the days of Lincoln, President Woodrow Wilson, and we pledge our lives and what we have of fortune to him and to our Government for the effecting and establishing of the humane aims and objects which he has outlined; be it further

"*Resolved*, That a copy of the above resolution be forwarded to the President of the United States, the Senate, and the House of Representatives at Washington, and a copy of same be given to the press."

Very truly, yours,

W. G. LEE,
President.
A. E. KING,
General Secretary and Treasurer.

ADJOURNMENT TO MONDAY.

Mr. LODGE. I move that when the Senate adjourns to-day it be to meet on Monday next.

The motion was agreed to.

ADDRESS BY THE PRESIDENT OF THE UNITED STATES.

The VICE PRESIDENT. Senators, the hour has practically arrived at which, in accordance with the order of the Senate heretofore made, the Senate is to listen to a communication from the President of the United States. As the Chair understands it, the Senate acting under the order will receive the President of the United States in open executive session. The committee heretofore appointed will kindly escort the President of the United States to the Senate Chamber.

The committee of Senators previously appointed, Mr. LODGE, Mr. MCCUMBER, Mr. BORAH, Mr. HITCHCOCK, and Mr. WILLIAMS, retired, and, at 12 o'clock and 15 minutes p. m., reentered the Chamber escorting the President of the United States.

The Sergeant at Arms of the Senate (David S. Barry), announced the President, who was greeted with prolonged applause.

The members of the President's Cabinet occupied the seats provided for them in the area in front of the Secretary's desk.

The VICE PRESIDENT presented the President of the United States to the Senate, and standing at the Vice President's desk the President spoke as follows:

Gentlemen of the Senate, the treaty of peace with Germany was signed at Versailles on the twenty-eighth of June. I avail myself of the earliest opportunity to lay the treaty before you for ratification and to inform you with regard to the work of the Conference by which that treaty was formulated.

The treaty constitutes nothing less than a world settlement. It would not be possible for me either to summarize or to construe its manifold provisions in an address which must of necessity be something less than a treatise. My services and all the information I possess will be at your disposal and at the disposal of your Committee on Foreign Relations at any time, either informally or in session, as you may prefer; and I hope that you will not hesitate to make use of them. I shall at this time, prior to your own study of the document, attempt only a general characterization of its scope and purpose.

In one sense, no doubt, there is no need that I should report to you what was attempted and done at Paris. You have been daily cognizant of what was going on there,—of the problems with which the Peace Conference had to deal and of the difficulty of laying down straight lines of settlement anywhere on a field on which the old lines of international relationship, and the new alike, followed so intricate a pattern and were for the most part cut so deep by historical circumstances which dominated action even where it might have been best to ignore or reverse them. The cross currents of politics and of interest must have been evident to you. It would be presuming in me to attempt to explain the questions which arose or the many diverse elements that entered into them. I shall attempt something less ambitious than that and more clearly suggested by my duty to report to the Congress the part it seemed necessary for my colleagues and me to play as the representatives of the Government of the United States.

That part was dictated by the rôle America had played in the war and by the expectations that had been created in the minds of the peoples with whom we had associated ourselves in that great struggle.

The United States entered the war upon a different footing from every other nation except our associates on this side the sea. We entered it, not because our material interests were directly threatened or because any special treaty obligations to which we were parties had been violated, but only because we saw the supremacy, and even the validity, of right everywhere put in jeopardy and free government likely to be everywhere imperiled by the intolerable aggression of a power which respected neither right nor obligation and whose very system of government flouted the rights of the citizen as against the autocratic authority of his governors. And in the settlements of the peace we have sought no special reparation for ourselves,

but only the restoration of right and the assurance of liberty everywhere that the effects of the settlement were to be felt. We entered the war as the disinterested champions of right and we interested ourselves in the terms of the peace in no other capacity.

The hopes of the nations allied against the central powers were at a very low ebb when our soldiers began to pour across the sea. There was everywhere amongst them, except in their stoutest spirits, a sombre foreboding of disaster. The war ended in November, eight months ago, but you have only to recall what was feared in midsummer last, four short months before the armistice, to realize what it was that our timely aid accomplished alike for their morale and their physical safety. That first, never-to-be-forgotten action at Chateau-Thierry had already taken place. Our redoubtable soldiers and marines had already closed the gap the enemy had succeeded in opening for their advance upon Paris,—had already turned the tide of battle back towards the frontiers of France and begun the rout that was to save Europe and the world. Thereafter the Germans were to be always forced back, back, were never to thrust successfully forward again. And yet there was no confident hope. Anxious men and women, leading spirits of France, attended the celebration of the fourth of July last year in Paris out of generous courtesy,—with no heart for festivity, no zest for hope. But they came away with something new at their hearts; they have themselves told us so. The mere sight of our men,—of their vigour, of the confidence that showed itself in every movement of their stalwart figures and every turn of their swinging march, in their steady comprehending eyes and easy discipline, in the indomitable air that added spirit to everything they did,—made everyone who saw them that memorable day realize that something had happened that was much more than a mere incident in the fighting, something very different from the mere arrival of fresh troops. A great moral force had flung itself into the struggle. The fine physical force of those spirited men spoke of something more than bodily vigour. They carried the great ideals of a free people at their hearts and with that vision were unconquerable. Their very presence brought reassurance; their fighting made victory certain.

They were recognized as crusaders, and as their thousands swelled to millions their strength was seen to mean salvation. And they were fit men to carry such a hope and make good the assurance it forecast. Finer men never went into battle; and their officers were worthy of them. This is not the occasion upon which to utter a eulogy of the armies America sent to France, but perhaps, since I am speaking of their mission, I may speak also of the pride I shared with every American who saw or dealt with them there. They were the sort of men America would wish to be represented by, the sort of men every American would wish to claim as fellowcountrymen and comrades in a great cause. They were terrible in battle, and gentle and helpful out of it, remembering the mothers and the sisters, the wives and the little children at home. They were free men under arms, not forgetting their ideals of duty in the midst of tasks of violence. I am proud to have had the privilege of being associated with them and of calling myself their leader.

But I speak now of what they meant to the men by whose sides they fought and to the people with whom they mingled with such utter simplicity, as friends who asked only to be of service. They were for all the visible embodiment of America. What they did made America and all that she stood for a living reality in the thoughts not only of the people of France but also of tens of millions of men and women throughout all the toiling nations of the world standing everywhere in peril of its freedom and of the loss of everything it held dear, in deadly fear that its bonds were never to be loosed, its hopes to be forever mocked and disappointed.

And the compulsion of what they stood for was upon us who represented America at the peace table. It was our duty to see to it that every decision we took part in contributed, so far as we were able to influence it, to quiet the fears and realize the hopes of the peoples who had been living in that shadow, the nations that had come by our assistance to their freedom. It was our duty to do everything that it was within our power to do to make the triumph of freedom and of right a lasting triumph in the assurance of which men might everywhere live without fear.

Old entanglements of every kind stood in the way,—promises which governments had made to one another in the days when might and right were confused and the power of the victor was without restraint. Engagements which contemplated any dispositions of territory, any extensions of sovereignty that might seem to be to the interest of those who had the power to insist upon them, had been entered into without thought of what the peoples concerned might wish or profit by: and these could not always be honourably brushed aside. It was not easy to graft the new order of ideas on the old, and some of the fruits of the grafting may, I fear, for a time be bitter. But, with very few exceptions, the men who sat with us at the peace table desired as sincerely as we did to get away from the bad influences, the illegitimate purposes, the demoralizing ambitions, the international counsels and expedients out of which the sinister designs of Germany had sprung as a natural growth.

It had been our privilege to formulate the principles which were accepted as the basis of the peace, but they had been accepted, not because we had come in to hasten and assure the victory and insisted upon them, but because they were readily acceded to as the principles to which honourable and enlightened minds everywhere had been bred. They spoke the conscience of the world as well as the conscience of America, and I am happy to pay my tribute of respect and gratitude to the able, forward-looking men with whom it was my privilege to cooperate for their unfailing spirit of cooperation, their constant effort to accommodate the interests they represented to the principles we were all agreed upon. The difficulties, which were many, lay in the circumstances, not often in the men. Almost without exception the men who led had caught the true and full vision of the problem of peace as an indivisible whole, a problem, not of mere adjustments of interest, but of justice and right action.

The atmosphere in which the Conference worked seemed created, not by the ambitions of strong governments, but by the hopes and aspirations of small nations and of peoples hitherto under bondage to the power that victory had shattered and destroyed. Two great empires had been forced into political bankruptcy, and we were the receivers. Our task was not only to make peace with the central empires and remedy the wrongs their armies had done. The central empires had lived in open violation of many of the very rights for which the war had been fought, dominating alien peoples over whom they had no natural right to rule, enforcing, not obedience, but veritable bondage, exploiting those who were weak for the benefit of those who were masters and overlords only by force of arms. There could be no peace until the whole order of central Europe was set right.

That meant that new nations were to be created,—Poland, Czecho-Slovakia, Hungary itself. No part of ancient Poland had ever in any true sense become a part of Germany, or of Austria, or of Russia. Bohemia was alien in every thought and hope to the monarchy of which she had so long been an artificial part; and the uneasy partnership between Austria and Hungary had been one rather of interest than of kinship or sympathy. The Slavs whom Austria had chosen to force into her empire on the south were kept to their obedience by nothing but fear. Their hearts were with their kinsmen in the Balkans. These were all arrangements of power, not arrangements of natural union or association. It was the imperative task of those who would make peace and make it intelligently to establish a new order which would rest upon the free choice of peoples rather than upon the arbitrary authority of Hapsburgs or Hohenzollerns.

More than that, great populations bound by sympathy and actual kin to Rumania were also linked against their will to the conglomerate Austro-Hungarian monarchy or to other alien sovereignties, and it was part of the task of peace to make a new Rumania as well as a new Slavic state clustering about Serbia.

And no natural frontiers could be found to these new fields of adjustment and redemption. It was necessary to look constantly forward to other related tasks. The German colonies were to be disposed of. They had not been governed; they had been exploited merely, without thought of the interest or even the ordinary human rights of their inhabitants.

The Turkish Empire, moreover, had fallen apart, as the Austro-Hungarian had. It had never had any real unity. It had been held together only by pitiless, inhuman force. Its peoples cried aloud for release, for succour from unspeakable distress, for all that the new day of hope seemed at last to bring within its dawn. Peoples hitherto in utter darkness were to be led out into the same light and given at last a helping hand. Undeveloped peoples and peoples ready for recognition but not yet ready to assume the full responsibilities of statehood were to be given adequate guarantees of friendly protection, guidance, and assistance.

And out of the execution of these great enterprises of liberty sprang opportunities to attempt what statesmen had never found the way before to do: an opportunity to throw safeguards about the rights of racial, national, and religious minorities

by solemn international covenant; an opportunity to limit and regulate military establishments where they were most likely to be mischievous; an opportunity to effect a complete and systematic internationalization of waterways and railways which were necessary to the free economic life of more than one nation and to clear many of the normal channels of commerce of unfair obstructions of law or of privilege; and the very welcome opportunity to secure for labour the concerted protection of definite international pledges of principle and practice.

These were not tasks which the Conference looked about it to find and went out of its way to perform. They were inseparable from the settlements of peace. They were thrust upon it by circumstances which could not be overlooked. The war had created them. In all quarters of the world old established relationships had been disturbed or broken and affairs were at loose ends, needing to be mended or united again, but could not be made what they were before. They had to be set right by applying some uniform principle of justice or enlightened expediency. And they could not be adjusted by merely prescribing in a treaty what should be done. New states were to be set up which could not hope to live through their first period of weakness without assured support by the great nations which had consented to their creation and won for them their independence. Ill governed colonies could not be put in the hands of governments which were to act as trustees for their people and not as their masters if there was to be no common authority among the nations to which they were to be responsible in the execution of their trust. Future international conventions with regard to the control of waterways, with regard to illicit traffic of many kinds, in arms or in deadly drugs, or with regard to the adjustment of many varying international administrative arrangements could not be assured if the treaty were to provide no permanent common international agency, if its execution in such matters was to be left to the slow and uncertain processes of cooperation by ordinary methods of negotiation. If the Peace Conference itself was to be the end of cooperative authority and common counsel among the governments to which the world was looking to enforce justice and give pledges of an enduring settlement, regions like the Saar basin could not be put under a temporary administrative régime which did not involve a transfer of political sovereignty and which contemplated a final determination of its political connections by popular vote to be taken at a distant date; no free city like Danzig could be created which was, under elaborate international guarantees, to accept exceptional obligations with regard to the use of its port and exceptional relations with a State of which it was not to form a part; properly safeguarded plebiscites could not be provided for where populations were at some future date to make choice what sovereignty they would live under; no certain and uniform method of arbitration could be secured for the settlement of anticipated difficulties of final decision with regard to many matters dealt with in the treaty itself; the long-continued supervision of the task of reparation which Germany was to undertake to complete within the next generation might entirely break down; the reconsideration and revision of administrative arrangements and restrictions which the treaty prescribed but which it was recognized might not prove of lasting advantage or entirely fair if too long enforced would be impracticable. The promises governments were making to one another about the way in which labour was to be dealt with, by law not only but in fact as well, would remain a mere humane thesis if there was to be no common tribunal of opinion and judgment to which liberal statesmen could resort for the influences which alone might secure their redemption. A league of free nations had become a practical necessity. Examine the treaty of peace and you will find that everywhere throughout its manifold provisions its framers have felt obliged to turn to the League of Nations as an indispensable instrumentality for the maintenance of the new order it has been their purpose to set up in the world,—the world of civilized men.

That there should be a league of nations to steady the counsels and maintain the peaceful understandings of the world, to make, not treaties alone, but the accepted principles of international law as well, the actual rule of conduct among the governments of the world, had been one of the agreements accepted from the first as the basis of peace with the central powers. The statesmen of all the belligerent countries were agreed that such a league must be created to sustain the settlements that were to be effected. But at first I think there was a feeling among some of them that, while it must be attempted, the formation of such a league was perhaps a counsel of perfection which practical men, long experienced in the world of affairs, must agree to very cautiously and with many misgivings. It was only as the difficult work of arranging an all but universal adjustment of the world's affairs advanced from day to day from one stage of conference to another that it became evident to them that what they were seeking would be little more than something written upon paper, to be interpreted and applied by such methods as the chances of politics might make available if they did not provide a means of common counsel which all were obliged to accept, a common authority whose decisions would be recognized as decisions which all must respect.

And so the most practical, the most skeptical among them turned more and more to the League as the authority through which international action was to be secured, the authority without which, as they had come to see it, it would be difficult to give assured effect either to this treaty or to any other international understanding upon which they were to depend for the maintenance of peace. The fact that the Covenant of the League was the first substantive part of the treaty to be worked out and agreed upon, while all else was in solution, helped to make the formulation of the rest easier. The Conference was, after all, not to be ephemeral. The concert of nations was to continue, under a definite Covenant which had been agreed upon and which all were convinced was workable. They could go forward with confidence to make arrangements intended to be permanent. The most practical of the conferees were at last the most ready to refer to the League of Nations the superintendence of all interests which did not admit of immediate determination, of all administrative problems which were to require a continuing oversight. What had seemed a counsel of perfection had come to seem a plain counsel of necessity. The League of Nations was the practical statesman's hope of success in many of the most difficult things he was attempting.

And it had validated itself in the thought of every member of the Conference as something much bigger, much greater every way, than a mere instrument for carrying out the provisions of a particular treaty. It was universally recognized that all the peoples of the world demanded of the Conference that it should create such a continuing concert of free nations as would make wars of aggression and spoilation such as this that has just ended forever impossible. A cry had gone out from every home in every stricken land from which sons and brothers and fathers had gone forth to the great sacrifice that such a sacrifice should never again be exacted. It was manifest why it had been exacted. It had been exacted because one nation desired dominion and other nations had known no means of defence except armaments and alliances. War had lain at the heart of every arrangement of the Europe,—of every arrangement of the world,—that preceded the war. Restive peoples had been told that fleets and armies, which they toiled to sustain, meant peace; and they now knew that they had been lied to: that fleets and armies had been maintained to promote national ambitions and meant war. They knew that no old policy meant anything else but force, force,—always force. And they knew that it was intolerable. Every true heart in the world, and every enlightened judgment demanded that, at whatever cost of independent action, every government that took thought for its people or for justice or for ordered freedom should lend itself to the new purpose and utterly destroy the old order of international politics. Statesmen might see difficulties, but the people could see none and could brook no denial. A war in which they had been bled white to beat the terror that lay concealed in every Balance of Power must not end in a mere victory of arms and a new Balance. The monster that had resorted to arms must be put in chains that could not be broken. The united power of free nations must put a stop to aggression, and the world must be given peace. If there was not the will or the intelligence to accomplish that now, there must be another and a final war and the world must be swept clean of every power that could renew the terror. The League of Nations was not merely an instrument to adjust and remedy old wrongs under a new treaty of peace. It was the only hope for mankind. Again and again had the demon of war been cast out of the house of the peoples, and the house swept clean by a treaty of peace, only to prepare a time when he would enter in again with spirits worse than himself. The house must now be given a tenant who could hold it against all such. Convenient, indeed indispensable, as statesmen found the newly planned League of Nations to be for the execution of present plans of peace and reparation, they saw it in a new aspect before their work was finished. They saw it as the main object of the peace, as the only thing that could complete it or make it worth while. They saw it as the hope of the world, and that hope they did not dare disappoint. Shall we or any other free people hesitate to accept this great duty? Dare we reject it and break the heart of the world?

And so the result of the Conference of Peace, so far as Germany is concerned, stands complete. The difficulties encoun-

tered were very many. Sometimes they seemed insuperable. It was impossible to accommodate the interests of so great a body of nations,—interests which directly or indirectly affected almost every nation in the world,—without many minor compromises. The treaty, as a result, is not exactly what we would have written. It is probably not what any one of the national delegations would have written. But results were worked out which on the whole bear test. I think that it will be found that the compromises which were accepted as inevitable nowhere cut to the heart of any principle. The work of the Conference squares, as a whole, with the principles agreed upon as the basis of the peace as well as with the practical possibilities of the international situations which had to be faced and dealt with as facts.

I shall presently have occasion to lay before you a special treaty with France whose object is the temporary protection of France from unprovoked aggression by the Power with whom this treaty of peace has been negotiated. Its terms link it with this treaty. I take the liberty, however, of reserving it, because of its importance, for special explication on another occasion.

The rôle which America was to play in the Conference seemed determined, as I have said, before my colleagues and I got to Paris,—determined by the universal expectations of the nations whose representatives, drawn from all quarters of the globe, we were to deal with. It was universally recognized that America had entered the war to promote no private or peculiar interest of her own but only as the champion of rights which she was glad to share with free men and lovers of justice everywhere. We had formulated the principles upon which the settlement was to be made,—the principles upon which the armistice had been agreed to and the parleys of peace undertaken,—and no one doubted that our desire was to see the treaty of peace formulated along the actual lines of those principles,—and desired nothing else. We were welcomed as disinterested friends. We were resorted to as arbiters in many a difficult matter. It was recognized that our material aid would be indispensable in the days to come, when industry and credit would have to be brought back to their normal operation again and communities beaten to the ground assisted to their feet once more, and it was taken for granted, I am proud to say, that we would play the helpful friend in these things as in all others without prejudice or favour. We were generously accepted as the unaffected champions of what was right. It was a very responsible rôle to play; but I am happy to report that the fine group of Americans who helped with their expert advice in each part of the varied settlements sought in every transaction to justify the high confidence reposed in them.

And that confidence, it seems to me, is the measure of our opportunity and of our duty in the days to come, in which the new hope of the peoples of the world is to be fulfilled or disappointed. The fact that America is the friend of the nations, whether they be rivals or associates, is no new fact: it is only the discovery of it by the rest of the world that is new.

America may be said to have just reached her majority as a world power. It was almost exactly twenty-one years ago that the results of the War with Spain put us unexpectedly in possession of rich islands on the other side of the world and brought us into association with other governments in the control of the West Indies. It was regarded as a sinister and ominous thing by the statesmen of more than one European chancellery that we should have extended our power beyond the confines of our continental dominions. They were accustomed to think of new neighbours as a new menace, of rivals as watchful enemies. There were persons amongst us at home who looked with deep disapproval and avowed anxiety on such extensions of our national authority over distant islands and over peoples whom they feared we might exploit, not serve and assist. But we have not exploited them. We have been their friends and have sought to serve them. And our dominion has been a menace to no other nation. We redeemed our honour to the utmost in our dealings with Cuba. She is weak but absolutely free; and it is her trust in us that makes her free. Weak peoples everywhere stand ready to give us any authority among them that will assure them a like friendly oversight and direction. They know that there is no ground for fear in receiving us as their mentors and guides. Our isolation was ended twenty years ago; and now fear of us is ended also, our counsel and association sought after and desired. There can be no question of our ceasing to be a world power. The only question is whether we can refuse the moral leadership that is offered us, whether we shall accept or reject the confidence of the world.

The war and the Conference of Peace now sitting in Paris seem to me to have answered that question. Our participation in the war established our position among the nations and nothing but our own mistaken action can alter it. It was not an accident or a matter of sudden choice that we are no longer isolated and devoted to a policy which has only our own interest and advantage for its object. It was our duty to go in, if we were indeed the champions of liberty and of right. We answered to the call of duty in a way so spirited, so utterly without thought of what we spent of blood or treasure, so effective, so worthy of the admiration of true men everywhere, so wrought out of the stuff of all that was heroic, that the whole world saw at last, in the flesh, in noble action, a great ideal asserted and vindicated, by a nation they had deemed material and now found to be compact of the spiritual forces that must free men of every nation from every unworthy bondage. It is thus that a new rôle and a new responsibility have come to this great nation that we honour and which we would all wish to lift to yet higher levels of service and achievement.

The stage is set, the destiny disclosed. It has come about by no plan of our conceiving, but by the hand of God who led us into this way. We cannot turn back. We can only go forward, with lifted eyes and freshened spirit, to follow the vision. It was of this that we dreamed at our birth. America shall in truth show the way. The light streams upon the path ahead, and nowhere else. [Great applause.]

Upon the conclusion of the address (at 12 o'clock and 55 minutes p. m.) the President of the United States, escorted by the committee of the Senate, retired from the Chamber amid prolonged applause.

On motion of Mr. LODGE, it was—

Ordered, That the injunction of secrecy be removed from the treaty of peace between the United States and Germany this day presented to the Senate by the President of the United States, and that it be referred to the Committee on Foreign Relations, and that the same be printed as a Senate document and in the CONGRESSIONAL RECORD, and that as many additional copies be printed as can be obtained within statutory limits.

The treaty this day submitted to the Senate by the President of the United States is as follows:

TREATY OF PEACE WITH GERMANY.

THE UNITED STATES OF AMERICA, THE BRITISH EMPIRE, FRANCE, ITALY and JAPAN,

These Powers being described in the present Treaty as the Principal Allied and Associated Powers,

BELGIUM, BOLIVIA, BRAZIL, CHINA, CUBA, ECUADOR, GREECE, GUATEMALA, HAITI, THE HEDJAZ, HONDURAS, LIBERIA, NICARAGUA, PANAMA, PERU, POLAND, PORTUGAL, ROUMANIA, THE SERB-CROAT-SLOVENE STATE, SIAM, CZECHO-SLOVAKIA and URUGUAY,

These Powers constituting with the Principal Powers mentioned above the Allied and Associated Powers,

of the one part;

And GERMANY,

of the other part;

Bearing in mind that on the request of the Imperial German Government an Armistice was granted on November 11, 1918, to Germany by the Principal Allied and Associated Powers in order that a Treaty of Peace might be concluded with her, and

The Allied and Associated Powers being equally desirous that the war in which they were successively involved directly or indirectly and which originated in the declaration of war by Austria-Hungary on July 28, 1914, against Serbia, the declaration of war by Germany against Russia on August 1, 1914, and against France on August 3, 1914, and in the invasion of Belgium, should be replaced by a firm, just and durable Peace,

For this purpose the HIGH CONTRACTING PARTIES represented as follows:

THE PRESIDENT OF THE UNITED STATES OF AMERICA, by:

The Honourable Woodrow WILSON, PRESIDENT OF THE UNITED STATES, acting in his own name and by his own proper authority;

The Honourable Robert LANSING, Secretary of State;

The Honourable Henry WHITE, formerly Ambassador Extraordinary and Plenipotentiary of the United States at Rome and Paris;

The Honourable Edward M. HOUSE;

General Tasker H. BLISS, Military Representative of the United States on the Supreme War Council;

HIS MAJESTY THE KING OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND AND OF THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA, by:

The Right Honourable David LLOYD GEORGE, M. P., First Lord of His Treasury and Prime Minister;
The Right Honourable Andrew BONAR LAW, M. P., His Lord Privy Seal;
The Right Honourable Viscount MILNER, G. C. B., G. C. M. G., His Secretary of State for the Colonies;
The Right Honourable Arthur James BALFOUR, O. M., M. P., His Secretary of State for Foreign Affairs;
The Right Honourable George Nicoll BARNES, M. P., Minister without portfolio;

And

for the DOMINION OF CANADA, by:

The Honourable Charles Joseph DOHERTY, Minister of Justice;
The Honourable Arthur Lewis SIFTON, Minister of Customs;

for the COMMONWEALTH OF AUSTRALIA, by:

The Right Honourable William Morris HUGHES, Attorney General and Prime Minister;
The Right Honourable Sir Joseph COOK, G. C. M. G., Minister for the Navy;

for the UNION OF SOUTH AFRICA, by:

General the Right Honourable Louis BOTHA, Minister of Native Affairs and Prime Minister;
Lieutenant-General the Right Honourable Jan Christiaan SMUTS, K. C., Minister of Defence;

for the DOMINION OF NEW ZEALAND, by:

The Right Honourable William Ferguson MASSEY, Minister of Labour and Prime Minister;

for INDIA, by:

The Right Honourable Edwin Samuel MONTAGU, M. P., His Secretary of State for India;
Major-General His Highness Maharaja Sir Ganga Singh Bahadur, Maharaja of BIKANER, G. C. S. I., G. C. I. E., G. C. V. O., K. C. B., A. D. C.;

THE PRESIDENT OF THE FRENCH REPUBLIC, by:

Mr. Georges CLEMENCEAU, President of the Council, Minister of War;
Mr. Stephen PICHON, Minister of Foreign Affairs;
Mr. Louis-Lucien KLOTZ, Minister of Finance;
Mr. André TARDIEU, Commissary General for Franco-American Military Affairs;
Mr. Jules ÇAMBON, Ambassador of France;

HIS MAJESTY THE KING OF ITALY, by:

Baron S. SONNINO, Deputy;
Marquis G. IMPERIALI, Senator, Ambassador of His Majesty the King of Italy at London;
Mr. S. CRESPI, Deputy;

HIS MAJESTY THE EMPEROR OF JAPAN, by:

Marquis SAÏONZI, formerly President of the Council of Ministers;
Baron MAKINO, formerly Minister for Foreign Affairs, Member of the Diplomatic Council;
Viscount CHINDA, Ambassador Extraordinary and Plenipotentiary of H. M. the Emperor of Japan at London;
Mr. K. MATSUI, Ambassador Extraordinary and Plenipotentiary of H. M. the Emperor of Japan at Paris;
Mr. H. IJUIN, Ambassador Extraordinary and Plenipotentiary of H. M. the Emperor of Japan at Rome;

HIS MAJESTY THE KING OF THE BELGIANS, by:

Mr. Paul HYMANS, Minister for Foreign Affairs, Minister of State;
Mr. Jules van den HEUVEL, Envoy Extraordinary and Minister Plenipotentiary, Minister of State;
Mr. Emile VANDERVELDE, Minister of Justice, Minister of State;

THE PRESIDENT OF THE REPUBLIC OF BOLIVIA, by:

Mr. Ismael MONTES, Envoy Extraordinary and Minister Plenipotentiary of Bolivia at Paris;

THE PRESIDENT OF THE REPUBLIC OF BRAZIL, by:

Mr. João Pandiá CALOGERAS, Deputy, formerly Minister of Finance;
Mr. Raul FERNANDES, Deputy;
Mr. Rodrigo Octavio de L. MENEZES, Professor of International Law of Rio de Janeiro;

THE PRESIDENT OF THE CHINESE REPUBLIC, by:

Mr. LOU Tseng-Tsiang, Minister for Foreign Affairs;
Mr. Chengting Thomas WANG, formerly Minister of Agriculture and Commerce;

THE PRESIDENT OF THE CUBAN REPUBLIC, by:

Mr. Antonio Sánchez de BUSTAMANTE, Dean of the Faculty of Law in the University of Havana, President of the Cuban Society of International Law;

THE PRESIDENT OF THE REPUBLIC OF ECUADOR, by:

Mr. Enrique DORN Y DE ALSÚA, Envoy Extraordinary and Minister Plenipotentiary of Ecuador at Paris;

HIS MAJESTY THE KING OF THE HELLENES, by:

Mr. Eleftherios K. VENISÉLOS, President of the Council of Ministers;
Mr. Nicolas POLITIS, Minister for Foreign Affairs;

THE PRESIDENT OF THE REPUBLIC OF GUATEMALA, by:

Mr. Joaquin MÉNDEZ, formerly Minister of State for Public Works and Public Instruction, Envoy Extraordinary and Minister Plenipotentiary of Guatemala at Washington, Envoy Extraordinary and Minister Plenipotentiary on special mission at Paris;

THE PRESIDENT OF THE REPUBLIC OF HAITI, by:

Mr. Tertullien GUILBAUD, Envoy Extraordinary and Minister Plenipotentiary of Haiti at Paris;

HIS MAJESTY THE KING OF THE HEDJAZ, by:

Mr. Rustem HAÏDAR;
Mr. Abdul Hadi AOUNI;

THE PRESIDENT OF THE REPUBLIC OF HONDURAS, by:

Dr. Policarpo BONILLA, on special mission to Washington, formerly President of the Republic of Honduras, Envoy Extraordinary and Minister Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF LIBERIA, by:

The Honourable Charles Dunbar Burgess KING, Secretary of State;

THE PRESIDENT OF THE REPUBLIC OF NICARAGUA, by:

Mr. Salvador CHAMORRO, President of the Chamber of Deputies;

THE PRESIDENT OF THE REPUBLIC OF PANAMA, by:

Mr. Antonio BURGOS, Envoy Extraordinary and Minister Plenipotentiary of Panama at Madrid;

THE PRESIDENT OF THE REPUBLIC OF PERU, by:

Mr. Carlos G. CANDAMO, Envoy Extraordinary and Minister Plenipotentiary of Peru at Paris;

THE PRESIDENT OF THE POLISH REPUBLIC, by:

Mr. Ignace J. PADEREWSKI, President of the Council of Ministers, Minister for Foreign Affairs;
Mr. ROMAN DMOWSKI, President of the Polish National Committee;

THE PRESIDENT OF THE PORTUGUESE REPUBLIC, by:

Dr. Affonso Augusto DA COSTA, formerly President of the Council of Ministers;
Dr. Augusto Luiz Vieira SOARES, formerly Minister for Foreign Affairs;

HIS MAJESTY THE KING OF ROUMANIA, by:

Mr. Ion I. C. BRATIANO, President of the Council of Ministers, Minister for Foreign Affairs;
General Constantin COANDA, Corps Commander, A. D. C. to the King, formerly President of the Council of Ministers;

HIS MAJESTY THE KING OF THE SERBS, THE CROATS, AND THE SLOVENES, by:

Mr. Nicholas P. PACHITICH, formerly President of the Council of Ministers;
Mr. Ante TRUMBIC, Minister for Foreign Affairs;
Mr. Milenko VESNITCH, Envoy Extraordinary and Minister Plenipotentiary of H. M. the King of the Serbs, the Croats and the Slovenes at Paris;

HIS MAJESTY THE KING OF SIAM, by:

His Highness Prince CHAROON, Envoy Extraordinary and Minister Plenipotentiary of H. M. the King of Siam at Paris;
His Serene Highness Prince Traidos PRABANDHU, Under Secretary of State for Foreign Affairs;

THE PRESIDENT OF THE CZECHO-SLOVAK REPUBLIC, by:

Mr. Karel KRAMÁŘ, President of the Council of Ministers;
Mr. Eduard BENEŠ, Minister for Foreign Affairs;

THE PRESIDENT OF THE REPUBLIC OF URUGUAY, by:
Mr. Juan Antonio BUERO, Minister for Foreign Affairs, formerly Minister of Industry;
GERMANY, by:
Mr. Hermann MÜLLER, Minister for Foreign Affairs of the Empire;
Dr. BELL, Minister of the Empire;
Acting in the name of the German Empire and of each and every component State,
WHO having communicated their full powers found in good and due form have AGREED AS FOLLOWS:
From the coming into force of the present Treaty the state of war will terminate. From that moment and subject to the provisions of this Treaty official relations with Germany, and with any of the German States, will be resumed by the Allied and Associated Powers.

PART I.

THE COVENANT OF THE LEAGUE OF NATIONS.

THE HIGH CONTRACTING PARTIES,
In order to promote international co-operation and to achieve international peace and security
by the acceptance of obligations not to resort to war,
by the prescription of open, just and honourable relations between nations,
by the firm establishment of the understandings of international law as the actual rule of conduct among Governments, and
by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organised peoples with one another,
Agree to this Covenant of the League of Nations.

ARTICLE 1.

The original Members of the League of Nations shall be those of the Signatories which are named in the Annex to this Covenant and also such of those other States named in the Annex as shall accede without reservation to this Covenant. Such accession shall be effected by a Declaration deposited with the Secretariat within two months of the coming into force of the Covenant. Notice thereof shall be sent to all other Members of the League.

Any fully self-governing State, Dominion or Colony not named in the Annex may become a Member of the League if its admission is agreed to by two-thirds of the Assembly, provided that it shall give effective guarantees of its sincere intention to observe its international obligations, and shall accept such regulations as may be prescribed by the League in regard to its military, naval and air forces and armaments.

Any Member of the League may, after two years' notice of its intention so to do, withdraw from the League, provided that all its international obligations and all its obligations under this Covenant shall have been fulfilled at the time of its withdrawal.

ARTICLE 2.

The action of the League under this Covenant shall be effected through the instrumentality of an Assembly and of a Council, with a permanent Secretariat.

ARTICLE 3.

The Assembly shall consist of Representatives of the Members of the League.

The Assembly shall meet at stated intervals and from time to time as occasion may require at the Seat of the League or at such other place as may be decided upon.

The Assembly may deal at its meetings with any matter within the sphere of action of the League or affecting the peace of the world.

At meetings of the Assembly each Member of the League shall have one vote, and may have not more than three Representatives.

ARTICLE 4.

The Council shall consist of Representatives of the Principal Allied and Associated Powers, together with Representatives of four other Members of the League. These four Members of the League shall be selected by the Assembly from time to time in its discretion. Until the appointment of the Representatives of the four Members of the League first selected by the Assembly, Representatives of Belgium, Brazil, Spain and Greece shall be members of the Council.

With the approval of the majority of the Assembly, the Council may name additional Members of the League whose Representatives shall always be members of the Council; the Council with like approval may increase the number of Members of the League to be selected by the Assembly for representation on the Council.

The Council shall meet from time to time as occasion may require, and at least once a year, at the Seat of the League, or at such other place as may be decided upon.

The Council may deal at its meetings with any matter within the sphere of action of the League or affecting the peace of the world.

Any Member of the League not represented on the Council shall be invited to send a Representative to sit as a member at any meeting of the Council during the consideration of matters specially effecting the interests of that Member of the League.

At meetings of the Council, each Member of the League represented on the Council shall have one vote, and may have not more than one Representative.

ARTICLE 5.

Except where otherwise expressly provided in this Covenant or by the terms of the present Treaty, decisions at any meeting of the Assembly or of the Council shall require the agreement of all the Members of the League represented at the meeting.

All matters of procedure at meetings of the Assembly or of the Council, including the appointment of Committees to investigate particular matters, shall be regulated by the Assembly or by the Council and may be decided by a majority of the Members of the League represented at the meeting.

The first meeting of the Assembly and the first meeting of the Council shall be summoned by the President of the United States of America.

ARTICLE 6.

The permanent Secretariat shall be established at the Seat of the League. The Secretariat shall comprise a Secretary General and such secretaries and staff as may be required.

The first Secretary General shall be the person named in the Annex; thereafter the Secretary General shall be appointed by the Council with the approval of the majority of the Assembly.

The secretaries and staff of the Secretariat shall be appointed by the Secretary General with the approval of the Council.

The Secretary General shall act in that capacity at all meetings of the Assembly and of the Council.

The expenses of the Secretariat shall be borne by the Members of the League in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union.

ARTICLE 7.

The Seat of the League is established at Geneva.

The Council may at any time decide that the Seat of the League shall be established elsewhere.

All positions under or in connection with the League, including the Secretariat, shall be open equally to men and women.

Representatives of the Members of the League and officials of the League when engaged on the business of the League shall enjoy diplomatic privileges and immunities.

The buildings and other property occupied by the League or its officials or by Representatives attending its meetings shall be inviolable.

ARTICLE 8.

The Members of the League recognise that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations.

The Council, taking account of the geographical situation and circumstances of each State, shall formulate plans for such reduction for the consideration and action of the several Governments.

Such plans shall be subject to reconsideration and revision at least every ten years.

After these plans shall have been adopted by the several Governments, the limits of armaments therein fixed shall not be exceeded without the concurrence of the Council.

The Members of the League agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections. The Council shall advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of those Members of the League which are not able to manufacture the munitions and implements of war necessary for their safety.

The Members of the League undertake to interchange full and frank information as to the scale of their armaments, their military, naval and air programmes and the condition of such of their industries as are adaptable to war-like purposes.

ARTICLE 9.

A permanent Commission shall be constituted to advise the Council on the execution of the provisions of Articles 1 and 8 and on military, naval and air questions generally.

ARTICLE 10.

The Members of the League undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all Members of the League. In case of any such aggression or in case of any threat or danger of such aggression the Council shall advise upon the means by which this obligation shall be fulfilled.

ARTICLE 11.

Any war or threat of war, whether immediately affecting any of the Members of the League or not, is hereby declared a matter of concern to the whole League, and the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations. In case any such emergency should arise the Secretary General shall on the request of any Member of the League forthwith summon a meeting of the Council.

It is also declared to be the friendly right of each Member of the League to bring to the attention of the Assembly or of the Council any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends.

ARTICLE 12.

The Members of the League agree that if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or to inquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the report by the Council.

In any case under this Article the award of the arbitrators shall be made within a reasonable time, and the report of the Council shall be made within six months after the submission of the dispute.

ARTICLE 13.

The Members of the League agree that whenever any dispute shall arise between them which they recognise to be suitable for submission to arbitration and which cannot be satisfactorily settled by diplomacy, they will submit the whole subject-matter to arbitration.

Disputes as to the interpretation of a treaty, as to any question of international law, as to the existence of any fact which if established would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach, are declared to be among those which are generally suitable for submission to arbitration.

For the considerion of any such dispute the court of arbitration to which the case is referred shall be the Court agreed on by the parties to the dispute or stipulated in any convention existing between them.

The Members of the League agree that they will carry out in full good faith any award that may be rendered, and that they will not resort to war against a Member of the League which complies therewith. In the event of any failure to carry out such an award, the Council shall propose what steps should be taken to give effect thereto.

ARTICLE 14.

The Council shall formulate and submit to the Members of the League for adoption plans for the establishment of a Permanent Court of International Justice. The Court shall be competent to hear and determine any dispute of an international character which the parties thereto submit to it. The Court may also give an advisory opinion upon any dispute or question referred to it by the Council or by the Assembly.

ARTICLE 15.

If there should arise between Members of the League any dispute likely to lead to a rupture, which is not submitted to arbitration in accordance with Article 13, the Members of the League agree that they will submit the matter to the Council. Any party to the dispute may effect such submission by giving notice of the existence of the dispute to the Secretary General, who will make all necessary arrangements for a full investigation and consideration thereof.

For this purpose the parties to the dispute will communicate to the Secretary General, as promptly as possible, statements of their case with all the relevant facts and papers, and the Council may forthwith direct the publication thereof.

The Council shall endeavour to effect a settlement of the dispute, and if such efforts are successful, a statement shall be made public giving such facts and explanations regarding the dispute and the terms of settlement thereof as the Council may deem appropriate.

If the dispute is not thus settled, the Council either unanimously or by a majority vote shall make and publish a report containing a statement of the facts of the dispute and the recommendations which are deemed just and proper in regard thereto.

Any Member of the League represented on the Council may make public a statement of the facts of the dispute and of its conclusions regarding the same.

If a report by the Council is unanimously agreed to by the members thereof other than the Representatives of one or more of the parties to the dispute, the Members of the League agree that they will not go to war with any party to the dispute which complies with the recommendations of the report.

If the Council fails to reach a report which is unanimously agreed to by the members thereof, other than the Representatives of one or more of the parties to the dispute, the Members of the League reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and justice.

If the dispute between the parties is claimed by one of them, and is found by the Council, to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the Council shall so report, and shall make no recommendation as to its settlement.

The Council may in any case under this Article refer the dispute to the Assembly. The dispute shall be so referred at the request of either party to the dispute, provided that such request be made within fourteen days after the submission of the dispute to the Council.

In any case referred to the Assembly, all the provisions of this Article and of Article 12 relating to the action and powers of the Council shall apply to the action and powers of the Assembly, provided that a report made by the Assembly, if concurred in by the Representatives of those Members of the League represented on the Council and of a majority of the other Members of the League, exclusive in each case of the Representatives of the parties to the dispute, shall have the same force as a report by the Council concurred in by all the members thereof other than the Representatives of one or more of the parties to the dispute.

ARTICLE 16.

Should any Member of the League resort to war in disregard of its covenants under Articles 12, 13 or 15, it shall *ipso facto* be deemed to have committed an act of war against all other Members of the League, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a Member of the League or not.

It shall be the duty of the Council in such case to recommend to the several Governments concerned what effective military, naval or air force the Members of the League shall severally contribute to the armed forces to be used to protect the covenants of the League.

The Members of the League agree, further, that they will mutually support one another in the financial and economic measures which are taken under this Article, in order to minimise the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State, and that they will take the necessary steps to afford passage through their territory to the forces of any of the Members of the League which are cooperating to protect the covenants of the League.

Any Member of the League which has violated any covenant of the League may be declared to be no longer a Member of the League by a vote of the Council concurred in by the Representatives of all the other Members of the League represented thereon.

ARTICLE 17.

In the event of a dispute between a Member of the League and a State which is not a Member of the League, or between States not Members of the League, the State or States not Members of the League shall be invited to accept the obligations of membership in the League for the purposes of such dispute, upon such conditions as the Council may deem just. If such invitation is accepted, the provisions of Articles 12 to

16 inclusive shall be applied with such modifications as may be deemed necessary by the Council.

Upon such invitation being given the Council shall immediately institute an inquiry into the circumstances of the dispute and recommend such action as may seem best and most effectual in the circumstances.

If a State so invited shall refuse to accept the obligations of membership in the League for the purposes of such dispute, and shall resort to war against a Member of the League, the provisions of Article 16 shall be applicable as against the State taking such action.

If both parties to the dispute when so invited refuse to accept the obligations of membership in the League for the purposes of such dispute, the Council may take such measures and make such recommendations as will prevent hostilities and will result in the settlement of the dispute.

ARTICLE 18.

Every treaty or international engagement entered into hereafter by any Member of the League shall be forthwith registered with the Secretariat and shall as soon as possible be published by it. No such treaty or international engagement shall be binding until so registered.

ARTICLE 19.

The Assembly may from time to time advise the reconsideration by Members of the League of treaties which have become inapplicable and the consideration of international conditions whose continuance might endanger the peace of the world.

ARTICLE 20.

The Members of the League severally agree that this Covenant is accepted as abrogating all obligations or understandings *inter se* which are inconsistent with the terms thereof, and solemnly undertake that they will not hereafter enter into any engagements inconsistent with the terms thereof.

In case any Member of the League shall, before becoming a Member of the League, have undertaken any obligations inconsistent with the terms of this Covenant, it shall be the duty of such Member to take immediate steps to procure its release from such obligations.

ARTICLE 21.

Nothing in this Covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe doctrine, for securing the maintenance of peace.

ARTICLE 22.

To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilisation and that securities for the performance of this trust should be embodied in this Covenant.

The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who by reason of their resources, their experience or their geographical position can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as Mandatories on behalf of the League.

The character of the mandate must differ accordng to the stage of the development of the people, the geographical situation of the territory, its economic conditions and other similar circumstances.

Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognised subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the Mandatory.

Other peoples, especially those of Central Africa, are at such a stage that the Mandatory must be responsible for the administration of the territory under conditions which will guarantee freedom of conscience and religion, subject only to the maintenance of public order and morals, the prohibition of abuses such as the slave trade, the arms traffic and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defence of territory, and will also secure equal opportunities for the trade and commerce of other Members of the League.

There are territories, such as South-West Africa and certain of the South Pacific Islands, which, owing to the sparseness of their population, or their small size, or their remoteness from the centres of civilisation, or their geographical contiguity to the territory of the Mandatory, and other circumstances, can be best administered under the laws of the Mandatory as integral portions of its territory, subject to the safeguards above mentioned in the interests of the indigenous population.

In every case of mandate, the Mandatory shall render to the Council an annual report in reference to the territory committed to its charge.

The degree of authority, control, or administration to be exercised by the Mandatory shall, if not previously agreed upon by the Members of the League, be explicitly defined in each case by the Council.

A permanent Commission shall be constituted to receive and examine the annual reports of the Mandatories and to advise the Council on all matters relating to the observance of the mandates.

ARTICLE 23.

Subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League:

(*a*) will endeavour to secure and maintain fair and humane conditions of labour for men, women, and children, both in their own countries and in all countries to which their commercial and industrial relations extend, and for that purpose will establish and maintain the necessary international organisations;

(*b*) undertake to secure just treatment of the native inhabitants of territories under their control;

(*c*) will entrust the League with the general supervision over the execution of agreements with regard to the traffic in women and children, and the traffic in opium and other dangerous drugs;

(*d*) will entrust the League with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest;

(*e*) will make provision to secure and maintain freedom of communications and of transit and equitable treatment for the commerce of all Members of the League. In this connection, the special necessities of the regions devastated during the war of 1914–1918 shall be borne in mind;

(*f*) will endeavour to take steps in matters of international concern for the prevention and control of disease.

ARTICLE 24.

There shall be placed under the direction of the League all international bureaux already established by general treaties if the parties to such treaties consent. All such international bureaux and all commissions for the regulation of matters of international interest hereafter constituted shall be placed under the direction of the League.

In all matters of international interest which are regulated by general conventions but which are not placed under the control of international bureaux or commissions, the Secretariat of the League shall, subject to the consent of the Council and if desired by the parties, collect and distribute all relevant information and shall render any other assistance which may be necessary or desirable.

The Council may include as part of the expenses of the Secretariat the expenses of any bureau or commission which is placed under the direction of the League.

ARTICLE 25.

The Members of the League agree to encourage and promote the establishment and co-operation of duly authorised voluntary national Red Cross organizations having as purposes the improvement of health, the prevention of disease and the mitigation of suffering throughout the world.

ARTICLE 26.

Amendments to this Covenant will take effect when ratified by the Members of the League whose Representatives compose the Council and by a majority of the Members of the League whose Representatives compose the Assembly.

No such amendment shall bind any Member of the League which signifies its dissent therefrom, but in that case it shall cease to be a Member of the League.

ANNEX.

I. ORIGINAL MEMBERS OF THE LEAGUE OF NATIONS SIGNATORIES OF THE TREATY OF PEACE.

UNITED STATES OF AMERICA.
BELGIUM.
BOLIVIA.
BRAZIL.
BRITISH EMPIRE.
CANADA.
AUSTRALIA.
SOUTH AFRICA.
NEW ZEALAND.
INDIA.
CHINA.
CUBA.
ECUADOR.
FRANCE.
GREECE.
GUATEMALA.
HAITI.
HEDJAZ.
HONDURAS.
ITALY.
JAPAN.
LIBERIA.
NICARAGUA.
PANAMA.
PERU.
POLAND.
PORTUGAL.
ROUMANIA.
SERB-CROAT-SLOVENE STATE.
SIAM.
CZECHO-SLOVAKIA.
URUGUAY.

STATES INVITED TO ACCEDE TO THE COVENANT.

ARGENTINE REPUBLIC.
CHILI.
COLOMBIA.
DENMARK.
NETHERLANDS.
NORWAY.
PARAGUAY.
PERSIA.
SALVADOR.
SPAIN.
SWEDEN.
SWITZERLAND.
VENEZUELA.

II. FIRST SECRETARY GENERAL OF THE LEAGUE OF NATIONS.

The Honourable Sir James Eric DRUMMOND, K. C. M. G., C. B.

PART II.

BOUNDARIES OF GERMANY.

ARTICLE 27.

The boundaries of Germany will be determined as follows:

1. *With Belgium:*

From the point common to the three frontiers of Belgium, Holland and Germany and in a southerly direction:

the north-eastern boundary of the former territory of *neutral Moresnet*, then the eastern boundary of the *Kreis* of Eupen, then the frontier between Belgium and the *Kreis* of Montjoie, then the north-eastern and eastern boundary of the *Kreis* of Malmédy to its junction with the frontier of Luxemburg.

2. *With Luxemburg:*

The frontier of August 3, 1914, to its junction with the frontier of France of the 18th July, 1870.

3. *With France:*

The frontier of July 18, 1870, from Luxemburg to Switzerland with the reservations made in Article 48 of Section IV (Saar Basin) of Part III.

4. *With Switzerland:*

The present frontier.

5. *With Austria:*

The frontier of August 3, 1914, from Switzerland to Czecho-Slovakia as hereinafter defined.

6. *With Czecho-Slovakia:*

The frontier of August 3, 1914, between Germany and Austria from its junction with the old administrative boundary separating Bohemia and the province of Upper Austria to the point north of the salient of the old province of Austrian Silesia situated at about 8 kilometres east of Neustadt.

7. *With Poland:*

From the point defined above to a point to be fixed on the ground about 2 kilometres east of Lorzendorf:

the frontier as it will be fixed in accordance with Article 88 of the present Treaty;

thence in a northerly direction to the point where the administrative boundary of Posnania crosses the river Bartsch:

a line to be fixed on the ground leaving the following places in Poland: Skorischau, Reichthal, Trembatschau, Kunzendorf, Schleise, Gross Kosel, Schreibersdorf, Rippin, Fürstlich-Niefken, Pawelau, Tscheschen, Konradau, Johannisdorf, Modzenowe, Bogdaj, and in Germany: Lorzendorf, Kaulwitz, Glausche, Dalbersdorf, Reesewitz, Stradam, Gross Wartenberg, Kraschen, Neu Mittelwalde, Domaslawitz, Wedelsdorf, Tscheschen Hammer;

thence the administrative boundary of Posnania north-westwards to the point where it cuts the Rawitsch-Herrnstadt railway;

thence to the point where the administrative boundary of Posnania cuts the Reisen-Tschirnau road:

a line to be fixed on the ground passing west of Triebusch and Gabel and east of Saborwitz;

thence the administrative boundary of Posnania to its junction with the eastern administrative boundary of the *Kreis* of Fraustadt;

thence in a north-westerly direction to a point to be chosen on the road between the villages of Unruhstadt and Kopnitz:

a line to be fixed on the ground passing west of Geyersdorf, Brenno, Fehlen, Altkloster, Kiebel, and east of Ulbersdorf, Buchwald, Ilgen, Weine, Lupitze, Schwenten;

thence in a northerly direction to the northernmost point of Lake Chlop:

a line to be fixed on the ground following the median line of the lakes; the town and the station of Bentschen however (including the junction of the lines Schwiebus-Bentschen and Züllichau-Bentschen) remaining in Polish territory;

thence in a north-easterly direction to the point of junction of the boundaries of the *Kreise* of Schwerin, Birnbaum and Meseritz:

a line to be fixed on the ground passing east of Betsche;

thence in a northerly direction the boundary separating the *Kreise* of Schwerin and Birnbaum, then in an easterly direction the northern boundary of Posnania to the point where it cuts the river Netze;

thence upstream to its confluence with the Küddow:

the course of the Netze;

thence upstream to a point to be chosen about 6 kilometres southeast of Schneidemühl:

the course of the Küddow;

thence north-eastwards to the most southern point of the re-entant of the northern boundary of Posnania about 5 kilometres west of Stahren:

a line to be fixed on the ground leaving the Schneidemühl-Konitz railway in this area entirely in German territory;

thence the boundary of Posnania north-eastwards to the point of the salient it makes about 15 kilometres east of Flatow;

thence north-eastwards to the point where the river Kamionka meets the southern boundary of the *Kreis* of Konitz about 3 kilometres north-east of Grunau:

a line to be fixed on the ground leaving the following places to Poland: Jasdrowo, Gr. Lutau, Kl. Lutau, Wittkau, and to Germany: Gr. Butzig, Cziskowo, Battrow, Böck, Grunau;

thence in a northerly direction the boundary between the *Kreise* of Konitz and Schlochau to the point where this boundary cuts the river Brahe;

thence to a point on the boundary of Pomerania 15 kilometres east of Rummelsburg:

a line to be fixed on the ground leaving the following places in Poland: Konarzin, Kelpin, Adl. Briesen, and in Germany: Sampohl, Neuguth, Steinfort, Gr. Peterkau;

then the boundary of Pomerania in an easterly direction to its junction with the boundary between the *Kreise* of Konitz and Schlochau;

thence northwards the boundary between Pomerania and West Prussia to the point on the river Rheda about 3 kilometres north-west of Gohra where that river is joined by a tributary from the north-west;

thence to a point to be selected in the bend of the Piasnitz river about 1½ kilometres north-west of Warschkau:

a line to be fixed on the ground;

thence this river downstream, then the median line of Lake Zarnowitz, then the old boundary of West Prussia to the Baltic Sea.

8. *With Denmark:*

The frontier as it will be fixed in accordance with Articles 109 to 111 of Part III, Section XII (Schleswig).

ARTICLE 28.

The boundaries of East Prussia, with the reservations made in Section IX (East Prussia) of Part III, will be determined as follows:

from a point on the coast of the Baltic Sea about 1½ kilometres north of Pröbbernau church in a direction of about 159° East from true North:

a line to be fixed on the ground for about 2 kilometres;

thence in a straight line to the light at the bend of the Elbing Channel in approximately latitude 54° 19½′ North, longitude 19° 26′ East of Greenwich;

thence to the easternmost mouth of the Nogat River at a bearing of approximately 209° East from true North;

thence up the course of the Nogat River to the point where the latter leaves the Vistula (Weichsel);

thence up the principal channel of navigation of the Vistula, then the southern boundary of the *Kreis* of Marienwerder, then that of the *Kreis* of Rosenberg eastwards to the point where it meets the old boundary of East Prussia.

thence the old boundary between East and West Prussia, then the boundary between the *Kreise* of Osterode and Neidenburg, then the course of the river Skottau downstream, then the course of the Neide upstream to a point situated about 5 kilometres west of Bialutten being the nearest point to the old frontier of Russia;

thence in an easterly direction to a point immediately south of the intersection of the road Neidenburg-Mlava with the old frontier of Russia:

a line to be fixed on the ground passing north of Bialutten;

thence the old frontier of Russia to a point east of Schmallenigken, then the principal channel of nagivation of the Niemen (Memel) downstream, then the Skierwieth arm of the delta to the Kurisches Haff;

thence a straight line to the point where the eastern shore of the Kurische Nehrung meets the administrative boundary about 4 kilometres south-west of Nidden;

thence this administrative boundary to the western shore of the Kurische Nehrung.

ARTICLE 29.

The boundaries as described above are drawn in red on a one-in-a-million map which is annexed to the present Treaty (Map No. 1.)

In the case of any discrepancies between the text of the Treaty and this map or any other map which may be annexed, the text will be final.

ARTICLE 30.

In the case of boundaries which are defined by a waterway, the terms "course" and "channel" used in the present Treaty signify: in the case of non-navigable rivers, the median line of the waterway or of its principal arm, and, in the case of navigable rivers, the median line of the principal channel of navigation. It will rest with the Boundary Commissions provided by the present Treaty to specify in each case whether the frontier line shall follow any changes of the course or channel which may take place or whether it shall be definitely fixed by the position of the course or channel at the time when the present Treaty comes into force.

PART III.

POLITICAL CLAUSES FOR EUROPE.

SECTION I.

BELGIUM.

ARTICLE 31.

Germany, recognizing that the Treaties of April 19, 1839, which established the status of Belgium before the war, no longer conform to the requirements of the situation, consents to the abrogation of the said Treaties and undertakes immediately to recognize and to observe whatever conventions may be entered into by the Principal Allied and Associated Powers, or by any of them, in concert with the Governments of Belgium and of the Netherlands, to replace the said Treaties of 1839. If her formal adhesion should be required to such conventions or to any of their stipulations, Germany undertakes immediately to give it.

ARTICLE 32.

Germany recognizes the full sovereignty of Belgium over the whole of the contested territory of Moresnet (called *Moresnet neutre*).

ARTICLE 33.

Germany renounces in favour of Belgium all rights and title over the territory of Prussian Moresnet situated on the west of the road from Liége to Aix-la-Chapelle; the road will belong to Belgium where it bounds this territory.

ARTICLE 34.

Germany renounces in favour of Belgium all rights and title over the territory comprising the whole of the *Kreise* of Eupen and of Malmédy.

During the six months after the coming into force of this Treaty, registers will be opened by the Belgian authority at Eupen and Malmédy in which the inhabitants of the above territory will be entitled to record in writing a desire to see the whole or part of it remain under German sovereignty.

The results of this public expression of opinion will be communicated by the Belgian Government to the League of Nations, and Belgium undertakes to accept the decision of the League.

ARTICLE 35.

A Commission of seven persons, five of whom will be appointed by the Principal Allied and Associated Powers, one by Germany and one by Belgium, will be set up fifteen days after the coming into force of the present Treaty to settle on the spot the new frontier line between Belgium and Germany, taking into account the economic factors and the means of communication.

Decisions will be taken by a majority and will be binding on the parties concerned.

ARTICLE 36.

When the transfer of the sovereignty over the territories referred to above has become definite, German nationals habitually resident in the territories will definitively acquire Belgian nationality *ipso facto*, and will lose their German nationality.

Nevertheless, German nationals who became resident in the territories after August 1, 1914, shall not obtain Belgian nationality without a permit from the Belgian Government.

ARTICLE 37.

Within the two years following the definitive transfer of the sovereignty over the territories assigned to Belgium under the present Treaty, German nationals over 18 years of age habitually resident in those territories will be entitled to opt for German nationality.

Option by a husband will cover his wife, and option by parents will cover their children under 18 years of age.

Persons who have exercised the above right to opt must within the ensuing twelve months transfer their place of residence to Germany.

They will be entitled to retain their immovable property in the territories acquired by Belgium. They may carry with them their movable property of every description. No export or import duties may be imposed upon them in connection with the removal of such property.

ARTICLE 38.

The German Government will hand over without delay to the Belgian Government the archives, registers, plans, title deeds and documents of every kind concerning the civil, military, financial, judicial or other administrations in the territory transferred to Belgian sovereignty.

The German Government will likewise restore to the Belgian Government the archives and documents of every kind carried off during the war by the German authorities from the Belgian public administrations, in particular from the Ministry of Foreign Affairs at Brussels.

ARTICLE 39.

The proportion and nature of the financial liabilities of Germany and of Prussia which Belgium will have to bear on account of the territories ceded to her shall be fixed in conformity with Articles 254 and 256 of Part IX (Financial Clauses) of the present Treaty.

SECTION II.

LUXEMBURG.

ARTICLE 40.

With regard to the Grand Duchy of Luxemburg, Germany renounces the benefit of all the provisions inserted in her favour in the Treaties of February 8, 1842, April 2, 1847, October 20–25, 1865, August 18, 1866, February 21 and May 11, 1867, May 10, 1871, June 11, 1872, and November 11, 1902, and in all Conventions consequent upon such Treaties.

Germany recognizes that the Grand Duchy of Luxemburg ceased to form part of the German Zollverein as from January 1, 1919, renounces all rights to the exploitation of the railways, adheres to the termination of the régime of neutrality of the Grand Duchy, and accepts in advance all international arrangements which may be concluded by the Allied and Associated Powers relating to the Grand Duchy.

ARTICLE 41.

Germany undertakes to grant to the Grand Duchy of Luxemburg, when a demand to that effect is made to her by the Principal Allied and Associated Powers, the rights and advantages stipulated in favour of such Powers or their nationals in the present Treaty with regard to economic questions, to questions relative to transport and to aerial navigation.

SECTION III.

LEFT BANK OF THE RHINE.

ARTICLE 42.

Germany is forbidden to maintain or construct any fortifications either on the left bank of the Rhine or on the right bank to the west of a line drawn 50 kilometres to the East of the Rhine.

ARTICLE 43.

In the area defined above the maintenance and the assembly of armed forces, either permanently or temporarily, and military manœuvres of any kind, as well as the upkeep of all permanent works for mobilization, are in the same way forbidden.

ARTICLE 44.

In case Germany violates in any manner whatever the provisions of Articles 42 and 43, she shall be regarded as committing a hostile act against the Powers signatory of the present Treaty and as calculated to disturb the peace of the world.

SECTION IV.

SAAR BASIN.

ARTICLE 45.

As compensation for the destruction of the coal-mines in the north of France and as part payment towards the total reparation due from Germany for the damages resulting from the war, Germany cedes to France in full and absolute possession, with exclusive rights of exploitation, unencumbered and free from all debts and charges of any kind, the coal-mines situated in the Saar Basin as defined in Article 48.

ARTICLE 46.

In order to assure the rights and welfare of the population and to guarantee to France complete freedom in working the mines, Germany agrees to the provisions of Chapters I and II of the Annex hereto.

ARTICLE 47.

In order to make in due time permanent provision for the government of the Saar Basin in accordance with the wishes of the populations, France and Germany agree to the provisions of Chapter III of the Annex hereto.

ARTICLE 48.

The boundaries of the territory of the Saar Basin, as dealt with in the present stipulations, will be fixed as follows:

On the south and south-west: by the frontier of France as fixed by the present Treaty.

On the north-west and north: by a line following the northern administrative boundary of the *Kreis* of Merzig from the point where it leaves the French frontier to the point where it meets the administrative boundary separating the commune of Saarhölzbach from the commune of Britten; following this communal boundary southwards and reaching the administrative boundary of the canton of Merzig so as to include in the territory of the Saar Basin the canton of Mettlach, with the exception of the commune of Britten; following successively the northern administrative boundaries of the cantons of Merzig and Haustadt, which are incorporated in the aforesaid Saar Basin, then successively the administrative boundaries separating the *Kreise* of Sarrelouis, Ottweiler and Saint-Wendel from the *Kreise* of Merzig, Trèves (Trier) and the Principality of Birkenfeld as far as a point situated about 500 metres north of the village of Furschweiler (viz., the highest point of the Metzelberg).

On the north-east and east: from the last point defined above to a point about 3½ kilometres east-north-east of Saint-Wendel:

a line to be fixed on the ground passing east of Furschweiler, west of Roschberg, east of points 418, 329 (south of Roschberg), west of Leitersweiler, north-east of point 464, and following the line of the crest southwards to its junction with the administrative boundary of the *Kreis* of Kusel;

thence in a southerly direction the boundary of the *Kreis* of Kusel, then the boundary of the *Kreis* of Homburg towards the south-south-east to a point situated about 1000 metres west of Dunzweiler;

thence to a point about 1 kilometre south of Hornbach:

a line to be fixed on the ground passing through point 424 (about 1000 metres south-east of Dunzweiler), point 363 (Fuchs-Berg), point 322 (south-west of Waldmohr), then east of Jägersburg and Erbach, then encircling Homburg, passing through the points 361 (about 2½ kilometres north-east by east of that town), 342 (about 2 kilometres south-east of that town), 347 (Schreiners-Berg), 356, 350 (about 1½ kilometres south-east of Schwarzenbach), then passing east of Einöd, south-east of points 322 and 333, about 2 kilometres east of Webenheim, about 2 kilometres east of Mimbach, passing east of the plateau which is traversed by the road from Mimbach to Böckweiler (so as to include this road in the territory of the Saar Basin), passing immediately north of the junction of the roads from Böckweiler and Altheim situated about 2 kilometres north of Altheim, then passing south of Ringweilerhof and north of point 322, rejoining the frontier of France at the angle which it makes about 1 kilometre south of Hornbach (see Map No. 2 scale 1/100,000 annexed to the present Treaty).

A Commission composed of five members, one appointed by France, one by Germany, and three by the Council of the League of Nations, which will select nationals of other Powers, will be constituted within fifteen days from the coming into force of the present Treaty, to trace on the spot the frontier line described above.

In those parts of the preceding line which do not coincide with administrative boundaries, the Commission will endeavour to keep to the line indicated, while taking into consideration, so far as is possible, local economic interests and existing communal boundaries.

The decisions of this Commission will be taken by a majority, and will be binding on the parties concerned.

ARTICLE 49.

Germany renounces in favour of the League of Nations, in the capacity of trustee, the government of the territory defined above.

At the end of fifteen years from the coming into force of the present Treaty the inhabitants of the said territory shall be called upon to indicate the sovereignty under which they desire to be placed.

ARTICLE 50.

The stipulations under which the cession of the mines in the Saar Basin shall be carried out, together with the measures intended to guarantee the rights and the well-being of the inhabitants and the government of the territory, as well as the conditions in accordance with which the plebiscite hereinbefore provided for is to be made, are laid down in the Annex hereto. This Annex shall be considered as an integral part of the present Treaty, and Germany declares her adherence to it.

ANNEX.

In accordance with the provisions of Articles 45 to 50 of the present Treaty, the stipulations under which the cession by Germany to France of the mines of the Saar Basin will be effected, as well as the measures intended to ensure respect for the rights and well-being of the population and the government of the territory, and the conditions in which the inhabitants will be called upon to indicate the sovereignty under which they may wish to be placed, have been laid down as follows:

CHAPTER I.

CESSION AND EXPLOITATION OF MINING PROPERTY.

1.

From the date of the coming into force of the present Treaty, all the deposits of coal situated within the Saar Basin as defined in Article 48 of the said Treaty, become the complete and absolute property of the French State.

The French State will have the right of working or not working the said mines, or of transferring to a third party the right of working them, without having to obtain any previous authorisation or to fulfil any formalities.

The French State may always require that the German mining laws and regulations referred to below shall be applied in order to ensure the determination of its rights.

2.

The right of ownership of the French State will apply not only to the deposits which are free and for which concessions have not yet been granted, but also to the deposits for which concessions have already been granted, whoever may be the present proprietors, irrespective of whether they belong to the Prussian State, to the Bavarian State, to other States or bodies, to companies or to individuals, whether they have been worked or not, or whether a right of exploitation distinct from the right of the owners of the surface of the soil has or has not been recognized.

As far as concerns the mines which are being worked, the transfer of the ownership to the French State will apply to all the accessories and subsidiaries of the said mines, in particular to their plant and equipment both on and below the surface, to their extracting machinery, their plants for transforming coal into electric power, coke and by-products, their workshops, means of communication, electric lines, plant for catching and distributing water, land, buildings such as offices, managers', employees' and workmen's dwellings, schools, hospitals and dispensaries, their stocks and supplies of every description, their archives and plans, and in general everything which those who own or exploit the mines possess or enjoy for the purpose of exploiting the mines and their accessories and subsidiaries.

The transfer will apply also to the debts owing for products delivered before the entry into possession by the French State, and after the signature of the present Treaty, and to deposits of money made by customers, whose rights will be guaranteed by the French State.

4.

The French State will acquire the property free and clear of all debts and charges. Nevertheless, the rights acquired, or in course of being acquired, by the employees of the mines and

their accessories and subsidiaries at the date of the coming into force of the present Treaty, in connection with pensions for old age or disability, will not be affected. In return, Germany must pay over to the French State a sum representing the actuarial amounts to which the said employees are entitled.

5.

The value of the property thus ceded to the French State will be determined by the Reparation Commission referred to in Article 233 of Part VIII (Reparation) of the present Treaty.

This value shall be credited to Germany in part payment of the amount due for reparation.

It will be for Germany to indemnify the proprietors or parties concerned, whoever they may be.

6.

No tariff shall be established on the German railways and canals which may directly or indirectly discriminate to the prejudice of the transport of the personnel or products of the mines and their accessories or subsidiaries, or of the material necessary to their exploitation. Such transport shall enjoy all the rights and privileges which any international railway conventions may guarantee to similar products of French origin.

7.

The equipment and personnel necessary to ensure the despatch and transport of the products of the mines and their accessories and subsidiaries, as well as the carriage of workmen and employees, will be provided by the local railway administration of the Basin.

8.

No obstacle shall be placed in the way of such improvements of railways or waterways as the French State may judge necessary to assure the despatch and the transport of the products of the mines and their accessories and subsidiaries, such as double trackage, enlargement of stations, and construction of yards and appurtenances. The distribution of expenses will, in the event of disagreement, be submitted to arbitration.

The French State may also establish any new means of communication, such as roads, electric lines and telephone connections which it may consider necessary for the exploitation of the mines.

It may exploit freely and without any restrictions the means of communication of which it may become the owner, particularly those connecting the mines and their accessories and subsidiaries with the means of communication situated in French territory.

9.

The French State shall always be entitled to demand the application of the German mining laws and regulations in force on November 11, 1918, excepting provisions adopted exclusively in view of the state of war, with a view to the acquisition of such land as it may judge necessary for the exploitation of the mines and their accessories and subsidiaries.

The payment for damage caused to immovable property by the working of the said mines and their accessories and subsidiaries shall be made in accordance with the German mining laws and regulations above referred to.

10.

Every person whom the French State may substitute for itself as regards the whole or part of its rights to the exploitation of the mines and their accessories and subsidiaries shall enjoy the benefit of the privileges provided in this Annex.

11.

The mines and other immovable property which become the property of the French State may never be made the subject of measures of forfeiture, forced sale, expropriation or requisition, nor of any other measure affecting the right of property.

The personnel and the plant connected with the exploitation of these mines or their accessories and subsidiaries, as well as the product extracted from the mines or manufactured in their accessories and subsidiaries, may not at any time be made the subject of any measures of requisition.

The exploitation of the mines and their accessories and subsidiaries, which become the property of the French State, will continue, subject to the provisions of paragraph 23 below, to be subject to the régime established by the German laws and regulations in force on November 11, 1918, excepting provisions adopted exclusively in view of the state of war.

The rights of the workmen shall similarly be maintained, subject to the provisions of the said paragraph 23, as established on November 11, 1918, by the German laws and regulations above referred to.

No impediment shall be placed in the way of the introduction or employment in the mines and their accessories and subsidiaries of workmen from without the Basin.

The employees and workmen of French nationality shall have the right to belong to French labour unions.

13.

The amount contributed by the mines and their accessories and subsidiaries, either to the local budget of the territory of the Saar Basin or to the communal funds, shall be fixed with due regard to the ratio of the value of the mines to the total taxable wealth of the Basin.

14.

The French State shall always have the right of establishing and maintaining, as incidental to the mines, primary or technical schools for its employees and their children, and of causing instruction therein to be given in the French language, in accordance with such curriculum and by such teachers as it may select.

It shall also have the right to establish and maintain hospitals, dispensaries, workmen's houses and gardens and other charitable and social institutions.

15.

The French State shall enjoy complete liberty with respect to the distribution, dispatch and sale prices of the products of the mines and their accessories and subsidiaries.

Nevertheless, whatever may be the total product of the mines, the French Government undertakes that the requirements of local consumption for industrial and domestic purposes shall always be satisfied in the proportion existing in 1913 between the amount consumed locally and the total output of the Saar Basin.

CHAPTER II.

GOVERNMENT OF THE TERRITORY OF THE SAAR BASIN.

16.

The Government of the territory of the Saar Basin shall be entrusted to a Commission representing the League of Nations. This Commission shall sit in the territory of the Saar Basin.

17.

The Governing Commission provided for by paragraph 16 shall consist of five members chosen by the Council of the League of Nations, and will include one citizen of France, one native inhabitant of the Saar Basin, not a citizen of France, and three members belonging to three countries other than France or Germany.

The members of the Governing Commission shall be appointed for one year and may be re-appointed. They can be removed by the Council of the League of Nations, which will provide for their replacement.

The members of the Governing Commission will be entitled to a salary which will be fixed by the Council of the League of Nations, and charged on the local revenues.

18.

The Chairman of the Governing Commission shall be appointed for one year from among the members of the Commission by the Council of the League of Nations and may be reappointed.

The Chairman will act as the executive of the Commission.

19.

Within the territory of the Saar Basin the Governing Commission shall have all the powers of government hitherto belonging to the German Empire, Prussia, or Bavaria, including the appointment and dismissal of officials, and the creation of such administrative and representative bodies as it may deem necessary.

It shall have full powers to administer and operate the railways, canals and the different public services.

Its decisions shall be taken by a majority.

20.

Germany will place at the disposal of the Governing Commission all official documents and archives under the control of Germany, of any German State, or of any local authority, which relate to the territory of the Saar Basin or to the rights of the inhabitants thereof.

21.

It will be the duty of the Governing Commission to ensure, by such means and under such conditions as it may deem suitable, the protection abroad of the interests of the inhabitants of the territory of the Saar Basin.

22.

The Governing Commission shall have the full right of user of all property, other than mines, belonging, either in public or in private domain, to the Government of the German Empire, or the Government of any German State, in the territory of the Saar Basin.

As regards the railways an equitable apportionment of rolling stock shall be made by a mixed Commission on which the Government of the territory of the Saar Basin and the German railways will be represented.

Persons, goods, vessels, carriages, wagons and mails coming from or going to the Saar Basin shall enjoy all the rights and privileges relating to transit and transport which are specified in the provisions of Part XII (Ports, Waterways and Railways) of the present Treaty.

23.

The laws and regulations in force on November 11, 1918, in the territory of the Saar Basin (except those enacted in consequence of the state of war) shall continue to apply.

If, for general reasons or to bring these laws and regulations into accord with the provisions of the present Treaty, it is necessary to introduce modifications, these shall be decided on, and put into effect by the Governing Commission, after consultation with the elected representatives of the inhabitants in such a manner as the Commission may determine.

No modification may be made in the legal régime for the exploitation of the mines, provided for in paragraph 12, without the French State being previously consulted, unless such modification results from a general regulation respecting labour.

In fixing the conditions and hours of labour for men, women and children, the Governing Commission is to take into consideration the wishes expressed by the local labour organisations, as well as the principles adopted by the League of Nations.

24.

Subject to the provisions of paragraph 4, no rights of the inhabitants of the Saar Basin acquired or in process of acquisition at the date of the coming into force of this Treaty, in respect of any insurance system of Germany or in respect of any pension of any kind, are affected by any of the provisions of the present Treaty.

Germany and the Government of the territory of the Saar Basin will preserve and continue all of the aforesaid rights.

25.

The civil and criminal courts existing in the territory of the Saar Basin shall continue.

A civil and criminal court will be established by the Governing Commission to hear appeals from the decisions of the said courts and to decide matters for which these courts are not competent.

The Governing Commission will be responsible for settling the organisation and jurisdiction of the said court.

Justice will be rendered in the name of the Governing Commission.

26.

The Governing Commission will alone have the power of levying taxes and dues in the territory of Saar Basin.

These taxes and dues will be exclusively applied to the needs of the territory.

The fiscal system existing on November 11, 1918, will be maintained as far as possible, and no new tax except customs duties may be imposed without previously consulting the elected representatives of the inhabitants.

27.

The present stipulations will not affect the existing nationality of the inhabitants of the territory of the Saar Basin.

No hindrance shall be placed in the way of those who wish to acquire a different nationality, but in such case the acquisition of the new nationality will involve the loss of any other.

28.

Under the control of the Governing Commission the inhabitants will retain their local assemblies, their religious liberties, their schools and their language.

The right of voting will not be exercised for any assemblies other than the local assemblies, and will belong to every inhabitant over the age of twenty years, without distinction of sex.

29.

Any of the inhabitants of the Saar Basin who may desire to leave the territory will have full liberty to retain in it their immovable property or to sell it at fair prices, and to remove their movable property free of any charges.

30.

There will be no military service, whether compulsory or voluntary, in the territory of the Saar Basin, and the construction of fortifications therein is forbidden.

Only a local gendarmerie for the maintenance of order may be established.

It will be the duty of the Governing Commission to provide in all cases for the protection of persons and property in the Saar Basin.

31.

The territory of the Saar Basin as defined by Article 48 of the present Treaty shall be subjected to the French customs régime. The receipts from the customs duties on goods intended for local consumption shall be included in the budget of the said territory after deduction of all costs of collection.

No export tax shall be imposed upon metallurgical products or coal exported from the said territory to Germany, nor upon German exports for the use of the industries of the territory of the Saar Basin.

Natural or manufactured products originating in the Basin in transit over German territory and, similarly, German products in transit over the territory of the Basin shall be free of all customs duties.

Products which both originate in and pass from the Basin into Germany shall be free of import duties for a period of five years from the date of the coming into force of the present Treaty, and during the same period articles imported from Germany into the territory of the Basin for local consumption shall likewise be free of import duties.

During these five years the French Government reserves to itself the right of limiting to the annual average of the quantities imported into Alsace-Lorraine and France in the years 1911 to 1913 the quantities which may be sent into France of all articles coming from the Basin which include raw materials and semi-manufactured goods imported duty free from Germany. Such average shall be determined after reference to all available official information and statistics.

32.

No prohibition or restriction shall be imposed upon the circulation of French money in the territory of the Saar Basin.

The French State shall have the right to use French money in all purchases, payments and contracts connected with the exploitation of the mines or their accessories and subsidiaries.

33.

The Governing Commission shall have power to decide all questions arising from the interpretation of the preceding provisions.

France and Germany agree that any dispute involving a difference of opinion as to the interpretation of the said provisions shall in the same way be submitted to the Governing Commission, and the decision of a majority of the Commission shall be binding on both countries.

CHAPTER III.

PLEBISCITE.

34.

At the termination of a period of fifteen years from the coming into force of the present Treaty, the population of the territory of the Saar Basin will be called upon to indicate their desires in the following manner:

A vote will take place by communes or districts, on the three following alternatives: (*a*) maintenance of the régime established by the present Treaty and by this Annex; (*b*) union with France; (*c*) union with Germany.

All persons without distinction of sex, more than twenty years old at the date of the voting, resident in the territory at the date of the signature of the present Treaty, will have the right to vote.

The other conditions, methods and the date of the voting shall be fixed by the Council of the League of Nations in such a way as to secure the freedom, secrecy and trustworthiness of the voting.

35.

The League of Nations shall decide on the sovereignty under which the territory is to be placed, taking into account the wishes of the inhabitants as expressed by the voting:

(*a*) If, for the whole or part of the territory, the League of Nations decides in favour of the maintenance of the régime established by the present Treaty and this Annex, Germany hereby agrees to make such renunciation of her sovereignty in favour of the League of Nations as the latter shall deem necessary. It will be the duty of the League of Nations to take appropriate steps to adapt the régime definitively adopted to the permanent welfare of the territory and the general interest;

(*b*) If, for the whole or part of the territory, the League of Nations decides in favour of union with France, Germany hereby agrees to cede to France in accordance with the decision of the League of Nations all rights and title over the territory specified by the League;

(c) If, for the whole or part of the territory, the League of Nations decides in favour of union with Germany, it will be the duty of the League of Nations to cause the German Government to be reestablished in the government of the territory specified by the League.

36.

If the League of Nations decides in favour of the union of the whole or part of the territory of the Saar Basin with Germany, France's rights of ownership in the mines situated in such part of the territory will be repurchased by Germany in their entirety at a price payable in gold. The price to be paid will be fixed by three experts, one nominated by Germany, one by France, and one, who shall be neither a Frenchman nor a German, by the Council of the League of Nations; the decision of the experts will be given by a majority.

The obligation of Germany to make such payment shall be taken into account by the Reparation Commission, and for the purpose of this payment Germany may create a prior charge upon her assets or revenues upon such detailed terms as shall be agreed to by the Reparation Commission.

If, nevertheless, Germany after a period of one year from the date on which the payment becomes due shall not have effected the said payment, the Reparation Commission shall do so in accordance with such instructions as may be given by the League of Nations, and, if necessary, by liquidating that part of the mines which is in question.

37.

If, in consequence of the repurchase provided for in paragraph 36, the ownership of the mines or any part of them is transferred to Germany, the French State and French nationals shall have the right to purchase such amount of coal of the Saar Basin as their industrial and domestic needs are found at that time to require. An equitable arrangement regarding amounts of coal, duration of contract, and prices will be fixed in due time by the Council of the League of Nations.

38.

It is understood that France and Germany may, by special agreements concluded before the time fixed for the payment of the price for the repurchase of the mines, modify the provisions of paragraphs 36 and 37.

39.

The Council of the League of Nations shall make such provisions as may be necessary for the establishment of the régime which is to take effect after the decisions of the League of Nations mentioned in paragraph 35 have become operative, including an equitable apportionment of any obligations of the Government of the territory of the Saar Basin arising from loans raised by the Commission or from other causes.

From the coming into force of the new régime, the powers of the Governing Commission will terminate, except in the case provided for in paragraph 35 (*a*).

40.

In all matters dealt with in the present Annex, the decisions of the Council of the League of Nations will be taken by a majority.

SECTION V.

ALSACE-LORRAINE.

The HIGH CONTRACTING PARTIES, recognising the moral obligation to redress the wrong done by Germany in 1871 both to the rights of France and to the wishes of the population of Alsace and Lorraine, which were separated from their country in spite of the solemn protest of their representatives at the Assembly of Bordeaux,

Agree upon the following Articles:

ARTICLE 51.

The territories which were ceded to Germany in accordance with the Preliminaries of Peace signed at Versailles on February 26, 1871, and the Treaty of Frankfort of May 10, 1871, are restored to French sovereignty as from the date of the Armistice of November 11, 1918.

The provisions of the Treaties establishing the delimitation of the frontiers before 1871 shall be restored.

ARTICLE 52.

The German Government shall hand over without delay to the French Government all archives, registers, plans, titles and documents of every kind concerning the civil, military, financial, judicial or other administrations of the territories restored to French sovereignty. If any of these documents, archives, registers, titles or plans have been misplaced, they will be restored by the German Government on the demand of the French Government.

ARTICLE 53.

Separate agreements shall be made between France and Germany dealing with the interests of the inhabitants of the territories referred to in Article 51, particularly as regards their civil rights, their business and the exercise of their professions, it being understood that Germany undertakes as from the present date to recognise and accept the regulations laid down in the Annex hereto regarding the nationality of the inhabitants or natives of the said territories, not to claim at any time or in any place whatsoever as German nationals those who shall have been declared on any ground to be French, to receive all others in her territory, and to conform, as regards the property of German nationals in the territories indicated in Article 51, with the provisions of Article 297 and the Annex to Section IV of Part X (Economic Clauses) of the present Treaty.

Those German nationals who without acquiring French nationality shall receive permission from the French Government to reside in the said territories shall not be subjected to the provisions of the said Article.

ARTICLE 54.

Those persons who have regained French nationality in virtue of paragraph 1 of the Annex hereto will be held to be Alsace-Lorrainers for the purposes of the present Section.

The persons referred to in paragraph 2 of the said Annex will from the day on which they have claimed French nationality be held to be Alsace-Lorrainers with retroactive effect as from November 11, 1918. For those whose application is rejected, the privilege will terminate at the date of the refusal.

Such juridical persons will also have the status of Alsace-Lorrainers as shall have been recognised as possessing this quality, whether by the French administrative authorities or by a judicial decision.

ARTICLE 55.

The territories referred to in Article 51 shall return to France free and quit of all public debts under the conditions laid down in Article 255 of Part IX (Financial Clauses) of the present Treaty.

ARTICLE 56.

In conformity with the provisions of Article 256 of Part IX (Financial Clauses) of the present Treaty, France shall enter into possession of all property and estate, within the territories referred to in Article 51, which belong to the German Empire or German States, without any payment or credit on this account to any of the States ceding the territories.

This provision applies to all movable or immovable property of public or private domain together with all rights whatsoever belonging to the German Empire or German States or to their administrative areas.

Crown property and the property of the former Emperor or other German sovereigns shall be assimilated to property of the public domain.

ARTICLE 57.

Germany shall not take any action, either by means of stamping or by any other legal or administrative measures not applying equally to the rest of her territory, which may be to the detriment of the legal value or redeemability of German monetary instruments or monies which, at the date of the signature of the present Treaty, are legally current, and at that date are in the possession of the French Government.

ARTICLE 58.

A special Convention will determine the conditions for repayment in marks of the exceptional war expenditure advanced during the course of the war by Alsace-Lorraine or by the public bodies in Alsace-Lorraine on account of the Empire in accordance with German law, such as payment to the families of persons mobilised, requisitions, billeting of troops, and assistance to persons who have been evacuated.

In fixing the amount of these sums Germany shall be credited with that portion which Alsace-Lorraine would have contributed to the Empire to meet the expenses resulting from these payments, this contribution being calculated according to the proportion of the Imperial revenues derived from Alsace-Lorraine in 1913.

ARTICLE 59.

The French Government will collect for its own account the Imperial taxes, duties and dues of every kind leviable in the territories referred to in Article 51 and not collected at the time of the Armistice of November 11, 1918.

ARTICLE 60.

The German Government shall without delay restore to Alsace-Lorrainers (individuals, juridical persons and public institutions) all property, rights and interests belonging to them on November 11, 1918, in so far as these are situated in German territory.

ARTICLE 61.

The German Government undertakes to continue and complete without delay the execution of the financial clauses regarding Alsace-Lorraine contained in the Armistice Conventions.

ARTICLE 62.

The German Government undertakes to bear the expense of all civil and military pensions which had been earned in Alsace-Lorraine on date of November 11, 1918, and the maintenance of which was a charge on the budget of the German Empire.

The German Government shall furnish each year the funds necessary for the payment in francs, at the average rate of exchange for that year, of the sums in marks to which persons resident in Alsace-Lorraine would have been entitled if Alsace-Lorraine had remained under German jurisdiction.

ARTICLE 63.

For the purposes of the obligation assumed by Germany in Part VIII (Reparation) of the present Treaty to give compensation for damages caused to the civil populations of the Allied and Associated countries in the form of fines, the inhabitants of the territories referred to in Article 51 shall be assimilated to the above-mentioned populations.

ARTICLE 64.

The regulations concerning the control of the Rhine and of the Moselle are laid down in Part XII (Ports, Waterways and Railways) of the present Treaty.

ARTICLE 65.

Within a period of three weeks after the coming into force of the present Treaty, the port of Strasburg and the port of Kehl shall be constituted, for a period of seven years, a single unit from the point of view of exploitation.

The administration of this single unit will be carried on by a manager named by the Central Rhine Commission, which shall also have power to remove him.

This manager shall be of French nationality.

He will reside in Strasburg and will be subject to the supervision of the Central Rhine Commission.

There will be established in the two ports free zones in conformity with Part XII (Ports, Waterways and Railways) of the present Treaty.

A special Convention between France and Germany, which shall be submitted to the approval of the Central Rhine Commission, will fix the details of this organisation, particularly as regards finance.

It is understood that for the purpose of the present Article the port of Kehl includes the whole of the area necessary for the movements of the port and the trains which serve it, including the harbour, quays and railroads, platforms, cranes, sheds and warehouses, silos, elevators and hydro-electric plants, which make up the equipment of the port.

The German Government undertakes to carry out all measures which shall be required of it in order to assure that all the making-up and switching of trains arriving at or departing from Kehl, whether for the right bank or the left bank of the Rhine, shall be carried on in the best conditions possible.

All property rights shall be safeguarded. In particular the administration of the ports shall not prejudice any property rights of the French or Baden railroads.

Equality of treatment as respects traffic shall be assured in both ports to the nationals, vessels and goods of every country.

In case at the end of the sixth year France shall consider that the progress made in the improvement of the port of Strasburg still requires a prolongation of this temporary régime, she may ask for such prolongation from the Central Rhine Commission, which may grant an extension for a period not exceeding three years.

Throughout the whole period of any such extension the free zones above provided for shall be maintained.

Pending appointment of the first manager by the Central Rhine Commission a provisional manager who shall be of French nationality may be appointed by the Principal Allied and Associated Powers subject to the foregoing provisions.

For all purposes of the present Article the Central Rhine Commission will decide by a majority of votes.

ARTICLE 66.

The railway and other bridges across the Rhine now existing within the limits of Alsace-Lorraine shall, as to all their parts and their whole length, be the property of the French State, which shall ensure their upkeep.

ARTICLE 67.

The French Government is substituted in all the rights of the German Empire over all the railways which were administered by the Imperial railway administration and which are actually working or under construction.

The same shall apply to the rights of the Empire with regard to railway and tramway concessions within the territories referred to in Article 51.

This substitution shall not entail any payment on the part of the French State.

The frontier railway stations shall be established by a subsequent agreement, it being stipulated in advance that on the Rhine frontier they shall be situated on the right bank.

ARTICLE 68.

In accordance with the provisions of Article 268 of Chapter I of Section I of Part X (Economic Clauses) of the present Treaty, for a period of five years from the coming into force of the present Treaty, natural or manufactured products originating in and coming from the territories referred to in Article 51 shall, on importation into German customs territory, be exempt from all customs duty.

The French Government may fix each year, by decree communicated to the German Government, the nature and amount of the products which shall enjoy this exemption.

The amount of each product which may be thus sent annually into Germany shall not exceed the average of the amounts sent annually in the years 1911–1913.

Further, during the period of five years above mentioned, the German Government shall allow the free export from Germany and the free reimportation into Germany, exempt from all customs duties and other charges (including internal charges), of yarns, tissues, and other textile materials or textile products of any kind and in any condition, sent from Germany into the territories referred to in Article 51, to be subjected there to any finishing process, such as bleaching, dyeing, printing, mercerization, gassing, twisting or dressing.

ARTICLE 69.

During a period of ten years from the coming into force of the present Treaty, central electric supply works situated in German territory and formerly furnishing electric power to the territories referred to in Article 51 or to any establishment the working of which passes permanently or temporarily from Germany to France, shall be required to continue such supply up to the amount of consumption corresponding to the undertakings and contracts current on November 11, 1918.

Such supply shall be furnished according to the contracts in force and at a rate which shall not be higher than that paid to the said works by German nationals.

ARTICLE 70.

It is understood that the French Government preserves its right to prohibit in the future in the territories referred to in Article 51 all new German participation:

(1) In the management or exploitation of the public domain and of public services, such as railways, navigable waterways, water works, gas works, electric power, etc.;

(2) In the ownership of mines and quarries of every kind and in enterprises connected therewith;

(3) In metallurgical establishments, even though their working may not be connected with that of any mine.

ARTICLE 71.

As regards the territories referred to in Article 51, Germany renounces on behalf of herself and her nationals as from November 11, 1918, all rights under the law of May 25, 1910, regarding the trade in potash salts, and generally under any stipulations for the intervention of German organisations in the working of the potash mines. Similarly, she renounces on behalf of herself and her nationals all rights under any agreements, stipulations or laws which may exist to her benefit with regard to other products of the aforesaid territories.

ARTICLE 72.

The settlement of the questions relating to debts contracted before November 11, 1918, between the German Empire and the German States or their nationals residing in Germany on the one part and Alsace-Lorrainers residing in Alsace-Lorraine on the other part shall be effected in accordance with the provisions of Section III of Part X (Economic Clauses) of the present Treaty, the expression "before the war" therein being replaced by the expression "before November 11, 1918." The

rate of exchange applicable in the case of such settlement shall be the average rate quoted on the Geneva Exchange during the month preceding November 11, 1918.

There may be established in the territories referred to in Article 51, for the settlement of the aforesaid debts under the conditions laid down in Section III of Part X (Economic Clauses) of the present Treaty, a special clearing office, it being understood that this office shall be regarded as a "central office" under the provisions of paragraph 1 of the Annex to the said Section.

ARTICLE 73.

The private property, rights and interests of Alsace-Lorrainers in Germany will be regulated by the stipulations of Section IV of Part X (Economic Clauses) of the present Treaty.

ARTICLE 74.

The French Government reserves the right to retain and liquidate all the property, rights and interests which German nationals or societies controlled by Germany possessed in the territories referred to in Article 51 on November 11, 1918, subject to the conditions laid down in the last paragraph of Article 53 above.

Germany will directly compensate her nationals who may have been dispossessed by the aforesaid liquidations.

The product of these liquidations shall be applied in accordance with the stipulations of Sections III and IV of Part X (Economic Clauses) of the present Treaty.

ARTICLE 75.

Notwithstanding the stipulations of Section V of Part X (Economic Clauses) of the present Treaty, all contracts made before the date of the promulgation in Alsace-Lorraine of the French decree of November 30, 1918, between Alsace-Lorrainers (whether individuals or juridical persons) or others resident in Alsace-Lorraine on the one part and the German Empire or German States and their nationals resident in Germany on the other part, the execution of which has been suspended by the Armistice or by subsequent French legislation, shall be maintained.

Nevertheless, any contract of which the French Government shall notify the cancellation to Germany in the general interest within a period of six months from the date of the coming into force of the present Treaty, shall be annulled except in respect of any debt or other pecuniary obligation arising out of any act done or money paid thereunder before November 11, 1918. If this dissolution would cause one of the parties substantial prejudice, equitable compensation, calculated solely on the capital employed without taking account of loss of profits, shall be accorded to the prejudiced party.

With regard to prescriptions, limitations and forfeitures in Alsace-Lorraine, the provisions of Articles 300 and 301 of Section V of Part X (Economic Clauses) shall be applied with the substitution for the expression "outbreak of war" of the expression "November 11, 1918," and for the expression "duration of the war" of the expression "period from November 11, 1918, to the date of the coming into force of the present Treaty."

ARTICLE 76.

Questions concerning rights in industrial, literary or artistic property of Alsace-Lorrainers shall be regulated in accordance with the general stipulations of Section VII of Part X (Economic Clauses) of the present Treaty, it being understood that Alsace-Lorrainers holding rights of this nature under German legislation will preserve full and entire enjoyment of those rights on German territory.

ARTICLE 77.

The German Government undertakes to pay over to the French Government such proportion of all reserves accumulated by the Empire or by public or private bodies dependent upon it, for the purposes of disability and old age insurance, as would fall to the disability and old age insurance fund at Strasburg.

The same shall apply in respect of the capital and reserves accumulated in Germany falling legitimately to other social insurance funds, to miners' superannuation funds, to the fund of the railways of Alsace-Lorraine, to other superannuation organisations established for the benefit of the personnel of public administrations and institutions operating in Alsace-Loraine, and also in respect of the capital and reserves due by the insurance fund of private employees at Berlin, by reason of engagements entered into for the benefit of insured persons of that category resident in Alsace-Loraine.

A special Convention shall determine the conditions and procedure of these transfers.

ARTICLE 78.

With regard to the execution of judgments, appeals and prosecutions, the following rules shall be applied:

(1) All civil and commercial judgments which shall have been given since August 3, 1914, by the Courts of Alsace-Lorraine between Alsace-Lorrainers, or between Alsace-Lorrainers and foreigners, or between foreigners, and which shall not have been appealed from before November 11, 1918, shall be regarded as final and susceptible of immediate execution without further formality.

When the judgment has been given between Alsace-Lorrainers and Germans or between Alsace-Lorrainers and subjects of the allies of Germany, it shall only be capable of execution after the issue of an *exequatur* by the corresponding new tribunal in the restored territory referred to in Article 51.

(2) All judgments given by German Courts since August 3, 1914, against Alsace-Lorrainers for political crimes or misdemeanors shall be regarded as null and void.

(3) All sentences passed since November 11, 1918, by the Court of the Empire at Leipzig on appeals against the decisions of the Courts of Alsace-Lorraine shall be regarded as null and void and shall be so pronounced. The papers in regard to the cases in which such sentences have been given shall be returned to the Courts of Alsace-Lorraine concerned.

All appeals to the Court of the Empire against decisions of the Courts of Alsace-Lorraine shall be suspended. The papers shall be returned under the aforesaid conditions for transfer without delay to the French Cour de Cassation, which shall be competent to decide them.

(4) All prosecutions in Alsace-Lorraine for offences committed during the period between November 11, 1918, and the coming into force of the present Treaty will be conducted under German law except in so far as this has been modified by decrees duly published on the spot by the French authorities.

(5) All other questions as to competence, procedure or administration of justice shall be determined by a special Convention between France and Germany.

ARTICLE 79.

The stipulations as to nationality contained in the Annex hereto shall be considered as of equal force with the provisions of the present Section.

All other questions concerning Alsace-Lorraine which are not regulated by the present Section and the Annex thereto or by the general provisions of the present Treaty will form the subject of further conventions between France and Germany.

ANNEX.

1.

As from November 11, 1918, the following persons are *ipso facto* reinstated in French nationality:

(1) Persons who lost French nationality by the application of the Franco-German Treaty of May 10, 1871, and who have not since that date acquired any nationality other than German;

(2) The legitimate or natural descendants of the persons referred to in the immediately preceding paragraph, with the exception of those whose ascendants in the paternal line include a German who migrated into Alsace-Lorraine after July 15, 1870;

(3) All persons born in Alsace-Lorraine of unknown parents, or whose nationality is unknown.

2.

Within the period of one year from the coming into force of the present Treaty, persons included in any of the following categories may claim French nationality:

(1) All persons not restored to French nationality under paragraph 1 above, whose ascendants include a Frenchman or Frenchwoman who lost French nationality under the conditions referred to in the said paragraph;

(2) All foreigners, not nationals of a German State, who acquired the status of a citizen of Alsace-Lorraine before August 3, 1914;

(3) All Germans domiciled in Alsace-Lorraine, if they have been so domiciled since a date previous to July 15, 1870, or if one of their ascendants was at that date domiciled in Alsace-Lorraine;

(4) All Germans born or domiciled in Alsace-Lorraine who have served in the Allied or Associated armies during the present war, and their descendants;

(5) All persons born in Alsace-Lorraine before May 10, 1871, of foreign parents, and the descendants of such persons;

(6) The husband or wife of any person whose French nationality may have been restored under paragraph 1, or who may have claimed and obtained French nationality in accordance with the preceding provisions.

The legal representative of a minor may exercise, on behalf of that minor, the right to claim French nationality; and if that right has not been exercised, the minor may claim French nationality within the year following his majority.

Except in the cases provided for in No. (6) of the present paragraph, the French authorities reserve to themselves the right, in individual cases, to reject the claim to French nationality.

3.

Subject to the provisions of paragraph 2, Germans born or domiciled in Alsace-Lorraine shall not acquire French nationality by reason of the restoration of Alsace-Lorraine to France, even though they may have the status of citizens of Alsace-Lorraine.

They may acquire French nationality only by naturalization, on condition of having been domiciled in Alsace-Lorraine from a date previous to August 3, 1914, and of submitting proof of unbroken residence within the restored territory for a period of three years from November 11, 1918.

France will be solely responsible for their diplomatic and consular protection from the date of their application for French naturalisation.

The French Government shall determine the procedure by which reinstatement in French nationality as of right shall be effected, and the conditions under which decisions shall be given upon claims to such nationality and applications for naturalisation, as provided by the present Annex.

SECTION VI.

AUSTRIA.

ARTICLE 80.

Germany acknowledges and will respect strictly the independence of Austria, within the frontiers which may be fixed in a Treaty between that State and the Principal Allied and Associated Powers; she agrees that this independence shall be inalienable, except with the consent of the Council of the League of Nations.

SECTION VII.

CZECHO-SLOVAK STATE.

ARTICLE 81.

Germany, in conformity with the action already taken by the Allied and Associated Powers, recognizes the complete independence of the Czecho-Slovak State which will include the autonomous territory of the Ruthenians to the south of the Carpathians. Germany hereby recognizes the frontiers of this State as determined by the Principal Allied and Associated Powers and the other interested States.

ARTICLE 82.

The old frontier as it existed on August 3, 1914, between Austria-Hungary and the German Empire will constitute the frontier between Germany and the Czecho-Slovak State.

ARTICLE 83.

Germany renounces in favour of the Czecho-Slovak State all rights and title over the portion of Silesian territory defined as follows:

starting from a point about 2 kilometres south-east of Katscher, on the boundary between the *Kreise* of Leobschütz and Ratibor:

the boundary between the two *Kreise*;

then, the former boundary between Germany and Austria-Hungary up to a point on the Oder immediately to the south of the Ratibor-Oderberg railway;

thence, towards the north-west and up to a point about 2 kilometres to the south-east of Katscher:

a line to be fixed on the spot passing to the west of Kranowitz.

A Commission composed of seven members, five nominated by the Principal Allied and Associated Powers, one by Poland and one by the Czecho-Slovak State, will be appointed fifteen days after the coming into force of the present Treaty to trace on the spot the frontier line between Poland and the Czecho-Slovak State.

The decisions of this Commission will be taken by a majority and shall be binding on the parties concerned.

Germany hereby agrees to renounce in favour of the Czecho-Slovak State all rights and title over the part of the *Kreis* of Leobschütz comprised within the following boundaries in case after the determination of the frontier between Germany and Poland the said part of that *Kreis* should become isolated from Germany:

from the south-eastern extremity of the salient of the former Austrian frontier at about 5 kilometres to the west of Leobschütz southwards and up to the point of junction with the boundary between the *Kreise* of Leobschütz and Ratibor:

the former frontier between Germany and Austria-Hungary;

then, northwards, the administrative boundary between the *Kreise* of Leobschütz and Ratibor up to a point situated about 2 kilometres to the south-east of Katscher;

thence, north-westwards and up to the starting-point of this definition:

a line to be fixed on the spot passing to the east of Katscher.

ARTICLE 84.

German nationals habitually resident in any of the territories recognized as forming part of the Czecho-Slovak State will obtain Czecho-Slovak nationality *ipso facto* and lose their German nationality.

ARTICLE 85.

Within a period of two years from the coming into force of the present Treaty, German nationals over eighteen years of age habitually resident in any of the territories recognized as forming part of the Czecho-Slovak State will be entitled to opt for German nationality. Czecho-Slovaks who are German nationals and are habitually resident in Germany will have a similar right to opt for Czecho-Slovak nationality.

Option by a husband will cover his wife and option by parents will cover their children under eighteen years of age.

Persons who have exercised the above right to opt must within the succeeding twelve months transfer their place of residence to the State for which they have opted.

They will be entitled to retain their landed property in the territory of the other State where they had their place of residence before exercising the right to opt. They may carry with them their movable property of every description. No export or import duties may be imposed upon them in connection with the removal of such property.

Within the same period Czecho-Slovaks who are German nationals and are in a foreign country will be entitled, in the absence of any provisions to the contrary in the foreign law, and if they have not acquired the foreign nationality, to obtain Czecho-Slovak nationality and lose their German nationality by complying with the requirements laid down by the Czecho-Slovak State.

ARTICLE 86.

The Czecho-Slovak State accepts and agrees to embody in a Treaty with the Principal Allied and Associated Powers such provisions as may be deemed necessary by the said Powers to protect the interests of inhabitants of that State who differ from the majority of the population in race, language or religion.

The Czecho-Slovak State further accepts and agrees to embody in a Treaty with the said Powers such provisions as they may deem necessary to protect freedom of transit and equitable treatment of the commerce of other nations.

The proportion and nature of the financial obligations of Germany and Prussia which the Czecho-Slovak State will have to assume on account of the Silesian territory placed under its sovereignty will be determined in accordance with Article 254 of Part IX (Financial Clauses) of the present Treaty.

Subsequent agreements will decide all questions not decided by the present Treaty which may arise in consequence of the cession of the said territory.

SECTION VIII.

POLAND.

ARTICLE 87.

Germany, in conformity with the action already taken by the Allied and Associated Powers, recognizes the complete independence of Poland, and renounces in her favour all rights and title over the territory bounded by the Baltic Sea, the eastern frontier of Germany as laid down in Article 27 of Part II (Boundaries of Germany) of the present Treaty up to a point situated about 2 kilometres to the east of Lorzendorf, then a line to the acute angle which the northern boundary of Upper Silesia makes about 3 kilometres north-west of Simmenau, then the boundary of Upper Silesia to its meeting point with the old frontier between Germany and Russia, then this frontier to the point where it crosses the course of the Niemen, and then the northern frontier of East Prussia as laid down in Article 28 of Part II aforesaid.

The provisions of this Article do not, however, apply to the territories of East Prussia and the Free City of Danzig, as defined in Article 28 of Part II (Boundaries of Germany) and in Article 100 of Section XI (Danzig) of this Part.

The boundaries of Poland not laid down in the present Treaty will be subsequently determined by the Principal Allied and Associated Powers.

A Commission consisting of seven members, five of whom shall be nominated by the Principal Allied and Associated Powers, one by Germany and one by Poland, shall be constituted fifteen days after the coming into force of the present Treaty to delimit on the spot the frontier line between Poland and Germany.

The decisions of the Commission will be taken by a majority of votes and shall be binding upon the parties concerned.

ARTICLE 88.

In the portion of Upper Silesia included within the boundaries described below, the inhabitants will be called upon to indicate by a vote whether they wish to be attached to Germany or to Poland:

starting from the northern point of the salient of the old province of Austrian Silesia situated about 8 kilometres east of Neustadt, the former frontier between Germany and Austria to its junction with the boundary between the *Kreise* of Leobschütz and Ratibor;

thence in a northerly direction to a point about 2 kilometres southeast of Katscher:

the boundary between the *Kreise* of Leobschütz and Ratibor;

thence in a south-easterly direction to a point on the course of the Oder immediately south of the Ratibor-Oderberg railway:

a line to be fixed on the ground passing south of Kranowitz;

thence the old boundary between Germany and Austria, then the old boundary between Germany and Russia to its junction with the administrative boundary between Posnania and Upper Silesia;

thence this administrative boundary to its junction with the administrative boundary between Upper and Middle Silesia;

thence westwards to the point where the administrative boundary turns in an acute angle to the south-east about 3 kilometres northwest of Simmenau:

the boundary between Upper and Middle Silesia;

then in a westerly direction to a point to be fixed on the ground about 2 kilometres east of Lorzendorf:

a line to be fixed on the ground passing north of Klein Hennersdorf:

thence southwards to the point where the boundary between Upper and Middle Silesia cuts the Städtel-Karlsruhe road:

a line to be fixed on the ground passing west of Hennersdorf, Polkowitz, Noldau, Steinersdorf and Dammer, and east of Strehlitz, Nassadel, Eckersdorf, Schwirz and Städtel;

thence the boundary between Upper and Middle Silesia to its junction with the eastern boundary of the *Kreis* of Falkenberg;

thence the eastern boundary of the *Kreis* of Falkenberg to the point of the salient which is 3 kilometres east of Puschine;

thence to the northern point of the salient of the old province of Austrian Silesia situated about 8 kilometres east of Neustadt:

a line to be fixed on the ground passing east of Zülz.

The régime under which this plebiscite will be taken and given effect to is laid down in the Annex hereto.

The Polish and German Governments hereby respectively bind themselves to conduct no prosecutions on any part of their territory and to take no exceptional proceedings for any political action performed in Upper Silesia during the period of the régime laid down in the Annex hereto and up to the settlement of the final status of the country.

Germany hereby renounces in favour of Poland all rights and title over the portion of Upper Silesia lying beyond the frontier line fixed by the Principal Allied and Associated Powers as the result of the plebiscite.

ANNEX.

1.

Within fifteen days from the coming into force of the present Treaty the German troops and such officials as may be designated by the Commission set up under the provisions of paragraph 2 shall evacuate the plebiscite area. Up to the moment of the completion of the evacuation they shall refrain from any form of requisitioning in money or in kind and from all acts likely to prejudice the material interests of the country.

Within the same period the Workmen's and Soldiers' Councils which have been constituted in this area shall be dissolved. Members of such Councils who are natives of another region and are exercising their functions at the date of the coming into force of the present Treaty, or who have gone out of office since March 1, 1919, shall be evacuated.

All military and semi-military unions formed in the said area by inhabitants of the district shall be immediately disbanded. All members of such military organizations who are not domiciled in the said area shall be required to leave it.

2.

The plebiscite area shall be immediately placed under the authority of an International Commission of four members to be designated by the following Powers; the United States of America, France, the British Empire and Italy. It shall be occupied by troops belonging to the Allied and Associated Powers, and the German Government undertakes to give facilities for the transference of these troops to Upper Silesia.

3.

The Commission shall enjoy all the powers exercised by the German or the Prussian Government, except those of legislation or taxation. It shall also be substituted for the Government of the province and the *Regierungsbezirk*.

It shall be within the competence of the Commission to interpret the powers hereby conferred upon it and to determine to what extent it shall exercise them, and to what extent they shall be left in the hands of the existing authorities.

Changes in the existing laws and the existing taxation shall only be brought into force with the consent of the Commission.

The Commission will maintain order with the help of the troops which will be at its disposal, and, to the extent which it may deem necessary, by means of gendarmerie recruited among the inhabitants of the country.

The Commission shall provide immediately for the replacement of the evacuated German officials and, if occasion arises, shall itself order the evacuation of such authorities and proceed to the replacement of such local authorities as may be required.

It shall take all steps which it thinks proper to ensure the freedom, fairness and secrecy of the vote. In particular, it shall have the right to order the expulsion of any person who may in any way have attempted to distort the result of the plebiscite by methods of corruption or intimidation.

The Commission shall have full power to settle all questions arising from the execution of the present clauses. It shall be assisted by technical advisers chosen by it from among the local population.

The decisions of the Commission shall be taken by a majority vote.

4.

The vote shall take place at such date as may be determined by the Principal Allied and Associated Powers, but not sooner than six months or later than eighteen months after the establishment of the Commission in the area.

The right to vote shall be given to all persons without distinction of sex who:

(*a*) Have completed their twentieth year on the 1st January of the year in which the plebiscite takes place;

(*b*) Were born in the plebiscite area or have been domiciled there since a date to be determined by the Commission, which shall not be subsequent to January 1, 1919, or who have been expelled by the German authorities and have not retained their domicile there.

Persons convicted of political offences shall be enabled to exercise their right of voting.

Every person will vote in the commune where he is domiciled or in which he was born, if he has not retained his domicile in the area.

The result of the vote will be determined by communes according to the majority of votes in each commune.

5.

On the conclusion of the voting, the number of votes cast in each commune will be communicated by the Commission to the Principal Allied and Associated Powers, with a full report as to the taking of the vote and a recommendation as to the line which ought to be adopted as the frontier of Germany in Upper Silesia. In this recommendation regard will be paid to the wishes of the inhabitants as shown by the vote, and to the geographical and economic conditions of the locality.

6.

As soon as the frontier has been fixed by the Principal Allied and Associated Powers, the German authorities will be notified by the International Commission that they are free to take over the administration of the territory which it is recognised should be German; the said authorities must proceed to do so within one month of such notification and in the manner prescribed by the Commission.

Within the same period and in the manner prescribed by the Commission, the Polish Government must proceed to take over the administration of the territory which it is recognised should be Polish.

When the administration of the territory has been provided for by the German and Polish authorities respectively, the powers of the Commission will terminate.

The cost of the army of occupation and expenditure by the Commission, whether in discharge of its own functions or in the administration of the territory, will be charge on the area.

ARTICLE 89.

Poland undertakes to accord freedom of transit to persons, goods, vessels, carriages, wagons and mails in transit between East Prussia and the rest of Germany over Polish territory, including territorial waters, and to treat them at least as favourably as the persons, goods, vessels, carriages, wagons, and mails respectively of Polish or of any other more favoured nationality, origin, importation, starting point, or ownerships as regards facilities, restrictions and all other matters.

Goods in transit shall be exempt from all customs or other similar duties.

Freedom of transit will extend to telegraphic and telephonic services under the conditions laid down by the conventions referred to in Article 98.

ARTICLE 90.

Poland undertakes to permit for a period of fifteen years the exportation to Germany of the products of the mines in any part of Upper Silesia transferred to Poland in accordance with the present Treaty.

Such products shall be free from all export duties or other charges or restrictions on exportation.

Poland agrees to take such steps as may be necessary to secure that any such products shall be available for sale to purchasers in Germany on terms as favourable as are applicable to like products sold under similar conditions to purchasers in Poland or in any other country.

ARTICLE 91.

German nationals habitually resident in territories recognised as forming part of Poland will acquire Polish nationality *ipso facto* and will lose their German nationality.

German nationals, however, or their descendants who became resident in these territories after January 1, 1908, will not acquire Polish nationality without a special authorisation from the Polish State.

Within a period of two years after the coming into force of the present Treaty, German nationals over 18 years of age habitually resident in any of the territories recognised as forming part of Poland will be entitled to opt for German nationality.

Poles who are German nationals over 18 years of age and habitually resident in Germany will have a similar right to opt for Polish nationality.

Option by a husband will cover his wife and option by parents will cover their children under 18 years of age.

Persons who have exercised the above right to opt may within the succeeding twelve months transfer their place of residence to the State for which they have opted.

They will be entitled to retain their immovable property in the territory of the other State where they had their place of residence before exercising the right to opt.

They may carry with them their movable property of every description. No export or import duties or charges may be imposed upon them in connection with the removal of such property.

Within the same period Poles who are German nationals and are in a foreign country will be entitled, in the absence of any provisions to the contrary in the foreign law, and if they have not acquired the foreign nationality, to obtain Polish nationality and to lose their German nationality by complying with the requirements laid down by the Polish State.

In the portion of Upper Silesia submitted to a plebiscite the provisions of this Article shall only come into force as from the definitive attribution of the territory.

ARTICLE 92.

The proportion and the nature of the financial liabilities of Germany and Prussia which are to be borne by Poland will be determined in accordance with Article 254 of Part IX (Financial Clauses) of the present Treaty.

There shall be excluded from the share of such financial liabilities assumed by Poland that portion of the debt which, according to the finding of the Reparation Commission referred to in the above-mentioned Article, arises from measures adopted by the German and Prussian Governments with a view to German colonisation in Poland.

In fixing under Article 256 of the present Treaty the value of the property and possessions belonging to the German Empire and to the German States which pass to Poland with the territory transferred above, the Reparation Commission shall exclude from the valuation buildings, forests and other State property which belonged to the former Kingdom of Poland; Poland shall acquire these properties free of all costs and charges.

In all the German territory transferred in accordance with the present Treaty and recognised as forming definitively part of Poland, the property, rights and interests of German nationals shall not be liquidated under Article 297 by the Polish Government except in accordance with the following provisions:

(1) The proceeds of the liquidation shall be paid direct to the owner;

(2) If on his application the Mixed Arbitral Tribunal provided for by Section VI of Part X (Economic Clauses) of the present Treaty, or an arbitrator appointed by that Tribunal, is satisfied that the conditions of the sale or measures taken by the Polish Government outside its general legislation were unfairly prejudicial to the price obtained, they shall have discretion to award to the owner equitable compensation to be paid by the Polish Government.

Further agreements will regulate all questions arising out of the cession of the above territory which are not regulated by the present Treaty.

ARTICLE 93.

Poland accepts and agrees to embody in a Treaty with the Principal Allied and Associated Powers such provisions as may be deemed necessary by the said Powers to protect the interests of inhabitants of Poland who differ from the majority of the population in race, language or religion.

Poland further accepts and agrees to embody in a Treaty with the said Powers such provisions as they may deem necessary to protect freedom of transit and equitable treatment of the commerce of other nations.

SECTION IX.

EAST PRUSSIA.

ARTICLE 94.

In the area between the southern frontier of East Prussia, as described in Article 28 of Part II (Boundaries of Germany) of the present Treaty, and the line described below, the inhabitants will be called upon to indicate by a vote the State to which they wish to belong:

The western and northern boundary of *Regierungsbezirk* Allenstein to its junction with the boundary between the *Kreise* of Oletsko and Angerburg; thence, the northern boundary of the *Kreis* of Oletsko to its junction with the old frontier of East Prussia.

ARTICLE 95.

The German troops and authorities will be withdrawn from the area defined above within a period not exceeding fifteen days after the coming into force of the present Treaty. Until the evacuation is completed they will abstain from all requisitions in money or in kind and from all measures injurious to the economic interests of the country.

On the expiration of the above-mentioned period the said area will be placed under the authority of an International Commission of five members appointed by the Principal Allied and Associated Powers. This Commission will have general powers of administration and, in particular, will be charged with the duty of arranging for the vote and of taking such measures as it may deem necessary to ensure its freedom, fairness and secrecy. The Commission will have all necessary authority to decide any questions to which the execution of these provisions may give rise. The Commission will make such arrangements as may be necessary for assistance in the exercise of its functions by officials chosen by itself from the local population. Its decisions will be taken by a majority.

Every person, irrespective of sex, will be entitled to vote who:

(*a*) Is 20 years of age at the date of the coming into force of the present Treaty, and

(*b*) Was born within the area where the vote will take place or has been habitually resident there from a date to be fixed by the Commission.

Every person will vote in the commune where he is habitually resident or, if not habitually resident in the area, in the commune where he was born.

The result of the vote will be determined by communes (*Gemeinde*) according to the majority of the votes in each commune.

On the conclusion of the voting the number of votes cast in each commune will be communicated by the Commission to the Principal Allied and Associated Powers, with a full report as to the taking of the vote and a recommendation as to the line

which ought to be adopted as the boundary of East Prussia in this region. In this recommendation regard will be paid to the wishes of the inhabitants as shown by the vote and to the geographical and economic conditions of the locality. The Principal Allied and Associated Powers will then fix the frontier between East Prussia and Poland in this region.

If the line fixed by the Principal Allied and Associated Powers is such as to exclude from East Prussia any part of the territory defined in Article 94, the renunciation of its rights by Germany in favour of Poland, as provided in Article 87 above, will extend to the territories so excluded.

As soon as the line has been fixed by the Principal Allied and Associated Powers, the authorities administering East Prussia will be notified by the International Commission that they are free to take over the administration of the territory to the north of the line so fixed, which they shall proceed to do within one month of such notification and in the manner prescribed by the Commission. Within the same period and as prescribed by the Commission, the Polish Government must proceed to take over the administration of the territory to the south of the line. When the administration of the territory by the East Prussian and Polish authorities respectively has been provided for, the powers of the Commission will terminate.

Expenditure by the Commission, whether in the discharge of its own functions or in the administration of the territory, will be borne by the local revenues. East Prussia will be required to bear such proportion of any deficit as may be fixed by the Principal Allied and Associated Powers.

ARTICLE 96.

In the area comprising the *Kriese* of Stuhm and Rosenberg and the portion of the *Kreis* of Marienburg which is situated east of the Nogat and that of Marienwerder east of the Vistula, the inhabitants will be called upon to indicate by a vote, to be taken in each commune (*Gemeinde*), whether they desire the various communes situated in this territory to belong to Poland or to East Prussia.

ARTICLE 97.

The German troops and authorities will be withdraw from the area defined in Article 96 within a period not exceeding fifteen days after the coming into force of the present Treaty. Until the evacuation is completed they will abstain from all requisitions in money or in kind and from all measures injurious to the economic interests of the country.

On the expiration of the above-mentioned period, the said area will be placed under the authority of an International Commission of five members appointed by the Principal Allied and Associated Powers. This Commission, supported if occasion arises by the necessary forces, will have general powers of administration and in particular will be charged with the duty of arranging for the vote and of taking such measures as it may deem necessary to ensure its freedom, fairness and secrecy. The Commission will conform as far as possible to the provisions of the present Treaty relating to the plebiscite in the Allenstein area; its decisions will be taken by a majority.

Expenditure by the Commission, whether in the discharge of its own functions or in the administration of the territory, will be borne by the local revenues.

On the conclusion of the voting the number of votes cast in each commune will be communicated by the Commission to the Principal Allied and Associated Powers with a full report as to the taking of the vote and a recommendation as to the line which ought to be adopted as the boundary of East Prussia in this region. In this recommendation regard will be paid to the wishes of the inhabitants as shown by the vote and to the geographical and economic conditions of the locality. The Principal Allied and Associated Powers will then fix the frontier between East Prussia and Poland in this region, leaving in any case to Poland for the whole of the section bordering on the Vistula full and complete control of the river including the east bank as far east of the river as may be necessary for its regulation and improvement. Germany agrees that in any portion of the said territory which remains German, no fortifications shall at any time be erected.

The Principal Allied and Associated Powers will at the same time draw up regulations for assuring to the population of East Prussia to the fullest extent and under equitable conditions access to the Vistula and the use of it for themselves, their commerce and their boats.

The determination of the frontier and the foregoing regulations shall be binding upon all the parties concerned.

When the administration of the territory has been taken over by the East Prussian and Polish authorities respectively, the powers of the Commission will terminate.

ARTICLE 98.

Germany and Poland undertake, within one year of the coming into force of this Treaty, to enter into conventions of which the terms, in case of difference, shall be settled by the Council of the League of Nations, with the object of securing, on the one hand to Germany full and adequate railroad, telegraphic and telephonic facilities for communication between the rest of Germany and East Prussia over the intervening Polish territory, and on the other hand to Poland full and adequate railroad, telegraphic and telephonic facilities for communication between Poland and the Free City of Danzig over any German territory that may, on the right bank of the Vistula, intervene between Poland and the Free City of Danzig.

SECTION X.

NEMEL.

ARTICLE 99.

Germany renounces in favour of the Principal Allied and Associated Powers all rights and title over the territories included between the Baltic, the north eastern frontier of East Prussia as defined in Article 28 of Part II (Boundaries of Germany) of the present Treaty and the former frontier between Germany and Russia.

Germany undertakes to accept the settlement made by the Principal Allied and Associated Powers in regard to these territories, particularly in so far as concerns the nationality of the inhabitants.

SECTION XI.

FREE CITY OF DANZIG.

ARTICLE 100.

Germany renounces in favour of the Principal Allied and Associated Powers all rights and title over the territory comprised within the following limits:

from the Baltic Sea southwards to the point where the principal channels of navigation of the Nogat and the Vistula (Weichsel) meet:

the boundary of East Prussia as described in Article 28 of Part II (Boundaries of Germany) of the present Treaty;

thence the principal channel of navigation of the Vistula downstream to a point about 6½ kilometres north of the bridge of Dirschau;

thence north-west to point 5, 1½ kilometres south-east of the church of Güttland.

a line to be fixed on the ground;

thence in a general westerly direction to the salient made by the boundary of the *Kreis* of Berent 8½ kilometres north-east of Schöneck:

a line to be fixed on the ground passing between Mühlbanz on the south and Rambeltsch on the north;

thence the boundary of the *Kreis* of Berent westwards to the re-entrant which it forms 6 kilometres north-north-west of Schöneck;

thence to a point on the median line of Lonkener See:

a line to be fixed on the ground passing north of Neu Fietz and Schatarpi and south of Barenhütte and Lonken;

thence the median line of Lonkener See to its northernmost point;

thence to the southern end of Pollenziner See:

a line to be fixed on the ground;

thence the median line of Pollenziner See to its northernmost point;

thence in a north-easterly direction to a point about 1 kilometre south of Koliebken church, where the Danzig-Neustadt railway crosses a stream:

a line to be fixed on the ground passing south-east of Kamehlen, Krissau, Fidlin, Sulmin (Richthof), Mattern, Schäferei, and to the north-west of Neuendorf, Marschau, Czapielken, Hoch- and Klein- Kelpin, Pulvermühl, Renneberg and the towns of Oliva and Zoppot;

thence the course of the stream mentioned above to the Baltic Sea.

The boundaries described above are drawn on a German map, scale 1/100,000, attached to the present Treaty (Map No. 3).

ARTICLE 101.

A Commission composed of three members appointed by the Principal Allied and Associated Powers, including a High Commissioner as President, one member appointed by Germany and one member appointed by Poland, shall be constituted within fifteen days of the coming into force of the present Treaty for the purpose of delimiting on the spot the frontier of the territory as described above, taking into account as far as possible the existing communal boundaries.

ARTICLE 102.

The Principal Allied and Associated Powers undertake to establish the town of Danzig, together with the rest of the territory described in Article 100, as a Free City. It will be placed under the protection of the League of Nations.

ARTICLE 103.

A constitution for the Free City of Danzig shall be drawn up by the duly appointed representatives of the Free City in agreement with a High Commissioner to be appointed by the League of Nations. This constitution shall be placed under the guarantee of the League of Nations.

The High Commissioner will also be entrusted with the duty of dealing in the first instance with all differences arising between Poland and the Free City of Danzig in regard to this Treaty or any arrangements or agreements made thereunder.

The High Commissioner shall reside at Danzig.

ARTICLE 104.

The Principal Allied and Associated Powers undertake to negotiate a Treaty between the Polish Government and the Free City of Danzig, which shall come into force at the same time as the establishment of the said Free City, with the following objects:

(1) To effect the inclusion of the Free City of Danzig within the Polish Customs frontiers, and to establish a free area in the port;

(2) To ensure to Poland without any restriction the free use and service of all waterways, docks, basins, wharves and other works within the territory of the Free City necessary for Polish imports and exports;

(3) To ensure to Poland the control and administration of the Vistula and of the whole railway system within the Free City, except such street and other railways as serve primarily the needs of the Free City, and of postal, telegraphic and telephonic communication between Poland and the port of Danzig;

(4) To ensure to Poland the right to develop and improve the waterways, docks, basins, wharves, railways and other works and means of communication mentioned in this Article, as well as to lease or purchase through appropriate processes such land and other property as may be necessary for these purposes;

(5) To provide against any discrimination within the Free City of Danzig to the detriment of citizens of Poland and other persons of Polish origin or speech;

(6) To provide that the Polish Government shall undertake the conduct of the foreign relations of the Free City of Danzig as well as the diplomatic protection of citizens of that city when abroad.

ARTICLE 105.

On the coming into force of the present Treaty German nationals ordinarily resident in the territory described in Article 100 will *ipso facto* lose their German nationality in order to become nationals of the Free City of Danzig.

ARTICLE 106.

Within a period of two years from the coming into force of the present Treaty, German nationals over 18 years of age ordinarily resident in the territory described in Article 100 will have the right to opt for German nationality.

Option by a husband will cover his wife and option by parents will cover their children less than 18 years of age.

All persons who exercise the right of option referred to above must during the ensuing twelve months transfer their place of residence to Germany.

These persons will be entitled to preserve the immovable property possessed by them in the territory of the Free City of Danzig. They may carry with them their movable property of every description. No export or import duties shall be imposed upon them in this connection.

ARTICLE 107.

All property situated within the territory of the Free City of Danzig belonging to the German Empire or to any German State shall pass to the Principal Allied and Associated Powers for transfer to the Free City of Danzig or to the Polish State as they may consider equitable.

ARTICLE 108.

The proportion and nature of the financial liabilities of Germany and of Prussia to be borne by the Free City of Danzig shall be fixed in accordance with Article 254 of Part IX (Financial Clauses) of the present Treaty.

All other questions which may arise from the cession of the territory referred to in Article 100 shall be settled by further agreements.

SECTION XII.

SCHLESWIG.

ARTICLE 109.

The frontier between Germany and Denmark shall be fixed in conformity with the wishes of the population.

For this purpose, the population inhabiting the territories of the former German Empire situated to the north of a line, from East to West, (shown by a brown line on the map No. 4, annexed to the present Treaty):

leaving the Baltic Sea about 13 kilometres east-north-east of Flensburg,

running

south-west so as to pass south-east of: Sygum, Ringsberg, Munkbrarup, Adelby, Tastrup, Jarplund, Oversee, and north-west of: Langballigholz, Langballig, Bönstrup, Rüllschau, Weseby, Kleinwolstrup, Gross-Solt,

thence westwards passing south of Frörup and north of Wanderup,

thence in a south-westerly direction passing south-east of Oxlund, Stieglund and Ostenau and north-west of the villages on the Wanderup-Kollund road,

thence in a north-westerly direction passing south-west of Löwenstedt, Joldelund, Goldelund, and north-east of Kolkerheide and Högel to the bend of the Soholmer An, about 1 kilometre east of Soholm, where it meets the southern boundary of the *Kreis* of Tondern,

following this boundary to the North Sea,

passing south of the islands of Fohr and Amrum and north of the islands of Oland and Langeness,

shall be called upon to pronounce by a vote which will be taken under the following conditions:

(1) Within a period not exceeding ten days from the coming into force of the present Treaty, the German troops and authorities (including the *Oberpräsidenten, Regierungs-präsidenten, Landräthe, Amtsvorsteher, Oberbürgermeister*) shall evacuate the zone lying to the north of the line above fixed.

Within the same period the Workmen's and Soldiers' Councils which have been constituted in this zone shall be dissolved; members of such Councils who are natives of another region and are exercising their functions at the date of the coming into force of the present Treaty, or who have gone out of office since March 1, 1919, shall also be evacuated.

The said zone shall immediately be placed under the authority of an International Commission, composed of five members, of whom three will be designated by the Principal Allied and Associated Powers; the Norwegian and Swedish Governments will each be requested to designate a member; in the event of their failing to do so, these two members will be chosen by the Principal Allied and Associated Powers.

The Commission, assisted in case of need by the necessary forces, shall have general powers of administration. In particular, it shall at once provide for filling the places of the evacuated German authorities, and if necessary shall itself give orders for their evacuation, and proceed to fill the places of such local authorities as may be required. It shall take all steps which it thinks proper to ensure the freedom, fairness, and secrecy of the vote. It shall be assisted by German and Danish technical advisers chosen by it from among the local population. Its decisions will be taken by a majority.

One half of the expenses of the Commission and of the expenditure occasioned by the plebiscite shall be paid by Germany.

(2) The right to vote shall be given to all persons, without distinction of sex, who:

(*a*) Have completed their twentieth year at the date of the coming into force of the present Treaty; and

(*b*) Were born in the zone in which the plebiscite is taken, or have been domiciled there since a date before January 1, 1900, or had been expelled by the German authorities without having retained their domicile there.

Every person will vote in the commune (*Gemeinde*) where he is domiciled or of which he is a native.

Military persons, officers, non-commissioned officers and soldiers of the German army, who are natives of the zone of Schleswig in which the plebiscite is taken, shall be given the opportunity to return to their native place in order to take part in the voting there.

(3) In the section of the evacuated zone lying to the north of a line, from East to West (shown by a red line on map No. 4 which is annexed to the present Treaty):

passing south of the island of Alsen and following the median line of Flensburg Fjord.

leaving the fjord about 6 kilometres north of Flensburg and following the course of the stream flowing past Kupfermähle upstream to a point north of Niehuus,

passing north of Pattburg and Ellund and south of Fröslee to meet the eastern boundary of the *Kreis* of Tondern at its junction with the boundary between the old jurisdictions of Slogs and Kjær (*Slogs Herred* and *Kjæ Herred*).

following the latter boundary to where it meets the Scheidebek,

following the course of the Scheidebek (Alte Au), Süder Au and Wied Au downstream successively to the point where the latter bends northwards about 1,500 metres west of Ruttebüll,

thence, in a west-north-westerly direction to meet the North Sea north of Sieltoft,

thence, passing north of the island of Sylt,

the vote above provided for shall be taken within a period not exceeding three weeks after the evacuation of the country by the German troops and authorities.

The result will be determined by the majority of votes cast in the whole of this section. This result will be immediately communicated by the Commission to the Principal Allied and Associated Powers and proclaimed.

If the vote results in favour of the reincorporation of this territory in the Kingdom of Denmark, the Danish Government in agreement with the Commission will be entitled to effect its occupation with their military and administrative authorities immediately after the proclamation.

(4) In the section of the evacuated zone situated to the south of the preceding section and to the north of the line which starts from the Baltic Sea 13 kilometres from Flensburg and ends north of the islands of Oland and Langeness, the vote will be taken within a period .not exceeding five weeks after the plebiscite shall have been held in the first section.

The result will be determined by communes (*Gemeinden*), in accordance with the majority of the votes cast in each commune (*Gemeinde*).

ARTICLE 110.

Pending a delimitation on the spot, a frontier line will be fixed by the Principal Allied and Associated Powers according to a line based on the result of the voting, and proposed by the International Commission, and taking into account the particular geographical and economic conditions of the localities in question.

From that time the Danish Government may effect the occupation of these territories with the Danish civil and military authorities, and the German Government may reinstate up to the said frontier line the German civil and military authorities whom it has evacuated.

Germany hereby renounces definitely in favour of the Principal Allied and Associated Powers all rights of sovereignty over the territories situated to the north of the frontier line fixed in accordance with the above provisions. The Principal Allied and Associated Powers will hand over the said territories to Denmark.

ARTICLE 111.

A Commission composed of seven members, five of whom shall be nominated by the Principal Allied and Associated Powers, one by Denmark, and one by Germany, shall be constituted within fifteen days from the date when the final result of the vote is known, to trace the frontier line on the spot.

The decisions of the Commission will be taken by a majority of votes and shall be binding on the parties concerned.

ARTICLE 112.

All the inhabitants of the territory which is returned to Denmark will acquire Danish nationality *ipso facto*, and will lose their German nationality.

Persons, however, who had become habitually resident in this territory after October 1, 1918, will not be able to acquire Danish nationality without permission from the Danish Government.

ARTICLE 113.

Within two years from the date on which the sovereignty over the whole or part of the territory of Schleswig subjected to the plebiscite is restored to Denmark:

Any person over 18 years of age, born in the territory restored to Denmark, not habitually resident in this region, and possessing German nationality, will be entitled to opt for Denmark;

Any person over 18 years of age habitually resident in the territory restored to Denmark will be entitled to opt for Germany.

Option by a husband will cover his wife and option by parents will cover their children less than 18 years of age.

Persons who have exercised the above right to opt must within the ensuing twelve months transfer their place of residence to the State in favour of which they have opted.

They will be entitled to retain the immovable property which they own in the territory of the other State in which they were habitually resident before opting. They may carry with them their movable property of every description. No export or import duties may be imposed upon them in connection with the removal of such property.

ARTICLE 114.

The proportion and nature of the financial or other obligations of Germany and Prussia which are to be assumed by Denmark will be fixed in accordance with Article 254 of Part IX (Financial Clauses) of the present Treaty.

Further stipulations will determine any other questions arising out of the transfer to Denmark of the whole or part of the territory of which she was deprived by the Treaty of October 30, 1864.

SECTION XIII.

HELIGOLAND.

ARTICLE 115.

The fortifications, military establishments, and harbours of the Islands of Heligoland and Dune shall be destroyed under the supervision of the Principal Allied Governments by German labour and at the expense of Germany within a period to be determined by the said Governments.

The term "harbours" shall include the north-east mole, the west wall, the outer and inner breakwaters and reclaimed land within them, and all naval and military works, fortifications and buildings, constructed or under construction, between lines connecting the following positions taken from the British Admiralty chart No. 126 of April 19, 1918.

(*a*) lat. 54° 10′ 49″ N.; long. 7° 53′ 39″ E.;
(*b*) — 54° 10′ 35″ N.; — 7° 54′ 18″ E.;
(*c*) — 54° 10′ 14″ N.; — 7° 54′ 00″ E.;
(*d*) — 54° 10′ 17″ N.; — 7° 53′ 37″ E.;
(*e*) — 54° 10′ 44″ N.; — 7° 53′ 26″ E.

These fortifications, military establishments and harbours shall not be reconstructed nor shall any similar works be constructed in future.

SECTION XIV.

RUSSIA AND RUSSIAN STATES.

ARTICLE 116.

Germany acknowledges and agrees to respect as permanent and inalienable the independence of all the territories which were part of the former Russian Empire on August 1, 1914.

In accordance with the provisions of Article 259 of Part IX (Financial Clauses) and Article 292 of Part X (Economic Clauses) Germany accepts definitely the abrogation of the Brest-Litovsk Treaties and of all other treaties, conventions and agreements entered into by her with the Maximalist Government in Russia.

The Allied and Associated Powers formally reserve the rights of Russia to obtain from Germany restitution and reparation based on the principles of the present Treaty.

ARTICLE 117.

Germany undertakes to recognize the full force of all treaties or agreements which may be entered into by the Allied and Associated Powers with States now existing or coming into existence in future in the whole or part of the former Empire of Russia as it existed on August 1, 1914, and to recognize the frontiers of any such States as determined therein.

PART IV.

GERMAN RIGHTS AND INTERESTS OUTSIDE GERMANY.

ARTICLE 118.

In territory outside her European frontiers as fixed by the present Treaty, Germany renounces all rights, titles and privileges whatever in or over territory which belonged to her or to her allies, and all rights, titles and privileges whatever their origin which she held as against the Allied and Associated Powers.

Germany hereby undertakes to recognize and to conform to the measures which may be taken now or in the future by the Principal Allied and Associated Powers, in agreement where necessary with third Powers, in order to carry the above stipulation into effect.

In particular Germany declares her acceptance of the following Articles relating to certain special subjects.

SECTION I.

GERMAN COLONIES.

ARTICLE 119.

Germany renounces in favour of the Principal Allied and Associated Powers all her rights and titles over her oversea possessions.

ARTICLE 120.

All movable and immovable property in such territories belonging to the German Empire or to any German State shall pass to the Government exercising authority over such territories, on the terms laid down in Article 257 of Part IX (Financial Clauses) of the present Treaty. The decision of the local courts in any dispute as to the nature of such property shall be final.

ARTICLE 121.

The provisions of Sections I and IV of Part X (Economic Clauses) of the present Treaty shall apply in the case of these territories whatever be the form of Government adopted for them.

ARTICLE 122.

The Government exercising authority over such territories may make such provisions as it thinks fit with reference to the repatriation from them of German nationals and to the conditions upon which German subjects of European origin shall, or shall not, be allowed to reside, hold property, trade or exercise a profession in them.

ARTICLE 123.

The provisions of Article 260 of Part IX (Financial Clauses) of the present Treaty shall apply in the case of all agreements concluded with German nationals for the construction or exploitation of public works in the German oversea possessions, as well as any sub-concessions or contracts resulting therefrom which may have been made to or with such nationals.

ARTICLE 124.

Germany hereby undertakes to pay, in accordance with the estimate to be presented by the French Government and approved by the Reparation Commission, reparation for damage suffered by French nationals in the Cameroons or the frontier zone by reason of the acts of the German civil and military authorities and of German private individuals during the period from January 1, 1900, to August 1, 1914.

ARTICLE 125.

Germany renounces all rights under the Conventions and Agreements with France of November 4, 1911, and September 28, 1912, relating to Equatorial Africa. She undertakes to pay to the French Government, in accordance with the estimate to be presented by that Government and approved by the Reparation Commission, all the deposits, credits, advances, etc., effected by virtue of these instruments in favour of Germany.

ARTICLE 126.

Germany undertakes to accept and observe the agreements made or to be made by the Allied and Associated Powers or some of them with any other Power with regard to the trade in arms and spirits, and to the matters dealt with in the General Act of Berlin of February 26, 1885, the General Act of Brussels of July 2, 1890, and the conventions completing or modifying the same.

ARTICLE 127.

The native inhabitants of the former German oversea possessions shall be entitled to the diplomatic protection of the Governments exercising authority over those territories.

SECTION II.

CHINA.

ARTICLE 128.

Germany renounces in favour of China all benefits and privileges resulting from the provisions of the final Protocol signed at Peking on September 7, 1901, and from all annexes, notes and documents supplementary thereto. She likewise renounces in favour of China any claim to indemnities accruing thereunder subsequent to March 14, 1917.

ARTICLE 129.

From the coming into force of the present Treaty the High Contracting Parties shall apply, in so far as concerns them respectively:

(1) The Arrangement of August 29, 1902, regarding the new Chinese customs tariff;

(2) The Arrangement of September 27, 1905, regarding Whang-Poo, and the provisional supplementary Arrangement of April 4, 1912.

China, however, will no longer be bound to grant to Germany the advantages or privileges which she allowed Germany under these Arrangements.

ARTICLE 130.

Subject to the provisions of Section VIII of this Part, Germany cedes to China all the buildings, wharves and pontoons, barracks, forts, arms and munitions of war, vessels of all kinds, wireless telegraphy installations and other public property belonging to the German Government, which are situated or may be in the German Concessions at Tientsin and Hankow or elsewhere in Chinese territory.

It is understood, however, that premises used as diplomatic or consular residences or offices are not included in the above cession, and, furthermore, that no steps shall be taken by the Chinese Government to dispose of the German public and private property situated within the so-called Legation Quarter at Peking without the consent of the Diplomatic Representatives of the Powers which, on the coming into force of the present Treaty, remain Parties to the Final Protocol of September 7, 1901.

ARTICLE 131.

Germany undertakes to restore to China within twelve months from the coming into force of the present Treaty all the astronomical instruments which her troops in 1900–1901 carried away from China, and to defray all expenses which may be incurred in effecting such restoration, including the expenses of dismounting, packing, transporting, insurance and installation in Peking.

ARTICLE 132.

Germany agrees to the abrogation of the leases from the Chinese Government under which the German Concessions at Hankow and Tientsin are now held.

China, restored to the full exercise of her sovereign rights in the above areas, declares her intention of opening them to international residence and trade. She further declares that the abrogation of the leases under which these concessions are now held shall not affect the property rights of nationals of Allied and Associated Powers who are holders of lots in these concessions.

ARTICLE 133.

Germany waives all claims against the Chinese Government or against any Allied or Associated Government arising out of the internment of German nationals in China and their repatriation. She equally renounces all claims arising out of the capture and condemnation of German ships in China, or the liquidation, sequestration or control of German properties, rights and interests in that country since August 14, 1917. This provision, however, shall not affect the rights of the parties interested in the proceeds of any such liquidation, which shall be governed by the provisions of Part X (Economic Clauses) of the present Treaty.

ARTICLE 134.

Germany renounces in favour of the Government of His Britannic Majesty the German State property in the British Concession at Shameen at Canton. She renounces in favour of the French and Chinese Governments conjointly the property of the German school situated in the French Concession at Shanghai.

SECTION III.

SIAM.

ARTICLE 135.

Germany recognises that all treaties, conventions and agreements between her and Siam, and all rights, title and privileges derived therefrom, including all rights of extraterritorial jurisdiction, terminated as from July 22, 1917.

ARTICLE. 136.

All goods and property in Siam belonging to the German Empire or to any German State, with the exception of premises used as diplomatic or consular residences or offices, pass *ipso facto* and without compensation to the Siamese Government.

The goods, property and private rights of German nationals in Siam shall be dealt with in accordance with the provisions of Part X (Economic Clauses) of the present Treaty.

ARTICLE 137.

Germany waives all claims against the Siamese Government on behalf of herself or her nationals arising out of the seizure or condemnation of German ships, the liquidation of German property, or the internment of German nationals in Siam. This provision shall not affect the rights of the parties interested in the proceeds of any such liquidation, which shall be governed by the provisions of Part X (Economic Clauses) of the present Treaty.

SECTION IV.

LIBERIA.

ARTICLE 138.

Germany renounces all rights and privileges arising from the arrangements of 1911 and 1912 regarding Liberia, and particularly the right to nominate a German Receiver of Customs in Liberia.

She further renounces all claim to participate in any measures whatsoever which may be adopted for the rehabilitation of Liberia.

ARTICLE 139.

Germany recognizes that all treaties and arrangements between her and Liberia terminated as from August 4, 1917.

ARTICLE 140.

The property, rights and interests of Germans in Liberia shall be dealt with in accordance with Part X (Economic Clauses) of the present Treaty.

SECTION V.

MOROCCO.

ARTICLE 141.

Germany renounces all rights, titles and privileges conferred on her by the General Act of Algeciras of April 7, 1906, and by the Franco-German Agreements of February 9, 1909, and November 4, 1911. All treaties, agreements, arrangements and contracts concluded by her with the Sherifian Empire are regarded as abrogated as from August 3, 1914.

In no case can Germany take advantage of these instruments and she undertakes not to intervene in any way in negotiations relating to Morocco which may take place between France and the other Powers.

ARTICLE 142.

Germany having recognized the French Protectorate in Morocco, hereby accepts all the consequences of its establishment, and she renounces the régime of the capitulations therein.

This renunciation shall take effect as from August 3, 1914.

ARTICLE 143.

The Sherifian Government shall have complete liberty of action in regulating the status of German nationals in Morocco and the conditions in which they may establish themselves there.

German protected persons, semsars and "associés agricoles" shall be considered as having ceased, as from August 3, 1914, to enjoy the privileges attached to their status and shall be subject to the ordinary law.

ARTICLE 144.

All property and possessions in the Sherifian Empire of the German Empire and the German States pass to the Maghzen without payment.

For this purpose, the property and possessions of the German Empire and States shall be deemed to include all the property of the Crown, the Empire or the States, and the private property of the former German Emperor and other Royal personages.

All movable and immovable property in the Sherifian Empire belonging to German nationals shall be dealt with in accordance with Sections III and IV of Part X (Economic Clauses) of the present Treaty.

Mining rights which may be recognised as belonging to German nationals by the Court of Arbitration set up under the Moroccan Mining Regulations shall form the subject of a valuation, which the arbitrators shall be requested to make, and these rights shall then be treated in the same way as property in Morocco belonging to German nationals.

ARTICLE 145.

The German Government shall ensure the transfer to a person nominated by the French Government of the shares representing Germany's portion of the capital of the State Bank of Morocco. The value of these shares, as assessed by the Reparation Commission, shall be paid to the Reparation Commission for the credit of Germany on account of the sums due for reparation. The German Government shall be responsible for indemnifying its nationals so dispossessed.

This transfer will take place without prejudice to the repayment of debts which German nationals may have contracted towards the State Bank of Morocco.

ARTICLE 146.

Moroccan goods entering Germany shall enjoy the treatment accorded to French goods.

SECTION VI.

EGYPT.

ARTICLE 147.

Germany declares that she recognises the Protectorate proclaimed over Egypt by Great Britain on December 18, 1914, and that she renounces the régime of the Capitulations in Egypt.

This renunciation shall take effect as from August 4, 1914.

ARTICLE 148.

All treaties, agreements, arrangements and contracts concluded by Germany with Egypt are regarded as abrogated as from August 4, 1914.

In no case can Germany avail herself of these instruments and she undertakes not to intervene in any way in negotiations relating to Egypt which may take place between Great Britain and the other Powers.

ARTICLE 149.

Until an Egyptian law of judicial organization establishing courts with universal jurisdiction comes into force, provision shall be made, by means of decrees issued by His Highness the Sultan, for the exercise of jurisdiction over German nationals and property by the British Consular Tribunals.

ARTICLE 150.

The Egyptian Government shall have complete liberty of action in regulating the status of German nationals and the conditions under which they may establish themselves in Egypt.

ARTICLE 151.

Germany consents to the abrogation of the decree issued by His Highness the Khedive on November 28, 1904, relating to the Commission of the Egyptian Public Debt, or to such changes as the Egyptian Government may think it desirable to make therein.

ARTICLE 152.

Germany consents, in so far as she is concerned, to the transfer to His Britannic Majesty's Government of the powers conferred on His Imperial Majesty the Sultan by the Convention signed at Constantinople on October 29, 1888, relating to the free navigation of the Suez Canal.

She renounces all participation in the Sanitary, Maritime, and Quarantine Board of Egypt and consents, in so far as she is concerned, to the transfer to the Egyptian Authorities of the powers of that Board.

ARTICLE 153.

All property and possessions in Egypt of the German Empire and the German States pass to the Egyptian Government without payment.

For this purpose, the property and possessions of the German Empire and States shall be deemed to include all the property of the Crown, the Empire or the States, and the private property of the former German Emperor and other Royal personages.

All movable and immovable property in Egypt belonging to German nationals shall be dealt with in accordance with Sections III and IV of Part X (Economic Clauses) of the present Treaty.

ARTICLE 154.

Egyptian goods entering Germany shall enjoy the treatment accorded to British goods.

SECTION VII.

TURKEY AND BULGARIA.

ARTICLE 155.

Germany undertakes to recognise and accept all arrangements which the Allied and Associated Powers may make with Turkey and Bulgaria with reference to any rights, interests and privileges whatever which might be claimed by Germany or her nationals in Turkey and Bulgaria and which are not dealt with in the provisions of the present Treaty.

SECTION VIII.

SHANTUNG.

ARTICLE 156.

Germany renounces, in favour of Japan, all her rights, title and privileges—particularly those concerning the territory of Kiaochow, railways, mines and submarine cables—which she acquired in virtue of the Treaty concluded by her with China on March 6, 1898, and of all other arrangements relative to the Province of Shantung.

All German rights in the Tsingtao-Tsinanfu Railway, including its branch lines, together with its subsidiary property of all kinds, stations, shops, fixed and rolling stock, mines, plant and material for the exploitation of the mines, are and

remain acquired by Japan, together with all rights and privileges attaching thereto.

The German State submarine cables from Tsingtao to Shanghai and from Tsingtao to Chefoo, with all the rights, privileges and properties attaching thereto, are similarly acquired by Japan, free and clear of all charges and encumbrances.

ARTICLE 157.

The movable and immovable property owned by the German State in the territory of Kiaochow, as well as all the rights which Germany might claim in consequence of the works or improvements made or of the expenses incurred by her, directly or indirectly, in connection with this territory, are and remain acquired by Japan, free and clear of all charges and encumbrances.

ARTICLE 158.

Germany shall hand over to Japan within three months from the coming into force of the present Treaty the archives, registers, plans, title-deeds and documents of every kind, wherever they may be, relating to the administration, whether civil, military, financial, judicial or other, of the territory of Kiaochow.

Within the same period Germany shall give particulars to Japan of all treaties, arrangements or agreements relating to the rights, title or privileges referred to in the two preceding Articles.

PART V.

MILITARY, NAVAL AND AIR CLAUSES.

In order to render possible the initiation of a general limitation of the armaments of all nations, Germany undertakes strictly to observe the military, naval and air clauses which follow.

SECTION I.

MILITARY CLAUSES.

CHAPTER I.

EFFECTIVES AND CADRES OF THE GERMAN ARMY.

ARTICLE 159.

The German military forces shall be demobilized and reduced as prescribed hereinafter.

ARTICLE 160.

(1) By a date which must not be later than March 31, 1920, the German Army must not comprise more than seven divisions of infantry and three divisions of cavalry.

After that date the total number of effectives in the Army of the States constituting Germany must not exceed one hundred thousand men, including officers and establishments of depots. The Army shall be devoted exclusively to the maintenance of order within the territory and to the control of the frontiers.

The total effective strength of officers, including the personnel of staffs, whatever their composition, must not exceed four thousand.

(2) Divisions and Army Corps headquarters staffs shall be organised in accordance with Table No. I annexed at this Section.

The number and strengths of the units of infantry, artillery, engineers, technical services and troops laid down in the aforesaid Table constitute maxima which must not be exceeded.

The following units may each have their own depot:

An Infantry regiment;

A Cavalry regiment;

A regiment of Field Artillery;

A battalion of Pioneers.

(3) The divisions must not be grouped under more than two army corps headquarters staffs.

The maintenance or formation of forces differently grouped or of other organisations for the command of troops or for preparation for war is forbidden.

The Great German General Staff and all similar organisations shall be dissolved and may not be reconstituted in any form.

The officers, or persons in the position of officers, in the Ministries of War in the different States in Germany and in the Administrations attached to them, must not exceed three hundred in number and are included in the maximum strength of four thousand laid down in the third sub-paragraph of paragraph (1) of this Article.

ARTICLE 161.

Army administrative services consisting of civilian personnel not included in the number of effectives prescribed by the present Treaty will have such personnel reduced in each class to one-tenth of that laid down in the Budget of 1913.

ARTICLE 162.

The number of employees or officials of the German States, such as customs officers, forest guards and coastguards, shall not exceed that of the employees or officials functioning in these capacities in 1913.

The number of gendarmes and employees or officials of the local or municipal police may only be increased to an extent corresponding to the increase of population since 1913 in the districts or municipalities in which they are employed.

These employees and officials may not be assembled for military training.

ARTICLE 163.

The reduction of the strength of the German military forces as provided for in Article 160 may be effected gradually in the following manner:

Within three months from the coming into force of the present Treaty the total number of effectives must be reduced to 200,000 and the number of units must not exceed twice the number of those laid down in Article 160.

At the expiration of this period, and at the end of each subsequent period of three months, a Conference of military experts of the Principal Allied and Associated Powers will fix the reductions to be made in the ensuing three months, so that by March 31, 1920, at the latest the total number of German effectives does not exceed the maximum number of 100,000 men laid down in Article 160. In these successive reductions the same ratio between the number of officers and of men, and between the various kinds of units, shall be maintained as is laid down in that Article.

CHAPTER II.

ARMAMENT, MUNITIONS AND MATERIAL.

ARTICLE 164.

Up till the time at which Germany is admitted as a member of the League of Nations the German Army must not possess an armament greater than the amounts fixed in Table No. II annexed to this Section, with the exception of an optional increase not exceeding one-twentyfifth part for small arms and one-fiftieth part for guns, which shall be exclusively used to provide for such eventual replacements as may be necessary.

Germany agrees that after she has become a member of the League of Nations the armaments fixed in the said Table shall remain in force until they are modified by the Council of the League. Furthermore she hereby agrees strictly to observe the decisions of the Council of the League on this subject.

ARTICLE 165.

The maximum number of guns, machine guns, trench-mortars, rifles and the amount of ammunition and equipment which Germany is allowed to maintain during the period between the coming into force of the present Treaty and the date of March 31, 1920, referred to in Article 160, shall bear the same proportion to the amount authorized in Table No. III annexed to this Section as the strength of the German Army as reduced from time to time in accordance with Article 163 bears to the strength permitted under Article 160.

ARTICLE 166.

At the date of March 31, 1920, the stock of munitions which the German Army may have at its disposal shall not exceed the amounts fixed in Table No. III annexed to this Section.

Within the same period the German Government will store these stocks at points to be notified to the Governments of the Principal Allied and Associated Powers. The German Government is forbidden to establish any other stocks, deposits or reserves of munitions.

ARTICLE 167.

The number and calibre of the guns constituting at the date of the coming into force of the present Treaty the armament of the fortified works, fortresses, and any land or coast forts which Germany is allowed to retain must be notified immediately by the German Government to the Governments of the Principal Allied and Associated Powers, and will constitute maximum amounts which may not be exceeded.

Within two months from the coming into force of the present Treaty, the maximum stock of ammunition for these guns will be reduced to, and maintained at, the following uniform rates:—fifteen hundred rounds per piece for those the calibre of which is 10.5 cm. and under: five hundred rounds per piece for those of higher calibre.

ARTICLE 168.

The manufacture of arms, munitions, or any war material, shall only be carried out in factories or works the location of

which shall be communicated to and approved by the Governments of the Principal Allied and Associated Powers, and the number of which they retain the right to restrict.

Within three months from the coming into force of the present Treaty, all other establishments for the manufacture, preparation, storage or design of arms, munitions, or any war material whatever shall be closed down. The same applies to all arsenals except those used as depots for the authorised stocks of munitions. Within the same period the personnel of these arsenals will be dismissed.

ARTICLE 169.

Within two months from the coming into force of the present Treaty German arms, munitions and war material, including anti-aircraft material, existing in Germany in excess of the quantities allowed, must be surrendered to the Governments of the Principal Allied and Associated Powers to be destroyed or rendered useless. This will also apply to any special plant intended for the manufacture of military material, except such as may be recognised as necessary for equipping the authorised strength of the German army.

The surrender in question will be effected at such points in German territory as may be selected by the said Governments.

Within the same period arms, munitions and war material, including anti-aircraft material, of origin other than German, in whatever state they may be, will be delivered to the said Governments, who will decide as to their disposal.

Arms and munitions which on account of the successive reductions in the strength of the German army become in excess of the amounts authorized by Tables II and III annexed to this Section must be handed over in the manner laid down above within such periods as may be decided by the Conferences referred to in Article 163.

ARTICLE 170.

Importation into Germany of arms, munitions and war material of every kind shall be strictly prohibited.

The same applies to the manufacture for, and export to, foreign countries of arms, munitions and war material of every kind.

ARTICLE 171.

The use of asphyxiating, poisonous or other gases and all analogous liquids, materials or devices being prohibited, their manufacture and importation are strictly forbidden in Germany.

The same applies to materials specially intended for the manufacture, storage and use of the said products or devices.

The manufacture and the importation into Germany of armoured cars, tanks and all similar constructions suitable for use in war are also prohibited.

ARTICLE 172.

Within a period of three months from the coming into force of the present Treaty, the German Government will disclose to the Governments of the Principal Allied and Associated Powers the nature and mode of manufacture of all explosives, toxic substances or other like chemical preparations used by them in the war or prepared by them for the purpose of being so used.

CHAPTER III.

RECRUITING AND MILITARY TRAINING.

ARTICLE 173.

Universal compulsory military service shall be abolished in Germany.

The German Army may only be constituted and recruited by means of voluntary enlistment.

ARTICLE 174.

The period of enlistment for non-commissioned officers and privates must be twelve consecutive years.

The number of men discharged for any reason before the expiration of their term of enlistment must not exceed in any year five per cent. of the total effectives fixed by the second sub-paragraph of paragraph (1) of Article 160 of the present Treaty.

ARTICLE 175.

The officers who are retained in the Army must undertake the obligation to serve in it up to the age of forty-five years at least.

Officers newly appointed must undertake to serve on the active list for twenty-five consecutive years at least.

Officers who have previously belonged to any formations whatever of the Army, and who are not retained in the units allowed to be maintained, must not take part in any military exercise whether theoretical or practical, and will not be under any military obligations whatever.

The number of officers discharged for any reason before the expiration of their term of service must not exceed in any year five per cent. of the total effectives of officers provided for in the third sub-paragraph (1) of Article 160 of the present Treaty.

ARTICLE 176.

On the expiration of two months from the coming into force of the present Treaty there must only exist in Germany the number of military schools which is absolutely indispensable for the recruitment of the officers of the units allowed. These schools will be exclusively intended for the recruitment of officers of each arm, in the proportion of one school per arm.

The number of students admitted to attend the courses of the said schools will be strictly in proportion to the vacancies to be filled in the cadres of officers. The students and the cadres will be reckoned in the effectives fixed by the second and third sub-paragraphs of paragraph (1) of Article 160 of the present Treaty.

Consequently, and during the period fixed above, all military academies or similar institutions in Germany, as well as the different military schools for officers, student officers (*Aspiranten*), cadets, non-commissioned officers or student non-commissioned officers (*Aspiranten*), other than the schools above provided for, will be abolished.

ARTICLE 177.

Educational establishments, the universities, societies of discharged soldiers, shooting or touring clubs and, generally speaking, associations of every description, whatever be the age of their members, must not occupy themselves with any military matters.

In particular they will be forbidden to instruct or exercise their members, or to allow them to be instructed or exercised, in the profession or use of arms.

These societies, associations, educational establishments and universities must have no connection with the Ministries of War or any other military authority.

ARTICLE 178.

All measures of mobilization or appertaining to mobilization are forbidden.

In no case must formations, administrative services or General Staffs include supplementary cadres.

ARTICLE 179.

Germany agrees, from the coming into force of the present Treaty, not to accredit nor to send to any foreign country any military, naval or air mission, nor to allow any such mission to leave her territory, and Germany further agrees to take appropriate measures to prevent German nationals from leaving her territory to become enrolled in the Army, Navy or Air service of any foreign Power, or to be attached to such Army, Navy or Air service for the purpose of assisting in the military, naval or air training thereof, or otherwise for the purpose of giving military, naval or air instruction in any foreign country.

The Allied and Associated Powers agree, so far as they are concerned, from the coming into force of the present Treaty, not to enrol in nor to attach to their armies or naval or air forces any German national for the purpose of assisting in the military training of such armies or naval or air forces, or otherwise to employ any such German national as military, naval or aeronautic instructor.

The present provision does not, however, affect the right of France to recruit for the Foreign Legion in accordance with French military laws and regulations.

CHAPTER IV.

FORTIFICATIONS.

ARTICLE 180.

All fortified works, fortresses and field works situated in German territory to the west of a line drawn fifty kilometres to the east of the Rhine shall be disarmed and dismantled.

Within a period of two months from the coming into force of the present Treaty such of the above fortified works, fortresses and field works as are situated in territory not occupied by Allied and Associated troops shall be disarmed, and within a further period of four months they shall be dismantled. Those which are situated in territory occupied by Allied and Associated troops shall be disarmed and dismantled within such periods as may be fixed by the Allied High Command.

The construction of any new fortification, whatever its nature and importance, is forbidden in the zone referred to in the first paragraph above.

The system of fortified works of the southern and eastern frontiers of Germany shall be maintained in its existing state.

TABLE No. I.

STATE AND ESTABLISHMENT OF ARMY CORPS HEADQUARTERS STAFFS AND OF INFANTRY AND CAVALRY DIVISIONS.

These tabular statements do not form a fixed establishment to be imposed on Germany, but the figures contained in them (number of units and strengths) represent maximum figures, which should not in any case be exceeded.

I.—ARMY CORPS HEADQUARTERS STAFFS.

Unit.	Maximum No. authorised.	Maximum strengths of each unit.	
		Officers.	N.C.O.'s and men.
Army Corps Headquarters Staff	2	30	150
Total for Headquarters Staffs	.....	60	300

II. ESTABLISHMENT OF AN INFANTRY DIVISION.

Unit.	Maximum No. of such units in a single division.	Maximum strengths of each unit.	
		Officers.	N.C.O.'s and men.
Headquarters of an infantry division	1	25	70
Headquarters of divisional infantry	1	4	30
Headquarters of divisional artillery	1	4	30
Regiment of infantry	3	70	2,300
(Each regiment comprises 3 battalions of infantry. Each battalion comprises 3 companies of infantry and 1 machine-gun company.)			
Trench mortar company	3	6	150
Divisional squadron	1	6	150
Field artillery regiment	1	85	1,300
(Each regiment comprises 3 groups of artillery. Each group comprises 3 batteries.)			
Pioneer battalion	1	12	400
(This battalion comprises 2 companies of pioneers, 1 pontoon detachment, 1 searchlight section.)			
Signal detachment	1	12	300
(This detachment comprises 1 telephone detachment, 1 listening section, 1 carrier pigeon section.)			
Divisional medical service	1	20	400
Parks and convoys	.....	14	800
Total for infantry division	.....	410	10,830

III. ESTABLISHMENT OF A CAVALRY DIVISION.

Unit.	Maximum No. of such units in a single division.	Maximum strengths of each unit.	
		Officers.	N.C.O.'s and men.
Headquarters of a cavalry division	1	15	50
Cavalry regiment	6	40	800
(Each regiment comprises 4 squadrons.)			
Horse artillery group (3 batteries)	1	20	400
Total for cavalry division	.....	275	5,250

TABLE No. II.

TABULAR STATEMENT OF ARMAMENT ESTABLISHMENT FOR A MAXIMUM OF SEVEN INFANTRY DIVISIONS, THREE CAVALRY DIVISIONS, AND TWO ARMY CORPS HEADQUARTERS STAFFS.

Material.	Infantry division. (1)	For 7 infantry divisions. (2)	Cavalry division. (3)	For 3 cavalry divisions. (4)	Two army corps headquarters staffs. (5)	Total of columns 2, 4, and 5. (6)
Rifles	12,000	84,000	.....	.....	This establishment must be drawn from the increased armaments of the divisional infantry.	84,000
Carbines	.....	.....	6,000	18,000		18,000
Heavy machine guns	108	756	12	36		792
Light machine guns	162	1,134	.....	.....		1,134
Medium trench mortars	9	63	.....	.....		63
Light trench mortars	27	189	.....	.....		189
7.7-cm. guns	24	168	12	36		204
10.5-cm. howitzers	12	84	.....	.....		84

TABLE No. III.

MAXIMUM STOCKS AUTHORIZED.

Material.	Maximum number of Arms authorised.	Establishment, per unit.	Maximum, totals.
		Rounds.	*Rounds.*
Rifles	84,000	400	40,800,000
Carbines	18,000		
Heavy machine guns	792	8,000	15,408,000
Light machine guns	1,134		
Medium trench mortars	63	400	25,200
Light trench mortars	189	800	151,200
Field artillery:			
7.7 cm. guns	204	1,000	204,000
10.5 cm. howitzers	84	800	67,200

SECTION II.

NAVAL CLAUSES.

ARTICLE 181.

After the expiration of a period of two months from the coming into force of the present Treaty the German naval forces in commission must not exceed:

6 battleships of the *Deutschland* or *Lothringen* type,
6 light cruisers,
12 destroyers,
12 torpedo boats,

or an equal number of ships constructed to replace them as provided in Article 190.

No submarines are to be included.

All other warships, except where there is provision to the contrary in the present Treaty, must be placed in reserve or devoted to commercial purposes.

ARTICLE 182.

Until the completion of the minesweeping prescribed by Article 193 Germany will keep in commission such number of minesweeping vessels as may be fixed by the Governments of the Principal Allied and Associated Powers.

ARTICLE 183.

After the expiration of a period of two months from the coming into force of the present Treaty the total personnel of the German Navy, including the manning of the fleet, coast defences, signal stations, administration and other land services, must not exceed fifteen thousand, including officers and men of all grades and corps.

The total strength of officers and warrant officers must not exceed fifteen hundred.

Within two months from the coming into force of the present Treaty the personnel in excess of the above strength shall be demobilized.

No naval or military corps or reserve force in connection with the Navy may be organised in Germany without being included in the above strength.

ARTICLE 184.

From the date of the coming into force of the present Treaty all the German surface warships which are not in German ports cease to belong to Germany, who renounces all rights over them.

Vessels which, in compliance with the Armistice of November 11, 1918, are now interned in the ports of the Allied and Associated Powers are declared to be finally surrendered.

Vessels which are now interned in neutral ports will be there surrendered to the Governments of the Principal Allied and Associated Powers. The German Government must address a notification to that effect to the neutral Powers on the coming into force of the present Treaty.

ARTICLE 185.

Within a period of two months from the coming into force of the present Treaty the German surface warships enumerated below will be surrendered to the Governments of the Principal Allied and Associated Powers in such Allied ports as the said Powers may direct.

These warships will have been disarmed as provided in Article XXIII of the Armistice of November 11, 1918. Nevertheless they must have all their guns on board.

BATTLESHIPS.

Oldenburg.
Thuringen.
Ostfriesland.
Helgoland.
Posen.
Westfalen.
Rheinland.
Nassau.

LIGHT CRUISERS.

Stettin.	*Stralsund.*
Danzig.	*Augsburg.*
München.	*Kolberg.*
Lübeck.	*Stuttgart.*

and, in addition, forty-two modern destroyers and fifty modern torpedo boats, as chosen by the Governments of the Principal Allied and Associated Powers.

ARTICLE 186.

On the coming into force of the present Treaty the German Government must undertake, under the supervision of the Governments of the Principal Allied and Associated Powers, the breaking-up of all the German surface warships now under construction.

ARTICLE 187.

The German auxiliary cruisers and fleet auxiliaries enumerated below will be disarmed and treated as merchant ships.

INTERRED IN NEUTRAL COUNTRIES:

Berlin.	*Seydlitz.*
Santa Fé.	*Yorck.*

IN GERMANY:

Ammon.	*Fürst Bülow.*
Answald.	*Gertrud.*
Bosnia.	*Kigoma.*
Cordoba.	*Rugia.*
Cassel.	*Santa Elena.*
Dania.	*Schleswig.*
Rio Negro.	*Möwe.*
Rio Pardo.	*Sierra Ventana.*
Santa Cruz.	*Chemnitz.*
Schwaben.	*Emil Georg von Strauss.*
Solingen.	*Habsburg.*
Steigerwald.	*Meteor.*
Franken.	*Waltraute.*
Gundomar.	*Scharnhorst.*

ARTICLE 188.

On the expiration of one month from the coming into force of the present Treaty all German submarines, submarine salvage vessels and docks for submarines, including the tubular dock, must have been handed over to the Governments of the Principal Allied and Associated Powers.

Such of these submarines, vessels and docks as are considered by the said Governments to be fit to proceed under their own power or to be towed shall be taken by the German Government into such Allied ports as have been indicated.

The remainder, and also those in course of construction, shall be broken up entirely by the German Government under the supervision of the said Governments. The breaking-up must be completed within three months at the most after the coming into force of the present Treaty.

ARTICLE 189.

Articles, machinery and material arising from the breaking-up of German warships of all kinds, whether surface vessels or submarines, may not be used except for purely industrial or commercial purposes. They may not be sold or disposed of to foreign countries.

ARTICLE 190.

Germany is forbidden to construct or acquire any warships other than those intended to replace the units in commission provided for in Article 181 of the present Treaty.

The warships intended for replacement purposes as above shall not exceed the following displacement:

Armoured ships	10,000 tons,
Light cruisers	6,000 tons,
Destroyers	800 tons,
Torpedo boats	200 tons.

Except where a ship has been lost, units of the different classes shall only be replaced at the end of a period of twenty years in the case of battleships and cruisers, and fifteen years in the case of destroyers and torpedo boats, counting from the launching of the ship.

ARTICLE 191.

The construction or acquisition of any submarine, even for commercial purposes, shall be forbidden in Germany.

ARTICLE 192.

The warships in commission of the German fleet must have on board or in reserve only the allowance of arms, munitions and war material fixed by the Principal Allied and Associated Powers.

Within a month from the fixing of the quantities as above, arms, munitions and war material of all kinds, including mines and torpedoes, now in the hands of the German Government and in excess of the said quantities, shall be surrendered to the Governments of the said Powers at places to be indicated by them. Such arms, munitions and war material will be destroyed or rendered useless.

All other stocks, depots or reserves of arms, munitions or naval war material of all kinds are forbidden.

The manufacture of these articles in German territory for, and their export to, foreign countries shall be forbidden.

ARTICLE 193.

On the coming into force of the present Treaty Germany will forthwith sweep up the mines in the following areas in the North Sea to the eastward of longitude 4° 00′ E. of Greenwich:

(1) Between parallels of latitude 53° 00′ N. and 59° 00′ N.;
(2) To the northward of latitude 60° 30′ N.

Germany must keep these areas free from mines.

Germany must also sweep and keep free from mines such areas in the Baltic as may ultimately be notified by the Governments of the Principal Allied and Associated Powers.

ARTICLE 194.

The personnel of the German Navy shall be recruited entirely by voluntary engagements entered into for a minimum period of twenty-five consecutive years for officers and warrant officers; twelve consecutive years for petty officers and men.

The number engaged to replace those discharged for any reason before the expiration of their term of service must not exceed five per cent. per annum of the totals laid down in this Section (Article 183).

The personnel discharged from the Navy must not receive any kind of naval or military training or undertake any further service in the Navy or Army.

Officers belonging to the German Navy and not demobilised must engage to serve till the age of forty-five, unless discharged for sufficient reasons.

No officer or man of the German mercantile marine shall receive any training in the Navy.

ARTICLE 195.

In order to ensure free passage into the Baltic to all nations, Germany shall not erect any fortifications in the area comprised between latitudes 55° 27′ N. and 54° 00′ N. and longitudes 9° 00′ E. and 16° 00′ E. of the meridian of Greenwich, nor instal any guns commanding the maritime routes between the North Sea and the Baltic. The fortifications now existing in this area shall be demolished and the guns removed under the supervisions of the Allied Governments and in periods to be fixed by them.

The German Government shall place at the disposal of the Governments of the Principal Allied and Associated Powers all hydrographical information now in its possession concerning the channels and adjoining waters between the Baltic and the North Sea.

ARTICLE 196.

All fortified works and fortifications, other than those mentioned in Section XIII (Heligoland) of Part III (Political Clauses for Europe) and in Article 195, now established within fifty kilometres of the German coast or on German islands off that coast shall be considered as of a defensive nature and may remain in their existing condition.

No new fortifications shall be constructed within these limits. The armament of these defences shall not exceed, as regards the number and calibre of guns, those in position at the date of the coming into force of the present Treaty. The German Government shall communicate forthwith particulars thereof to all the European Governments.

On the expiration of a period of two months from the coming into force of the present Treaty the stocks of ammunition for these guns shall be reduced to and maintained at a maximum figure of fifteen hundred rounds per piece for calibres of 4.1-inch and under, and five hundred rounds per piece for higher calibres.

ARTICLE 197.

During the three months following the coming into force of the present Treaty the German high-power wireless telegraphy stations at Nauen, Hanover and Berlin shall not be used for the transmission of messages concerning naval, military or political questions of interest to Germany or any State which has been allied to Germany in the war, without the assent of the Governments of the Principal Allied and Associated Powers. These stations may be used for commercial purposes, but only under the supervision of the said Governments, who will decide the wave-length to be used.

During the same period Germany shall not build any more high-power wireless telegraphy stations in her own territory or that of Austria, Hungary, Bulgaria or Turkey.

SECTION III.

AIR CLAUSES.

ARTICLE 198.

The armed forces of Germany must not include any military or naval air forces.

Germany may, during a period not extending beyond October 1, 1919, maintain a maximum number of one hundred seaplanes or flying boats, which shall be exclusively employed in searching for submarine mines, shall be furnished with the necessary equipment for this purpose, and shall in no case carry arms, munitions or bombs of any nature whatever.

In addition to the engines installed in the seaplanes or flying boats above mentioned, one spare engine may be provided for each engine of each of these craft.

No dirigible shall be kept.

ARTICLE 199.

Within two months from the coming into force of the present Treaty the personnel of air forces on the rolls of the German land and sea forces shall be demobilised. Up to October 1, 1919, however, Germany may keep and maintain a total number of one thousand men, including officers, for the whole of the cadres and personnel, flying and non-flying, of all formations and establishments.

ARTICLE 200.

Until the complete evacuation of German territory by the Allied and Associated troops, the aircraft of the Allied and Associated Powers shall enjoy in Germany freedom of passage through the air, freedom of transit and of landing.

ARTICLE 201.

During the six months following the coming into force of the present Treaty, the manufacture and importation of aircraft, parts of aircraft, engines for aircraft, and parts of engines for aircraft, shall be forbidden in all German territory.

ARTICLE 202.

On the coming into force of the present Treaty, all military and naval aeronautical material, except the machines mentioned in the second and third paragraphs of Article 198, must be delivered to the Governments of the Principal Allied and Associated Powers.

Delivery must be effected at such places as the said Governments may select, and must be completed within three months.

In particular, this material will include all items under the following heads which are or have been in use or were designed for warlike purposes:

Complete aeroplanes and seaplanes, as well as those being manufactured, repaired or assembled.

Dirigibles able to take the air, being manufactured, repaired or assembled.

Plant for the manufacture of hydrogen.

Dirigible sheds and shelters of every kind for aircraft.

Pending their delivery, dirigibles will, at the expense of Germany, be maintained inflated with hydrogen; the plant for the manufacture of hydrogen, as well as the sheds for dirigibles, may, at the discretion of the said Powers, be left to Germany until the time when the dirigibles are handed over.

Engines for aircraft.

Nacelles and fuselages.

Armament (guns, machine guns, light machine guns, bomb-dropping apparatus, torpedo-dropping apparatus, synchronization apparatus, aiming apparatus).

Munitions (cartridges, shells, bombs loaded or unloaded, stocks of explosives or of material for their manufacture).

Instruments for use on aircraft.

Wireless apparatus and photographic or cinematograph apparatus for use on aircraft.

Component parts of any of the items under the preceding heads.

The material referred to above shall not be removed without special permission from the said Governments.

SECTION IV.

INTER-ALLIED COMMISSIONS OF CONTROL.

ARTICLE 203.

All the military, naval and air clauses contained in the present Treaty, for the execution of which a time-limit is prescribed, shall be executed by Germany under the control of Inter-Allied Commissions specially appointed for this purpose by the Principal Allied and Associated Powers.

ARTICLE 204.

The Inter-Allied Commissions of Control will be specially charged with the duty of seeing to the complete execution of the delivery, destruction, demolition and rendering things useless to be carried out at the expense of the German Government in accordance with the present Treaty.

They will communicate to the German authorities the decisions which the Principal Allied and Associated Powers have reserved the right to take, or which the execution of the military, naval and air clauses may necessitate.

ARTICLE 205.

The Inter-Allied Commissions of Control may establish their organisations at the seat of the central German Government.

They shall be entitled as often as they think desirable to proceed to any point whatever in German territory, or to send subcommissions, or to authorize one or more of their members to go, to any such point.

ARTICLE 206.

The German Government must give all necessary facilities for the accomplishment of their missions to the Inter-Allied Commissions of Control and to their members.

It shall attach a qualified representative to each Inter-Allied Commission of Control for the purpose of receiving the communications which the Commission may have to address to the German Government and of supplying or procuring for the Commission all information or documents which may be required.

The German Government must in all cases furnish at its own cost all labour and material required to effect the deliveries and the works of destruction, dismantling, demolition, and of rendering things useless, provided for in the present Treaty.

ARTICLE 207.

The upkeep and cost of the Commissions of Control and the expenses involved by their work shall be borne by Germany.

ARTICLE 208.

The Military Inter-Allied Commission of Control will represent the Governments of the Principal Allied and Associated Powers in dealing with the German Government in all matters concerning the execution of the military clauses.

In particular it will be its duty to receive from the German Government the notifications relating to the location of the stocks and depots of munitions, the armament of the fortified works, fortresses and forts which Germany is allowed to retain, and the location of the works or factories for the production of arms, munitions and war material and their operations.

It will take delivery of the arms, munitions and war material, will select the points where such delivery is to be effected and will supervise the works of destruction, demolition, and of rendering things useless, which are to be carried out in accordance with the present Treaty.

The German Government must furnish to the Military Inter-Allied Commission of Control all such information and documents as the latter may deem necessary to ensure the complete execution of the military clauses, and in particular all legislative and administrative documents and regulations.

ARTICLE 209.

The Naval Inter-Allied Commission of Control will represent the Governments of the Principal Allied and Associated Powers in dealing with the German Government in all matters concerning the execution of the naval clauses.

In particular it will be its duty to proceed to the building yards and to supervise the breaking-up of the ships which are under construction there, to take delivery of all surface ships or submarines, salvage ships, docks and the tubular docks, and to supervise the destruction and breaking-up provided for.

The German Government must furnish to the Naval Inter-Allied Commission of Control all such information and documents as the Commission may deem necessary to ensure the complete execution of the naval clauses, in particular the designs of the warships, the composition of their armaments, the details and models of the guns, munitions, torpedoes, mines, explosives, wireless telegraphic apparatus and, in general, everything relating to naval war material, as well as all legislative or administrative documents or regulations.

ARTICLE 210.

The Aeronautical Inter-Allied Commission of Control will represent the Governments of the Principal Allied and Associated Powers in dealing with the German Government in all matters concerning the execution of the air clauses.

In particular it will be its duty to make an inventory of the aeronautical material existing in German territory, to inspect

aeroplane, balloon and motor manufactories, and factories producing arms, munitions and explosives capable of being used by aircraft, to visit all aerodromes, sheds, landing grounds, parks and depots, to authorise, where necessary, a removal of material and to take delivery of such material.

The German Government must furnish to the Aeronautical Inter-Allied Commission of Control all such information and legislative, administrative or other documents which the Commission may consider necessary to ensure the complete execution of the air clauses, and in particular a list of the personnel belonging to all the German Air Services, and of the existing material, as well as of that in process of manufacture or on order, and a list of all establishments working for aviation, of their positions, and of all sheds and landing grounds.

SECTION V.

GENERAL ARTICLES.

ARTICLE 211.

After the expiration of a period of three months from the coming into force of the present Treaty, the German laws must have been modified and shall be maintained by the German Government in conformity with this Part of the present Treaty.

Within the same period all the administrative or other measures relating to the execution of this Part of the Treaty must have been taken.

ARTICLE 212.

The following portions of the Armistice of November 11, 1918: Article VI, the first two and the sixth and seventh paragraphs of Article VII; Article IX; Clauses I, II and V of Annex n° 2, and the Protocol, dated April 4, 1919, supplementing the Armistice of November 11, 1918, remain in force so far as they are not inconsistent with the above stipulations.

ARTICLE 213.

So long as the present Treaty remains in force, Germany undertakes to give every facility for any investigation which the Council of the League of Nations, acting if need be by a majority vote, may consider necessary.

PART VI.

PRISONERS OF WAR AND GRAVES.

SECTION I.

PRISONERS OF WAR.

ARTICLE 214.

The repatriation of prisoners of war and interned civilians shall take place as soon as possible after the coming into force of the present Treaty and shall be carried out with the greatest rapidity.

ARTICLE 215.

The repatriation of German prisoners of war and interned civilians shall, in accordance with Article 214, be carried out by a Commission composed of representatives of the Allied and Associated Powers on the one part and of the German Government on the other part.

For each of the Allied and Associated Powers a Sub-Commission, composed exclusively of Representatives of the interested Power and of Delegates of the German Government, shall regulate the details of carrying into effect the repatriation of the prisoners of war.

ARTICLE 216.

From the time of their delivery into the hands of the German authorities the prisoners of war and interned civilians are to be returned without delay to their homes by the said authorities.

Those amongst them who before the war were habitually resident in territory occupied by the troops of the Allied and Associated Powers are likewise to be sent to their homes, subject to the consent and control of the military authorities of the Allied and Associated armies of occupation.

ARTICLE 217.

The whole cost of repatriation from the moment of starting shall be borne by the German Government who shall also provide the land and sea transport and staff considered necessary by the Commission referred to in Article 215.

ARTICLE 218.

Prisoners of war and interned civilians awaiting disposal or undergoing sentence for offences against discipline shall be repatriated irrespective of the completion of their sentence or of the proceedings pending against them.

This stipulation shall not apply to prisoners of war and interned civilians punished for offences committed subsequent to May 1, 1919.

During the period pending their repatriation all prisoners of war and interned civilians shall remain subject to the existing regulations, more especially as regards work and discipline.

ARTICLE 219.

Prisoners of war and interned civilians who are awaiting disposal or undergoing sentence for offences other than those against discipline may be detained.

ARTICLE 220.

The German Government undertakes to admit to its territory without distinction all persons liable to repatriation.

Prisoners of war or other German nationals who do not desire to be repatriated may be excluded from repatriation; but the Allied and Associated Governments reserve to themselves the right either to repatriate them or to take them to a neutral country or to allow them to reside in their own territories.

The German Government undertakes not to institute any exceptional proceedings against these persons or their families nor to take any repressive or vexatious measures of any kind whatsoever against them on this account.

ARTICLE 221.

The Allied and Associated Governments reserve the right to make the repatriation of German prisoners of war or German nationals in their hands conditional upon the immediate notification and release by the German Government of any prisoners of war who are nationals of the Allied and Associated Powers and may still be in Germany.

ARTICLE 222.

Germany undertakes:

(1) To give every facility to Commissions to enquire into the cases of those who cannot be traced; to furnish such Commissions with all necessary means of transport; to allow them access to camps, prisons, hospitals and all other places; and to place at their disposal all documents, whether public or private, which would facilitate their enquiries;

(2) To impose penalties upon any German officials or private persons who have concealed the presence of any nationals of any of the Allied and Associated Powers or have neglected to reveal the presence of any such after it had come to their knowledge.

ARTICLE 223.

Germany undertakes to restore without delay from the date of the coming into force of the present Treaty all articles, money, securities and documents which have belonged to nationals of the Allied and Associated Powers and which have been retained by the German authorities.

ARTICLE 224.

The High Contracting Parties waive reciprocally all repayment of sums due for the maintenance of prisoners of war in their respective territories.

SECTION II.

GRAVES.

ARTICLE 225.

The Allied and Associated Governments and the German Government will cause to be respected and maintained the graves of the soldiers and sailors buried in their respective territories.

They agree to recognise any commission appointed by an Allied or Associated Government for the purpose of identifying, registering, caring for or erecting suitable memorials over the said graves and to facilitate the discharge of its duties.

Furthermore they agree to afford, so far as the provisions of their laws and the requirements of public health allow, every facility for giving effect to requests that the bodies of their soldiers and sailors may be transferred to their own country.

ARTICLE 226.

The graves of prisoners of war and interned civilians who are nationals of the different belligerent States and have died in captivity shall be properly maintained in accordance with Article 225 of the present Treaty.

The Allied and Associated Governments on the one part and the German Government on the other part reciprocally undertake also to furnish to each other:

(1) A complete list of those who have died, together with all information useful for identification;

(2) All information as to the number and position of the graves of all those who have been buried without identification.

PART VII.

PENALTIES.

ARTICLE 227.

The Allied and Associated Powers publicly arraign William II of Hohenzollern, formerly German Emperor, for a supreme offence against international morality and the sanctity of treaties.

A special tribunal will be constituted to try the accused, thereby assuring him the guarantees essential to the right of defence. It will be composed of five judges, one appointed by each of the following Powers: namely, the United States of America, Great Britain, France, Italy and Japan.

In its decision the tribunal will be guided by the highest motives of international policy, with a view to vindicating the solemn obligations of international undertakings and the validity of international morality. It will be its duty to fix the punishment which it considers should be imposed.

The Allied and Associated Powers will address a request to the Government of the Netherlands for the surrender to them of the ex-Emperor in order that he may be put on trial.

ARTICLE 228.

The German Government recognizes the right of the Allied and Associated Powers to bring before military tribunals persons accused of having committed acts in violation of the laws and customs of war. Such persons shall, if found guilty, be sentenced to punishments laid down by law. This provision will apply notwithstanding any proceedings or prosecution before a tribunal in Germany or in the territory of her allies.

The German Government shall hand over to the Allied and Associated Powers, or to such one of them as shall so request, all persons accused of having committed an act in violation of the laws and customs of war, who are specified either by name or by the rank, office or employment which they held under the German authorities.

ARTICLE 229.

Persons guilty of criminal acts against the nationals of one of the Allied and Associated Powers will be brought before the military tribunals of that Power.

Persons guilty of criminal acts against the nationals of more than one of the Allied and Associated Powers will be brought before military tribunals composed of members of the military tribunals of the Powers concerned.

In every case the accused will be entitled to name his own counsel.

ARTICLE 230.

The German Government undertakes to furnish all documents and information of every kind, the production of which may be considered necessary to ensure the full knowledge of the incriminating acts, the discovery of offenders and the just appreciation of responsibility.

PART VIII.

REPARATION.

SECTION I.

GENERAL PROVISIONS.

ARTICLE 231.

The Allied and Associated Governments affirm and Germany accepts the responsibility of Germany and her allies for causing all the loss and damage to which the Allied and Associated Governments and their nationals have been subjected as a consequence of the war imposed upon them by the aggression of Germany and her allies.

ARTICLE 232.

The Allied and Associated Governments recognize that the resources of Germany are not adequate, after taking into account permanent diminutions of such resources which will result from other provisions of the present Treaty, to make complete reparation for all such loss and damage.

The Allied and Associated Governments, however, require, and Germany undertakes, that she will make compensation for all damage done to the civilian population of the Allied and Associated Powers and to their property during the period of the belligerency of each as an Allied or Associated Power against Germany by such aggression by land, by sea and from the air, and in general all damage as defined in Annex I hereto.

In accordance with Germany's pledges, already given, as to complete restoration for Belgium, Germany undertakes, in addition to the compensation for damage elsewhere in this Part provided for, as a consequence of the violation of the Treaty of 1839, to make reimbursement of all sums which Belgium has borrowed from the Allied and Associated Governments up to November 11, 1918, together with interest at the rate of five per cent. (5%) per annum on such sums. This amount shall be determined by the Reparation Commission, and the German Government undertakes thereupon forthwith to make a special issue of bearer bonds to an equivalent amount payable in marks gold, on May 1, 1926, or, at the option of the German Government, on the 1st of May in any year up to 1926. Subject to the foregoing, the form of such bonds shall be determined by the Reparation Commission. Such bonds shall be handed over to the Reparation Commission, which has authority to take and acknowledge receipt thereof on behalf of Belgium.

ARTICLE 233.

The amount of the above damage for which compensation is to be made by Germany shall be determined by an Inter-Allied Commission, to be called the *Reparation Commission* and constituted in the form and with the powers set forth hereunder and in Annexes II to VII inclusive hereto.

This Commission shall consider the claims and give to the German Government a just opportunity to be heard.

The findings of the Commission as to the amount of damage defined as above shall be concluded and notified to the German Government on or before May 1, 1921, as representing the extent of that Government's obligations.

The Commission shall concurrently draw up a schedule of payments prescribing the time and manner for securing and discharging the entire obligation within a period of thirty years from May 1, 1921. If, however, within the period mentioned, Germany fails to discharge her obligations, any balance remaining unpaid may, within the discretion of the Commission, be postponed for settlement in subsequent years, or may be handled otherwise in such manner as the Allied and Associated Governments, acting in accordance with the procedure laid down in this Part of the present Treaty, shall determine.

ARTICLE 234.

The Reparation Commission shall after May 1, 1921, from time to time, consider the resources and capacity of Germany, and, after giving her representatives a just opportunity to be heard, shall have discretion to extend the date, and to modify the form of payments, such as are to be provided for in accordance with Article 233; but not to cancel any part, except with the specific authority of the several Governments represented upon the Commission.

ARTICLE 235.

In order to enable the Allied and Associated Powers to proceed at once to the restoration of their industrial and economic life, pending the full determination of their claims, Germany shall pay in such instalments and in such manner (whether in gold, commodities, ships, securities or otherwise) as the Reparation Commission may fix, during 1919, 1920 and the first four months of 1921, the equivalent of 20,000,000,000 gold marks. Out of this sum the expenses of the armies of occupation subsequent to the Armistice of November 11, 1918, shall first be met, and such supplies of food and raw materials as may be judged by the Governments of the Principal Allied and Associated Powers to be essential to enable Germany to meet her obligations for reparation may also, with the approval of the said Governments, be paid for out of the above sum. The balance shall be reckoned towards liquidation of the amounts due for reparation. Germany shall further deposit bonds as prescribed in paragraph 12 (*c*) of Annex II hereto.

ARTICLE 236.

Germany further agrees to the direct application of her economic resources to reparation as specified in Annexes, III, IV, V, and VI, relating respectively to merchant shipping, to physical restoration, to coal and derivatives of coal, and to dyestuffs and other chemical products; provided always that the value of the property transferred and any services rendered by her under these Annexes, assessed in the manner therein prescribed, shall be credited to her towards liquidation of her obligations under the above Articles.

ARTICLE 237.

The successive instalments, including the above sum, paid over by Germany in satisfaction of the above claims will be divided by the Allied and Associated Governments in proportions which have been determined upon by them in advance on a basis of general equity and of the rights of each.

For the purposes of this division the value of property transferred and services rendered under Article 243, and under Annexes III, IV, V, VI, and VII, shall be reckoned in the same manner as cash payments effected in that year.

ARTICLE 238.

In addition to the payments mentioned above Germany shall effect, in accordance with the procedure laid down by the Reparation Commission, restitution in cash of cash taken away, seized or sequestrated, and also restitution of animals, objects of every nature and securities taken away, seized or sequestrated, in the cases in which it proves possible to identify them in territory belonging to Germany or her allies.

Until this procedure is laid down, restitution will continue in accordance with the provisions of the Armistice of November 11, 1918, and its renewals and the Protocols thereto.

ARTICLE 239.

The German Government undertakes to make forthwith the restitution contemplated by Article 238 and to make the payments and deliveries contemplated by Articles 233, 234, 235 and 236.

ARTICLE 240.

The German Government recognizes the Commission provided for by Article 233 as the same may be constituted by the Allied and Associated Governments in accordance with Annex II, and agrees irrevocably to the possession and exercise by such Commission of the power and authority given to it under the present Treaty.

The German Government will supply to the Commission all the information which the Commission may require relative to the financial situation and operations and to the property, productive capacity, and stocks and current production of raw materials and manufactured articles of Germany and her nationals, and further any information relative to military operations which in the judgment of the Commission may be necessary for the assessment of Germany's liability for reparation as defined in Annex I.

The German Government will accord to the members of the Commission and its authorised agents the same rights and immunities as are enjoyed in Germany by duly accredited diplomatic agents of friendly Powers.

Germany further agrees to provide for the salaries and expenses of the Commission and of such staff as it may employ.

ARTICLE 241.

Germany undertakes to pass, issue and maintain in force any legislation, orders and decrees that may be necessary to give complete effect to these provisions.

ARTICLE 242.

The provisions of this Part of the present Treaty do not apply to the property, rights and interests referred to in Sections III and IV of Part X (Economic Clauses) of the present Treaty, nor to the product of their liquidation, except so far as concerns any final balance in favour of Germany under Article 243 (*a*).

ARTICLE 243.

The following shall be reckoned as credits to Germany in respect of her reparation obligations:

(*a*) Any final balance in favour of Germany under Section V (Alsace-Lorraine) of Part III (Political Clauses for Europe) and Sections III and IV of Part X (Economic Clauses) of the present Treaty;

(*b*) Amounts due to Germany in respect of transfers under Section IV (Saar Basin) of Part III (Political Clauses for Europe), Part IX (Financial Clauses), and Part XII (Ports, Waterways and Railways);

(*c*) Amounts which in the judgment of the Reparation Commission should be credited to Germany on account of any other transfers under the present Treaty of property, rights, concessions or other interests.

In no case however shall credit be given for property restored in accordance with Article 238 of the present Part.

ARTICLE 244.

The transfer of the German submarine cables which do not form the subject of particular provisions of the present Treaty is regulated by Annex VII hereto.

ANNEX I.

Compensation may be claimed from Germany under Article 232 above in respect of the total damage under the following categories:

(1) Damage to injured persons and to surviving dependents by personal injury to or death of civilians caused by acts of war, including bombardments or other attacks on land, on sea, or from the air, and all the direct consequences thereof, and of all operations of war by the two groups of belligerents wherever arising.

(2) Damage caused by Germany or her allies to civilian victims of acts of cruelty, violence or maltreatment (including injuries to life or health as a consequence of imprisonment, deportation, internment or evacuation, of exposure at sea or of being forced to labour), wherever arising, and to the surviving dependents of such victims.

(3) Damage caused by Germany or her allies in their own territory or in occupied or invaded territory to civilian victims of all acts injurious to health or capacity to work, or to honour, as well as to the surviving dependents of such victims.

(4) Damage caused by any kind of maltreatment of prisoners of war.

(5) As damage caused to the peoples of the Allied and Associated Powers, all pensions and compensation in the nature of pensions to naval and military victims of war (including members of the air force), whether mutilated, wounded, sick or invalided, and to the dependents of such victims, the amount due to the Allied and Associated Governments being calculated for each of them as being the capitalised cost of such pensions and compensation at the date of the coming into force of the present Treaty on the basis of the scales in force in France at such date.

(6) The cost of assistance by the Government of the Allied and Associated Powers to prisoners of war and to their families and dependents.

(7) Allowances by the Governments of the Allied and Associated Powers to the families and dependents of mobilised persons or persons serving with the forces, the amount due to them for each calendar year in which hostilities occurred being calculated for each Government on the basis of the average scale for such payments in force in France during that year.

(8) Damage caused to civilians by being forced by Germany or her allies to labour without just remuneration.

(9) Damage in respect of all property wherever situated belonging to any of the Allied or Associated States or their nationals, with the exception of naval and military works or materials, which has been carried off, seized, injured or destroyed by the acts of Germany or her allies on land, on sea or from the air, or damage directly in consequence of hostilities or of any operations of war.

(10) Damage in the form of levies, fines and other similar exactions imposed by Germany or her allies upon the civilian population.

ANNEX II.

1.

The Commission referred to in Article 233 shall be called "The Reparation Commission" and is hereinafter referred to as "the Commission."

2.

Delegates to this Commission shall be nominated by the United States of America, Great Britain, France, Italy, Japan, Belgium and the Serb-Croat-Slovene State. Each of these Powers will appoint one Delegate and also one Assistant Delegate, who will take his place in case of illness or necessary absence, but at other times will only have the right to be present at proceedings without taking any part therein.

On no occasion shall the Delegates of more than five of the above Powers have the right to take part in the proceedings of the Commission and to record their votes. The Delegates of the United States, Great Britain, France and Italy shall have this right on all occasions. The Delegate of Belgium shall have this right on all occasions other than those referred to below. The Delegate of Japan shall have this right on occasions when questions relating to damage at sea, and questions arising under Article 260 of Part IX (Financial Clauses) in which Japanese interests are concerned, are under consideration. The Delegate of the Serb-Croat-Slovene State shall have this right when questions relating to Austria, Hungary or Bulgaria are under consideration.

Each Government represented on the Commission shall have the right to withdraw therefrom upon twelve months notice filed with the Commission and confirmed in the course of the sixth month after the date of the original notice.

3.

Such of the other Allied and Associated Powers as may be interested shall have the right to appoint a Delegate to be present and act as Assessor only while their respective claims and interests are under examination or discussion, but without the right to vote.

4.

In case of the death, resignation or recall of any Delegate, Assistant Delegate or Assessor, a successor to him shall be nominated as soon as possible.

5.

The Commission will have its principal permanent Bureau in Paris and will hold its first meeting in Paris as soon as practicable after the coming into force of the present Treaty, and thereafter will meet in such place or places and at such time as it may deem convenient and as may be necessary for the most expeditious discharge of its duties.

6.

At its first meeting the Commission shall elect, from among the Delegates referred to above, a Chairman and a Vice-Chairman, who shall hold office for one year and shall be eligible for re-election. If a vacancy in the Chairmanship or Vice-Chairmanship should occur during the annual period, the Commission shall proceed to a new election for the remainder of the said period.

7.

The Commission is authorised to appoint all necessary officers, agents and employees who may be required for the execution of its functions, and to fix their remuneration; to constitute committees, whose members need not necessarily be members of the Commission, and to take all executive steps necessary for the purpose of discharging its duties; and to delegate authority and discretion to officers, agents and committees.

8.

All proceedings of the Commission shall be private, unless, on particular occasions, the Commission shall otherwise determine for special reasons.

9.

The Commission shall be required, if the German Government so desire, to hear, within a period which it will fix from time to time, evidence and arguments on the part of Germany on any question connected with her capacity to pay.

10.

The Commission shall consider the claims and give to the German Government a just opportunity to be heard, but not to take any part whatever in the decisions of the Commission. The Commission shall afford a similar opportunity to the allies of Germany, when it shall consider that their interests are in question.

11.

The Commission shall not be bound by any particular code or rules of law or by any particular rule of evidence or of procedure, but shall be guided by justice, equity and good faith. Its decisions must follow the same principles and rules in all cases where they are applicable. It will establish rules relating to methods of proof of claims. It may act on any trustworthy modes of computation.

12.

The Commission shall have all the powers conferred upon it, and shall exercise all the functions assigned to it, by the present Treaty.

The Commission shall in general have wide latitude as to its control and handling of the whole reparation problem as dealt with in this Part of the present Treaty and shall have authority to interpret its provisions. Subject to the provisions of the present Treaty, the Commission is constituted by the several Allied and Associated Governments referred to in paragraphs 2 and 3 above as the exclusive agency of the said Governments respectively for receiving, selling, holding, and distributing the reparation payments to be made by Germany under this Part of the present Treaty. The Commission must comply with the following conditions and provisions:

(*a*) Whatever part of the full amount of the proved claims is not paid in gold, or in ships, securities and commodities or otherwise, Germany shall be required, under such conditions as the Commission may determine, to cover by way of guarantee by an equivalent issue of bonds, obligations or otherwise, in order to constitute an acknowledgment of the said part of the debt.

(*b*) In periodically estimating Germany's capacity to pay, the Commission shall examine the German system of taxation, first, to the end that the sums for reparation which Germany is required to pay shall become a charge upon all her revenues prior to that for the service or discharge of any domestic loan, and secondly, so as to satisfy itself that, in general, the German scheme of taxation is fully as heavy proportionately as that of any of the Powers represented on the Commission.

(*c*) In order to facilitate and continue the immediate restoration of the economic life of the Allied and Associated countries, the Commission will as provided in Article 235 take from Germany by way of security for and acknowledgment of her debt a first instalment of gold bearer bonds free of all taxes and charges of every description established or to be established by the Government of the German Empire or of the German States, or by any authority subject to them; these bonds will be delivered on account and in three portions, the marks gold being payable in conformity with Article 262 of Part IX (Financial Clauses) of the present Treaty as follows:

(1) To be issued forthwith, 20,000,000,000 Marks gold bearer bonds, payable not later than May 1, 1921, without interest. There shall be specially applied towards the amortisation of these bonds the payments which Germany is pledged to make in conformity with Article 235, after deduction of the sums used for the reimbursement of expenses of the armies of occupation and for payment of foodstuffs and raw materials. Such bonds as have not been redeemed by May 1, 1921, shall then be exchanged or new bonds of the same type as those provided for below (paragraph 12, *c*, (2)).

(2) To be issued forthwith, further 40,000,000,000 Marks gold bearer bonds, bearing interest at 2½ per cent. per annum between 1921 and 1926, and thereafter at 5 per cent. per annum with an additional 1 per cent. for amortisation beginning in 1926 on the whole amount of the issue.

(3) To be delivered forthwith a covering undertaking in writing to issue when, but not until, the Commission is satisfied that Germany can meet such interest and sinking fund obligations, a further instalment of 40,000,000,000 Marks gold 5 per cent. bearer bonds, the time and mode of payment of principal and interest to be determined by the Commission.

The dates for payment of interest, the manner of applying the amortisation fund, and all other questions relating to the issue, management and regulation of the bond issue shall be determined by the Commission from time to time.

Further issues by way of acknowledgment and security may be required as the Commission subsequently determines from time to time.

(*d*) In the event of bonds, obligations or other evidence of indebtedness issued by Germany by way of security for or acknowledgment of her reparation debt being disposed of outright, not by way of pledge, to persons other than the several Governments in whose favour Germany's original reparation indebtedness was created, an amount of such reparation indebtedness shall be deemed to be extinguished corresponding to the nominal value of the bonds, etc., so disposed of outright, and the obligation of Germany in respect of such bonds shall be confined to her liabilities to the holders of the bonds, as expressed upon their face.

(*e*) The damage for repairing, reconstructing and rebuilding property in the invaded and devastated districts, including reinstallation of furniture, machinery and other equipment, will be calculated according to the cost at the dates when the work is done.

(*f*) Decisions of the Commission relating to the total or partial cancellation of the capital or interest of any verified debt of Germany must be accompanied by a statement of its reasons.

13.

As to voting, the Commission will observe the following rules:

When a decision of the Commission is taken, the votes of all the Delegates entitled to vote, or in the absence of any of them, of their Assistant Delegates, shall be recorded. Abstention from voting is to be treated as a vote against the proposal under discussion. Assessors have no vote.

On the following questions unanimity is necessary:

(*a*) Questions involving the sovereignty of any of the Allied and Associated Powers, or the cancellation of the whole or any part of the debt or obligations of Germany;

(*b*) Questions of determining the amount and conditions of bonds or other obligations to be issued by the German Government and of fixing the time and manner for selling, negotiating or distributing such bonds;

(*c*) Any postponement, total or partial, beyond the end of 1930, of the payment of instalments falling due between May 1, 1921, and the end of 1926 inclusive;

(*d*) Any postponement, total or partial, of any instalment falling due after 1926 for a period exceeding three years;

(*e*) Questions of applying in any particular case a method of measuring damages different from that which has been previously applied in a similar case;

(*f*) Questions of the interpretation of the provisions of this Part of the present Treaty.

All other questions shall be decided by the vote of a majority.

In case of any difference of opinion among the Delegates, which cannot be solved by reference to their Governments,

upon the question whether a given case is one which requires a unanimous vote for its decision or not, such difference shall be referred to the immediate arbitration of some impartial person to be agreed upon by their Governments, whose award the Allied and Associated Governments agree to accept.

14.

Decisions of the Commission, in accordance with the powers conferred upon it, shall forthwith become binding and may be put into immediate execution without further proceedings.

15.

The Commission will issue to each of the interested Powers, in such form as the Commission shall fix:

(1) A certificate stating that it holds for the account of the said Power bonds of the issues mentioned above, the said certificate, on the demand of the Power concerned, being divisible in a number of parts not exceeding five;

(2) From time to time certificates stating the goods delivered by Germany on account of her reparation debt which it holds for the account of the said Power.

The said certificates shall be registered, and upon notice to the Commission, may be transferred by endorsement.

When bonds are issued for sale or negotiation, and when goods are delivered by the Commission, certificates to an equivalent value must be withdrawn.

16.

Interest shall be debited to Germany as from May 1, 1921, in respect of her debt as determined by the Commission, after allowing for sums already covered by cash payments or their equivalent, or by bonds issued to the Commission, or under Article 243. The rate of interest shall be 5 per cent. unless the Commission shall determine at some future time that circumstances justify a variation of this rate.

The Commission, in fixing on May 1, 1921, the total amount of the debt of Germany, may take account of interest due on sums arising out of the reparation of material damage as from November 11, 1918, up to May 1, 1921.

17.

In case of default by Germany in the performance of any obligation under this Part of the present Treaty, the Commission will forthwith give notice of such default to each of the interested Powers and may make such recommendations as to the action to be taken in consequence of such default as it may think necessary.

18.

The measures which the Allied and Associated Powers shall have the right to take, in case of voluntary default by Germany, and which Germany agrees not to regard as acts of war, may include economic and financial prohibitions and reprisals and in general such other measures as the respective Governments may determine to be necessary in the circumstances.

19.

Payments required to be made in gold or its equivalent on account of the proved claims of the Allied and Associated Powers may at any time be accepted by the Commission in the form of chattels, properties, commodities, businesses, rights, concessions, within or without German territory, ships, bonds, shares or securities of any kind, or currencies of Germany or other States, the value of such substitutes for gold being fixed at a fair and just amount by the Commission itself.

20.

The Commission, in fixing or accepting payment in specified properties or rights, shall have due regard for any legal or equitable interests of the Allied and Associated Powers or of neutral Powers or of their nationals therein.

21.

No member of the Commission shall be responsible, except to the Government appointing him, for any action or omission as such member. No one of the Allied or Associated Governments assumes any responsibility in respect of any other Government.

22.

Subject to the provisions of the present Treaty this Annex may be amended by the unanimous decision of the Governments represented from time to time upon the Commission.

23.

When all the amounts due from Germany and her allies under the present Treaty or the decisions of the Commission have been discharged and all sums received, or their equivalents, shall have been distributed to the Powers interested, the Commission shall be dissolved.

ANNEX III.

1.

Germany recognises the right of the Allied and Associated Powers to the replacement, ton for ton (gross tonnage) and class for class, of all merchant ships and fishing boats lost or damaged owing to the war.

Nevertheless, and in spite of the fact that the tonnage of German shipping at present in existence is much less than that lost by the Allied and Associated Powers in consequence of the German aggression, the right thus recognised will be enforced on German ships and boats under the following conditions:

The German Government, on behalf of themselves and so as to bind all other persons interested, cede to the Allied and Associated Governments the property in all the German merchant ships which are of 1,600 tons gross and upwards; in one-half, reckoned in tonnage, of the ships which are between 1,000 tons and 1,600 tons gross; in one-quarter, reckoned in tonnage, of the steam trawlers; and in one-quarter, reckoned in tonnage, of the other fishing boats.

2.

The German Government will, within two months of the coming into force of the present Treaty, deliver to the Reparation Commission all the ships and boats mentioned in paragraph 1.

3.

The ships and boats mentioned in paragraph 1 include all ships and boats which (*a*) fly, or may be entitled to fly, the German merchant flag; or (*b*) are owned by any German national, company or corporation or by any company or corporation belonging to a country other than an Allied or Associated country and under the control or direction of German nationals; or (*c*) are now under construction (1) in Germany, (2) in other than Allied or Associated countries for the account of any German national, company or corporation.

4.

For the purpose of providing documents of title for the ships and boats to be handed over as above mentioned, the German Government will:

(*a*) Deliver to the Reparation Commission in respect of each vessel a bill of sale or other document of title evidencing the transfer to the Commission of the entire property in the vessel, free from all encumbrances, charges and liens of all kinds, as the Commission may require;

(*b*) Take all measures that may be indicated by the Reparation Commission for ensuring that the ships themselves shall be placed at its disposal.

5.

As an additional part of reparation, Germany agrees to cause merchant ships to be built in German yards for the account of the Allied and Associated Governments as follows:

(*a*) Within three months of the coming into force of the present Treaty, the Reparation Commission will notify to the German Government the amount of tonnage to be laid down in German shipyards in each of the two years next succeeding the three months mentioned above.

(*b*) Within two years of the coming into force of the present Treaty, the Reparation Commission will notify to the German Government the amount of tonnage to be laid down in each of the three years following the two years mentioned above.

(*c*) The amount of tonnage to be laid down in each year shall not exceed 200,000 tons, gross tonnage.

(*d*) The specifications of the ships to be built, the conditions under which they are to be built and delivered, the price per ton at which they are to be accounted for by the Reparation Commission, and all other questions relating to the accounting, ordering, building and delivery of the ships, shall be determined by the Commission.

Germany undertakes to restore in kind and in normal condition of upkeep to the Allied and Associated Powers, within two months of the coming into force of the present Treaty, in accordance with procedure to be laid down by the Reparation Commission, any boats and other movable appliances belonging to inland navigation which since August 1, 1914, have by any means whatever come into her possession or into the possession of her nationals, and which can be identified.

With a view to make good the loss in inland navigation tonnage, from whatever cause arising, which has been incurred during the war by the Allied and Associated Powers, and which cannot be made good by means of the restitution prescribed above, Germany agrees to cede to the Reparation Commission a portion of the German river fleet up to the amount of the loss mentioned above, provided that such cession shall not exceed 20 per cent. of the river fleet as it existed on November 11, 1918.

The conditions of this cession shall be settled by the arbitrators referred to in Article 339 of Part XII (Ports, Waterways

and Railways) of the present Treaty, who are charged with the settlement of difficulties relating to the apportionment of river tonnage resulting from the new international régime applicable to certain river systems or from the territorial changes affecting those systems.

7.

Germany agrees to take any measures that may be indicated to her by the Reparation Commission for obtaining the full title to the property in all ships which have during the war been transferred, or are in process of transfer, to neutral flags, without the consent of the Allied and Associated Governments.

8.

Germany waives all claims of any description against the Allied and Associated Governments and their nationals in respect of the detention, employment, loss or damage of any German ships or boats, exception being made of payments due in respect of the employment of ships in conformity with the Armistice Agreement of January 13, 1919, and subsequent Agreements.

The handing over of the ships of the German mercantile marine must be continued without interruption in accordance with the said Agreement.

9.

Germany waives all claims to vessels or cargoes sunk by or in consequence of naval action and subsequently salved, in which any of the Allied or Associated Governments or their nationals may have any interest either as owners, charterers, insurers or otherwise, notwithstanding any decree of condemnation which may have been made by a Prize Court of Germany or of her allies.

ANNEX IV.

1.

The Allied and Associated Powers require, and Germany undertakes, that in part satisfaction of her obligations expressed in the present Part she will, as hereinafter provided, devote her economic resources directly to the physical restoration of the invaded areas of the Allied and Associated Powers, to the extent that these Powers may determine.

2.

The Allied and Associated Governments may file with the Reparation Commission lists showing:

(*a*) Animals, machinery, equipment, tools and like articles of a commercial character, which have been seized, consumed or destroyed by Germany or destroyed in direct consequence of military operations, and which such Governments, for the purpose of meeting immediate and urgent needs, desire to have replaced by animals and articles of the same nature which are in being in German territory at the date of the coming into force of the present Treaty;

(*b*) Reconstruction materials (stones, bricks, refractory bricks, tiles, wood, window-glass, steel, lime, cement, etc.), machinery, heating apparatus, furniture and like articles of a commercial character which the said Governments desire to have produced and manufactured in Germany and delivered to them to permit of the restoration of the invaded areas.

3.

The lists relating to the articles mentioned in 2 (*a*) above shall be filed within sixty days after the date of the coming into force of the present Treaty.

The lists relating to the articles in 2 (*b*) above shall be filed on or before December 31, 1919.

The lists shall contain all such details as are customary in commercial contracts dealing with the subject matter, including specifications, dates of delivery (but not extending over more than four years), and places of delivery, but not price or value, which shall be fixed as hereinafter provided by the Commission.

4.

Immediately upon the filing of such lists with the Commission, the Commission shall consider the amount and number of the materials and animals mentioned in the lists provided for above which are to be required of Germany. In reaching a decision on this matter the Commission shall take into account such domestic requirements of Germany as it deems essential for the maintenance of Germany's social and economic life, the prices and dates at which similar articles can be obtained in the Allied and Associated countries as compared with those to be fixed for German articles, and the general interest of the Allied and Associated Governments that the industrial life of Germany be not so disorganised as to affect adversely the ability of Germany to perform the other acts of reparation stipulated for.

Machinery, equipment, tools and like articles of a commercial character in actual industrial use are not, however, to be demanded of Germany unless there is no free stock of such articles respectively which is not in use and is available, and then not in excess of thirty per cent. of the quantity of such articles in use in any one establishment or undertaking.

The Commission shall give representatives of the German Government an opportunity and a time to be heard as to their capacity to furnish the said materials, articles and animals.

The decision of the Commission shall thereupon and at the earliest possible moment be communicated to the German Government and to the several interested Allied and Associated Governments.

The German Government undertakes to deliver the materials, articles and animals as specified in the said communication, and the interested Allied and Associated Governments severally agree to accept the same, provided they conform to the specification given, or are not, in the judgment of the Commission, unfit to be utilized in the work of reparation.

5.

The Commission shall determine the value to be attributed to the materials, articles and animals to be delivered in accordance with the foregoing, and the Allied or Associated Power receiving the same agrees to be charged with such value, and the amount thereof shall be treated as a payment by Germany to be divided in accordance with Article 237 of this Part of the present Treaty.

In cases where the right to require physical restoration as above provided is exercised, the Commission shall ensure that the amount to be credited against the reparation obligation of Germany shall be the fair value of work done or materials supplied by Germany, and that the claim made by the interested Power in respect of the damage so repaired by physical restoration shall be discharged to the extent of the proportion which the damage thus repaired bears to the whole of the damage thus claimed for.

6.

As an immediate advance on account of the animals referred to in paragraph 2 (*a*) above, Germany undertakes to deliver in equal monthly instalments in the three months following the coming into force of the present Treaty the following quantities of live stock:

(1) *To the French Government.*

500	stallions (3 to 7 years);
30,000	fillies and mares (18 months to 7 years), type: Ardennais, Boulonnais or Belgian;
2,000	bulls (18 months to 3 years);
90,000	milch cows (2 to 6 years);
1,000	rams;
100,000	sheep;
10,000	goats.

(2) *To the Belgian Government.*

200	stallions (3 to 7 years), large Belgian type;
5,000	mares (3 to 7 years), large Belgian type;
5,000	fillies (18 months to 3 years), large Belgian type;
2,000	bulls (18 months to 3 years);
50,000	milch cows (2 to 6 years);
40,000	heifers;
200	rams;
20,000	sheep;
15,000	sows.

The animals delivered shall be of average health and condition.

To the extent that animals so delivered cannot be identified as animals taken away or seized, the value of such animals shall be credited against the reparation obligations of Germany in accordance with paragraph 5 of this Annex.

7.

Without waiting for the decisions of the Commission referred to in paragraph 4 of this Annex to be taken, Germany must continue the delivery to France of the agricultural material referred to in Article III of the renewal dated January 16, 1919, of the Armistice.

ANNEX V.

1.

Germany accords the following options for the delivery of coal and derivatives of coal to the undermentioned signatories of the present Treaty.

Germany undertakes to deliver to France seven million tons of coal per year for ten years. In addition, Germany undertakes to deliver to France annually for a period not exceeding

ten years an amount of coal equal to the difference between the annual production before the war of the coal mines of the Nord and Pas de Calais, destroyed as a result of the war, and the production of the mines of the same area during the years in question: such delivery not to exceed twenty million tons in any one year of the first five years, and eight million tons in any one year of the succeeding five years.

It is understood that due diligence will be exercised in the restoration of the destroyed mines in the Nord and the Pas de Calais.

3.

Germany undertakes to deliver to Belgium eight million tons of coal annually for ten years.

4.

Germany undertakes to deliver to Italy up to the following quantities of coal:

July 1919 to June 1920		4½	million tons,
— 1920	— 1921	6	—
— 1921	— 1922	7½	—
— 1922	— 1923	8	—
— 1923	— 1924	8½	—
and each of the following five years			

At least two-thirds of the actual deliveries to be land-borne.

5.

Germany further undertakes to deliver annually to Luxemburg, if directed by the Reparation Commission, a quantity of coal equal to the pre-war annual consumption of German coal in Luxemburg.

6.

The prices to be paid for coal delivered under these options shall be as follows:

(*a*) For overland delivery, including delivery by barge, the German pithead price to German nationals, plus the freight to French, Belgian, Italian or Luxemburg frontiers, provided that the pithead price does not exceed the pithead price of British coal for export. In the case of Belgian bunker coal, the price shall not exceed the Dutch bunker price.

Railroad and barge tariffs shall not be higher than the lowest similar rates paid in Germany.

(*b*) For sea delivery, the German export price f. o. b. German ports, or the British export price f. o. b. British ports, whichever may be lower.

7.

The Allied and Associated Governments interested may demand the delivery, in place of coal, of metallurgical coke in the proportion of 3 tons of coke to 4 tons of coal.

8.

Germany undertakes to deliver to France, and to transport to the French frontier by rail or by water, the following products, during each of the three years following the coming into force of this Treaty:

Benzol	35,000 tons.
Coal tar	50,000 tons.
Sulphate of ammonia	30,000 tons.

All or part of the coal tar may, at the option of the French Government, be replaced by corresponding quantities of products of distillation, such as light oils, heavy oils, anthracene, naphthalene or pitch.

9.

The price paid for coke and for the articles referred to in the preceding paragraph shall be the same as the price paid by German nationals under the same conditions of shipment to the French frontier or to the German ports, and shall be subject to any advantages which may be accorded similar products furnished to German nationals.

10.

The foregoing options shall be exercised through the intervention of the Reparation Commission, which, subject to the specific provisions hereof, shall have power to determine all questions relative to procedure and the qualities and quantities of products, the quantity of coke which may be substituted for coal, and the times and modes of delivery and payment. In giving notice to the German Government of the foregoing options the Commission shall give at least 120 days' notice of deliveries to be made after January 1, 1920, and at least 30 days' notice of deliveries to be made between the coming into force of this Treaty and January 1, 1920. Until Germany has received the demands referred to in this paragraph, the provisions of the Protocol of December 25, 1918, (Execution of Article VI of the Armistice of November 11, 1918) remain in force. The notice to be given to the German Government of the exercise of the right of substitution accorded by paragraphs 7 and 8 shall be such as the Reparation Commission may consider sufficient. If the Commission shall determine that the full exercise of the foregoing options would interfere unduly with the industrial requirements of Germany, the Commission is authorised to postpone or to cancel deliveries, and in so doing to settle all questions of priority; but the coal to replace coal from destroyed mines shall receive priority over other deliveries.

ANNEX VI.

1.

Germany accords to the Reparation Commission an option to require as part of reparation the delivery by Germany of such quantities and kinds of dyestuffs and chemical drugs as the Commission may designate, not exceeding 50 per cent. of the total stock of each and every kind of dyestuff and chemical drug in Germany or under German control at the date of the coming into force of the present Treaty.

This option shall be exercised within sixty days of the receipt by the Commission of such particulars as to stocks as may be considered necessary by the Commission.

2.

Germany further accords to the Reparation Commission an option to require delivery during the period from the date of the coming into force of the present Treaty until January 1, 1920, and during each period of six months thereafter until January 1, 1925, of any specified kind of dyestuff and chemical drug up to an amount not exceeding 25 per cent. of the German production of such dyestuffs and chemical drugs during the previous six months period. If in any case the production during such previous six months was, in the opinion of the Commission, less than normal, the amount required may be 25 per cent. of the normal production.

Such option shall be exercised within four weeks after the receipt of such particulars as to production and in such form as may be considered necessary by the Commission; these particulars shall be furnished by the German Government immediately after the expiration of each six months period.

3.

For dyestuffs and chemical drugs delivered under paragraph 1, the price shall be fixed by the Commission having regard to prewar net export prices and to subsequent increases of cost.

For dyestuffs and chemical drugs delivered under paragraph 2, the price shall be fixed by the Commission having regard to prewar net export prices and subsequent variations of cost, or the lowest net selling price of similar dyestuffs and chemical drugs to any other purchaser.

4.

All details, including mode and times of exercising the options, and making delivery, and all other questions arising under this arrangement shall be determined by the Reparation Commission; the German Government will furnish to the Commission all necessary information and other assistance which it may require.

5.

The above expression "dyestuffs and chemical drugs" includes all synthetic dyes and drugs and intermediate or other products used in connection with dyeing, so far as they are manufactured for sale. The present arrangement shall also apply to cinchona bark and salts of quinine.

ANNEX VII.

Germany renounces on her own behalf and on behalf of her nationals in favour of the Principal Allied and Associated Powers all rights, titles or privileges of whatever nature in the submarine cables set out below, or in any portions thereof:

Emden-Vigo: from the Straits of Dover to off Vigo;
Emden-Brest: from off Cherbourg to Brest;
Emden-Teneriffe: from off Dunkirk to off Teneriffe;
Emden-Azores (1): from the Straits of Dover to Fayal;
Emden-Azores (2): from the Straits of Dover to Fayal;
Azores-New-York (1): from Fayal to New York;
Azores-New-York (2): from Fayal to the longitude of Halifax,
Teneriffe-Monrovia: from off Teneriffe to off Monrovia;
Monrovia-Lome:

from about	lat.	2° 30′ N.;
	long.	7° 40′ W. of Greenwich;
to about	lat.	2° 20′ N.;
	long.	5° 30′ W. of Greenwich;
and from about	lat.	3° 48′ N.;
	long.	0° 00′,

to Lome;
Lome-Duala: from Lome to Duala;

Monrovia-Pernambuco: from off Monrovia to off Pernambuco;
Constantinople-Constanza: from Constantinople to Constanza;
Yap-Shanghai, Yap-Guam, and Yap-Menado (Celebes): from Yap Island to Shanghai, from Yap Island to Guam Island, and from Yap Island to Menado.

The value of the above mentioned cables or portions thereof in so far as they are privately owned, calculated on the basis of the original cost less a suitable allowance for depreciation, shall be credited to Germany in the reparation account.

SECTION II.

SPECIAL PROVISIONS.

ARTICLE 245.

Within six months after the coming into force of the present Treaty the German Government must restore to the French Government the trophies, archives, historical souvenirs or works of art carried away from France by the German authorities in the course of the war of 1870–1871 and during this last war, in accordance with a list which will be communicated to it by the French Government; particularly the French flags taken in the course of the war of 1870–1871 and all the political papers taken by the German authorities on October 10, 1870, at the chateau of Cerçay, near Brunoy (Seine-et-Oise) belonging at the time to Mr. Rouher, formerly Minister of State.

ARTICLE 246.

Within six months from the coming into force of the present Treaty, Germany will restore to His Majesty the King of the Hedjaz the original Koran of the Caliph Othman, which was removed from Medina by the Turkish authorities and is stated to have been presented to the ex-Emperor William II.

Within the same period Germany will hand over to his Britannic Majesty's Government the skull of the Sultan Mkwawa which was removed from the Protectorate of German East Africa and taken to Germany.

The delivery of the articles above referred to will be effected in such place and in such conditions as may be laid down by the Governments to which they are to be restored.

ARTICLE 247.

Germany undertakes to furnish to the University of Louvain, within three months after a request made by it and transmitted through the intervention of the Reparation Commission, manuscripts, incunabula, printed books, maps and objects of collection corresponding in number and value to those destroyed in the burning by Germany of the Library of Louvain. All details regarding such replacement will be determined by the Reparation Commission.

Germany undertakes to deliver to Belgium, through the Reparation Commission, within six months of the coming into force of the present Treaty, in order to enable Belgium to reconstitute two great artistic works:

(1) The leaves of the triptych of the Mystic Lamb painted by the Van Eyck brothers, formerly in the Church of St. Bavon at Ghent, now in the Berlin Museum;

(2) The leaves of the triptych of the Last Supper, painted by Dierick Bouts, formerly in the Church of St. Peter at Louvain, two of which are now in the Berlin Museum and two in the Old Pinakothek at Munich.

PART IX.

FINANCIAL CLAUSES.

ARTICLE 248.

Subject to such exceptions as the Reparation Commission may approve, a first charge upon all the assets and revenues of the German Empire and its constituent States shall be the cost of reparation and all other costs arising under the present Treaty or any treaties or agreements supplementary thereto or under arrangements concluded between Germany and the Allied and Associated Powers during the Armistice or its extensions.

Up to May 1, 1921, the German Government shall not export or dispose of, and shall forbid the export or disposal of, gold without the previous approval of the Allied and Associated Powers acting through the Reparation Commission.

ARTICLE 249.

There shall be paid by the German Government the total cost of all armies of the Allied and Associated Governments in occupied German territory from the date of the signature of the Armistice of November 11, 1918, including the keep of men and beasts, lodging and billeting, pay and allowances, salaries and wages, bedding, heating, lighting, clothing, equipment, harness and saddlery, armament and rolling-stock, air services, treatment of sick and wounded, veterinary and remount services, transport service of all sorts (such as by rail, sea or river, motor lorries), communications and correspondence, and in general the cost of all administrative or technical services the working of which is necessary for the training of troops and for keeping their numbers up to strength and preserving their military efficiency.

The cost of such liabilities under the above heads so far as they relate to purchases or requisitions by the Allied and Associated Governments in the occupied territories shall be paid by the German Government to the Allied and Associated Governments in marks at the current or agreed rate of exchange. All other of the above costs shall be paid in gold marks.

ARTICLE 250.

Germany confirms the surrender of all material handed over to the Allied and Associated Powers in accordance with the Armistice of November 11, 1918, and subsequent Armistice Agreements, and recognises the title of the Allied and Associated Powers to such material.

There shall be credited to the German Government, against the sums due from it to the Allied and Associated Powers for reparation, the value, as assessed by the Reparation Commission, referred to in Article 233 of Part VIII (Reparation) of the present Treaty, of the material handed over in accordance with Article VII of the Armistice of November 11, 1918, or Article III of the Armistice Agreement of January 16, 1919, as well as of any other material handed over in accordance with the Armistice of November 11, 1918, and of subsequent Armistice Agreements, for which, as having nonmilitary value, credit should in the judgment of the Reparation Commission be allowed to the German Government.

Property belonging to the Allied and Associated Governments or their nationals restored or surrendered under the Armistice Agreements in specie shall not be credited to the German Government.

ARTICLE 251.

The priority of the charges established by Article 248 shall, subject to the qualifications made below, be as follows:

(*a*) The cost of the armies of occupation as defined under Article 249 during the Armistice and its extensions;

(*b*) The cost of any armies of occupation as defined under Article 249 after the coming into force of the present Treaty;

(*c*) The cost of reparation arising out of the present Treaty or any treaties or conventions supplementary thereto;

(*d*) The cost of all other obligations incumbent on Germany under the Armistice Conventions or under this Treaty or any treaties or conventions supplementary thereto.

The payment for such supplies of food and raw material for Germany and such other payments as may be judged by the Allied and Associated Powers to be essential to enable Germany to meet her obligations in respect of reparation will have priority to the extent and upon the conditions which have been or may be determined by the Governments of the said Powers.

ARTICLE 252.

The right of each of the Allied and Associated Powers to dispose of enemy assets and property within its jurisdiction at the date of the coming into force of the present Treaty is not affected by the foregoing provisions.

ARTICLE 253.

Nothing in the foregoing provisions shall prejudice in any manner charges or mortgages lawfully effected in favour of the Allied or Associated Powers or their nationals respectively, before the date at which a state of war existed between Germany and the Allied or Associated Power concerned, by the German Empire or its constituent States, or by German nationals, on assets in their ownership at that date.

ARTICLE 254.

The Powers to which German territory is ceded shall, subject to the qualifications made in Article 255, undertake to pay:

(1) A portion of the debt of the German Empire as it stood on August 1, 1914, calculated on the basis of the ratio between the average for the three financial years 1911, 1912, 1913, of such revenues of the ceded territory, and the average for the same years of such revenues of the whole German Empire as in the judgment of the Reparation Commission are best calculated to represent the relative ability of the respective territories to make payment;

(2) A portion of the debt as it stood on August 1, 1914, of the German State to which the ceded territory belonged, to be determined in accordance with the principle stated above.

Such portions shall be determined by the Reparation Commission.

The method of discharging the obligation, both in respect of capital and of interest, so assumed shall be fixed by the Reparation Commission. Such method may take the form, *inter alia*, of the assumption by the Power to which the territory is ceded of Germany's liability for the German debt held by her nationals. But in the event of the method adopted involving any payments to the German Government, such payments shall be transferred to the Reparation Commission on account of the sums due for reparation so long as any balance in respect of such sums remains unpaid.

ARTICLE 255.

(1) As an exception to the above provision and inasmuch as in 1871 Germany refused to undertake any portion of the burden of the French debt, France shall be, in respect of Alsace-Lorraine, exempt from any payment under Article 254.

(2) In the case of Poland that portion of the debt which, in the opinion of the Reparation Commission, is attributable to the measures taken by the German and Prussian Governments for the German colonisation of Poland shall be excluded from the apportionment to be made under Article 254.

(3) In the case of all ceded territories other than Alsace-Lorraine, that portion of the debt of the German Empire or German States which, in the opinion of the Reparation Commission, represents expenditure by the Governments of the German Empire or States upon the Government properties referred to in Article 256 shall be excluded from the apportionment to be made under Article 254.

ARTICLE 256.

Powers to which German territory is ceded shall acquire all property and possessions situated therein belonging to the German Empire or to the German States, and the value of such acquisitions shall be fixed by the Reparation Commission, and paid by the State acquiring the territory to the Reparation Commission for the credit of the German Government on account of the sums due for reparation.

For the purposes of this Article the property and possessions of the German Empire and States shall be deemed to include all the property of the Crown, the Empire or the States, and the private property of the former German Emperor and other Royal personages.

In view of the terms on which Alsace-Lorraine was ceded to Germany in 1871, France shall be exempt in respect thereof from making any payment or credit under this Article for any property or possessions of the German Empire or States situated therein.

Belgium also shall be exempt from making any payment or any credit under this Article for any property or possessions of the German Empire or States situated in German territory ceded to Belgium under the present Treaty.

ARTICLE 257.

In the case of the former German territories, including colonies, protectorates or dependencies, administered by a Mandatory under Article 22 of Part I (League of Nations) of the present Treaty, neither the territory nor the Mandatory Power shall be charged with any portion of the debt of the German Empire or States.

All property and possessions belonging to the German Empire or to the German States situated in such territories shall be transferred with the territories to the Mandatory Power in its capacity as such and no payment shall be made nor any credit given to those Governments in consideration of this transfer.

For the purposes of this Article the property and possessions of the German Empire and of the German States shall be deemed to include all the property of the Crown, the Empire or the States and the private property of the former German Emperor and other Royal personages.

ARTICLE 258.

Germany renounces all rights accorded to her or her nationals by treaties, conventions or agreements, of whatsoever kind, to representation upon or participation in the control or administration of commissions, state banks, agencies or other financial or economic organisations of an international character, exercising powers of control or administration, and operating in any of the Allied or Associated States, or in Austria, Hungary, Bulgaria or Turkey, or in the dependencies of these States, or in the former Russian Empire.

ARTICLE 259.

(1) Germany agrees to deliver within one month from the date of the coming into force of the present Treaty, to such authority as the Principal Allied and Associated Powers may designate, the sum in gold which was to be deposited in the Reichsbank in the name of the Council of the Administration of the Ottoman Public Debt as security for the first issue of Turkish Government currency notes.

(2) Germany recognises her obligation to make annually for the period of twelve years the payments in gold for which provision is made in the German Treasury Bonds deposited by her from time to time in the name of the Council of the Administration of the Ottoman Public Debt as security for the second and subsequent issues of Turkish Government currency notes.

(3) Germany undertakes to deliver, within one month from the coming into force of the present Treaty, to such authority as the Principal Allied and Associated Powers may designate, the gold deposit constituted in the Reichsbank or elsewhere, representing the residue of the advance in gold agreed to on May 5, 1915, by the Council of the Administration of the Ottoman Public Debt to the Imperial Ottoman Government.

(4) Germany agrees to transfer to the Principal Allied and Associated Powers any title that she may have to the sum in gold and silver transmitted by her to the Turkish Ministry of Finance in November, 1918, in anticipation of the payment to be made in May, 1919, for the service of the Turkish Internal Loan.

(5) Germany undertakes to transfer to the Principal Allied and Associated Powers, within a period of one month from the coming into force of the present Treaty, any sums in gold transferred as pledge or as collateral security to the German Government or its nationals in connection with loans made by them to the Austro-Hungarian Government.

(6) Without prejudice to Article 292 of Part X (Economic Clauses) of the present Treaty, Germany confirms the renunciation provided for in Article XV of the Armistice of November 11, 1918, of any benefit disclosed by the Treaties of Bucharest and of Brest-Litovsk and by the treaties supplementary thereto.

Germany undertakes to transfer, either to Roumania or to the Principal Allied and Associated Powers as the case may be, all monetary instruments, specie, securities and negotiable instruments, or goods, which she has received under the aforesaid Treaties.

(7) The sums of money and all securities, instruments and goods of whatsoever nature, to be delivered, paid and transferred under the provisions of this Article, shall be disposed of by the Principal Allied and Associated Powers in a manner hereafter to be determined by those Powers.

ARTICLE 260.

Without prejudice to the renunciation of any rights by Germany on behalf of herself or of her nationals in the other provisions of the present Treaty, the Reparation Commission may within one year from the coming into force of the present Treaty demand that the German Government become possessed of any rights and interests of German nationals in any public utility undertaking or in any concession operating in Russia, China, Turkey, Austria, Hungary and Bulgaria, or in the possessions or dependencies of these States or in any territory formerly belonging to Germany or her allies, to be ceded by Germany or her allies to any Power or to be administered by a Mandatory under the present Treaty, and may require that the German Government transfer, within six months of the date of demand, all such rights and interests and any similar rights and interests the German Government may itself possess to the Reparation Commission.

Germany shall be responsible for indemnifying her nationals so dispossessed, and the Reparation Commission shall credit Germany, on account of sums due for reparation, with such sums in respect of the value of the transferred rights and interests as may be assessed by the Reparation Commission, and the German Government shall, within six months from the coming into force of the present Treaty, communicate to the Reparation Commission all such rights and interests, whether already granted, contingent or not yet exercised, and shall renounce on behalf of itself and its nationals in favour of the Allied and Associated Powers, all such rights and interests which have not been so communicated.

ARTICLE 261.

Germany undertakes to transfer to the Allied and Associated Powers any claims she may have to payment or repayment by the Governments of Austria, Hungary, Bulgaria or Turkey, and, in particular, any claims which may arise, now or hereafter, from the fulfilment of undertakings made by Germany during the war to those Governments.

ARTICLE 262.

Any monetary obligation due by Germany arising out of the present Treaty and expressed in terms of gold marks shall be payable at the option of the creditors in pounds sterling payable

in London; gold dollars of the United States of America payable in New York; gold francs payable in Paris; or gold lire payable in Rome.

For the purpose of this Article the gold coins mentioned above shall be defined as being of the weight and fineness of gold as enacted by law on January 1, 1914.

ARTICLE 263.

Germany gives a guarantee to the Brazilian Government that all sums representing the sale of coffee belonging to the State of Sao Paolo in the ports of Hamburg, Bremen, Antwerp and Trieste, which were deposited with the Bank of Bleichröder at Berlin, shall be reimbursed together with interest at the rate or rates agreed upon. Germany having prevented the transfer of the sums in question to the State of Sao Paolo at the proper time, guarantees also that the reimbursement shall be effected at the rate of exchange of the day of the deposit.

PART X.

ECONOMIC CLAUSES.

SECTION I.

COMMERCIAL RELATIONS.

CHAPTER I.

CUSTOMS REGULATIONS, DUTIES AND RESTRICTIONS.

ARTICLE 264.

Germany undertakes that goods the produce or manufacture of any one of the Allied or Associated States imported into German territory, from whatsoever place arriving, shall not be subjected to other or higher duties or charges (including internal charges) than those to which the like goods the produce or manufacture of any other such State or of any other foreign country are subject.

Germany will not maintain or impose any prohibition or restriction on the importation into German territory of any goods the produce or manufacture of the territories of any one of the Allied or Associated States, from whatsoever place arriving, which shall not equally extend to the importation of the like goods the produce or manufacture of any other such State or of any other foreign country.

ARTICLE 265.

Germany further undertakes that, in the matter of the régime applicable on importation, no discrimination against the commerce of any of the Allied and Associated States as compared with any other of the said States or any other foreign country shall be made, even by indirect means, such as customs regulations or procedure, methods of verification or analysis conditions of payment of duties, tariff classification or interpretation, or the operation of monopolies.

ARTICLE 266.

In all that concerns exportation Germany undertakes that goods, natural products or manufactured articles, exported from German territory to the territories of any one of the Allied or Associated States shall not be subjected to other or higher duties or charges (including internal charges) than those paid on the like goods exported to any other such State or to any other foreign country.

Germany will not maintain or impose any prohibition or restriction on the exportation of any goods sent from her territory to any one of the Allied or Associated States which shall not equally extend to the exportation of the like goods, natural products or manufactured articles, sent to any other such State or to any other foreign country.

ARTICLE 267.

Every favour, immunity or privilege in regard to the importation, exportation or transit of goods granted by Germany to any Allied or Associated State or to any other foreign country whatever shall simultaneously and unconditionally, without request and without compensation, be extended to all the Allied and Associated States.

ARTICLE 268.

The provisions of Articles 264 to 267 inclusive of this Chapter and of Article 323 of Part XII (Ports, Waterways and Railways) of the present Treaty are subject to the following exceptions:

(*a*) For a period of five years from the coming into force of the present Treaty, natural or manufactured products which both originate in and come from the territories of Alsace and Lorraine reunited to France shall, on importation into German customs territory, be exempt from all customs duty.

The French Government shall fix each year, by decree communicated to the German Government, the nature and amount of the products which shall enjoy this exemption.

The amount of each product which may be thus sent annually into Germany shall not exceed the average of the amounts sent annually in the years 1911–1913.

Further, during the period above mentioned the German Government shall allow the free export from Germany, and the free re-importation into Germany, exempt from all customs duties and other charges (including internal charges), of yarns, tissues, and other textile materials or textile products of any kind and in any condition, sent from Germany into the territories of Alsace or Lorraine, to be subjected there to any finishing process, such as bleaching, dyeing, printing, mercerisation, gassing, twisting or dressing.

(*b*) During a period of three years from the coming into force of the present Treaty natural or manufactured products which both originate in and come from Polish territories which before the war were part of Germany shall, on importation into German customs territory, be exempt from all customs duty.

The Polish Government shall fix each year, by decree communicated to the German Government, the nature and amount of the products which shall enjoy this exemption.

The amount of each product which may be thus sent annually into Germany shall not exceed the average of the amounts sent annually in the years 1911–1913.

(*c*) The Allied and Associated Powers reserve the right to require Germany to accord freedom from customs duty, on importation into German customs territory, to natural products and manufactured articles which both originate in and come from the Grand Duchy of Luxemburg, for a period of five years from the coming into force of the present Treaty.

The nature and amount of the products which shall enjoy the benefits of this régime shall be communicated each year to the German Government.

The amount of each product which may be thus sent annually into Germany shall not exceed the average of the amounts sent annually in the years 1911–1913.

ARTICLE 269.

During the first six months after the coming into force of the present Treaty, the duties imposed by Germany on imports from Allied and Associated States shall not be higher than the most favourable duties which were applied to imports into Germany on July 31, 1914.

During a further period of thirty months after the expiration of the first six months, this provision shall continue to be applied exclusively with regard to products which, being comprised in Section A of the First Category of the German Customs Tariff of December 25, 1902, enjoyed at the above-mentioned date (July 31, 1914) rates conventionalised by treaties with the Allied and Associated Powers, with the addition of all kinds of wine and vegetable oils, of artificial silk and of washed or scoured wool, whether or not they were the subject of special conventions before July 31, 1914.

ARTICLE 270.

The Allied and Associated Powers reserve the right to apply to German territory occupied by their troops a special customs régime as regards imports and exports, in the event of such a measure being necessary in their opinion in order to safeguard the economic interests of the population of these territories.

CHAPTER II.

SHIPPING.

ARTICLE 271.

As regards sea fishing, maritime coasting trade, and maritime towage, vessels of the Allied and Associated Powers shall enjoy, in German territorial waters, the treatment accorded to vessels of the most favoured nation.

ARTICLE 272.

Germany agrees that, notwithstanding any stipulation to the contrary contained in the Conventions relating to the North Sea fisheries and liquor traffic, all rights of inspection and police shall, in the case of fishing-boats of the Allied Powers, be exercised solely by ships belonging to those Powers.

ARTICLE 273.

In the case of vessels of the Allied or Associated Powers, all classes of certificates or documents relating to the vessel, which were recognised as valid by Germany before the war, or which may hereafter be recognised as valid by the principal maritime States, shall be recognised by Germany as valid and as equivalent to the corresponding certificates issued to German vessels.

A similar recognition shall be accorded to the certificates and documents issued to their vessels by the Governments of new States, whether they have a sea-coast or not, provided that

such certificates and documents shall be issued in conformity with the general practice observed in the principal maritime States.

The High Contracting Parties agree to recognise the flag flown by the vessels of an Allied or Associated Power having no sea-coast which are registered at some one specified place situated in its territory; such place shall serve as the port of registry of such vessels.

CHAPTER III.

UNFAIR COMPETITION.

ARTICLE 274.

Germany undertakes to adopt all the necessary legislative and administrative measures to protect goods the produce or manufacture of any one of the Allied and Associated Powers from all forms of unfair competition in commercial transactions.

Germany undertakes to prohibit and repress by seizure and by other appropriate remedies the importation, exportation, manufacture, distribution, sale or offering for sale in its territory of all goods bearing upon themselves or their usual get-up or wrappings any marks, names, devices, or description whatsoever which are calculated to convey directly or indirectly a false indication of the origin, type, nature, or special characteristics of such goods.

ARTICLE 275.

Germany undertakes on condition that reciprocity is accorded in these matters to respect any law, or any administrative or judicial decision given in conformity with such law, in force in any Allied or Associated State and duly communicated to her by the proper authorities, defining or regulating the right to any regional appellation in respect of wine or spirits produced in the State to which the region belongs, or the conditions under which the use of any such appellation may be permitted; and the importation, exportation, manufacture, distribution, sale or offering for sale of products or articles bearing regional appellations inconsistent with such law or order shall be prohibited by the German Government and repressed by the measures prescribed in the preceding Article.

CHAPTER IV.

TREATMENT OF NATIONALS OF ALLIED AND ASSOCIATED POWERS.

ARTICLE 276.

Germany undertakes:

(*a*) Not to subject the nationals of the Allied and Associated Powers to any prohibition in regard to the exercise of occupations, professions, trade and industry, which shall not be equally applicable to all aliens without exception;

(*b*) Not to subject the nationals of the Allied and Associated Powers in regard to the rights referred to in paragraph (*a*) to any regulation or restriction which might contravene directly or indirectly the stipulations of the said paragraph, or which shall be other or more disadvantageous than those which are applicable to nationals of the most favoured nation;

(*c*) Not to subject the nationals of the Allied and Associated Powers, their property, rights or interests, including companies and associations in which they are interested, to any charge, tax or impost, direct or indirect, other or higher than those which are or may be imposed on her own nationals or their property, rights or interests;

(*d*) Not to subject the nationals of any one of the Allied and Associated Powers to any restriction which was not applicable on July 1, 1914, to the nationals of such Powers unless such restriction is likewise imposed on her own nationals.

ARTICLE 277.

The nationals of the Allied and Associated Powers shall enjoy in German territory a constant protection for their persons and for their property, rights and interests, and shall have free access to the courts of law.

ARTICLE 278.

Germany undertakes to recognise any new nationality which has been or may be acquired by her nationals under the laws of the Allied and Associated Powers and in accordance with the decisions of the competent authorities of these Powers pursuant to naturalisation laws or under treaty stipulations, and to regard such persons as having, in consequence of the acquisition of such new nationality, in all respects severed their allegiance to their country of origin.

ARTICLE 279.

The Allied and Associated Powers may appoint consuls-general, consuls, vice-consuls, and consular agents in German towns and ports. Germany undertakes to approve the designation of the consuls-general, consuls, vice-consuls, and consular agents, whose names shall be notified to her, and to admit them to the exercise of their functions in conformity with the usual rules and customs.

CHAPTER V.

GENERAL ARTICLES.

ARTICLE 280.

The obligations imposed on Germany by Chapter I and by Articles 271 and 272 of Chapter II above shall cease to have effect five years from the date of the coming into force of the present Treaty, unless otherwise provided in the text, or unless the Council of the League of Nations shall, at least twelve months before the expiration of that period, decide that these obligations shall be maintained for a further period with or without amendment.

Article 276 of Chapter IV shall remain in operation, with or without amendment, after the period of five years for such further period, if any, not exceeding five years, as may be determined by a majority of the Council of the League of Nations.

ARTICLE 281.

If the German Government engages in international trade, it shall not in respect thereof have or be deemed to have any rights, privileges or immunities of sovereignty.

SECTION II.

TREATIES.

ARTICLE 282.

From the coming into force of the present Treaty and subject to the provisions thereof the multilateral treaties, conventions and agreements of an economic or technical character enumerated below and in the subsequent Articles shall alone be applied as between Germany and those of the Allied and Associated Powers party thereto:

(1) Conventions of March 14, 1884, December 1, 1886, and March 23, 1887, and Final Protocol of July 7, 1887, regarding the protection of submarine cables.

(2) Convention of October 11, 1909, regarding the international circulation of motor-cars.

(3) Agreement of May 15, 1886, regarding the sealing of railway trucks subject to customs inspection, and Protocol of May 18, 1907.

(4) Agreement of May 15, 1886, regarding the technical standardisation of railways.

(5) Convention of July 5, 1890, regarding the publication of customs tariffs and the organisation of an International Union for the publication of customs tariffs.

(6) Convention of December 31, 1913, regarding the unification of commercial statistics.

(7) Convention of April 25, 1907, regarding the raising of the Turkish customs tariff.

(8) Convention of March 14, 1857, for the redemption of toll dues on the Sound and Belts.

(9) Convention of June 22, 1861, for the redemption of the Stade Toll on the Elbe.

(10) Convention of July 16, 1863, for the redemption of the toll dues on the Scheldt.

(11) Convention of October 29, 1888, regarding the establishment of a definite arrangement guaranteeing the free use of the Suez Canal.

(12) Conventions of September 23, 1910, respecting the unification of certain regulations regarding collisions and salvage at sea.

(13) Convention of December 21, 1904, regarding the exemption of hospital ships from dues and charges in ports.

(14) Convention of February 4, 1898, regarding the tonnage measurement of vessels for inland navigation.

(15) Convention of September 26, 1906, for the suppression of nightwork for women.

(16) Convention of September 26, 1906, for the suppression of the use of white phosphorus in the manufacture of matches.

(17) Conventions of May 18, 1904, and May 4, 1910, regarding the suppression of the White Slave Traffic.

(18) Convention of May 4, 1910, regarding the suppression of obscene publications.

(19) Sanitary Conventions of January 30, 1892, April 15, 1893, April 3, 1894, March 19, 1897, and December 3, 1903.

(20) Convention of May 20, 1875, regarding the unification and improvement of the metric system.

(21) Convention of November 29, 1906, regarding the unification of pharmacopœial formulæ for potent drugs.

(22) Convention of November 16 and 19, 1885, regarding the establishment of a concert pitch.

(23) Convention of June 7, 1905, regarding the creation of an International Agricultural Institute at Rome.

(24) Conventions of November 3, 1881, and April 15, 1889, regarding precautionary measures against phylloxera.

(25) Convention of March 19, 1902, regarding the protection of birds useful to agriculture.

(26) Convention of June 12, 1902, as to the protection of minors.

ARTICLE 283.

From the coming into force of the present Treaty the High Contracting Parties shall apply the conventions and agreements hereinafter mentioned, in so far as concerns them, on condition that the special stipulations contained in this Article are fulfilled by Germany.

Postal Conventions:

Conventions and agreements of the Universal Postal Union concluded at Vienna, July 4, 1891.

Conventions and agreements of the Postal Union signed at Washington, June 15, 1897.

Conventions and agreements of the Postal Union signed at Rome, May 26, 1906.

Telegraphic Conventions:

International Telegraphic Conventions signed at St. Petersburg July 10/22, 1875.

Regulations and Tariffs drawn up by the International Telegraphic Conference, Lisbon, June 11, 1908.

Germany undertakes not to refuse her assent to the conclusion by the new States of the special arrangements referred to in the conventions and arrangements relating to the Universal Postal Union and to the International Telegraphic Union, to which the said new States have adhered or may adhere.

ARTICLE 284.

From the coming into force of the present Treaty the High Contracting Parties shall apply, in so far as concerns them, the International Radio-Telegraphic Convention of July 5, 1912, on condition that Germany fulfils the provisional regulations which will be indicated to her by the Allied and Associated Powers.

If within five years after the coming into force of the present Treaty a new convention regulating international radio-telegraphic communications should have been concluded to take the place of the Convention of July 5, 1912, this new convention shall bind Germany, even if Germany should refuse either to take part in drawing up the convention, or to subscribe thereto.

This new convention will likewise replace the provisional regulations in force.

ARTICLE 285.

From the coming into force of the present Treaty, the High Contracting Parties shall apply in so far as concerns them and under the conditions stipulated in Article 272, the conventions hereinafter mentioned:

(1) The Conventions of May 6, 1882, and February 1, 1889, regulating the fisheries in the North Sea outside territorial waters.

(2) The Conventions and Protocols of November 16, 1887, February 14, 1893, and April 11, 1894, regarding the North Sea liquor traffic.

ARTICLE 286.

The International Convention of Paris of March 20, 1883, for the protection of industrial property, revised at Washington on June 2, 1911; and the International Convention of Berne of September 9, 1886, for the protection of literary and artistic works, revised at Berlin on November 13, 1908, and completed by the additional Protocols signed at Berne on March 20, 1914, will again come into effect as from the coming into force of the present Treaty, in so far as they are not affected or modified by the exceptions and restrictions resulting therefrom.

ARTICLE 287.

From the coming into force of the present Treaty the High Contracting Parties shall apply, in so far as concerns them, the Convention of The Hague of July 17, 1905, relating to civil procedure. This renewal, however, will not apply to France, Portugal and Roumania.

ARTICLE 288.

The special rights and privileges granted to Germany by Article 3 of the Convention of December 2, 1899, relating to Samoa shall be considered to have terminated on August 4, 1914.

ARTICLE 289.

Each of the Allied or Associated Powers, being guided by the general principles or special provisions of the present Treaty, shall notify to Germany the bilateral treaties or conventions which such Allied or Associated Power wishes to revive with Germany.

The notification referred to in the present Article shall be made either directly or through the intermediary of another Power. Receipt thereof shall be acknowledged in writing by Germany. The date of the revival shall be that of the notification.

The Allied and Associated Powers undertake among themselves not to revive with Germany any conventions or treaties which are not in accordance with the terms of the present Treaty.

The notification shall mention any provisions of the said conventions and treaties which, not being in accordance with the terms of the present Treaty, shall not be considered as revived.

In case of any difference of opinion, the League of Nations will be called on to decide.

A period of six months from the coming into force of the present Treaty is allowed to the Allied and Associated Powers within which to make the notification.

Only those bilateral treaties and conventions which have been the subject of such a notification shall be revived between the Allied and Associated Powers and Germany; all the others are and shall remain abrogated.

The above regulations apply to all bilateral treaties or conventions existing between all the Allied and Associated Powers signatories to the present Treaty and Germany, even if the said Allied and Associated Powers have not been in a state of war with Germany.

ARTICLE 290.

Germany recognises that all the treaties, conventions or agreements which she has concluded with Austria, Hungary, Bulgaria or Turkey since August 1, 1914, until the coming into force of the present Treaty are and remain abrogated by the present Treaty.

ARTICLE 291.

Germany undertakes to secure to the Allied and Associated Powers, and to the officials and nationals of the said Powers, the enjoyment of all the rights and advantages of any kind which she may have granted to Austria, Hungary, Bulgaria or Turkey, or to the officials and nationals of these States by treaties, conventions or arrangements concluded before August 1, 1914, so long as those treaties, conventions or arrangements remain in force.

The Allied and Associated Powers reserve the right to accept or not the enjoyment of these rights and advantages.

ARTICLE 292.

Germany recognises that all treaties, conventions or arrangements which she concluded with Russia, or with any State or Government of which the territory previously formed a part of Russia, or with Roumania, before August 1, 1914, or after that date until coming into force of the present Treaty, are and remain abrogated.

ARTICLE 293.

Should an Allied or Associated Power, Russia, or a State or Government of which the territory formerly constituted a part of Russia, have been forced since August 1, 1914, by reason of military occupation or by any other means or for any other cause, to grant or to allow to be granted by the act of any public authority, concessions, privileges and favours of any kind to Germany or to a German national, such concessions, privileges and favours are *ipso facto* annulled by the present Treaty.

No claims or indemnities which may result from this annulment shall be charged against the Allied or Associated Powers or the Powers, States, Governments or public authorities which are released from their engagements by the present Article.

ARTICLE 294.

From the coming into force of the present Treaty Germany undertakes to give the Allied and Associated Powers and their nationals the benefit *ipso facto* of the rights and advantages of any kind which she has granted by treaties, conventions, or arrangements to nonbelligerent States or their nationals since August 1, 1914, until the coming into force of the present Treaty, so long as those treaties, conventions or arrangements remain in force.

ARTICLE 295.

Those of the High Contracting Parties who have not yet signed, or who have signed but not yet ratified, the Opium Convention signed at The Hague on January 23, 1912, agree to bring the said Convention into force, and for this purpose to enact the necessary legislation without delay and in any case within a period of twelve months from the coming into force of the present Treaty.

Furthermore, they agree that ratification of the present Treaty should in the case of Powers which have not yet ratified the Opium Convention be deemed in all respects equivalent to the ratification of that Convention and to the signature of the Special Protocol which was opened at The Hague in accordance with the resolutions adopted by the Third Opium Conference in 1914 for bringing the said Convention into force.

For this purpose the Government of the French Republic will communicate to the Government of the Netherlands a certified copy of the protocol of the deposit of ratifications of the present Treaty, and will invite the Government of the Netherlands to accept and deposit the said certified copy as if it were a deposit of ratifications of the Opium Convention and a signature of the Additional Protocol of 1914.

SECTION III.

DEBTS.

ARTICLE 296.

There shall be settled through the intervention of clearing offices to be established by each of the High Contracting Parties within three months of the notification referred to in paragraph (*e*) hereafter the following classes of pecuniary obligations:

(1) Debts payable before the war and due by a national of one of the Contracting Powers, residing within its territory, to a national of an Opposing Power, residing within its territory;

(2) Debts which became payable during the war to nationals of one Contracting Power residing within its territory and arose out of transactions or contracts with the nationals of an Opposing Power, resident within its territory, of which the total or partial execution was suspended on account of the declaration of war;

(3) Interest which has accrued due before and during the war to a national of one of the Contracting Powers in respect of securities issued by an Opposing Power, provided that the payment of interest on such securities to the nationals of that Power or to neutrals has not been suspended during the war;

(4) Capital sums which have become payable before and during the war to nationals of one of the Contracting Powers in respect of securities issued by one of the Opposing Powers, provided that the payment of such capital sums to nationals of that Power or to neutrals has not been suspended during the war.

The proceeds of liquidation of enemy property, rights and interests mentioned in Section IV and in the Annex thereto will be accounted for through the Clearing Offices, in the currency and at the rate of exchange hereinafter provided in paragraph (*d*), and disposed of by them under the conditions provided by the said Section and Annex.

The settlements provided for in this Article shall be effected according to the following principles and in accordance with the Annex to this Section:

(*a*) Each of the High Contracting Parties shall prohibit, as from the coming into force of the present Treaty, both the payment and the acceptance of payment of such debts, and also all communications between the interested parties with regard to the settlement of the said debts otherwise than through the Clearing Offices;

(*b*) Each of the High Contracting Parties shall be respectively responsible for the payment of such debts due by its nationals, except in the cases where before the war the debtor was in a state of bankruptcy or failure, or had given formal indication of insolvency or where the debt was due by a company whose business has been liquidated under emergency legislation during the war. Nevertheless, debts due by the inhabitants of territory invaded or occupied by the enemy before the Armistice will not be guaranteed by the States of which those territories form part;

(*c*) The sums due to the nationals of one of the High Contracting Parties by the nationals of an Opposing State will be debited to the Clearing Office of the country of the debtor, and paid to the creditor by the Clearing Office of the country of the creditor;

(*d*) Debts shall be paid or credited in the currency of such one of the Allied and Associated Powers, their colonies or protectorates, or the British Dominions or India, as may be concerned. If the debts are payable in some other currency they shall be paid or credited in the currency of the country concerned, whether an Allied or Associated Power, Colony, Protectorate, British Dominion or India, at the pre-war rate of exchange.

For the purpose of this provision the pre-war rate of exchange shall be defined as the average cable transfer rate prevailing in the Allied or Associated country concerned during the month immediately preceding the outbreak of war between the said country concerned and Germany.

If a contract provides for a fixed rate of exchange governing the conversion of the currency in which the debt is stated into the currency of the Allied or Associated country concerned, then the above provisions concerning the rate of exchange shall not apply.

In the case of new States the currency in which and the rate of exchange at which debts shall be paid or credited shall be determined by the Reparation Commission provided for in Part VIII (Reparation);

(*e*) The provisions of this Article and of the Annex hereto shall not apply as between Germany on the one hand and any one of the Allied and Associated Powers, their colonies or protectorates, or any one of the British Dominions or India on the other hand, unless within a period of one month from the deposit of the ratification of the present Treaty by the Power in question, or of the ratification on behalf of such Dominion or of India, notice to that effect is given to Germany by the Government of such Allied or Associated Power or of such Dominion or of India as the case may be;

(*f*) The Allied and Associated Powers who have adopted this Article and the Annex hereto may agree between themselves to apply them to their respective nationals established in their territory so far as regards matters between their nationals and German nationals. In this case the payments made by application of this provision will be subject to arrangements between the Allied and Associated Clearing Offices concerned.

ANNEX.

1.

Each of the High Contracting Parties will, within three months from the notification provided for in Article 296, paragraph (*e*), establish a Clearing Office for the collection and payment of enemy debts.

Local Clearing Offices may be established for any particular portion of the territories of the High Contracting Parties. Such local Clearing Offices may perform all the functions of a central Clearing Office in their respective districts, except that all transactions with the Clearing Office in the Opposing State must be effected through the central Clearing Office.

2.

In this Annex the pecuniary obligations referred to in the first paragraph of Article 296 are described "as enemy debts", the persons from whom the same are due as "enemy debtors", the persons to whom they are due as "enemy creditors", the Clearing Office in the country of the creditor is called the "Creditor Clearing Office", and the Clearing Office in the country of the debtor is called the "Debtor Clearing Office."

3.

The High Contracting Parties will subject contraventions of paragraph (*a*) of Article 296 to the same penalties as are at present provided by their legislation for trading with the enemy. They will similarly prohibit within their territory all legal process relating to payment of enemy debts, except in accordance with the provisions of this Annex.

4.

The Government guarantee specified in paragraph (*b*) of Article 296 shall take effect whenever, for any reason, a debt shall not be recoverable, except in a case where at the date of the outbreak of war the debt was barred by the laws of prescription in force in the country of the debtor, or where the debtor was at that time in a state of bankruptcy or failure or had given formal indication of insolvency, or where the debt was due by a company whose business has been liquidated under emergency legislation during the war. In such case the procedure specified by this Annex shall apply to payment of the dividends.

The terms "bankruptcy" and "failure" refer to the application of legislation providing for such juridicial conditions. The expression "formal indication of insolvency" bears the same meaning as it has in English law.

5.

Creditors shall give notice to the Creditor Clearing Office within six months of its establishment of debts due to them, and shall furnish the Clearing Office with any documents and information required of them.

The High Contracting Parties will take all suitable measures to trace and punish collusion between enemy creditors and debtors. The Clearing Offices will communicate to one another any evidence and information which might help the discovery and punishment of such collusion.

The High Contracting Parties will facilitate as much as possible postal and telegraphic communication at the expense of the parties concerned and through the intervention of the Clearing

Offices between debtors and creditors desirous of coming to an agreement as to the amount of their debt.

The Creditor Clearing Office will notify the Debtor Clearing Office of all debts declared to it. The Debtor Clearing Office will, in due course, inform the Creditor Clearing Office which debts are admitted and which debts are contested. In the latter case, the Debtor Clearing Office will give the grounds for the non-admission of debt.

6.

When a debt has been admitted, in whole or in part, the Debtor Clearing Office will at once credit the Creditor Clearing Office with the amount admitted, and at the same time notify it of such credit.

7.

The debt shall be deemed to be admitted in full and shall be credited forthwith to the Creditor Clearing Office unless within three months from the receipt of the notification or such longer time as may be agreed to by the Creditor Clearing Office notice has been given by the Debtor Clearing Office that it is not admitted.

8.

When the whole or part of a debt is not admitted the two Clearing Offices will examine into the matter jointly and will endeavour to bring the parties to an agreement.

9.

The Creditor Clearing Office will pay to the individual creditor the sums credited to it out of the funds placed at its disposal by the Government of its country and in accordance with the conditions fixed by the said Government, retaining any sums considered necessary to cover risks, expenses or commissions.

10.

Any person having claimed payment of an enemy debt which is not admitted in whole or in part shall pay to the clearing office, by way of fine, interest at 5 per cent. on the part not admitted. Any person having unduly refused to admit the whole or part of a debt claimed from him shall pay, by way of fine, interest at 5 per cent. on the amount with regard to which his refusal shall be disallowed.

Such interest shall run from the date of expiration of the period provided for in paragraph 7 until the date on which the claim shall have been disallowed or the debt paid.

Each Clearing Office shall in so far as it is concerned take steps to collect the fines above provided for, and will be responsible if such fines cannot be collected.

The fines will be credited to the other Clearing Office, which shall retain them as a contribution towards the cost of carrying out the present provisions.

11.

The balance between the Clearing Offices shall be struck monthly and the credit balance paid in cash by the debtor State within a week.

Nevertheless, any credit balances which may be due by one or more of the Allied and Associated Powers shall be retained until complete payment shall have been effected of the sums due to the Allied or Associated Powers or their nationals on account of the war.

12.

To facilitate discussion between the Clearing Offices each of them shall have a representative at the place where the other is established.

13.

Except for special reasons all discussions in regard to claims will, so far as possible, take place at the Debtor Clearing Office.

14.

In conformity with Article 296, paragraph (*b*), the High Contracting Parties are responsible for the payment of the enemy debts owing by their nationals.

The Debtor Clearing Office will therefore credit the Creditor Clearing Office with all debts admitted, even in case of inability to collect them from the individual debtor. The Governments concerned will, nevertheless, invest their respective Clearing Offices with all necessary powers for the recovery of debts which have been admitted.

As an exception, the admitted debts owing by persons having suffered injury from acts of war shall only be credited to the Creditor Clearing Office when the compensation due to the person concerned in respect of such injury shall have been paid.

15.

Each Government will defray the expenses of the Clearing Office set up in its territory, including the salaries of the staff.

16.

Where the two Clearing Offices are unable to agree whether a debt claimed is due, or in case of a difference between an enemy debtor and an enemy creditor or between the Clearing Offices, the dispute shall either be referred to arbitration if the parties so agree under conditions fixed by agreement between them, or referred to the Mixed Arbitral Tribunal provided for in Section VI hereafter.

At the request of the Creditor Clearing Office the dispute may, however, be submitted to the jurisdiction of the Courts of the place of domicile of the debtor.

17.

Recovery of sums found by the Mixed Arbitral Tribunal, the Court, or the Arbitration Tribunal to be due shall be effected through the Clearing Offices as if these sums were debts admitted by the Debtor Clearing Office.

18.

Each of the Governments concerned shall appoint an agent who will be responsible for the presentation to the Mixed Arbitral Tribunal of the cases conducted on behalf of its Clearing Office. This agent will exercise a general control over the representatives or counsel employed by its nationals.

Decisions will be arrived at on documentary evidence, but it will be open to the Tribunal to hear the parties in person, or according to their preference by their representatives approved by the two Governments, or by the agent referred to above, who shall be competent to intervene along with the party or to reopen and maintain a claim abandoned by the same.

19.

The Clearing Offices concerned will lay before the Mixed Arbitral Tribunal all the information and documents in their possession, so as to enable the Tribunal to decide rapidly on the cases which are brought before it.

20.

Where one of the parties concerned appeals against the joint decision of the two Clearing Offices he shall make a deposit against the costs, which deposit shall only be refunded when the first judgment is modified in favour of the appellant and in proportion to the success he may attain, his opponent in case of such a refund being required to pay an equivalent proportion of the costs and expenses. Security accepted by the Tribunal may be substituted for a deposit.

A fee of 5 per cent. of the amount in dispute shall be charged in respect of all cases brought before the Tribunal. This fee shall, unless the Tribunal directs otherwise, be borne by the unsuccessful party. Such fee shall be added to the deposit referred to. It is also independent of the security.

The Tribunal may award to one of the parties a sum in respect of the expenses of the proceedings.

Any sum payable under this paragraph shall be credited to the Clearing Office of the successful party as a separate item.

21.

With a view to the rapid settlement of claims, due regard shall be paid in the appointment of all persons connected with the Clearing Offices or with the Mixed Arbitral Tribunal to their knowledge of the language of the other country concerned.

Each of the Clearing Offices will be at liberty to correspond with the other and to forward documents in its own language.

22.

Subject to any special agreement to the contrary between the Governments concerned, debts shall carry interest in accordance with the following provisions:

Interest shall not be payable on sums of money due by way of dividend, interest or other periodical payments which themselves represent interest on capital.

The rate of interest shall be 5 per cent. per annum except in cases where, by contract, law or custom, the creditor is entitled to payment of interest at a different rate. In such cases the rate to which he is entiled shall prevail.

Interest shall run from the date of commencement of hostilities (or, if the sum of money to be recovered fell due during the war, from the date at which it fell due) until the sum is credited to the Clearing Office of the creditor.

Sums due by way of interest shall be treated as debts admitted by the Clearing Offices and shall be credited to the Creditor Clearing Office in the same way as such debts.

23.

Where by decision of the Clearing Offices or the Mixed Arbitral Tribunal a claim is held not to fall within Article 296, the creditor shall be at liberty to prosecute the claim before the Courts or to take such other proceedings as may be open to him.

The presentation of a claim to the Clearing Office suspends the operation of any period of prescription.

24.

The High Contracting Parties agree to regard the decisions of the Mixed Arbitral Tribunal as final and conclusive, and to render them binding upon their nationals.

25.

In any case where a Creditor Clearing Office declines to notify a claim to the Debtor Clearing Office, or to take any step provided for in this Annex, intended to make effective in whole or in part a request of which it has received due notice, the enemy creditor shall be entitled to receive from the Clearing Office a certificate setting out the amount of the claim, and shall then be entitled to prosecute the claim before the courts or to take such other proceedings as may be open to him.

SECTION IV.

PROPERTY, RIGHTS AND INTERESTS.

ARTICLE 297.

The question of private property, rights and interests in an enemy country shall be settled according to the principles laid down in this Section and to the provisions of the Annex hereto.

(*a*) The exceptional war measures and measures of transfer (defined in paragraph 3 of the Annex hereto) taken by Germany with respect to the property, rights and interests of nationals of Allied or Associated Powers, including companies and associations in which they are interested, when liquidation has not been completed, shall be immediately discontinued or stayed and the property, rights and interests concerned restored to their owners, who shall enjoy full rights therein in accordance with the provisions of Article 298.

(*b*) Subject to any contrary stipulations which may be provided for in the present Treaty, the Allied and Associated Powers reserve the right to retain and liquidate all property, rights and interests belonging at the date of the coming into force of the present Treaty to German nationals, or companies controlled by them, within their territories, colonies, possessions and protectorates, including territories ceded to them by the present Treaty.

The liquidation shall be carried out in accordance with the laws of the Allied or Associated State concerned, and the German owner shall not be able to dispose of such property, rights or interests not to subject them to any charge without the consent of that State.

German nationals who acquire *ipso facto* the nationality of an Allied or Associated Power in accordance with the provisions of the present Treaty will not be considered as German nationals within the meaning of this paragraph.

(*c*) The price or the amount of compensation in respect of the exercise of the right referred to in the preceding paragraph (*b*) will be fixed in accordance with the methods of sale or valuation adopted by the laws of the country in which the property has been retained or liquidated.

(*d*) As between the Allied and Associated Powers or their nationals on the one hand and Germany or her nationals on the other hand, all the exceptional war measures, or measures of transfer, or acts done or to be done in execution of such measures as defined in paragraphs 1 and 3 of the Annex hereto shall be considered as final and binding upon all persons except as regards the reservations laid down in the present Treaty.

(*e*) The nationals of Allied and Associated Powers shall be entitled to compensation in respect of damage or injury inflicted upon their property, rights or interests, including any company or association in which they are interested, in German territory as it existed on August 1, 1914, by the application either of the exceptional war measures or measures of transfer mentioned in paragraphs 1 and 3 of the Annex hereto. The claims made in this respect by such nationals shall be investigated, and the total of the compensation shall be determined by the Mixed Arbitral Tribunal provided for in Section VI or by an Arbitrator appointed by that Tribunal. This compensation shall be borne by Germany, and may be charged upon the property of German nationals within the territory or under the control of the claimant's State. This property may be constituted as a pledge for enemy liabilities under the conditions fixed by paragraph 4 of the Annex hereto. The payment of this compensation may be made by the Allied or Associated State, and the amount will be debited to Germany.

(*f*) Whenever a national of an Allied or Associated Power is entitled to property which has been subjected to a measure of transfer in German territory and expresses a desire for its restitution, his claim for compensation in accordance with paragraph (*e*) shall be satisfied by the restitution of the said property if it still exists in specie.

In such case Germany shall take all necessary steps to restore the evicted owner to the possession of his property, free from all encumbrances or burdens with which it may have been charged after the liquidation, and to indemnify all third parties injured by the restitution.

If the restitution provided for in this paragraph cannot be effected, private agreements arranged by the intermediation of the Powers concerned or the Clearing Offices provided for in the Annex to Section III may be made, in order to secure that the national of the Allied or Associated Power may secure compensation for the injury referred to in paragraph (*e*) by the grant of advantages or equivalents which he agrees to accept in place of the property, rights or interests of which he was deprived.

Through restitution in accordance with this Article, the price or the amount of compensation fixed by the application of paragraph (*e*) will be reduced by the actual value of the property restored, account being taken of compensation in respect of loss of use or deterioration.

(*g*) The rights conferred by paragraph (*f*) are reserved to owners who are nationals of Allied or Associated Powers within whose territory legislative measures prescribing the general liquidation of enemy property, rights or interests were not applied before the signature of the Armistice.

(*h*) Except in cases where, by application of paragraph (*f*), restitutions in specie have been made, the net proceeds of sales of enemy property, rights or interests wherever situated carried out either by virtue of war legislation, or by application of this Article, and in general all cash assets of enemies, shall be dealt with as follows:

(1) As regards Powers adopting Section III and the Annex thereto, the said proceeds and cash assets shall be credited to the Power of which the owner is a national, through the Clearing Office established thereunder; any credit balance in favour of Germany resulting therefrom shall be dealt with as provided in Article 243.

(2) As regards Powers not adopting Section III and the Annex thereto, the proceeds of the property, rights and interests, and the cash assets, of the nationals of Allied or Associated Powers held by Germany shall be paid immediately to the person entitled thereto or to his Government; the proceeds of the property, rights and interests, and the cash assets, of German nationals received by an Allied or Associated Power shall be subject to disposal by such Power in accordance with its laws and regulations and may be applied in payment of the claims and debts defined by this Article or paragraph 4 of the Annex hereto. Any property, rights and interests or proceeds thereof or cash assets not used as above provided may be retained by the said Allied or Associated Power and if retained the cash value thereof shall be dealt with as provided in Article 243.

In the case of liquidations effected in new States, which are signatories of the present Treaty as Allied and Associated Powers, or in States which are not entitled to share in the reparation payments to be made by Germany, the proceeds of liquidations effected by such States shall, subject to the rights of the Reparation Commission under the present Treaty, particularly under Articles 235 and 260, be paid direct to the owner. If on the application of that owner, the Mixed Arbitral Tribunal, provided for by Section VI of this Part, or an arbitrator appointed by that Tribunal, is satisfied that the conditions of the sale or measures taken by the Government of the State in question outside its general legislation were unfairly prejudicial to the price obtained, they shall have discretion to award to the owner equitable compensation to be paid by that State.

(*i*) Germany undertakes to compensate her nationals in respect of the sale or retention of their property, rights or interests in Allied or Associated States.

(*j*) The amount of all taxes and imposts upon capital levied or to be levied by Germany on the property, rights and interests of the nationals of the Allied or Associated Powers from November 11, 1918, until three months from the coming into force of the present Treaty, or, in the case of property, rights or interests which have been subjected to exceptional measures of war, until restitution in accordance with the present Treaty, shall be restored to the owners.

ARTICLE 298.

Germany undertakes, with regard to the property, rights and interests, including companies and associations in which they

were interested, restored to nationals of Allied and Associated Powers in accordance with the provisions of Article 297, paragraph (*a*) or (*f*):

(*a*) to restore and maintain, except as expressly provided in the present Treaty, the property, rights and interests of the nationals of Allied or Associated Powers in the legal position obtaining in respect of the property, rights and interests of German nationals under the laws in force before the war;

(*b*) not to subject the property, rights or interests of the nationals of the Allied or Associated Powers to any measures in derogation of property rights which are not applied equally to the property, rights and interests of German nationals, and to pay adequate compensation in the event of the application of these measures.

ANNEX.

1.

In accordance with the provisions of Article 297, paragraph (*d*), the validity of vesting orders and of orders for the winding up of businesses or companies, and of any other orders, directions, decisions or instructions of any court or any department of the Government of any of the High Contracting Parties made or given, or purporting to be made or given, in pursuance of war legislation with regard to enemy property, rights and interests is confirmed. The interests of all persons shall be regarded as having been effectively dealt with by any order, direction, decision or instruction dealing with property in which they may be interested, whether or not such interests are specifically mentioned in the order, direction, decision, or instruction. No question shall be raised as to the regularity of a transfer of any property, rights or interests dealt with in pursuance of any such order, direction, decision or instruction. Every action taken with regard to any property, business, or company, whether as regards its investigation, sequestration, compulsory administration, use, requisition, supervision, or winding up, the sale or management of property, rights or interests, the collection or discharge of debts, the payment of costs, charges or expenses, or any other matter whatsoever, in pursuance of orders, directions, decisions, or instructions of any court or of any department of the Government of any of the High Contracting Parties, made or given, or purporting to be made or given, in pursuance of war legislation with regard to enemy property, rights or interests, is confirmed. Provided that the provisions of this paragraph shall not be held to prejudice the titles to property heretofore acquired in good faith and for value and in accordance with the laws of the country in which the property is situated by nationals of the Allied and Associated Powers.

The provisions of this paragraph do not apply to such of the above-mentioned measures as have been taken by the German authorities in invaded or occupied territory, nor to such of the above mentioned measures as have been taken by Germany or the German authorities since November 11, 1918, all of which shall be void.

2.

No claim or action shall be made or brought against any Allied or Associated Power or against any person acting on behalf of or under the direction of any legal authority or Department of the Government of such a Power by Germany or by any German national wherever resident in respect of any act or omission with regard to his property, rights or interests during the war or in preparation for the war. Similarly no claim or action shall be made or brought against any person in respect of any act or omission under or in accordance with the exceptional war measures, laws or regulations of any Allied or Associated Power.

3.

In Article 297 and this Annex the expression "exceptional war measures" includes measures of all kinds, legislative, administrative, judicial or others, that have been taken or will be taken hereafter with regard to enemy property, and which have had or will have the effect of removing from the proprietors the power of disposition over their property, though without affecting the ownership, such as measures of supervision, of compulsory administration, and of sequestration; or measures which have had or will have as an object the seizure of, the use of, or the interference with enemy assets, for whatsoever motive, under whatsoever form or in whatsoever place. Acts in the execution of these measures include all detentions, instructions, orders or decrees of Government departments or courts applying these measures to enemy property, as well as acts performed by any person connected with the administration or the supervision of enemy property, such as the payment of debts, the collecting of credits, the payment of any costs, charges or expenses, or the collecting of fees.

Measures of transfer are those which have affected or will affect the ownership of enemy property by transferring it in whole or in part to a person other than the enemy owner, and without his consent, such as measures directing the sale, liquidation, or devolution of ownership in enemy property, or the cancelling of titles or securities.

4.

All property, rights and interests of German nationals within the territory of any Allied or Associated Power and the net proceeds of their sale, liquidation or other dealing therewith may be charged by that Allied or Associated Power in the first place with payment of amounts due in respect of claims by the nationals of that Allied or Associated Power with regard to their property, rights and interests, including companies and associations in which they are interested, in German territory, or debts owing to them by German nationals, and with payment of claims growing out of acts committed by the German Government or by any German authorities since July 31, 1914, and before that Allied or Associated Power entered into the war. The amount of such claims may be assessed by an arbitrator appointed by Mr. Gustave Ador, if he is willing, or if no such appointment is made by him, by an arbitrator appointed by the Mixed Arbitral Tribunal provided for in Section VI. They may be charged in the second place with payment of the amounts due in respect of claims by the nationals of such Allied or Associated Power with regard to their property, rights and interests in the territory of other enemy Powers, in so far as those claims are otherwise unsatisfied.

5.

Notwithstanding the provisions of Article 297, where immediately before the outbreak of war a company incorporated in an Allied or Associated State had rights in common with a company controlled by it and incorporated in Germany to the use of trade-marks in third countries, or enjoyed the use in common with such company of unique means of reproduction of goods or articles for sale in third countries, the former company shall alone have the right to use these trade-marks in third countries to the exclusion of the German company, and these unique means of reproduction shall be handed over to the former company, notwithstanding any action taken under German war legislation with regard to the latter company or its business, industrial property or shares. Nevertheless, the former company, if requested, shall deliver the latter company derivative copies permitting the continuation of reproduction of articles for use within German territory.

6.

Up to the time when restitution is carried out in accordance with Article 297, Germany is responsible for the conservation of property, rights and interests of the nationals of Allied or Associated Powers, including companies and associations in which they are interested, that have been subjected by her to exceptional war measures.

7.

Within one year from the coming into force of the present Treaty the Allied or Associated Powers will specify the property, rights and interests over which they intend to exercise the right provided in Article 297, paragraph (*f*).

8.

The restitution provided in Article 297 will be carried out by order of the German Government or of the authorities which have been substituted for it. Detailed accounts of the action of administrators shall be furnished to the interested persons by the German authorities upon request, which may be made at any time after the coming into force of the present Treaty.

9.

Until completion of the liquidation provided for by Article 297, paragraph (*b*), the property, rights and interests of German nationals will continue to be subject to exceptional war measures that have been or will be taken with regard to them.

10.

Germany will, within six months from the coming into force of the present Treaty, deliver to each Allied or Associated Power all securities, certificates, deeds, or other documents of title held by its nationals and relating to property, rights or interests situated in the territory of that Allied or Associated Power, including any shares, stock, debentures, debenture stock, or other obligations of any company incorporated in accordance with the laws of that Power.

Germany will at any time on demand of any Allied or Associated Power furnish such information as may be required with regard to the property, rights and interests of German nationals within the territory of such Allied or Associated Power, or with

regard to any transactions concerning such property, rights or interests effected since July 1, 1914.

11.

The expression "cash assets" includes all deposits or funds established before or after the declaration of war, as well as all assets coming from deposits, revenues, or profits collected by administrators, sequestrators, or others from funds placed on deposit or otherwise, but does not include sums belonging to the Allied or Associated Powers or to their component States, Provinces, or Municipalities.

12.

All investments wheresoever effected with the cash assets of nationals of the High Contracting Parties, including companies and associations in which such nationals were interested, by persons responsible for the administration of enemy properties or having control over such administration, or by order of such persons or of any authority whatsoever shall be annulled. These cash assets shall be accounted for irrespective of any such investment.

13.

Within one month from the coming into force of the present Treaty, or on demand at any time, Germany will deliver to the Allied and Associated Powers all accounts, vouchers, records, documents and information of any kind which may be within German territory, and which concern the property, rights and interests of the nationals of those Powers, including companies and associations in which they are interested, that have been subjected to an exceptional war measure, or to a measure of transfer either in German territory or in territory occupied by Germany or her allies.

The controllers, supervisors, managers, administrators, sequestrators, liquidators and receivers shall be personally responsible under guarantee of the German Government for the immediate delivery in full of these accounts and documents, and for their accuracy.

14.

The provisions of Article 297 and this Annex relating to property, rights and interests in an enemy country, and the proceeds of the liquidation thereof, apply to debts, credits and accounts, Section III regulating only the method of payment.

In the settlement of matters provided for in Article 297 between Germany and the Allied or Associated States, their colonies or protectorates, or any one of the British Dominions or India, in respect of any of which a declaration shall not have been made that they adopt Section III, and between their respective nationals, the provisions of Section III respecting the currency in which payment is to be made and the rate of exchange and of interest shall apply unless the Government of the Allied or Associated Power concerned shall within six months of the coming into force of the present Treaty notify Germany that the said provisions are not to be applied.

15.

The provisions of Article 297 and this Annex apply to industrial, literary and artistic property which has been or will be dealt with in the liquidation of property, rights, interests, companies or businesses under war legislation by the Allied or Associated Powers, or in accordance with the stipulations of Article 297, paragraph (*b*).

SECTION V.

CONTRACTS, PRESCRIPTIONS, JUDGMENTS.

ARTICLE 299.

(*a*) Any contract concluded between enemies shall be regarded as having been dissolved as from the time when any two of the parties became enemies, except in respect of any debt or other pecuniary obligation arising out of any act done or money paid thereunder, and subject to the exceptions and special rules with regard to particular contracts or classes of contracts contained herein or in the Annex hereto.

(*b*) Any contract of which the execution shall be required in the general interest, within six months from the date of the coming into force of the present Treaty, by the Allied or Associated Governments of which one of the parties is a national, shall be excepted from dissolution under this Article.

When the execution of the contract thus kept alive would, owing to the alteration of trade conditions, cause one of the parties substantial prejudice the Mixed Arbitral Tribunal provided for by Section VI shall be empowered to grant to the prejudiced party equitable compensation.

(*c*) Having regard to the provisions of the constitution and law of the United States of America, of Brazil, and of Japan, neither the present Article, nor Article 300, nor the Annex hereto shall apply to contracts made between nationals of these States and German nationals; nor shall Article 305 apply to the United States of America or its nationals.

(*d*) The present Article and the annex hereto shall not apply to contracts the parties to which became enemies by reason of one of them being an inhabitant of territory of which the sovereignty has been transferred, if such party shall acquire under the present Treaty the nationality of an Allied or Associated Power, nor shall they apply to contracts between nationals of the Allied and Associated Powers between whom trading has been prohibited by reason of one of the parties being in Allied or Associated territory in the occupation of the enemy.

(*e*) Nothing in the present Article or the annex hereto shall be deemed to invalidate a transaction lawfully carried out in accordance with a contract between enemies if it has been carried out with the authority of one of the belligerent Powers.

ARTICLE 300.

(*a*) All periods of prescription, or limitation of right of action, whether they began to run before or after the outbreak of war, shall be treated in the territory of the High Contracting Parties, so far as regards relations between enemies, as having been suspended for the duration of the war. They shall begin to run again at earliest three months after the coming into force of the present Treaty. This provision shall apply to the period prescribed for the presentation of interest or dividend coupons or for the presentation for repayment of securities drawn for repayment or repayable on any other ground.

(*b*) Where, on account of failure to perform any act or comply with any formality during the war, measures of execution have been taken in German territory to the prejudice of a national of an Allied or Associated Power, the claim of such national shall, if the matter does not fall within the competence of the Courts of an Allied or Associated Power, be heard by the Mixed Arbitral Tribunal provided for by Section VI.

(*c*) Upon the application of any interested person who is a national of an Allied or Associated Power the Mixed Arbitral Tribunal shall order the restoration of the rights which have been prejudiced by the measures of execution referred to in paragraph (*b*), wherever, having regard to the particular circumstances of the case, such restoration is equitable and possible.

If such restoration is inequitable or impossible the Mixed Arbitral Tribunal may grant compensation to the prejudiced party to be paid by the German Government.

(*d*) Where a contract between enemies has been dissolved by reason either of failure on the part of either party to carry out its provisions or of the exercise of a right stipulated in the contract itself the party prejudiced may apply to the Mixed Arbitral Tribunal for relief. The Tribunal will have the powers provided for in paragraph (*c*).

(*e*) The provisions of the preceding paragraphs of this Article shall apply to the nationals of Allied and Associated Powers who have been prejudiced by reason of measures referred to above taken by Germany in invaded or occupied territory, if they have not been otherwise compensated.

(*f*) Germany shall compensate any third party who may be prejudiced by any restitution or restoration ordered by the Mixed Arbitral Tribunal under the provisions of the preceding paragraphs of this Article.

(*g*) As regards negotiable instruments, the period of three months provided under paragraph (*a*) shall commence as from the date on which any exceptional regulations applied in the territories of the interested Power with regard to negotiable instruments shall have definitely ceased to have force.

ARTICLE 301.

As between enemies no negotiable instrument made before the war shall be deemed to have become invalid by reason only of failure within the required time to present the instrument for acceptance or payment or to give notice of non-acceptance or non-payment to drawers or indorsers or to protest the instrument, nor by reason of failure to complete any formality during the war.

Where the period within which a negotiable instrument should have been presented for acceptance or for payment, or within which notice of non-acceptance or non-payment should have been given to the drawer or indorser, or within which the instrument should have been protested, has elapsed during the war, and the party who should have presented or protested the instrument or have given notice of non-acceptance or non-payment has failed to do so during the war, a period of not less than three months from the coming into force of the present Treaty shall be allowed within which presentation, notice of non-acceptance or non-payment or protest may be made.

ARTICLE 302.

Judgments given by the Courts of an Allied or Associated Power in all cases, which, under the present Treaty, they are competent to decide, shall be recognised in Germany as final, and shall be enforced without it being necessary to have them declared executory.

If a judgment in respect to any dispute which may have arisen has been given during the war by a German Court against a national of an Allied or Associated State in a case in which he was not able to make his defence, the Allied and Associated national who has suffered prejudice thereby shall be entitled to recover compensation, to be fixed by the Mixed Arbitral Tribunal provided for in Section VI.

At the instance of the national of the Allied or Associated Power the compensation above-mentioned may, upon order to that effect of the Mixed Arbitral Tribunal, be effected where it is possible by replacing the parties in the situation which they occupied before the judgment was given by the German Court.

The above compensation may likewise be obtained before the Mixed Arbitral Tribunal by the nationals of Allied or Associated Powers who have suffered prejudice by judicial measures taken in invaded or occupied territories, if they have not been otherwise compensated.

ARTICLE 303.

For the purpose of Sections III, IV, V and VII, the expression "during the war" means for each Allied or Associated Power the period between the commencement of the state of war between that Power and Germany and the coming into force of the present Treaty.

ANNEX.

I. *General Provisions.*

1.

Within the meaning of Articles 299, 300 and 301, the parties to a contract shall be regarded as enemies when trading between them shall have been prohibited or otherwise became unlawful under laws, orders or regulations to which one of those parties was subject. They shall be deemed to have become enemies from the date when such trading was prohibited or otherwise became unlawful.

2.

The following classes of contracts are excepted from dissolution by Article 299 and, without prejudice to the rights contained in Article 297 (*b*) of Section IV, remain in force subject to the application of domestic laws, orders or regulations made during the war by the Allied and Associated Powers and subject to the terms of the contracts:

(*a*) Contracts having for their object the transfer of estates or of real or personal property where the property therein had passed or the object had been delivered before the parties became enemies;

(*b*) Leases and agreements for leases of land and houses;

(*c*) Contracts of mortgage, pledge or lien;

(*d*) Concessions concerning mines, quarries or deposits;

(*e*) Contracts between individuals or companies and States, provinces, municipalities, or other similar juridical persons charged with administrative functions, and concessions granted by States, provinces, municipalities, or other similar juridical persons charged with administrative functions.

3.

If the provisions of a contract are in part dissolved under Article 299, the remaining provisions of that contract shall, subject to the same application of domestic laws as is provided for in paragraph 2, continue in force if they are severable, but where they are not severable the contract shall be deemed to have been dissolved in its entirety.

II. *Provisions relating to certain classes of Contracts.*

Stock Exchange and Commercial Exchange Contracts.

4.

(*a*) Rules made during the war by any recognised Exchange or Commercial Association providing for the closure of contracts entered into before the war by an enemy are confirmed by the High Contracting Parties, as also any action taken thereunder, provided:

(1) That the contract was expressed to be made subject to the rules of the Exchange or Association in question;

(2) That the rules applied to all persons concerned;

(3) That the conditions attaching to the closure were fair and reasonable.

(*b*) The preceding paragraph shall not apply to rules made during the occupation by Exchanges or Commercial Associations in the districts occupied by the enemy.

(*c*) The closure of contracts relating to cotton "futures," which were closed as on July 31, 1914, under the decision of the Liverpool Cotton Association, is also confirmed,

Security.

5.

The sale of a security held for an unpaid debt owing by an enemy shall be deemed to have been valid irrespective of notice to the owner if the creditor acted in good faith and with reasonable care and prudence, and no claim by the debtor on the ground of such sale shall be admitted.

This stipulation shall not apply to any sale of securities effected by an enemy during the occupation in regions invaded or occupied by the enemy.

Negotiable Instruments.

6.

As regards Powers which adopt Section III and the Annex thereto the pecuniary obligations existing between enemies and resulting from the issue of negotiable instruments shall be adjusted in conformity with the said Annex by the instrumentality of the Clearing Offices, which shall assume the rights of the holder as regards the various remedies open to him.

7.

If a person has either before or during the war become liable upon a negotiable instrument in accordance with an undertaking given to him by a person who has subsequently become an enemy, the latter shall remain liable to indemnify the former in respect of his liability notwithstanding the outbreak of war.

III. *Contracts of Insurance.*

8.

Contracts of insurance entered into by any person with another person who subsequently became an enemy will be dealt with in accordance with the following paragraphs.

Fire Insurance.

9.

Contracts for the insurance of property against fire entered into by a person interested in such property with another person who subsequently became an enemy shall not be deemed to have been dissolved by the outbreak of war, or by the fact of the person becoming an enemy, or on account of the failure during the war and for a period of three months thereafter to perform his obligations under the contract, but they shall be dissolved at the date when the annual premium becomes payable for the first time after the expiration of a period of three months after the coming into force of the present Treaty.

A settlement shall be effected of unpaid premiums which became due during the war, or of claims for losses which occurred during the war.

10.

Where by administrative or legislative action an insurance against fire effected before the war has been transferred during the war from the original to another insurer, the transfer will be recognised and the liability of the original insurer will be deemed to have ceased as from the date of the transfer. The original insurer will, however, be entitled to receive on demand full information as to the terms of the transfer, and if it should appear that these terms were not equitable they shall be amended so far as may be necessary to render them equitable.

Furthermore, the insured shall, subject to the concurrence of the original insurer, be entitled to retransfer the contract to the original insurer as from the date of the demand.

Life Insurance.

11.

Contracts of life insurance entered into between an insurer and a person who subsequently became an enemy shall not be deemed to have been dissolved by the outbreak of war, or by the fact of the person becoming an enemy.

Any sum which during the war became due upon a contract deemed not to have been dissolved under the preceding provision shall be recoverable after the war with the addition of interest at five per cent. per annum from the date of its becoming due up to the day of payment.

Where the contract has lapsed during the war owing to non-payment of premiums, or has become void from breach of the conditions of the contract, the assured or his representatives or the person entitled shall have the right at any time within twelve months of the coming into force of the present Treaty to claim from the insurer the surrender value of the policy at the date of its lapse or avoidance.

Where the contract has lapsed during the war owing to non-payment of premiums the payment of which has been prevented

by the enforcement of measures of war, the assured or his representative or the persons entitled shall have the right to restore the contract on payment of the premiums with interest at five per cent. per annum within three months from the coming into force of the present Treaty.

12.

Any Allied or Associated Power may within three months of the coming into force of the present Treaty cancel all the contracts of insurance running between a German insurance company and its nationals under conditions which shall protect its nationals from any prejudice.

To this end the German insurance company will hand over to the Allied or Associated Government concerned the proportion of its assets attributable to the policies so cancelled and will be relieved from all liability in respect of such policies. The assets to be handed over shall be determined by an actuary appointed by the Mixed Arbitral Tribunal.

13.

Where contracts of life insurance have been entered into by a local branch of an insurance company established in a country which subsequently became an enemy country, the contract shall, in the absence of any stipulation to the contrary in the contract itself, be governed by the local law, but the insurer shall be entitled to demand from the insured or his representatives the refund of sums paid on claims made or enforced under measures taken during the war, if the making or enforcement of such claims was not in accordance with the terms of the contract itself or was not consistent with the laws or treaties existing at the time when it was entered into.

14.

In any case where by the law applicable to the contract the insurer remains bound by the contract notwithstanding the non-payment of premiums until notice is given to the insured of the termination of the contract, he shall be entitled where the giving of such notice was prevented by the war to recover the unpaid premiums with interest at five per cent. per annum from the insured.

15.

Insurance contracts shall be considered as contracts of life assurance for the purpose of paragraphs 11 to 14 when they depend on the probabilities of human life combined with the rate of interest for the calculation of the reciprocal engagements between the two parties.

Marine Insurance.

16.

Contracts of marine insurance including time policies and voyage policies entered into between an insurer and a person who subsequently became an enemy, shall be deemed to have been dissolved on his becoming an enemy, except in cases where the risk undertaken in the contract had attached before he became an enemy.

Where the risk had not attached, money paid by way of premium or otherwise shall be recoverable from the insurer.

Where the risk had attached effect shall be given to the contract notwithstanding the party becoming an enemy, and sums due under the contract either by way of premiums or in respect of losses shall be recoverable after the coming into force of the present Treaty.

In the event of any agreement being come to for the payment of interest on sums due before the war to or by the nationals of States which have been at war and recovered after the war, such interest shall in the case of losses recoverable under contracts of marine insurance run from the expiration of a period of one year from the date of the loss.

17.

No contract of marine insurance with an insured person who subsequently became an enemy shall be deemed to cover losses due to belligerent action by the Power of which the insurer was a national or by the allies or associates of such Power.

18.

Where it is shown that a person who had before the war entered into a contract of marine insurance with an insurer who subsequently became an enemy entered after the outbreak of war into a new contract covering the same risk with an insurer who was not an enemy, the new contract shall be deemed to be substituted for the original contract as from the date when it was entered into, and the premiums payable shall be adjusted on the basis of the original insurer having remained liable on the contract only up till the time when the new contract was entered into.

Other Insurances.

19.

Contracts of insurance entered into before the war between an insurer and a person who subsequently became an enemy, other than contracts dealt with in paragraphs 9 to 18, shall be treated in all respects on the same footing as contracts of fire insurance between the same persons would be dealt with under the said paragraphs.

Re-insurance.

20.

All treaties of re-insurance with a person who became an enemy shall be regarded as having been abrogated by the person becoming an enemy, but without prejudice in the case of life or marine risks which had attached before the war to the right to recover payment after the war for sums due in respect of such risks.

Nevertheless if, owing to invasion, it has been impossible for the re-insured to find another re-insurer, the treaty shall remain in force until three months after the coming into force of the present Treaty.

Where a re-insurance treaty becomes void under this paragraph, there shall be an adjustment of accounts between the parties in respect both of premiums paid and payable and of liabilities for losses in respect of life or marine risks which had attached before the war. In the case of risks other than those mentioned in paragraphs 11 to 18 the adjustment of accounts shall be made as at the date of the parties becoming enemies without regard to claims for losses which may have occurred since that date.

21.

The provisions of the preceding paragraph will extend equally to re-insurances existing at the date of the parties becoming enemies of particular risks undertaken by the insurer in a contract of insurance against any risks other than life or marine risks.

22.

Re-insurance of life risks effected by particular contracts and not under any general treaty remain in force.

The provisions of paragraph 12 apply to treaties of re-insurance of life insurance contracts in which enemy companies are the re-insurers.

23.

In case of a re-insurance effected before the war of a contract of marine insurance, the cession of a risk which had been ceded to the re-insurer shall, if it had attached before the outbreak of war, remain valid and effect be given to the contract notwithstanding the outbreak of war; sums due under the contract of re-insurance in respect either of premiums or of losses shall be recoverable after the war.

24.

The provisions of paragraphs 17 and 18 and the last part of paragraph 16 shall apply to contracts for the re-insurance of marine risks.

SECTION VI.

MIXED ARBITRAL TRIBUNAL.

ARTICLE 304.

(*a*) Within three months from the date of the coming into force of the present Treaty, a Mixed Arbitral Tribunal shall be established between each of the Allied and Associated Powers on the one hand and Germany on the other hand. Each such Tribunal shall consist of three members. Each of the Governments concerned shall appoint one of these members. The President shall be chosen by agreement between the two Governments concerned.

In case of failure to reach agreement, the President of the Tribunal and two other persons either of whom may in case of need take his place, shall be chosen by the Council of the League of Nations, or, until this is set up, by M. Gustave Ador if he is willing. These persons shall be nationals of Powers that have remained neutral during the war.

If any Government does not proceed within a period of one month in case there is a vacancy to appoint a member of the Tribunal, such member shall be chosen by the other Government from the two persons mentioned above other than the President.

The decision of the majority of the members of the Tribunal shall be the decision of the Tribunal.

(*b*) The Mixed Arbitral Tribunals established pursuant to paragraph (*a*), shall decide all questions within their competence under Sections III, IV, V and VII.

In addition, all questions, whatsoever their nature, relating to contracts concluded before the coming into force of the present Treaty between nationals of the Allied and Associated Powers and German nationals shall be decided by the Mixed Arbitral Tribunal, always excepting questions which, under the laws of the Allied, Associated or Neutral Powers, are within the jurisdiction of the National Courts of those Powers. Such questions shall be decided by the National Courts in question, to the exclusion of the Mixed Arbitral Tribunal. The party who is a national of an Allied or Associated Power may nevertheless bring the case before the Mixed Arbitral Tribunal if this is not prohibited by the laws of his country.

(c) If the number of cases justifies it, additional members shall be appointed and each Mixed Arbitral Tribunal shall sit in divisions. Each of these divisions will be constituted as above.

(d) Each Mixed Arbitral Tribunal will settle its own procedure except in so far as it is provided in the following Annex, and is empowered to award the sums to be paid by the loser in respect of the costs and expenses of the proceedings.

(e) Each Government will pay the remuneration of the member of the Mixed Arbitral Tribunal appointed by it and of any agent whom it may appoint to represent it before the Tribunal. The remuneration of the President will be determined by special agreement between the Governments concerned; and this remuneration and the joint expenses of each Tribunal will be paid by the two Governments in equal moieties.

(f) The High Contracting Parties agree that their courts and authorities shall render to the Mixed Arbitral Tribunals direct all the assistance in their power, particularly as regards transmitting notices and collecting evidence.

(g) The High Contracting Parties agree to regard the decisions of the Mixed Arbitral Tribunal as final and conclusive, and to render them binding upon their nationals.

ANNEX.

1.

Should one of the members of the Tribunal either die, retire, or be unable for any reason whatever to discharge his function, the same procedure will be followed for filling the vacancy as was followed for appointing him.

2.

The Tribunal may adopt such rules of procedure as shall be in accordance with justice and equity and decide the order and time at which each party must conclude its arguments, and may arrange all formalities required for dealing with the evidence.

3.

The agent and counsel of the parties on each side are authorized to present orally and in writing to the Tribunal arguments in support or in defence of each case.

4.

The Tribunal shall keep record of the questions and cases submitted and the proceedings thereon, with the dates of such proceedings.

5.

Each of the Powers concerned may appoint a secretary. These secretaries shall act together as joint secretaries of the Tribunal and shall be subject to its direction. The Tribunal may appoint and employ any other necessary officer or officers to assist in the performance of its duties.

6.

The Tribunal shall decide all questions and matters submitted upon such evidence and information as may be furnished by the parties concerned.

7.

Germany agrees to give the Tribunal all facilities and information required by it for carrying out its investigations.

8.

The language in which the proceedings shall be conducted shall, unless otherwise agreed, be English, French, Italian or Japanese, as may be determined by the Allied or Associated Power concerned.

9.

The place and time for the meetings of each Tribunal shall be determined by the President of the Tribunal.

ARTICLE 305.

Whenever a competent court has given or gives a decision in a case covered by Sections III, IV, V or VII, and such decision is inconsistent with the provisions of such Sections, the party who is prejudiced by the decision shall be entitled to obtain redress which shall be fixed by the Mixed Arbitral Tribunal. At the request of the national of an Allied or Associated Power, the redress may, whenever possible, be effected by the Mixed Arbitral Tribunal directing the replacement of the parties in the position occupied by them before the judgment was given by the German court.

SECTION VII.

INDUSTRIAL PROPERTY.

ARTICLE 306.

Subject to the stipulations of the present Treaty, rights of industrial, literary and artistic property, as such property is defined by the International Conventions of Paris and of Berne, mentioned in Article 286, shall be re-established or restored, as from the coming into force of the present Treaty, in the territories of the High Contracting Parties, in favour of the persons entitled to the benefit of them at the moment when the state of war commenced or their legal representatives. Equally, rights which, except for the war, would have been acquired during the war in consequence of an application made for the protection of industrial property, or the publication of a literary or artistic work, shall be recognised and established in favour of those persons who would have been entitled thereto, from the coming into force of the present Treaty.

Nevertheless, all acts done by virtue of the special measures taken during the war under legislative, executive or administrative authority of any Allied or Associated Power in regard to the rights of German nationals in industrial, literary or artistic property shall remain in force and shall continue to maintain their full effect.

No claim shall be made or action brought by Germany or German nationals in respect of the use during the war by the Government of any Allied or Associated Power, or by any persons acting on behalf or with the assent of such Government, of any rights in industrial, literary or artistic property, nor in respect of the sale, offering for sale, or use of any products, articles or apparatus whatsoever to which such rights applied.

Unless the legislation of any one of the Allied or Associated Powers in force at the moment of the signature of the present Treaty otherwise directs, sums due or paid in virtue of any act or operation resulting from the execution of the special measures mentioned in paragraph I of this Article shall be dealt with in the same way as other sums due to German nationals are directed to be dealt with by the present Treaty; and sums produced by any special measures taken by the German Government in respect of rights in industrial, literary or artisic property belonging to the nationals of the Allied or Associated Powers shall be considered and treated in the same way as other debts due from German nationals.

Each of the Allied and Associated Powers reserves to itself the right to impose such limitations, conditions or restrictions on rights of industrial, literary or artistic property (with the exception of trade-marks) acquired before or during the war, or which may be subsequently acquired in accordance with its legislation, by German nationals, whether by granting licences, or by the working, or by preserving control over their exploitation, or in any other way, as may be considered necessary for national defence, or in the public interest, or for assuring the fair treatment by Germany of the rights of industrial, literary and artistic property held in German territory by its nationals, or for securing the due fulfilment of all the obligations undertaken by Germany in the present Treaty. As regards rights of industrial, literary and artistic property acquired after the coming into force of the present Treaty, the right so reserved by the Allied and Associated Powers shall only be exercised in cases where these limitations, conditions or restrictions may be considered necessary for national defence or in the public interest.

In the event of the application of the provisions of the preceding paragraph by any Allied or Associated Power, there shall be paid reasonable indemnities or royalties, which shall be dealt with in the same way other sums due to German nationals are directed to be dealt with by the present Treaty.

Each of the Allied or Associated Powers reserves the right to treat as void and of no effect any transfer in whole or in part of or other dealing with rights of or in respect of industrial, literary or artistic property effected after August 1, 1914, or in the future, which would have the result of defeating the objects of the provisions of this Article.

The provisions of this Article shall not apply to rights in industrial, literary or artistic property which have been dealt with in the liquidation of businesses or companies under war legislation by the Allied or Associated Powers, or which may be so dealt with by virtue of Article 297, paragraph (b).

ARTICLE 307.

A minimum of one year after the coming into force of the present Treaty shall be accorded to the nationals of the High Contracting Parties, without extension fees or other penalty, in order to enable such persons to accomplish any act, fulfil any formality, pay any fees, and generally satisfy any obligation prescribed by the laws or regulations of the respective States relating to the obtaining, preserving, or opposing rights to, or in respect of, industrial property either acquired before August 1, 1914, or which, except for the war, might have been acquired since that date as a result of an application made before the war or during its continuance, but nothing in this Article shall give any right to reopen interference proceedings in the United States of America where a final hearing has taken place.

All rights in, or in respect of, such property which may have lapsed by reason of any failure to accomplish any act, fulfil any formality, or make any payment, shall revive, but subject in the case of patents and designs to the imposition of such conditions as each Allied or Associated Power may deem reasonably necessary for the protection of persons who have manufactured or made use of the subject matter of such property while the rights had lapsed. Further, where rights to patents or designs belonging to German nationals are revived under this Article, they shall be subject in respect of the grant of licences to the same provisions as would have been applicable to them during the war, as well as to all the provisions of the present Treaty.

The period from August 1, 1914, until the coming into force of the present Treaty shall be excluded in considering the time within which a patent should be worked or a trade mark or design used, and it is further agreed that no patent, registered trade mark or design in force on August 1, 1914, shall be subject to revocation or cancellation by reason only of the failure to work such patent or use such trade mark or design for two years after the coming into force of the present Treaty.

ARTICLE 308.

The rights of priority, provided by Article 4 of the International Convention for the Protection of Industrial Property of Paris, of March 20, 1883, revised at Washington in 1911 or by any other Convention or Statute, for the filing or registration of applications for patents or models of utility, and for the registration of trade marks, designs and models which had not expired on August 1, 1914, and those which have arisen during the war, or would have arisen but for the war, shall be extended by each of the High Contracting Parties in favour of all nationals of the other High Contracting Parties for a period of six months after the coming into force of the present Treaty.

Nevertheless, such extension shall in no way affect the right of any of the High Contracting Parties or of any person who before the coming into force of the present Treaty was *bonâ fide* in possession of any rights of industrial property conflicting with rights applied for by another who claims rights of priority in respect of them, to exercise such rights by itself or himself personally, or by such agents or licensees as derived their rights from it or him before the coming into force of the present Treaty; and such persons shall not be amenable to any action or other process of law in respect of infringement.

ARTICLE 309.

No action shall be brought and no claim made by persons residing or carrying on business within the territories of Germany on the one part and of the Allied or Associated Powers on the other, or persons who are nationals of such Powers respectively, or by any one deriving title during the war from such persons, by reason of any action which has taken place within the territory of the other party between the date of the declaration of war and that of the coming into force of the present Treaty, which might constitute an infringement of the rights of industrial property or rights of literary and artistic property, either existing at any time during the war or revived under the provisions of Articles 307 and 308.

Equally, no action for infringement of industrial, literary or artistic property rights by such persons shall at any time be permissible in respect of the sale or offering for sale for a period of one year after the signature of the present Treaty in the territories of the Allied or Associated Powers on the one hand or Germany on the other, of products or articles manufactured, or of literary or artistic works published, during the period between the declaration of war and the signature of the present Treaty, or against those who have acquired and continue to use them. It is understood, nevertheless, that this provision shall not apply when the possessor of the rights was domiciled or had an industrial or commercial establishment in the districts occupied by Germany during the war.

This Article shall not apply as between the United States of America on the one hand and Germany on the other.

ARTICLE 310.

Licences in respect of industrial, literary or artistic property concluded before the war between nationals of the Allied or Associated Powers or persons residing in their territory or carrying on business therein, on the one part, and German nationals, on the other part, shall be considered as cancelled as from the date of the declaration of war between Germany and the Allied or Associated Powers. But, in any case, the former beneficiary of a contract of this kind shall have the right, within a period of six months after the coming into force of the present Treaty, to demand from the proprietor of the rights the grant of a new licence, the conditions of which, in default of agreement between the parties, shall be fixed by the duly qualified tribunal in the country under whose legislation the rights had been acquired, except in the case of licences held in respect of rights acquired under German law. In such cases the conditions shall be fixed by the Mixed Arbitral Tribunal referred to in Section VI of this Part. The tribunal may, if necessary, fix also the amount which it may deem just should be paid by reason of the use of the rights during the war.

No licence in respect of industrial, literary or artistic property, granted under the special war legislation of any Allied or Associated Power, shall be affected by the continued existence of any licence entered into before the war, but shall remain valid and of full effect, and a licence so granted to the former beneficiary of a licence entered into before the war shall be considered as substituted for such licence.

Where sums have been paid during the war by virtue of a licence or agreement concluded before the war in respect of rights of industrial property or for the reproduction or the representation of literary, dramatic or artistic works, these sums shall be dealt with in the same manner as other debts or credits of German nationals, as provided by the present Treaty.

This Article shall not apply as between the United States of America on the one hand and Germany on the other.

ARTICLE 311.

The inhabitants of territories separated from Germany by virtue of the present Treaty shall, notwithstanding this separation and the change of nationality consequent thereon, continue to enjoy in Germany all the rights in industrial, literary and artistic property to which they were entitled under German legislation at the time of the separation.

Rights of industrial, literary and artistic property which are in force in the territories separated from Germany under the present Treaty at the moment of the separation of these territories from Germany, or which will be re-established or restored in accordance with the provisions of Article 306 of the present Treaty, shall be recognized by the State to which the said territory is transferred and shall remain in force in that territory for the same period of time given them under the German law.

SECTION VIII.

SOCIAL AND STATE INSURANCE IN CEDED TERRITORY.

ARTICLE 312.

Without prejudice to the provisions contained in other Articles of the present Treaty, the German Government undertakes to transfer to any Power to which German territory in Europe is ceded, and to any Power administering former German territory as a mandatory under Article 22 of Part I (League of Nations), such portion of the reserves accumulated by the Government of the German Empire or of German States, or by public or private organisations under their control, as is attributable to the carrying on of Social or State Insurance in such territory.

The Powers to which these funds are transferred must apply them to the performance of the obligations arising from such insurances.

The conditions of the transfer will be determined by special conventions to be concluded between the German Government and the Governments concerned.

In case these special conventions are not concluded in accordance with the above paragraph within three months after the coming into force of the present Treaty, the conditions of transfer shall in each case be referred to a Commission of five members, one of whom shall be appointed by the German Government, one by the other interested Government and three by the Governing Body of the International Labour Office from the nationals of other States. This Commission shall by majority vote within three months after appointment adopt recommendations for submission to the Council of the League of Nations, and the decisions of the Council shall forthwith be accepted as final by Germany and the other Government concerned.

PART XI.

AERIAL NAVIGATION.

ARTICLE 313.

The aircraft of the Allied and Associated Powers shall have full liberty of passage and landing over and in the territory and territorial waters of Germany, and shall enjoy the same privileges as German aircraft, particularly in case of distress by land or sea.

ARTICLE 314.

The aircraft of the Allied and Associated Powers shall, while in transit to any foreign country whatever, enjoy the right of flying over the territory and territorial waters of Germany without landing, subject always to any regulations which may be made by Germany, and which shall be applicable equally to the aircraft of Germany and to those of the Allied and Associated countries.

ARTICLE 315.

All aerodromes in Germany open to national public traffic shall be open for the aircraft of the Allied and Associated Powers, and in any such aerodrome such aircraft shall be treated on a footing of equality with German aircraft as regards charges of every description, including charges for landing and accommodation.

ARTICLE 316.

Subject to the present provisions, the rights of passage, transit and landing, provided for in Articles 313, 314 and 315, are subject to the observance of such regulations as Germany may consider it necessary to enact, but such regulations shall be applied without distinction to German aircraft and to those of the Allied and Associated countries.

ARTICLE 317.

Certificates of nationality, airworthiness, or competency, and licences, issued or recognised as valid by any of the Allied or Associated Powers, shall be recognised in Germany as valid and as equivalent to the certificates and licences issued by Germany.

ARTICLE 318.

As regards internal commercial air traffic, the aircraft of the Allied and Associated Powers shall enjoy in Germany most favoured nation treatment.

ARTICLE 319.

Germany undertakes to enforce the necessary measures to ensure that all German aircraft flying over her territory shall comply with the Rules as to lights and signals, Rules of the Air and Rules for Air Traffic on and in the neighbourhood of aerodromes, which have been laid down in the Convention relative to Aerial Navigation concluded between the Allied and Associated Powers.

ARTICLE 320.

The obligations imposed by the preceding provisions shall remain in force until January 1, 1923, unless before that date Germany shall have been admitted into the League of Nations or shall have been authorised, by consent of the Allied and Associated Powers, to adhere to the Convention relative to Aerial Navigation concluded between those Powers.

PART XII.

PORTS, WATERWAYS AND RAILWAYS.

SECTION I.

GENERAL PROVISIONS.

ARTICLE 321.

Germany undertakes to grant freedom of transit through her territories on the routes most convenient for international transit, either by rail, navigable waterway, or canal, to persons, goods, vessels, carriages, wagons and mails coming from or going to the territories of any of the Allied and Associated Powers (whether contiguous or not); for this purpose the crossing of territorial waters shall be allowed. Such persons, goods, vessels, carriages, wagons and mails shall not be subjected to any transit duty or to any undue delays or restrictions, and shall be entitled in Germany to national treatment as regards charges, facilities, and all other matters.

Goods in transit shall be exempt from all Customs or other similar duties.

All charges imposed on transport in transit shall be reasonable, having regard to the conditions of the traffic. No charge, facility or restriction shall depend directly or indirectly on the ownership or on the nationality of the ship or other means of transport on which any part of the through journey has been, or is to be, accomplished.

ARTICLE 322.

Germany undertakes neither to impose nor to maintain any control over transmigration traffic through her territories beyond measures necessary to ensure that passengers are *bonâ fide* in transit; nor to allow any shipping company or any other private body, corporation or person interested in the traffic to take any part whatever in, or to exercise any direct or indirect influence over, any administrative service that may be necessary for this purpose.

ARTICLE 323.

Germany undertakes to make no discrimination or preference, direct or indirect, in the duties, charges and prohibitions relating to importations into or exportations from her territories, or, subject to the special engagements contained in the present Treaty, in the charges and conditions of transport of goods or persons entering or leaving her territories, based on the frontier crossed; or on the kind, ownership or flag of the means of transport (including aircraft) employed; or on the original or immediate place of departure of the vessel, wagon or aircraft or other means of transport employed, or its ultimate or intermediate destination; or on the route of or places of transshipment on the journey; or on whether any port through which the goods are imported or exported is a German port or a port belonging to any foreign country or on whether the goods are imported or exported by sea, by land or by air.

Germany particularly undertakes not to establish against the ports and vessels of any of the Allied and Associated Powers any surtax or any direct or indirect bounty for export or import by German ports or vessels, or by those of another Power, for example by means of combined tariffs. She further undertakes that persons or goods passing through a port or using a vessel of any of the Allied and Associated Powers shall not be subjected to any formality or delay whatever to which such persons or goods would not be subjected if they passed through a German port or a port of any other Power, or used a German vessel or a vessel of any other Power.

ARTICLE 324.

All necessary administrative and technical measures shall be taken to shorten, as much as possible, the transmission of goods across the German frontiers and to ensure their forwarding and transport from such frontiers, irrespective of whether such goods are coming from or going to the territories of the Allied and Associated Powers or are in transit from or to those territories, under the same material conditions in such matters as rapidity of carriage and care *en route* as are enjoyed by other goods of the same kind carried on German territory under similar conditions of transport.

In particular, the transport of perishable goods shall be promptly and regularly carried out, and the customs formalities shall be effected in such a way as to allow the goods to be carried straight through by trains which make connection.

ARTICLE 325.

The seaports of the Allied and Associated Powers are entitled to all favours and to all reduced tariffs granted on German railways or navigable waterways for the benefit of German ports or of any port of another Power.

ARTICLE 326.

Germany may not refuse to participate in the tariffs or combinations of tariffs intended to secure for ports of any of the Allied and Associated Powers advantages similar to those granted by Germany to her own ports or the ports of any other Power.

SECTION II.

NAVIGATION.

CHAPTER I.

FREEDOM OF NAVIGATION.

ARTICLE 327.

The nationals of any of the Allied and Associated Powers as well as their vessels and property shall enjoy in all German ports and on the inland navigation routes of Germany the same treatment in all respects as German nationals, vessels and property.

In particular the vessels of any one of the Allied or Associated Powers shall be entitled to transport goods of any description, and passengers, to or from any ports or places in German territory to which German vessels may have access, under conditions which shall not be more onerous than those applied in the case of national vessels; they shall be treated on a footing of equality with national vessels as regards port and harbour facilities and charges of every description, including facilities for stationing, loading and unloading, and duties and charges

of tonnage, harbour, pilotage, lighthouse, quarantine, and all analogous duties and charges of whatsoever nature, levied in the name of or for the profit of the Government, public functionaries, private individuals, corporations or establishments of any kind.

In the event of Germany granting a preferential régime to any of the Allied or Associated Powers or to any other foreign Power, this régime shall be extended immediately and unconditionally to all the Allied and Associated Powers.

There shall be no impediment to the movement of persons or vessels other than those arising from prescriptions concerning customs, police, sanitation, emigration and immigration, and those relating to the import and export of prohibited goods. Such regulations must be reasonable and uniform and must not impede traffic unnecessarily.

CHAPTER II.

FREE ZONES IN PORTS.

ARTICLE 328.

The free zones existing in German ports on August 1, 1914, shall be maintained. These free zones, and any other free zones which may be established in German territory by the present Treaty, shall be subject to the régime provided for in the following Articles.

Goods entering or leaving a free zone shall not be subjected to any import or export duty, other than those provided for in Article 330.

Vessels and goods entering a free zone may be subjected to the charges established to cover expenses of administration, upkeep and improvement of the port, as well as to the charges for the use of various installations, provided that these charges shall be reasonable having regard to the expenditure incurred, and shall be levied in the conditions of equality provided for in Article 327.

Goods shall not be subjected to any other charges except a statistical duty which shall not exceed 1 per mille *ad valorem*, and which shall be devoted exclusively to defraying the expenses of compiling statements of the traffic in the port.

ARTICLE 329.

The facilities granted for the erection of warehouses, for packing and for unpacking goods, shall be in accordance with trade requirements for the time being. All goods allowed to be consumed in the free zone shall be exempt from duty, whether of excise or of any other description, apart from the statistical duty provided for in Article 328 above.

There shall be no discrimination in regard to any of the provisions of the present Article between persons belonging to different nationalities or between goods of different origin or destination.

ARTICLE 330.

Import duties may be levied on goods leaving the free zone for consumption in the country on the territory of which the port is situated. Conversely, export duties may be levied on goods coming from such country and brought into the free zone. These import and export duties shall be levied on the same basis and at the same rates as similar duties levied at the other Customs frontiers of the country concerned. On the other hand, Germany shall not levy, under any denomination, any import, export or transit duty on goods carried by land or water across her territory to or from the free zone from or to any other State.

Germany shall draw up the necessary regulations to secure and guarantee such freedom of transit over such railways and waterways in her territory as normally give access to the free zone.

CHAPTER III.

CLAUSES RELATING TO THE ELBE, THE ODER, THE NIEMEN (RUSSSTROM-MEMEL-NIEMEN) AND THE DANUBE.

(I)—*General Clauses.*

ARTICLE 331.

The following rivers are declared international:

the Elbe (*Labe*) from its confluence with the Vltava (*Moldau*), and the Vltava (*Moldau*) from Prague;
the Oder (*Odra*) from its confluence with the Oppa;
the Niemen (*Russstrom-Memel-Niemen*) from Grodno;
the Danube from Ulm;

and all navigable parts of these river systems which naturally provide more than one State with access to the sea, with or without transshipment from one vessel to another; together with lateral canals and channels constructed either to duplicate or to improve naturally navigable sections of the specified river systems, or to connect two naturally navigable sections of the same river.

The same shall apply to the Rhine-Danube navigable waterway, should such a waterway be constructed under the conditions laid down in Article 353.

ARTICLE 332.

On the waterways declared to be international in the preceding Article, the nationals, property and flags of all Powers shall be treated on a footing of perfect equality, no distinction being made to the detriment of the nationals, property or flag of any Power between them and the nationals, property or flag of the riparian State itself or of the most favoured nation.

Nevertheless, German vessels shall not be entitled to carry passengers or goods by regular services between the ports of any Allied or Associated Power, without special authority from such Power.

ARTICLE 333.

Where such charges are not precluded by any existing conventions, charges varying on different sections of a river may be levied on vessels using the navigable channels or their approaches, provided that they are intended solely to cover equitably the cost of maintaining in a navigable condition, or of improving, the river and its approaches, or to meet expenditure incurred in the interests of navigation. The schedule of such charges shall be calculated on the basis of such expenditure and shall be posted up in the ports. These charges shall be levied in such a manner as to render any detailed examination of cargoes unnecessary, except in cases of suspected fraud or contravention.

ARTICLE 334.

The transit of vessels, passengers and goods on these waterways shall be effected in accordance with the general conditions prescribed for transit in Section I above.

When the two banks of an international river are within the same State goods in transit may be placed under seal or in the custody of customs agents. When the river forms a frontier goods and passengers in transit shall be exempt from all customs formalities; the loading and unloading of goods, and the embarkation and disembarkation of passengers, shall only take place in the ports specified by the riparian State.

ARTICLE 335.

No dues of any kind other than those provided for in the present Part shall be levied along the course or at the mouth of these rivers.

This provision shall not prevent the fixing by the riparian States of customs, local octroi or consumption duties, or the creation of reasonable and uniform charges levied in the ports, in accordance with public tariffs, for the use of cranes, elevators, quays, warehouses, etc.

ARTICLE 336.

In default of any special organisation for carrying out the works connected with the upkeep and improvement of the international portion of a navigable system, each riparian State shall be bound to take suitable measures to remove any obstacle or danger to navigation and to ensure the maintenance of good conditions of navigation.

If a State neglects to comply with this obligation any riparian State, or any State represented on the International Commission, if there is one, may appeal to the tribunal instituted for this purpose by the League of Nations.

ARTICLE 337.

The same procedure shall be followed in the case of a riparian State undertaking any works of a nature to impede navigation in the international section. The tribunal mentioned in the preceding Article shall be entitled to enforce the suspension or suppression of such works, making due allowance in its decisions for all rights in connection with irrigation, waterpower, fisheries, and other national interests, which, with the consent of all the riparian States or of all the States represented on the International Commission, if there is one, shall be given priority over the requirements of navigation.

Appeal to the tribunal of the League of Nations does not require the suspension of the works.

ARTICLE 338.

The régime set out in Articles 332 to 337 above shall be superseded by one to be laid down in a General Convention drawn up by the Allied and Associated Powers, and approved by the League of Nations, relating to the waterways recognised in such Convention as having an international character. This Convention shall apply in particular to the whole or part of the above-mentioned river systems of the Elbe (*Labe*), the Oder (*Odra*), the Niemen (*Russstrom-Memel-Niemen*), and the Dan-

ube, and such other parts of these river systems as may be covered by a general definition.

Germany undertakes, in accordance with the provisions of Article 379, to adhere to the said General Convention as well as to all projects prepared in accordance with Article 343 below for the revision of existing international agreements and regulations.

ARTICLE 339.

Germany shall cede to the Allied and Associated Powers concerned, within a maximum period of three months from the date on which notification shall be given her, a proportion of the tugs and vessels remaining registered in the ports of the river systems referred to in Article 331 after the deduction of those surrendered by way of restitution or reparation. Germany shall in the same way cede material of all kinds necessary to the Allied and Associated Powers concerned for the utilisation of those river systems.

The number of the tugs and boats, and the amount of the material so ceded, and their distribution, shall be determined by an arbitrator or arbitrators nominated by the United States of America, due regard being had to the legitimate needs of the parties concerned, and particularly to the shipping traffic during the five years preceding the war.

All craft so ceded shall be provided with their fittings and gear, shall be in a good state of repair and in condition to carry goods, and shall be selected from among those most recently built.

The cessions provided for in the present Article shall entail a credit of which the total amount, settled in a lump sum by the arbitrator or arbitrators, shall not in any case exceed the value of the capital expended in the initial establishment of the material ceded, and shall be set off against the total sums due from Germany; in consequence, the indemnification of the proprietors shall be a matter for Germany to deal with.

(2) *Special Clauses relating to the Elbe, the Oder and the Niemen (Russstrom-Memel-Niemen).*

ARTICLE 340.

The Elbe (*Labe*) shall be placed under the administration of an International Commission which shall comprise:

4 representatives of the German States bordering on the river;
2 representatives of the Czecho-Slovak State;
1 representative of Great Britain;
1 representative of France;
1 representative of Italy;
1 representative of Belgium.

Whatever be the number of members present, each delegation shall have the right to record a number of votes equal to the number of representatives allotted to it.

If certain of these representatives cannot be appointed at the time of the coming into force of the present Treaty, the decisions of the Commission shall nevertheless be valid.

ARTICLE 341.

The Oder (*Odra*) shall be placed under the administration of an International Commission, which shall comprise:

1 representative of Poland;
3 representatives of Prussia;
1 representative of the Czecho-Slovak State;
1 representative of Great Britain;
1 representative of France;
1 representative of Denmark;
1 representative of Sweden.

If certain of these representatives cannot be appointed at the time of the coming into force of the present Treaty, the decisions of the Commission shall nevertheless be valid.

ARTICLE 342.

On a request being made to the League of Nations by any riparian State, the Niemen (*Russstrom-Memel-Niemen*) shall be placed under the administration of an International Commission, which shall comprise one representative of each riparian State, and three representatives of other States specified by the League of Nations.

ARTICLE 343.

The International Commissions referred to in Articles 340 and 341 shall meet within three months of the date of the coming into force of the present Treaty. The International Commission referred to in Article 342 shall meet within three months from the date of the request made by a riparian State. Each of these Commissions shall proceed immediately to prepare a project for the revision of the existing international agreements and regulations, drawn up in conformity with the General Convention referred to in Article 338, should such Convention have been already concluded. In the absence of such Convention, the project for revision shall be in conformity with the principles of Articles 332 to 337 above.

ARTICLE 344.

The projects referred to in the preceding Article shall, *inter alia:*

(*a*) designate the headquarters of the International Commission, and prescribe the manner in which its President is to be nominated;

(*b*) specify the extent of the Commission's powers, particularly in regard to the execution of works of maintenance, control, and improvement on the river system, the financial régime, the fixing and collection of charges, and regulations for navigation;

(*c*) define the sections of the river or its tributaries to which the international régime shall be applied.

ARTICLE 345.

The international agreements and regulations at present governing the navigation of the Elbe (*Labe*), the Oder (*Odra*), and the Niemen (*Russstrom-Memel-Niemen*) shall be provisionally maintained in force until the ratification of the above-mentioned projects. Nevertheless, in all cases where such agreements and regulations in force are in conflict with the provisions of Articles 332 to 337 above, or of the General Convention to be concluded, the latter provisions shall prevail.

(3) *Special Clauses relating to the Danube.*

ARTICLE 346.

The European Commission of the Danube reassumes the powers it possessed before the war. Nevertheless, as a provisional measure, only representatives of Great Britain, France, Italy and Roumania shall constitute this Commission.

ARTICLE 347.

From the point where the competence of the European Commission ceases, the Danube system referred to in Article 331 shall be placed under the administration of an International Commission composed as follows:

2 representatives of German riparian States;
1 representative of each other riparian State;
1 representative of each non-riparian State represented in the future on the European Commission of the Danube.

If certain of these representatives cannot be appointed at the time of the coming into force of the present Treaty, the decisions of the Commission shall nevertheless be valid.

ARTICLE 348.

The International Commission provided for in the preceding Article shall meet as soon as possible after the coming into force of the present Treaty, and shall undertake provisionally the administration of the river in conformity with the provisions of Articles 332 to 337, until such time as a definitive statute regarding the Danube is concluded by the Powers nominated by the Allied and Associated Powers.

ARTICLE 349.

Germany agrees to accept the régime which shall be laid down for the Danube by a Conference of the Powers nominated by the Allied and Associated Powers, which shall meet within one year after the coming into force of the present Treaty, and at which German representatives may be present.

ARTICLE 350.

The mandate given by Article 57 of the Treaty of Berlin of July 13, 1878, to Austria-Hungary, and transferred by her to Hungary, to carry out works at the Iron Gates, is abrogated. The Commission entrusted with the administration of this part of the river shall lay down provisions for the settlement of accounts subject to the financial provisions of the present Treaty. Charges which may be necessary shall in no case be levied by Hungary.

ARTICLE 351.

Should the Czecho-Slovak State, the Serb-Croat-Slovene State or Roumania with the authorisation of or under mandate from the International Commission, undertake maintenance, improvement, weir, or other works on a part of the river system which forms a frontier, these States shall enjoy on the opposite bank, and also on the part of the bed which is outside their territory, all necessary facilities for the survey, execution and maintenance of such works.

ARTICLE 352.

Germany shall be obliged to make to the European Commission of the Danube all restitutions, reparations and indemnities for damages inflicted on the Commission during the war.

ARTICLE 353.

Should a deep-draught Rhine-Danube navigable waterway be constructed, Germany undertakes to apply thereto the régime prescribed in Articles 332 to 338.

CHAPTER IV.

CLAUSES RELATING TO THE RHINE AND THE MOSELLE.

ARTICLE 354.

As from the coming into force of the present Treaty, the Convention of Mannheim of October 17, 1868, together with the Final Protocol thereof, shall continue to govern navigation on the Rhine, subject to the conditions hereinafter laid down.

In the event of any provisions of the said Convention being in conflict with those laid down by the General Convention referred to in Article 338 (which shall apply to the Rhine) the provisions of the General Convention shall prevail.

Within a maximum period of six months from the coming into force of the present Treaty, the Central Commission referred to in Article 355 shall meet to draw up a project of revision of the Convention of Mannheim. This project shall be drawn up in harmony with the provisions of the General Convention referred to above, should this have been concluded by that time, and shall be submitted to the Powers represented on the Central Commission. Germany hereby agrees to adhere to the project so drawn up.

Further, the modifications set out in the following Articles shall immediately be made in the Convention of Mannheim.

The Allied and Associated Powers reserve to themselves the right to arrive at an understanding in this connection with Holland, and Germany hereby agrees to accede if required to any such understanding.

ARTICLE 355.

The Central Commission provided for in the Convention of Mannheim shall consist of nineteen members, viz:

2 representatives of the Netherlands;
2 representatives of Switzerland;
4 representatives of German riparian States;
4 representatives of France, which in addition shall appoint the President of the Commission;
2 representatives of Great Britain;
2 representatives of Italy;
2 representatives of Belgium.

The headquarters of the Central Commission shall be at Strasburg.

Whatever be the number of members present, each Delegation shall have the right to record a number of votes equal to the number of representatives allotted to it.

If certain of these representatives cannot be appointed at the time of the coming into force of the present Treaty, the decisions of the Commission shall nevertheless be valid.

ARTICLE 356.

Vessels of all nations, and their cargoes, shall have the same rights and privileges as those which are granted to vessels belonging to the Rhine navigation, and to their cargoes.

None of the provisions contained in Articles 15 to 20 and 26 of the above-mentioned Convention of Mannheim, in Article 4 of the Final Protocol thereof, or in later Conventions, shall impede the free navigation of vessels and crews of all nations on the Rhine and on waterways to which such Conventions apply, subject to compliance with the regulations concerning pilotage and other police measures drawn up by the Central Commission.

The provisions of Article 22 of the Convention of Mannheim and of Article 5 of the Final Protocol thereof shall be applied only to vessels registered on the Rhine. The Central Commission shall decide on the steps to be taken to ensure that other vessels satisfy the conditions of the general regulations applying to navigation on the Rhine.

ARTICLE 357.

Within a maximum period of three months from the date on which notification shall be given Germany shall cede to France tugs and vessels, from among those remaining registered in German Rhine ports after the deduction of those surrendered by way of restitution or reparation, or shares in German Rhine navigation companies.

When vessels and tugs are ceded, such vessels and tugs, together with their fittings and gear, shall be in good state of repair, shall be in condition to carry on commercial traffic on the Rhine, and shall be selected from among those most recently built.

The same procedure shall be followed in the matter of the cession by Germany to France of:

(1) the installations, berthing and anchorage accommodation, platforms, docks, warehouses, plant, etc., which German subjects or German companies owned on August 1, 1914, in the port of Rotterdam, and

(2) the shares or interests which Germany or German nationals possessed in such installations at the same date.

The amount and specifications of such cessions shall be determined within one year of the coming into force of the present Treaty by an arbitrator or arbitrators appointed by the United States of America, due regard being had to the legitimate needs of the parties concerned.

The cessions provided for in the present Article shall entail a credit of which the total amount, settled in a lump sum by the arbitrator or arbitrators mentioned above, shall not in any case exceed the value of the capital expended in the initial establishment of the ceded material and installations, and shall be set off against the total sums due from Germany; in consequence, the indemnification of the proprietors shall be a matter for Germany to deal with.

ARTICLE 358.

Subject to the obligation to comply with the provisions of the Convention of Mannheim or of the Convention which may be substituted therefor, and to the stipulations of the present Treaty, France shall have on the whole course of the Rhine included between the two extreme points of the French frontiers:

(*a*) the right to take water from the Rhine to feed navigation and irrigation canals (constructed or to be constructed) or for any other purpose, and to execute on the German bank all works necessary for the exercise of this right;

(*b*) the exclusive right to the power derived from works of regulation on the river, subject to the payment to Germany of the value of half the power actually produced, this payment, which will take into account the cost of the works necessary for producing the power, being made either in money or in power and in default of agreement being determined by arbitration. For this purpose France alone shall have the right to carry out in this part of the river all works of regulation (weirs or other works) which she may consider necessary for the production of power. Similarly, the right of taking water from the Rhine is accorded to Belgium to feed the Rhine-Meuse navigable waterway provided for below.

The exercise of the rights mentioned under (*a*) and (*b*) of the present Article shall not interfere with navigability nor reduce the facilities for navigation, either in the bed of the Rhine or in the derivations which may be substituted therefor, nor shall it involve any increase in the tolls formerly levied under the Convention in force. All proposed schemes shall be laid before the Central Commission in order that that Commission may assure itself that these conditions are complied with.

To ensure the proper and faithful execution of the provisions contained in (*a*) and (*b*) above, Germany:

(1) binds herself not to undertake or to allow the construction of any lateral canal or any derivation on the right bank of the river opposite the French frontiers;

(2) recognises the possession by France of the right of support on and the right of way over all lands situated on the right bank which may be required in order to survey, to build, and to operate weirs which France, with the consent of the Central Commission, may subsequently decide to establish. In accordance with such consent, France shall be entitled to decide upon and fix the limits of the necessary sites, and she shall be permitted to occupy such lands after a period of two months after simple notification, subject to the payment by her to Germany of indemnities of which the total amount shall be fixed by the Central Commission. Germany shall make it her business to indemnify the proprietors whose property will be burdened with such servitudes or permanently occupied by the works.

Should Switzerland so demand, and if the Central Commission approves, the same rights shall be accorded to Switzerland for the part of the river forming her frontier with other riparian States;

(3) shall hand over to the French Government, during the month following the coming into force of the present Treaty, all projects, designs, drafts of concessions and of specifications concerning the regulation of the Rhine for any purpose whatever which have been drawn up or received by the Governments of Alsace-Lorraine or of the Grand Duchy of Baden.

ARTICLE 359.

Subject to the preceding provisions, no works shall be carried out in the bed or on either bank of the Rhine where it forms the boundary of France and Germany without the previous approval of the Central Commission or of its agents.

ARTICLE 360.

France reserves the option of substituting herself as regards the rights and obligations resulting from agreements arrived at between the Government of Alsace-Lorraine and the Grand Duchy of Baden concerning the works to be carried out on the Rhine; she may also denounce such agreements within a term of five years dating from the coming into force of the present Treaty.

France shall also have the option of causing works to be carried out which may be recognised as necessary by the Central Commission for the upkeep or improvement of the navigability of the Rhine above Mannheim.

ARTICLE 361.

Should Belgium within a period of 25 years from the coming into force of the present Treaty decide to create a deep-draught Rhine-Meuse navigable waterway, in the region of Ruhrort, Germany shall be bound to construct, in accordance with plans to be communicated to her by the Belgian Government, after agreement with the Central Commission, the portion of this navigable waterway situated within her territory.

The Belgian Government shall, for this purpose, have the right to carry out on the ground all necessary surveys.

Should Germany fail to carry out all or part of these works, the Central Commission shall be entitled to carry them out instead; and, for this purpose, the Commission may decide upon and fix the limits of the necessary sites and occupy the ground after a period of two months after simple notification, subject to the payment of indemnities to be fixed by it and paid by Germany.

This navigable waterway shall be placed under the same administrative régime as the Rhine itself, and the division of the cost of initial construction, including the above indemnities, among the States crossed thereby shall be made by the Central Commission.

ARTICLE 362.

Germany hereby agrees to offer no objection to any proposals of the Central Rhine Commission for extending its jurisdiction:

(1) to the Moselle below the Franco-Luxemburg frontier down to the Rhine, subject to the consent of Luxemburg;

(2) to the Rhine above Basle up to the Lake of Constance, subject to the consent of Switzerland;

(3) to the lateral canals and channels which may be established either to duplicate or to improve naturally navigable sections of the Rhine or the Moselle, or to connect two naturally navigable sections of these rivers, and also any other parts of the Rhine river system which may be covered by the General Convention provided for in Article 338 above.

CHAPTER V.

CLAUSES GIVING TO THE CZECHO-SLOVAK STATE THE USE OF NORTHERN PORTS.

ARTICLE 363.

In the ports of Hamburg and Stettin Germany shall lease to the Czecho-Slovak State, for a period of 99 years, areas which shall be placed under the general régime of free zones and shall be used for the direct transit of goods coming from or going to that State.

ARTICLE 364.

The delimitation of these areas, and their equipment, their exploitation, and in general all conditions for their utilisation, including the amount of the rental, shall be decided by a Commission consisting of one delegate of Germany, one delegate of the Czecho-Slovak State and one delegate of Great Britain. These conditions shall be susceptible of revision every ten years in the same manner.

Germany declares in advance that she will adhere to the decisions so taken.

SECTION III.

RAILWAYS.

CHAPTER I.

CLAUSES RELATING TO INTERNATIONAL TRANSPORT.

ARTICLE 365.

Goods coming from the territories of the Allied and Associated Powers, and going to Germany, or in transit through Germany from or to the territories of the Allied and Associated Powers, shall enjoy on the German railways as regards charges to be collected (rebates and drawbacks being taken into account), facilities, and all other matters, the most favourable treatment applied to goods of the same kind carried on any German lines, either in internal traffic, or for export, import or in transit, under similar conditions of transport, for example as regards length of route. The same rule shall be applied, on the request of one or more of the Allied and Associated Powers, to goods specially designated by such Power or Powers coming from Germany and going to their territories.

International tariffs established in accordance with the rates referred to in the preceding paragraph and involving through waybills shall be established when one of the Allied and Associated Powers shall require it from Germany.

ARTICLE 366.

From the coming into force of the present Treaty the High Contracting Parties shall renew, in so far as concerns them and under the reserves indicated in the second paragraph of the present Article, the conventions and arrangements signed at Berne on October 14, 1890, September 20, 1893, July 16, 1895, June 16, 1898, and September 19, 1906, regarding the transportation of goods by rail.

If within five years from the date of the coming into force of the present Treaty a new convention for the transportation of passengers, luggage and goods by rail shall have been concluded to replace the Berne Convention of October 14, 1890, and the subsequent additions referred to above, this new convention and the supplementary provisions for international transport by rail which may be based on it shall bind Germany, even if she shall have refused to take part in the preparation of the convention or to subscribe to it. Until a new convention shall have been concluded, Germany shall conform to the provisions of the Berne Convention and the subsequent additions referred to above, and to the current supplementary provisions.

ARTICLE 367.

Germany shall be bound to co-operate in the establishment of through ticket services (for passengers and their luggage) which shall be required by any of the Allied and Associated Powers to ensure their communication by rail with each other and with all other countries by transit across the territories of Germany; in particular Germany shall, for this purpose, accept trains and carriages coming from the territories of the Allied and Associated Powers and shall forward them with a speed at least equal to that of her best long-distance trains on the same lines. The rates applicable to such through services shall not in any case be higher than the rates collected on German internal services for the same distance, under the same conditions of speed and comfort.

The tariffs applicable under the same conditions of speed and comfort to the transportation of emigrants going to or coming from ports of the Allied and Associated Powers and using the German railways shall not be at a higher kilometric rate than the most favourable tariffs (drawbacks and rebates being taken into account) enjoyed on the said railways by emigrants going to or coming from any other ports.

ARTICLE 368.

Germany shall not apply specially to such through services, or to the transportation of emigrants going to or coming from the ports of the Allied and Associated Powers, any technical, fiscal or administrative measures, such as measures of customs examination, general police, sanitary police, and control, the result of which would be to impede or delay such services.

ARTICLE 369.

In case of transport partly by rail and partly by internal navigation, with or without through waybill, the preceding Articles shall apply to the part of the journey performed by rail.

CHAPTER II.

ROLLING-STOCK.

ARTICLE 370.

Germany undertakes that German wagons shall be fitted with apparatus allowing:

(1) of their inclusion in goods trains on the lines of such of the Allied and Associated Powers as are parties to the Berne Convention of May 15, 1886, as modified on May 18, 1907, without hampering the action of the continuous brake which may be adopted in such countries within ten years of the coming into force of the present Treaty, and

(2) of the acceptance of wagons of such countries in all goods trains on the German lines.

The rolling-stock of the Allied and Associated Powers shall enjoy on the German lines the same treatment as German rolling-stock as regards movement, upkeep and repairs.

CHAPTER III.

CESSIONS OF RAILWAY LINES.

ARTICLE 371.

Subject to any special provisions concerning the cession of ports, waterways and railways situated in the territories over which Germany abandons her sovereignty, and to the financial

conditions relating to the concessionnaires and the pensioning of the personnel, the cession of railways will take place under the following conditions:

(1) The works and installations of all the railroads shall be handed over complete and in good condition.

(2) When a railway system possessing its own rolling-stock is handed over in its entirety by Germany to one of the Allied and Associated Powers, such stock shall be handed over complete, in accordance with the last inventory before November 11, 1918, and in a normal state of upkeep.

(3) As regards lines without any special rolling-stock, Commissions of experts designated by the Allied and Associated Powers, on which Germany shall be represented, shall fix the proportion of the stock existing on the system to which those lines belong to be handed over. These Commissions shall have regard to the amount of the material registered on these lines in the last inventory before November 11, 1918, the length of track (sidings included), and the nature and amount of the traffic. These Commissions shall also specify the locomotives, carriages and wagons to be handed over in each case; they shall decide upon the conditions of their acceptance, and shall make the provisional arrangements necessary to ensure their repair in German workshops.

(4) Stocks of stores, fittings and plant shall be handed over under the same conditions as the rolling-stock.

The provisions of paragraphs 3 and 4 above shall be applied to the lines of former Russian Poland converted by Germany to the German gauge, such lines being regarded as detached from the Prussian State System.

CHAPTER IV.

PROVISIONS RELATING TO CERTAIN RAILWAY LINES.

ARTICLE 372.

When as a result of the fixing of new frontiers a railway connection between two parts of the same country crosses another country, or a branch line from one country has its terminus in another, the conditions of working, if not specifically provided for in the present Treaty, shall be laid down in a convention between the railway administrations concerned. If the administrations cannot come to an agreement as to the terms of such convention, the points of difference shall be decided by commissions of experts composed as provided in the preceding Article.

ARTICLE 373.

Within a period of five years from the coming into force of the present Treaty the Czecho-Slovak State may require the construction of a railway line in German territory between the stations of Schlauney and Nachod. The cost of construction shall be borne by the Czecho-Slovak State.

ARTICLE 374.

Germany undertakes to accept, within ten years of the coming into force of the present Treaty, on request being made by the Swiss Government after agreement with the Italian Government, the denunciation of the International Convention of October 13, 1909, relative to the St. Gothard railway. In the absence of agreement as to the conditions of such denunciation, Germany hereby agrees to accept the decision of an arbitrator designated by the United States of America.

CHAPTER V.

TRANSITORY PROVISIONS.

ARTICLE 375.

Germany shall carry out the instructions given her, in regard to transport, by an authorised body acting on behalf of the Allied and Associated Powers:

(1) For the carriage of troops under the provisions of the present Treaty, and of material, ammunition and supplies for army use;

(2) As a temporary measure, for the transportation of supplies for certain regions, as well as for the restoration, as rapidly as possible, of the normal conditions of transport, and for the organisation of postal and telegraphic services.

SECTION IV.

DISPUTES.

AND REVISION OF PERMANENT CLAUSES.

ARTICLE 376.

Disputes which may arise between interested Powers with regard to the interpretation and application of the preceding Articles shall be settled as provided by the League of Nations.

ARTICLE 377.

At any time the League of Nations may recommend the revision of such of these Articles as relate to a permanent administrative régime.

ARTICLE 378.

The stipulations in Articles 321 to 330, 332, 365, and 367 to 369 shall be subject to revision by the Council of the League of Nations at any time after five years from the coming into force of the present Treaty.

Failing such revision, no Allied or Associated Power can claim after the expiration of the above period of five years the benefit of any of the stipulations in the Articles enumerated above on behalf of any portion of its territories in which reciprocity is not accorded in respect of such stipulations. The period of five years during which reciprocity cannot be demanded may be prolonged by the Council of the League of Nations.

SECTION V.

SPECIAL PROVISION.

ARTICLE 379.

Without prejudice to the special obligations imposed on her by the present Treaty for the benefit of the Allied and Associated Powers, Germany undertakes to adhere to any General Conventions regarding the international régime of transit, waterways, ports or railways which may be concluded by the Allied and Associated Powers, with the approval of the League of Nations, within five years of the coming into force of the present Treaty.

SECTION VI.

CAUSES RELATING TO THE KIEL CANAL.

ARTICLE 380.

The Kiel Canal and its approaches shall be maintained free and open to the vessels of commerce and of war of all nations at peace with Germany on terms of entire equality.

ARTICLE 381.

The nationals, property and vessels of all Powers shall, in respect of charges, facilities, and in all other respects, be treated on a footing of perfect equality in the use of the Canal, no distinction being made to the detriment of nationals, property and vessels of any Power between them and the nationals, property and vessels of Germany or of the most favoured nation.

No impediment shall be placed on the movement of persons or vessels other than those arising out of police, customs, sanitary, emigration or immigration regulations and those relating to the import or export of prohibited goods. Such regulations must be reasonable and uniform and must not unnecessarily impede traffic.

ARTICLE 382.

Only such charges may be levied on vessels using the Canal or its approaches as are intended to cover in an equitable manner the cost of maintaining in a navigable condition, or of improving, the Canal or its approaches, or to meet expenses incurred in the interests of navigation. The schedule of such charges shall be calculated on the basis of such expenses, and shall be posted up in the ports.

These charges shall be levied in such a manner as to render any detailed examination of cargoes unnecessary, except in the case of suspected fraud or contravention.

ARTICLE 383.

Goods in transit may be placed under seal or in the custody of customs agents; the loading and unloading of goods, and the embarkation and disembarkation of passengers, shall only take place in the ports specified by Germany.

ARTICLE 384.

No charges of any kind other than those provided for in the present Treaty shall be levied along the course or at the approaches of the Kiel Canal.

ARTICLE 385.

Germany shall be bound to take suitable measures to remove any obstacle or danger to navigation, and to ensure the maintenance of good conditions of navigation. She shall not undertake any works of a nature to impede navigation on the Canal or its approaches.

ARTICLE 386.

In the event of violation of any of the conditions of Articles 380 to 386, or of disputes as to the interpretation of these Articles, any interested Power can appeal to the jurisdiction instituted for the purpose by the League of Nations.

In order to avoid reference of small questions to the League of Nations, Germany will establish a local authority at Kiel qualified to deal with disputes in the first instance and to give satisfaction so far as possible to complaints which may be presented through the consular representatives of the interested Powers.

PART XIII.

LABOUR.

SECTION I.

ORGANISATION OF LABOUR.

Whereas the League of Nations has for its object the establishment of universal peace, and such a peace can be established only if it is based upon social justice;

And whereas conditions of labour exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of those conditions is urgently required: as, for example, by the regulation of the hours of work, including the establishment of a maximum working day and week, the regulation of the labour supply, the prevention of unemployment, the provision of an adequate living wage, the protection of the worker against sickness, disease and injury arising out of his employment, the protection of children, young persons and women, provision for old age and injury, protection of the interests of workers when employed in countries other than their own, recognition of the principle of freedom of association, the organisation of vocational and technical education and other measures;

Whereas also the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries;

The HIGH CONTRACTING PARTIES, moved by sentiments of justice and humanity as well as by the desire to secure the permanent peace of the world, agree to the following:

CHAPTER I.

ORGANISATION.

ARTICLE 387.

A permanent organisation is hereby established for the promotion of the objects set forth in the Preamble.

The original Members of the League of Nations shall be the original Members of this organisation, and hereafter membership of the League of Nations shall carry with it membership of the said organisation.

ARTICLE 388.

The permanent organisation shall consist of:

(1) a General Conference of Representatives of the Members and,

(2) an International Labour Office controlled by the Governing Body described in Article 393.

ARTICLE 389.

The meetings of the General Conference of Representatives of the Members shall be held from time to time as occasion may require, and at least once in every year. It shall be composed of four Representatives of each of the Members, of whom two shall be Government Delegates and the two others shall be Delegates representing respectively the employers and the workpeople of each of the Members.

Each Delegate may be accompanied by advisers, who shall not exceed two in number for each item on the agenda of the meeting. When questions specially affecting women are to be considered by the Conference, one at least of the advisers should be a woman.

The Members undertake to nominate non-Government Delegates and advisers chosen in agreement with the industrial organisations, if such organisations exist, which are most representative of employers or workpeople, as the case may be, in their respective countries.

Advisers shall not speak except on a request made by the Delegate whom they accompany and by the special authorization of the President of the Conference, and may not vote.

A Delegate may by notice in writing addressed to the President appoint one of his advisers to act as his deputy, and the adviser, while so acting, shall be allowed to speak and vote.

The names of the Delegates and their advisers will be communicated to the International Labour Office by the Government of each of the Members.

The credentials of Delegates and their advisers shall be subject to scrutiny by the Conference, which may, by two-thirds of the votes cast by the Delegates present, refuse to admit any Delegate or adviser whom it deems not to have been nominated in accordance with this Article.

ARTICLE 390.

Every Delegate shall be entitled to vote individually on all matters which are taken into consideration by the Conference.

If one of the Members fails to nominate one of the non-Government Delegates whom it is entitled to nominate, the other non-Government Delegate shall be allowed to sit and speak at the Conference, but not to vote.

If in accordance with Article 389 the Conference refuses admission to a Delegate of one of the Members, the provisions of the present Article shall apply as if that Delegate had not been nominated.

ARTICLE 391.

The meetings of the Conference shall be held at the seat of the League of Nations, or at such other place as may be decided by the Conference at a previous meeting by two-thirds of the votes cast by the Delegates present.

ARTICLE 392.

The International Labour Office shall be established at the seat of the League of Nations as part of the organisation of the League.

ARTICLE 393.

The International Labour Office shall be under the control of a Governing Body consisting of twenty-four persons, appointed in accordance with the following provisions:

The Governing Body of the International Labour Office shall be constituted as follows:

Twelve persons representing the Governments;

Six persons elected by the Delegates to the Conference representing the employers;

Six persons elected by the Delegates to the Conference representing the workers.

Of the twelve persons representing the Governments eight shall be nominated by the Members which are of the chief industrial importance, and four shall be nominated by the Members selected for the purpose by the Government Delegates to the Conference, excluding the Delegates of the eight Members mentioned above.

Any question as to which are the Members of the chief industrial importance shall be decided by the Council of the League of Nations.

The period of office of the Members of the Governing Body will be three years. The method of filling vacancies and other similar questions may be determined by the Governing Body subject to the approval of the Conference.

The Governing Body shall, from time to time, elect one of its members to act as its Chairman, shall regulate its own procedure and shall fix its own times of meeting. A special meeting shall be held if a written request to that effect is made by at least ten members of the Governing Body.

ARTICLE 394.

There shall be a Director of the International Labour Office, who shall be appointed by the Governing Body, and, subject to the instructions of the Governing Body, shall be responsible for the efficient conduct of the International Labour Office and for such other duties as may be assigned to him.

The Director or his deputy shall attend all meetings of the Governing Body.

ARTICLE 395.

The staff of the International Labour Office shall be appointed by the Director, who shall, so far as is possible with due regard to the efficiency of the work of the Office, select persons of different nationalities. A certain number of these persons shall be women.

ARTICLE 396.

The functions of the International Labour Office shall include the collection and distribution of information on all subjects relating to the international adjustment of conditions of industrial life and labour, and particularly the examination of subjects which it is proposed to bring before the Conference with a view to the conclusion of international conventions, and the conduct of such special investigations as may be ordered by the Conference.

It will prepare the agenda for the meetings of the Conference.

It will carry out the duties required of it by the provisions of this Part of the present Treaty in connection with international disputes.

It will edit and publish in French and English, and in such other languages as the Governing Body may think desirable, a periodical paper dealing with problems of industry and employment of international interest.

Generally, in addition to the functions set out in this Article, it shall have such other powers and duties as may be assigned to it by the Conference.

ARTICLE 397.

The Government Departments of any of the Members which deal with questions of industry and employment may communicate directly with the Director through the Representative of their Government on the Governing Body of the International Labour Office, or failing any such Representative, through such other qualified official as the Government may nominate for the purpose.

ARTICLE 398.

The International Labour Office shall be entitled to the assistance of the Secretary-General of the League of Nations in any matter in which it can be given.

ARTICLE 399.

Each of the Members will pay the travelling and subsistence expenses of its Delegates and their advisers and of its Representatives attending the meetings of the Conference or Governing Body, as the case may be.

All the other expenses of the International Labour Office and of the meetings of the Conference or Governing Body shall be paid to the Director by the Secretary-General of the League of Nations out of the general funds of the League.

The Director shall be responsible to the Secretary-General of the League for the proper expenditure of all moneys paid to him in pursuance of this Article.

CHAPTER II.

PROCEDURE.

ARTICLE 400.

The agenda for all meetings of the Conference will be settled by the Governing Body, who shall consider any suggestion as to the agenda that may be made by the Government of any of the Members or by any representative organisation recognised for the purpose of Article 389.

ARTICLE 401.

The Director shall act as the Secretary of the Conference, and shall transmit the agenda so as to reach the Members four months before the meeting of the Conference, and, through them, the non-Government Delegates when appointed.

ARTICLE 402.

Any of the Governments of the Members may formally object to the inclusion of any item or items in the agenda. The grounds for such objection shall be set forth in a reasoned statement addressed to the Director, who shall circulate it to all the Members of the Permanent Organisation.

Items to which such objection has been made shall not, however, be excluded from the agenda, if at the Conference a majority of two-thirds of the votes cast by the Delegates present is in favour of considering them.

If the Conference decides (otherwise than under the preceding paragraph) by two-thirds of the votes cast by the Delegates present that any subject shall be considered by the Conference, that subject shall be included in the agenda for the following meeting.

ARTICLE 403.

The Conference shall regulate its own procedure, shall elect its own President, and may appoint committees to consider and report on any matter.

Except as otherwise expressly provided in this Part of the present Treaty, all matters shall be decided by a simple majority of the votes cast by the Delegates present.

The voting is void unless the total number of votes cast is equal to half the number of the Delegates attending the Conference.

ARTICLE 404.

The Conference may add to any committees which it appoints technical experts, who shall be assessors without power to vote.

ARTICLE 405.

When the Conference has decided on the adoption of proposals with regard to an item in the agenda, it will rest with the Conference to determine whether these proposals should take the form: (*a*) of a recommendation to be submitted to the Members for consideration with a view to effect being given to it by national legislation or otherwise, or (*b*) of a draft international convention for ratification by the Members.

In either case a majority of two-thirds of the votes cast by the Delegates present shall be necessary on the final vote for the adoption of the recommendation or draft convention, as the case may be, by the Conference.

In framing any recommendation or draft convention of general application the Conference shall have due regard to those countries in which climatic conditions, the imperfect development of industrial organisation or other special circumstances make the industrial conditions substantially different and shall suggest the modifications, if any, which it considers may be required to meet the case of such countries.

A copy of the recommendation or draft convention shall be authenticated by the signature of the President of the Conference and of the Director and shall be deposited with the Secretary-General of the League of Nations. The Secretary-General will communicate a certified copy of the recommendation or draft convention to each of the Members.

Each of the Members undertakes that it will, within the period of one year at most from the closing of the session of the Conference, or if it is impossible owing to exceptional circumstances to do so within the period of one year, then at the earliest practicable moment and in no case later than eighteen months from the closing of the session of the Conference, bring the recommendation or draft convention before the authority or authorities within whose competence the matter lies, for the enactment of legislation or other action.

In the case of a recommendation, the Members will inform the Secretary-General of the action taken.

In the case of a draft convention, the Member will, if it obtains the consent of the authority or authorities within whose competence the matter lies, communicate the formal ratification of the convention to the Secretary-General and will take such action as may be necessary to make effective the provisions of such convention.

If on a recommendation no legislative or other action is taken to make a recommendation effective, or if the draft convention fails to obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the Member.

In the case of a federal State, the power of which to enter into conventions on labour matters is subject to limitations, it shall be in the discretion of that Government to treat a draft convention to which such limitations apply as a recommendation only, and the provisions of this Article with respect to recommendations shall apply in such case.

The above Article shall be interpreted in accordance with the following principle:

In no case shall any Member be asked or required, as a result of the adoption of any recommendation or draft convention by the Conference, to lessen the protection afforded by its existing legislation to the workers concerned.

ARTICLE 406.

Any convention so ratified shall be registered by the Secretary-General of the League of Nations, but shall only be binding upon the Members which ratify it.

ARTICLE 407.

If any convention coming before the Conference for final consideration fails to secure the support of two-thirds of the votes cast by the Delegates present, it shall nevertheless be within the right of any of the Members of the Permanent Organisation to agree to such convention among themselves.

Any convention so agreed to shall be communicated by the Governments concerned to the Secretary-General of the League of Nations, who shall register it.

ARTICLE 408.

Each of the Members agrees to make an annual report to the International Labour Office on the measures which it has taken to give effect to the provisions of conventions to which it is a party. These reports shall be made in such form and shall contain such particulars as the Governing Body may request. The Director shall lay a summary of these reports before the next meeting of the Conference.

ARTICLE 409.

In the event of any representation being made to the International Labour Office by an industrial association of employers or of workers that any of the Members has failed to secure in any respect the effective observance within its jurisdiction of any convention to which it is a party, the Governing Body may communicate this representation to the Government against which it is made and may invite that Government to make such statement on the subject as it may think fit.

ARTICLE 410.

If no statement is received within a reasonable time from the Government in question, or if the statement when received is not deemed to be satisfactory by the Governing Body, the latter shall have the right to publish the representation and the statement, if any, made in reply to it.

ARTICLE 411.

Any of the Members shall have the right to file a complaint with the International Labour Office if it is not satisfied that

any other Member is securing the effective observance of any convention which both have ratified in accordance for the foregoing Articles.

The Governing Body may, if it thinks fit, before referring such a complaint to a Commission of Enquiry, as hereinafter provided for, communicate with the Government in question in the manner described in Article 409.

If the Governing Body does not think it necessary to communicate the complaint to the Government in question, or if, when they have made such communication, no statement in reply has been received within a reasonable time which the Governing Body considers to be satisfactory, the Governing Body may apply for the appointment of a Commission of Enquiry to consider the complaint and to report thereon.

The Governing Body may adopt the same procedure either of its own motion or on receipt of a complaint from a Delegate to the Conference.

When any matter arising out of Articles 410 or 411 is being considered by the Governing Body, the Government in question shall, if not already represented thereon, be entitled to send a representative to take part in the procceedings of the Governing Body while the matter is under consideration. Adequate notice of the date on which the matter will be considered shall be given to the Government in question.

ARTICLE 412.

The Commission of Enquiry shall be constituted in accordance with the following provisions:

Each of the Members agrees to nominate within six months of the date on which the present Treaty comes into force three persons of industrial experience, of whom one shall be a representative of employers, one a representative of workers, and one a person of independent standing, who shall together form a panel from which the Members of the Commission of Enquiry shall be drawn.

The qualifications of the persons so nominated shall be subject to scrutiny by the Governing Body, which may by two-thirds of the votes cast by the representatives present refuse to accept the nomination of any person whose qualifications do not in its opinion comply with the requirements of the present Article.

Upon the application of the Governing Body, the Secretary-General of the League of Nations shall nominate three persons, one from each section of this panel, to constitute the Commission of Enquiry, and shall designate one of them as the President of the Commission. None of these three persons shall be a person nominated to the panel by any Member directly concerned in the complaint.

ARTICLE 413.

The Members agree that, in the event of the reference of a complaint to a Commission of Enquiry under Article 411, they will each, whether directly concerned in the complaint or not, place at the disposal of the Commission all the information in their possession which bears upon the subject-matter of the complaint.

ARTICLE 414.

When the Commission of Enquiry has fully considered the complaint, it shall prepare a report embodying its findings on all questions of fact relevant to determining the issue between the parties and containing such recommendations as it may think proper as to the steps which should be taken to meet the complaint and the time within which they should be taken.

It shall also indicate in this report the measures, if any, of an economic character against a defaulting Government which it considers to be appropriate, and which it considers other Governments would be justified in adopting.

ARTICLE 415.

The Secretary-General of the League of Nations shall communicate the report of the Commission of Enquiry to each of the Governments concerned in the complaint, and shall cause it to be published.

Each of these Governments shall within one month inform the Secretary-General of the League of Nations whether or not it accepts the recommendations contained in the report of the Commission; and if not, whether it proposes to refer the complaint to the Permanent Court of International Justice of the League of Nations.

ARTICLE 416.

In the event of any Member failing to take the action required by Article 405, with regard to a recommendation or draft Convention, any other Member shall be entitled to refer the matter to the Permanent Court of International Justice.

ARTICLE 417.

The decision of the Permanent Court of International Justice in regard to a complaint or matter which has been referred to it in pursuance of Article 415 or Article 416 shall be final.

ARTICLE 418.

The Permanent Court of International Justice may affirm, vary or reverse any of the findings or recommendations of the Commission of Enquiry, if any, and shall in its decision indicate the measures, if any, of an economic character which it considers to be appropriate, and which other Governments would be justified in adopting against a defaulting Government.

ARTICLE 419.

In the event of any Member failing to carry out within the time specified the recommendations, if any, contained in the report of the Commission of Enquiry, or in the decision of the Permanent Court of International Justice, as the case may be, any other Member may take against that Member the measures of an economic character indicated in the report of the Commission or in the decision of the Court as appropriate to the case.

ARTICLE 420.

The defaulting Government may at any time inform the Governing Body that it has taken the steps necessary to comply with the recommendations of the Commission of Enquiry or with those in the decision of the Permanent Court of International Justice, as the case may be, and may request it to apply to the Secretary-General of the League to constitute a Commission of Enquiry to verify its contention. In this case the provisions of Articles 412, 413, 414, 415, 417 and 418 shall apply, and if the report of the Commission of Enquiry or the decision of the Permanent Court of International Justice is in favour of the defaulting Government, the other Governments shall forthwith discontinue the measures of an economic character that they have taken against the defaulting Government.

CHAPTER III.

GENERAL.

ARTICLE 421.

The Members engage to apply conventions which they have ratified in accordance with the provisions of this Part of the present Treaty to their colonies, protectorates and possessions which are not fully self-governing:

(1) Except where owing to the local conditions the convention is inapplicable, or

(2) Subject to such modifications as may be necessary to adapt the convention to local conditions.

And each of the Members shall notify to the International Labour Office the action taken in respect of each of its colonies, protectorates and possessions which are not fully self-governing.

ARTICLE 422.

Amendments to this Part of the present Treaty which are adopted by the Conference by a majority of two-thirds of the votes cast by the Delegates present shall take effect when ratified by the States whose representatives compose the Council of the League of Nations and by three-fourths of the Members.

ARTICLE 423.

Any question or dispute relating to the interpretation of this Part of the present Treaty or of any subsequent convention concluded by the Members in pursuance of the provisions of this Part of the present Treaty shall be referred for decision to the Permanent Court of International Justice.

CHAPTER IV.

TRANSITORY PROVISIONS.

ARTICLE 424.

The first meeting of the Conference shall take place in October, 1919. The place and agenda for this meeting shall be as specified in the Annex hereto.

Arrangements for the convening and the organisation of the first meeting of the Conference will be made by the Government designated for the purpose in the said Annex. That Government shall be assisted in the preparation of the documents for submission to the Conference by an International Committee constituted as provided in the said Annex.

The expenses of the first meeting and of all subsequent meetings held before the League of Nations has been able to establish a general fund, other than the expenses of Delegates and their advisers, will be borne by the Members in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union.

ARTICLE 425.

Until the League of Nations has been constituted all communications which under the provisions of the foregoing Articles should be addressed to the Secretary-General of the

League will be preserved by the Director of the International Labour Office, who will transmit them to the Secretary-General of the League.

ARTICLE 426.

Pending the creation of a Permanent Court of International Justice disputes which in accordance with this Part of the present Treaty would be submitted to it for decision will be referred to a tribunal of three persons appointed by the Council of the League of Nations.

ANNEX.

FIRST MEETING OF ANNUAL LABOUR CONFERENCE, 1919.

The place of meeting will be Washington.

The Government of the United States of America is requested to convene the Conference.

The International Organising Committee will consist of seven Members, appointed by the United States of America, Great Britain, France, Italy, Japan, Belgium and Switzerland. The Committee may, if it thinks necessary, invite other Members to appoint representatives.

Agenda:

(1) Application of principle of the 8-hours day or of the 48-hours week.

(2) Question of preventing or providing against unemployment.

(3) Women's employment:

(*a*) Before and after child-birth, including the question of maternity benefit;

(*b*) During the night;

(*c*) In unhealthy processes.

(4) Employment of children:

(*a*) Minimum age of employment;

(*b*) During the night;

(*c*) In unhealthy processes.

(5) Extension and application of the International Conventions adopted at Berne in 1906 on the prohibition of night work for women employed in industry and the prohibition of the use of white phosphorus in the manufacture of matches.

SECTION II.

GENERAL PRINCIPLES.

ARTICLE 427.

The High Contracting Parties, recognising that the well-being, physical, moral and intellectual, of industrial wage-earners is of supreme international importance, have framed, in order to further this great end, the permanent machinery provided for in Section I and associated with that of the League of Nations.

They recognise that differences of climate, habits and customs, of economic opportunity and industrial tradition, make strict uniformity in the conditions of labour difficult of immediate attainment. But, holding as they do, that labour should not be regarded merely as an article of commerce, they think that there are methods and principles for regulating labour conditions which all industrial communities should endeavour to apply, so far as their special circumstances will permit.

Among these methods and principles, the following seem to the High Contracting Parties to be of special and urgent importance:

First.—The guiding principle above enunciated that labour should not be regarded merely as a commodity or article of commerce.

Second.—The right of association for all lawful purposes by the employed as well as by the employers.

Third.—The payment to the employed of a wage adequate to maintain a reasonable standard of life as this is understood in their time and country.

Fourth.—The adoption of an eight hours day or a forty-eight hours week as the standard to be aimed at where it has not already been attained.

Fifth.—The adoption of a weekly rest of at least twenty-four hours, which should include Sunday wherever practicable.

Sixth.—The abolition of child labour and the imposition of such limitations on the labour of young persons as shall permit the continuation of their education and assure their proper physical development.

Seventh.—The principle that men and women should receive equal remuneration for work of equal value.

Eighth.—The standard set by law in each country with respect to the conditions of labour should have due regard to the equitable economic treatment of all workers lawfully resident therein.

Ninth.—Each State should make provision for a system of inspection in which women should take part, in order to ensure the enforcement of the laws and regulations for the protection of the employed.

Without claiming that these methods and principles are either complete or final, the High Contracting Parties are of opinion that they are well fitted to guide the policy of the League of Nations; and that, if adopted by the industrial communities who are members of the League, and safeguarded in practice by an adequate system of such inspection, they will confer lasting benefits upon the wage-earners of the world.

PART XIV.

GUARANTEES.

SECTION 1.

WESTERN EUROPE.

ARTICLE 428.

As a guarantee for the execution of the present Treaty by Germany, the German territory situated to the west of the Rhine, together with the bridgeheads, will be occupied by Allied and Associated troops for a period of fifteen years from the coming into force of the present Treaty.

ARTICLE 429.

If the conditions of the present Treaty are faithfully carried out by Germany, the occupation referred to in Article 428 will be successively restricted as follows:

(1) At the expiration of five years there will be evacuated: the bridgehead of Cologne and the territories north of a line running along the Ruhr, then along the railway Jülich, Duren, Euskirchen, Rheinbach, thence along the road Rheinbach to Sinzig, and reaching the Rhine at the confluence with the Ahr; the roads, railways and places mentioned above being excluded from the area evacuated.

(2) At the expiration of ten years there will be evacuated: the bridgehead of Coblenz and the territories north of a line to be drawn from the intersection between the frontiers of Belgium, Germany and Holland, running about from 4 kilometres south of Aix la-Chapelle, then to and following the crest of Forst Gemünd, then east of the railway of the Urft Valley, then along Blankenheim, Valdorf, Dreis, Ulmen to and following the Moselle from Bremm to Nehren, then passing by Kappel and Simmern, then following the ridge of the heights between Simmern and the Rhine and reaching this river at Bacharach; all the places, valleys, roads and railways mentioned above being excluded from the area evacuated.

(3) At the expiration of fifteen years there will be evacuated: the bridgehead of Mainz, the bridgehead of Kehl and the remainder of the German territory under occupation.

If at that date the guarantees against unprovoked aggression by Germany are not considered sufficient by the Allied and Associated Governments, the evacuation of the occupying troops may be delayed to the extent regarded as necessary for the purpose of obtaining the required guarantees.

ARTICLE 430.

In case either during the occupation or after the expiration of the fifteen years referred to above the Reparation Commission finds that Germany refuses to observe the whole or part of her obligations under the present Treaty with regard to reparation, the whole or part of the areas specified in Article 429 will be re-occupied immediately by the Allied and Associated forces.

ARTICLE 431.

If before the expiration of the period of fifteen years Germany complies with all the undertakings resulting from the present Treaty, the occupying forces will be withdrawn immediately.

ARTICLE 432.

All matters relating to the occupation and not provided for by the present Treaty shall be regulated by subsequent agreements, which Germany hereby undertakes to observe.

SECTION II.

EASTERN EUROPE.

ARTICLE 433.

As a guarantee for the execution of the provisions of the present Treaty, by which Germany accepts definitely the abrogation of the Brest-Litovsk Treaty, and of all treaties, conventions and agreements entered into by her with the Maximalist Government in Russia, and in order to ensure the restoration of peace and good government in the Baltic Provinces and Lithuania, all German troops at present in the said territories shall return to within the frontiers of Germany as soon as the Governments of the Principal Allied and Associated Powers shall think the moment suitable, having regard to the internal situation of these territories. These troops shall abstain from all requisitions and seizures and from any other coercive measures, with a view to obtaining supplies intended for Germany, and shall in no way interfere with such measures

for national defence as may be adopted by the Provisional Governments of Esthonia, Latvia and Lithuania.

No other German troops shall, pending the evacuation or after the evacuation is complete, be admitted to the said territories.

PART XV.

MISCELLANEOUS PROVISIONS.

ARTICLE 434.

Germany undertakes to recognise the full force of the Treaties of Peace and Additional Conventions which may be concluded by the Allied and Associated Powers with the Powers who fought on the side of Germany and to recognise whatever dispositions may be made concerning the territories of the former Austro-Hungarian Monarchy, of the Kingdom of Bulgaria and of the Ottoman Empire, and to recognize the new States within their frontiers as there laid down.

ARTICLE 435.

The High Contracting Parties, while they recognize the guarantees stipulated by the Treaties of 1815, and especially by the Act of November 20, 1815, in favour of Switzerland, the said guarantees constituting international obligations for the maintenance of peace, declare nevertheless that the provisions of these treaties, conventions, declarations and other supplementary Acts concerning the neutralized zone of Savoy, as laid down in paragraph 1 of Article 92 of the Final Act of the Congress of Vienna and in paragraph 2 of Article 3 of the Treaty of Paris of November 20, 1815, are no longer consistent with present conditions. For this reason the High Contracting Parties take note of the agreement reached between the French Government and the Swiss Government for the abrogation of the stipulations relating to this zone which are and remain abrogated.

The High Contracting Parties also agree that the stipulations of the Treaties of 1815 and of the other supplementary Acts concerning the free zones of Upper Savoy and the Gex district are no longer consistent with present conditions, and that it is for France and Switzerland to come to an agreement together with a view to settling between themselves the status of these territories under such conditions as shall be considered suitable by both countries.

ANNEX.

I.

The Swiss Federal Council has informed the French Government on May 5, 1919, that after examining the provisions of Article 435 in a like spirit of sincere friendship it has happily reached the conclusion that it was possible to acquiesce in it under the following conditions and reservations:

(1) The neutralized zone of Haute-Savoie:

(*a*) It will be understood that as long as the Federal Chambers have not ratified the agreement come to between the two Governments concerning the abrogation of the stipulations in respect of the neutralized zone of Savoy, nothing will be definitively settled, on one side or the other, in regard to this subject.

(*b*) The assent given by the Swiss Government to the abrogation of the above mentioned stipulations presupposes, in conformity with the text adopted, the recognition of the guarantees formulated in favour of Switzerland by the Treaties of 1815 and particularly by the Declaration of November 20, 1815.

(*c*) The agreement between the Governments of France and Switzerland for the abrogation of the above mentioned stipulations will only be considered as valid if the Treaty of Peace contains this Article in its present wording. In addition the Parties to the Treaty of Peace should endeavour to obtain the assent of the signatory Powers of the Treaties of 1815 and of the Declaration of November 20, 1815, which are not signatories of the present Treaty of Peace.

(2) Free zone of Haute-Savoie and the district of Gex:

(*a*) The Federal Council makes the most express reservations to the interpretation to be given to the statement mentioned in the last paragraph of the above Article for insertion in the Treaty of Peace, which provides that "the stipulations of the Treaties of 1815 and other supplementary acts concerning the free zones of Haute-Savoie and the Gex district are no longer consistent with present conditions." The Federal Council would not wish that its acceptance of the above wording should lead to the conclusion that it would agree to the suppression of a system intended to give neighbouring territory the benefit of a special régime which is appropriate to the geographical and economical situation and which has been well tested.

In the opinion of the Federal Council the question is not the modification of the customs system of the zones as set up by the Treaties mentioned above, but only the regulation in a manner more appropriate to the economic conditions of the present day of the terms of the exchange of goods between the regions in question. The Federal Council has been led to make the preceding observations by the perusal of the draft Convention concerning the future constitution of the zones which was annexed to the note of April 26 from the French Government. While making the above reservations the Federal Council declares its readiness to examine in the most friendly spirit any proposals which the French Government may deem it convenient to make on the subject.

(*b*) It is conceded that the stipulations of the Treaties of 1815 and other supplementary acts relative to the free zones will remain in force until a new arrangement is come to between France and Switzerland to regulate matters in this territory.

II.

The French Government have addressed to the Swiss Government, on May 18, 1919, the following note in reply to the communication set out in the preceding paragraph:

In a note dated May 5 the Swiss Legation in Paris was good enough to inform the Government of the French Republic that the Federal Government adhered to the proposed Article to be inserted in the Treaty of Peace between the Allied and Associated Governments and Germany.

The French Government have taken note with much pleasure of the agreement thus reached, and, at their request, the proposed Article, which had been accepted by the Allied and Associated Governments, has been inserted under No. 435 in the Peace conditions presented to the German Plenipotentiaries.

The Swiss Government, in their note of May 5 on this subject, have expressed various views and reservations.

Concerning the observations relating to the free zones of Haute-Savoie and the Gex district, the French Government have the honour to observe that the provisions of the last paragraph of Article 435 are so clear that their purport cannot be misapprehended, especially where it implies that no other Power but France and Switzerland will in future be interested in that question.

The French Government, on their part, are anxious to protect the interests of the French territories concerned, and, with that object, having their special situation in view, they bear in mind the desirability of assuring them a suitable customs régime and determining, in a manner better suited to present conditions, the methods of exchanges between these territories and the adjacent Swiss territories, while taking into account the reciprocal interests of both regions.

It is understood that this must in no way prejudice the right of France to adjust her customs line in this region in conformity with her political frontier, as is done on the other portions of her territorial boundaries, and as was done by Switzerland long ago on her own boundaries in this region.

The French Government are pleased to note on this subject in what a friendly disposition the Swiss Government take this opportunity of declaring their willingness to consider any French proposal dealing with the system to be substituted for the present régime of the said free zones, which the French Government intend to formulate in the same friendly spirit.

Moreover, the French Government have no doubt that the provisional maintenance of the régime of 1815 as to the free zones referred to in the above mentioned paragraph of the note from the Swiss Legation of May 5, whose object is to provide for the passage from the present régime to the conventional régime, will cause no delay whatsoever in the establishment of the new situation which has been found necessary by the two Governments. This remark applies also to the ratification by the Federal Chambers, dealt with in paragraph 1 (*a*), of the Swiss note of May 5, under the heading "Neutralized zone of Haute-Savoie."

ARTICLE 436.

The High Contracting Parties declare and place on record that they have taken note of the Treaty signed by the Government of the French Republic on July 17, 1918, with His Serene Highness the Prince of Monaco defining the relations between France and the Principality.

ARTICLE 437.

The High Contracting Parties agree that, in the absence of a subsequent agreement to the contrary, the Chairman of any Commission established by the present Treaty shall in the event of an equality of votes be entitled to a second vote.

ARTICLE 438.

The Allied and Associated Powers agree that where Christian religious missions were being maintained by German societies or persons in territory belonging to them, or of which the government is entrusted to them in accordance with the present Treaty, the property which these missions or missionary societies possessed, including that of trading societies whose profits were devoted to the support of missions, shall continue to be devoted to missionary purposes. In order to ensure the due execution of this undertaking the Allied and Associated Governments will hand over such property to boards of trustees

appointed by or approved by the Governments and composed of persons holding the faith of the Mission whose property is involved.

The Allied and Associated Governments, while continuing to maintain full control as to the individuals by whom the Missions are conducted, will safeguard the interests of such Missions.

Germany, taking note of the above undertaking, agrees to accept all arrangements made or to be made by the Allied or Associated Government concerned for carrying on the work of the said missions or trading societies and waives all claims on their behalf.

ARTICLE 439.

Without prejudice to the provisions of the present Treaty, Germany undertakes not to put forward directly or indirectly against any Allied or Associated Power, signatory of the present Treaty, including those which without having declared war, have broken off diplomatic relations with the German Empire, any pecuniary claim based on events which occurred at any time before the coming into force of the present Treaty.

The present stipulation will bar completely and finally all claims of this nature, which will be thenceforward extinguished, whoever may be the parties in interest.

ARTICLE 440.

Germany accepts and recognises as valid and binding all decrees and orders concerning German shops and goods and all orders relating to the payment of costs made by any Prize Court of any of the Allied or Associated Powers, and undertakes not to put forward any claim arising out of such decrees or orders on behalf of any German national.

The Allied and Associated Powers reserve the right to examine in such manner as they may determine all decisions and orders of German Prize Courts, whether affecting the property rights of nationals of those Powers or of neutral Powers. Germany agrees to furnish copies of all the documents constituting the record of the cases, including the decisions and orders made, and to accept and give effect to the recommendations made after such examination of the cases.

THE PRESENT TREATY, of which the French and English texts are both authentic, shall be ratified.

The deposit of ratifications shall be made at Paris as soon as possible.

Powers of which the seat of the Government is outside Europe will be entitled merely to inform the Government of the French Republic through their diplomatic representative at Paris that their ratification has been given; in that case they must transmit the instrument of ratification as soon as possible.

A first procès-verbal of the deposit of ratifications will be drawn up as soon as the Treaty has been ratified by Germany on the one hand, and by three of the Principal Allied and Associated Powers on the other hand.

From the date of this first procès-verbal the Treaty will come into force between the High Contracting Parties who have ratified it. For the determination of all periods of time provided for in the present Treaty this date will be the date of the coming into force of the Treaty.

In all other respects the Treaty will enter into force for each Power at the date of the deposit of its ratification.

The French Government will transmit to all the signatory Powers a certified copy of the procès-verbaux of the deposit of ratifications.

IN FAITH WHEREOF the above-named Plenipotentiaries have signed the present Treaty.

Done at Versailles, the twenty-eighth day of June, one thousand nine hundred and nineteen, in a single copy which will remain deposited in the archives of the French Republic, and of which authenticated copies will be transmitted to each of the Signatory Powers.

Mr. LODGE. Mr. President, I move that the treaty submitted by the President of the United States be printed, in both languages, for the use of the Senate, together with the maps.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

Mr. LODGE. I move that the Senate return to legislative session.

The motion was agreed to.

Mr. LODGE. I send to the desk a concurrent resolution and ask for its immediate consideration.

The resolution (S. Con. Res. 5) was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 50,000 copies of the treaty with Germany in the English text alone, and without maps, 10,000 of which shall be for the use of the House of Representatives and 40,000 for the use of the Senate.

The VICE PRESIDENT. Is there any objection to the present consideration of the concurrent resolution?

Mr. PITTMAN. I ask the Senator to include in his request that the address delivering the treaty be printed with it.

Mr. LODGE. I think it would be better to have them printed as separate documents. I was going to move the printing of the address.

Mr. PITTMAN. Then I will wait for that to be done.

The VICE PRESIDENT. Is there any objection to the present consideration of the concurrent resolution?

The concurrent resolution was considered by unanimous consent and agreed to.

Mr. PITTMAN. I ask unanimous consent that the address of the President of the United States be printed as a Senate document.

The VICE PRESIDENT. Is there any objection?

Mr. SMOOT. Mr. President, all I have to say is that an equal number should be printed, if possible. One is a request for unanimous consent and the other is a concurrent resolution. I have no objection at all to the printing within the $500 limit, as provided by law.

Mr. WILLIAMS. I hope there will not be any $500 limit upon this printing.

Mr. LODGE. Of course, there can not be upon the treaty, and there must not be upon the message. I asked for unanimous consent for both, and it was given, as I understood.

Mr. BRANDEGEE. Mr. President, I rise to a question of order. I ask for order in the Chamber.

The VICE PRESIDENT rapped for order.

Mr. LODGE. Mr. President, I hope that these copies of the treaty that are for general distribution will be printed, not in RECORD type but in good large type, so that they can be easily read. I am aware, of course, that the $500 limit applies to both the address and the treaty; but I think we ought to pass these orders at once, because there will be a very great demand both for the address and the treaty, and the Senate ought to have it as soon as possible for distribution.

Mr. SMOOT. Such an order is contrary to law.

Mr. PITTMAN's order was reduced to writing and agreed to, as follows:

Ordered, That the address of the President of the United States, delivered in the Senate Chamber this day, be printed as a Senate document and that 50,000 copies be printed for the use of the Senate.

Mr. LODGE. I am reminded that it is not a question of the rules, but a question of law. Therefore I ask a reconsideration of the vote by which the concurrent resolution was agreed to.

The VICE PRESIDENT. Without objection, that will be done.

Mr. LODGE. I now ask that these prints be made up to the $500 limit, and that the concurrent resolution be referred to the Committee on Printing for action.

Mr. PITTMAN. That includes the order for the printing of the address also?

Mr. LODGE. Certainly; I am including both the address and the treaty.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

REPORTS OF COMMITTEES.

Mr. McLEAN, from the Committee on Banking and Currency, to which was referred the following bill and joint resolution, reported them each without amendment and submitted reports thereon.

A bill (S. 2395) amending section 25 of an act approved December 23, 1913, known as the Federal reserve act, as amended by the act approved September 7, 1916 (Rept. No. 69); and

A joint resolution (S. J. Res. 42) authorizing national banks to subscribe to the united war work campaign (Rept. No. 68).

Mr. WADSWORTH, from the Committee on Claims, to which were referred the following bills, reported them each without amendment:

A bill (S. 175) for the relief of Kny-Scheerer Corporation; and

A bill (S. 2145) for the relief of Edward N. McCarty.

He also, from the same committee, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 631) repealing certain provisions contained in the urgent deficiency act approved December 22, 1911 (Rept. No. 71); and

A bill (S. 1722) for the relief of Watson B. Dickerman, administrator of the estate of Charles Backman, deceased (Rept. No. 72).

He also, from the same committee, to which were referred the following bills, reported them severally with an amendment and submitted reports thereon:

A bill (S. 390) for the relief of Peter McKay (Rept. No. 73);

A bill (S. 629) for the relief of the Alaska Steamship Co. (Rept. No. 74);

A bill (S. 822) for the relief of James W. Cross (Rept. No. 75); and

A bill (S. 1195) for the relief of Alfred Sjostrom (Rept. No. 76).

AMERICAN PRINTING HOUSE FOR THE BLIND.

Mr. KENYON. I ask unanimous consent that the Committee on Education and Labor be discharged from the further consideration of the bill (S. 2104) providing additional aid for the American Printing House for the Blind, and that the bill be referred to the Committee on Appropriations, where it properly belongs.

The VICE PRESIDENT. Without objection, it is so ordered.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 2426) to repeal section 16 of the act of Congress approved July 17, 1916, known as the Federal farm-loan act; to the Committee on Banking and Currency.

By Mr. CURTIS:

A bill (S. 2427) to provide for the classification of Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. McCUMBER:

A bill (S. 2428) for the relief of the legal representatives of the estate of Henry H. Sibley, deceased; to the Committee on Claims.

A bill (S. 2429) granting a pension to F. A. Patterson; to the Committee on Pensions.

By Mr. SPENCER:

A bill (S. 2430) to provide for deporting certain aliens, and for other purposes; to the Committee on Immigration.

Mr. FERNALD:

A bill (S. 2431) for the relief of the estate of Gen. George L. Beal; to the Committee on Claims.

EXPORTS OF MEAT PRODUCTS.

Mr. SHERMAN submitted the following resolution (S. Res. 114), which was referred to the Committee on Foreign Relations:

Resolved, That the Federal Trade Commission be, and is hereby, requested to furnish to the Senate at the earliest possible moment copies of all documents, correspondence, or other papers in its possession relating to its efforts or action in promoting or concerning the export trade in meats from the United States to the Kingdom of Great Britain or any of its colonial dependencies or other countries, and especially any communications by the Federal Trade Commission, or any of its members, officers, agents, or employees with the officers or agents of any foreign government, and, more especially, all communications had with the ministry of reconstruction of Great Britain or the members thereof appointed in 1918, and to include all correspondence with the Hon. Charles A. McCurdy, M. P., of the ministry of foods and recently chairman of the committee on trusts; also such correspondence with any other member of the ministry of reconstruction in relation to the meat industries of the United States.

DEPARTMENTAL PUBLICITY WORK.

Mr. SHERMAN submitted the following resolution (S. Res. 115), which was referred to the Committee on Appropriations:

Resolved, That the several departments and bureaus of the Government are directed to report to the Senate, first, all men and agencies employed by that particular branch of the Government, whether paid out of public funds or otherwise, whose services, in whole or in part, are given to the dissemination of news or matters affecting such department or bureau, or for any other kind of publicity work, together with salaries and hours of labor and duties performed of all such employees, that copy furnished the press during the months of 1919 be submitted with such statement, and that data be furnished separately as of dates October 1, 1916, July 1, 1917, July 1, 1918, and July 1, 1919.

JAPANESE CONTROL OF SHANTUNG.

Mr. BORAH. I submit a resolution, and ask that it be read and referred to the Committee on Foreign Relations.

The resolution (S. Res. 116) was read and referred to the Committee on Foreign Relations, as follows:

Resolved, That the President be requested, if not incompatible with the public interest, to send to the Senate a copy of any letter or written protest by any member or members of the American Peace Commission against the disposition or adjustment which was made with reference to Shantung, and particularly a copy of a letter written by Gen. Tasker H. Bliss, member of the peace commission, on behalf of himself; Robert Lansing, Secretary of State; and Hon. Henry White, members of the peace commission, protesting against the provisions of the treaty with reference to Shantung.

2. Any memoranda or other information in the possession of the American Peace Commission or any member thereof, with reference to the attempt of Japan or her peace delegates to intimidate the Chinese peace delegates and to control the action of said Chinese delegates through and by means of intimidation.

STATEMENT OF APPROPRIATIONS.

Mr. WARREN. Mr. President, as a matter of law, the Committees on Appropriations of the Senate and House are directed, every Congress, to assemble and furnish to the Congress in compact form all the figures and laws pertaining to appropriations, with a list of the offices discontinued, if any; the new offices created, if any, and the salaries of each class; all increases, decreases, and omissions of salaries; contracts requiring future payments, and so forth, and so forth.

At the close of each session the committee is expected to place before the Senate and in the RECORD figures showing the amount of appropriations for the current year and those provided for the ensuing year.

The reason why this was not done at the end of the last Congress is obvious, as we were in some confusion and seven or eight of the large appropriation bills providing for 1920 were at the time of adjournment unacted upon. In consequence of this some inaccurate statements have been indulged in, both in speech and in print. Now that those appropriation bills of the Sixty-fifth Congress have been completed in the present Congress, the committee takes the earliest practicable opportunity to present the facts for record.

I present for the RECORD four tables. The first one shows the appropriations for 1919. I mention only the totals. The grand total of those appropriations is $27,092,094,720.75. Of course, that includes the $3,000,000,000 loaned to our Allies during that year and all the appropriations inclusive, the regular, deficiency, miscellaneous, and permanent appropriations.

Like appropriations just completed for 1920 amount to $7,337,597,283.58, a decrease in 1920 from 1919 amounting to $19,754,497,437.17.

I submit next a table which shows the figures of the eight large appropriation bills which have been passed up to this time during the first session of the Sixty-sixth Congress, with some analysis of the miscellaneous, permanent, indefinite, and deficiency appropriations, the figures being the same as the first. I also present a table showing, first, what was in the unfinished bills as far as they had reached when we adjourned March 4; second, what was asked for by the departments since in the way of estimates; and third, what we really appropriated, those totals, omitting the smaller figures, being about two and three-fourths of a billion dollars agreed upon, as against four and a half billion dollars asked for, and to which we appropriated but $1,685,867,893.64.

I submit still another table which shows the amounts sought to be appropriated by the Sixty-fifth Congress, third session, the eight bills left over, unacted upon, and the amounts later passed in these same bills in the present session of the Sixty-sixth Congress, with the difference. The difference amounts to $939,692,541.97, that being the amount less in the eight bills as passed by the Sixty-sixth Congress than the amount carried in the old bills which failed to pass when the Sixty-fifth Congress closed. I ask that these tables be printed in the RECORD.

The tables were ordered to be printed in the RECORD, as follows:

Comparison of appropriations for the fiscal year 1919, made during the second session of the Sixty-fifth Congress, with appropriations for the fiscal year 1920, made during the third session of the Sixty-fifth Congress and the first session of the Sixty-sixth Congress to date.

	1919	1920	Increase of 1920 over 1919.	Decrease of 1920 under 1919.
Agriculture	$27,875,353.00	$33,899,761.00	$6,024,408.00	
Army	10,225,478,312.91	772,324,877.50		$9,453,153,435.41
Diplomatic and Consular	7,937,376.66	9,843,661.67	1,906,285.01	
District of Columbia	15,046,768.66	15,364,421.00	317,652.34	
Fortification	2,814,348,267.85	11,214,291.00		2,803,133,976.85
Indian	11,021,910.00	11,131,397.03	109,487.03	
Legislative, etc	69,937,863.25	97,963,831.77	28,025,968.52	
Military Academy	2,515,005.01	2,277,932.20		237,072.81
Navy	1,573,468,415.84	616,096,838.88		957,371,576.96
Pension	220,050,000.00	215,030,000.00		5,020,000.00
Post Office	377,573,342.00	609,466,149.00	231,892,807.00	
River and harbor	23,771,900.00	33,378,364.00	9,606,464.00	
Sundry civil	2,019,654,470.07	605,160,207.95		1,414,494,262.12
Total regular annual appropriations	17,388,678,985.25	3,033,151,733.00	277,883,071.90	14,633,410,324.15
Deficiencies	4,325,012,456.83	1,112,450,234.11		3,212,562,222.72
Miscellaneous	[1] 4,270,987,863.00	1,117,708,436.47		3,153,279,426.53
Permanent appropriations	1,107,415,415.67	[2] 2,074,286,880.00	966,871,464.33	
Grand total	27,092,094,720.75	7,337,597,283.58	1,244,754,536.23	20,999,251,973.40

[1] This sum includes $3,000,000,000 for loans to our Allies, reimbursable by foreign Governments to whom advances are made.

[2] This sum includes estimated amounts as follows: For the payment of interest on the public debt, $1,000,000,000; miscellaneous redemptions of the public debt, $964,020,000; miscellaneous, permanent, and indefinite appropriations, $85,266,880; and increased compensation to certain Government employees, $25,000,000.

APPROPRIATIONS FOR THE FISCAL YEAR 1919–20.

Statement of appropriations made during the third session of the Sixty-fifth Congress and the first session of the Sixty-sixth Congress, comprising appropriations for the support of the Government for the fiscal year 1920 and deficiencies in appropriations for the fiscal year 1919 and prior years.

REGULAR ANNUAL APPROPRIATION ACTS.

Agriculture	$33,899,761.00	
Army	772,324,877.50	
Diplomatic and Consular	9,843,661.67	
District of Columbia	15,364,421.00	
Fortification	11,214,291.00	
Indian	11,131,397.03	
Legislative, etc	97,963,831.77	
Military Academy	2,277,932.20	
Naval	616,096,838.88	
Pension	215,030,000.00	
Post Office (includes $78,000,000 for the construction of roads for the fiscal year 1921)	609,466,149.00	
River and harbor	33,378,364.00	
Sundry civil	605,160,207.95	
Total, regular annual acts		$3,033,151,733.00

DEFICIENCY APPROPRIATION ACTS.

Second deficiency, fiscal year 1919	$292,714,084.71	
Third deficiency, fiscal year 1919	24,305,929.40	
War risk insurance and pension deficiency	45,044,500.00	
Railroad deficiency	750,000,000.00	
Expenses incident to the first session of the Sixty-sixth Congress	385,720.00	
Total, deficiency acts		1,112,450,234.11

APPROPRIATIONS IN MISCELLANEOUS ACTS.

Wheat-price guaranty	$1,000,000,000.00	
Relief in Europe	100,000,000.00	
Public Health Service hospitals	9,835,333.00	
Revenue act	7,525,000.00	
Sundry miscellaneous acts	348,103.47	
Total, miscellaneous acts		1,117,708,436.47

PERMANENT AND INDEFINITE APPROPRIATIONS (ESTIMATED).

Interest on public debt	$1,000,000,000.00	
Miscellaneous public debt redemption	964,020,000.00	
Miscellaneous permanent and indefinite appropriations	85,266,880.00	
Increased compensation to certain Government employees	25,000,000.00	
Total, permanents, etc		2,074,286,880.00
Grand total		7,337,597,283.58

Comparison of the amounts of the appropriation bills as agreed upon with amounts asked for and considered during the Sixty-sixth Congress, first session.

Title of act.	Amounts as agreed upon, Sixty-sixth Congress, first session.	Amounts asked for and considered, Sixty-sixth Congress, first session.	Decrease of amounts agreed upon Sixty-sixth Congress, first session, under amounts asked for and considered, Sixty-sixth Congress, first session.
Agriculture	$33,899,761.00	$34,993,686.00	$1,093,925.00
Army	772,324,877.50	1,268,322,269.04	495,997,391.54
District of Columbia	15,364,421.00	15,635,701.00	271,280.00
Indian	11,131,397.03	11,939,813.89	808,416.86
Navy	616,096,838.88	975,903,621.28	359,806,782.40
Sundry civil	605,160,207.95	964,591,556.25	359,431,348.30
Railroad deficiency	750,000,000.00	1,200,000,000.00	450,000,000.00
Third deficiency	24,305,929.40	[1] 42,764,678.94	18,458,749.54
War risk insurance and Pension deficiency	45,044,500.00	45,044,500.00	
Expenses incident to first session of the Sixty-sixth Congress	385,720.00	385,720.00	
Total	2,873,713,652.76	4,559,581,546.40	1,685,867,893.64

[1] This amount does not include $45,044,500 estimated in connection with the bill making urgent deficiency appropriations for the Bureau of War Risk Insurance and for the payment of pensions. Of this sum $42,615,000 was not estimated at the third session of the Sixty-fifth Congress and therefore not included in the total of $42,764,678.94, which sum does include $2,429,500 for above-named purposes.

Comparison of the amounts of the eight appropriation bills which failed of final enactment at the third session of the Sixty-fifth Congress with the amounts of the same bills as they have been finally agreed upon at the first session of the Sixty-sixth Congress.

Title of act.	Last action figures Sixty-fifth Congress, third session.	Amount as agreed upon Sixty-sixth Congress, first session.	Decrease, Sixty-sixth Congress, first session, under Sixty-fifth Congress, third session.	Increase, Sixty-sixth Congress, first session, over Sixty-fifth Congress, third session.
Agriculture	[1] $37,344,852.00	$33,899,761.00	$3,445,091.00	
Army	[1] 1,240,500,066.98	772,324,877.50	468,175,189.48	
District of Columbia	[2] 14,446,364.00	15,364,421.00		$918,057.00
Indian	[2] 11,457,797.03	11,131,397.03	326,400.00	
Navy	[1] 824,708,121.88	616,096,838.88	208,611,283.00	
Sundry civil	[3] 851,171,859.25	605,160,207.95	246,011,651.30	
Railroad deficiency	[1] 750,000,000.00	750,000,000.00		
Third deficiency	[4] 38,346,913.59	[5] 24,305,929.40	14,040,984.19	
Total	3,767,975,974.73	2,828,283,432.76	940,610,598.97	918,057.00

[1] Amount as reported to the Senate.
[2] Amount as passed the Senate.
[3] Amount as passed the House.
[4] Amount as reported to the Senate exclusive of $750,000,000 for railroad deficiency passed as a separate measure, but included in third deficiency act for the third session of the Sixty-fifth Congress as reported to the Senate. Also exclusive of $53,750,000 for emergency shipping fund carried in the amount of the sundry civil bill for the Sixty-fifth Congress, third session, as it passed the House.
[5] This amount does not include $45,044,500 carried in the bill making urgent deficiency appropriations for the Bureau of War Risk Insurance and for the payment of pensions. Of this sum $42,615,000 was not estimated or considered at the third session of the Sixty-fifth Congress, and $2,429,500 was included in the third deficiency bill at that session.

Net decrease, Sixty-sixth Congress, first session, under Sixty-fifth Congress, third session $939,692,541.97

TREATY OF PEACE WITH GERMANY.

Mr. SWANSON. Mr. President, I desire to give notice that on Monday next, after the routine morning business, I shall address the Senate on the league of nations and the treaty of peace with Germany.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 1 o'clock and 15 minutes p. m.) the Senate adjourned until Monday, July 14, 1919, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate July 10, 1919.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

H. Percival Dodge, of Massachusetts, to be envoy extraordinary and minister plenipotentiary of the United States of America to the Kingdom of the Serbs, Croats, and Slovenes.

SECRETARY OF EMBASSY AND LEGATION.

CLASS 2.

Richard C. Bundy, of Ohio, now a secretary of embassy or legation of class 3 to be a secretary of embassy or legation of class 2 of the United States of America.

CONSULS.

CLASS 8.

Harry A. McBride, of Michigan, formerly a consul of class 8, to be a consul of class 8 of the United States of America, to which office he was reappointed during the last recess of the Senate.

Raymond C. Mackay, of Wisconsin, now vice consul at Hankow.

Keith Merrill, of Minnesota, now vice consul at London.

John P. Hurley, of Brooklyn, N. Y.

William W. Early, of Aulander, N. C.

William P. Garrety, of New York City.

CLASS 5.

Edward J. Norton, of Tennessee, formerly consul at Bombay and now vice consul at Malaga, to be a consul of class 5 of the United States of America.

ASSISTANT ATTORNEY GENERAL.

Robert P. Stewart, of Deadwood, S. Dak., to be Assistant Attorney General, vice Claude R. Porter, resigned.

MEMBER OF UNITED STATES SHIPPING BOARD.

John Barton Payne, of Illinois, to be a member of the United States Shipping Board, vice Edward N. Hurley, resigned.

SOLICITOR OF INTERNAL REVENUE.

Robert N. Miller, of Louisville, Ky., to be Solicitor of Internal Revenue, vice D. M. Kelleher, resigned.

JUDGE OF THE COURT OF CLAIMS.

Samuel J. Graham, of Pittsburgh, Pa., to be judge of the Court of Claims, vice Samuel S. Barney, resigned.

UNITED STATES DISTRICT JUDGE.

Charles E. Bunnell, of Fairbanks, Alaska, to be United States district judge, fourth division, District of Alaska. (A reappointment, his term having expired.)

UNITED STATES ATTORNEYS.

Vernon A. Bullard, of Burlington, Vt., to be United States attorney, District of Vermont. (A reappointment, his term having expired.)

Lee Douglas, of Nashville, Tenn., to be United States attorney, middle district of Tennessee. (A reappointment, his term having expired.)

John A. Fain, of Oklahoma City, Okla., to be United States attorney, western district of Oklahoma. (A reappointment, his term having expired.)

Edwin S. Wertz, of Cleveland, Ohio, to be United States attorney, northern district of Ohio. (A reappointment, his term having expired.)

W. V. Gregory, of Mayfield, Ky., to be United States attorney, western district of Kentucky, vice Perry B. Miller, term expired.

Edward C. Knotts, of Springfield, Ill., to be United States attorney, southern district of Illinois. (A reappointment, his term having expired.)

John F. Crosby, of Hartford, Conn., to be United States attorney, district of Connecticut. (Mr. Crosby is now serving under appointment by court.)

Mrs. A. A. Adams, of San Francisco, Calif., to be United States attorney, northern district of California. (Mrs. Adams is now serving under appointment by court.)

Rinehart F. Roth, of Fairbanks, Alaska, to be United States attorney, District of Alaska, division No. 4. (A reappointment, his term having expired.)

J. M. Clements, of Helena, Mont., to be United States attorney, District of Alaska, division No. 2, vice G. J. Lomen, appointed by court.

UNITED STATES MARSHALS.

Stanley H. Trezevant, of Memphis, Tenn., to be United States marshal, western district of Tennessee. (A reappointment, his term having expired.)

William R. Bennett, of San Juan, P. R., to be United States marshal, district of Porto Rico. (A reappointment, his term having expired.)

Michael Devanney, of Cincinnati, Ohio, to be United States marshal, southern district of Ohio. (A reappointment, his term having expired.)

Thomas D. McCarthy, of New York, N. Y., to be United States marshal, southern district of New York. (A reappointment, his term having expired.)

Albert Bollschweiler, of Trenton, N. J., to be United States marshal, district of New Jersey. (A reappointment, his term having expired.)

Thomas Pickett, of Reno, Nev., to be United States marshal, district of Nevada, vice Joseph McEachin, resigned.

Herman O'Connor, of Grand Rapids, Mich., to be United States marshal, western district of Michigan. (A reappointment, his term having expired.)

John J. Mitchell, of Boston, Mass., to be United States marshal, district of Massachusetts. (A reappointment, his term having expired.)

John Hugh Kirkpatrick, of Shreveport, La., to be United States marshal, western district of Louisiana. (A reappointment, his term having expired.)

PUBLIC HEALTH SERVICE.

Dr. Guy McM. Parkhurst to be assistant surgeon in the Public Health Service, to be effective from date of oath.

Dr. Clarence A. Ransom to be assistant surgeon in the Public Health Service, to be effective from date of oath.

Asst. Surg. David J. Prather to be passed assistant surgeon in the Public Health Service, to rank as such from April 8, 1919.

Asst. Surg. Louis L. Williams, jr., to be passed assistant surgeon in the Public Health Service, to rank as such from April 8, 1919.

Asst. Surg. Warren F. Fox to be passed assistant surgeon in the Public Health Service, to rank as such from April 9, 1919.

UNITED STATES COAST AND GEODETIC SURVEY.

John Dalrymple Powell, of Virginia, to be hydrographic and geodetic engineer in the United States Coast and Geodetic Survey, Department of Commerce. (Vice himself. Is now serving under recess appointment by promotion from junior hydrographic and geodetic engineer.)

COAST GUARD.

First Lieut. James F. Hottel to be a captain in the Coast Guard from March 16, 1919.

Second Lieut. Fred A. Nichols to be a first lieutenant in the Coast Guard from March 16, 1919.

Second Lieut. of Engineers Webb C. Magiathlin to be a first lieutenant of Engineers in the Coast Guard from September 27, 1918.

Second Lieut. of Engineers Whitney M. Prall to be a first lieutenant of Engineers in the Coast Guard from March 18, 1919.

Third Lieut. of Engineers Walter M. Troll to be a second lieutenant of Engineers in the Coast Guard from September 27, 1918.

RECEIVERS OF PUBLIC MONEYS.

Mrs. Lulu Hurley, of Nevada, who was appointed March 14, 1919, at Elko, Nev., vice Ashley G. Dawley, deceased. (Recess appointment.)

Donaciano E. Rodriguez, of New Mexico, who was appointed March 14, 1919, at Las Cruces, N. Mex., vice Santiago P. Ascarate; term expired. (Recess appointment.)

William Norris Dickinson, of North Dakota, who was appointed March 14, 1919, at Williston, N. Dak., vice Charles A. Mansfield, deceased. (Recess appointment.)

REGISTERS OF LAND OFFICE.

Miss Effie A. Frisbee, of Alaska, who was appointed March 14, 1919, at Juneau, Alaska, vice Clyde B. Walker, resigned. (Recess appointee.)

James E. Truesdale, of South Dakota, who was appointed April 21, 1919, at Timber Lake, S. Dak.; vice William Healey, deceased. (Recess appointee.)

Frank P. Wheeler, of California, at Eureka, Calif.; term expired February 12, 1919. (Reappointment.)

Henry A. Meier, of Nebraska, at Lincoln, Nebr.; term expired March 2, 1919. (Reappointment.)

John L. Burnside, of New Mexico, at Las Cruces, N. Mex.; term expired March 19, 1918. (Reappointment.)

Emmett Patton, of New Mexico, at Roswell, N. Mex.; term expired March 19, 1918. (Reappointment.)

Gould B. Blakely, of Utah, at Salt Lake City, Utah; term expired March 2, 1919. (Reappointment.)

William O'Leary, of North Dakota, at Minot, N. Dak., vice Clarence R. Bierly, deceased.

Frank F. Steele, of Montana, at Helena, Mont.; term expired January 24, 1919. (Reappointment.)

Raymundo Harrison, of New Mexico, at Fort Sumner, N. Mex.; term expired January 25, 1919. (Reappointment.)

William G. Cowan, of New Mexico, at Roswell, N. Mex.; term expired March 19, 1918. (Reappointment.)

Matthias N. Fegtly, of Oregon, at Vale, Oreg.; term expired February 12, 1919. (Reappointment.)

Heber C. Jex, of Utah, at Salt Lake City, Utah; term expired March 2, 1919. (Reappointment.)

Claude E. Rusk, of Washington, at Yakima, Wash.; term expired March 2, 1919. (Reappointment.)

William F. Page, of Washington, at Spokane, Wash.; term expired March 2, 1919. (Reappointment.)

PROMOTIONS IN THE REGULAR ARMY.

CAVALRY ARM.

To be colonels.

Lieut. Col. Lawrence J. Fleming, Cavalry, from July 1, 1919.

Lieut. Col. Oren B. Meyer, Cavalry, from July 1, 1919.

Lieut. Col. Charles J. Symmonds, Cavalry, from July 2, 1919.

Lieut. Col. Edward D. Anderson, Cavalry (General Staff), from July 3, 1919.

Lieut. Col. George P. White, Cavalry, from July 3, 1919.

JUDGE ADVOCATE GENERAL'S DEPARTMENT.

Lieut. Col. Walter A. Bethel, judge advocate, to be judge advocate with the rank of colonel from June 26, 1919.

Maj. Irvin L. Hunt, judge advocate, to be judge advocate with the rank of lieutenant colonel from June 26, 1919.

INFANTRY.

First Lieut. James D. Basey, Infantry, to be captain with rank from July 20, 1918 (subject to examination required by law).

MEDICAL CORPS.

First Lieut. James Kerr Anderson, Medical Corps, United States Army (temporary), to be first lieutenant with rank from June 16, 1919.

Maj. John Newton Merrick to be first lieutenant with rank from June 11, 1919, Medical Corps, United States Army (temporary).

Maj. Everett Allen Anderson to be first lieutenant with rank from June 5, 1919, Medical Corps (temporary).

Maj. George Newlove to be first lieutenant with rank from June 5, 1919, Medical Corps (temporary).

Lieut. Col. Luke Baker Peck to be first lieutenant with rank from June 16, 1919, Medical Corps, United States Army (temporary).

To be captains with rank from September 18, 1918.

First Lieut. William M. Archer, jr., Medical Corps.
First Lieut. Henry F. Philips, Medical Corps.

First Lieut. Nicholson F. Curtis to be captain with rank from October 9, 1918, Medical Corps.

First Lieut. John S. C. Fielden, jr., to be captain with rank from November 8, 1918, Medical Corps.

To be captains with rank from November 24, 1918.

First Lieut. John M. Hewitt, Medical Corps.
First Lieut. Claude W. Cummings, Medical Corps.
First Lieut. James M. Troutt, Medical Corps.
First Lieut. Alan De F. Smith, Medical Corps.
First Lieut. Frank M. Ende, Medical Corps.
First Lieut. Samuel A. White, Medical Corps.
First Lieut. Albert W. Greenwell, Medical Corps.
First Lieut. Francis M. Fitts, Medical Corps.
First Lieut. Eric A. Fennel, Medical Corps.
First Lieut. Paul E. McNabb, Medical Corps.
First Lieut. Harvey E. Webb, Medical Corps.
First Lieut. George F. Aycock, Medical Corps.
First Lieut. Henry W. Grady, Medical Corps.
First Lieut. Philip J. Lukens, jr., Medical Corps.
First Lieut. Norman McL. Scott, Medical Corps.
First Lieut. Marion R. Mobley, Medical Corps.
First Lieut. Frederick K. Herpel, Medical Corps.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Capt. Hilary P. Jones to be a rear admiral in the Navy from the 1st day of April, 1919.

Capt. Charles P. Plunkett to be a rear admiral in the Navy from the 7th day of April, 1919.

Commander Walter S. Crosley, an additional number in grade, to be a captain in the Navy from the 15th day of August, 1918.

Commander Orton P. Jackson to be a captain in the Navy from the 11th day of October, 1918.

Commander Frank B. Upham to be a captain in the Navy from the 16th day of December, 1918.

Commander Clark D. Stearns to be a captain in the Navy from the 7th day of April, 1919.

Lieut. Commander Lloyd S. Shapley to be a commander in the Navy from the 1st day of July, 1918.

Lieut. Commander Arthur P. Fairfield to be a commander in the Navy from the 11th day of October, 1918.

Lieut. Edwin B. Woodworth to be a lieutenant commander in the Navy from the 1st day of July, 1917.

Lieut. Henry G. Fuller to be a lieutenant commander in the Navy from the 23d day of January, 1918.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of July, 1918:

Edwin A. Wolleson,
Claude B. Mayo,
Fletcher C. Starr, and
Charles F. Russell.

The following-named lieutenants to be lieutenant commanders in the Navy from the 15th day of August, 1918:

Charles A. Dunn and
John W. Lewis.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 7th day of March, 1918:

Alston R. Simpson,
Edgar M. Williams, and
George M. Lowry.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 8th day of June, 1918:

John A. Byers,
Edward O. McDonnell,
Harold Dodd,
Harold B. Grow,
James A. Saunders,
Robert D. Moore,
Walter S. DeLany,
Stephan B. Robinson, and
Roscoe E. Schuirman.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of July, 1918:

Hans Ertz,
Charles W. McNair,
Otto M. Forster,
John Wilbur,
Edward H. McKitterick, and
Laurence R. Brown.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 7th day of June, 1919:

James C. Jones, jr.,
John L. Hill,
Norman C. Gillette, and
Laurance T. DuBose.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 5th day of June, 1918:

Warner P. Portz,
James M. Shoemaker,
Edouard V. M. Isaacs,
Robert M. Fortson,
Dallas D. Dupre,
Raymond Burhen,
Frederic P. Culbert,
Powell McC. Rhea,
Philip C. Morgan,
Frederick G. Richards,
Chester E. Lewis,
Isaac Schlossbach, and
Joseph H. Chadwick.

The following-named midshipmen to be ensigns in the Navy from the 7th day of June, 1919:

Maurice VanCleave and
Harold A. Walker.

Medical Insp. Ammen Farenholt to be a medical director in the Navy, with the rank of captain, from the 15th day of October, 1917.

Medical Insp. Middleton S. Elliott to be a medical director in the Navy, with the rank of captain, from the 1st day of January, 1918.

Medical Insp. Dudley N. Carpenter to be a medical director in the Navy, with the rank of captain, from the 1st day of February, 1918.

The following-named surgeons to be medical inspectors in the Navy, with the rank of commander, from the 15th day of October, 1917:

Archibald M. Fauntleroy,
Joseph P. Traynor, and
John L. Neilson.

The following-named surgeons to be medical inspectors in the Navy, with the rank of commander, from the 1st day of January, 1918:

Charles C. Grieve,
John D. Manchester,
James S. Woodward, and
James A. Randall.

Surg. Robert G. Heiner to be a medical inspector in the Navy, with the rank of commander, from the 1st day of February, 1918.

Surg. Owen J. Mink to be a medical inspector in the Navy, with the rank of commander, from the 1st day of July, 1918.

Surg. Harold W. Smith to be a medical inspector in the Navy, with the rank of commander, from the 8th day of February, 1919.

Passed Asst. Surg. Micajah Boland to be a surgeon in the Navy, with the rank of lieutenant commander, from the 1st day of July, 1918.

Asst. Surg. Joel T. Boone to be a passed assistant surgeon in the Navy, with the rank of lieutenant, from the 22d day of April, 1918.

The following-named assistant surgeons of the United States Naval Reserve Force to be assistant surgeons in the Navy, with the rank of lieutenant (junior grade), from the 10th day of December, 1918:

Reuben B. Anderson and
Irvin Pope, jr.

The following-named assistant dental surgeons to be passed assistant dental surgeons in the Navy, with the rank of lieutenant, from the 4th day of February, 1916:

Joseph D. Halleck and
Marion E. Harrison.

Asst. Dental Surg. Thomas J. Daly, jr., to be a passed assistant dental surgeon in the Navy, with the rank of lieutenant, from the 30th day of July, 1918.

The following-named dental surgeons to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 20th day of February, 1917:

Griffin G. Frazier and
Carl S. Ziesel.

Dental Surg. Cedric T. Lynes to be an assistant dental surgeon in the Navy, with the rank of lieutenant (junior grade), from the 8th day of May, 1917.

The following-named dental surgeons to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 3d day of July, 1917:

Louis F. Snyder,
Guy E. Nicholas,
Francis S. Weir,
Leon C. Frost, and
Anthony A. Norkiewicz.

The following-named dental surgeons to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 30th day of July, 1917:

Alvin B. Ward and
Eugene D. Jarboe.

The following-named dental surgeons to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 16th day of October, 1917:

Spry O. Claytor,
James M. Campbell, and
John A. Walsh.

Dental Surg. David L. Cohen to be an assistant dental surgeon in the Navy, with the rank of lieutenant (junior grade), from the 1st day of November, 1917.

The following-named dental surgeons to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 9th day of February, 1918:

Howard R. McCleery,
George A. Collins, and
James F. McGrath.

The following-named chaplains to be chaplains in the Navy, with the rank of captain, from the 1st day of July, 1918:

George L. Bayard and
Matthew C. Gleeson.

Acting Chaplain Roy L. Lewis to be a chaplain in the Navy, with the rank of lieutenant (junior grade) from the 4th day of March, 1919.

Acting Chaplain William W. Elder to be a chaplain in the Navy, with the rank of lieutenant (junior grade), from the 22d day of March, 1919.

Naval Constructor Lewis B. McBride to be a naval constructor in the Navy, with the rank of commander, from the 21st day of December, 1918.

Assistant Naval Constructor Jerome C. Hunsaker to be a naval constructor in the Navy, with the rank of lieutenant, from the 1st day of April, 1918.

The following-named assistant naval constructors to be naval constructors in the Navy, with the rank of lieutenant, from the 9th day of June, 1919:

Edmund R. Norton and
Andrew W. Carmichael.

The following-named boatswains to be chief boatswains in the Navy from the 11th day of January, 1919:

George B. Llewellyn,
William A. Fulkerson,
Ernest L. Jones,
William C. Milligan,
Edwin R. Wroughton,
William C. Carpenter, and
Charles L. Greene.

The following-named gunners to be chief gunners in the Navy from the 15th day of February, 1918:

Frederick Petry,
Frederick Evans, and
Daniel F. Mulvihill.

The following-named gunners to be chief gunners in the Navy from the 13th day of January, 1919:

Arthur T. Brill,
Michael Garland,
John C. Heck,
Arthur Boquett,
Sigvart Thompson,
Arthur S. Rollins,
Ward T. Hall,
Erich Richter,
Anthony E. Bentfeld,
John Harder,
John J. Welch, and
Charles C. Stotz.

The following-named machinists to be chief machinists in the Navy from the 28th day of December, 1918:

Oliver T. Miller,
Walter S. Belknap,
John J. Coyle,
George C. Lacock, and
Anton Hengst.

Machinist Vincent F. LeVerne to be a chief machinist in the Navy from the 2d day of January, 1919.

The following-named carpenters to be chief carpenters in the Navy from the 1st day of November, 1918:

Louis T. Herrmann, and
Robert B. Pick.

The following-named pharmacists to be chief pharmacists in the Navy from the 9th day of October, 1918:

John Haupt, and
Charles E. Reinhardt.

Pay Clerk Alexander Riggin to be a chief pay clerk in the Navy from the 17th day of April, 1918.

Pay Clerk Thomas C. Edrington to be a chief pay clerk in the Navy from the 24th day of September, 1918.

Pay Clerk Robert C. Vasey to be a chief pay clerk in the Navy from the 30th day of December, 1918.

Pay Clerk Melvin E. Throneson to be a chief pay clerk in the Navy from the 19th day of January, 1919.

Pay Clerk William H. Abbey to be a chief pay clerk in the Navy from the 22d day of January, 1919.

Pay Clerk Houston S. Stubbs to be a chief pay clerk in the Navy from the 4th day of February, 1919.

Pay Clerk Herbert C. Lassiter to be a chief pay clerk in the Navy from the 20th day of February, 1919.

Lieut. (Junior Grade) Wilson E. Madden, retired, to be a lieutenant on the retired list of the Navy from the 3d day of March, 1919.

Lieut. (Junior Grade) Homer B. Gilbert to be a lieutenant on the retired list of the Navy from the 19th day of March, 1919.

Lieut. (Junior Grade) John F. Atkinson, retired, to be a lieutenant on the retired list of the Navy from the 6th day of April, 1919.

Lieut. (Junior Grade) Coburn S. Marston to be a lieutenant on the retired list of the Navy from the 3d day of May, 1919.

Ensign Shirley A. Wilson, retired, to be a lieutenant (junior grade) on the retired list of the Navy from the 1st day of January, 1919.

Boatswain Henry Feehan, retired, to be a chief boatswain on the retired list of the Navy from the 19th day of January, 1919.

Boatswain Alvah M. Smith, retired, to be a chief boatswain on the retired list of the Navy from the 6th day of March, 1919.

Machinist Michael A. Rossiter, retired, to be a chief machinist on the retired list of the Navy from the 11th day of May, 1919.

Capt. Richard H. Jackson to be a rear admiral in the Navy, for temporary service, from the 30th day of June, 1919.

Commander Fletcher L. Sheffield, an additional number in grade, to be a captain in the Navy, for temporary service, from the 30th day of June, 1919.

Commander Herbert C. Cocke to be a captain in the Navy, for temporary service, from the 30th day of June, 1919.

The following-named ensigns of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 15th day of June, 1919:

Ray C. Billups,
Jesse G. Johnson,
Claude C. Levin,
Archibald F. Stanley,
Walter J. Nelson,
Stuart D. Preston,
James D. Veatch,
Ernest F. Janney,
Roy G. Whittemore,
Fletcher W. Browning,
Ralph W. Buchanan,
Denis B. Delaney,
Horace G. Barton,
Carl W. Hamilton,
Hurston S. Buck,
Clifton T. Miller,
James T. Rice,
Edward C. Bottomly,
Lyman LeR. Dixon,
Joseph J. Rochefort, and
Clarence E. Keller.

Dental Surgeon Edwin N. Cochran, United States Naval Reserve Force, to be an assistant dental surgeon in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 1st day of July, 1919.

Pay Clerk Dillon F. Zimmerman to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of July, 1918.

Acting Pay Clerk John W. Towery to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of May, 1919.

Acting Pay Clerk George H. Upton to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 15th day of June, 1919.

Asst. Paymaster Carswell C. Furr, United States Naval Reserve Force, to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 15th day of June, 1919.

Asst. Paymaster Morris R. Grady, United States Naval Reserve Force, to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 15th day of June, 1919.

The following-named officers of the United States Naval Reserve Force to be assistant civil engineers in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 15th day of June, 1919:

Arthur M. Campbell,
Robert E. Hancock,
Paul F. Fagan,
Charles C. Mathis, and
William W. Schneider.

Boatswain William G. Platt to be a chief boatswain in the Navy, for temporary service, from the 15th day of June, 1919.

Gunner Arthur De Graw to be a chief gunner in the Navy, for temporary service, from the 15th day of June, 1919.

The following-named pharmacists to be chief pharmacists in the Navy, for temporary service, from the 15th day of June, 1919:

Edwin A. Rozea,
Lester E. Bote, and
Clarence Beasley.

Acting Pay Clerk John J. Solosky to be a chief pay clerk in the Navy, for temporary service, from the 15th day of June, 1919.

Ensign Raymond P. Le Viness, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 15th day of June, 1919.

Capt. Archibald H. Scales to be a rear admiral in the Navy, for temporary service, from the 1st day of April, 1919.

Capt. Victor Blue, an additional number in grade, to be a rear admiral in the Navy, for temporary service, from the 1st day of April, 1919.

Capt. Frederic B. Bassett, jr., to be a rear admiral in the Navy, for temporary service, from the 7th day of April, 1919.

Commander Harold E. Cook to be a captain in the Navy, for temporary service, from the 1st day of April, 1919.

Commander John M. Enochs to be a captain in the Navy, for temporary service, from the 7th day of April, 1919.

Lieut. Commander Ralph C. Parker to be a commander in the Navy, for temporary service, from the 1st day of April, 1919.

Lieut. Commander Carl C. Krakow to be a commander in the Navy, for temporary service, from the 7th day of April, 1919.

Lieut. Henry G. Fuller to be a lieutenant commander in the Navy, for temporary service, from the 31st day of August, 1917.

Ensign Edward Webb to be a lieutenant (junior grade) in the Navy, for temporary service, from the 1st day of July, 1918.

Ensign John C. Williams to be a lieutenant (junior grade) in the Navy, for temporary service, from the 21st day of September, 1918.

Ensign Walter S. Gabel, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 1st day of December, 1918.

Harold S. Bogan, chief quartermaster, to be an ensign in the Navy, for temporary service, from the 15th day of December, 1918.

The following-named ensigns of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 15th day of January, 1919:

Harry W. Abrahams and
Arthur B. Robinson.

The following-named warrant officers to be ensigns in the Navy, for temporary service, from the 1st day of March, 1919:

George V. Morey,
Arthur L. Holcomb,
Charles W. Hinds,
Ashton B. Smith.
Ray Parrott, and
George Walker.

Ensign Ronald A. Cox, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 1st day of March, 1919.

The following-named warrant officers to be ensigns in the Navy, for temporary service, from the 15th day of March, 1919:

Cecil G. Langdon and
Frederick A. Smith.

The following-named warrant officers to be ensigns in the Navy, for temporary service, from the 1st day of April, 1919:

Lester C. Wishard,
Mars W. Palmer, and
Thomas G. Powers.

The following-named enlisted men to be ensigns in the Navy, for temporary service, from the 1st day of April, 1919:

Frank T. Middleton,
Frank L. Arms, and
Bloomfield M. Fairbanks.

William R. Brown, chief quartermaster, to be an ensign in the Navy, for temporary service, from the 15th day of April, 1919.

Ensign George W. Caldwell, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 15th day of April, 1919.

The following-named ensigns of the United States Naval Reserve Force, to be ensigns in the Navy, for temporary service, from the 22d day of April, 1919:

William T. Burgess,
Thomas V. Corey,
James S. Bush,
Wallace H. Gregg,
Milton P. Wilson,
John J. O'Brien,
William H. Potter,
James P. McCarthy,
Russell A. Runyan,
Albert E. Bogdon,
Arthur J. Macdonald,
Culver Beebee,
James H. Rowley, jr.,
Eugene T. Auger,
George L. Bright,
Wesley E. Whitehouse,
Frederick A. Van Patten,
Roscoe N. Gary,
Earle R. Evans,
Charles R. Price,
J. E. Freeman,
William K. Boone, jr.,
Albert H. Schow,
William G. Dow,
Harvey R. Adams,
Harry E. Lucker,
John D. Vance,
Harry A. Swartz,
Archie E. Vanderwall,
Benjamin H. Taylor,
Thomas J. Bay,
Clarence E. Bence,
John P. Bowling,
R. J. Scofield,
Bennie B. Cutrer,
Thomas H. Galt,
Alexander W. MacNichol,
Lambert Muller-Thym,
Michael O'Sullivan,
R. S. Tewksbury,
Ches C. Childs,
Howard C. Ritter,
Joseph F. Taggard,
Edwin M. Brown,
Herbert B. Rowedder,
Joseph S. Borkoski,
Carleton B. Gildersleeve,
Myles J. Greene,
Lee L. Wilbur,
Donald H. Weaver,
Robert S. Witherington,
Henry P. Stelling,
Arthur J. Gibson,
Christopher C. Cox, jr.,
Harold B. Herty,
Eustace L. Adams,
Walter A. Donop,
Edwin H. Cole,
John McCormick,
Allan B. Pedin,
Julius F. Wilson,

Michael Warnick, jr.,
Arthur W. Daniels,
H. A. Currier Rose,
Milton T. Anderson,
Joseph L. Shotwell,
Arthur D. MacDonald,
Albert J. Burry,
Robert Robinson,
Albert M. Wright,
Henry I. Hyneman,
Bertrand Leppel,
Paul N. Baker,
Kenneth B. Galindo,
Samuel S. Fried,
Edwin D. Hale,
Milo Hazard,
Bernard S. Wilson,
Charles Wykoff,
Thomas A. McDonald,
Ralph A. Beardsley,
Fred J. Barden,
Ralph L. Smith,
Harry C. Uhl,
Walter Dickey,
Paul L. Mather,
Paul E. Hackett,
Philip D. B. Perham,
Herbert H. Taylor,
John M. Keep,
Bernard H. Kinnicutt,
Llewellyn B. Roberts,
William T. Reid,
Arthur E. Griffin,
Floyd J. Nuber,
Leedom B. Andrews,
Russell B. Osterholt,
Harry H. Iredell,
Thomas A. Hanna,
Charles H. Ross,
Robert W. Callahan,
Robert T. Greer,
Eugene O. Lovejoy,
Henry G. Erwin,
Russell R. Fling,
Ralph W. Floody,
John J. Reilly,
Charles K. Smith,
David B. Steffens,
Charles H. Miller,
Joseph W. Rixey,
Charles B. Carlon,
Joseph B. Benedict,
Jack V. Lund,
John L. Akins,
Clarence E. Kiefer,
William R. Burns,
Lawrence C. Hunt,
Harold P. Underwood,
Stephen A. Theard,
Julius F. Marullo,
Edwin J. Houghton,
John M. Higgins,
Clyde W. Brockett,
Edwin C. Millhouse,
Samuel J. Waddell,
Maynard L. Patton,
Raymond V. Wiman,
Charles M. Carroll,
Martin E. Didrichsen,
Charles W. Blodgett,
Julius A. Hobson, jr.,
Philip B. Wickes,
Harry T. Kelly,
Joseph P. Barry,
Charles J. Stadelman,
Frederick M. Wood,
Henry C. Roberts,
George K. Reilly,
Albert L. Demaree,
Joseph C. Powell,
John M. Ferry, jr.,
Samuel K. Waters,
Edward E. Scott,
John G. Doherty,
Barclay K. Read,
Charles R. Will,
Howard H. Wright,
Lewis Compton,
Carl A. Novinger,
Paul F. Carroll,
Fred S. Bristol,
Frank R. Walker,
Leon G. DeBrohun,
Joseph A. Guard,
Frank J. Gregory,
Victor J. Oliver,
William B. Saint George,
John C. Carty,
Arthur D. Murphy,
Paul G. Wrenn,
Walter F. Hinckley,
Clyde C. Connor,
Robert G. Holden,
Glenn S. Holman,
John G. Maxwell,
Horace M. Rosebush,
David L. Ullman,
Clarence L. Waters,
Thomas W. D. Crockett,
John W. Darr,
Eben G. Bailey,
Albert Birkholz,
Edward P. Donnelly,
Frank W. Falen,
John M. Fewell,
William Gibson,
James Govoni,
Cecil H. Grant,
Harold E. Hansen,
Ralph L. Lovejoy,
Frank S. MacGreger,
Russell G. Phipps,
Myron T. Richardson,
Charles J. Stockman,
James H. Sullivan,
William J. Cruickshank,
Charles E. Lathrop,
Joseph G. Nevins,
Glenn W. Rodgers,
Frederick U. Weigert,
Hugo G. Werner,
George D. Young,
Robert K. Madsen, jr.,
H. William Hansen,
Herbert D. Holdridge,
John A. Smith,
Homer Howard,
Roy T. Hazzard,
Karl A. Drager,
Harrel R. Scott,
Matthias S. Clark,
Elmer O. Davis,
Ambrose L. Osborn,
Edwin J. Braddon,
Hjalmar Eclov,
James S. Warner,
John Schroeder,
Frederick J. Murphy,
Henry J. O'Donoghue,
Arthur J. Silva,
Harry R. Ewen,
Paul G. Haas,
Elmer C. Schacht,
Lynn G. Bricker,
George A. Moore,
James C. Taylor,
Harold W. Alden,
Charles L. Flory,
Raymond R. Morgan,
Robert F. Estill,
Russell Dodd,
William M. M. Lobrano,
Sam Stone Bush, jr.,
Claude M. Donahue,
William M. Junkin,
William A. Dobson,
Lawrence K. Powell,
Frederick J. Keller,
William H. Kershaw,
Arthur J. Feltault,

Harold C. Patterson,
Charles B. Barnard,
Arnold P. Harn,
Clifford C. Lucia,
Harris W. Reynolds,
John A. Sedgwick,
Willard Shaw,
Jackson R. Tate,
Julian A. McPhee,
Arthur W. Peterson,
Roy A. Ibach,
Esmond I. Parker,
Hugh P. Campbell, jr.,
Angus G. Nicolson,
George S. Bacon,
Lawrence F. Blodgett,
Willis C. Carling,
Orrin E. Cummings,
James D. Fisher,
Charles M. Fitzgerald,
William F. Fleming,
James E. Fraher,
Robert W. Grubb,
Casco C. Houghton,
Melville W. Lyon,
Donald McClary,
John H. Parsons,
David A. Peterson,
Arthur E. Pierce,
Clarence H. Pike,
Harold E. Ruisseau,
Ralph H. Smith,
Alan F. Winslow,
Thomas O. Brandon,
Frank Hill,
Jesse W. Boisseau,
Thomas J. Keane,
Clyde E. Brown,
Robert W. Dragoo,
Prentiss D. Moore,
George A. Douglass,
Raymond A. Gardner,
Howard W. Bradbury,
John A. Capocifolo,
Roger V. Mullany,
Charles Wayland,
Stanley F. Nolan,
Andrew D. White,
Clifton H. Cantelou,
John H. Cooper,
Albert A. Blumberg,
Edgar E. Ballard,
Russell D. Bell,
John F. Coady,
Thomas B. Eaton,
Solton Engel,
Charles C. Ferrenz,
Homer S. Fox,
Rufus C. Harding,
James S. Haughey,
William C. Hemphill,
Benjamin L. Hinckley,
Fred E. Hughens,
Frederick H. Lauder,
David Liebovitz,
Frank L. Lienhard,
Leroy G. Miller,
Joseph W. Mullally,
Henry L. Naff,
Frank L. Orr,
Claude T. Schaefer,
Roswell B. Sherman,
William A. Shy,
Allen McK. Slichter,
Herbert S. Torsleff,
Carl H. Troeger,
Willard Von Pape,
Clarence E. Waterman,
Edwin O. Watkinson,
Herman C. Weidman,
Lester M. Wolf,
Horace G. Buckley,
Warren I. Fulton,
Mercer M. Fallon,
Fred D. Heegler,
Miles H. Gray,
James B. Bliss,
Warren H. Buchanan,
Carl H. Cather,
Benjamin F. Stairley,
Dottie E. Zook,
Arthur E. Roebke,
James M. Fassett,
James R. Hardie,
James R. Peters,
Clyde A. Coggins,
Warren E. Lovejoy,
David T. Evans,
Martin M. Weisman,
Nelson S. Hogan,
John W. Welch,
Alvin K. Holmes,
Clifford Camp,
Daniel L. Metts,
Joseph P. Cremin,
Joseph B. Weix,
Frank L. Howard,
Hilmar M. Hektner,
Stonewall J. McMurray,
Samuel R. Sloan,
Carlyle M. Terry,
Cyril J. Alt,
Harry V. Barrow,
Robert Blair,
Charles L. Blatchford,
Robert W. Boughter,
Arthur N. Brabrook,
Frank R. Brooks,
Edward H. Brown,
Henry B. Buckham,
Richard C. Buckley,
Horace D. Byington,
Arthur M. Carden,
William M. Cashin,
Charles A. Christian,
Carter B. Cook,
Robert D. Cronly, 2d,
John D. Crump,
Raymond L. De Muro,
Harold A. Drew,
Carl W. Farrell,
Hal S. Fewell,
Russell L. Fillner,
Howard W. Fletcher,
George J. Flynn,
Lester R. Gorman,
Louis L. Green,
Ray L. Hamilton,
J. Gail Hanes,
Herman J. Hanna,
Ralph S. Holgerson,
Edward J. Hopper, jr.,
Harold M. Hubbard,
Sidney L. Huff,
Elmer D. Jensen,
Otto F. Johanns,
George E. Kenyon,
Alphonsus L. Madden,
Jonter A. Nicholls,
Wilbur F. Peery,
Ralph S. Pratt,
Harry Redfern,
Paul M. Ressinger,
Charles W. Roesel,
Carl A. Ryder,
Hugo F. Sasse,
Eugene A. Schaal,
Henry L. Schwartz,
David J. Sharp,
Hugo A. Stahl,
George W. Stuart, jr.,
Albert A. Walters,
John F. Wegforth,
Joseph E. Welsh,
Carl E. Wiencke,
Charles H. Edmiston,
Fred C. Lewis,
William H. Allen,
William M. Kelso,
William S. Evatt,

Herbert L. Prothers,
John T. Garber,
Russell S. Hook,
Benton B. Baker,
Frederick E. Dukes,
Earl F. Mitchell,
Ernest A. Cushman,
Thomas W. Dixon,
James A. Dwyer,
Paul H. Eames,
Frederick L. Farrell,
James M. Fernald,
Jonathan P. Gilmore,
Benjamin S. Henderson,
Percy W. Howard,
Alan B. Hudson,
William A. McCreery, jr.,
Lorn C. McKinley,
Chester D. McMillan,
Loren H. Myers,
Maurice A. O'Connor,
Clifford B. Schiano,
Harold B. Simmons,
Francis A. Skelton,
John F. Wall,
Groff L. Woodward,
John A. Paulson,
Everett G. Mayes,
Eugene T. M. Ashe,
Peter S. Barbour,
Fred L. Barnes,
Charles D. Belding,
Earle O. Bingham,
Merritt A. Bittinger,
George S. Blome,
Orlo W. Bond,
Leopold Boucher,
Thomas R. Buckham, 2d,
Albert R. Buehler,
Don S. Burton,
James F. Carukin,
Edwin N. Cohen,
William B. Coleman,
Chester L. Connelly,
Frank L. Conway,
Roy C. Cooley,
Harry C. Davies,
Ross E. Denison,
Leroy Dozier,
Arthur W. Drummet,
William D. Dwyer, jr.,
Thomas H. Eaton,
Francis J. Eberly,
Theodore E. Emery,
Russell L. Engle,
Francis J. Enright,
Charles P. Fahey,
Harold S. Forgeron,
Edgar A. Gardner,
Vincent B. Gehlen,
George S. Gelsanliter,
Andrew A. Gerry,
Herman A. Hansen,
Charles E. Harbin,
Thomas F. Hayes,
Russell G. Herron,
Walter L. Holmgren,
John P. Horgan,
Francis P. Hornaday,
James H. Houser,
Carleton G. Howe,
Francis DeW. Hurd,
Myron L. Hyman,
Edgar J. James,
Chester M. Jenkins,
Elder P. Johnson,
Forrest E. Johnson,
Reuben H. Johnson,
John J. Jordan,
Edwin M. Joslyn,
Jacob F. Kiefer,
John W. Kimman,
Edward V. Kurtzrock,
Charles W. LaBlanc,
John A. Lemmer,
Henry M. Lewis, jr.,
Herbert Loewy,
Clarence Z. Logan,
George L. Lynch,
Robert MacIntyre,
Harry McK. Martens,
Merritte M. Maxwell,
John W. McCrae,
Arthur L. McElroy,
Zerah B. Miles,
Paul C. Monser,
Paul Moore,
Harold F. Nickerson,
Arthur M. Nolan,
Arthur L. Nunn,
Raymond E. Overmire,
Andrew C. Panella,
John W. Patrick,
John G. Patterson,
Lisle L. Pollock,
Langdon A. Pope,
Benjamin C. Purrington,
Evard E. Puryear,
Alfred G. Raufer,
Harry N. Rooney,
Leo D. Rosenak,
John K. Ross,
Sigfred A. Sandeen,
John H. Schad,
Charles W. Schofield,
Alfred C. Schroeder,
George B. Service,
Harold G. Seyler,
Timothy A. Sheehan,
William J. Sheerin,
George W. Silsby, jr.,
Harold C. Smith,
Irving B. Smith,
Leland R. Smith,
Emil L. Stephenson,
Waymon A. Stephenson,
Robert F. Stockin,
John E. Stoddard,
Floyd E. Sullivan,
Louis C. Summers,
John E. Swaysland,
James A. Taylor, jr.,
Frederick L. Thompson,
George E. Thompson,
Dorian E. Todd,
Haskell C. Todd,
Joseph P. Tomelty,
Cecil S. Travis,
Arvid Tripp,
Eldon F. Tripp,
George H. Trubenback,
Sheldon K. Turner,
George E. Underhill,
Harold J. Walker,
Florentin P. Wencker,
James L. Wheelock,
William H. Wilhelm,
Raymond W. Robertson,
Albert L. Schrader,
Luman F. Marsh,
Arthur H. Small,
Bernard R. Lewis,
Henry A. Tyburc,
Cyril P. Connolly,
Thomas C. Kizer,
Paul R. Conley,
Philander M. Smith,
Charles D. Hickox,
Alfred B. Berlin,
Charles J. Wolf, jr.,
George H. Pratt,
Dallas M. Stephens,
Norman W. Eberle,
Walter A. Nelson,
Frank Urban,
Francis S. McCabe,
Charles W. Kellogg,
Alfred D. Bosley,
Jennings B. Rudisill,
John Armstrong,

Leslie J. Arnold,
Denzil F. Balthis,
Edwin L. Barr,
Harold W. Bentley,
Frank A. Blomberg,
Ralph W. Bowers,
Andrew Boyd, jr.,
Robert C. Browne,
George H. Burrows,
Robert T. Carey,
Horace F. Chandler,
Willis H. Chase,
Vincent F. Clark,
Elmer A. Cottier,
Albert E. Crabtree,
Ernest S. Croasdale,
James J. Cunningham,
Daniel M. Diener,
Elmer O. Dobroth,
Durbin R. Downey,
William R. Drachbar,
William H. Eichorn,
Abraham R. Elson,
John S. Engs, jr.,
Henry L. Ewbank,
Hugh J. Fanning,
Lauren W. Faulkner,
Lynn Fausett,
George R. Fitzsimons,
James H. Foskett,
Stephen P. Fox,
Stuart K. Fox,
John R. Fristoe,
James D. George,
Harry D. Goldy,
Joseph W. Golinkin,
Richard F. Graner,
Fred J. Haigis,
William R. Hanrahan,
Howell Hedrick,
Virgil E. Hendrickson,
Abraham A. Henning,
Howard C. Hirsch,
Frank M. Hopper,
John F. Hrivnak,
Wilbert L. Hunt,
Harold K. Jackson,
Gustave A. Jetter, jr.,
Cecil C. Johnson,
Leon J. Johnson,
Webb W. Jordan,
Edward C. King,
Bryan E. Langston,
Winfred W. Liddell,
Robert H. Long,
Malcolm D. MacGregor,
Gordan J. Malone,
Anton L. Mare,
Claire H. Masters,
George A. Maven,
Joseph J. McCann,
William C. McClure,
Elbert E. McGee,
James J. McGlynn,
John D. McNamar,
Edward L. Micheau,
Frank Miller,
Joseph T. Moran, jr.,
Charles E. Movius,
Leonard J. Mulrooney,
John D. Murphy,
Basil Neel,
LeRoy A. Nelson,
Robert W. Nicholas,
Paul F. Opp,
Robert E. Permut,
Maurice W. Piper,
Raymond E. Proom,
Otto F. Reis,
Paul G. Robinson,
Errol V. Rosenthal,
Joseph A. Ruetty,
Joseph H. Seyfreid,
Jesse B. Short,
Lowe P. Siddons,
Richard J. Sloman,
Jeremiah Smith,
Raymond O. Smith,
Renshaw Smith, jr.,
Robert D. Stewart,
Sedgwick W. Stiles,
Herman M. Stone,
William L. Travis,
Charles W. Wallace,
Charles D. Warner,
John E. Weaver,
Donald M. Weld,
William J. Williams,
Stanley B. Zaring,
Clement H. Watson,
Frederick W. Hamilton,
William W. McQueen,
Nat H. Hayes,
Philip M. Cooper,
Edward A. Morris,
Hugh E. Dischinger,
Stanley E. Eikenberry,
Jay P. Gwaltney,
William L. Day,
Arden H. Brockbank,
Cyril E. Taylor,
Irvin M. Hansen,
James K. Fuller,
Lurton F. Gottlieb,
Elliott C. Newell,
David M. Evans,
Floyd Gills,
Walter B. Warner,
George L. Nicholas,
William C. Strowd,
Everette H. Croxton,
Courtenay S. Overin,
Philip M. Fisher, jr.,
Joseph P. Ryan,
John A. Chisholm,
Paul J. Leavens,
Gaylord N. Hess,
Herbert N. Royden, jr.,
Donald B. Hyde,
Louis C. DeRochemont,
Harold B. Corwin,
Edward R. J. Griffin,
Alden M. Bartlett,
John A. Pierson,
Albert L. Prosser,
Richard H. Brazeal,
Philip F. Breen,
Claude P. Crankshaw,
William T. Swain,
Harold S. Fraine,
James E. Dwyer,
Edward P. Murray,
Robert W. Hawes,
Joseph S. Donnell, jr.,
Charles C. Ratner,
Frank R. Horton,
Richard H. Morris,
James B. Wallace,
Raymond J. Bruning,
Joseph F. Keenan,
Seth F. H. Lagerstadt,
George M. Illich,
Frank Fendel,
Hyman L. Heller,
J. Fred Nutter,
Hugo M. Rosenberg,
William L. Hickey,
John C. Weare,
James R. Keiser,
Herbert B. Butcher,
J. I. Charles Taylor,
John G. Winn,
Emanuel Taylor,
Karl E. Madden,
Erland F. Andrew,
Percival B. Truslow,
Laurence Thompson,
Marshall A. Townsend,
William E. Martens,
Fox Trimble,
William I. Thompson,

George E. Twining,
Patrick E. Seawright, and
Joseph H. Twiss.

The following-named ensigns of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 24th day of April, 1919:

Hamlet W. Scott,
Lawrence J. Archer, jr.,
Clarence J. Ragle, and
Richard N. Donelson.

Ensign Arthur K. Aranoff, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 20th day of April, 1919.

The following-named warrant officers to be ensigns in the Navy, for temporary service, from the 1st day of May, 1919:

Alexander Martin McMahon,
William Miller, and
Karl Sommerfeld.

The following-named enlisted men to be ensigns in the Navy, for temporary service, from the 1st day of May, 1919:

William Olsen,
Frank Schweinhoffer, and
John Campbell Dallas.

Ensign Clarence T. Bunker, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 1st day of May, 1919.

The following-named ensigns of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 2d day of May, 1919:

Fred W. Darnell,
Harrell Clifford,
Lawrence Bennett,
Norman M. Nelson,
Albert J. Steelman,
Harold J. Bellingham,
Albert M. Van Eaton,
Lester W. Hansen,
Edmond F. Maxwell,
Harold R. Anderson,
John E. Gabrielson,
Thomas V. Hughes,
Rowland H. Koenig,
Clyde L. Lee,
Harold Ramslie,
Andrew J. George,
George C. Weldin,
Walter O. Roenicke, and
Harold E. Gray.

Ensign Albert H. Roos, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 4th day of May, 1919.

Ensign Nelson H. Eisenhardt, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 9th day of May, 1919.

The following-named ensigns of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 10th day of May, 1919:

Frederick O. Krueger,
Sumner C. Cheever,
Harold H. Kendrick,
Walter W. Heathman,
Ethan J. G. Allen,
Sam J. Strother,
Albert E. Conlon,
Oliver L. Brillhart,
Jerome F. Krutmeyer,
Felix G. Chouinard,
Leland W. Sweeney,
Louis K. Melbye,
Adolphus I. Baker,
William H. Frost,
Robert P. Gillam,
William A. Lower,
Carleton D. Moore,
William A. Geary,
Richard G. Noyes, and
Victor F. Youngman.

Ensign Charles G. Miller, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 11th day of May, 1919.

Gunner Fred Beauford Chilson to be an ensign in the Navy, for temporary service, from the 15th day of May, 1919.

John Thomas Sunderman, chief quartermaster, to be an ensign in the Navy, for temporary service, from the 15th day of May, 1919.

The following-named ensigns of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 15th day of May, 1919:

Bellinger Dunham,
Alexander J. R. Ferguson,
James C. Andrews,
Dean H. Beeman,
Gerald O. Boland,
Samuel E. Cunningham,
Chase H. Daugherty,
Gustav J. Dohrenwend, jr.,
Dempsey K. Dodge,
John P. Doyle,
Edward J. Fitzwilliam,
Earl A. Giantvalley,
Gustavius H. Griffin,
Walter E. Hall,
Frederick W. Hollingshead,
Gail P. Helgeson,
Virl Z. Hill,
Charles H. Kay,
Alfred L. Lind,
Lawrence C. Lovejoy,
Ransom F. Maddux,
John J. Manning,
Byron F. Murklee,
Albert J. Petrasek,
William J. Platt,
William F. Raftery,
Elijah J. Reeves,
Joseph I. Rogers,
Ralph G. Slater,
Walter D. Thomson, jr.,
Louis Weiss, and
Charles J. Wideman.

The following-named warrant officers to be ensigns in the Navy, for temporary service, from the 1st day of June, 1919:

John L. Albice,
Joseph E. Jackson, and
Meinrad A. Schur.

William L. Lewis, chief quartermaster, to be an ensign in the Navy, for temporary service, from the 1st day of June, 1919.

The following-named ensigns of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 1st day of June, 1919:

Horace K. Hutchens,
John H. Gwathmey,
Robert Petross,
Forrest A. Rhoads,
Evander P. Bateham,
Harry H. Baumgartner,
Roscoe H. Schell,
Edward M. Gleason, jr.,
Earl V. Kaufman,
Orion H. Reeves,
Bernard J. Loughman,
William W. Behrens,
Rody Patterson,
John F. McMenamin,
Walter E. Medford,
Lewis R. McDowell,
Russell C. Bartman,
Harry Q. Taylor,
William D. Hodges,
Bernhard H. Wolter,
Kenneth C. Manning,
Cyril W. Connolly,
Joseph L. Fendrich, jr.,
Raymond A. McClellan,
Charles G. Drasher,
Stephen A. Mileham,
Joseph C. Frearson,
Charles H. Butcher,
Thomas B. O'Connell,
Ferdinand H. de Bermingham, jr.,
Scott A. Fuller,
George O. Spaur,
Frederick W. Sievert,
Leigh C. Stewart,
Carl M. Platz,
Lawrence H. Cook,
George D. Birdsall,
Leon J. Benwell,
Harold R. Holcomb,
Samuel J. McKee,

Ralph A. Branham,
Harold J. Kircher,
Edward M. Petterson,
Bryan Jones,
Harry Fredman,
Ray W. Bridenbecker,
George S. Pomeroy, jr.,
William J. Long,
Nullet F. Schneider,
Gordon T. House,
Forest O. Conser,
Dana R. Curry,
Forman Hamilton,
John A. Heiser, jr.,
Marshall W. Hettrick,
William W. Maurer, and
Henry G. Walsh.

The following-named officers of the United States Naval Reserve Force to be assistant surgeons in the Navy, with rank of lieutenant (junior grade), for temporary service, from the 15th day of June, 1919:

Albert E. Man,
Lincoln Humphreys,
Henry C. Weber,
Albin H. Cecha,
Ernest F. Slater,
Richard M. Little,
Walter P. Keene,
Marshall H. Hood,
Rudolph C. Miller,
Irving E. Stowe,
Carl C. Hugger,
William J. Walsh,
Francis P. Field,
Fleete S. Steele,
Thomas M. Kelly,
William A. Gills,
Axlphar A. Marsteller,
Percy F. McMurdo,
Harry W. Croop,
Max Silverman,
John A. Topper,
John W. Green,
Edward M. Steger,
Harry E. Murphy,
Carl J. Robertson,
Joash I. Yohannan,
John C. W. Taylor,
Samuel W. Connor,
Chester F. McGill,
Leland M. French,
Ward C. Alden,
Maurice S. Mathis,
Robert F. Schanz,
Henry L. Dyer,
Franklyn A. Howell,
Thomas C. Quirk,
Claude E. Smith,
Allen G. Ireland,
Earl E. Dockrey,
Frank H. Towner,
Thomas C. Eley,
Herbert G. Hughes,
Alfred L. Potter,
James E. Burgman,
Gregory L. Robillard,
Lloyd F. Craver,
Alfred N. Sweet,
Jacob Skeer,
Paul F. Cope,
Richard N. Mackey,
Ross U. Whiteside,
Gustavus A. Schaub,
Charles Wheatley,
Charles D. Sinkinson, jr.,
Francis E. Hypes,
Harold C. Kelley,
Harry B. Spaulding,
James E. Fetherston,
Albert H. Faber,
Bert N. Wright,
Alfred S. Grussner,
Ambrose J. Callaghan,
Kenneth S. Davis,
Joseph N. Gehlen,
Richard F. Mullin,
John W. Wear, jr.,
Clarence N. Smith,
Gustave R. Petz,
William G. Rowe,
John G. Davis,
Anton R. Schier,
Thomas F. Long,
Felix O. Bell,
William A. Simpson,
William S. Bunkley,
Joseph J. Horton,
Alfred H. Ehrenclou,
Gleaves B. Kenny,
Roger D. Mackey,
Douglas C. McBride,
Earle E. Sullivan,
William J. Rogers,
George G. Herman,
George P. Quinn,
Roy J. Leutsker,
Joshua H. Harris,
Benjamin H. Adams,
Isom A. Rankin,
Walter G. Hausheer,
Daniel Luttinger,
William C. Lyon,
Frederick Ludwig,
Francis L. Hughes,
Cyrus R. Currier,
Ernest L. Tracy,
Henry L. Fougerousse,
Otis B. Spalding,
Williard W. Wild,
Lawrence W. Ehegartner,
David E. Horrigan,
Norman S. Betts,
Elba B. Todd,
Arthur H. Flickwir,
J. Howard Branan,
Marvin B. Glismann,
Lea B. Sartin,
Victor B. Riden,
Frank Sabiston,
Albert H. Aldridge,
Leon H. Griggs,
Franklin P. Dwinell,
James P. Bowles,
George M. Le Gallee,
Clyde W. Brunson,
Chauncey D. Miller,
James E. Purdy,
John P. Gilmer,
Foster C. Rulison,
David W. Eisenberg,
Sydney Walker, jr.,
Francis H. Webster,
Herbert C. Gifford,
James D. Blackwood, jr.,
David C. Thompson,
Worcester R. Angell,
Llewellyn C. Merrill,
Houston R. Farley,
George M. Malkin,
Benjamin G. Baker,
Zachariah A. Barker, and
John B. Bostick.

The following-named officers of the United States Naval Reserve Force to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 15th day of June, 1919:

Nicholas S. Duggan,
William J. Rogers,
Chester H. Webber,
Martin P. Kane,
Charles E. Detmer,
Frank B. Ferrill,
Horace S. Hursh,
Howard C. Miller,
Anton C. Tranchina,
Edward B. Howell,
Philip H. MacInnis,
Daniel A. Doherty,
George S. Maynard,
Joseph E. Sullivan,
Albion C. Tollinger,
Edmund Laughlin,

John A. Waters,
Edward J. Fitzgerald,
Carlton B. Morse,
Benjamin H. Barton,
Tyler W. Spear, and
James J. Spring.

Pay Inspector Ray Spear to be a pay director in the Navy, with the rank of captain, for temporary service, from the 23d day of April, 1919.

Pay Clerk Chauncey G. Olinger to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of July, 1918.

Lieut. (Junior Grade) Edward L. Rowse, United States Naval Reserve Force, to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of December, 1918.

Assistant Paymaster Cyrus B. Kitchen, United States Naval Reserve Force, to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 15th day of January, 1919.

Acting Pay Clerk William A. White to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of February, 1919.

The following-named acting pay clerks to be assistant paymasters in the Navy, with the rank of ensign, for temporary service, from the 1st day of March, 1919:

Guy J. Cheatham,
Paul J. Fleming, and
Walter W. Mahany.

The following-named acting pay clerks to be assistant paymasters in the Navy, with the rank of ensign, for temporary service, from the 15th day of March, 1919:

Harry J. Gillen,
John H. Davis,
Harold T. Smith, and
Charles J. Lanier.

Acting Pay Clerk Otis C. Pettit to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of April, 1919.

Assistant Paymaster Joseph J. Lynam, United States Naval Reserve Force, to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of April, 1919.

The following-named acting pay clerks to be assistant paymasters in the Navy, with the rank of ensign, for temporary service, from the 15th day of April, 1919:

Herman Schwartz,
Herman McInturff, and
Charles W. Albrecht.

Acting Pay Clerk David W. Robinson to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of May, 1919.

Naval Constructor Lewis B. McBride to be a naval constructor in the Navy, with the rank of captain, for temporary service, from the 24th day of March, 1919.

The following-named assistant naval constructors to be naval constructors in the Navy, with the rank of commander, for temporary service, from the 24th day of March, 1919:

Jerome C. Hunsaker,
Edmund R. Norton, and
Ralph D. Weyerbacher.

Carpenter Ralph M. Munson to be an assistant naval constructor in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 15th day of October, 1918.

Carpenter Robert J. Leahy to be an assistant naval constructor in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 14th day of December, 1918.

Lieut. (Junior Grade) Harold Larner, United States Naval Reserve Force, to be an assistant naval constructor in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 15th day of May, 1919.

Carpenter John Reid, jr., to be an assistant naval constructor in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 15th day of May, 1919.

Civil Engineer Reuben E. Bakenhus to be a civil engineer in the Navy, with the rank of captain, for temporary service, from the 24th day of March, 1919.

The following-named civil engineers to be civil engineers in the Navy, with the rank of commander, for temporary service, from the 24th day of March, 1919:

Kirby Smith and
Glenn S. Burrell.

The following-named officers of the United States Naval Reserve Force to be assistant civil engineers in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 3d day of March, 1919:

Clyde W. Coryell,
Harold K. Hughes,
Charles B. Watkins,
Edward M. Frost, and
Herbert L. Voight.

The following-named citizens to be assistant civil engineers in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 3d day of March, 1919:

Harold F. L. Pfohl,
Edward D. Graffin, and
Ferdinand E. Hayes, jr.

Boatswain John C. Baldwin to be a chief boatswain in the Navy, for temporary service, from the 15th day of May, 1919.

Machinist Shine S. Halliburton to be a chief machinist in the Navy, for temporary service, from the 1st day of March, 1919.

Machinist Stephen B. Thornton to be a chief machinist in the Navy, for temporary service, from the 15th day of March, 1919.

Carpenter Alfred Erickson to be a chief carpenter in the Navy, for temporary service, from the 15th day of March, 1919.

Carpenter Merick A. Beach to be a chief carpenter in the Navy, for temporary service, from the 15th day of May, 1919.

The following-named pharmacists to be chief pharmacists in the Navy, for temporary service, from the 15th day of April, 1919:

William F. Bly,
Datus M. Hervey,
Thomas L. Hildreth,
Glenn F. Lyon,
Robert D. Anderson,
Harold S. Austin,
Harold B. Chatfield,
John P. Cooney,
Charles H. Dean,
James F. Durkin,
Henry L. Greenough,
Harvey H. Hogue,
Chauncey R. Holmes,
John K. Holmes,
William H. Huston,
Robert Martin,
Frank D. Mears,
William J. Riney,
Kenneth M. Smith,
William L. Stewart, and
Joseph A. Libbon.

The following-named pharmacists to be chief pharmacists in the Navy, for temporary service, from the 15th day of May, 1919:

Henry P. Knowles,
John J. Lergenmiller,
Hubert E. Randolph,
Harold L. Ryan,
Charlie R. Steen.
Joseph O. E. Hummell,
Willard A. Jackson,
Chester O. Kimball,
Roscoe W. King,
Walter C. Magoon,
Foster B. Redman,
Leland Rowe,
Ertel E. Weaver, and
Guy O. Wildasin.

The following-named pharmacists to be chief pharmacists in the Navy, for temporary service, from the 15th day of May, 1919:

Edward F. Aron,
Richard M. Dunphy,
William F. Sheridan,
William E. G. Bartle,
William F. Crell,
Jack K. Diamond,
Clement Duchesney,
Alfred L. Eldridge,
Allen J. Hueschling,
Benjamin E. Irwin,
Briggs C. Jones,
James A. Kirkpatrick,
Thomas F. Meagher,
Julius H. Mexer,
Albert B. Montgomery,
Frank E. O'Reilly,
Lindsey W. Rider,
Hjalmar Rydeen,
Norman L. Saunders,
Hawthorne Tolderlund,
Theodore B. Wiggins,
Franklyn G. Wetherell,

Joseph Levansaler,
John H. Reed,
Harry L. Rogers, and
Walter Zur-Linden.

Lieut. Shirley A. Wilson, retired, to be a lieutenant commander on the retired list of the Navy, for temporary service, from the 1st day of January, 1919.

Lieut. John L. Fox, retired, to be a lieutenant commander on the retired list of the Navy, for temporary service, from the 23d day of April, 1919.

Capt. Joseph Strauss to be a rear admiral in the Navy from the 30th day of June, 1919.

Commander Powers Symington to be a captain in the Navy from the 30th day of June, 1919.

The following-named lieutenant commanders to be commanders in the Navy from the 15th day of August, 1918:

Benyaurd B. Wygant and
Burrell C. Allen.

Lieut. Commander Walter N. Vernou to be a commander in the Navy from the 16th day of December, 1918.

Lieut. James J. Manning to be a lieutenant commander in the Navy from the 15th day of August, 1918.

Lieut. Charles G. Davy to be a lieutenant commander in the Navy from the 27th day of September, 1918.

Lieut. Richard R. Mann to be a lieutenant commander in the Navy from the 11th day of October, 1918.

Lieut. Horace T. Dyer to be a lieutenant commander in the Navy from the 7th day of November, 1918.

Lieut. Charles C. Gill to be a lieutenant commander in the Navy from the 12th day of November, 1918.

Lieut. Augustin T. Beauregard to be a lieutenant commander in the Navy from the 16th day of December, 1918.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 8th day of June, 1918:

Harold W. Scofield and
Beriah M. Thompson.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 7th day of June, 1919:

William H. P. Blandy,
Elmer L. Woodside,
Glenn B. Davis,
Palmer H. Dunbar, jr.,
George W. Wolf,
Roy Dudley,
James E. Brenner, and
Karl E. Hintze.

Ensign Arthur Landis to be a lieutenant (junior grade) in the Navy from the 5th day of June, 1918.

Surg. John T. Kennedy to be a medical inspector in the Navy, with the rank of commander, from the 15th day of October, 1917.

The following-named passed assistant paymasters to be paymasters in the Navy, with the rank of lieutenant commander, from the 1st day of July, 1918:

Elwood A. Cobey and
Robert S. Chew, jr.

Boatswain James Reilly to be a chief boatswain in the Navy from the 11th day of January, 1919.

Gunner George W. Waldo to be a chief gunner in the Navy from the 13th day of January, 1919.

Pay Clerk William C. Jahnke to be a chief pay clerk in the Navy from the 15th day of March, 1919.

WITHDRAWAL.

Nomination withdrawn from the Senate July 10, 1919.

Miss Effie A. Frisbee to be register of the land office at Juneau, Alaska.

HOUSE OF REPRESENTATIVES.

THURSDAY, *July 10, 1919.*

The House met at 2 o'clock p. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Let the light of Thy countenance, our God and our Father, shine upon us, and let Thy counsels prevail in the minds and hearts of the lawmakers of a great Nation, that in the pursuits of peace our people with all the peoples of the world may prosper in everything that makes for larger life and happiness, and thus distribute among us and all peoples a broader, fuller common sense, to the glory and honor of Thy holy name and to the good of Thy children everywhere. In His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

POINT OF NO QUORUM.

Mr. CALDWELL. Mr. Speaker, I make a point of order that there is no quorum present.

The SPEAKER. Will the gentleman withhold that for a moment?

Mr. CALDWELL. I will.

LEAVE OF ABSENCE.

By unanimous consent, Mr. DRANE was granted leave of absence, for three days, on account of important business.

PROPOSED TIME OF MEETING TO-MORROW.

Mr. DYER. Mr. Speaker, will the gentleman hold his request for a moment for me to ask unanimous consent? I want to ask unanimous consent, in view of the fact that we have lost so much time to-day upon the prohibition bill, that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow, so we may go on with debate on the prohibition bill and get to a final vote within at least the next two weeks.

Mr. CALDWELL. Mr. Speaker, I object.

POINT OF NO QUORUM.

The SPEAKER. The gentleman from New York makes the point of order that there is no quorum present, and obviously there is not.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Fuller, Mass.	Lazaro	Rayburn
Ashbrook	Garland	Longworth	Reed, W. Va.
Bacharach	Garrett	Lufkin	Riordan
Baer	Glynn	Luhring	Robsion, Ky.
Bell	Goodall	McAndrews	Rodenberg
Bland, Mo.	Gould	McClintic	Rose
Bowers	Green, Iowa	McKenzie	Rouse
Britten	Greene, Vt.	McKinley	Rowan
Browne	Griest	McKinley	Sabath
Brumbaugh	Griffin	McLaughlin, Mich.	Sanders, Ind.
Burdick	Hamill	McLaughlin, Nebr.	Scully
Burke	Harrison	Mann	Sears
Cannon	Hastings	Martin	Slemp
Cantrill	Hays	Mason	Small
Caraway	Heflin	Minahan, N. J.	Smith, N. Y.
Christopherson	Hicks	Mondell	Snyder
Classon	Howard	Mooney	Stevenson
Crago	Hutchinson	Morin	Stiness
Dempsey	Johnson, S. Dak.	Mott	Sullivan
Dooling	Johnson, Wash.	Mudd	Taylor, Colo.
Drane	Jones, Tex.	Neely	Tinkham
Dupré	Kahn	Nolan	Vare
Eagan	Kelley, Mich.	Olney	Ward
Ellsworth	Kennedy, Iowa	Parker	Wason
Emerson	Kennedy, R. I.	Peters	Whaley
Evans, Mont.	King	Phelan	Winslow
Fairfield	Kinkaid	Porter	Woodyard
Focht	Langley	Purnell	Zihlman
Freeman	Larsen	Rainey, H. T.	

The SPEAKER. Three hundred and eighteen Members have answered to their names; a quorum is present.

Mr. DYER. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors.

Under the special order for to-day, the gentleman from Iowa [Mr. GOOD] has leave to address the House for 15 minutes. [Applause.]

Mr. GOOD. Mr. Speaker, it has long been a custom at the end of each session of Congress to review the appropriations made at that session. When, however, the Sixty-fifth Congress came to an end on the 4th day of last March it was found that eight of the great supply bills had failed. Consequently no statement could be made as to the aggregate of the appropriations granted at that session. The failure of the third session of the Sixty-fifth Congress to pass the Agricultural appropriation bill, the Army appropriation bill, the District of Columbia appropriation bill, the Indian appropriation bill, the Navy appropriation bill, the Sundry Civil appropriation bill, the appropriation for the Railroad Administration, and the third deficiency appropriation, made it absolutely necessary for the President to convene Congress in extraordinary session; otherwise, the Sixty-sixth Congress would not have convened until the 1st day of next December. To have failed to call Congress in extraordinary session in order to pass these great supply bills would have left these executive departments without funds after the 30th day of June, 1919. Now that these supply bills have been enacted into law it is my purpose to make only a brief statement, in order to furnish information so widely sought by Members of Congress and by the public.

The President did not see fit to call Congress in extraordinary session until the 19th day of May. When the Sixty-sixth Congress was thus convened only 37 legislative days remained of the fiscal year ending June 30, 1919, an altogether insufficient time within which Congress was required to organize and to pass these great supply bills by the 1st of July. A huge task thus confronted the Sixty-sixth Congress when it convened. That it performed this task and passed all of the great supply bills which had failed in the previous Congress by the beginning of the fiscal year is to the credit of the industry and fidelity to duty of its membership. [Applause.]

How well this Congress performed this great work, the appropriations themselves are the best witnesses. A comparison of the appropriations made by this Congress with the sums by which the same appropriations were last acted upon by the House or the Senate in the last Congress is very illuminating. Notwithstanding the fact that eight of the great appropriation bills failed of final enactment at the third session of the last Congress, yet the Sixty-fifth Congress appropriated for all purposes, including permanent and indefinite appropriations after deducting the amounts repealed by the second deficiency appropriation act, a net sum of $42,109,113,956.52.

The total of the regular annual appropriations for the fiscal year ending June 30, 1920, as passed at the third session of the Sixty-fifth Congress and as passed during the first session of the Sixty-sixth Congress, is $3,033,151,733. To this should be added the appropriations to supply deficiencies, amounting to $1,112,450,234.11, and miscellaneous appropriations amounting to $1,117,708,436.47, and permanent appropriations estimated at $2,074,286,880, making a grand total of appropriations for the fiscal year ending June 30, 1920, and to supply deficiencies, of $7,337,597,283.58. Included in this aggregate are the appropriations made in the third session of the last Congress for the Diplomatic and Consular Service, amounting to $9,843,661.07; for fortifications and other works of defense, $11,214,209; for legislative, executive, and judicial expenses, $97,963,831.77; for the Military Academy, $2,277,932.20; for pensions, $215,030,000; for the Postal Service, $609,466,149; for rivers and harbors, $33,378,364; and appropriations to supply deficiencies in the various executive departments, $292,714,084.71.

I shall insert in the RECORD a statement of appropriations made during the third session of the Sixty-fifth Congress and the first session of the Sixty-sixth Congress, which will show (A) all the appropriations for the support of the Government for the fiscal year 1920 and the deficiencies in appropriations for the fiscal year 1919, and prior years; (B) a comparison of appropriations for the fiscal year 1919, made during the second session of the Sixty-fifth Congress, with the appropriations for the fiscal year 1920, made during the third session of the Sixty-fifth Congress and the first session of the Sixty-sixth Congress, to date; (C) a comparison of the appropriations agreed upon at this session of Congress, with the amounts asked for and considered during this session of the Sixty-sixth Congress; and (D) a comparison of the amounts of the eight appropriation bills which failed of final enactment at the third session of the Sixty-fifth Congress, with the amounts in the same bills as they have been finally agreed upon at this session.

The work of this Congress, so far as it relates to appropriations, is especially reflected in tables C and D. By an examination of these tables it will be found that the agricultural appropriation act carries $33,899,761. A similar bill passed the House at the last session, was sent to the Senate, and there referred to the Senate Committee on Agriculture, which reported it back to the Senate, carrying $37,344,852. The amount asked for by the Agricultural Department was $34,993,686. The bill, therefore, that has just been enacted into law carries $1,093,925 less than the amount asked for by the department, and $3,445,091 less than the amount carried by the bill as reported to the Senate in the closing days of the Sixty-fifth Congress.

The appropriations contained in the Army bill aggregate $772,324,877.50. The War Department estimated for this service $1,268,322,269.04. In the last Congress this bill passed the House, was messaged to the Senate, where it was referred to the Committee on Military Affairs, and that committee reported it back to the Senate carrying $1,240,500,066.98. The Army appropriation act, therefore, is $495,997,391.54 less than the amount asked for by the War Department, and is $468,175,189.48 less than the amount by which the bill was reported to the Senate in the last session of Congress.

The District of Columbia appropriation act carries $15,364,421. A similar bill passed the House and the Senate in the last session, and was pending in conference when Congress adjourned. It carried $14,446,364 as it passed the Senate. The amounts asked for by the District Commissioners and considered by this Congress totaled $15,635,701. The amount, therefore, by which this bill became a law is $918,057 more than was carried in the similar bill in the last session of Congress, but is $271,280 less than the amount estimated by the District Commissioners. In this connection it must be remembered that during the war the work of improving our streets and of building new school buildings had been stopped. The result was that the streets of the city of Washington were in a deplorable condition and the school facilities, so far as buildings were concerned, were grossly inadequate, and large appropriations are contained in the present act for improvement of streets and enlargement of school building facilities.

The Indian appropriation act carries $11,131,397.03. The amount estimated for the service was $11,939,813.89. This bill passed the Senate in the last session of Congress carrying $11,457,797.03. The law enacted at this session of Congress is therefore $326,400 less than the amount by which the bill passed the Senate in the third session of the Sixty-fifth Congress, and is $808,416.86 less than the amount estimated by the Secretary of the Interior.

In the third session of the Sixty-fifth Congress the Navy bill passed the House and was last acted upon by the Committee on Naval Affairs of the Senate. This act appropriates $616,096,838.88. The amount carried by the bill when reported to the Senate in the last Congress was $824,708,121.88. The aggregate of the revised estimates for the naval service was $975,903,621.28. The naval appropriation act, therefore, carries $208,611,283 less than the amount carried by the bill as reported to the Senate in the last Congress, but it also carried $359,806,782.40 less than the amount asked for by the Navy Department and considered by this Congress.

The sundry civil appropriation act carries $605,160,207.95. The bill passed the House at the third session of the Sixty-fifth Congress, carrying $851,171,859.25. The total amount asked for and considered by the Sixty-sixth Congress was $964,591,556.25. The appropriation made by this Congress for this service is therefore $246,011,651.30 less than the amount by which the sundry civil appropriation bill passed the House at the third session of the Sixty-fifth Congress, and is $359,431,348.30 less than the amount asked for and considered at this session of Congress.

The SPEAKER. The time of the gentleman has expired.

Mr. MONDELL. Mr. Speaker, how much time does the gentleman require to conclude his remarks?

Mr. GOOD. I will require, I suppose, about 20 minutes. I did not think I would require so much time.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the gentleman may have 20 minutes in which to conclude his remarks.

Mr. CALDWELL. Mr. Speaker, reserving the right to object, is that 20 minutes more?

Mr. MONDELL. In addition to the time he has already occupied.

Mr. CALDWELL. Twenty minutes more? Mr. Speaker, still further reserving the right to object, the gentleman is talking about bills passed without any reference to the deficiencies which must necessarily follow. The cock that crows in the morning does not always live to crow at night. Mr. Speaker, I withdraw the objection.

The SPEAKER. The gentleman from Wyoming asks that the time of the gentleman from Iowa may be extended for 20 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GOOD. The appropriation to supply deficiencies in the administration of the railroads by the President is $750,000,000. A similar bill passed the House and was subsequently reported by the Senate as a part of the third deficiency bill in the last Congress for a like amount. In the Sixty-fifth Congress the estimate for this service was $750,000,000, and the amount agreed upon by the House and reported to the Senate for this deficiency was the exact amount asked by the Railroad Administration. At this session of Congress the Railroad Administration asked for $1,200,000,000 for this service. The amount carried in the act is $450,000,000 less than the amount of the estimate.

The third deficiency act passed the House and was reported to the Senate in the Sixty-fifth Congress, carrying $38,346,913.59, exclusive of the appropriation for the Railroad Administration above referred to, and also exclusive of $53,750,000 carried in the total of the sundry civil bill and proposed by the Senate to be transferred from that bill to the deficiency bill. The amount now carried in this act is $24,305,929.40, which is $14,040,984.19 less than the amount by which the bill was reported to the Senate in the last Congress, and is $18,458,749.54 less than the amount estimated by the various departments and considered by this Congress. In this connection, however, it should be stated

that the amount carried in this act does not include $45,044,500 carried in the urgent deficiency appropriation act for the Bureau of War Risk Insurance and for the payment of pensions. Of this sum $42,615,000 was not estimated at the third session of the Sixty-fifth Congress, and therefore not included in the total of $42,764,978.94 of the estimates for the third deficiency bill, nor was any part of it included in the $38,346,913.59 as the third deficiency bill passed the House and was reported to the Senate in the last Congress.

The third deficiency bill that failed in the last Congress did carry $4,220,000 for administration expenses in the Bureau of War Risk Insurance. A part of this deficiency was supplied before the convening of this Congress out of the President's fund for the national security and defense. Of this $4,220,000, the sum of $2,429,500 is the only item carried in the urgent deficiency appropriation act that was considered at all by the Sixty-fifth Congress in connection with the third deficiency bill.

The appropriations made in the sundry civil bill that failed in the last Congress are a sad commentary on the administration of the Bureau of War Risk Insurance. That bill carried for family allowances $33,000,000 and that sum was made immediately available. It carried for compensation to wounded and disabled soldiers, sailors, and marines $20,000,000, and it was anticipated that $53,000,000 would pay all family allowances of soldiers, sailors, and marines and their compensation claims to June 30, 1920. When this Congress convened it was advised by the Treasury Department that the checks for family allowances for the month of April had been drawn, but had not been sent to the families and dependents of soldiers, sailors, and marines because no funds have been appropriated for that service, and that it would require $39,615,000 to pay claims for family allowances up to June 30 of this year. That amount was immediately appropriated, as was the $2,429,500 for administrative expenses, and the sundry civil bill that has just passed carries $48,000,000 additional for family allowances, and $50,000,000 for compensation, making a grand total of $137,615,000 appropriated by this Congress for the payment of family allowances and compensation claims to our soldiers, sailors, and marines, as compared with $53,000,000 carried for the same purpose in the sundry civil bill that failed.

So, too, when this Congress convened it was confronted with the fact that there was a deficiency in the appropriation for the payment of pensions to the soldiers, amounting to $3,000,000. Immediately upon the convening of Congress this deficiency was supplied by an appropriation of the full amount of the estimate.

The net result of the work of this Congress, so far as it has acted on appropriations, notwithstanding the necessarily large increases for war-risk insurance, shows a net decrease of $939,692,541.97 in the appropriations made by this Congress, as compared with the last action of the Sixty-fifth Congress on the same bills.

But if the saving made by this Congress in the matter of appropriations is measured by the amounts asked for by the executive departments and considered by this Congress, the aggregate is $1,685,867,893.64, a magnificent record of achievement in 37 legislative days. [Applause.] And no doubt if Congress had been called in extraordinary session by the President immediately upon the adjournment of the Sixty-fifth Congress it would have had an opportunity to have made a more searching investigation and to have eliminated a great deal of waste and extravagance in the various executive departments.

During the past few days my attention has been directed to a propaganda that has been started by those intrusted with the administration of the law for the vocational rehabilitation of our wounded soldiers, sailors, and marines. One of the honored Members of this House has placed in my hands a telegram which is similar to many telegrams received by Members. This telegram reads as follows:

> Joker in sundry civil appropriation bill. Ten thousand disabled soldiers in Wisconsin affected greatly to their detriment by crippling Federal Board for Vocational Education. Strongly urge you to have it reconsidered.
>
> A. M. BRAYTON, *Editor State Journal.*

Telegrams have been received from Detroit to the effect that the vocational rehabilitation office in that city has been closed because of the lack of appropriations to carry on the work.

These telegrams were actuated, no doubt, by erroneous advices sent out by some member of the Board for Vocational Education here in Washington. The propaganda has its beginning in the executive department having to do with the administration of the vocational rehabilitation law. In order that there may be no misunderstanding with regard to this matter and that Members may advise their constituents, who are so deeply interested in the care and support of our wounded soldiers, sailors, and marines, I desire to read the entire provision carried in the sundry civil appropriation bill for vocational rehabilitation. It is as follows:

FEDERAL BOARD FOR VOCATIONAL EDUCATION.

Vocational rehabilitation: For an additional amount for carrying out the provisions of the act entitled "An act to provide for the vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended, including personal services in the District of Columbia and elsewhere, printing and binding to be done at the Government Printing Office, law books, books of reference, and periodicals, $6,000,000, which shall be in lieu of the appropriation contained in the act approved July —, 1919, amending section 2 of the act approved June 27, 1918: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $2,500 per annum, except the following: One at $7,500, 1 at $5,000, 10 at $3,600 each, and 40 from $2,500 to $3,000 each, inclusive.

It is apparent from this provision of the law that $6,000,000 is available, or will be available when the President signs the sundry civil act, for vocational rehabilitation, and every dollar of that is available for rehabilitation work any place in the United States so long as it remains unexpended. [Applause.] When that appropriation is expended, if additional appropriations are necessary unquestionably they will be promptly forthcoming. The country will not and ought not to tolerate a cheeseparing policy with regard to the rehabilitation of our wounded and disabled soldiers, sailors, and marines, and the country and Congress will not and should not tolerate this policy of misrepresentation and deceit carried on by those charged with the administration of the law. [Applause.] The only joker connected with this service will be found in the little men intrusted with the execution of the law. [Applause.] It is true we put a stop to the practice of one of the officials in this service drawing two salaries of $5,000 each from the Federal Government, and we placed a limit upon the salaries which any official connected with the administration of this law may draw at $7,500 per year. [Applause.]

I have no doubt that upon investigation it will be found that the salaries provided for in this bill are in excess of the amounts actually received in private life by the persons holding these positions. [Applause.] It is, indeed, to be regretted that men intrusted with the administration of this law, commissioned to bring aid and comfort to our wounded and disabled soldiers and sailors, should add to the discomfort and anxiety of hundreds of thousands of these boys who are wounded and entitled to the benefits of this service by giving them to understand that Congress had made no provision for their vocational rehabilitation. The man responsible for this contemptible falsehood should be summarily dismissed from the Government service. [Applause.]

A few days ago the gentleman from North Carolina [Mr. KITCHIN], in a very interesting speech, defended the action of the House in the last Congress because of the excessive appropriations carried in the bills as they passed the House. He made the astounding claim that the amounts by which the bills passed the last Congress in excess of the aggregate carried in the bills that passed this Congress would not have been expended, but that such excess of appropriations would have been covered into the Treasury of the United States. I hope the position of the gentleman from North Carolina [Mr. KITCHIN] will be the position of the President and the head of every executive department of the Government, for if his position is the correct one there will be no necessity for any deficiency appropriations. [Applause on the Republican side.] If, therefore, deficiencies are created or shall hereafter arise in these appropriations, they must be attributed to waste and extravagance in the departments where deficiency appropriations shall hereafter be sought. [Applause on the Republican side.] Time alone will tell. But one of two things is certain—either the gentleman from North Carolina [Mr. KITCHIN] was misleading the House in that wonderful speech, or, if deficiency appropriations shall hereafter be asked for the same service, then the department asking for a deficiency stands convicted of the charge of waste and extravagance. [Applause on the Republican side.]

The enactment of 10 large supply bills in 37 legislative days, in order that they might become laws by the beginning of this fiscal year, is an achievement without a parallel in the history of congressional appropriations. I shall put in the RECORD a summary showing the annual appropriation laws, with the dates of approval, which were not enacted in time to be effective from the first day of the fiscal year for which the appropriations were made. That summary will show that during the Fifty-fourth,

Fifty-fifth, Fifty-sixth, Fifty-seventh, Fifty-eighth, Fifty-ninth, Sixtieth, and Sixty-first Congresses, all Republican Congresses, every general appropriation bill was passed and became a law before the beginning of the fiscal year to which they each related. In the Sixty-second Congress the House was Democratic and the Senate was Republican. In the Sixty-third, Sixty-fourth, and Sixty-fifth Congresses both House and Senate were Democratic.

During those Congresses there was a failure in the enactment of many of the appropriation laws before the beginning of the fiscal year for which the appropriations were made. For example, in the Sixty-second Congress, when the Democrats first came into control of the House, nine of the great appropriation bills failed of passage before the beginning of the next fiscal year, and it was necessary to pass continuing resolutions in order that the Government might function. So, too, in the Sixty-third Congress four of the great appropriation bills failed of enactment before the beginning of the next fiscal year. In the Sixty-fourth Congress seven of the great supply bills failed, and in the second session of the Sixty-fifth Congress seven of the great supply bills failed of enactment before the beginning of the following fiscal year, and in the third session of the Sixty-fifth Congress eight of the great supply bills had failed of enactment when Congress adjourned.

In comparison with this record of inefficiency I desire to place the record of 16 years of Republican administration, from the Fifty-fourth to the Sixty-first Congresses, inclusive, when every regular annual appropriation bill was enacted into law by the beginning of the fiscal year to which the appropriations related. [Applause on Republican side.] So, too, in this Congress, in 37 legislative days, a Republican Congress accomplished what a Democratic Congress had failed to perform in three long months. In 37 legislative days this Congress enacted into law the eight large supply bills that failed of enactment in the last Congress.

When these appropriation acts are compared with the bills acted upon by the previous Congress for the same service, it is found that this Congress has saved to the taxpayers of the United States $939,692,541.97. [Applause on Republican side.] If, however, the saving to the taxpayers is the difference between the estimates of the executive departments and the appropriations made by Congress, then that saving reaches the stupendous sum of $1,685,867,893.64. [Loud applause.]

Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing these tables to which I have referred in my speech.

The SPEAKER. Is there objection to the request of the gentleman for the insertion of the tables indicated? [After a pause.] The Chair hears none.

The tables referred to are as follows:

APPROPRIATIONS FOR THE FISCAL YEAR 1919–20.

Statement of appropriations made during the third session of the Sixty-fifth Congress and the first session of the Sixty-sixth Congress, comprising appropriations for the support of the Government for the fiscal year 1920 and deficiencies in appropriations for the fiscal year 1919 and prior years.

REGULAR ANNUAL APPROPRIATION ACTS.

Agriculture	$33, 899, 761. 00	
Army	772, 324, 877. 50	
Diplomatic and Consular	9, 843, 661. 67	
District of Columbia	15, 364, 421. 00	
Fortification	11, 214, 291. 00	
Indian	11, 131, 397. 03	
Legislative, etc	97, 963, 831. 77	
Military Academy	2, 277, 932. 20	
Naval	616, 096, 838. 88	
Pension	215, 030, 000. 00	
Post Office (includes $78,000,000 for the construction of roads for the fiscal year 1921)	609, 466, 149. 00	
River and harbor	33, 378, 364. 00	
Sundry civil	605, 160, 207. 95	
Total, regular annual acts		$3, 033, 151, 733. 00

DEFICIENCY APPROPRIATION ACTS.

Second deficiency, fiscal year 1919	$292, 714, 084. 71	
Third deficiency, fiscal year 1919	24, 305, 929. 40	
Wir risk insurance and pension deficiency	45, 044, 500. 00	
Railroad deficiency	750, 000, 000. 00	
Expenses incident to the first session of the Sixty-sixth Congress	385, 720. 00	
Total, deficiency acts		$1, 112, 450, 234. 11

APPROPRIATIONS IN MISCELLANEOUS ACTS.

Wheat-price guaranty	$1, 000, 000, 000. 00	
Relief in Europe	100, 000, 000. 00	
Public Health Service hospitals	9, 835, 333. 00	
Revenue act	7, 525, 000. 00	
Sundry miscellaneous acts	348, 103. 47	
Total, miscellaneous acts		$1, 117, 708, 436. 47

PERMANENT AND INDEFINITE APPROPRIATIONS (ESTIMATED).

Interest on public debt	$1, 000, 000, 000. 00	
Miscellaneous public debt redemption	964, 020, 000. 00	
Miscellaneous permanent and indefinite appropriations	85, 266, 880. 00	
Increased compensation to certain Government employees	25, 000, 000. 00	
Total, permanents, etc		2, 074, 286, 880. 00
Grand total		7, 337, 597, 288. 58

Comparison of appropriations for the fiscal year 1919, made during the second session of the Sixty-fifth Congress, with appropriations for the fiscal year 1920, made during the third session of the Sixty-fifth Congress and the first session of the Sixty-sixth Congress to date.

	1919	1920	Increase of 1920 over 1919.	Decrease of 1920 under 1919.
Agriculture	$27, 875, 353. 00	$33, 899, 761. 90	$6, 024, 408. 00	
Army	10, 225, 478, 312. 91	772, 324, 877. 50		$9, 453, 153, 435. 41
Diplomatic and Consular	7, 937, 376. 66	9, 843, 661. 67	1, 906, 285. 01	
District of Columbia	15, 046, 768. 66	15, 364, 421. 00	317, 652. 34	
Fortification	2, 814, 348, 267. 85	11, 214, 291. 00		2, 803, 133, 976. 85
Indian	11, 021, 910. 00	11, 131, 397. 03	109, 487. 03	
Legislative, etc	69, 937, 853. 25	97, 963, 831. 77	28, 025, 978. 52	
Military Academy	2, 515, 005. 01	2, 277, 932. 20		237, 072. 81
Navy	1, 573, 468, 415. 84	616, 096, 838. 88		957, 371, 576. 96
Pension	220, 050, 000. 00	215, 030, 000. 00		5, 020, 000. 00
Post Office	377, 573, 342. 00	609, 466, 149. 00	231, 892, 807. 00	
River and harbor	23, 771, 900. 00	33, 378, 364. 00	9, 606, 464. 00	
Sundry civil	2, 019, 654, 470. 07	605, 160, 207. 95		1, 414, 494, 262. 12
Total regular annual appropriations	17, 388, 678, 985. 25	3, 033, 151, 733. 00	277, 883, 071. 90	14, 633, 410, 324. 15
Deficiencies	4, 325, 012, 456. 83	1, 112, 450, 234. 11		3, 212, 562, 222. 72
Miscellaneous	[1] 4, 270, 987, 863. 00	1, 117, 708, 436. 47		3, 153, 279, 426. 53
Permanent appropriations	1, 107, 415, 415. 67	[2] 2, 074, 286, 880. 00	966, 871, 464. 33	
Grand total	27, 092, 094, 720. 75	7, 337, 597, 283. 58	1, 244, 754, 536. 23	20, 999, 251. 973. 40

[1] This sum includes $3,000,000,000 for loans to our Allies, reimbursable by foreign Governments to whom advances are made.

[2] This sum includes estimated amounts as follows: For the payment of interest on the public debt, $1,000,000,000; miscellaneous redemptions of the public debt, $964,020,000; miscellaneous, permanent, and indefinite appropriations, $85,266,880; and increased compensation to certain Government employees, $25,000,000.

Comparison of the amounts of the appropriation bills as agreed upon with amounts asked for and considered during the Sixty-sixth Congress, first session.

Title of act.	Amounts as agreed upon, Sixty-sixth Congress, first session.	Amounts asked for and considered, Sixty-sixth Congress, first session.	Decrease of amounts agreed upon, Sixty-sixth Congress, first session, under amounts asked for and considered, Sixty-sixth Congress, first session.
Agriculture	$33, 899, 761. 00	$34, 993, 686. 00	$1, 093, 925. 00
Army	772, 324, 877. 50	1, 268, 322, 269. 04	495, 997, 391. 54
District of Columbia	15, 364, 421. 00	15, 635, 701. 00	271, 280. 00
Indian	11, 131, 397. 03	11, 939, 813. 89	808, 416. 86
Navy	616, 096, 838. 88	975, 903, 621. 28	359, 806, 782. 40
Sundry civil	605, 160, 207. 95	964, 591, 556. 25	359, 431, 348. 30
Railroad deficiency	750, 000, 000. 00	1, 200, 000, 000. 00	450, 000, 000. 00
Third deficiency	24, 305, 929. 40	[1] 42, 764, 678. 94	18, 458, 749. 54
War risk insurance and pension deficiency	45, 044, 500. 00	45, 044, 500. 00	
Expenses incident to first session of the Sixty-sixth Congress	385, 720. 00	385, 720. 00	
Total	2, 873, 713, 652. 76	4, 559, 581, 546. 40	1, 685, 867, 893. 64

[1] This amount does not include $45,044,500, estimated in connection with the bill making urgent deficiency appropriations for the Bureau of War Risk Insurance and for the payment of pensions. Of this sum, $42,615,000 was not estimated at the third session of the Sixty-fifth Congress, and therefore not included in the total of $42,764,678.94, which sum does include $2,429,500 for above-named purposes.

Comparison of the amounts of the eight appropriation bills which failed of final enactment at the third session of the Sixty-fifth Congress with the amounts of the same bills as they have been finally agreed upon at the first session of the Sixty-sixth Congress.

Title of act.	Last action figures Sixty-fifth Congress, third session.	Amount as agreed upon Sixth-sixth Congress, first session.	Decrease, Sixty-sixth Congress, first session, under Sixty-fifth Congress, third session.	Increase, Sixty-sixth Congress, first session, over Sixty-fifth Congress, third session.
Agriculture	[1] $37,344,852.00	$33,899,761.00	$3,445,091.00	.....
Army	[1] 1,240,500,066.98	772,324,877.50	468,175,189.48	.....
District of Columbia	[2] 14,446,364.00	15,364,421.00	.....	$918,057.00
Indian	[2] 11,457,797.03	11,131,397.03	326,400.00	.....
Navy	[1] 824,708,121.88	616,096,838.88	208,611,283.00	.....
Sundry civil	[3] 851,171,859.25	605,160,207.95	246,011,651.30	.....
Railroad deficiency	[4] 750,000,000.00	750,000,000.00	.....	.....
Third deficiency	[5] 38,346,913.59	[5] 24,305,929.40	14,040,984.19	.....
Total	3,767,975,974.73	2,828,283,432.76	940,610,598.97	918,057.00

[1] Amount as reported to the Senate.
[2] Amount as passed the Senate.
[3] Amount as passed the House.
[4] Amount as reported to the Senate exclusive of $750,000,000 for railroad deficiency, passed as a separate measure but included in third deficiency act for the third session of the Sixty-fifth Congress as reported to the Senate. Also exclusive of $53,750,000 for emergency shipping fund carried in the amount of the sundry civil bill for the Sixty-fifth Congress, third session, as it passed the House.
[5] This amount does not include $45,044,500 carried in the bill making urgent deficiency appropriations for the Bureau of War Risk Insurance and for the payment of pensions. Of this sum $42,615,000 was not estimated or considered at the third session of the Sixty-fifth Congress, and $2,429,500 was included in the third deficiency bill at that session.

Net decrease, Sixth-sixth Congress, first session, under Sixty-fifth Congress, third session..... $939,692,541.97

Summary of annual appropriation laws, with dates of approval, which were not enacted in time to be effective from the first day of the fiscal year.

Congress.	Fiscal year.	Number of bills not enacted by July 1.	House.	Senate.
Forty-fourth Congress	1877	7	Democratic.	Republican.
Forty-seventh Congress	1883	6	Republican.	Do.
Forty-eighth Congress	1885	10	Democratic.	Do.
Forty-ninth Congress	1887	6	.....do.....	Do.
Fiftieth Congress	1889	9	.....do.....	Do.
Fifty-first Congress	1891	7	Republican.	Do.
Fifty-second Congress	1893	11	Democratic.	Do.
Fifty-third Congress	1895	12	.....do.....	Democratic.
Sixty-second Congress	1913	9	.....do.....	Republican.
Sixty-third Congress	1915	4	.....do.....	Democratic.
Sixty-fourth Congress	1917	7	.....do.....	Do.
Sixty-fifth Congress	1919	7	.....do.....	Do.

ANNUAL APPROPRIATION LAWS (WITH DATES OF APPROVAL) WHICH WERE NOT ENACTED IN TIME TO BE EFFECTIVE FROM THE FIRST DAY OF THE FISCAL YEAR.

[Note.—The river and harbor bill is not included among the annual bills, as it was not considered an annual appropriation bill prior to the Sixtieth Congress.]

FORTY-FOURTH CONGRESS (FISCAL YEAR 1877).
(House, Democratic; Senate, Republican.)

Army, July 24, 1876.
Consular and diplomatic, August 15, 1876.
Indian, August 15, 1876.
Legislative, etc., August 15, 1876.
Military Academy, August 7, 1876.
Post Office, July 12, 1876.
Sundry civil, July 31, 1876.
(Seven in all.)

FORTY-SEVENTH CONGRESS (FISCAL YEAR 1883).
(House, Republican; Senate, Republican.)

Consular and diplomatic, July 1, 1882.
District of Columbia, July 1, 1882.
Legislative, etc., August 5, 1882.
Navy, August 5, 1882.
Pension, July 25, 1882.
Sundry civil, August 7, 1882.
(Six in all.)

FORTY-EIGHTH CONGRESS (FISCAL YEAR 1885).
(House, Democratic; Senate, Republican.)

Army, July 5, 1884.
Consular and diplomatic, July 7, 1884.
District of Columbia, July 5, 1884.
Fortification, July 5, 1884
Indian, July 4, 1884.
Legislative, etc., July 7, 1884.
Pension, July 4, 1884.
Post Office, July 5, 1884.
Navy, July 7, 1884.
Sundry civil, July 7, 1884.
(Ten in all.)

FORTY-NINTH CONGRESS (FISCAL YEAR 1887).
(House, Democratic; Senate, Republican.)

District of Columbia, July 9, 1886.
Fortification (failed of enactment).
Legislative, etc., July 31, 1886.
Navy, July 26, 1886.
Pension, July 2, 1886.
Sundry civil, August 4, 1886.
(Six in all.)

FIFTIETH CONGRESS (FISCAL YEAR 1889).
(House, Democratic; Senate, Republican.)

Agriculture, July 18, 1888.
Army, September 22, 1888.
Diplomatic and Consular, July 11, 1888.
District of Columbia, July 18, 1888.
Fortification, September 22, 1888.
Legislative, etc., July 11, 1888.
Navy, September 7, 1888.
Post Office, July 24, 1888.
Sundry civil, October 2, 1888.
(Nine in all.)

FIFTY-FIRST CONGRESS (FISCAL YEAR 1891).
(Both Houses Republican.)

Agriculture, July 14, 1890.
Diplomatic and Consular, July 14, 1890.
District of Columbia, August 6, 1890,
Fortification, August 18, 1890.
Indian, August 19, 1890.
Legislative, etc., July 11, 1890.
Sundry civil, August 30, 1890.
(Seven in all.)

FIFTY-SECOND CONGRESS (FISCAL YEAR 1893).
(House, Democratic; Senate, Republican.)

Agriculture, July 5, 1892.
Army, July 16, 1892.
Diplomatic and Consular, July 16, 1892.
District of Columbia, July 14, 1892.
Fortification, July 25, 1892.
Indian, July 13, 1892.
Legislative, etc., July 16, 1892.
Military Academy, July 14, 1892.
Navy, July 19, 1892.
Pension, July 13, 1892.
Sundry civil, August 5, 1892.
(Eleven in all.)

FIFTY-THIRD CONGRESS (FISCAL YEAR 1895).
(Both Houses Democratic.)

Agriculture, August 8, 1894.
Army, August 6, 1894.
Diplomatic and Consular, July 26, 1894.
District of Columbia, August 7, 1894.
Fortification, August 1, 1894.
Indian, August 15, 1894.
Legislative, etc., July 31, 1894.
Military Academy, July 26, 1894.
Navy, July 26, 1894.
Pension, July 18, 1894.
Post Office, July 16, 1894.
Sundry civil, August 18, 1894.
(Twelve in all.)

SIXTY-SECOND CONGRESS (FISCAL YEAR 1913).
(House, Democratic; Senate, Republican.)

Agriculture, August 10, 1912.
Army, August 24, 1912.
Indian, August 24, 1912.
Legislative, etc., August 23, 1912.
Military Academy, August 9, 1912.
Navy, August 22, 1912.
Pension, August 17, 1912.
Post Office, August 24, 1912.
Sundry civil, August 24, 1912.
(Nine in all.)

SIXTY-THIRD CONGRESS (FISCAL YEAR 1915).
(Both Houses Democratic.)

District of Columbia, July 21, 1914.
Indian, August 1, 1914.
Legislative, etc., July 16, 1914.
Sundry civil, August 1, 1914.
(Four in all.)

SIXTY-FOURTH CONGRESS (FISCAL YEAR 1917).
(Both Houses Democratic.)

Agriculture, August 11, 1916.
Army, August 29, 1916.
District of Columbia, September 1, 1916.
Fortification, July 6, 1916.
Military Academy, August 11, 1916.
Navy, August 29, 1916.
Post Office, July 28, 1916.
(Seven in all.)

SIXTY-FIFTH CONGRESS (FISCAL YEAR 1919).
(Both Houses Democratic.)

Agriculture, October 1, 1918.
Army, July 9, 1918.
District of Columbia, August 31, 1918.
Fortification, July 8, 1918.
Legislative, etc., July 3, 1918.
Pension, July 2, 1918.
Post Office, July 2, 1918.
(Seven in all.)

The SPEAKER. The gentleman from New York [Mr. LAGUARDIA], under the special order, is recognized for 30 minutes. [Applause.]

Mr. LAGUARDIA. Mr. Speaker, conditions in Mexico have reached the stage that it becomes our duty to inquire what is going on, what is being done, and what the administration intends doing. For this purpose I introduced on June 19, 1919, the following resolution:

Resolved, That the Secretary of State be, and he hereby is, requested to send forthwith to the House of Representatives complete copies of correspondence, including letters, communications, notes, and telegrams between the United States Government and the Government of Mexico from the 1st day of January, 1915, to date; also copies of communications, orders, letters, telegrams, etc., between the Department of State and officers of the United States Army or Navy, either direct or through the War and Navy Departments, respectively, pertaining to Mexican affairs from the 1st day of January, 1915, to date.

This method of procedure is not new. A similar resolution was introduced on the 1st of November, 1877, requiring the Secretary of State to furnish the House of Representatives with data of the same nature asked for in my resolution, and that resolution, strange to say, referred to Mexico. The Secretary of State was then Mr. William M. Evarts and who 12 days after the resolution was passed transmitted all of the papers pertaining to the Mexican border troubles, and these papers, consisting of 45 different documents, contained 244 printed pages, and is known as Executive Document No. 13, first session of the Forty-fifth Congress. It is really worth the while of every Member of this House to glance through the pages of that report, change the dates and names, and you have the conditions of the disorder, the turmoil, murder, and robbery of Mexico of to-day.

The country was then startled, as I am sure it would be now if the facts were known, in learning of the actual conditions in Mexico, and the fact that the country knew and was determined to take aggressive action so impressed the Mexicans that we did not have trouble with that country for a period of about 40 years.

Mr. HUDSPETH. Will the gentleman yield?

Mr. LAGUARDIA. I will ask not to be interrupted, because I am using notes, and I am not in the habit of using them.

With the facts disclosed, public opinion became so strong that on August 13, 1878, Secretary Evarts transmitted to Mr. Foster, our then minister of Mexico, the famous message which brought home to the Mexicans that this country would protect its citizens, would stand for its rights, and that no excuse would be accepted for any violation of these rights or any damage to American citizens or American property.

This real, red-blooded American message would so fit conditions now that I want to read it to you:

MR. EVARTS, SECRETARY OF STATE, TO MR. FOSTER, MINISTER TO MEXICO, AUGUST 13, 1878.

The first duty of a government is to protect life and property. This is a paramount obligation. For this governments are instituted, and governments neglecting or failing to perform it become worse than useless. This duty the Government of the United States has determined to perform to the extent of its power toward its citizens on the border. It is not solicitous—it never has been—about the methods or ways in which that protection shall be accomplished, whether by formal treaty stipulation or by informal convention, whether by the action of judicial tribunals or that of military forces. Protection in fact to American lives and property is the sole point upon which the United States are tenacious. In securing it they have a right to ask the cooperation of their sister Republic. So far the authorities of Mexico, military and civil, in the vicinity of the border appear not only to take no steps to effectively check the raids or punish the raiders, but demur and object to steps taken by the United States. * * *

I am not unmindful of the fact that, as you have repeatedly reported, there is reason to believe that the Mexican Government really desires to check these disorders. According to the views you have presented its statesmen are believed to be sagacious and patriotic and well disposed to comply with all international obligations. But, as you represent, they encounter, or apprehend that they may encounter, a hostile public feeling adverse to the United States, especially in these border localities, thwarting their best intentions and efforts. It is greatly to be regretted that such a state of perverted public feeling should exist. But its existence does not exonerate the Mexican Government from any obligation under international law. Still less does it relieve this Government from its duties to guard the welfare of the American people. The United States Government can not allow marauding bands to establish themselves upon its borders, with liberty to invade and plunder United States territory with impunity and then, when pursued, to take refuge across the Rio Grande under protection of the plea of the integrity of the soil of the Mexican Republic.

Mr. FLOOD. Will the gentleman yield for a question?

Mr. LAGUARDIA. For a question.

Mr. FLOOD. Is the gentleman advocating intervention in Mexico now?

Mr. LAGUARDIA. I am coming to that. I am sure there is no one in this House who should be as cognizant of the actual affairs in Mexico as the distinguished chairman of the Committee on Foreign Affairs of the last Congress.

The difference between the note of 1878 and the note of 1919 is that the Mexican people then knew that we would back every word we said, and this note is what caused what was known in Mexico for 40 years as "El Fantasma" (the specter). This specter was the fear of American wrath; that the United States would go down there and punish the murderers and thieves and establish order. It was this fear in the hearts of the Mexicans that kept them straight for a number of years. Even President Diaz feared it. Mr. Evarts's words are almost prophetic. The difference between 1878 and 1919 is that we then impressed the Mexican people that we meant business, while in 1919 we sent notes but failed to enforce what we said. So that the fear of 1878 has become the indifference of 1919, and the Mexican people feel that they can do as they like—shoot Americans, commit robbery, confiscate property, and get away with it. It is true to-day as it was in 1878; we do not care what means the Mexican Government takes to preserve order, to protect American lives and property; let them use the law or their police or the military; but we should insist that they do something and must henceforth refuse to overlook any omission on the part of the Mexican Government toward Americans and American rights.

Not so very long ago, on the 6th day of January, 1916, the Senate had a resolution, introduced by Mr. FALL, of New Mexico, calling upon the President to inform the Senate upon Mexican conditions. I call your attention to the resolution and the information submitted. It will be found in Senate Document No. 324, Sixty-fourth Congress, first session. Time does not permit me to read it now, but the contrast of actual performance and the promises therein made is so glaring that I will insert some of the documents therein contained as part of these remarks. But let me point out to you some of the assurances then given by Mr. Carranza to the President.

The message was transmitted by the President to the Senate on February 17, 1916. In that report a message of the President of the United States of June 2, 1915, containing a warning to the leaders of the factions, was telegraphed to the American consular officers in Mexico for circulation, in which the President pointed out that no government existed in Mexico; that she has been swept by civil war as if by fire; that there is no proper protection for her own citizens or any citizens at work within her territory; and instructed consular officers to make known the views of the United States in the following forceful language:

In these circumstances the people and Government of the United States can not stand indifferently by and do nothing to serve their neighbor. They want nothing for themselves in Mexico. Least of all do they desire to settle her affairs for her or claim any right to do so. But neither do they wish to see utter ruin come upon her; and they deem it their duty as friends and neighbors to lend any aid they properly can to any instrumentality which promises to be effective in bringing about a settlement which will embody the real objects of the revolution—constitutional government and the rights of the people. Patriotic Mexicans are sick at heart and cry out for peace and for every self-sacrifice that may be necessary to procure it. Their people cry out for food, and will presently hate as much as they fear every man, in their country or out of it, who stands between them and their daily bread.

It is time, therefore, that the Government of the United States should frankly state the policy which in these extraordinary circumstances it becomes its duty to adopt. It must presently do what it has not hitherto done or felt at liberty to do—lend its active moral support to some man or group of men, if such may be found, who can rally the suffering people of Mexico to their support in an effort to ignore, if they can not unite, the warring factions of the country, return to the constitution of the Republic, so long in abeyance, and set up a government at Mexico City which the great powers of the world can recognize and deal with, a government with whom the program of the revolution will be a business and not merely a platform. I therefore publicly and very solemnly call upon the leaders of factions in Mexico to act, to act together, and to act promptly for the relief and redemption of their prostrate country. I feel it to be my duty to tell them that if they can not accommodate their differences and unite for this great purpose within a very short time this Government will be constrained to decide what means should be employed by the United States in order to help Mexico save herself and serve her people.

This statement covered the situation fully. The trouble is we stopped there; we backed the wrong man; we aided Carranza, who brought chaos out of disorder, who organized plunder, sanctioned murder, disregarded American rights, and the solemn admonishment that the United States would take steps to help Mexico save herself has not been carried out, and therefore we have the situation that this warning fell flat, while that of Secretary Evarts produced the desired results. Mexico is to-day starving and without a government, as it was on June 2, 1915, the date of the President's statement. Mexico is apparently no nearer a solution of her troubles than she was, and, as stated in that same statement, she is still swept by civil war as if by fire.

Mr. FLOOD. May I ask the gentleman a question?

Mr. LAGUARDIA. Certainly.

Mr. FLOOD. Does not he think that the President thought that his message had had the effect when he afterwards recognized the Carranza government as the de facto government of Mexico?

Mr. LAGUARDIA. I thank the gentleman for the suggestion. I have not forgotten Carranza in these notes that I have before me. I will come to him in just a minute.

On October 5, 1915, in this same Senate document will be found a laconic statement from Carranza, in which he states that the situation is constantly improving and states that the railways are being repaired. The railways are to-day in worse condition than they ever were. He said that it is true that a minor officer killed a young lady, but succeeded in escaping, and adds, "He is being pursued, and when arrested he will receive severe punishment." This simply goes to show how lightly murder is considered by Carranza. In that same report will be found what is known as the plan of Guadalupe, in which it is declared that Carranza, who shall be the first commander in chief, shall immediately convene general and local elections to elect representatives and a government. This has been totally ignored. In the same report will be found the decree of Gen. Carranza in which again the promise is reiterated of convening a general election and the establishing of a constitutional government. This he has failed to do. A farce of an election was held, at which only Carranza soldiers were permitted to vote.

Mr. FLOOD. The gentleman did not answer my question, if he intended to answer it.

Mr. LAGUARDIA. I shall answer it. When I have finished with Carranza I think the distinguished ex-chairman of the Committee on Foreign Affairs will be better acquainted with him. [Applause.]

The same statement to the Senate gives a list of Americans killed from 1913 to 1915, and in reference to this Secretary Lansing says:

> While 76 Americans lost their lives in the entire territory of Mexico during the years 1913, 1914, and 1915, in the same period there were 20 civilian Americans and 16 American soldiers killed on American soil adjacent to the international boundary (inclosures Nos. 12B and 12C), and during those years there were approximately 92 Mexicans killed in the same area (inclosure No. 12D).
>
> These figures indicate that a condition of lawlessness prevailed along the border, due in large measure to factional conflicts in Mexican territory for ports of entry and to the unfriendly personal relations existing between the American and Mexican residents in that region. The department, however, has no reliable information as to the number of Mexicans killed on the Mexican side of the boundary and in its immediate vicinity as a consequence of this state of disorder.

I maintain that if we had all the records asked for in my resolution it would show that the same deplorable conditions exist to-day as existed in 1916, when the report was sent to the Senate.

I need not point out that it is difficult to get accurate information on Mexico—that is the reason of my resolution. I am certain that if we have the facts the results would be startling to the American people. I have not even scratched the surface; I have only lightly dusted it, and, in my opinion, there is sufficient reason to cause alarm and to compel the adoption of a fixed, definite policy toward Mexico.

From what meager information I have I am convinced that we have not followed a fixed definite policy in our attitude toward Mexico. I believe that if the facts are known it will be disclosed that the attitude of our State Department toward Mexico has been one series of inconsistencies. Everybody seems to know that something is wrong in Mexico; everybody knows that United States armed forces entered Mexican territory only a short time ago. Pershing's expedition into Mexico has not yet been forgotten; still there seems to be no exact knowledge as to what it is all about. We went after Villa; were chasing Villa. Just as we were about to get him our troops were ordered away. We went to Tampico to have the flag saluted. Before the flag was saluted the Navy was ordered away. We entered Mexico a short time ago and a few hours later our troops returned, and the incident remained to a certain extent unexplained.

A few days ago my colleague from New York [Mr. GOULD] made a statement on the floor of the House and told of the number of American lives lost in Mexico. Still no action; still no redress; still no fixed policy; still indecision. Is it not time that we get into the facts; that we find out for ourselves where we stand, lest later it may be too late? Let me point out just a few of our diplomatic inconsistencies. I call it that to be polite.

Mr. FLOOD. I would like to ask the gentleman what action the gentleman would propose we should take in Mexico in reference to troubles about these oil fields and other troubles that we have had there in the last nine years?

Mr. LAGUARDIA. I am coming to that in my time. [Laughter.] Our country recognized the Carranza Government. We refused to recognize Huerta or have anything to do with him, because it was stated by the President of the United States that the Huerta government came into existence by means of a revolution, causing the death of Madero, although we recognized the Madero Government, which came about in a similar method—a revolution against Diaz régime—and obtained power by force. We recognize the Carranza Government, although it was the outcome of a revolution against Huerta, so it is difficult to understand how the Carranza Government differs in its coming into being to that of Madero or Huerta. It is my belief that if all the facts were before us, it would be shown that the government of Carranza is no government at all. That disorder, chaos, revolution, and disease are prevalent throughout that country. That during the period that we were at war and all our energy given to that struggle the government of Carranza, whatever there was of it, was not only anti-American but decidedly and actively pro-German. I believe that if the facts were before us we could see that Carranza is far from having control of his own country, and has no more authority, power, or representation than the rest of the factions in Mexico. I have here a map which will give a general idea of the division of power in Mexico. It is rudely arranged—I did it myself, and, of course, the exact boundaries are not accurate, but will give a general idea as to the situation. The total area of Mexico is 765,537 square miles. Carranza misgoverns in the States left in white on this map, part of Vera Cruz, State of Mexico, Hidalgo, Queretaro, Guanajuato, Durango, Nuevo, Leon, Zacatecas, part of Coahuila, and part of Jalisco, a total of 314,478 square miles; less than half of the total area of Mexico.

Mr. FLOOD. Will the gentleman state there how many States in Mexico the Carranza government is actually in control of?

Mr. LAGUARDIA. I thank the gentleman for that suggestion. Here is my map.

Mr. FLOOD. I am glad I have made a suggestion that will help the gentleman.

Mr. LAGUARDIA. I want to say this, that I called upon our military intelligence to give me some facts about Mexico. The military intelligence of the American Expeditionary Forces certainly did splendid work during the war, and I came home with a great deal of confidence in it. After whispering and conversations they said, "We are going to send it to you." When they did not do it I asked them why not, and they said, "We have sent you the information." I said, "Where is it?" They replied that it was in the Committee on Foreign Affairs. I asked them why it was there. They said, "We can not send it any other place." Here is the information I got; it is marked "memorandum" and says:

> This compilation of notes on Mexico is furnished for the official use of the Committee on Foreign Relations, with the understanding that the information be not disclosed without the authority of the Secretary of War.

I slept with this for a day. I was afraid to look at it; afraid that some spy would take it from me. I told the military intelligence that it was of no use to me if I could not disclose it. A major came to me and said, "Go ahead and read it." I read it on one Sunday morning. There was nothing in it; and to my surprise on that same Sunday, in reading the New York Times, I found the same article and the same map verbatim. That is the confidential information.

Mr. HUDSPETH. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. No; I can not.

Mr. HUDSPETH. Does not the gentleman know that it is a fact that Zapata has control in the State of Oaxaca and has had for 15 years?

Mr. LAGUARDIA. I know he has the control of the Morelos. I thank the gentleman for his suggestion. But the Zapatistos have control over that State and Morales as well. So that is so much less under the control of Carranza.

Felix Diaz, who is commander in chief of a faction known as the Felicistas, not only holds three or four small parts between Vera Cruz and Tampico but has under his command a large force of volunteers—40,000 men—comparatively well equipped, stanch supporters, who will stand by him until the Carranza Government is overthrown. The Felicistas occupy and control the States of Chiapas, Tabasco, Oaxaca, Guerrero, Puebla, part of Michoacan, part of Vera Cruz, part of Tamaulipas, and part of Coahuila, territory indicated on this map in yellow, comprising about 281,732 miles. I want to point out that the Felicistas forces are in control of all the extreme southern portion of Mexico, surrounding the Carranza forces in the east and west, and have access to the sea—Vera Cruz coast—where only a few days ago they occupied the port of Tlacotalpan; also north, in the State of Tamaulipas; and a small force in Coahuila, while not very strong, is sufficient to cause embarrassment to communication of the railways there, which, I understand, are constantly blocked and destroyed when Carranza seeks to transport troops through that territory. Campeche and Yucatan are under the control of Gen. Alvarado. Gen. Alvarado is ostensibly under Carranza, and friendly to him only because he is permitted to levy his own taxes, collect money in any way he desires, has absolute control there, and is working on some sort of a fifty-fifty basis with Carranza. This is possibly only because of the intervening territory between the Alvarado States and Carranza States being occupied by Felicistas. The mileage of these two States

is included in the territory controlled by Carranza, but it can not be said that Carranza has absolute control over this portion of Mexico. Up north Chihuahua, as you all know, is under the control of the Villacestas, with Villa and Angeles, who is described by our military intelligence as the ablest general south of the Rio Grande. Chihuahua has a mileage of 89,974 square miles. Sonora is entirely under the control of the Yaqui Indians, occupying the whole State, a mileage of 76,619 square miles, and is not controlled by the Carranza Government. They are absolutely unfriendly, and will fight Carranza every time they have an opportunity, and are only kept from doing so by being cut off by the Villa forces, other rebels, and distance.

On the western coast the States of Sinaloa, Territorio Tepic, part of Jalisco, and Colima, not even the military intelligence has any accurate information, but it is known and disclosure of the facts will show, I am certain, that these States are not under the control of Carranza, but under the control of various rebel chiefs who are opposing the Carranza régime, not friendly to it, and will continue to fight as long as Carranza remains in power. The State of Morelos is entirely in the possession and under the control of the Zapata forces, known as Zapatistas. They are fighting Carranza, are not connected with the Felicistas, but are friendly to them. It is a small State of 2,734 square miles. I call your particular attention to this small strip in red, the State of Vera Cruz. That is under the control of the Pelaez faction. This faction is the best-equipped best-uniformed army of all factions. It has about, from latest reports, which no doubt the Department of State will obtain in due time, 5,000 armed men under the command of Gen. Pelaez. These forces protect the oil industries from being robbed by the Carranza faction. It is supported and paid by the oil companies. I understand that the pay roll is something like $180,000 a month, and that several million dollars have already been paid to Pelaez for necessary protection. Skirmishes between the Pelaez and Carranza forces take place continuously, the line varying according to the successes of these skirmishes, as the Carranza forces are eager to come down and take possession of the oil property. Pelaez is naturally antagonistic to Carranza. He is friendly to the Felicistas or to any movement which will bring about the overthrow of Carranza and the establishment of a decent government in Mexico. He is anxious to be liberated from the control of the oil companies, as he does not desire to be under their control when a real government is established. As a matter of necessity, he accepts their aid at this time as it serves his purpose in fighting the Carranza forces.

On the extreme edge of the southeastern extremity is Territorio Quintano Roo, where anarchy reigns and is entirely in the control of the Maya Indians. This will show at a glance how far Carranza represents the entire State of Mexico. The constant fighting that is going on goes to prove that the Carranza government is not a staple existing government, but a fighting faction helping to keep disorder in that unhappy country.

The Felix Diaz faction represents the intellectual faction of Mexico. Its forces are made up of the educated people of Mexico and the better element, who are sincerely striving to put Mexico on its feet to establish a government of law and order. Whatever we may think of the old Diaz régime has nothing to do with the present attempt of this faction to overthrow the Carranza government. So that, as I said, Carranza has control of less than half the territory of Mexico.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. FLOOD. I will ask the gentleman this question, if he will permit me.

Mr. LAGUARDIA. Yes.

Mr. FLOOD. Is it not a fact that there is a duly recognized governor in each of the States of Mexico recognizing Carranza, except four?

Mr. LAGUARDIA. Yes; but the recognition is only pro forma.

Mr. ROGERS. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. ROGERS. Can the gentleman tell us what proportion of the population of Mexico is under Carranza?

Mr. LAGUARDIA. I can get that information for the gentleman, but I have not got it in my data here.

I believe the State Department has followed a series of inconsistencies. Permit me to point out some of these which are so well known:

We did not approve of the Huerta government for, as I stated before, it was deemed by our State Department that its coming into existence was based on bloody revolution. However, we recognized Madero. Huerta was bound to go—we said as much. The President in his message insisted that Huerta leave at once. It is generally considered, I am sure, that Huerta had the possibility of stabilizing Mexico, putting it on a working basis, and of actually bringing about some, at least, of the much needed reforms, but was not given a chance. I am holding no brief for Huerta or for any other faction, but all the beautiful theory of equal division of land and true democracy expressed by Mr. Wilson could not at the time be put into actual practice in Mexico. Huerta knew the country as no other man knew it, had the following, and was bound to bring order out of chaos.

President Wilson was not alone in his sharp statement of indignation. Germany also was against Huerta, and a few days after this country, through its President, expressed indignation against the Huerta government the Frankfort Gazette, of Frankfort, Germany, on April 6, 1914, referred to Mr. Wilson's attitude, saying:

> This idealist's place is in the political world, and we might well consider ourselves fortunate if we had at the head of the German Government idealists of such strong, well, and progressive tendencies as Mr. Wilson.

You all know how deep Germany had already entered into Mexico, and its Wilhelm Strasse knew that it could not expect special privileges, assistance, and friendliness from Huerta to the extent that it could from Carranza. Germany then, as she does to-day, knew more about Mexico than we do right here at her very door.

The President was bound in 1914–15 to bring about an equitable distribution of the land in Mexico, to relieve poverty, to abolish exploitation, and to bring about a perfect and ideal economic change in that country. The President's views along these lines can be found in an article entitled "Mexico," in the Saturday Evening Post of May 23, 1914. While all of this sounds good, present conditions reveal that it did not work out according to the President's prophecies. The equal division of land as a practical matter has been found somewhat difficult, and it does not exist even in this country, and while I have nothing to say against such equitable and ideal conditions Mexico surely is the last place in the world that experiment of this kind could be attempted. What good could come of a distribution; how could we bring about such economical reforms in Mexico? I am certain, if the facts called for in my resolution are before you, Carranza is the last man in the world to bring out the ideal conditions expressed in the President's statement. Are you aware that famine exists in Mexico to-day and existed in 1914; that disease and pestilence are prevalent, with smallpox, malaria, and dysentery raging all over the country? Nothing has been done to better conditions along these lines. In Mexico thousands upon thousands eat reptiles, bugs, slimy deposits from stagnant pools, and things of like nature, driven to this by the pangs of hunger. They are driven to it by actual necessity, by the desire to live, rather than die of hunger. Assuming that the land of Mexico could have been equally divided, these unhappy people were in no condition to derive any benefit from it. The land must be irrigated so that it will be fruitful. I shall not go into the agricultural statistics of that country at this time, but I ask you to look it up, and you will find nothing has been done by Carranza since his recognition by this Government to better the land. Not only did he fail to reform land laws but did not even endeavor to distribute some food to the natives in various parts of the country, who are dying of hunger. The Mexican question is a problem of life and death of a nation; it can not be treated lightly or made an experimental station of ideals and fancy theories.

After Huerta was overthrown by Carranza and we recognized Carranza our troubles started. Huerta became a bandit, an outlaw, and everybody connected with him was likewise branded, and the President of the United States would have no official dealings with either Huerta or any of his followers. I just desire to point out that one of Huerta's chief ministers and followers is Leon Dela Barra. He was in Huerta's cabinet and was with him to the very end. While we would not have anything to do with him, although a man of high intellect, a scholar, he was declared an outlaw and his banishment decreed, and he was compelled to leave his native country. Yet we find the same President of the United States compelled to sit in conference with Mr. Dela Barra at the peace conference, where Mr. Dela Barra was the adviser on Latin America, selected as such by France and the Allies.

Speaking of Huerta naturally reminds us of the Tampico incident.

Mr. HUDSPETH. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. I can not yield.

Mr. HUDSPETH. I would like to ask you one question.

Mr. LAGUARDIA. I will give you time.

Mr. HUDSPETH. Does the gentleman contend that Americans were protected under Huerta's administration?

Mr. LAGUARDIA. He did not have a chance.

Mr. HUDSPETH. Does the gentleman make that contention, that Americans were protected under Huerta's administration?

Mr. LAGUARDIA. Better than under Carranza. They could not be worse protected than under Carranza. There were people then and there are people to-day who believe that we went to Tampico and Vera Cruz to have the American flag saluted. What happened there? The flag incident of Tampico is so well known that much need not be said at this time. You recall that a boat containing some American sailors on a lawful mission happened to land within the firing line while a fight was on between the Huerta and Carranza troops. The boat was in command of a junior officer who could speak no Spanish; the Mexican officer could speak no English, and, failing to understand each other, were taken into custody.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. FLOOD. I would like to ask the gentleman where he got the information about Tampico?

Mr. LAGUARDIA. I will tell the gentleman that I got my information by not swallowing everything that the babbling attachés of the State Department come here to tell us.

Mr. FLOOD. The gentleman is making misstatements about the whole Tampico incident. Not a thing happened as he says it happened.

Mr. LAGUARDIA. I will ask the gentleman from Virginia to read the admiral's report.

The matter was reported to the State Department. Huerta was still in power, although repudiated or rather not recognized by our Government. This was an insult which could not go unchallenged, punishment was necessary, and the fleet was ordered to Tampico. Our flag must be saluted. Just how Huerta, not being recognized, could salute the flag is a matter which has not yet been fully explained by our Department of State. A few days after that Vera Cruz was occupied—for that several versions have been given. It is my belief that if all facts pertaining thereto was before us, as called for in my resolution, it will be learned that the purpose of the Vera Cruz expedition was to stop the German ship *Ypiranga*, loaded with a large quantity of ammunition, from getting into the hands of Huerta. Let me tell you a little about the history of the *Ypiranga*. The *Ypiranga* was loaded with ammunition, either in Russia or Germany, purchased by Huerta from the Russian Government. All of this was known to the Department of State. The *Ypiranga* sailed, and part of the fleet was ordered to Vera Cruz to seize the port, the customhouse, and the cable for the purpose of preventing the *Ypiranga* from getting her cargo to Huerta, all of which is doubtful whether we had a right to do—Carranza then being a rebel against the actual government with which we were at peace. We took Vera Cruz on or about April 24, 1914. I want to call your attention to the taking and the occupation of Vera Cruz contained in Document No. 324 to the Senate, where no reference is made to the *Ypiranga*. Our fleet arrived at Tampico for the purpose of having the flag saluted about April 10, 1914. Admiral Mayo, at Tampico, was ordered to join the fleet at Vera Cruz to reenforce with his men the landing expedition, and the flag incident was for the moment forgotten. Admiral Mayo was so surprised that he was ordered to abandon Tampico, leaving the American residents at the mercy of the Mexicans, that he cabled for confirmation three times. It is generally stated that the Americans would have been murdered had they not been protected by the commander of the German cruiser *Dresden*, who was then at Tampico, and served notice that any assault upon Americans in Tampico would be resented by him and proper action taken. The *Ypiranga* arrived in Vera Cruz, went to the dock, was prevented from discharging her cargo, inasmuch as our forces had possession of the port. I am informed that the facts asked for in my resolution would show that after staying there for some time the commander of the *Ypiranga* went to the American commander of the port, Capt. Stickney, of the United States Navy, I believe, and informed the captain that he could not remain any longer with his cargo; that he desired to unload, and if no instructions were given him, he informed Capt. Stickney that he would steam out of the port and go to the Puerto Mexico, which port was in the possession of the Huerta forces, and there deliver his ammunition to the Government, indicating that he would go to the Puerto Mexico, thereby giving opportunity for capture up to the very last moment. Capt. Stickney cabled this information to the State Department, and asked for instructions, and the State Department, in keeping with its undecided policy, its blow-hot-and-cold attitude, ordered Capt. Stickney to let the *Ypiranga* sail. So that we see the *Ypiranga* sailing out of Vera Cruz, saluting our ships as she left the harbor going to Puerto Mexico and deliver her cargo, all of which, through the blunder and indecision of the State Department, cost this country millions of dollars for that expedition and 19 lives and 70 wounded American boys, not to mention the innocent women and children of Vera Cruz who, unfortunately, met their death owing to the street fighting that took place. Do you wonder why the Mexicans are not afraid of our notes?

Another episode in our Mexican situation was the raid on Columbus by the Villa faction. This took place on March 10, 1916, under Carranza. Villa denies that he took part in any raid—there is no proof that he did. However, I want to point out that in November of 1915 when Villa was besieging the town of Aguas Prietas and about to take it, I have been informed and I believe the records will bear me out, the United States Government allowed the Government of Carranza to send Mexican troops through American territory in order to encircle Villa and thereby force him to withdraw his forces and fall into the hands of the Carranza forces in the south. Of course, Villa had not learned, perhaps, the niceties of diplomacy and could not understand how the armed Carranza forces had the right to enter American territory to obtain favorable position and attack him from United States territory. I am not trying to justify the raid on Columbus; I am simply trying to show what the feeling of the natives of northern Mexico must have been toward us as a result of permitting Carranza troops to violate our neutrality for the purposes stated.

Let me tell you something else about our inconsistency. You will remember we would not let Huerta get out of the United States, and when he started to go to Mexico we arrested him in El Paso, put him in jail, and kept him there until he died.

Mr. HUDSPETH. Will the gentleman yield?

Mr. LAGUARDIA. I yield to the gentleman from Texas.

Mr. HUDSPETH. I take it the gentleman wants to make a correct statement?

Mr. LAGUARDIA. Yes.

Mr. HUDSPETH. Does not the gentleman know it to be a fact that Huerta only stayed in jail 30 days, and that he died in his palatial home in El Paso?

Mr. LAGUARDIA. He died, did he not?

Mr. HUDSPETH. I presume he did.

Mr. LAGUARDIA. Another striking example of our inconsistency: Only a very few months ago Blanquet, an open, avowed Felicista, an arch enemy of the Carranza mob, left New York City with the declared purpose of taking command of an expedition against Carranza. Mark you, we are Carranza's friend and protector. He took the train in New York and went to Key West, openly declaring his purpose at Key West. He was held by immigration or Department of Justice, or whichever officials had control of outgoing traffic and examination of passports. He was kept there for a period of about a week. He arrived in Key West under the name of Torres, his mother's maiden name, had a passport of some kind under that name, and after a thorough interrogation voluntarily informed the officials that he was Aurelio Blanquet; that he was going to Habana, and from there would embark at the first opportunity to Mexico to take command of the forces of Felix Diaz against Carranza. In order that there may be no misunderstanding to the person I refer to, I show you here a photograph of Gen. Blanquet; he is the same general who was in charge of the expedition that executed Emperor Maximilian in Mexico; he was a great general and a good patriot. The State Department again, in keeping with its undecided policy, after holding him a week, cabled him permission to proceed, again blowing hot and cold. Blanquet proceeded to Habana, remained there a month, this Government having ample facilities right there to apprehend Blanquet and return him to the United States. So the Department of State has not even kept faith with Carranza. Blanquet arrived in Mexico, met Felix Diaz, was on his way to another point, when he was ambushed by the Carranza forces, he being at the time with a very few followers. Rather than be captured by the Carranza forces, Blanquet jumped over a cliff and met a soldierly death. Now, just to point out the caliber and character of Carranza and his government, let me tell you that when Blanquet's body was found it was decapitated and Blanquet's head, with all barbaric characteristics, exhibited to the public in a public building at Vera Cruz for a period of three days and at night it was illuminated by electric lights. I show you photograph of Gen. Blanquet's head as exhibited in Vera Cruz, reproduced in the Vera Cruz newspaper, and about this the Carranza papers and his following gloated and enjoyed this gory exhibition. That is the type of government, the character of man that this country is now seeking to aid and support. And why, if

Blanquet was a rebel going to oppose Carranza, was he permitted to go, when Huerta, on a like mission, was arrested at El Paso and thrown into jail and kept there until he died?

If Carranza has no respect for his own blood, how can we expect him to protect American lives? Carranza has no government; the Carranza régime is nothing but a despotic, forceful dominion. It is so described by everyone he has had dealings with, by everyone who lived in Mexico, by everyone who knows conditions, except our own State Department perhaps.

Another example of Carranza's respect and regard for law and order was shown when Gen. Alvarez was captured a few months ago, he having gone to Mexico with Gen. Blanquet, he was put in jail awaiting trial. His lawyers obtained a writ from the civil tribunal, but before the writ could be executed he was taken out and shot; and yet we recognize the Carranza government because it typified law and order, justice and mercy.

The whole world knows that Carranza was not only anti-American but decidedly pro-German during the war. One of the glaring proofs of the pro-German tendencies is that of Isidor Fabela, who was Carranza's minister to the Argentine Republic. During the war Isidor Fabela left Argentina and went to Spain, taking with him Baroness von Shenk, a notorious German spy. At Cadiz, Spain, and throughout Spain he registered with this spy at hotels and met German secret-service agents and negotiated business with them. From Spain Fabela went to Germany and returned to Mexico via Habana. The military and naval intelligence officials of Spain and Habana, I am informed, have information that will confirm this statement. In fact, it was general gossip when I was in Spain for a few days in 1918.

Louis Cabrera, the newly appointed Secretary of the Treasury of the Carranza cabinet, and appointed only a few days ago, is one of the other numerous affronts which Carranza presents to this country. Cabrera was during the war notoriously pro-German and has been and is now decidedly anti-American. Military and naval intelligence, if they were on the job, should have proof of this fact. In an interview with Louis Cabrera given to the newspaper Union at Buenos Aires on May 31, 1918, he made the following statement—mark you, we were then at war:

> I am of the opinion that countries will attain the highest development are those that had the force of character to remain neutral in this war, especially Argentina, Chile, and Mexico, which said countries, convinced of what they are and what their position is to be in the universal concert, have known what stand to take.

While in Buenos Aires Cabrera was constantly with Manuel Ugarte. Up to the very last moment Manuel Ugarte was a German agent on the German pay roll. Records of the department will also disclose that Carranza had decided to overthrow Madero, and the evidence of his activities in that direction were in the possession of Von Eckert, the German ambassador at Mexico—hence Germany's anxiety when Huerta got in ahead of him and Germany's great admiration for the stand this country took against Huerta, as indicated in the article from the Frankfort paper which I read before. They wanted Carranza in power; they wanted Huerta out; and it seems they were very successful, and we played right into their hands.

Candido Aguilar, who is the personal representative of Carranza in this country, has always been anti-American. He is not a diplomat; he is not a statesman; he is not a scholar. He is Carranza's son-in-law, who if he were not on a diplomatic mission would be barred from entering into this country under two provisions of our immigration laws. Aguilar's record is such as to make him a worthy representative of the Carranza Government. Aguilar comes from the State of Chihuahua. Carranza was governor of that State at one time, and while governor of the State he practiced the art which is universally established in his government—that of systematic graft. The American Seating Co., while selling school furniture to the State of Chihuahua was compelled, through their Mexican agent, to double their prices, which was the rate fixed by Carranza himself as his graft on every purchase made on behalf of the State.

A few days ago Mr. Aguilar was dined and wined in New York City and stated that it was not true that the Mexican Government intends to exercise dominion over all oil and minerals under the surface of the soil. This was reproduced in all papers of the United States, and two days later a dispatch from Mexico City stated that Aguilar denied that he made any such statement. I believe both statements. I believe he did make the statement in New York and also the denial in Mexico City. That is in keeping with Carranza's attitude toward Americans.

Americans in Mexico are not permitted to carry arms; citizens of other nationalities are. During the period of war, for instance, Americans were not permitted to carry arms, while Germans were. The men who were engaged in oil work were often attacked, and in some instances murdered. At one time the Carranza Government issued an order that Americans who would register their names, addresses, and the number of their revolver or rifle would be issued a license. This was immediately taken up by a large number of Americans working around the oil wells. Licenses were issued. Two days later they were revoked and all arms confiscated, and in that way the Carranza Government obtained a large amount of new arms, which it seems they needed.

During the war the radio station at Vera Cruz was in constant operation, and was in direct touch with the German wireless station at Nauen. Messages were intercepted in this country, and unimportant messages, of course, were sent in German or Spanish. These were received by the Intelligence and Secret Service Department. The important messages were in code. These codes were never deciphered, so that Germany was in constant communication of what was going on in this country, and our Intelligence and Secret Service were unable to decipher these messages.

How many of us in this body know the number of American citizens murdered in the territory of Carranza in the year 1917–18 and this year of 1919? We do not know because the State Department refuses to give the facts to the press. It does not hesitate to give to the press any fact which will be of assistance and encouragement to the Carranza faction, our declared enemy.

Carranza's bandits made every effort to interfere with the production of Mexican crude oil, which produces the best aviation gasoline. I recall the time when my whole command at the flying school was kept from flying owing to the lack of oil; and to think that we were protecting the very faction that was retarding production, I believe, is sufficient to justify my calling for all of the facts and that we decide what should be done.

I do not desire to justify any one faction in Mexico. I am simply endeavoring to show that if we have the facts before us we could see that the continuance of present conditions is impossible. I hold no brief for Felix Diaz and his faction; still, they do represent an element which can be utilized to bring about law and order in that country. Permit me to read to you parts of the proclamation of Felix Diaz, which proclamation I shall put in the RECORD in its entirety. Felix Diaz, who is represented by Carranza as representing only the picked landlords, accepts the revision of land laws as one of the deepest causes of Mexican interior disturbances.

It is therefore urgent—

He says—

> that these troubles be settled, but not by means of force and going over the legitimate rights of the owners of the lands, but through wise laws and under just indemnification.

I wish to call your attention to what Diaz says as to Carranza's attitude toward this country during the war:

> One of the greatest crimes of the Carranzista Government is its so-called neutrality, as it is only a disguise for the best intelligence between Carranza and Imperial Germany. This union has gone deep into the hearts of the Mexican people, to stir up the old hatred in our history, to the exclusive advantage of the Carranzista faction and the German Empire in the present war, gravely imperiling our national tranquillity. If when nations are led by the impulse of their own passions they err, when they are controlled by the colossal passions of another nation they are on the road to an humiliating catastrophe. Germany has nothing to do with our history, our situation, or our domestic problems. She should leave us alone to our interests, our resentments, and passions; that the use of them belongs only to the Mexican people, to do with them as it pleases. German money has obtained the final point in the corruption of the already rotten Carranzista organization, to the extent that we have practically lost our domestic sovereignty, as it is the Imperial German Government who points out to Carranza the path along which he must lead the all-suffering Mexican people. We must shake off that Teutonic yoke as we must shake off all foreign yoke, being one of the independent and free nations in the world.

I shall put in this entire proclamation, calling your attention that it was dated the 1st of October, 1918. Felix Diaz is not a candidate for President of Mexico; he has no such ambition, but he does want to see his country redeemed, its unfortunate inhabitants relieved, and the future of the country assured. Pelaez does not want to be the President, but he wants to see his country restored. Villa knows that he has no chance of establishing a government for the whole of Mexico, and he is willing to go if Carranza goes and if Diaz goes. While they may differ in certain matters, they all agree that the Carranza Government must go, and they all agree to accept some man in whom they all have confidence to intrust with the rehabilitation of their country.

Let us be frank at this time. A great deal is being said as to the intention of this country taking over Mexico. We do not want to do that. I do not believe that military intervention at this time is necessary. We must protect our border, of course.

If intervention becomes necessary, we will intervene. Just what that would involve I am sure I can not tell. Gen. Leonard Wood says he can go through Mexico, clean it up and establish order, wih 40,000 men, if he is not compelled to use educator bullets. The General Staff's scheme, I am informed, would require 300,000 men. At any rate, it is an unpleasant task, will involve considerable bloodshed, will cost many lives, and take from two to three years. I believe, if we take a firm stand now, that we can convince Mexico that the fantasma has not vanished, that we mean business, that we will protect American lives. To this end I would recommend that the patrol along the border be maintained, that notice be given that no bullets must cross the American line, and that all fighting must be beyond the gun range of American guns placed along the border; that Carranza be informed that he can not expect the friendship, the assistance of this Government a minute longer; that the embargo on arms and ammunition be lifted, with the warning, of course, that the first American life lost or the first taking of property from an American citizen will be dealt with severely, and that we will go down ourselves to see that proper punishment is meted out and proper reparations made; that we serve notice upon all factions that the United States does not intend to interfere and has no intention of interfering in the internal policies of Mexico; that we use our good offices to bring about a conference of Diaz, Pelaez, Angeles, and the leaders of the various factions in Mexico; that they select a man who has not been connected with any of the factions as provisional President; that Villa and Diaz, with Carranza, keep out of the new Government; that a genuine election be called and representatives and a President elected.

In the meantime that we help Mexico in a sincere manner by assisting her in cleaning up the country from disease, pestilence, and famine. Give her the benefit or assistance of our Public Health Service, let our doctors go in and establish better conditions, let our efficient and benevolent Red Cross go in and bring succor where it is needed. Let American engineers go down and assist in the irrigation plan necessary to the utilization of the Mexican soil. Yes; I would go down with beans in one hand and offer help to the Mexican people, but I would be sure to have hand grenades in the other hand, and God help them in case they do not accept our well-intended and sincere friendship. Gentlemen, I sincerely believe that my resolution should be reported favorably from the Committee on Foreign Affairs, that we should insist upon getting the facts before us and then you will see that public opinion in this country will be so that it will compel a proper course of the sort suggested being adopted and followed. [Applause.]

By unanimous consent, Mr. LAGUARDIA was given leave to revise and extend his remarks in the RECORD.

Mr. LAGUARDIA. Under the leave to extend my remarks, I print the following documents:

EXHIBIT A.

Felix Diaz, commander in chief of the national army of reorganization, and the undersigned, generals, chiefs, and officers in said army, address this proclamation to the Mexican people as a whole, and in a special sense to the following elements:

The members of the extinct national army and navy, without any exception;

The groups in arms against the Carrancismo, whatever their political origins or affiliations may be;

The great masses that form the proletariat of the countryside;

The working classes and those in need;

The landowners;

Those interested in the oil wealth of the country;

The miners, bankers, manufacturers, and merchants;

The Mexican citizens and foreigners exiled from our country;

The clergy;

The foreigners who have interests in our country;

And finally, for special reasons, the Governments of the Allied Nations in the war they wage in the interests of liberty and humanity against the Central Powers.

"The domestic and foreign situation of our country has suffered deep and disturbing changes since the issue of the Acta de Tierra Colorado on February 23, 1916. This fundamental reason makes it imperative the reform of said acta, the sole aim being the salvation of our country. The legitimate constitution of February 5, 1857, has been supplanted through the use of brute force with the spurious of February 5, 1917, by those who, violating all precedents, usurped the rights which the Mexican people can not confer in a different manner than that established by the constitution which was violated.

"Venustiano Carranza, basing his rights on the Carrancista constitution, had himself elected president by his followers in arms—who have shared with him the rich spoils in the plunder of the nation—and, by the force of might, refused to allow the vote to those citizens who were independent or did not belong to his faction.

"Against the ideals of the revolution and the will of the people, he has absorbed and monopolized in his person and by all possible means the executive power of the nation. He first had himself made commander in chief of the revolutionary movement, and when the latter took charge of the public offices Carranza continued as leader during the criminal period which preceded the making of the new constitution. Later on, when the pseudo constitution of Queretaro was framed, he continued as the supreme executive of the nation in order to influence the approaching elections in his favor. Once these were over, disregarding all the electoral rights of the Mexican citizens, he proclaims himself President of the United States of Mexico.

"The just aspirations of the Mexican people to conquer their right to free electoral vote and no reelection of a man in office, which have cost them so much blood and ruin, have been trampled on by Carranza in a manner without precedent in our history. There had never been an instance in which a person consecutively claimed the supreme command of the nation under guise of chief of the revolution, chief of the preconstitutional period, provisional president and president, elected by the might of his followers. Such an enormous outrage is only possible in these abnormal times, when the whole world is upset.

"It is well known in international circles that the so-called ideals of the Carrancismo have always been and still are robbery and plunder, and as the means to accomplish this, exile and assassination. The national treasure has been dissipated, the banks have been robbed and closed, the factories despoiled and set afire, the fields lay barren, commerce has been plundered and later on monopolized in its most productive lines by Carranza followers disguised with the rights of the Federal Army.

"The wealthy class has been driven from their homes, and their goods have been confiscated, to be consumed in the orgies of the Carrancista government.

"The Carrancista plunder was not confined to any one class of people, and to insure that no one would escape, the colossal fraud of the paper money was implanted by force—a calamity that our country in the lowest periods of her national life had never suffered.

"Public education, which is the basis of the greatness of all countries, has been relegated to a municipal function of secondary importance, when the hopes and wishes of the nation and the modern necessities of progress and culture impose its elevation and federalization.

"Our country and all those nations that have a direct bearing in our international life expected that the Carrancismo would have satisfied its passions and hunger of plunder during the terrible preconstitutional period, and that once that period was over and the pseudo constitution of Queretaro was issued, the electoral fraud perpetrated and Carranza in charge of the presidency, an era of relative tranquillity and concord would commence and make life bearable to the people of Mexico. It was also hoped that, with time, things would return to their legal régime. Unfortunately, Carranza and his followers have proven to be more criminal after being endowed with governmental powers than they were as revolutionists. The crimes committed grow in number each day as Carranza has now the organization of a government at his command, adding to his armed followers the civilian forces in his administration. This places him in a better position than before he was elected, to carry out his malevolent designs.

"The Carrancista faction has taken over the Mexican Republic, as if the country were a patrimony coming to it, to the complete exclusion of all the Mexican citizens and the foreigners who are not Carrancistas. Said faction disposes of the national property and the property of private individuals with a freedom that not even their rightful owners would employ; it has closed the doors of the country to all those who had emigrated, not only in fear that their return may increase the number of discontents, but also that it may continue enjoying the possession of their property which has been confiscated during their absence. The despotism of the Carrancista régime has reached such a degree that its consuls refuse to provide passports to Mexican citizens in foreign lands either to return to their own country or to go from one country to another. The object is to keep those Mexican exiles interned in those places, where they may be suffering from their unjust expatriation. The majority of the people belonging to the leading classes, on account of their culture, education, or social position, has been driven out of the country, depriving the country of their cooperation, creating immeasurable harm to the youth of the nation in present and future times.

"The promises of distribution of land have been nothing but a deception with which the popular masses were attracted, so that they might help to the victory of force. Once victory was attained, the Carrancista faction took steps tending toward the delay in the solution of this most urgent and patriotic problem, which in the interests of Mexico demands immediate attention.

"The federal army, heroic and glorious, notwithstanding the grave mistakes of so many of its members, upholding and guaranteeing the individual rights, the honor, the liberty, and lives of all the inhabitants of our interior sovereignty and our exterior independence, was dissolved because the country, misled by the ideas of the revolution, emphatically demanded its extinction, thinking that peace could not be consolidated until this indispensable institution was disarmed and abolished. This has been the gravest error of the Mexican people, as once that the respect and guarantee that this federal army gave them were destroyed the country was left in the hands of outlaws who found no one to oppose them. This valiant and patriotic army, which in union with all the healthy elements of the country is the one called to cooperate in the immense labor of the national reconstruction, has been substituted by convicts, assassins, and robbers, who at the present practice their profession not in the shade of the Carrancista government, but in its name and with its unconditional support for the exclusive advantage of each particular malefactor.

"The Carrancista revolutionary leaders come from the lowest social extraction. However, at the present time they are the richest in the land. They live in an incessant orgie of abject immorality, in palaces that have been confiscated, adorning themselves with jewels that have been obtained by brute force, traveling in stolen automobiles, and throwing away the money which they have robbed from the wealthy classes. Carranza promised the poor people that he would take the riches away from the wealthy to distribute them amongst the needy. Instead he has taken those riches to a greater extent than promised, but he has distributed them amongst his chiefs, while the poor people and even the lower classes of the Carrancista faction are crying out in hunger and indignation.

"Carranza in his desire to rob and plunder has imposed unbearable taxes, violating all economic laws of tributation, suppressing all activities, cruelly oppressing the taxpayers, choking all the national fountains of production, and sinking the whole Republic in the abyss of the most terrible bankruptcy.

"If the persecutions, imprisonments, insults, robberies, exiles, and assassinations had fallen only on the enemies of the revolution, even if they were unjustified, they would at least have an explanation. Unfortunately the immense majority of the victims have been completely innocent. Defenseless women and children have been violated and grossly insulted.

"Foreigners on par with nationals have suffered equal horrors and assaults. The noble and industrious Spanish colony, so identified with our nation, a lover of our country to the extent of thinking of her as a second country, has been atrociously insulted and has suffered criminal attempts because her invincible nobility, her honor, and interests have not humiliated themselves and paid homage to the Carranza bandits. Toward the respectable Spanish colony and toward Spain, our heroic

mother, we must only hold filial affection, as in our veins runs her glorious blood and our problems with her of the past are already solved by history. We must also hold toward her glories a love and veneration, and at the same time feel thankful toward those of her children that live amongst us as brothers.

"The Carrancista government has not been satisfied with the terrible catastrophe it has brought to the country in its domestic affairs, but has placed the country in international complications that threaten our respectability and the tranquillity of the nation. It has always acted in extreme ways, most of the time with ignominious tendencies toward subserviency, dragging shamelessly over the ground the sovereignty of the Republic and adopting servile manners in international affairs. When these practices have not produced the desired result, or the stability of the party in power has been threatened because the people will not bear any longer the crimes that it attempts, its policy is changed to an extremely arrogant attitude to mislead the people into giving their support by calling upon their patriotism. It is then that the restless characters on the American border are stirred, developing a number of foolish threats whereby the Carrancismo expects to attain its end. Its conduct in our international difficulties has only served to make worse our domestic calamity.

"One of the greatest crimes of the Carrancista government is its so-called neutrality, as it is only a disguise for the best intelligence between Carranza and Imperial Germany. This union has gone deep into the hearts of the Mexican people to stir up the old hatred in our history, to the exclusive advantage of the Carrancista faction and the German Empire in the present war, gravely imperiling our national tranquillity. If when nations are led by the impulse of their own passions they err, when they are controlled by the colossal passions of another nation, they are on the road to a humiliating catastrophe. Germany has nothing to do with our history, our situation, or our domestic problems. She should leave us alone to our interests, our resentments and passions, that the use of them belongs only to the Mexican people to do with them as it pleases. German money has obtained the final point in the corruption of the already rotten Carrancista organization, to the extent that we have practically lost our domestic sovereignty, as it is the Imperial German Government who points out to Carranza the path along which he must lead the all-suffering Mexican people. We must shake off that Teutonic yoke, as we must shake off all foreign yoke, being one of the independent and free nations in the world.

"The German-Carrancista plot is taking more concrete forms of expression and is appearing on the surface. The intranquillity which the Carranza government in an underhand manner foments along the American border is for the purpose of making the United States maintain a considerable number of forces on the frontier and keeping these forces from giving aid on the European continent. It is meant that, if necessary, the Carranza government induce raids to be made on the American border cities, and to embroil Mexico in a terrible war against the United States in order to hinder the movements and developments of the allied forces.

"Another phase of the plot is that which relates to the problem of the Mexican oil. It is well known that 75 per cent of the oil used by the allied fleets is produced in Mexico. The Germans have plotted to arrange matters with Carranza so that gradually the extraction of oil in Mexico become impossible, and if necessary the wells will be set on fire. In this manner the movements of 75 per cent of those navies will be paralyzed as if that percentage of the allied fleets had been sunk. All these machinations favor only the Carranza government and the German Empire with irreparable sacrifice to the Mexican people. For this reason we wish to open their eyes, that, conscious of their sovereignty, the Mexicans may prevent their being 'rented' or 'sold' by Carranza to the German Empire.

"The above reasons explain why we have judged it just and patriotic to make a general call to the nation and especially to those parties whose interests have suffered the most, in an endeavor to excite them to the immense task of the national reorganization within the scope of their respective activities. It is time that we put an end to the terrible war that is annihilating the living strength of our country; we must stop this fratricidal struggle and set aside the personal sentiments that divide us, the hatred and rancor that destroy and the spirit of vengeance that kills. Let us seek sincerely and without personal interests peace and justice based on true law.

"We have been called 'candid' because in former times we left victory in the hands of an ambitious party that had solemnly promised the pacification of the Republic. However, our conduct is an irrefutable proof of our sincerity and personal disinterestedness. If we had confronted that party to dispute their power, a new revolution would have been kindled, animated by a spirit of mean individual antagonism, and our high ideals and patriotic aims would have been changed into selfish egoism. Those deep perturbations (which we wished to prevent and which, as the whole Nation knows, we positively prevented) the Carrancismo did not wish to prevent nor prevented them, for when within that faction a movement was begun to turn the power over to a group of persons who would unite all the revolutionists in the country the Carrancismo refused to recognize that movement and decided to hold the sway of power for personal benefits and the enrichment of its leaders. In this manner the triumph of the revolution was nothing more than the beginning of another struggle against dictatorship and anarchism.

"As long as the armed groups seek nothing but the chance to plunder and to elevate their chieftains to a position which will allow this plunder, they will only destroy and bleed the country. It is time to leave behind all rancor and spirit of vengeance created by previous political conditions of the country. Let us forget the difference in parties before our fatherland that lies agonizing; let us forget the past and look only toward the future, putting into practice our endeavors to save the nation. The time has come when the country must be divided into two parties—the honest people and the bandits; those who disinterestedly wish to save her and the Carrancismo that robs her, villifies her, insults her, and is killing her. One of these two parties we must choose; no citizen can remain indifferent, for indifference at the present moment is a crime of treason to the nation. Each one of us must either associate himself with the Carrancista hordes or join the ranks of honor and patriotism; there is no other way—either treason or the country.

"As we recognize that the army is the supreme guaranty of the social institutions, the upholder of governments, defender of their interior sovereignty and their exterior independence, we address, first, the members of the extinct national army and navy in the following terms:

NATIONAL ARMY AND NAVY.

"1. Upon the triumph of the movement to which this declaration refers, the rank which the members of the extinct national army and navy had on October 10, 1913—date of the dissolution of the last legitimate Congress—will be officially recognized, provided that they fulfill the following requisites:

"2. The members of the said army and navy, who upon the publication of this manifest are in the service of the Carrancismo, must leave the same within 60 days from the publication of this manifest and join the forces that uphold the movement of reorganization, signing the pledge of loyalty and placing themselves at the service of the general staff. Those who do not fulfill these requisites, at no time and for no reason can they join with any rating the national army and navy.

"3. Those who are not serving the Carrancismo, but who are within the boundaries of the national territory, must join the army of reorganization within four months from the publication of this manifest. If it should be impossible for them to join, they must apply to the nearest representative of our movement and sign the pledge of loyalty, stating the obstacles which make it impossible for them to join, but placing themselves at the orders of the general staff or their superiors in rank in the extinct federal army, which may be commissioned for this purpose.

"4. Those who may find themselves outside of the Republic must join within six months. In case this should be impossible they will proceed to file their pledges of loyalty with any authorized representative of the movement, and remain under orders of the general staff and their superior officers in the federal army, commissioned for this purpose.

"As the call to the men who belong to the national army and navy is not made by an individual, nor has it other aims than that of carrying out the patriotic duty of saving the country from the anarchy to which the Carrancismo has dragged it, it is natural that those who refuse to carry out what the military honor demands will not be admitted—after the struggle, the necessity and opportunity for their services has passed—to form a part of the future national army and navy.

NATIONAL REORGANIZING ARMY.

"(1) The generals, chiefs, and revolutionary officers that constitute the actual national army of reorganization will form the future federal army with the ranks conferred upon them by the general staff. They will have the duties and enjoy the benefits which are given to them by the general ordinance of the army.

"(2) The generals, chiefs, and officers who in the future adhere to the Acta de Tierra Colorada and cooperate with arms in hand to the victory of the movement of reorganization, will be incorporated to the new federal army with the rank acknowledged and conferred upon them by the general staff on the terms previously mentioned.

VARIOUS ARMED GROUPS.

"We cordially invite the various leaders and revolutionary groups that struggle against Carrancismo—without any exclusion and distinction of political beliefs—to confer with us and arrive at a decision mutually favorable that will facilitate the redemption of our unfortunate country.

"Our aims are not selfish, nor do we uphold any of the hated personalisms that are bleeding and dividing the country. On the other hand, we make this call to the national concord, to the political forgiveness, the patriotic forgetfulness of all the rancor brought about in our appalling fratricidal struggle. We therefore feel sure to be able to arrive at an honorable arrangement with all those elements of good will and whose ambition is no other than the good of our country. The groups we are addressing and ours are identified in a fundamental work, which is the annihilation of the Carrancismo—the cause of all the calamities of our nation—in consequence, it will be easy work to arrive at a mutual agreement in our secondary aims and the means of carrying out the work.

TO THE GREAT MASSES THAT FORM THE PROLETARIAT OF THE COUNTRYSIDE.

"One of the broadest, deepest, and most urgent national necessities is the solution of the economic, intellectual, and moral problem of the country people, within which is comprised the heroic and abnegated Indian race.

"The distribution of the lands has been preached as the panacea for all the ills of the country people. But this measure alone and in itself would produce nothing but the ruin of the agricultural regions by the systematic weakening of the Republic. This subject is more complexed than it has been made to appear before the eyes of the misled multitudes. It is indispensable to provide for the enormous masses of disinherited, but, as the measure by itself would not be only insufficient but would work against those masses, it is necessary that it should be accompanied by all the needed measures for the economic, intellectual, and moral improvement of all those masses. Of what use would those lands be without the implements to cultivate them, without the water to irrigate them, without the means of transportation for the outlet of their products? And even all those advantages would be of little value if that class of people were not subjected to a régime of morality and of instruction that might awaken its activities and dissolve its laziness and indifference toward its social improvement.

"Therefore, together with the adequate and opportune distribution of the lands, will be established the instruction and moralizing of the masses of the countryside, and they will be provided with the means for the development of all their activities.

TO THE LANDOWNERS.

"The owners of all large tracts of lands are in the bottom of their hearts avowed enemies of all revolutionary movements that will reform old-established systems not only on account of the large and inevitable damages which they suffer during the struggle but also for the arbitrary manner in which they are threatened to be deprived of their property at the triumph of each revolution. These threats are due to the obstinacy of the foolish masses who are desirous of free distribution, by forcible means, of the riches of the rest of the citizens. If those so-called ideals were ever realized, we would never have peace, because those who to-day were deprived of their goods would be the revolutionists of to-morrow.

"The distribution of the lands is one of the deepest causes of our interior disturbances. It is, therefore, urgent that these troubles be settled, but not by means of force, and going over the legitimate rights of the owners of the lands, but through wise laws and under just indemnifications. The honest government that may hold the confidence of

the country and of the foreign nations will count with abundant resources to dedicate them to the solution of this problem, which will be to the pleasure of the unfortunate classes of the countryside, to the benefit of the landowners, and with the approbation of the whole nation. In consequence the landowners must not see in our program a movement of violence to deprive them of their interests, but a movement of just coordination and equality based on an honest respect for the property of everybody.

TO THE VARIOUS GROUPS WHO HAVE INTERESTS IN OUR COUNTRY.

"The banks have been robbed by the Carrancistas, their concessions made void, and they themselves have been illegally closed. As the banks are the most important factors in the credit and the circulation of the riches, and constitute the indispensable institution in the modern life of a nation, it is necessary to repair in all that it may be possible the unjust treatment which they have suffered and to return them their property in accordance with the law.

"Mines, which are some of the most important sources of our riches, have been consumed by the ambition of the Carrancistas, and many times flooded and abandoned. They do not produce at the present time even 20 per cent of their normal production, and the capitalists wisely refuse to work them—although this is against their own interests and the interests of the people who live from working them—because the Carrancismo appropriate all the production of the mines.

"Industries have been stamped out; railroads are in the hands of the Carrancista hordes that work them for the exclusive benefit of their chiefs and against the interests of commerce; trade they have absolutely disregarded. All the branches of the riches of the country and all the social activities are so heavily taxed that the people practically work for the exclusive benefit of the Carrancismo, who is choking the whole nation under the terrible weight of its atrocious exaction.

"We are, therefore, obliged to give to the inhabitants without any distinction full guaranties against the Carrancismo, who is the sworn enemy of the property holders, of all interests of the nation, of her honor, and of her life, so that the nation may begin anew its economical activities and public confidence and tranquillity may be reborn.

CONFISCATION.

"The Carranza revolution has had no other object than to enrich its leaders by taking away the property from its rightful owners. It has, therefore, been an organized movement for robbery, destruction, dishonor, and vengeance. If the enemies of the Carrancismo had been the only ones to be deprived of their property this would have at least a political explanation, although fundamentally wrong, being forbidden by the law. Unfortunately, the confiscations have had no other criterion than that of personal interests, and therefore people who had never mixed in politics and in many cases had spent the larger part of their lives away from Mexico have suffered from these confiscations. This great damage must be repaired as soon as possible, returning immediately to the original owners the property which they had confiscated, no matter what the motive of this confiscation may have been. This property must be taken away from the present holders, who must be judged and sentenced in accordance with the law.

THE OIL PROBLEM.

"The sovereign right which every free country has to decree the taxes on the riches and operations carried on by its inhabitants is irrefutable, but it is also true that that right can not be absolutely arbitrary, nor can it be used to jeopardize, with destruction or confiscation, the right of personal property. Under a guise of national sovereignty it is not possible to deprive citizens and foreigners of a country of that which they lawfully own. Taxes must have a just limit of public usefulness and of the right of property, otherwise they lose their character of taxes and become actual confiscation.

"The Carrancismo has decreed taxes more or less heavy that deeply affect the oil industry in Mexico. This is an enormous damage caused to that branch of our riches, but the situation is made worse by the fact that the Carrancista tribunals do not give justice to the sufferers, who find that they need to appeal for aid through diplomatic influences, to the detriment of our national dignity, because unfortunately in Mexico, at the present time, justice and law do not exist.

"We will endeavor to conciliate the interests of individuals with those of the nation by means of a careful study and application of the wisest and most patriotic laws based on the inalienable right of property and within the greatest respect to interests of persons, so that we can resolve in our own country and without intervention of foreign influences this important problem, avoiding all kinds of confiscation.

TO THE WORKING CLASSES AND THOSE IN NEED.

"Although our country is not essentially industrial, there are regions in which the working class creates already a political and social question that is urgent to solve. It is necessary to shorten the distance between the capitalists and the workingmen so as to leave capital the necessary profits for its work and development and in such a manner as may not be deprived of that which legitimately belongs to it, but careful of the conciliation, welfare, and improvement of the working masses, we will seek the betterment of its living conditions, its instruction and moralizing, the raising of salaries and a reasonable diminishing of working hours, regulating the manner of work within the economical and practical laws prescribed and adopted as convenient to harmonize equally the capitalists and the workingmen.

"But not only the working classes need the benefits of our patriotic endeavors. There is a large mass of needy that must be aided by the Governments by encouraging their union and cooperation to make more effective their social advance and so that their work may bear more satisfactory results. If these masses were abandoned to their own resources, their improvement would be practically impossible or at least exceedingly slow.

TO THE CLERGY.

"The members of the Catholic Church in Mexico have been insulted, dishonored, robbed, tormented, and sent into exile against all principles of humanity and of our own laws, for they have full right to enjoy the liberty and guaranties that those laws offer them, and they must be respected in the way in which those laws demand it.

"We uphold the constitution of 1857; also the laws of reform and all those which legitimately emanate from them; we proclaim the efficient independence between the church and the state, and we are defenders of free creed, within the limit of those same laws and without any sectarian fanaticisms, which are conducent to intolerance and crime.

"The freedom of conscience is sanctioned by our political institutions; in consequence, all the inhabitants have full right to adopt and practice the Catholic religion, or any religion, within the prescribed laws. The use of violence against the ministers of any church for the sole reason of representing that church is a crime punishable according to the codes of our legislature. Therefore, all religions, including the Catholic religion, which has been the only one to have been persecuted, will enjoy the full measure of protection granted by our fundamental law.

TO THE CITIZENS IN EXILE.

"The Carrancismo has made of our country an individual patrimony to such an extent that it enjoys it and destroys it as it pleases and expels or closes the doors of the country to all those nationals or foreigners who are not its accomplices in crime. It was first believed that the exile would end as soon as the American Government would recognize Carranza; later, it was thought at the end of the ignominious period of preconstitution; still later, once the presidential elections were over (so that exiles could not influence the results with their votes), and, finally, on an issuance of amnesty; but this Carranza will never give. It is therefore self-evident that exiles can not return and will never return to their country until the victory of our humanitarian and essentially patriotic movement. It is therefore necessary that each one of you in exile do his duty, cooperating in any and all activities that may allow him to return to the country. It is a sacred duty that you owe to her. Do not remain inactive expecting some mercy that will never arrive from the Carrancismo, or waiting that those who risk their lives to free the country may be able to offer you a safe return, for which you yourselves have not wished to work. We address all those that are capable of acting; those who are not, thereby are already very unfortunate in their exile. Whether the exiles actively cooperate with us (to the best of their ability), helping us to liberate the nation, or refuse us, in an unconditional way, their aid, they will always enjoy full guaranties in those places which our army may occupy and the doors of the country will be open cordially and wide to them as true brothers of ours.

INTERNATIONAL ALLY POLICY.

"We are addressing the Governments of the nations allied in the World War against the imperial Central Powers with two fundamental aims in view. It is necessary that they should know the fraudulent manner in which Carranza had himself elected President. (He was voted into power by the armed forces that support him, using them also to deprive the citizens of their right to vote.) The Allied Governments must be convinced that Carranza is an usurper of the presidency and therefore is not the legitimate representative of our nation. The Carrancismo is the only party responsible for the German-Carrancista plot, and not the Mexican Republic.

"Mexico, on account of its race, education, instruction, ideals, sentiments, and even interests, is deeply pro-Ally. In the gigantic struggle waged to save the most sublime principles of the modern nations, Mexico can not side with the spirit of despotism, of oppression, and the passionate fever of conquest. Mexico must side with those nations that have come forward to the defense of the ideals of equality, liberty, and fraternity among the nations of the world.

"Carranza is treasoning the convictions and sentiments of the Mexican people, giving the whole world the malevolent impression that Mexico is neutral in the present world conflagration. Such neutrality is a sham; it is false, and with it Carranza covers the partiality which he feels toward the German cause, and in this hidden and deceptive manner he is able to cooperate in the devastating work of the Huns without being hindered by the Allies.

"It is unjust that the allied nations should interpret the sentiments of the Mexican people through the work of Carranza, who is the worst enemy that has had our nation in her domestic and foreign tranquillity.

"All the Allied Governments have in their chancelleries irrefutable proofs of the Germano-Carrancista intrigue. Therefore when we address them it is not to inform them of something which they already know but to protest before the whole world and to communicate directly to the Governments of the allied nations that Carranza is treasoning the humanitarian ideals of the Mexican people and unjustly compromising the aims of Mexico. For this reason we appear before the tribunal of international public opinion to remove all doubt and to demand that Mexico be judged and respected according to its own way of thinking and of feeling and on no account in accordance with the unpatriotic conveniences of the Carrancistas.

THE PSEUDO CONSTITUTION OF QUERETARO OF 1917.

"The pseudo constitution of February 5, 1917, is lawfully declared out of existence, as those who issued it were not the legitimate representatives of the Mexican people, were supported in their actions by armed forces, against all legal proceedings, and were elected through electoral fraud, having refused the citizens the right to vote.

"Venustiano Carranza and all other authors and their accomplices in the crime of changing the political constitution of Mexico will be judged and sentenced by competent tribunals and in accordance with the law.

"All decrees, laws, rulings, circulars, appointments, resolutions, and judicial acts made by the Carrancismo from its advent to power to the time of its overthrow are declared void and radically null.

MOTTO OF THE NATIONAL ARMY OF REORGANIZATION.

"The primitive motto of our movement was 'peace and justice,' as embodying the supreme aspirations of the Mexican people, but as subsequently the legitimate Constitution of the Republic has been supplanted and as its reestablishment is the fundamental base of our institutions and the most urgent of our national necessities, henceforth our motto will be 'Constitution of '57, peace and justice.'

ACTA DE TIERRA COLORADA.

"The points treated before do not alter in any way the bases embraced by the Acta de Tierra Colorada; on the contrary, they strengthen and regulate her, and therefore those bases exist in all their vigor, enlarged in the manner described above.

"We honestly and disinterestedly believe that these ideas—which can not be perfect, due to the natural imperfection of human acts—contain an expression of the highest aspirations and deepest necessities of our country.

"We invite all Mexicans of good will to save our country—a country which we love the more on account of her sufferings—and we solemnly protest before the whole nation our sincerity and personal disinterestedness.

"GENERAL HEADQUARTERS AT THE CANTON VERACRUZ,
"STATE OF VERACRUZ,
"*October 1, 1918.*

"FELIX DIAZ,
"*The General in Chief*"

EXHIBIT B.

[Inclosure No. 4D.]

DECREE OF GEN. CARRANZA.

Department of the interior.

I, Venustiano Carranza, first chief of the constitutionalist army and depository of the executive power of the Republic of Mexico, taking into consideration—

That on the arrest of the President and Vice President, on the 19th of February, 1913, by ex-Gen. Victoriano Huerta, and the usurpation of public power by the latter, on the 20th of the same month, and immediately thereafter depriving the above-mentioned public officers of their lives, the constitutional order of the Republic was interrupted, and thus the country was deprived of a lawful government;

That the undersigned, in his capacity as constitutional governor of the State of Coahuila, had solemnly taken the oath to observe and cause the general constitution to be observed, and that, complying with this duty and of the above oath, he was inevitably obliged to rise in arms to oppose the usurpation of Huerta and to restore constitutional order in the Republic of Mexico;

That this duty, furthermore, was imposed upon him in a precise and express manner by a decree of the legislature of the State of Coahuila, by which he was categorically directed to repudiate the government of the usurper Huerta and to oppose it by the force of arms until it would be completely overthrown;

That, in view of the occurrence, the undersigned called all patriotic Mexicans to arms, and with the first ones who followed him he framed the plan of Guadalupe, on March 26, 1913, which has served to this day as the banner and by-law of the constitutionalist revolution;

That from the military groups which were formed to oppose Huerta's usurpation the divisions of the northwest, northeast, east, center, and south operated under the leadership of the first chieftainship, perfect harmony existing between this and the former, and complete coordination in the means of action to accomplish the desired purpose; though the same did not occur with the northern division, which, under the command of Gen. Francisco Villa, showed from the beginning private tendencies, and finally severed its connections with the headquarters of the constitutionalist revolution, acting according to its own initiative, to such extent that the first chief does not know to this day, in a great measure, the means by which the above-mentioned general has secured funds and sustained the campaign, the amount of such funds, and the use he may have made of them;

That upon the arrival at the City of Mexico of the victorious revolutionary army it endeavored to properly organize the provisional government, and was getting ready besides to meet the demands of public opinion by a satisfactory solution of the imperative exigencies of social reform needed by the people, when it was confronted with the difficulties which the reaction had been preparing in the bosom of the northern division, in order to frustrate the triumphs reached by the efforts of the constitutionalist army;

That the first chieftainship, anxious to organize the provisional government in accordance with the ideas and tendencies of the men who, with arms in hand, made the constitutionalist revolution, and who, therefore, were intimately cognizant of the ideals which were pursued, called a general convention, to be held in the City of Mexico, composed of generals, governors, and officers in command of troops, to the end that all of them together should decide on a program of government, indicate in a general way such reforms as seemed indispensable for the accomplishment of the social and political redemption of the nation, and would establish the form and time when constitutional order should be restored;

That this purpose had soon to be deferred, because the generals, governors, and officers who attended the military convention in the City of Mexico considered it advisable that there should be representatives at all the meetings of the elements which had taken part in the fight against the usurpation of Huerta, as some of them had abstained from attending, giving as a pretext a lack of guaranties and because of the rebellion which Francisco Villa had already started against the chief's office, and on this account they expressed their desire to be transferred to Aguascalientes, the place they considered more appropriate and having the conditions of neutrality sought by the military convention for the prosecution of their work;

That the members of the convention adopted this determination after they had reiterated to the undersigned their confirmation of his functions as first chief of the constitutionalist revolution and depository of the executive power of the Republic, which investiture he had then relinquished formally, in order to show that he was not animated by undue sentiments of personal ambition, but that, in view of existing difficulties, his cherished aim was that revolutionary action should not be divided, and thus frustrate the fruits of the victorious revolution;

That this first chieftainship made no opposition to the transfer of the military convention to the city of Aguascalientes, although it was intimately persuaded that, far from obtaining the conciliation sought, the separation between the commander of the northern division and the constitutionalist army would become still deeper, because the first chief did not wish to make the impression that he had the deliberate intention of excluding the northern division from the discussion upon matters of the greatest importance; also because he did [not?] wish to appear as refusing that a last effort toward conciliation should be made, and because he believed that it was imperative for the good of the revolution that the true motives of Gen. Villa should be disclosed in an evident manner before national conscience, relieving from error those who in good faith believed in the sincerity and patriotism of Gen. Villa and the group of men who surrounded him;

That so soon as the works of the Aguascalientes convention were initiated the machinations of the Villista agents were laid bare, they having performed the principal rôle at the convention, and the system of threats was felt and unbridled pressure was put to practice against those who, on account of their sense of honor and spirit of independence, opposed the impositions of the commander of the northern division to direct the works of the convention to suit his pleasure;

That, on the other hand, many of the chiefs who attended the Aguascalientes convention did not grasp the importance and true mission of the convention, and as they were men of little or no experience in political matters, their good faith was profited by the malicious agents of Villa, and dragged them to second inadvertently the maneuvering of the northern division, without regard to the cause of the people or even outlining the general thought of the revolution and the program of the preconstitutional government, which was generally desired;

That for the purpose of avoiding a controversy of a purely personal character and the further shedding of blood, the first chieftainship made every possible effort to reach a conciliation, offering to withdraw from power provided a government capable of carrying into effect the social and political reforms demanded by the country should be established. But having failed to satisfy the thirst for power of the northern division, notwithstanding the successive concessions made by the first chieftainship, and in view of the well-defined attitude of a great number of constitutionalist leaders who, repudiating the resolutions adopted by the Aguascalientes convention, ratified their allegiance to the plan of Guadalupe, this first chieftainship was constrained to accept the challenge to fight the reaction led at present by Gen. Francisco Villa;

That the class of the elements on which Gen. Villa is banking, which are the same that prevented President Madero from directing his policy, are therefore politically responsible, in a radical sense, for his downfall. On the other hand, the express declarations made on several occasions by the commander of the northern division advocating the establishment of constitutional order before the social and political reforms demanded by the country take place clearly demonstrate that the insubordination of Gen. Villa is of a strictly reactionary character and contrary to constitutionalist activities, and has for a purpose to frustrate the complete success of the revolution, preventing the establishment of a preconstitutional government intrusted with the enactment and enforcement of the reforms which have been the subject of the struggle which has been raging for the last four years;

That, therefore, it is a duty in behalf of the revolution and the fatherland to continue the revolution started in 1913, pursuing the fight against the new enemies of the liberty of the Mexican people;

That it being imperative, therefore, that the interruption of constitutional order should subsist during this new period of the struggle, the plan of Guadalupe should therefore continue to be in force, as it has been the guidance and banner of it, until the enemy may have been overpowered completely, in order that the constitution may be restored;

That it having been impossible to carry into effect the purposes for which the military convention of October, 1914, was convened, and the purpose of the new fight being, on the part of the reactionary troops commanded by Gen. Villa, to prevent the realization of revolutionary reforms demanded by the Mexican people, the first chief of the revolution is obliged to procure, that at the earliest possible moment there should be put into effect all the laws covering the political and economic reforms which the country requires, enacting the same during the struggle that is to be commenced;

That, therefore, and it being necessary for the plan of Guadalupe to remain in force in its essential part, it is imperative that the Mexican people and the constitutionalist army should clearly know the military ends which are being pursued in the present fight, which are the annihilation of the reaction creeping up, with Gen. Villa at the head, and the establishment of the political and social principles which inspire this first chieftainship, which are the ideals for which the Mexcan people have been fighting during the last four years;

That, therefore, and in accordance with the most general sentiments among the leaders of the constitutionalist army, the governors of the States, and of other collaborators of the revolution, and interpreting the needs of the Mexican people, I, Venustiano Carranza, have seen fit to decree the following:

ARTICLE 1. The plan of Guadalupe of March 26, 1913, shall subsist until the complete triumph of the revolution, and therefore Citizen Venustiano Carranza shall continue in his post as first chief of the constitutionalist revolution and as depository of the executive power of the nation until the enemy is overpowered and peace is restored.

ART. 2. The first chief of the revolution and depository of the executive power of the Republic shall enact and enforce during the struggle all the laws, provisions, and measures tending to meet the economic, social, and political needs of the country, carrying into effect the reforms which public opinion demands as indispensable for the establishment of a régime which will guarantee the equality of Mexicans among themselves, agrarian laws favoring the creation of small landowners, the suppression of latifundia or large landholders, and the restoration to townships of the lands illegally taken from them; fiscal laws tending to establish an equitable system of taxation on real estate; laws tending to improve the condition of the rural laborer, the workingman, the miner, and, in general, of the working classes; the establishment of municipal freedom as a constitutional institution; bases for a new system of organization of the army; amendment of the election laws in order to insure the effectiveness of suffrage; organization of an independent judicial power in the federation as well as in the States: revision of the laws relative to marriage and the civil status of persons; provisions guaranteeing the strict observance of the laws of reform; revision of the civil, penal, and commercial codes; amendment of judicial procedure for the purpose of expediting and causing the effectiveness of the administration of justice; revision of laws relative to the exploitation of mines, petroleum, water rights, forests, and other natural resources of the country, in order to destroy the monopolies created by the old régime and to prevent the formation of new ones; political reforms which will insure the absolute observance of the constitution of Mexico; and, in general, all the other laws which may be deemed necessary to insure for all the inhabitants of the country the effectiveness and full enjoyment of their rights and their equality before the laws.

ART. 3. In order to continue the struggle and to carry into effect the reforms referred to in the preceding article, the chief of the revolution is hereby expressly authorized to convene and organize the constitutionalist army and direct the operations of the campaign; to appoint the governors and military commanders of the States and to remove them freely; to effect the expropriations on account of public utility which may be necessary for the distributions of lands, founding of townships, and other public services; to negotiate loans and issue obligation against the national treasury, indicating the property which shall guarantee them; to appoint and remove freely federal employees of the civil administration and of the States and to fix the powers of each of them; to make, either directly or through the chiefs he may appoint, requisitions for lands, buildings, arms, horses, vehicles, provisions, and other elements of war; and to create decorations and decree recompenses for services rendered to the revolution.

ART. 4. Upon the success of the revolution, when the supreme chieftainship may be established in the City of Mexico and after the elections for municipal councils in the majority of the States of the Republic, the first chief of the revolution, as depository of the executive power, shall issue the call for election of congressmen, fixing in the calls the dates and terms in which the elections shall be held.

ART. 5. Once the federal congress has been installed, the chief of the revolution shall render an account before it of the use he may have made of the powers with which he is vested hereby, and he shall especially submit the reforms made and put into effect during the struggle, in order that congress may ratify them, amend them, or supplement them, and to the end that those which it may see fit may be raised to

the rank of constitutional precepts before the reestablishment of constitutional order.

ART. 6. The federal congress shall convene the people to the election of president of the Republic, and as soon as this takes place the first chief of the revolution shall deliver to the president elect the executive power of the nation.

ART. 7. In case of absolute default of the present chief of the revolution—and in the meantime the generals and governors proceed to the election of the person who is to take his place—the chief office shall be temporarily filled by the commander of the army corps at the place where the revolutionary government may be the time the default of the first chief occurs.

V. CARRANZA.
ADOLFO DE LA HUERTA,
Chief Clerk of the Department of the Interior.

CONSTITUTION AND REFORMS,
Vera Cruz, December 12, 1914.

EXHIBIT C.

[Inclosure No. 4E.]

DECLARATION TO THE NATION.

Declaration to the nation by the first chief of the constitutionalist government of Mexico and depository of the executive power of the Republic:

At last, after five years of struggle brought about by the long régime of oppression, which kept alive and aggravated the economic and social unbalanced conditions of the colonial era, the revolution is about to end, overpowering the enemy and establishing definitely the economic reforms and political reforms, which constitute its purpose and which are the only ones which can insure the peace emanating from the welfare of the majority, from equality before the law, and from justice.

The revolution has had the instinctive and generous sympathy of free countries, precisely because its aim has not been the mere change of personnel of the administration, but the complete substitution of a régime of oppression by a régime of freedom. The struggle has been a long one because the impatience of the revolutionaries to attain victory in 1911 gave room to the compromise with the elements of the old régime at Ciudad Juarez. From that moment those elements, accepted so easily and kindly, began their work of undermining within the revolutionary midst itself the prestige and authority of the men who a short time later were elevated to power by the free vote of the people. President Madero found himself in the impossibility of realizing the reforms demanded by the people; first, because within his own government almost the whole personnel of the old régime had remained, and, second, because he had to devote his whole time to fight that same old régime which had successfully risen in arms with Reyes, Orozco, and Felix Diaz, and which fomented at the same time that it vitiated the rebellion of Zapata. The reaction having been unable, in spite of the above, to suppress the reform tendencies of the new régime, it decided that the federal army should betray the legitimate government of the Republic. Treason was carried into effect by Gen. Huerta under the pretext of saving the City of Mexico from the horrors of war; and, with the cooperation of a group of foreigners favored by the old régime and who surrounded Henry Lane Wilson, the President and Vice President were assassinated and, due to the complicity or weakness of the other powers, the nation was left without a constitutional representative. Then I, as governor of the State of Coahuila, and in obedience to the constitutional provisions articles 121 and 128 of our fundamental charter, assumed the representation of the Republic in the terms in which the constitution itself vests me with this right, and supported by the people which rose in arms to regain its liberty. In fact, the above-mentioned articles provide the following:

"Every public officer, without exception, prior to his taking possession of his charge, shall render an oath that he will sustain the constitution and the laws emanating therefrom. This constitution shall not fail in force or vigor, even though on account of rebellion its observance may be interrupted. In the case that pursuant to a public disturbance a government contrary to the principles sanctioned by the constitution may be established, as soon as the people regains its freedom, its observance shall be reestablished, and, according to it and to the laws which by virtue of it may have been enacted, those who may have figured in the government emanated from the rebellion shall be tried as well as those who may have cooperated in the movement."

After overpowering the rebellion and usurpation of Huerta, and before the constitutionalist army reached the City of Mexico, the reactionaries, faithful to their old procedure, began to mingle in our ranks and to corrupt those who ought to have given their support to this government, determining as a result the repudiation of it by Gen. Villa and the formation of factions whose chiefs felt encouraged by the presence of foreign representatives who were with them.

When our forces left the City of Mexico, pursuant to a military and political plan, it was thought that the constitutionalist government had lost the support of the people and with it its prestige and force, and that it would follow the course of previous trespassers of public power, but the apparent victory of the reaction headed by Francisco Villa was still more ephemeral than the one obtained by the usurpation of Gen. Huerta, and to-day, after the greatest and most definite victories militarily obtained by the army of the people in various parts of the country, I can say to my countrymen that the constitutionalist government has control of over seven-eighths of the national territory; that it is organizing public administration in 20 out of 27 States of the Republic and in more than half of the other 7 States; that it controls all the maritime ports on the Gulf and on the Pacific Ocean, with the exception of Guaymas, and all the ports of entry on the northern and southern frontiers, with the exception of Piedras Negras, Ciudad Juarez, and Nogales; that more than thirteen million of the fifteen which represent the population of the country—that is to say, nine-tenths of the total population of the Republic—are governed by the administration I preside; that day after day the factions are being routed and dispersed, their offensive action being limited at present to acts of brigandage, and that within a short time the occupation of the City of Mexico will contribute to make the action of the constitutionalist government more harmonious and efficient in all the territory of the Republic. Therefore, our country is nearing the end of its revolution and the consolidation of a definite peace, based on conditions of welfare and justice.

In the midst of the greatest difficulties and within that which may be humanely possible, the constitutionalist government has complied with its duties and has extenuated in behalf of the people the hardships of war, either forbidding the exportation of articles of prime necessity or adopting measures of practical effect to facilitate the acquisition of the same for the benefit of the poor; it has afforded guaranties and given protection to the inhabitants within the territory controlled by the constitutionalist forces, all of whom live a life of normal activity; it has prevented and punished the faults and abuses growing out of the state of social disturbance, which, lamentable as they may be, neither because of their number nor their importance, can be considered as characteristic feature of a governmental régime. I am the first one to deplore the privations which the Mexican people have had to suffer as a result of the war, which constitute one of the many sacrifices the people have to pass through in order to conquer their liberties; but I am decided to employ all the means which may be at the reach of the government to comply with the work of humanity demanded by the circumstances. Fortunately, the recent victories over the factions enlarge the sphere of action of the constitutionalist government and facilitate the compliance of the duties which all Governments have with regard to their constituents to afford guaranties to the inhabitants and to procure the welfare of the masses.

With regard to our foreign relations, notwithstanding that one of my first acts was to address a note by telegraph to the State Department of the United States of America apprising it of my capacity in front of the rebellion and the usurpation, one of the difficulties which has retarded our labors has been the lack of understanding between the government I have the honor to represent and the Governments of other nations, especially that of the United States.

The great interests of the old régime have created a real system of falsehoods and slander against this government, spreading them day after day through the channel of the powerful journals of the American "cientifico" press, which reach the ear of the press of the world, with the object of deforming before the opinion of other nations the procedure and the tendencies of the Mexican revolution; the same interests have used their influence to have false reports rendered to the Governments of other countries, and especially so with regard to the United States, whenever they have endeavored to form judgment concerning the Mexican situation. The constitutionalist government has been deprived of the facilities to make any rectifications against such reports, because it has been denied the opportunity and the means incidental to diplomatic relations between one country and another.

We feel that we are at the present time in condition to overcome this last difficulty, because the constitutionalist government is now in fact in definite possession of the sovereignty of the country; and the legitimate army of sovereignty is the essential condition to be borne in mind when deciding upon the recognition of a government, if as we expect it and desire it in behalf of the Mexican people and of the foreign residents of this country, the Governments of other nations recognize the constitutionalist government, this act of justice will afford it an efficient moral assistance, not only to strengthen the friendly relations which Mexico has always maintained with those nations and be able to discuss their common affairs conciliating their mutual interests, but also to secure a more speedy consolidation of peace to establish a constructive constitutional government, supported by the reforms and the program of the revolution, whose aims are the greater good of the greater number.

I am therefore of the opinion that the time has come to call the attention of the warring factions which are still engaged in armed opposition against the constitutionalist government, to the futility of their attitude, because of the recent and definite victories gained by our army, as well as because of the conviction they must have of our sincerity and capability to carry into realization the ideals of the revolution. Therefore, I appeal to those factions to submit to the constitutionalist government in order to expedite the reestablishment of peace and to consummate the work of the revolution. With a view to realizing the above-mentioned purposes, I have deemed proper to inform the nation upon the political conduct to be observed by the constitutionalist government, in the performance of the program of social reform contained in the decree of December 12, 1914.

First. The constitutionalist government shall afford to foreigners residing in Mexico all the guaranties to which they are entitled according to our laws, and shall amply protect their lives, their freedom, and the enjoyment of their rights of property, allowing them indemnities for the damages which the revolution may have caused to them, in so far as such indemnities may be just and which are to be determined by a procedure to be established later. The government shall also assume the responsibility of legitimate financial obligations.

Second. The first concern of the constitutionalist government shall be to reestablish peace within the province of law and order, to the end that all the inhabitants of Mexico, both native and foreign, shall equally enjoy the benefits of true justice and be interested in cooperating to the support of the government emanating from the revolution. The commission of crimes of the common order shall be punished. In due time an amnesty shall be enacted in keeping with the necessities of the country and the situation, which in no way shall exempt those under it of the civil responsibilities they may have incurred.

Third. The constitutionalist laws of Mexico, known under the name of laws of reform, which establish the separation of the church and the state and which guarantee the individual right of worship in accordance with his own conscience and without offending public order, shall be strictly observed; therefore, no one shall suffer in his life, freedom, and property because of his religious beliefs. Temples shall continue to be the property of the nation according to laws in force, and the constitutionalist government shall again cede for the purposes of worship those which may be necessary.

Fourth. There shall be no confiscation in connection with the settlement of the agrarian question. This problem shall be solved by an equitable distribution of the lands still owned by the Government; by the recovery of those lots which may have been illegally taken from individuals or communities; by the purchase and expropriation of large tracts of land, if necessary; by all other means of acquisition permitted by the laws of the country. The constitution of Mexico forbids privileges, and therefore all kinds of properties, regardless of who the owners may be, whether operated or not, shall in the future be subject to the proportional payment of a tax in accordance with a just and equitable valuation.

Fifth. All property legitimately acquired from individuals or legal Governments, and which may not constitute a privilege or a monopoly, shall be respected.

Sixth. The peace and safety of a nation depends from the clear understanding of citizenship. Therefore, the Government shall take pains in developing public education, causing it to spread throughout the whole country, and to this end it shall utilize all cooperation rendered in good faith, permitting the establishment of private schools subject to our laws.

Seventh. In order to establish the constitutional government, the Government by me presided shall observe and comply with the provisions of articles 4, 5, and 6 of the decree of December 12, 1914, which reads as follows:

"Article 4. Immediately upon the success of the revolution and the reestablishment of the first chieftainship in the City of Mexico, and after the elections for municipal councils in the majority of the States of the Republic, the first chief of the revolution, as the depository of the executive power of the nation, shall convene the people to elections for members of the Federal Congress, fixing in the call the dates and terms in which such elections shall take place.

"Article 5. Immediately after the installation of the Federal Congress the first chief of the revolution shall render an account before it of the use he may have made of the powers with which he is hereby invested, and he shall especially submit to it the reforms which may have been enacted and made effective during the struggle, to the end that Congress may ratify them or amend them or complete them, and in order that it may give the vigor of constitutional provisions to those which ought to have such character prior to the establishment of constitutional order.

"Article 6. The Federal Congress shall convene the people to the election of President of the Republic, and as soon as this takes place the first chief of the revolution shall deliver to the President elect the executive power of the nation."

V. CARRANZA,
First Chief of the Constitutionist Army
and Depository of the Executive Power of the Republic of Mexico.

CONSTITUTION AND REFORMS,
Vera Cruz, June 11, 1915.

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EXHIBIT D.

[Inclosure No. 9B.]

SECRETARY OF WAR TO SECRETARY OF STATE.

WAR DEPARTMENT,
Washington, January 26, 1916.

The honorable the SECRETARY OF STATE.

MY DEAR MR. SECRETARY: Referring further to your letter of January 17, 1916, stating that the Department of State has been directed by the President to prepare an answer to Senate resolution dated January 6, 1916, in regard to the Mexican situation, and requesting that a statement be prepared by this department respecting the orders given to Gen. Funston for the protection of American lives and property on the Mexican border, together with any pertinent facts concerning the occupation and evacuation of Vera Cruz, Mexico, by the forces of the United States, I beg leave to advise you that the records of the department show as follows:

1. MEXICAN BORDER.

* * * * * * *

2. OCCUPATION AND EVACUATION OF VERA CRUZ, MEXICO.

Vera Cruz, Mexico, having been, by direction of the President, occupied by the naval forces of the United States, instructions were issued on April 23, 1914, to the commanding general Second Division, Texas City, Tex., to cause the reinforced Fifth Brigade to embark as soon as practicable on the Army transports *Sumner, McClellan, Kilpatrick,* and *Meade,* and to proceed at once to Vera Cruz.

On April 24, 1914, the four regiments of Infantry of the Fifth Brigade, together with Company E, Second Battalion of Engineers, and Field Hospital No. 3, a total of 182 officers and 3,047 enlisted men, sailed from Galveston, Tex., under the command of Brig. Gen. Funston, United States Army, and arrived in Vera Cruz Harbor on April 28, 1914, and disembarked. On April 26, 1914, the First Battalion of the Fourth Field Artillery sailed from Texas City for Vera Cruz on the chartered transport *Satilla* to join Gen. Funston's command.

On April 26, 1914, orders were issued to Gen. Funston, in compliance with instructions received from the President, upon arrival at Vera Cruz, to relieve the Navy of its duties ashore incident to the occupation and control of the city of Vera Cruz and its environs. Gen. Funston was advised on the same date that pursuant to the orders of the President the First Brigade, United States Marine Corps, would be placed under his command for service with the Army.

On April 29, 1914, the headquarters, band, and detachment of the First Battalion, Fourth Field Artillery, and Troops I and K, Sixth Cavalry, sailed from Galveston for Vera Cruz on the chartered transport *San Marcos*; and on April 30, 1914, Company D, Signal Corps, sailed for Vera Cruz on the naval transport *Esperanza.*

Gen. Funston reported taking over from the Navy the command at Vera Cruz on the afternoon of April 30, 1914.

A military government was established by General Orders, No. 3, Headquarters United States Expeditionary Forces, May 2, 1914. This order set forth the principle that the government established thereby would continue the system to which the people of Vera Cruz were accustomed, in so far as consistent with military control, and from that date until the evacuation the Army continued to administer the civil affairs of the city.

The executive branches of the military government established by the general order cited above consisted of the following:

The office of the provost marshal general.

The office of the treasurer.

The customs service, including the Lighthouse Service, to which was later added the pilot service.

The United States mail agency and the general post office.

Each of these branches was placed in charge of an officer of the Army, except the customs service, which was administered by Commander H. O. Stickney, United States Navy, as administrator of customs and captain of the port, and the United States mail agency and the general post office, which were administered by Mr. H. M. Robinson, an official of the Post Office Department, sent to Vera Cruz for the purpose.

Prior to the evacuation, instructions were issued to Gen. Funston to bring with him to the United States all funds in his possession from whatever source derived, both United States funds and Mexican customs receipts and taxes. He was also instructed to bring with him all the records, accounts, and money papers necessary to establish the integrity and accuracy of his financial and other administration, and to make an inventory of all goods in the customhouse, keeping the original of such inventory and leaving a copy with the American consul at Vera Cruz. Gen. Funston was also authorized to leave with the latter such copies of accounts or other data as might be required by whomsoever might continue the government of the city.

On November 14, 1914, as the result of an announcement issued by the State Department on November 13, 1914, Gen. Funston was directed to make all preparations to leave Vera Cruz Monday, November 23, 1914.

On November 20, 1914, Gen. Funston was instructed to evacuate Vera Cruz on the date specified above, viz, Monday, November 23, 1914.

On November 23, 1914, Gen. Funston advised the department that he would embark his command at 2 o'clock on the afternoon of that day on the transports *Sumner, Kilpatrick, Cristobal, McClellan, Kansan, Antilla, City of Memphis, Denver,* and *San Marcos.*

On November 26, 1914, Gen. Funston reported the arrival of his command at Galveston, Tex.

Subsequently to his arrival at Galveston, Gen. Funston reported that the Mexican funds brought with him to the United States, together with the money papers pertaining therto, had been placed for safe-keeping in the strong room of the First National Bank at Galveston, storage room for all other records of the military government of Vera Cruz having been provided by the depot quartermaster at Galveston. In this connection Gen. Funston suggested the advisability of sending the Mexican funds and the records of the treasurer's office to the Subtreasury at New Orleans, La., for safe-keeping. Upon receipt of that suggestion, the department communicated at once with the Treasury Department with a view to ascertaining as to whether it would be practicable to place these funds and records in the Subtreasury at New Orleans as suggested, and the Treasury Department having signified its willingness to have the funds and records so transferred, Maj. Blanton Winship, judge advocate, United States Army, who had immediate charge of these funds and records, was advised accordingly.

On January 1, 1915, Maj. Winship reported that he had on that date shipped to the Subtreasury at New Orleans, La., one field safe, sealed, containing 1,539,051.20 Mexican pesos, and the books and records pertaining to the military treasurer's office, together with one sealed wooden box containing 1,065,000 Mexican pesos, or a net total of 2,604,051.20 pesos.

On January 12, 1915, the department advised the Secretary of State of the transfer of the Mexican funds and records, as set forth above.

Sincerely, yours,

LINDLEY M. GARRISON,
Secretary of War.

PROHIBITION OF INTOXICATING BEVERAGES.

The SPEAKER. Under the order of the House the House automatically resolves itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6810.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. GOOD in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 6810) to prohibit intoxicating beverages, and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries.

The CHAIRMAN. There are remaining 10 hours and 16 minutes of general debate—298 minutes to be controlled by the gentleman from Minnesota [Mr. VOLSTEAD] and 318 minutes to be controlled by the gentleman from Missouri [Mr. IGOE].

Mr. IGOE. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Chairman and gentlemen of the committee, the gentleman from Minnesota [Mr. VOLSTEAD], chairman of the Committee on the Judiciary, in his address to the House upon the bill now before the committee, stated on July 8, among other things, the following:

And let me add for 20 years the Government of the United States has treated and taxed everything that contained more than one-half of 1 per cent of alcohol as intoxicating liquor, and has treated everything below that as nonintoxicating.

I want to call the attention of the House to some evidence showing that the Government has not done anything of the kind by reading to you the testimony given by Mr. Gaylord, Deputy Commissioner of Internal Revenue, before the Senate Committee on the Judiciary on July 8, the same day that the gentleman from Minnesota made his speech in the House.

Mr. Gaylord said that the Government had not decided what was not intoxicating as between beverages or between near beers, or such, but that the sole thing they had decided was whether or not the one or the other was a beverage.

In other words, he says that when the near beers came on the market and they were a matter of consideration by the Internal Revenue Bureau "we," said Mr. Gaylord, "recognized the fact that these near beers were not contemplated to be taxed on the same basis as beer; but at the same time our interest was to save the revenue, and after a great deal of argumentation and discussion covering many months—I should say more than a year—the then commissioner decided that if the resultant products contained less than one-half of 1 per cent of alcohol they would be considered not fermented liquors within the meaning of the law requiring them to pay a tax, and manufacturers would not be liable to the beer tax or a special tax as a dealer in malt liquors."

Mr. Gaylord further said:

The standard was not reached at all by considering really whether that was or was not intoxicating.

In other words, gentlemen, the Treasury Department has only considered these matters of 1½ per cent of alcohol or 2 per cent or 2¾ per cent upon the question of taxation, whether

the one was fermented or not fermented, and the Treasury Department—the Internal Revenue Bureau—has not rendered any decision to the effect that beer containing 2¾ per cent is intoxicating.

That is a question of fact, and one that this Congress can not decide, but it is a matter to be determined by the courts and by decisions of the Supreme Court of the United States as to what amount of alcohol renders a beverage intoxicating.

Mr. Chairman, in that connection I have here some decisions from the Internal Revenue Bureau covering this very important question. I do not want to take the time to read them, but I want the privilege of having them inserted in the RECORD. I did not rise for the purpose of making any speech, but simply to call to the attention of the committee this statement of the chairman of the Judiciary Committee as being not well founded and not in accordance with the facts and the decisions of the Treasury Department. I ask unanimous consent to have printed as a part of my remarks these extracts from various Treasury decisions in re malt liquors, brewers, taxes, and so forth.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to print as a part of his remarks the extracts from the Treasury decisions referred to. Is there objection?

There was no objection.

Mr. VOLSTEAD. Will the gentleman yield?

Mr. DYER. Yes.

Mr. VOLSTEAD. Here is the language I used:

And let me add for 20 years the Government of the United States has treated and taxed everything that contained more than one-half of 1 per cent of alcohol as intoxicating liquor, and has treated everything below that as nonintoxicating.

Is not that what they do?

Mr. DYER. No; it is not. They do not tax them as intoxicating liquors.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. IGOE. I yield the gentleman one minute more.

Mr. DYER. Replying to the distinguished chairman of the Judiciary Committee, I want to say that the Treasury Department's decisions are not on the question of intoxicating liquors at all, but upon the question of fermented liquors. If it is a beer, it pays a beer tax, and if it is a near beer it pays a different tax. The Treasury Department has not decided that beer containing more than one-half of 1 per cent is intoxicating. The decisions I am incorporating as a part of my remarks are only to bear that out, and the testimony of Mr. Gaylord, the Deputy Commissioner of Internal Revenue, in testifying before the Senate committee July 8, 1919, a stenographic copy of which I hold in my hand, also makes the same statement, and I say that is the best authority upon what the Internal-Revenue Department has decided and the opinion that it holds.

The following are the decisions referred to:

EXTRACTS FROM VARIOUS TREASURY DECISIONS IN RE MALT LIQUORS, BREWERS' TAXES, ETC.

The following decision, while not bearing directly on so-called temperance beer, is important as a ruling by the Commissioner of Internal Revenue interpreting the phrase "root beer and other small beer":

Special, No. 102.

RELATIVE TO THE LIABILITY TO TAX OF BREWERS AND RECTIFIERS.

TREASURY DEPARTMENT,
OFFICE OF INTERNAL REVENUE,
Washington, May 17, 1871.

Paragraph 17, section 79, act of June 30, 1864, as amended by section 9, act of July 13, 1866, provides that "brewers shall pay $100. Every person, firm, or corporation who manufactures fermented liquors of any name or description for sale from malt, wholly or in part, or from any substitute therefor, shall be deemed a brewer: *Provided*, That any person, firm, or corporation who manufactures less than 500 barrels per year shall pay the sum of $50."

It is believed that all fermented liquors manufactured in this country for sale are made from malt or from some substitute therefor, and it is therefore held that every person making fermented liquors of any nature or description is liable to pay special tax as a brewer, and must be so assessed whether the liquor produced by him is subject to tax or not. Any person claiming exemption from this tax by reason of not using malt or any substitute therefor in making his fermented liquor may appeal from the assessment by application to this office to abate the same, when the question of his liability will be carefully examined.

Section 48, act of July 13, 1866, as amended March 2, 1867, provides "that there shall be paid on all beer, lager beer, ale, porter, and other similar fermented liquors, by whatever name such liquors may be called, a tax of $1 for every barrel containing not more than 31 gallons, and at a like rate for any other quantity, or for any fractional part of a barrel, which shall be brewed or manufactured and sold or removed for consumption or sale within the United States."

All fermented liquors manufactured in this country, so far as known to this office, are similar fermented liquors to beer, lager beer, ale, and porter, and therefore all fermented liquors brewed or manufactured and sold, or removed for consumption and sale, are held to be subject to this tax, except such as are included in the exemption contained in this act of March 2, 1867, exemption "root beer and other small beer."

This exemption is held to apply only to such fermented liquors as contain not to exceed 2½ per cent alcohol, as root beer and those beers originally known as small beer do not contain exceeding this percentage of alcohol. Fermented liquors containing not to exceed 2½ per cent alcohol are not susceptible of being marketed in large packages, but are necessarily put up in bottles, so that on opening the quantity exposed to the action of the air will be consumed before becoming spoiled. Stronger liquors, susceptible to being marketed in casks, are ordinarily marketed in that way because of the greater expense of bottling. It is generally true, therefore that fermented liquors marketed in bottles are of a less alcoholic strength than 2½ per cent, and uniformly true that that which is marketed in casks contains a greater percentage of alcohol than 2½ per cent should be subject to tax. It is possible, of course, to put up the stronger liquors in bottles for the market, but an examination of the quality compared with beer known to come within the class of small beers will enable the officer to determine whether it is subject to tax or not.

All fermented liquor containing more than 2½ per cent alcohol brewed or manufactured and sold or removed for consumption or sale within the United States must be put up and stamped as required by the act of July 13, 1866, and any person feeling himself aggrieved by such taxation may make application to this office to have the same refunded.

(There follows consideration of the liability of rectifiers, etc.)

A. PLEASANTON,
Commissioner.

(20233)

(Decisions under war-revenue act of June 13, 1898.)

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., October 22, 1918.

SIR: In reply to a letter addressed to this office by one of your constituents, Mr. James H. Bingham, of Lawrence, Mass., to which you call attention in your letter of the 17th instant, asking for a ruling with reference to the beverage called "hop beer," which is to "contain 1 per cent or less of alcohol," you will please inform him that as the first paragraph of section 3244, Revised Statutes, requires that every person shall be regarded as a brewer who "manufactures fermented liquors of any name or description for sale from malt, wholly or in part, or from any substitute therefor," if he should manufacture a fermented liquor from hops and sugar which resembles in general character, taste, appearance, etc., weiss beer (weiss beer being a fermented liquor made from malt, and therefore being subject to the tax imposed upon beer by the provisions of the war-revenue act, notwithstanding the fact that its alcoholic strength is usually very small, sometimes being but 1 per cent), this hop beer must be regarded as having been made from a substitute for malt within the meaning of the statute. And if he makes it for sale he must give bond and pay special tax as a brewer and special tax as a malt-liquor dealer for selling it in bottles, and also pay tax on this beer under the first section of the war-revenue act of June 13, 1898.

A genuine "root beer" or "spruce beer"—that is, a beer made from roots, herbs, or bark, or extracts thereof, with sugar—is not a similar fermented liquor to weiss beer or to any other of the fermented malt liquors enumerated in section 3339, Revised Statutes, and therefore is not regarded as made from a substitute for malt; and the manufacturer of it is not required to pay tax thereon or special tax as a brewer and malt-liquor dealer for making and selling it.

Respectfully, yours,

C. W. WILSON,
Acting Commissioner.

Hon. W. S. KNOX, *Lawrence, Mass.*

(Department 429. Volume 4 of Compilation of Decisions of Internal Revenue Commissioner.)

"SPECIAL TAX—BEERINE."

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., November 1, 1901.

SIR: Your letter of the 26th ultimo has been received, inclosing a formula for the manufacture of a beverage called "beerine." From this formula it appears that the beverage in question is made in part of fermented malt liquor (lager beer), and that "it is like a light table beer and should be handled as such and not like common soda water." This being the case, the beverage must be regarded as similar to weiss beer, and the manufacturer of it must be required to pay special tax as a brewer and tax on this "beerine," and other persons engaged in selling it must be required to pay special tax as malt-liquor dealers.

Respectfully,

ROBERT WILLIAMS,
Acting Commissioner.

Mr. H. L. REMMEL,
Collector Internal Revenue,
Little Rock, Ark.

(Department 690. Volume 6 of Compilation of Decisions of Internal Revenue Commissioner.)

SPECIAL TAX—BARLEY BREW OR BOK ALE.

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., August 12, 1903.

GENTLEMEN: A sample of a beverage submitted to this office by your representative, imported by you into this country and sold under the name of "barley brew or bok ale," has been analyzed by the chemist here, who reports to this office under date of the 10th instant that it contains 0.53 per cent of alcohol by volume, 0.42 by weight, and 0.48 per cent of total solid matter, and that "while it has, in general, the appearance and flavor of a malt liquor," it is rather an imitation of a malt liquor than the thing itself.

In view of the results thus shown by the chemist's analysis, this office holds that the beverage in question, put upon the market in the precise condition of the sample herein described, is not among those fermented liquors enumerated in section 3339, Revised Statutes of the United States, and that therefore tax is not required thereon, nor the special tax of a dealer in malt liquor for its sale, under the internal-revenue laws of the United States.

Respectfully,

ROBERT WILLIAMS, Jr.,
Acting Commissioner.

To ——— ———.

(T. D. 892, volume 8.)

TREASURY DEPARTMENT,
OFFICE OF INTERNAL REVENUE COMMISSIONER,
Washington, D. C., April 26, 1905.

AMERICAN BREWERS' REVIEW CO.,
Chicago, Ill.

GENTLEMEN: Your letter of the 19th instant has been received, relating to a beverage made from malt or from some substitute for malt, and fermented, and stating that "the question arises frequently among brewers what is the limit of alcohol content that makes the beverage intoxicating; that is to say, from the legal point of view."

The intoxicating character of such a beverage is important and material under the prohibitory liquor laws of a State or Territory, but is not material under the internal-revenue laws of the United States.

A fermented liquor made from malt—for example, weiss beer—may contain so small an amount of alcohol (say 1½ to 1 per cent or less) as to entitle it to be regarded as "nonintoxicating" under the local prohibitory laws, but this fact does not relieve the brewer of this beverage from the necessity of giving bond and paying special tax as a brewer under the internal-revenue laws of the United States, as well as paying tax on this beer.

As to the alcoholic limit below which in any such beverage you say "there is a widespread impression that 2 per cent by volume constitutes this limit," there is no basis for this impression, unless it be in the fact that the act of March 2, 1867, exempted small beer from the tax on fermented liquors under the internal-revenue laws of the United States, as they then stood, but did not define small beer, thus leaving it to this department to lay down a rule by which small beer should be distinguished from other beer on which the tax was imposed. This was done by special No. 102, issued by the Commissioner of Internal Revenue, May 18, 1871, wherein the exemption as to small beer was "held to apply only to such fermented liquors as contain not to exceed 2½ per cent alcohol."

The later provisions of the internal-revenue laws of the United States superseding this act of 1867, and subsequently incorporated in the Revised Statutes of the United States in 1873, omitted this exempting provision, and since then there has been no such exemption as to any fermented liquor made from malt or from any substitute for malt; and now, under these laws, every fermented liquor, the main ingredient of which is malt or a substitute for malt, such as rice or grain of any kind, or sugar, or molasses, or any other material that may be found to take the place of malt, is held to be subject to the tax imposed by these laws on ale, beer, porter, and other similar fermented liquors, and the manufacturers thereof are required to give bond and pay special tax as brewers and dealers therein special tax as malt liquor dealers.

There are, however, beverages manufactured and sold which consist mainly of water carbonated, but by the addition of a small quantity of an "extract" made of tax-paid beer, are given the flavor, taste, and appearance of malt liquor, but contain not more than one-half of 1 per cent of alcohol. The settled ruling is that where this quantity of alcohol (one-half of 1 per cent) is not exceeded in any such imitation beer, it does not come within the notice of the internal-revenue laws of the United States, and therefore special tax is not required to be paid for its manufacture and sale.

Respectfully,

ROBERT WILLIAMS, Jr.,
Acting Commissioner.

(T. D. 1193, volume 10.)

In this decision a sample of "hop-ale" was analyzed in the office of the commissioner on May 11, 1907, and was found to contain 0.85 per cent of alcohol by volume. The decision continues:

"In this and other cases where the alcoholic content has not greatly exceeded fifty one-hundredths per cent, this office holds that special-tax liability begins with the first day of the month in which the earliest sample found to contain more than 0.50 per cent was taken for analysis, and the stamp-tax liability begins on the date such sample was taken."

Respectfully,

JOHN G. CAPERS,
Commissioner.

Mr. E. E. BUTLER,
Collector Second District, Bristol, Tenn.

(T. D. 1194, volume 10.)

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., July 2, 1907.

GENTLEMEN: In reply to your letter of the 27th ultimo, requesting a copy or statement of the ruling of this office as to beerine and similar beverages, you are informed that the ruling is that a beverage which has an appreciable alcoholic content, caused by the addition thereto or use in the manufacture of distilled spirits or wine, can not be manufactured without the payment of special tax as rectifier, or sold without payment of special tax as liquor dealer. If the beverage has an alcoholic content of more than one-half of 1 per cent, derived from fermented malt liquors added thereto or used in process of manufacture, the producer must pay special tax as brewer, tax on his product as a fermented liquor in which substitute for malt is used, and sellers of the beverage or product must pay special tax as malt-liquor dealers.

Respectfully,

JOHN G. CAPERS,
Commissioner.

(T. D. 1307, volume 11.)

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., February 5, 1908.

GENTLEMEN: This office is in receipt of your letter of the 31st ultimo, relative to the manufacture of soft drinks from malt and hops and calling attention to previous rulings of this office as to the requirements of tax on a fermented liquor made from malt, regardless of the percentage of alcohol contained, and as to the nonrequirement of special tax for the sale of beverages containing less than one-half of 1 per cent of alcohol.

In reply you are advised that after careful consideration I have reached the conclusion that, while section 3339, Revised Statutes, requires the payment of the tax of $1 per barrel on all beer, lager beer, ale, porter, and other similar fermented liquors, the practical administration of the law necessitates the fixing of a point below which the alcoholic content is too inconsiderable to class the beverage as either of the liquors enumerated above, or similar thereto, or to bring same within the consideration of the internal-revenue laws. The practice and rulings of this office have already fixed this point as one-half of 1 per cent in the case of sales of beverages of this character, and I see no sufficient reason for making a distinction between the manufacturer and dealer in this class of beverages. It is therefore held that beverages containing not more than one-half of 1 per cent of alcohol by volume do not come within the consideration of the internal-revenue laws either as to manufacture or sale.

Respectfully,

JOHN G. CAPERS, *Commissioner.*

(NOTE.—This decision makes the limit one-half of 1 per cent alcohol. Later decisions and present practice require less than one-half of 1 per cent alcohol.)

(T. D. 1345, volume 11.)

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., April 18, 1908.

SIR: In reply to your letter of the 13th instant your are informed that this office has not approved the manufacture of soft drinks or so-called beer containing less than one-half of 1 per cent of alcohol upon the premises of a regular brewery, for the reason that such manufacture must necessarily be subject to rigid internal-revenue supervision, and would doubtless prove a fruitful source of annoyance both to the manufacturer and to the revenue officers.

Respectfully,

ROBERT WILLIAMS, Jr.,
Acting Commissioner.

Mr. ———, *Omaha, Nebr.*

(T. D. 1360, volume 11.)

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., May 19, 1908.

SIR: Referring to your conference with this office relative to the manufacture of so-called "temperance beer" on the premises of a regular brewery, I have the honor to advise you that, as stated in T. D. 1345, this office has not approved the manufacture of soft drinks and untaxable beverages on the premises of a brewery producing taxable fermented liquors, for the reason that such practice would necessarily be subjected to close supervision, and would probably result in much annoyance both to the manufacturer and to revenue officers.

There is, however, no provision of law or regulations which specifically prohibits such practice, and if brewers undertake to manufacture such a beverage it is desirable that the position of this office be clearly understood.

T. D. 1307, holding that a beverage containing less than one-half of 1 per cent of alcohol is not taxable as a fermented liquor, is based upon the belief, reached after careful examination of numerous samples submitted to this office, that such a beverage, made from a wort in which such a small quantity of malt or other material is used that the product when fully fermented does not contain one-half of 1 per cent of alcohol, or made from a wort containing ordinary amounts of malt or other material and only slightly fermented, does not resemble any of the fermented liquors enumerated in the statute imposing a tax on such liquors sufficiently closely to be classified as such.

The manufacture of any fermented mash, wort, or wash, and the separation by any process of the alcoholic content therefrom, except upon the premises of a registered distillery, is prohibited by section 3282, Revised Statutes, but a proviso to the section expressly exempts fermented liquors from its provisions.

It is therefore held that the manufacture of an ordinary beer and the reduction of the alcoholic content to less than one-half of 1 per cent by boiling in the open air, or by any other process, is prohibited, unless the product is brought within the exemption of the proviso by being taxed as a fermented liquor, regardless of its alcoholic content, but such product, containing less than one-half of 1 per cent alcohol, may be sold by retailers without the payment of special tax.

Brewers who manufacture a beverage by this process should treat it in all respects as a fermented liquor, taking up on their records the material from which it is made.

Brewers who also manufacture a beverage which does not at any process of manufacture contain more than one-half of 1 per cent of alcohol should credit themselves, by separate red-ink entries on their material book with the quantity of materials used for this specific purpose, and should use the utmost care to keep the processes as well as the materials used in the production of the two classes of beverages separate, and to keep the taxable and untaxable articles separate and distinct one from the other. The temperance beverage, when removed from the brewery premises, must be contained in packages unlike those ordinarily used for containing fermented liquor.

Respectfully,

JOHN G. CAPERS,
Commissioner.

(T. D. 2354, volume 18.)

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., August 2, 1913.

To collectors of internal revenue and others concerned:

The following excerpt from an official letter emanating from this office on this date is published for the information of all concerned:

"Referring to your letter of May 15 last and to office reply thereto under date of May 24 in regard to a nonalcoholic beverage * * * you are informed that upon reconsideration of this matter I have decided to extend the scope of T. D. 1360 so as to make the question of the taxability of the so-called temperance beer produced on brewery premises concurrently with fermented liquors depend upon the alcoholic content at the time when the same is finished and ready for sale, without regard to the quantity of alcohol which it may have contained at previous stages of its manufacture. In other words, if the so-called temperance beer, when finished and ready for sale, does not contain more than one-half of 1 per cent of alcohol by volume, it will be regarded as a nontaxable article, even though it may have contained a greater percentage of alcohol during the process of its manufacture.

This ruling will take effect August 15, 1913, and in no case will it be retroactive. It will apply exclusively to beverages sold or removed on and after the 15th instant.

W. H. OSBORN,
Commissioner of Internal Revenue.

Mr. CURRIE of Michigan. Mr. Chairman, will the gentleman yield?

Mr. JONES of Pennsylvania. Mr. Chairman, will the gentleman yield.

Mr. DYER. If I have any time I will be glad to yield to my colleague on the committee. Is my time up, Mr. Chairman?

The CHAIRMAN. The gentleman has 12 seconds remaining.

Mr. DYER. I yield to the gentleman from Michigan.

Mr. CURRIE of Michigan. I suggest to the gentleman that in the Treasury decisions——

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. CURRIE of Michigan. May the gentleman's time be extended for 30 seconds.

Mr. DYER. I asked for time from the chairman of the committee, but he refused to give it to me, and I had to obtain it from the gentleman on the other side.

The CHAIRMAN. The gentleman's time has expired.

Mr. IGOE. Mr. Chairman, I yield 30 minutes to the gentleman from Pennsylvania [Mr. STEELE].

Mr. STEELE. Mr. Chairman, the purpose of the pending bill is to enforce war-time and constitutional prohibition. I shall confine my remarks to the constitutional aspects of that question, with particular reference to the bearing of the second section of the eighteenth amendment upon the present bill. The first section of the eighteenth amendment provides that—

> the manufacture, sale, or transportation of intoxicating liquors • • • for beverage purposes is hereby prohibited.

So far as the general effect of this language is concerned, of course it immediately is self-executing and wipes out all legislation in conflict with its provisions. The second section of the eighteenth amendment, however, provides as follows:

> The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

I call the attention of the House to the fact that this language is vastly different from any enforcement provision heretofore contained in any constitutional amendment. In the thirteenth, fourteenth, and fifteenth amendments to the Constitution the provisions were that—

> Congress shall have power to enforce this article by appropriate legislation.

The words "concurrent power" of the several States were not included in any previous constitutional enforcement provision.

It is very significant that it was thought necessary to insert this change in this article of the Constitution. When the resolution suggesting the amendment passed the Senate and came over to the House for its action, it contained the usual provision that Congress alone should have the power to enforce the article by appropriate legislation. As it came from the Committee on the Judiciary, of which I happened to be a member at the time, this change was inserted in it, and the change was inserted in it for a purpose. That purpose, it seems to me, is apparent upon the face of the article itself by the ordinary construction of the language which has been used. It is not a new feature in our Constitution that there should be joint action by the Federal and the State Governments. In the very first article of the Constitution, in the tenth section, there is provision made for prohibition upon the powers of the States with reference to certain legislation, and also provision made which is of the nature of conditional prohibition which requires concurrent action on the part of both Federal and State Governments. In Article I, section 10, for instance, the second paragraph provides:

> No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports—

And so forth.

The prohibition is conditional—that is, if Congress gives its consent. If there is joint action by the State and by Congress, then the State will have the power under this section to legislate on the question. Then again, the third paragraph of section 10 of Article I provides:

> No State shall, without the consent of Congress, lay any duty on tonnage—

And so forth.

There again joint action is contemplated by the Federal Constitution, that the States can act provided the Federal Government gives its consent for such action. Again the word "concurrent" is used in the Constitution itself in the very first article with reference to legislation, where it provides that all acts or resolutions of Congress requiring the concurrence of the two Houses shall be presented to the President for his signature and approval, the concurrence of the two Houses meaning, of course, in the sense of joint action. These provisions are contained in the Constitution itself, and therefore it was no new thing to insert in this proposed article which was to be submitted to the States a provision that there should be joint action on the part of both the Federal and the State Governments. There was, however, a supreme reason which induced the insertion in this particular article of the language to which I have referred. It was regarded as an elementary principle that all jurisdiction upon the question of the control or the prohibition of the manufacture and sale of intoxicating liquors previous to the adoption of the eighteenth amendment, outside of any war powers which might be exercised by the Congress, was vested in the several States, and that Congress, outside of any powers which it might have under the interstate-commerce clause, had no jurisdiction whatever of the question. Upon that question you will recall the specific provisions of one of the amendments to the Constitution that all powers not delegated to the Federal Government are reserved to the States.

Therefore it becomes, it seems to me, a very vital question to inquire what the real intention was in this change in the enforcement provision of this amendment to the Constitution. The enforcement of prohibitory legislation is something which reaches out into every State and into every school district and hamlet of the country. It meant that there would be legislation which would revolutionize in many sections of the country the social habits of the people and it meant that if this power were to be exercised to its fullest extent by the appointment of an unlimited number of Federal inspectors or agents it would be of such potential consequence in the exercise of it that it could be made a tremendous political engine throughout the length and breadth of the country which would reach into every school district of the country and obtain practical control of every doubtful congressional district in the country. It was in order that that situation might not arise, in order that the States should have some power left in control of the situation that this clause was inserted in this amendment, that the enforcement of it should be by the concurrent action of both the Federal and the State governments.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. STEELE. Yes.

Mr. MADDEN. Does that mean that if the State does not enact legislation by means of which it could undertake the enforcement of this provision the Federal jurisdiction for the enforcement would be complete, or does it mean that each must act before the jurisdiction is complete?

Mr. STEELE. My interpretation of this clause of the Constitution is that the word "concurrent" must be given its ordinary, usual, and accepted definition, that it means running together, joint, concurrent action, and that this action, in order to be complete under this provision of the Constitution, must be action not only of the Federal Government but of the State governments as well.

Mr. MADDEN. Mr. Chairman, will the gentleman yield further?

Mr. STEELE. Yes.

Mr. MADDEN. Suppose a State refuses to take action?

Mr. STEELE. If the State refuses to take action there is no action; but you can not presume that the State is going to fail in the fulfillment of its duties; but there must be agreement.

Mr. MADDEN. The question I wanted to ask and perhaps did not ask is whether if the people of a given State through their State authority did not choose to adopt the law for the enforcement of the provisions of the act we are about to pass, would it then be within the power of the Federal Government to exercise control within that State?

Mr. STEELE. My answer to that is this: There can not be two supreme legislative powers exercising at the same time upon the same object.

Mr. VOLSTEAD. Will the gentleman yield?

Mr. STEELE. In this case in ratifying this amendment, in placing it as part of the Constitution, we have seen fit to create two joint supreme powers, one the Federal Government and the other the State government. Both of those supreme powers must act before full effect can be given to the concurrent provision of the Constitution.

Mr. BLANTON. Will the gentleman yield right there for a question?

Mr. VENABLE. Will the gentleman yield?

Mr. STEELE. I yield to the gentleman from Mississippi.

Mr. VENABLE. Under the Federal statute is provided a penalty for the robbing of box cars and goods in interstate transportation and power is conferred upon the State courts to enforce that statute and inflict a penalty and confine the offender after conviction in a State penal institution. How would the gentleman square that statute with the contention that you can

not have two sovereignties acting upon an individual at the same time?

Mr. STEELE. The answer to that is simply this: You have in your State State laws operating upon certain objects. There can be both Federal and State legislation relating, for instance, to post offices or to the coinage, which may also be a penal offense under State laws.

Mr. VENABLE. That is not the case here, if the gentleman will pardon me. This is a case where the State courts and the State authorities are enforcing an act of Congress and a Federal statute. This is not a case where one act constitutes a breach of two laws. One law of the State and the other the law of the Federal Government. But this is a case where the State authority seizes the individual, takes him into the State court, tries him in a State tribunal, and sends him to a penal institution in the enforcement of a purely Federal statute.

Mr. STEELE. In that case the State court is simply the agent, you may say, of the Federal Government in the enforcement of a Federal law.

Mr. VENABLE. But I understood the gentleman's argument was that two sovereignties could not act upon an individual?

Mr. STEELE. The State did not enact the law in that case, it was simply enforcing the law. Only one sovereignty, the Federal Government, actually legislated.

Mr. BLANTON. Will the gentleman yield?

Mr. STEELE. My time is limited, but I yield.

Mr. BLANTON. The gentleman is aware of the concurrent jurisdiction existing in the United States court and in our State circuit courts with respect to granting citizenship papers to individuals. If the State court has acquired jurisdiction of naturalization cases it grants the citizenship papers. If the United States court has acquired jurisdiction they naturalize them. Does not that answer the gentleman's contention?

Mr. STEELE. No.

Mr. BLANTON. It is concurrent?

Mr. STEELE. It does not answer my contention at all. The gentleman has failed to perceive that both Federal and State courts in naturalization cases are simply enforcing a Federal law. The law of one sovereignty that has the right to legislate upon the question and the only sovereignty that can legislate upon naturalization is the Federal Government.

Mr. HOCH. Will the gentleman yield?

Mr. STEELE. I will.

Mr. HOCH. The gentleman has referred to the concurrent action. Now, this amendment provides that Congress and the States shall have concurrent power to enforce. Do I understand the gentleman to contend the phrase "concurrent power" to enforce amounts to the same thing as "concurrent action"? Does not this concurrent power simply mean power is concurrent or running together? It does not necessitate at all that the action must be concurrent. Is it not then a very plain distinction between concurrent action and concurrent power to enforce?

Mr. STEELE. I will answer the gentleman, and then I must ask to be allowed to proceed without interruption, because my time is limited. I say to the gentleman that the language of this clause of the constitutional amendment calls for concurrent power to enforce this article by appropriate legislation. The concurrent power to do what? To legislate. What is legislation? A rule of action by the supreme power, and that is what is contemplated here when the supreme power is the two sovereignties mentioned in this article. Now, I must be allowed to proceed, because my time is limited. Now, in this particular construction, and it is not a technical construction, because I am giving the ordinary and usual meaning to the word "concurrent." "Concurrent" is defined in the Century Dictionary as meaning "concurring or acting in conjunction; agreeing in the same act; contributing to the same event or effect; operating with; coincident; conjoined; joint; concomitant; coordinate; combined." In the Standard Dictionary it is defined as "meeting or joining at the same point; united in action or application; coordinate." Webster says it means the "act of concurring; meeting or coming together; union; conjunction."

Mr. VOLSTEAD. Will the gentleman yield?

Mr. STEELE. I want to be perfectly candid and state just what I believe those who are particularly espousing prohibition——

Mr. VOLSTEAD. Will the gentleman yield for a question?

Mr. STEELE. I will, if the gentleman will grant me additional time out of his time.

Mr. VOLSTEAD. I have not got the time; but I would like to call attention to what the lawyers say the word "concurrent" means, not the dictionaries——

Mr. STEELE. I can not yield. The gentleman can put that in his own time, of course. But I simply wish to state what the contention is on the other side in reference to this, and then, in the time which I have at hand, try to point out what I regard as the fallacy of that course of reasoning. In the hearings before the Judiciary Committee, Mr. Wheeler, who represented the Anti-Saloon League, presented an argument as to the proper interpretation of this second clause of the constitutional amendment. The gentleman from New York [Mr. HUSTED] asked him these questions:

Mr. HUSTED. Before you read that, in order to clarify the matter in my mind, at least, will you kindly state just what you understand the word "concurrent" to mean as used in the amendment? Do you understand it to be synonymous with "coexistent"?

Mr. WHEELER. I understand concurrent power to be "equal power" to carry out the purpose of the eighteenth amendment by the enactment of appropriate legislation, and if either unit of the Government fails to use its full power it will not prevent the other unit of Government from doing that which the first unit of Government had the power to do but failed to do.

Mr. HUSTED. Is there any authority for such a definition?

Mr. WHEELER. Concurrent power means equal power. The difficulty that had arisen from this provision comes from the use of the term in connection with concurrent jurisdiction and legislation.

And amplifying what he meant by equal power, Mr. Wheeler further said:

Each of these units of Government, the Federal and the State, will enact the laws for its own jurisdiction. They will be enforced by the officers of their own jurisdiction. To make the case concrete, suppose that Ohio should pass a law different from the Federal Code and Congress should pass a more stringent law than Ohio. So far as the Federal officers were concerned, they would enforce the Federal act all through Ohio; the State officers in Ohio would also enforce the State legislation that is enacted there. There would be a slight embarrassment for lawbreakers in this, that there would be two standards or laws; but that is true with legislation that we now have.

Now, that is the contention of those who are arguing for extreme action on the part of Congress. The contention is that it shall be equal and that in its final analysis the word "concurrent" must mean paramount, supreme, instead of what it ordinarily means, namely, concurrent—joint or cooperative. There can not be two equal supreme legislative powers acting upon the same object.

Now, it simply would mean this, that so far as the State power is concerned the Federal governmental agencies would come into each one of the several States, and no matter what the action of the State might be with reference to enforcement provisions, they would enforce the Federal law. For instance, Rhode Island has already passed an act providing for the manufacture and sale of liquors containing not more than 4 per cent of alcohol. Suppose that Congress here should pass this law which makes it a penal offense for anybody to manufacture or sell liquor containing more than one-half of 1 per cent of alcohol. Manifestly there would be, then, if that interpretation were to prevail, a contradiction between the Federal legislation and the State legislation. And if the equal-power theory were to prevail, then it would simply result in Federal agents, as stated by Mr. Wheeler, going into the State of Rhode Island and arresting everybody who might act upon the provisions of the Rhode Island State law. It would mean that they would be penalized under the Federal law for doing the very things which the State law had authorized them to do.

Now, is that a situation that is to be tolerated? Is it reasonable that Congress, in suggesting this constitutional amendment, is it reasonable to suppose that the people in ratifying it, meant by "concurrent power" that that condition of affairs should exist in every State of this Union? I do not believe it; neither do I think it is a reasonable or fair or proper interpretation, or an interpretation which the language used fairly bears and imports.

If that were to be done, it would simply mean that the Federal power would be supreme. What would be the necessity for any State action at all if in the difference between the State government and the Federal Government, the Federal Government should be supreme? What has become of the concurrent power that is mentioned in this article of the Constitution? It would be the same as if that provision had not been inserted.

Mr. DEWALT. May I interrupt the gentleman just a moment?

Mr. STEELE. Yes, sir.

Mr. DEWALT. Does not another article of the Constitution provide for concurrent action in regard to treaties?

Mr. STEELE. It does.

Mr. DEWALT. What is the meaning of the word "concurrent" there? And, reasoning from that standpoint, what is the reasoning in regard to this? I think that is the seventh article of the Constitution.

Mr. STEELE. Simply, as I recall the provision of the article, it authorizes the President to negotiate treaties, and, when ratified by two-thirds of the Senate, to become the supreme law of the land. There, again, joint action is required—the action of the Executive and action on the part of the Senate. It simply bears out what I said previously, that joint action is contemplated by a number of the provisions of the Constitution.

And while on that subject I may call the attention of the committee to another provision of the Constitution which contemplates joint action. In the provision with reference to——

Mr. DEWALT. "Joint resolutions" is another one.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. IGOE. I yield five minutes additional to the gentleman.

Mr. STEELE. In the provision with reference to the election of Senators and Representatives it provides that they shall be elected in accordance with the election laws of the States, but it also says that Congress may make and alter other laws with reference to the same subject, also contemplating joint action by the States and by Congress.

Now, I have just referred to the sixth article of the Constitution, which provides that all laws made in pursuance of this Constitution and all treaties made shall be the supreme law of the land, which has been referred to by numerous people with reference to the proper interpretation of this article. That says, "In pursuance of this Constitution"; and if it is not concurrent, it is not in pursuance of the Constitution. Again, a clause in a constitutional amendment, being the latest expressed will of the people, will prevail over a provision of the original instrument inconsistent with the amendment; and in this connection I wish to call your attention to several judicial interpretations of the word "concurrent" as used in legislation heretofore.

In my own State of Pennsylvania, where the Delaware River is the boundary line between Pennsylvania and New Jersey, immediately after the American Revolution a compact was entered into between the State of Pennsylvania and the State of New Jersey providing that both States should have concurrent jurisdiction over the waters of the Delaware River. The question came before the courts of New Jersey in two cases—one the Trenton City Bridge Co., in Thirteenth New Jersey, Equity Reports 46, and the other in the case of Attorney General against Railroad Co., Twenty-seventh New Jersey, Equity 627.

In both cases this court, one of the recognized courts of the country—recognized for ability—in passing upon the word "concurrent" with reference to the jurisdiction over the river held that required joint action, and that unless joint action was taken by the legislatures of both States it was invalid. In one case in particular an act was passed by the State of New Jersey and the State of Pennsylvania refused to concur in it, and the court of New Jersey finally held that the statute passed by New Jersey was a nullity.

Mr. SAUNDERS of Virginia. Mr. Chairman, may I ask the gentleman a question?

Mr. STEELE. If I have time. My time is very limited, and I want to finish if I can.

Mr. SAUNDERS of Virginia. I just wanted to ask what would be the gentleman's idea as to the practical working of this legislation under section 2 of the eighteenth amendment. Is it the gentleman's contention that in order to get effective action under that section Congress would have to pass an act and that act would have to be validated by all the States of the Union?

Mr. STEELE. It would not have to be validated by all the States of the Union, but in order to be effective in any State it would have to be concurred in by that particular State. It may be concurred in by 20 States or 25 States, and it may be refused to be concurred in by one other State, and in that particular State it would not apply.

Mr. SAUNDERS of Virginia. Then, under your theory, the action of Congress would not be operative?

Mr. STEELE. I say it means here joint action. It is a question of language, and I am giving you the meaning of the words and the interpretation of the courts.

Mr. SAUNDERS of Virginia. Take, for instance, the State of Virginia, and suppose Congress passed an act to enforce section 2, and Virginia does not pass such an act putting it into effect. Then it would not be valid in Virginia?

Mr. STEELE. That is correct.

Mr. SAUNDERS of Virginia. Then Virginia, in order to make it effective in Virginia, would have to validate the act of Congress?

Mr. STEELE. It would have to concur. The same principle was enunciated in the United States Circuit Court for the District of Oregon with reference to a compact entered into between the States of Oregon and Washington in reference to the Columbia River. There concurrent jurisdiction was also given, and in an early case, in Sixty-ninth Federal, page 535, which was cited with approval in Nelson *v.* Oregon (212 U. S., 315), the court held that inasmuch as the act of Congress admitting Oregon into the Union provided for concurrent jurisdiction on the Columbia River the word "concurrent" when applied to the jurisdiction of Oregon to enact penal laws for the Columbia River "can only mean the power to enact such criminal statutes as are agreed to or acquiesced in by the State of Washington or as are already in force within its jurisdiction."

Mr. SINNOTT. Mr. Chairman, will the gentleman yield?

Mr. STEELE. I regret I have not the time. If the gentleman from Minnesota [Mr. VOLSTEAD] will give me additional time, I will try to answer.

The court concluded its opinion in that case as follows:

It is clear, therefore, that this right in each State is not subject to control or regulation by the other unless there is mutual agreement to that end.

In Wedding *v.* Meyler (192 U. S., 573), under what is known as the Virginia compact and the act of Congress making Kentucky a State, the State of Indiana had concurrent jurisdiction with Kentucky on the Ohio River. The court said:

But so far as applicable we adopt the statement of Chief Justice Robertson in Arnold *v.* Shields (5 Dana, 18): "Jurisdiction unqualified, being as it is the sovereign authority to make, decide on, and execute laws, a concurrence of jurisdiction, therefore, must entitle Indiana to as much power, legislative, judicial, and executive, as that possessed by Kentucky over as much of the Ohio River as flows between them."

In Nelson *v.* Oregon (212 U. S., 315) a question again arose as to concurrent jurisdiction of the States of Oregon and Washington over the Columbia River, and it was held that one holding a purse-net license from the State of Washington could not be prosecuted for using such net on the Washington side of the Columbia River in the courts of Oregon for violating the statute of that State prohibiting the use of such nets.

The court said:

The plaintiff in error was within the limits of the State of Washington doing an act which that State in terms authorized and gave him a license to do. Can the State of Oregon, by virtue of its concurrent jurisdiction, disregard that authority, practically override the legislation of Washington, and punish a man for doing within the territorial limits of Washington an act which that State had especially authorized him to do? We are of opinion that it can not. It is not at all impossible that in some instances the interests of the two States may be different. Certainly, as appears in the present case, the opinion of the legislatures of the two States is different, and the one can not enforce its opinion against that of the other.

The fundamental purpose in construing a constitutional provision is to ascertain and give effect to the intent of the framers and the people who adopted it. It should not be technical, literal, or strict, but should aim to give effect to the purpose indicated by a fair interpretation of the language used. This purpose, however, must be gathered from the language of the instrument itself. The first resort in all cases is to the ordinary meaning of the words actually used. Application of this rule inevitably leads to the conclusion that joint action by Congress and the several States is necessary for enforcement legislation under the eighteenth amendment. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. STEELE. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. VOLSTEAD. Mr. Chairman, I yield 30 minutes to the gentleman from Michigan [Mr. CURRIE].

The CHAIRMAN. The gentleman from Michigan is recognized for 30 minutes.

Mr. CURRIE of Michigan. Mr. Chairman and gentlemen of the committee, I shall be barely able to cover this subject during the time allotted to me, and I must therefore request that I be not interrupted until I shall have concluded my statement. Then if I have the time I will very gladly yield for any questions that anyone may desire to ask.

This is one of the most important measures before Congress. It purports to answer the demand of a great Nation that has outlawed the traffic in intoxicating liquors. On December 18, 1917, the Sixty-fifth Congress submitted to the legislatures of the various States what has since become the eighteenth amendment to the Federal Constitution. Within 13 months three-fourths of the States had ratified. Forty-five out of the 48 have now ratified.

The eighteenth amendment reads:

SECTION 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States, and all territory subject to the jurisdiction thereof, for beverage purposes is hereby prohibited.

SEC. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Congress is charged with the task of enacting a code to enforce that amendment. The happiness and welfare of countless thousands throughout the land depend upon how ably Congress meets that duty and responsibility. We may differ as to the extent of our authority to legislate under the eighteenth amend-

ment, we may differ as to the wisdom of some features in this bill, but its purpose should command the support of every Member. It was a wise judge, speaking for the court in Goddard *v.* Jacksonville (15 Ill., 589), who said:

When we defend the sale of liquors * * * we draw our arguments from our appetites and not our reason, observation, and experience.

Whether or not we favored prohibition is no longer the question. It matters not what our personal views or prejudices may be. Our plain and paramount duty is to uphold the Constitution. We should enact a sane and sensible code. It will be neither sane nor sensible if it fails to take into consideration the nature of the business that has been outlawed and the characteristics and tendencies of those who will endeavor to thwart the Nation's will.

Justice McReynolds, in rendering the opinion in Crane *v.* Campbell (245 U. S., 304), referred to "the notorious difficulties always attendant upon efforts to suppress traffic in liquors."

The Supreme Court (137 U. S., 86) has characterized the liquor traffic as "a source of crime and misery to society." Courts take judicial notice of the general lawlessness of this business. Congress should also take notice that the liquor interests use every subterfuge to break down prohibition law and then boast of its failure. We must legislate with these matters fully in mind. [Applause.]

Constitutional prohibition will not become effective until January 16, 1920. The so-called war-time prohibition has, since September 8, 1917, prohibited the manufacture of distilled liquors, and since May 1, 1919, the manufacture of beer and wine. Under its provisions the sale of any intoxicating liquors for beverage purposes has been unlawful since June 30. The President has requested Congress to repeal this law. If it is not repealed or its terms suspended by the President, then Congress should provide for its enforcement by additional legislation.

Title 1 of the bill under consideration is submitted for that purpose.

In my judgment, Congress will never repeal war-time prohibition. It was a wise enactment. It is just as sensible and right to-day as it was on the 21st day of last November, when the President signed the bill. [Applause.] If Congress is to be criticized, it should be for waiting so long before acting in the first place. This delay was not occasioned by the House. In less than 60 days after we entered the war it passed a bill prohibiting the manufacture and sale of all intoxicating liquors. Upon the suggestion of the President, this bill was amended in the Senate so as to prohibit only the manufacture of distilled spirits. The President was authorized, in his discretion, to prohibit the manufacture of beer and other intoxicants. This act was approved on August 10, 1917, and contained the following language:

That from and after 30 days from date of the approval of this act no foods, fruits, food materials, or feeds shall be used in the production of distilled spirits for beverage purposes * * * whenever the President shall find that limitation, regulation, or prohibition of the use of foods, fruits, food materials, or feeds in the production of malt or vinous liquors for beverage purposes, or the reduction of the alcoholic content of any such malt or vinous liquor is essential in order to assure an adequate and continuous supply of food, or that the national security and defense will be subserved thereby, he is authorized from time to time to prescribe and give public notice of the extent of the limitation, regulation, prohibition, or reduction so necessitated.

Congress by that act outlawed the manufacture of whisky and distilled liquors, but President Wilson failed to use his authority and prohibit the manufacture of beer. His reluctance and failure to act then, when the Nation was at war, should not inspire any particular confidence in his recommendations now. In answer to righteous public sentiment, Congress took this matter in hand, and the Agricultural bill which became a law on November 21, 1918, contained this provision:

That after June 30, 1919, until the conclusion of the present war and thereafter until the termination of demobilization * * * it shall be unlawful to sell for beverage purposes any distilled spirits, and * * * no beer, wine, or other intoxicating malt or vinous liquor shall be sold for beverage purposes except for export.

In his message to Congress on May 20, 1919, the President said:

The demobilization of the military forces of the country has progressed to such a point that it seems to me entirely safe now to remove the ban upon the manufacture and sale of wines and beer, but I am advised that without further legislation I have not the legal authority to remove the restriction.

This advice was given at a time when we had in our Army 1,500,000 men. Our regular standing Army in peace times is 175,000. The President says it seems to him entirely safe to remove the ban because demobilization has progressed to such a point. Is there any reason for prohibition during demobilization? Congress so declared, and even the President does not deny. If we owed it to any of our soldier boys and their loved ones back home from whom we called them to remove the liquor curse during their demobilization, then we owe it to the million yet to be demobilized to extend them the same protection.

This so-called war-time prohibition was never intended to cover only the period of the war. The exact language of the act is:

Until the conclusion of the present war and thereafter until the termination of demobilization.

Our language was plain. We did not deceive the brewers, saloon keepers, or anyone else. Demobilization has not terminated, and until then the President has no moral or legal right to throw down the bars to the liquor interests of the country. [Applause.]

For many days the Committee on the Judiciary has held hearings upon measures relating to the liquor traffic. No brewers or distillers appeared before the committee. Are they no longer interested? Where are the powerful brewers who lobbied with us a few months ago? I will tell you. It has become common knowledge that brewers were the sustaining force behind the ill-famed German-American Alliance. Brewers met with agents of the Kaiser and for mutual protection planned to purchase great American newspapers. They were ready to assist the Kaiser in spreading his lying propaganda if in the same columns their own unholy cause might be pleaded. They stand discredited before the country, and that is the reason why they are not here protesting against this legislation. [Applause.]

Organized labor furnished nearly all the witnesses who urged the repeal of war-time prohibition. They also demanded that we make constitutional prohibition a farce by declaring 2¾ per cent beer nonintoxicating. Much of this testimony before the committee seemed manufactured for the purpose. Colorado, for instance, has had prohibition for over three years, yet its labor representatives appeared to tell us that they object to our taking away the booze that their own State deprived them of several years before. Indiana is dry, yet its labor leaders entered a similar protest. I am proud to say that no Michigan labor representative appeared to protest, and in view of Michigan's overwhelming vote in April, 1919, against even beer and wine, I assumed that no one would have the audacity to say that Michigan's workingmen are opposed to prohibition.

Now, Mr. Gompers has spoken. He filed with the Senate Judiciary Committee and published throughout the country a base and slanderous charge against the citizens of Michigan. Gompers states that while the reds made a desperate but unsuccessful effort to gain foothold in Detroit prior to May 1, 1918, when prohibition became effective, that now, because of prohibition, Detroit has become a hotbed of anarchy and Bolshevism. His ridiculous statement insults our intelligence. Reds and radicals stand for crime. Their favorite rendezvous is the saloon. On April 15, 1918, I took occasion to call to the attention of this House that reds and disloyalists were actively interfering with Detroit's great war industries. The saloons were then running full blast. The record of arrests at Detroit during this wet era compared with Detroit's record as the largest prohibition city in the world conclusively answers Mr. Gompers's statement. [Applause.]

Statistics indicate that arrests for crimes and misdemeanors for the dry year ending May 1, 1919, over the preceding wet year decreased as follows:

Murder, 71 per cent; felonious assault, 58 per cent; carrying concealed weapons, 66 per cent; robbery, 67 per cent; disturbing peace, 52 per cent; disorderly charges, 93 per cent; vagrancy, 86 per cent; begging, 92 per cent; and a total of 26,140 less misdemeanors.

[Applause.]

Mayor James Cousens, replying to Gompers's charges, telegraphed me:

No evidence on either May 1 or July 4 celebrations that Detroit is overrun with Bolshevists. We have had no disturbances and no evidence that what Mr. Gompers says is correct and can find no evidence of discontent as a result of prohibition.

[Applause.]

When I hear these wet leaders tell how labor is opposed to prohibition, I often wonder why they refer to labor in such a restricted sense. Why do they exclude millions of laborers who refrain from joining the union because they fear some walking boss or labor agitator may force them into a sympathetic strike and idleness, even though their employer and employment be satisfactory in every way? Why do they ignore thousands of patriotic, intelligent union men who vigorously oppose liquor traffic? Why do they exclude the farmer in the fields, who works from early morn until late each day? He works longer hours and toils more than any other people. Upon his efforts we depend for the food necessary to life itself. To his credit and everlasting glory it can truthfully be said that the farmer stands for highest ideals and has made possible the success of the prohibition cause.

I am unwilling to believe that Mr. Gompers and the witnesses before our committee expressed labor's views upon prohibition. Nor was the wet parade, staged upon the Capitol steps to frighten and intimidate Congress, typical of American workingmen. The foreign element who have not yet assimilated American habits were much in evidence. [Applause.] The labor leaders told us that these people coming here from eastern Europe considered that we were taking away their rights and that prohibition would cause great unrest. Some hinted that it might drive certain elements of labor to the Bolshevists. Will prohibition cause unrest and violence among otherwise law-abiding people? The contention is absurd. When we have labor unrest and violent strikes, we close the saloons. We took liquor away from the Indians because of their natural unrest and the tendency of liquor to incite irrational and violent conduct. If these alarmists could scare and stampede Congress into meeting their demands now, what would they do next January when the Constitution of their country forbids the traffic in intoxicating liquors? Will it cause any less unrest in January than it causes in July? Congress must decide now whether its policy shall be to heed those who threaten, or shall it write upon the statute books in clear and certain language that no interference with the Constitution of the United States and the manifested will of its people is going to be tolerated? [Applause.]

The Committee on the Judiciary concluded after much deliberation that the enforcement code for war-time prohibition should be placed under a different title, and thereby separated from the code for constitutional prohibition. Many believed that the constitutional amendment would permit of more drastic provisions for its enforcement than would the language used in the war-time prohibition act. Congress has no inherent power to legislate upon the subject of liquor traffic. Its action must be predicated either upon the Constitution or its war powers. The eighteenth amendment does not prohibit until January, 1920. War-time prohibition enacted under the war powers of Congress prohibits the manufacture and sale of intoxicating liquors, but expressly provides for their exportation. The Constitution prohibits the manufacture, sale, transportation, importation, and exportation of intoxicating liquors.

The submission and ratification of constitutional prohibition in the United States represents the culmination of the greatest moral movement recorded in centuries. How we can best enforce this amendment is worthy of our highest consideration and our best effort. The committee submits title 2 of the present bill for that purpose.

Certain legal propositions are naturally, if not necessarily, encountered. Section 2 of the eighteenth amendment provides that "Congress and the several States shall have concurrent power to enforce this article by appropriate legislation." What is meant by concurrent power? Must the legislatures of the States and the Congress of the United States act in conjunction and only to an equal extent? Or does the word "concurrent" as it appears in this section denote coextensive and equal power? The distinguished gentleman from Pennsylvania [Mr. STEELE], who has just preceded me, insists that the legislatures of the States and the Congress of the United States must act together in enacting enforcement legislation, but I submit that the words "concurrent power" require nothing of the kind. One of the primary rules for the construction of statutes and constitutional amendments is that the court shall give to them the most reasonable construction. No one will contend that it would be reasonable to expect that the States and the Federal Government would or could act in conjunction and to an equal degree. To place such a construction upon this section would be to absolutely defeat its purpose. However, to construe the grant of concurrent power as conferring equal right and jurisdiction upon the State and Federal Governments to enforce by appropriate legislation the eighteenth amendment is not only reasonable and just but practicable in application. Notwithstanding the views expressed in the minority report—and I have the very highest regard for the gentlemen who have signed that report, for I know them well, and they are men of great capability—I have not the slightest doubt as to the opinion of the Supreme Court when this question has been presented.

Referring to the grant of "concurrent power," the gentlemen joining in the minority report inquire, "What was intended by the Congress and the people who ratified the amendment in using the qualifying phrase mentioned?" They would have us believe that neither the legislatures of the States nor the Congress of the United States can act by itself in the enactment of enforcement legislation. They tell us that State and Nation must act in conjunction, and the gentleman from Pennsylvania [Mr. STEELE] has just told us that even an act of Congress will not be effective in any State until the legislature of that State has consented thereto. They inquire as to what was intended by Congress and the people who ratified the amendment by using the words "concurrent power." I will tell these perplexed and distinguished gentlemen just what Congress meant and what the people had a right to understand it as meaning. Every gentleman who signed that minority report was in this very House on December 17, 1917, when this identical resolution was passed. They heard the gentleman from North Carolina [Mr. WEBB], then chairman of the Judiciary Committee, tell Congress and the country why this section 2 had been added. At page 423, volume 56, part 1, CONGRESSIONAL RECORD, Mr. WEBB said:

> The first amendment adopted in the Judiciary Committee was the new section 2. As it passed the Senate it provided that "Congress" should have the power to enforce this article by appropriate legislation. Most of the members, including myself, of the Judiciary Committee, both wet and dry, felt that there ought to be a reservation to the State also of power to enforce their prohibition laws. And therefore we amended the resolution by providing that the Congress "and the several States" shall have "concurrent" power to enforce this article by appropriate legislation. So the amendment reads:
>
> "The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation."
>
> I believe, regardless of our division on the dry and wet question, every Member will agree with us that this is a wise and proper amendment. Nobody desires that the Federal Congress shall take away from the various States the right to enforce the prohibition laws of those States.

The Chairman of the Judiciary Committee thus plainly stated that the purpose of this amendment was to reserve to the States the power and privilege of prohibiting within their boundaries the traffic in intoxicating liquors. Did any gentleman who today questions this construction arise in his place and suggest that this amendment would not bear the construction given it by the gentleman from North Carolina? No; they wait until it has become the fundamental law of the land and then ingeniously argue that Congress and the people must have had in mind some strange notions that were probably not even conceived by those who now suggest them until within the past few days.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. CURRIE of Michigan. I wish the gentleman would refrain until I have concluded my statement.

Mr. GARD. Mr. Chairman, would the gentleman permit me to interrupt to ask him a question?

Mr. CURRIE of Michigan. I hope the gentleman will not interrupt me until I have finished my statement. If I am given time, I shall be glad to answer the gentleman from Ohio and the gentleman from Illinois, for I think I can.

Can it be conceived that over 30 prohibition States have enthusiastically joined in a movement to divest themselves of the right to prohibit liquor traffic within their own borders and have willingly substituted a farcical proposition requiring the consent of Congress before they can enact any prohibitory law? That is just what these gentlemen would have you believe, for they say in their report:

> Just as in the tenth section of article 1 the States are prohibited from legislating without the consent of Congress, so here joint or concurrent legislation is necessary for the enactment of proper enforcement legislation.

It is the identical argument of the gentleman who has preceded me. And what about the enforcement of prohibition in the wet State? If their construction is sound, Congress will have no right to make its enactment operative until the legislature of that wet State concurs in the action of Congress.

But we are confronted with a further query as to the effect of this reservation to the States of concurrent power to enforce the eighteenth amendment. If Congress adopts the definition of intoxicating liquors as provided in this measure and prohibits intoxicants containing one-half of 1 per cent or more of alcohol by volume, and New York, for instance, in legislating upon this same subject should define intoxicating liquors as those containing more than 2¾ per cent of alcohol by volume, which law will govern? Will the ordinary rule that the Federal Constitution and laws take precedence over State enactments control in this case or is this rule defeated by the very terms of section 2, which reserves to the State equal and concurrent power with that to be exercised by the Congress? It will be ably contended here that, notwithstanding the concurrent power reserved by the States, an act of Congress will take precedence and supersede any State law which may be in conflict therewith. This contention is based upon subdivision 2, article 6, of the Constitution of the United States, which reads:

> This Constitution and laws of the United States * * * shall be the supreme law of the land, and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CURRIE of Michigan. Mr. Chairman, I desire to ask the chairman if he can yield me 15 additional minutes?

Mr. VOLSTEAD. I yield the gentleman 10 minutes.

Mr. GARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GARD. How much time was the gentleman recognized for in the first instance?

The CHAIRMAN. The gentleman from Michigan was recognized for 30 minutes and is now recognized for 10 additional minutes.

Mr. CURRIE of Michigan. In my judgment it is unnecessary for us to decide this question for the reason that no conflict can arise between the Federal and State acts. This constitutional amendment is the fundamental law of the land. Congress and the State legislatures have full power to enforce its provisions. Either body may exercise that authority to its full limit or fall short thereof to any degree that its legislative wisdom directs.

Mr. LONGWORTH. Will the gentleman yield at that point?

Mr. CURRIE of Michigan. I should prefer if the gentleman will just permit me to finish this——

Mr. LONGWORTH. But it is connected with that point. I merely wanted the gentleman's judgment as to whether the power of Congress is supreme to define what is and what is not intoxicating.

Mr. CURRIE of Michigan. I will answer the gentleman later.

It is preposterous to assert that the States have divested themselves of their inherent police power over the subject of liquor traffic. Even the minority dare not assert this proposition. In order to warrant their conclusion that Congress can not broaden the construction of the eighteenth amendment, they find it necessary to claim that the Federal Government has been granted no general police power. They admit then that general police power was retained by the State. It is not necessary, therefore, that a State, legislating to suppress the traffic in intoxicating liquors, predicate its action upon this constitutional amendment. It need not say that it has legislated to enforce the eighteenth amendment. Its general police power gives it plenary authority to deal with this subject.

Congress in 1884 prohibited the transportation between States of live stock which had or might have infectious or contagious diseases.

Reid *v.* Colorado (189 U. S., 137) sustains the constitutionality of this act of Congress and also the constitutionality of a Colorado statute supplementing the Federal act and providing far more stringent provisions. In this particular case the shipper had complied with provisions of the Federal act. Justice Harlan said:

> Now it is said that defendant has a right under the Constitution of the United States to ship live stock from one State into another. This will be conceded on all hands, but the defendant is not given by that instrument the right to introduce into a State, against its will, live stock affected by a contagious, infectious, or communicable disease, and whose presence in the State will or may be injurious to its domestic animals.

Congress had acted upon this subject matter by virtue of its power to regulate commerce. Colorado likewise had legislated upon this subject matter under its police powers; yet notwithstanding the more stringent provisions of the State law the constitutionality of both acts was sustained. They were not in conflict even though one legislative body had gone much further than had the other.

Mr. SEIGEL. Will the gentleman yield?

Mr. CURRIE of Michigan. I have not the time; I am very sorry.

Assuming that a legislative body has the right to define intoxicating liquors as those containing in excess of one-half of 1 per cent of alcohol, then Congress may exercise its power and so define "intoxicating liquors." New York may not choose to exercise its full authority and be content to prohibit only those liquors which contain in excess of 2¾ per cent of alcohol. These statutes are not necessarily in conflict. One who traffics in liquor in New York may not violate his State law, yet he may violate the Federal law. He may violate both laws by the same act.

> Every citizen of the United States is also a citizen of some other State or Territory, and he may be liable to punishment for infraction of the laws of either. The same act may be an offense or transgression of the laws of both; that either or both may, if they see fit, punish such offender can not be doubted. Yet it can not be truly averred that the offender has been twice punished for the same offense. (14 How., 13; see also 100 U. S. Rep., 371.)

In McKinley *v.* Loudon (209 Fed., 307) the court said:

> It is no defense to a prosecution for a violation of the antitrust laws of a State that the accused by the same general course of conduct has also violated the similar laws of the United States or, indeed, has been punished therefor.

Now I come to the proposition propounded by the gentleman from Ohio [Mr. LONGWORTH]. The gentleman asks whether or not Congress has any right, under that constitutional provision, to define the meaning of the words "intoxicating liquors."

Mr. LONGWORTH. If the gentleman will pardon me, I did not say "any right"; I said "complete power."

Mr. CURRIE of Michigan. Congress has the right just as fully as the State, and I would say it has complete power.

Mr. LONGWORTH. Does the gentleman contend that the court would not have the right to determine the question of fact?

Mr. CURRIE of Michigan. I contend, and I will try to convince the gentleman as I proceed with my argument, that Congress has complete power to define the meaning of the words "intoxicating liquors," and when Congress exercises that power of definition it is no longer a question of fact for the courts.

It is contended by the minority report that Congress has no authority to define intoxicating liquors; that in the enforcement code our power is limited to a repetition of the language used in the Constitution. If Congress has not the power to define "intoxicating liquors," then it must be left as a question of fact for every court and jury in the land. There can be no uniformity nor certainty. The temptation to traffic in liquors on the border line of doubt would be tantamount to an invitation. That the uncertainty as to what is intoxicating will be used by the liquor interests as an excuse for lawlessness requires no argument since July 1. There can be no proper enforcement of prohibition unless Congress defines the term "intoxicating liquors." The necessity of definition brings the act of defining clearly within the meaning of "appropriate legislation."

The right to define the power conferred upon it by the Constitution has been exercised by Congress time after time, and its exercise sustained by the Supreme Court. The courts will recognize that Congress is legislating with reference to the most lawless and scheming traffic with which the Government deals.

In the Legal Tender cases (110 U. S., 241) the Supreme Court said that the Constitution was "intended to endure for ages, and to be adapted to the various crises of human affairs, and not to be interpreted with the strictness of a private contract."

Chief Justice White, in rendering the opinion sustaining the Webb-Kenyon law, said (242 U. S., 332):

> The fact that regulations of liquor have been upheld in numberless instances which would have been repugnant to the great guaranties of the Constitution but for the enlarged right possessed by Government to regulate liquor has never, that we are aware of, been taken as affording the basis for the thought that Government might exert an enlarged power as to the subjects to which, under the constitutional guaranties, such enlarged power could not be applied. In other words, the exceptional nature of the subject here regulated is the basis upon which the exceptional power exerted must rest, and affords no ground for any fear that such power may be constitutionally extended to things which it may not, consistently with the guaranties of the Constitution, embrace.

Justice McReynolds, in rendering the opinion in Crane against Campbell (245 U. S., 304), said:

> And considering the notorious difficulties always attendant upon efforts to suppress traffic in liquors, we are unable to say that the challenged inhibition of their possession was arbitrary and unreasonable or without proper relation to the legitimate legislative purpose.

These opinions from the Supreme Court of the United States are submitted to answer the argument of the minority that Congress must confine itself to the exact language of the Constitution, and that its authority to legislate can not be broadened by any implied power.

I now call upon my distinguished friend from Pennsylvania [Mr. STEELE], for whose ability I have the greatest respect, to bear witness to the correctness of my views upon this proposition. On this very floor, December 17, 1917, the gentleman from Pennsylvania ably contended for this doctrine.

At page 445, volume 56, part 1, CONGRESSIONAL RECORD, Mr. STEELE said:

> The Constitution used general terms, and whatever is prudent and proper and necessary to carry out those general and expressed powers are within the powers of Congress. The general power that has been conferred includes in it all that is necessary or proper to make it effective. Here is what Justice Story says upon this subject:
>
> "The Constitution unavoidably deals in general language. It did not suit the purposes of the people in framing this great charter of our liberties to provide for minute specifications of its powers or to declare the means by which those powers should be carried into execution. It was foreseen that it would be a perilous and difficult if not an impracticable task. The instrument was not intended to provide merely for the exigencies of a few years, but was to endure for a long lapse of ages, the events of which were locked up in the inscrutable purposes of Providence. It could not be foreseen what new changes and modifications of power might be indispensable to effectuate the general objects of the charter, and restrictions and specification which at the present might seem salutary might in the end prove the overthrow of the system itself. Hence its powers are expressed in general terms, leaving the legislature from time to time to adopt its own means to effectuate legitimate objects and to mold and model the exercise of its powers as its own wisdom and the public interests should require."

Now, says Mr. STEELE:

> When the Constitution further declared that Congress should have the power to pass all necessary and proper legislation for carrying into execution this power, of course it conferred upon Congress the discretion in the first instance of deciding what was necessary and proper. Hence this term "necessary and proper," as conferred in this general power, has been repeatedly passed upon by the Supreme Court, and I will only refer to what is regarded as the classic definition of this

power as used by Chief Justice Marshall in McCullough against Maryland, where he said: "The determination of what are appropriate means"—

He declared—

"belongs to the government which is to employ them. The Government, which has a right to do an act and has imposed on it the duty of performing that act, must, according to the dictates of reason, be allowed to select the means."

Aside from this proposition, it has been urged that Congress has no right in any event to define intoxicating liquors to include beverages that may not, in fact, be intoxicating. This measure asserts the authority of Congress to define intoxicating liquors. It asserts the authority of Congress to prohibit the traffic in liquors that may, in fact, be nonintoxicating to the average person. Both propositions are based upon sound reason and sustained in theory by decisions of the Supreme Court of the United States.

It has been urged that the Federal Government has no police powers under which its jurisdiction over the subject matter may be broadened. This proposition is based upon the earlier decisions, and even these admitted of some exceptions. For instance, in Reeves *v.* Corning (U. S., 51 Fed., 774) the court said:

The police power originally and inherently belongs to the States, and it will remain with them unless impliedly taken away by a fair construction of the Constitution and the laws enacted in pursuance thereof.

Police power belongs to the several States and not to the Federal Government, save in exceptional cases. (State *v.* Schlenker, 84 N. W., 598; 51 L. R. A., 347.)

What is meant by "police power" is quite generally understood, but with difficulty defined. Justice Greer in the License cases (46 U. S., 504) said:

Without attempting to define what are the peculiar subjects or limits of this power it may safely be affirmed that every law for the restriction or punishment of crime for the preservation of the public peace, health, and morals must come within this category.

The court in State *v.* Fitzpatrick (11 Atl., 757) said:

The police power is exercised in legislation designed to protect public health and morals, to punish and prevent crime, to alleviate and prevent pauperism and especially to diminish and prevent the demoralization and impoverishment and the number of vices and miseries which are usually concomitant of a free traffic in intoxicating liquors.

While the courts have been reluctant to expressly say that the Federal Government has police powers, the tendency of the courts has been to concede to the Federal Government the exercise of police power with relation to those subject matters over which the Federal Government has the power to legislate. Congress has time and again asserted its right to exercise police powers. Its enactment of legislation upon the white-slave traffic, food regulations, quarantine and immigration restrictions, the Webb-Kenyon Act, and various other measures have all asserted the right of Congress to exercise police power. These acts have been sustained by the Supreme Court of the United States, not upon the express ground that the Federal Government possesses any police power, but because the eighth section, Article I, of the Constitution provides that the powers granted may be enforced by any legislation "necessary and proper," and because Congress has implied authority to enact any legislation having a reasonable relation to the object sought. This contention was sustained in the case of the United States *v.* Hoke (227 U. S., 309), and the court used these words:

Congress may adopt not only the necessary but the convenient means necessary to exercise its power over a subject completely within its power, and such means may have the quality of police regulations.

In the Rahrer case (140 U. S., 345) it was said in sustaining the Wilson Act that the act was—

Enacted in the exercise of its police powers and is constitutional and valid.

In a very recent case, United States *v.* Doremus, decided on March 3, 1919, the Supreme Court sustained an act of Congress, which was in effect a police regulation relative to the sale of certain drugs. Its validity was sustained because Congress had the power to enact any legislation having a reasonable relation to the object authorized under express powers delegated to the Federal Government.

The State of Mississippi, in its effort to suppress traffic in intoxicating liquors, made it unlawful to manufacture "poinsetta," which contained no alcohol whatsoever. It was contended that the legislature was not within the exercise of its police power in enacting this law. The Supreme Court of the United States, in the case of Purity Extract Co. *v.* Lynch (226 U. S., 192), sustained the constitutionality of that statute not because it came within the police power of the State, but because the legislature deemed that law necessary to make effective its own lawful act—prohibition of the traffic in intoxicating liquors. The court said:

When a State exercising its recognized authority undertakes to suppress what it is free to regard as a public evil it may adopt such measures having reasonable relation to that end as it may deem necessary in order to make its action effective. It does not follow that because a transaction separately considered is innocuous it may not be included in a prohibition, the scope of which is regarded as essential in the legislative judgment to accomplish a purpose within the admitted power of the Government.

It is reasonable to suppose, in view of these adjudications, that Congress has the power in prohibiting the liquor traffic to go beyond the exact language of the Constitution and to do those things that have a reasonable relation to the legitimate object sought or, exactly what the Supreme Court upheld in United States against Hoke, supra, adopting means necessary or convenient having the quality of police regulations in order to accomplish a lawful result.

In United States *v.* 43 Gallons of Whisky (93 U. S., 188) the Supreme Court said:

Congress, under its constitutional power to regulate commerce with the Indian tribes, may not only prohibit the unlicensed introduction and sale of spirituous liquors in the "Indian country," but may extend such prohibition to territory in proximity to that occupied by the Indians.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CURRIE of Michigan. I ask for three minutes more.

Mr. VOLSTEAD. I yield three minutes more to the gentleman.

Mr. CURRIE of Michigan. I thank you.

Mr. VENABLE. Will the gentleman yield?

Mr. CURRIE of Michigan. I will not have the time. I trust the gentleman will pardon me.

It is comforting, in the consideration of this measure, for us to be able to remove this question beyond the possibility of a doubt. The Supreme Court has upon many occasions upheld the exercise of a similar power as inferred or implied from the express grant. In this case the express power is conferred upon Congress to enact appropriate legislation to enforce national prohibition. It is unnecessary for Congress to enter upon any field of doubt as to its implied authority. The States have delegated to Congress equal power and jurisdiction to deal with this subject matter. Congress has every right possessed by the States to enact appropriate legislation to make effective the eighteenth amendment to the Constitution. For its guidance it is proper and in the interest of public policy for Congress to observe the legislation that the several prohibition States have found necessary or convenient to curb the traffic in intoxicating liquors.

The statutes of over 30 States define intoxicating liquors in substantially the language used in this bill. The Supreme Court of the United States has sustained the States in defining intoxicating liquors to include even those that are nonintoxicating, not by reason of any police power exercised by the States, but because the Supreme Court has recognized that the nature of the business with which we are dealing makes it necessary sometimes to prohibit even innocent acts in order to make effective the legitimate object sought.

The Supreme Court (83 Ohio, 58), in deciding whether or not beer containing four-tenths of 1 per cent alcohol was intoxicating, said:

The legislature may have heard of Bishop's beer, Friedon beer, and later of near beer, and concluded that the enforcement of the will of the majority should not be defeated by subterfuge or the juggling in percentages of alcohol, and has said that for the purpose of carrying out the intention of the people to prohibit the sale of intoxicating liquors, certain beverages shall be legally considered intoxicating, although not so in fact; and malt liquor is one of those so designated. "Near beer" being a malt liquor the statute pronounces it an intoxicating liquor and made proof of its real intoxicating qualities unnecessary.

In Feibelman *v.* State (130 Ala., 112) the court, passing upon a statute prohibiting a nonintoxicating malt liquor called "hopjack," said in sustaining its constitutionality:

But if prohibition should go only to the sale of intoxicating malt liquors, there would be left open such opportunities for evasions and there would arise such difficulties of proof as the law could not be effectively executed.

As to the definition of "intoxicating liquors," it is proper to consider that the Federal Government has for years imposed a tax upon all alcoholic liquors containing one-half of 1 per cent or more of alcohol. The Federal Government has thus recognized this distinction between intoxicating and nonintoxicating liquors.

Subdivision B, section 14 of Treasury Decisions, 2788 (Commissioner of Internal Revenue), reads:

Within the intent of the act of November 21, 1918, a beverage containing one-half of 1 per cent or more of alcohol by volume will be regarded as intoxicating.

In conclusion, let me express the opinion that Congress has ample authority in every way to make effective national prohibition. There is not a single obstacle in our way. The Nation has outlawed the traffic in intoxicating liquors. The weak as well as the strong are entitled to the benefits of this constitutional guaranty. The responsibility now rests with Congress. I am confident that Congress will go forward with this task to

its full accomplishment. The lawless must not be permitted to nullify the Constitution because of any failure on our part to provide a suitable code for its enforcement. We must insist that the Constitution be sustained and the law enforced and, in the language of the immortal Lincoln—

> Let reverence for the laws be * * * proclaimed in legislative halls and enforced in courts of justice, and in short, let it become the political religion of the Nation.

[Applause.]

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. IGOE. Mr. Chairman, I yield 15 minutes to the gentleman from Missouri [Mr. NEWTON].

The CHAIRMAN. The gentleman from Missouri is recognized for 15 minutes.

Mr. NEWTON of Missouri. Mr. Chairman, I have never in my life attempted to discuss the question of prohibition, and being a new Member of this House, if I believed that the provisions of this law were calculated in good faith to carry out the provisions of the eighteenth amendment to our Constitution, I would not attempt to discuss it now. But the provisions of this bill extend far beyond the most drastic construction which can be given to that amendment.

The gentleman from Minnesota [Mr. VOLSTEAD], in his opening argument in support of this bill, declared that this Congress ought in good faith to carry out the provisions of the eighteenth amendment. The eighteenth amendment provides:

> The manufacture, sale, and transportation of intoxicating liquors for beverage purposes is hereby prohibited.

And I find that the distinguished gentlemen who are advocating this bill are devoting the great burden of their arguments to an effort to convince Congress that a beverage containing one-half of 1 per cent of alcohol was intended to be included in that language. If Congress intended to include the mild and nonintoxicating wines and beverages when it passed the resolution containing the eighteenth amendment, then why did it not say so? If it intended to prohibit nonintoxicating wines and beverages instead of "intoxicating liquors," then why did it write into the resolution the words, "The manufacture, sale, and transportation of 'intoxicating liquors' in the United States is hereby prohibited"?

If Congress intended to include mild wines and beers that are not intoxicating and intended to be fair with the great mass of the American people, then why did it not write into that constitutional amendment the provision, "All liquors, wines and beverages containing one-half of 1 per cent of alcohol or more are hereby prohibited," and give the American people the chance to know what Congress was about to do and what it intended to do?

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Missouri. Yes.

Mr. COOPER. Does the gentleman contend that 2¾ per cent of alcohol is not intoxicating?

Mr. NEWTON of Missouri. I contend that I am not prepared to tell, and you are not prepared to tell, and it is a matter which only the courts of this country are prepared to decide. [Applause.]

Mr. COOPER. Why is it, then, that the prohibition States do not permit it if it is not intoxicating?

Mr. NEWTON of Missouri. Are you afraid to trust the courts of this country on that question?

Mr. COOPER. It is a fact that prohibition States do not permit beer with 2¾ per cent alcohol.

Mr. NEWTON of Missouri. The gentleman from Ohio has not answered my question. He knows, and every man on this floor knows, that this Congress has no right to do anything except as it has authority from the Constitution of the United States. Its powers are limited to the provisions of that Constitution. If we want to deal fairly with the American people, why do we not follow the provisions of the eighteenth amendment and strike out the first section of this bill, which attempts to define as intoxicating liquor something which is not intoxicating, and let the courts of this country determine what is intoxicating liquor? They are equipped to do that.

We undertake to say in this bill that for the purposes of this law any beverage containing one-half of 1 per cent of alcohol is intoxicating. There is no evidence to show that such is a fact, and every reasonable man knows that is not the fact. If this Congress has the right to reach out beyond the provisions of the eighteenth amendment and take the mild wines and beverages which are not intoxicating away from the family in the home; if this Congress has the right to define for the courts the term "intoxicating liquors," then the next Congress has just as much right to pass a law saying that any beverage containing 50 per cent of alcohol or less is not intoxicating and thus throw down the bars in the face of the Constitution. It takes a law to enforce an amendment, and when there is no law to punish for selling a liquor containing 50 per cent of alcohol or less that portion of the amendment becomes ineffective.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Missouri. Yes.

Mr. BLANTON. Where a legislative body attempts to provide a punishment for a crime such as murder or burglary or arson, is it not proper that the legislative body should at the same time state what are the ingredients that constitute the offense?

Mr. NEWTON of Missouri. And we are providing the offense for the sale of "intoxicating liquor."

Mr. BLANTON. And you must tell what intoxicating liquor is.

Mr. NEWTON of Missouri. Do you undertake in the law to define all the varieties of evidence which may constitute burglary?

Mr. BLANTON. We insert the ingredients of the crime.

Mr. NEWTON of Missouri. But are you afraid of the courts? You know that one-half of 1 per cent alcohol is not intoxicating. Are you afraid to trust the courts to pass upon that question?

Mr. BLANTON. No; I am not afraid.

Mr. NEWTON of Missouri. If you are not afraid to trust the courts of this country, why do you attempt to dictate to them what their decision shall be?

Mr. BLANTON. Because otherwise you would have a court in New York holding one thing and another court in Illinois holding another thing, and another court in Florida holding a still different thing. Therefore it is necessary to give a proper guard to the court in order to produce uniformity.

Mr. NEWTON of Missouri. And the Supreme Court of the United States would then decide it for all the courts in the land.

The fallacy of this method of determining the question of what constitutes "intoxicating liquors" was demonstrated yesterday. The gentleman from Minnesota came in with a delightful story about a seance he had down here with a pharmacopœia in some drug store. He gave us the details of the beautiful theories which he worked out about how much alcohol he could find in 100 glasses of beer. I do not think that a prohibitionist like the distinguished gentleman from Minnesota knows anything about what is intoxicating. We ought to have a court or tribunal, qualified and equipped with the necessary machinery to investigate and determine questions of fact, and to decide what kind of liquor or beverage is in fact intoxicating. Our system of government never intended that the legislatures should go into and thrash out and decide such questions of fact.

I will tell you what you are doing by this bill: When you undertake by an act of Congress to define the term "intoxicating liquors" you make it a political question for all time to come. [Applause.]

I have heard it charged that the distinguished gentleman from Minnesota [Mr. VOLSTEAD] did not draw the bill; that it was drawn by the attorney for the Antisaloon League.

Mr. BLANTON. And it could not have been drawn by a better authority in the land. [Applause.]

Mr. NEWTON of Missouri. I agree with the gentleman from Texas to this extent, that he could never have made a better plan to make a perpetual job for himself as attorney for that league. The very minute you pass to the courts the question of determining what constitutes "intoxicating liquors" you end for all time the political side of this question. But when you leave with Congress the power to decide this question you make it a political question which will be an issue in every campaign, and the Antisaloon League and its attorneys will go on and flourish forever.

Mr. BLANTON. When we pass this bill the Antisaloon League will go out of business.

Mr. DYER. I make the point of order against the gentleman from Texas. He ought to know the rules of the House.

Mr. BLANTON. The gentleman who has the floor is not objecting. It is somebody else who is objecting.

Mr. DYER. The gentleman knows the proper procedure.

Mr. BLANTON. The gentleman who has the floor has not made any protest.

The CHAIRMAN (Mr. DENISON). The point of order is sustained. The gentleman must observe the rules of the House.

Mr. NEWTON of Missouri. There are those who attempt to argue that a beverage containing one-half of 1 per cent of alcohol

by volume is intoxicating, but it is not so, and the best authorities in the country say that it is not so, and it can not be made so even by an act of Congress. In this connection permit me to call your attention to the opinions of some of the ablest and most trustworthy medical men in the land.

Dr. John Marshall, of Pennsylvania, who for more than 20 years has been a professor of chemistry and toxicology in the Medical School of the University of Pennsylvania, who has studied in the greatest medical schools in this country and in Europe, while testifying upon this subject, declared that wine and beer containing two and three-quarters (2.75) per cent of alcohol by weight are not intoxicating. After detailing long and extensive experiments, which he had made for the purpose of determining the effect of alcohol upon the human body, he said:

In view of the foregoing I consider that beer with an alcoholic content of two and three-quarters (2.75) per cent of alcohol by weight, is not an intoxicating beverage.

Dr. William J. Geis, formerly an instructor in the scientific department of Yale University, and now a professor of biological chemistry in the School of Medicine of Columbia University, who for years has studied the effects of alcohol upon the human body, while testifying upon this subject and after detailing at great length the results of his experiments and study, said:

I am, therefore, of the opinion that beer of alcoholic content of two and three-quarters (2.75) per cent by weight, is not an intoxicating beverage.

Dr. Hobart A. Hare, a professor of therapeutics, materia medica, and diagnosis, of the Jefferson Medical College, in Philadelphia, and who for 28 years has been a visiting physician at the Jefferson Hospital and other hospitals in Pennsylvania, after more than 30 years of study and experiment with respect to the effect of alcohol upon the human body, while under oath stated:

From my personal experience and observation and consideration of the literature on the subject, I am of the opinion that beer containing not to exceed 2.75 per cent of alcohol by weight is not intoxicating.

Not only do the great scientists and students of medicine, instructors in the great universities in this country, tell us that a beverage containing 2.75 per cent of alcohol by weight is not intoxicating, but to the same effect we have the opinions of great practicing physicians, whose judgments are based upon wide experience.

Dr. Stephen P. Jewett, a graduate of Clark University, of Massachusetts, and of Buffalo University Medical School, who has served as an interne in the Metropolitan Hospital on Blackwells Island, who was assistant attending physician at the Buffalo Hospital, and attending physician at the Welcome Hall Hospital at Buffalo, who was resident physician at the River Crest Sanitarium at Astoria, Long Island, and who for the past three years has been the physician in charge of the alcoholic wards of Bellevue Hospital in New York City, and who is a noted writer upon alcoholism and drug addiction, while testifying under oath said:

During all my experience at the various institutions and hospitals with which I have been connected, both as interne and as physician, I have never known of any case of a person being admitted to such institutions suffering from alcoholism where such condition had been produced because of the drinking of beer. From my personal experience and from observations and researches made by me, I am of the opinion that beer or any beverage containing 2.75 per cent of alcohol by weight is not intoxicating.

Dr. Frank A. McGuire, who graduated from the medical department of New York University, who for eight years was assistant attending physician in the Demilt Dispensary in New York City and for five years was visiting physician in the Northeastern District Dispensary of New York City, who for five years was visiting physician in the workhouse and penitentiary on Blackwells Island, and who was attending physician at Harlem district prison and at the fourth district prison of New York and at the fifth district prison of New York, and who for the past 15 years has been visiting physician at the New York City prison, commonly called the Toombs, and who is evidently as well qualified by experience and observation to know the effect of alcohol upon the human system as any other man in this country, while testifying upon this subject said:

I have come in contact during my practice with over 25,000 cases in which the effect of alcohol was an element. In my opinion as a physician, which is based especially upon my long experience in dealing with cases of inebriation, I am of the opinion that the beer now made, and which contains not to exceed 2.75 per cent of alcohol by weight, is not intoxicating.

Dr. Moses Keschner, a practicing physician, residing in the Borough of Manhattan, a graduate of the College of Physicians and Surgeons of New York and an interne at the health department of New York City, who has been a visiting physician at the department of correction of New York City, who was a physician at the penitentiary in Kings County, N. Y., and Manhattan City Prison, and who has been and is now attending physician at the city prison in Brooklyn, and who has been an attending neurologist on Blackwells Island, and who has had extensive opportunity to study the effect of alcohol upon the human system, while testifying upon this subject said:

In the city prison of Brooklyn I see about 2,000 patients a year suffering from some phase of alcoholism. It has been a part of my duty to treat these cases, and as part of my diagnosis I have to ascertain what the patient has been drinking. Since the advent of beer, which is now made and which contains, as I am informed and verily believe, not to exceed 2¾ (2.75) per cent of alcohol by weight, I have not found a single case of intoxication from such beer. From my study, investigation, and personal experience I am of the opinion that such beer is not intoxicating.

Mr. CANNON. Will the gentleman yield?

Mr. NEWTON of Missouri. I yield to the gentleman from Illinois.

Mr. CANNON. Does the gentleman claim that Congress has not the power to say that one one-hundredth of 1 per cent of alcohol is intoxicating?

Mr. NEWTON of Missouri. If Congress can do what it is proposed to do here, it can abolish any per cent whatever, and if it has a right to do that then the next Congress can come along and permit the manufacture and sale of a liquor containing 50 per cent or more.

Mr. IGOE. Will the gentleman yield,

Mr. NEWTON of Missouri. I yield to my colleague from Missouri.

Mr. IGOE. In the first part of the definition they have specified certain things as intoxicating without any reference to whether they contain any alcohol or not.

Mr. NEWTON of Missouri. Yes; they have done that.

Not only do the great scientists and physicians, out of the abundance of their experience and vast knowledge, obtained by a close study of this question, tell us that a wine or beverage containing 2¾ (2.75) per cent of alcohol by weight is not intoxicating, but the Allied Medical Association of America, representing all the schools of medicine in the United States, in convention assembled on the 17th day of June, this year, passed a resolution declaring that beer and mild wines is absolutely essential in the treatment of certain medical cases, and they declared further that beer containing 2¾ (2.75) per cent of alcohol is not only beneficial to humanity at large, but that it is admirably adaptable as a substitute for strong and alcoholic drinks and many so-called soft drinks which the members of that association declared they could not recommend without reservation. The resolution above referred to reads, as follows:

The Allied Medical Association of America in convention assembled is convinced of the necessity of properly brewed beer in the treatment of certain patients to whom the mildly stimulating and nourishing properties of such beer are absolutely essential. Furthermore, the so-called war beers as brewed at present containing not to exceed 2¾ per cent of alcohol are not only beneficial to humanity at large but are also admirably adapted as a substitute for stronger alcoholic drinks and as a variant for the many kinds of so-called soft drinks on the market, all of which can not be recommended without reservations. This association also recommends and indorses grape products, light wines, if pure, as beneficial to our patients in many conditions as both a stimulant and medicine and as a measure to prevent the increased use of narcotics.

Thus we have the judgment of the medical profession of this country not only that mild wine and beer containing 2¾ per cent of alcohol is not intoxicating, but we have their advice that it is wholesome and healthful to humanity at large. Are we going to utterly ignore their advice? When pestilence or disease spreads over the land we look to them to save us, and when we are afflicted we call upon them and trust our lives in their hands. Shall we now totally disregard their judgment in a matter which they tell us means health and happiness to humanity?

Who will be benefited by prohibition of the manufacture and sale of nonintoxicating beverages? Nobody but the manufacturers of Coca-Cola, sarsaparilla, and root beer, and to them it means millions. The manufacturers of these concoctions are little concerned about the prohibition of liquors containing a high per cent of alcohol, but it is competition from wholesome and healthful beverages, such as mild wines and beer, which they fear, and they will be thrilled with delight if they can induce Congress to serve them by giving them a monopoly in the sale of their concoctions in the restaurants, cafés, and refreshment parlors of the country.

Furthermore, as shown by the resolution, it is the consensus of opinion of the Allied Medical Association of America that prohibition will increase the number of opium addicts in the United States and that mild wines and beer will minimize that danger. In this connection, permit me to call your attention to a report recently made by a committee of able and distinguished men appointed by the Secretary of the Treasury on March 25, 1918, to investigate the traffic in narcotic drugs in

the United States. The following-named persons comprised the membership of that committee:

Hon. Henry T. Rainey, Member of this House; Dr. Reid Hunt, professor of pharmacology of Harvard University; Mr. B. S. Keith, Deputy Commissioner of Internal Revenue of the United States; and Dr. A. G. Du Mez, of the United States Public Health Service.

A committee of more capable and impartial men could not have been found. And after a thorough and painstaking investigation lasting more than a year this committee made a report, which is now on file in the Treasury Department, in which they estimate that there are to-day in this country more than 1,000,000 opium addicts, and that these unfortunates are expending annually more than $61,000,000 for this drug. And they find that prohibition is one of the principal causes of opium addiction, and upon this subject the committee in its report said:

The consensus of opinion of those interested in the subject appears to be to the effect that the number of addicts will increase as soon as the prohibition laws are enforced. These opinions are based for the most part on the theory that drinkers will seek a substitute for alcohol, and that the opiates and cocaine will be found to be the most satisfactory for that purpose. This opinion apparently receives some support from investigations made in some of the Southern States where prohibition has been in effect for some years.

One of the most radical laws ever placed upon the statute books in this country was the Harrison Act, intended to prohibit the importation and illegitimate use of opium, and yet in spite of the stringent provisions made for its enforcement, and with the powerful machinery of this Government for investigation and prosecution in full swing, the use of opium and cocaine has steadily increased. As bearing upon this point, permit me to quote the following from the report of the narcotic committee:

From the data obtained the committee is convinced that there is a nation-wide use of narcotic drugs for other than legitimate medical needs, and that such use for the satisfaction of addiction has materially increased in certain sections of the country despite the vigorous efforts exerted in the past four years in the enforcement of the anti-narcotic law, and in the enforcement of laws of the States and municipalities which have enacted such laws for the control of habit-forming drugs.

Opium is not native to this country but has to be imported, and the greatest retarding force to the importation of opium has been the restriction of commerce due to the war, and yet in spite of the enforcement of the Harrison Act and the restraining force of the war the illegitimate consumption of opium in the United States has increased until to-day we are consuming more than 10 times as much opium as any other country in the world with the possible exception of China, and China is a sober country.

As bearing upon this point I shall again quote from the report of the narcotic committee:

A comparison of the per capita consumption of opium in this country with that of other countries indicates that this country consumes from 13 to 72 times as much opium per capita as is consumed by any other country.

With a condition like this staring us in the face what do you think will happen in this country if prohibition is put in force and trade with the Orient is opened up? I am told that the wardens of our penitentiaries are expecting that their prisons will be filled with dope fiends if prohibition becomes effective.

In the face of these conditions, when our scientists and physicians tell us that mild wines and beer are not only nonintoxicating, but that they are wholesome and healthful, and when they warn us that the prohibition of these mild drinks will increase the use of narcotic drugs, don't you think that we should hesitate before ignoring that warning?

The advocates of this bill tell us that alcohol in any quantity is injurious to the human body, and yet they permit its use in patent medicines and authorize physicians to prescribe whisky containing 90 per cent of alcohol for the sick, thereby recognizing its value as a medicine. If a liquor containing 90 per cent of alcohol is helpful to a human being whose vitality is low and whose constitution is weakened by affliction, then how can it be said that a wine or beverage containing not more than two and three-quarters (2.75) per cent of alcohol can be injurious to the strong and vigorous and the healthy?

If one would believe all that he hears while listening to the arguments of the champions of this bill, he would conclude that the greatest enemy known to the human race is alcohol, and yet we know that alcohol is ever present in the body of every healthy and normal man. Even the zealous champions of this bill carry it constantly in their systems. It is one of the results of the digestion and assimilation of food we eat. While testifying upon this subject Dr. Hobart Hare, professor in the Jefferson Medical College in Philadelphia, one of the most distinguished authorities on alcohol in the country, said:

There is produced in the human body every day certain quantities of alcohol, not infinitesimal, but in very definite amount, and for this reason alcohol can be considered as being at all times present in the human body. The alcohol is produced principally, if not entirely, by fermentation processes in the intestinal tube. It is absorbed and is contained in the fluids and tissues of the body in general. It appears therefore that the body is accustomed daily to the utilization or oxidation of a certain per cent of alcohol which is utilized or oxidized in exactly the same manner as alcohol produced outside of the body and then swallowed in ordinary quantities. For these reasons alcohol can not be considered as a foreign substance to which the tissues are entirely unaccustomed, and the effects which it produces are governed entirely by the quantity ingested and the ability of the body to deal with a substance with which it is qualified to deal.

Not only is alcohol native to the human body, it is native to this country; in fact, it is native to every country where man lives. It is created by nature's processes during the fermentation of almost every food of which we partake; and if this bill becomes a law every farmer who takes cider from his apples or juice from his grapes will have to be constantly upon his guard lest Mother Nature, while he is unaware, drags him into the toils of the law. And if Christ should come again and should conduct Himself as He did at the marriage feast in Cana of Galilee, the advocates of this bill would throw Him into jail.

Why go to extremes? We have grown to be the greatest Nation on earth with whisky and brandy and rum available to everyone, and now "with one fell swoop" we propose to abolish not only intoxicating liquors but to include therewith nonintoxicating wines and beverages. We propose to deprive the farmer of a profitable market for his barley and hops, to destroy vast vineyards, to throw thousands of men out of employment, to deprive the people of liberties which they have enjoyed through all ages, thereby creating widespread industrial unrest, with which this country will have to deal. And we accomplish nothing except to insure to the manufacturers of coca-cola, sarsaparilla, and root beer millions in profits by giving them a monopoly upon a market which they could not otherwise hope to control. Yes; we accomplish one thing more. We step out of the line of other great civilized nations and take our place alongside the "Terrible Turk," the only other prohibition nation on earth.

To the other nations of the world we boast of our strength of character and of our manhood, and yet by the provisions of this bill we confess to the whole world that our people are a lot of weaklings, with such appetites for overindulgence that they can not be trusted even to enjoy a drink which is not only nonintoxicating but which the best physicians in the land tell us is both wholesome and healthful.

I have been amazed at the extravagant claims made by the advocates of this bill as to the amount of sentiment supporting its radical provisions. As a matter of fact, the eighteenth amendment was adopted under the stress and excitement of war, at a time when a patriotic people were willing to conserve food and to make any sacrifice to help win the war, at a time when 4,000,000 of our boys were defending our flag in a battle for democracy, and at a time when they were engaged in military operations, where their voices could not be heard upon this question. And little did our people then know that while our breweries and distilleries were closed and while we were eating brown bread in limited quantities in order to conserve food for our Allies, the breweries and distilleries in Europe were running at full blast, consuming the food which we were conserving. And while the advocates of this bill, the self-appointed keepers of the health and morals of our soldiers, were taking advantage of the country's misfortune to press their favorite issue, our boys over in France, with brandy and cognac freely available to them, were fighting the Nation's battles and marching on to victory.

Do you think that the American soldier, who possessed sufficient character and self-control to grow up to a strong and powerful manhood with whisky and brandy and rum at all times available to him, who went to France and endured the hardships of war, ready, if need be, to sacrifice his life for democracy, who sprang from the trenches and went over the top amidst the thunder of cannon and the bursting of shells, who had cognac and other strong drinks within his reach every day he was in France, will regard it as a compliment to his record as a soldier or to his strength of character as a man if we tell him by an act of Congress that we fear that a wine or beverage containing one-half of 1 per cent of alcohol is dangerous to him, and that he now has not enough strength of character or manhood to endure such a temptation?

We have heard innumerable speeches upon this floor about the wonderful growth and development of this country and about the marvelous character and achievements of its people. We have heard of the courage and chivalry of our soldiers in France, and we have declared them the most fearless soldiers who entered the war. We have declared their alertness and physical fitness superior to all others, and yet all these things were accomplished while whisky and gin and rum containing a high per cent of alcohol were available to every inhabitant in

the land. Still we hear it proclaimed by the advocates of this bill that our civilization will be endangered and our development retarded if we indulge our people in the liberty of enjoying a wine or a beverage containing two and three-quarters per cent of alcohol.

Do you think that the 4,000,000 soldiers who rallied to our country's call in its hour of dire distress are entitled to be heard upon this question? I challenge you to leave it to them. I have talked with hundreds of boys returning from Europe and with many more from the camps in this country, and I find that the unanimous sentiment among them is against the prohibition of mild wines and beer. I have read letters from many soldiers still in France and in the army of occupation in Germany, and I have found therein a prevailing protest against the action of the advocates of prohibition taking advantage of their absence to force a change in our Constitution which alters so radically the habits of living among our people. I recall the expression of one soldier referring to this subject, which is fairly representative of that protest. He said:

> We left our homes and our loved ones and came across the seas and endured the dangers and hardships of war to fight for democracy in Europe, and while our backs were turned they took our liberty from us at home.

What patriotic American, conscious of the courage and chivalry of these brave boys, can turn deaf ears to such protests? What fair-minded man will refuse to hear them before the final decision is made?

The American Legion, comprised of soldiers who participated in the European war, representing every section of the Union, assembled not long ago, and while their convention was preliminary to a national organization, and while their call prohibited the adopting of resolutions or the taking of any official action until their organization should be perfected, yet resolutions were offered upon questions in which they felt a vital interest, and which were evidently intended to convey their views to the country. A resolution was offered upon this question, which reads as follows:

> Whereas while the country's sons were fighting for democracy abroad, advantage was taken of our absence by a certain doctrinaire element, who appear to be more interested in prohibition than in winning the war: Therefore, be it
>
> *Resolved*, That this proposed organization of veterans protest most emphatically against this legislation concerning which our wishes were not consulted and which is opposed in letter and spirit to our experience abroad; be it further
>
> *Resolved*, That we demand that all pending prohibitory legislation be set aside until a referendum of the people shall have been held, and that pending the determination of same, the manufacture and sale of beer and mild wines be continued, and that copies of this resolution be forwarded to the President of the United States, the President of the Senate, and the Speaker of the House of Representatives.

And yet, the gentleman from Minnesota [Mr. VOLSTEAD] warned us yesterday to look out for the people, and said that the people were demanding this bill with all its drastic provisions. I say to you that I know as a matter of fact that the representatives of the prohibition organization in this country went to certain legislatures and to members of various legislatures, and when they were interrogated by the committee as to whether or not the eighteenth amendment would prevent the manufacture of cider and mild wines in the homes of this country they replied, "Of course it will not. Congress can not go any further than the Constitution permits, and the Constitution plainly says intoxicating liquors." But now that they have won the victory, gentlemen, they come here and try to fasten upon the people of this country something that they never anticipated, and something that they had a right not to expect.

The gentleman from Minnesota [Mr. VOLSTEAD] talks about the overwhelming sentiment, and I have heard gentlemen on the floor of this House hammer organized labor over the head. The other day I heard an attack made upon labor upon this floor because its representatives had the courage to come to the steps of this Capitol and protest against the passage of a law depriving the plain people of the liberty of enjoying nonintoxicating wines and beverages. Has the time come in this country when the plain people can not protest to the Congress of the United States against the enactment of laws interfering with something which they believe is right and just, and which, in their judgment, is a matter of personal liberty to them?

Then I have heard it said that the laboring men of this country are in favor of prohibiting the manufacture of mild wines and beer, and that in the face of the fact that the representatives of organized labor only two weeks ago assembled 30,500 strong, and 26,500 of that number went on record protesting against the prohibition of mild wines and beer. All we ask, all that organized labor asks, all that the plain people of this country ask, is that Congress carry out in good faith the provisions of the eighteenth amendment, no less and no more.

Mr. COOPER. Will the gentleman yield right there?

Mr. NEWTON of Missouri. Yes.

Mr. COOPER. Will the gentleman allow me to make a short statement?

Mr. NEWTON of Missouri. Yes; if it is not to be taken out of my time.

Mr. COOPER. Here is a short statement from Mr. Warren S. Stone, grand chief of the Brotherhood of Locomotive Engineers——

Mr. DYER. This is coming out of the time of the gentleman from Missouri.

Mr. NEWTON of Missouri. Then I can not yield for that. Now, take the question about the people being so strongly back of this bill. I will tell you. The American people have never had an opportunity to pass on the question of mild wines and beer. Gentlemen talk about the demands of the people as shown by the adoption of this constitutional amendment. The American people never ratified the amendment. The gentleman from Minnesota [Mr. VOLSTEAD] says that the fact that it was so overwhelmingly adopted justifies us in going to any length. I will give you an illustration: On the 5th of last November the people of Missouri voted on the question of constitutional prohibition. They voted against its adoption by 75,000 majority. And yet the legislature, elected by the same people on that same day, assembled a few days later and, under the whip of the Anti-Saloon League, ratified this amendment, and I am told that California had a similar experience. If that is democracy, the people of this country do not know what the term means.

I have heard it charged by some who favor prohibition that there are those who will defy the eighteenth amendment, and the advocates of this bill, by the drastic provisions which they have inserted for its enforcement and the unlimited authority which they have given to the Commissioner of Internal Revenue for the employment of assistants, special agents, and inspectors, and the unlimited millions which they have authorized him to expend, show clearly that they expect the people of this country to violate the provisions of this bill if it is enacted into law. If you want the people to respect the eighteenth amendment, then let Congress, by its legislation, carry out in good faith the provisions of that amendment. Let us pass laws prohibiting the use of intoxicating liquors without interfering with the liberty of the people in enjoying nonintoxicating wines and beverages.

While a great mass of the American people do not believe in prohibition, yet if they are permitted to use a mild wine or a beverage they will adjust themselves to the new condition of things, and they will obey the law. But the American people believe in liberty and cherish freedom, and when Congress enacts laws which so seriously interfere with their conception of liberty they are tempted to disregard such laws, and when you tempt people to disregard one law you weaken their respect for all laws.

We who oppose the drastic provisions of this bill respect the law, and we want to see all laws respected and enforced. We deplore "blue laws" upon our statute books. And when we read testimonials from officials in Kansas, Oklahoma, and Colorado as to the blessings of prohibition we are distressed to find from the records of the United States internal-revenue collector that during the past 10 years of prohibition in Kansas $210,590 have been collected for liquor dealers' licenses issued in that State, and every dollar which went into a license probably represents the sale of twenty times that amount in strong drink, not including the "bootlegging," which persistent rumor convinces one has prevailed there. And the records of the United States revenue collector show that 8,781 liquor dealers' licenses have been issued in Oklahoma during the past 10 years of prohibition, while the records of the same office show that the inhabitants of Colorado have paid $12,700 for liquor dealers' licenses during the past two years of prohibition. It may be argued that such licenses were procured in order to dispense whisky for medicinal purposes; but if so, then the people of these States must regard whisky as a marvelous medicine. If the people of this country are permitted to use a wholesome and healthful mild wine or beverage, they will not disobey the law to procure intoxicating liquors. But mild wines and beverages are not manufactured in violation of law, and the test of prohibition in this country shows that it is strong and inferior liquors in which "bootleggers" deal.

Local self-government has been a cardinal principle in this country since the days of the Revolution, and every State in this Union was admitted with a guaranty of that right. There is no excuse for the existence of separate States unless the right of self-government is conferred upon them, and yet the provisions of this bill are intended to deprive every local community in the land of its right of self-government in deciding for itself

what kind of a nonintoxicating drink its people may enjoy. If the people of Oklahoma or Colorado or Kansas want to deprive themselves of the enjoyment of a harmless and nonintoxicating beverage, that is their privilege, but I protest against the right of the people of those States to say to the people of the State in which I live that we shall not be given liberty of enjoying that privilege if we so decide.

When in the legislative history of this country has a law ever been proposed with provisions so severe or terms so drastic as the one now under consideration? It jeopardizes the property of every landlord to confiscation, if his tenants manufacture thereon a beverage containing one-half of 1 per cent of alcohol. It violates that sacred rule of the presumption of innocence which has always surrounded American citizens when accused of crime, and shifts the burden of proof from the accuser to the accused. It compels American citizens to give testimony incriminating themselves. It gives special powers to revenue agents and inspectors and clothes them with authority to institute and conduct prosecutions. It makes no provision for a change of venue from a biased and prejudiced commissioner and gives no assurance of a jury trial. And, worst of all, it provides for a special form of indictment, which does not sufficiently inform the accused of the charges made against him to enable him to make an intelligent defense. Yes; and more, it authorizes a court to compel a citizen to give bond in the sum of $5,000 as a guaranty that he will not commit crime and empowers the court to commit him to jail if he is unable to give such bond. What legislator who does not believe that the measure which he proposes runs counter to the will of the people would propose such provisions and penalties?

The framers of this bill have shown wonderful diligence in providing for bonds, and affidavits, and records, and special agents and inspectors, and unlimited funds for its enforcement. And they have thrown the most stringent regulations around physicians whom they have authorized to prescribe whisky, but they have made one dreadful oversight. They have failed to require the patient for whom whisky is prescribed to give bond to insure that he will take it according to directions. Of course, we would never be so unkind as to suspect that any of the advocates of this bill ever expect to be patients.

When one comprehends the revolutionary, drastic, and oppressive provisions of this bill, and the enormous sums of the people's money to be expended for its enforcement, he begins to wonder whether, in the light of the freedom for which this Government was founded, in the memory of the liberties which our people have enjoyed, in the name of democracy for which our soldiers fought, it can be possible that such intolerance is about to be written into the laws of our land.

Mr. VOLSTEAD. Mr. Chairman, I yield five minutes to the gentleman from Kansas [Mr. TINCHER].

Mr. TINCHER. Mr. Chairman, I am just a little bit surprised that any Congressman should take the position that this body has no authority to define a crime in undertaking to enforce a constitutional provision. I do not think there is any question in the world but that it is entirely proper that this body should define a crime. I am not in a position to argue with the gentleman from Missouri [Mr. NEWTON] that this body knows as much about what liquors are intoxicating as judges do, but I think this body's duty, even though they may be more or less ignorant on the subject of intoxicating liquors, is to define crime. [Laughter and applause.]

I have lived in a dry State for a good many years, and I have the distinction of coming from the original bone-dry State. These arguments are old to me. The proposition of whether we can enforce prohibition without the State legislature and the American Congress acting concurrently reminds me of the old days when the well-paid brewers' attorneys used to come out to Kansas and tell us how they loved the Constitution, and that for that reason we could not have prohibition. [Laughter and applause.] They were well paid, and they often succeeded. For many years they made us believe that in order to have prohibition we must have fair enforcement laws, reasonable enforcement laws. How familiar those terms are to the old Kansan!

What they meant by fair enforcement laws and reasonable enforcement laws were laws that they could evade and that we could not enforce. That was the condition in Kansas for many years. We had a governor named St. John, who decided that the saloon must go, but do not think that liquor went with the saloon. For many years it did not go and was sold all over Kansas. But there came a time when we adopted laws which we call real enforcement laws, something like the bill suggested by the chairman of this committee. They were pronounced unreasonable, and great advertisements were carried in the daily papers telling how unreasonable they were, but no man living in Kansas to-day is complaining of those laws that for more than five years have enabled us to enforce the liquor law. [Applause.] Still this bill is not half drastic enough. [Laughter.] Oh, I mean that, because as long as you permit a doctor to write a prescription permitting a man to buy liquor you will have men using liquor for beverage purposes. We cut that out, and no man is complaining of it in our State to-day. This bill is not half as drastic as the Kansas prohibitory liquor law, and I do not know but that we get along out there just about as well and are just about as healthy as most of you. I will tell you what we have done. We have got more empty poorhouses in Kansas than in any State in the Union. [Applause.] One hundred and five—and more than 90 per cent of them unoccupied to-day.

We have more laboring men who give their boys and girls a four years' course in the high schools, so far as percentage goes, than any State in the Union to-day, and we have more home owners in proportion to our population than there are in any State in the Union to-day. I heard a man from New York the other day, a Member of Congress, say that we fellows from out there ought not to be presumptuous and talk much; that one or more of the congressional districts of New York had less than 100,000 population; that we represented small districts. I got hold of the Congressional Directory to-day to look him up. He represents a part of a county in New York.

Mr. GOLDFOGLE. What district is that in New York in which there is less than 100,000? I come from New York.

Mr. TINCHER. It is less than one county, while I represent a district of 32 counties and have over 300,000 constituents, with over 90,000 voters, and that district has more home owners in it than any district in the State of New York. [Applause.]

I do not intend to deal in any glittering generalities, but wish to mention some cold facts.

Coming from Kansas, the original home of bone-dry prohibition, I am constrained to make a few peaceful remarks in favor of this legislation. I feel sure the bill is going to pass, but if I can allay the fears of a few Members on their version of the ultimate results, I shall be satisfied.

Once upon a time there was a governor of Kansas named St. John. He was determined that the saloon must go, and it went; then for years Kansas listened to the brewers' and distillers' propaganda that we must have reasonable enforcement laws. For years in Kansas the liquor question was a political one. The Democratic State platform always carried what was known as the "resubmission plank." I can well remember, when the tendency started to pass real instead of "reasonable" enforcement laws, how, when the liquor dealers and interests were driven out of the larger cities, those who had advocated reasonable enforcement laws said the cities would be ruined, the buildings would be vacant, and the city treasuries empty. What are the facts? Every city has gone right ahead, every building is filled, every man has work.

There are some changes. The laboring man uses his beer money to buy a home; he educates his children. The bank deposits of the laboring man has increased; his family spend their vacation with him, riding in his car, and, in short, they are enjoying the comforts procurable with the money that used to go to Anheuser-Busch, Pabst, Edelweiss, and other noted persons.

For several years now all parties in Kansas have been for prohibition, and the only rivalry is as to which party can pass the strongest law when in power.

Talk about the effect of liquor on crime, the gentleman from Massachusetts must have been joking; more than an average of one-half of the county jails of Kansas have been empty for five years, and when the State of Missouri goes dry three-fourths of the balance of them will be empty, as most of the occupants now are poor fellows from Massachusetts and New York and Missouri who have been caught trying to bring liquor into the State for sale. Talk about the effect of prohibition on crime, our population in Kansas has doubled in a generation, still our penitentiary has only one-half the occupants it had when we started to have real prohibition. Oh, yes; let me give you something more. Kansas, with 105 counties, with 105 county farms or poorhouses, how many of these do you suppose have occupants? I do not want to overstate this, so I will use round numbers. More than 90 per cent of the farms have not a single charge. Compare that with any saloon State. I will say this: If every county in any State in the Union had open saloons, there would not be an empty poorhouse in that State.

To the committee in charge of the bill I have only this to say: Your bill is not drastic enough, and, mark my words, every Congress will pass a little more drastic measure, and after this session those bills will be prepared by the enforcement officers, handed to the committee, and passed by acclamation.

The gentleman from Boston, I think, suggested that the campaigns for Congress would in the future be on whether you favored one-half of 1 per cent or a larger per cent. If that thing is ever mentioned after the people—the American people—try prohibition, after all the mothers get to voting, you mark my guess, there will be no one for increasing the per cent. Wait until the brewers and distillers of this generation are not assured of the workingman's nickels and dimes to create propaganda with and there will be no more parades. "No beer, no work," will be a thing of the past.

Mr. Chairman of the committee, do not let anyone weaken you on the extract proposition; there are ways to keep the extracts without the use of alcohol. Every Kansas grocer to-day sells all the extracts without alcohol.

Now, in regard to war-time prohibition, the President asked this Congress to repeal it in so far as it applied to beer and light wines. I am not sure that I know what he means by light wine, but I do know that our answer ought to be to pass a law to compel this prohibition until the general law takes effect. Some Kansas mothers have been accused of electing the President. Those same Kansas mothers have sons that went into the war "that we wasn't kept out of." Those boys, many of them, enlisted for the duration of the war; many of those boys are still being held, and their requests for discharge are being refused. Still some would say that the Army is sufficiently demobilized to take off the ban. I know how these mothers feel. Let us say to the liquor interests to-day this Nation is dry now and for all time to come.

I wish it were possible and proper for us to say to the world in this measure that no one shall ever have the right to use American boys to police foreign nations, and especially shall this be true so long as such foreign nations use intoxicating liquors instead of water. I wish this House had the power to say that if we are forced into some international agreement where your boy and my boy may some day be compelled to go to foreign countries to take part in their wars, that we could know that he would not be subjected to the temptation while there, especially a temptation that we by law in a few hours are going to remove for all time to come in this our own beloved Nation.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. IGOE. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. SIEGEL].

Mr. SIEGEL. Mr. Chairman, I am not going to enter into any discussion with my friend [Mr. TINCHER], who comes from the State where they always say, "What is the matter with Kansas," as to the number of good people residing in his congressional district, but I do not know of a single, solitary congressional district in the State of New York that has less than a population of 225,000 men, women, and children. I know whereof I speak, being proud to have been born and bred in dear old New York. After listening to the debate here Tuesday and to-day, I have been wondering whether my friends from the Southern States, particularly, have been realizing that the same language which is contained in the eighteenth amendment is not contained in the nineteenth amendment to the Constitution, better known as the suffrage amendment. When it is ratified—and it is going to be ratified inside of one year—those gentlemen who are arguing here to-day so strongly, and I might say effectively, because this measure is going to pass, on account of the excitement, turmoil, and confusion which has been created in the minds of many Members of Congress, will have to sit up and take notice. Its passage being accelerated by the gentleman from Georgia [Mr. UPSHAW], who does not happen to be here, but who announced that instead of being a servile follower he has become a leader, when that day comes, and it is coming very soon, the same construction you are pleading for here to-day will be placed by a Republican Congress, aye, by this Congress, on the nineteenth amendment. This Congress will go into your State and say to you who shall vote and under what conditions, and the same big, vast machine which is going to be created for enforcing the law will have its counterpart created again for the purpose of enforcing the woman-suffrage law in your own State, and I say——

Mr. HERSEY. Will the gentleman yield?

Mr. SIEGEL. I do.

Mr. HERSEY. Does the gentleman see any analogy between the constitutional-prohibition amendment and the woman-suffrage amendment?

Mr. SIEGEL. I do. There is this analogy in this one particular: Both amendments provide that it shall be enforced by concurrent power vested in the States and vested in the Government——

Mr. HERSEY. The woman-suffrage amendment takes effect without any supplementary law, does it not?

Mr. SIEGEL. No; it does not. The same language is contained in both providing for its enforcement. As a matter of fact, I believe the language was adopted from this prohibition amendment——

Mr. HERSEY. Will the gentleman yield further?

Mr. SIEGEL. I will.

Mr. HERSEY. What supplementary laws do you have to have to enforce the woman-suffrage amendment?

Mr. SIEGEL. As to the length of time in the county, the length of time in the State, and that citizens shall have the right to vote without regard to creed, color, race, or sex in those particular States where that privilege is now denied them.

Mr. VOLSTEAD. Will the gentleman yield to me?

Mr. SIEGEL. I do.

Mr. VOLSTEAD. Does not the woman-suffrage amendment simply say that there shall not be any discrimination as to sex?

Mr. SIEGEL. Oh, no; the suffrage amendment has the same language.

Mr. VOLSTEAD. If the gentleman will read it, I think he will find that is what it is.

Mr. SIEGEL. It gives the power of enforcement to the Government that is given under this provision in this bill.

Mr. VOLSTEAD. Read the amendment itself.

Mr. SIEGEL. The amendment itself. The amendment is as follows:

> The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

That same section is the amendment, which simply provides for the enforcement——

Mr. BLANTON. Will the gentleman yield?

Mr. SIEGEL. No.

Mr. BLANTON. Just for a question.

Mr. SIEGEL. The gentleman has asked more questions than any man in the House and has given less knowledge in return. [Laughter.]

Mr. BLANTON. The gentleman has spoken of the South. Will not the gentleman be fair enough to yield?

Mr. SIEGEL. Will the gentleman from Missouri extend my time?

Mr. IGOE. I have not the time.

Mr. SIEGEL. Then I had better confine myself to my own remarks.

Mr. BLANTON. Will the gentleman yield for one question?

Mr. SIEGEL. I will ask our friend over here, the gentleman from Minnesota, if he will extend my time for five minutes in order to answer the questions of the gentleman from Texas?

Mr. VOLSTEAD. I can not.

Mr. SIEGEL. I am very sorry, but I can not yield to the gentleman.

Now, gentlemen, it was all very well and easy for Members of the House to rise here and commence to discuss questions involving the exercise of concurrent power by Congress and the several States, without citing a single case to sustain their affirmative allegations. There was a case in Oregon of Ex parte Desjeiro, One hundred and fifty-second Federal, 1004 (1907), where the court says:

> Under their respective constitutions and the acts of Congress that admitted Oregon and Washington to the Union, they have "concurrent jurisdiction" over the Columbia River. Both States passed laws by which they regulated the taking of salmon in the river. One Desjeiro was convicted of violating a statute of Oregon, which differed in the regulations and in the punishment imposed for violation thereof from the statute of Washington. In discharging the prisoner, the court said: "It is the act of concurrence between the two States in the exercise of legislative authority that validates the act and gives it the force of law, and unless there is a concurrence or assent by both States to the enactment it can not have that force."

Let us see what the United States Supreme Court said away back in 1820. Justice Washington, in reading the opinion in behalf of the court in the case of Houston against Moore, pages 1 and 23 in Fifth Wheaton, said:

> That to subject citizens to the operation of two laws upon the same subject, dictated by distinct wills, particularly in a case inflicting pains and penalties, is, to my apprehension, something very much like oppression, if not worse. In short, I am altogether incapable of comprehending how two distinct wills can, at the same time, be exercised in relation to the same subject, to be effectual, and at the same time compatible with each other. If they correspond in every respect, then the latter is idle and inoperative; if they differ, they must, in the nature of things, oppose each other so far as they do differ. If the one imposes a certain punishment for a certain offense, the presumption is that this was deemed sufficient, and, under all the circumstances, the only proper one. If the other legislatures impose a different punishment, in kind or degree, I am at a loss to conceive how they can both exist harmoniously together.

The gentleman from Michigan [Mr. CURRIE] cited a number of authorities here, but each and every one of them was a question of interstate commerce or intrastate commerce. In other

words, those cases, where the United States Supreme Court sustained the prohibition statutes, such as the Webb-Kenyon Act, as to shipment of liquor from one State to another, do not determine this question. The Mississippi case is a question of what the State could do in its own jurisdiction. By this constitutional amendment you have tried to create a concurrent jurisdiction. For instance, if the State of New York was to pass certain legislation providing penalties, and Congress was to pass a law providing penalties—and this is the most drastic legislation that has ever been suggested in the history of Congress—which law is to be enforced in the State of New York? Gentlemen, you can never enforce a law unless public sentiment is behind it. It can not and never will be behind a law of this kind, which permits the Government of the United States to force you to state whether you have obtained liquor or wine or beer by due process of law. You cast the burden upon the defendant in the case under this act. And you go a step further and say it is all right for doctors to issue prescriptions. But if, perchance, you get sick while in an automobile or boat or some public conveyance, and you happen to use that wine or liquor, you are guilty under section 20 of an offense by which you can be shipped away to the penitentiary. It does not limit the number of prescriptions the various doctors can give you, nor is there any way for keeping tab on them. If a veterinary is called to treat an animal, and he requires any liquor for the animal, he has got to go to work and bring a doctor. You pretend—and I use the word advisedly—to permit the use of the wine for sacramental purposes, and yet you do not make any provision in this law for that purpose. The only provision you have made in regard to that is in section 3, where you use the language:

> Liquor for nonbeverage purposes and wine for sacramental purposes may be purchased, sold, transported, and used as herein provided.

But you do not make any provision anywhere else in the bill. At one place you say you give that right, and in the other place you simply have forgotten about it.

I could go on and point out to you the fact that the American people were fooled when this amendment went through. You went to work and did not use in this amendment the word "use," but you are now engaged in the effort to take away from our people the right to use light wines and light beers. And when the time comes, after Congress shall have passed this kind of legislation and the people of this country shall have realized what has been put over on them, they will turn to their Representatives here who have not listened to what their request was and demand an accounting. They will ask them to answer. They will ask them to explain how it is that for the first time in the history of the Republic Congress has attempted to take a question of fact which should be determined by jurors and make it a question of law to be determined by the courts. In other words, the majority of the Judiciary Committee seem to fear the American jury, seem to fear the jurors who appear in our United States courts, but seem to think that they can put it up to the courts to carry out the legal formula of what constitutes intoxication. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SIEGEL. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. VOLSTEAD. Mr. Chairman, I yield 10 minutes to the gentleman from Colorado [Mr. VAILE].

The CHAIRMAN. The gentleman from Colorado is recognized for 10 minutes.

Mr. VAILE. Mr. Chairman, we heard this afternoon what seemed to me to be a very remarkable confession. The distinguished gentleman from Pennsylvania [Mr. STEELE] got up here and told us that when he was on the Committee on the Judiciary they were very solicitous to insert this language, "The Congress and the several States shall have concurrent power to enforce this amendment by appropriate legislation," and then under the questioning of the gentleman from Virginia [Mr. SAUNDERS] he disclosed to you what in his opinion the effect of that language would be, namely, that the State legislature and Congress must both act or prohibition legislation will not be effective; that any State that failed to pass prohibition legislation will not be affected by the amendment to the Constitution.

It seems to me a remarkable, and I have no doubt inadvertent, confession for the gentleman to make here, to the effect that Congress and his committee perpetrated such a ghastly and hideous joke upon the American people. The people of the United States voted for this eighteenth amendment because they thought that it would prohibit the sale and manufacture of intoxicating liquor throughout the entire country. They did not believe that it would be necessary for the State government to act in conjunction with the Federal Government in order to prohibit it. If they had any such understanding, would they not have preferred to vote for some such language as this, "That the several States shall have the power to enforce national prohibition by legislation supplementary to acts of Congress"? There was not the slightest necessity for any such an amendment, and the people would never have voted for it. The States did not need any congressional legislation, and they did not need any constitutional amendment in order to vote themselves dry. What they did need, what they did demand, and what they thought they were voting for and getting was to prevent liquor from being sold across the line in another State. But if the amendment does mean what the gentleman now contends that it means, would it not have been the fair and reasonable and honorable course for the Committee on the Judiciary, which brought this amendment out, to have used some such language as that, instead of this language, which gave everybody in the country the idea that it did and would prohibit intoxicating liquor? Of course, the real answer is simply that nobody, in Congress or out of it, ever supposed that the language actually adopted would be capable of the construction which it is now attempted to put upon it.

But I am not going to discuss the effect of the word "concurrent" further, because I have something else to say in reply to another argument.

Mr. GOLDFOGLE. Mr. Chairman, will the gentleman yield for a question?

Mr. VAILE. I yield to the gentleman for a question.

Mr. GOLDFOGLE. Assuming that this Congress passes the bill which is now before us, and that one of the States passes a measure quite different with regard to the penalties, which statute would you enforce, assuming that there was a violation of the law?

Mr. VAILE. That question, I think, was fully discussed by the gentleman from Michigan [Mr. CURRIE] a few minutes ago, a majority of the authorities holding that the more severe penalty must be enforced.

Mr. GOLDFOGLE. Where do you find the authorities for that proposition?

Mr. VAILE. Some were cited by the gentleman from Michigan.

Mr. VENABLE. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from Colorado yield to the gentleman from Mississippi?

Mr. VAILE. No; I regret I can not yield. I want to reply to another argument made by a Member from the gentleman's side of the case. We heard on Tuesday an interesting argument on the subject of the jurisdiction of Congress to pass such legislation, and the gentleman from North Carolina [Mr. SMALL] argued very ingeniously that Congress has not any right to pass such legislation as this, because the provision of the amendment forbidding the manufacture and sale of intoxicants does not come into effect until January 16, 1920.

Both the gentleman's distinguished ability and the predicament in which he finds himself remind us of the late Judge Cooley, for many years the presiding justice of the Supreme Court of Michigan, who finally retired from the bench and resumed the private practice of law. On the first several occasions of his appearance as an advocate in the court over which he had formerly presided, the decisions of that court were adverse to him, and he expressed his annoyance on one occasion to the then presiding chief justice, who remarked:

> Counsel must remember that his very eminence attracts desperate cases and desperate cases require desperate arguments.

Undoubtedly the forces opposed to the passage of this act have chosen their most able advocate to make the argument which was presented to us on Tuesday touching the constitutionality of the proposed legislation. But I for one can not sit still when the challenge is thrown out that no lawyer can assert that Congress has such jurisdiction.

It will be observed that this law relates to two separate subjects matter: First, regulations and definitions applicable to the war-time prohibition act and certain modifications and amendments of that act; second, enforcement of the eighteenth amendment to the Constitution of the United States. Now, the gentleman argued, in regard to the war-time prohibition act, that that act was passed as a war measure, that the emergency is over, and that the justification for the act has therefore ceased. I submit that if the argument is as technical as that, it must be sub-

jected to a technical test, the technical test being suggested by his very argument, namely, that the war, as a matter of technicality, is not yet over, and it will not be over until the Senate of the United States has ratified the treaty. It may or may not ratify the treaty in its present form, but in any event——

Mr. SIEGEL. Mr. Chairman, will the gentleman yield?

Mr. VAILE. I can not yield further. Congress in this part of the pending bill is only passing confirmatory legislation concerning a law which is now in effect, the constitutionality of which has not been questioned, and which must continue in effect for some months, that is, until peace has been declared and demobilization is completed.

Now, as to the other proposition, as to the power of Congress to legislate for the enforcement of the eighteenth amendment, which has been questioned because that amendment does not operate to prohibit the manufacture and sale of liquor until January 16, 1920.

Very early in the history of this country, less than a score of years after the adoption of the Federal Constitution, Congress passed legislation in anticipation of a constitutional amendment. The twelfth amendment to the Constitution was proposed in 1803. While it was pending, indeed before it was known that it would be ratified, which makes the case much less strong in principle, because we know that this amendment has been ratified and that it will be in effect, Congress passed legislation providing for the means of conducting elections of President and Vice President, that being the subject of the twelfth amendment. That legislation was enacted in 1804, before the amendment was ratified. Its constitutionality was never brought in question.

Our reports are full of cases where laws have been passed the effective date of which would necessarily depend upon a contingency. One such case, decided by the Supreme Court of the United States in 1813, when that court was presided over by Chief Justice Marshall, was the case of Cargo of Brig Aurora *v.* United States (7 Cranch, 382). In that case it appears that Congress on March 1, 1809, passed an embargo act against Great Britain and France, which act was by its terms to continue until the end of that session of Congress—May 1, 1810. Congress on the latter date passed a new embargo act providing that the former act should be revived on March 3, 1811, unless before that date Great Britain and France should revoke certain edicts, which revocations were to be announced by proclamation by the President of the United States. The question in this case was whether the embargo act was in force after the date fixed for its original termination, and the Supreme Court held that—

Congress may make the revival of an act depend upon a future event.

It is submitted that it is no more an assumption of power by Congress to enact a law than it is to revive an existing law, especially when the event which is to call it into operation is an event certain and not an event contingent. Indeed, I may pause to observe that the event is not only not contingent, it is not only an event certain, it as an event present, for the eighteenth amendment is in effect right now. The section forbidding the manufacture, sale, and transportation of intoxicants is not yet operative, but the rest of the amendment is, especially that part of it which imposes the overwhelming moral obligation upon Congress to provide for its enforcement by appropriate legislation. That is at this moment a part of the fundamental law of the land.

To quote another early case: The Supreme Court of Connecticut, in Pratt *v.* Allen (13 Conn., 119, p. 124), held:

The objection is that * * * as the act of May, 1838, was prior to the final adoption of the amendment by the people, it was prior to the existence of power in the assembly, and so the act was void; in other words, that the amendment was a grant of power to the legislature to legislate upon this subject, and that until the amendment received the consummating act, by vote of the people, no power was conferred upon the legislature. * * *

In other words, the question was exactly the same as it is here, with the difference, in favor of the legislation now pending before us, that in the Connecticut case it was not known that the amendment would be ratified at all, while here it is known that the amendment has been ratified and will make the sale of liquor unlawful on a certain definite date. The Connecticut court adds:

No duty could be more imperative for legislators, sworn to support the Constitution, than to make laws to carry that Constitution into effect; and as constitutional provisions are usually conversant only with general principles, it must be the duty of the legislature to see to the details necessary to carry into effect such provisions, and this whether the amendment adopted expressly enjoins it or not.

Again, the court says (p. 126):

The act is not intended to nor does it oppose any existing article in the Constitution, but it is intended to meet and accord with its proposed substitute. We can not doubt that it is constitutional unless, indeed, this amendment restrains the power otherwise existing in the legislature.

In Galveston, etc., Railway Co. *v.* Gross, Commissioner General Land Office (47 Tex., 428), the Texas Supreme Court says:

We know of no rule forbidding legislation looking to the contingency of a constitutional change.

Citing Bull *v.* Reed (13 Grattan, 78); State *v.* Parker (26 Vermont, 357); State *v.* Kirkley (29 Maryland, 85), how much less can there be a rule forbidding legislation looking to a certainty of a constitutional change—to a certainty already translated into fact?

In the Vermont case (State *v.* Parker, 1854) the facts were that the prohibition act provided that it should go into effect on the second Tuesday of March, 1853, with the proviso that it be submitted to the vote of the people, and that if the majority of the vote should be "no" then the act should not go into effect until December, 1853. The vote was "yes." In the opinion that distinguished jurist and legal writer, Chief Justice Redfield (p. 363), said:

It is admitted on all hands that the legislature may enact laws the operation of which shall be made to depend upon a contingency. This could not be questioned with any show of reason or sound logic. It has been practiced in all free States for hundreds of years, and no one has been lynx-eyed enough to discover—or certainly bold enough to declare—that such legislation was on that account void or irregular. And it is * * * a singular fact that this remarkable discovery should first be made in the free representative democracies of America. And in regard to taking the sense of these same people upon the expediency of legislation, where the legislators are confessedly the mere agents and instruments of the people to express their sovereign and superior will, to save necessity of assembling the people in mass, and when from the very nature of the case the representative is in honor and good faith bound to conform his action to the will and desire of his constituents, does anyone seriously doubt the perfect propriety of the legislature, upon questions of general policy affecting equally the whole State, acting upon the known will of the State, where that is known? * * *

The rule of law laid down in the British and American Cyclopedia of Law (8 Cyc., 770) is that—

statutes enacted in anticipation of the adoption of constitutional amendments prescribing the manner of giving effect to such amendments in accordance with directory provisions thereof * * * are valid, in the absence of constitutional provisions prohibiting such legislation.

Here, far from having constitutional provisions prohibiting such legislation, we have one in effect at this moment which imposes at least a moral obligation to enact it.

The supposed constitutional argument against this bill, in my judgment, is in substance and effect merely the expression of a hope to bring about the nullification of the Constitution by failure to enforce it. [Applause.]

Mr. VOLSTEAD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. DENISON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 6810 and had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. FESS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. CLARK of Missouri. On this bill?

Mr. FESS. No; but to print an address which I delivered on the United States as a world power.

The SPEAKER. Is there objection?

There was no objection.

Mr. RIDDICK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

Mr. CLARK of Missouri. On what subject?

Mr. RIDDICK. On a bill that I have introduced in regard to drought conditions in the Northwest.

Mr. CLARK of Missouri. There is no objection to that; we are going to have a severe drought here pretty soon. [Laughter.]

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. VOLSTEAD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 51 minutes p. m.) the House adjourned until to-morrow, Friday, July 11, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of Commerce submitting a deficiency estimate of appropriation required by the Bureau of Fisheries for the fiscal year 1919 (H. Doc. No. 142), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. REBER: A bill (H. R. 7152) authorizing the Secretary of War to donate to Theodore Roosevelt Camp, No. 25, Department of Pennsylvania, of Shenandoah, Pa., one German cannon or fieldpiece, to be placed on a plot of ground in the Annunciation Cemetery for the burial of deceased members; to the Committee on Military Affairs.

By Mr. SMITH of Illinois: A bill (H. R. 7153) authorizing the Secretary of War to donate to the town of Colfax, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HERSEY: A bill (H. R. 7154) to increase the number of collection districts for the collection of internal revenue and to increase the number of collectors thereof; to the Committee on Ways and Means.

By Mr. REED of New York: A bill (H. R. 7155) authorizing the Secretary of War to donate to the village of Little Valley, N. Y., one German cannon or fieldpiece, with accompaniments; to the Committee on Military Affairs.

By Mr. JACOWAY: A bill (H. R. 7156) authorizing the Secretary of War to donate to the Confederate Park at Charleston, Ark., two captured German cannons, with carriages, for decorative purposes; to the Committee on Military Affairs.

By Mr. MERRITT: A bill (H. R. 7157) to amend section 5 of the trade-mark act of February 20, 1905; to the Committee on Patents.

By Mr. MAPES: A bill (H. R. 7158) to provide for the expenses of the government of the District of Columbia; to the Committee on the District of Columbia.

By Mr. ASWELL: A bill (H. R. 7159) to authorize agricultural colleges and experiment stations to investigate and to teach the science and art of manufacturing and using oleomargarine, and to exempt such colleges and stations from the imposition of special taxes and the payment of taxes; to the Committee on Ways and Means.

Also, a bill (H. R. 7160) to repeal the internal-revenue taxes upon wholesome foods and the special license taxes imposed upon producers and dealers in such wholesome foods; to the Committee on Ways and Means.

By Mr. BRIGGS: A bill (H. R. 7161) to establish a marine fish-cultural station in the State of Texas in the vicinity of Galveston; to the Committee on the Merchant Marine and Fisheries.

By Mr. CURRY of California: A bill (H. R. 7162) to amend an act of Congress approved March 12, 1914, authorizing the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes; to the Committee on the Territories.

By Mr. NOLAN: A bill (H. R. 7163) to provide that the United States shall encourage and aid the States in making provisions for the rehabilitation of physically handicapped persons, and for their placement in remunerative employment; to the Committee on Appropriations.

By Mr. REBER: A bill (H. R. 7164) authorizing the Secretary of War to donate to the town of Silver Creek, Schuylkill County, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BROOKS of Illinois: Resolution (H. Res. 162) authorizing payment of $500 to August Buehne for extra services rendered the Members of the House of Representatives during the third session of the Sixty-fifth Congress and the first session of the Sixty-sixth Congress; to the Committee on Accounts.

By Mr. FULLER of Illinois: Resolution (H. Res. 163) amending paragraphs 25 and 26 of Rule XI; to the Committee on Rules.

By Mr. WOOD of Indiana: Resolution (H. Res. 164) directing the Secretary of War to furnish to the House of Representatives the reasons for bringing Czecho-Slovak soldiers to the United States and the amount of money to be expended in bringing, maintaining, and deporting them; to the Committee on Expenditures in the War Department.

By Mr. SMITH of Idaho: Resolution (H. Res. 165) providing for an additional messenger on the soldiers' roll of the House of Representatives; to the Committee on Accounts.

By Mr. DYER: Joint resolution (H. J. Res. 144) providing for an advisory referendum by the people of Porto Rico as to the form of government they desire; to the Committee on Insular Affairs.

By Mr. KAHN: Joint resolution (H. J. Res. 145) authorizing the erection of a monument marking the starting point of the motor convoy from Washington to San Francisco; to the Committee on the Library.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWNING: A bill (H. R. 7165) granting an increase of pension to Ella D. Madden; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 7166) granting a pension to Kathrina Balthasar; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: A bill (H. R. 7167) granting an increase of pension to Estella Palmer; to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 7168) for the relief of Eli Sears; to the Committee on Indian Affairs.

By Mr. HAYS: A bill (H. R. 7169) granting an increase of pension to Christ Stein; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7170) granting an increase of pension to Malcom G. Parsons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7171) granting a pension to Jesse A. Smith; to the Committee on Invalid Pensions.

By Mr. HERNANDEZ: A bill (H. R. 7172) for the relief of the estate of Reymundo Trujillo, deceased; to the Committee on Claims.

By Mr. HULL of Iowa: A bill (H. R. 7173) granting an increase of pension to David J. Chinn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7174) granting an increase of pension to Daniel H. Woodruff; to the Committee on Invalid Pensions.

By Mr. LESHER: A bill (H. R. 7175) granting an increase of pension to Henry C. Conner; to the Committee on Invalid Pensions.

By Mr. LEVER: A bill (H. R. 7176) granting a pension to Zachariah Wooten; to the Committee on Pensions.

By Mr. MAPES: A bill (H. R. 7177) for the relief of John J. Waters; to the Committee on Military Affairs.

Also, a bill (H. R. 7178) granting a pension to Robert E. McCormick; to the Committee on Pensions.

By Mr. McARTHUR: A bill (H. R. 7179) granting an increase of pension to Isabel Bertrand; to the Committee on Invalid Pensions.

By Mr. McDUFFIE: A bill (H. R. 7180) to authorize the President of the United States to appoint Edward C. Lohr, formerly a first lieutenant of Coast Artillery, a first lieutenant of Coast Artillery; to the Committee on Military Affairs.

By Mr. PLATT: A bill (H. R. 7181) granting an increase of pension to David Hawley; to the Committee on Invalid Pensions.

By Mr. POU: A bill (H. R. 7182) for the relief of T. J. Martin, jr.; to the Committee on Claims.

By Mr. REBER: A bill (H. R. 7183) to carry out the findings of the Court of Claims in the case of the Nashville Trust Co., administrator de bonis non cum testamento annexo of the estate of John M. Lea, deceased, against the United States; to the Committee on Claims.

By Mr. ROGERS: A bill (H. R. 7184) granting an increase of pension to Elias W. Adams; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 7185) granting an increase of pension to Hail Carroll; to the Committee on Pensions.

By Mr. SINNOTT: A bill (H. R. 7186) to authorize the issuance of patent to John Albert Thompson, and for other purposes; to the Committee on the Public Lands.

By Mr. SUMNERS of Texas: A bill (H. R. 7187) for the relief of Mrs. D. Montgomery; to the Committee on War Claims.

By Mr. THOMPSON of Ohio: A bill (H. R. 7188) granting a pension to Mrs. Albert B. Hoffman; to the Committee on Invalid Pensions.

By Mr. WEAVER: A bill (H. R. 7189) making an appropriation to compensate Julius H. McClure for damages sustained while performing services for the Government of the United States; to the Committee on Claims.

By Mr. WELTY: A bill (H. R. 7190) for the relief of George R. Gary; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of Arthur T. Clark and others, all residents of Springfield, Mass., requesting the repeal of the taxes on candy, ice cream, and soda-fountain foods and drinks; to the Committee on Ways and Means.

Also (by request), petition of thirty-ninth annual convention of the American Federation of Labor, opposing mob rule and lynchings; to the Committee on Labor.

Also (by request), petition of Chicago Federation of Labor, urging immediate investigation by Congress of the recent shooting of men, women, and children by the armed guards of the Corn Products Refining Co. at Argo, Ill.; to the Committee on the Judiciary.

By Mr. CANNON: Petition of sundry citizens of Manteno, Ill., praying for repeal of tax on candy, ice cream, and soda-fountain foods and drinks; to the Committee on Ways and Means.

By Mr. COLE: Petition of sundry citizens of Dalton, Wis., requesting that Victor L. Berger be given his seat in Congress; to the Committee on Elections No. 1.

Also, petition of Socialist Party of Sheboygan County, Wis., recommending the seating in Congress of Victor L. Berger; to the Committee on Elections No. 1.

Also, petition of Central Labor Union of Two Rivers, Wis., requesting that Victor L. Berger be given his seat in Congress; to the Committee on Elections No. 1.

By Mr. CULLEN: Petition of Grand Lodge of the Brotherhood of Railroad Trainmen, favoring adoption of the league of nations and pledging support of the President; to the Committee on Foreign Affairs.

By Mr. ESCH: Petition of thirty-ninth annual convention of the American Federation of Labor, opposing mob rule and lynchings; to the Committee on Labor.

Also, petition of Grand Lodge of the Brotherhood of Railroad Trainmen, favoring adoption of league of nations and pledging support to the President; to the Committee on Foreign Affairs.

By Mr. FITZGERALD: Petition of Verner A. Johnson and others, all of Massachusetts, protesting the repeal of the so-called daylight-saving law; to the Committee on Agriculture.

By Mr. FULLER of Illinois: Petition of Prof. H. B. Fisher, superintendent of city schools, Streator, Ill., favoring the Smith-Towner educational bill; to the Committee on Education.

By Mr. McARTHUR: Petition of the Willard Avenue Presbyterian Church, the Rose City Park Methodist Church, the Second German Baptist Church, the First Baptist Church, the First United Evangelical Church, all of Portland, Oreg., favoring the enforcement of the eighteenth amendment and war-time prohibition; to the Committee on the Judiciary.

By Mr. O'CONNELL: Petition of the Grand Lodge of the Brotherhood of Railroad Trainmen, favoring adoption of the league of nations and pledging support to the President; to the Committee on Foreign Affairs.

Also, petition of the Thirty-ninth Annual Convention of the American Federation of Labor, opposing mob rule and lynchings; to the Committee on Labor.

By Mr. OSBORNE: Petition of Allen Brown, Lassman Herman, and 48 others, citizens of Los Angeles, Calif., against the taxes on candy, ice cream, and soda-fountain foods and drinks; to the Committee on Ways and Means.

By Mr. PELL: Petition of sundry citizens of New York City, protesting against the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

Also, petition of sundry citizens of New York City, protesting against the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. ROWAN: Petition of Sidney L. Gulick, favoring enforcement of prohibition; to the Committee on the Judiciary.

Also, petition of Thirty-ninth Annual Convention of the American Federation of Labor, opposing mob rule and lynchings; to the Committee on Labor.

Also, petition of Grand Lodge of the Brotherhood of Railroad Trainmen, favoring league of nations and pledging support to the President; to the Committee on Foreign Affairs.

By Mr. SMITH of Illinois: Petition of citizens of the seventeenth district of Illinois in behalf of the repeal of tax on candy, ice cream, etc.; to the Committee on Ways and Means.

By Mr. SIEGEL: Resolutions adopted by citizens of Sacramento, Calif., protesting against Polish pogroms; to the Committee on Foreign Affairs.

By Mr. STRONG of Pennsylvania: Petition of residents of Jefferson County, Pa., urging repeal of taxes on necessities; to the Committee on Ways and Means.

By Mr. TILSON: Petition of Framat Lodge, No. 51, International Order of Good Templars, of Ansonia, Conn., favoring enforcement of eighteenth amendment and defining definitely "intoxicating liquors"; to the Committee on the Judiciary.

Also, petition of Christian Endeavor Society of the First Congregational Church of Bradford, Conn., against repeal of war-time prohibition; to the Committee on the Judiciary.

By Mr. TINKHAM: Petition of employees of Joseph Breck & Sons, protesting against the repeal of the so-called daylight-saving law; to the Committee on Agriculture.

HOUSE OF REPRESENTATIVES.

FRIDAY, *July 11, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, eternal source of every blessing, we wait upon Thee at this the beginning of a new congressional day for that uplift of the spirit which shall enable us to possess our souls in patience amid its trials and conflicts and fulfill our highest duty in the interest of a great Nation, and so fulfill the law and the prophets. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE TO ADDRESS THE HOUSE.

Mr. DALLINGER. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to address the House for 10 minutes. Is there objection?

Mr. VOLSTEAD. Mr. Speaker, I object.

ABSENCE OF A QUORUM.

Mr. IGOE. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Missouri makes the point of order that there is no quorum present. Obviously there is not.

Mr. VOLSTEAD. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names.

Anthony	Freeman	Kiess	Rodenberg
Ashbrook	Fuller, Mass.	King	Rose
Bacharach	Gallivan	Lazaro	Rouse
Baer	Garland	Lever	Rowan
Benson	Garrett	Lufkin	Rucker
Bland, Ind.	Glynn	Luhring	Sabath
Bland, Mo.	Godwin, N. C.	McAndrews	Sanders, Ind.
Bowers	Goodall	McClintic	Sanders, N. Y.
Briggs	Gould	McFadden	Sanford
Britten	Greene, Mass.	McLane	Scully
Brooks, Pa.	Greene, Vt.	McLaughlin, Nebr.	Sears
Browne	Griest	Mann	Siegel
Burdick	Griffin	Martin	Sisson
Caraway	Hamill	Mason	Slemp
Christopherson	Hastings	Minahan, N. J.	Small
Coady	Hays	Mooney	Snyder
Costello	Heflin	Moore, Ohio	Stiness
Curry, Calif.	Hickey	Mott	Sullivan
Davis, Minn.	Hicks	Mudd	Taylor, Colo.
Dempsey	Howard	Neely	Taylor, Tenn.
Denison	Hudspeth	Newton, Minn.	Temple
Dooling	Hull, Tenn.	Olney	Tinkham
Drane	Humphreys	Peters	Towner
Dupré	Hutchinson	Phelan	Walsh
Eagan	Ireland	Pou	Ward
Eagle	Johnson, S. Dak.	Purnell	Webb
Emerson	Johnson, Wash.	Rainey, H. T.	Wilson, Pa.
Fairfield	Kahn	Reavis	Winslow
Ferris	Kelley, Mich.	Reed, W. Va.	Wise
Flood	Kendall	Riordan	Woodyard
Frear	Kennedy, R. I.	Robsion, Ky.	Zihlman

The SPEAKER. On this call 305 Members have answered to their names, a quorum.

Mr. GOOD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

PROHIBITION OF INTOXICATING BEVERAGES.

The SPEAKER. Under the order of the House, the House automatically resolves itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6810, a bill to prohibit intoxicating beverages, and to regulate the manufacture, production, use, and sale of high-

proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries.

Accordingly the House resolved itself into the Commitee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6810, with Mr. GOOD in the chair.

The Clerk reported the title of the bill.

The CHAIRMAN. There are remaining eight hours of general debate, 240 minutes to be controlled by the gentleman from Minnesota [Mr. VOLSTEAD] and 253 minutes to be controlled by the gentleman from Missouri [Mr. IGOE].

Mr. IGOE. Mr. Chairman, I yield three minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, I wish to put into the RECORD the result of some inquiries made at the Internal Revenue Office with regard to the financial effect of the prohibitory law. This is a matter of serious consequence to the taxpayers of the country, and is having the attention of the Committee on Ways and Means with respect to revenue production.

I find that for the 10 months up to and including April of the last fiscal year we collected from wines, distilled spirits, and other intoxicating beverages $408,274,000. The estimated receipts for May and June to complete the fiscal year brings the total up to $533,000,000. In addition to that sum the Treasury gained heavily from income and excess profits taxes arising from the liquor business. That was under the old laws. If prohibition were not in effect, we would under the new revenue law receive for the six months from June 30 to December 30, 1919, approximately $325,000,000. For the whole fiscal year, ending June 30 next, our receipts without prohibition would be $638,000,000. In addition we would receive income tax and excess-profits taxes sufficient to bring the grand total up to $1,000,000,000. This revenue, which is fully three times as much as we can possibly receive from the tariff, is now gone. All the revenue officials look forward to in lieu of this billion dollars is about $70,000,000 which may be collected on nonbeverage alcohol. This loss of revenue presents a problem which may ultimately call for the issue of additional bonds.

The soft drink and ice cream people, who are benefited by prohibition, are asking that their taxes be reduced, as are many other tradesmen who sought the destruction of the liquor business. What is now collected from them is insignificant when compared with what the Government loses in prohibition. In addition to the billion dollar loss, the revenue officials are put to increased expense, which must be drawn from taxes, to enforce the prohibitory laws.

It is fair, in view of the insistent demands for a reduction of taxes, that these pregnant facts with regard to the revenues should be made known.

Mr. IGOE. Mr. Chairman, I yield 30 minutes to the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr. Chairman and gentlemen of the committee, it shall be my purpose during the time allotted me to speak to call attention to the provisions of the bill H. R. 6810, which I do not think have been discussed as yet with sufficient particularity. I have not been of those who deemed it the part of legislative wisdom to take from the State the police power it has always held under our constitutional form of government, because I believe that in the reservation of rights, both National and State, the police power and the enforcement of the police power belonged to the several States. But now we have come to the question of writing a code for the enforcement of constitutional prohibition. And I will consider, too, the question whether or not we should pass and in what way we should pass upon the question of an enforcement code for so-called wartime prohibition, and upon these questions I take it that it is my duty as a Representative in the Congress of the United States to do what I can to have enacted a code of proper enforcement of the law, because no matter what one's individual state of mind may have been regarding anything preceding this, we are now face to face with the necessity for enforcement statutes, and my own position is—and I am sure the position of every man in this House would be—that a code shall be passed which will carry into effect the legislative intent. And when I speak of the passage of a code I speak of one which will be for the benefit of the sane, the honest, the law abiding, the loyal citizens of the United States, not a code which will enable those who do not or will not assimilate American ideas to avoid the manifest intent of the law, nor yet a code which bespeaks only the wishes of those who are intolerant of personal liberty. Therefore I come to a discussion of the propositions in this bill, and it may be well for this committee to understand that there is only one title in the threefold bill as it is now before the committee of this House which came from the Committee on the Judiciary. It has been urged or it has been said in argument that the terms of this bill are drastic. They are in a sense drastic, but when the bill was introduced and came to the Committee on the Judiciary its terms were much more drastic; its terms, if I may use the phrase, were unreasonable, and after the common counsel of the committee, in the communion of minds of the Committee on the Judiciary, which has given careful attention to this bill, that which is now contained in the bill H. R. 6810 is presented for your consideration, and I wish the members of the committee would follow me in what I have to say regarding the bill, because I take it that sometimes those who are in favor of a measure of this kind will accept any terms and those who oppose a measure of this kind are opposed to it in any form.

This is an erroneous position to take, for, as I have tried to make known before, my own position, and I think the position of the members of this committee and of the House and of the Congress, is to write a code of enforcement that will carry into effect honestly, well, and fairly the legislative intent and the public mandate. Therefore I say when the bill was first introduced in the House it came with the inclusion of titles of war prohibition and of constitutional prohibition. It came not from the Committee on the Judiciary or anyone upon it, but it came from two sources altogether outside of any congressional or legislative function. The bill coming to the committee in this form, it was taken up and then was considered the question as to whether or not the war prohibition sections should be included with the general bill or whether they should be separate.

Mr. THOMAS. Mr. Chairman, will the gentleman yield?

Mr. GARD. Yes; I yield to the gentleman, a member of the committee.

Mr. THOMAS. I did not exactly understand the gentleman's statement. I am on the Judiciary Committee, and I have always understood that Mr. VOLSTEAD had drawn and introduced this bill. If anybody else did so, who was it?

Mr. GARD. The statement has been made and unchallenged that the bill was prepared in great part by those representing the Anti-Saloon League, and my information is that they were assisted by counsel for the Patent Medicine Association upon matters of interest to them.

Mr. THOMAS. Was there any such statement made before the Committee on the Judiciary as to that?

Mr. GARD. The statement was made on the floor of the House.

Mr. THOMAS. I mean before the committee?

Mr. GARD. Oh, yes.

Mr. THOMAS. Who was it?

Mr. GARD. It appears substantially in the hearings. Mr. Chairman, I desire to state at this time, as I intend to discuss the bill, I will welcome any interruption at any time upon any question.

Mr. VOLSTEAD. Will the gentleman yield?

Mr. GARD. I will.

Mr. VOLSTEAD. I just wanted to suggest this to the gentleman, that if he will take the bill as it was introduced by me and compare it with the original draft that was introduced at the other end of this Capitol he will find there is a very material difference between the two.

Mr. GARD. That is what I say.

Mr. VOLSTEAD. It was redrawn practically to a great extent by myself.

Mr. GARD. I am trying to get before the committee that this bill we are now considering in the Committee of the Whole, coming from the Committee on the Judiciary, is a less drastic bill than those heretofore introduced and less drastic than before its marked and frequent amendments in the Committee on the Judiciary.

Mr. BARKLEY. Did the gentleman mean to intimate a moment ago——

Mr. RAKER. Will the gentleman yield?

Mr. GARD. I will yield to the gentleman from California or the gentleman from Kentucky, either one.

Mr. BARKLEY. I yield to the gentleman from California.

Mr. RAKER. Did I understand the gentleman to say the patent-medicine men had their hands in this bill in the way of its drawing?

Mr. GARD. Well, I do not know what the gentleman means by the phrase "hands in the bill," but there is no question but what the counsel for the patent-medicine men, in connection with the counsel for the Anti-Saloon League, cooperated and considered among themselves the terms of the bill and any amendment thereto before it was introduced, when it was before the committee, and afterwards.

Mr. RAKER. Then, is the bill, as it now appears before the House, as the patent-medicine men wanted it?

Mr. GARD. I do not know. I confess I do not speak for the patent-medicine men. I have no interest save the public good.

Mr. BAKER. I knew that. I was merely asking the question——

Mr. GARD. Does the gentleman from Kentucky desire information.

Mr. BARKLEY. The gentleman from California sought an elucidation of the question that was in my mind, and his failure prompts me not to pursue the matter any further.

Mr. GARD. Very well. I am pleased to advise all gentlemen of anything I can, and I assure them that which I have said regarding the make-up of this bill and suggestions which came to the committee from time to time are true, and I attribute no wrongful or evil motive to any gentleman whom I have mentioned.

I merely speak of this as the genesis of the bill, so that we may understand what the original purport and intent was and that we may better now understand the bill.

Resuming, gentlemen of the committee, I take the position that the questions of war-time prohibition and of constitutional prohibition are so entirely different that there should have been afforded here a separation into specific and definite bills of the questions of war-time prohibition and of constitutional prohibition. There may be men here, and I am sure I know of men here, who have spoken to me, who are in favor of supporting an enforcement code for constitutional prohibition, but who at this time do not honestly believe that there is a necessity longer existing for the so-called war-time prohibition, and who would welcome a chance to give expression to their own opinions regarding whether it should be continued or whether it should at this time be repealed.

Mr. VOLSTEAD. May I ask the gentleman if he made the statement that the patent-medicine attorneys helped draw this bill?

Mr. GARD. Oh, no; I did not make the statement that the patent-medicine attorneys helped draw this bill. I said they cooperated and conferred with the counsel of the Anti-Saloon League about matters which were to their interest in the bill.

Mr. VOLSTEAD. Let me tell the gentleman that I have been in conference for the last two or three hours trying to agree on something acceptable to me and acceptable to them that I would like to submit to the committee. I am trying to reach an agreement with them. That does not mean that they are drawing the bill at all.

Mr. GARD. I did not understand whom the gentleman was in conference with.

Mr. VOLSTEAD. With men who are interested in and have attorneys here for the purpose of protecting, as they claim, the extract business and the sirup business. They appeared before the committee.

Mr. GARD. Understand that I have no objection to the gentleman conferring with anybody. It would seem to me, however, and I say it most respectfully, when it comes to a question of amending the bill the conferences of the chairman of the committee should be with his fellow members on the committee. [Applause.]

Mr. VOLSTEAD. If the gentleman will pardon me, I will submit to the gentleman what we have agreed on, if we can agree, so that the committee may authorize me or some one else to offer those amendments, if there is any difficulty about it.

Mr. GARD. I should be very glad to have made known the results of the gentleman's conference.

Mr. VOLSTEAD. I gave notice once before that I would do that.

Mr. THOMAS and Mr. DYER rose.

Mr. GARD. I will yield to the gentleman from Kentucky [Mr. THOMAS].

Mr. THOMAS. I desire to ask the gentleman from Ohio if he did not vote in the committee to report this bill, practically, to the House?

Mr. GARD. There is no question of how I voted. The gentleman was there. I voted to report the bill to the House for consideration, reserving the right to object to any of the details or sections that I do not believe in.

Mr. THOMAS. Anybody has the right to object. The gentleman helped report the bill.

Mr. GARD. I do not yield further, Mr. Chairman. The position I occupy, therefore, first, is that there should have been a separation of war-time prohibition from constitutional prohibition in separate bills. Secondly, I take the position that war-time prohibition, by whatever means expressed, in a separate bill, or whether in title 1 of this bill, is now absolutely unnecessary.

Mr. HUMPHREYS. If the gentleman will permit a suggestion, will he pursue his argument without interruption for some time?

Mr. GARD. I made the statement that I would yield, because I wanted to afford everybody every bit of information I have about this bill and wanted to discuss the bill thoroughly.

The question of war-time prohibition, as we all know, came into being by the President's signing an agricultural appropriation bill after the armistice was signed, which declared a cessation of war between the United States and the Imperial Government of Germany. So that we start with the very unique proposition that war-time prohibition was never authorized by completed legislation until after the armistice was signed. Then we follow up the question of war-time prohibition, which had for its admitted and its only end the conservation of food and of fuel and of clothing, for one purpose and one purpose only, and that was the supremacy of the armies of the United States and the armies of the Allies. As time went on, conditions changed and have continuously been changing. Shortly after the armistice was signed the President by proclamation announced that there was no necessity for the maintenance of many of the war utilities; that there was no necessity for the maintenance of food regulations, and they were dispensed with. The President, as the Commander in Chief of our Army and our Navy, announced later that there was no reason why nonintoxicating beverages should not be made from cereals, which, of course, might be used for human and animal food. The President then had the courage to say, on the 20th of May last, in his message to Congress:

> The demobilization of the military forces has progressed to such a point that it seems to me entirely safe now to remove the ban upon the manufacture and sale of wines and of beers.

And yesterday the President of the United States, in his message to the Senate, said:

> The war ended in November, eight months ago.

Now we are met with the remarkable statement in the majority opinion, coming from the Committee on the Judiciary—

> That war exists with both Germany and Austria needs no argument.

The statement continues:

> It can not be said with any assurance that hostilities may not be resumed at any time, and in view of the unsettled conditions, it is difficult to guess not only when the war will end but still more difficult to determine when demobilization will be complete.

It further says:

> In this condition it would seem that there is a fair chance war prohibition may last until constitutional prohibition takes effect in January of next year, which is only a little more than six months off. From the standpoint of those who believe in prohibition this is desirable and will no doubt meet the wishes of the vast majority of our people.

Now, as opposed to that, we have the declaration of the President of the United States, not alone in his message of May 20 to the Congress, but in his message to the Senate yesterday, bringing to them the treaty of peace and disclosing the magnificent achievements of American men in arms on foreign fields. The wonderful assistance of our free men fighting on sea and on foreign soil for the preservation of liberty and civilization here and throughout the world is, thank God, no longer necessary.

We have the statement that the war ended in November, eight months ago, and there is no question, as a matter of fact, but that the war is ended, and that the Imperial German Government is impotent to resume the conflict. So that when we come to the question of war prohibition, as we do face it now, it is only a pretense for the continuation of prohibition which was started under the guise of attempting to conserve the food and the fuel of the Nation for the benefit of our armies and the armies of our Allies.

Mr. TINCHER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Kansas?

Mr. GARD. Yes; I yield.

Mr. TINCHER. What was the idea of Congress in putting into the war-time prohibition legislation the statement concerning the demobilization of the Army?

Mr. GARD. That is a statement that was inserted in the law as passed by the Congress.

Mr. TINCHER. Does the gentleman think the Army is demobilized?

Mr. GARD. I have no means of knowing. That is a question between the Chief of Staff and the Attorney General and the President of the United States.

Mr. TINCHER. Does the gentleman think that a man who has a son who volunteered in the Army and can not be released to come back home and work has any reason to believe that the Army is demobilized?

Mr. GARD. Oh, I am trying to discuss this bill. I am trying to make an intelligent discussion of this enforcement bill. I do not desire to refer to outside matters which have nothing to do with the case.

Mr. MACCRATE. Mr. Chairman, will the gentleman yield?

Mr. GARD. Yes.

Mr. MACCRATE. Can not the President of the United States, as Commander in Chief of the forces, declare that the demobilization is now completed?

Mr. GARD. The President of the United States has taken a very honest position. He could suspend this by the declaration that the demobilization is complete. He has taken the stand that by the present legislation he can not honestly say—and the people of the country do not want him to say that which is dishonest—that the demobilization is now complete.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. GARD. Yes.

Mr. LONGWORTH. Did he not say, however, that he expected to be able to make that declaration early in September?

Mr. GARD. I do not know as to the time.

Mr. LONGWORTH. I think he said on the 20th of September.

Mr. GARD. He has stated that at the earliest possible time, when he could honestly say so, he would declare that the demobilization had been completed, so as to rid the country of this pretense of war-time prohibition.

Now, I think the people of the country are not disposed to look with favor upon war measures in times of peace. I refer no more to war-time prohibition than I do to war measures affecting the property and the rights and liberties of the people, because I am one of those who believe that when the war is ended and when the necessity for war measures has ceased those measures should be repealed, and America and Americans should proceed under proper laws on a peace basis. [Applause.]

However, when we come to the question of the enforcement of the so-called war-time prohibition bill, then I say to this committee that title 1 of this bill was written in the early winter of this year by a subcommittee of the Committee on the Judiciary and is the only part of this bill which came originally from the Committee on the Judiciary. The industrial alcohol part, known as title 3, came from the Commissioner of Internal Revenue. Title 2 came from the combined sources, of which I before advised the House. So that if we do decide that war prohibition is necessary at this time—which I most earnestly contend is not tenable—still, if we do decide that it is necessary, sweeping aside all that we know to be actual facts, sweeping aside the great and glorious fact that the war is ended, and living only up to the hypocritical pretense that somehow, anyhow, we want to make this prohibition continue until constitutional prohibition can come in, then we should write a code, and I say very frankly that if we come to the writing of a code for war-time prohibition, then that which has been prepared by this Committee on the Judiciary in title 1 is, in my opinion, a fair and reasonable code for the enforcement of war-time prohibition during the time it shall endure, with the exception of the provision relative to the declaration of liquors in fact nonintoxicating to be intoxicating.

And upon that I make the point, as a member of this Committee on the Judiciary, that no matter what the power may be in the Constitution of the United States by virtue of the ratification of the eighteenth amendment, there is no power in the Congress of the United States under this rider upon an Agricultural appropriation bill to declare something to be intoxicating which is not intoxicating. In other words, I dispute the power of this Congress under a war power, which war power assuredly is now ended, but conceding that it is continued under a war power, to write something into a law which the bill did not contemplate and which no one had in mind. The reservation in the war-time prohibition bill was for the prohibition of the manufacture and sale of intoxicating liquors, and it permitted their export.

Different views may be entertained about the constitutional provision, but no matter how we view the question of the right or power of the Congress to extend constitutional prohibition, there can be no proper contention that in this limited power which we ourselves wrote we can now, when there is no war, extend the war-time prohibition to a liquor absolutely nonintoxicating and declare it to be intoxicating. We might say, instead of one-half of 1 per cent, one-twentieth of 1 per cent, or any of the most impossible of figures, and I am not juggling in percentages—to adopt language heretofore used in debate. We are writing this bill reasonably. The chairman of the committee said that he knew a man who drank kerosene, and that he knew a man who drank a hundred glasses of beer a day, or something of that kind.

Mr. VOLSTEAD. Mr. Chairman, will the gentleman yield?

Mr. GARD. Certainly.

Mr. VOLSTEAD. I made no such statement.

Mr. GARD. Then I beg the gentleman's pardon. I so understood the gentleman to say. I read the RECORD. But, at any rate, we are not making a bill for such people, because we can not take into consideration the pervert or the man whose mental and physical idiosyncrasies impel him to do these very extraordinary things. We are writing a bill supposedly for reasonable men in a free country, and that is the kind of a code that I want to be a party to the making of.

Now, coming to the question, therefore, of constitutional prohibition, I desire to call attention——

Mr. KREIDER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Pennsylvania?

Mr. KREIDER. Just on a matter of information.

Mr. GARD. Yes; I yield.

Mr. KREIDER. In your judgment as a lawyer, what would happen if this law provided that the President should declare that demobilization had been completed on the 1st of September and should declare this whole proposition off? Is this law that we are now considering of such a character that it would be in force and effect——

Mr. GARD. If the President, having legal authority, announces that the demobilization is complete and the war concluded, this law, of course, is at an end.

Mr. KREIDER. Another question. In the judgment of the gentleman from Ohio, has the President now the power, in view of the fact that this legislation was enacted for the express purpose of saving food and food products and fuel, to declare that the emergency is passed and call off the ban on light wines?

Mr. GARD. No; the President has no such power.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. IGOE. Mr. Chairman, I yield five minutes more to the gentleman.

The CHAIRMAN. The gentleman from Ohio is recognized for five minutes more.

Mr. GARD. In answer to the gentleman from Pennsylvania, I will say that while such power does not exist in the President at this time, in my opinion it should.

In the five additional minutes granted to me I desire to call attention to certain matters. I do not know that I can go over them as well as I should like to——

Mr. CANNON. Will the gentleman yield for a moment?

Mr. GARD. Yes; I yield to the gentleman.

Mr. CANNON. I think the House is much interested in hearing the gentleman in extenso, and I ask unanimous consent that his time be extended 30 minutes without regard to the time that has been limited.

The CHAIRMAN (Mr. MADDEN). The gentleman from Illinois asks unanimous consent that, independent of the time fixed in the House for general debate, the gentleman from Ohio have 30 minutes additional time. Is there objection?

Mr. VOLSTEAD. Mr. Chairman, I object.

Mr. GARD. I would like some little time to proceed. Will the gentleman from Illinois inquire of the gentleman from Minnesota if he will yield to me, say, 10 minutes?

Mr. VOLSTEAD. I can not, because I have not got the time.

Mr. GARD. Very well.

Mr. HUMPHREYS. The gentleman from Missouri [Mr. IGOE] has agreed to yield 10 minutes to me, and I will ask him to yield that time to the gentleman from Ohio instead. [Applause.]

Mr. IGOE. I yield to the gentleman from Ohio 10 minutes in addition to the 5 minutes already yielded.

The CHAIRMAN. Ten minutes in addition to the five minutes accorded a few moments ago?

Mr. IGOE. Yes.

Mr. GARD. I thank the gentleman from Mississippi [Mr. HUMPHREYS].

Mr. BANKHEAD. Will the gentleman yield?

Mr. GARD. Yes. While I desire to be entirely courteous, and I appreciate the extension of time which has been given me, I would like to go over the paragraphs of the bill for the information of the committee.

Mr. DYER. I appeal to the committee that the gentleman from Ohio may be allowed to proceed to discuss the bill without interruption.

Mr. GARD. I want to yield to the gentleman from Alabama [Mr. BANKHEAD] first.

Mr. BANKHEAD. I was very much interested in the answer that the gentleman from Ohio gave to the question propounded by the gentleman from Pennsylvania [Mr. KREIDER]. Is the gentleman from Ohio clearly of the opinion that in the event that the President of the United States should declare demobilization, as a matter of fact, concluded, that would then, eo instanti,

nullify all of the provisions of the war-time prohibition enforcement part of this bill?

Mr. GARD. I think so, when the two things are complete, the conclusion of the war and the demobilization of the troops, these to be evidenced by presidential proclamation.

Mr. THOMAS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman can not take the gentleman from Ohio off his feet with a parliamentary inquiry.

Mr. THOMAS. I am not trying to take him off his feet.

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Kentucky for a parliamentary inquiry?

Mr. GARD. I desire to be courteous to my committee colleague in the matter, but I do not yield.

Mr. THOMAS. I wanted to have the gentleman's time extended 10 minutes.

Mr. GARD. In the discussion of constitutional prohibition provisions I start with this premise, that by an amendment to the Constitution submitted by Congress and ratified by the legislatures of the States we have been given the power to pass an enforcement code, and not alone the power but the duty. We should observe that. The enforcement code, as given to us by our own act and ratified by the States, calls, in my opinion, for that which it expressly says, and that is for the passage of laws to carry into effect the language of the amendment, that being to prohibit "the manufacture, sale, transportation, importation, and exportation of intoxicating liquors." Now, in this law we go further than that. We make two classes. We have alcohol, brandy, whisky, rum, gin, beer, ale, porter, and wine. Those are assembled in one class. Those are prohibited absolutely in themselves. Then there is another class—

And in addition thereto any spirituous, vinous, malt, or fermented liquor, liquids, and compounds, whether medicated, proprietary, patented, or not, and by whatever name called, containing one-half of 1 per cent or more of alcohol by volume which are potable or capable of being used as a beverage.

Now, this percentage of alcohol is not contemplated in the prohibition amendment either as passed by this Congress or as ratified by the States. It can only be defended as proper in a legal sense by the statement that the police power of the States does permit such a thing to be done; and it was done in Oregon, Ohio, and elsewhere, where certain legislatures have gone to great extremes, and the Supreme Court has upheld their action upon the idea that the police power of the States permitted it to be done.

Mr. VOLSTEAD. Will the gentleman yield?

Mr. GARD. I decline to yield. I am sorry I can not. The power of State legislatures to do this has been upheld by the Supreme Court, upon the idea that the police power of the States permitted it to be done, but the United States as a Federal Government has no police power, and it can only be asserted that that which may go along as a reasonable carrying out of the idea of the prohibition amendment may be included and put into words.

To use another illustration, certain States have held, and the Supreme Court of the United Staes has upheld it—I use whisky as an illustration only—that for the purpose of stopping the sale of whisky anything which the legislative body may say resembles whisky, looks like whisky, or is near whisky, may be included in the prohibition. I myself do not believe that this power exists under this constitutional amendment, and I say that this alcoholic content is such as to include liquids not in contemplation of prohibition at the time of the passage of the act or its ratification, and that title 3 of this bill absolutely destroys many industries, many manufacturing concerns which are essential for the public good. I refer to paragraphs "e" and "f" on page 10 of the bill in section 4, concerning which I make the statement that flavoring extracts which are used in the daily household economy—I say if this is continued the flavoring extract people throughout the United States will have to close their doors.

The chairman of the committee said there was an Indian in Minnesota who got a nauseated stomach from drinking lemon extract. We can not make the bill applying to all people of the United States, because of some pervert——

Mr. VOLSTEAD. Will the gentleman yield?

Mr. GARD. I decline to yield. If the gentleman will give me 10 minutes, I will yield the 10 minutes to him for questions, and will undertake to give satisfactory answer to all.

Mr. VOLSTEAD. You are mistaken.

Mr. CAMPBELL of Kansas. Mr. Chairman, I call the attention of the Chair that both gentleman are violating the rules of the House by referring to each other in the second person.

Mr. GARD. I am not, because I declined to yield.

Mr. THOMAS. Mr. Chairman——

Mr. GARD. I want to be more than courteous to the gentleman, but I really can not yield any further.

Mr. THOMAS. I was going to ask for an extension of the gentleman's time.

Mr. GARD. Under the rule of this committee I have no right to it. So the chairman of the committee is now engaged in the proposition to enlarge the scope, or liberalize this provision, relating to flavoring extracts. I speak of this because it is one of the things that should be amended.

Now, returning to section 3, where I speak of the language on page 9 relative to the manufacture, sale, barter, giving away, transporting, and so forth, furnishing, receiving, possession of intoxicating liquor except as authorized in this act, and I tell the committee that when we considered this section we had the word "use" after the word "possess." The word "use" has been stricken out, and the word "possess" should be stricken out. The words "give away" should be stricken out. The words "furnish" and "receive," in my opinion, should be stricken out unless this committee and this House intend to write a bill so drastic as to make it appear in the eyes of the people of the United States that there is nothing in it except a bill of absolute prohibition. I do not care how much it may be safeguarded, I do not want any sale under the guise of "giving away," but these words have never been enacted by the Federal Congress anywhere in a measure of this kind. We are going far afield when we invade the privilege or the liberty of the habits or the hospitality of a man's home, and I do not think that Congress wants to go that far.

At the conclusion of section 3 there is a provision for wine for sacramental purposes, that it may be purchased, sold, transported, and used as herein provided. But in the "herein provided" there is absolutely nothing as to the use of sacramental wines. You can buy them on a permit, but you can not use them so far as this bill is concerned for sacramental purposes.

Referring to section 4 again in paragraph "f" about vinegar, I will state that originally it said "vinegar manufactured from cider." We know that 95 per cent of the vinegar, the common table product, is recognized as having been made from alcohol, and nobody has any objection to that except one man who appeared as a witness, who said he thought that some dangerously insidious drink might be made from vinegar.

These things I offer to show the general trend of those who advocate the extreme in radicalism regarding this bill and similar bills.

There is no provision about the exemption of cider and the innocuous or harmless drinks that may be manufactured at home, which everybody knows under this bill are absolutely prohibited if it can be found by a Government chemist that they contain one-half of 1 per cent of alcohol by volume. Beverages absolutely disassociated, impossible to associate with intoxicating liquors, drinks which the honest people do not want to dispense with are by this act made an absolute crime. So that one who manufactures a harmless, innocuous, home-made drink out of cider or grape juice or elderberries or dandelions, or anything like that, is haled before the law as a violator of the eighteenth constitutional amendment. Such a thing, gentlemen, was never in either the legislative or the public mind. [Applause.]

I refer now—and I must go over them rapidly—to section 9 as it appears on page 15, which provides that if a physician is guilty of some technical violation of the law in a matter of issuing a permit he can be compelled to appear before a commissioner or his agent—and you take him not where the offense was committed, but you run him all over the country and have a hearing at some place within 50 miles.

I concede that section 20 has a good purpose, but it is not carried out properly. It provides that it shall be unlawful for any person to drink liquor on a train or automobile or both. The intention is to prohibit public drinking, and that is all right; but it goes so far as to prohibit anybody who may be ill on a boat or a car and who may have liquor prescribed by a physician. If he does drink it, even under such conditions, he is amenable to the law, and is subject to the pains and penalties of the law. I think it should be amended in that particular. In bringing these things out I want to assure the committee that I am not technical. I want to call attention to those things that are in the bill so that we, this committee, not somebody on the outside, but this House of Representative may write a sane and proper and reasonable enforcement bill and see that it is enforced.

Section 25 of the bill provides a punishment for contempt, for the violation of an injunction as provided in the terms of the law. It provides a fine of not more than $1,000 and that the accused may be imprisoned for not less than 30 days nor more than one year. This notwithstanding the fact that we passed a law in 1913 which was heralded through the world that the provisions of the contempt section should be liberalized and that no arbitrary court should have the right to declare a man guilty

of contempt and give him the right of trial by jury. Nevertheless, it is proposed to enact in this law a provision of the kind referred to where the general statutes passed in the Sixty-third Congress, section 2, at page 739, provide that the accuser may demand a jury trial under the provisions of the antitrust law. Under the provisions of that act, for the benefit of those who may be unjustly accused, a trial by jury exists, but in this section of this proposed law it does not.

In section 24, page 24, the language of the bill is insufficient to carry out its intent, the words "such fact" to be added after the word "trial," in line 1, on page 24, being necessary to properly complete such meaning.

This bill as originally introduced had a very drastic and comprehensive provision as to search warrants, allowing them to be procured upon the affidavits of "two credible persons before any magistrate," but it has been very sensibly modified so as to carry out in this law the provisions provided in Title II of public law No. 24, Sixty-fifth Congress, approved June 15, 1917.

Some additional language may be necessary to clarify the meaning of section 26, which provides that no search warrant shall issue to search any private dwelling occupied as such unless it is in part used for some business purpose, such as a store, shop, saloon, restaurant, hotel, or boarding house, so that the workingman or shopkeeper who is forced by circumstances to live in rooms which may be construed to be a part of a store or shop may not be subjected to unlawful search warrants.

In section 31, on page 28, there appears the remarkable provision that after one may be convicted of the violation of any of the provisions of this act, in addition to the penalty imposed after such conviction, the court may require the defendant to execute a bond, with security approved by the court, in a sum not less than $500 nor more than $5,000, conditioned that he will not violate any of the provisions of this act for the term of one year.

If the person convicted and serving a penalty under the conviction finds it financially impossible to give such bond he is then committed to jail and confined for a period not longer than six months.

This is certainly imprisoning a man for six months because he is unable to give a bond in addition to the fine or fine and imprisonment prescribed by this act.

Section 32, on page 29, undertakes to compel a man to testify or produce books and papers of his own, even though they may tend to incriminate him, but provides that no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing to which he may so testify or produce evidence.

Section 34, on page 29, undertakes to authorize legal pleading to include separate offenses and separate acts in affidavit, information, or indictment and the trial of a defendant on all at one trial and the penalty for all offenses be imposed. It attempts to provide that it is not necessary to advise the defendant in the affidavit, information, or indictment of the name of the purchaser or to include any defensive negative averments, "but it shall be sufficient to state that the act complained of was then and there prohibited and unlawful."

In section 35, on page 30, it is provided that—

> Ten days after the date when this act becomes operative the possession of liquors by any person not legally permitted under this title to possess liquor shall be prima facie evidence that such liquor is kept for the purpose of being sold, bartered, given away, furnished, or otherwise disposed of, in violation of the provisions of this title. Every person legally permitted under this title to have liquor shall report to the commissioner within 10 days after the passage of this act the kind and amount of intoxicating liquors in his possession.

The section provides:

> But it shall not be unlawful to possess liquors in one's private dwelling while the same is occupied and used by him only as a dwelling, and such liquor need not be reported: *Provided*, That the burden of proof shall be upon the possessor that the liquor was lawfully acquired and possessed.

It would seem that the proviso in line 18 of section 35 would make it incumbent upon the possessor of liquors in one's private dwelling to prove that the liquor was lawfully acquired and possessed.

Section 37, page 32, formerly contained provisions authorizing the compromise of any civil or criminal causes, but has been most sensibly modified so as to provide only for the compromise of civil causes, with the approval of the Secretary of the Treasury or the Attorney General.

There may be some other sections of this bill to which I will call attention in the debate under the five-minute rule, but I can not longer continue now, since I am advised that my time has expired.

I am very grateful to the members of the committee for having heard me thus at length. [Applause.]

By unanimous consent, Mr. GARD was granted leave to extend his remarks in the RECORD.

Mr. IGOE. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. DEWALT].

Mr. DEWALT. Mr. Chairman, I have no doubt that the members of this committee, after having listened to the very lucid explanation by the gentleman from Ohio [Mr. GARD], are convinced that this is a highly penal statute. All penal statutes have in contemplation three things—first, the punishment of the individual who violates them; second, the deterring of others who perhaps might violate them from such violation; and, third, reformation by punishment of those who have actually violated them. Having those three things in mind as being the objects of penal statutes, the next thing for consideration is this: What shall be the method of the enforcement of a penal statute? There are three methods of enforcement. One method of enforcement may be so loose that it is entirely inadequate and does not meet the purposes for which it was intended, and, therefore, the statute becomes nugatory. The second method may be one that is so drastic that everyone in the community is up in arms against its provisions, and it becomes so unpopular that it is not capable of enforcement by reason of its drastic provisions. The third method is by what one would call a reasonable enforcement, there being such provisions in the statute that the common sense of the people and the justice of the people recognize that it is a fair, legitimate, and reasonable method by which to obtain the desired results. Therefore in the approach of this question we should ask ourselves: Are we now preparing to enact a law which is a reasonable enforcement of the provisions of the Constitution?

I am willing to take up the argument of some of the gentlemen who have proposed it from the Republican side of the aisle, and particularly the gentleman who is at the head of the Committee on the Judiciary, the gentleman from Minnesota [Mr. VOLSTEAD]. I do not wish to misquote him at all, and therefore I take the words from his report. He says:

> The right to define the power conferred upon it by the Constitution has been exercised by Congress ever since we had a Government. Every act that it passes is, in effect, an assertion that the Constitution confers power to pass it and is a construction of its terms.

The other day, whilst the gentleman was proceeding before this committee, I asked him explicitly whether he deemed this provision in the enforcement, to wit, the stipulation that the alcoholic content should not be greater than one-half of 1 per cent, a construction of the Constitution, and he said he thought that it was. I grant you that he may be correct in his premise, but to what conclusion do we come?

Mr. VOLSTEAD. Mr. Chairman, may I ask the gentleman a question?

Mr. DEWALT. If the gentleman will pardon me, I have only 15 minutes, and I desire to pursue the argument.

The CHAIRMAN. The gentleman declines to yield.

Mr. DEWALT. To what conclusion must we inevitably come, if the gentleman is correct in his premise? If the Legislature, being the Congress of the United States, has the right at this moment, by this enforcement provision in this bill, to say that one-half of 1 per cent shall be the alcoholic constituent in intoxicating drinks, then it has the same right 15 minutes from this time to declare than 1 per cent shall be the constituent; and if it has the right to say that, it has the right to say that it shall be 5 per cent, and the next Congress has the right to say that it shall be 10 per cent, and in every succeeding Congress you have a different construction of the Constitution of the United States. In other words, you come to another conclusion, that you have this liquor question presented at every term of Congress by a different congressional body, and you will never get rid of it as long as the theory of the gentleman obtains.

Let us proceed with this idea of concurrence as set forth by Mr. Wheeler. Mr. Wheeler, before the committee, said that "concurrent power" means equal power. I shall take him at his word. I do not believe it, but I shall take him at his word. Then, what must inevitably follow? If the Congress of the United States and the legislatures of the several States have concurrent power to pass appropriate laws to enforce this provision—and that is the language of the constitutional amendment—then it follows inevitably that if they have an equal power they have both the right to pass similar laws. That is clearly so. If they have equal rights, they have also the right to pass dissimilar laws, because equality gives both of them the same power and precisely the same function. Therefore it follows inevitably as a matter of pure reasoning that if the Congress says in this enforcement provision that the constituent amount of alcohol shall be one-half of 1 per cent, and the Legislature of Pennsylvania says it shall be 1 per cent, they are both within their rights. Then what have you? Then you have a Federal statute declaring it shall be one-half of 1 per cent and a State statute declaring it shall be 1 per cent. How do you

punish? The gentlemen on the other side say that we punish by the Federal authority, that it then becomes supreme; but that will not hold, and why? Because if one be supreme, then they can not be equal.

Where there is supremacy there can not be equality. Therefore these gentlemen are reduced to what you would call the reductio ad absurdum. Their argument leads them into the pitfall of absurdity instead of that which is tenable under the law and under the propositions which they themselves make. Then what must follow? Then there must follow, inevitably, that you must take the word "concurrent" as meaning what it usually does mean. Now, what does it mean?

Mr. YATES. Will the gentleman give the book and page?

Mr. DEWALT. I will, sir. It is reported in 38 N. W., 529; in 62 Wisconsin, and also In re Mattson (United States), 69 Fed., page 535, and so forth.

The words "concurrent jurisdiction" must have been used in the compact between the Federal Government, Wisconsin, and Minnesota, in the sense in which they had previously been used and were generally understood. When, therefore, by such compact, it was in effect provided that each State shall have "concurrent jurisdiction" on that portion of the River St. Croix constituting the boundary line between them, it included the exercise of such legislative powers by each State over the whole river as were consistent with the exercise of similar powers over the same portion of the river by the other States. In other words, by such compact each State secured to itself such concurrent jurisdiction upon the half of the river within the territorial limits of the other State by reducing what otherwise would have been its exclusive jurisdiction upon its own half to mere concurrent jurisdiction. The result is that neither of these States could, as against the other, rightfully assume, or authorize the assumption of, permanent and exclusive occupancy, possession, and control of the entire navigable portion of the river. (J. S. Keator Lumber Co. *v.* St. Croix Boom Corp., 38 N. W., 529, 542; 72 Wis., 62; 7 Am., St. Rep., 837.)

The definition of "concurrent jurisdiction" given in Keaton L. Co. *v.* Boom Corp., supra, quoted and approved, and it was held that, as used in relation to the concurrent jurisdiction over the Columbia River by the States of Washington and Oregon, it means "acting in conjunction," and, when applied to the jurisdiction of Oregon to enact penal laws for the Columbia River, it can only mean the power to enact such criminal statutes as are agreed to or acquiesced in by the State of Washington, or as are already in force within its jurisdiction. (In re Mattson (U. S.), 69 Fed., 535–540.)

Therefore if the theory of the gentleman from Minnesota, the head of this distinguished committee, is not tenable, to wit, that each of the States and the Federal Government can construe the Constitution in its own way at different times and in different ways, and if the theory of Mr. Wheeler in regard to the equality of power between the States and the Federal Government is also not tenable, then we inevitably are forced to the conclusion that the only tenable theory to take here is to take the exact words of the constitutional provision. And what are they?

That the several States shall have concurrent power, with the Federal Government to pass appropriate legislation for the enforcement of the provisions of the Constitution.

Now, so much for the legal phase of this question. I very much desire to elaborate——

Mr. DENISON rose.

Mr. DEWALT. I beg the gentleman's pardon, but I can not yield. I very much desire to discuss this question, which is a very interesting one, I am free to admit, but I have not the time. I believe I have been styled by one gentleman from Ohio as nothing but a technical lawyer, and he quotes as his authority Edmund Burke by saying that Edmund Burke has declared that a technical lawyer was not a good one. I am perfectly willing to admit it, as I am willing to admit the eminent authority coming from the college which the gentleman from Ohio represents, but be that as it may, I am quite willing to admit also that, with my limited knowledge and perhaps with my limited study upon this subject, everyone must confess that this is a very serious question, and more than that, it is not a question without some doubt; I grant that the decisions cited in the majority report in regard to State legislation and in regard to the prevention of sale of nonintoxicants have some weight, but my friends seem to lose sight of the great distinction. These statutes, all of them, are in regard to State laws. The Poinsetta case, which was referred to by the gentleman from Mississippi [Mr. VENABLE], is clearly and explicitly a statute in regard to the enforcement solely of a State law. In other words, it is an enforcement of a police regulation of a sovereign State, but this is a different proposition. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. DEWALT. I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. DEWALT. Mr. Chairman, upon the careful perusal of this bill and analysis of the same, the severity and extraordinary powers conferred become very apparent, and it is surprising that any lawyer as eminent as the one holding the chairmanship of the Judiciary Committee of the House should seriously attempt the passage of any such measure.

ENORMOUS EXPENSE ENTAILED.

Section 2 of the proposed act authorizes the Commissioner of Internal Revenue to appoint any assistants or agents that he may deem necessary, and that he, or any of his assistants or agents, can perform any of the acts enumerated in the bill. Considering the vast territory of the United States and the number of people resident therein, it is needless to say that this would at once create an army of commissioners and agents, whose pay roll would exceed anything now contemplated in any of the departments of the Government. These agents are authorized to prosecute any case and make complaints of violations of the law before any magistrate or justice of the peace, thus harassing all people, and multiplying fees for themselves in such prosecutions.

Section 3 of the act prohibits not only the manufacturing, selling, and bartering of any intoxicating liquor, but also prohibits the giving of the same, the words used being "give away" any intoxicating liquor. In other words, as the act also says that it would be literally construed, all men would be prohibited in giving away a glass of wine to any of his guests at his own table.

Section 4 describes medical preparations that may be manufactured as nonpotable—that is, incapable of being drank—and patented and proprietary medicines must also be nonpotable; antiseptics and toilet articles must be nonpotable; in other words, incapable of being drank. In the same section of the act, any person who manufactures any of the articles mentioned in that section, namely, medical preparations or proprietary medicines or toilet articles, must first secure a permit to manufacture the articles and to purchase the alcoholic liquor needed, and he must give bond, keep records, and make reports as directed by the commissioner. The amount of bond seems to be at the pleasure of the commissioner, thus making it actually prohibitive if the commissioner desires so to enforce the act.

COMMISSIONER AN AUTOCRAT.

Sections 5 and 6 empower the commissioner, when he is informed or "has a reason to believe" that an alcohol preparation, whether patented, proprietary, or not, is capable of being used as a beverage, to demand an analysis of the same, and if, at his discretion, he determines that such can be used as a beverage, he can deal with the same as an intoxicating beverage. No limit is placed at all as to the alcoholic ingredients, and then, to make matters worse, if the manufacturer of the preparation fails to show "to the satisfaction of the commissioner" that the preparation is not capable of being used for beverage purposes, it shall be treated as intoxicating liquor. Of course, the right of appeal is given, or right of review is given to the manufacturer in a court of equity; in other words, the commissioner finds him guilty, thus putting the burden on the defendant to prove his innocence; and then, if the commissioner is not satisfied, the defendant is obliged to go in a court of equity and again prove his innocence. The oppression and delay caused by any such proof is manifested without further argument.

Section 7 is one of the provisions speaking of the physicians, manufacturers, or wholesale druggists. Such permit shall specifically designate and limit the acts that are permitted and the time and place where such acts may be performed, thus leaving it at the discretion and determination of the commissioner to determine just what action he deems permissible under the provisions of the statutes or extraordinary power thus granted, and the autocratic authority thus given is beyond question. In the same section it is proposed that before a permit is granted by the commissioner he shall require a bond in such form as he may prescribe to insure compliance with the terms of the permit. No amount of bond is named, and the terms are entirely within the power of the commissioner.

RESTRICTIONS ON PHYSICIANS.

Section 7, also section 8, undertakes and actually does say that every physician who attempts to use any alcoholic liquor by prescription must be actually engaged in practice. In other words, a retired physician could not prescribe anything, however learned he might be, or however honest he might be, and in extreme cases the patient might die before he could get an acting physician to attend to his wants, and then the physician engaged in active practice, who is permitted to prescribe, must keep a record, alphabetically arranged, in a separate book provided by the commissioner, in which he must show the date and amount prescribed and to whom the same is issued and the directions for use, stating the amount and frequency of doses and the druggist to whom the prescription is addressed. When you consider the fact that some physicians in active practice make 100

or more calls a day and have their office work to attend to, the folly of such a provision is quite apparent. No physician could attend to any detail work unless he employed a clerical force for that particular purpose.

Section 9 is so extraordinary that it provides that if anyone makes complaint and files the same with the commissioner, setting forth that any person who has a permit is not in good faith conforming with the provisions of this act, or is guilty of violating the laws of any State relating to the sale of intoxicating liquor, the commissioner or his agent will immediately issue an order citing such person to appear before him on a day not more than 30 days or less than 15 days from the serving of the citation, and then a hearing shall take place within 50 miles of the place where it is charged the offense took place. In other words, the venue of the alleged offense is anywhere within 50 miles, and the complaint made by anyone simply requires an oath that the party is not acting in good faith.

WILL NEED ARMY OF PAINTERS.

Section 17 contemplates the employment by the commissioner of artists and painters, who are authorized to remove or paint over, or, in other words, obliterate any advertisements from any signs, billboads, or other places that have reference to the sale of liquor. They shall be thus engaged upon the demand of any citizen who has requested the person in charge or the owner of the property to remove the same. When we consider the fact that the painters are now receiving 80 cents an hour in some localities, and consider the number of billboards or advertising schemes that there are and the number of advertisements that are now in existence and that have been placed there a long time prior to the enactment of this proposed legislation, it seems quite easy to determine that the department of the commissioner will have to employ all the painters in the neighborhood to obliterate the signs and advertisements now existing, upon the request of any party who makes the complaint.

Section 20 states that any proprietor of any hotel or house of public entertainment shall not permit any bell boy, elevator boy, or other employee to procure any intoxicating liquors for or give any information by which intoxicating liquors can be secured by any guest, patron, or other person. In other words, the proprietor of the hotel or the proprietor of public or private entertainment is made responsible for the acts of bell boys or elevator boys, whether those acts are with or without his knowledge. He is made a party to the alleged crime merely because he happens to have in his employ a bell boy or elevator boy or any other employee who informs anybody where a drink can be obtained.

Section 21 forbids the advertisement by pictures of a brewery, distillery, bottle, keg, barrel, or box in any newspaper unless such newspaper prints upon such advertisement the words "Printed as paid advertising."

TRAVELERS AT LAW'S MERCY.

Section 20 forbids anyone in a railroad coach or automobile or dining car, or on the platform of such car, to take a drink, whatever the extreme necessity for the same may be. A man having a glass of brandy, who is suddenly taken with cramps, could not take this drink lawfully, and if he did take it the conductor or person in charge of the car or the train would have authority, without warrant, to arrest the person and to turn such person over to the proper official. It may be that some statutes in the remote past, during the Spanish inquisition, provided for such powers, but they have never been heard of in civilization in recent years.

Sections 22 and 23 provide that any room, house, building, boat, vehicle, structure, or place where intoxicating liquor is sold, kept, bartered, or manufactured in violation of this act should be declared a common nuisance, and any person who assists in maintaining such a common nuisance is guilty of a misdemeanor and fined not more than $1,000, and be imprisoned not less than 30 days nor more than a year. It further provides that if it should be proved that the owner of the building has, without any knowledge, negligently suffered the same to be used or occupied for the manufacture or sale of intoxicating liquor contrary to the provisions of the act such premises should be subject to a lien for, and may be sold to pay all fines or costs assessed against the occupant of the building. In other words, if the owner of a property, even without his knowledge, or with slight negligence, the degree of which is not determined except by court and jury, should have a tenant in the premises who in any way violated the provisions of the act and such person is fined, the owner of the premises is subject to a lien for all such penalty against the tenant and is obliged to pay the costs and fine or have his property sold.

Section 25 provides that any person who carries around on his person any liquor to effect the sale of it shall be declared a common nuisance and be restrained by injunction, and it is not necessary in such injunction proceeding to prove that there was an intention of violating the act. No bond is required of the complainant, as is usual in the application for injunction proceedings to protect the interests of the alleged offender, and it is further provided that upon proof of the material allegations of the petition, and upon judgment of the court, the court can order the premises closed for one year or until the owner of the premises gives bond in the sum of not less than $500 or more than $1,000, under condition that no intoxicating liquor will be kept upon the premises by anyone, and that he will pay the costs and damages that may be assessed.

Section 27 is a remuneration provision, remunerative to the offices created by the provisions of the act, because it states that the officer shall be entitled to charge and receive the same fees as the sheriff of the county for levying upon and selling property on execution, and keep them closed during the period of a year or more; a very delightful avenue for multiplication of fees and further remuneration to the commissioner and his numberless corps of assistants.

Section 26 provides that any person violating any of the terms of the injunction as provided for in this act shall be punished for contempt by a fine of not less than $500 nor more than $1,000, and by imprisonment of not less than 30 days nor more than 12 months.

SEARCH AND SEIZURE PROVISION.

Section 26 provides for the issuance of search warrants as provided by law. It provides further for the seizure of all liquors and the disposition of the same. The warrant is to be issued and sworn to by two credible persons. It is to be presumed from the general tenor of the act that the testimony of these persons is entirely in the province of the commissioner or one of his numerous assistants or deputies, an avenue open to graft. It needs no further comment.

Section 34 does not state the ordinary punishment now provided by all the States for the violation of the liquor laws, but it further provides that for the second offense a person shall be imprisoned in the penitentiary not less than one year and not more than five years, and this punishment applies to retail druggists and pharmacists. No doubt this was intended for a great inducement for druggists or pharmacists to continue their occupation.

INTOXICANTS IN THE HOME.

Section 39 is so liberal in its provisions that it actually allows liquor in private dwellings while the same is occupied as a private dwelling, with this proviso, that all such liquor must be placed in the private dwelling prior to the date when the act went into effect, but the burden of showing that the liquor was placed in the dwelling prior to that date is upon the person accused of possessing the liquor. In other words, it is a charge that a man has liquor in his house, which makes him a criminal who must prove his innocence. The usual and legal way of proceeding is to cast the burden of proof upon the Commonwealth.

These are some of the glaring and drastic provisions of this so-called constitutional enforcement. Are free people willing to submit to them without violent protest?

Mr. VOLSTEAD. Mr. Chairman, I yield 10 minutes to the gentleman from Maine [Mr. HERSEY].

Mr. HERSEY. Mr. Chairman, I ask unanimous consent that I may be allowed to revise and extend my remarks.

The CHAIRMAN. The gentleman from Maine asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. HERSEY. Mr. Chairman, I have only 10 minutes, and I ask that I be not interrupted during that time.

The late Joseph Cook said that the day would come in America when the two strongest passions of the human heart, the love of country and the love of home, would entwine themselves about the neck of the liquor traffic and strangle it forever. That hour has come. [Applause.]

The people of this Nation, after a fair trial of the liquor traffic by a jury of the American people, have convicted it of the most infamous crimes and have said by that verdict that this great criminal of the ages must die. [Applause.]

Forty-five of the forty-eight States of the Union have condemned this criminal to certain death, and we, the representatives of the people, are now called upon simply to prepare means and methods that will effectively execute and enforce the verdict of the people.

And in carrying out the will of the people in the execution of the sentence of death upon this monster criminal we must be faithful to our duty. We are to swing this criminal from a gallows erected by the millions he has wronged, by the survivors of the victims he has murdered. The rope must be strong and

sufficient; the knot must be properly adjusted so as to break the neck of the liquor traffic. We must answer to the people who will hold us responsible for a faithful and strict execution of this verdict of death.

As a lawyer in active practice for 34 years I have noted that when a wealthy criminal who has committed some great crime is put on trial he can demand the best counsel, rich friends, and political assistance, and the benefit of all the technicalities and loopholes that the law and money can provide. The liquor traffic has had all that. It has attempted, but failed, to corrupt the courts; it has also failed to corrupt a jury of the American people. It has been duly convicted of the most infamous crimes. It is now confined and guarded in the prison cell of war prohibition, while preparations are made for the final execution of the sentence of death.

I have also observed that after conviction the criminal first seeks to get a reprieve, that he may have time to escape by other proceedings, and here, in this last battle for the life of the liquor monster, there is an attempt being made to have war prohibition suspended or repealed. It is an attempt to get a reprieve for this great criminal until the day of his execution in January next. First, by a pardon from the President, but he says he has not the legal right to interfere at the present time, but if he had he would let him go free. And now the prisoner demands a reprieve from this Congress. It will not be allowed. [Applause.]

If I did not know for sure that I was sitting to-day in the Congress of the United States, I should believe I was back at the bar, and that a great criminal had been convicted and his attorneys were trying to save him from prison by the plea that the statute under which he had been tried had been repealed and was void, and that he should go free in spite of his crimes and without regard to the verdict of guilty.

Certain legal questions are presented to save the prisoner. First, it is claimed that war prohibition became effective July 1 last, and that it is not legal now, but has been repealed, because this law was to continue only during the war and until demobilization had been completed, and they claim that the war has ended and that demobilization is now complete. We respectfully submit to this court that neither of these contentions is true. First, war has not ended, and will not end until the treaty of peace has been signed and agreed to by the United States and her enemies and until all the soldiers now in Europe have been relieved of duty, demobilized, and discharged; and, as it looks now, war prohibition will bridge the gap between now and January 16, 1920, when constitutional prohibition will become the supreme law of the land.

But the friends of the prisoner claim further that, admitting that war-time prohibition has not been repealed, that it is still law, then this bill attempts to provide a code of procedure that will enforce war-time prohibition, and that you have no right now to amend war-time prohibition.

This contention must be overruled. If Congress in time of war had a right to enact war-time prohibition, it still has a right in time of war to amend a law that is still in full force. So the technical claim of the prisoner's attorneys must be overruled in the minds of all judges who are unprejudiced and disinterested.

But in this case the friends of the prisoner insist, in the second place, that the prisoner must be discharged and go free, because, as they claim, there is a fatal defect in the indictment on which he was tried and convicted. They state in the minority report of the committee:

> That as to constitutional prohibition, section 2 of the amendment provides that "the Congress and the several States shall have concurrent power to enforce this article by appropriate legislation," and the bill presented is wholly upon the theory that the action of Congress is supreme, and totally ignores the concurrent power of the several States.

Certain legal gentlemen in the House have argued at great length that under this constitutional amendment it will be necessary for the several States and the Federal Government to have the same law with the same penalties, the same evidence, the same kind of indictment, and that such a condition is impossible; therefore the amendment is incapable of enforcement, and we can not enact laws that can be enforced in either State or Nation.

Every lawyer knows that in nearly all criminal laws there are provided different courts to administer them. Municipal and police courts, inferior and supreme courts, have frequently concurrent jurisdiction over certain crimes, and the criminal can be legally charged, tried, and convicted in either one of these courts, because they all have concurrent jurisdiction. Concurrent power is but concurrent jurisdiction. The gentleman from Pennsylvania [Mr. DEWALT] who has just addressed you admitted that.

Now, I want you to bear in mind, gentlemen, certain plain facts. The first is that the national constitutional amendment does not repeal the dry laws of any State. They remain the same. The State has the same authority after the national Constitution has been adopted and we enact laws to enforce its provisions to make new prohibition laws to enforce the Constitution. They can not weaken the Constitution. They can not pass new license laws. They can pass prohibitory laws that will carry out the constitutional amendment.

The gentleman from Pennsylvania [Mr. DEWALT] and the gentleman from Missouri [Mr. NEWTON] argued strenuously that when you come to the constitutional amendment that it is possible under this bill of enforcement, declaring that a beverage containing one-half of 1 per cent of alcohol is intoxicating, to make void the law, and that we can not under this constitutional amendment enact a valid law that designates what per cent of alcohol shall be considered intoxicating and make a man who sells it as a beverage a criminal. The illustration was used that the State of New Jersey could fix the percentage at 2¾ and this Congress enact a percentage of one-half of 1 per cent, and they say if the State of New Jersey arrests a man for selling against the laws of New Jersey, and they find on the trial that the beverage is less than 2¾ per cent and more than one-half per cent, he would be discharged, and so the law could not be enforced.

Let me say to those legal gentlemen that in such a case the discharged prisoner could be immediately arrested and tried and convicted for a violation of the Federal statutes, and so he would not escape. But opponents of this bill go further and say:

> That the bill goes beyond the prohibition of the constitutional amendment, particularly in defining "intoxicating liquors" so as to include beverages that are not in fact intoxicating.

The gentleman from Ohio [Mr. GARD] says that Congress has no power under the constitutional amendment to declare intoxicating what is not in fact intoxicating.

Article 26 of the constitution of the State of Maine, adopted as part of the State constitution December 3, 1884, provides that:

> The manufacture of intoxicating liquors, not including cider, and the sale and keeping for sale of intoxicating liquors are and shall be forever prohibited. Except, however, that the sale and keeping for sale of such liquors for medicinal and mechanical purposes and the arts and the sale and keeping for sale of cider may be permitted under such regulations as the legislature may provide. The legislature shall enact laws with suitable penalties for the suppression of the manufacture, sale, and keeping for sale of intoxicating liquors, with the exceptions hereinafter specified.

Section 21, chapter 127, of the Revised Statutes of Maine, 1916, page 1500, provides that:

> No person shall at any time, by himself, his clerk, servant, or agent, directly or indirectly, sell any intoxicating liquors, of whatever origin; wine, ale, porter, strong beer, lager beer, and all other malt liquors, and cider, when kept or deposited with intent to sell the same for tippling purposes or as a beverage, as well as all distilled spirits, are declared intoxicating within the meaning of this chapter; but this enumeration shall not prevent any other pure or mixed liquors from being considered intoxicating.

Under this constitutional amendment and enforcement statute, above quoted, I want to call your attention to a recent decision from my State, namely, State *v.* Frederickson (101 Maine, p. 37). The defendant was indicted for keeping intoxicating liquor for unlawful sale. Evidence disclosed that he sold for beverage purposes cider which was sweet and not intoxicating. The defendant claimed, as it is done here, that the legislature had no right under the constitutional amendment to enact an enforcement statute that made a crime for selling a beverage that was not in fact intoxicating. He was convicted and appealed to the law court. That court held as follows:

> When it appears that a liquor comes within the scope of the forbidden enumeration, that moment its intoxicating character becomes fixed by law and its nonintoxicating character as a matter of fact becomes entirely immaterial with respect to the application of the statute.
>
> The constitutional right of the legislature to regulate or prohibit the sale and keeping of intoxicating liquors and to declare certain liquors intoxicating within the meaning of the law governing intoxicating liquors, irrespective of the intoxicating character of such liquors as a matter of fact, both under the State and Federal Constitution, have been so universally answered in the affirmative, both by the decisions in our own State and by the Supreme Court of the United States, that it is no longer a question for argument or even doubt.

The people have decreed that this criminal of the ages shall die. Nothing short of death can satisfy our obligations to those we represent. Under our oath of office we are to support, maintain, and defend the Constitution of the United States. That Constitution condemns the liquor traffic forever, and while the friends of the traffic may seek for pardon, reprieve, and delay, this is the last battle. If the friends of this criminal fail here in the court of the people there will be no appeal, and I want to say in conclusion that I believe that every plea of the prisoner

will be overruled. Every delay will be condemned; every technical objection will be defeated, and the hour will shortly come when there will be no further attempts made for reprieves, pardons, or new trials. The liquor traffic will be forsaken by its attorneys and deserted by its pretended friends. Members of Congress will be left free to pursue their duties without fear of the liquor vote. No longer will the saloon be in politics. No longer will it dictate legislation. No longer will it be a specter of fear and dread by the most humble citizen of America.

At exactly 1 minute past 12 o'clock midnight, on the 16th day of next January this monster criminal will be taken from the war-time prohibition cell by the officers of the law and conducted to the gallows of public opinion. There deserted by friends the black cap will be drawn over its distorted visage. No prayers will be said in its behalf. It will not have the benefit of the clergy, for it has no soul. "It is neither man nor woman, neither brute nor human." Its vile form will be swung off into the darkness of oblivion forever. It will be buried in the potter's field without a stone to mark the spot, for the wise man has said "the name of the wicked shall rot." So may all the enemies of the people perish.

Mr. VOLSTEAD. Mr. Chairman, I yield to the gentleman from West Virginia [Mr. ECHOLS].

Mr. ECHOLS. Mr. Chairman, the State, West Virginia, which I have the honor to represent in part, has been in the prohibition column since July 1, 1914. The question of ratifying a constitutional amendment prohibiting the manufacture and sale of intoxicating liquors in that State was submitted at the general election held in November, 1912. Out of approximately 240,000 votes cast at that election, there was a majority of approximately 90,000 in favor of ratification. The legislature elected at the same time, which convened in January, 1913, enacted what was considered, I believe, at that time the most drastic prohibition law that existed anywhere in the country. The law became effective July 1, 1914. There was much discussion, both in the State and out of the State, as to the probable results that would follow the enactment of this law. I had an opportuntiy to observe at close range such results. By the prohibition act the State tax commissioner was made prohibition commissioner. During the whole time from the date the act became effective until the 1st day of March, 1919, I was assistant State tax commissioner, and, although I took but little part in its enforcement, had an excellent opportunity to observe the results of the same.

It is stated by a few in the State and by many outside of the State that there have been more drunkenness and greater use of alcoholic liquors in the State since the law became effective than there were before. To that statement I want to make a most emphatic denial. In my honest but humble judgment there is not now and never has been, since the date the act became effective, 10 per cent as much drunkenness or 10 per cent as much use of liquor as there was before. The economic conditions in my State are better than they ever were before. No great industrial State in the Union has less Bolshevism or less anarchy than we have. Her social conditions are better. "The masses of the people in the industrial districts are better fed, better clothed, and better contented, and generally more prosperous" since the adoption of prohibition than before. The laborer and his employer have fewer controversies and they settle them with less difficulty.

While the population of the State has increased approximately 25 per cent since the adoption of prohibition, the population of the hospitals and the insane asylums has been largely reduced. Insanity from the use of alcoholic drinks is not nearly so prevalent as it was before. With this tremendous increase in population, the population of the penitentiary has decreased since July 1, 1914, 28.5 per cent. In many of the industrial counties, where crime was raging, the criminal courts of such counties have been abolished by legislative enactment, and in some of the smaller counties the jails have gone for months without a single occupant. No such condition respecting crime ever prevailed before the adoption of prohibition.

Prior to the enactment of our prohibition law I had the honor to serve one of the large counties of my State as prosecuting attorney. At the time of my election the legalized liquor traffic was engaged in largely in my county, and while I do not attempt to be absolutely accurate, I know I make no extravagant statement when I say that at least 75 per cent of the crimes that I was called upon to prosecute were the result of the use of intoxicating liquors. There were numerous murders, and every single one of them, with the exception of one, was traceable to the use of intoxicating liquor. What was true in this respect in my county was largely true in the other great counties of the State. Crime began to decline immediately upon the adoption of prohibition and continues to this good day.

In support of what I have said I desire to submit a statement showing accurately the number of prisoners confined in the penitentiary at Moundsville during the fiscal year ending July 1, 1914, and all succeeding years up to July 1, 1918:

1913–1914, 427 prisoners received; no decrease.
1914–1915, 388 prisoners received; decrease, 11 per cent.
1915–1916, 335 prisoners received; decrease, 19 per cent.
1916–1917, 324 prisoners received; decrease, 24.1 per cent.
1917–1918, 305 prisoners received; decrease, 28.5 per cent.

When the question of prohibition was submitted, the great majority in its favor came from no one class. The coal operator and the coal miner voted for prohibition; the merchant and the clerk voted for prohibition; the doctor and the lawyer did likewise. The great industrial sections gave great majorities in favor of prohibition. The cities, the towns, and the villages did the same thing.

On account of West Virginia's geographical environment, there is perhaps no State in the Union so badly situated with respect to the enforcement of a prohibition law, and it is doubtful if there is a State in the Union that has had a prohibition law for any considerable period of time where there has been such a tremendous effort to break down the same as there has been in West Virginia. We have been surrounded almost entirely by wet territory. To the north of us is Pennsylvania, wet; to the east of us are Maryland and Virginia, Maryland wet all the time and Virginia wet most of the time; to the south of us is Virginia, and, as stated, wet most of the time; to the west of us are Kentucky and Ohio, wet all the time. With our population diversified as it is, with thousands of foreigners in the industrial sections who have been taught by the saloon advocate that they are being deprived of their personal liberty, it is but natural that the enforcement of any prohibition law would meet with stubborn resistance. In spite of the difficulties that have had to be overcome in the enforcement of the law, it is my judgment that no State in the Union has had a more successful enforcement of such law than West Virginia.

I have heard since coming to Washington that there is a great change in sentiment in my State respecting the attitude of our people toward prohibition. There is no foundation for such statement. The people of my State would under no circumstances return to the open saloon. [Applause.]

Mr. GARD. Mr. Chairman, in the absence of the gentleman from Missouri [Mr. IGOE], I yield 10 minutes to the gentleman from Massachusetts [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Chairman and members of the committee, if I thought that the prohibition law would accomplish what some of its ardent admirers think that it will accomplish, and be acceptable to the people of the United States after a popular vote, such as I think should be had upon an amendment to the Constitution as inquisitorial as this is, I would not stand upon the floor of this House this afternoon to offer any opposition to the passage of this law. I do not believe that there should be opposition to enforcement provisions of a law really wanted by the people. I am confident, however, that the measure as it appears in the House at the present time is not one that the people of the United States, through the several States, intended when they supported the prohibition measure. It is my conviction that it is nonenforcible, and that it is bound to stir up strife and trouble at a time when every effort ought to be made to coordinate all the forces of sound government and progress throughout the land.

The gentleman from Maine [Mr. HERSEY], who has just taken his seat, comes from a State where prohibition has been the law now for, I think, half a century, and he and the other Representatives from the State of Maine can tell you that the law has never been even reasonably enforced, unless within very recent months. I know from personal observation, extending over a period of 25 years, that bar rooms have been conducted openly in many of the big cities in Maine. I know that drunkenness ran riot, that murders have been committed, and that the State of Maine, through its daily newspapers, exposed to the world the fact that, although Maine had a prohibition law upon its statute books, it was not enforced. Portland and Lewiston, two cities, were conspicuous in this respect.

Mr. HERSEY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from Maine?

Mr. FITZGERALD. I will yield for a question.

Mr. HERSEY. Does the gentleman understand that the troubles which Maine has had in the enforcement of the prohibitory law have been due to the fact of importations from wet Portsmouth in New Hampshire and Boston in Massachusetts? [Applause.]

Mr. FITZGERALD. That is the fault of the Republican administration in Maine, which has been in power for 50 years, and not the fault of the Boston dealer, who had a right to sell to anybody and everybody.

Mr. HERSEY. Mr. Chairman, will the gentleman yield again?

Mr. FITZGERALD. Yes; certainly.

Mr. HERSEY. Have the Republicans had control of Boston very lately?

Mr. FITZGERALD. They have not had control of Boston for years. It was not the fault of the people of Boston who sold it; they were engaged in the liquor business legitimately. They paid license money to the United States and Massachusetts both. The officers of the State of Maine who permitted it to enter the State and then permitted it to be sold illegally were to blame. Why, the gentleman from Maine who has just taken his seat knows that prohibition in Maine has been a standing joke for years, and as one of the consequences the growth of Maine has been less than almost any section of the country, though its natural resources are boundless, and I am putting forward the State of Maine as an example. The gentleman will not deny the statement that for years open barrooms, patronized by thousands, were openly conducted in the city of Portland, and that open barrooms were openly conducted in the city of Lewiston with the connivance of the local officials.

Mr. HERSEY. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. In just a moment. And not only did they get liquor from outside places, but they manufactured the worst kind of stuff called liquor, and the courts have been filled with cases, but seldom, if ever, did a jail sentence follow.

Mr. HERSEY. Mr. Chairman, will the gentleman yield now?

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from Maine?

Mr. FITZGERALD. Yes; certainly.

Mr. HERSEY. "The gentleman from Maine" wishes to deny as strongly as he can the statement of the gentleman from Massachusetts as to open bars in Maine. The gentleman from Maine wishes to admit that under importations from Massachusetts——

Mr. FITZGERALD. If you will give me additional time, I will yield further to the gentleman. I want to be fair.

Mr. HERSEY. Do you not wish me to explain?

Mr. FITZGERALD. Yes; but in your own time. Mine is very limited. I have seen these bars and talked with the managers, who told me they were open for the sale of liquor from 6 in the morning until 11 at night.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. GALLAGHER. And the city of Portsmouth, where the gentleman says liquor was shipped into Maine, has been under prohibition also for almost a like period of time?

Mr. FITZGERALD. Yes. I was told by one of the managers of one of the biggest hotels in Portland—and I will name it if the gentleman wants me to name it—that he had the permission of the authorities to open at 6 o'clock in the morning and close at 11 o'clock at night; and if that statement is not true, and the gentleman can prove it is not true, I will resign my seat in Congress.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. BLANTON. Does not the gentleman admit that there is a distinction between the enforcement of a law by State courts and the enforcement of a law by Federal courts?

Mr. FITZGERALD. I do not accept the suggestion of the gentleman from Texas that this is an assault upon the courts of Maine. I am talking about the practicality of the enforcement of this kind of a law, and I am calling the attention of the Members of the House to the fact that Maine has had this law upon its statute books for 50 years, and it has been found to be impracticable of enforcement and a positive detriment to the development of the State.

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. RUCKER. If the gentleman thinks this prohibition law can not be enforced, what in thunder are the whisky men fighting it for? [Applause.]

Mr. FITZGERALD. I am not a whisky man. I never use liquor, except as a medicine. I do not touch tobacco. I oppose this bill because it is un-American and a menace to good government, in my opinion. I have been the mayor of a big city, and I understand the workings of the population of these big cities, and, judging from my contact with the masses of the people, you can not drive them into doing something that is repellant to their very natures. I contend if Maine wants prohibition, she is entitled to have it. If Texas wants prohibition, she is entitled to have it. And if Kansas wants prohibition, she is entitled to have it. I agree with everything that the gentleman said about Kansas yesterday—about the wonderful State they have out there and its wonderful population and their achievements under prohibition. But we have done equally great things in Massachusetts under a license system, and we do not want this law. It has been foisted upon the people of Massachusetts, not by popular vote but by the legislature, and on a popular test that was made some six months ago towns that never voted for license in Massachusetts, particularly in the southeastern portions of it and in the western portions of it, voted for license for the first time in their history, and I stand here to-day transmitting that sentiment in Massachusetts as expressed by the people of Massachusetts to Members of this House, so that they can understand what the expression of the people of Massachusetts is upon this question.

Mr. RUCKER. Mr. Chairman, will the gentleman yield again?

Mr. FITZGERALD. If I am not yielding all my time.

Mr. RUCKER. Did not the Legislature of Massachusetts ratify this amendment?

Mr. FITZGERALD. Yes.

Mr. RUCKER. Then should not the gentleman speak as an exponent of the legislature?

Mr. FITZGERALD. The legislature did not speak for the people, as I said before, on this measure, and if the people had their say Massachusetts would have voted wet. In every place in Massachusetts where the test has been made the people have spoken on this question since the legislature acted generally the other way. I know that the Massachusetts Legislature acted under the coercion of the Anti-Saloon League, and part because of inside politics of the Republican Party at that time the drys carried the day. It is my belief that on a test vote to-morrow Massachusetts will be shown to be decidedly against this measure. I do not think that I am misstating the facts in the case when I say that this present bill, which denies to the farmer the right to make his cider, and denies to the small householder the right to make his wine, that puts police surveillance over them, so that at midnight these policemen can come in, as they did in the State of Virginia, when they entered trains and ransacked the wardrobes of women and committed assaults which bordered on indecency—if this bill is put before the people of Massachusetts the candidates who accept it will be defeated, and the man who stands for governor of the State and opposes it will be triumphantly elected. I am willing to go on record on that statement now.

I do not want to take up the time of the House. I believe in temperance. I have preached it and practiced it all my lifetime, but I know Boston, and I know New England, with its 65 per cent of foreign extraction. They are anxious that Kansas should succeed, and they are anxious that Nebraska should succeed.

But they want to live their own lives up there in that section of the country. We need labor. You need it here in Washington. You can not get it. We are 4,000,000 men short in the country. Last night's papers said there were 10,000 jobs in Washington and no takers. The soldiers of the country have been called to go into the fields to reap the harvest in Kansas. Are the soldiers going to be called in Boston to do the labor there? Contractors told me, when home for the holiday, that labor conditions were most serious. Are soldiers to be called into the coal mines of Pennsylvania to do the labor there when the shortage comes? Are they to be called for the operation of the great steamship companies that must be efficiently handled to do the business of the country? No. We must have labor, and where would this country be to-day but for the foreign labor of the past 100 years; and I ask you to listen to the statement of that great man Samuel Gompers on this subject. I say that he did as much in his own way in the winning of the war as did Gen. Foch. When Samuel Gompers, Gold bless him, stands in the committee room and says that he represents two million and a half of laboring men who are opposed to this bill, when everybody is trying to appease labor, not in demagogic fashion but because of what it represents, the real worth in everything human and labor alike, when capital is trying to arrange a program for the reconstruction of the fiscal, industrial, and commercial activities of the country, what a time to throw a monkey wrench into the machinery of the country by attempting to thrust this bill down the throats of the people of the United States. Therefore, speaking for the labor and capital of the district I represent, speaking for New England sentiment, its foreign and native population, as proud of one as of the other, as long as they are good Americans, I say to you that we want you to live your own life, but you should not tell us in Massachusetts how we must live our lives. Speaking for the everyday citizens of this country who want their wine, who want their beer, who want the opportunity to live their own lives in their own way, I stand unalterably opposed to the passage of this bill as being inimical to the welfare of this country. [Applause.]

Mr. VOLSTEAD. I yield 15 minutes to the gentleman from Ohio [Mr. COOPER]. [Applause.]

Mr. COOPER. Mr. Chairman and gentlemen of the committee, I, as one Member of this House, am getting sick and tired of hearing men stand up here and continually brand the workingmen of this country as wearing the label of the whisky and beer traffic. [Applause.] My good friend the gentleman from Massachusetts [Mr. FITZGERALD] just referred to labor along this line. A few days ago the gentleman from Illinois [Mr. SABATH] made the statement that over 90 per cent of the workingmen of this country were against prohibition. The gentleman from Massachusetts [Mr. FITZGERALD] just referred to that great man, Mr. Samuel Gompers, who led the demonstration against prohibition that was held on the Capitol steps here a few days ago, in which he stated Mr. Gompers spoke for the workingmen of the country. Now, for the benefit of the gentleman from Massachusetts [Mr. FITZGERALD] I want to read to him a statement made by Mr. Warren S. Stone, grand chief of the International Brotherhood of Locomotive Engineers, a few days ago, when he was questioned by a newspaper man regarding Mr. Gompers's statement. Mr. Stone said:

There is one organization of labor that Mr. Gompers did not speak for and could not speak for when he made the declaration you refer to. I mean the International Brotherhood of Locomotive Engineers, comprising 84,000 members in the United States and Canada. For 20 years there has been a law upon the books of our association prohibiting its members using liquor, whether on or off duty. In 1915 the brotherhood, by unanimous vote, adopted a resolution in favor of nation-wide prohibition, and we have never changed our views as to the wisdom of that action.

Yet the gentleman from Boston [Mr. FITZGERALD] and the gentleman from Illinois [Mr. SABATH] and other Members stand here on this floor and would have you believe that over 90 per cent of the union men of this country are against prohibition of the liquor traffic.

Mr. FITZGERALD. May I ask the gentleman a question?

Mr. COOPER. If the gentleman will just wait a moment, I will be glad to yield to him.

Now, how do they pass these resolutions which they put through in the united labor congress and in their central body? I will tell you how they pull this off. Here in the city of Washington there are probably 24 or 25 different crafts affiliated with organizel labor. There is, I think, approximately 3,000 machinists in the city of Washington. Most of them are engaged in work at the navy yard. That body of machinists, numbering about 3,000, have a representation of five delegates in the central labor body in this city. The carpenters have a representation of five delegates in that same central labor body. The liquor industry organized every craft engaged in that business. They organized just as many separate and distinct organizations as they possibly could. For instance, they have the beer-wagon drivers, the bottlers, the bartenders, the waiters, the ice men, the brewery engineers, and many others, all affiliated with the liquor industry, and every one of these bodies, even though its membership may number only 100 men, has the same representation in the united labor body of five delegates. In other words, 150 bartenders here in the city of Washington would have the same representation in the central labor body as the 3,000 machinists here in the city have. They go into their united labor body, they pack the convention, they pass these resolutions, and then they come to the people of the country and tell you that all of organized labor in this country is against the prohibition of the liquor traffic.

I have stated before on the floor of this House, and I will repeat for the benefit of the gentleman from Massachusetts [Mr. FITZGERALD], that Ohio is the fourth greatest industrial State in the Union to-day. Last fall we had a vote on State-wide prohibition, a direct vote of the people, and Ohio went dry by about 30,000 majority. If you leave out Cincinnati and Hamilton County, in which this city is located, and I believe it is the wettest spot on the face of the earth, you will find that the great industrial State of Ohio, with its thousands upon thousands of workingmen in its factories, its steel mills, and other industries, cast a dry majority vote last fall of over 75,000. [Applause.] Yet you men stand here and tell us that all the workingmen are opposed to prohibition. Take Summit County, in which is located the city of Akron, the greatest center of the rubber industry in the world. I think the city of Akron now has a population of about 175,000 people. There are 50,000 or 60,000 skilled mechanics working in the various branches of the rubber industry in that city. And last fall, in a State-wide prohibition election, Summit County, in which is located the city of Akron, gave the largest dry majority of any county in the State of Ohio—3,500. [Applause.] Now, I will yield to the gentleman from Massachusetts.

Mr. FITZGERALD. I would like to say that I made no such statement that all of the labor men were against prohibition. I said that the labor convention in Atlantic City, according to the returns the men that voted against prohibition, represented 2,450,000 workers. I contend that before this becomes a law, as far as our part of the country is concerned, and I do not pretend to speak for any other, we ought to be allowed to have some such expression of opinion as was had in Ohio. If Ohio wants prohibition, it ought to have it, but we do not want it.

Mr. COOPER. I do not believe that the representatives at Atlantic City expressed the sentiment of 2,000,000 laboring men. The best way is to take a direct vote, and where it has been tried. For instance, take the county of Mahoning, where is located the city of Youngstown and which has the greatest steel industry in the country outside of Pittsburgh. We have over 50,000 men working in the steel industry in the city of Youngstown. As I stated, this city has a population of about 40,000 of foreign birth or foreign blood. It is a well-known fact, and no one who has followed the wet and dry returns in that State will deny, that about 99 per cent of those people that vote vote wet. Do not forget that. All of the business men and professional men in that great industrial city are not dry. At the November election last year, on a State-wide prohibition issue, the city of Youngstown, that great industrial city, not the county but the city itself, had a dry majority of over 1,200. I would like to ask the gentleman from Massachusetts who voted the city dry if it was not the workingmen?

There were some delegates at the convention at Atlantic City that attempted to speak for the workingmen in the city of Youngstown when their own vote last fall was over 1,200 majority in favor of prohibition.

Mr. BLANTON. Will the gentleman yield?

Mr. COOPER. Yes, for a question.

Mr. BLANTON. The gentleman from Massachusetts [Mr. FITZGERALD] has stated that there is 75 per cent of the population in New England foreign, and then he asks if the 45 States that have ratified prohibition should be permitted to cram this down the throats of the 75 per cent in New England.

Mr. FITZGERALD. I did not say cram down the throats of the 45 States; I said New England States.

Mr. BLANTON. I would like for the gentleman to expatiate further on that proposition, as to whether or not the country should be run by the American people or by the foreigners in the New England States.

Mr. COOPER. In answer to that, the gentleman from Massachusetts a few moments ago said that we needed labor in this country, and I took it for granted that he meant that if we adopted prohibition the laboring men would leave the country. I say, in the name of God, if the people who come to this country have more respect for their booze than they have for the Constitution and the flag of the United States, let them go and not come back into this country again. [Applause.]

Mr. Chairman, we have adopted a constitutional amendment to the organic law of this country. It is the first time in the history of this great Nation that any man in public life, any man that holds the position that Samuel Gompers does, president of the American Federation of Labor, has stood up in public and said that prohibition has resulted in Bolshevism and anarchy. [Applause.] There is no question in my mind that when Mr. Gompers makes that statement he encourages that very thing. [Applause.]

I have spoken time and time again on this question. There is not anything more to say on the moral side. We all know the evils of intoxicating liquor, but what do we see while considering this bill? We see the Representatives from the State of New York, from Boston, and from Hamilton, Ohio, which is an adjunct of Cincinnati, the Representatives of St. Louis, these men who have come from districts where the big breweries have their money invested in the brewing industry—we see them opposing this measure. I want to appeal to the Republicans on this side of the House, to this Republican Congress, that the people are going to hold us responsible for the passage of this prohibition-enforcement measure. I do not like to see some Republicans play into the hands of the St. Louis breweries and the New York liquor dealers. That is what some of them are doing at this time. There is an organized effort—and everyone knows it is true—an organized effort here now to dillydally and delay the passage of this bill. We have had national prohibition since the 1st of July, and now we are trying to enact an enforcement measure. What do we see? Filibuster after filibuster to try and stop the passage of this measure. I believe the Republican Party should stand back of it now that it has become the organic law of the land. Now that war-time prohibition is here in fact, I believe that it is our duty and the duty of the majority on this side of the House to get back of this measure and enact it into law as soon as possible. I yield back the balance of my time. [Applause.]

Mr. VOLSTEAD. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY of Pennsylvania. Mr. Chairman, this debate tells the same old story. For 10 years I have heard the same plaints as those uttered by the opponents of this bill this afternoon. Always they declare that prohibition does not prohibit and that the more antiliquor laws we pass the more liquor will be sold. Of course, if these statements were true every brewer and distiller and liquor dealer in the land would be behind this measure. [Applause.] It furnishes a splendid test of their theory. It is the final act in the drama which depicts the rise, progress, and downfall of John Barleycorn. And the last desperate efforts to prevent its passage proves how well the liquor intertsts know that it means the end for them. When John Barleycorn goes off the stage now he goes off to stay.

Mr. Chairman, this fight has been going on for generations. It began at the very birth of the Republic, when Dr. Benjamin Rush, chairman of the Committee on Independence in the Continental Congress, published his book on "The Evil Effects of Alcohol." For 143 years the war has raged. Defeated times without number, the forces of sobriety and efficiency and morality have returned to the attack against the liquor traffic.

Every year has seen new recruits added to the forces fighting against that traffic. Scorned and ridiculed at first, these fighters for a sober America at last marshaled an invincible army. They knew that no question is ever finally settled until it is settled right. Little by little they advanced their standards. Where the vanguard rested to-day the rear camped on the morrow.

During this long struggle the liquor traffic fought without regard to the laws of man or God. It defied its foes with the brazen impudence born of long success. It undertook to control government. It named its own candidates for office. It made cowards of public men. It manipulated the ballot and robbed the ballot box. It purchased newspapers to deceive the people. It sent out paid lecturers to misrepresent the fact. It threatened business men with ruin and boycotted those who had the courage of their convictions. It stepped forward to fight by the side of every commercialized vice which was under fire from an indignant citizenship. It allied itself with the Prussian foe against which America fought in a death grapple.

Then the end came. The people of the United States issued their sovereign decree that the liquor traffic be outlawed. They determined that no compromise was possible. They demanded a fundamental solution for a fundamental evil.

By a two-thirds majority of Congress, backed by the ratification of 45 out of 48 States, they spoke their will. They insisted upon putting the liquor business out of Government, the Government out of the liquor business, and the liquor business out of business. [Applause.]

Does anyone here mean to say that the people of America did not mean that? Such talk is folly. The people demanded the banishment of the liquor traffic—root and branch. With all their power they said that very thing, and they expect Congress to obey their command.

And still, in the very face of these facts, we are expected to listen to these "constitutional" arguments so volubly expressed on this floor. When I hear these arguments I thank God that I am not a constitutional lawyer. When all other pleas fail, the Constitution is the last refuge of these experts in keeping the people from securing what they desire. It is curious to note, also, that they always use the Constitution to shield the robbers, never the robbed; always the exploiters, never the people who are being exploited.

My friends, there is one fundamental principle in the Constitution which these experts overlook. It is that the people's will is the supreme law.

That will is expressed in orderly and convincing procedure when the required number of States ratify a proposed constitutional amendment submitted by a two-thirds vote of Congress.

That has been done. This amendment is now a part of the sacred Constitution itself, and its enforcement should be a matter dear to the hearts of these loud worshipers of the Constitution.

Not only that, but the very foundation of our constitutional system is that Congress shall be the lawmaking body. If Congress can not pass the laws the people desire or can not enact them in a manner to be understood, then the whole system falls.

I maintain that every day's delay in passing this enforcement measure gives new grounds for a loss of respect on the part of the people for Congress itself.

Here is one situation which presents itself: Congress enacted that after the 1st day of November, 1917, the District of Columbia should be dry. Not satisfied with that, Congress went still further and passed a "bone-dry" law for the District of Columbia.

Then Congress passed the war-time prohibition law, with still more stringent provisions for violations. That meant three laws, each more stringent than the one preceding. Not even a constitutional lawyer would contend that Congress meant anything else than the prohibition of the sale of liquor in the city of Washington and the District of Columbia.

But at this moment there are 150 indictments against liquor sellers in this city being held up on the ground that the war-time prohibition law, with no enforcement provisions, repealed the other two laws.

It is being seriously argued in the court on behalf of violators of the laws passed by Congress that there is no law whatever in force since the 1st of July in Washington to prevent any man from selling any and all kinds of liquor. It is declared that until the enforcement provisions carried in this bill before us are passed all other congressional enactments fall.

Now, it seems to me that these gentlemen who are so fearful that Congress will bring itself into disrepute by carrying out the command of the people might well consider the discredit which follows on inaction. In any case Congress need not be concerned about the purpose of the liquor interests to perpetuate an evil. Its concern should be in the clear purpose of the Nation to wipe that evil out and act accordingly.

Mr. Chairman, all these camouflage arguments made by advocates of the liquor traffic are useless. This war is won. The liquor traffic was brought to the bar of the American conscience, was given a fair trial, and declared guilty.

The very few days of trial, even under unfavorable conditions, abundantly prove the claims of those who favored the overthrow of King Alcohol.

In Pittsburgh, that greatest workshop of the world, the reports show amazing benefits, with approbation on every side.

Yesterday I clipped from the Pittsburgh Leader, one of the largest and best newspapers in Pennsylvania, the following news item:

Crime in Pittsburgh "just ain't."

At central police station to-day only three prisoners passed in review before Magistrate John J. Sweeney with the customary smile and "Good morning, judge."

Magistrate Sweeney is loafing on the job. The desk sergeant is weary for want of company, and the turnkey fears his wrist will go stale. The police reporter is frantic, and from present indications his job is about as safe as a bartender's.

In morals court, Magistrate Tensard De Wolfe sat on his bench with all the dignity of his office. The court was instituted to raise the morals of the city, and the magistrate had only one case before him.

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. KELLY of Pennsylvania. I have not the time.

Mr. CALDWELL. I just want to ask one question.

Mr. KELLY of Pennsylvania. I want to finish this clipping:

The usual number of offenders ranging from 60 to 125 per day who greeted Magistrate Sweeney in alcoholic days has dwindled down to two or three. In all other police courts the magistrates are scratching their heads and wondering what's come over our fair city. But three arrests in a day in the downtown district seems incredible, and even the officers are scratching their heads.

The police patrol wagons are showing the effects, for dust is growing fast and thick on the well-worn seats.

It looks like a long vacation for policemen, magistrates, and police reporters, and the sad part of it is that the boss sometimes gets tired filling the pay envelope when there is no work to be done.

Mr. CALDWELL. Will the gentleman yield now?

Mr. KELLY of Pennsylvania. In a moment. Mr. Chairman, the last paragraph of that news item suggests another phase of this question. It was brought forward by the gentleman from Pennsylvania [Mr. MOORE] this morning, when he mourned the loss of revenue by the passage of this measure.

When you realize that the cost of all the tremendous organization of courts, jails, prisons, reformatories, and so forth, will be so greatly decreased by the operation of this law, you begin to see its real bearing on the revenue question.

The last figures that I compiled show that there is spent every year in America the sum of $1,373,000,000 for the operation of our machinery to deal with criminals and crime. With this report and similar reports coming in from every city in the land, it is easy to see how that immense sum may be cut down to a fraction of its size by the elimination of the evil which makes necessary such expenditures. The fact is that the liquor traffic never has been a revenue producer. It is the most ruinous tax collector Uncle Sam ever had, and thinking Americans have acted on that knowledge.

Mr. CALDWELL. Mr. Chairman, will the gentleman yield now?

Mr. KELLY of Pennsylvania. Yes, I will yield.

Mr. CALDWELL. I was going to ask the gentleman when he was reading the newspaper clipping if he did not think that

perhaps the newspaper reporter who wrote it had taken a "shot" instead of a drink before he wrote it?

Mr. KELLY of Pennsylvania. Mr. Chairman, the reporter wrote the truth as he found it, and it is the truth that hurts the liquor business.

The great Pittsburgh district is no stronghold of that business. The citizenship is largely made up of men who toil in mill and mine. They produce the vast quantities of iron and steel and coal which have made Pittsburgh famous around the world. They know their own best interests demand the overthrow of this evil, which has corrupted American politics and laid burdens on every American citizen. [Applause.]

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. KELLY of Pennsylvania. Yes, I yield to my friend from Ohio.

Mr. COOPER. My friend comes from a great industrial district. Since prohibition went into effect there has he seen any uprising of Bolshevism and anarchy that Mr. Gompers speaks about?

Mr. KELLY of Pennsylvania. No; but, on the contrary, I have seen satisfaction and pleasure over the destruction of this enemy of every American worker. [Applause.]

The citizens of my district believe in the enforcement of the law which the people of America have written into the Constitution. They believe in the new day and the new America. They have seen the evils of the system of the jungle law with "every man for himself and the devil take the hindmost." They know that the new spirit is one of interdependence, where every man must recognize that he owes obligations to his neighbors. They have seen in the light of a world on fire by war the absolute necessity of unity for the common good. They know that this measure we are discussing to-day is a product of that feeling in America, and that the constitutional amendment which needs this measure to make it effective was the deliberate, long-considered purpose of the American people.

You may rest assured that the citizenship of my district and of America will consider any attempt to overthrow that purpose as an act of faithlessness and treason to them and to the essentials of the American system of Government. [Applause.]

Mr. LEA of California. Mr. Chairman, I ask the privilege of revising and extending my remarks.

The CHAIRMAN. The gentleman from California asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. LEA of California. Mr. Chairman, I believe it is the fair judgment of the people of America that this Congress should pass reasonable laws to enforce the Federal prohibition amendment, and if that were the only question involved here I would have nothing to say. I am entirely conscious of the fact that it is probably true that anything I shall say will not in the least affect the result of the vote on this bill. However, I believe the war prohibition legislation here proposed is vicious and unworthy of Congress. I do not want this occasion to pass without arising here to protest. I believe it is unworthy of this Congress for a reason that is as old as Mount Sinai—he who abuses power is unworthy of it.

During the war we prohibited the manufacture of distilled spirits, we limited the quantity of fermented spirits, many restrictions were placed upon the sale of all beverages. On the whole, control of the liquor question during the war worked well. The exceptions were some sections where local authorities failed to enforce proper regulations of saloons.

While the war lasted there would have been a logical reason to support war prohibition. But the historian of the future will search the pages of the CONGRESSIONAL RECORD in vain for a logical or an appealing reason why this Nation, that went through the war without prohibition, should enact "war prohibition" after the war was over.

No man with candid intelligence can rise here and say that Congress now has a fair, legitimate right to impose war prohibition upon this country. War prohibition presupposes a war. The only right Congress has to enact prohibition before the Federal amendment goes into effect is the war power of Congress as based upon the necessity of war. This legislation was enacted after the war was over and after the armistice was signed, 10 days after, and it was made to go into effect eight months after. Is there any reason that appeals to an intelligent man for contending there was any war necessity for legislation which by its terms is not to go into effect until eight months after the war was over? War prohibition to go into effect after a war is a fraud upon the face of it. In its enactment "war prohibition" was a legislative absurdity. And to repeat the offense now that the war is eight months behind us would be legislative buffoonery.

When the historian of the future reviews the record of this and the last Congress for the purpose of getting a true estimate of the men who composed them, what can be his conclusion as to the wisdom, stability of character, and mental quality of legislative authors of an act, that was passed and signed in the exercise of war powers, providing for war prohibition to go into effect eight months after the war was over? What conclusion can he draw from such a situation that will reflect creditably upon the honor, wisdom, or patriotism of those responsible for such a freakish legislative child?

The Federal prohibition amendment provides that it shall go into effect one year after its ratification. It has been denied that the prohibitionists promised one year to this country in which to adjust itself to prohibition. There was no other legitimate reason for delaying the time for the operation of the amendment. However, I want to read to you the words of the CONGRESSIONAL RECORD at the time the Federal prohibition amendment was submitted to Congress. The distinguished chairman who had charge of the measure at that time made this statement in reference to the amendment which provided for one year before the act should go into effect:

> While we prohibitionists desire to have the country go dry, we do not propose to let our zeal in that great cause destroy our sense of justice, and I for one was willing to advocate the right of the brewers and distillers to have one year to wind up their business. We have distinguished precedents for this in the action of nearly all the dry States. Most of the States have given them a year in which they may wind up their business. * * * I think it is a perfectly fair amendment, and I will be very glad to vote for it, and I hope the dry Members will vote for it. (CONGRESSIONAL RECORD, Dec. 17, 1917, p. 432.)

And they did vote for it unanimously. Those who advocated the adoption of the Federal prohibition amendment went to every section of this country. They went out to California, where we have our vineyards, and they said, "See how fair we are, how liberal we are. You shall have one year after this act goes into effect to dispose of your present business, to readjust yourself to the conditions that Federal prohibition will impose." And to-day, after the Federal prohibition amendment has been ratified and before the year is up, the same men who took that position before this country are demanding that we enact war prohibition eight months after the war is over, in violation of the promises they made. If a corrupt political boss in the city of New York or Chicago or Philadelphia would make a promise like that and repudiate it, he would be condemned as a corruptionist in every newspaper and from every platform in America. [Applause.]

So I say to you prohibitionists, who like to talk about good morals and good citizenship, exercise the good morals and good citizenship that are involved in keeping your word to this country. [Applause.]

I especially want to call the attention of the House to this fact: If this war prohibition act should be repealed, it would not mean that the wet condition would be in force in any dry territory in this country, but it would simply mean that you would restore to the wet States the privilege of self-determination upon the question until the Federal amendment goes into effect. Now, I am unable to understand how a man who has absorbed the principles of local self-government in America—the greatest foundation of human liberty that this world has known—how a man from a State like Kansas, for instance, that has prohibition, should be greatly agitated about denying the privilege to Massachusetts, or New York, or California of exercising the same right that Kansas exercised—the right of determining this question for itself. [Applause.]

It seems unreasonable when Congress has only a colorable, if any, power at all of enforcing prohibition on unwilling States. I am particularly interested in the situation of the grape growers of California. To-day there is hanging on the vines in California, approaching harvest time, perhaps the greatest wine-grape crop in the history of California, as reported by the Agricultural Department only three weeks ago. If this legislation goes into effect, the farmers of California will be able to harvest only a small part of that crop. Part of those grapes are good for other purposes, but a great part of them are marketable only for the purpose of putting them into wine. If this purported "war legislation" shall be continued or go into effect eight months after the war is over, and thereby rob those farmers of California of the fruits of their labor, it will be one of the greatest outrages committed in the legislative history of the United States. [Applause.] And I am here to-day to say there are politicians in power in this country who have the idea that they can traffic in the question of prohibition and act on the theory that they can politically sell out the legitimate rights of the grape growers of California and thereby advance their own political fortunes. I want to say that that thing can not be pulled

off without my standing here and branding it as the political pandering that it is. [Applause.]

Now, what happened while the war was going on? While the sons of these grape growers were going to France and fighting and dying for this country, every night the mothers of those boys were praying for their safe return and for victory to American arms. While they were doing that, dry lobbyists were here in Washington trying to persuade this Congress to rob the parents of those boys of their lifetime earnings. To-day the sons of some of those grape growers lie sleeping the eternal sleep in the soil of France. It is un-American, it is unworthy of the American Congress, to-day, under the pretense of war prohibition, under only a color of right, to rob those parents of what their industry has legitimately earned.

When Federal prohibition goes into effect Congress will have full power that it should legitimately exercise at that time to impose prohibition but not now.

While the war was going on I picked up one of the publications that are commonly sent to Members of Congress by these zealous representatives that I believe to a large extent misrepresent the churches and organizations for which they pretend to speak. One minister quoted therein stated, in substance, "After the war is over there will be a revulsion against prohibition legislation, and therefore we should be zealous to put this over now before conditions change." In other words, it was that man's conception of the duty of an American legislative body to take advantage of the opportunity, the psychology of war, to place upon the statute books of the American people a law that would afterwards be offensive to them. That is the standpoint of a zealot, but it is not the legitimate attitude of one who would legislate with the best interests of this country at heart.

The other day when the chairman stood before us to present this bill he warned us that if we did not support it we would be defeated. His close affiliation with the Anti-Saloon League, I fear, has caused him to acquire something of its philosophy. To my mind it makes not a particle of difference what the votes yesterday were or what the votes to-morrow may be. The man who comes to this Congress is unfit to be here unless he is willing to go down to defeat for voting for what he believes to be right. And when the time comes that the standard of American politics will be to count noses and vote according to the noses, the real basis of liberty in America will have departed. [Applause.]

The philosophy of the Anti-Saloon League is that every American Congressman thinks more of his seat than he does of anything else. A few months ago I was in the office of a Senator of the United States when a lobbyist came into the office and said to his clerk, the clerk of a Senator who had followed the prohibition cause loyally all the way through, "We want you to give the Senator to understand that if he does not vote so-and-so in a committee on a certain bill, we are going to follow him up to his State and defeat him for reelection." And that man was not kicked out of that office, as he deserved to be. The philosophy of the dry boss is to-day the same as used to be the philosophy of the liquor boss: "If you can not rule an officer, ruin him."

Now, that is the standard that is adopted. Last November the President signed this war prohibition act 10 days after the war was ended. The President is responsible primarily to the American people for a war prohibition act that went into effect after the war was over. Congress passed the act before the armistice. Immaterial details were agreed on in conference afterwards, but it was the President's signature, after the war was over, that made it possible to have prohibition go into effect when the war was over. Now, when that happened some of these lobbyists in the dry cause thought th y had the President boot, baggage, and all. Under their leadership they had induced the President to do that absurd thing. But the President was excusable to a large degree. This dry measure was connected with an Agricultural bill as a rider at a time when the President's mind was busily engaged on other great questions. Had the President courageously vetoed the measure, it would have been reenacted without the rider when Congress reassembled within two weeks. It is commendable in the President that after a few months expired and he saw what was going to be the inevitable result of this law he recommended it should be repealed. Then what happened? Every one of these papers, such as the Clipsheet, that comes to Members of Congress, started a vicious attack on the President of the United States. Their attack is mildly summarized in these words:

The strong condemnation of the church has settled upon the head of the President.

In other words, they are going to excommunicate the President because he recommended the ban on beer and wine should be lifted. The whole Clipsheet, purporting to be published by the Board of Temperance, Prohibition, and Public Morals of the Methodist Church, was devoted to detraction and vicious attacks upon the President. That was simply a method of flourishing the club and trying to force the President of the United States to hoist the white flag of surrender to the Anti-Saloon League. A prominent dry declared, "The President will never lift the ban; he is afraid to."

What happened in the next issue of the Clipsheet?

It contained this language in black type:

Notice: No man can be elected President of the United States in 1920 who is not openly and emphatically in favor of strict enforcement of the prohibition law. Every reform agency and every church and every informed patriot will fight a man of any other type to a finish, no matter whether he is Republican, Democrat, or Mugwump.

In other words, the notice of the Anti-Saloon League to every man in this country who might aspire to be President of the United States was, "Come and place your neck under the yoke of a church political organization or you can not be President of the American Republic." [Applause.]

Another recent issue of the Clipsheet was entirely devoted to an attack upon the delegates of the American Federation of Labor who gathered in front of the Capitol requesting the repeal of war prohibition so far as it prohibited the use of beer containing not more than 2.75 per cent of alcohol. Delegates representing over 2,000,000 union laborers in the United States gathered in a quiet, orderly, law-abiding manner in front of the Capitol Building and as humble American citizens presented their protest against what they believed to be an unjust usurpation of their rights. The Clipsheet headed its tirade, "The Bolsheviki Marches on Congress."

In further describing these men, representing the great bodies of union labor in America, the following words were used:

Vicious liquor interests will march on Washington, hoist the red flag of Bolshevism and law defiance in front of the Capitol.

The moral effect will be open defiance of the Government, the flaunting of Bolshevism and revolution, the encouragement of anarchy.

It is a burning insult to the people of Washington and the Nation at large that such a demonstration be permitted to take place, and it is but adding insult to injury to give it the protection of the police.

Law-defying, prohquor element, headed by Samuel Gompers and his ilk.

Most vicious and law-defying element the world has known.

Helping break down law and order that Bolshevism may dominate.

Low element fostered and backed by the liquor interests.

Followers of the outlawed liquor trade.

Radicals, anarchists, Bolshevists, thieves, thugs, gunmen, pro-German sympathizers, and weak-kneed individuals.

The permission to hold this demonstration is an absolute surrender to a disloyal element, masquerading behind the name of "labor" and harboring in its arms the spirit of treason and Bolshevism.

Allowing a direct demonstration against properly enacted law will lend encouragement to all the lawless elements to rise up against the Government, and will imperil the safety of the Nation.

Pro-German element, as treacherous as the crowd across the sea.

Drive them from the country that America may be a fit place in which to live.

We have no place for those who defy our Government.

Connected with this tirade of false, vicious, and unwarranted abuse was a reference to the "Christian ideals" of the people the Clipsheet claims to represent. To men of the character who edit the Clipsheet, Christian ideals are excess baggage. The theories of the Clipsheet have little relation to the mission of the friend of "publicans and sinners." They belong to the ultra-religious class who crucified the Saviour. They belong to the class that stood on the streets and thanked God that they were not as other men. They are the class of whom the Saviour said, "Beware of the leaven of the Pharisees."

This type of preacher-politician is the same type of men who 30 years ago used the pulpits of America to stir up all the bitter hatreds of the A. P. A. movement.

There is a large California orphan asylum in my district where at that time hundreds of unfortunate and parentless children were cared for by the Catholic Church, in a form of charity of which the world knows no better. In order to provide the orphan asylum with a sufficient supply of water, excavations were made on the top of an adjoining hill on which to place a reservoir. A preacher-politician editing a paper, similar to the Clipsheet, gave out a scare-head report that the Catholics were fortifying the orphanage, preparing for a revolution, when they were going to seek to take over the Government and destroy the Protestants.

Eventually falsehood, uncharitableness, and Phariseeism take their course. Truth, fairness, and common sense will yet prevail.

Mr. VOLSTEAD. Mr. Chairman, I yield 10 minutes to the gentleman from Arkansas [Mr. TILLMAN].

The CHAIRMAN. The gentleman from Arkansas is recognized for 10 minutes.

Mr. TILLMAN. Mr. Chairman, I ask unanimous consent that if I do not conclude my remarks at the end of 10 minutes, I may be allowed to revise and extend them in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. TILLMAN. My friend from Massachusetts—that is to say, from Boston [Mr. FITZGERALD]—said that he wanted Massachusetts to live its own life and not be interfered with by those from other States who desired to legislate upon any subject that might affect them. The people of my State and of the South about 50 years ago wanted to live their own lives. We were the happiest people in the world. We had about 4,000,000 slaves, worth about $2,000,000,000. Many of those slaves we had purchased from the State of Massachusetts, represented, in part, so ably by the gentleman from Boston. These chattels had ceased to be valuable in the northeast as skilled laborers, but they could make cotton, and we bought their ancestors from our enterprising friends in Massachusetts mainly. We wanted to live our own lives and we brought them, largely from New England, down to the sunny South to make cotton. This great Union would not allow us to live our own lives. It took our slaves from us. It not only freed the slaves without compensating our fathers for them, but it did something worth while, it freed the white boys of the South as well. The young white men of the South would not have been worth preserving if slavery had not been abolished. [Applause.]

Now, I had some trouble in my mind about this problem of liquor confiscation for many years. I thought it might be unfair to people such as those represented by the gentleman from California [Mr. LEA], who owned valuable property in the way of vineyards and distilleries and liquors, to confiscate their property. But when I thought about those 4,000,000 slaves in the South, emancipated with a stroke of the pen as a war measure, I concluded that this furnished a precedent, and that if slavery was a crime such as to justify confiscation, the liquor traffic should be similarly treated. We are now destroying a greater enemy of mankind than slavery. [Applause.]

Liquor is a poison. The saloon is a nuisance. Either the State or National sovereignty has the right to destroy it, as it has to destroy the paraphernalia of a gambling house without compensation to the owners.

I have listened with great interest to the distinguished constitutional lawyers from Ohio and Pennsylvania. Strange to say, they are against this bill because it is not going to be enforceable. They define the word "concurrent." I want to refer to an authority which I think is at least as persuasive as the authorities cited by those constitutional lawyers from Pennsylvania, to wit, Mr. STEELE and Mr. DEWALT. Bouvier's Law Dictionary is recognized as an authority in law all over the world. In defining the word "concurrent" it says:

Concurrent. Running together; having the same authority: thus we say a concurrent consideration occurs in the case of mutual promises; such-and-such courts have concurrent jurisdiction—that is, each has the same jurisdiction.

In my State the circuit court has original jurisdiction of misdemeanor cases. The justices' courts have original jurisdiction. They have concurrent jurisdiction, and the court that gets possession of the defendant's body first has jurisdiction to try him for a misdemeanor. So concurrent jurisdiction means, as Bouvier says it does, as when "a concurrent consideration occurs in the case of mutual promises, such-and-such courts have concurrent jurisdiction; that is, each has the same jurisdiction."

My friend from Pennsylvania [Mr. DEWALT]—and I hesitate to differ with him—refers to authorities here to sustain his position and asserts that it is impossible for any authority to prosecute a man for violating the liquor law under amendment No. 18 if the State does not adopt exactly the same penalty and the same kind of a law that the Federal Government adopts. I do not have any trouble about that at all. We have in each State Federal courts, and we have State courts. If a man violates a State law which provides a penalty of $100 and six months in jail for selling liquor, it can do that. It has concurrent power with the Federal Government to enforce that kind of a statute. The Federal court, if it made the penalty greater or less, different from what the State makes, would have the right to try a defendant also.

We say to the liquor men of the country, "You are shifty; you have plenty of money; you know how to evade the law. We are going to prosecute you in either the Federal or State courts. We are going to give jurisdiction to the State court, for that court to try you and assess any penalty that the State sees fit to impose upon you, and we give the Federal Government the same jurisdiction. So my friend can not escape the conclusion that the State court or the Federal court, either, may try a defendant under amendment 18, no matter if there is a difference in the penalty imposed by any State and the Federal Government, and the Federal Government can try him if his State fails to legislate on this subject.

I fail to see the bearing of the decision read by the gentleman from Pennsylvania on his point. The case he cited occurred on account of trouble between the States of Minnesota and Wisconsin with reference to jurisdiction over a certain stream, the St. Croix River. Here is what that court decided. It does not uphold his contention. It says with reference to that particular case:

The result is that neither of these States—

That is, Minnesota or Wisconsin—

could as against the other rightfully assume or exercise the assumption of permanent occupancy or possession or control of the navigable portion of the river.

That is true. Here was a river running between two States. The law gave those two States concurrent jurisdiction over the stream. The decision states that one State alone could not exercise the right of permanent occupancy of that river. It does not touch the issue here as I see it. So if my position is tenable that objection is disposed of. We have had many amusing things mentioned in this discussion. Gentlemen who want to see this bill defeated, gentlemen who want wine and beer sold, raise the objection that if this bill is passed it will not be enforceable.

Why, our friends from Pennsylvania and Boston should be delighted to see a liquor-enforcement law passed that is not enforcible. These gentlemen want liquors sold, and why should they complain that this bill if passed will be unconstitutional? Whenever a gentleman has no other argument to offer against a proposition, he says it is unconstitutional.

The able and distinguished gentleman from North Carolina [Mr. POU] says he has been a prohibitionist all his life, and yet he is against this bill because it is too drastic. I am for it because it is drastic. [Applause.] It has teeth in it. It must be drastic or it will not stop the sale of liquor. The gentleman and others, including my legal friend from Ohio [Mr. GARD], say that they sympathize with the poor old farmer who under this bill can not make cider out of his apples. No; they are not sympathizing with the farmer. They are sympathizing with the bull-necked saloon keepers who are going to be put out of business by the passage of this law. And my friend from North Carolina [Mr. POU] knows an old gentleman who has been driving a public vehicle for 30 years, and he is afraid somebody who gets into that vehicle and takes a drink is going to be arrested. The same gentleman is afraid that old Aunt Jane, who has made a pint of blackberry cordial, is going to be arrested in her home for having liquor in her possession. Such objections as these are calculated to fatigue one.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TILLMAN. May I have two minutes more?

Mr. VOLSTEAD. I yield to the gentleman two minutes more.

Mr. TILLMAN. The man who has a hundred head of cattle and who does not want to be compelled to put them up when a new fence law is passed is always worried about the trouble the fence law is going to cause the Widow Jones who has one cow. The gentlemen, by talking mere drivel, are pleading the cause of the liquor men. They are pleading the cause of those who for all these years have violated the law. I never knew of a saloon keeper in my life who did not violate the law. He sold on Sunday; he sold to minors. They invariably do it; and it is amusing to observe them shed tears because coca cola will be sold, because moonshiners will operate, because the poor laborer can not get his 3 per cent beer when they are put out of business.

They say also that we are going to become confirmed candy eaters if we quit drinking liquor. Yes; I think you may look for an increase in the sale of candy; father may get full on it; but it is not going to be so bad as it was when he used to go to the barroom and get drunk. You remember that old play of Ten Nights in a Barroom, which, when we were boys, used to bring tears to our eyes. A little girl went to get her father out of the saloon. It was a very touching scene. Now they say father is going to become dissipated by eating candy. Witness a new scene:

FATHER "EATING" AGAIN.

"I fear father's eating again," she says.

"I shall go get him. 'Tis only I can influence him in a time like this," and little Rachael, aged 12, climbs from her chair, and wrapping her wrap about her until her wrap's wrapped enough starts out alone into the dark night.

She reaches the gay city. She pushes by rough men, who turn from her with harsh laughs and flourish candy boxes in her face. She is jostled by the crowds. Bravely she pushes on until she reaches a low candy shop. All is noise and hilarity within. Candy-crazed voices fill the air with vulgar shoutings and tipsy songs. Unafraid, little Rachael enters the door. It isn't the first time. Through the haze of tobacco smoke and behind a pile of empty candy cartons she spies her father.

The rude crowd grows quiet. Men in the act of stuffing another bonbon into their mouths pause and watch the drama about to be enacted. Little Rachael walks to her father, and touching him lightly on the shoulder speaks to him.

"Father, oh, father, you must come with me, the steak's getting stale and so is the tea, the children are wailing, the night's getting old, mother is sobbing and supper is cold. You promised, dear father, you would always abstain, but I see you're still eating; please try to refrain."

Her father, brushing a tear from his reddened eye, throws the half-empty candy box away, and during the scuffle that ensues for the treasured morsels that still remain staggers out with little Rachael into the dark, dark night.

Oh, yes, we are going to be driven to boozing on candy. We are soon also to know the horrors of the buttermilk jag. Father and brother will succumb to the awful lure of cold coffee and iced tea, nut sundaes, death-dealing orangeade, and soul-destroying grape juice. God save the mark, and God save father! [Applause.]

Mr. VOLSTEAD. I yield 10 minutes to the gentleman from Virginia [Mr. SAUNDERS].

Mr. SAUNDERS of Virginia. Mr. Chairman and gentleman of the committee; it is sometimes well to outline the consequences which will follow from an interpretation sought to be impressed upon a law under consideration as an aid in determining whether that interpretation should be adopted. I gathered from the argument of the gentleman from Pennsylvania [Mr. STEELE], an argument which was concurred in by other gentlemen who spoke on the same lines, that any act of Congress in the nature of an enforcement act passed pursuant to the eighteenth amendment to the Constitution would not be effective in any State until that act was validated by some action of the legislature of that State. I wish to point out one or two remarkable consequences of that interpretation, and to show how utterly they are at variance with anything in our experience. As I have said, if I correctly gathered the attitude of the gentleman from Pennsylvania, the Congress may pass an enforcement act by virtue of the authority afforded by the eighteenth amendment, and yet this act so passed under the authority of the Constitution, will not be operative as other acts are, throughout the United States, unless and until it is validated, or concurred in by all the 48 States now composing the Union.

Mr. CALDWELL. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Just for a question. I have but little time.

Mr. CALDWELL. Suppose a State passes an enforcement law providing that the penalty for a violation of the act shall be a fine of $1, and the act of Congress as contained in this bill is passed, and in that State a man is indicted and tried under the $1 provision, would that vitiate this act?

Mr. SAUNDERS of Virginia. Not at all. There are two sovereignties which under the eighteenth amendment are vested with equal power to enact statutes of enforcement. The fact that one State may enforce this amendment by a statute differing in some respects from the statute passed by Congress, does not mean that the two statutes will be in conflict. Obviously if a man is indicted under a State statute, prosecuted under a State statute, and convicted under a State statute, he remains entirely under the sovereignty of the State. The Federal statute of enforcement may provide an entirely different punishment. The same act is an offense against separate and distinct sovereignties, and therefore punishable by both.

Mr. CALDWELL. You are putting him twice in jeopardy.

Mr. SAUNDERS of Virginia. Not at all, the sovereignties are different. The right to plead autrefois acquit, or convict as the case may be, arises when the effort is made to punish a man twice for one offense against a single sovereignty. That is a distinction which apparently has been ignored by the gentleman.

Permit me to continue the illustration I was undertaking to afford. Suppose we should pass the pending enforcement statute. Then according to the gentleman from Pennsylvania it must be concurred in by the States to give it a universal operative force, or by some one State to be effective in that State. New York we will say, ratifies it, Rhode Island declines to ratify, Maryland ratifies, and California declines to ratify. Then upon the theory of the gentleman from Pennsylvania we would have the remarkable spectacle of an act of Congress that would be operative in New York and not operative in Rhode Island; operative in Maryland, and not operative in California. A law of Congress would be effective only in spots. Is there any parallel to such a situation in the jurisprudence of our country? Was such a conclusion ever reached, as to any other act of Congress?

More than this, by virtue of the interpretation which the gentleman from Pennsylvania is seeking to impose upon the eighteenth amendment, we would give to each and every State in the Union the power to nullify in substance, an act of Congress. Nullification played a considerable part at one time in the politics of this country. But the statesmen maintaining that doctrine, could not make it effective. Is it now solemnly contended that a constitutional amendment should be so construed as to give to the States, as against a Federal statute, an effective power of nullification?

Should Congress act first, and pass a Federal statute, and Virginia, for instance, is opposed to it, then Virginia can nullify that statute as to its territory, by failing to take any action on its part. On the other hand the Congress will have the same power of nullification as to the acts of any State. Should Virginia enact primarily a statute to which Congress was opposed, the failure of Congress to concur in the Virginia statute, would render that statute abortive, even in Virginia. The two distinct sovereignties would be clothed with equally distinctive power over the acts of each other. The spectacle of Congress nullifying a statute of a State by declining to act, and of a State nullifying an act of Congress by a like inaction, is certainly a novel and remarkable one.

There are instances in which a State can not act under the Constitution unless the necessary authority is afforded by Congress, but I do not recall a case in which the power of Congress to pass an act under the authority of the Constitution, may be defeated by the nonaction of a State legislature.

Mr. HARDY of Texas. Will the gentleman yield?

Mr. SAUNDERS of Virginia. No; my time is too limited. Ten minutes is very little time in which to make a legal argument on the question of construing the Constitution. I wish to call the attention of the committee to another proposition. When this House submitted to the States for ratification this eighteenth amendment, that action was taken as the result of a Nation-wide feeling, that in the interests of better citizenship, the liquor traffic should be abolished, and to that end new and effective agencies should be created. It was the fixed purpose of Congress to quicken and enlarge, not reduce and retard the powers of the State, and the Nation to suppress this traffic, by giving both to the States and the Nation a power over the subject matter which respectively these sovereignties had not hitherto enjoyed. The amendment gives Congress the power to deal with offenses in the States, and gives to the States authority to deal with subjects not heretofore confided to them, namely, importations and exportations.

These new powers were afforded for the reason that the overwhelmingly dominant sentiment of the people of this country was determined to wipe out the liquor traffic. Hence the creation of the agencies to make effective this fixed and dominant purpose on the part of the people. [Applause.] And yet the gentleman from Pennsylvania would seek to give an interpretation to this amendment which would make it more difficult than at present to prosecute offenses within the States, and as well as offenses of an interstate character. Why do I say this? Because the effect of that interpretation is to take from Congress and the States the power to pass a statute of enforcement, unless the act of one sovereignty is concurred in by the other. Apart from this amendment Congress certainly is empowered to deal with offenses in interstate traffic, but according to the theory of construction of the gentleman from Pennsylvania, Congress would not be able to provide a punishment for parties unlawfully moving intoxicating spirits, in interstate traffic, unless its action was ratified or validated by the action of the State or States. Nor would a State be able to effectively legislate under this amendment against offenses occurring in the State, unless the statute was concurred in by Congress. Hence the construction of the amendment urged by the gentleman from Pennsylvania, if sustained, would weaken the power both of the States and of the Nation to deal with this offending traffic. Can it be conceived upon any view of this amendment, having in mind the circumstances and purpose of its passage, that it was designed in the interests of the liquor traffic, by furnishing less effective agencies than formerly existed to combat and suppress it? An ordinary amendment to the Constitution becomes the law of the land when ratified by three-fourths of the States, but according to the theory of construction which we have been discussing an act of Congress enacted pursuant to this amendment will not become the law of the land, until it is ratified, or concurred in by the 48 States composing the Union. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SAUNDERS of Virginia had leave to extend his remarks in the RECORD.

Mr. VOLSTEAD. Mr. Chairman, I yield two minutes to the gentleman from Kansas [Mr. STRONG].

Mr. STRONG of Kansas. Mr. Chairman, a short time ago the gentleman from Pennsylvania [Mr. MOORE] put into the RECORD a statement as to the amount of taxes that the Nation would lose if we enforced the prohibitory law. I do not think the gentleman from Pennsylvania has been reading his own paper, for up in Philadelphia they have already found that under war-time prohibition they have a saving of far more than the loss in tax

revenue. I read from the Philadelphia Evening Ledger of July 5, 1919:

DAILY ARRESTS SLUMP FROM 300 TO 45 HERE—PASSING OF LIQUOR FOLLOWED BY EASY DAYS FOR POLICE, EVEN IN TENDERLOIN.

The art of getting arrested is going out of style in this city along with hard liquor.

From a daily average of 300 arrests here prior to July 1, the average has dropped to about 45 since that momentous day.

The oldest "beat pounders" at the Tenth and Buttonwood Streets station and the Eleventh and Winter Streets station could not recall a quieter Fourth of July in their districts.

In the old days the police worked overtime in those districts. Yesterday three arrests were made. One man was befuddled when brought in. He thickly asserted his trouble was not due to near beer. Two youths were brought in for playing craps.

One lone figure faced Magistrate Pennock in central station yesterday. He was arrested for using a wrong license number on his automobile.

The magistrate had come up to this city on an early morning train from Atlantic City. He thought of the wind-swept beach, sighed as he looked at the lonely prisoner, then discharged him. Pennock got the next train back to the seashore.

[Laughter and applause.]

Mr. IGOE. Mr. Chairman, I yield two minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, reading from the same great publication, the Public Ledger, to which the gentleman from Kansas [Mr. STRONG] has just referred, I quote from the first page, first column, of this morning's issue:

Poisonous soft drinks undermine children's health.
Saccharine and coal-tar dyes in cheap and dangerous products.
Sale of impure soda breeding tuberculosis.

[Laughter.]

Are made in filthy places and sold under most insanitary conditions.

Mr. STRONG of Kansas. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. I regret I can not yield in two minutes.

Mr. STRONG of Kansas. I would just like to know if the gentleman wrote the article himself?

Mr. MOORE of Pennsylvania. No; not guilty. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting this soda-water article.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Here is the harrowing tale in full:

The congested portion of Philadelphia is slowly but surely having its health undermined by the continued use of soft drinks, soda water, and water ices put up under the most insanitary conditions, which contain ingredients that are forbidden by the law, and cause digestive disorders in the drinker, and which are finally dispensed from fountains or carts, where no precautions to protect the public health are taken.

Tuberculosis, intestinal and stomach disorders are on the increase as the result of the extensive use of the drinks, due to a combination of prohibition and hot weather. Medical authorities yesterday agreed on this point when queried by a Public Ledger reporter and denounced the cheap "pop" as "poison."

The drinks, which are composed of the cheapest possible ingredients, are sold at a very low price because of their poor quality and are consumed in large quantities by the families in the congested sections.

Unaware of the harmful effects of certain substitutes used in making the drinks, the parents of large families send their children to the fountains to have pitchers filled with the soda water, which is cooling if nothing else, and then doled out portions of the drinks to infants, only to have them writhing in pain a short time later as the coal tar or saccharine used in the soda water took effect on the children.

Many of the families are unable to procure ice and turn to the soda water for relief for their sweltering families. In many cases the soda water is the drink of the supper table, and in this way, doctors agree, the many summer disorders that at times mount up to alarming proportions, especially among the children, have their inception.

SACCHARINE MUCH TO BLAME.

The saccharine used in sweetening the drinks, although forbidden by law, and the coal-tar flavoring and coloring, used in drinks sold as pure, are the two ingredients that are causing a large portion of the trouble that is keeping the doctors in the congested portions busy. In these districts every corner store has a fountain, where the cheap drinks are handed over the counters under conditions that are almost unbelievable.

The use of the saccharine, surreptitiously used in some cases by the manufacturers of the soft drinks, is prohibited by law, and is known as a poison which causes violent digestive troubles. Doctors prescribe it sometimes for treatment of diabetes. The coal-tar derivatives also are attacked by the physicians as causing stomach troubles, while the continued use of it, even in the soda water, is likely to cause heart disease in the drinker.

Thousands of bottles of the flavoring and pop are made daily by the soda manufacturers. In many cases the plants are located in narrow and dirty streets. In one case, it is charged, the soda-water bottling establishment is located in a stable, and here the pop is poured into the bottles. Flies play about the bottles, while in other cases the premises of the bottling places are frequented by many mongrels who poke their snouts into the bottles of soda.

IS GATHERER OF FLIES.

The flavors of soda are then taken to the retailer, who, in most cases, is in a corner cigar store, with the soda fountain open to the street end, exposed to the dirt and dust caused by passing traffic. The soda fountain, with its sweet stickiness, is always a playground for swarms of flies. The washing of the glasses is perfunctory at the best, a mere rinsing that accomplishes nothing, and this in a vicinity where the doctors declare that the proportion of tuberculosis among the residents is higher than any other section of the city. Indeed, many of the proprietors of the soda fountains are suspected of having communicable diseases by at least one physician who has a large practice in the congested sections.

The physicians say that tuberculosis in many cases is transmitted by the unwashed glasses that are used in many places, and that children are thus given the dread white plague. Due to the poor housing and sanitation conditions, the percentage of tuberculosis in the congested sections, both downtown and uptown, is said to be amazing, and sick and healthy intermingle as they drink from the common glass at the corner soda-water fountain.

Dr. M. Jacob, of Fifth Street, near Reed, who is connected with the Phipps Institute and the Eaglesville Sanitarium, was especially bitter in his denunciation of the evils. He declared that he warned his patients against the soda water and the water ices that are known as "snowballs and are sold from pushcarts to thirsty and sweltering children."

Dr. Jacob said that if the users could but see the conditions under which the flavors and soda are made they would never again use the cooling drinks. He said that his experience in the congested districts had convinced him that a goodly portion of the disorders among the children there were due to the continued and daily use of the cheap soda waters.

KNOW THEIR STUFF IS BAD.

He said the makers of the stuff had frankly said the soda and flavors they were using were little better "than garbage," but said they could not do any better at the price they were selling their stuff.

"Every hot spell has its resultant effect on the number of patients that we doctors have. It is rotten stuff that is being forced down the throats of the poor and ignorant people of this district who can not afford to buy a cake of ice daily, and something ought to be done to stop it. The very men who sell it are ofttimes afflicted with some disorders that are easily transmitted by carelessness to the buyer of the soda water or water ice." Dr. Jacob also declared that much of the trouble was caused by the terrible conditions under which the drinks are sold to the masses of the people in the downtown section, as well as the poor stuff used in making the drinks.

Dr. A. A. Cairns, chief medical inspector of the city force, said that while he was aware of the conditions under which the adulterated soda water was being made and sold, nevertheless he personally could do nothing to check it. He said he had heard of an establishment where the soda was bottled and the flavors made in the very place where the horses were stabled, but that the only manner in which anything could be done would be for the place to be closed as a menace to the public health. When asked why this was not done, Dr. Cairns said that he did not know, as another department was concerned in the matter.

He also told of the deleterious effects of drinking the adulterated soda.

HELPS WEAKEN SYSTEM.

Physicians at Mount Sinai Hospital said that while they suspected that the soda water, pop, and water ice were responsible for a portion of the cases brought into them, nevertheless they had never made an exhaustice research into the matter. Other physicians said the soda weakened the system of the drinkers so they were more susceptible to disease.

Robert M. Simmers, State food inspector, when queried by the Public Ledger, told of the horrible conditions under which the soda and flavors are prepared. "Many of the places are unfit for a pig or dog," he said. Mr. Simmers characterized the product of some of the pop manufacturers as little better than "so much poison." He said he had found a large portion of the intestinal disorders were caused by the soda.

Large placards have been distributed by the State in several languages, which warn that the use of saccharine in the drinks is poisonous.

Mr. IGOE. Mr. Chairman, I will ask the gentleman from Minnesota to use a portion of his time.

The CHAIRMAN. The Clerk will read if no one is to take the floor.

Mr. DYER. I think it would be a good thing, as I think we have heard enough argument.

Mr. VOLSTEAD. I yield 15 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman and gentlemen of the House, so many attorneys, some lawyers of such great eminence, have given us the benefit of their opinions on the legal construction of this proposed measure that I hesitate to express my humble ideas concerning same. There has been such a diversity of opinion, however, that I am made bold in voicing a few conclusions.

The distinguished authority on constitutional law, the gentleman from Pennsylvania [Mr. STEELE], would have us to believe that because section 2 of the eighteenth amendment to the Constitution of the United States provides—

The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation—

that before the Federal enforcement act would be enforceable in any State such State would have to ratify or pass a statute similar to the act of Congress. With all due respect to this distinguished gentleman, and to others of my colleagues who seem to agree with him, and for whose legal opinion ordinarily, and upon a subject not so partisan as the one under discussion I would have the highest regard, to me such a construction appears absolutely ridiculous.

The legal definition of "concurrent," as given by Mr. Bouvier and Mr. Black in their respective law dictionaries, has already been placed before the House. It so happens that in practically every State in the Union there is concurrent jurisdiction given to various courts and exercised by all of them at one and the same time. Concurrent power is synonymous with concurrent jurisdiction. Our Federal district court enjoys concurrent jurisdiction and power with our State circuit courts to try naturali-

zation cases conferring the rights of citizenship upon foreign-born citizens. One has just as much power, authority, and jurisdiction as the other, though each acting with the same purpose.

While on the circuit bench in the State of Texas I had much experience in trying defendants charged with violating the prohibition statutes passed by the legislature. Under the State law constituting it a felony to make one sale of liquor, I have sentenced men to the penitentiary, who, while violating a State law making their offense a felony, were yet amenable to the United States court only under a misdemeanor charge with a fine as the punishment. And in one such case I remember—The State of Texas against Taylor Avant—the defendant had displayed upon the wall of his restaurant a Federal license which authorized him to sell intoxicating liquor.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. In a moment. Thus we see that a defendant, through the commission of a single act, may violate a State law, be guilty of a crime against a State, and be subject to one penalty, and yet at the same time by the same act violate a Federal law against the United States Government and be guilty of an entirely different offense and be subject to an entirely different punishment.

If I may presume to answer the great constitutional lawyer from Pennsylvania [Mr. STEELE], whose judgment and advice we would all love to be able to follow, let us say that Pennsylvania does not pass an enforcement statute after this bill becomes a law, and one should thereafter sell intoxicating liquor in Pennsylvania, he would be tried under the Federal law by the United States court and punished according to the punishment we provide in this bill. He would not and could not be tried by a State court, because there would be no State law that he had violated. Suppose Pennsylvania should prescribe a nominal fine as the punishment for violating this law, then such culprit could be tried by the State court and punished by a nominal fine, and then also tried by the United States court and punished according to the provisions of this bill. There would be no placing in jeopardy twice for the same offense, because, as stated by the eminent gentleman from Virginia [Mr. SAUNDERS], there would be two entirely different sovereignties whose different laws making such act different crimes of which in violation thereof the defendant was guilty. There would be the Federal sovereignty with its law, its crime, and its penalty, and at the same time, on the other hand, there would be the State sovereignty with its law, its crime, and its penalty, both concurrent, and yet exercised by each separately; and the bootleggers heretofore plying their infamous and dastardly vocations in the various States will be put upon notice by this act that hereafter they will be answerable both to Uncle Sam's unerring courts, with unerring punishment, and also to the State courts. In cases tried by me I remember incidents where the defendant had taken out his Federal license by paying his tax, which eliminated that feature from his prosecution in the United States court, yet, as before stated, was guilty of a felony in the State court. This section 2 of the eighteenth amendment merely gives to each State the right it already possessed to constitute liquor selling a crime against the sovereignty of that State and the authority to punish the offender by State law, but this is entirely distinct and additional to the right and power lawfully delegated to Congress by the people of the United States through the said eighteenth amendment, to create Federal machinery such as the now proposed law to enforce such provision in the Federal courts throughout this Nation.

Mr. GALLAGHER. Mr. Chairman, I would like to ask the gentleman, as a judge from the State of Texas, where he finds any law that ever authorized the United States to issue a license to sell liquor. The gentleman said a while ago that a license was posted in a restaurant in Texas.

Mr. BLANTON. Well, it was so posted.

Mr. GALLAGHER. They do not issue a license. They merely collect a tax.

Mr. YATES. They issue a stamp.

Mr. GALLAGHER. They issue a receipt for the tax.

Mr. BLANTON. The receipt for the tax is the document to which I referred as a license.

Mr. GALLAGHER. It is not construed as a license.

Mr. BLANTON. But I referred to it as a license.

Mr. GALLAGHER. It is merely a tax. It is a receipt for a tax. That is all the Federal authorities give a liquor dealer. They do not give him a license.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Not now. I am sorry, but I have not the time.

Mr. YATES. I wanted to help the gentleman.

Mr. GALLAGHER. The gentleman can not do it in that respect.

Mr. BLANTON. Oh, my good friend, the distinguished gentleman from Illinois [Mr. GALLAGHER] is getting facetious in drawing a legal distinction between tweedledee and tweedledum. When in local-option territory in Texas a shrewd bootlegger goes to a Government agent and pays his Federal occupation tax to sell intoxicating liquor and hangs his tax receipt up in his place of business, we officers of the law in Texas denominate such document as a license to violate the law by selling intoxicating liquor in local-option territory.

Oh, my anti friends, my good wet friends say that we have no power or authority to prescribe the essential elements and ingredients constituting this offense; that we can not define intoxicating liquor; but that we must leave this question to each separate court of the land for his separate individual judicial ascertainment. Why, just as there is a great diversity of legal opinon here among the lawyer Members of this Congress, so you will probably find fully as great diversity of opinion among the various courts of the country. You would have one judge in New York holding that 2¾ per cent is nonintoxicating, another judge in Florida holding that 2¼ per cent is nonintoxicating, another in California holding that 2 per cent is not intoxicating, while in Chicago or in St. Louis some judge might hold that 4½ per cent, of which I am told the best beer contains, is not intoxicating. And the eighteenth amendment to the Federal Constitution would be worthless.

Why, in every State the essential ingredients of murder are either defined or understood from the common law. The law in defining murder does not stop when it says that every person with sound memory and discretion who with malice aforethought, either express or implied, with a deadly weapon shall take the life of any reasonable creature within being within such State shall be deemed guilty of murder, but it defines what shall constitute malice aforethought, what shall constitute sound memory and discretion, what shall constitute a deadly weapon, and what shall constitute a reasonable creature within being. None of these essential elements are left to the courts to be separately defined according to their diversity of opinion. And so with every crime the elements and essential ingredients are defined by the legislative bodies and not left to the courts. If our law and the judgments of our courts are to be uniform, we must give some guide to the courts by properly defining just exactly what shall constitute crime.

This subject of prohibition has always been fought with both ridicule and astute, ingenious argument. Illustrating these two weapons, I call your attention to the remarks of our genial friend from Massachusetts [Mr. GALLIVAN]. When have you heard anything more ridiculous upon a serious subject of national importance? And then consider the unusually skillful argument of our honored friend from Pennsylvania [Mr. STEELE], and you have the ingenious obstacle always to be found in the pathway of prohibition reform. Ridicule and ingenuity.

The wise framers of our Constitution, whom even the opponents of prohibition and this measure still love, admire, cherish, and fondly allude to on all occasions, saw fit to provide a method for amending these cardinal principles of government, and provided that such Constitution could be amended whenever by a two-thirds vote both Houses of Congress submitted the proposed amendment to the people for ratification, and further provided that one of the two methods only of ratifying was the affirmative action taken by the two Houses of the legislatures of three-fourths of the States forming the Union. And the ratification of every single amendment to our Constitution up to this good date has been had through this method—action by the legislatures.

Now, with respect to this eighteenth amendment, the provisions of the Constitution have been followed to the letter. This amendment was passed by this House and the Senate by a two-thirds vote of each branch of Congress, and not merely 36 States, the three-fourths required, but 9 States more than necessary, to wit, 45 States out of the 48 have promptly ratified this amendment, and it has become a part of the fundamental law of the land. Where each of us have sworn to uphold and defend this Constitution, is not it our solemn duty to diligently and vigorously enforce this eighteenth amendment as well as every other portion or subdivision of it, regardless of whether we are pros or antis on the subject of prohibition?

In the march upon our Capitol on our sacred Flag Day, in demanding of Congress that we repeal this law, Mr. Samuel Gompers, the president of the American Federation of Labor, and in the name of labor, took the position that Congress has no more right to take from the thousands of foreigners he represents their beer and wine than it has to tell them that they can eat no meat. Such argument! And he intimates that unless Congress complied with his demand and repealed this law there would be anarchy and Bolshevism among the laborers of this

country. Why, when a man eats meat it produces no effect upon him that causes him to injure his neighbor or to kill passing strangers. It produces no injurious effects upon his unborn posterity. It does not cause his wife to leave and divorce him. It may cause his stomach to ache, but it does not give the stomach-ache to anybody else. It does not cause him to be tried for murder or some other heinous crime committed under its influence, for meat has no influence whatever upon the mind. It builds up rather than breaks down the physical system. Therefore Congress has no right to say to a man "Thou shalt not eat meat," and no legislative body ever has or ever will attempt to say it.

But when a man drinks intoxicating liquor the injury thereof is not confined to himself or even to his own family. Besides his wife and children suffering from drunken abuse, assaults, injuries, hunger, deprivations, and disgrace, they and every other person who comes in contact with the drinker while under the influence of liquor is in constant danger of life and bodily harm in degree according to the disposition and character of the poor unfortunate so afflicted. His unborn children suffer even unto the third and fourth generation. Should not the president of the great American Federation of Labor be able to draw a distinction between the Government's power of control over the eating of harmless meat and the drinking of harmful intoxicating liquor, sometimes much more harmful to innocent bystanders soberly attending to their own private business than to the drunkard who without warning and without malice causes them to lose their lives?

There was a time when only preachers and good women espoused the cause of prohibition. There was a time when public men dared not favor it or speak in its behalf. There was a time when the traveling men of the country, commonly denominated "drummers," were dissipated. But no finer bunch of sober men can now be found throughout the land. They realized that they could not successfully hold their jobs in honest competition, and they met the problem like men. There was a time when bankers dissipated. But they finally realized that if they expected to retain and increase the confidence of the public they must be sober. There was a time when railroad men were dissipated. But gradually system after system required absolute sobriety, until now few of the splendid men who fill the engine cabs, into whose hands are daily placed the lives and safety of our loved ones, drink at all, but are absolutely sober. They demand it in their organizations. There was a time when lawyers, doctors, and even preachers could drink to excess and still hold the confidence of their clients and patrons, but that day has passed. Men of business demand sober attorneys; anxious fathers and mothers demand sober doctors and surgeons; congregations, even though some may imbibe themselves, demand of their spiritual leaders in the pulpits absolute sobriety. The drinking mechanic can not compete with his sober competitor.

There was a time when public officeholders could drink and remain in office. This is impossible now, with very few exceptions. Gradually the drinking men have been supplanted by men of sober habits.

Intoxicating liquor is not outlawed by the Anti-Saloon League and the Woman's Christian Temperance Association merely. It is outlawed by the healthy public sentiment of the great, tremendous, overwhelming majority of the good men and good women in every walk of life throughout this broad land of ours. The consensus of opinion has been reached that the United States can get along without intoxicating liquor and that our citizens one and all will be much better off without it in the future.

Mr. VENABLE. Will the gentleman yield?

Mr. BLANTON. No; my time is short.

Mr. VENABLE. The gentleman recalls the Apostle Paul's position on that subject.

Mr. BLANTON. Oh, yes; that excuse is so old and threadbare that I have not time to waste on it. These subterfuges and these excuses——

Mr. VENABLE. Does the gentleman mean to say that the Apostle Paul was guilty of a subterfuge?

Mr. BLANTON. Oh, no; the distinguished gentleman from Mississippi is too brilliant a lawyer not to know what I meant. "A little is good for my stomach's sake" has been the subterfuge and excuse of more good men making beasts of their lives and going to the dogs than anything else. They all hide behind Saint Paul. I want to say to my good friend from Mississippi that during my eight years on the circuit bench of Texas my court reporter kept a record of the evidence in all divorce and criminal cases tried, and that record discloses that in 75 per cent of all of the divorce cases tried during those eight years—and there were several hundred—whisky was apparent as the primary cause of the separation; that it was liquor that caused little innocent children to be taken from one parent and given to the other; and such records further disclose that in the hundreds of criminal cases tried before me during those eight years whisky was apparent as the primary cause in at least 85 per cent of them.

Some of our "wet" friends have intimated that prohibition is the fanatic result of the action of new converts. Such is not the case. It is the natural, inevitable result of healthy growth brought about through the educational influence of the pulpit, the incomparable Woman's Christian Temperance Union, the Anti-Saloon League, and the sober, intelligent judgment of the thinking men and women of America.

I have been a strong prohibitionist for 30 years, actively engaged in a continuous effort to help destroy this infamous traffic in human lives and human souls. I have helped to dry many counties in my own State. I have made many speeches there for State-wide prohibition. Both in the Sixty-fifth as well as this Sixty-sixth Congress I have introduced numerous prohibition measures embracing every provision contained in the eighteenth amendment, the war-time prohibition act, and this proposed enforcement act now under consideration, and even more drastic provisions. I do not want to see a single loophole left for this law to be evaded or violated with impunity. Prohibition was an important plank in every platform upon which I have stood in asking my people for public office. It is a platform upon which I am neither afraid nor ashamed to stand. I am one of the happiest and proudest Members of this Congress to have been instrumental in helping to bring about national prohibition laws that will make every State in this Union as dry as a bone. Our friends need not be so apprehensive of nonenforcement of this law. Bootleggers will not be dealing with State courts altogether. They are to face the Federal courts of our land, where it is possible to enforce the law and where punishment is certain. It is the certainty of punishment that deters crime, and my experience has been that while criminals will take many chances with the slow process and uncertain action and inadequate procedure of our State courts, they are not willing to monkey with any of Uncle Sam's courts. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN (Mr. FESS). Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none.

Mr. IGOE. Mr. Chairman, I yield 15 minutes to the gentleman from Tennessee [Mr. MOON].

Mr. MOON. Mr. Chairman, I have seen so much excitement in this House and throughout the country upon this question that I am going to make as brief and dispassionate a statement as I can of some of my views on this bill. I am tired of speeches fit only for the hustings in this House. I am no new convert to the advocacy of temperance in the United States. For 22 years I have stood upon this floor and supported that cause. There has never been passed in this Congress during that period a single law that has not been voted for by me.

Mr. Chairman, it will hardly be possible for me to discuss this measure except in a few of its features during the time allotted to me.

I regret very much that the enactment proposed to enforce the provisions of the eighteenth amendment to the Constitution, which prohibits the manufacture and sale of liquor, should come in this unusual, unnecessary, and drastic form. We all accept the doctrine that liberty is not license, but the right of every man to do that which he wants to do in obedience to just laws. A law which is not just is destructive of liberty. In the interest of society and for the establishment of a government under a constitution the individual must surrender many of those rights which belong to him by nature to the State in which he resides, and under our dual system of government it was essential that many rights of the States should be yielded to the General Government for the benefit and protection of all.

There has never been a system of government like ours, perhaps none so complex in its nature and yet so efficient in preserving local and national rights. The powers of the State and Federal Governments are in the main distinct. The Federal Government is supreme where authority is delegated to it under the Constitution. It is a Government of delegated powers only. The State exercises all those sovereign powers that have not been delegated to the Federal Government or prohibited to it by the Federal Constitution, yet there are some powers that the State and Federal Government may exercise concurrently, with the result that an individual may be punished for one and the same crime by two distinct jurisdictions. The States may prohibit the manufacture and sale of liquor, as may the United States. The Federal Government has no power to legislate on any subject

unless that power is granted in the Constitution, but it may exercise any powers that can be fairly implied from the special power granted to enforce it, and it may invoke other provisions of the Constitution to enforce a provision of that instrument, but it can not go lawfully beyond this. Congress can not imply by its arbitrary will a power from an express power granted to it that is not essential to enforce the expressed power, nor can it imply an unconstitutional power and exercise it for that purpose.

The eighteenth amendment to the Constitution prohibits the manufacture and sale of intoxicating liquor. Any legislation that will be necessary and reasonable to carry out or enforce this provision may be invoked by Congress, but this essential legislation must be fairly implied and directed to the prevention of the manufacture and sale of intoxicating liquor. It can not be directed against other and distinct offenses. It is perhaps lawful through the commerce clause of the Constitution, which gives to Congress the power to regulate interstate commerce, to prohibit the transportation, exportation, and importation of intoxicating liquors, but that power, I think, would be of doubtful implication from the eighteenth amendment. However, when taking the commerce clause of the Constitution and connecting it with the eighteenth amendment, this bill is clearly constitutional, so far as it prevents the manufacture and sale or transportation of liquors in interstate commerce, but it is very questionable that transportation could be prohibited under any provision of the Constitution in mere intrastate commerce, because Congress has no jurisdiction over intrastate commerce. However the courts might hold about this it seems certain that the language in page 3, section 7, that makes it unlawful for any person to "receive or possess" any intoxicating liquor is unconstitutional, because no such authority is given in the amendment, nor can it, under any sensible rule of construction, be fairly implied from the amendment or any section of the Constitution, since the mere possession of liquor by an individual not engaged in the manufacture and sale of liquor is not a necessary means of preventing the manufacture and sale of liquor. If the words "receive or possess" apply only to those who manufacture and sell, it might be held to be a fair implication from the Constitution, but it goes beyond this and applies to any individual who has any intoxicating liquor in his possession. Then, too, the word "possess" in this connection means that the liquor can not be used, as it would be impossible to use it without possession. It certainly is not necessary to prevent one from using liquor in order to enforce prohibition against the manufacture and sale of liquor. If that had been intended, the words "manufacture and sale" need not have been put in the bill. It would have been only necessary to say it shall be unlawful for one to possess or use liquor. Thus is precluded the possibility of an intelligent implication of power to prevent possession and use of intoxicating liquors under the Constitution. The power, however, is ample to prevent the manufacture and sale. It would seem unnecessary to any intelligent mind to contend that when the power of Congress is limited alone to a prevention of the manufacture and sale of liquor that it would have the implied power to prevent the possession and therefore the use of it by one in no way connected with the manufacture and sale of it. Congress can not imply a power from a power granted and do an unconstitutional thing even in support of the Constitution itself. The means of enforcing and making effective a constitutional amendment must be essentially constitutional; else it is not a fair implication of power from a particular grant of legislative authority.

I think the section of the bill referred to is unconstitutional in the respect mentioned.

Again, the eighteenth amendment to the Constitution prevents the manufacture and sale of intoxicating liquor. The question of what "intoxicating liquor" is, within the meaning of this constitutional amendment, must be determined from the usually accepted meaning of these words at the time of the adoption of the amendment. It is a judicial question, one for the courts and not one for the legislative branch of the Government. If Congress can define what "intoxicating liquor" means and determine that any brand of whisky, wine, beer, porter, or ale is intoxicating that contains one-half of 1 per cent alcohol the next Congress, having a similar power, can determine that any beverage containing 10 per cent, 20 per cent, or 90 per cent of alcohol would or would not be intoxicating, as no Congress has a right to bind upon matters of legislation a subsequent Congress. The meaning of the fundamental law would thus vary from time to time and would be subject to the caprice and will of a partisan Congress. Congress can not change the meaning of a constitutional power by statute nor add to nor take from it by the use of any words defining what it means. The amendment is self-explanatory. If not, it would be nugatory. The words "intoxicating liquor" must have a fixed and determined judicial significance in the view and light of the meaning of those words at the time of the adoption of the constitutional amendment, else Congress by statute would be constantly changing and making constitutional provisions on the subject. The fundamental law must be stable and fixed; that it should be so was the purpose of passing the amendment. Constitutional law does not vary like statutes. The facts in each and every case when applied to the law will determine whether the law has been violated or not. The facts as to the component parts of a beverage must be known and its effect on the system determined in order to show whether or not it is an intoxicating liquor. If Congress could at will name anything that it desired to as an intoxicating liquor and prohibit the use of it under this section, it might name sulphur water, ginger ale, or anything else it wanted to as intoxicating liquor, and punish for the manufacture and sale. The question as to whether the beverage is intoxicating or not, as I have stated, is purely one of fact under the law. Some beer, some ale, some porter might be intoxicating or not with more than one-half of 1 per cent of alcohol in it. In fact, it has been judicially determined in the State of New York that beer with 2.75 per cent of alcohol is nonintoxicating. Certainly beer with 1 per cent of alcohol would be nonintoxicating. Can Congress arbitrarily say that beer with one-half of 1 per cent of alcohol is intoxicating when the fact is not so? If so, then it holds that a nonintoxicating beverage is intoxicating and penalizes the manufacture and sale of it when it only has power to prevent the manufacture and sale of intoxicating liquors.

Mr. GALLAGHER. Will the gentleman yield for a question?

Mr. MOON. Yes. I would rather not, but I will.

Mr. GALLAGHER. I just wanted to ask the gentleman a question in that connection. It has been stated here by a gentleman representing the very moral city of Pittsburgh that the brewers are now making 2¾ per cent beer, and that the saloons are calling for it; that the courts have nothing to do. Do you not think that Judge Sweeney, who is asleep on the job with nothing to do, could testify that beer is not intoxicating?

Mr. MOON. I do not know how that is. I am discussing a question of fact and a question of law, and how the proper decision must be reached in any case under the facts and the law.

This is so evidently a question of fact, to be determined by judicial decision, that it seems mental weakness to discuss it. [Applause.]

Gentlemen are in error when they say that in the States the legislature determines what is alcoholic liquor. Under the statutes prohibiting the manufacture and sale of alcoholic liquors, where liquor, beer, and wine is alleged to be sold in violation of law, it must be proven as a fact on trial of a case that the beer or wine is sufficiently alcoholic to produce intoxication. The State, with its plenary police power, might prohibit sale of any kind of liquor, whether alcoholic or malt, but when the statutes, as does the eighteenth amendment, prohibit the manufacture and sale of intoxicating liquor only, the question would be a judicial one and for the courts only. The terms of the Federal amendment limit the power of Congress, and we can not go beyond. Of course, we do not know what the courts may hold, but this objection seems clear to me. We must do our own duty regardless of what the courts, the Senate, or President may do in this matter. Under our oaths of office we alone are the judges as to the meaning of the Constitution, the test of which we are sworn to apply to all measures we vote upon. If we think the measure is unconstitutional, we violate our oaths of office if we support it.

I would be glad to discuss the constitutional features of this bill in some other respects, but I am without time. However, there are other objections to the bill which I desire to mention. The bill is unusual and unreasonable in that it attempts in so many particulars to reverse the ordinary and well-established rules of evidence in the trials in courts of questions arising under this amendment. It can hardly be said that any sane reason could be given why the whole method of judicial procedure, as well as the burden of proof, should be shifted in order to enforce this amendment. Why can not it be enforced just as any other law?

Under the law to-day in any case of murder, arson, larceny, or burglary the burden of proof is upon the State or the United States, as the case may be, to establish the guilt of the defendant beyond a reasonable doubt. Under the provisions of this bill, when a man is accused under certain conditions, the whole burden of proof is shifted to the defendant, and he must establish his innocence. No civilized State ever tolerated such a law. Again, a number of men who are entirely innocent of wrongdoing may by reason of the wrongdoing of others be convicted and forced to pay enormous fines and costs provided for in this bill. All it is necessary to do to convict the owner of land under the provisions of this bill is to prove that some one has distilled liquor on his land and that he knows or should

have known that the offense is being committed, and the burden of proof is upon him. Men frequently own land in the mountains where liquors are unlawfully distilled that are hundreds of miles from their residences. This bill would practically require a man to keep a guard over the land all the time and see that no offense is committed upon it. You might just as well make a man guilty of murder because a man on his land kills some one when the killing would not have occurred had he guarded the land. Again, if any wagon, ship, or railway car should carry any liquor that was unlawfully placed in it by anyone under conditions that one by reasonable care might have known what it contained, that one becomes a prima facie criminal, and he must establish his innocence or his property must be confiscated and sold to pay the costs and penalties. This is making the owners of every means of transportation and of land criminals without having committed an offense.

It is provided in another place that where a man is convicted of a violation of this law, notwithstanding that he may be punished by fines or imprisonment, he shall be required to give bond and security of from $500 to $5,000 in court not to commit that offense again within 12 months under any condition. If he is too poor to give the bond, or fails to give it, he is punished by imprisonment until he does give the bond, not exceeding six months. He is thus punished in advance for an offense that has not been committed at all. No one ever suggested the punishment of a man in advance for an offense that had not been committed until these distinguished apostles of Nero presented this measure.

Under the provisions of this bill, a man can not secure liquor for medicinal purposes without going through formulas that make it almost impossible. If a sick man needing stimulation could not reach a doctor his friend could not give him a drink of liquor without going to prison as a result. If a farmer should permit a keg of sweet cider to ferment and contain more than one-half of 1 per cent of alcohol and did not throw it away immediately on knowledge thereof he would have to pay fines or have to go to the jail and probably lose his farm, or if a barrel of vinegar, perchance, should by any reason become alcoholic to the extent of one-half of 1 per cent, as sometimes happens, it would have to be disposed of at once, because after it was known by its owner that it contained one-half of 1 per cent alcohol, or if he could have reasonably known it, he would become liable to fine and imprisonment if he retained it.

I might mention a number of things equally objectionable in this bill, because it is a code of laws in itself, as impracticable and senseless as anything ever suggested. We surely ought not to be laying traps for the unwary and ignorant, as well as for the better informed, by which they may be deprived of their liberty or property for doing an act which everyone would recognize in itself as not criminal or in any sense involving moral turpitude.

This bill should be opposed because it is worse in all its features than the infamous force bill. It would take an army of marshals, deputies, and police, annoying and disturbing the people in every section of the country, breaking open and searching houses—except those exclusively used for dwellings—entering boarding houses, hotels, banks, public offices, and private offices everywhere in quest of offenders and suspected violators of the law, whether they have any right or reason to believe that an offense has been committed. Why is it necessary that such strict measures should be undertaken to prevent a man from taking a drink of beer when no such safeguards are thrown around society to protect it from murderers, thieves, and burglars? Is it the work of unreasonable and thoughtless men, or is it the production of men of calm and judicial minds seeking to protect the rights and justly enforce the constitutional amendment?

In this country there are millions of people who regard the eighteenth amendment as a deprivation of liberty. There are millions more who think that this fundamental law is necessary to preserve the race, particularly the youth of the land, from moral and physical destruction. While I have greatly doubted the wisdom of sumptuary laws, for their tendency is to the destruction of free institutions, still I have felt it best to listen to and heed the voices of those who would preserve the morals, health, and good citizenship of the youth of the land by enactments that would save them as well as law can do so from the ravages of alcoholic beverages.

I have therefore voted for every temperance law that has been passed by Congress in the last 22 years, including the eighteenth amendment, and I am anxious to support any just and reasonable and constitutional statute to enforce this amendment against the manufacture and sale of intoxicating liquors by penalties that will accomplish that purpose. A law that is too lax on this subject would be of but little good and would hardly be necessary to pass. One that is cruel and inhuman will do less good, for it will produce a revulsion of sentiment on the subject of the amendment. Conservative laws alone are worthy of a great people. Can we not amend this bill by striking out the unreasonable and unjust features that it contains and make a dignified and effective statute that will be a monument to our sense of justice and right and to the Nation's morality and not an evidence of frenzied folly and unbridled fanaticism? It was the good, law-abiding, and Christian people of this country who forced the passage of the eighteenth amendment to the Constitution. It was not the professional, political poltroon, who made temperance advocacy a means of securing money as a prime object, that secured the amendment.

That mercy, that justice, and that love of humanity that actuated these good people must ultimately manifest itself again in forcing a modification of this lawless and drastic statute—if you pass it—to meet the necessary and legitimate purposes of the amendment. Standing, I trust, with them, I stand against all who would thus desecrate and degrade the work they have done. My oath of office to support the Constitution, my sense of common justice, my views of my duty to society, will forbid that I vote for this bill in its present shape. If you do not amend it so as to make a just and effective response to the prohibition amendment in spirit and in fact, I shall vote against it, if that will do any good, or I will enter my silent protest to this wild legislation, based on the statement I have made, by not voting at all. [Applause.]

Mr. VOLSTEAD. Mr. Chairman, I yield 20 minutes to the gentleman from Georgia [Mr. UPSHAW].

Mr. UPSHAW. Mr. Chairman and gentlemen of the committee, one day in a Georgia court room the great Ben Hill, so long the eloquent tribune of the South, was trying a case, and in rising to address the jury he said:

> May it please the court and gentlemen of the jury, I feel oppressed on this occasion. Whenever I am called upon to do anything for which I see no earthly use, I must regard it in the light of an oppression.

It was the great lawyer-statesman's ingenious way of seeking to impress the jury from the very outset that his case was so plain, the evidence so unmistakable, that he saw no necessity for argument. The case of the people against the liquor traffic and in favor of this law-enforcement bill is likewise plain. I feel a sense of oppression in the very necessity of combating the opposition to this bill. I do not mean that there are not certain features of the bill that may need a slight amendment. I am speaking of the opposition to the bill as a general proposition. It seems to me that whatever a man's personal opinion may have been, either for or against the prohibition of the liquor traffic, he should now take the magnificent stand of the gentleman from Kentucky [Mr. CANTRILL], who in the beginning of this debate reminded the House that he had always opposed prohibition as a principle, but that now since the friends of national constitutional prohibition had gone out into the open into a free, fair fight and had won an overwhelming victory through the proper channels of legislative enactment, he was determined to stand for vigorous enforcement legislation, devoutly hoping that the law will mean all that its friends claim for it in promoting sobriety and civic righteousness among the people of the Nation. That is splendid Kentucky sportsmanship—yea, more, that is loyal Americanism. [Applause.]

It would make me very happy, because of what I conceive to be the triumph of right; it would make me very proud, as an American citizen, if I could see on the floor of this House the same thing, in spirit, that occurred in the House of Representatives of the Mississippi Legislature on the vote in favor of State-wide prohibition. It was my privilege and honor to address the legislature of that great State just before they cast the vote that banished barrooms forever from their borders. I made the appeal that the "wet" men, who had long defied the will of the known majority, should give the women and the children, the schools, and the churches the benefit of the doubt. I reminded them, as I remind you, gentlemen of the opposition, that this bill is going to pass, and I urged that no man should allow his own children, searching amid the archives of Mississippi history, to find the name of their father recorded opposite a liquor vote; and I rejoiced to learn, when the vote was cast, that the house of representatives voted 110 "dry," and not a single vote in the house in favor of continuing saloons, and only 4 votes in the Senate. Gentlemen of the American Congress, would it not be glorious news to send out to the world, and a glorious legacy to transmit to your children, that, after the friends of sobriety and righteousness have bravely and with clean hands made this eighteenth amendment a part of the Constitution, not one single man was found beneath the dome of the Capitol to oppose the vigorous and complete enforcement of this law?

But before I go into the discussion of any features of the bill itself I wish to clear away a few brush left in my path by the little "brush" that took place on the floor of the House the other day between the gentleman from New York [Mr. LAGUARDIA], the gentleman from North Carolina [Mr. SMALL], the genial and festive gentleman from Massachusetts [Mr. GALLIVAN], and the gentleman from Georgia.

At the close of his three-minute speech, when I had no time in his time or my time to properly reply, the gentleman from New York, in the spirit of playful repartee, referred to moonshiners in the mountains of Georgia and Kentucky and suggested that "the gentleman from Georgia was evidently an authority on moonshiners." Of course, we all understood the spirit of raillery in which the gentleman spoke, but I remind both him and the gentleman from Massachusetts [Mr. GALLIVAN] that they began the thrust and they must not complain if I answer in kind. An Irish washwoman saw her little boy Mike vigorously scratching his head, and she yelled at him, "Mike, Mike, stop scratching your head!" And Mike replied in tearful tones, "I won't do it, Ma'am; they commenced on me fust." Parenthetically, I really believe that Mike had a right to scratch; but the gentleman from New York and the gentleman from Massachusetts, who believe in "personal liberty" and "regulation" would contend that Mike's tormentor ought to be brought in from the residential districts, put on some special preserve along the crowded marts of trade, in the full enjoyment of police protection, and thereby allowed to continue his torment and devilment in the full exercise of personal liberty. Mike believed not in regulation but in extermination, and Mike was right.

Both of these gentlemen began on me first, and I am tempted to here and now declare, in all good humor, that it is a good thing that the gentleman from New York [Mr. LAGUARDIA] recently sacrificed his wonderful shock of princely Italo-American hair, because I am thus relieved of the necessity of perpetrating a cross between a comedy and a tragedy by "snatching him baldheaded" [laughter] for his "moonshine" suggestion; and, as to the gentleman from Massachusetts [Mr. GALLIVAN], there simply "ain't any to snatch."

I do not deny that there may be here and there a moonshine distillery in the mountains of north Georgia—the Kentucky Congressmen are able to take care of the charge against their own lordly mountains. I deprecate their presence, although they are found few and far between, but I place them along with certain other overt violations of law—the law against theft and gambling and murder—but no man would think of repealing the law against these crimes or licensing for any amount of money the perpetrators of these crimes. And these "blind-tiger" distilleries are simply the fruitage of the appetites left to us as a legacy by the long tenure of the liquor traffic. When Baltimore, New York, Boston, and Chicago, the great "wet" centers, shall cease to violate the virtue of "dry" territory by shipping liquor into my own State and all of the States that have voted to be free, it will be far easier to ferret out and destroy the moonshine distilleries of which this gentleman complained.

Interesting indeed to submit right here is the following letter from Baltimore:

BALTIMORE, MD., *July 10, 1919.*

Hon. W. D. UPSHAW,
Washington, D. C.

MY DEAR MR. UPSHAW: Am greatly enjoying the debate on the prohibition-enforcement question as recorded in the CONGRESSIONAL RECORD. I am confident you will "tell them a few things" when your turn comes.

Be sure to remind "the gentleman from New York" that the Government's statistics will show that there is more "moonshining" carried on in New York City than in the mountains of North Carolina, Tennessee, and Georgia combined. You can get the figures from the Internal Revenue Department.

Good luck, and may God bless you in your fearless fight for the right.

Sincerely, yours,

WM. F. WILLIAMS.

But, after all, Mr. Chairman and gentlemen of the committee, I do not think it is much more harm for a Georgia mountaineer to make moonshine whisky for home consumption, and even a little for his neighbors, than it is for these Representatives of the great wet districts of foreign-born population to make "moonshine" speeches on the floor of this House simply for "home consumption." [Laughter and applause.] Knowing that their case is hopeless, knowing that the unselfish prohibition friends of America have won their battle in a fair and glorious fight, how much better it would be for the high-flying aviator of Gotham and the festive and irrepressible Representative from Erin and from Boston to get down to earth, teach their constituents the wholesome reason in law enforcement, and then lead them in singing that good old hymn, "Ye living men come view the ground where you shall shortly lie."

And as for Chicago's recent heavy vote against prohibition, I remind this House that that is the same city, largely of foreign domination, that believes in keeping almost no law at all on the liquor question. For 40 years it has been against the law of God and man to sell liquor in Chicago on Sunday, and for 40 years 7,000 saloons in Chicago trampled the laws of man and of God by keeping open on Sunday. And when the mayor of Chicago, in response to the demand of the law-enforcement leaders, closed the liquor shops on Sunday the champions of the liquor business, the same leaders and the same rank and file that are now favoring the trampling of the Constitution by continuing beer saloons and the reign of German brewers in politics—these same opponents of prohibition, "past, present, and to come," staged a great demonstration and marched through the streets of Chicago 100,000 strong, boasting gamblers, hoodlums, and harlots in their parade—for they all thrive together—calling on the mayor of Chicago to again trample the law of man and of God by opening saloons on Sunday. This, Mr. Chairman, is said "not in bitterness, but in sorrow," as Henry Grady used to say, but this is the brand of morality and law enforcement which these great liquor centers, chiefly of foreign domination, would transmit and transmute into winking courts and seared consciences for the law-abiding, God-fearing people of America who have tried so long to free themselves from the mighty curse of drink and crime. [Applause.]

Concerning the dignified and yet mistaken strictures of the Anti-Saloon League, made by my friend, the gentleman from North Carolina [Mr. SMALL], I feel constrained to say that I hold him personally in high esteem, a man with a Damascus blade for an intellect and an honest regnant conscience. This fact makes it all the more regrettable that he should be so much in error as to criticize harshly the work of the Anti-Saloon League, and to charge the honest men and women who have wrought so unselfishly and so successfully for a sober America, as being their "servile followers." I hold no commission for defending the leaders of the Anti-Saloon League except that commission which an informed conscience compels. I was for a time one of the vice presidents of the Anti-Saloon League of America and one of its unpaid directors. And I speak the truth when I declare that never in secret conclave (if such a conclave were ever held), never in the inner councils of that great body of patriotic, philanthropic men, did I ever see or hear one thing done or one thing proposed that was out of keeping with the highest and noblest ethics. The gentleman from North Carolina [Mr. SMALL] said that, disclaiming being a servile follower, the gentleman from Georgia "assumed to be a leader." I plead guilty to the "soft impeachment." I have rejoiced to follow such great God-fearing statesmen as Howard Russell, the venerable father of the Anti-Saloon League; Bishop Luther B. Wilson, its honored president; P. A. Baker, its stalwart superintendent; Ernest H. Cherrington, its towering business director and editor of The American Issue; Edwin C. Dinwiddie, the tireless and efficient legislative secretary; and Wayne B. Wheeler, the astute, clear-headed, and golden-hearted national attorney, who is charged by the gentleman from Massachusetts [Mr. GALLIVAN] with being the author of this law-enforcement bill.

All of these gentlemen are grandly capable men, and there is not one of them who could not have been making far more money through all these years of ceaseless vigil and consecrated effort if they had only chosen to love money better than they have loved human happiness. I personally saw Ernest Cherrington, with ability enough to be governor or president, turn down a salary nearly three times as large as the league paid him in order to continue his unselfish fight against liquor. And as for myself, having been active in trying to drive saloons, through the triumph of a prohibitionized democracy, out of my own State of Georgia, the pioneer prohibition State of the South, I offer apology to no living man for having responded to the call of many other States of the Union, and for having earnestly and honestly tried to lead the people in the saloon-ridden States into the economic and moral blessings of prohibition, which have so greatly enriched my native State.

I heard of a negro boy down in Georgia who was thrown from a mule and terribly shaken up inside and out. The negro doctor was sent for, but things were not going well, and a white doctor was called in consultation; and wishing to defer to his own profession, the white doctor asked of the negro doctor, "Have you formed a diagnosis of this case?" "Yas, sar," replied the negro doctor, "as well as my professional knowledge will justify, sar, I have come to the conclusion that this unfortunate young gentleman is suffering from a scatteration of the insides." "Have you prescribed for him a remedy?" asked the white doctor. "Yas, sar," the colored doctor replied, "I done give him a combined dose of alum and rossum." "What

on earth made you give him such stuff as that?" said the white doctor sternly. "Well, sar," answered the negro doctor, "I give him the alum to draw the scattered parts together and the rossum to make 'um stick until they got well." [Laughter.]

The temperance friends of America had long been scattered—the Good Templars, the Sons of Temperance, the Murphy Mettings, the Knights of Jericho, and what not; and then came those brave, farseeing evangels of sobriety and truth, the Woman's Christian Temperance Union, the fair women who, like the vestal virgins, kept the fires burning on the altar when we men said the thing could not be done. [Applause.] Permit me to say that I have worn their white badge for many years. I wore it to the polls, was elected to Congress with it on, and that I never lowered their standard or mine one inch in order to win one "wet" man's vote. These wise women put scientific temperance education into the curricula of all the schools in all the States of the American Union and sowed down the youth of yesterday with the principles which have at last been led to coronation in the manhood and womanhood of this victorious hour. But theirs was largely and inevitably the work of foundation propaganda, and for the work these noble heroines did I mention in reverent tones the names of the three great presidents of that conquering white ribbon army, Frances E. Willard, Lillian M. N. Stephens—now gone home to God—and Anna Gordon—God bless the name!—on whose ample shoulders their mantle of leadership fitly fell. [Applause.] But sentiment must be enacted into law.

The women then had to trust the tardy men; and the Anti-Saloon League of America, the brother executors of the Woman's Christian Temperance Union, and the other temperance organizations, was born of God and of man for the legislative battle of the hour. This organization, nonsectarian and nonpartisan, has been the "alum and rossum"—the magnet, if you will—that has drawn the scattered temperance forces of America together and held them until victory has been their reward. The criticisms heaped upon these leaders, in the light of their glorious achievements, constitutes to-day the highest testimonial to the fidelity of their unselfish motives and the wisdom and efficiency of their organization. And since the Anti-Saloon League of America seems to have been such a thorn in the side of those who opposed its methods and its purposes, let me tell you just when it will cease its operations—it will cease to function just as soon as the friends of the liquor interests cease to oppose its worthy efforts toward law enforcement in America and when there is not left a vestige of the devilish and debauching traffic on the face of the earth. [Applause.]

HOPELESS CASE OF THE OPPOSITION.

In face of the hopeless fight of the opposition, I ask, in common parlance, "What's the use?" I find myself wondering why any time should be spent at all in inveighing against prohibition as a governmental principle or a moral and economic measure. That discussion now is purely academic. I hear men asking the foolish question sometimes, "Will our prohibition law hold?" For answer to that question let us think a moment about the process by which the eighteenth amendment would have to be repealed. Two-thirds of Congress must be secured to vote for a constitutional amendment repealing the law just enacted, and then 36 States would have to be found to ratify through their legislatures this constitutional repeal, and everybody knows that that thing can not be done by due constitutional process between now and the judgment day. [Applause.] Would it not be far better, then, far wiser and more patriotic, to spend the balance of our days trying to create a sentiment for law enforcement instead of voicing sentiments on the floor of this House and giving those sentiments out to the world which will tend to encourage the violation of this wholesome national law?

SOBRIETY AND GOVERNMENTAL FAIRNESS.

As to the repeal of war-time prohibition, it seems there can be but one answer from any friend of sobriety and governmental fairness. I believe that President Wilson is not only a very wise but also a very fearless and conscientious man. I believe he honestly felt in recommending the repeal of war-time prohibition that, the end of the war being in sight, he should not in any sense take advantage of a war-emergency measure after the emergency is practically past. And if demobilization of the Army should be accomplished by due process before the constitutional amendment becomes operative on the 16th of next January, then, "dry" as I am, much as I loathe even one day's life for that saloon, which is the breeder of drunkenness and crime, the trysting place of anarchy, the companion of the brothel, and the gateway to hell, still I would not have the President of the United States trample his conscience or violate his oath of office for the sake of three or four months of prohibition. [Applause.]

There is a better way. Much as I think a great and good man was mistaken in his recommendation to Congress, which was construed as a presidential call for repeal before demobilization be actually accomplished, and much as I would have him redeem his oath of office when and only when demobilization is completed, I believe the Congress of the Nation should promptly enact an emergency prohibition statute or a prohibitory tax that would amply bridge over any possible interim that may occur between now and the 16th of January—national constitutional emancipation day.

If the right of Congress to make such a statutory law is questioned, as I have heard it questioned during this discussion, I answer that surely, if it is competent for this Government, by statutory enactment, to lay its hand on the drug stores of my home city and in every hamlet and village in America and stop the sale of narcotics for the preservation of human health and happiness, surely it is competent and incumbent for the same Government to take any action that is necessary to rid our citizenship of the poison and debauchery of liquor. And if the liquor dealer and the brewer complain that they are being too sharply and suddenly dealt with let them remember that any business which has been declared by the Supreme Court of the United States to be a nuisance has no right to expect a single day's life beneath the protection of a flag that stands for human happiness and the sanctity and sobriety of the American home. When Youngstown, Ohio, was threatened with riot the saloons were ordered closed and no doubt when the gentleman from Massachusetts [Mr. FITZGERALD] was mayor of Boston he did the same thing.

In God's name—in the name of American gratitude and national decency—let no such liquor shop or beer saloon welcome home a single hero who fought for the safety of America; and having tasted of the national guardianship of sobriety, with all of its sanity and sweetness for a few happy weeks, let not the Nation which is now, as never before, the beacon light of the peoples of the earth, plunge again into the orgies of drink and shame, making the last few weeks of bacchanalian revelry a sickening prelude of that "far off divine event"—now, thank God, no longer far—toward which the resolute heart of America has so bravely and grandly moved. [Applause.]

PATRIOTS WILL STAND BY THE LAW.

But whatever may be said of war prohibition, this measure must be short lived. The supreme consideration is the enactment of a law that will, through proper enforcement, permanently guarantee the spirit of the constitutional amendment that has been ratified. All patriotic men, irrespective of former affiliations, will unite in a strong program for law enforcement. If 2¾ per cent beer should be allowed to be sold, the whole spirit of the eighteenth amendment would be trampled under foot. Three great evils of the liquor traffic would abide: The drinking saloon would be retained, the appetite for drink would be retained, and the baleful effects of a sodden drunkenness would, alas, remain. These three things would be the result of such a concession, for I doubt whether there is a man on the floor of this House who believes that the breweries and beer saloon keepers would track the law. The question was asked by the gentleman from Missouri [Mr. NEWTON], who, I am frank to say, displayed a fluency of speech and a genius of combat worthy a better cause, if we prohibitionists are afraid to trust the courts to interpret the meaning of "intoxicating liquors"? No; not exactly; but we are afraid, from a long and bitter experience, to trust the makers and venders of 2¾ per cent beer—for they are the same people who have been claiming to believe in "local option"—that a State or a community voting to be free from the liquor traffic ought to be allowed to be free; and yet these so-called "local-option" devotees have been shipping liquor into dry territory all over America and outraging the law which they had claimed to uphold. [Applause.]

We tried to be liberal with the brewers and near-beer dealers in my home city of Atlanta, after our State prohibition law went into effect, but they would not allow us to trust them; 2 per cent beer was for a time allowed, and here is what Judge Nash Broyles, now on the Court of Appeals, but then judge of the police court in Atlanta, said: "A near-beer law is practically unenforceable, as you can not have a chemist with every barrel to see that the beer is light, and besides, men can get drunk on 2 per cent beer if they take enough of it."

And this fearless judge was elected to the Court of Appeals by the whole State of Georgia on the record which he made on law enforcement in the capital of the State. He stands to-day for bone-dry prohibition and enforcement laws that will actually enforce. And on the question of law enforcement, Gov. Dorsey, of Georgia, has sent me the following telegram:

ATLANTA, GA., *July 9, 1919.*

Hon. W. D. UPSHAW, M. C.,
Washington, D. C.:

Prohibition laws in Georgia are being as well enforced as any other laws against crime. Violators are being apprehended daily and many of them, both white and black, are being sent to the chain gang. Our Georgia laws should probably be strengthened and the United States Government, now that the prohibition amendment has been passed, should lend a helping hand. It is only a question of time before, in my opinion, traffic in whisky will be reduced to a minimum.

HUGH M. DORSEY,
Governor of Georgia.

Here is another telegram which deals with labor's attitude on this question:

ATLANTA, GA., *June 17, 1919.*

Hon. WILLIAM D. UPSHAW, M. C.,
Washington, D. C.:

Your Flag Day speech in Congress made history. It was bomb-proof. The demonstration on the steps of the Capitol last Saturday in favor of continuing beer saloons under constitutional prohibition was a reflection on the American flag and the native-born laboring men of America. This sentiment was heartily approved at a great mass meeting in our church Sunday night. Organized labor feels that it has been done an injustice by its chief representative in making it the goat in the interest of Milwaukee, Aurora, and other cities of like fame. By unanimous standing vote, after many enthusiastic speeches by the laboring men themselves, the following resolution was passed:

"*Resolved by the Tabernacle Congregation of Atlanta,* That we are heartily opposed to any change in the war-time prohibition act passed by Congress. We believe that the agitation for repeal and for continued beer saloons originates with the brewers and that their agents have mobilized a lot of foreigners to put on a public demonstration in the interest of the manufacturers of debauchery. We heartily resent the effort to saddle the responsibility of a 'wet' Nation upon the backs of organized labor."

JOHN W. HAM,
Pastor Baptist Tabernacle.

Mayor James L. Key, of Atlanta, where we have had prohibition since 1908, says:

Prohibition has proved a success in Atlanta in every way. Crime, drunkenness, and vice have decreased. The general efficiency of the body of citizens has increased. General business conditions have improved. The law meets with the approval of the community and is enforced as well as other measures.

Chief of Police James L. Beavers says:

Drunkenness has decreased more than 50 per cent. Prohibition has been very successful here, and it will be more so when we get the nation-wide prohibition law July 1.

RIGHT IS NEVER EXTREME.

Honest men on the floor of this House complain that this bill is too extreme, but there is no such thing as a man's being "extremely right." He is simply right or wrong. No genuinely honest man objects to a law against pilfering. Though the penalty for stealing a box of matches be half a hundred years, the honest man is absolutely safe. And the sellers of liquor have caused the friends of sobriety, in dry territory, to suffer so much, we are afraid of anything that looks like beer or smells like beer—for the brewery interests are back of it all, and the brewery in politics and in morals in a nation that has lifted a "stainless banner" above its head, is a travesty and a tragedy all in one.

In vain did Neal Dow, the great old prophet of Maine, dream and work and dream; in vain did John B. Gough lift his winsome, pleading voice; in vain did John P. St. John add cleansing glory to the pioneer prohibition State of the West; in vain did the unique and fearless Sam Jones hurl his thunderbolts at the liquor that one time sought his ruin; in vain has George Stuart wielded the sickle of his entrancing power; in vain has Mary Harris Armor electrified a continent and Nannie Webb Curtis and Carolyn Geisel have captivated the hearts and consciences of men and women; in vain have those wizards of speech and philosophy, John G. Wooley, Clinton Howard, and Sam W. Small, dedicated their marvelous eloquence; in vain has Richmond P. Hobson submarined the liquor traffic with the pitiless dynamics of his scientific logic; and forever vain and useless the marvelous measure of William J. Bryan's stainless devotion—in vain, I say, and useless all, the transforming world-lifting efforts of these mountain-peak men, with all the white-ribbon handmaidens of God who have upheld them with their ideals, their prayers, and their tears, if this high and holy cause in this hour of its glorious triumph is to lay down the bars and open the doors to the law-breaking minions of the demon they have fought so long.

For whom do my worthy colleagues plead in their opposition to what they call the "drastic measures" of this bill? They say that they believe in law enforcement. Then let us have a law with teeth in it. This law is intended only for the law-breaker, and surely there is no one on the floor of this House who would lift his voice in his behalf. A man who will deliberately fill his pockets with money through the financial depletion and the physical and moral debauchery of those who patronize his business, whether legal or illegal, will soon have his conscience so seared that he will be found doing anything scheming and devilish in order to perpetuate his business or to keep out of jail; and sympathy should be given by this Congress, not to this vampire of civilization but to that fair civilization itself from which the lawbreaking vampire sucks the blood of his ignoble existence. There is but one course, gentlemen, for patriotic men to pursue—stand by the majesty of this righteous and wholesome law, for the protection of the home, for the sacredness of humanity, for the sobriety of America, and the happiness of the world. [Applause.]

HON. WAYNE B. WHEELER ON "CONCURRENT POWER."

One of the opponents of this bill took the occasion to quote a sentence or two from what Hon. Wayne B. Wheeler, the national attorney of the Anti-Saloon League, said concerning concurrent power. As he failed to quote the statement fully, I ask the privilege of submitting herewith the following which represents the position of Mr. Wheeler on this important subject:

It has been stated quite recently by counsel for the distillers' committee that the "concurrent power" clause in the eighteenth amendment to the Constitution of the United States (the prohibition amendment) will render the law a dead letter.

Section 2 of the amendment is giving the wets a great deal of comfort. They are claiming that it is not self-executive, and that it is necessary to enact concurrent enforcement legislation to make it effective.

The "concurrent power" clause, which is coming in for a large share of public attention now, is included in section 2 of the prohibition amendment, which reads as follows:

"The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation."

Opponents of prohibition assert that the eighteenth amendment can not be enforced until the State and Federal Governments enact identically the same laws on this subject matter; that concurrent power means joint action, or exactly the same action on the issue involved. The friends of the eighteenth amendment insist that concurrent power simply means equal power or authority on the part of the State and Federal Governments to enact prohibition legislation, and that the use or failure to use this power by one does not prevent the other unit of Government from using its full power, or part of its power, to carry out the manifest purpose of the eighteenth amendment.

In constitutional law, power is simply the right to take action in respect to a particular subject matter. The power referred to in this amendment is the governmental power to enact legislation to enforce the prohibition amendment.

In the long line of decisions the word "concurrent" has been construed to mean the following: "Contributing to the same event or effect," "cooperating," "seeking the same objects." These and many other similar court constructions make clear that two units of government may be given authority or power to carry out the purpose of the eighteenth amendment. There is no limitation on this power except that these units of government can only use that authority in harmony with the purpose of the eighteenth amendment.

The opponents of the eighteenth amendment err in claiming that concurrent legislation must be enacted. The Constitution does not require concurrent legislation before the eighteenth amendment can be enforced. It simply confers concurrent power upon the State and Federal Government. There is a vast difference between two units of government having power to do a thing and making the enforcement of a constitutional provision contingent upon the State and Federal Governments enacting concurrent legislation.

The section in controversy was inserted by the House in place of the provision which was originally adopted by the Senate, which reads as follows:

The Congress shall have power to enforce this article by appropriate legislation.

The Judiciary Committee of the House raised the question whether the States would have complete and ample authority to enforce prohibition if the Senate provision was adopted. Such power was not exactly given. Many of the ablest lawyers in the Senate contended that States would have power to enforce prohibition under the clause which they adopted, because power was not specifically limited or taken from the States. If the Senate provision had been adopted, the courts probably would have construed the amendment to give ample power to the States to enforce laws providing for the prohibition of the beverage liquor traffic. It will therefore be seen that the clause which the wets hope will weaken the amendment and render it unenforceable was designed to strengthen it and give it effectiveness.

The doubt which arose in the minds of some of the Congressmen concerning the power of the State under the Senate provision was based upon decisions of the Supreme Court like the following:

"Whenever the terms in which a power is granted by Congress, or the nature of the power required that it should be exercised exclusively by Congress, the subject is as completely taken from the State legislature as if they had been expressly forbidden to act on it."

The House Judiciary Committee, in order to make this power of the States more certain, inserted the "concurrent" clause provision in the act, so that there would be no doubt that the State would have full power to enforce the prohibition within its borders.

HOW AMENDMENT WILL BE ENFORCED.

Congress, having the power as well as the obligation to enact legislation to enforce the amendment, will doubtless prohibit the manufacture and sale of intoxicating liquor for beverage purposes and place the obligation upon the Federal courts to enforce the prohibition act and outline the procedure for its enforcement. It is stated by opponents of prohibition that this policy will result in a conflict between the Federal and State laws and that concurrent power under such a condition is impossible.

The Constitution must be construed in its entirety. Article VI of the Constitution was not amended or repealed by the eighteenth amendment. Article VI says:

"This Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authorities of the United States, shall be the superior law of the land, and the judges in every State shall be bound thereby; anything in the Constitution or the laws of any State to the contrary notwithstanding."

The Supreme Court in construing this has said: "It must always be borne in mind that the Constitution and laws of the United States

are as much a part of the law of every State as its own local laws and constitution." This power of the Federal Government over the State Government was illustrated in the West Virginia case decided by the Supreme Court in January, 1919. The court said:

"When Congress exerts its authority in a matter within its control, State laws must give way in view of the regulation of the subject matter by the superior power conferred by the Constitution."

While the State is given equal power within its jurisdiction to enact laws prohibiting the liquor traffic, if it does not use that power to the full extent, this will not prevent the Federal Government from carrying out the full purpose and power of the eighteenth amendment as authorized in the Constitution.

There will be no more conflict than there is now between offenses on the same subject matter which are defined by a Federal and a State Government. There are varying and even conflicting standards between the State and Federal laws as to what is intoxicating liquor, adulterated foods, drugs, etc. A citizen of a State who is inclined to break these laws will have to inform himself as to the provisions of both Federal and State enactments and conform his conduct to both. The eighteenth amendment notifies him that the beverage liquor traffic is prohibited, and there is no limit on the power of the State or Federal legislative bodies in passing laws which have a reasonable relation to the end authorized. The Federal court will enforce the Federal acts. The State courts will have at least as much authority to make arrests and help to enforce this Federal law as they have to enforce any other Federal law. Section 1014 of the Federal statutes provides:

"For any crime or offense against the United States, the offender may, by any justice or judge of the United States, or by any commissioner of a circuit court, to take bail, or by any chancellor, judge of a supreme or superior court, chief or first judge of common pleas, mayor of a city, justice of the peace, or other magistrate, of any State where he may be found, and agreeable to the usual mode of process against offenders in such State, and at the expense of the United States, be arrested or imprisoned, or bailed, as the case may be, for trial before such court of the United States as by law has cognizance of the offense. Copies of the process shall be returned as speedily as may be into the clerk's office of such court, together with the recognizances of the witnesses for their appearance to testify in the case. And where any offender or witness is committed in any district other than that where the offense is to be tried, it shall be the duty of the judge of the district where such offender or witness is imprisoned, seasonably to issue, and of the marshal to execute, a warrant for his removal to the district where the trial is to be held." (R. S., sec. 1014; acts Sept. 24, 1789, c. 20, sec. 33, 1 Stat., 91; Mar. 2, 1793, c. 22, sec. 4, 1 Stat., 334; Aug. 22, 1842, c. 188, sec. 1, 5 Stat., 516.)

The State courts, with the larger number of officers and more adequate law enforcement machinery, will enforce the laws enacted by the States in order to make prohibition effective within their borders. When a State and a municipality have "concurrent power" to prohibit the liquor traffic, each enacts its own laws. The municipality enforces its own laws within the municipality. The State enforces its State law not only in the municipality but throughout the whole State. Each unit of government enforces its laws throughout the entire territory within its jurisdiction. Many dry States give not only "concurrent power" to the municipal council and the State legislature to prohibit the sale of liquor, but they confer "concurrent" jurisdiction on city, township, county, and district courts to enforce the law.

The suggestion that the "concurrent power" clauses gives one State authority to enact a law which will apply in another State will not be taken seriously by either lawyers or laymen. "Concurrent power" simply means equal power for both the State and the Nation to enact laws prohibiting the beverage liquor traffic within their respective borders.

To give two sovereignties "concurrent power" over a given subject matter is not a new doctrine. Both the Federal and State Governments have power to regulate elections for Congress. (See Ex parte Yarbrough, 110 U. S., 662; Commonwealth *v.* Kitchen, 141 Ky., 657; In re Coy, 127 U. S., 743.)

It has been held by the court that persons owing duty to two sovereignties are amenable to both. Justice Grier in rendering this opinion said:

"Every citizen of the United States is also a citizen of a State or Territory. He may be said to owe allegiance to two sovereigns, and may be liable to punishment for an infraction of the laws of either. The same act may be an offense or transgression of the laws of both. * * * That either or both may (if they see fit) punish such an offender can not be doubted. Yet it can not be truly averred that the offender has been twice punished for the same offense; but only that by one act he has committed two offenses, for each of which he is justly punishable. He could not plead the punishment by one in bar to a conviction by the other."

Justice Hook in case of McKinney against Landon said:

"It is no defense to a prosecution for a violation of the antitrust laws of a State that the accused by the same general course of conduct has also violated the similar laws of the United States, or, indeed, has been punished therefor." (209 Fed., 300, p. 307.)

It has been repeatedly held that when the Government is given jurisdiction over a subject matter it may enact laws to make its power effective. The Supreme Court said, in re Raher (140 U. S., 345), that the Wilson Act was "enacted in the exercise of its police powers." In the case of Hoke against State it says:

"Congress may adopt not only the necessary but the convenient means necessary to exercise its power over a subject completely within its power, and such means may have the quality of police regulation. * * * Our dual form of government has its perplexities. State and Nation have different spheres of jurisdiction, as we have said, but it must be kept in mind that we are one people, and the powers reserved to the States, and those conferred on the Nation, are adapted to be exercised, whether independently or concurrently, to promote the general welfare, material, and moral." (227 U. S., 309.)

If "concurrent power" may be exercised by State and Nation without this provision in the eighteenth amendment, it will not be hindered by having the authority for the exercise of the power written in the Constitution. It is manifest from this and other decisions that the court is not alarmed at any effort to bring about cooperation between the State and Federal Governments. The Federal court would find no more difficulty in sustaining laws under this "concurrent power" clause than State courts find in sustaining laws which give "concurrent power" to a municipality and a State to prohibit the sale of liquor and then confer "concurrent" jurisdiction upon local and State officers to enforce the law.

Mr. FITZGERALD. Mr. Chairman, I would like the gentleman from Missouri to yield me just one minute.

Mr. IGOE. I yield to the gentleman.

Mr. FITZGERALD. Mr. Chairman, I would like to say to the gentleman from Georgia that we did have a street railway strike in Boston while I was mayor, but the saloons were not closed, and there was not the slightest hint that the saloons should close. The men in the business in Boston conduct their places in an orderly way. There was a street railway strike, however, in Bangor, Me.—prohibition Bangor and prohibition Maine—and the mayor in a public statement said that he was obliged to close the saloons there in order to protect the lives and the property of the people. [Applause.] And I ask the gentleman from Maine [Mr. HERSEY] whether that statement is true or not.

Mr. HERSEY. I do not know.

Mr. GALLIVAN. It is positively true.

Mr. FITZGERALD. It so appeared in the press and was a matter of public comment all through this country.

Mr. IGOE. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. HASKELL].

Mr. HASKELL. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HASKELL. Mr. Chairman, I have reduced my remarks to manuscript, and as the time is short I would ask not to be interrupted.

The controversy over the question as to whether one-half of 1 per cent of alcohol, or 2.75 per cent, or some other per cent should be fixed in this bill, or whether it should be left out entirely, is only the beginning of your difficulties.

It is the reward for the mistaken idea that the way to make people good is by legislation instead of education.

With sufficient rope and persistence along the same lines, the program will ultimately defeat itself.

All we opposed to prohibition are obliged to do is pursue a course of watchful waiting and observe once more how the phenomena of human nature work.

You might as well regulate by force the morals of the people as to change by legislation the mentality of any individual. It can not be done.

My unequivocal opposition to prohibition has been taken out of a sense of duty as to what I consider right.

I am in no way connected with any selfish interests to be benefited by the professional liquor traffic.

ADVOCATE OF INDIVIDUAL RIGHTS.

To characterize my conduct by charging that I am the "saloon advocate" and that "I openly advocate and defend the lawless liquor business" is a perversion of my stand in favor of individual rights and the preservation for each person of a choice between right and wrong.

A PYRAMID OF LAWS WILL NOT ACCOMPLISH MORAL REFORM.

My view is that a pyramid of laws will not accomplish moral reform. My judgment is that prohibition by legislation, confiscation, and force will not benefit society. My opinion is that the eighteenth amendment violated the powers reserved to the several States and established a dangerous precedent for the future.

STATE RIGHTS.

The United States Supreme Court in Crane against Campbell, decided December 10, 1917, Two hundred and forty-fifth United States, page 305, held that a "State has power absolutely to prohibit manufacture, gift, purchase, sale, or transportation of intoxicating liquors within its borders without violating the guaranties of the fourteenth amendment."

The United States Supreme Court in West Virginia against Adams Express Co., Two hundred and nineteenth Federal Reporter, page 794, held "That the Congress has power to outlaw and exclude absolutely or conditionally from interstate commerce intoxicating liquors."

The New York Court of Appeals in People against Wynehamer, Thirteenth New York, page 378, declared unconstitutional "An act for the prevention of intemperance, pauperism, and crime," passed April 9, 1855, upon the grounds that it violated the provision in the constitution of the State which declares that no person shall be "deprived of life, liberty, or property without due process of law" (which provision is similar to that of the fifth amendment of the United States Constitution), inasmuch as the act did not discriminate between liquors existing when it took effect as a law and such as might thereafter be acquired by importation or manufacture.

This decision was cited and followed by the New York Court of Appeals in its decision of October, 1918, in Fougera & Co. against the City of New York, where it held invalid an ordinance

prohibiting the sale of patent or proprietary medicines in the city of New York unless the names of the ingredients of every such medicine be registered in the department of health, where it did not except existing stores of merchandise in the hands of druggists or other dealers who did not know the ingredients and could not state them.

The United States Supreme Court in Purity Extract Co. against Lynch, Two hundred and twenty-sixth United States, page 192, said:

> The State, within the limits we have stated, must decide upon the measures that are needful for the protection of its people.

The limits mentioned in the same decision are stated as follows:

> The inquiry must be whether, considering the end in view, the statute passes the bounds of reason and assumes the character of a merely arbitrary fiat.

I therefore take it that the Supreme Court has recognized in most unequivocal fashion the right of each State to "decide upon the measures that are needful for the protection of its people."

Congress being vested with the power to "outlaw and exclude absolutely or conditionally from interstate commerce intoxicating liquors" and the States with power under the decisions to regulate their own internal affairs, why was this not a satisfactory balancing of the powers of the Union on the one hand and of the several States on the other?

WAR-TIME PROHIBITION SHOULD BE REPEALED.

With reference to the rider in the Agricultural appropriation bill, I contend that it should be repealed immediately.

Incidentally I believe the practice of attaching riders to appropriation bills should be prohibited.

It is to be noted that the specific reason given for this war-time prohibition law is found in the language thereof, as follows:

> For the purpose of conserving the man power of the Nation, and to increase efficiency in the production of arms, munitions, ships, food, and clothing for the Army and Navy.

It was specifically and most emphatically a war measure.

Upon any other grounds Congress exceeded its authority in passing the same.

Its purposes stated in the law having been accomplished, the law should be repealed.

NO NECESSITY FOR WAR-TIME PROHIBITION ENFORCEMENT.

It therefore seems to me that this Congress is in no logical position to pass an enforcement act of the so-called war-time prohibition, and that instead it should be repealed.

EIGHTEENTH AMENDMENT ENFORCEMENT LEGISLATION.

As to enforcement legislation for the eighteenth amendment, the pending measure is an extension of the rider idea.

It looks to me as if the plan was to kiss through war-time prohibition because of the reluctance of many to refuse constitutional enforcement even though coupled with a rider.

Possibly there are some who would consider on its merits and support an enforcement act for the eighteenth amendment alone, while continuing to work for a resubmission and repeal thereof.

REPRESENTATIVE GOVERNMENT DID NOT TRULY REPRESENT.

The opinion is held by many, and I believe by an overwhelming majority of our people, that representative government did not truly represent the majority sentiment throughout this country by the adoption of the eighteenth amendment.

APPEAL FOR RESUBMISSION.

It is plainly not unreasonable for me to make an appeal to prohibitionists and antiprohibitionists alike to resubmit the prohibition proposition for the judgment of the American people.

To accomplish this result I introduced on the opening day of the present session of Congress House joint resolution 7. I am not particular as to whether the resolution be in the language and form as introduced by myself, but it does seem to me that our anxiety to secure to the American public an opportunity for expression of sentiment upon this important issue should result in us being able forthwith to obtain the best judgment of this Congress as to the exact form such a resolution should take, and that the necessary two-thirds vote of both Houses of this Congress to submit the same, and ratification by three-fourths of the several States, should be forthcoming, and this irrespective of our personal views upon the merits of prohibition.

The resubmission as now proposed by myself would be a testimonial of the confidence of this Congress in the people of this country. The voters of this country are the first and the last forum to which we must go for the power and support of representative government. While in between elections the people are sometimes and in some places forgotten, it can not do us any harm to seek the fountain source of power for a certificate of approval or repudiation relative to the ratification of the eighteenth amendment.

NOT NARROW-MINDED ABOUT THE SITUATION.

I am not narrow-minded about the situation. I have no sympathy with that mental attitude of the champion or opponent of prohibition who calls his adversary a hypocrite or a faker. There are undoubtedly some in both camps who are selfish, arbitrary, and unreasonable and without tolerance for views different from their own. For my part, when without convincing proofs to establish the fact, I accept in good faith the sincerity of all who vote for, favor, or support prohibition legislation, and I expect them to accord to me the same honesty of purpose.

EXTENSIVE AND INTENSIVE CAMPAIGNS OF PUBLICITY AND PROPAGANDA.

While holding these views, I also contend that there are times when extensive and intensive campaigns of publicity and propaganda are launched in this country to influence the attitude on public questions of elective and appointive Government officials, and there are times when judgments are formed and acts performed under the force of these influences.

We need more of the spirit of George Washington and of Abraham Lincoln as our inspirational guide than we do of organized and subsidized propaganda.

Some one once said that whisky had more enemies in public and more friends in private than any other form of animal, vegetable, or liquid life. I am not applying this reference to anyone in particular, but I hope the day of consistency may speedily come.

WAITED LONG FOR SOME ONE TO CHAMPION THE CAUSE OF THE PEOPLE.

I patiently waited a long time for some one in public life to take up the fight against prohibition and was amazed to find that no one seemed to come forth to lead the contest. I finally took it upon myself to champion the cause of the people in the preservation of their personal liberty and against an unnecessary invasion of their privileges.

REPUTABLE CITIZENS MADE TO FEEL LIKE CRIMINALS.

If the passage of sumptuary legislation is allowed to continue, the men and women of this country will be compelled to uphold blue laws or made to feel like criminals in the exercise of their personal liberty.

The men and women of this country do not want their morals regulated by force. They want to live as brave men and women, fighting their own battles and meeting their own temptations.

Conscripts and volunteers of men, women, whole industrial organizations with every facility at hand, some at the fighting front, others on the way, and the remanider making their contribution to support the fighting Army—America, united and marching to martial music, won the war. A people able to accomplish such a result are not infants in arms, requiring the benign protection of prohibition legislation to protect them against their evil tendencies.

WRONGDOERS SHOULD BE PUNISHED AND CONTROLLED.

The theory and practice of our Government in dealing with wrongdoers, as I have always understood it, is to restrain and punish them. Because there is a minority who have abused the use of intoxicating liquors, and there are no doubt profiteers in the liquor traffic who take unfair advantage of their opportunities, is not sufficient reason to cause a reversal of the usual administration of our laws. These wrongdoers should be dealt with and punished as they deserve. We should not be asked, instead of governing these weaklings and wrongdoers and punishing them according to their just deserts, to allow them to become the masters of the situation and we give way and submit to their control.

COMMENDATION.

Since my declaration in favor of an amendment to the Constitution which, if adopted, will secure to the people the right of a referendum vote upon the prohibition proposition, I have received correspondence from constituents in my own district, and generally throughout the United States, commending in most positive manner the action taken by myself. The protests received have been few and insignificant in comparison.

MAJORITY OF PEOPLE OPPOSED TO PROHIBITION.

While we who oppose prohibition may not be a majority in this Congress, we contend that there is an overwhelming majority of the people of this country outside of Congress opposed to prohibition.

PROHIBITION AN UNWARRANTED INTERFERENCE WITH PERSONAL LIBERTY.

I still adhere to my proposition that the prohibition amendment constitutes an unwarranted interference with personal liberty and violates the powers reserved to the several States.

VINDICATION WILL BE WON.

Those of us who as a matter of conviction believe that this legislation is wrong in principle have still the right to assert our honest convictions in the hope that later on vindication of our present position will be won, and in the meantime we will have the satisfaction of performing our duty as we conceive it, even though not voting with the majority of this House.

THE FOURTEENTH AND FIFTEENTH AMENDMENTS.

We have heard much said that it is no longer a matter of opposition to prohibition legislation, but that loyalty requires the giving of our approval to the eighteenth amendment. In this connection I might say that we have long had as a part of the Constitution the fourteenth and fifteenth amendments, which are best known for the failure to enforce them, and it does seem to me appropriate at this time that we might well give our attention to the enforcement of the fourteenth and fifteenth amendments.

Amendment 15 provides:

The right of the citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

DEMOCRACY VERSUS DICTATORSHIP.

My view of a democracy is that the individual is only required to sacrifice such privileges as are essentially necessary to be sacrificed to protect people in a state of society with reference to their lives, liberty, property, and the pursuit of happiness, and that anything beyond this tends toward the creation of a dictatorship and should not be allowed.

We can not afford to establish an organized minority to act as the Czar of this country.

MAJORITY SHOULD RECOGNIZE THE RIGHTS OF THE MINORITY.

Even a majority should not willfully override the rights of a minority. If the democracy of this country is to remain well balanced the majority must always have a due regard for the rights of the minority. They may have the power, but they have no moral right to regulate what the minority shall drink or eat, or the clothes that they shall wear, or the church they shall attend.

In a despotic form of government the majority might force its will upon the minority and attempt to regulate religion, the clothes to be worn, and the food to be eaten, but we hardly expect such to be the practice in free America.

Hundreds of thousands of employees are being thrown out of employment in an attempt to establish prohibition which is not likely to prohibit, and if it does is bound to create evils of its own.

PROHIBITION A MORAL ISSUE.

In my opinion prohibition is purely a moral issue, and not within the sphere of legislation upon any grounds other than for revenue, the regulation of the police power of the States, and in war times for the conservation of food. It being a moral issue, sincere advocates of prohibition should confine themselves to an appeal to the conscience and the morals of the individual, and they will find sooner or later that to pursue any other method will prove a boomerang, and their cause will be injured thereby rather than helped.

CHURCHES AND MINISTERS.

One of the churches in my congressional district, through its official board, recently voted to express its opposition to my stand upon this subject "in disregarding the sentiments of the vast majority of the Protestant church members of his [my] district, and in giving support and encouragement to the saloon and the brewery sympathizers."

My answer has been made to the perverted characterization of my attitude as supporting the saloon and the brewery sympathizers.

I am not bigoted, and am one of those who believe that the question as to whether a man is a Catholic, a Jew, a Protestant, or whatever else he may happen to be does not enter into the proposition. The attempt to make a religious alignment is to my mind another one of the un-American features of the whole proposition. I challenge the statement that a majority of the Protestant church members in my district are opposed to the action taken by myself. The best proof of that fact is that in my last campaign for reelection to Congress, not only in the very church which afterwards passed the resolution mentioned but in answer to a communication from the Kings County committee of the Prohibition Party I informed them all, well in advance of the election at which I was successful for the third time, where I stood. At the primary preceding the said election I was nominated on the prohibition ticket and promptly declined it. I had also voted in Congress against the submission of the proposed prohibition amendment to the Constitution.

St. Timothy's Church of Brooklyn, speaking through the rector, Rev. Charles E. Taylor, forwarded me on June 3 this message:

I strongly commend your action in Congress in re prohibition, but you are marked for slaughter by the antisaloon forces. You will win.

Henry Ward Beecher once remarked:

If you say to me that I ought not to drink perhaps I would agree with you; but if you tell me I must not drink, I will drink, because I have a natural right to do so—to drink what I please.

The Rev. Dr. Lyman Abbott once said:

Personally, I have entire respect for the total abstainer who really does abstain, and also respect for the one who believes that it is legitimate to use wine in moderation upon the dinner table; but I find it very difficult to maintain respect for the total abstainer who banishes wine from the dinner table and then drinks out of a bottle from the closet between meals and calls it medicine. About such a one there appears to me a rather serious deficiency, which it is charitable to hope is intellectual rather than moral. Such imbibers are often entirely honest, but they are easily deluded.

USE OF LIQUORS FOR MEDICINAL PURPOSES.

It is to be observed that the eighteenth amendment only prohibits the manufacture, sale, and transportation of intoxicating liquors for beverage purposes. There is no prohibition against the manufacture, sale, and transportation of intoxicating liquors for medicinal purposes. It requires very little stretch of the imagination to look forward into the future and to observe, if the prohibition program is to be persisted in, the vast abuses that will grow out of the drug-store liquor traffic.

PRACTICAL REFORM THE REMEDY FOR EXISTING EVILS.

It is undoubtedly true that many of those who have been engaged in the selling or dispensing of alcoholic beverages have never taken into consideration the great trust imposed in them, but legislation could be passed to remedy this situation. It would have been a practical reform if some of the vast expenditures made in the effort to accomplish prohibition could have been used to provide safeguards and protect the public against inferior goods. Proper governmental supervision and stricter regulation would have protected the public against the existing evils and have established the highest standard of purity for the beverages consumed.

PROHIBITION IN VIRGINIA AND ELSEWHERE.

The following extract is from the editorial columns of the Charlottesville (Va.) Daily Progress of April 3:

Drunkenness is not the only evil of mankind. It is possible for some things to be quite as bad, if not worse, than even the violation of the liquor laws of the State. It has been held for years in Virginia, and for the most part by the common law, that no officer could arrest an offender without a warrant, except in case of a felony, or unless the misdemeanor was committed in his presence. If the reports are true, men against whom there is no suspicion are held up and searched, and women on Pullman trains are awakened by flashlights in the hands of officers and at the point of a pistol are compelled to submit to a full investigation of the contents of their traveling bags.

So gross has been the conduct of these official "thugs" that a mayor of a North Carolina city has appealed to the director of railroads and to Gov. Davis for the protection of the women of his State while passing through Virginia. Following upon this comes the seemingly well-authenticated report that a casket containing a corpse was broken open by prohibition officers in southwest Virginia a few days ago in their zeal to convict some unknown person of shipping whisky in a coffin. This "strict and limitless enforcement of the law may be the only way to break up the illegal traffic. If it is, God save the Commonwealth!"

Commissioner Bird S. Coler, of the department of charities, New York City, says:

Since prohibitive restrictions and prices have been placed upon whisky there has been a marked increase in the drug victims at the city's hospitals, and Health Commissioner Copeland says that prohibition will bring about a condition in New York concerning the drug traffic which the most conservative citizen may well contemplate with concern. The same is true in other States where prohibition is already in full force, and as yet no effective plan has been devised to meet this new form of evil. The advocates of prohibition are destructive, not constructive, in their ideas, and no help need be expected from them.

It is well known that within recent years, and notably within the last 10 or 12 years, the area of territory in the United States of America under local or State prohibition laws has considerably increased; but, strange as it may appear, the consumption of alcohol during the same period has not diminished, but right up to the war it actually increased. The actual position is shown very clearly in the fact that whereas in the late nineties the people of the United States consumed on the average less than one-half of the amount of absolute alcohol consumed per head in the United Kingdom, in the five years preceding the war the average per capita consumption of the United States rose to nine-tenths of the average British consumption in the same period. During the war American consumption has exceeded British consumption. (Page 7, State Purchase of the Liquor Traffic, by Ronntree and Sherwell.)

The Washington Star of May 19, 1919, contained the following statement:

Harry W. Mager, acting chief revenue agent of the bureau, declared that illicit drug traffic and use was notable in prohibitive territory, according to report received by him. He accounted for this by the explanation that some traffic channels of "wet goods" had switched to the illicit traffic in drugs.

In an article in the New York Sun of April 23, 1919, ex-Senator Chauncey Depew is quoted as saying:

I understand that prohibition works well in Kansas, but in the dry States I have visited the conversation was all about how to get around the law and which of the many recipes for home manufacture was the best.

Let me read some poetry composed by one of my constituents:

PROHIBITION—PLAIN LANGUAGE FROM "TRUTHFUL BILL."

You may make your cracks at the jumping jacks,
Who bow to their venal gods;
You may have your fling at the guys who sing,
With their souls in their money wads;
But I want to say in the plainest way
To the folks who shout and kneel,
With upturned eyes, looking saintly-wise,
But cold as a gonger-eel,
That they'll never reach, though they pray and preach
And gush like a waterspout,
The golden gate, where the angels wait
With a smile for the "down and out";
Though I toil and slave, I can never crave
The wage of a hypocrite.
Though the law has passed, may it be the last
Where the cranks shall have their way,
And freeborn men must stand aghast,
While fancies rule the day;
Should the land go dry, they may soon descry
The voters' gathering storm,
Which will choke their spout and put to rout
These gargoyles of reform!

L'ENVOI—THE SOLDIER TO THE SLACKER.

There's a world of cheer in the foaming beer
And the warmth of the bubbling wine,
Yet you seized the chance, while we fought in France
And broke the Hunnish line,
To repay our zeal with a base appeal
To cant and bigotry,
And to mock right's cause with your slacker laws,
While we bled to keep you free.
—By W. W. Elsworth, 144 Decatur Street, Brooklyn, N. Y.

LOSS OF REVENUE.

There will be a loss to the Government of more than $500,000,000 in revenue per annum.

REFERENDUM.

The only solution of the whole proposition, in order to give the people a fair chance, is to resubmit the question of prohibition to a referendum vote. If our faith in representative government is to remain unquestioned, the Congress of the United States and the legislatures of the several States should not be unwilling to have their action submitted for public approval.

I am at a loss to understand why people, whether they believe in prohibition or otherwise, should be unwilling to favor the adoption of an amendment to our Federal Constitution which will obtain for the people of the United States the privilege of voting directly upon the prohibition proposition.

There are many who believe that our system of representative government did not truly express the wishes of the people as to the eighteenth amendment, and in order to settle the proposition in a most satisfactory manner I believe that such a referendum vote should be had.

You will remember that not many years ago it was thought that the selection of United States Senators by the legislatures of the several States was not truly representative of the sentiment of the people of the respective States, and the Federal Constitution was amended to provide for the direct selection of United States Senators by the people.

SOLDIERS.

It was not long ago when our soldiers, sailors, and marines were traveling overseas heartily singing the song—

Away, away, across the seas
To fight the fight of liberty;
We're on our way to Germany;
We're going to lick the Kaiser.

And after they were gone, and while they were engaged in going "over the top," America permitted an organized minority to put prohibition over on them.

There were 4,000,000 of our soldiers, sailors, and marines in the service over there or in this country ready to go over there, and they had no voice upon this important proposition. This, therefore, is another reason why the whole proposition should be submitted anew to all the people of this country.

SMOKING.

If the drys succeed now, the antismoking crusade is the next to be launched. Recently Prof. Frederick W. Roman, of the department of economics of Syracuse University, started a general movement for a Federal amendment prohibiting the use of tobacco. The movement, he said, will be kept in abeyance during the war for "patriotic reasons."

The liberal use of tobacco during the war—

He said—

has brought to a climax the opposition to it. Now that the war is over, the antitobacco movement will be pushed vigorously.

The greater part of the prohibitionists will fall in line.

I believe a national amendment prohibiting the use of tobacco in any form will be adopted within two years.

SOCIALISM.

Ex-Representative Martin Dies, after a service of 10 years in this House, during the last session of Congress, when he was retiring from this body, addressed this House, and in part said:

You have taken the fairest and best Government ever known among men, and you are making it into the most despicable socialism.

You took the American people at a time when they believed they could support themselves and their Government, and you are teaching them hour by hour and day by day to expect that their Government shall support them.

No. You will not help the people unless you tell them that the Government has but one duty to the citizen, and that is to protect his life and property and give him an equal and fair race in the world.

Are you teaching him that the duty of the Government is to help him? My beloved country! I do not know, we are losing the greatest Republic the world has ever seen.

To my mind, these remarks apply with equal force to the launching forth of this Government in a paternalistic prohibition effort to regulate the moral conduct of the people of this country, where it is not essentially or fundamentally necessary so to do, to maintain the Government, the rights of the individual, and of society.

The whole prohibition program is making for socialistic gains in this country. With confidence shaken in representative government by its socialistic and paternalistic tendencies the people will grasp at straws in an endeavor to save themselves. The one competitor in the field appealing for support and votes is the Socialistic Party, unless you take into account a worse evil, the activities of the anarchists, the Bolsheviki, and the I. W. W.

The champions of personal liberty are standing fairly and squarely upon the merits of their appeal, and are asking for a referendum vote of the people, and they want nothing to do with the Socialists, Bolsheviki, and the I. W. W., and while the Anti-Saloon League, in its usual fashion, will attempt to handicap the forces favoring the preservation of personal liberty by charging the responsibility for the same at their door, it will, in fact, be the result of those forces which have attempted to invade the rights of the individual.

THE UPLIFT MOVEMENT.

We must not deceive ourselves here, or at any other time, that the movement for prohibition has been entirely a righteous cause. We are compelled to recognize that selfish interests exist back of the whole propaganda, that the campaign was well financed, and the accounts of the moneys received and expended have not, so far as I am advised, ever been published, and it would be very interesting reading, indeed, if the light of publicity could be thrown upon the vast receipts and expenditures of the Anti-Saloon League of this country.

The Anti-Saloon League has an organization apparently most potential and is conducting an extensive and intensive propaganda. Recently they organized the "World's League Against Alcoholism." They have expended large sums of money in support of their dry propaganda, and more than once it has been intimated that pledges have been asked in advance from candidates for election to Congress. In the last Congress a resolution was passed to investigate the activities of the National Securities League in connection with the election of Members of Congress, and it seems to me that a similar investigation should be had with reference to the activities in congressional campaigns of the Anti-Saloon League.

WE WILL UPHOLD THE LAWS WHILE WORKING FOR A REPEAL.

As good American citizens, loyal to our country, we will support all prohibition laws but at the same time exercise our equally fundamental right as American citizens to work for the repeal thereof. In support of this right we have no less an authority than the Constitution itself and ex-President John Adams, who, after serving as the Chief Executive of our country, served in the Congress of the United States, where he advocated it to be his duty to present all petitions coming from his constituents, even if they went to the extent of changing the form of the Government.

WOMAN'S SUFFRAGE.

In the last Congress, and again in this one, I voted to submit an amendment to the Constitution conferring the right of woman suffrage. I believe that the women of this country will exercise the franchise with due tolerance for the rights of the individual and not be unwilling to submit this entire prohibition proposition to a referendum vote.

THE WORKINGMAN.

The following is from a recent statement by Samuel Gompers:

INVADING A MAN'S HABITS.

It is not a question of right or wrong. It is not a question of whether we approve or disapprove of beer or drinking. It is his habit. And when you invade a man's habits, what happens? You upset that man. You unsettle him. Uprooting one habit uproots others. And you find that the man who was heretofore satisfied to labor as he had been laboring, to go home nights and talk or read, becomes restive and discontented. Instead of sitting down to rest and read, he restlessly goes out into the street.

There he meets other men, restless and unsettled like himself. And in the rubbing together of their mutual grievances there are sparks and sometimes fire.

I have heard it stated, and I believe it, that the birth of the Bolsheviki was in prohibition. Harmful as vodka was, it enabled the Russian peasant to find surcease from the dull monotony of his life. Without it he found only trouble and torment and the desire to tear down that which he can not rebuild. And to-day Russia lies bleeding, tortured. It was too big a price to pay.

It is time for all of us to recognize the fact that a thing like prohibition can not be attained by Executive decree.

It can not be pounded, with heavy hand, from the top downward. It must, like democracy, flow from the bottom upward.

Distilled liquors and wines have been stored in wholesale fashion by private citizens throughout the United States, but what about the workingman and the people of small means who can not afford to follow this procedure?

The workingman of this country has repeatedly shown his resentment against legislation which interferes with the use in moderation of intoxicating beverages. During the war labor throughout this country supported its vigorous prosecution and contributed most materially to its successful conclusion. It is most illogical, unjust, and improper that we should repay them with legislation depriving them of their personal liberty.

CONCLUSION.

In conclusion I again urge that immediate action be taken by Congress for a resubmission of the prohibition proposition to the several States, with a provision that upon ratification thereof by three-fourths of the States a referendum vote shall be had along the lines of House joint resolution No. 7, introduced by myself on the first day of the present Congress. [Applause.]

Mr. VOLSTEAD. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. VENABLE].

The CHAIRMAN. The gentleman from Mississippi is recognized for 10 minutes.

Mr. VENABLE. Mr. Chairman, the question has been argued and has been put in issue here whether or not in the enforcement of the eighteenth amendment this Congress has the power to prescribe that all liquor containing more than one-half of 1 per cent of alcohol by volume shall be barred. It is my purpose to discuss that question in the time I have, although it will bring me in conflict with the position taken by gentlemen of the committee and others for whose legal opinion I have the very highest respect.

It has been urged that the effort on the part of Congress, if it should be made, to fix the alcoholic content of liquor would be an effort by Congress, a legislative body, to construe and interpret the language and the terms of the constitutional provision, and it is urged that since the Legislature has no judicial function, it is without power to define alcoholic liquor as contained in the amendment, because our Constitution divides the Government into its several departments, the powers of which are exclusive each of the other. This position is undoubtedly correct.

This Congress can not construe the meaning of the words "intoxicating liquor" as used in the eighteenth amendment. But that is not the question here. The question here is whether or not as a reasonable regulation, in order to carry out the eighteenth amendment, we can bar liquor which is admittedly nonintoxicating.

Now, there are two sources of power. One source is the power inherent in the Government by virtue of its sovereignty. The Congress has no power of that kind over intoxicating liquor. The second source of power is a special grant by the States or the people; and here we find the justification, because the eighteenth amendment in its second section specifically grants to the Congress the power, by "appropriate legislation," to enforce the provisions of the first section. "Appropriate legislation" necessarily means that legislation which is reasonably necessary to carry out the directions of the first section.

Now, this question is not a new one. The same question has arisen in the past, and reference has been made to the Poinsetta case from the State of Mississippi. Mississippi had a statute prohibiting the manufacture of malt, vinous, spirituous, alcoholic, or intoxicating liquors, and you will notice that under the terms of the statute that all malt liquors are prohibited, whether intoxicating or not. The Poinsetta Manufacturing Co. manufactured a drink which was a malt drink, but which admittedly contained no alcohol whatsoever, and which was admittedly a healthful beverage. It attacked the statute on the ground that it was unconstitutional and violated those provisions both of the State and National Constitutions which protected the citizen in his property from any unjustified action on the part of the State. It said that this statute was unconstitutional because it barred nonintoxicating liquors, because it barred liquors which contained no alcohol; that the power of the State extended only to barring those liquors which were intoxicating—the same argument which is made here under the terms of this amendment. This case finally went to the Supreme Court of the United States, and it held that Mississippi, by virtue of its inherent authority as a sovereign State, had plenary power over intoxicating liquor—over nothing else. Everything but intoxicating liquors was protected by the constitutional provision, both of the State and National Constitutions, which protected property. But, notwithstanding that fact, they said Mississippi, by virtue of its inherent authority and sovereignty as an independent State, had the power to bar intoxicating liquors, and having that power, she had the right to pass any measure that made that power effective, and she had the right, in order to prohibit intoxicating liquors, to include liquors which were nonintoxicating. The Supreme Court upheld the statute and said it was not unconstitutional, either as violative of the fourteenth amendment to the Constitution of the United States or as violative of any provision of the State constitution placed there to protect citizens in their property.

Now, a distinction is sought to be made. It is argued by the distinguished gentleman from Pennsylvania that here the source of power is a constitutional amendment, while there the source of power was the so-called police power of the State. He did not show us why a distinction came from the difference, but he said there was a distinction because there was a difference.

Now, it does not make a particle of difference what the source of the power is. Mississippi had the power to prohibit intoxicating liquor by virtue of its inherent sovereignty.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. VENABLE. Mr. Chairman, may I have five minutes more in which to finish?

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. VENABLE. That was the source of the power, but the power was to prohibit intoxicating liquors. Here the source of the power is a constitutional amendment which gives the United States Government the power to prohibit intoxicating liquors. It is the same power to be exercised by the Federal Government that is exercised by the States. And if it is a reasonable regulation to ban nonintoxicating liquors as a means toward the end of banning intoxicating liquors on the part of the State, it is equally a reasonable regulation on the part of the Federal Government; because it has been held that it is a reasonable means toward the end sought.

I am not talking about the wisdom of the legislation. I am talking about the power which this Congress has to enact it. If it is a proper exercise of the power to bar liquor that has no alcoholic content at all, it is certainly within the jurisdiction of the Congress to fix the alcoholic content of liquor.

Now, once more the point is made that Congress and the several States shall have concurrent power, and it is urged that that means that each one must pass the same law, and it is pointed out that it would be a legal absurdity if the State should have one statute with one penalty and the Federal Government should have another statute with another penalty. I merely wish to submit to you that that is not a legal absurdity at all. Each is given the power to pass legislation to enforce the first section. So the statutes, both of the Congress and of the States, must have a reasonable relationship to the accomplishment of that end. The State passes a law and the Congress passes another law, each having a reasonable relationship to the accomplishment of the end sought. My citizenship is dual. I owe allegiance to two sovereigns—one my State and one the Federal Government. If I violate the State law, the State law punishes me for a violation of its sovereign will. If I violate the Federal law, the Federal law punishes me for violating its sovereign will. The two do not conflict.

We have an illustration of this dual sovereignty. I go to your city and shoot at you on the street. Your municipal authorities take me and try me under a city ordinance because I have violated a law of the sovereignty of the municipality, and I am punished under that. Immediately afterwards the State authorities get me, or I am indicted by a grand jury and tried in the State court under a different statute with different

penalties for a violation of the sovereignty of the State, and there is no inconsistency in the provision, but the courts sustain such action daily. [Applause.]

Mr. IGOE. I yield 10 minutes to the gentleman from Maryland [Mr. BENSON].

Mr. BENSON. Gentlemen of the committee, I expect to speak with reference to one particular provision of this bill and not with reference to the bill generally.

I presume that those who are fathering this measure do not intend or propose to put out of business any legitimate industry that is not the business of furnishing alcoholic beverages. To prove that this is so, section 4 of the bill, on pages 9 and 10, contains several exceptions with reference to denatured alcohol, medical preparations, patent medicines, toilet articles, flavoring extracts, vinegar, and so forth. In all of these first provisions the language of the bill originally introduced used the words that this act shall not apply to these particular articles provided they were nonpotable and incapable of being used for intoxicating beverage purposes. All of those exceptions were changed except the one with reference to flavoring extracts. A, B, C, and D were all made to read "nonpotable and unfit for beverage purposes." The one with reference to flavoring extracts is still in the bill "nonpotable and incapable of being used for intoxicating beverage purposes."

Now, the distinguished chairman of the committee stated the other day when he was on the floor that this language is used in 18 different States. I challenge that remark. There is only one State in the United States that uses this exact language, and that is the State of Ohio, where the act was recently passed and has not been construed. I can find nowhere where the word "nonpotable" has ever been construed by any court in the land. The definition of the word "nonpotable" in all the dictionaries is nondrinkable. I do not understand why you should use a word that is so uncommon that it has never been construed, when there are so many other plain English words that might be used; but when you say in one sentence, or part of a sentence, that you may manufacture and sell something to be used for medical or flavoring extract purposes, and then in the very next part of the sentence say provided it is nondrinkable, it seems you have produced a ridiculous situation, because if it is nondrinkable it is nonusable, and there is no use of manufacturing it or selling it. You can not make the flavoring extract without the use of alcohol. The great flavoring extract association of the United States has passed a resolution to that effect, and the best chemists in the world have been trying to find a substitute for alcohol because it is an expensive product to use. Can it be that you people want to pass a bill for the occasional perverts who would use flavoring extracts as they would use the products from the silo; that you are going to prevent the people of the United States—the women of the United States—from having flavoring extracts to put in their ice cream, to put in the soda water, to put in pastry of all kinds. Are we going to do without beverages that we have been accustomed to use, and are we to deprive the people of the country, the men and women of the country, from the use of flavored sweets?

We all knew that the soldiers of this country who have been accustomed to the use of liquor have craved sugar, candy, and other sweets. The increased consumption of sweets will be recognized as soon as this law is put in force. You are putting out of business by the provisions of this bill, unless it is amended, the manufacture of these flavoring extracts. I submit that it should be amended, and I will give you an authority, some of the very distinguished gentlemen of the Anti-Saloon League, to that effect.

I want to read a letter from Frank L. Beggs, the head of the American Centenary Celebration of the American Methodist Missions, written to Mr. R. H. Bond.

CENTENARY CELEBRATION AMERICAN METHODIST MISSIONS,
Columbus, Ohio, June 27, 1919.

Mr. R. H. BOND,
Care of McCormick & Co., Baltimore, Md.

DEAR MR. BOND: I inclose you herewith copy of a telegram signed by Mr. James Cannon, jr., chairman of the national legislative committee, and by Mr. Cherrington, also a member, in which they agree with our request and as you will note have requested Mr. Wheeler to give the same proper consideration.

Very truly, yours,

FRANK L. BEGGS.

(Telegram.)

JUNE 27, 1919.

WAYNE B. WHEELER,
32 Bliss Building, Washington, D. C.:

We have just had conference with Frank L. Beggs, of the Styron Beggs Co., manufacturers of flavoring extracts at Newark, Ohio, who also represents the National Flavoring Extract Manufacturers' Association of the United States, which association strongly urges that bill contain following provision:

"*Provided*, That it shall not be unlawful under any of the provisions of this act to manufacture, buy, sell, or deal in any medicinal, pharmaceutical, scientific, sacramental, mechanical, culinary, flavoring, or toilet preparations which may contain such percentage of alcohol as may be necessary to extract or hold the constituents in solution, preserve the preparation, or keep it from freezing; provided, however, that no such preparation shall be manufactured, bought, sold, or dealt in for use as an intoxicating beverage."

Best attorneys he has consulted insist that without some such provision the flavoring extract business will undoubtedly be prohibited since leading manufacturers claim that as yet the successful manufacture of flavoring extracts is dependent upon use of alcohol, and there is no known method to make them nonpotable.

We are inclined to believe that this suggestion is reasonable, and we urge your careful consideration for the protection of these interests. Please wire fully immediately Centenary Office, Fair Grounds, your attitude on this point.

JAMES CANNON, Jr.
ERNEST H. CHERRINGTON.

Now, I want to call attention to the bad construction of these sentences. Nonpotable means nondrinkable, and if it does not mean nondrinkable, I would like to have some one tell me what it does mean—to say that flavoring extracts may be made while they are nonpotable and incapable of being used for intoxicating beverage purposes, and then the chairman says that intoxicating beverages have a distinct meaning, that the beverage means something pleasant to take. It does not say nonpotable or incapable, and so forth; it says they must be nonpotable and incapable. In other words, if nonpotable is nondrinkable you can not use them. It says in one place you can manufacture them, when actually you can not.

The deputy commissioner, Mr. Gaylord, of the Internal Revenue Bureau, recommends the striking out of the word "nonpotable." Certainly we can get language that we can all understand without using some word that has never been construed anywhere in the United States. Gentlemen, that is as much time as I want to take, and I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. VOLSTEAD. Mr. Chairman, I yield 15 minutes to the gentleman from New Hampshire [Mr. BURROUGHS].

Mr. BURROUGHS. Mr. Chairman, I am one of those who believe that the people of this country have with singular unanimity made up their minds to put an end to the traffic in intoxicating liquors for beverage purposes. I am one of those who think that the plain duty of this Congress at the present time is to pass such reasonable legislation as may be necessary in order to make the will and purpose of our people completely effective.

That the American people have as a matter of fact entered judgment against this traffic seems to me too clear for extended argument. Thirty-two States already have prohibition written into their statutes. Forty-five States have ratified the Federal amendment for national prohibition. Even before that amendment was submitted to the people at all considerably more than one-half of the population of this country and fully nine-tenths of its territory were dry. Before war-time prohibition was ever passed a petition containing more than 8,000,000 names, said to be the largest petition ever presented to a legislative body in the history of the world, was presented here in this House asking for the enactment of this legislation.

And there was abundant reason for this.

Sensible and hard-headed men, acquainted with the practical affairs of life and of business, after long observation and much experience, had become convinced that the organized liquor traffic was a menace to society. As long ago as 1842 Abraham Lincoln, in an address at Springfield, Ill., said:

"Whether or not the world would be vastly benefited by the total and final banishment from it of all intoxicating drinks seems to me not now to be an open question. Three-fourths of mankind confess the affirmative with their tongues, and I believe all the rest acknowledge it in their hearts."

Apart from all other considerations it had become increasingly evident that the use of alcoholic beverages involved a tremendous waste and greatly impaired the efficiency of the Nation from an industrial standpoint.

A committee of 60 prominent American citizens of the very highest economic authority had stated over their signatures that no less than 7,000,000,000 pounds of foodstuffs were being destroyed annually in the production of beer and whisky—enough to feed an army of 7,000,000 men for a whole year. The brewers' yearbook for the year 1914, at page 156, had stated "the farm products used in the manufacture of liquors annually is equal to the total value of the crops for Maine, Connecticut, Delaware, Nevada, New Mexico, and Wyoming." The Anti-Prohibition Manual for 1916 had said that the liquor traffic used the product of no less than 300,000 farmers.

Even the Supreme Court of the United States had criticized this traffic as "a source of crime and misery to society."

Morally, socially, and economically the liquor traffic was found guilty, and the passage of the so-called war-time prohibition act, as well as the submission of the amendment to the Constitution, was, in my judgment, a deliberate expression of the great majority of the people of this country that this traffic must not stand upon the order of going, but go at once.

In other words, having tried pretty nearly every other method of control, and having found them all ineffectual, the American people had adopted Lincoln's conclusion expressed at Springfield, Ill., in 1853:

"The most effectual remedy would be the passage of a law altogether abolishing the liquor traffic. There must be no more attempts to regulate the cancer; it must be eradicated."

Gentlemen complain that the legislation proposed here is "drastic" and "radical." As a matter of fact it is no more drastic and no more radical than legislation now to be found upon the statute books of more than 30 States of this Union. In many respects it is less drastic and less radical than is this State legislation. To be sure, it does undertake to make effective the great purpose of our people in passing the war-time prohibition act and in ratifying the Federal amendment; that is to say, it does represent an attempt, to use Lincoln's phrase, "to eradicate the cancer." This bill is designed to make the former legislation effective, and it will fail in its purpose if it does not succeed in doing that.

All this talk about "freedom" and "personal liberty," considering the source from which it comes, is, to my mind, simply ridiculous. Ever since the days of Madam Roland liberty has been made to cover a multitude of sins, itself a robe of purest whiteness thrown over the shoulders of iniquity. I believe in freedom and the liberty of the individual. It is upon that basis that we have completed the fine and noble structure of our American Government. But I confess I am not greatly impressed when I hear the mouthings about liberty uttered by some of those who are most prominent in the public eye to-day. When I read of the murder and rape and all the other brutal and wanton crimes that are being committed to-day by the Bolsheviki in Russia, the fine phrases of Lenin and Trotski about "liberty" do not greatly impress me. And here in our own country every socialist, I. W. W. advocate, every anarchist and proenemy sympathizer, every bomb thrower, and every enemy of American institutions justifies, or attempts to justify, his wicked thought and his traitorous act by an appeal to "liberty."

Mr. Chairman, liberty is indeed sacred, but it is not a whit more sacred than its limitations in the common interest. In my judgment the safety and welfare of society is quite as important as the "liberty" of the brewers and the saloon keepers to manufacture and traffic in alcoholic liquors. [Applause.]

Who are the people, anyway, who are protesting against this legislation as being "drastic," "radical," and contrary to the principles of our Government? Who are the people that are writing us and sending us petitions and telegrams to vote against this bill? Would you say that the great moral forces of the Nation are arrayed against this legislation? What Member of this House has received resolutions passed by any church organization protesting against this bill? What educational or philanthropic society in America has taken a stand against it? How many wives, mothers, sisters, and sweethearts have written letters to Members of this House protesting against the passage of this bill? [Applause.] If any Member of this House has received any communication of this character I would be glad to yield to him such time as may be necessary for him to make the fact known. Much has been said about the opposition of the soldiers to this legislation and the charge has been made broadcast over the country that something has been "put over on them" while they were fighting to preserve our country's principles in Europe. I do not know how it may be with other Members, but so far as I am concerned I have not received a single protest from any soldier, whether returned from service abroad or still in his country's service overseas. It is no doubt true that many of them are not in sympathy with this legislation, but that there is any widespread and outspoken opposition to it from this source I deny. Certainly up to date I have no evidence that such is the fact.

No. The fact is, and we all know it, that every organized association or society that stands for the well-being of the community, that stands for law and order, the elimination of waste, and for moral, social, and civic betterment is strongly in favor of the passage of this legislation. [Applause.]

A day or two ago the gentleman from North Carolina [Mr. SMALL] spoke in most sarcastic vein of the activities of the Anti-Saloon League in promoting the passage of this bill. I hold no brief for the Anti-Saloon League or any of its officers or members. I am not connected with it, directly or indirectly, nor with any other society organized to oppose the saloon or to advance prohibition. But let me say to you that even if all that the gentleman from North Carolina said concerning the Anti-Saloon League be true, it is apparent that they are not the only offenders.

I hold in my hand a printed communication that I presume has come to other Members of Congress, as it has come to me within the last few weeks. It bears the union label and apparently has originated with some organization that is active in creating sentiment opposed to this bill. I have myself received five of these cards within about a month. They are all exactly alike except for the date and the name and address of the signer. The one I have here purports to have been signed by one Joseph Desmarais, address 114 North Church Street, Manchester, N. H., and reads as follows:

[Form of communication to United States Senators and Members of Congress.]

Date ——— ———, *1919*.

Hon. SHERMAN E. BURROUGHS, M. C.,
Washington, D. C.

DEAR SIR: The eighteenth amendment to the Constitution of the United States deprives the citizens of this Republic of a personal right and a personal liberty.

If one right and one liberty can be taken away by constitutional amendment, what is to prevent others being taken away by the same method?

I am sternly and irrevocably opposed to the taking away of any of the natural and inherent rights of free men by amendment to the Constitution of the United States.

Therefore I am sternly and irrevocably opposed to any bill passed by Congress providing for the enforcement of the eighteenth amendment until such time as the United States Supreme Court has said that the amendment is legally a part of the fundamental law of this Republic.

Therefore I shall be sternly and irrevocably opposed to you or any other Member of the Sixty-sixth Congress who votes in favor of any bill providing for the enforcement of this amendment. Furthermore, I demand that you use every effort in your power to repeal, on or before June 30, the so-called Sheppard amendment to the Agricultural bill. You have only to read the language of the Sheppard amendment to be convinced of its present iniquitous absurdity. If such an amendment were offered at the present session of Congress, it would be almost unanimously defeated, because the occasion for it no longer exists. If it could not be passed now, it ought not be enforced now.

JOSEPH DESMARAIS,
114 North Church Street, Manchester, N. H.

You will note that this communication is an argument against the eighteenth amendment to the Constitution of the United States, and says in so many words that "it deprives the citizens of this Republic of a personal right and a personal liberty," to which might be answered, so does the amendment against slavery. That, too, deprives the citizens of this Republic of what was up to the time of its passage considered "a personal right and a personal liberty."

This card says that the signer "shall be sternly and irrevocably opposed to you—me—or any other Member of the Sixty-sixth Congress who votes in favor of any bill providing for the enforcement of this amendment."

Talk about the Anti-Saloon League, Mr. Chairman. I undertake to say that no more brazen and barefaced attempt was ever made to frighten and browbeat the American Congress than is disclosed in the communication I have just read. I have never answered it or any of the others like it that came to me. I answer it now, however, from my place in this House by reading it into the RECORD of the House, and I say to the gentleman who signed it and sent it to me, as I do to the others who have sent me similar communications, that the eighteenth amendment to the Constitution of the United States was adopted by 45 States of this Union according to the method laid down in the Constitution itself providing for its amendment, and that if he intends to be and remain an American citizen, the only decent, honorable, and safe thing for him and the organization back of him to do is to obey the terms of that amendment as a part of the supreme law of the land. I say to him further that if he and the men or the organization back of him that printed this circular and are promoting its signature throughout the country put so cheap an estimate on the American Congress as to think that its Members would be influenced in the slightest degree by such language and threats as are contained therein, it is time for him and all like him to go back to the countries from which they came. We do not need them nor desire them here. So far as I am concerned, and I think I

voice the sentiment of all Members of this House on both sides of this Chamber and on both sides of this question when I say it, I utterly refuse to be coerced or browbeaten or influenced in the slightest degree by any such insulting and scandalous communication as this. If I knew that my seat in Congress depended upon this man's vote, I would resign to-morrow before I would cringe to him or to the organization that is back of him.

And this is not the only instance of attempts to threaten and coerce the Members of this Congress against voting for this legislation. Only two or three weeks ago a widely advertised "demonstration" took place out here on the east front of the Capitol. Metropolitan newspapers all over the country had widely proclaimed that fully 150,000 people would on that occasion march through the streets of Washington and appear on Capitol Hill to show the Congress the strength and extent of the feeling against prohibition.

As on some other occasions, the result did not quite come up to the manifesto. Instead of 150,000 there was a bare 3,000, including musicians, stragglers, and curiosity seekers. This meeting was supposed to be a "monster demonstration" of the laboring interests of the country in protest against national prohibition. Samuel Gompers, head of the American Federation, undertook to speak for 3,000,000 members of organized labor in this country. I deny that in what he said he did in fact represent anything like 3,000,000 members of union labor in this country. What he undoubtedly did represent was the unanimous sentiment of all the German brewers in this country, who are, as the gentleman from Ohio [Mr. COOPER] has said, "trying to hide behind the broad backs of the American workingman, taking advantage of the political unrest which comes at the end of the great war."

One of the speakers at that so-called "monster demonstration," held on the day that gave to the world the flag of the Republic, was a Mrs. Margaret Rooney, who led a delegation of women from Baltimore, claiming that they were advocates of the Personal Liberty League. You heard what the gentleman from Ohio [Mr. COOPER] said the other day in his eloquent description of what she said and did, how she jumped upon the speaker's table and, waving her arms, yelled out, "I am the first woman to advocate personal liberty in this cause, and you can bet your life we'll go to hell to get it."

I do not care to take up the time of the House to comment further upon these various exhibitions or attempts to intimidate the Members of this House. I will simply say that it ill becomes any man while such things are going on before our faces and eyes to confine his criticism and his sarcasm to the activities of the Anti-Saloon League.

It is objected that we have no power to provide for the enforcement of war-time prohibition by defining "intoxicating liquor" as being any liquor containing as much as one-half of 1 per cent of alcohol by volume. The contention is made by the minority of the committee in its report that this is extending the provisions of that act so as to include beverages which are not in fact intoxicating. This position, in my judgment, is not sound. In connection with its use of the term "intoxicating liquor" it would seem to be too clear for argument that Congress possessed the power to define the meaning of the term so used. As a matter of fact, more than 30 States in this Union have already put a legislative construction upon it, either by laying a heavy tax upon it or by making it subject to the prohibitions of statute law. And even the National Government itself has for many years imposed a tax upon all alcoholic liquors containing one-half of 1 per cent or more of alcohol, thus putting a practical construction upon this phrase "intoxicating liquors" and recognizing this percentage as marking a clear distinction between liquor that is intoxicating and liquor that is nonintoxicating.

The subject matter of war-time prohibition was within the control of Congress under the war powers in the Constitution, and the Supreme Court has repeatedly held that when a State or the Federal Government has authority over any subject matter, such authority carries with it the power to enact any law having a reasonable relation to the end sought by the original authorized act.

In considering the contention of the minority of the committee that in this proposed legislation Congress has in fact gone beyond its powers under the Constitution, two facts should be borne in mind:

1. The ultimate end and object sought by this legislation is not the possession nor the sale of intoxicating liquor but is the consumption of it. That is the evil we are trying to reach and eradicate. This is recognized by the United States Circuit Court of Appeals (219 Fed. Rep., 794), where, in sustaining the constitutionality of the Webb-Kenyon law, it said:

"In trying to comprehend the legislative purpose in prohibition statutes, it is important to remember that the ultimate end sought in prohibition legislation is not the prevention or restriction of the mere sale of intoxicants but the prevention of their consumption as a beverage."

2. It is notoriously true that whenever and wherever legislation prohibiting the sale of intoxicants is sought to be enforced, every trick, fraud, artifice, and subterfuge that the mind of man can conceive or invent is bound to be used as it has always been used under such circumstances to circumvent the law and render its restrictive provisions null and void and of no effect. Everybody knows this, and our courts have taken judicial notice of it. My understanding is that Congress has full power to adopt any measure or means that it shall consider necessary or convenient in order to make this prohibition effective. All that is necessary is that the means or measures provided shall have some reasonable relation to the end sought, and not be purely arbitrary.

Justice McReynolds, in rendering the opinion in Crane *v.* Campbell (245 U. S., 304), said:

"And, considering the notorious difficulties always attendant upon efforts to suppress traffic in liquors, we are unable to say that the challenged inhibition of their possession was arbitrary and unreasonable or without proper relation to the legitimate legislative purpose."

In a comparatively recent case, Purity Extract Co. *v.* Lynch (226 U. S., 192), the court said:

"When a State, exerting its recognized authority, undertakes to suppress what it is free to regard as a public evil, it may adopt such measures having reasonable relation to that end as it may deem necessary in order to make its action effective. It does not follow that because a transaction separately considered is innocuous it may not be included in a prohibition the scope of which is regarded as essential in the legislative judgment to accomplish a purpose within the admitted power of the Government."

Again, in the case of Hoke *v.* Smith (227 U. S., 309), the court uses the following language:

"Congress may adopt not only means necessary but convenient to its exercise, and the means may have the quality of a police regulation."

As long as the means or measures adopted by Congress to enforce the legislation are not purely arbitrary, but do, in fact, have some proper relation to the legislative purpose, I feel reasonably confident that they would be upheld by our courts.

I have not had opportunity to examine the decisions carefully, but it is my understanding that such measures as are challenged in this bill as being beyond the power of the legislative authority to enact have already been sustained by the courts of very many of our States, and even by the Supreme Court of the United States itself.

The old argument used to be "prohibition won't prohibit." For a long time I was inclined to put considerable stock in that argument. I had seen prohibition in operation in my own State for a number of years after I became an active practitioner at the bar. Public sentiment at that time did not seem to sustain the law, and it was replaced by local-option statutes in 1903. Thereafter for about 15 years our people lived under a system of strict regulation. We had a good law. In my opinion, it was one of the best regulatory statutes in the country. It served, in my opinion, a very useful purpose. It helped tremendously to educate a sound and sensible public opinion in our State with reference to this question. On May 1, 1918, our present prohibitory law went into effect. We have thereafter had opportunity to judge of its practical working over a period of something more than a year, as compared with a like period under local option.

I submit herewith a table showing the total number of arrests for drunkenness in the eight license cities of our State during the first year under prohibition and the last year under license. They show a total of 1,881 arrests for drunkenness in the first year of prohibition as against a total of 8,170 such arrests during the last full year under license. This is a decrease of more than 76 per cent. From the last report of our State board of charities and correction for the biennial period ending August 31, 1918, I quote the following:

"The prohibitory law has had the immediate effect of depleting both jails, where with one exception—Hillsborough County—prisoners are kept in idleness, and the houses of correction, and certainly has deprived the commissioners of one valuable asset—farm labor during the summer months. Such deprivation can not be deplored if rigid enforcement of the liquor law means a restoration of useful labor in the community, support of the family, integrity of the home, prevention of pauperism, crime, insanity, and feeble-mindedness. If these results are really at

tained by the recent liquor legislation, gladly should the counties increase their pay rolls by a few dollars. A slightly increased cost per capita of maintenance at the several county farms would be easily discounted by human wreckage saved. Time alone can determine the ultimate result. Judging from immediate consequences, the experiment seems well worth the trial."

Again, in the same report, I find the following statement:

"The prohibition law went into effect May 1, 1918; for the first eight months, up to May 1, the commitments averaged over 99 per month; for the remaining four months the commitments averaged 40 per month. The inference is too obvious to require comment."

I quote also from a recent statement made by Gov. John H. Bartlett:

"Conditions have been so much better under prohibition than under license that many former believers in license are now outspoken for prohibition. We confidently expect even better results after July 1."

New Hampshire has for many years been interested in this proposal for national constitutional prohibition. On December 27, 1876, Hon. Henry W. Blair, then a Representative in Congress from our State and later for 12 years a distinguished Member of the United States Senate, introduced in this House a resolution providing for national prohibition through amendment to the Constitution. This is believed to have been the first resolution of this character ever introduced in the American Congress. A short time ago Senator Blair, who is still living in the city of Washington at an advanced age although mentally as alert as ever, wrote a letter to the Washington Star, setting forth his connection with this legislation. The letter states in Senator Blair's own words many facts of historic interest, and under leave granted me by the House I herewith incorporate it in extension of my remarks.

Mr. Chairman, we have suppressed the lottery business, we have suppressed the sale of impure foods, we have put an end to white-slave traffic in this country. Why? Because we became convinced that they were one and all harmful to society. We thought that no citizen or group of citizens should be allowed to profit at the expense of society as a whole. And now, acting on precisely the same principle, we have written prohibition into the national statutes for the period of the war and thereafter until demobilization has been completed. We have gone further, and we have written it into the Constitution of the United States. It is a part of the Constitution of the United States to-day, and will be effective after January 1. We have done this because, in my opinion, the people are satisfied that is the most effective, if not the only effective, way to deal with this gigantic evil. I do not expect that it will bring on the millenium, but I do expect that it will operate generally throughout the country in much the same way that it has operated in the last year in my own State and in much the same way as I understand it has operated in most of the 32 States in which it is now in force. I expect that it will materially lessen the population of jails, reformatories, and houses of correction. I expect it will considerably lessen the business of the criminal courts. I think it will mean throughout the country generally as it has meant in my own State—better clothes and shoes for wife and mother and children, a more self-respecting, self-reliant, and efficient citizenship, happier homes, and, in general, a more contented and prosperous people.

MR. BLAIR'S LETTER.

"*To the Editor of the Star:*

"In the Star recently, referring to the prohibitory amendment, its authorship as the first measure of its kind introduced in Congress is properly attributed to me.

"But there is this further statement: Prohibition as a national issue was known during the session of the Grand Lodge of Good Templars in the State of New York in the year 1869. I never saw or knew of the proceedings of that lodge, or of any conception of removing the liquor traffic or any part of it from the control of the States and placing it in the hands of the Nation, which is the gist and object of the national prohibitory amendment in the mind of any person whatever but my own, which was framed in the years 1875–76 and introduced by me in the House of Representatives December 27, 1876. Then, for the first time, 'prohibition' in any true sense became a national issue. The National Temperance Society of New York may have been an outgrowth of the proceedings of the grand lodge referred to, but its work has been mainly the creation of a temperance literature, which they have magnificently performed.

POWER OF STATES NOT ASSAILED.

"George N. Stearns was its great secretary, and Mr. Dodge, a merchant prince of New York, its patron and president. They never assailed the power of the States to absolutely control the traffic to my knowledge. They filed a petition for an investigation. I helped it all I could. Nothing resulted. But the main question was not one of degree, whether of distilled only or of all intoxicating drugs, but shall the Constitution be so amended as to give the Nation control, and if successful against distilled liquors subsequent and more inclusive amendments might logically follow. In this form it continued until 1884, when Miss Willard, Mr. Stearns, and myself agreed upon the form, including fermented liquors, in which it is now ratified—that is, substantially the form introduced and championed by Senator SHEPPARD, now made the national law by the blessing of Almighty God inspiring the marvelous work of great men and women culminating in this generation.

"And there are still serving some of those who started out and have persevered on this weary pilgrimage from the city of destruction through the valley of the shadow of death to the delectable mountains, more than 40 years ago. But two generations of working life are already passed over the river.

"This amendment will lead directly to a higher civilization for our States, our country, and our world. I introduced and pushed the amendment for 18 years—my whole congressional life—and every year ever since, so that in a feeble way I still pursue the triumph and partake the gale with the rest.

HOW THE AMENDMENT ORIGINATED.

"The amendment originated thus. It will always be a matter of historic interest:

"New Hampshire then had her political conventions the first of each year, campaigned all winter in the snow, and held her elections the first Tuesday of March, including Members of Congress. She was called the 'Finger State,' forecasting the result of the fall elections throughout the country. The very ablest men of both parties fought there for votes as for souls in every yearly campaign.

"New Hampshire was Democratic in the year 1874, with the people, the legislature, State judiciary, governor, and three Democratic Members of Congress, and seemed absolutely sure to cast five votes in the electoral college for Tilden, who was likely to be the Democratic candidate in 1876. The South could no longer be relied upon for Republican majorities, as the result proved. My old third district was not only Democratic, but badly split besides.

"There was no other chance but to carry my district, for the rest of the State and the two other districts were still more hopeless, and we should certainly 'lose the fruits of the war' if we did not carry my district, which seemed impossible.

"I was a disabled soldier, had wounds, and so forth, and, thank God, lots of friends. So had Col. Kent, my rival, leader of the split and a former Republican, all but the actual wounds. We had stumped together as Republicans. He was a gentleman and had done much for his country in the war. I had stumped the district for others at least for nine successive years. I felt forced to take the nomination, and did.

ATTEMPTS TO DISSUADE HIM.

"Senator William E. Chandler and I were friends. We kept him on the national committee, of which he was a most efficient secretary. He was at Washington and did not believe it possible to carry New Hampshire. When he learned that I had accepted the nomination he at once sent for me to meet him at the Fifth Avenue Hotel the next morning.

"Both made night trips, and our interview was most earnest. He said that to attempt to carry the district would ruin me financially and break down my apparently improving health. He said all he could, and I couldn't help being affected by this interview. But I knew what the war and the results of the war meant, and I told him that I must make the fight and do the best I could. He said I could make a few speeches for form's sake, since I had taken the nomination, but that the thing to do was to save the check lists for another year. That he would not permit the waste of the national funds in his own State, and he would not help ruin me. He was very emphatic. So we parted.

"I never made or knew another such campaign. Both sides then conscientiously used money corruptly, so intense were the hates of the war then still existing, but now all so happily merged in a new and higher patriotism. I would not do this. But I begged and borrowed all I could and paid the absent voters their expenses, which was considered both right and lawful. I paid the expenses of about 50 voters in a single town of 2,000 people and am in debt for some of it now, and have been ever since. I was all the time, except Sundays, on the stump, plowing through great drifts of snow, beaten by storms and often shaking from chills, from which I suffered.

WHEN HE FEARED DEFEAT.

"Well along in the campaign I feared I was beaten sure. We elected State officers by majority over all and had to get the legislature and governor to turn out the Democrats, who had possession of our State. The United States Senators were inactive.

"We had a little temperance party of a thousand or two which often held the balance of power. They were really God's elect, but generally helped the Democrats, because the Republicans were a few hundred the most numerous in the State. The older ones bossed things. But several of the young ministers and friends led by them rebelled and voted for me without asking any pledges whatever—they just trusted me man fashion—and I was elected by 162 votes.

"Of course, these men wanted no money nor reward of any kind. But I knew who elected me. Aunt Fannie was worried almost to distraction lest I be defeated, but when she met me the last Saturday night before the home grapple at the polls the next Tuesday she was singing like a lark, so to speak. Aunt Fannie had direct intercourse all her life with some Being on high, and knew what was coming. She didn't worry about the election any more. But we worked right on and kept the district red hot under the snow.

"It is only fair to say that the enthusiasm in my district helped greatly to arouse the two other districts, although we lost them, but we gained in the legislature and elected Gov. Cheney by it, and that gave us, by preventing the contemplated Democratic fatal gerrymander of the State senatorial districts, our necessary legislation and the five presidential electors who elected Hayes over Tilden via the electoral commission in 1876. If I had not carried my district Tilden would have been elected over Hayes by four undisputed votes in the Electoral College—probably many more.

VITAL PART OF HISTORY.

"This vital part of our political history has never been half told. It is high time to do it. The records prove it. New Hamphire deserves it. Our national leaders well knew that the State was lost in 1876 if I failed to carry my district in 1875.

"I said that Aunt Fannie knew the result before the rest of us. But Col. Kent and I went over the returns with William Butterfield, Democratic secretary of state, and found out that her information was correct. I'm a little superstitious.

"The young ministers didn't say a word to me—kept on praying, I suppose.

"Well, I thought it over for months. I knew that something done for temperance would suit them best of anything, and perhaps the Almighty God also, but what to do and how to do it without hurting the party was a poser, and I could not discuss it with party friends, for it would get out and I would be in hot water and perhaps not have pluck enough to do anything at all, and if I found out that I was a coward I could not live long with myself.

"Then I would think how manly those young ministers had been, and I thought I ought to be as much of a man as a minister is, anyway. Besides, I was of a temperance race, rather, myself. I had been county prosecuting officer before the war and knew what a farce mere State prohibition is, even of the Neal Dow order, and I never had thought or heard of any national connection with the traffic any more than in the transportation of other 'goods, wares, and merchandise.' It was the business of the States, the demand was everywhere, and any single State, Territory, or the District of Columbia could supply the whole for home consumption and exportation.

COMES TO HIM AS A VISION.

"Finally, one day while gazing up the Pemigewassett Valley to the mountains the whole thing flashed into my mind like a vision. I soon made a record of it almost word for word as originally impressed upon my mind. I concealed it from everyone until I arrived in New York, where I showed it confidentially to George N. Stearns, secretary of the National Temperance Society, and his able assistant.

"To them the idea of placing the traffic under the national power seemed new and puzzling, and my proposed amendment entirely new and strange to them both. They neither approved nor opposed; they would think it over. I insisted on secrecy until I actually introduced it.

"Mr. Stearns published the amendment and the speech accompanying and always stood by it after he had full opportunity to examine it; and so of his able assistant.

"The original amendment and comprehensive speech will be found in the record of House of Representatives, December, 1876—its second section greatly enlarged the power of the States to prohibit also.

"I never heard of any claim to the suggestion of prohibition by the Nation until recently. In fact, I found it to be exceedingly unpopular for many years. The Good Templars were a powerful and secret organization, and individuals may have discussed all conceivable methods of State or National action, and the right of petition is universal. Certainly nothing tangible was ever done, if thought of.

"The Norsemen discovered America before Columbus did, but America didn't stay discovered, so that it has turned out that Columbus discovered, as an incident to his discovery of America, the Norsemen themselves; and but for Columbus (or some other real discoverer) the Norsemen would not suspect that there was now or ever had been any such place as America at all.

POINTS TO PRACTICAL FAILURES.

"As you will say, there was the Washingtonian movement and much agitation upon the subject of temperance before the national prohibitory movement was begun by me, but it is hardly too much to say that all had practically failed, not even excepting the Maine law itself. Something new had to be done. There was the old Congressional Temperance Society. Rev. Dr. Chickering had the book. Daniel Webster, I think, and many of the great temperance leaders of that day belonged to it, and so did I. I have Father Mathews's silver banner presented to him by the ladies of Cork, blessed by the Pope and borne at the head of temperance processions in our own country.

"But all this is trifling now. An armistice is a great victory for the foe. Let us "go over the top" with the needed prohibitory amendments covering all harmful drugs and substances, and perfect the constitutions of the whole world. Now is the accepted time!

"HENRY W. BLAIR."

List of arrests as tabulated in each city for the last year under license and the first year under prohibition.

LICENSE.

Berlin	1,297
Concord	500
Dover	444
Franklin	389
Manchester	3,380
Nashua	804
Portsmouth	1,178
Somersworth	178
Total	8,170

NO LICENSE.

Berlin	143
Concord	117
Dover	108
Franklin	15
Manchester	705
Nashua	346
Portsmouth	416
Somersworth	31
Total	1,881

Decrease, 76+ per cent.

Mr. VOLSTEAD. Mr. Chairman, I yield one minute to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD for the purpose of printing, at least in part, a speech I made on the subject of prohibition in the District of Columbia on the 26th day of May, 1908. I was then the pioneer of the movement in the District of Columbia. I want to republish this speech simply to show conditions then as compared with conditions that now exist.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD by printing the speech indicated. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Chairman, reserving the right to object, this was a good many years ago that the gentleman made this speech.

Mr. SIMS. Eleven years ago the 26th of May.

Mr. MOORE of Pennsylvania. He was then a new and bucolic Member of this House?

Mr. SIMS. Oh, I have been here now almost 23 years. I was not then a new Member.

Mr. MOORE of Pennsylvania. I wanted to ask whether he holds the same views now in this year of our Lord 1919 that he entertained away back yonder when he was a new Member of the House in 1908.

Mr. SIMS. But I was not a new Member then.

The CHAIRMAN. The time of the gentleman from Tennessee has expired. Is there objection to the gentleman's request?

Mr. GALLIVAN. Mr. Chairman, reserving the right to object——

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. MOORE of Pennsylvania. I would like to know whether the gentleman entertains the same view now that he held then. He has not answered the question.

Mr. SIMS. The speech will show.

Mr. MOORE of Pennsylvania. Has the gentleman changed his front upon the subject?

Mr. SIMS. No.

Mr. MOORE of Pennsylvania. Then I do not object.

Mr. GALLIVAN. Mr. Chairman, reserving the right to object, I want to know what position the gentleman took in that speech.

Mr. SIMS. I made a speech in favor of prohibition in the District of Columbia.

Mr. GALLIVAN. Then I object.

Mr. IGOE. Mr. Chairman, I yield one-half minute to the gentleman from Massachusetts [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Chairman, in the half minute I want to say that Admiral Sims in a public speech within a month——

Mr. MADDEN. Does the gentleman refer to the gentleman from Tennessee [Mr. SIMS] who has just taken his seat?

Mr. FITZGERALD. Oh, I said Admiral Sims.

Mr. GALLIVAN. A real admiral.

Mr. SIMS. A member of the Sims family.

Mr. FITZGERALD. That Admiral Sims, who did such wonderful work in the late war, said he was proud of England, because England would not deny to its citizens personal liberty, and I think Admiral Sims——

Mr. MADDEN. How does the gentleman from Massachusetts feel about England himself? [Laughter.]

Mr. FITZGERALD. That is the best thing I have heard about England in a long time.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. IGOE. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. SHERWOOD].

Mr. SHERWOOD. Mr. Chairman, this bill, in my judgment, goes beyond any legal or legitimate interpretation of the prohibition amendment. If the prohibition amendment is held to be legally adopted by the Supreme Court, every Member of Congress is bound by his oath of office to vote for a law to make it effective. But the attempt to pass a law to bar from manufacture, sale, and use the beverages held by reliable medical experts and by high-class judges to be nonintoxicants is not only unprecedented but unfair.

I am just in receipt of a prominent daily Ohio journal containing a leading editorial against the drastic features of the pending bill, of which the following is an extract:

> It seems that the insane proposition that a beverage containing more than one-half of 1 per cent of alcohol is intoxicating is calculated to destroy the grape industry of the country, notwithstanding grape juice is the beverage most approved by prohibitionists, except water, including the approval of that preeminent exponent of the faith, William J. Bryan, who will have to go without grape juice or drink slops, if the contention referred to is sustained by Congress and the courts.

A PLEA FOR THE ISLANDERS OF LAKE ERIE.

My most valued constituents are the grape growers of those emerald isles—North Bass, Middle Bass, and Put in Bay, on the south shore of Lake Erie. These islands are devoted almost exclusively to grape culture. This bill if enacted into law will pauperize and ruin these islanders. Their grape-growing acres will be rendered practically valueless, and the islands, now peopled by an industrious, wholesome and moral people, among whom intoxication is practically unknown, will be literally robbed of their possessions by a law of Congress. I would be wanting in fidelity to my trust as the representative of these islanders if I did not arise on this floor and protest against such uncalled for and wicked legislation as this bill proposes.

The Hon. George F. Lonz, one of our leading grape growers of the islands, a member of the Ohio legislature, writes as follows:

> In going over Government reports of analyses made on fresh pressed grape juice under the most favorable conditions, an alcoholic percentage was found which exceeded even 1 per cent, and in many cases exceeded 1½ per cent.

Mr. Lonz declares that a small percentage of alcohol is unavoidable where grapes are pressed properly.

THE GRAPE JUICE INDUSTRY WILL BE RUINED.

Col. William Jennings Bryan, now the leading and the most eloquent champion of prohibition, has in the past recommended grape juice as a wholesome and satisfying beverage—a substitute for beer and intoxicants. On several occasions, when traveling I have ordered in a Pullman dining car a bottle of this wholesome beverage. Yet should this bill become a law, it would be a criminal offense to manufacture, bottle, or sell this mild and comforting nonintoxicant, indorsed by the foremost champion of prohibition.

I remember a holding made by the professor of chemistry of the University of Iowa (a recognized authority), that bottled grape juice contains more than 2¾ per cent of alcohol. The testimony of other experts of practical experience is that in order to preserve grape juice as a tonic beverage, it requires (if not for speedy use) from 1½ to 2½ per cent of alcohol.

A REAL TEMPERANCE ADVOCATE.

I have been a temperance man since I shed my pantalettes, over 75 years ago. I have never had occasion to use either vinous or spirituous liquors, either in war or peace, or in political campaigns. I do not know a Manhattan cocktail from a segregated moonshine seismometer, now doing a sizzing business in prohibition Georgia. I have never had a cigarette or a particle of tobacco in my mouth, and I never chewed gum. I do not mention these matters to claim any of the abstemious virtues, but as convincing evidence that I have a temperance record, tested longer by experience and age than any of these self-glorifying regnants responsible for this bill.

CAN NOT ENFORCE AN UNRIGHTEOUS LAW.

I do not believe you can make either men or women good by either law or force, but you can make men bad by law and force. I believe in Jeffersonian democracy—that all legislation should be enacted to promote the greatest good to the greatest number. I do not believe in enacting legislation to deprive whole communities of the right of self-government in order to promote the weal of a minority of mental and physical degenerates. It has been fully demonstrated by the experience of nations across the Atlantic, and more recently in our own United States, that this class of conscienceless irresponsibles when denied intoxicants have almost invariably become "dope fiends." We remember during the closing days of the last Congress that the gentleman from California [Mr. KAHN], the present distinguished chairman of the Military Committee of this House, stated that the recent draft of soldiers for the World War developed the fact that 81,000 young men of draft age were found unfit for military duty by our medical examiners because addicted not to the liquor habit but to the drug habit. This statement, to my knowledge, has never been contradicted. It has been numerously intimated that this large class of degenerates were found largely in States legally dry.

DOPE FIENDS, HOW MADE.

Since the adoption of prohibition in so many of the Southern and Western States the illegitimate consumption of opium has increased so rapidly that now we are consuming more than ten times as much opium as any other country in the world, with the possible exception of China. I quote a vital extract from the report of the narcotic committee of medical experts:

> A comparison of the per capita consumption of opium in this country with that of other countries indicates that this country consumes from thirteen to seventy-two times as much opium per capita as is consumed by any other country.

It is clearly evident that if partial prohibition has resulted in such a startling increase of dope fiends, universal prohibition will be still more startling and degrading. In the presence of these deplorable conditions, it is the duty of every sane and patriotic citizen to pause and ponder over the moral crisis that confronts the country. Do not forget that it is the well-considered and deliberate opinion of the Allied Medical Association of America that prohibition will increase the number of opium addicts in the United States and that mild wines and beer will minimize that danger.

THE TRAFFIC IN NARCOTIC DRUGS.

On March 25, 1918, the Secretary of the Treasury appointed a committee of able and widely experienced gentlemen to investigate the traffic in narcotic drugs in the United States. The following-named persons comprised the membership of that committee: Hon. HENRY T. RAINEY, Member of this House; Dr. Reid Hunt, professor of pharmacology, of Harvard University; Mr. B. S. Keith, Deputy Commissioner of Internal Revenue of the United States; and Dr. A. G. Du Mez, of the United States Public Health Service. After a thorough investigation, lasting over one year, this committee made a report, which is now on file in the Treasury Department, in which they estimate that there are to-day in this country more than 1,000,000 opium addicts, and that these unfortunates are expending annually more than $61,000,000 for this drug. And they find that prohibition is one of the principal causes of opium addiction, and upon this subject the committee in its report said:

> The consensus of opinion of those interested in the subject appears to be to the effect that the number of addicts will increase as soon as the prohibition laws are enforced. These opinions are based for the most part on the theory that drinkers will seek a substitute for alcohol, and that the opiates and cocaine will be found to be the most satisfactory for that purpose. This opinion apparently receives some support from investigations made in some of the Southern States where prohibition has been in effect for some years.

MEDICAL EXPERTS ON PROHIBITION.

I submit in addition some further valuable information from the able address of Congressman NEWTON on the floor of the House July 10:

> Dr. John Marshall, of Pennsylvania, who for more than 20 years has been a professor of chemistry and toxicology in the Medical School in the University of Pennsylvania, who has studied in the greatest medical

schools in this country and in Europe, while testifying upon this subject, declared that wine and beer containing two and three-quarters (2.75) per cent of alcohol by weight are not intoxicating. After detailing long and extensive experiments, which he had made for the purpose of determining the effect of alcohol upon the human body, he said:

"In view of the foregoing I consider that beer with an alcoholic content of two and three-quarters (2.75) per cent of alcohol by weight is not an intoxicating beverage."

Dr. William J. Geis, formerly an instructor in the scientific department of Yale University, and now a professor of biological chemistry in the School of Medicine of Columbia University, who for years has studied the effects of alcohol upon the human body, while testifying upon this subject and after detailing at great length the results of his experiments and study, said:

"I am, therefore, of the opinion that beer of alcoholic content of two and three-quarters (2.75) per cent by weight is not an intoxicating beverage."

Dr. Hobart A. Hare, a professor of therapeutics, materia medica, and diagnosis of the Jefferson Medical College, in Philadelphia, and who for 28 years has been a visiting physician at the Jefferson Hospital and other hospitals in Pennsylvania, after more than 30 years of study and experiment with respect to the effect of alcohol upon the human body, while under oath stated:

"From my personal experience and observation and consideration of the literature on the subject, I am of the opinion that beer containing not to exceed 2.75 per cent of alcohol by weight is not intoxicating."

It is a question of fact to be determined by medical experts. And here I submit the opinion of the highest medical and scientific experts in the United States:

Dr. Stephen P. Jewett, a graduate of Clark University, of Massachusetts, and of Buffalo University Medical School, who has served as an interne in the Metropolitan Hospital on Blackwells Island, resident physician at the River Crest Sanitarium at Astoria, Long Island, and who for the past three years has been the physician in charge of the alcoholic wards of Bellevue Hospital in New York City, a noted writer upon alcoholism and drug addiction, while testifying under oath, said:

During all my experience at the various institutions and hospitals with which I have been connected, both as interne and as physician, I have never known of any case of a person being admitted to such institutions suffering from alcoholism where such condition had been produced because of the drinking of beer. From my personal experience and from observations and researches made by me, I am of the opinion that beer or any beverage containing 2.75 per cent of alcohol by weight is not intoxicating.

Dr. Frank A. McGuire, who graduated from the medical department of New York University, who for eight years was assistant attending physician in the Demilt Dispensary in New York City, who for the past 15 years has been visiting physician at the New York City prison, as well qualified by experience and observation to know the effect of alcohol upon the human system as any other man in this country, while testifying upon this subject said:

I have come in contact during my practice with over 25,000 cases in which the effect of alcohol was an element. In my opinion as a physician, which is based especially upon my long experience in dealing with cases of inebriation, I am of the opinion that the beer now made, and which contains not to exceed 2.75 per cent of alcohol by weight, is not intoxicating.

Dr. Moses Keschner, a practicing physician, residing in the borough of Manhattan, a graduate of the College of Physicians and Surgeons of New York and an interne at the health department of New York City, who has been a visiting physician at the department of correction of New York City, who was a physician at the penitentiary in Kings County, N. Y., and Manhattan City Prison, and who has had extensive opportunity to study the effect of alcohol, while testifying upon this subject said:

In the city prison of Brooklyn I see about 2,000 patients a year suffering from some phase of alcoholism. It has been a part of my duty to treat these cases, and as part of my diagnosis I have to ascertain what the patient has been drinking. Since the advent of beer, which is now made and which contains, as I am informed and verily believe, not to exceed 2¾ (2.75) per cent of alcohol by weight, I have not found a single case of intoxication from such beer. From my study, investigation, and personal experience I am of the opinion that such beer is not intoxicating.

THE RUTHLESS DESTRUCTION OF PROPERTY.

The Hon. CLARENCE F. LEA, of the first district of California, stated on the floor of the House that there is to-day a grape crop on the vines in California the value of which is estimated by the viticultural commission at $12,000,000. If this Congress should adopt section 1 of this act, it will prevent the farmers of California from using these $12,000,000 of grapes that now hang upon the vines. The grape industry is one of its own peculiar kind for this reason: It takes four years to raise a grapevine to the productive age. The cost of raising resistant stock from which dry wines are largely produced is from $250 to $300 an acre. It will cost the farmers of California alone over $2,000,000 to dig up the vines devoted to the dry-wine industry when prohibition goes into effect.

MORE GREEDY PARASITES ON THE BODY POLITIC.

The numerous lobby of professional prohibitionists now dominating the majority of this House are intelligent and inordinately industrious. They know the attitude of the scientific medical experts of the United States on this vital subject. And yet they have no testimony to offer in rebuttal; neither have any of their representatives on this floor. They are relying solely upon a denunciation of the saloon and the so-called liquor interests, when neither the saloon nor the liquor interests are legitimately involved. The sole issue is whether Congress shall enact a law to prohibit and penalize the dealers and users of nonintoxicating beverages, when no such action is provided or contemplated in the prohibition amendment to the Constitution.

Let us consider the most vital element of this experiment in occult sociology now demanding the passage of this bill. To our overburdened taxpayers it means more burdens, more greedy parasites on the body politic, more unrest among the stalwart men of the shops and mines and fields who do the world's work.

The well-informed and alert chairman of the Military Committee of this House estimates that the destruction of property that this bill will cause, if enacted, will reach over one thousand million dollars. This in addition to the loss of funds from internal-revenue taxes; with a further drain on the Federal Treasury for the proposed "Commission of Prohibition"; and a great standing Army with petty enforcement officers that is inevitable to the enforcement of the prohibition amendment in all communities where public opinion is adverse. The distinguished gentleman from Pennsylvania, Hon. J. HAMPTON MOORE, now 15 years in Congress and a thorough student of civics, made the following estimate of the loss of revenue to the Government should this bill pass Congress. I quote:

Mr. Chairman, I wish to put into the RECORD the result of some inquiries made at the Internal Revenue Office with regard to the financial effect of the prohibitory law. This is a matter of serious consequence to the taxpayers of the country, and is having the attention of the Committee on Ways and Means with respect to revenue production.

I find that for the 10 months up to and including April of the last fiscal year we collected from wines, distilled spirits, and other intoxicating beverages $408,274,000. The estimated receipts for May and June to complete the fiscal year brings the total up to $533,000,000. In addition to that sum the Treasury gained heavily from income and excess-profits taxes arising from the liquor business. That was under the old laws. If prohibition were not in effect, we would under the new revenue law receive for the six months, from June 30 to December 30, 1919, approximately $325,000,000. For the whole fiscal year ending June 30 next our receipts without prohibition would be $638,000,000. In addition we would receive income tax and excess-profits taxes sufficient to bring the grand total up to $1,000,000,000. This revenue, which is fully three times as much as we can possibly receive from the tariff, is now gone. This loss of revenue presents a problem which may ultimately call for the issue of additional bonds.

ORGANIZED LABOR AGAINST PROHIBITION LEGISLATION.

The organized labor of the United States, in national convention assembled, passed a resolution almost unanimously against prohibition. In my district the organized workers of Toledo, Ohio, about 23,000 strong, with some 91 locals, have passed almost unanimously resolutions against prohibition.

Labor as applied to the shops and mines and fields produces all wealth. Labor is more vitally interested in this question than the very sleek, well-groomed lobbyists and persuasive gentlemen now pushing this destructive bill.

THE HAVOC OF WAR.

It is estimated that the Old World War has destroyed property of the value of $186,000,000,000. Of this staggering total the United States has in property and money lost some $22,000,000,000, all to be paid by taxation. This amount is larger than the total value of all the property in the State of New York, by far the richest and most populous State in the Union. As this vast sum must be paid eventually by the wageworkers they have a deeper interest in this question than all the idlers and plutocrats and pretentious prophets, and their voice of earnest protest against this unauthorized legislation should have serious consideration.

CHARGE OF BAD FAITH.

The authors of this pending bill are not acting in good faith in forcing prohibition legislation now. Attention was only a few days ago called to this fact by the able gentleman from California [Mr. LEA], that the leading prohibitionists promised the brewers and grape farmers and others having large property holdings one year to adjust their business. This they deny now. I quote from the CONGRESSIONAL RECORD of December 17, 1917:

While we prohibitionists desire to have the country go dry, we do not propose to let our zeal in that great cause destroy our sense of justice, and I for one was willing to advocate the right of the brewers and distillers to have one year to wind up their business. We have distinguished precedents for this in the action of nearly all the dry States. Most of the States have given them a year in which they may wind up their business. * * * I think it is a perfectly fair amendment, and I will be very glad to vote for it, and I hope the dry Members will vote for it.

PROHIBITION DOES NOT PROHIBIT.

It has been demonstrated by over a quarter of a century of practical test, notably in the State of Maine, that prohibition has not lessened divorce or crime or drunkenness. The distin-

guished gentleman from Massachusetts [Mr. FITZGERALD], several times mayor of Boston, stated on this floor only a few hours ago that prohibition Maine, lying alongside of licensed Massachusetts, has as much or more crime and more law violations, as much consumption of beverages that intoxicate, comparing equal populations. And another distinguished gentleman from Massachusetts, Mr. GALLIVAN, of classic Boston, called attention to the undisputed fact that there has been a large increase in crime in this National Capital since Congress voted Washington dry. I quote:

Do you know what has happened up to this time in the way of crime since you made Washington dry without giving the people of Washington a chance to say whether they wanted it to go dry or not? Let me give you a few figures:

"A recent grand jury in this District found 107 new indictments, which, added to the 80 other true bills previously reported, made 187 criminal indictments for this District in one week. United States District Attorney Laskey is quoted as having said that no grand jury since he has been in office has ever returned so many indictments against violators of the criminal law."

In the Evening Times, of Washington, a few evenings since I found the following illuminating item:

THIRTY-FIVE "DRUNKS" ARRESTED IN DRY WASHINGTON.

More than 35 cases of intoxication were recorded on the police-court blotter to-day. This is the largest number which has been in court since July 1. Twenty-six persons were locked up, while the others forfeited collateral of $50.

And this item only reports the drunkards officially reported. Those not reported to police probably numbered three times as many.

THE BILL IS UNCONSTITUTIONAL.

I claim the Congress has no power under the prohibition amendment (the eighteenth) to declare that a certain beverage or tonic is intoxicating when it is not. In fact Congress has no right to legislate a continental lie into a law. Furthermore, as has already been lucidly stated by a leading member of the Judiciary Committee, Mr. GARD of Ohio:

Congress has no right under the war power to write something into the law not contemplated by anyone when the law was enacted. Furthermore, Congress has no power to amend or reenact a war measure after the war has ceased.

The war is over both actually and officially. Congress, in many legislative acts during the past seven months, has so declared on many notable occasions.

On May 20 last, in his message to Congress, the President said:

The demobilization of the military forces has progressed to such a point that it seems to me entirely safe now to remove the ban upon the manufacture and sale of wines and beers.

There are some very sensible citizens well equipped with mature judgment who are not constitutional lawyers. Here is a cognate specimen:

No man with candid intelligence can rise here and say that Congress now has a fair, legitimate right to impose war prohibition upon this country. War prohibition presupposes a war. The only right Congress has to enact prohibition before the Federal amendment goes into effect is the war power of Congress as based upon the necessity of war. War prohibition, to go into effect after a war, is a fraud upon the face of it. In its enactment "war prohibition" was a legislative absurdity. And to repeat the offense now that the war is eight months behind would be legislative buffoonery. (Congressman LEA.)

Several sections of the pending bill are not only unauthorized by the prohibition amendment, but are clearly unconstitutional. Congressman MOON of Tennessee, conceded to be one of the ablest lawyers in Congress, who has served in this historic Chamber for 22 years and who voted for the prohibition amendment, holds the bill unconstitutional and a usurpation of individual rights guaranteed to every citizen by the Federal Constitution.

I am on safe ground when I state that Congress has no right, when legislating to enforce an amendment to the Constitution, to go beyond the explicit provisions of that amendment. The eighteenth amendment prohibits the manufacture and sale of intoxicating liquor. Any legislation that will be necessary and reasonable to carry out or enforce this provision may be invoked by Congress, but the essential legislation must be fairly implied and directed to the prevention of the manufacture and sale of intoxicating liquor. It can not be directed against other and distinct offenses. Congress can not imply by its arbitrary will a power from an express power granted to it that is not essential to enforce the expressed power, nor can it imply an unconstitutional power and exercise it for that purpose. On this question Congressman MOON held, in a carefully prepared speech delivered on the floor of the House, as follows:

Again, the eighteenth amendment to the Constitution prevents the manufacture and sale of intoxicating liquor. The question of what "intoxicating liquor" is, within the meaning of this constitutional amendment, must be determined from the usually accepted meaning of these words at the time of the adoption of the amendment. It is a judicial question, one for the courts and not one for the legislative branch of the Government. If Congress can define what "intoxicating liquor" means and determine that any brand of whisky, wine, beer, porter, or ale is intoxicating that contains one-half of 1 per cent alcohol the next Congress, having a similar power, can determine that any beverage containing 10 per cent, 20 per cent, or 90 per cent of alcohol would or would not be intoxicating, as no Congress has a right to bind upon matters of legislation a subsequent Congress. The meaning of the fundamental law would thus vary from time to time and would be subject to the caprice and will of a partisan Congress. Congress can not change the meaning of a constitutional power by statute nor add to nor take from it by the use of any words defining what it means. The amendment is self-explanatory. If not, it would be nugatory. The words "intoxicating liquor" must have a fixed and determined judicial significance in the view and light of the meaning of those words at the time of the adoption of the constitutional amendment, else Congress by statute would be constantly changing and making constitutional provisions on the subject. The fundamental law must be stable and fixed; that it should be so was the purpose of passing the amendment. Constitutional law does not vary like statutes.

The above from one of the ablest constitutional lawyers in Congress is not only sound law but saving common sense. No fair lawyer will honestly question this legal and logical interpretation of the prohibition amendment.

I maintain that it is solely a question of fact, whether a certain beverage is intoxicating, to be tried by courts of competent jurisdiction. The State, with its plenary police power, can prohibit the sale of any kind of liquor, whether alcoholic or malt, but the terms of the Federal amendment limit the power of Congress, and we can not go beyond.

Section 7 of this bill makes it unlawful for any person to receive or possess any intoxicating liquor. This is clearly unconstitutional. No such authority is given in the amendment nor can it under any rule of construction be fairly implied from the amendment or any section of the Constitution, since the mere possession of liquor by an individual not engaged in the manufacture and sale of liquor is not necessarily a means of preventing the manufacture and sale of liquor.

A PROHIBITION STATESMAN AGAINST THE BILL.

As Judge Moon voted for the prohibition amendment on its passage in the House of Representatives the following extract from his speech on this floor July 11, 1919, is highly instructive and illuminating as to the unauthorized and outrageous features of this bill. I quote:

If a sick man needing stimulation could not reach a doctor, his friend could not give him a drink of liquor without going to prison as a result. If a farmer permits a keg of sweet cider to ferment and contain more than one-half of 1 per cent of alcohol and did not throw it away immediately on knowledge thereof, he would have to pay fines or have to go to the jail and probably lose his farm, or if a barrel of vinegar, perchance, should by any reason become alcoholic to the extent of one-half of 1 per cent, as sometimes happens, it would have to be disposed of at once, because after it was known by its owner that it contained one-half of 1 per cent alcohol, or if he could have reasonably known it, he would become liable to fine and imprisonment if he retained it. If Congress could at will name anything that it desired to as an intoxicating liquor and prohibit the use of it under this section, it might name sulphur water, ginger ale, or anything else it wanted to as intoxicating liquor, and punish for the manufacture and sale. The question as to whether the beverage is intoxicating or not, as I have stated, is purely one of fact under the law. Some beer, some ale, some porter might be intoxicating or not with more than one-half of 1 per cent of alcohol in it. In fact, it has been judicially determined in the State of New York that beer with 2.75 per cent of alcohol is nonintoxicating. Certainly beer with 1 per cent of alcohol would be nonintoxicating. Can Congress arbitrarily say that beer with one-half of 1 per cent of alcohol is intoxicating when the fact is not so? If so, then it holds that a nonintoxicating beverage is intoxicating and penalizes the manufacture and sale of it when it only has power to prevent the manufacture and sale of intoxicating liquors.

LEGAL ETHICS DISCUSSED.

Laws, to be respected, must be just.

Laws, to be obeyed, must appeal to the conscience and common sense of the average citizen.

You can not make a criminal of a citizen by a law of Congress.

You can not do that legally under the prohibition amendment.

You can not make a criminal of a grape farmer in whose home or possession is found a bottle of wine pressed from his own grapes. You can not make him a criminal without giving him the right to trial before a court of competent jurisdiction and a jury of his peers.

You can not enforce a law that penalizes a farmer who holds a barrel of cider in his cellar pressed from his home-grown apples.

STATISTICS OF GRAPE CULTURE.

The grape industry of the country represents a vast amount of wealth and property and pays enormous sums in taxes into the Federal Treasury—all to be ruthlessly destroyed and lost should this bill become a law.

I submit some figures:

Quantity of wine made in the United States in 1917, 39,625,500 gallons.

Wines produced in the United States.

	Gallons.
1910	50, 684, 343
1911	56, 655, 006
1912	50, 619, 880
1913	48, 683, 849
1914	44, 973, 643
1915	27, 255, 690
1916	42, 229, 206
1917	37, 640, 495

Above figures taken from United States Statistical Abstract for 1917, page 540.

The following figures, furnished by the Department of Agriculture, while only estimates so far as the whole country is concerned, those for California being correct, are believed to be nearly accurate: There are 261,000 acres in the United States devoted to wine grapes, 170,000 acres being in California and the remaining 91,000 throughout the rest of the States. The estimated acreage of grapes throughout the United States is 530,000, 320,000 acres being in California and the remaining 210,000 throughout the rest of the States. (Taken from the World Almanac for 1917.)

The production of wines in the United States in 1915 was as follows:

California:	Gallons.
Sweet	3, 825, 000
Dry	20, 000, 000
New York	1, 250, 000
Ohio	2, 000, 000
Missouri	400, 000
New Jersey	200, 000
Virginia	100, 000
North Carolina	150, 000
Other States	150, 000

There is now general unrest throughout the United States over the high cost of living. Many practical students of economics believe that Congress can provide legislation that will give adequate relief. There are constant conflicts between capital and labor resulting in lockouts and strikes that are impeding general prosperity. The overburdened taxpayers are pleading for relief everywhere, and Congress is urged to enact legislation to relieve business and manufacturers from the onerous burdens. The millions of gallant soldiers returning from the World War are anxiously waiting for a replacement of their places in industry, and pleading for a soldier patriots' reward by a grateful people.

Congress has impending, besides the healing of the wounds of war, reconstruction legislation the greatest this country has ever faced. In the midst of this universal demand for relief, Congress has sidetracked every important and benignant measure for practical and humane legislation, and is wasting its precious time on a measure which, if enacted into national law, will aggravate the general unrest and add enormously to the present onerous taxation, with no compensating benefits, moral, financial, or economic.

In addition to enacting legislation depriving the hungry Federal Treasury of the needed revenue derived from wine and beer, it is proposed to fasten upon the overburdened taxpayers an army of high-salaried officials to enforce prohibition in the States, in conflict with State laws in many States, adding millions more to the burdens of the overly-tired taxpayers.

THE HEROICS OF PUT IN BAY ISLAND.

In conclusion, let me again refer to my industrious and worthy constituents who inhabit those historic islands near the south shore of Lake Erie. Those islands have a peculiar charm for the lover of heroic history. Near Put in Bay Island, 16 miles from shore, on September 10, 106 years ago, Commodore Perry won the greatest naval victory ever fought on fresh water. And near the spot on Put in Bay Island where Commodore Perry landed his heroic band after the battle there stands the most commanding monument in the United States outside this Capital, and I am still enjoying a modest pride that I aided in securing an appropriation of $250,000 by Congress to erect this magnificent and enduring memorial to the greatest naval hero of the nineteenth century.

I plead here that these worthy and patriotic islanders be saved from the despoilment of cruel and unjust laws. A visit to these teeming and historic islands would be a liberal education to that group of one idea idealists who need an enlarged vision and a broader and more humane tolerance of the chartered rights and immunities of American citizens.

Probably I shall be found in the minority on this bill, but I am accustomed to minorities. I remember what Emerson said in the heyday of his career, "Minorities are usually right." And Emerson is conceded the greatest prophet of human destiny America ever produced.

Mr. VOLSTEAD. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Chairman, in connection with this general subject of prohibition, there has been much said about the views of labor, about the use of beer and wine, and about referendums. Therefore I have thought it might be proper for me for a few moments to call to your attention some matters in the State of Michigan which have transpired that have a bearing upon these questions.

Recently there has been called to the attention of Congress the report of an investigator, said to have been sent to Michigan by one Samuel Gompers, head of the American Federation of Labor, speaking for, among others, the Bartenders' Union, the Bottle Makers' Association, and the Brewery Workers. Mr. Gompers, quoting his unnamed investigator, gives it as his conclusion that the enactment of State-wide prohibition in Michigan, one of the greatest industrial States to adopt prohibition, resulted in the spread of Bolshevism and anarchy.

I have wondered why, if Mr. Gompers was interested in the connection between the use or prohibition of liquors and Bolshevism, he says so little of the land of beer, Germany, where Bolshevism comes very near to controlling the Government, and why he has not made any examination of conditions in the land of wine, France. I hold in my hand a letter which I received yesterday from an American doctor of high standing, now in our military service, who, writing from the camp at Brest, tells me of the very acute demonstration of Bolshevism among the French soldiers and sailors in the land of wine. But rather than go to these lands of beer and wine, where he would find Bolshevism in its active state, he sends this apparently amateur investigator to Michigan, where State-wide prohibition was voted in the election of November, 1916, effective the 1st of May, 1918, and where, notwithstanding that fact, when the last Liberty loan was floated to maintain this Government, the State of Michigan was the first State of all the Union to go over the top. [Applause.]

If there was any State before us, if there is any dispute, it is the State of Iowa that makes the same claim, and the State of Iowa likewise is dry. [Applause.]

More than that, we have had the vote in Michigan in certain cities, the expression of labor, if you please, upon the question of beer and wine. The State went dry in the election of November, 1916, when all male citizens had a chance to vote. The country was not in the war, the boys were home, and then the State voted dry by 70,000. In April, 1919, the State again voted on the question of the sale of liquors, not on the whole subject of prohibition of all liquors, but on the limited subject, the sale of beer and wine. Now, at that time there were some soldier boys away, but it was not the fault of the drys, however, that that election and that referendum came when the soldiers were away. That vote in Michigan was taken in the absence of some soldiers because the wets of Michigan elected to take it then. What was the result of that election?

I contend that labor includes not only men who belong to the bartenders' union or any other union in the Federation of Labor, but every man who earns his living by the sweat of his brow, whether upon the farm or in industry. But I am not going to go that far in the discussion this afternoon. I want to call to your attention what the men in the cities, cities of 10,000 population, said in Michigan on beer and wine after we had State-wide prohibition for nearly a year. Let me give you the official figures, and they are the figures on that question in the most recent referendum in this country on the question of beer and wine, and they show the vote in industrial centers only. Bear in mind for the last few years Michigan cities have, as a rule, probably expanded more industrially than cities of any other State in the country. Now, I have taken the vote of every city, without exception, in Michigan that had a population of 10,000 or more in the last census.

The most of those cities have had a great growth since then, and the vote of those cities is the urban vote of my State. And, I think it may be fairly stated that the urban population of Michigan will roughly constitute the labor vote of Michigan, because in an industrial center the bulk of the vote is the labor vote. Take the city of Adrian, with a population of 10,000; votes for beer and wine, 1,600—I do not give the odd figures—and 2,500 against. Alpena, 1,000 for beer and wine and 1,900 against. Ann Arbor, for beer and wine, 2,000; against, 4,000. Battle Creek, for beer and wine, 3,500; against, 5,500. Bay City, for beer and wine, 4,000; against, 7,000, and Bay City was formerly considered one of the wet places of Michigan. [Applause.] Detroit—and anyone interested in the beer and wine end of it wants to be ready to applaud now, because it is the only real hope he will find in Michigan—Detroit, with her large foreign population, a large number of those men who have not yet learned that when they come to America they must bow

to American ideals and live in the American ways of decency—Detroit, 87,800 for beer and wine and 53,205 against. The city has about a million population now and had only 465,766 in 1910. Escanaba, 2,019 for beer and wine and 2,040 against. Flint, which but a few years ago, in the census of 1910, had a population of only 38,000 and now has nearly 100,000—that new industrial city that had been dry for several years by county option voted 4,670 for beer and wine and 8,914 against. [Applause.] Grand Rapids, the second city in the State, a great industrial city in the manufacture of furniture and other articles of legitimate commerce, voted 11,260 for beer and wine and 24,706 against. [Applause.]

Highland Park, which is a village located in the midst of the city of Detroit, surrounded entirely by the territory of Detroit, but separate in its government, and where the Ford automobile is made, which had only 4,120 of population in 1910 but now has over 30,000, went 2,931 for beer and wine and 5,800 against; Holland, 814 for beer and wine and 1,900 against; Ironwood, 1,430 for, 2,061 against; Ishpeming, 1,012 for, 2,187 against. That is one of the mining cities of the upper peninsula. Jackson, another automobile center, 6,918 for beer and wine, 12,755 against; Kalamazoo, 4,076 for beer and wine, 8,841 against; Lansing, the capital city, and a great automobile center, manufacturing the Reo and the Oldsmobile, 5,031 for beer and wine, 10,165 against; Manistee, 2,328 for beer and wine, 3,660 against; Marquette, 1,164 for beer and wine, 2,000 against; Menominee—and here was the only help and encouragement that Detroit had in the whole State—2,775 for beer and wine, 2,638 against, a majority of 137 for beer and wine. Muskegon, 3,407 for beer and wine, 4,722 against; Pontiac, another automobile center, 2,006 for beer and wine, 4,113 against; Port Huron, 2,079 for beer and wine, 4,036 against. That is the chief city in my own district, where but a few years ago the county gave a majority of 2,500 against local option. Now it—the chief city of the county—votes against even beer and wine. Saginaw—and I may say that there was a time when we thought Saginaw was the wettest place on earth—6,302 for beer and wine, and 8,049 against; Sault Ste. Marie, 1,076 for beer and wine, 1,947 against; Traverse City, 662 for beer and wine, 1,796 against. Altogether there were 162,324 votes in the State of Michigan for beer and wine only, and there were 187,284 against. [Applause.]

The following table gives the vote above referred to, together with the vote of the same cities in 1916, on State-wide prohibition of all liquors and the population of the several cities at the last census:

City.	November, 1916—was wet or dry.	November, 1916—voted wet or dry.	November, 1916—State wide.		April, 1919—beer and wine.		Population, 1910.
			Vote yes.	Vote no.	Vote yes.	Vote no.	
Adrian	Dry	Dry	1,536	1,125	1,604	2,593	10,763
Alpena	Wet	Wet	999	1,122	1,027	1,946	12,706
Ann Arbor	do	Dry	2,548	1,581	2,057	4,381	14,817
Battle Creek	Dry	do	3,630	3,588	3,529	5,520	25,267
Bay City	Wet	do	4,309	4,305	4,347	7,285	45,166
Detroit	do	Wet	53,823	62,947	87,800	53,205	465,766
Escanaba	do	do	1,005	1,539	2,019	2,040	13,194
Flint	Dry	Dry	19,027	8,324	4,670	8,914	38,550
Grand Rapids	Wet	do	14,989	11,948	11,260	24,706	112,571
Highland Park	Dry	do	2,153	1,116	2,931	5,824	4,120
Holland	Wet	do	1,447	910	814	1,900	10,490
Ironwood	do	do	188	143	1,430	2,061	12,821
Ishpeming	do	do	1,145	867	1,012	2,187	12,448
Jackson	do	do	5,447	4,039	6,918	12,755	31,433
Kalamazoo	Dry	do	7,904	6,093	4,076	8,841	39,437
Lansing	do	do	6,493	3,924	5,031	10,165	31,229
Manistee	Wet	Wet	2,058	2,529	2,328	3,660	12,381
Marquette	do	do	1,093	1,111	1,164	2,000	11,503
Menominee	do	do	1,798	2,686	2,775	2,638	10,507
Muskegon	do	do	2,951	3,558	3,407	4,722	24,062
Pontiac	Dry	Dry	2,757	1,973	2,006	4,113	14,532
Port Huron	Wet	do	2,321	2,027	2,079	4,036	18,863
Saginaw	do	Wet	4,958	5,529	6,302	8,049	50,510
Sault Ste. Marie	do	Dry	1,191	929	1,076	1,947	12,615
Traverse City	Dry	do	1,271	974	662	1,796	12,115
Total			147,044	134,787	162,324	187,284	1,047,866

Mr. COOPER. Will the gentleman yield for a short question?

Mr. CRAMTON. Certainly.

Mr. COOPER. Are not most of these cities that you have just mentioned great industrial points, where they have thousands of workingmen?

Mr. CRAMTON. Nearly all. The results I have given you were achieved by the votes of laboring men. The Chicago Daily News commented upon it. They saw the significance of that election. That great metropolitan daily said editorially, following the election and without the detailed situation before it I have compiled for you, speaking of the general city results:

MICHIGAN'S VOTE ON PROHIBITION.

[Editorial from Chicago Daily News.]

Michigan's popular vote on the proposed amendment to its State constitution permitting the manufacture and sale of light wines and beers is particularly noteworthy. The returns indicate that not only the voters in the villages, small towns, and suburban districts but those in the larger towns and cities as well, with the exception of Detroit, gave heavy majorities against the amendment.

It would be unfortunate, of course, if on so important an issue as prohibition of the liquor traffic the country districts and the cities took opposite views and one section attempted to force its policy on the other section of the Commonwealth. Agreement between country and city would remove formidable difficulties from the path of those whose duty it is to enforce the law and prevent serious and widespread evasion of its requirements.

The vote in Michigan meets, so far as that State is concerned, the objection advanced in many quarters by opponents of constitutional prohibition, namely, that the people have not had an opportunity to pass on the issue, and that a referendum would result in a mandate for a compromise permitting the use of light beers and wines. The voters of Michigan were accorded precisely such an opportunity. They have sustained flat prohibition. In Michigan, at least, it can be contended no longer that a small, militant, extreme minority foisted an unpopular idea upon a disarmed electorate. And Michigan is by no means exceptional in its views on this subject, so far as the American public is aware.

I commend the result also to the study of all who are interested in the study of this great question. But I venture to commend the verdict of the cities of Michigan to all Members here who are concerned to know how their constituents are going to feel about the liquor traffic after the communities in which they live have, perhaps for the first time, the chance to taste the blessings of a saloonless city, a boozeless town, under the régime of national prohibition now opening.

In Detroit they found admissions to the Eloise Asylum had been 1,500 during the wet times, and during the first six months of dry 400. The county farm in Kent County has been almost closed up. They had not prisoners enough to work it. And so it has been all over the State. [Applause.] In the marine news of the Detroit News it recently was stated:

The absence of accidents aboard lake ships during the last 12 months is ascribed to the fact that a large number of Lake ports have been dry, operators of local steam passenger lines say. Vessel men on the Lakes generally say that fatal accidents due to intoxication have been materially reduced.

Detroit's entrance into the dry column resulted in fully 90 per cent of preventable accidents on local vessels being eliminated. Toledo is undergoing a similar experience, reports from that port indicate. With Cleveland bone-dry, freight-vessel operators believe this season will establish a new record. The sailor colony at Cleveland is said to be more dependable than ever before, since the men suffer from fewer accidents and are accountable at all times while ashore. This will be true at Buffalo and other wet Lake ports when the country goes dry June 30, mariners say.

It is probable that certain steamship lines operating boats between wet and dry ports, as well as the Lake Carriers' Association, will record figures of accidents this season to compare them with previous wet seasons. This will determine mathematically the results of prohibition, so far as the Lake sailor is concerned.

The prohibition wave has wiped out many famous water-front bars. For years these bars were the gathering places for sailors. Many captains found the water-front bar a good recruiting ground for sailors when touching port with short crews.

National prohibition will help us as well as you. The liquor dealers of Toledo tried to repeal the constitution of Michigan, and at times they made some dents in it. But enforcement in Michigan is in the hands of one of the ablest, most sincere, and courageous officials anywhere, Hon. Fred L. Woodworth, State food and drug commissioner, and Ohio wets were held down pretty well. National prohibition repeals them. And I read in the Detroit Free Press to-day that there being a vacancy in the office of sheriff of Monroe County, Mich., on the border between Detroit and Toledo, they are having trouble to find a man for the job to succeed former Sheriff Bairley. It is stated:

Members of the commission intrusted with selecting Bairley's successor—namely, the county clerk, probate judge, and prosecuting attorney—express doubt as to their ability to make an early selection. The office is on the fee basis, and while a veritable "mint" during the tenure of Bairley and his predecessor, has ceased to be a revenue producer, it is said, since Ohio went dry. The earnings have been so small in the last few weeks that Bairley has discussed the necessity of discharging his turnkey.

On this question Mr. Gompers can not speak for American labor or the American people. In the 1919 referendum Michigan repudiated his doctrines. A few weeks ago the Washington State Federation of Labor, in session at Bellingham, in terms repudiated his leadership on this great issue.

Many of you in eastern cities appear to be just catching alarm that national prohibition may interfere with the liquor traffic, may make it inconvenient to get a drink, may end the business of getting rich out of the injurious and degrading appetites of others. You may well take alarm, for that is what national prohibition is to do. It has the moral sense and the business

judgment and common sense of the Nation behind it, and, under national prohibition, this Nation is to be "bone dry," and the prohibitory laws are to be enforced by the strong arm of national power of the American people, who are law-abiding and law respecting, not Bolshevistic. The Gompers talk has in it too much of pandering to foreign ideals, nourished on American soil, where they do not belong. A Michigan poet, Edgar Guest, gives the Michigan spirit, and it is not one of Bolshevism:

NO ROOM FOR HATE.

(By Edgar A. Guest.)

We have room for the man with an honest dream,
With his heart on fire and his eyes agleam;
We have room for the man with a purpose true,
Who comes to our shores to start life anew;
But we haven't an inch of space for him
Who comes to plot against life and limb.

We have room for the man who will learn our ways,
Who will stand by our flag in its troubled days;
We have room for the man who will till the soil,
Who will give his hands to a fair day's toil;
But we haven't an inch of space to spare
For the breeder of hatred and black despair.

We have room for the man who will neighbor here,
Who will keep his hands and his conscience clear;
We have room for the man who'll respect our laws
And pledge himself to our country's cause;
But we haven't an inch of land to give
To the alien breed that will alien live.

Against the vicious we bar the gate!
This is no breeding ground for hate.
This is the land of the brave and free,
And such, we pray, it shall always be.
We have room for men who will love our flag,
But none for the fiends of the scarlet rag.

The Nation is to be really dry and the Nation is to taste the benefits we of Michigan and other dry States have experienced. It is you eastern wets who are the theorists and we drys of prohibition States who are practical. You are imagining vain things out of your theories. We know the truth by experience and our experience will be yours.

The verdict which our cities gave was given because it was found that industry thrived, crime decreased, poverty was lessened, disease was checked, and prosperity, happiness, and contentment were the gainers. Great efforts have no doubt been made to spread the propaganda of anarchy in Michigan, as elsewhere, because the unusual prosperity of Michigan, due in large degree to prohibition, attracted outside radical agitators to Detroit. But there were no bombings, no anarchist plots, no strikes due to Bolshevists. And that headway has not been made is partly because of absence of saloons for gathering centers, with the inflammatory influence of liquor.

Out of the fruits of experience this greatest reform of this century has spread over our Nation and out of the blessings experienced under it your communities will thrive, countless homes be made happier, and present prejudices be forgotten.

Mr. IGOE. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. VARE].

Mr. VARE. When the national prohibition amendment was before the House I voted against it, and I had hoped that there would be brought into this House a bill whereby the enforcing regulation would be reasonable, but in glancing roughly over this bill it seemed to me to be radical and rather conducive of much disturbance among the working people of this country.

A few moments ago the distinguished gentleman from New Hampshire [Mr. BURROUGHS] in his address made several queries concerning officials of Protestant Churches of the country, and as to why they had not come out in favor of the light beer and wine side of this question.

Let me read from an article in the Philadelphia Evening Ledger, which includes a statement from one of Philadelphia's most distinguished clergymen, Rev. Dr. Russell H. Conwell, who is the head of the Baptist Temple College of that city:

"GIVE POOR MAN BEER," PLEADS DR. CONWELL—CLERGYMAN SAYS IT IS UNFAIR TO ALLOW WEALTHY TO HOARD LIQUOR IN CELLARS.

Beer should be given to the poor man if the rich are to have their cellars stocked with a plentiful supply of wines and liquors, according to a sermon preached by the Rev. Dr. Russell H. Conwell last night at the Baptist Temple, Broad and Berks Streets. To restrict one class and not the other would be inconsistent, he continued.

"As a church we believe in temperance out and out," he said, "but we do not believe in allowing the rich man to fill his cellars for months and months ahead with all sorts of wines and liquors, while the poor man has his 2¾ per cent beer taken away from him. The whole thing is wrong; it is a great evil and will hurt the cause of temperance by withholding from the workingman such beer as is not intoxicating.

"Remember, I emphasize the fact, 'if it is not intoxicating,'" he went on. "I don't believe in intoxicating liquor sold to men under any circumstances unless used as a medicine. I have been told the wealthy have their cellars hoarded with intoxicants for years to come. Christ's Church does not believe in giving rights to one man that are denied to another."

When the war-time prohibition act received the approval of this House it certainly was never contemplated that the enactment into law and the enforcement thereof would continue after the demobilization of the Army. This bill is taking undue advantage of a war-time measure in a period of practical peace and places a condition of national prohibition in effect now, rather than to follow the orderly procedure of the constitutional amendment, which would place it in effect January 16, 1920.

Surely no Member of this House will say that it was ever intended at the time the war-time prohibition bill was passed that the American Congress would be asked to define beer and light wine containing more than one-half of 1 per cent alcohol as intoxicating.

I am opposed to section 1 of this measure, because I believe it to be showing bad faith to the American people. It surely never was intended that this war-time prohibition should remain in effect after the laying down of arms.

The Evening Bulletin, of Philadelphia, which is one of the very conservative newspapers of our city, and which I am frank to say does not always agree with me, nor I with it, says in its editorial of June 30:

THE PROHIBITION MUDDLE.

The war has been virtually at an end for seven months, and it is now also technically and formally at an end. Most of the troops of the United States who were in Europe are to-day either at home or on their way back. To this country peace has been fully restored.

Yet we are now witnessing the illogical and anomalous demands that the war prohibition act shall be enforced on the 1st of July just the same as if the war were still going on. There is much that is grossly unfair or dishonest in the reasoning by which the law is thus interpreted.

It is tolerably clear in the latest statement by President Wilson as to his purposes that the enforcement, such as it may be, will not probably last much beyond the early part of August, if he shall then declare that the demobilization of the soldiers has been accomplished, as is likely to be the case by that time. But in point of substantial justice Congress ought to repeal the law in toto and at once.

In the meantime, however, or in the absence of such repeal, the law should be obeyed, although the extreme prohibitionists have not been wise in construing it so severely and unjustly as to make it a possible means of forcing prohibition into effect more than six months in advance of the constitutional amendment.

President Wilson will certainly act in the interest of a square deal by pushing demobilization to early completion, so that a law which was clearly designed for the war only shall not be twisted in a time of peace to a purpose for which it was not intended.

I am particularly opposed to the feature of the bill which fixes the percentage of alcohol in beer at less than 2¾ per cent, because that question, I believe, can be trusted to the courts to determine. One of the most eminent experts at the Pennsylvania University has said, "After a most careful study and examination I find that beer of less than 2¾ per cent is not intoxicating," and in my conversation with no less than 12 well-known physicians of Philadelphia, who have made a study of the question, all say that beer and wine of less than 2¾ per cent are nonintoxicating.

I am further opposed to the bill in its present form because it virtually makes for discrimination between the wealthy, who have stored large stocks of liquors for their future use, and the workingman, who earns his living by the "sweat of his brow," who is deprived of his mild beer, which is harmless.

Surely this Congress does not want the American workman to feel that the lawmakers of the country are antagonistic to the wishes of the great masses of the working people of the Nation. Surely a law which permits the wealthy to imbibe liquors of all kinds and at the same time prohibits the workingman to have his glass of beer is not in line with the spirit of our Government, which insures equal liberty and freedom to all. Why interfere with the liberty of the workingman?

It seems to me that legislation of this kind will do much toward encouraging the unrest which now prevails throughout the country, and I am very hopeful that the distinguished chairman of this committee, who has brought this bill into the House, will in his wise judgment as he looks over the different statements that have been made propose such modifications in the bill as will meet the demands of the working people of the country. [Applause.]

During the recent months we have heard much talk in the House relative to legislating for the interests of the farmer. I am wondering how the advocates of the farmer are going to vote on this question. Are you going to vote to partially destroy the grape industry of the country? Why reduce the farmers' income?

I have in mind a part of my district where there are probably 5,000 families of Italian extraction who have been accustomed to making their own grape wine. Under this law if they have their wine in their cellar now they can keep it for their own purpose. If, however, they want to make more, and go to the market and buy several bushels of grapes and put them into a barrel in the cellar alongside of the existing cask of wine already

made, and put nothing into that barrel but the grapes, in a few months they would be criminals. This grape juice would have fermented, and they will have it in their possession, and they will have been manufacturers of intoxicating liquors. These residents are law-abiding and God-fearing people, 5,000 families, who have been accustomed to having wine served to all their children, as well as to the grown-ups, home-made grape wine, with no other ingredients placed therein. Many of the men of these families have just returned from the battle fields of France, where they were not deprived of their wine. They are hard-working people at home, and should not be deprived of what has been their custom here.

It would seem to me that the friends of prohibition who are desirous of seeing that the law is properly put into effect and enforced, to meet the approval of the country, are injuring their cause by irritating the great army of plain people of the Nation, who feel they are entitled to the right to use mild beer and light wines. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. VOLSTEAD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GOOD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 6810) to prohibit intoxicating beverages, and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries, had come to no resolution thereon.

THE CHEMICAL FOUNDATION (INC.).

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend by remarks in the RECORD by inserting a letter that I have written to Joseph H. Choate, Esq., in answer to one that was written by him to me and which was inserted in the RECORD at the request of the gentleman from South Carolina [Mr. BYRNES].

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD by inserting a letter which he has written in response to one addressed to him and printed in the RECORD. Is there objection?

There was no objection.

Following is the letter referred to:

JULY 11, 1919.

JOSEPH H. CHOATE, Jr., Esq.,
General Counsel the Chemical Foundation (Inc.),
Care of the Alien Property Custodian, Washington, D. C.

DEAR MR. CHOATE: Referring to your letter of June 27, which Mr. BYRNES of South Carolina had inserted in the CONGRESSIONAL RECORD, I advise you that my remarks which you criticized were directed chiefly to the anomaly of appointing Mr. Francis P. Garvan, the Alien Property Custodian, an Assistant Attorney General to detect anarchists and bomb throwers after he had been elected president of the Chemical Foundation (Inc.), which seeks, through you as general counsel, the passage of the dyestuffs bill.

But since I did refer to the Chemical Foundation (Inc.) and the methods by which, through the instrumentality of the Alien Property Custodian's office, it secured from the Government at private sale the valuable German patents taken over by the Alien Property Custodian under the trading-with-the-enemy act, I do not object to the publicity given your letter by Mr. BYRNES or by the newspapers which published it before it was received by me. I am inclined to think the more publicity we have as to this unusual transaction the better it will be for all concerned.

One of the evils from which the country suffers when a great war is on, or during the reconstruction period when almost everything bearing a patriotic label is given credence, is lack of information concerning the motives of some who wrongfully use the label for selfish interests. The newspapers do not always have the inclination or the space to go fully into matters which vitally affect our business affairs, and Members of Congress find themselves burdened with so much pressing legislation that what ordinarily would invite sensational inquiry frequently passes along with the dull routine unobserved.

In this session of Congress, when efforts are being made to take an account of the national stock and to probe the doings of those who were in control when the rush was on; when it is fair that the people should know what has been done in their name by law or by Executive order, by department chief or by bureaucrat, by commanding general or by petty officer, at home or abroad; and when it is equally important that they should know what is proposed to be done for them or in defiance of their rights, it may be well to further discuss the plans and purposes of such a far-reaching scheme as is contemplated by the Chemical Foundation (Inc.), organized and supported, as it seems to have been, by those who were associated with the Alien Property Custodian in the huge task of seizing and operating enemy business and property to an amount estimated at $500,000,000.

I have therefore asked, in fairness to you and to all parties concerned, that the Attorney General, who was Alien Property Custodian, Mr. Garvan, who is now Alien Property Custodian and also president of the Chemical Foundation (Inc.), together with the officers and trustees of that concern, be invited to attend meetings of the Ways and Means Committee on Monday and Tuesday next (July 14 and 15, 1919), in order that further inquiry may be had and justice done as the circumstances warrant. The chairman of the committee, Mr. FORDNEY, has authorized invitations to be forwarded as indicated, and I will be pleased if you will do what you can to induce the gentlemen mentioned to be present.

As the dye bill, which you and your associates supported, has been reintroduced since the hearings closed, with a provision for the establishment of a licensing system to control the distribution of dyestuffs in the United States, the Alien Property Custodian's office and the officers of your foundation, including Mr. Otto T. Bannard, Mr. Cleveland H. Dodge, Mr. George L. Ingraham, Mr. B. Howell Griswold, jr., and Mr. Ralph Stone, might be able to aid the committee in determining whether the installation of this extraordinary method of controlling supplies and prices should be made a part of our protective tariff system.

Very truly, yours,

J. H. MOORE.

LEAVE TO ADDRESS THE HOUSE.

Mr. DALLINGER. Mr. Speaker, I ask unanimous consent that after the reading of the Journal to-morrow I may be allowed to address the House for five minutes.

The SPEAKER. Is there objection to the gentleman's request?

Mr. CLARK of Missouri. On what subject?

Mr. DALLINGER. Relative to a letter received from a returned soldier regarding conditions in France.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. GALLIVAN. Reserving the right to object, Mr. Speaker, on what subject?

Mr. CRAMTON. It is not on the subject of prohibition. It is on the subject of a resolution introduced by me in the House to-day, calling on the War Department for certain information.

The SPEAKER. Is there objection?

There was no objection.

PRINTING THE TREATY OF PEACE.

Mr. FESS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Ohio asks unanimous consent for the immediate consideration of the resolution which the Clerk will report.

The Clerk read as follows:

Resolved, That there be printed for the use of Members of the House, to be distributed through the folding room, Senate Document No. 49, the Treaty of Peace with Germany, a number not to exceed the cost of $500.

The SPEAKER. Is there objection to the immediate consideration of the resolution?

There was no objection.

Mr. CLARK of Missouri. Mr. Speaker, I offer an amendment to that, to print 25,000 copies of the President's speech delivered yesterday.

The SPEAKER. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. CLARK of Missouri offers to amend by inserting, at the end of the resolution, the words: "And that 25,000 copies of the President's speech delivered in the Senate yesterday be also printed."

Mr. CAMPBELL of Kansas. As a separate document?

Mr. CLARK of Missouri. As a separate document, to be distributed through the folding room.

Mr. FESS. Mr. Speaker, the concurrent resolution that was introduced in the Senate, providing for the printing of 50,000 copies—40,000 for the Senate and 10,000 for the House—as I understand it, included also the President's speech.

Mr. CLARK of Missouri. Then I withdraw the amendment.

Mr. FESS. They also passed a resolution yesterday providing for the printing of $500 worth of copies of the treaty.

The SPEAKER. The question is on the resolution offered by the gentleman from Ohio.

The resolution was agreed to.

ADJOURNMENT.

Mr. VOLSTEAD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 48 minutes p. m.) the House adjourned until Saturday, July 12, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting supplemental estimates of appropriations required by the Patent Office for additional employees and for photolithographing, fiscal year 1920 (H. Doc. No. 143); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting supplemental estimates of appropriations required for salaries and expenses, Bueau of War Risk Insurance, for the fiscal year ending June 30, 1920 (H. Doc. No. 144); to the Committee on Appropriations and ordered to be printed.

3. A letter from the chairman of the Federal Trade Commission, transmitting a special report dealing with the subject of resale price maintenance (H. Doc. No. 145); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SANDERS of Louisiana, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 5226) further extending the time for the commencement and completion of a bridge or bridges authorized by an act entitled "An act to amend an act to authorize the Dauphin Island Railway & Harbor Co., its successors or assigns, to construct and maintain a bridge or bridges, or viaducts, across the water between the mainland, at or near Cedar Point and Dauphin Island, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Islands," approved June 18, 1912, as extended by an act approved June 30, 1916, reported the same without amendment, accompanied by a report (No. 101), which said bill and report were referred to the House Calendar.

Mr. SWEET, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 5228) granting the consent of the Congress to the city of Minneapolis, a municipal corporation, to maintain and operate a bridge across the Mississippi River, reported the same without amendment, accompanied by a report (No. 102), which said bill and report were referred to the House Calendar.

Mr. MERRITT, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 5648) for the construction of a bridge across the Rainy River between Spooner, Minn., and Rainy River, Province of Ontario, Canada, reported the same without amendment, accompanied by a report (No. 103), which said bill and report were referred to the House Calendar.

Mr. WEBSTER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 6342) to authorize the construction of a bridge across the Pend Oreille River, at the town of Usk, in the State of Washington, reported the same without amendment, accompanied by a report (No. 104), which said bill and report were referred to the House Calendar.

Mr. BARKLEY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 6692) to extend the time for the construction of a bridge across White River, at or near Forsyth, Mo., reported the same with amendment, accompanied by a report (No. 105), which said bill and report were referred to the House Calendar.

Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 6434) authorizing the construction of a bridge and approaches thereto across Red River about 2 miles above its confluence with the Washita River, near Preston, Grayson County, Tex., reported the same with amendment, accompanied by a report (No. 106), which said bill and report were referred to the House Calendar.

Mr. SIMS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 6438) authorizing the counties of Aiken, S. C., and Richmond, Ga., to construct a bridge across the Savannah River at or near Augusta, Ga., reported the same without amendment, accompanied by a report (No. 107), which said bill and report were referred to the House Calendar.

Mr. MAPES, from the Committee on the District of Columbia, to which was referred the bill (H. R. 6863) to regulate the height, area, and use of buildings in the District of Columbia and to create a zoning commission, and for other purposes, reported the same with amendment, accompanied by a report (No. 108), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. JONES of Texas: A bill (H. R. 7191) authorizing the issuance of bonds to soldiers, sailors, and marines of the United States in proportion to the length of service in the war with Germany; to the Committee on Appropriations.

By Mr. FERRIS: A bill (H. R. 7192) to allot certain enrolled Indian minor children whose fathers died in service in the late war; to the Committee on Indian Affairs.

By Mr. McGLENNON: A bill (H. R. 7193) to obtain revenue and to encourage and maintain the production of antimony salts and antimony sulphuret in the United States and its possessions; to the Committee on Ways and Means.

By Mr. KETTNER: A bill (H. R. 7194) for the protection of lands and property in the Palo Verde Valley, Calif., and for other purposes; to the Committee on Appropriations.

By Mr. JOHNSTON of New York: A bill (H. R. 7195) to repeal section 3 of an act approved April 29, 1908, entitled "An act to repeal an act approved April 30, 1906, entitled 'An act to regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes,' and for other purposes"; to the Committee on Insular Affairs.

By Mr. HUDDLESTON: A bill (H. R. 7196) to provide further for the national security and defense by encouraging the production and distribution of fuel, preventing the sale thereof at excessive prices, punishing conspiracies relating thereto, and otherwise regulating the production and the sale of fuel; to the Committee on the Judiciary.

By Mr. KAHN: A bill (H. R. 7197) to provide travel allowances for certain retired enlisted men and Regular Army reservists; to the Committee on Military Affairs.

By Mr. LAMPERT: A bill (H. R. 7198) to authorize the Secretary of Commerce to substitute an electric diaphone for the fog bell at Two Rivers, Wis.; to the Committee on Interstate and Foreign Commerce.

By Mr. WINSLOW: A bill (H. R. 7199) to authorize the acquisition of a site and the erection of a Federal building at Whitinsville, in the town of Northbridge, Mass.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7200) to authorize the acquisition of a site and the erection of a Federal building at Westboro, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. REED of New York: A bill (H. R. 7201) to provide for the purchase of a site for a public building in the village of Wellsville, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. SHERWOOD: A bill (H. R. 7202) to incorporate the Private Soldiers and Sailors Legion of the United States of America; to the Committee on the Judiciary.

By Mr. CANTRILL: A bill (H. R. 7203) to amend the act establishing the eastern district of Kentucky; to the Committee on the Judiciary.

By Mr. DYER: A bill (H. R. 7204) to provide for the incorporation of certain companies engaged in foreign trade; to the Committee on the Judiciary.

By Mr. SHERWOOD (by request): A bill (H. R. 7205) to provide legal-tender money without interest for public improvements, needs, and employment of discharged soldiers, sailors, marines, unemployed, and other citizens of the United States; to the Committee on Ways and Means.

By Mr. HOUGHTON: A bill (H. R. 7206) authorizing the Secretary of War to donate to the city of Ithaca, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7207) authorizing the Secretary of War to donate to the city of Corning, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CRAMTON: Resolution (H. Res. 166) directing the Secretary of War to furnish the House of Representatives with certain information regarding the furnishing of information by the office of the Surgeon General concerning the deaths of Americans in service in the American Expeditionary Forces; to the Committee on Military Affairs.

By Mr. FITZGERALD: Resolution (H. Res. 167) authorizing the Secretary of Agriculture to investigate the wheat situation throughout the world; to the Committee on Agriculture.

By Mr. GOOD: Resolution (H. Res. 168) authorizing the Speaker of the House of Representatives to appoint a special committee to be known as "Select Committee on the Budget"; to the Committee on Rules.

By Mr. DAVILA: Joint resolution (H. J. Res. 146) extending the operation of the act providing for the promotion of vocational

education in the several States of the Union to Porto Rico; to the Committee on Insular Affairs.

By the SPEAKER: Memorial of the Legislature of Wisconsin, favoring Government control of stockyards, refrigerator lines, etc.; to the Committee on Interstate and Foreign Commerce.

By Mr. KLECZKA: Memorial of the Legislature of the State of Wisconsin, urging the Congress of the United States to acquire, control, and regulate the principal and necessary stockyards and the refrigerator and other private car lines in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. LAMPERT: Memorial of the Legislature of Wisconsin, favoring the Government control of stockyards, refrigerator lines, etc.; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOOHER: A bill (H. R. 7208) granting an increase of pension to Perry J. Hainey; to the Committee on Invalid Pensions.

By Mr. BRINSON: A bill (H. R. 7209) granting a pension to Mrs. Islay T. Pittman; to the Committee on Pensions.

By Mr. CARTER: A bill (H. R. 7210) granting an increase of pension to Mary Plummer Hill; to the Committee on Pensions.

By Mr. COPLEY: A bill (H. R. 7211) granting an increase of pension to George Meissner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7212) granting an increase of pension to Alonzo Ackerman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7213) changing the naval record of Clarence A. Richards for the administration of the pension laws; to the Committee on Naval Affairs.

By Mr. CROWTHER: A bill (H. R. 7214) granting a pension to Mary Manning; to the Committee on Invalid Pensions.

By Mr. CURRIE of Michigan: A bill (H. R. 7215) granting an increase of pension to Samuel D. Might; to the Committee on Invalid Pensions.

By Mr. DARROW: A bill (H. R. 7216) granting an increase of pension to Margaret Stewart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7217) granting a pension to John C. Eckert; to the Committee on Pensions.

By Mr. DENISON: A bill (H. R. 7218) granting a pension to Thomas Nevit Ferguson; to the Committee on Pensions.

Also, a bill (H. R. 7219) for the relief of Ferdinand A. Roy; to the Committee on Military Affairs.

Also, a bill (H. R. 7220) granting an increase of pension to Robert Marshall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7221) granting a pension to Catherine Rentfro; to the Committee on Invalid Pensions.

By Mr. DOOLING: A bill (H. R. 7222) granting a pension to Patrick J. Blake; to the Committee on Pensions.

By Mr. DUNBAR: A bill (H. R. 7223) granting a pension to James T. Brown; to the Committee on Pensions.

By Mr. DYER: A bill (H. R. 7224) granting a pension to Benjamin Ratliff; to the Committee on Pensions.

By Mr. GILLETT: A bill (H. R. 7225) granting an increase of pension to Richard W. Woodbury; to the Committee on Invalid Pensions.

By Mr. HAYS: A bill (H. R. 7226) granting an increase of pension to William A. Swearingin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7227) granting a pension to B. F. Poe; to the Committee on Pensions.

Also, a bill (H. R. 7228) granting an increase of pension to Hiram M. Stacy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7229) granting a pension to Benjamin Jones; to the Committee on Invalid Pensions.

By Mr. HOCH: A bill (H. R. 7230) granting a pension to Emma Ervin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7231) for the relief of Matthew McDonald; to the Committee on Naval Affairs.

By Mr. KETTNER: A bill (H. R. 7232) granting an increase of pension to Cora E. Ruttinger; to the Committee on Pensions.

By Mr. KRAUS: A bill (H. R. 7233) governing the rank and pay on the retired list of the present Chief of Naval Operations; to the Committee on Naval Affairs.

By Mr. LEA of California: A bill (H. R. 7234) granting an increase of pension to Philo G. Tuttle; to the Committee on Invalid Pensions.

By Mr. NICHOLS of Michigan: A bill (H. R. 7235) granting a promotion to Robert M. Smith; to the Committee on Military Affairs.

By Mr. OLDFIELD: A bill (H. R. 7236) for the relief of William Ramsey and others; to the Committee on Claims.

By Mr. PARK: A bill (H. R. 7237) granting an increase of pension to Byrd W. Lasseter; to the Committee on Pensions.

By Mr. RADCLIFFE: A bill (H. R. 7238) granting a pension to Bessie M. Trenor; to the Committee on Invalid Pensions.

By Mr. REAVIS: A bill (H. R. 7239) granting an increase of pension to William F. Ramsey; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 7240) granting a pension to Sarah Cox; to the Committee on Invalid Pensions.

By Mr. SANDERS of Louisiana: A bill (H. R. 7241) providing for the payment of $28,000 to the heirs of Jean Marie Heriard; to the Committee on War Claims.

By Mr. STEELE: A bill (H. R. 7242) granting an increase of pension to Edward F. Stewart; to the Committee on Pensions.

By Mr. VESTAL: A bill (H. R. 7243) granting an increase of pension to Emsley Armfield; to the Committee on Invalid Pensions.

By Mr. WELTY: A bill (H. R. 7244) granting a pension to Mary Powell; to the Committee on Invalid Pensions.

By Mr. WHITE of Maine: A bill (H. R. 7245) granting a pension to Michael H. Brogan; to the Committee on Pensions.

By Mr. WILSON of Illinois: A bill (H. R. 7246) granting an increase of pension to Melchior Hoerner; to the Committee on Invalid Pensions.

By Mr. WILSON of Pennsylvania: A bill (H. R. 7247) for the relief of John H. Campbell; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BEE: Petition of D. O. Klingeman and others of Karnes County, Tex., in favor of the modification of the war prohibition measure and the exemption of light wine and beer; to the Committee on the Judiciary.

By Mr. COPLEY: Petition of Charles H. Williams and others of Elgin, Ill., urging the repeal of the taxes on candy, ice cream, and soda fountain foods and drinks; to the Committee on Ways and Means.

Also, petition of B. H. Curtis and others, all residents of Woodstock, Ill., urging the repeal of the taxes on candy, ice cream, and soda fountain foods and drinks; to the Committee on Ways and Means.

By Mr. CROWTHER: Petition of numerous residents of the city of Schenectady, N. Y., and Fidelity Lodge, No. 345, International Order of Good Templars, of New York, praying for full enactment of legislation providing for the full enforcement of the eighteenth amendment to the Constitution, and also definitely defining intoxicating liquors; to the Committee on the Judiciary.

Also, petition of numerous residents of the cities of Amsterdam and St. Johnsville, N. Y., praying for the repeal of the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

Also, petition of numerous residents of the city of Schenectady, N. Y., praying for the repeal of the tax on sodas, ice cream, and soft drinks, etc.; to the Committee on Ways and Means.

By Mr. CULLEN: Petition of representatives of the thirty-ninth annual convention of the American Federation of Labor, protesting against mob rule and lynchings; to the Committee on the Judiciary.

By Mr. DYER: Petition of Brotherhood of Railroad Trainmen, of Cleveland, Ohio, in favor of the league of nations; to the Committee on Foreign Affairs.

Also, petition of Liberty Legion No. 1, of Washington, D. C., indorsing the Dyer bill to regulate pawnbrokers and their business in the District of Columbia; to the Committee on the Judiciary.

By Mr. FESS: Petition of Benevolent Order of Elks in convention at Los Angeles, Calif., favoring vocational rehabilitation; to the Committee on Labor.

Also, petition of St. Johns Baptist Church, Springfield, Ohio, favoring world prohibition; to the Committee on the Judiciary.

Also, petition of Kentucky State Teachers' Association, favoring adoption of Smith-Towner bill; to the Committee on Education.

By Mr. FITZGERALD: Petition of sundry citizens of Massachusetts, favoring enforcement of prohibition, both in United States and to Americans in China and wherever else treaties permit; to the Committee on the Judiciary.

Also, petition of Lithuanian Alliance of St. Casimir Society, Boston, Mass., requesting United States to compel withdrawal of Polish troops from Lithuanian territory and denial of assist-

ance to Poland as long as she occupies invaded territories; to the Committee on Foreign Affairs.

By Mr. HUDDLESTON: Petition of G. W. Adams and others, customers of Mr. Giodanes, 632 North Twenty-fourth Street, Birmingham, Ala., for repeal of tax on soda, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. JOHNSON of Mississippi: Petition of the Ellisville Congregational Methodist Church, of Ellisville, Miss., Sunday school, Ladies' Aid Society, and visitors, protesting against the repeal of the prohibition law; to the Committee on the Judiciary.

Also, petition of sundry citizens of Seminary, Miss., and the Mississippi Association, protesting against the Federal tax on soda water, patent medicines, toilet articles, etc.; to the Committee on Ways and Means.

By Mr. KALANIANAOLE: Petition of Maui Chamber of Commerce asking that the Federal good-roads act be amended to include the Territory of Hawaii; to the Committee on Roads.

Also, petition of the Board of Trade of Hilo, Hawaii, asking that the Federal good-roads act be amended to include the Territory of Hawaii; to the Committee on Roads.

By Mr. KAHN: Petition of Christadelphians of Ridgewood, N. J., praying for exemption from military training; to the Committee on Military Affairs.

By Mr. KLECZKA: Petition of 52 citizens of Milwaukee, Wis., requesting the repeal of the luxury-tax law; to the Committee on Ways and Means.

By Mr. LAMPERT: Resolution of the Common Council of the city of Milwaukee, Wis., in favor of the amendment of the wireless ship act; to the Committee on Naval Affairs.

By Mr. LONERGAN: Petition of Norden Lodge, No. 37, New Britain, Conn., International Order of Good Templars, for prohibition enforcement law; to the Committee on the Judiciary.

By Mr. McGLENNON: Petition of the Board of Commissioners of the city of Hoboken, N. J., urging the adoption by the Congress of the United States of a resolution providing for the recognition of the Republic of Ireland; to the Committee on Foreign Affairs.

By Mr. NOLAN: Petition of Retail Furniture Association of California favoring the exclusion of Japanese; to the Committee on Immigration.

By Mr. REBER: Petition of John F. Hayes, past commander; Timothy P. McCain, commander; William H. Conry, senior vice commander; William G. Bees, adjutant; and John W. Fogel, quartermaster, Colonel Theodore Roosevelt Camp, No. 25, Spanish-American War Veterans, of Shenandoah, Pa., asking for donation of one German cannon or fieldpiece to be placed on a plot of ground which the Spanish-American war veterans own in the Annunciation Cemetery for the burial of deceased members; to the Committee on Military Affairs.

Also, petition of Joe Yakamavege, of Tamaqua, Pa.; Charles Boches, of Shenandoah, Pa.; and Thomas Kutskill, of Shanandoah, Pa., urging the United States to demand the withdrawal of Polish troops from Lithuanian territory and to give Lithuania a moral support in her war against Bolshevists; to the Committee on Foreign Affairs.

Also, petition of Thomas Vilkuitis, Frank Wasilians, William Walacavage, Paul Walacavage, all of Tamaqua, Pa., and Thomas Kazlanska and Y. Kralikas, of St. Clair, Pa., asking the United States to demand the withdrawal of Polish troops from Lithuanian territory and to give Lithuania a moral support in her war against Bolshevists; to the Committee on Foreign Affairs.

By Mr. SANFORD: Petition of residents of Troy, N. Y., opposing enforcement of the eighteenth amendment; to the Committee on the Judiciary.

By Mr. SINCLAIR: Petition of the Woman's Club of Bottineau, N. Dak., indorsing the Smith-Towner educational bill; to the Committee on Education.

Also, petition of citizens of De Sart, N. Dak., for the repeal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. SMITH of Illinois: Petition of sundry citizens of the seventeenth district of Illinois for the repeal of the tax on candy, ice cream, etc.; to the Committee on Ways and Means.

By Mr. VARE: Petition of Grand Lodge of Brotherhood of Railroad Trainmen, supporting the league of nations; to the Committee on Foreign Affairs.

By Mr. WASON: Petition of Charles W. Pierce and 97 other members of Charity Lodge, residing in Wilmot Flats, N. H., and vicinity, urging the enforcement of the eighteenth amendment to the Constitution; to the Committee on the Judiciary.

By Mr. WATSON of Pennsylvania: Resolution adopted by the National Association of Sheet and Tin Plate Manufacturers to forbid the immigration of foreigners into this country; to the Committee on Immigration and Naturalization.

By Mr. WHITE of Maine: Petition of Frank Whitney and others, of Farmington, Me., protesting against the so-called Lane bill for the reclamation of land for soldiers; to the Committee on the Public Lands.

By Mr. YATES: Petition of Frank E. Fresel, W. F. Shorte, John Bannler, and Fred Kleinkert, all of Chicago, Ill., protesting against the league of nations; to the Committee on Foreign Affairs.

Also, petition of Denton & Anderson, of Chicago, protesting against any legislation for the repeal of the recent zone advance on magazine advertising pages as class legislation; to the Committee on the Post Office and Post Roads.

Also, petition of the Biscuit & Cracker Manufacturers' Association of the United States; the American Hampshire Sheep Association, C. A. Taylor, secretary; Chester (Ill.) Retail Merchants' Association, Fred Middendorf, secretary, urging retention of recent zone advances on advertising pages of periodicals; to the Committee on the Post Office and Post Roads.

Also, petition of the Traffic Club of Chicago, urging the principles of the so-called Esch-Pomerene bill, now pending, and suggesting an amendment, and opposing the Poindexter long-and-short haul bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Union Furniture Co., of Rockford, Ill., urging the passage of legislation to compel magazine publishers to pay enough postage to protect the Government from loss in the carrying of the same; to the Committee on the Post Office and Post Roads.

Also, petition of the Central Christian Church, of Peoria, Ill., urging enforcement of constitutional and war-time prohibition; to the Committee on the Judiciary.

Also, petition of the National Confectioners' Association of the United States, urging the repeal of the 5 per cent excise tax on candy; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES.

SATURDAY, *July 12, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, God, our Heavenly Father, constant in Thy care over us, faithful in Thy ministrations unto the children of men, we would draw near to Thee in prayer, that our minds may be illumined, our hearts purified, our conscience quickened, that we may walk worthy of the high calling of heaven, as revealed in the incomparable life and character of Thy Son Jesus Christ, the world's Great Exemplar. Amen.

The Journal of the proceedings of yesterday was read and approved.

TREATMENT OF OUR SOLDIERS.

The SPEAKER. Under the order of the House the gentleman from Massachusetts [Mr. DALLINGER] is recognized for five minutes.

Mr. DALLINGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a letter received by me from a soldier.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. DALLINGER. Mr. Speaker, I hold in my hand a letter which I have received from Mr. James W. Beckman, of New York City, a former sergeant major with our troops in France. It contains some of the charges against the officials of the provost marshal's office of the American Expeditionary Forces at Paris that are appearing daily in the New York Globe and other papers of the country. I have met Mr. Beckman, have read copies of affidavits substantiating these charges, have talked with men who served in the Army in France, who state that the conditions described were matters of common knowledge to the American soldier in France, and have become convinced that there is truth in these reports.

Briefly, it is charged that our soldiers who went to France imbued with patriotism—the best blood of our land—sailed across the sea to fight despotism and found a species of despotism worse than that for which we are going to punish the Kaiser. Assertions are made that our own loved ones were beaten, clubbed, starved, all in the name of democracy; that men caught in the web of the American military police system of Paris were placed in prison pens viler than those of Andersonville; that our soldiers, some of them wearing wound stripes,

some returning to duty after weeks and months of suffering in hospitals, were thrown into prison without trial and without charges ever being preferred against them for such offenses as failure to have proper military travel orders in their possession. Evidence is produced showing that men were hit and clubbed until they bled and fainted, and that one man even preferred death to the treatment to which he was subjected and took his own life.

One can only gasp at such tales of barbarism. It takes one back to the horrors of the middle ages and the tragedies of the French Revolution for a fitting parallel. Our own men captured in the heat of battle by the Hun, captured at a time when blood ran free, were treated with loving kindness in comparison.

Let me at least quote to the House, Mr. Speaker, three short paragraphs of this letter sent me by Sergt. Beckman. He writes:

A most horrible incident was the case of a soldier who could not speak English very well, much less understand it thoroughly. He was struck and beaten for not snapping to a minor command. He cried, "This is terrible."

"We'll show you how terrible it is," replied those who were beating him, and he was taken before the personnel officer and two sergeants. A lieutenant beat him again, and put him in a cell on bread and water. Evidently they considered this too good for him, so he was placed in a pup tent for solitary confinement.

During the afternoon his quietness was noticed, and when they went over and tore his tent down he was lying on his back with his throat cut. It was about an hour before the ambulance arrived and the silent form borne off to the hospital. And thousands of miles across the sea and land perhaps there awaited a gray-haired mother with a service star in the window of her humble home, who received word from the War Department that Gen. Pershing had reported her son among those who "died from other causes."

As the chosen representatives of 100,000,000 free people we can not sit idly while stories of torture such as these are made. They must be proven false or true, and if true every officer and every enlisted man who was in any way responsible for such conditions, either directly or indirectly to blame, must suffer a proper punishment. Democrat and Republican must stand together to institute such reforms in our Army and our War Department that in the future, if it be necessary, we can send our sons and loved ones away again to fight for their country with the assurance that each soldier will be treated as a free man until he is found guilty by a proper court of an infraction of military law.

I have turned over the information in my possession to the select committee of the House appointed to investigate the expenditures in the War Department. I shall watch the investigation of these charges by that committee, and I know that every other Member of this House will do the same. There will be a unanimous demand that the facts be ferreted out. I am confident that this committee will call witnesses and ask for the records of the War Department and conduct an impartial and thorough investigation of the truth of these charges.

NEW YORK CITY, *June 20, 1919.*

HON. FREDERICK W. DALLINGER,
House of Representatives, Washington, D. C.

DEAR SIR: As a former soldier, who volunteered to fight the fight for democracy and who served in France about one year with the American Expeditionary Forces and who was recently returned to America and honorably discharged with the rank of sergeant major, I wish to lay before you, a Member of Congress, facts relative to the treatment received by loyal American soldiers by the American authorities at Paris. Every charge I make, you will see, is substantiated by copies of affidavits which I attach. Every charge can be proved. I believe you will agree with me that they are of such a horrible nature that they warrant the attention of every loyal American, and especially every Member of Congress. Thus their repetition will become impossible. It should be borne in mind that there is good reason to believe that the same things are going on in France to-day. If there is even a remote possibility of that being the case, I am sure every father and every mother who has a son over there will demand the proper action by Congress, and I believe that the 2,000,000 soldiers who served in France and their parents, families, and friends will want to know of every Member of Congress why he failed—if you and your colleagues do fail—why he failed to do his part to correct conditions when they were brought to his attention.

When a man was picked up in Paris without a pass or with a pass that had expired by members of the American military police, he was taken to the provost marshal, in Ste. Anne's Hotel, Paris. At this place he was given no opportunity to explain his case, but was accused of being absent without leave, a thing that was true in only a comparatively few cases. Most of these men were casuals returning from hospitals or traveling under military orders, but, through lack of knowledge of the Prussian military regulations of the American Army governing Paris, fell victims of the unspeakable American military police system of Paris.

An example of the contemptible manner in which the military police conducted their operations in Paris is the advertisements they ran in the American editions of Paris newspapers that American soldiers in Paris would be welcomed at the Ste. Anne's Hotel. This was the headquarters of the American military police, and soldiers who responded to these advertisements in good faith were arrested if there was the slightest irregularity about their papers. This was a frequent occurrence, because most American officers were so ignorant of Army paper work that they seldom knew how to get any but the simplest military orders right. Once in the clutches of the military police at Ste. Anne's Hotel, the Bastille was only a day away.

Another way men were trapped and betrayed by the military police was when a man would arrive in Paris, say, at the Gare du Nord, a railway station of Paris, perhaps having come from a hospital and not knowing just where to go, would go up to the provost marshal at the station, and explain his situation, and ask for instructions. The military police at the station would be very sympathetic and say to the soldier, "Oh, yes; that can be very easily fixed up if you will just go and see the provost marshal at Ste. Anne's Hotel. They will straighten everything up for you and tell you what to do." So the man would go to the headquarters of the military police as directed by those in authority. But he would be sent without a pass. Naturally, he could not be expected to know the local regulations. That was why he inquired for instructions. There, without being given any opportunity to explain his case at all, he was placed under arrest almost before he knew it and accused of being absent without leave. I am saying accused, because they were put through all their ensuing torture without having any charges preferred against them, nor being allowed to explain their cases and proceed to their organizations.

Prisoners were usually detained at the Ste. Anne's Hotel about one day, when they were transported in trucks to the Bastille. However, on one occasion nine men were forced to stand on the roof of this hotel two days and two nights. If they faltered or fell from exhaustion, they were beaten up by the military police under officers' orders.

The prison used by the American Expeditionary Forces at Paris is a big stone building, inclosed by a strong wall about 15 feet high. It contains many tiers of stone cells, each cell with a padlocked iron door. The cells are small holes in walls strung along dark halls. Each cell has only a single cot.

Two men and often three were forced into a single cell. Four men have been confined in a single one of these cells. In one instance the fourth was compelled to sleep on the floor without a blanket. The men were herded to their cells by a general prisoner by the name of Cohen, who shouted, "Get in your holes, you rats, or you're out of luck."

The guards were a hard lot. One night three of them were playing a game of cards. They got into an argument and one of the guards accused another of something and said he had a good mind to shoot him. The fellow dared him to shoot, and the guard then pulled out his gun and killed the other two. This shows the type of men that were chosen to confine men who were some of America's noblest fighting heroes. The military police were apparently under the influence of liquor most of the time.

When the soldiers entered this prison they were listed as prisoners and subjected to prison regulations. They were compelled to surrender their leggings and all personal belongings, including their money. All during the procedure the soldiers were sworn at and reviled with unprintable language.

One night when a bunch of soldiers were brought there and were waiting in the guard room to be assigned to cells, a soldier did some trivial thing. A noncommissioned officer ordered a sergeant to hit the man. The sergeant in the most casual manner reached over and hit him on the head with a club. It was a common thing at night to hear men groaning. When anyone inquired what was the matter, he was told that the men were being beaten by prison guards.

One man charged with a theft of something like 80,000 francs, about $15,000, escaped from the prison. The first night of the day of his capture he was beaten into unconsciousness and then revived with cold water and beaten again. This treatment was kept up for three days. The man went about the Bastile with his face all bandaged up and looked like a human wreck.

One night about 10 o'clock a negro was beaten all the way down the hall to his cell and one of the men beating him was heard to say, "You will try to kill a white man, you black ——." "The cries of the negro were frightful," says a report.

Men were ordinarily kept here only one day. However, on one occasion about five or six men taken to the prison in a "detachment" of prisoners were held there for 16 days because their papers had been lost by the military police. During the entire 16 days of their confinement in the prison these men tried every way they could to have an interview with an officer, but were refused. At last, in a general check-up of the number of prisoners it was found that there were five or six more than were accounted for. There were in the neighborhood of a thousand soldiers in the place. It was thus that these men were discovered and sent out to farm No. 2.

In the case of one man who had been in France only a week before his arrest, I understand that while changing trains at Paris, during a necessary wait of a few hours, he became slightly affected with drink, was noticed by an American military policeman, picked up, and sent to Ste. Anne's Hotel. He was held in the prison for 16 days, then sent to farm No. 2 for 16 days, and finally spent 6 days at the stockade. This made a total of 38 days. He had arrived in France November 12, 1918, the day after the armistice was signed, and on the 20th he was a prisoner. Sent to France to fight for the world's liberty and democracy, in the two months he had been there he had been free only 8 days! The rest of the time he was a prisoner with no charge against him being brought up.

Farm No. 2 was then run by Company K, One hundred and fifty-eighth Infantry, of the Fortieth Division. Lieut. Smith was the officer in charge. This lieutenant was known as "Hard Boiled Smith"; in fact, he boasted of it before the men when giving special exhibitions of his criminal brutality. Farm No. 2 was a French farm outside of Paris used by the American Army as a prison camp. There were many stables, three-quarters of which were used by the men of Company K, which numbered about 250 men. The other quarter of the stables was used for the prisoners, who sometimes numbered as high as 1,200 men. These men were quartered in something like 10 stalls, each about the size of a two-horse stall, and a loft just above these stalls. The overflow was put in pup tents in a small yard. About 16 men slept in a single stall. For the 1,200 men there was but one latrine about 12 feet long and 2 feet wide. It was situated close to where the men slept. The insanitary conditions were frightful.

When soldiers arrived at this farm from the Paris prison they were taken, two at a time, to an upper floor of the building used by the company commander as his headquarters. Here they were thoroughly searched by two sergeants in the presence of an officer. If the personal belongings or money of the men had been returned to them before they left the Paris prison, they were taken away from them here. A big box was placed in the center of the room. As the men's belongings were taken from them they were tossed into this box. Lieut. Hepstein sat beside the box and immediately took possession of anything that was valuable. Money was thrown into this box, and there was no way of identifying to whom it belonged. In some cases the men were given receipts for their money; but in others they were not. It all seemed to depend upon the whim of the officer.

Many of the men had been in the lines, where they had fought the Hun to defeat and death. They had acquired a good many souvenirs from Germans killed in battle or taken prisoners. These souvenirs included almost everything—belts, helmets, Luger automatic pistols, watches, iron crosses, medals, and any number of articles. Naturally, the men prized these treasures highly. They had won them in the fight to make the world safe for democracy.

These souvenirs were grabbed by the sergeants and officers with great exultation. The outfit running farm No. 2 during the period herein described had been in France only since the latter part of July or the early part of August, 1918, and none of the men in it ever saw any action. These officers and sergeants were only too glad to rob the men who fought for them of their hard-earned trophies.

It was a common thing to see a sergeant knock a man down or beat him up on the slightest provocation. One morning as the men fell in line for breakfast one man was slightly out of line. Sergt. Ball went up to him and punched him in the face six times.

A most horrible incident was the case of a soldier who could not speak English very well, much less understand it thoroughly. He was struck and beaten for not snapping to a minor command. He cried "This is terrible."

"We'll show you how terrible it is," replied those who were beating him, and he was taken before the personnel officer and two sergeants. A lieutenant beat him again and put him in a cell on bread and water. Evidently they considered this too good for him, so he was placed in a pup tent for solitary confinement.

During the afternoon his quietness was noticed, and when they went over and tore his tent down he was lying on his back with his throat cut. It was about an hour before the ambulance arrived and the silent form borne off to the hospital. And thousands of miles across the sea and land perhaps there awaited a gray-haired mother with a service star in the window of her humble home who received word from the War Department that Gen. Pershing had reported her son among those who "died from other causes."

The prison number of this unfortunate young man persecuted into committing suicide was 634. The date was about December 5 or 6, 1918, and the hour his body was borne away was about 3 in the afternoon.

One morning about 9 o'clock four men were taken into one of the stalls in the stable and beaten with blackjacks for 20 minutes. When they came out the blood was streaming from their faces and they were in a horrible condition. Lieut. Hepstein, Sergt. Ball, and a duty sergeant of Company K, One hundred and fifty-eighth Infantry, together with three general prisoners, entered the stall with these four men who were beaten up. A guard with a rifle on his shoulder stood at the door. After the men came out, Lieut. Hepstein and another stood in the door examining their fists. The men were taken over to wash off the blood, and one man, a little weaker than the other three, lingered behind. Sergt. Ball punched him in the ear from behind and kicked him into line with the other three. These men were put on bread and water. A prisoner who carried the water to them said the guard inquired at the kitchen for their bread, but the mess sergeant told him there was no bread, so the men had to go without it.

About 2 o'clock of that afternoon three French women were escorted to the officers' quarters by Lieut. Hepstein, Lieut. Mason, and Lieut. Leslie. That night the piano played until 2 o'clock in the morning.

Some of the men were kept as long as three weeks at this farm and then they were sent to the stockade just outside of Cholles. This stockade was a regular military prison with a big iron fence all around it and lookout posts about 20 feet high. The stockade was even worse than farm No. 2. The men received the same criminal treatment and the living conditions were worse, if possible, than those at farm No. 2, because the stockade was simply an inclosure of mud with no shelter of any kind aside from miserable little tents.

Two of the prisoners at farm No. 2, after the armistice was signed, said they had been prisoners of war in Germany and that the treatment they received in the German prison camps had been far better than that which they received in the Paris prison, at farm No. 2, and in the stockade.

The incidents I have related in this letter I can substantiate, and are contained in an official report from the inspector general of the Second Army Corps to General Headquarters American Expeditionary Forces, and represent only a few of the atrocities committed at these places.

Newly returned soldiers, whom I know personally and on whom I rely, inform me that conditions such as I have described still exist, and that there seems to have been no improvement.

Lieut. Col. Ansell has told us what happens to the soldier for the slightest infraction of Army Regulations. I wonder what sort of punishment has been or will be meted out to those responsible for cruelties and tortures worse than ever experienced at Andersonville.

Very truly, yours,

JAMES W. BECKMAN.

MESSAGE FROM THE PRESIDENT.

Sundry messages, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills and joint resolution of the following titles:

June 30, 1919:

H. R. 2480. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920; and

H. R. 5312. An act to supply a deficiency in the appropriation for carrying out the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918.

July 11, 1919:

H. J. Res. 104. Joint resolution providing for the appointment by each Member of the House of Representatives of two persons, whose names shall be placed on the rolls of employees of the House of Representatives;

H. R. 240. An act to authorize the county of Luzerne, State of Pennsylvania, to construct a bridge across the Susquehanna River from the township of Conyngham, county of Luzerne, Pa., to the borough of Shickshinny, county of Luzerne, Pa.;

H. R. 241. An act to authorize the county of Luzerne, State of Pennsylvania, to construct a bridge across the Susquehanna River from the city of Pittston, county of Luzerne, State of Pennsylvania, to the borough of West Pittston, county of Luzerne, State of Pennsylvania;

H. R. 242. An act to authorize the county of Luzerne, State of Pennsylvania, to construct a bridge across the Susquehanna River from the township of Conyngham, county of Luzerne, State of Pennsylvania, to the township of Salem, county of Luzerne, State of Pennsylvania;

H. R. 530. An act for the construction of a bridge across the St. John River between Madawaska, Me., and Edmunston, Province of New Brunswick, Canada;

H. R. 1706. An act authorizing the construction of a bridge and approaches thereto across the Snake River about 3 miles above its confluence with the Columbia River, near Pasco, Wash.;

H. R. 1711. An act to extend the time for constructing a bridge across the Mississippi River at or near the city of Baton Rouge, La.;

H. R. 2954. An act to authorize the construction of a bridge across the Pend Oreille River, between the towns of Metaline and Metaline Falls, in the State of Washington;

H. R. 3478. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes;

H. R. 4226. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 4630. An act granting the consent of Congress to the county of Miller, State of Arkansas, to construct a bridge across Sulphur River, near the Texas & Pacific Railroad Bridge, in said county and State;

H. R. 4631. An act granting the consent of Congress to the county of Miller, State of Arkansas, to construct a bridge across Sulphur River, at or near Blackmans Point, in said county and State;

H. R. 5227. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes; and

H. R. 5608. An act making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes.

LUXURY TAXES.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent that House bill 2021, on the Union Calendar, No. 3, be referred back to the Committee on Ways and Means.

The SPEAKER. The gentleman from Michigan asks unanimous consent that House bill 2021 on the Union Calendar be referred back to the Committee on Ways and Means. Is there objection?

Mr. CLARK of Missouri. What is the bill?

Mr. FORDNEY. It is a bill introduced and brought up in the House some time ago to repeal section 904 of the revenue act.

Mr. BANKHEAD. Reserving the right to object, what is the purpose?

Mr. FORDNEY. Other bills have been introduced to repeal other sections of the law. A request was made by the Commissioner of Internal Revenue that the matter be postponed as to further repeal of that section of the law until he could make a report to the committee. The committee has received the report from the commissioner, and would like to have the bill referred back.

The SPEAKER. Is there objection?

There was no objection.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent to print with this request a letter received from the Commissioner of Internal Revenue setting forth the estimated revenue that will be collected under that law for the last year and the coming year's taxes.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD for the purpose indicated. Is there objection?

There was no objection.

The letter is as follows:

TREASURY DEPARTMENT,
Washington, July 1, 1919.

Hon. JOSEPH W. FORDNEY,
House of Representatives.

MY DEAR MR. FORDNEY: Referring to your telephone request for my opinion with regard to the possible yield of revenue for the first 12-month period under the revenue act of 1918, I regret that our experience thus far, covering only a period of four months under the law,

will not enable me to speak as definitely as you would desire and I should like.

Between July 1, 1918, and February 24, 1919, when the present law went into effect, there was collected from all sources under the act of 1917 and deposited in the general depositaries, as reported to this bureau, $1,081,000,000.

Between the effective date of the present law, February 24, 1919, and the close of the fiscal year, June 30, 1919, there has been collected $2,758,000,000, making a total for the fiscal year 1919 of $3,839,000,000.

We have, as you know, had the benefit of only two of the four installment payments under the present law. On the March 15 installment we collected from income and profits taxes $1,185,000,000; from the second installment, due June 15, we collected from income and profits taxes $949,000,000. The collections, therefore, from income and profits taxes for the two installments amount to slightly more than $2,134,000,000.

It is my *opinion* that the number of individuals and corporations that have paid their income and profits taxes in full will reduce the September and December installments from these sources to possibly $900,000,000 each, making the collections from income and profits taxes under the law, for the first 12-month period, $3,900,000,000. The estimated yield under this law from income and profits taxes was $4,400,000,000. We are expediting the audit of old income and profits returns in such a way that we may be able to make up from back taxes, the canvass of delinquent taxpayers, and other internal-revenue sources the apparent deficit in the estimates above indicated.

We have been delayed in interpreting the law and getting out the necessary regulations and forms for the collection of the sales and miscellaneous taxes, but this is now under full headway, and we expect to collect slightly more than the amount estimated.

I am of the opinion that we shall be able to collect during the first 12-month period under the new law the estimated amount, $5,800,000,000, and the estimated $4,000,000,000 during the second 12-month period under the reduced rates. At this time there is not sufficient indication of additional margin over the estimated amounts to justify a recommendation for the repeal of any revenue-producing section of the law other than as already indicated by the department without there should be substituted therefor equally productive revenue sources.

Sincerely, yours,

DANIEL C. ROPER, *Commissioner.*

ABSENCE OF A QUORUM.

Mr. GARNER. Mr. Speaker, I make the point that no quorum is present in order that Members may have an opportunity to hear the President's message.

The SPEAKER. The gentleman from Texas makes the point that no quorum is present, and evidently there is not.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ackerman	Emerson	Johnson, S. Dak.	Ragsdale
Andrews, Md.	Fairfield	Johnston, N. Y.	Rainey, H. T.
Anthony	Fitzgerald	Kearns	Reed, W. Va.
Ashbrook	Frear	Kennedy, R. I.	Riordan
Bacharach	Freeman	Kiess	Rouse
Baer	Garrett	King	Rowan
Black	Glynn	Kreider	Rucker
Britten	Godwin, N. C.	Lever	Sabath
Brooks, Pa.	Goodall	Linthicum	Scully
Browne	Gould	Lufkin	Slemp
Browning	Graham, Pa.	McAndrews	Snyder
Brumbaugh	Griest	McClintic	Steele
Caraway	Hamill	Maher	Steenerson
Costello	Hastings	Mann	Stiness
Crago	Heflin	Mason	Sullivan
Cullen	Hickey	Morin	Thompson, Ohio.
Curry, Calif.	Hicks	Mudd	Vaile
Davis, Minn.	Holland	Neely	Vare
Dempsey	Howard	Olney	Voigt
Dooling	Hull, Tenn.	Peters	Wilson, Ill.
Eagan	Humphreys	Phelan	Winslow
Echols	Hutchinson	Porter	Woodyard
Edmonds	Ireland	Purnell	

The SPEAKER. Three hundred and thirty-eight members have answered to their names, a quorum.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

PRINTING THE TREATY OF PEACE.

Mr. CLARK of Missouri. Mr. Speaker, I ask unanimous consent that 30,000 copies of the President's address to the Senate on Thursday last be printed as a House document, to be distributed through the folding room. I endeavored yesterday to secure this as an amendment to the resolution which the gentleman from Ohio [Mr. FESS] offered, but on very bad information he said that it was already printed along with the treaty in the Senate. I then withdrew the amendment which I offered and this morning the gentleman from Ohio [Mr. FESS] tells me that what he stated yesterday was not true. People want the speech. Of course all of the newspapers have published it, but some people keep files of these addresses.

The SPEAKER. The gentleman from Missouri asks unanimous consent that 30,000 copies of the President's address to the Senate on Thursday last be printed as a House document for the use of the House. Is there objection?

There was no objection.

AGRICULTURAL APPROPRIATION BILL—VETO MESSAGE.

The SPEAKER laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I take the liberty of returning H. R. 3157, "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920," without my signature.

I realize, of course, the grave inconvenience which may arise from the postponement of this legislation at this time, but feel obliged to withhold my signature because of the clause which provides that "at and after 2 o'clock antemeridian on Sunday, October 26, 1919, next, the act entitled 'An act to save daylight and to provide standard time for the United States,' approved March 19, 1918, be, and the same is hereby, repealed."

I believe that the repeal of the act referred to would be a very grave inconvenience to the country, and I think that I am justified in saying that it would constitute something more than an inconvenience. It would involve a serious economic loss. The act of March 19, 1918, to "save daylight" resulted not only from a careful study of industrial conditions by competent men familiar with the business operations of the country, but also from observation of the happy and beneficial consequences of similar legislation in other countries where legislation of this character has been for some time in operation, and where it has resulted, as the act of March 19, 1918, has resulted in the United States, in substantial economies. That act was intended to place the chief business activities of the country as nearly as might be within the limits of daylight throughout the year. It resulted in very great economies of fuel and in substantial economies of energy, because of the very different effect of work done in the daylight and work done by artificial light. It, moreover, served the daily convenience of the many communities of the country in a way which gave all but universal satisfaction, and the overwhelming testimony of its value which has come to me convinces me that I should not be justified in acquiescing in its repeal.

WOODROW WILSON.

THE WHITE HOUSE,
11 July, 1919.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the Agricultural appropriation bill, with the President's veto, be taken up for consideration on Monday next, immediately after the reading of the Journal.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the Agricultural appropriation bill, together with the President's veto, be taken up for consideration on Monday next immediately after the reading of the Journal. Is there objection?

Mr. CALDWELL. Mr. Speaker, reserving the right to object, I would ask the gentleman if he intends to take up the Agricultural bill section by section and go through all of it in the event that the President's veto is sustained?

Mr. MONDELL. Mr. Speaker, my request is to take the bill up for reconsideration, in view of the President's message, under the rules on Monday next, immediately after the reading of the Journal.

Mr. ASWELL. Mr. Speaker, reserving the right to object, why not take it up now?

Mr. MONDELL. I think that the Members want to have a little time in which to consider the veto. There has been no advance information with regard to it. I think it is hardly fair to the House or to the President, and particularly to those Members of the House who are not present to-day, to take the matter up immediately.

Mr. McARTHUR. Mr. Speaker, reserving the right to object, I do not see why this matter is not taken up now, when this large membership is present.

Mr. BARKLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARKLEY. If objection is made to the request of the gentleman from Wyoming, when will the vote be taken on the President's veto?

The SPEAKER. Unless some motion intervenes, it will be taken immediately. It would be in order to move to postpone it.

Mr. BARKLEY. Mr. Speaker, I object.

Mr. MONDELL. Mr. Speaker, I move to postpone the reconsideration of the Agricultural appropriation bill, together with the President's veto, until Monday next immediately after the reading of the Journal.

The SPEAKER. The question is on the motion of the gentleman from Wyoming, that the reconsideration of the Agricultural appropriation bill, with the President's veto, be postponed until Monday next immediately after the reading of the Journal.

The question was taken; and on a division (demanded by Mr. LAGUARDIA and Mr. MCARTHUR) there were—ayes 225, noes 77.

Mr. CANDLER. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Mississippi demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Twenty-four Members have arisen, not a sufficient number, and the yeas and nays are refused.

Mr. FIELDS. Mr. Speaker, I demand the other side.

The SPEAKER. A vote has just shown 302 Members present, and the Chair does not think he is called upon to ask for the other side.

So the motion to postpone was agreed to.

SUNDRY CIVIL APPROPRIATION BILL—VETO MESSAGE.

The SPEAKER laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I find myself obliged to return H. R. 6176, "An act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes," without my signature, because of certain items of the bill which seem to me likely to be of the most serious consequences. Under the vocational rehabilitation bill, which became law June 27, 1918, the Congress has sought to fulfill the expectations of the country that their soldier, sailor, and marine disabled in the recent war should be given an opportunity to secure at the expense and under the fostering care of the Federal Government such training as he needs to overcome the handicap of his disability and to resume his place as a civilian able to earn a living upon something like equal footing with those with whom he was associated before he made his great sacrifice for the honor and defense of the country.

The work of rehabilitation under this admirable law is now at its height, and was to have been given greater speed and certainty by the amendment to section 2 of the vocational rehabilitation bill, which I have to-day signed, and which places the whole responsibility for vocational training in a single agency, virtually transferring from the War Risk Insurance Bureau to the Federal Board for Vocational Education $6,000,000 with which to support disabled men in training at the generous figure of $80 a month for a single man and $100 a month for a man and his wife.

It is a matter of very grave concern, therefore, that at the very moment when these disabled men are coming in constantly increasing numbers to the Government to avail themselves of this generous plan that there should appear in the sundry civil appropriation bill, which I now return, limiting clauses which will do much more than seriously cripple and retard the beneficial work of restoring these men to useful and contented lives. Those clauses would probably, in fact, if put into effect, nullify the whole purpose of the act and render its administration practically impossible. The section of the bill which I now return, which governs the appropriation for this work, provides the sum of $6,000,000 for all the expenses of rehabilitation, including the support of the disabled men in training, and this sum is stated to be "in lieu of the appropriation contained in the act approved July —, 1919, amending section 2 of the act approved June 27, 1918." Inasmuch as there are already over 4,000 disabled soldiers, sailors, and marines in training, and inasmuch as another 4,000 will be put into training now that the amendment to section 2 has become law, it is clear that even at the rate of only $80 a month a sum approximating $8,000,000 will be required for the mere support of these men, and that under the present appropriation nothing will be available for their tuition and travel or for placing them where they can earn a living, and it will be impossible to meet the needs of the new thousands who are every week seeking the benefits of the rehabilitation act. In the offices of the board in the District of Columbia and in 14 great centers of the United States immediate help is being given to men in need of these services, and these offices are used for the essential purpose of keeping accurate records, of providing proper medical survey of the men, of caring for them in their illnesses, and for various administrative costs inseparable from difficult work of this kind, which must, in the present circumstances, reach to every corner of the United States.

Furthermore, the same section of the sundry civil bill places such limitations upon the salaries which the Federal Board for Vocational Education is permitted to pay that it will inevitably result in the loss by the Vocational Board of a very large number of men who have made themselves especially valuable, and, indeed, indispensable, in this new work by reason of their native ability, their proven general experience, and their special training, and to whose advice the disabled men must look as well as for superintendence in the matter of training and employment. Among these are the vocational advisers, whose special duty it is to study the men in the hospitals, confer with them, and lay out their vocational plans. These hospital cases must, if these men are to be dismissed or allowed to resign, get along entirely without such advice and supervision until they have been able, after their discharge, to make their way on their own initiative to the distant offices of the Federal board.

These serious limitations upon the amount of money available and the uses to which it is to be put involves, therefore, an actual disruption of a carefully built up service at the very moment when the disabled soldiers, sailors, and marines now in the country or returning to it are most immediately in need of help. This is a matter of the gravest consequence. It can not but have far-reaching and disastrous effects upon the plan so carefully thought out for the immediate and thorough rehabilitation of men in the service of the country.

I therefore return the bill with the hope that the Congress will reconsider this section of the law, restore the six millions appropriated under the act amending section 2, and most liberally revise the salary limitations, so that this beneficent work may go on and go on at once. I am convinced that in this matter I speak the sentiments and the hopes of those who have most carefully studied the needs of the returning soldiers and who are best qualified to carry out a purpose which I am sure the country has very much at heart.

WOODROW WILSON.

THE WHITE HOUSE,
11 July, 1919.

Mr. GOOD. Mr. Speaker, I move that the bill H. R. 6176, the sundry civil appropriation bill, and the President's message in regard thereto, be referred to the Committee on Appropriations.

Mr. BANKHEAD. Mr. Speaker——

The SPEAKER. The gentleman from Iowa moves that the President's message be referred to the Committee on Appropriations.

Mr. GOOD. And on that motion I move the previous question.

The previous question was ordered.

Mr. KINCHELOE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KINCHELOE. If the motion of the gentleman from Iowa should not prevail—that is, if it should not be referred to the Committee on Appropriations—when would the vote on the question of sustaining or overriding the veto come?

The SPEAKER. It will be voted on immediately, unless some other motion shall direct or fix some other time.

Mr. BANKHEAD. Mr. Speaker, if it is in order, I was taken by surprise by the motion of the gentleman from Iowa. [Cries of "Regular order!"] I am not objecting to its going to the committee, but as a matter of justice and fair dealing I think I should be permitted to ask the chairman of the Committee on Appropriations one or two questions.

Mr. GOOD. The previous question has been ordered; there is only one question before the House.

Mr. BANKHEAD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BANKHEAD. I want to ask if under the rules of the House debate is not allowed upon a motion of this sort?

The SPEAKER. Twenty minutes on a side is allowed.

Mr. BANKHEAD. I ask for recognition.

The SPEAKER. The Chair recognizes the gentleman from Iowa first. Does the gentleman from Iowa desire to be heard?

Mr. GOOD. Mr. Speaker, I do not care at this time to be heard upon the motion at all. I reserve the remainder of my time.

The SPEAKER. Unless some member of the Committee on Appropriations on the minority side desires recognition the Chair will recognize the gentleman from Alabama.

Mr. MOORE of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOORE of Pennsylvania. Was not the motion for the previous question carried?

The SPEAKER. It was.

Mr. MOORE of Pennsylvania. Then what is the parliamentary status?

The SPEAKER. There are 20 minutes on a side on the previous question.

Mr. BANKHEAD. Mr. Speaker, I desire to make a very brief statement in connection with the veto message of the

President as relating to this appropriation. The Members of the House who are present will remember that when we had up the discussion of the sundry civil bill carrying this item that in connection with the other members of the Committee on Education I very sincerely and earnestly sought to impress upon the membership of the Committee of the Whole House at that time the utter inadequacy of the appropriation carried in the bill for the purpose of carrying on the work of the Vocational Board. And when the matter came back to the House and was reported by the conferees Members will recall I asked the chairman of the Committee on Appropriations——

Mr. MADDEN. Mr. Speaker, I make the point of order that the gentleman is not discussing the motion to postpone or refer. I make the point of order he must confine himself to the question before the House.

The SPEAKER. The gentleman is correct. The question before the House is to refer to the Committee on Appropriations, and the gentleman, of course, must confine himself to that motion.

Mr. BANKHEAD. Mr. Speaker, I was merely stating the preliminary situation before referring to that proposition. As far as I am personally concerned, without any conference with the other members of the Committee on Education, I have no objection to this motion which has been offered by the gentleman from Iowa, but I would like to inquire of the chairman of the Committee on Appropriations, in view of this proposed reference to his committee, in view of the statements made by the President, and in view of the statements contained in the summary of the situation which I had printed in the CONGRESSIONAL RECORD on Wednesday, whether or not the chairman of the Committee on Appropriations will be inclined to reconsider the proposition upon its merits at an immediate date and refer the matter back to the House, and if so, when?

Mr. GOOD. I will say to the gentleman it has always been the policy of the Committee on Appropriations in a matter of the importance of this provision to give it full consideration within the time that the committee can consider it. The committee did consider this matter. The limitation placed upon the bill with reference to salaries is much more liberal than the bill which the gentleman voted for in the last Congress and which passed the House with much more stringent limitations as to salaries. The very thing that the President complains of passed the House without a dissenting vote, and even the presidential voice was not heard with regard to that action, which took place more than four months ago, until 12 days after this bill should have become the law. My object in sending the bill to the Committee on Appropriations is that this matter might be investigated and find out what the merits of the presidential message were in that respect, and if the situation is serious to correct it.

Mr. HARDY. Mr. Speaker, I raise the question that the gentleman from Iowa is pursuing the very path of the gentleman from Alabama, that he is discussing the merits of the bill.

The SPEAKER. The Chair thinks the gentleman from Iowa was discussing the question of whether it should go to the committee or not.

Mr. BANKHEAD. As far as I am concerned, I do not care to raise that phase of it. I think the remarks of the gentleman from Iowa clearly indicate, as far as that is concerned, he has the same fixed opinion upon this proposition that he had entertained heretofore, and I want to ask the gentleman if he in these hearings will call before the committee the Director of the Vocational Board and those who have charge of its administration in an executive way——

Mr. MADDEN. Mr. Speaker, I insist on my point of order. The only thing before the House is the question of whether this matter shall be postponed or be referred to the committee. A discussion on the merits of the bill is not before the House.

The SPEAKER. The point of the gentleman from Illinois is well taken, that the only subject before the House is the reference to the committee, but the House in determining whether it shall be referred or not can properly consider in some measure the objections that are made to it. The Chair thinks the colloquy between the gentleman from Alabama and the gentleman from Iowa was in order.

Mr. BANKHEAD. Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The previous question has been ordered. The question is on referring the bill with the veto to the Committee on Appropriations.

The question was taken, and the motion was agreed to.

PROHIBITION OF INTOXICATING BEVERAGES.

The SPEAKER. The House under its previous order automatically resolves itself into the Committee of the Whole House on the state of the Union for the further consideration of the prohibition-enforcement law. The gentleman from Iowa [Mr. GOOD] will take the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6810, of which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 6810) to prohibit intoxicating beverages, and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries.

The CHAIRMAN. There remain 3 hours and 13 minutes for general debate, 1 hour and 35 minutes to be controlled by the gentleman from Minnesota [Mr. VOLSTEAD] and 1 hour and 38 minutes by the gentleman from Missouri [Mr. IGOE].

The gentleman from Minnesota is recognized.

Mr. VOLSTEAD. I yield to the gentleman from Iowa [Mr. BOIES].

Mr. BOIES. Mr. Chairman and gentlemen of this Sixty-sixth Congress, in the discussion of this bill, which is designed to give effect to the eighteenth amendment to the Constitution of the United States, it has been stated by a Member of this House that this bill was not drafted by the Judiciary Committee. As a member of the committee, I can not state who was the author of the original draft; but I am able to say that the bill as presented to this House by the chairman of the committee is not, by any means, the original draft but is the faithful presentation of the views of a very large majority of the committee, after hearings and discussions extending over a period of nearly 30 days. And I give credit to every member of the committee for his earnestness in urging his attitude in connection with the many propositions that were proposed, discussed, and considered.

While a majority of the committee is responsible for the presentation of this bill, the real responsibility now rests upon the Members of this House. The work of adding an amendment, of any kind or character, to the Constitution of this Government involves a most serious undertaking. One that should not be attempted unless a great national question is involved affecting vitally the lives, happiness, and welfare of the people of this Nation—in the language of the preamble of our Constitution: "Promote the general welfare."

So important did the framers of our Constitution regard the matter of amendments thereto that they provided the method, and declared that before an amendment could be lawfully proposed two-thirds of both Houses of Congress shall deem it necessary, or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments. This done, the proposed amendment does not become a part of the Constitution until the legislatures of three-fourths of the several States ratify the proposal.

All this precaution has attended the adoption of Article XVIII, with which we are dealing, and which has now become and is a part of the supreme law of the land. Every Member of this Congress has taken a solemn oath to support and defend this article as fully and to the same extent as the other 17.

This is a Republic in fact when ruled by a majority of the people, and it occurs to me that a Congressman, of all other citizens, can illy afford to suggest that any law this Congress enacts to give force and effect to Article XVIII will not be obeyed.

I am also convinced that the gentleman who said in his discussion of this bill that the next or any subsequent Congress could make provision for an intoxicant containing 12 per cent of alcohol did not fully realize what he was saying. As, if the gentleman's statement is correct, a subsequent Congress might repeal the one-half of 1 per cent clause and in lieu thereof insert 70 or even 100 per cent.

In such event, I ask the gentleman what he thinks the Supreme Court of the United States would say about such an amendment.

This amendment to the Constitution authorizes this Congress to pass laws for its enforcement. The amendment means just what the words import—to prohibit the manufacture, sale, or transportation, importation, or exportation of intoxicating liquors for beverage purposes. Three States of this Union only have neglected to ratify this amendment. There is but one side to the question as to where our duty lies. The people of this country, without regard to politics, expect Congress to enact laws that will enforce the provisions of this constitutional amendment and to effectually enforce them.

Much quibbling is being indulged in on the question, What is intoxicating liquor? There are certainly degrees of intoxication, and it is well known that the degree of intoxication depends upon the per cent of alcohol contained in the liquor and the quantity taken into the stomach within a given time.

The Supreme Court of Iowa has held many times, under the statute prohibiting the sale of intoxicating liquor, that the sale of any beverage containing any alcohol whatsoever is prohibited. Iowa is not alone in such construction of like statutes. It is supported by the decisions of the courts of other States and of the Federal courts.

The broad statements of some physicians, testifying in favor of the brewers, that 2¾ per cent alcohol in beer is not intoxicating is misleading. They should be subjected to a cross-examination and their full testimony considered before it can be fairly urged that what they say upon direct examination constitutes all the testimony in the case. The average man, who has touched elbows with his fellow men for a considerable portion of his life, undoubtedly knows that one ordinary glass of 2¾ per cent beer would not perceptibly intoxicate a person. But it does not follow that such a beer is not an intoxicating beverage. Would any live doctor say that 10 glasses of 2¾ per cent beer would not intoxicate the average person—man or woman, boy or girl—consumed within two hours or even five hours? It probably has been the general observation that some persons may become drunk on a quantity of alcohol that would not perceptibly intoxicate some other person. This is not the question presented to us for our consideration and determination. We are bound, in all good conscience, here and now, to enact such laws for the enforcement of this eighteenth article of the Constitution as will meet the judgment of the people of this country and as is contemplated by this amendment.

There being no argument in favor of the saloon, there being no excuse for the liquor traffic, the same having become an outlawed business, and so considered by 90 per cent of the people of this country, I can furnish small excuse, if any, for detaining you at any great length. However, there is one question to which I desire to call your attention.

The professional bootlegger is by nature a criminal, and, as such, should be dealt with. The bootlegger is the villain who hands out the vilest of vile whisky to the boys of this country. He transacts his business in the back alleys and other out-of-the-way places; he is an animal in human form, but without humanity in his breast. He supplies the poor, weak man with that which kills. Fathers and mothers fear and loath this outlaw.

In this bill now under consideration there is no provision for enjoining the botlegger. It is true that criminal action may be instituted against him, but this is not sufficient. From my experience of more than 35 years as a lawyer and as a judge I know that the needs of society demand that the bootlegger be enjoined when he offends against the law. Under this bill as it now reads you may prosecute him criminally, but this means delay in many cases, which are unnecessary to enumerate at this time, as it is well understood by the layman as well as the lawyer that continuances are frequent, that juries do not always agree, and that sometimes even a bootlegger has sympathizers in the jury box. With this injunction once applied, you can take this traitor to humanity immediately upon his offending and dispose of him summarily, yet justly.

In view of my experience in handling the bootlegger, at the proper time I shall offer an amendment, and in order that the Members of this House may have time to consider the same I will now advise you of its contents, to wit:

SEC. —. That any person who shall, with intent to effect a sale of liquor, by himself, his employee, servant, or agent, for himself or any person, company, or corporation, keep or carry around on his person, or in a vehicle, or other conveyance whatsoever, or leave in a place for another to secure, any liquor, or who shall travel to solicit, or solicit, or take, or accept orders for the sale, shipment, or delivery of liquor in violation of this title is guilty of a nuisance, and may be restrained by injunction, temporary and permanent, from doing or continuing to do any of said acts or things and from otherwise violating the provisions of this title.

In such proceedings it shall not be necessary to show any intention on the part of the accused to continue such violations if the action is brought within 60 days following such violation of the law.

I desire to register my disagreement with the claims made upon this floor, that a man should be permitted to "live his own life." Such claim may receive indorsement when such life, or the opportunity for a certain mode of life, does not jeopardize the lives and the welfare of the many. This claim, in its broad sense, means license, not liberty. The individual who refuses to sacrifice a little for the good of the many is burdened with mistaken notions regarding his obligations to his neighbors, to his Government, and to the world.

I submit that the fair fame of labor and the good name and memory of the American soldier have been insulted, directly and by inuendo, in the effort to connect them, as great bodies of men, with those who stand guard in defense of the liquor traffic. [Applause.]

Mr. REBER. Will the gentleman yield for a moment?

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARD. Mr. Chairman, in the temporary absence of the gentleman from Missouri [Mr. IGOE], I yield 15 minutes to the gentleman from California [Mr. KAHN]. [Applause.]

Mr. KAHN. Mr. Chairman, the constitutional amendment for prohibition has been adopted. There is no doubt but Congress should pass some law regarding the question of what is intoxicating liquor. But the provisions of this bill, in my judgment, will cause constant violations of the law. They are altogether too harsh, too drastic. I want to call to the attention of the committee a little colloquy that occurred on this floor on the 30th of December, 1918. The gentleman from Missouri [Mr. RUCKER] was speaking, and said, among other things, this:

Let me remind the gentleman that in all probability we would have to-day two saloons in this Capitol, as we did have for many years, if it had not been that the law which drove the whisky out of the Capitol was not brought in on a separate bill, but was ingrafted as legislation upon an immigration bill, and, as a matter of fact, was voted for in derision by a good many gentlemen.

Mr. KITCHIN said "it was put on as a sort of a joke."

Mr. CANNON then interrupted and said:

Mr. Speaker, will the gentleman yield for a suggestion right there?

Mr. KITCHIN said "Yes."

Then Mr. CANNON continued:

My observation is that while they do not sell liquor down in the restaurant it is quite as easy to get liquor of any kind in the Capitol as it ever was.

Mr. RAKER. Will the gentleman yield there?

Mr. KAHN. No; I can not yield.

And there was not a single Member on the floor of this House——

Mr. RAKER. Will the gentleman yield right there?

Mr. KAHN. I will not yield. I have only 15 minutes.

And there was not a single gentleman on this floor that denied the accuracy of the statement of the gentleman from Illinois [Mr. CANNON].

I repeat, and the RECORD discloses the truth of my statement, that nobody arose on this floor on that occasion to deny the statement of the gentleman from Illinois.

Mr. RAKER. Now, Mr. Chairman——

Mr. KAHN. I decline to yield.

The CHAIRMAN. The gentleman from California will proceed.

Mr. CANNON. Will the gentleman yield for a suggestion, and that is to cut out everything that was said out of order——

Mr. KAHN. I have only 15 minutes, and I desire to make a statement to the committee. This is an important matter. One can not begin to discuss it as it should be discussed in 15 minutes. Therefore I do not want to be interrupted. Now, Mr. Chairman, there is a great deal of hypocrisy and cant and hysteria in this country. I have never yet been carried off my feet by the excitement or the emotional frenzy of the hour. I want to say here and now that I believe absolutely in temperance, and have always believed in it. I am not a drinking man. I do not drink liquor. There are thousands of men who drink infinitely more in one week than I in five years who are shouting their heads off to-day all over this country for prohibition. I do not question their motives. I do not question the motives of anyone. Everyone must solve these problems according to his own light and the dictates of his own conscience. And I have always had the courage of my own convictions on these questions.

I would not want to serve in Congress a single day if I felt I had to suppress my own views on a question that I considered to be one of fundamental principle in order to be reelected.

Mr. Chairman, there is a third party that ought to be considered in this legislation. I want to quote from William Graham Sumner, of Yale, a very able professor, who in 1884 wrote an essay "On the case of a certain man who is never thought of." I desire to quote at this time from that essay. He speaks of "The forgotten man":

The fallacy of all prohibitory, sumptuary, and moral legislation is the same. A and B determine to be teetotalers, which is often a wise determination and sometimes a necessary one. If A and B are moved by considerations which seem to them good, that is enough. But A and B put their heads together to get a law passed which shall force C to be a teetotaler for the sake of D, who is in danger of drinking too much. There is no pressure on A and B. They are having their own way, and they like it. There is rarely any pressure on D. He does not like it and evades it. The pressure all comes on C. The question then arises, Who is C? He is the man who wants alcoholic liquors for any honest purpose whatsoever, who would use his liberty without abusing it, who would occasion no public question, and trouble nobody at all. He is the forgotten man again, and as soon as he is drawn from his obscurity we see that he is just what each one of us ought to be.

I commend that to the careful consideration of every Member of this House. The biographer of Prof. Sumner informs us that he hated what is commonly known as "gush." What a world of it the professor would have encountered if he had had to listen to the debates on these questions in our days.

Mr. Chairman, I have always opposed prohibition legislation, for two reasons. In the first place, such legislation holds out to the peoples of the world an indictment of the American people. It holds them up as a nation of inebriates, who can not curb their appetites. I deny such to be the case. We are as sober as any nation on earth, and the attitude of 2,000,000 men in France, who were able to buy wine over there and other liquors as well, attests as powerfully as anything I might say on the subject the sobriety of the American citizen under any and every circumstance. [Applause.]

My second objection to such legislation is that it is a mistake to say that prohibition legislation makes for obedience to law. I contend that it leads to lawlessness. You all know that in every prohibition community in this country men violate the prohibition laws. They think it but a little thing to violate such a law. But it is only a step from the violation of what they deem a minor law to the violation of a more serious law.

Let me give you the statistics right here in the District of Columbia, the Nation's Capital, to emphasize what I say. I have here the records from the police court, over the signature of the clerk of that court. He says that the cases in the District branch of the police court are as follows for the period covered:

Cases filed in the District branch of the police court.

Jan. 1 to June 30, 1917	13,138
July 1 to Dec. 31, 1917	16,715
Jan. 1 to June 30, 1918	12,306
July 1 to Dec. 31, 1918	16,628
Jan. 1 to June 30, 1919	17,726

That is more than they ever had before here in the District of Columbia. The cases filed in the United States branch of the police court were as follows:

Jan. 1 to June 30, 1917	3,237
July 1 to Dec. 31, 1917	3,405
Jan. 1 to June 30, 1918	2,820
July 1 to Dec. 31, 1918	4,312
Jan. 1 to June 30, 1919	3,586

This statement is signed by F. A. Sebring, clerk of the police court of the District of Columbia. The collections for fines imposed in that court are equally interesting and enlightening about lawlessness. Here are the figures:

Cash received in the District branch of the police court.

Jan. 1 to June 30, 1917	$56,642.85	
July 1 to Dec. 31, 1917	80,523.30	
		137,166.15
Jan. 1 to June 30, 1918	70,351.04	
July 1 to Dec. 31, 1918	97,364.45	
		167,715.49
Jan. 1 to June 30, 1919	96,169.85	

Cash received in the United States branch of the police court.

Jan. 1 to June 30, 1917	$12,556.45	
July 1 to Dec. 31, 1917	15,832.23	
		28,388.68
Jan. 1 to June 30, 1918	20,323.46	
July 1 to Dec. 31, 1918	29,419.17	
		49,742.63
Jan. 1 to June 30, 1919	33,341.73	

That is a sum in excess of anything that has ever been collected for a like period in the history of the District of Columbia, I am told, and that statement of cash receipts is also signed by the clerk of the police court of the District of Columbia. So that the statement that is generally made that prohibition laws wipe out crime, here in the Nation's Capital at least, is not borne out by the facts. But in spite of what the records of the District of Columbia disclose I maintain emphatically that the overwhelming majority of Americans are peaceful and law-abiding.

This bill, of course, would prohibit the manufacture of wine. In my own State the wine industry represents an investment of anywhere between $100,000,000 to $150,000,000. That industry was fostered not only by the Federal Government, but by our State government. We have a viticultural commission which studied the question of the proper varieties of grapes for wine making. Our farmers and our vine growers were taught what varieties to raise. The Federal Government had experts who conducted experiment stations throughout the wine-growing regions of California to instruct our people what varieties were best suited to our soil and our climate. That industry has gone ahead. Thousands of citizens are engaged in it.

Under this bill not a pint of light wine can be manufactured in California. That whole industry is wiped out. Why, little Switzerland, when she undertook to wipe out the business of the manufacture and sale of one of the injurious liquors—absinthe—undertook to pay every man who was in that business for the loss he would sustain by reason of the destruction of his business. And yet gentlemen on this floor vote to wipe out a great industry of a great State, fostered by the Federal Government as well as the State government, without any compunction whatever. [Applause.]

The experience of other countries has shown that the drinking of wine and beer is not injurious to the welfare of the people of those countries. But, after all, as I have frequently repeated on this floor, it is not the use but the abuse of alcoholic stimulants that is injurious. I repeat what I have stated on previous occasions regarding prohibition legislation—that, in my opinion, those who can not control their appetites for stimulants will resort, under prohibition, to the use of habit-forming drugs. That is infinitely more harmful to a nation than the use of alcohol.

Men in authority in the large cities of the country have called attention to the fact that since the prohibition wave has begun to sweep over our country the drug habit has begun to increase enormously. Therefore, I say, let us have rational and not radical legislation regarding the use of alcoholic liquors.

I repeat what I said at the beginning of these remarks—that this proposed legislation is so severe and so drastic that if enacted as it has been reported from the Committee on the Judiciary it will defeat its own ends.

Mr. IGOE. Mr. Chairman, I yield 10 minutes to the gentleman from Maryland [Mr. COADY].

The CHAIRMAN. The gentleman from Maryland is recognized for 10 minutes.

Mr. COADY. Mr. Chairman and gentlemen of the committee, I was a Member of the Sixty-third Congress and voted against the Hobson prohibition resolution that came before this House for consideration at that time and which failed to get the necessary two-thirds vote. I voted against the submission of this resolution, and I voted against it because I believed the action of this House in favor of that submission constituted a dangerous invasion of the rights of the States and one which I fear will come back to plague that section of the country from which so many votes in its favor came and from that section of the country whose Members violated the principles of a lifetime—the principles and doctrine of State rights.

Already, Mr. Chairman and gentlemen, I hear rumblings of what is to come, not only from the majority side of this Chamber but from this side as well, and it will be retributive justice. You can not violate a principle without suffering the effects that flow from such violation.

As for myself, I sincerely trust it will not come, and if a measure of that kind is submitted here it will not receive my vote.

The gentleman from Pennsylvania [Mr. MOORE], one of the able members of the Committee on Ways and Means, one of the best-posted men on finance and revenue, told this House the other day that the loss of revenue that will be occasioned will amount to $1,000,000,000. That loss will be sustained without any substantial benefit accruing to the country.

A great many of the Members who have preceded me have told us that you can not enforce an amendment of this kind, and that you can not enforce the strict provisions of this so-called enforcement act. We have heard that not only from men who are antiprohibitionists, but we have heard it from men who have been prohibitionists all their lives and have always voted for State prohibition. The gentleman from Massachusetts [Mr. FITZGERALD] told us about the conditions in Maine, close by his own State. I do not know why he went away up to Maine to find out the existence of conditions under prohibition. He could find them right here in the District of Columbia.

And in that connection I would like to read to the House just a portion of a letter written to the Baltimore Sun by a gentleman who in his day was one of the most noted journalists here in Washington, an observant man, a man not given to exaggeration. He is now retired. Let me read what he says about conditons here in the District of Columbia. He answers the statement that prohibition has bettered the conditions in the District, and he starts out by saying:

> Have they? Come over to Washington and see for yourself. In the last 12 months there have been more murders, more burglaries, more rapes, more pocketpicking, more holdups than in any similar period during the "wicked" era. The police force seems to have disappeared from the streets of the city. It is said they are scouring all the adjacent country roads in Maryland, chasing after pints of whisky in the pockets of bootleggers. Of late there is not an hour in the day or night that some crime is not committed in this city, and not minor offenses by any means. In one week there were five criminal assaults made on white women by negroes and not one offender caught. Women are almost afraid to venture out alone after dark.

A truthful picture of conditions in the District of Columbia since you forced prohibition down the throats of the people

here without giving them an opportunity to be heard. You, Mr. Chairman, and I, and every Member of the last Congress, remember how that bill was brought in and how a gag rule was invoked, and how discussion was cut off, and not a man who opposed that bill was permitted to discuss it for a minute. Some of the ablest constitutional lawyers in this House have said that this bill is not constitutional. Oh, but, Mr. Chairman and gentlemen, I do not expect that to have any weight with these men in this House who are intent upon putting over on us this enforcement act. What, Mr. Chairman, is the Constitution among the followers and adherents of the Anti-Saloon League when they want to carry out their own purposes? I was very much pained the other day when the gentleman from Michigan [Mr. CURRIE], who, I believe, is a member of the Judiciary Committee—I am sorry he is not here to-day—took occasion in the course of his remarks to reflect upon people who came to Washington to exercise rights guaranteed to them under the Constitution to petition Congress. Here is the language he uses. He says:

The meeting held in front of the Capitol was for the purpose of intimidating Congress.

And he reflected upon the people who comprised that delegation. He said they appeared to have been foreign born. Has the time come when you are going to discriminate against a man because his forebears were born on the other side of the ocean? Are you going to pass one law for the native-born citizen and another for the naturalized citizen? In the early stages of the Great War, in the district I represent, in the great city of Baltimore, the sons of the foreign-born citizens did not wait for the draft. They enlisted at the outbreak of the war. They went into the Navy, they went into the Army, they went into the Marine Corps, and in many cases there were young boys under 18 who, for the purpose of supporting their country when it needed support, made false statements as to their ages to enable them to fight for the flag of their fathers' and mothers' adopted country. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. IGOE. I yield to the gentleman two minutes more.

Mr. COADY. And yet, Mr. Chairman and gentlemen, we find a Member of this House reflecting upon people simply because they were born in another country, good naturalized citizens, because they came here to petition Congress. Ah, I said the sons of those men went to the front and fought, and one of the gentlemen who reflected upon these men, one of the Members of this House who reflected upon these citizens who came here exercising their lawful rights, while the boys of these foreign-born citizens were fighting and dying in France—that gentleman, a Member of this House, although within the draft age, and a strong and healthy man, was safely tucked away in his office here in Washington.

I listened to some of the gentlemen from Kansas tell about the wonders that prohibition has wrought there. I remember a few years ago reading about a banquet of the Kansas Society in New York City, and it was addressed by a then member of the United States Senate, not now a member of that body. Like nearly all Kansans when called upon to speak at affairs of that kind, he chose as his topic prohibition, and told about the wonders it had accomplished in his State—how the farmers had succeeded under it. But, Mr. Chairman and gentlemen, every member of that Kansas Society had left the dry State of Kansas, had gone to the wet State of New York, and there achieved fame and fortune. [Applause.]

We have abandoned legalized control of the manufacture and sale of intoxicating drinks, and as a result there is to-day, and will continue to be, an increased consumption of liquors—or, rather, of cheap and dangerous substitutes therefor. Right here in the city of Washington, as I pointed out before, there has been a shocking increase in the number of crimes committed since the District went dry.

This enforcement measure, which bears the name of the gentleman from Minnesota and which—it is alleged and not denied—was prepared by the counsel for the Anti-Saloon League, is the most drastic and most revolutionary measure ever presented to this body, and it has been characterized as such by some of the ablest men here—men who believe in prohibition and have voted for it, but who are alarmed, and rightly so, because it contains provisions that will permit an invasion of the sacred rights of the individual in his home.

It will greatly augment the political power of the Federal Government and will deal a death blow to the rights of the States.

The attempted enforcement of this amendment by the General Government will mean the employment of several hundred thousand men. I say attempted enforcement, because I believe you can not successfully enforce a law of this kind because of the antagonistic attitude toward it of a large part of our people.

You should leave to the several States the matter of enforcement. You submitted the amendment to the State legislatures, and they ratified it. Are we not now willing to trust the same States to enact enforcement legislation? They are best capable of dealing with the question. Are there any Members here unwilling to trust the legislature of the State they represent?

As for the war-time prohibition law, it was, in my opinion, the greatest legislative fraud ever perpetrated. There was never any sound reason for its passage. The idea of its being a food-conservation measure is pure nonsense, and we know that its Anti-Saloon League advocates had no such honest intent in demanding its passage. If they had, they would now favor its repeal. Their purpose was to anticipate the Federal amendment and make the country dry by legislative enactment, which they knew could not be done in times of peace. Every man here knows this. You did not mean to have this law continue when the reason you gave for its adoption has ceased to exist. Then let us be honest and repeal it. [Applause.]

Mr. VOLSTEAD. I yield 10 minutes to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Chairman and gentlemen of the committee, it is my purpose to give several reasons why I favor this legislation, but there is one thing which I wish to say first. I purposely refrain from being led into joining issue on, in, or by a surrejoinder or a surrebuttal, or any other such thing as the pitfalls surrounding the word "concurrent." I once got a hung jury in an important trial because I became involved, in the trial of that will case, in a 40-day fight over the question whether a wealthy old gentleman died of renal sclerosis or interstitial nephritis, and whether, therefore, he had lost his testimentary capacity, which sounds like a disease.

Dooley was right when he said to the faithful Hinnissey out on the Archie Road:

Ixpert tistimony, Hinnissey, is all in Latin and not understood by anny man at all, naythur the judge nor the jury, naythur the lawyers nor the doctors; and so the jury considers three things: Did Mr. Luetgert luke like a man that would kill his wife? Second, did Mrs. Luetgert luke like a woman that had ought to be killed? Third, is it about time for supper?

Seriously, my colleagues, the courts of this land, Federal and State, will give due force and effect, despite all mere verbiage, to the long-established canons of legal interpretation and judicial construction which have for a thousand years decreed that if the intention of the lawmaking power can be clearly ascertained, due effect shall be given to that intention. Let us not get lost in the fog. There is no fog in the mind of the American people [applause] and every court in America knows this. The contention so seriously put forth here that because the Constitution as amended by the eighteenth amendment gives Congress and the several States concurrent power to enforce it, that because of this the amendment can be nullified by any State refraining from enforcement, this contention was absolutely confuted, concisely and consummately, by the distinguished gentleman from Virginia, Judge SAUNDERS, on this floor yesterday.

To imagine that the amendment itself contemplates this nullification seems to me to simply arrive at that "reductio ad absurdum" abhorred eternally by all the law.

Here are my reasons for favoring this bill:

First, because I know that Illinois does not want this debate to close without one Illinois voice raised in favor of this bill. [Applause.] In other words, Illinois does want to be heard by at least one voice in favor of the bill, inasmuch as the only Illinois voice thus far heard has been against the bill, the voice of a Chicago Congressman. Illinois has spoken. Illinois has made plain its choice. I know Illinois. I know it as well as any man in the State. I know it well. I take no back talk on that. And I do not admit that Chicago is wet in a fair fight. I know that only 150,000 men and women voted "antisaloon" last April, while 406,000 voted against Chicago becoming "antisaloon" territory; but I also know that while 400,000 thus, in a way, voted wet, there was no fight, and I know that there were 825,000 registered voters—registered for that election—and so that 425,000 either voted dry or did not vote at all; and I know another thing, for I know that William Hale Thompson was elected mayor of Chicago April 5, 1915, by 147,000 majority [applause], and I know that on October 10, 1915, he ordered all the 7,700 saloons of Chicago to be closed on Sunday in order to comply with the old State law of Illinois, something no other mayor ever had the nerve to do; and everybody knows he was reelected April 1, 1919, by a rousing majority.

William Hale Thompson's opponent, George Sweitzer, said the next day in an interview in the Tribune, "The people in

Chicago seem to have approved of the administration of William Hale Thompson." One of the first things this mayor did was to discover that no saloon had a right to open on Sunday, and he enforced his order and was reelected mayor of the city of Chicago. [Applause.]

It is fair to argue that Mayor Thompson's reelection was a ratification of his Sunday-closing stand, fully as fair as it is to parade the wet vote of that same date—April 1, 1919—when the only question was whether saloon licenses should be issued from April 1 to June 30, just three months.

Second, because I know, and know well, the kind of citizens—and aliens—that this law will have to deal with in Illinois, and I know, and know well, that the only way to make such people obey this law is to enforce it with a club—perform an operation with a club—just as Uncle Sam had to operate with a club upon the skull of Prussia. In my earlier days I served six years as a prosecuting attorney; four years as a judge; four years as a United States collector of internal revenue, with 100 men under me—clerks, deputies, gaugers, and storekeepers—and later I held the pardoning power of a great State for four years as governor. I know the various kinds of men who violate the law. When I was United States collector of internal revenue, collecting $12,000,000 a year from distillers, brewers, and wholesale and retail dealers—more than any district in America except the Peoria district—I knew good men among the distillers and brewers; I would trust some of them with my life, my fortune, and my sacred honor. I am not talking about them. I am talking about the violator. He is the man this law must reach—the man this bill must deal with—the mean, sneaky, lawless man, heeding no man's weakness and heeding no woman's tears. Why should he heed his country's Constitution or laws? He will not unless he has to. This law must have teeth, and plenty of them. You can not charm a hyena with kindness.

Third, because I know the laboring man of Illinois. I enjoy his confidence, and I know that I, yes I, represented him when I urged and passed the Illinois convict-labor law and other laws. I represented him then and I do now. Samuel Gompers does not. I know that I am representing him now as to prohibition as I stand here in my place in this House, and that Samuel Gompers does not, inasmuch as he has in recent days repeatedly and persistently given out the impression that the organized labor of America will seek, and does seek, either Bolshevism or beer—a misrepresentation of organized labor.

I have not his exact words, but I will insert them in the RECORD.

Why, Samuel Gompers once ordered that Hon. LAWRENCE Y. SHERMAN be defeated, and L. Y. SHERMAN was elected and reelected and is United States Senator to-day. And Samuel Gompers once ordered that Hon. JOSEPH G. CANNON, of Illinois, be defeated, and when he got through beating "Uncle JOE"—well, "Uncle JOE" usually "romps home" with about 5,000 majority, but that time his majority was nearer 10,000.

This morning in the Congressional Library I took down what he said from the Chicago Tribune of November 5, 1886. That paper on that date quoted Mr. Gompers as saying:

> If these men are executed, it would simply give an impetus to the so-called revolutionary movement—

Those are very familiar words, are they not? They are very nearly the same words that he is quoted as using to-day. I repeat what he says:

> If these men are executed, it would simply give an impetus to the so-called revolutionary movement, which no other thing on earth can do. These men would, apart from any consideration of mercy, of humanity, be looked upon as martyrs.

Mr. Chairman, I represent 1,330,000 families in the State of Illinois, 1,330,000, but I do not go around bragging about it, and I do not pretend that I can control them all, but we have heard this same thing again and again, which I now quote further from Mr. Gompers's words:

> Thousands and hundreds of thousands of laboring men all over the country would consider that those men had been executed because they were standing up for free speech and free assemblage. We ask you, sir, to interpose your great power and prevent so dire a calamity.

Mr. Chairman, of course no one accuses Mr. Gompers of favoring dynamite. The Tribune says further:

> Mr. Gompers closed by saying the throwing of the bomb had destroyed the eight-hour movement.

That was a mistake. It did not destroy it. Of course, I do not charge, and neither did the Tribune, that Mr. Gompers advocated or favored the throwing of bombs. The point I make is that he, Mr. Gompers, when the red flag of anarchy was about to be buried 6 feet below the soil of Illinois, tried to inject the labor problem into a problem it did not belong to, and he made a mistake in so doing. He is making the same mistake now. He is trying to inject the labor problem into this prohibition problem, where it does not belong. No dire calamity happened then. The eight-hour law did go through. The laboring men of America did not rebel or resort to revolution then, and they will not do it now. [Applause.]

Fourth, because I know the Illinois that has gone dry in nearly all its counties, nearly all its cities, and nearly all its townships—the Illinois which again and again returned to the legislature a dry majority, sending dry men back again and again, and sending to the general assembly convening last January a big majority to ratify the national prohibition amendment January 14, 1919—is still "dry."

Fifth, because we must show our teeth. Unless we use "force without stint," this will be a "peace without victory"; it will, after all the effort and struggle and prayers and tears of the years, be a barren victory, be a result gratifying to nobody but the Kaiser and all others wishing the failure of the American experiment in free government. What an appalling humiliation and mortification to win the World War and then lose, after all, by destroying America's youth by a law with no teeth. There must be no turning back by Congress now in deference to the alluring cry of "fairness." Fairness is unknown to the citizens and aliens who will be the violators of this law. There is not a fair bone in their bodies. They do not know what fairness means. They are strangers to fairness and leniency and mercy. Each is a tyrant when on top and a whiner when the under dog. There is not a true sportsman, a dead-game sport, in all their number.

A noted writer once said:

> A true sportsman is a man who can endure success without undue elation and sustain defeat without complaint.

What a spectacle is to-day disclosed in this connection to the eye of "gods and men"! Who is it that has posed as the good sport—the dead-game sport? Why, the man in the liquor traffic. Who allured the American boy by the slogan, "Don't go to the Sunday school; don't seek the Y. M. C. A.; don't be a sissy; come to the thirst parlor; it is the rallying place of true sports—of dead-game sports"? Why, the liquor dealer. And who is whining now and complaining and lobbying and flirting with organized labor and putting forth every pitiful plea? Why, the man with liquor to sell. One firm writes me that the Government and he have been partners. That man may be an honest man. But what a partnership has always been that between Uncle Sam and booze. Ye immortal gods, what a plea; what a partnership! Would you care to know what made Springfield, Ill., go dry—remembering the partnership plea? Five years ago 29,000 Illinois troops arrived at Springfield and went into camp at the State fair grounds and Camp Lincoln on their way to the Mexican border. That morning in every paper in Springfield there appeared numerous flaming advertisements something like this:

> Brave sons of Illinois,
> Noble defenders of the Union,
> Don't forget the Bismarck.
> Remember the Annex, the Edelweiss.
> Budweiser on tap.

Hundreds of glorious boys came to town to a hundred barrooms and got drunk and went to Texas well started on the downward road to destruction by the demon rum, and not a few of them made rotten and diseased for life. Partners, indeed! Partners of Uncle Sam, who poisoned his sons. Well, all I have got to say is when I find my partner has poisoned my son, I intend to kill my partner; he shall not poison my son and still breathe the breath of life. I will kill him if I die in the attempt.

And make no mistake. Uncle Sam is going to kill John Barleycorn and bury him deep.

Mr. VOLSTEAD. Mr. Chairman, I yield to the gentleman from Utah [Mr. WELLING].

Mr. WELLING. Mr. Chairman, I am not a lawyer. A large part of the discussion of this bill, as it relates to the constitutional power of the Congress to enact this legislation, makes me feel reconciled to my lack of legal knowledge. It has been asserted many times during the debate that Congress has not the power to enact a prohibitory statute until the constitutional amendment providing for a dry Nation goes into effect next January.

STATUS IN UTAH.

I recall that in my own State of Utah statutory prohibition preceded the adoption of an amendment to the State constitution, although such an amendment was adopted overwhelmingly as soon as the people were allowed to vote upon the matter. I think that has usually been the manner in which this question has developed in other States also. Once the people have come to feel the benefits of this great moral move-

ment of reform, they have proceeded to place the question beyond the power of shifting and uncertain action by political parties. But the guardians of the Constitution immediately cry out that the States, in this action, have only exercised their proper police power, and claim that this proposed action by the Congress is an invasion of the police power of the State.

In this connection it is interesting to note that no voice has been raised here against the police power of the States being invaded by the National Government assuming jurisdiction over the sale of other deadly drugs. There has been no protest against the National Government enforcing police regulations regarding the quarantine and public-health laws of the Nation. If the victims of the curse of alcoholism and light wines and beer could stand up and be counted they would outnumber many times those who have benefited by the enforcement of the laws designed to control drugs and otherwise conserve the public health.

I am not so much alarmed about the Constitution as I am about the souls of men. The Constitution was made for the people; and when special interests come here and use it as a cloak to defend the most infamous curse to humanity to-day it is time for men to assert the right of the people of America to make and enforce a law designed to promote the welfare of this and all succeeding generations.

ALREADY IN THE CONSTITUTION.

But, Mr. Chairman, this contention of the advocates of license seems the more indefensible to me since national prohibition is already a part of the Constitution. The eighteenth amendment was submitted to the States by the last Congress, and in less than one year 45 of the 48 States had adopted it. It is true the amendment provided for enforcement after January 1 next, but in the meantime war-time prohibition had been enacted by the Congress and is now a part of the law of the land. It must remain the law until the military forces are demobilized, and the President, under whose authority demobilization must be proclaimed, has given us to understand that that can not be effected before the first of the year and at that time the prohibition amendment becomes effective.

Therefore this situation prevails to-day: We have war-time prohibition in force now, which we know must remain in force until after the constitutional amendment becomes effective, and after that date the amendment itself imposes upon Congress the obligation of passing the necessary laws to carry it into effect.

Small regard as I have for the contention that we have not yet gained jurisdiction of this matter, it is still more difficult to have patience with the contention that wet States without enforcement laws will not be subject to the national laws we enact to-day, because the amendment states Congress and the several States "shall have concurrent power" to enforce the law. If that is true, a more infamous joker was never written into a national statute.

The opponents of this measure come here and say they were careful to see to it that the wording of the amendment left their States free to license the saloon, because they could and would successfully resist in those States the necessary "concurrent" enforcement laws. I can not believe such a contention can be maintained. Surely the authority of the Constitution extends to every State alike. It might as well be maintained that the suffrage amendment would not apply to those States which chose to resist the right of women to vote. At any rate no man will contend that violations of the prohibition amendment can not be punished in every part of the Union in the Federal courts, just as counterfeiting is now punished in those courts.

Mr. Chairman, in my opinion the owner of a saloon, who stands behind a bar and robs men of their reason by pouring a flood of liquor through an addled brain, is an infinitely greater menace to society than the man who exchanges counterfeit money for the coin of the realm.

> Who steals my purse steals trash; 'tis something, nothing;
> 'Twas mine, 'tis his, and has been slave to thousands;
> But he that filches from me my good name
> Robs me of that which not enriches him
> And makes me poor indeed.

It is interesting to note the objection raised by the gentleman from Massachusetts [Mr. FITZGERALD] and the same objection urged by the gentleman from California [Mr. LEA]. They tell us their people do not want this law. It is a singular thing that both California and Massachusetts have by large majorities in their legislatures adopted the prohibition amendment. These gentlemen assert that the legislatures did not represent the will of the people, but that they do represent their people. In this confusion of counsel, it seems to me the Congress is bound to be influenced by the official action of the States themselves and not take too seriously the protestations of their representatives upon this floor.

I can not agree to the theory that the wine and liquor industry of the country has not been given proper and deliberate notice that this legislation would be enacted. We placed them on notice when the constitutional amendment was submitted to the States, and that notice was confirmed when the States—their States included—adopted the amendment and made it an effective portion of the Constitution of our country. It comes with poor grace to-day for the wine growers of California or the wine merchants of Massachusetts to come here and ask for an extension of time in which to pour this stream of poison into the currents of our national life.

ATTITUDE OF THE CHURCH.

Gentlemen of the House, it is impossible for you to resist the onward march of this reform. The infamy of the open saloon and the curse of the liquor traffic has been denounced by the Christian churches of America for 100 years. Their voice crying in the wilderness has called upon the Nation to drive out the demons of rum.

ATTITUDE OF BUSINESS.

Prohibition is to-day a part of the industrial fabric of successful business in every line of industry and trade. The railroads have cast out the saloon. And I am glad to know that workmen as well as operators in that great industry have come to feel that success depends upon sobriety. The merchant and the banker practice prohibition in their business, and those who come to them laden with the fumes of liquor are totally discredited as employees and rejected as associates in the industries which they represent.

The athlete in training has the sense to be a prohibitionist if he wishes to conserve his physical strength. The training table of every school in the land is for the strict enforcement of prohibitory law.

The medical profession has abandoned its use of liquor, realizing that the evils of whisky many times outweigh any benefits derived from the use of the poison it contains as a stimulant or a drug.

ATTITUDE OF THE ARMY.

The Army and the Navy have put a ban upon the use of liquor by men in the service of America. These instruments of our power have come to realize that those who defend this Nation upon the sea and upon the land must be free from the curse of strong drink. No matter how willing gentlemen here are that their constituents should make and sell booze, they have joined us in demanding that our soldiers and sailors should go to battle with brains clear—the best and surest protection against the dangers of the battle field. The Army and the Navy have themselves adopted and by their example urge its adoption upon the country as a whole.

INFLUENCE OF THE HOME.

But all these agencies together have suffered less than the home from the liquor business. The American home is for this law. Every wife and mother in the land applauds the action this House is now about to take. Every child in the home is glad to have the fear of this peril lifted from his life. And, gentlemen, the American home is the greatest bulwark of American liberty to-day. If you would preserve your country and hand down a heritage worthy of our destiny to future generations, we must keep secure and sacred the stream from which is pouring the future citizenship of our country.

I am for this bill, and when it is discussed under the rule providing for amendment I trust such changes as are made will tend to make the legislation more effective by making the enforcement provisions more drastic than the present bill provides. [Applause.]

Mr. IGOE. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. HUSTED], a member of the committee.

Mr. HUSTED. Mr. Chairman and gentlemen of the committee, I want to thank the gentleman from Missouri [Mr. IGOE] for granting me time on this bill. It has been quite difficult for me to secure any time, although I happen to be a member of the committee. I asked the chairman of the committee to grant me 20 minutes, and I made a clear and full statement of my position on the bill. He said he would give it to me, but the next day he said he had changed his mind, and he said to me, "You are wet, and you can not fool anybody." I have no desire to fool the chairman of this committee or to fool any Member of this House. If to be opposed to what I consider to be some of the unwise and radical provisions of this bill is to be wet, then I am as wet as the waves of the sea, but if to be in favor of an honest, conscientious enforcement of the provisions of the eighteenth amendment is to be dry, then I am as dry as the sands of the desert.

I do not intend to discuss the constitutional questions raised under this bill, except to say that in my poor opinion I believe we can go as far as we please in defining the words "intoxicating

liquor" to carry out the constitutional purpose, but I do not believe we can go any distance at all to defeat it. If we provided in the bill, for example, that only beverages containing 10 per cent or more of alcohol were intoxicating, I am sure the courts would set it aside as a barefaced attempt to defeat the constitutional purpose, but I think we can go as far as we please the other way. We could provide for one-half of 1 per cent, one-tenth of 1 per cent, or we could eliminate all alcohol if we deemed it necesssary to effectuate the constitutional purpose, and I am satisfied the courts would not inquire into that necessity.

The question of concurrent power raises a more difficult question. I think the word "concurrent" was very poorly chosen, but I am satisfied that the courts would hold that the word "concurrent" as used in the text of the constitutional amendment means that the Federal Government and each State has complete and separate power to enforce this provision.

I desire to discuss this question from a practical standpoint. The bill comes before us under three titles. The first is a code to enforce the war-prohibition act. As long as that war-prohibition act remains on the statute books unrepealed I am in favor of enforcing it, and I am very sorry that we have gone 15 days without any enforcement legislation. I was one of the members of the committee who voted to separate this bill, and to bring in a war-prohibition enforcement measure, so that the condition of chaos might not exist which does now exist in the country. I am also of the opinion that the war-prohibition act should be repealed. I feel that we have no right to project into times of peace the operation of a measure which was brought into existence solely through the exercise of the war power and for war purposes only. I feel it can be justified only upon the theory that the end justifies the means, and that is pretty shaky ground to stand on, even when dealing with the great question of temperance. I think it should be repealed also for this reason: It is unjust to the men in the liquor business.

This House wrote into the constitutional amendment the one-year limitation for the purpose of affording to the men in the liquor business a period for adjustment and settlement of their affairs. That limitation was in there when the joint resolution passed Congress. It was in there when it was ratified by the States, and it is just as much a part of the constitutional amendment as any other part. It should be enforced just as honestly as any other part of the constitutional amendment, when it is safe to enforce it, and the President of the United States has said that it is safe to enforce it now.

With respect to the second title, which is a code to enforce the constitutional provision, I want to say that I was absent in France when the joint resolution was adopted in this House.

During my absence I was paired as being in favor of it without instruction from me, however, or knowledge of my attitude. If I had been here I would probably have voted to submit the question to the people, although I have very strong convictions that it is a question which should be left to the individual States under our theory of government. But the constitutional amendment is a part of the Constitution of the United States, and, as I said before, it should be honestly and conscientiously carried out. I do not feel, however, that we are duty bound to go beyond the constitutional amendment, and I think this bill does go way beyond it. The bill provides that beverages containing one-half of 1 per cent are intoxicating liquors. Now, everybody knows that they are not intoxicating liquors, and that liquors containing a considerably greater percentage of alcohol would not be intoxicating liquors. I do not know where the truth lies. It perhaps lies somewhere between 1½ and 3½ per cent. In the New York case, in which Senator Elihu Root and William D. Guthrie were counsel, contention was made that 2.75 per cent beer by weight was not an intoxicating liquor, and was absolutely incapable of producing the alcoholic habit in anybody.

The contention in that case was strongly supported by the testimony of eminent scientific experts, and also by the testimony of practical men who had wide experience in dealing with alcoholic patients. I will not say that that contention is correct. I will not claim that 2¾ per cent beer is not intoxicating, but for the purposes of my argument I am going to assume that it is not intoxicating, and that it is incapable of causing the alcohol habit in anybody. If this assumption is correct, then there are numerous and substantial reasons why its manufacture and sale should be permitted. First, for the preservation of property interests. You can not maintain the wine business of California and New York on grape juice and denatured wine. To the average palate they are not agreeable. The amount consumed is not sufficient. The same is true of the great brewery properties in which an investment of millions of dollars has been made. They could not be maintained upon near beer because it is not agreeable to the palates of enough people. A good cup of tea is a social drink, but I defy anybody to cheer up on a glass of near beer, a glass of grape juice, or a glass of denatured wine. Most people do not like it. If you have got to depend upon that demand, the wine business will go out of existence. The breweries will go out of existence. My second reason is for the purposes of taxation and revenue. If you allow absolutely nonintoxicating wines and beer to be sold which can not produce the alcohol habit in anybody, you can dispose of the product and you can gain a lot of revenue for the Treasury, which is not to be despised under present conditions. The third reason is to satisfy the demands of a large, perfectly sober, and respectable element of the community who want light wine or beer with a small alcohol content. This demand should not be disregarded if it can be safely met. The fourth reason is in the interest of true temperance itself. Absolute bone-dry prohibition has never been secured anywhere in the world, and in my opinion it never can be. Alcohol is one of the commonest products of nature, and it is too easily separated. You can pass all the acts you want, but you will never stop a man from squeezing apples if he wants to, and you will never stop nature from working the process of fermentation in the barrel. The average American citizen wants to obey the law, and he will obey the law if you do not make it too oppressive, if you do not invade what he considers his natural rights. He does consider it an invasion of his natural rights to prohibit him from drinking any kind of nonintoxicating beverage that is incapable of producing the liquor habit. We do not want to encourage, if we can help it, the practice of law evasion which notoriously exists in the so-called dry States.

Now, on the other hand, let us assume that 2¾ per cent beer is intoxicating. It is certainly only mildly intoxicating. You have gotten rid of the brandy, you have gotten rid of the whisky, you have gotten rid of the rum and the gin, the strong wines and strong beers, and you have nothing left but a very mild wine or beer. Now, Congress is going to remain in existence, and we can legislate on this subject at any time. We can observe the result of permitting the sale of these light wines and beers. If it does any harm, if any bad results whatever should flow from its use, we could reduce the alcoholic content or we could absolutely eliminate it if necessary to carry out the provisions of the eighteenth amendment. And there is another reason why we should go slowly. This is a general bill. It applies to all the States throughout the Union; to many States that have never had prohibition. We should pass a bill which is generally satisfactory to the people of all the States. I think it is a good deal better to be a little liberal at the start, and then tighten up as circumstances require than it is to start in and cut everything off right behind the ears. Such a course is bound to produce a reaction that will make this whole liquor question an issue in every congressional campaign until a reasonable settlement is effected. The liquor question can be settled now under the provisions of the eighteenth amendment, but it will never be settled under the terms of this legislation. The bill is not practical, enforceable, or satisfactory to the people of the country and would create a condition of law evasion and violation which is highly undesirable and wholly unnecessary. I desire now to call your attention to some of the radical provisions of this bill, which, in my opinion, would not be necessary if you do not attempt to get absolutely bone-dry prohibition. It would not be necessary if you permit the sale of a nonintoxicating wine or beer which could not create the alcohol habit in anybody. I call your attention to section 4, page 10, of the bill. The astonishing limitations of that section are not as bad as they were when the bill first came before the committee. It then provided that every one of these exempted articles could not be used unless it was nonpotable and incapable of being used for beverage purposes. After they talked the matter over with the representatives of the various interests affected, and after they talked it over with the representatives of the departments of this Government, the committee made up their mind that if that language was retained none of those products could be used, and so they amended it by providing in some cases that they could be used unless they were "unfit" for use as a beverage, and they cut out the limitations about vinegar, although one member of the committee suggested that a very insidious drink had been made out of vinegar called, I believe, vinegar shrub.

Now, I want to call your attention to the fact that these limitations are in here solely for the purpose of preventing people from getting intoxicated on denatured rum, on medical preparations, unpatented and patented, and proprietary medicines, on toilet articles and antiseptic preparations, on flavoring extracts and on vinegar. I want to assure you in the so-called wet States these beverages have never become popular. Bay rum and

vinegar and lemon extract have never become popular drinks in the State of New York, but I understand they are popular drinks in all the so-called bone-dry States. And this legislation would not be necessary and the people would not resort to these injurious substitutes if you permitted the sale of a mild beer or a mild wine that is nonintoxicating and incapable of producing the alcoholic habit in anybody. The fact that you go to such extremes is clear proof that there is something radically wrong with the law.

Mr. VOLSTEAD. Will the gentleman yield?

Mr. HUSTED. Certainly.

Mr. VOLSTEAD. Do you mean to say that in your State, for instance, they can make those things without any regulation at all?

Mr. HUSTED. I do not say they would make them without any regulation. But I say this, that no regulation to prevent their use as intoxicating beverages would be necessary in the State of New York.

Mr. VOLSTEAD. But you have the regulation, just the same.

Mr. HUSTED. No regulations in that regard.

Mr. VOLSTEAD. You have regulations in reference to it.

Mr. HUSTED. No regulations to prevent their use as intoxicating liquors.

Mr. VOLSTEAD. Oh, yes; you have.

Mr. HUSTED. Well, I am not aware of them if there are any such regulations. I would be glad to have them called to my attention.

I want to direct your attention now to sections 6 and 7, pages 12 and 13. These sections provide that no man can get a drink of whisky for medical purposes unless it is prescribed by a physician in active practice, and he can not get it then except from a pharmacist who has been duly licensed and on blanks which have been furnished by the Commissioner of Internal Revenue. Now, I have no objection to that, so far as it goes, but I want to point out this fact to you, that in a mining camp or in a lumber camp or in an exploration expedition or in the case of a party camping in the wilderness if an epidemic of pneumonia or of influenza broke out they could not get a drink of whisky as medicine unless they had with them a physician in active practice and unless they also had with them a duly licensed pharmacist.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. HUSTED. Yes.

Mr. SUMMERS of Washington. Does not the gentleman know that the National Pharmacopœia, which is the official list of recognized drugs and medicines of value in the treatment of disease, does not include brandy, whisky, wine, or beer?

Mr. HUSTED. Well, I was not aware of it.

Mr. SUMMERS of Washington. It is a fact.

Mr. HUSTED. But I do know this, that one of the most distinguished physicians died three days ago in the city of New York, Dr. Abraham Jacobi, and I know he said that he would not assume the responsibility of treating a pneumonia case unless he had good old whisky at his disposal.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. HUSTED. Certainly.

Mr. KAHN. Is not the gentleman aware that the Secretary of the Navy accepted from the mayor of Seattle 6,500 quarts of whisky for medicinal purposes, to be used in the Navy?

Mr. HUSTED. I did not know that, but I understood a great deal was actually used.

I am going to pass over a number of sections whose provisions should be amended in order to make the bill practical, because I know my time is drawing to a close.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HUSTED. Mr. Chairman, I ask unanimous consent to extend and revise my remarks. [Applause.]

The CHAIRMAN. The gentleman from New York asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. VOLSTEAD. Mr. Chairman, I yield five minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Chairman and Members of the Sixty-sixth Congress, there are a great many Members of the House who desire to make speeches on one side or the other of this very important measure, and the time of each speaker is necessarily short. I regret that my time is limited, as I should like to speak on this question more at length. I feel myself fortunate, however, in having an opportunity to answer some of the objections advanced against the bill and to offer some reasons which seem sound to me in favor of the passage of this bill. It is claimed by the "wets" that (1) the laboring men of our country are opposed to prohibition; (2) our soldiers in the recent World War are "wet" and are opposed to prohibition; (3) the proposed law is unconstitutional; Congress does not have the power to provide the means for the enforcement under the war-time prohibition act and under the eighteenth amendment to the Constitution; (4) light wines and beer are harmless; (5) it is urged by some Democrats that President Wilson will veto this bill if it is passed by Congress; (6) prohibition increases crime.

I desire to take up these propositions in the order in which they are stated and discuss them briefly.

The "wets" are making their last stand in the great fight against prohibition. The purpose of this bill is to make America dry in fact as well as in name, so far as the manufacture and sale of intoxicating liquors are concerned as a beverage, and to furnish effective means for carrying out the war-time prohibition acts and the action of the States in ratifying and approving the eighteenth amendment to the Federal Constitution.

Soon after Congress had passed the war-time prohibition act the German brewers of the country began to organize for their final fight. They knew the great influence and power of organized labor and the National Army in the World War, and it is not strange that the German brewers made a desperate effort to hook their beer wagon to the laboring man and soldiers of the country. If they could secure the backing of these two mighty forces, it would mean much to the success of their cause, and acting under this plan it was the German brewers who invented the slogan "No beer, no work" for the laboring men of the country. They got the laboring men in a certain town in New Jersey, largely made up of foreigners, to in a way adopt this slogan and the brewers filled the newspapers of the country with the threat that unless the laboring men got their beer that there would be a Nation-wide strike and every form of business would be paralyzed. As we all know, the 14th of June of each year is Flag Day throughout the Nation. The Hun brewers began to organize that part of union labor that is largely engaged in the liquor business to meet in Washington on Flag Day to make the so-called protest to Congress against prohibition. It was stated far and wide in the "wet" papers that there would be about 250,000 laboring men march to the city of Washington and join in this protest. So, in accordance with the plan of the German brewers, on the 14th of June, or Flag Day, a number of laboring men met on the Capitol steps here to protest, as they claim, against the passage of this bill. It was claimed in the "wet" papers that there were 50,000 men in the line of march and in this protest meeting. This is not true. I saw the persons in the march, and I do not believe that there were more than 5,000, if there were that many. These came principally from the near-by notoriously "wet" city of Baltimore, from New York, and other "wet" cities.

Mr. E. W. Oyster, one of the leading labor men of Washington, stated before the Judiciary Committee of the Senate that there were only about 4,800 persons in the parade, and that the union-labor men of the District of Columbia did not participate. Mr. Oyster also stated that those who have adopted the slogan, "No beer, no work," are working in the interest of the German brewers; that the so-called protest is all a part of the Hun propaganda. He also states that it is a gross mistake to say that organized labor was unanimously opposed to prohibition. Members of the trades-union are divided upon this question, just as other persons are. At this so-called protest meeting the slogan, "No beer, no work," was very much in evidence. Gentlemen of the Congress, I desire here now to resent the insult offered to American workingmen wherein it is claimed that if they do not get their beer that they will not work. This is not an American doctrine; it is not the sentiment of the American workingmen. We find the protest to prohibition most pronounced in the cities of New York, Chicago, Baltimore, and so forth, where there is a large foreign population, and these foreign laborers, most of them, are opposed to prohibition, and the German brewers have organized them in a way to help them fight prohibition. In rural communities and in the central, southern, and western parts of our country, with the population made up almost entirely of Americans, the sentiment is overwhelmingly in favor of prohibition. The eleventh district of Kentucky, which I have the very great honor to represent, is made up largely of laboring men and working people. There are thousands of union miners and union railroad men. I am proud to say that I represent a district where there could not be found a laboring man who indorses the doctrine of "no beer, no work." The man who really believes that and acts upon it places his liquor above his wife, his children, his home, his church, and his country.

The man who would refuse to work, to feed and clothe his family, provide for his home, support his church, and back his country in her great struggle in reconstruction because he can not get his beer is a poor excuse, indeed, of a citizen, and he is a man who would have but very little influence in any com-

munity. It would matter little with his neighbors what he thought or what his opinion might be on any question. It is true that we have men in my district who like to take a glass of beer or a drink of whisky, but I thank God that no laboring man in my district places his beer above and beyond his wife, his children, his home, his church, and country. I doubt if there is one man out of ten of the laboring men of my district that would vote wet if he had an opportunity. It is the laboring men of my district that helped to vote liquor out years ago. They are just as clean, pure in their lives, and as devoted to their children, their wives, their homes, and just as loyal to their country, and as much opposed to anything that breeds crime or endangers the home, the church, or the Nation, as are the farmers, the business or professional men of my district, and I resent most vigorously the insinuation or the charge that the laboring men must have their liquor or that they will refuse to work or will become Bolsheviki and overturn this Government. The trouble is that these fellows who are crying "No beer, no work," in the main are foreigners and are not in sympathy with this country or its ideals, and we can not legislate to satisfy them and thereby ignore the wishes of the great body of Americans. [Applause.]

At this same so-called protest meeting on the Capitol steps Mrs. E. Rooney, of Baltimore, led a bunch of feminine wets. She jumped on the speaker's table and shouted, "I have organized the ladies auxiliary of the Personal Liberty League, and we are going to get liberty or going to hell," meaning, of course, that she and her associates were willing to go to hell to get their liquor. No one who heard that statement but felt with a great sense of shame that any part of the womanhood of this country should be prostituted to such an unholy cause and would make such an outrageous declaration. The conduct of this woman is enough to cause every true mother and sister of our great country to hang their heads in shame. It is needless to say that Mrs. Rooney's remarks stiffened the backbone of every Member of Congress who is opposed to the liquor traffic in this country. No one could have made me believe that there could be found in our country a woman who would make a public declaration like this.

I can truthfully say that we have no woman in the eleventh congressional district of Kentucky who would publicly or privately make the statement that she would have her liquor if she had to go to hell to get it. Indeed, no such woman could be found in the great Commonwealth of Kentucky. The German brewers, who were much in evidence in this meeting when Mrs. Rooney made her statement, and when other speakers declared "No beer, no work," cheered loudly and lustily.

All of us who love the children of America, who believe in the sancity of our homes, who believe in the great mission of the school and church, and the destiny of this Republic, rejoice that these are not the sentiments of the vast majority of the laboring men and the womanhood of America. [Applause.]

It is believed by most of us that many people go to hell by getting too much liquor, but this is the first time that any public speaker has declared that he would go to hell to get liquor.

I have had hundreds of requests from my district to support this bill, but no man, woman, child, society, association, business, social or political, has asked me to vote against this bill. This makes me feel very proud of my district.

The claim that the American soldier is opposed to prohibition and is lined up with the German brewers in this fight is unfounded, and is an insult to the boys who won the world war. It is admitted by the world that we sent to the camps and to the battle fields in Europe the cleanest and finest army that marched under any flag. We took them from the farm, the railroad, the shop, the mine, the store, the bank, the school, and the church. During the short recess of Congress I had an opportunity to visit a number of the counties of my district, and I talked to hundreds of laboring men and soldiers. These same laboring men and soldiers helped to vote liquor out of every county, town, and village in the eleventh congressional district of Kentucky. In some counties and towns they voted liquor out 40 years ago. The only change that I found in their views was that they are now more unanimously opposed to the liquor traffic than at the time they voted it out, and are more determined to make our country dry, and to make effective the act of Congress and the States in the passage and ratification of the eighteenth amendment. The soldier boys have come back, and have taken their places on the farm, on the railroad, in the shops, the store, the bank, the school, the mines, and the churches. They were the leaders in the best thought and the highest ideals before they entered the Army.

If anything, they have come back to us stronger, cleaner, better, and more thoughtful. They will continue to lead in all that is best in American business and in American political and social life. If war has made drunkards out of our soldier boys, as some of the opponents to this bill would indicate, we have paid dearly, indeed, for our part in the world struggle. The American soldier gave too much for his country to now join hands with the German brewers to help keep alive a business to destroy their own children, to help pull down the churches and schools of our country. The soldier will never do it, and I desire to emphasize my resentment of the slander of the American soldier by the brewing interests in claiming that the American soldier is opposed to prohibition and wants liquor. [Applause.] It is claimed by the opponents of this bill that the courts will declare it to be unconstitutional; that Congress has not the power to define what are intoxicating liquors. In the uniform enforcement of this proposed law, it is very essential for Congress to define what are intoxicating beverages. Some contend that alcoholic liquors are those liquors that contain a sufficient quantity of alcohol to intoxicate a person if he drinks a reasonable amount of it. Others claim that any beverage is an alcoholic liquor that contains alcohol. The latter definition is the better. Some claim that it requires 4 per cent alcohol to make an alcoholic beverage, while others claim 3 per cent, and so on down. As to the effect it has on certain individuals, that is not a safe guide or comprehensive definition. Some men can drink a quart of whisky and still keep on their feet and show very little sign of intoxication, while some others would be thrown on their heads if they took a fourth of a gill of whisky. Some men can fill themselves up with beer and show no signs of intoxication, while a single glass will intoxicate others.

A beverage containing 4 per cent alcohol or 2.75 per cent alcohol would not intoxicate some men, yet others may become beastly drunk on such a beverage. In the trial for the violation of this proposed law some courts would take one view, another court would take another view, as they have in the past. Some witnesses would testify that a certain beverage would intoxicate, and many others would testify that it would not intoxicate, as we have seen it done in many cases in our practice as lawyers. This has brought about endless confusion, and under national prohibition this confusion would be greatly increased. We can therefore see the very great wisdom in Congress defining what is an alcoholic beverage. Those who are in favor of prohibition and have brought out this bill favor a one-half of 1 per cent, while the wets want us to declare that no beverage or liquor that contains not more than 2¾ per cent alcohol is not an intoxicating beverage or liquor.

I strongly favor the terms of this bill, which defines an intoxicating beverage or liquor as any beverage or liquor that contains more than one-half of 1 per cent. It is the universal opinion that one-half of 1 per cent will not intoxicate, while the general consensus of opinion is that 2¾ per cent will intoxicate practically every person who is not accustomed to drinking and many persons who are accustomed to drinking intoxicating liquors.

Many of the States that have heretofore adopted prohibition have by the acts of their legislature declared that any beverage containing more than one-half of 1 per cent is an intoxicating liquor. These laws have been upheld by the highest courts in said States. If the States have the power and right to define what is an intoxicating beverage or liquor Congress undoubtedly has this right. The Federal courts have upheld the action of these States and many of the Federal courts have already upheld the war-time prohibition act of Congress. There can be no doubt but that Congress has the power to define what is an intoxicating beverage or liquor. With this provision in the law national prohibition will become a reality. Without this provision it would be more or less a farce. Congress has heretofore voted in favor of prohibition; 45 of the 48 States have already ratified the eighteenth amendment to the Federal Constitution—the prohibition amendment. We should adopt the provisions of this bill in defining intoxicating beverages and liquors and thereby make the action heretofore taken by Congress and the approval by the States effective.

Some of the wets have stated on the floor of the House that this proposed law would prevent farmers and housewives from making ciders and grape juice. I do not take this view of it. This would be true if they should make alcoholic liquors. If cider and grape juice are fermented, they will, of course, make alcoholic liquors. This law will prevent that. A great deal of alcoholic liquor comes from the fermentation process of grapes, apples, and other fruits. If we should fail to provide against the making of alcoholic liquors with these fruits, the prohibition law would be a farce.

The opponents of this measure have made a strong appeal to save beer and wine. They say that they are opposed to the manufacture of distilled liquors, such as whisky, rum, and so forth. I imagine that most of them are recent converts. Many of them, a few years ago, were arguing for all kinds of alcoholic liquors.

We read from Holy Writ that it was wine that made the Jewish nation, for a time at least, a nation of drunkards, and was one of the great factors in the downfall of that nation. It was beer and wine, we are told in history, that were more responsible than any other cause for the fall of the mighty Roman Empire. And it was wine that had more to do than any other one thing with the overthrow of the powerful Grecian nation. It was fermented liquors, such as wine and beer, that filled the early nations with drunkards and destroyed the moral fiber of said nations and brought about their downfall. Distilled liquors, such as whisky, rum, and so forth, were unknown. Now the wets undertake to tell us that wine and beer are harmless and want us to adopt as a national beverage that which destroyed the early nations. We do not have to depend, however, upon the Jewish, Grecian, or Roman nations for testimony as to the evil effects of beer and wine. Germany has been a beer-soaked country for more than 50 years. Many careful writers have pointed out that the brutality of German soldiers was largely due to this condition, and that Germany lost her soul in her beer vats and mugs. When we talk with our soldier boys, we learn much as to the evil effects of wine drinking on the French Nation. We have seen the evil effects of beer and wine drinking in our own country. The greatest doctors and scientists of this country tell us that beer is more harmful to the health than whisky. A constant beer drinker can not resist disease.

Again, if we should keep beer and wine, we must keep the saloon. The 2¾ per cent beverages would keep alive the saloons and groggeries of the country. The American people are determined to get rid of the saloon. If we keep beer and wine, or 2¾ per cent alcoholic beverages, we continue to cultivate the appetite for intoxicating liquors. It is not my purpose so much to correct the habits of men advanced in years. Perhaps this can not be done. But I want to protect the new crop of Americans that are coming on. We want to save the future generations from the curse of drunkenness and a drunkard's hell.

If we keep beer and wine, or a 2¾ per cent alcoholic beverage, we shall continue to have drunkenness in America. America wants to do away with drunkenness. The States have said by their ratification of the prohibition amendment that they want Congress to go ahead and give us a dry Nation. Let us not disappoint the hopes of the people of the 45 great States. Of course there are people in the country that are opposed to prohibition. There never was any important question before the American people in which they were all of one mind. Many people opposed our separation from England; many opposed the emancipation of the colored man; and many opposed the war with Germany. We do know that a substantial majority of the American people want prohibition, and it is up to us to make effective the wish and will of this substantial majority.

The charge has been made on the floor of this House, to my very great surprise, that prohibition fosters crime. I have before me the signed statements of the governors of every State that has adopted prohibition, the mayors of every city that is under prohibition, and the leading men of these prohibition States and cities, and they with one accord declare that there has been a tremendous decrease in crime since prohibition became effective in their respective States, cities, and so forth.

The chief of detectives of the great city of Chicago says that crime has been decreased there by half. To the same effect is the statement of the officials of the city of Milwaukee. We who live in prohibition sections know that prohibition does not increase crime, but, on the contrary, it practically eliminates crime. As a lawyer, I have been on one side or the other in more than threescore homicide trials in my State; and all of these killings, except about two, were traceable to intoxicating liquor. And when we have a dry Nation homicide will be practically unknown.

Prohibition will not hurt business. It takes about $10,000 invested in the liquor business to furnish one man employment. This sum invested in other industries furnishes six men employment. With liquor out of the way, we will have better schools, better churches—better clothed, better housed, and better fed wives and children—for hundreds of thousands of women and children in this country.

Intoxicating liquors have every year been destroying more men than we lost altogether in the great World War. If I had 24 sons, I would much rather that 23 of them should fall in the front-line trenches upholding the flag of our country than that one of them should fall in the front-line trenches of booze.

If those who favor wets could show me where liquor ever built a real home, a school, a church, a man, or woman, I might be inclined to give it more consideration. We can point to millions of men and women, thousands of homes, churches, and schools that it has pulled down and destroyed. There is nothing constructive about the saloon or liquor. One word defines it all—destruction.

It has been intimated by some of the wet Democrats that President Wilson would veto this bill. I think it would be unfortunate for the country if he should take this action; and, if he does take such action, I feel confident that Congress will pass the bill over his veto. There has been no measure before Congress that I can support with more earnestness than this, and I desire to congratulate Mr. VOLSTEAD and his committee for having laid before Congress this splendid measure. [Applause.]

The CHAIRMAN (Mr. HADLEY). The time of the gentleman from Kentucky has expired.

Mr. ROBSION of Kentucky. Mr. Chairman, I ask unanimous consent to revise my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. VOLSTEAD. Mr. Chairman, I yield five minutes to the gentleman from Maine [Mr. WHITE].

The CHAIRMAN. The gentleman from Maine is recognized for five minutes.

Mr. WHITE of Maine. Mr. Chairman, I asked time in order to discuss generally the provisions of this bill, and in particular to reply to the references made yesterday afternoon by the gentleman from Massachusetts [Mr. FITZGERALD] to the State of Maine. But because of the limitation of time and because of his absence from the Chamber I have no desire to proceed now, and I therefore ask leave to revise and extend my remarks.

The CHAIRMAN. The gentleman from Maine asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. WHITE of Maine. Mr. Chairman, until to-day it had not been my purpose to say anything upon this measure. With its purpose I am in hearty accord, but there are provisions in it which I find it difficult to approve and the modification or elimination of which will make support of the bill much easier for me, but I expect to vote for it whether my views are fully met or not. The constitutional amendment gives to the Congress and the several States concurrent power to enforce its intent. If there is a technical difference between jurisdiction and power, as has been suggested in this debate, I believe the fair intendment of the Constitution is that the States and the Federal Government shall have concurrent jurisdiction and power. By our action we do not preclude any State from dealing with this subject. A State by legislation may not nullify any of the terms of this Federal statute, but it may supplement what we do here by the act of its legislature. Believing this, I should be content with less drastic legislation by Congress, for I should hope and expect each State to embody in its law such additional regulations and control, not inconsistent with congressional action, as its judgment and its public sentiment dictated.

But I have taken this opportunity to express my views on this subject primarily because I can not permit to pass unnoticed some of the references to my State made yesterday by the gentleman from Massachusetts [Mr. FITZGERALD] and which were this morning called to my attention. Among other things, he said of Maine that there "drunkenness ran riot," and again "that prohibition in Maine has been a standing joke for years, and as a consequence the growth of Maine has been less than almost any section of the country." These statements and all the inferences to be drawn therefrom I emphatically deny.

In a few of our cities at certain times conditions have existed for which I shall offer neither excuse nor justification. None can be given. But these lapses in enforcement of the law have been only at intervals and the cities mentioned do not constitute the State of Maine, nor have conditions in them fairly reflected general conditions and public sentiment throughout our State. The citizenship of Maine stands to-day for prohibition and the enforcement of law. Our first law on this subject was enacted in 1846, and was reenacted in modified form in 1851. In 1884 the prohibitory amendment, so called, was added to our State constitution, and all through the years since, despite honest doubts on the part of some of our people as to the wisdom of constitutional prohibition, notwithstanding

temporary periods of laxity in enforcement of our laws encouraged and in large degree brought about by corroding and corrupting influences from without our borders, a majority of our people have been steadfast in their faith, determined in their opposition to the liquor traffic and all that follows in its train.

The gentleman from Massachusetts alleges that he bases his statements upon observations extending over a period of 25 years. It is true that he has been much in the State and it is equally true and regrettable that, although in this length of years he has often spoken therein, his voice has never been heard in behalf of sobriety, of observance of the Sabbath, in behalf of law and constituted authority, but everywhere and always he has complained against and slandered the State and its people, and has preached the doctrine of nullification, and it has been in those periods when men holding his views were in temporary authority within limited areas that we have seen nullification of law rear its ugly head, the standards of public service, and the tone of public and private morals lowered. And every utterance of the gentleman from Massachusetts within the State has tended directly to these ends.

Let the figures which I now give and in the accuracy of which, I believe, answer the gentleman's charges and prove the inaccuracy of his observations:

Illiterates 10 years of age and over: Maine, 4.1 per cent; Massachusetts, 5.2 per cent.

Illiterate males of voting age: Maine, 5.5 per cent; Massachusetts, 6.1 per cent.

Families owning homes: Maine, 61.4 per cent; Massachusetts, 32.7 per cent.

Number paupers in almshouses per 100,000: Maine, 127.3; Massachusetts, 194.7.

Number insane in hospitals per 100,000: Maine, 169.5; Massachusetts, 344.6.

Number State prisoners per 100,000: Maine, 50.4; Massachusetts, 199.2.

Maine in 1915 ranked thirty-fourth in population among the States of the Union, but only 11 States exceeded our saving banks deposits and only 10 the number of our depositors. Maine makes no apologies for her record in these regards. It does not become a resident of Massachusetts to reflect upon her.

These are material considerations. But above all other issues raised by this and other bills of like import is one of principles, of morals. Men must align themselves with interests and a traffic which degrades, debauches, and demoralizes the individual and in the same manner affects the political unit, whether city, county, or State, or they must be affirmatively and positively against them. The gentleman from Massachusetts has made his choice, and the people of Maine have made their election. Maine came into the Union as the result of a compromise between right and wrong, but she stood then with right and with humanity, she has always so stood, and she is so allied to-day, with no thought of compromise in heart and mind.

And what contributions she has made to the thought and progress of her country! To literature she and her institutions have given a Longfellow, a Hawthorne, a Kellogg, an Abbott, and an Artemus Ward; to the law the passionate eloquence of a Prentiss, the logic of an Evans, the learning of a Greenleaf and a Fuller; and in this Hall there crowd upon my memory and I hear the voices of those sons of Maine who have played their potent part in the political life of the Nation. George Evans; William Pitt Fessenden, ranking in vision, in cogency of reasoning, and power of expression with the great leaders of his generation; Hannibal Hamlin, who, forsaking the political associates of a lifetime, took his place beside our martyred Lincoln for freedom and the preservation of the Union; our "plumed knight," James G. Blaine; Hale and Frye, for 40 years Members of this House and of the Senate of the United States; Thomas B. Reed; Nelson Dingley; Morrill; Boutelle; Milliken; Littlefield; and others have given to Maine a position in the legislative history of the country which commands the respect and admiration of all. And her unnamed sons and daughters may be found to-day throughout the great States of the central and far West, and they are there, like the men and women at home, a leavening and an uplifting influence, preaching and practicing the virtues of sobriety, of industry, of frugality and thrift, of respect for law and order, loving and striving to serve their country and their fellow men.

Mr. Chairman, what Maine has given to the country is recorded. Her fame is secure. Those of us now here may add little to it, but, Mr. Chairman, I love the State of Maine, her rocky coast, her hills, her forests, her lakes and streams, and, above all, her people, and the voice of malice and of slander can not assail them in my presence with impunity. I should count myself disloyal to my State and my people if I did not record my indignant protest whenever untruthful and unjust assaults are made upon them.

Mr. VOLSTEAD. Mr. Chairman, I yield 20 minutes to the gentleman from Missouri [Mr. IGOE].

The CHAIRMAN. The gentleman from Minnesota yields 20 minutes to the gentleman from Missouri.

Mr. IGOE. I yield 12 minutes to the gentleman from Pennsylvania [Mr. BURKE].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 12 minutes.

Mr. BURKE. Mr. Chairman, I am opposed to this bill because it goes to extremes and it is too drastic in effect. Drastic laws enacted against the wishes of the people create the spirit of intolerance, and intolerence breathes discontent and resentment.

The American working people have made a request upon this congressional body that light beers and wines be exempt from prohibition. They have spoken through the representatives of labor, and their request should be adhered to. The American Federation of Labor and other labor organizations in convention have gone on record against absolute prohibition. And the delegates to these conventions speak for the members they represent, comprising almost every craft of labor.

You can not silently ignore the wishes or demands of the great army of working people of our country. They do not wish the liberty of using light beers and wines to be taken from them. It has been customary for the workingman, after his day's toil, to take a glass of beer in his own home. He has always had this privilege, and has considered it his personal right to eat and drink as he pleased. A glass of light beer to the men in the mines, the mills, and the shops is a godsend. It is refreshing and stimulating after a hard day's work at the furnace or the machine. And these men, through organized labor, ask you to let them enjoy this privilege and have their refreshing beverage.

It is well to bear in mind this fact, that the workingmen and the sons of workingmen gallantly responded to their country's call in her hour of need, and they fought on foreign soil so that liberty might live. They labored with heart and hand, with brain and muscle, in the allied cause, and many of them made the supreme sacrifice with their lives. They kept the torch of liberty burning brightly, but now they see the attempt made to snatch from them a personal liberty they ask for and which they believe and know they are entitled to.

I am not a drinking man myself and do not advocate drinking, but because this is my way and my inclination I see no good ground to force on others against their wishes and against their will my mode of living in the matter of eating and drinking.

I was very much amused the other day, however, when a Member of Congress arose to speak on this question. He was not for prohibition, and his opening remarks showed it. Two gentlemen were sitting in back of me, and as my colleague started speaking one said to the other, "He is a booze hoister!" However, the Member in talking further made the statement that he was not for prohibition, but he submitted to the majority, and the same voice said, "He is a broad-minded man!" The congressional Member would have been branded as a booze hoister because he differed in opinion on this subject with the two men sitting in the rear of me. But as soon as he gave in to what they wanted he became a broad-minded man. The two men could not see the narrowness of their viewpoint when they could not discern or give credit for an honest difference of opinion entertained by another man.

I trust this bill will not pass this body, but that an amended bill may go through exempting light beers and wines, in accord with the desires and wishes of the great majority of the working people. Let Congress not put itself in the inconsistent position of having the best American youth cross the ocean to fight for liberty and then at home on American soil deprive them of the personal privilege and liberty they request.

Mr. COOPER. Will the gentleman yield?

Mr. BURKE. No; I will not yield. I have only six minutes remaining. Now, in this connection I desire to call the attention of this body to the remarks of the gentleman from New Hampshire [Mr. BURROUGHS], printed in the RECORD of yesterday, as follows:

> Who are the people, anyway, who are protesting against this legislation as being "drastic," "radical," and contrary to the principles of our Government? Who are the people that are writing us and sending us petitions and telegrams to vote against this bill? Would you say that the great moral forces of the Nation are arrayed against this legislation? What Member of this House has received resolutions passed by any church organization protesting against this bill? What educational or philanthropic society in America has taken a stand against it? How many wives, mothers, sisters, and sweethearts have written letters to Members of this House protesting against the passage of this bill? [Applause.] If any Member of this House has received any communication of this character, I would be glad to yield to him such time as may be necessary for him to make the fact known.

In answer to his query, "What educational or philanthropic society in America has taken a stand against it," for the benefit of the gentleman and this Congress I quote from a prominent Philadelphia newspaper which gives the attitude of the Law and Order Society of that city on the question, as follows:

WAR PROHIBITION UNFAIR, BUT LAW MUST BE OBEYED—SO SAYS GIBBONEY, CITING INSTANCES OF HOW PROHIBITION DOES NOT WORK FAIRLY—"PLENTY OF WORK AHEAD."

"With the passing of the saloon there will be plenty of work ahead for the Law and Order Society."

Thus spoke D. Clarence Gibboney, president of the Law and Order Society, in discussing the advent of war-time prohibition.

"The Law and Order Society expects to be busier than ever," he continued. "For there is every indication that the city will be full of speak-easies. We have only to take the experience of other cities, with their illicit distilleries, 'blind tigers,' and other illicit means of furnishing liquor.

"Take Maine, for instance. Although prohibition has been on the statute books there for some time, I am reliably informed by a Philadelphian who visited there with a party of friends that anybody could get all the liquor he wanted.

LIQUOR FOR "DRY" VOTES.

"A judge of one of our courts informed me that while passing the summer last year on an island in Maine he had occasion to go to town and was startled when seeing so many men on the street in an intoxicated condition. Upon asking why this was possible in a State where prohibition ruled, the judge was informed that they were holding an election again to determine whether prohibition should or should not continue, and that the liquor interests actually were giving a quart of liquor to every man who voted dry. The judge was informed that the liquor interests made more money selling liquor under prohibition rule and wanted it to continue, as they were not required to pay for licenses and other fees.

"The Law and Order Society will prosecute all violators of the liquor laws wherever complaints are made to us.

"I have no sympathy with war-time prohibition. I think it unfair. The dealers have paid the licenses and the Government tax. Yet the Government makes no provision for taking the goods off their hands. I have no sympathy for that kind of legislation, but law is law. Our society will cooperate with the authorities."

In answer to the further query of the gentleman, "What Member of this House has received resolutions passed by any church or organization protesting against this bill," I quote from a Philadelphia paper which gives the views of a prominent clergyman of that city on this question:

WORKERS' BEER DEFENDED BY REV. DR. CONWELL.

In the pulpit at the Baptist Temple for the last time before departing on his summer vacation, Dr. Conwell found inspiration for his sermon in Samuel Gompers's recent declaration that America had won a victory in the war, but had lost its liberty.

"As an American, I was startled by that announcement from the head of America's great labor organization," said Dr. Conwell, "when Mr. Gompers said 'we have won a victory but we have lost our liberty.' It would not agitate us so much if the utterance had been made by an ordinary man. But Gompers, I believe, is a man of unquestionable patriotism; of unquestionable integrity. When he makes a remark like that it means something.

"I think that Mr. Gompers's influence in America is equal to that of President Wilson in so far as America's future is concerned. The American workingmen if they wanted to combine could rule this country, and Gompers represents these workingmen."

With Gompers's strong antagonism to prohibition, Dr. Conwell expressed a radical difference of opinion. He said:

"Mr. Gompers is right, however, when he says that there is a fanatical disposition to go too far. There is a danger that the whole thing will be rescinded by our going to extremes in threatening to take away things that need not be dispensed with. The fanatics, the cranks, the men who would take away everything that is called beer, whether it is intoxicating or not, give the workingman the impression that he is being persecuted. Let us be fair, rational Americans to the laboring man. The cry that 'you have lost your liberty' is the most dangerous cry that could go out to the workingman.

"Men should be allowed to express their opinion with the utmost freedom under the American flag. I say that not merely as my own opinion, but in the belief that it is the gospel of God. The public press should be allowed the greatest freedom that is consistent with truth and fidelity to patriotism. Prewar liberty must not be succeeded by afterwar oppression."

I want to say in conclusion that I fully believe if this Congress at this time meets the request of the workingmen you have settled the liquor question for years to come; if not, you will find it in every campaign until their demands have been granted. [Applause.]

Mr. IGOE. I yield 10 minutes to the gentleman from Illinois [Mr. JUUL].

The CHAIRMAN. The gentleman from Illinois is recognized for 10 minutes.

Mr. JUUL. Mr. Chairman and gentlemen of the Sixty-sixth Congress, I shall not take up your time by going into the percentage of alcohol that beer might or should contain in order that American citizens be permitted to drink it. I just want to say to you that some years ago out in the State of Illinois the legislature was busy passing a bill that declared the Desplaines River to be a navigable stream. Now, that legislature could have legislated from the 1st day of January until the last day of the session, and if there was no water in the Desplaines River it would not have been navigable, in spite of the law.

We passed a law here providing that when it was 12 o'clock meridian it should be 1 o'clock. I had occasion to look at a sundial over in the State of Indiana, and the foolish sun did not know we had passed that law. The sundial indicated that it was 12 o'clock when it was 12 o'clock in spite of the law. What I wish to convey is that what is intoxicating is a question of fact, and if a drink does not intoxicate you can not make it do so by law.

But there is something in this bill which convinces me that a great many men who have spoken upon this floor have not read this bill, or if they have read it they have not analyzed it. This bill (H. R. 6810) is chiefly a bill to give effect and to enforce the eighteenth amendment to the Constitution of the United States, and to provide for the enforcement of war prohibition; and I maintain that no gentleman is transgressing the Constitution of the United States as amended by participating in the debate here, by offering amendments, and by trying to make this law a reasonable working law. I maintain that it is not alone our right but that it is our duty to do so.

Now, I take it for granted that every Member of this Congress has the desire to be fair with all men who might innocently suffer by virtue of the provisions of this act, and I am going to call your attention now to a couple of its provisions. On page 3 it is provided that—

If a person has knowledge or reason to believe that his property is occupied or used in violation of the provisions of the war-prohibition act and suffers the same to be so used, such property shall be subject to a lien for and may be sold to pay all fines and costs assessed against the occupant of such building or property for any violation of the war-prohibition act, which said lien shall attach from the time of the service of summons on the owner or his agent; and any such lien may be established and enforced by legal action instituted for that purpose in any court having jurisdiction.

The interpretation of this part of section 3 can only mean that if a person not guilty, but who is accused of having knowledge that his property is occupied or used in violation of the provisions of the war-prohibition act, then the mere starting of legal proceedings against him ties up his property and renders a sale or a transfer of the same impossible, no matter how slight the offense and no matter how many tenants there may be inhabiting such property.

With the crowded condition of the courts that might mean years and irreparable loss to one man for an offense committed by another man, and before you gentlemen leap into action on this bill it might as well be considered.

Section 4, page 4, starting in line 8, provides:

Where a temporary injunction is prayed for, the court may issue an order restraining the defendants and all other persons from removing or in any way interfering with the liquor or fixtures, or other things used in connection with such alleged illegal sale of such liquor. No bond shall be required as a condition for making any order or issuing any writ of injunction under this act.

In other words, an irresponsible accuser, who possibly does not own a dollar, can go into court and make the accusation without bond upon which action is based, and if you will look at page 4, line 23, you will find that—

If the owner appears and pays all costs of the proceedings and files a bond, with sureties to be approved by the clerk of the court in which the action is brought, in the full value of the property, conditioned that he will immediately abate said nuisance.

And so forth.

Now, here you have the situation that the possible irresponsible accuser, who may be interested in making the accusation on the ground of personal or political hostility, can go into court and secure a writ of injunction against the property owner without a bond, and that the responsible property owner who is being accused has got to file a bond.

Think of it, gentlemen. Here is a man who is disgruntled about something, and he can go in and tie up a hundred thousand dollars' worth of property by accusing some man of having something illegal going on. The accuser has not got to file any bond, but the owner has got to file a bond, and while the irresponsible man has to file no bond, he can get on the next train and leave, while the property owner has got to stay because his property is tied up.

Under the provisions of this bill, from line 2 to line 6, inclusive, on page 6—

Any person found guilty of contempt under the provisions of this section shall be punished by a fine of not less than $500 nor more than $1,000, or by imprisonment of not less than 30 days nor more than 12 months, or by both fine and imprisonment.

Found guilty of what? Found guilty, for instance, of having a tenant on his property who is occupying or using said property in violation of the war prohibition act.

Gentlemen, you are passing a bill tying up innocent men's property. If any of you own property and have tenants, and one of them misbehaves, your property is held for the fine that may be imposed for that man's offense, an offense of which you did not know anything and could not know anything. That is in the bill. If you do not think it is in the bill, read it, and

if you vote for it without reading it you are not giving the people of the United States the fair deal that they deserve at your hands.

What I am trying to have you see is that the provisions of the law are so drastic that they do not alone seek to reach out and punish actual offenders, but they also reach out and punish the owners of houses and lessees of rooms where an offense under this law might be committed.

By the way, the mere accusation against the owner of the property is not removed by his going in and filing a bond. There must be a final adjudication to release the property, and you know what that means in a suit in law or bill in equity in cities like the one in which I live, where cases are sometimes 20 and 24 months back on the calendar. The innocent man who has committed no offense is tied hand and foot. If a mortgage expires or a trust deed expires during that period of time, there is no bank that would loan him a dollar on the property with a bill in equity filed against it. He could not get a dollar and you know it.

Now, is that what you mean to do to men who have not offended? I suppose that by my standing here and talking to you some of you may gain the idea that I am a man who wants lots of whisky and beer and everything connected with it.

I want to say to you that I have not yet smoked my first cigar, and I do not know the cards in a deck, and I maintain that I am just as clean morally and physically as any of you. This legislation, if you pass it the way you have written it, is unjust, and every thinking man that has some regard for the other fellow will say so. You are imposing a hardship upon thousands of well-meaning citizens, as good citizens as we have in the country, who do not want it.

On page 5 of this bill you will find that the owner of property is dragged into court by an accuser who does not have to furnish a bond to obtain an injunction. You will find, I say, that such owner shall file a bond with sureties in the full value of the property. And I want to ask you Members of Congress, many of whom no doubt have read Article VIII of the United States Constitution, what is going to become of this article? I want to remind you of its language. This is what it says:

> Excessive bail shall not be required nor excessive fines imposed nor cruel and unusual punishment inflicted.

Throughout this bill you have tried to steer clear of and avoid trial by jury and provide for trial by injunction. I hope I am not offending the tender sensibilities of any gentleman by quoting Article VI of the Constitution of the United States. Every now and then we seem to forget that this document is still the supreme law of the land. When I listen to the reading of this bill by the Clerk, Article VI of our Constitution becomes quaint, old-fashioned reading to me. Does it not to you? This is how it reads:

> In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

I listened yesterday to the wonderful speech made by my distinguished friend from Michigan [Mr. CRAMTON]——

Mr. REBER. Mr. Chairman, will the gentleman yield?

Mr. JUUL. Yes.

Mr. REBER. The gentleman is looking intently at me all the time, and I want to say to him that I am on his side of the question. I wish he would look at the other fellows and convince them. [Laughter.]

Mr. JUUL. Then I shall have to look at the gentleman from California [Mr. RANDALL]. He will not mind. I can always talk better when I am looking at somebody.

Mr. RANDALL of California. The gentleman is making a very good speech.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. JUUL. I ask for five minutes more.

Mr. IGOE. All of the time has been allotted.

Mr. JUUL. Oh, give me three or four minutes.

Mr. IGOE. I can give the gentleman one minute.

Mr. JUUL. Oh, give me three.

Mr. IGOE. I am sorry I have not got it.

Mr. JUUL. Will somebody else do it? Will the gentleman from Minnesota give me three?

Mr. VOLSTEAD. I have not the time.

Mr. CANNON. I will yield the gentleman all of my time.

Mr. JUUL. I have appealed here to gentlemen on the other side for 10 minutes, and I could not get it. I will tell you one other thing in the one minute that I have left. On page 7, on lines 23, 24, and 25, the Congress has absolutely delegated its powers in the following language:

> The term "permit" means a formal written authorization by the commissioner setting forth specifically the things that are mentioned.

You are giving the Commissioner of Internal Revenue, I suppose it is, absolute carte blanche to go ahead and name the things that are permitted, a duty which you should perform as Members of the Sixty-sixth Congress.

I followed the speech of my distinguished friend from Michigan [Mr. CRAMTON] yesterday. He stood here and read a list of thousands and thousands of men who had voted for prohibition and lesser thousands of other men who had voted against it. Are these other thousands entitled to nothing better than you are offering them in this bill, though they be men who have no intention of committing a violation of any of the laws of the United States, men who are guilty only of having accumulated a bit of property? Are they to be hauled in on injunctions and to have their property tied up for weeks and months and to furnish bonds to defend themselves? [Applause.]

Mr. IGOE. Mr. Chairman, I yield seven minutes to the gentleman from Texas [Mr. HARDY].

Mr. HARDY of Texas. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HARDY of Texas. Mr. Chairman, times change and men change with them. Thirty years ago in a public speech in Texas, in the discussion of the question of State prohibition, I made the prediction that the time would come when an effort would be made to secure national prohibition, and I was laughed to scorn for making that statement by the most strenuous prohibitionists in the audience. The position then taken by even ardent prohibitionists was that it was a question of local interest and concern and of State police regulation, and that no one would ever be willing to confer the powers necessary to enforce prohibition upon the Federal Government.

I have lived to see the day of the rising tide, and I am frank to say that the American people, considering the great evils of drunkenness and intemperance, have with the increasing agitation grown more and more in favor of any measure, regardless of any question of local self-government, that would enforce the total destruction of the business of manufacturing or dealing in intoxicating liquors. Let me say further that five years ago a portion of this bill would not have received the votes of 20 Members of this House as it was then constituted. The portion to which I refer is that part that proposes to pass statutory prohibition in time of peace for the whole United States, and before the eighteenth amendment to the Constitution, which alone gives Congress the power to pass prohibition laws, shall take effect. I know that the first part of this proposed bill does not profess to pass a statutory prohibition law in time of peace, but it seeks to evade the question of lack of power by professing to amend a law that was passed in time of war. If the amendment is an essential part it is a new law, and if the definition of intoxicating liquor contained in this bill amends the war-time prohibition law so as to give it a different effect, then we may just as well institute and pass a new law at this time in time of peace to enforce prohibition over the whole United States.

From my childhood up I have felt that that was a question with which the Federal Government, except as a war measure, had nothing to do, and every Member of this House believes that I was right in that conviction. What, then, are we to say when we come to this bill, with its new definition, its new and additional penalties in a time of actual peace, as to whether the war is ended or not technically?

This bill, professing to amend the war-time prohibition act, has for its object other purposes than those named in the war-time prohibition act, for they were purposes only of maintaining our Army—what are we to say when we come to this bill, which, in effect, imposes statutory prohibition by the Federal Government in time of peace? I say that, so far as the first title of this bill is concerned, it is statutory prohibition proposed in time of peace, and I do not believe a Member of this House thinks that it comes within the purview of the powers granted in the Constitution or that it is not included in the powers reserved by the Constitution to the States.

Having said that much, I am satisfied to state that with my belief in respect to the powers granted in the Constitution to the Federal Government and the powers reserved to the States I shall be compelled to vote against this bill as long as Title I is as it is; and while I would represent my people, and would bow to their behest and propose to do it, I could not vote for

an unconstitutional measure, such as Title I of this bill is, if every man, woman, and child in my district urged me to do it, because with my conviction, with my belief that it is violative of the grants of the Constitution and violative of those powers which by the Constitution were reserved to the States, if I voted for it I would vote for it in violation of my oath of office and my obligation to support the Constitution.

I want to say a little something about the constitutional amendment. I really take no stock in the question or discussion of what "concurrent" is. My judgment is that it was put in that form for this reason: If it had not been placed in that form I am inclined to think it could have been successfully contended that by that constitutional amendment all of the powers of the States to deal with the liquor problem had been taken away and conferred upon the United States alone. I think that the prohibition advocates of the amendment were in favor of using that word lest they destroy the powers of the State entirely. In my judgment both the States and Federal Government have the power now to adopt prohibitory legislation, but even the States must adopt laws that conform to the constitutional amendment. Otherwise their laws may perhaps be held unconstitutional and in contravention of the eighteenth amendment. The question of the definition of alcoholic or intoxicating liquor does not trouble me, and for this reason: If this definition be without authority it will have no effect, and the courts will construe it as being null and void and will say that it is a question of fact in the trial of each case when a party is charged with violating the law as to whether the drink was intoxicating liquor. I am inclined to think that the courts will so hold. I am inclined to think that the legislatures can not define a term used in the Constitution so as to alter the real meaning of the term; but that makes no difference. Therefore, the questions with reference to concurrency of jurisdiction or with reference to the quantitative percentage would not have anything to do with my vote. I am free to say that there are terms in Titles II and III that seem to be unduly hard, perhaps violative of every principle I have ever loved of personal liberty. I do not know about that, but I am free to say that I can not vote for this measure so long as it contains a feature which would make me in my belief guilty of violation of my oath of office if I voted for it. Let me say now that when the eighteenth amendment becomes a part of the Constitution I shall feel bound on my oath of office to vote for any law that may be required to honestly, faithfully, and fully enforce it. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. IGOE. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Chairman, several reasons have been given for making this bill so drastic. I believe that if the distinguished gentleman from Minnesota or the committee had themselves drawn the bill they would not have made it so drastic. It has been charged on the floor of this House that neither that gentleman nor any member of the committee had anything to do with the drawing of the bill. That has not been denied, so we may accept the charge as true.

Mr. VOLSTEAD. Will the gentleman yield?

Mr. LAGUARDIA. Certainly.

Mr. VOLSTEAD. Just for a brief statement.

Mr. LAGUARDIA. Not for a statement; for a question.

Mr. VOLSTEAD. I just wanted to explain——

Mr. LAGUARDIA. The gentleman can explain in his own time; I have only 10 minutes.

Mr. VOLSTEAD. All right; go on.

Mr. LAGUARDIA. I notice that the gentleman is not very generous in extending time to opponents of his measure. I noticed that the gentleman at the time when I was making a very important statement the other day would not even give me 10 minutes in which to finish. I do not know whether that is because Carranza is an ally of the Anti-Saloon League, but I know the chairman would not give me time. [Applause.]

Mr. Chairman, I believe that this bill was purposely so drawn because it is not the intention of the organizations guiding our committee to have this law properly enforced. With the exception of the Woman's Christian Temperance Union, whose sincerity I do not doubt, all the rest of the organizations do not desire to go out of existence now. They have too much of a good thing, and want it to last as long as possible.

There is not a supporter of this bill who has satisfactorily explained how they are going to deal with moonshine whisky. Why, they seem to gloat over the fact that whisky will be clandestinely manufactured and be sold. They seem to rejoice that cities will come down to their dry districts and buy it. It has not been denied that when we have nation-wide prohibition that people will resort to drinking strong liquor, whisky, flavoring extracts, when they can not obtain light wines and beers.

Mr. JUUL. And kerosene.

Mr. LAGUARDIA. And they seem to be proud of the fact. A great deal has been said about the foreign element. Now, let me tell you that the foreign element in this country are not consumers of whiskies and liquors. Some of them drink light wines and beers, but the greater majority of our working foreign element in this country have all they can do to buy proper clothing, shoes, and food for their families. They have nothing left with which to buy booze and strong drink. [Applause.]

Of course I am not able to say how much alcohol it takes to get one intoxicated, or the terrible results of the excessive use of that article. I have not had any of that in my family, or anybody with whom I associate, so I do not know. I know that in my district of about 250,000 inhabitants, right in the heart of New York City, you do not see any excess drinking from all of this so-called foreign element. In my humble judgment it is dangerous to establish a precedent in construing a statute to the extent that is attempted in this bill. If we start in construing a law, as we do here, why, when the tariff bill will be before us we will have to construe the difference between a sardine and anchovy and every article on the tariff. Gentlemen say that the majority of the people of this country are in favor of this bill, and yet a careful reading of this bill will show that they are not ready to trust a jury composed of the average American citizen to pass upon matters of fact.

Everywhere possible an equity action is provided. Temporary injunction without the necessity of giving a bond can be obtained. A man owns a hotel on this side of the street controlled by a drug store or the coca-cola crowd can go and enjoin a man on the other side of the street on his mere say so, shut up his opponents business for weeks at a time, perhaps right in the season, and afterwards on final hearing, if it is found that there was insufficient facts to sustain the injunction, the writ is dismissed and in the meantime the man's business is ruined. There is no redress, as this law specifically does away with the requirement of a bond. All through this bill we get away from a trial by jury. Equity courts are here called on to try matters of a criminal nature and to mete out punishment. I ask the distinguished chairman why is it that he does not resort to the usual and customary procedure in criminal action, an indictment by a grand jury and trial by a petit jury. Is even the right of trial by jury to be taken away? And still the gentleman says in every community the American people are in favor of this drastic measure. There was no time in the history of our country where we must be so careful in the proper enforcement of our laws. I disagree with some who say that if this law is enforced that we will have trouble because of its enforcement. I maintain that this law will be almost impossible of enforcement, and if this law fails to be enforced, as it certainly will be as it is drawn, it will create contempt and disregard for law all over this country. That is what the radical element is seeking to do now, showing that all people have not an equal protection of the law, showing that there exists a favored class. Why it is possible under this law to accumulate a large amount of liquor and use it. It is possible for a man who can afford it to take a trip to Cuba and elsewhere and drink to his heart's content. If all States do not pass like enforcement laws and we have various methods of enforcement, if this measure is loosely enforced after we have adopted the eighteenth amendment, it means simply fuel to the radical element to create a disregard for and disobedience to our laws. And this measure now is humanly impossible of being enforced. Why, gentlemen talk about conditions in New York City. You take into consideration the population of New York City, and I am willing to compare the criminal record of New York City, with its 6,000,000 inhabitants, in proportion to population with any dry district in the United States. [Applause.]

You will find for the average of our population we have less crime than you have in your dry districts. Now, I do not say that excess drinking of whisky is good. I do not know anything about it, as I told you, none of my ancestors had that failing. I traced it way back and the only one of my ancestors I could find who drank to excess was a certain Nero, and he got the habit from his mother who was born on the Rhine. [Laughter and applause.]

Is there really an honest desire to carry out the intention of the eighteenth amendment? You do not do it by this bill, and I charge that you do not want to do it. You want to keep up your lecture tours; you want to exploit the drunks. I want to reform them. It has been profitable, it is a great thing for you, and you want to keep it up.

The law is being obeyed in New York City to-day, with its vast population, better than in any other section in the United States, even in the dry States. The hotels have absolutely shut down on serving beverages containing alcohol. The saloons are not serving anything but light beer, I understand, and yet the traffic in bad whisky coming from the dry States is increasing, and men who never drank whisky before will now buy the small, flat flask that can be easily passed and concealed, and pay high prices for it and be poisoned.

Now, this is what you are doing here: You are absolutely stimulating and increasing the use of bad, bad alcohol. If that is your intention, you are going to succeed with this measure. Temperance or prohibition is a matter of education and not of legislation. The Woman's Christian Temperance Union have been doing good work for many years along educational lines. There is less whisky consumed to-day than there was 10, 15, or 20 years ago. By proper education, by proper training, if you really have the interest and the welfare of this country at heart, you can train the people so that the next generation will not use alcohol and will not require any law of this kind. But I say that with this measure as it is drawn here we will not do that, but we will do exactly the contrary. We will create a lot of whisky drinking all through the United States.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. IGOE. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. PELL].

Mr. PELL. Mr. Chairman, there is one point in this bill which strikes me as perfectly outrageous, and that is the provision as to the search of dwellings. It says:

No search warrant shall issue to search any private dwelling occupied as such unless it is in part used for some business purpose such as a store, shop, saloon, restaurant, hotel, or boarding house.

It seems to me to show the entire object for which this bill is to be passed. Take my district, for instance; the more expensive apartments and private houses have not any stores under them, including Mr. Rockefeller's house—a gentleman who is paying for this thing. That has not any store under it. And the same is true of the big apartment houses. They have not shops under them. But I presume 90 per cent of the people living in the cities do live in houses that have stores under them. And those people can be searched. This is a law which is openly and frankly made to apply to the poor and not to the rich. It is a law which is being made to affect the poor, who can not store any wine. Any man who is rich enough to own a house, who is rich enough to live in a good apartment, will be able to stock up to his heart's content. He can keep it and he can get it.

Mr. BARKLEY. Will the gentleman yield?

Mr. PELL. For one question.

Mr. BARKLEY. Would the gentleman vote for an amendment making it possible to have a search warrant issued against a dwelling house regardless of its connection with any other business?

Mr. PELL. I will vote for no amendment for the entrance of any private residence or any American's house for such a purpose no matter whose—urban or rural, rich or poor.

This law is beneficial to the rich. They can get on. The big industries, perhaps, can get a benefit by having less drinking among their men. But the employer, the manager, is able to get all that he pleases.

Now, I can assure you, gentlemen, that in New York this argument is being used for the most sinister purpose. I myself have heard it in open street meetings. I heard this when the Anti-Saloon League brought this law up in the Legislature of New York. This provision was attacked there; and it seems to me, whatever the merits of prohibition are—and I am far from saying I do not see a great deal of good in it—it seems to me most unwise at the present moment for us to pass a law which will add materially to the distinction between the rich and the poor. There is going to be enough of that feeling in any case, and it is most unwise for us at this time to add to it, and also it is most unwise for this House to pass a law which undoubtedly in the great cities will be received with contempt. There is enough contempt of law and enough class feeling already, without adding to it by the passage of such a law.

You can say, indeed, that in the long run the private stock will not affect the issue; that it will be consumed fairly rapidly in three or four or five years; but it is in the next three or four or five years that we will face a very serious social danger. As you know, there are sitting in this House to-day four Members from New York City—two of them Republicans and two of them Democrats—on whom the major parties agreed in order to beat the Socialists. Now, if you pass this law and you allow it to say that every rich man in the country can do as he pleases and every poor man shall have his residence searched you will find not 4 but 10 such Members coming from the city of New York and many others from other parts of the country. You will be giving these anarchists a tremendous handle, and it seems to me that the distant benefits of national prohibition will be dearly bought at the cost of serious social trouble. There is no use dodging the issue. Bolshevism is a serious danger, and we should do nothing at the present time to further class feeling, discontent, and contempt of the law.

The CHAIRMAN. The time of the gentleman has expired.

Mr. IGOE. Mr. Chairman, I yield to the gentleman from New York [Mr. O'CONNELL] half a minute.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. O'CONNELL. Mr. Chairman, the House having under consideration the so-called prohibition-enforcement act, I desire to take advantage of the opportunity afforded me by my colleague, the distinguished gentleman from Missouri [Mr. IGOE] to attempt in the very short time allowed me a brief statement of my position in respect to this intended law. I have the honor of representing in this body a great district, an aggregation of law-abiding and self-respecting people. Nearly all the nations of the earth have contributed a quota, some more, some less, to this population. I am here as the chosen representative in this House of a section of Brooklyn and Queens Boroughs in the Empire State of New York, where, on last election day, nearly 65,000 votes were cast. If you consider that there are so great a number of voters in the ninth district of New York, is it not reasonable to suppose that fully 300,000 or more people live within its boundaries? There are few, if any, Members of the Congress that have a constituency in excess of that number. The greater the number of people we are here to represent the greater should be the caution and the care with which we should seek to reflect their views when called upon to vote upon a question such as this that seeks to abrogate their rights and their liberties. I agree, sir, with the statements of many of my colleagues when they make the solemn declaration that the drastic and utterly un-American features of this bill, if enacted, will increase the unrest among our people and leave an open cancer in the body politic into which the Bolshevist and Socialist microbe will crawl, find lodgment, and fructify to the danger, yea, the menace of our Government and its safety.

Great lawyers whose standing at the courts of their several States are generally recognized have contended that no instrument yet offered in the history of the Congress of the United States or any separate State thereof has ever attempted any law the equal of the one we have now under consideration. These lawyers are Members of this House. Their legal acumen is a matter of common knowledge and candidly admitted alike by friend and foe of this measure. Then, on the other hand, we have equally eminent jurist Members of this body who support this bill in its entirety. If such legal talent are at odds in the process of making the law, what are we to expect when questions of fact are submitted to the courts of the various States as to what is and is not intoxicating liquor by volume. In the last analysis the courts of the land, and not the Congress, will have to decide this determining factor. Section 3, on page 8, of the bill uses this language:

That no person shall manufacture, sell, barter, give away, transport, import, export, deliver, furnish, receive, or possess any intoxicating liquor.

And so forth.

Here we have a proposition abrogating the right of a man or woman to exercise the function of hospitality in their own home. Is there any land on earth that would tolerate such drastic and mandatory legislation? I am not here as an advocate of, nor do I hold a brief for, the manufacturer of hard liquor so called. On the contrary, I am advocating the right of the man who toils and the good woman who as his wife and helpmate presides over his little home and family to have, keep, furnish, possess, and enjoy a glass of beer and light wine whenever he pleases.

The many people in my district from whom I have heard orally and by mail would be satisfied and contented with this concession. Then again section 7, on page 13, says:

A physician duly licensed shall issue prescriptions for liquor.

Hence the proponents of the bill are on record that this great evil has some good features. I suppose it is a case of "whisky when I'm sick makes me well," and so forth, with them. I agree with many of my colleagues that this law if enacted will be a political question for years to come. This Congress limits the alcohol in a drinking beverage to one-half of 1 per cent. The next may raise it to 5 per cent, the following to 10 per cent, and so on until the end of time. Each succeeding

Congress has the right to enact an enforcement law, and it will according to its wet or dry tendencies. Why the haste in this enactment? Why not give the men whose money is invested in this business a chance to adjust their affairs and wait until the prohibition amendment goes into effect in January next? It is a serious question with them. They should be given an opportunity to get into other enterprises to earn a livelihood. They, too, are Americans, their business was licensed, both by the State and Federal Governments, and they are entitled to this consideration. Gentlemen of the Congress, in conclusion I make a plea for the retention of light wines and beer, and in doing so I cherish the firm conviction that I am reflecting the opinion of a great majority of the electorate of the district whose representative I have the distinguished honor to be and whose interest I hope always to be able to serve while a Member of the House.

Mr. IGOE. Mr. Chairman, I yield half a minute to the gentleman from New York [Mr. GANLY].

Mr. GANLY. Mr. Chairman, owing to the fact that all the time is taken up on this bill I will make the same request.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. GANLY. Mr. Chairman and gentlemen of the House, owing to the fact that the time allotted to those opposed to this measure has already been given out, I will have to content myself with the few brief moments allotted to me to take up but a few of the most important phases of this bill.

I believe that this bill is an unjust bill, because it discriminates between the rich and the poor; it gives the right to the man who owns his own private dwelling to have any supply of beer or wines that he might see fit to have, but the man who is living in a dwelling house or in a house where a store or such is a part is deprived of that right; also the fact that one year ago when this bill was passed in this House it was expressly understood that the people who were then engaged in the liquor business were to be given one year of time in which to close up their business. Another hardship that is imposed upon these men is that in a number of cases they have had leases on stores for from 5 to 10 years. I know of one case myself where a man has a lease on a store for 10 years with 2 years yet to run. What is this man to do with this store after this prohibition question goes into existence? This to my mind is a great injustice to this man. He is absolutely liable for the rent of this store, inasmuch as he has leased it for a certain length of time. And yet he is not in a position to occupy it for the purpose for which it was leased.

The great State of New York, from which I come here as a Member, expressed its feeling toward prohibition in unmistakable words when at the last election it reversed a large Republican majority in that State and elected as its governor Alfred E. Smith, then opposed by Charles Whitman. Mr. Whitman was the supposed leader of the "dry" forces of the State, and he was the only one on the Republican ticket who was soundly and severely beaten. This, I believe, was an indication on the part of the people of that State as to what they thought of prohibition.

There are numerous other legal questions which I believe it will be up to the United States Supreme Court to decide. I want to say, in conclusion, that in one part of my congressional district when the election was held the city of Mount Vernon and the people of that section voted 3 to 1 in favor of "wet." I certainly hope that this bill will be defeated. [Applause.]

Mr. IGOE. Mr. Chairman, I yield four minutes to the gentleman from New York [Mr. CLEARY].

The CHAIRMAN. The gentleman from New York is recognized for four minutes.

Mr. CLEARY. Mr. Chairman and gentlemen, in our Declaration of Independence we begin by saying that men have inalienable rights, among which are life, liberty, and the pursuit of happiness. We then went on and fought a war, and I have never heard that there was any prohibition in the Revolutionary War—but we were remarkably successful—nor in any other war that we have carried on. I believe the boys had some drink over in France in this past war, and it did not hurt them any.

George Washington and his colleagues as the founders of this Nation did not insert in the Constitution any prohibition article. Yet the Constitution of the United States is said to be the wisest charter ever issued or worked out by mortal man.

I can look back over 60 years myself very clearly, and during those 60 years the population of this country has more than doubled. The poor and the oppressed of all nations have come over here for happiness, wealth, health, and everything that human beings enjoy, and they found them here. They did not care to go back, so that we have had a great and glorious Nation here for many, many years. In that time we have developed in every way. Electricity amounted to little or nothing in my early days. Steam was only fairly started. We were not then a great Nation such as we are now. I think when I first remember the population of this country was less than fifty millions, somewhere around forty millions. So that, as I say, we have had a glorious country, going forward in everything, and one of the lessons and one of the ideas of this country during my time has been that "that country is the best governed that governs the least." Sumptuary laws, laws that are unnecessary, laws that are twisted up for the purpose, seemingly, of giving lawyers employment to disentangle them—and that is what this bill looks like—are unwise laws. Even great lawyers, such as yesterday held this floor, were unable to agree as to the effect and meaning of certain provisions of this bill. If that is true, it seems to me we are about to pass a law the meaning of which we shall not know after we shall have passed it.

Now, I believe in temperance, but temperance is a very different thing from total abstinence or prohibition. When you talk about the miseries and troubles of this country, they are very light, I think, compared with those of other nations. In all my long years it seems to me I have dwelt among a very happy and prosperous people. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. VOLSTEAD. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. RANDALL].

The CHAIRMAN. The gentleman from California is recognized for 10 minutes.

Mr. RANDALL of California. Mr. Chairman, a little actual experience is worth a week of argument. For that reason I will ask that the Clerk read in my time a news item from the Los Angeles Examiner relating to the experience of the beach resort of Venice under the present prohibition law.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

VENICE GAINS FROM DRY LAW—FOURTH OF JULY CROWDS MOST ORDERLY AND GENEROUS CITY EVER ENTERTAINED.

Residents of Venice, who feared the city would lose its popularity when the sale of liquor was prohibited, are more cheerful since the Fourth of July. They now declare that not only was patronage increased but the patrons were those who did the city more good from a financial standpoint.

Notwithstanding the enormous crowd on the Fourth, it was the first time in the history of the city that it was not necessary to increase the number of policemen. Most of the policemen on duty were on traffic. Venice never before had as many automobiles parked within its limits. There was no ban on fireworks or firecrackers. There was not one arrest for drunkenness. There was not one reported loss of money or valuables. There was not one injured by explosives or by automobiles. There was not one accident to automobiles. There was no one drowned and no near drownings reported. This is a record that Venice never made before on a Fourth of July.

[Applause.]

Mr. RANDALL of California. Now, for the information of the Members of the House, and particularly for the edification of the gentleman from St. Louis [Mr. IGOE], I ask the Clerk to read an item from the St. Louis Post-Dispatch of July 8.

The CHAIRMAN. Without objection, the Clerk will read the item referred to.

The Clerk read as follows:

CRIME FALLS OFF FIRST DRY WEEK—POLICE REPORTS SHOW DIMINISHING VIOLENCE FOR FIRST SEVEN DAYS OF WAR-TIME PROHIBITION.

The first week of war-time prohibition in St. Louis, which ended last night, has shown a marked decrease in crimes and in the number of arrests.

During the week but one serious instance of bloodshed occurred. This was the case of Peter Birmingham, who was shot and killed by a policeman whom a number of youths had attacked.

With this exception, the police records show only a few minor hold-ups and burglaries. Last night no robbery in the streets was reported, and only a few small thefts in buildings.

The average nightly number of arrests in central police district, the downtown section, which includes Market Street, is now about 4. It was formerly 20 or more.

Acting Chief of Police Gillaspy said to a Post-Dispatch reporter who inquired as to the record of the first dry week:

"It was one of the quietest weeks that the police force had known in many years. Of course, in police work one never knows what is going to happen, but it seems reasonable that, with the cause of much crime eliminated, the results will be lessened."

Mr. RANDALL of California. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back one minute.

Mr. VOLSTEAD. Mr. Chairman, I yield 10 minutes to the gentleman from Washington [Mr. SUMMERS].

The CHAIRMAN. The gentleman from Washington is recognized for 10 minutes.

Mr. SUMMERS of Washington. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. SUMMERS of Washington. Mr. Chairman, national prohibition does not purport to be a panacea for all our ills. However, I am in favor of national prohibition and for its strict enforcement. The ancient wet argument has been made from this floor that prohibition does not prohibit, and that crime in the District of Columbia and other places has increased since the prohibition law went into effect.

We who have lived in wet territory that later became dry know that such arguments will not stand the searchlight of official investigation. We know from abundant observation that every wet argument along this line falls to the ground wherever prohibition has been honestly tried. We know that in my own State of Washington and our neighbor States of Oregon and Idaho and other dry States that the benefits of prohibition are in direct relation to the enforcement of the dry law, and that from the very nature of things stringent enforcement laws are necessary.

I submit to you, Mr. Chairman, that none are so well able to speak on this absorbing topic as the officials who have lived for years in their respective States before the sale of alcoholic liquors was prohibited and who have occupied high official positions before or since these States went dry.

I call to witness Gov. Thomas E. Kilby, of Alabama, who says:

My State went dry January 1, 1915. Prohibition is an unqualified success in Alabama. Drunkenness is reduced to a minimum, crime reduced 50 per cent, and there is a large increase in bank deposits. The new city jail at Birmingham has been empty over a year, and many county jails are without prisoners. The business sentiment of Alabama strongly indorses present prohibition conditions regardless of former attitude on the subject.

I call to witness the late Gov. Ernest Lister of my State of Washington, who after three years' observation testifies:

There has been a marked improvement in conditions. Even in the larger cities, such as Seattle, Spokane, and Tacoma the sentiment for prohibition is much stronger to-day than ever before.

I call Thomas E. Campbell, governor of Arizona, who says:

My State went dry January 1, 1915. Prohibition has resulted in a marked decrease in commitments to penal institutions and the hospitals for the insane. The number of destitute families has greatly decreased. The best possible indorsement is that the voters, after two years' trial, overwhelmingly adopted a more stringent prohibition bill.

Again, I call Gov. Charles H. Brough, of Arkansas, who testifies:

My State went dry January 1, 1916. Conditions are greatly improved since State-wide prohibition went into effect. Crimes have materially decreased. Gen. Leonard Wood stated to me that the principal reason Little Rock secured the Camp Pike cantonment was because of prohibition.

Next I call to witness the governor of Colorado, Oliver H. Shoup, who says:

Colorado went dry January 1, 1916. Colorado has shown a marked advance in many lines. It is safe to say that the State will never revert to the old policy of licensing the liquor traffic.

Again, I call to witness Gov. Davis, of Idaho, who says:

My State went dry January 1, 1916. There is no question of the benefit of prohibition. Countless thousands of our citizens have been benefited directly or indirectly by the elimination of the liquor traffic. We have some cases of illicit selling, but these can not begin to dim the shining light of the new era.

Listen to this testimony of Gov. Allen, of Kansas:

This State has been in the prohibition column since 1881. Prohibition has contributed much to our material welfare. Money that was formerly spent in the support of the liquor traffic is now gone into better food and those things which mean better social conditions; but great as has been the material advance it is on the moral side that Kansas has gained most. Crime has decreased, jails in many counties have been entirely empty for a long period, and pauperism has decreased. The sentiment in Kansas is to-day practically unanimous in its support.

The testimony of Gov. Albert E. Sleeper, of Michigan, declares that after one year arrests for drunkenness all over the State have been cut down to about one-quarter. Business men report that bills are paid more promptly, and the effect of prohibition on general business has been good.

And, again, the governor of Mississippi says after 10 years' observation:

Prohibition has brought a very marked decrease in crime and a marked increase in material prosperity. Our people are delighted with the results.

The governor of Nebraska testifies that—

There is no doubt that if prohibition was to be resubmitted to the people they would give it a much larger affirmative vote than it received when it was first adopted.

Will the gentleman who would return to the old régime listen to the Governor of New Hampshire when he testifies:

Conditions have been so much better under prohibition than under license that many former believers in license are now outspoken for prohibition. We confidently expect even better results after July 1. The comparative arrests for drunkenness in our eight largest cities which were formerly license are:

May, 1917, to March, 1918, under license	6,987
May, 1918, to March, 1919, under prohibition	1,547

And will the gentleman from Massachusetts, who produced the damp argument, hear the testimony of the Governor of North Carolina:

After 10 years of observation crime is unquestionably less. If we should have a vote on the question to-day, the majority for prohibition would be larger than when it was first voted. Prohibition has the effect of saving money to those who would drink, and general efficiency as well as individual efficiency is enhanced.

Many other governors desire to testify, but time forbids. However, in 28 States where prohibition has been operative from 1 year to 40 years only one governor gives a verdict against prohibition, 1 has not answered, and 26 governors of dry States testify that social and business conditions have been improved and that crime has been reduced 25 to 75 per cent.

Detroit, Washington, Seattle, Indianapolis, Portland, Oregon, Denver, Atlanta, San Antonio, Birmingham, and Omaha are the 10 largest cities in the United States that have been dry more than six months. Their populations vary from 200,000 to 850,000 each. Their mayors and chiefs of police, with a single exception, testify very much as does the chief of police of Portland, Oreg., who says:

Prohibition has been a success. Hundreds of representative citizens who voted against it are now ardent supporters. Buildings formerly occupied by saloons were rented with very little delay. A few months preceding the adoption of prohibition I handled some 1,600 cases of destitution, and in practically every case the head of the family owed a saloon bill. Ten months after the adoption of prohibition I checked 75 corner grocery stores in the district where most of this destitution was, and without a single exception collections from 50 to 75 per cent better were reported. The year preceding prohibition our average daily arrests for drunkenness were 23; the year following the average per day was 2½.

And so must every chief of police of every city in the land testify, because criminologists tell us that alcohol is a contributory cause of 85 per cent of all crime, and I challenge any man to prove to the contrary.

The drinking of alcoholic liquors, poverty, and crime go hand in hand, and to the degree to which we suppress the one we eliminate the others, and while we would not interfere with any legitimate industry, business, or profession, this law must necessarily have teeth.

The same total prohibition that was necessary during war to bring our soldiers to their highest efficiency is equally necessary during the final months of demobilization and during reconstruction. [Applause.]

Mr. RANDALL of California. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOLSTEAD. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. Box].

The CHAIRMAN. The gentleman from Texas is recognized for five minutes.

Mr. BOX. Mr. Chairman and gentlemen of the committee, I shall be able to say nothing that will influence the vote of any Member of this body, nor will I be able to make my own position plainer with my own people; but, as this great question comes to a final issue in this great body, I want my voice to go with my vote. I shall support this bill.

The fact that it contains some provisions that I would not have put into it will not deter me from voting for it. We do not get things just as we want them; we have to take them in the best shape that we can get them. The American people have found that the men who have engaged in the manufacture and sale of intoxicating liquor have made their business the mainstay and support of practically all of the evil influences that curse American life. They have made it a corrupting influence in politics and in the courts. It has impaired and lessened productive power and weakened and degraded the human brain. It has become the enemy of the school, the church, and the home. It has done no good, but the greatest harm. In order that its baneful work might be mitigated, the people have tried to regulate it, but it has proven to be an outlaw—no law can restrain it. The American people have therefore determined that its existence shall end. It is a happy day for America when that can be truly said. [Applause.]

Mr. IGOE. I yield the remainder of my time to the gentleman from New York [Mr. GRIFFIN].

The CHAIRMAN (Mr. GOOD). The gentleman from New York is recognized for 10 minutes.

Mr. GRIFFIN. Mr. Chairman and gentlemen of the committee, New York, it appears, has been most largely intrusted with the duty of speaking against this measure, and from that it might be inferred that New York was particularly anxious to prevent the passage of enforcement laws. Now, please do not make any mistake as to that. New York takes no such stand. It has its own enforcement law. New York stands for law and order, and it is not the first time in the history of this country that the Empire State has been so arrayed. It is not the first time in the history of this country that New York has stood for the fundamental principles which are at the basis of human liberty.

Since I have been in this body I have heard insinuations and words of comment which might be construed as offensive when weighed in their full import as applied to that organization which is known throughout the United States of America as Tammany Hall. That is not the real name of the organization. That is a nickname. The organization in question is, properly speaking, the Columbian Order, and it was founded in 1789, when the institutions of this country were in peril from reactionary forces; when there was no such thing as manhood suffrage, and that much-criticized society led the way in bringing manhood suffrage to fruition.

When the alien and sedition laws were passed, under the administration of that arch Federalist, John Adams, helped by Alexander Hamilton, it was the Columbian Order in New York City—Tammany Hall, if you please—which led the way in protest against those un-American measures and brought about their ultimate repeal, and also incidentally brought about the fall of the Federalist Party in the United States.

Now, New York is not against prohibition enforcement. But we are emphatically against Federal interference with the existing enforcement laws of the individual States or the laws which they may hereafter enact for that purpose. We are opposed to your writing into the eighteenth amendment a definition of the term "intoxicating liquors." That is not the function of the legislative branch of this Government, but belongs inherently in the United States Supreme Court and is essentially a matter of construction and not of legislative opinion. As you know, the Legislature of New York ratified the eighteenth amendment. Personally I believe that the legislature, in ratifying that amendment, did not speak the will of all the people of the State. I believe that the measure should have been submitted to a popular vote of the people. I do go this far and say that New York is in favor of temperance, in favor of temperate living. I was born in New York City, and I say to you gentlemen frankly that I have been in every part of it, both day and night, and I have seen very little of the abuse of liquor. No drunkenness, no crimes against women, no lynching, no disorder.

In fact, it may be said that the industrial populations in our great cities as a rule do not overindulge. This is, doubtless, as true of other industrial centers as it is of New York. Men occupied in useful employments—busy men—are rarely found to be intemperate in drink any more than in other appetites. It is only the idle who fall into vice. You who have these problems of idleness and intemperance to face in your own localities should take a broader and more tolerant view of the needs of others. Why should the great masses of industrial workers in our great cities be deprived of their personal freedom and be hampered by sumptuary laws to help you, in lawless localities, to control evil idlers?

The gentleman from California [Mr. RANDALL] read two extracts, one from a Los Angeles paper and the other from a St. Louis paper, in which it was told how beautifully affairs went on in certain summer resorts under the beneficent influence of this law. What law? Was it the law that you gentlemen propose to pass here? How could that be before you pass it? No; it was the eighteenth amendment. And did it need any enforcement law to make those people respect the law and respect the Constitution? No. The law was respected because of the mere fact of the passage of the constitutional amendment. Instead of being an argument in favor of this law it is an argument against the passage of any enforcement law. You do not need it in the United States. Pass a constitutional amendment in due form and leave it to the manhood, leave it to the patriotism and the sense of self-respect of our citizenship. I assure you that they will enforce the law and they will respect it. I do not believe you have a right to pass an enforcement law. It is the first time in the history of this country that you have ever attempted to pass an enforcement law. We have amended our Constitution eighteen times. Examine these amendments carefully, gentlemen, and you will find this fact staring you in the face, that every constitutional amendment embraced in those 18 amendments was in enlargement of human rights. Each amendment gave a privilege, it gave something to the citizenship; it did not take anything away. This is the first amendment which has ever deprived the individual of fundamental rights. It is against every tradition, every principle of free institutions.

You have no right to pass an enforcement law. Why? Because precedent is against you. You have never done it before, following up the passage of any other constitutional amendment. You did not do it with the first 10 amendments to the Constitution, because those first 10 amendments were known as the Bill of Rights. They extended human liberty. You did not do it with the fourteenth amendment or the fifteenth amendment. Why? Because you were afraid to offend the principle of State rights. Now, State rights and State sovereignty are just as vital, just as inherent in American institutions to-day as they were at the foundation of this Government. Start on this path now, begin the precedent by passing this criminal code to enforce constitutional amendments, and see where you will land.

Personally I do not give the snap of my finger whether you pass this drastic law or not. I do not know but it might be a matter of good policy on the part of the opponents of this measure to let you go ahead and pass it. The men who are going to vote for this measure do not and will not know what is in it. They do not grasp the full import of its drastic provisions and the violations of individual rights that it contains. Go ahead and pass it and I am willing to trust the presidential veto, or, if it should go further, the final adjudication of the Supreme Court of the United States.

The only solicitude I have in the matter is that at a time when you are cutting off from the available revenue of the country heretofore received the immense volume of taxes from wines, beers, and spirituous liquors, and at a time when retrenchment should be observed in every legislative act, you are about to establish a stupendous governmental agency with vast hordes of revenue agents, inspectors, and other emissaries to irritate and pester the citizenship of our land and fatten themselves upon the Public Treasury. The loss of revenue due to prohibition for the next fiscal year is estimated to be about $600,000,000. When we add to that the inevitable loss of receipts from the income tax and excess-profit tax the total reduction of the national revenue will probably be near to $1,000,000,000. Instead of devising schemes to further reduce the national revenue, we ought to concern ourselves with the problem of increasing it.

It is almost too petty to believe, and yet the curious coincidence of the views of those hailing from the smaller States of the Union in favor of a national-enforcement act raises the suspicion that they are anxious to throw the expense of the enforcement of prohibition upon the Nation at large instead of upon the individual States, because they know that their States will only have to bear the merest fraction of the cost. This is selfish, unneighborly, and unjust. The States that pay the highest proportion of the national revenue in taxes will have to bear the principal burden of local enforcement of this odious and pernicious measure. And I warrant you that if this measure becomes a law there will be more of the national revenues frittered away in its enforcement in the States of many of you gentlemen, with your less than a million inhabitants, than will be expended for that purpose in the great imperial State of New York. In other words, there is a reasonably well-founded suspicion that you are trying to shirk your responsibilities.

I have no doubt that your resentment against drunkenness and its incidental and consequential crimes is fully justified. But may it not be justly asked if a large part or your trouble is not due to the defects in your educational facilities? Why not tax yourselves adequately and thus provide sufficient revenues to maintain schools? How can you expect intemperance of any kind to be driven out of human nature except by education? You can not drive murder out of the heart of primitive man by putting firearms beyond his reach. He will accomplish his purpose with club or stone or even with his bare hands. How can you expect to drive drunkenness away by laying the ban upon a few sources of abuse? Do not reply that you have enumerated in this bill a great many sources of temptation. You certainly have done all of that. Your failure is not due to want of industry in microscopic detail, but rather to want of understanding of human nature and failure to appreciate the fundamental principles of human liberty.

PROTESTS.

TELEGRAMS.

Fred. C. Arner, Buffalo, N. Y.; Max Bockemeyer, 609 Eagle Avenue, New York City; R. Becker, 609 Eagle Avenue, New York City; Gustave Essig, 762 Hegner Place, Bronx, New York City; the International Laboratories (Inc.), Binghamton, N. Y.;

the Wylie B. Jones Advertising Agency, Binghamton, N. Y.; Jacob Kraft, 2950 Third Avenue, Bronx, New York City; the D. R. Kilmer Co., Binghamton, N. Y.; the Foster-Millburn Co., Buffalo, N. Y.; the Mentholatum Co., Buffalo, N. Y.; the F. A. D. Richter Co., New York City; Henry Rippel, 602 St. Anns Avenue, New York City.

LETTERS.

The Austin-Nichols Co., Third Avenue and One hundred and twenty-ninth Street, New York City; E. O. Cox, 45 West One hundred and seventy-seventh Street, Bronx, New York City; the California Grape Protective Association, San Francisco, Calif.; William J. Cronin, 2552 Kenmore Place, Brooklyn, N. Y.; the B. B. Davis Co., 248 Hudson Street, New York City; the Union of United Brewery, Flour, Cereal, and Soft Drink Workers of America, Cincinnati, Ohio; the Nord-Oestlicher Sangerbund von Amerika, Philadelphia, Pa.; the Paris Allen Co., 60 Broadway, New York City; the Retail Liquor Dealers' Association, 444 Willis Avenue, New York City; the Retail Liquor Dealers' Association, 790 Forest Avenue, New York City; Jacob Seligson, 706 East One hundred and sixty-fifth Street, New York City; Messrs. Seeman Bros., 57 North Moore Street, New York City; Henry Schmidt, 437 Westchester Avenue, New York City; E. Wuppermann, the Cortina Academy, 12 East Forty-sixth Street, New York City.

The CHAIRMAN. The gentleman from Missouri [Mr. IGOE] has one minute remaining.

Mr. IGOE. I want to take that one minute to ask the gentleman from Minnesota a question. The prohibitionists are such liberal people that they want the people of the country and the legislatures to have a free hand in passing upon these questions. I will ask the gentleman if his side is willing to give the House the chance on Monday, in the consideration of this bill, to vote for a straight-out repeal of the war-time prohibition law? I understood in all the speeches that were made here that this question should be freely and fairly considered by the people at large and by the legislatures. That is a fair proposition.

Mr. VOLSTEAD. Personally I am not in a position to answer that question. There has been no discussion about it as far as I know.

Mr. IGOE. Will the gentleman assist us in getting that opportunity for a vote?

Mr. VOLSTEAD. I do not want to make any promise, because I do not know how the membership will feel about it.

The CHAIRMAN. The gentleman from Minnesota has eight minutes remaining.

Mr. VOLSTEAD. Mr. Chairman, I would not occupy any time except for one fact. In the discussion here an effort has been made to show that the bill originated somewhere else than in the committee or membership of the House. I am perfectly willing to be frank with the House and tell them exactly where it originated. I do not think anybody has any hesitation in having their names connected with it who believe in prohibition. Two bills were introduced in the Senate, one by Senator JONES of Washington and another by Senator SHEPPARD. Anyone who cares can get copies of those bills. They were introduced some time before this bill was introduced. They were used as a basis on which this bill was drawn. The Senate Judiciary Committee attempted after this bill was introduced to make a comparison of the three bills. You can get a copy of that comparison and see how the three match. They were unable to match many of the sections of this bill with either of the Senate bills.

No one should draw a bill of this kind without making use of legislation that has been tried out in other jurisdictions. Anyone who would attempt to originate a bill without doing that would be exceedingly foolish. The bill was largely modeled on the Ohio law. I have the Ohio statute, and you will find a large number of these provisions in that statute. And, by the way, the Ohio statute is much more drastic than the provisions of this bill. I have it here so that I can satisfy anyone who is curious on the subject. Every State, I believe, that has a prohibition law has the essential features of this bill, including Iowa, Oregon, Kansas, North Dakota, South Dakota, Minnesota, Nebraska, Idaho, Alaska, Washington, and I might mention a number of others.

Some reference has been made to the concurrent power of the State government with the Federal Government. In a way I am in some measure responsible for that provision. At a hearing before the Judiciary Committee I called their attention to one fact, that in case no reservation was made to the States Congress might set aside every State prohibition law in the Union. I was not willing to risk any such thing as that, and for that reason suggested to the committee that a reservation of power in the States to deal with the matter ought to be embodied in the amendment.

When this amendment was passed in the Senate and came here to the House it had no such reservation, and I again insisted that it ought to go into the amendment. I do not mean to suggest that there was any real opposition to the proposition in the committee. I think it is a wise and proper provision. I did not have anything to do with drafting the provision; however, I think the language is all right.

I am not going to discuss the constitutionality of it. I do not think that needs any argument. The cases cited in opposition to it clearly prove that a State or the National Government can pass criminal laws for the enforcement of it, and that is all we expect or ask to do in this bill. There can be no conflict, and it seems utterly ridiculous to me to expect that the Supreme Court will take the view that has been suggested.

One thing more in closing, I have followed this discussion with a good deal of interest, and I have noticed that nearly every one that has objected to this bill because of its alleged unconstitutionality comes from a large wet city. Why is it that only the large wet cities can see anything unconstitutional in it? Why is it the representatives of such localities especially object to it as drastic and unfair? Is there any connection between their view of the law and their opposition to this measure.

Many of these men not only urge that it is drastic and unconstitutional but that we ought not to enforce the amendment at all. They insist that we ought to ignore the will of the people as expressed in this amendment. This bill is not drastic. I hold in my hand a compilation of the New York liquor laws. In that State you provide for a search warrant much more drastic than we have. You have an injunction provision in the New York law to stop the illegal sale of intoxicating liquor the same as we have in this bill. It is more drastic than anything we have, and still the Representatives from New York hold up their hands in holy horror. Turn to any one of the prohibition States and you will find the same situation. You will find, I believe, in every State a provision for issuing a search warrant for taking liquor held in violation of law, and many have provisions for search without a warrant. We do not allow anything of that kind. We provide for a warrant, and it can not be issued except under the most stringent regulations.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. GRIFFIN. Can the gentleman find anything in the New York law which delegates the function of a magistrate to a revenue officer, as you do in this measure?

Mr. VOLSTEAD. We do nothing of the kind. The gentleman does not know what he is talking about. The New York code allows any justice of the peace or magistrate to issue search warrants. We do not permit anything of the kind; we permit only a court of record or a United States commissioner to issue search warrants. [Applause.]

Mr. GRIFFIN. Does the gentleman find anything in the New York law which permits a man who swears out the warrant to execute it and then to sit as a committing magistrate?

Mr. VOLSTEAD. No; and there is no such provision in this bill.

Mr. GRIFFIN. Oh, sure you do in your section 2 of the bill.

Mr. VOLSTEAD. There is no such provision in the bill.

Mr. GRIFFIN. I will show it to the gentleman in a moment.

Mr. VOLSTEAD. The search-warrant proposition is a copy of the New York code modified so as to make it less drastic than the New York code. That is the actual situation. [Applause.]

Mr. GRIFFIN. I understand the gentleman yields?

Mr. VOLSTEAD. Yes.

Mr. GRIFFIN (reading)—

SEC. 2. That the Commissioner of Internal Revenue, his assistants, agents, and inspectors, shall investigate and report violations of this act to the United States attorney for the district in which committed, who shall be charged with the duty of prosecuting the offenders, subject to the direction of the Attorney General, as in the case of other offenses against the laws of the United States—

Mr. VOLSTEAD. I can not permit the gentleman to take up my time by reading the bill.

The CHAIRMAN. The gentleman declines to yield.

Mr. GRIFFIN (reading)—

* * * and such Commissioner of Internal Revenue, his assistants, agents, and inspectors, may swear out warrants before United States commissioners or other officers or courts——

Mr. VOLSTEAD. I object to the gentleman's continuing the reading of that in my time.

Mr. GRIFFIN. It is only just a line. The gentleman challenged my statement, and I want to show the gentleman that he is wrong.

The CHAIRMAN. The gentleman from New York is out of order.

Mr. VOLSTEAD. The provision in there simply gives some of those officers——

Mr. CALDWELL. Mr. Chairman, a point of order. The gentleman from Minnesota [Mr. VOLSTEAD], having the floor, yielded to the gentleman from New York and asked him to read this.

The CHAIRMAN. The point of order is overruled, and the gentleman from Minnesota has the floor.

Mr. CALDWELL. If the Chair will bear with me, I know the Chair wants to be fair, and I am arguing the point of order.

The CHAIRMAN. The gentleman declines to yield further.

Mr. CALDWELL. I understand; but will the Chair listen to my argument?

Mr. BLANTON. Mr. Chairman, I demand the regular order. [Cries of "Regular order!"]

The CHAIRMAN. The point of order is overruled. The gentleman from Minnesota has the floor.

Mr. CALDWELL. So the Chair refuses to listen to the discussion of this point of order?

Mr. VOLSTEAD. That provision simply authorizes one of those officers to swear out a complaint and to go before a magistrate to prosecute it.

Mr. GRIFFIN (reading)—

* * * and may, subject to the control of the said United States attorney, conduct the committing trial.

Mr. VOLSTEAD. Oh, I know that by heart, and I refuse to yield further. It has not anything to do with a search warrant, but is an entirely different subject, and does not authorize what you claim at all. Read it again, and you will probably see how ridiculous the claim is.

The CHAIRMAN. The time of the gentleman from Minnesota has expired. All time has expired.

Mr. GRIFFIN rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GRIFFIN. I rise to ask unanimous consent to speak for one minute. I gave back one minute of my time.

The CHAIRMAN. All time has expired as fixed by the House.

Mr. GRIFFIN. I ask unanimous consent to speak for one minute.

The CHAIRMAN. Is there objection?

Mr. BLANTON. I object.

Mr. LONGWORTH. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LONGWORTH. Will this bill be read by sections or by paragraphs?

The CHAIRMAN. The bill will be read by sections.

Mr. VOLSTEAD. Mr. Chairman, I ask that the bill be now read for amendment.

Mr. LONGWORTH. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LONGWORTH. At what point in the reading of this bill would it be in order to move to strike out title 1?

The CHAIRMAN. At the end of the first section, that part of title 1, the motion to strike out would be in order.

Mr. LONGWORTH. The Chair ruled the first section should be read and at the conclusion of the reading of that first section it would be in order to move to strike out title 1.

The CHAIRMAN. It would be in order to move to strike out section 1 and give notice that if section 1 is stricken out a similar motion will be made to strike out the subsequent sections of title 1. The clerk will read.

The Clerk began the reading.

Mr. BLANTON. Mr. Chairman, I make the point of order that there is no quorum present. Mr. Chairman, I withdraw it.

The Clerk read as follows:

A bill (H. R. 6810) to prohibit intoxicating beverages, and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries.

Be it enacted, etc.—

TITLE I.

TO PROVIDE FOR THE ENFORCEMENT OF WAR PROHIBITION.

Mr. IGOE. Mr. Chairman, I want to be sure that the Chair has ruled that the reading of the first section, if completed, would not prejudice the right to offer amendments up to that point as to striking out the title. A parliamentary inquiry——

The CHAIRMAN. After the first section has been read then it will be in order to move to strike out.

Mr. IGOE. I ask unanimous consent at this point to inquire of the gentleman from Minnesota, for the benefit of the House, if it is his plan to rise when the reading of the first section has been completed and reserve the right to offer amendments to that section, to be considered on Monday and offered on Monday?

Mr. VOLSTEAD. I presume under the parliamentary rules that will be correct, and it is my intention to move that the committee rise as soon as the first section has been completed.

The Clerk read as follows:

That the term "war prohibition act" used in this act shall mean the provisions of any act or acts prohibiting the sale and manufacture of intoxicating liquors until the conclusion of the present war and thereafter until the termination of demobilization, the date of which shall be determined and proclaimed by the President of the United States. The words "beer, wine, or other intoxicating malt or vinous liquors" in the war prohibition act shall be construed to mean any liquors which contain one-half of 1 per cent or more of alcohol by volume.

Mr. LONGWORTH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LONGWORTH. If the motion of the gentleman prevails, will that still leave it in order on Monday to move to strike out section 1?

The CHAIRMAN. It will.

Mr. GARNER. Or any other amendment that may be offered to section 1.

The CHAIRMAN. Any other germane amendment.

Mr. LONGWORTH. Either a perfecting amendment or an amendment to strike out?

The CHAIRMAN. Yes.

Mr. LONGWORTH. Another question. A motion to perfect section 1 would have preference over a motion to strike out?

The CHAIRMAN. It would.

Mr. LONGWORTH. But it would not prejudice, after any perfecting amendments were considered, the right to move to strike out?

The CHAIRMAN. Certainly not. That would be in order after all perfecting amendments had been passed upon and before the reading of the second paragraph.

Mr. LONGWORTH. Might it be offered and remain pending during the consideration of perfecting amendments?

Mr. CALDWELL. By unanimous consent.

The CHAIRMAN. The Chair thinks so, but only by unanimous consent.

Mr. MADDEN. I think the Chair is wrong about that. I think it is in order for gentlemen to offer any amendment, but the vote would not be taken on the motion to strike out until all perfecting amendments had been voted upon.

The CHAIRMAN. That is correct.

Mr. VOLSTEAD. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GOOD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 6810 and had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. TINKHAM. Mr. Speaker, on Tuesday last I introduced a House resolution in relation to the creating of a bureau in the Department of Labor which had to do with living and housing conditions. I ask unanimous consent to insert a statement in the RECORD in relation to that bill, explaining it and the necessity for its prompt consideration.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD on the subject stated. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. VOLSTEAD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 46 minutes p. m.) the House adjourned to meet on Monday, July 14, 1919, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. PLATT, from the Committee on Banking and Currency, to which was referred the bill (H. R. 6806) to amend section 25 of the act of December 23, 1913, known as the Federal reserve act, for the purpose of encouraging foreign trade, reported the same with amendment, accompanied by a report (No. 109), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 6861) to amend section 1 of the act approved July 17, 1916, known as the Federal farm-loan act, so as to provide for the payment of the expenses of the Federal Farm Loan Board and employees by the Federal land banks and joint-stock land banks, reported the same with amendment, accompanied by a report (No. 110), which said bill and report were referred to the House Calendar.

Mr. ESCH, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 7015) governing the tolls to be paid at the Panama Canal, reported the same without amendment, accompanied by a report (No. 113), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. McKINIRY, from the Committee on Claims, to which was referred the bill (H. R. 5665) for the relief of Carlow Avellina, reported the same with amendment, accompanied by a report (No. 111), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (S. 253) for the payment of claims for the loss of private property on account of the loss of firearms and ammunition taken by the United States troops during the labor strikes in the State of Colorado in 1914, reported the same without amendment, accompanied by a report (No. 112), which said bill and report were referred to the Private Calendar.

Mr. BEE, from the Committee on Claims, to which was referred the bill (H. R. 1761) for the relief of the Farmers' National Bank of Wilkinson, Ind., reported the same with amendment, accompanied by a report (No. 114), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 7248) to authorize the acquisition of a site and the erection of a Federal building at Bicknell, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. AYRES: A bill (H. R. 7249) authorizing the Secretary of War to donate to the city of Caldwell, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BRINSON: A bill (H. R. 7250) authorizing the acquisition of a site for a public building at Clinton, Sampson County, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. CANNON: A bill (H. R. 7251) authorizing the Secretary of War to donate to the city of Watseka, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SMITH of Michigan: A bill (H. R. 7252) authorizing the Secretary of War to donate to the city of Kalamazoo, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7253) authorizing the Secretary of War to donate to the city of Quincy, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7254) authorizing the Secretary of War to donate to the city of Marshall, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7255) authorizing the Secretary of War to donate to the city of Coldwater, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7256) authorizing the Secretary of War to donate to the city of Battle Creek, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7257) authorizing the Secretary of War to donate to the city of Grand Ledge, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7258) authorizing the Secretary of War to donate to the city of Albion, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LINTHICUM: A bill (H. R. 7259) authorizing the Secretary of War to donate to the city of Baltimore, Md., 10 German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. SMITH of Michigan: A bill (H. R. 7260) for the purchase of a site for the erection thereon of a public building at Eaton Rapids, Mich.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7261) to provide that in the construction and application of the pension laws a soldier or sailor shall be considered of good health at the time of his enlistment; to the Committee on Invalid Pensions.

By Mr. JACOWAY: A bill (H. R. 7262) extending the time for the construction of the Main Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 7263) extending the time for the construction of the Broadway Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.; to the Committee on Interstate and Foreign Commerce.

By Mr. FORDNEY: A bill (H. R. 7264) to repeal the act entitled "An act to promote reciprocal trade relations with the Dominion of Canada, and for other purposes," approved July 26, 1911; to the Committee on Ways and Means.

By Mr. BEGG: A bill (H. R. 7265) authorizing the Secretary of War to donate to the village of Birmingham, Erie County, Ohio, one German cannon or fieldpiece, with accompaniments; to the Committee on Military Affairs.

By Mr. CAMPBELL of Kansas: Concurrent resolution (H. Con. Res. 18) directing the Department of Agriculture, the Interstate Commerce Commission, and the Federal Trade Commission to cooperate for the purpose of reducing the cost of producing, manufacturing, and transporting food to consumers; to the Committee on Interstate and Foreign Commerce.

By Mr. UPSHAW: Concurrent resolution (H. Con. Res. 19) directing the Secretary of War to sell immediately the surplus foodstuffs now on hand; to the Committee on Military Affairs.

By Mr. ELLIOTT: Resolution (H. Res. 170) directing the Department of State to furnish the House of Representatives with certain information relative to the expenses of the peace commission; to the Committee on Expenditures in the Department of State.

By Mr. WALSH: Resolution (H. Res. 171) to authorize the Speaker to appoint a select committee of six members of the House to inquire into the operations of the United States Shipping Board and the United States Emergency Fleet Corporation, or any agency, branch, or subsidiary of either; to the Committee on Rules.

By Mr. NELSON of Wisconsin: Memorial of the Legislature of Wisconsin, urging the Congress of the United States to acquire, control, and regulate the principal and necessary stockyards and the refrigerator and other private car lines in the United States; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 7266) granting an increase of pension to Eli C. Wilson; to the Committee on Invalid Pensions.

By Mr. BLAND of Indiana: A bill (H. R. 7267) granting a pension to Belle Grisamore; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 7268) granting an increase of pension to James R. Lewis; to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 7269) granting a pension to Agnes Gibbons; to the Committee on Invalid Pensions.

By Mr. GARD: A bill (H. R. 7270) granting an increase of pension to Moses Goldstein; to the Committee on Pensions.

By Mr. LAGUARDIA: A bill (H. R. 7271) granting an increase of pension to John Kennedy; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 7272) for the relief of the heirs of Michael Carling, assignee of Joseph R. Shannon, deceased; to the Committee on Claims.

Also, a bill (H. R. 7273) for the relief of Margaret A. Curley; to the Committee on War Claims.

Also, a bill (H. R. 7274) granting a pension to Walter Sewell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7275) granting a pension to John H. Warren; to the Committee on Pensions.

By Mr. MACGREGOR: A bill (H. R. 7276) granting a pension to William Olday; to the Committee on Pensions.

By Mr. MAPES: A bill (H. R. 7277) granting a pension to Adelia M. Whitcomb; to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 7278) granting an increase of pension to Lewis Rankin; to the Committee on Invalid Pensions.

By Mr. NICHOLS of Michigan: A bill (H. R. 7279) granting an increase of pension to Margaret Drew; to the Committee on Pensions.

By Mr. REAVIS: A bill (H. R. 7280) granting a pension to Osiah Attison; to the Committee on Invalid Pensions.

By Mr. REED of New York: A bill (H. R. 7281) granting an increase of pension to Henry B. Pitner; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 7282) granting an increase of pension to Jesse A. Trent; to the Committee on Pensions.

By Mr. SHREVE: A bill (H. R. 7283) granting an increase of pension to Hiram Prusia; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 7284) granting an increase of pension to Lillie P. Hinman; to the Committee on Pensions.

By Mr. WILLIAMS: A bill (H. R. 7285) granting a pension to John H. Franklin; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of members of the section on industrial medicine and surgery of the American Medical Association, urging an appropriation by Congress of not less than $1,500,000 to be used under the direction of the United States Public Health Service for the investigation, prevention, and cure of influenza, pneumonia, and allied diseases, this sum to be made available to July 1, 1922; to the Committee on Appropriations.

By Mr. CAREW: Petition of the thirty-ninth annual convention of the American Federation of Labor, opposing mob rule and lynching; to the Committee on the Judiciary.

Also, petition of the Grand Lodge, Brotherhood of Railroad Trainmen, urging adoption of the league of nations and pledging support to the President; to the Committee on Foreign Affairs.

By Mr. COLE: Petition of seventh ward branch of the Milwaukee (Wis.) Socialist Party, protesting against the action of Congress in denying Victor L. Berger a seat in Congress; to the Committee on Elections No. 1.

By Mr. CURRY of California: Petition of Golden Gate Lodge, No. 799, Brotherhood of Railway Carmen of America, protesting against the high cost of living; to the Committee on Interstate and Foreign Commerce.

By Mr. DALLINGER: Resolution of the Gold Beaters' Union of Boston and vicinity, favoring the league of nations; to the Committee on Foreign Affairs.

By Mr. DICKINSON of Missouri: Petition of 22 druggists and other merchants of Carroll County, Mo., asking for repeal of tax on patent medicines, toilet articles, sodas, etc.; to the Committee on Ways and Means.

By Mr. DYER: Resolution of the board of directors of the Merchants' Exchange of St. Louis, Ill., approving the report of the special committee on budget and efficiency of the Chamber of Commerce of the United States, relating to the adoption of a budget system for the National Government; to the Committee on Appropriations.

By Mr. ESCH: Petition of members of the section on industrial medicine and surgery of the American Medical Association, in favor of an appropriation of $1,500,000 for prevention and cure of influenza, pneumonia, and allied diseases; to the Committee on Appropriations.

By Mr. FRENCH: Petition of sundry citizens of Gem County, State of Idaho, against the repeal of the war-time prohibition; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Petition of the Free Sewing Machine Co., of Rockford, Ill., opposing continuance of the United States Employment Service; to the Committee on Labor.

Also, petition of Skandinavia Lodge, No. 6, International Order of Good Templars, of Rockford, Ill., for enforcement of the eighteenth amendment to the Federal Constitution; to the Committee on the Judiciary.

By Mr. FULLER of Massachusetts: Petition of Andrew Johnson, chief templar; Carl J. Carlberg, secretary; and others, members of Framat Lodge, No. 3, International Order of Good Templars, at Malden, Mass., urging the United States House of Representatives to promptly enact at this special session of Congress laws providing for the full enforcement of the eighteenth amendment to the United States Constitution, and also definitely defining intoxicating liquors; to the Committee on the Judiciary.

By Mr. GILLETT: Petition of City Council of Worcester, Mass., urging Congress to do all that it properly can do to promote the claims and requests presented to the peace conference by the Italian Government; to the Committee on Foreign Affairs.

By Mr. GRAHAM of Illinois: Petition of sundry citizens of Moline, Ill., requesting enactment of laws for full enforcement of the eighteenth amendment to the Constitution; to the Committee on Ways and Means.

By Mr. LEHLBACH: Petition of sundry citizens of New Jersey, for repeal of tax on sodas, etc.; to the Committee on Ways and Means.

By Mr. NELSON of Wisconsin: Petition of M. A. Sharka, of Rhinelander, Wis., requesting the withdrawal of the Polish Army from Lithuania; to the Committee on Foreign Relations.

By Mr. O'CONNELL: Petition of members of the section on industrial medicine and surgery of the American Medical Association, urging appropriation of $1,500,000 to be used under the direction of the United States Public Health Service for the investigation of the causes, modes of transmission, prevention, and cure of influenza, pneumonia, and allied diseases, this sum to be available to July 1, 1922; to the Committee on Appropriations.

Also, petition of National Federation of Federal Employees, opposing Representative GOOD's amendment to the Nolan minimum-wage bill for Government employees; to the Committee on Labor.

By Mr. OSBORNE: Petition of the Clay Products' Association, of Los Angeles, Calif., urging that the freight rates suspension power be restored to the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

Also, memorial of district No. 5, California State Nurses' Association, urging that Army rank be given to nurses; to the Committee on Military Affairs.

By Mr. RANDALL of Wisconsin: Petition of George S. Glerum, H. L. Rose, and 27 other citizens of Kenosha, Wis., requesting the repeal of section 904 of the 1918 Federal income-tax law; to the Committee on Ways and Means.

By Mr. RUCKER: Petition of sundry citizens of Brookfield, Mo., for repeal of tax on candy, ice cream, etc.; to the Committee on Ways and Means.

By Mr. VARE: Memorial of the National Benedictine Association against the Smith-Towner bill; to the Committee on Education.

SENATE.

MONDAY, *July 14, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to our tasks to-day with a sense of leadership among the nations of the earth and of mighty power. We pray that we may have the wisdom which will justify our leadership and the grace which will sanctify our power, that we may be so guided by Thy Holy Spirit and by the precepts of Thy word that we shall conform our leadership and the expressions of all our power to the Divine will and the Divine service, that we may be a Nation whose Lord is God, serving Thee with singleness of heart and purpose. Bless us in the discharge of these high and holy duties. For Christ's sake. Amen.

The Journal of the proceedings of Thursday last was read and approved.

RESALE PRICE MAINTENANCE (H. DOC. NO. 145).

The VICE PRESIDENT laid before the Senate a communication from the Federal Trade Commission, transmitting, pursuant to law, a special report dealing with the subject of resale price maintenance, which, with the accompanying paper, was referred to the Committee on Interstate Commerce and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 2847. An act providing additional aid for the American Printing House for the Blind; and

H. J. Res. 120. Joint resolution authorizing the Secretary of War to receive, for instruction at the United States Military Academy at West Point, Tao Hung Chang and Zeng Tze Wong, citizens of China.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a memorial of 300 disabled soldiers of the United States Federal Hospital No. 36, Detroit, Mich., remonstrating against a reduction of the appropriation for the maintenance of the Federal Board for

Vocational Education, which was referred to the Committee on Appropriations.

Mr. NORRIS presented a memorial of sundry citizens of Pawnee City, Kans., remonstrating against the repeal of war-time prohibition, which was referred to the Committee on the Judiciary.

He also presented petitions of Local Union No. 558, International Brotherhood of Electrical Workers, of Sheffield, Ala., setting forth their grievances with the Secretary of War relative to working conditions, pay, etc., at nitrate plant No. 2, Muscle Shoals, Ala., which were referred to the Committee on Military Affairs.

Mr. SHERMAN presented memorials of sundry citizens of Carthage, Hamilton, Warsaw, Elvaston, Danville, Dundee, and Ottawa, all in the State of Illinois, remonstrating against the repeal or modification of war-time prohibition, which were referred to the Committee on the Judiciary.

Mr. NUGENT presented a memorial of sundry citizens of Idaho, remonstrating against the repeal of the so-called daylight saving law, which was referred to the Committee on Interstate Commerce.

Mr. MOSES presented a petition of sundry citizens of Charlestown, N. H., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. FERNALD presented a petition of sundry citizens of Maine, praying for the enactment of legislation providing for the enforcement of prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of the Eastern Manufacturing Co., of Bangor, Me., praying that an appropriation be made to enable the Secretary of Agriculture to conduct an investigation of the nature and habits of the fungi and bacteria causing the decay of pulp wood and wood pulp, etc., which was referred to the Committee on Appropriations.

Mr. ELKINS presented memorials of sundry citizens of Ritchie County, of sundry citizens of Exchange, and of the Woman's Christian Temperance Union of Harrisville, all in the State of West Virginia, remonstrating against the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Martinsburg, W. Va., praying for Government ownership and control of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Grafton, W. Va., and a petition of Local Union, No. 104, International Association of Machinists, of Huntington, W. Va., praying for the repeal of the so-called daylight-saving law, which were referred to the Committee on Interstate Commerce.

Mr. NEWBERRY. I present a concurrent resolution passed by the Legislature of the State of Michigan, favoring the granting of additional compensation to discharged soldiers, sailors, and marines, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

The concurrent resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Senate concurrent resolution No. 3, requesting Congress to grant additional compensation to soldiers, sailors, and marines who have served in the military or naval service of the United States during the present war.

Whereas the regular pay granted to such soldiers, sailors, and marines has been, and is, extremely low, especially as compared with wages and salary paid to all classes of labor in the United States during the period of the war;

Whereas enormous profits have been received in practically all classes of manufacturing industry, in which the said soldiers, sailors, and marines have been prevented from sharing because of their service; and

Whereas it is the belief of the people of the State of Michigan and of this legislative body that some measure of appreciation should be shown for the sacrifice and courage of our soldiers, sailors, and marines: Therefore be it

Resolved by the Senate of the State of Michigan (the House of Representatives concurring), That the Congress of the United States be requested to grant and pay to each soldier, sailor, and marine who served in the Army or Navy of the United States during any part of the period of the World War, or to the proper relatives or dependents of any soldier, sailor, or marine who has lost his life in said war an additional compensation of at least $50 per month for the period of service; be it further

Resolved, That the secretary of the senate and the clerk of the house of representatives be, and they hereby are, instructed to transmit duly certified copies of this resolution to each Member of the United States Senate and House of Representatives from the State of Michigan.

Adopted by the senate June 11.

DENNIS E. ALWARD,
Secretary of the Senate.

Adopted by the house of representatives June 12.

CHARLES S. PIERCE,
Clerk of the House of Representatives.

Mr. NEWBERRY. I present a concurrent resolution passed by the Legislature of the State of Michigan, which I ask to have printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

The resolution was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

Senate concurrent resolution 6, memorializing the Congress to favorably consider pending legislation looking toward increased compensation for postal employees.

Whereas there is now pending before the Congress of the United States legislation looking toward increased pay for all postal employees; and

Whereas under present conditions it is plainly evident that such employees are underpaid, as evidenced by the large number of resignations from the service to enable such employees to take up more remunerative occupations, thus resulting in impaired postal service: Therefore be it

Resolved by the senate (the house of representatives concurring), That it is the sense of this legislature that such compensation should be increased, and to this end Congress is hereby memorialized to favorably consider the pending legislation now before it granting increased compensation to such postal employees; and be it further

Resolved, That certified copies of this concurrent resolution be forwarded by the secretary of the senate and the clerk of the house of representatives to the Speaker of the House of Representatives and the President of the Senate of the United States, and to the Senators and Members of Congress from Michigan.

Adopted by the senate June 16.

DENNIS E. ALWARD,
Secretary of the Senate.

Adopted by the house of representatives June 17.

CHARLES S. PIERCE,
Clerk of the House of Representatives.

Mr. NEWBERRY presented a resolution adopted by the Common Council of Detroit, Mich., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

Mr. CAPPER presented a petition of sundry citizens of Kansas, praying for the repeal of the present zone system of postage rates, which was referred to the Committee on Post Offices and Post Roads.

Mr. PHELAN presented petitions of sundry citizens of the Los Angeles section of the Council of Jewish Women, of sundry students of the Union High School, and of sundry citizens of Corcoran, all in the State of California, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. NELSON presented a petition of sundry citizens of Chippewa, Lac qui Parle and Yellow Medicine Counties, all in the State of Minnesota, praying for the enactment of legislation providing for the improvement of the channel of, and the prevention of floods in the lands adjacent to, the Chippewa and Minnesota Rivers, Minn., which was referred to the Committee on Commerce.

He also presented the petition of Frank E. Bunker, of Sauk Center, Minn., praying for the reclassification of salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the editor of the Farmer, of St. Paul, Minn., and a memorial of the editor of the Northwest Farmstead, of Minneapolis, Minn., relative to the establishment of a personal rural credit system, which were referred to the Committee on Banking and Currency.

Mr. SUTHERLAND presented a memorial of sundry citizens of Harrisville, W. Va., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. WALSH of Massachusetts presented petitions from employees of the Monomac Spinning Co., of Lawrence; of the Pittsfield Works, of the General Electric Co.; of the Merchants' Manufacturing Co., of Fall River; of the Simpson Bros. Corporation, of Boston; of the North Chelmsford Machine & Supply Co.; of the Bay State Saw & Tool Manufacturing Co., of Winchester; of W. D. Young & Co. (Inc.), Boston; of the Housh Co., of Boston; of the Tanners' Cut Sole Co., of Cambridge; of the Acadia Mills, of Lawrence; of A. O. Norton (Inc.), of Boston; of the American Printing Co., of Boston; of the Merrick Mills, of Holyoke; of the Morgan Construction Co.; of the Lewis Manufacturing Co., of Walpole; of the Safepack Mills, of Boston; of the Smith & Dove Manufacturing Co., of Andover; of the Glendale Elastic Fabric Co., of Easthampton; of the Royal Worcester Corset Co., of Worcester; of the United Shoe Machinery Corporation; of the Maverick Mills, of East Boston; of the Plymouth Cordage Co., of North Plymouth; of the Standard Woven Fabric Co., of Walpole; of the William Carter Co., of Springfield; of the Eaton, Crane & Pike Co., of Pittsfield; of the Nonotuck Silk Co., of Northampton; of M. J. Whittall Associates, of Worcester; of Waitt & Bond (Inc.), Boston; of the Byron Weston Co., of Dalton; of the Torrington Co., Springfield plant; of the Westfield Manufacturing Co.; of the National

Casket Co.; of the Plymouth Mills, of Lawrence; of Ginn & Co., of Cambridge; of the New England Structural Co., of Everett; of the George Frost Co., of Boston; of the Davis & Furber Machine Co., of North Andover; of the American Thread Co., of Fall River; and of the Bay State Belting Co., of Newton, all in the State of Massachusetts, remonstrating against the repeal of the daylight-saving law, which were referred to the Committee on Interstate Commerce.

Mr. PITTMAN. I present a petition from the International Association of Catholic Alumni adopted at its convention held at St. Louis, Mo., May 29 to June 13, 1919, supporting the league of nations, which I ask to have printed in the RECORD.

Mr. SMOOT. I will say to the Senator that I think that petition has already been printed in the RECORD.

Mr. PITTMAN. I will ask the Senator when it was placed in the RECORD.

Mr. SMOOT. I think about 10 days ago. I inquire of the Senator from Montana [Mr. WALSH] if it was not about that time?

Mr. WALSH of Montana. I think the Senator from Utah is correct. It seems to me the petition was printed as a part of the remarks of the Senator from Nebraska [Mr. HITCHCOCK].

Mr. PITTMAN. Very well. I will withdraw the petition.

The VICE PRESIDENT. The petition is withdrawn.

Mr. PITTMAN. I present a resolution adopted by the General Federation of Women's Clubs, Mid-Biennial Council, of Asheville, N. C.; of the League of Free Nations Association, New York City; the League of Permanent Peace, of Boston, Mass., and of sundry citizens of Boston, Mass., and of the Nevada Woman's Christian Temperance Union, supporting the league of nations treaty, which I ask may be printed in the RECORD.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Resolution adopted by the General Federation of Women's Clubs, mid-biennial council, Asheville, N. C., May 29, 1918.

Whereas the covenant of the league of nations is presented to the United States for popular action; and

Whereas the General Federation of Women's Clubs, now assembled in biennial session, representing the interests of 2,000,000 women and exerting the influence they may exercise in their communities:

Resolved, That the council send its approval of the revised covenant of the league of nations to members of the Foreign Relations Committee of the United States Senate, the President of the United States now in France; and

That the members of the State federations ask their Senators to vote in support of the league of nations.

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LEAGUE OF FREE NATIONS ASSOCIATION,
New York City, July 9, 1919.

Senator KEY PITTMAN,
Senate Office Building, Washington, D. C.

MY DEAR SIR: The inclosed resolution, based upon a referendum vote of members throughout the country, was passed last night at a national conference of this association.

Very truly, yours,

JAMES G. MCDONALD, *Chairman.*

Resolved, That the League of Free Nations Association, in accordance with a referendum of its full membership, calls upon all forward-looking citizens to urge the United States Senate—

1. To ratify without reservations the treaty with Germany, including the league of nations covenant.

Such ratification would establish immediate peace, the world's most urgent need in the interest of order and progress; would abolish many international injustices which have proved prolific causes of war, and would create an agency for the rectification of remaining injustices and for the establishment of mutually advantageous and just relations between nations.

2. To accompany its ratification with a resolution declaring it to be the purpose of the United States as a member of the league of nations to:

(a) Press for the immediate restoration of Kiao-Chau and the German concessions in Shantung to the Chinese Republic.

(b) Hold that nothing in the treaty or the covenant shall be construed as authorizing interference by the league in internal revolutions or as preventing genuine redress and readjustment of boundaries through orderly processes provided by the league at any time in the future that these may be demanded by the welfare and manifest interest of the people concerned.

(c) Call for the inclusion of Germany in the council of the league as soon as the new republic shall have entered in good faith upon carrying out the treaty provisions; for the inclusion of Russia as soon as the Russian people have established stable government; and for the full participation of both Germany and Russia on equal footing in all economic intercourse as the best insurance against any reversion to the old scheme of balance of power, economic privilege, and war.

(d) Press for the progressive reduction of armaments by all nations.

(e) Throw its whole weight in behalf of such changes in the constitution and such developments in the practice of the league as will make it more democratic in its scheme of representation, its procedure more legislative and less exclusively diplomatic, an instrument of growth invigorated and molded by the active democratic forces of the progressive nations.

LEAGUE FOR PERMANENT PEACE,
Boston, Mass., July 1, 1919.

Hon. KEY PITTMAN,
United States Senate, Washington, D. C.

DEAR SIR: Permit me to call to your attention the inclosed copy of a resolution passed after an address on the league of nations.

Very truly, yours, KATE FOSTER GORHAM,
Executive Secretary.

JUNE 30, 1919.

We believe that the United States should enter the proposed league of nations in order to bring about international cooperation and to achieve international peace and security; and

We recognize that the covenant of the league of nations can not be separated from the peace treaty, since the latter is founded on the assumption that this league of nations will be formed; and

We believe that delay on the part of the United States Senate to ratify the peace treaty will seriously jeopardize the peace of the world: Therefore

We, the undersigned citizens of Massachusetts, urge the United States Senate to ratify the treaty of peace, including the covenant, without reservation or amendment, as soon as it is submitted for ratification.

MRS. J. MALCOLM FORBES,
Chairman of Meeting,
(and others).

Passed by unanimous vote at a large public meeting June 30, 1919, at the headquarters of the League for Permanent Peace, 421 Boylston Street, Boston, Mass.

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421 BOYLSTON STREET,
Boston, Mass., July 11, 1919.

Hon. KEY PITTMAN,
United States Senate, Washington, D. C.

DEAR SIR: In accordance with the wishes of the meeting held at Pilgrim Hall, Boston, Wednesday, July 9, I am inclosing you a copy of a resolution passed.

Yours, very truly, M. T. OSMOND.

We believe that the United States should enter the league of nations, which aims to promote international cooperation and to achieve international peace and security.

We believe that the covenant of the league of nations can not be separated from the peace treaty, since the latter was founded on the assumption that the league of nations would be formed.

We believe that delay on the part of the United States Senate to ratify the peace treaty will seriously jeopardize the peace of the world: Therefore

We urge the United States Senate to ratify the treaty of peace, including the covenant, without reservation or amendment as soon as it is submitted for ratification.

The above resolution was adopted by a large majority at a public meeting held Wednesday, July 9, 1919, at Pilgrim Hall, 14 Beacon Street, Boston, Mass.

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NEVADA WOMAN'S CHRISTIAN TEMPERANCE UNION,
Reno, Nev., June 2, 1919.

Hon. KEY PITTMAN,
United States Senator from Nevada, Washington, D. C.

DEAR SIR: The Nevada Woman's Christian Temperance Union instructed the following resolution to be sent you, with thanks for the stand you have ever taken for measures of progress and justice:

Resolution.

"Whereas the United States entered the war to add its great force in joint effort with other free nations thereby to end the cruel war being enacted against human rights by Germany; and

"Whereas the war was brought to a victorious end through this united effort: Therefore, be it

"*Resolved*, That we indorse the establishment of a league of nations. We believe a league of nations would be a check on future wars and would protect all nations from a war such as was indulged in by Germany at the expense of the world; be it further

"*Resolved*, That we favor the entrance of the United States into a league of nations, the aim of which is to hold vantage power—won by allied forces at the cost of sacred human life—to promote freedom, progress, and peaceful cooperation in the development of the world; be it still further

"*Resolved*, That copies of this resolution be sent to the President of the United States, the Senators representing the State of Nevada at Washington, and to the Hon. William H. Taft, president of the League to Enforce Peace, No. 130 West Street, New York."

NEVADA WOMAN'S CHRISTIAN TEMPERANCE UNION,
MRS. NORA R. LINVILLE, *State President.*
By MRS. BESSIE R. EICHELBERGER,
State Recording Secretary.

REPORTS OF COMMITTEES.

Mr. WADSWORTH, from the Committee on Military Affairs, submitted a report (No. 80) accompanied by a joint resolution (S. J. Res. 70) relating to the induction of registrants who applied, and who were accepted, for induction and assigned to educational institutions for special and technical training under the provisions of the act approved August 31, 1918, but whose induction without fault of their own was not completed.

Mr. SMOOT, from the Committee on Public Lands, to which was referred the bill (S. 2220) granting to the Lincoln Highway Association, incorporated under the laws of the State of Michigan, a right of way through certain public lands of the United States, reported it without amendment and submitted a report (No. 79) thereon.

He also, from the same committee, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

A bill (S. 429) to authorize an exchange of lands with Henry Blackburn (Rept. No. 77); and

A bill (S. 1729) permitting minors of the age of 18 years or over to make homestead entry or other entry of the public lands of the United States (Rept. No. 78).

Mr. LODGE, from the Committee on Foreign Relations, to which was referred Senate resolution 110, requesting the President to send to the Senate a copy of the treaty between Germany and Japan, negotiated between Oda, Japanese plenipotentiary, and the German Ambassador Lucius, reported it favorably with amendments and submitted a report (No. 84) thereon.

Mr. FALL, from the Committee on Foreign Relations, to which was referred Senate resolution 105, requesting the Secretary of State to inform the Senate why Nicaragua is permitted to invade Costa Rica; and why Costa Rica was not permitted to sign the treaty of peace at Versailles, reported it favorably with amendments and submitted a report (No. 83) thereon.

TAO HUNG CHANG AND ZENG TZE WONG.

The joint resolution (H. J. Res. 120) authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Tao Hung Chang and Zeng Tze Wong, citizens of China, was read twice by its title and referred to the Committee on Military Affairs.

Mr. WADSWORTH. At a meeting of the Committee on Military Affairs of the Senate on Friday I was authorized to report a duplicate bill. This joint resolution had then passed the House of Representatives, but the Senate was not in session on Saturday, or on Friday for that matter, and I was authorized to wait until the House bill had been handed down in the Senate. I report the joint resolution back favorably without amendment from the Committee on Military Affairs and ask unanimous consent that it be put upon its passage.

Mr. WALSH of Montana. Will the Senator from New York kindly advise us why this extraordinary action should be taken with reference to these two men?

Mr. WADSWORTH. The West Point course which these men have been sent from China to take part in has commenced, but there was a misunderstanding as to the number who were to come. The two Chinese students are here, and they can not be taken into the academy until authorized by an act of this sort. Each day makes an added embarrassment in their situation. This request comes as an urgent call from the War Department.

Mr. WALSH of Montana. Do we undertake at West Point to educate students sent to the institution from other countries?

Mr. WADSWORTH. On several prior occasions Chinese students have been admitted to the West Point Military Academy. These students have arrived in the United States pursuant to an invitation and the general understanding of the War Department, based upon precedents in the past.

Mr. WALSH of Montana. What other nations send students to West Point?

Mr. WADSWORTH. My recollection is that we have admitted a couple of Filipino students to West Point. We have had one or two Chinese students there for some time. In this case a misunderstanding arose as to the number of Chinese. The Chinese Government very thoroughly understood that two students were to be admitted. The two have arrived, and the War Department is very anxious to have their admission authorized by Congress.

Mr. WALSH of Montana. Has the policy of the admission of Chinese students to the academy been the subject of earnest consideration by the Military Affairs Committee?

Mr. WADSWORTH. Yes; it was authorized by Congress some time ago. There is nothing new in the situation.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NEAR EAST RELIEF ASSOCIATION.

Mr. CUMMINS. On behalf of the Judiciary Committee I report back favorably without amendment the bill (S. 180) to incorporate Near East Relief, and I ask for its present consideration. A similar bill passed the Senate at the last session. There is urgent need for its passage now, and I ask unanimous consent for its present consideration.

Mr. KING. Reserving the right to object, I should like to ask the Senator from Iowa why this organization may not be incorporated under the District law or under the law of some State? I should like to ask the Senator where he finds authority for the Federal Government to charter a private organization for the purpose of carrying on private work or philanthropic work?

Mr. CUMMINS. This is incorporated as a corporation of the District of Columbia. I do not think there is any ordinance or law in the District of Columbia that would enable these people to incorporate to the same advantage and effect that they can incorporate under an act of Congress. It is the unanimous report of the Judiciary Committee.

Mr. KING. I shall ask that the bill be read. My opinion is that the bill has many objections, and there is serious question made as to the power of the Federal Government.

Mr. CUMMINS. Does the Senator from Utah object?

Mr. KING. No; I do not object to the consideration of the bill. I ask that it be read.

The VICE PRESIDENT. The bill will be read.

The Secretary proceeded to read the bill.

Mr. KING. If I may interrupt the reading, will the Senator from Iowa consent to hold his request in abeyance until I can have an opportunity to examine the bill? I was compelled to be absent from the committee this morning. After the Senator from Virginia [Mr. SWANSON] has concluded his remarks I shall join with the Senator to-day in requesting that the bill be brought up for consideration.

Mr. NELSON. Will the Senator yield to me?

Mr. KING. I yield.

Mr. NELSON. There is a great demand for the passage of this bill. There are a great many people in Minnesota, in the Twin Cities especially, who are very anxious to give relief to the Armenians, and they feel that they can not well do it unless we have this corporation operated. In order that we may help to promote the cause of the poor Armenians and secure ample funds in this country the bill ought to pass. I trust the Senator from Utah will consent to its passage.

Mr. KING. I have had many requests of the same character as those to which the Senator refers, and of course I am entirely in sympathy with any proposition that will secure relief for the Armenians, but I do have some question as to the right and power of the Federal Government to give a charter for private purposes.

My request, however, is merely that the matter be laid over temporarily until I can have an opportunity to examine the bill.

Mr. CUMMINS. Mr. President, I certainly will yield to the request made by the Senator from Utah [Mr. KING], but I do hope that during the day we may be able to consider the bill. It is of the highest importance that if it is to become a law at all it shall become a law within a very few days.

Mr. KING. I will say to the Senator from Iowa that even though I conclude to oppose the bill, I shall join in the request that it be taken up during the day.

Mr. CUMMINS. Then I withdraw the request for unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. The bill will be laid aside temporarily.

WHITE RIVER BRIDGE.

Mr. CALDER. I am directed by the Committee on Commerce to report back favorably with amendments the bill (S. 2254) extending the time for the construction of a bridge across the White River at or near Forsyth, Mo., and I submit a report (No. 82) thereon. I call the attention of the junior Senator from Missouri [Mr. SPENCER] to the bill.

Mr. SPENCER. If there is no objection, I ask for the present consideration of the bill. At the last session of Congress authority was given to construct a bridge at Forsyth across the White River in Missouri. The commencement of the bridge was prevented because of the war. The War Department has reported favorably upon the extension for a year of the time within which the bridge may be commenced. Such extension is provided for by this bill. If there be no objection, I ask unanimous consent for the immediate consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendments were, in line 5, after the word "built," to insert "by the Forsyth special road district of Taney County, Mo."; and in line 7, after the word "date," to insert "of approval," so as to make the bill read:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge, authorized by an act of Congress approved April 8, 1918, to be built by the Forsyth special road district of Taney County, Mo., across the White River at or near Forsyth, Mo., are hereby extended one and three years, respectively, from the date of approval hereof.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LOAN OF TENTS.

Mr. LENROOT. From the Committee on Military Affairs I report back favorably without amendment the joint resolution (H. J. Res. 65) authorizing the Secretary of War to loan tents for use at encampments held by veterans of the World War, and I submit a report (No. 81) thereon. I ask unanimous consent for the present consideration of the joint resolution.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, and it was read, as follows:

Resolved, etc., That the last proviso of H. J. Res. 11, approved March 2, 1913, be, and the same is, amended to read as follows:

"That hereafter no loans of tents shall be made except to the Grand Army of the Republic, the United Confederate Veterans, the United Spanish War Veterans, and to recognized organizations of veterans of the late World War by whatever name they may be known."

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TREATY OF PEACE WITH GERMANY.

Mr. MOSES, from the Committee on Printing, to which was referred Senate concurrent resolution 5, submitted by Mr. LODGE on the 10th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 50,000 copies of the treaty with Germany in the English text alone and without maps, 10,000 of which shall be for the use of the House of Representatives and 40,000 for the use of the Senate.

ADDRESS OF HON. WILLIAM B. WILSON.

Mr. MOSES, from the Committee on Printing, reported the following resolution (S. Res. 117), which was considered by unanimous consent and agreed to:

Resolved, That the manuscript submitted by the Vice President on June 30, 1919, entitled "Speech of Secretary of Labor Wilson at Atlantic City, June 13, 1919," be printed in the CONGRESSIONAL RECORD.

The address is as follows:

ADDRESS OF HON. WILLIAM B. WILSON, SECRETARY OF LABOR, BEFORE THE AMERICAN FEDERATION OF LABOR CONVENTION, ATLANTIC CITY, N. J., JUNE 13, 1919.

"Mr. President and fellow trades-unionists, it is a great pleasure to have the opportunity of being present, even though it may be at but one of the sessions of this historic victory and reconstruction convention of the American Federation of Labor.

"The wageworkers of our country have reason to be proud of the part which they played in the great World War for freedom and democracy. You have reason to be proud not only of the part you have taken in the struggle but of the great part that has been played in the contest by your seelcted representative, the president of the American Federation of Labor. [Applause.] Upon him has devolved not only the direction of your forces and associated forces in the great struggle against the military autocracy of Germany, but there has also fallen upon his shoulders—and he has borne the burden manfully; he has directed the movement intelligently—the great burden of conducting the battle against the other insidious forces that would endeavor to utilize violence for the destruction of democracy—the powers of Bolshevism as expressed in some of the countries of eastern Europe.

"The part played by labor has been due in a great measure to the appreciation by labor of the development that has taken place in the progress of human democracies.

"I have a theory, and time alone will demonstrate whether the theory is sound, that every individual and every group of individuals becomes influential in the affairs of the Government just in so far as the individual or the group of individuals is necessary for the defense of the State. I know my British friends will pardon me if I refer to what in my mind was the great starting point in the development of modern democracy. I do not look upon the Battle of Bannockburn as being purely the heritage of the people of Scotland alone, but I look upon it as being the heritage of the masses of the people of all the world. Those of you who are familiar with the history of that struggle and the ones preceding it realize that up until that time the only people who had been permitted to participate in the affairs of government were the monarchs and the nobility, the nobility comprising the flower of knighthood. The nobility were permitted to participate because the man on horseback and in armor was the man who at that time was necessary for the defense of the State. Nearly all of the nobility of Scotland had been brought up at the court of England, and when the Battle of Bannockburn took place very few of the men in armor were on the side of the Scottish monarch. He had to depend for his support in the conflict upon the yeomanry of his country, and for the first time in the history of warfare the yeomanry, with pikes in their hands, were formed on the battle field of Bannockburn in what has since come to be known as the hollow square, only in that case it was the hollow circle. The historians have failed to grasp the importance of that situation. They tell us of the pitfalls that had been made on the moor for the horses of the English monarch and his men, and how some of these fell into the pits. There were a sufficient number who crossed over the moor to have crushed the Scottish army if it had not been for the new military tactics which the necessity of the situation compelled Bruce to employ, and he formed his men into hollow circles to receive the men of the opposing forces on their pikes, and when the nobles came they came onto the pikes of the yeomanry and were destroyed. The yeoman at that moment became a more important factor in the defense of his country. The British monarch was later compelled to follow the same tactics that Bruce had followed. And when the wars were carried by Edward over onto the Continent, with the yeomen as a fighting factor in his armies, the European military chiefs were compelled also to change their tactics. From that period dated the fall of knighthood and the beginning of manhood. [Applause.]

"Slowly the masses of the people represented in the yeomanry began to realize their importance, and before the reign of Bruce had passed they had compelled him to yield concessions to the yeomanry of his country, and this was true also of Edward and true over all the Continent.

"The individual, the man in the mass, the toiler of society, began to see the dawn of a new day. It took centuries before it began to crystallize, but those same people, coming over to our country, settling on our shores, carried with them the ideals of the importance of the workers of humanity. When our Declaration of Independence was proclaimed to the world, when it was being prepared before it was given to the world, there came down from the North those who insisted that there should be included in the document the statement that taxation without representation was tyranny, and there came up from the South workers who in the meantime had become imbued with a spirit of racial aristocracy, but yet were imbued with the same thought that had developed on the other side of the water, who insisted that there should go into the Declaration of Independence that basic principle of all democracies—that every government derives its just powers from the consent of the governed. [Applause.]

"Modern warfare has still more thoroughly accentuated that thought. In the battles of ancient times it was frequently possible for large armies to support themselves upon the country in which they were operating, receiving but a small portion of their supplies from home. From the days when Joshua overcame the enemies of Israel until Sherman made his famous march to the sea great armies supported themselves upon the country in which they were fighting. That is no longer possible. It has been variously estimated that it takes anywhere from 6 to 10 workers in the rear to maintain 1 soldier in the trenches. Consequently the workers of all the world have become more important factors in the defense of their respective countries, and they are insisting and will continue to insist that in the consideration of the problems of reconstruction the laws shall be so constructed and social affairs so conducted that every individual in the community shall have the greatest possible opportunity for self-determination. [Applause.]

"The labor movement of this country is no exception to the rule in that respect. We have in our country our faddists—people, many of them, who have never had experience in the practical problems of life. Some of them have been following after false gods. It is not those who are following after the false gods that will be the saviors of the workers of our country. It is those who have persistently made and are continuing to make self-sacrifice for the common good who will achieve results.

"I recall, and I may have mentioned it to you on previous occasions, but it will bear repeating—I recall the conditions we found in the Middle West when the President's Mediation Commission was sent out to investigate the conditions brought about by the activities of the Industrial Workers of the World some two years ago. The Industrial Workers of the World had almost gone out of existence prior to that time. Suddenly there was a renewal of activities. Industries that were essential for the success of the war were being tied up. There seemed to be no way of keeping them in operation. The President appointed a commission of which I had the honor of being chairman. We found some oddities and many crude theories that the average man in the labor movement would not stand for. We found that people were coming in on the roads to the mining camps of the mountain regions, coming in quite large numbers, and prac-

tically overnight establishing locals of the Industrial Workers of the World, and then, without submitting the questions to the voice of the workers themselves, either through organization or otherwise, declaring strikes against the companies that were operating; declaring those strikes for a given wage and for a given number of hours, refusing to meet the employers in conference and insisting that it must be this rate which they published and no other, and that idleness would follow the employers' refusal to comply with their demands.

"But that was not all. We found that wherever the legitimate evolutionary aspirations of the workers were given an opportunity to develop, there the I. W. W. found no foothold; that it was only in the places where there was the iron hand of repression on the part of the employer used upon the workers themselves that this peculiarly revolutionary spirit found expression. It found expression in addition to the manner I have stated in the philosophy that was being taught.

"They announced as the basis of their movement the philosophy that every man is entitled to the full social value of what his labor produces. Now that philosophy is purely of socialistic origin. It had its first exponent in Marx. It is also a philosophy that every individualist can subscribe to with thoroughness and with complete acceptance of the principle. Every man is entitled to the full social value of what his labor produces. The great difficulty has been that human intelligence has not yet devised a method by which we can compute what the social value is of anyone's labor. No one can compute the value of your labor; no one can compute the value of my labor; no one can compute the value of the labor that has been performed by the president of this organization, or the labor that was performed by the man with a pick and shovel in the ditch. Our intelligence has not yet devised a method by which we can compute it, and so, in the years gone by, we have endeavored to make the computation by one of three processes—by the process of the employer using his economic power to arbitrarily fix the compensation of the workers; by the process of the worker, using his collective power, arbitrarily fixing the compensation and imposing it upon the employer; and by the process of negotiation.

"It is the process of negotiation that the American labor movement has insisted upon for the bringing of the different elements together and endeavoring to work the problems out on as equitable a basis as the circumstances will permit. But there is a wide misapprehension of the scope of the labor movement of our country. There are those who assume that the negotiations that the American labor movement seeks with the employers only involve consideration of the question of wages or the hours of labor. But the negotiations that the American wage workers, the labor movement of America, stand for include in their scope every industrial activity that affects the mental, the material, or the spiritual welfare of mankind.

"They laid down as the second step in their philosophy that property is only valuable in so far as profits can be secured from the property, that if you eliminate the profits the property will become valueless and no one will want to retain it; and that, so far as it goes, is also sound. If there is nothing that can be produced from a piece of property that will be valuable to mankind, then no one wants to be bothered with the possession of that property.

"Then came what to my mind and to the minds of the great bulk of the trade-unionists of this country that I have come in contact with was the poison in their whole philosophy. They said that the way to destroy the value of the property was to strike upon the job—that is, to 'soldier,' as we say here in the East; to produce a stint, as they say in Great Britain; to put sand on the bearings, to break the machinery, to reduce production, and to reduce the amount of returns from labor to as small a point as possible and enable the worker to retain his job; then in this way the profits would be destroyed, the value would be eliminated, the owner would no longer desire to retain the property and it could be taken over by the workers, operated collectively, and the workers secure the full value of what their labor produced.

"Whatever there may be of value in the collective ownership and operation of property, there is at least no value whatsoever in that method of bringing it about. [Applause.]

"All we had to do amongst those workers in the Middle West was to point to the historical fact that prior to the rebirth of the inventive genius of man, prior to the building up of our modern factory system with its wonderful processes of machinery, when everything that was produced was produced by hand, there was a much smaller production per individual than could possibly result from any system of sabotage that could now be introduced; and yet in those days there were still profits for the employers and there was still value to the property. What did result was a very much lower standard of living for the workers; and the only thing that would result from such a scheme now would be a lower standard of living for the wage workers of the present, and our wage workers are not going to stand for any system that will lower their standards of living.

"The employers and the employees have a mutual interest in securing the largest possible production with a given amount of labor, having due regard to the health, the safety, the opportunities for rest, recreation, and improvement of the workers. These being safeguarded, the larger the amount that is produced the larger will be the amount that there is to divide. If there is nothing produced, there will be nothing to divide; if there is a large amount produced, there will be a large amount to divide. Their interests diverge only when it comes to a division of what has been mutually produced; and if they are wise in their generation in these modern times, with labor realizing its importance in the defense of the country and the maintenance of the country, instead of solving the problem by the use of the economic power on the part of the employer, imposing his will upon the worker, or the use of collective power on the part of the employees imposing their will upon the employers, they will sit around the council table and endeavor to work out the problem on a democratic basis that will secure to each all that he is entitled to receive. [Applause.]

"Closely allied to the work of the I. W. W., during the past year at least, there has been more or less Bolshevist agitation in the United States. It has not been to any great etxent prevalent amongst the real workers of the country; it has existed principally amongst the 'parlor coal diggers' of our greater cities. I have no fear of a political revolution in the United States. It may be possible that these 'parlorites' may misguide a sufficient number of laboring men to cause local disturbances that will be annoying, but no one in the ranks of labor, whether he is classed as an extreme radical or an extreme conservative, or any of the elements between these two, will stand for Bolshevism for a minute when he knows what Bolshevism itself stands for.

"They talk a great deal about the dictatorship of the proletariat. We who have been more or less familiar with the theories that have been promulgated by Marx and his assertion of the dictatorship of the proletariat had interpreted the term to mean that a majority of the workers of the land would determine the policy of it and impose it upon the balance of our people. And our workers are not willing to accept even that kind of a principle. They realized the many centuries of struggle there had been to secure the franchise on the part of the workers in the face of the claims that had been made that they had no property to be taxed, and, having no property to be taxed, they should have no voice in imposing the taxes; and, further, that they had not developed enough; that they had not sufficient intelligence to be permitted to participate in the affairs of state. During all the centuries there has been a struggle to remedy the wrong, and the basis of that struggle, the basis of the contention of the workers, has been that every person who has to obey the laws of a country ought to have a voice in determining what those laws should be. Having fought all through the centuries for the accomplishment of that ideal, having accomplished this purpose, the American workingman was not disposed to impose the same kind of a disfranchisement upon other portions of the people that he did not want imposed upon himself.

"The Bolshevists did not even take that interpretation of the dictatorship of the proletariat as their guide in the countries where they are just now supreme. In his long speech before the national soviet at Moscow a little more than a year ago, Lenin laid down the principle that the dictatorship of the proletariat meant the dictatorship of a self-selected, so-called 'advance guard'; that the proletariat himself was not to be trusted because he would waiver, and that this self-selected advance guard would impose its will upon the workers and the others must obey, and in that obedience was included obligatory labor.

"From the time that Moses led the Israelites out of bondage in Egypt until Lincoln issued the emancipation proclamation the struggle of the masses has been to get away from slavery, to get away from compulsory labor, and yet it is proposed by this new form of government to reintroduce obligatory labor upon the workers of the world, imposed upon them by a small group of the 'parlorites' of Russia. The great distinction between slavery and freedom is that under freedom every man shall have the right to cease work for any reason that may be sufficient to himself. [Applause.]

"We have protested to the extent of sacrificing our blood and our treasure against the military autocracy of Germany, and

yet the military autocracy of Germany was built upon the selfsame idea, that the Kaiser and his group of advisers knew better what the workingman desired, what he needed, and what was good for him, than the workers knew themselves, and this new group is setting itself up as the advance guard, taking exactly the same position that they know better what is good for the workers than the workers know themselves, and that one of the things that is good for them is that they must be compelled to labor at any price that the advance guard may say, at any kind of work they may determine, for any number of hours the advance guard may decide upon, and the powers of government are to be used to enforce that will. That is their policy.

"The American workingman wants nothing of that kind of dictatorship of the proletariat. The American workingman wants nothing of that kind of obligatory labor. The American workingman wants nothing of the political, social, or economic conditions that have existed and still exist in Russia. We have worked out our destiny far beyond that stage, and we are going to continue to work it out to the achievement of higher ideals, not by the will of an advance guard, no matter how right or just their position may be, but by the will of the majority themselves.

"The use of force, as some of these people are advocating, for the overthrow of our institutions, we will not tolerate. Why, my friends, our institutions have been until recently the most completely democratic institutions in the world, and it is only recently that Great Britain has come up shoulder to shoulder with us. Our Declaration of Independence, while it declared, as I have stated, that governments derive their just powers from the consent of the governed, did not give to all of the people a voice in the affairs of state. The adoption of our Constitution did not give that right, that privilege. It was not until after 60 or 70 years of struggle that there came to the workers of our country practically universal manhood suffrage and every element in our country had at least the right to a voice in determining how the affairs of state should be conducted.

"In eastern Europe they had not reached that stage of development. The workers were not permitted to have a voice in determining the affairs. The only method by which they could bring about change was by the use of force. Force over there and force here are two different propositions. The use of force to overthrow an autocracy may be the highest kind of patriotism. But the use of force to overthrow a democracy is treason to the masses of the people. We are proceeding by evolution, not by revolution. We have the power of the ballot to remedy our grievances. If we fail to use the ballot rightly the fault is our own. And those of us who can not be depended upon to vote right can not be depended upon to shoot right. [Applause.] And may I add that in making that statement I am not advocating either the attachment to any political party or the creation of any new political party. Our conditions here are very much different from the conditions on the other side of the ocean. Over there there is a snug little island. The great majority of their people are engaged in industrial and commercial pursuits. A separate party over there can, without having an accession from the intellectuals, become a majority party. That is not the case in our country. There are just as many people engaged in agricultural pursuits, in pursuits that do not lend themselves to organizations, as there are engaged in industrial pursuits, and even if we were able to solidify all of the wage workers of the country in a common mass, as the others would solidify against us, we could not become a majority party, and any progress we might attempt to make would be retarded as a result of the partisan feeling that would be engendered by virtue of these contests. And so we are in a position where we can, if we will, organize a separate party, or we can pursue the policy that has been pursued successfully so far, and that is to throw the weight of our support, of our influence, to the individuals or to the parties that for the time being are willing to go along with our program.

"May I also, Mr. President, take this opportunity of giving a word of advice in connection with another situation that has been tense throughout the country? The advice is given freely, honestly, and earnestly. You may accept it or leave it as your own judgment tells you is best. I have been very much interested in the Mooney case. I was requested by the President when his commission went West to look into the Mooney case and report to him. We looked into the Mooney case, and in doing so we came to this conclusion: That, so far as the jury was concerned that passed upon the evidence presented to it, it could have come to no other conclusion under its sworn duty than to convict Mooney; that, so far as the judge was concerned who tried the case, he tried it with absolute fairness. But there were some things existing in addition to that. At the time of the trial certain evidence had been given by certain individuals relative to the supposed activities of Mooney. It afterwards developed that one of the principal witnesses had written to a friend of his in Illinois asking him to come to San Francisco and be prepared to testify that he had seen Oxman, the witness, at a given point at a given time, so as to testify to the possibility of Oxman's being at the point where he claimed to have secured the evidence. The commission was of the opinion that in view of that change in the evidence, and in view of other changes that had taken place in the evidence from the date of trial, Mooney ought to be given a new trial, and his innocence or guilt decided upon the evidence as it existed when this new evidence was produced. [Applause.]

"At that time I had no fixed opinions as to either the guilt or the innocence of Mooney. With me it was not a question of whether Mooney was guilty or was innocent, but a question of securing a fair trial for him under the existing circumstances. [Applause.] Every effort that the national administration was able to put forth was put forth for the purpose of trying to secure that new trial, and we are not through with it yet. We are still working on it. [Applause, long and continued.]

"But that is not the phase of the situation that I particularly wanted to advise you about. I am simply stating these facts as preliminary to what is to follow. There has been carried on throughout the country a nation-wide agitation for a universal strike as a protest against the conviction of Mooney. My friends, do you realize just what that action means to the masses of the people? Do you understand fully—most of you do—the struggle that has taken place in order that trials may take place by jury where people are accused, with the accused having the opportunity of meeting the witnesses and the jury face to face, and the jury having the opportunity of witnessing the manner in which the witnesses give their testimony? That change, the establishment of the jury system, was not brought about for the purpose of protecting the monarch or protecting the nobility. It has not been principally essential for the protection of men of great wealth; they have usually been in a position to protect themselves. The jury system was brought into existence for the purpose of protecting poor fellows like you and me from the power and influence of the other fellows.

"It may occasionally miscarry; occasionally an injustice or a wrong may be done, but in the great bulk of cases justice is meted out through the jury system. Neither you nor I nor anyone in the labor movement, no one who belongs to the great masses of our people, can afford to undertake to try Mooney by the process of a strike. [Applause.] If he is to be tried he should be tried by a jury that can meet him face to face and meet the witnesses face to face and be able to digest the evidence as it comes out, bit by bit. Very few of us have had an opportunity of examining the evidence in the Mooney case, very few of us know anything more about the Mooney case than simply that which is connected with Oxman, one of the principal witnesses, and yet it is proposed that every workingman in the country, whether he has information concerning the Mooney case or not, shall become a juror in this case, and at the same time that he becomes a juror shall enter into a strike to bring about a decision. What influence will it have? The man who under our laws can pardon him or liberate him from prison is not under the jurisdiction of the voters of any other part of the country than that of California. And I do not know but that, even though there may be a miscarriage of justice occasionally, it is a wise thing that that is the case. The further you get the responsible officers removed from the electorate the less influence the electorate has with those responsible officers, and while the responsible officers may occasionally pursue a course that is not acceptable to the multitude, it is better that they should be close to the multitude, close to the electorate, than that they should be far removed, as would be the case if the responsibility rested with the Federal official instead of with the State or local official.

"My friends, we in this country have been moving on by the evolutionary processes, taking hold of the problems that confront us, holding fast to that which experience demonstrates to be good, letting loose of those things which experience demonstrates to be bad. It is the safest method, the surest method. Revolutionary processes may move us forward rapidly for a brief period. On the other hand, the chances are that when a revolution takes place no one will be able to determine where it will end. That has been true of nearly all the revolutions of the world, and the policy that has been pursued by the American labor movement of going forward by evolutionary processes, making sure of each foothold with every step that it takes, so that there will be no step backward, is the surest and best process for the achievement of the highest ideals of mankind. I thank you. [Applause, long and continued.]"

REPORT OF THE UNITED STATES HOUSING CORPORATION.

Mr. LENROOT. Mr. President, on the 1st instant the United States Housing Corporation submitted, in response to a resolution of the Senate, a report of its operations, and it was ordered to lie on the table. I ask that the report be taken from the table and referred to the Committee on Public Buildings and Grounds.

The VICE PRESIDENT. Without objection, that action will be taken.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. RANSDELL:

A bill (S. 2432) granting a pension to Marietta Hubbell Baldey; to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 2433) to authorize the establishment of a Coast Guard station on the coast of Florida, at or in the vicinity of Lake Worth Inlet; to the Committee on Commerce.

By Mr. WALSH of Massachusetts:

A bill (S. 2434) to provide that the commissioned personnel of no corps or department of the Army need be reduced below the authorized peace-time strength (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 2435) granting an increase of pension to Peter Powers;

A bill (S. 2436) granting a pension to Mary T. Noonan; and

A bill (S. 2437) granting an increase of pension to Annie K. Stearns; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 2438) to prohibit intoxicating liquors and prostitution within the Canal Zone, and for other purposes (with accompanying paper); to the Committee on Interoceanic Canals.

By Mr. PHELAN:

A bill (S. 2439) granting an increase of pension to Charles D. Robertson, alias Charles D. Harris (with accompanying papers); to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 2440) for the relief of the estate of John M. Lea, deceased (with accompanying papers); to the Committee on Claims.

By Mr. SHERMAN:

A bill (S. 2441) to provide for the placing of identification tags on horse-drawn vehicles used for business purposes within the District of Columbia; to the Committee on the District of Columbia.

By Mr. STERLING:

A bill (S. 2442) authorizing and directing the Secretary of the Interior to convey to the Yankton Agency Presbyterian Church, by patent in fee, certain lands within the Yankton Indian Reservation; to the Committee on Public Lands.

A bill (S. 2443) for the relief of Fred N. Dunham; to the Committee on Claims.

By Mr. WADSWORTH:

A bill (S. 2444) to create the commission on rural and urban home settlement; to the Committee on Agriculture and Forestry.

A bill (S. 2445) to permit the reenlistment of Omer G. Paquet in the United States Army;

A bill (S. 2446) to amend section 1318, Revised Statutes;

A bill (S. 2447) for the relief of the Philippine Scouts; and

A bill (S. 2448) for the relief of certain officers of the United States Army, and for other purposes; to the Committee on Military Affairs.

A bill (S. 2449) to carry out the findings of the Court of Claims in the case of Arthur E. Colgate, administrator of the estate of Clinton G. Colgate, deceased;

A bill (S. 2450) for the relief of the owners of the British steamship *Clearpool;*

A bill (S. 2451) for the relief of the State of New York;

A bill (S. 2452) to carry out the findings of the Court of Claims in the case of the Commercial Pacific Cable Co.; and

A bill (S. 2453) to carry into effect the finding of the Court of Claims in the case of Elizabeth B. Eddy; to the Committee on Claims.

By Mr. WALSH of Montana:

A bill (S. 2454) for the relief of certain members of the Flathead Nation of Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. ROBINSON:

A bill (S. 2455) to establish game sanctuaries in the national forests; to the Committee on Agriculture and Forestry.

By Mr. NEWBERRY:

A bill (S. 2456) granting an increase of pension to John H. Calwell; to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 2457) to provide for a library information service in the Bureau of Education; to the Committee on Education and Labor.

A bill (S. 2458) granting an increase of pension to Charles L. Stevens; to the Committee on Pensions.

By Mr. THOMAS:

A bill (S. 2459) granting a pension to Alice B. Elliott; to the Committee on Pensions.

A bill (S. 2460) for the relief of Maj. Gen. Jesse McI. Carter; to the Committee on Military Affairs.

By Mr. CAPPER:

A bill (S. 2461) granting a pension to Helen A. Perrill (with accompanying papers); to the Committee on Pensions.

By Mr. DILLINGHAM:

A bill (S. 2462) granting a pension to Amanda Wynas (with accompanying papers); to the Committee on Pensions.

By Mr. ELKINS:

A bill (S. 2463) granting an increase of pension to Alexander Reed;

A bill (S. 2464) granting an increase of pension to Andrew J. Jones;

A bill (S. 2465) granting an increase of pension to Mairdreth Landres;

A bill (S. 2466) granting an increase of pension to William Carpenter;

A bill (S. 2467) granting a pension to Augustus Harless; and

A bill (S. 2468) granting an increase of pension to George W. Johnson (with accompanying papers); to the Committee on Pensions.

By Mr. WADSWORTH:

A joint resolution (S. J. Res. 71) directing the identification and marking of graves of men who died abroad in the service of the United States; to the Committee on Military Affairs.

EMMA V. KENNEY.

Mr. CALDER submitted the following resolution (S. Res. 118), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to Emma V. Kenney, widow of Beverly W. Kenney, late a laborer in the employ of the United States Senate, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

GENERAL STAFF CORPS—MEDALS OF HONOR.

Mr. CHAMBERLAIN submitted the following resolution (S. Res. 119), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War be, and he is hereby, directed to furnish to the Senate copies of all reports, memoranda, opinions, decisions, instructions, and orders that are on file or of record in Washington, D. C., under control of the War Department and that relate to the interpretation or execution of the provisions of section 5 and of section 122 of the national defense act, approved July 3, 1916.

COMMITTEE ON THE DISTRICT OF COLUMBIA.

Mr. SHERMAN submitted the following resolution (S. Res. 120), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the District of Columbia, or any subcommittee thereof, be authorized to send for persons and papers and to administer oaths, and to employ a stenographer to report such hearings as may be had in connction with any subject which may be pending before said committee, and such other expert assistants as may be necessary, that the committee may sit during the sessions or recesses of the Senate, and that the expense thereof be paid out of the contingent fund of the Senate.

ADDRESS OF SENATOR JOSEPH E. RANSDELL.

Mr. GAY. I ask unanimous consent to have printed in the RECORD an address delivered by the senior Senator from Louisiana [Mr. RANSDELL] before the graduating class of the Louisiana State University at Baton Rouge on June 16.

The VICE PRESIDENT. Without objection, it is so ordered.

The address is as follows:

AMERICA'S PART IN THE WORLD WAR.

(Address of United States Senator JOSEPH E. RANSDELL before the graduating class of Louisiana State University at Baton Rouge, June 16, 1919.)

"In order to appreciate the part played by the United States in the World War, which practically ceased on the 11th of November last, we must diagnose the general situation when our country entered the combat, and understand the truly colossal proportions of this the greatest war that ever afflicted mankind. On April 6, 1917, when war was declared by Congress, Germany and her allies had been remarkably successful; their armies had been victorious in many battles and large areas had been conquered; their submarines were rapidly de-

stroying ships of Great Britain, France, and Italy, and vessels of neutral nations, including our own, were suffering terribly.

"War in its most horrible and ruthless form, a war of savagery such as the world had not witnessed for centuries, convulsed all Europe and portions of Asia and Africa. Never had there been such enormous destruction of life and property among the fighters on land and the civilian populations. On the sea ships were being torpedoed and sunk at a rate which seriously threatened the ship supply of the whole world; 13,000,000 gross tons of shipping, one-fourth of all the commercial vessels on earth, were destroyed before the close of the war. In former wars ships of commerce were captured as prizes, were added to the fleets of the conqueror, and the world at large suffered small loss of tonnage; but the submarines took no prizes, all their victims were sent to the bottom, resulting in complete loss to victor, vanquished, and neutral.

"A few comparisons will illustrate the immensity of this war. In our Civil War between the States the loss of life on both sides was estimated at 200,000, and the cost was $4,750,000,000. In the Franco-Prussian War the loss of life was estimated at 81,000, and the estimated cost was $2,534,000,000. One hundred and twenty-nine thousand seven hundred men were killed in the Russo-Japanese War, and it cost $2,500,000,000. In the present war the estimated loss of troops in battle and those who died of wounds, not including disease, was 7,582,300, and the estimated cost to the belligerents, not including property damage, was $179,000,000,000, of which the United States and its Allies expended about $120,000,000,000, while the Central Powers expended $59,000,000,000. A brief survey of these figures will show how insignificant, in terms of human life and money, were our awful Civil War, the great Franco-Prussian and Russo-Japanese Wars, when compared with the recent mighty conflict.

"What would have happened if America had kept out? Paris would certainly have fallen and the contest been prolonged indefinitely. The chances are that Germany would have won.

"Field Marshal Haig, April 13, 1918, issued a special order to his army in which he said:

"With our backs to the wall, each one of us must fight to the end.

"Lloyd-George in the House of Commons on the 9th of the same month spoke very plainly of the situation, and alluded to the 'splendid and generous way and promptitude with which America has come to our aid.'

"On the 31st of May following the British General Staff said:

"The situation is a very anxious one not only because the Germans have made such rapid progress—an advance of 26 miles in 4 days—but also because they still have such large reserves available to be thrown into the battle at any point.

"Col. Charles Repington, of England, said in the Atlantic Monthly for August last:

"The leadership of your President and the energy and patriotism of your people are exceedingly helpful to us and enable us to regard the future with confidence, in the firm belief that America having set her hand to this giant's task of overthrowing the most dangerous despotism that has ever threatened the world's peace will never turn back or faint by the way until her mission is accomplished.

"Ludendorff, one of the ablest of the German generals, is credited by the press with having said recently that beyond question the Entente Allies would have been defeated but for the aid of America. And this is the general conviction of the American people.

"If Germany had been victorious, free government would have disappeared from Europe for ages, and the effects on free institutions in America and elsewhere would have been very bad, probably ruinous. Germany's system of philosophy idealized the State. Its Government was a great centralized system, under which all were taught from their earliest years to look to the central authority for everything, and that individual rights and aspirations were subordinate to the State in all things. The State had absolute control over education and taught that efficiency was the highest aim of the citizen; that might was right; that the end justified the means; and that the Fatherland must dominate all other nations either by dishonest methods in business or by war.

"Prior to the outbreak of the war in 1914 German ideas of education had a strong hold in many of our schools and higher institutions of learning, and German efficiency, regardless of the means necessary to attain it, had many imitators in America. We were rapidly becoming as godless as Prussia herself. Had the Central Powers won this war and we remained neutral, I greatly fear that German philosophy, coupled with the prestige of her mighty victory and predominating influence throughout the world, would have made the United States a Nation of materialists, forgetful of God, indifferent to the higher things of life, regardless of the rights of other nations, and so addicted to selfishness and luxury that our free national life would have been destroyed just as the Republic of Rome fell 2,000 years ago from the same causes which wrought the awful ruin that has come to Germany and her allies. It is my sincere conviction that we were saved from this fate by entering the war on the side of the Allies and helping to defeat Germany. I believe also that it was essential to our national preservation for us to fight Germany, for had we kept out and the Central Powers won we would soon have been in a death struggle to preserve our very existence as a Republic.

"The world has been sorely chastened, and emerges from this Great War a better world than it was on August 1, 1914. While many horrible crimes were committed by the Central Powers in their lust of pride and strength, and some sins are doubtless chargeable to the soldiers and citizens of our country and its Allies, who were far from perfection, all of us—enemies, friends, and ourselves—have poured out a big holocaust of blood and treasure in expiation. Our sins have been washed away in the blood of 20,000,000 human beings who died as soldiers in battle or from disease and wounds, or as civilians from starvation, exposure, and sickness directly induced by the war.

"Our country was fortunate in possessing such a leader as Woodrow Wilson. He did everything possible to keep us out of the cruel war and withstood the utmost pressure for two years and eight months in futile efforts to maintain our neutrality. Like all men, he makes mistakes, but his ear has heard every heartbeat of the Nation; his finger has felt every pulse; his eye has seen every movement. Nothing affecting the common weal was too small or too large to receive his sympathetic personal attention. He brought to the consideration of all questions a cool, discriminating mind in a healthy body, regulated by just principles and great wisdom. When the story of the war is written by the future historian, after the passions of the day have subsided, among the many great names of this momentous period the highest place by general acclaim of mankind will be accorded to Woodrow Wilson.

"As a Member of the United States Senate it is not becoming in me to praise Congress, but I can not refrain from stating that no Commander in Chief of our Army and Navy since the birth of the Republic ever had more loyal, disinterested support in all his great war measures than were accorded to President Wilson by the vast majority of the Senate and House of Representatives—Democrats and Republicans alike—from the beginning till the armistice was signed. Congress did its full duty and is entitled to proper recognition; and what was Congress but the voice of the American people, the spokesman of our splendid citizenship, who entered this war and prosecuted it with unanimity and one-mindedness, determined to win regardless of cost and at all hazards. Never were our people so thoroughly and completely united, taken as a whole, as in this war. They acted as one man, and all their influence, their energy, their wealth, their fighting power, were concentrated in efforts to win.

"Our people were not actuated by desire of conquest or revenge, or the ordinary selfish motives which usually impel nations to go to war. We fought to maintain free institutions on earth, 'to make the world safe for democracy,' to preserve the freedom of the seas and the right of American vessels to sail unimpeded over all ocean highways, to maintain our national self-respect, and for all things that men hold dear—honor and the good will of other nations and the right to maintain our position as a free, independent people. We do not expect any indemnity for the twenty billions which the war has cost or the 113,000 noble young lives sacrificed to it. We will not accept one foot of German territory nor one dollar of German money. Our blood and are treasure were given to humanity, and our only reward is the knowledge that we did our duty, that we were apostles of liberty and civilization, and that the world at large as well as America will receive incalculable benefits from our efforts.

"The war was conducted with very few serious mistakes—certainly without any of the grave scandals that afflicted the country during our war with Spain 20 years ago. Nothing comparable to the embalmed beef and the pest-ridden camps of that period occurred. On the whole, those charged with the conduct of the war in all its branches—civil and military, at home and abroad—are entitled to the praise and thanks of a grateful Republic.

"In Gen. Pershing's report to Secretary Baker, November 20, 1918, occurs a fine passage, which is applicable not only to the brave soldiers of the line to whom it referred, but to many persons, male and female, in Europe and America and on the high seas, who were true heroes and heroines, many of whom gave their lives for their country. The general says:

"Finally I pay the supreme tribute to our officers and soldiers of the line. When I think of their heroism, their patience under hardships, their unflinching spirit of offensive action, I am filled with emotion which I am unable to express. Their deeds are immortal, and they have earned the eternal gratitude of our country.

"America has had many able generals, some of whom commanded very large armies, but not one of them as great an Army as our leader in this war, Gen. John J. Pershing. He has never become a popular hero, but he is a man of fine qualities; he is our principal military chief in the biggest war of our history, and as such we should honor him.

"One of Pershing's first acts after reaching France was to make a pilgrimage to the grave of Lafayette, and deliver there one of the shortest and most remarkable speeches on record, a speech of just four words, 'Lafayette, we are here,' words so simple yet so full of meaning, words comparable to the 'Veni, vidi, vici' of Julius Cæsar and destined to the same immortality. 'Lafayette, we are here' to cancel the heavy debt of gratitude America owes France for her invaluable service rendered through you and your compatriots in the dark days of our early struggle for liberty. It is 140 years, Lafayette, since you and your country came to our aid when weak and sorely pressed, and during all those years no opportunity has arisen to repay you. At last the chance has come, and we are here, Lafayette—America, with 100,000,000 people and countless wealth, all of which is at your disposal, and before we return home your savage enemy shall be driven from France, your ruthless foe crushed, your lands restored, not only those taken in this war but also the rich Province of Alsace-Lorraine, and full reparation made for all the wrongs done to you.

"One of the most remarkable things in military history was the self-abnegation of Pershing in merging his troops with the English and French divisions, thereby losing their identity. His famous letter of March 28, 1918, to Marshal Foch, says:

"I have come to say to you that the American people would hold it a great honor for our troops were they engaged in the present battle. I ask it of you in my name and in that of the American people.

"Foch accepted the offer, and for several months American troops were mingled in battle with the English and French commands.

"In this connection I wish to say that the greatest single contribution America made to the war was when President Wilson and his advisers induced the Allies, in the face of deep mutterings of discontent in England, to unify their military forces under one commander, and to coordinate their political policies under the direction of a single conference board. It took the combined pressure of the German drive and the Washington initiative to overcome British reluctance to a French generalissimo. The turning of the tide of battle dates from the accession of Foch to the command of the allied armies, March 29, 1918, and to the submission of matters of policy to the interallied conference at Paris. As long as each country—Great Britain, France, Italy, Belgium, and America—had its own general in command of its forces, there was no unity of plan nor concentration of armies to enforce it. The Central Empires were all directed by a German chieftain, and worked together as one man with marvelous success. Placing Foch in supreme command was following the wise example set by our enemies. He was the greatest military genius developed by the war. His leadership was splendid in every way, and he had no more loyal, devoted followers than Gen. Pershing and the soldiers of America.

"War was declared April 6, 1917, and June saw the first units of American combatant troops in France. In the 19 months elapsing from the declaration of war to the signing of the armistice 2,075,834 troops, including marines, were sent over. This was a stupendous accomplishment. In the language of Secretary of War Newton D. Baker, 'Nothing to compare with the movement of this tremendous number of men and tons of supplies across the Atlantic Ocean is known in the military history of the world.' Credit for moving the men must be shared with the Allies—the British in particular—but the cargo movement was conducted almost entirely in American ships, less than 5 per cent being carried in allied vessels.

"We had very few ships, and it was necessary to increase our fleet enormously. The inroads of submarines had reached the alarming total of 870,000 tons per month in April, 1917, and their deadly work continued. Lloyd-George begged for 'ships and more ships,' and without ships the war was lost; without ships we could not win. It was up to America to respond, and we responded nobly. Our ship workers suddenly increased from 50,000 to 350,000. We rapidly became a Nation of shipbuilders. The best brain and brawn of the country bent every energy to the task, and vast additions were made before the armistice was signed. A shipyard of 10 ways is a big yard, and yet we built one yard at Hog Island of 50 ways—five very large yards in one—on which 50 great ships were constructed at the same time, by long odds the greatest shipyard in the world, and yet some public men speak of extravagance and waste. Of course there was waste, but the idea of going slowly and carefully experimenting while millions of American boys faced frightful suffering and bloody death—patriotic men have no patience with such criticism.

"This great fleet of commerce carriers was manned by the American Navy, under the lead of its able Secretary, Josephus Daniels, the Navy which has always been the mainstay of the Nation as the first line of defense. While the Navy could not participate in the same sense as the Army, because all the German warships were bottled up and our naval vessels had no chance for action except as convoys to commercial vessels and destroyers of the submarine, its record was memorable. Only 48 vessels were lost during the war—14 by submarines, 5 by mines, 15 by collision incident to the dangers of navigating without lights in submarine-infested waters, and 14 from miscellaneous causes. Since October 1, 1917, there were 289 sailings of naval transports from American ports, and of all this vast movement of ships not one eastbound American transport was torpedoed or damaged by the enemy and only three sunk on the return voyage.

"The greatest single feat of the Navy was laying an antisubmarine barrage across the entire North Sea, a distance of 250 miles from Scotland to Norway. A total of 70,263 mines were laid, of which 56,611 were placed by our Navy and 13,652 by the British—four by us to one by the British. It is known that 10 German submarines were destroyed by this barrage, and its moral effect was far greater than its material, for the barrage was the direct cause of mutiny among the German submarine crews, which led the German Admiralty to abandon its submarine campaign, thereby greatly hastening the end of the war.

"In connection with the Navy, it is proper to mention the marines, who fought so heroically and successfully at Chateau-Thierry, Soissons, Thiancourt, Blanc Mont Ridge, and the Argonne, under the command of Louisiana State University's highest officer, Maj. Gen. John A. Lejeune, of the parish of Pointe Coupee, who led his class in the university for several years before entering Annapolis. While all America is proud of the marines, Louisiana State University is especially proud of their leader, Gen. Lejeune, and also of every one of her ten hundred and sixty-seven alumni who participated in the war, 29 of whom made the supreme sacrifice on the altar of patriotism.

"What shall I say about that branch of the fighting forces which appeared in this war for the first time in history—service in the air by aeroplane and balloon, which was very important and made almost miraculous advances. A striking instance is helium, a noninflammable gas for balloons, which cost seventeen hundred dollars a cubic foot and was very scarce at the outbreak of the war, but our scientists speedily produced it in quantity at 10 cents a cubic foot.

"An index of American superiority in the air during the later months of the war is shown as follows: Four hundred and eighteen German planes and 53 balloons were destroyed by our fliers, who lost during that period 199 planes and 35 balloons—about two and one-half to our one.

"A shining example of American prowess and fighting spirit is found in the meteoric career of Lieut. Frank Luke, of Phoenix, Ariz., which is fairly comparable to that of Sergt. York, of Tennessee, who captured a machine-gun nest, taking a number of machine guns and 132 prisoners. The sergeant was more fortunate than the lieutenant, for he lived to be acclaimed the greatest hero of the war, and was also victorious in love, as he led his boyhood sweetheart to the altar 10 days ago. Lieut. Luke established the world's record of destroying 18 enemy aircraft in 17 days. In his last flight he attacked a fleet of 10 enemy planes protecting their balloons. Two of the planes were shot down, and in spite of the remaining eight he burned three of their balloons. Seriously wounded, he was compelled to land in the enemy's lines. German soldiers rushed up, to be met with bursts of fire. He killed 11 of them. When at last they took him—dead—his pistol was still held tightly in his hand.

"And what did women do for their country when we went to war? It would be easier to tell what they did not do, for there was no great undertaking where they were not first and foremost.

"The Red Cross set tens of thousands of women to work while war was still afar off, a cloud whose shadow fell on the hearts of women long before it stretched across their hearthstones.

"And when war came to us, what was the first great gift of women? Our Army and Navy; our soldiers and marines; our airplane fliers and fighters. These splendid armies, these fleets of fighting men, were the gift of Columbia's daughters to Columbia when she sent out her call for her children to rally to her defense.

"And then what followed? When the men marched away the women kept up their own work and took up every essential

branch of work the men had dropped—in offices and stores, in machine shops, munition factories, street cars, as chauffeurs, farm laborers, dairy women, directing Government bureaus—and in whatever capacity they served the women of this Nation made good. They won for themselves in a few weeks a recognition that centuries of service had failed to bring. Civilization has made long strides in this country in the last four years, and women will find that the unselfish service they have rendered their land in numberless capacities will bring to them a thousandfold return in years to come.

"Speaking of women reminds me that some of our best thinkers believe that the one great outstanding fact of the war was the extraordinary care of the morals of our soldiers in training camps and elsewhere. For the first time in military history the moral welfare of soldiers was jealously safeguarded, and every precaution taken to protect them in that way as well as physically. When our soldiers reached Europe the fine discipline of our home camps was put into effect, and exercised very beneficial influence upon them as well as upon the soldiers of our Allies. The credit for this splendid work is due to the Commission on Training Camp Activities of the War Department, aided and assisted by the Red Cross, Young Men's Christian Association, Knights of Columbus, Salvation Army, and the Jewish Welfare Board, all of whom are entitled to the greatest praise.

"Medical science has improved so much in recent years that the total number of deaths from disease among our fighting forces in Europe during the present war—September 1, 1917, to May 2, 1919—was only 49,412, and by far the greatest percentage of these died from pneumonia and influenza. Had the same death rate prevailed as in the Spanish War there would have been 112,656 deaths from disease, and had the Civil War death rate obtained there would have been 227,094 deaths. This vast difference shows a truly remarkable advance and the great number of lives saved thereby. And this in spite of the terrible epidemic of influenza which extended throughout the world and caused the death of millions.

"Another thing very worthy of consideration in this particular is our physical reconstruction work among those injured in battle or otherwise. The results are often marvelous, and many instances can be cited where men very seriously wounded are so thoroughly restored to their normal functions that they enjoy a great degree of comfort and are able to continue as useful, productive members of society.

"If time permitted, I could dwell upon the great success of our selective draft, which mobilized for service every man in America below the age of 45; our marvelous Federal Reserve Bank System, which enabled us to avoid panics and provided ample funds for ourselves and our Allies; the splendid efforts of our farmers, who, under the lead of Herbert Hoover and his able assistants in every State, produced vast additional supplies of food to help feed the starving in Europe; our Government Railway Administration, which 'delivered the goods' after private transportation companies had failed; the various boards and commissions of patriotic men, who labored unselfishly for their country—but all these are matters of history.

"If all things connected with America's participation in the war are considered—its psychological effect in cheering our Allies and disheartening our foes, making the morale of the allied armies nearly perfect and practically destroying that of their enemies; the vast number of men actually engaged in our Army and Navy, upward of 4,000,000 when the armistice was signed, together with the fact, well known to Germany, that 23,709,000 males from 18 to 45 had registered for service under our selective draft; the splendid fighting of our soldiers and marines, starting with Cantigny and ending with the Argonne, and our sailors on the sea with that deadliest of foes, the submarine; the vast supplies of food and war material furnished to our Allies, including nearly nine billions of money loaned to them; the unparalleled record of transporting 2,000,000 soldiers and all things necessary for them over 3,000 miles of submarine-infested sea; the invaluable material and moral aid of every kind contributed by us—the conclusion is incontrovertible that we played a part of supreme importance, if not the determining part, in this momentous struggle.

"We have accomplished our aim. Autocracy has been destroyed in Europe; its people are free; democracy reigns.

"In the process of reconstruction among the new States that grew out of the old Empires of Germany, Austria-Hungary, Turkey, and Russia there will be many discordant elements, hard to fuse into the pure metal of real democracy, but they will ultimately succeed, and we must do all in our power to assist. A strong league of nations will be formed eventually, under the inspiration and leadership of our President, on a workable plan that will assist materially in adjusting national disputes and preventing future wars.

"The millennium is not at hand, and it seems too much to expect universal peace, but an earnest, united effort by every country on earth should be made to attain it, and the United States should lead therein. We gave freedom, prosperity, and happiness to Cuba; and with our aid it rose from its ashes to become a thriving Republic. We have ruled the Philippines with kindly wisdom most helpful to their people and have given them a large measure of self-government preparatory to full independence. Why not act in like manner, so far as differing circumstances permit, toward the struggling young republics of the Old World? To the query, 'Am I my brother's keeper,' we should answer, 'Aye, aye.' Many of our brothers are in sore distress—their young men killed, their houses burned, their food taken away, their farm animals gone, their industry at a standstill—chaos and revolution threatening. It is our duty to help these suffering brethren with counsel, with food, with money, and if need be even with a military force, as we did in the case of Cuba. We are the richest and most powerful Nation on earth. We possess many times 'ten talents,' and will be held to accountability for each one of them. We must not be selfish or contracted. Our vision must reach over all the world, and our good deeds be limited only by the needs of humanity.

"Young friends of the graduating class, I invite you to ponder well the great and noble part enacted by your country in this terrible war. I beg of you to resolve here and now, as you leave the portals of alma mater to follow the devious paths of life, that no word or deed of yours shall call the blush of shame to any honest cheek; that you will, each and every one, do your full duty as citizens of our beloved Republic; and will so live that the martyrs of America and other lands, who gave their lives to free mankind, shall not have died in vain."

JAPANESE CONTROL OF SHANTUNG.

Mr. PHIPPS. I send to the desk a letter received from Edward T. Lazear, of Fruita, Colo., protesting against the clause contained in the treaty of peace with Germany in regard to control of Shantung by Japan, and request that it be read by the Secretary and referred to the Committee on Foreign Relations.

There being no objection, the letter was read and referred to the Committee on Foreign Relations, as follows:

FRUITA, COLO., *July 5, 1919.*

Hon. LAWRENCE C. PHIPPS,
Washington, D. C.

DEAR SIR: Having lived in Shantung, China, at different places on the old German railroad, from 1913 to 1917, I feel that I am somewhat qualified to make a protest against the decision of the peace commission in giving Shantung to the Japanese. This is as great a calamity as could possibly befall our sister Republic. That great nation so badly in need of foreign counsel and help has been sold to the Japanese by a few unscrupulous officials in Peking; and now our own President declares himself in favor of giving to the Japanese legally the very thing that the grafting Judas Iscariots of Peking sold to the Japs for money. Any man who has lived in that Province, even for a short time, can not but feel very deeply about this outrage which we are liable to commit.

I lived at Wainsien on the German railroad, halfway between the two terminals, during the autumn that the Japanese attacked Tsingtau; and I was in Tsingtau a few weeks after the surrender. I have therefore seen the Japanese as they really are. I saw the Japanese Army march across the Province, violating all laws of neutrality and doing nothing different from the Huns in their march through Belgium. They levied taxes on all towns which they went through, lived off the Chinese, helped themselves liberally to live stock and property of all kinds, and killed objectors outright. The wells were polluted for months by the bodies of women and children who chose that death rather than subject themselves to the cruel mercies of the invading army. The military took over the Chinese post offices in the whole locality and censored all first-class United States mail matter. For months all the letters I wrote to this country dropped in a Chinese post office with Chinese postage stamps thereon arrived in America with Japanese stamps. A friend of mine who wrote to this country protesting against the treatment that the Chinese were receiving at the hands of the Japs and who mailed his letter in a Chinese post office was notified by the Japanese that he could no longer use the mails. And, true enough, every letter he thereafter mailed was returned to him opened. The Japanese are identical with the Germans in thought and action; for have they not modeled their military

system after that of the Huns and molded the German character into their own? If given control of Shantung they would govern it no different from the manner the Germans would have governed us had they conquered us in this war.

During the rebellion of 1915 I saw with my own eyes bands of Chinese rebels led by Japanese officers fighting the Government troops. The rebels were supplied with Japanese ammunition, and had practically carte blanche use of the railroad. On several occasions the rebels fired on the compound in which I lived; and in every case, on the following morning, Japanese officers called and asked us if we did not wish to place ourselves under their protection. If we had done so, the press would have announced to the world that the Japanese were the saviors of the American people in Shantung.

If the Japanese are allowed possession of Shantung it will not be long before the whole nation is absorbed. The Japanese are no more fit to rule the Chinese than a South Sea Islander is. Why, because a few officials in Peking sell their country, should we make a decision to let 40,000,000 people—and eventually 400,000,000 people—come under the domination of the Yellow Hun?

I trust that you will use your influence to have this clause struck from the treaty.

Very truly, yours,

EDWARD T. LAZEAR.

TREATY-MAKING POWER.

Mr. WALSH of Montana. In the year 1913 the junior Senator from the State of Minnesota [Mr. KELLOGG] was president of the American Bar Association, and delivered an address at the annual meeting of that association upon the treaty-making power of the Government. The document is particularly valuable for the information of Senators at this time, and I ask that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF THE PRESIDENT, FRANK B. KELLOGG, OF MINNESOTA.

(Presented at the meeting of the American Bar Association, at Montreal, Canada, Sept. 1–3, 1913.)

TREATY-MAKING POWER.

"Gentlemen of the American Bar Association, this is the first meeting of the American Bar Association outside of the United States. Though we meet in a foreign country, we do so among a people allied to us by every tie that binds nations in a common brotherhood. We are of the same race, speaking the same language, governed by the same general principles of law, inspired by the same traditions, working out as separate nations the same great destiny. I hope that the peace which has so long existed between these peoples may be further cemented, and mutual and friendly intercourse continue to increase. On behalf of the American Bar Association, I welcome this opportunity to extend to the officials and lawyers of the Dominion of Canada our sincere thanks for the great assistance they have rendered toward making this a memorable meeting of our association.

"The constitution of the American Bar Association requires the president in his annual address to review notable changes in statute law. Ordinarily this subject is rather dry and of little interest to the lawyers of other countries; yet at times these enactments of Congress or of the legislatures of the States touch upon subjects of absorbing general interest. The statute which has attracted the most attention, stimulated the widest discussion, and raised questions of the most far-reaching and momentous consequences to the Nation and its relations with foreign powers is the alien land law of California. This statute, which became a law on May 19, 1913, permits aliens eligible to citizenship to possess, enjoy, transmit, and inherit real property in the same manner as citizens. Aliens not eligible to citizenship may acquire, possess, enjoy, and transfer real property, or any interest therein, in the manner and to the extent permitted by any treaty existing between the Government of the United States and the nation of which such alien is a citizen, and not otherwise. In other words, such an alien, if not permitted by treaty, may not own, transmit, or inherit real property in the State of California, and such property if held in violation of the act is subject to confiscation to the State. Section 7 of the act provides: 'Nothing in this act shall be construed as a limitation upon the power of the State to enact laws with respect to the acquisition, holding, or disposal by aliens of real property in this State.'

"The treaty with Japan of 1911 provided that 'the citizens or subjects of each of the high contracting parties shall have liberty to enter, travel, and reside in the territories of the other to carry on trade, wholesale and retail, to own or lease and occupy houses, manufactories, warehouses, and shops, to employ agents of their choice, to lease land for residential and commercial purposes, and generally to do anything incident to or necessary for trade upon the same terms as native citizens or subjects submitting themselves to the laws and regulations there established.'

"The question raised, which has received such wide discussion by publicists and journalists, is whether a State may, in violation of a treaty between the United States and a foreign power, regulate the ownership of real estate within its borders by citizens of such foreign country.

"I shall not stop to discuss the question of whether the treaty with Japan does give to her citizens within the United States the right to own real estate. It gives them the right to carry on trade, to own houses, manufactories, warehouses and shops, and to lease land for residential and commercial purposes. If citizens of Japan have any right to own real estate in California, it is difficult to see how this law takes away such right, because it provides in substance that such aliens may acquire, possess, enjoy, and transfer real estate in the manner and to the extent and for the purposes prescribed by any treaty.

"But the question has been squarely raised by the declaration of the Legislature of California which was intended and understood by the public generally to mean that California claimed such right notwithstanding any treaty provisions with the Federal Government.

"Arizona has adopted an alien land law more drastic than that of California; but this likewise provides that it shall not be so construed as to conflict in any manner with any treaty of the United States.

"In Washington a constitutional amendment has been submitted to the people providing in substance that if a resident alien becomes a nonresident for nine years his real property shall be vested in the common-school fund.

"The laws of these latter States have not attracted attention, but the passage of this law by the Legislature of California and the public discussion which followed have raised a question which may disturb the amicable relations heretofore existing between the United States and Japan—a question of vital importance to our Nation in its relation with foreign governments.

"I am convinced that there can be no serious doubt that the Federal Government may, by treaty, define the status of a foreign citizen within the States, the places where he may travel, the business in which he may engage, the property he may own, both real and personal, and the devolution of such property upon his death; that such a treaty constitutes the supreme law of the land; and that a State law contravening such a treaty is void and will be so declared by the courts in a suitable action.

"These propositions have been established by the laws and usages of all civilized nations, by the history of the times, by the opinions of the statesmen who framed our Constitution, by the provisions of the Constitution, by the universal practice of making such treaties from the days of the Confederation, and, lastly, by the repeated decisions of the Supreme Court of the United States and of many other courts during a period of more than 100 years. And yet, notwithstanding this array of authority, when the question arose, the Legislature of California, by an almost unanimous vote of its members and with the approval of its distinguished governor, took the position that California had the exclusive right to regulate the ownership and disposition of real estate by foreign citizens—a position which was conceded without question by a large section of the public journals and which seems to have been held by influential Members of the Washington Government. Certain it is that the Government did not take the stand that any law of California or any other State made in violation of a treaty with the United States is void, and that the Government would enforce such treaty rights notwithstanding the action of the States.

"From the standpoint of history and judicial authority, I shall attempt in this address to maintain the supremacy of the treaty-making power, although the subject has been so fully treated by able writers and in judicial opinions that it seems hardly to be open to discussion.

"The Federal Government is a Government of the people and not of the States. Its title springs from the primary authority of all governmental power and its treaty-making power is subject to no limitations except those provided by the Constitution.

"The provisions of the Constitution of the United States relative to the treaty-making power and the limitations upon the States are as follows:

"No State shall enter into any treaty, alliance, or confederation." Article I, section 10, clause 1.

"No State shall without the consent of Congress enter into any agreement or compact with any State or with a foreign power." Article I, section 10, clause 2.

"He (the President) shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur." Article II, section 2, clause 2.

"The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority." Article III, section 2, clause 1.

"This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every State shall be bound thereby, anything in the constitution of laws of any State to the contrary notwithstanding." Article VI, clause 2.

"If there were no authority to the contrary, it would hardly be presumed that the people of the United States intended to confer upon the Federal Government a less power than had been exercised by other nations since the dawn of civilization. It has been the practice of governments, through the treaty-making power, to fix the status of foreign citizens, their right to engage in business, and to own, transfer, and inherit property. It is one of the indubitable prerogatives of sovereignty.

"The exercise of the treaty-making power has rarely been left to the individual States collectively constituting a nation, nor have such States usually been permitted to pass laws violating such treaties. Few individual States in confederations have retained the treaty-making power. Notable examples of these were the Greek, the Swiss, the North German, and the Netherlands confederations. The Greek republics perished. The other three governments, finding the loose confederations disastrous to national unity and prosperity, changed their forms of government, so that the treaty-making power is now vested in the nation.

"The statesmen of the latter part of the eighteenth century who participated in framing the Articles of Confederation and the Constitution of the United States were deep students of history; they were familiar with the examples and failures of certain of these confederacies; and the debates in the Continental Congress, in the Constitutional Convention, and in the conventions of the various States considering the adoption of the Constitution illustrate with remarkable clearness that it was the intention, by the adoption of the Constitution, to place the treaty-making power solely in the Federal Government, to make that power comprehensive, including all the subjects upon which it had been the custom of nations to treat, to make the treaties the supreme law of the land, and to create a Federal judiciary and an executive with powers adequate to enforce the obligations imposed upon the nation by its treaties. These men knew exactly what they were doing. They disagreed upon the wisdom of giving such power to the Federal Government, but they did not disagree as to the extent of the power they were conferring. They had seen the defects of the confederation, the want of power to enforce treaties, and the evils resulting therefrom, and they undertook, by the adoption of the Constitution, to remedy those evils.

"Let me now invite your attention for a few moments to the treaty-making power conferred upon the Federal Government by the Articles of Confederation and the disastrous results flowing from the want of authority to enforce its treaties. By the Articles of Confederation of 1778 it was provided that 'no State, without the consent of the United States in Congress assembled, shall send any embassy to or receive any embassy from, or enter into any conference, agreement, alliance, or treaty with any king, prince, or State.' (Art. 6.)

"'The United States, in Congress assembled, shall have the sole and exclusive right and power of determining on peace and war * * * of sending and receiving ambassadors, entering into treaties and alliances, provided that no treaty of commerce shall be made whereby the legislative power of the respective States shall be restrained from imposing such imposts or duties on foreigners as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever.' (Art. 9.)

"Under this article the Congress of the Confederation entered into treaties with foreign governments defining the status of foreign citizens within the several States, and their right to engage in business, and to own, dispose of, and inherit property, both real and personal. Such treaties were made with France, the Netherlands, Sweden, Great Britain, Morocco, and Prussia. (Treaty with France, Feb. 6, 1778, 8 U. S. Stat. L., 12; treaty with the States General of United Netherlands, Oct. 8, 1782, 8 U. S. Stat. L., 32; treaty of peace with Great Britain, Nov. 30, 1782, 8 U. S. Stat. L., 54; treaty with Sweden, Apr. 3, 1783, 8 U. S. Stat. L., 60; treaty with Prussia, September, 1785, 8 U. S. Stat. L., 84; treaty with Morocco, Jan. 7, 1787, 8 U. S. Stat. L. 100.)

"The right of the Confederated Government to enter into these treaties was apparently never questioned until after the adoption of the Constitution of the United States, when the provisions of such treaties guaranteeing the rights of foreign citizens were sustained under Article VI, clause 2, of the Constitution making treaties then existing, or which might thereafter be made, the supreme law of the land. These subjects were not matters over which the Congress ordinarily had jurisdiction, but were matters which came within the jurisdiction of the States, both under the confederation and under the Constitution; yet they were matters clearly within the treaty-making power. Can it be possible that, at the very threshold of this fabric of Federal Government, the men who had established it, who were familiar with its powers and with the power of governments generally to make treaties, made these treaties with the full knowledge that the Congress had no power to make a treaty over any matter which in ordinary domestic affairs was within the regulative power of the State? If it be true that the Federal Government may not make a treaty upon any matter which is ordinarily reserved for the governmental control of the State, a principal part of the treaty-making power, as it has been exercised for more than 125 years, is swept away, for the central Government has exercised this power, and it is absolutely necessary that it should do so in order to protect foreign citizens in their rights and to demand and receive for our citizens the same rights in foreign countries. We can not expect that American citizens will be respected and receive the protection to which they are entitled under the principles of international law and the custom of nations if we declare that our Government is so impotent that it can not give to foreign citizens within the States the same protection.

"But let us consider this subject from the position of authority. When the convention which was to frame the Constitution met in 1787, it was confronted with one of the most difficult tasks which has ever fallen to the lot of a deliberative body. The confederation, like all confederations which have come and gone, was inadequate for national purposes. It could not raise money, enforce its laws, prevent the violation of its treaties by the States, or protect interstate and foreign commerce. The history of the times and the constitutional debates show that one of the most vital defects in this confederation was the want of power to enforce treaties. No one doubted the power of the Government to make them, for the only limitations upon the treaty-making power in the Articles of Confederation were in respect to imposing duties and restraining the Congress from prohibiting by treaty the exportation or importation of any species of goods or commodities. Even those limitations were removed under the Constitution subsequently adopted. But the trouble at that time was that the Confederate Government was a government of the States and not of the people. It acted upon and through the State governments rather than directly upon the people. There were no Federal courts or executive officers to enforce the treaties. Their enforcement was left to the States, which either obeyed them or not as their selfish interests seemed at the time to dictate. There was no provision in the Articles of Confederation making the treaties superior to the laws of the States. These very property rights which I have heretofore enumerated, guaranteed to foreign citizens by the treaties, had been violated by the States. Real and personal property and debts owing them had been confiscated, and the courts had refused to enforce the treaty obligations. Especially was this true of the treaty with Great Britain of September 3, 1783, which, among other things, provided that creditors on either side should meet with no lawful impediment to the recovery of the full value, in sterling money, of all bona fide debts theretofore contracted; that all persons who had any interest in confiscated lands, either by debts, marriage settlements, or otherwise, should meet with no lawful impediment in the prosecution of their just rights, and that there should be no further confiscations made nor any prosecutions commenced against any person by reason of the part which he may have taken in the war, nor on that account should any person suffer any loss or damage either in his person or property. The violation of these guaranties by the State and the inability of the Federal Government to enforce them, through want of the court machinery and executive power, had greatly disturbed the public mind and made a deep impression upon the statesmen and publicists of that day, both in our country and in foreign countries, and it was one of the controlling reasons for calling the Constitutional Convention.

"Time does not permit me to cite the numerous authorities establishing beyond question the opinions of public men at this time and their determination to correct this, one of the greatest defects of the Confederation. These opinions were held by substantially all of the leading men: Washington, Jefferson, Hamilton, Madison, Randolph, Pinckney, Adams, Wilson, and others.

"There is no question about the determination of the great majority of the convention to place the exclusive right of making treaties in the Federal Government and to confer on that Gov-

ernment the power to enforce their provisions through the machinery of the Federal Government exclusive of the States. Every proposition to limit this power was voted down, and there was evidenced the greatest solicitude for the adoption of adequate means for the enforcement of treaty stipulations. It was first proposed to vest the treaty-making power in the Senate, but afterwards it was vested in the President, by and with the approval of the Senate, two-thirds of its Members present voting therefor.

"But the most important thing was to adopt means whereby the acts of the States in violation of treaties could be annulled. Various plans were discussed. The sixth resolution offered by Gov. Randolph proposed to give Congress the right 'to negative all laws passed by the several States contravening, in the opinion of the National Legislature, the articles of Union.' (Elliot's Debates, vol. 1, p. 144). This, in substance, was contained in Pinckney's first draft of the Constitution. It was, however, considered by the convention cumbersome and inadequate. It would require the Congress to affirmatively act upon and set aside each legislative or constitutional provision of the States violating our treaties instead of declaring and making them invalid and creating a department of the Government to enforce the treaty stipulations. This point is made very clear by the debates in the Constitutional Convention.

"Speaking upon the Paterson resolutions, Mr. Madison expressed the opinion that they did not go far enough in the general surrender of power to the Central Government. He said (Butler's Treaty-Making Power, vol. 1, sec. 177):

"Will it prevent the violations of the law of nations and of treaties which, if not prevented, must involve us in the calamities of foreign wars? The tendency of the States to these violations has been manifested in sundry instances. The files of Congress contain complaints already from almost every nation with which treaties have been formed. Hitherto indulgence has been shown us. This can not be the permanent disposition of foreign nations. A rupture with other powers is the greatest of calamities. It ought, therefore, to be effectually provided that no part of a nation shall have it in its power to bring them on the whole. The existing Confederacy does not sufficiently provide against this evil. The proposed amendment to it does not supply the omission. It leaves the will of the States as uncontrolled as ever.

"Paterson had proposed a resolution creating a Federal judiciary with jurisdiction in all cases 'in which foreigners may be interested in the construction of any treaty or treaties' and making such treaties the supreme law of the respective States in the following language (Elliot's Debates, vol. 1, p. 177):

"*Resolved*, That all acts of the United States in Congress assembled, made by virtue and in pursuance of the powers hereby vested in them, and by the Articles of Confederation, and all treaties made and ratified under the authority of the United States, shall be the supreme law of the respective States as far as those acts or treaties shall relate to the said States or their citizens; and that the judiciaries of the several States shall be bound thereby in their decisions, anything in the respective laws of the individual States to the contrary notwithstanding.

"And if any State, or any body of men in any State, shall oppose or prevent the carrying into execution such acts or treaties, the Federal Executive shall be authorized to call forth the powers of the Confederated States, or so much thereof as may be necessary, to enforce and compel an obedience to such acts or an observance of such treaties.

"This was the basis of Luther Martin's resolution (Butler's Treaty-Making Power, vol. 1, sec. 181), which was finally adopted, with some modification, as Article VI of the Constitution. A Federal judiciary was created consisting of one Supreme Court and such inferior courts as Congress might from time to time ordain and establish, and the judicial power was extended to all cases arising under the Constitution and treaties made.

"Thus it will be seen that under this constitutional provision any constitution or law of a State in violation of a treaty was made void and the State judges were bound so to declare, and a Federal judiciary was created having jurisdiction over all questions arising under such treaty, with full power and authority to enforce its decrees. The Federal convention had accomplished its purpose to correct one of the greatest weaknesses of the confederated Government. It adopted these provisions in the light of the usage of nations, the history of the times, and with full knowledge of the evil to be remedied. While men differed as to the wisdom of this central power, none differed as to its nature. It was deliberately adopted in order that we might be a Nation and fulfill our obligations to foreign powers.

"In the various State conventions called for the ratification of the Constitution the meaning of these provisions was not doubted; only their wisdom was questioned. It was claimed that too great a power was conferred upon the President and the Senate; if treaties were to be the supreme law of the land, the House of Representatives ought to have a voice in making them; they ought not to be made so as to alter the constitution or the laws of any State, and a resolution to this effect was proposed in the New York convention by Mr. Lansing. Patrick Henry, in the Virginia convention, was particularly strenuous in his opposition to the treaty-making power and the supremacy of the treaties over the laws and constitutions of the States. He stated (Butler's Treaty-Making Power, vol. 1, sec. 216):

"Treaties rest on the laws and usages of nations. To say that they are municipal is to me a doctrine totally novel. To make them paramount to the constitution and laws of the States is unprecedented. * * *

"We are told that the State rights are preserved. Suppose the State right to territory be preserved, I ask and demand, How do the rights of persons stand when they have power to make any treaty and that treaty is paramount to constitutions, laws, and everything?

"Mr. Madison, speaking in the Virginia convention, said:

"The confederation is so notoriously feeble that foreign nations are unwilling to form any treaties with us; they are apprised that our General Government can not perform any of its engagements, but that they may be violated at pleasure by any of the States. Our violation of treaties already entered into proves this truth unequivocally.

"The most remarkable discussion of the Constitution was by Hamilton, Madison, and Jay, in the Federalist, a discussion which excited the admiration of statesmen the world over and compares favorably with the writings of such great students of government as Vattel, Montesquieu, Burke, Machiavelli, and Rousseau.

"In the twenty-second number of the Federalist Hamilton discusses the defects of the confederation in its want of power to enforce treaties in the several States. He said:

"A circumstance which crowns the defects of the confederation remains yet to be mentioned—the want of a judiciary power. Laws are a dead letter without courts to expound and define their true meaning and operation. The treaties of the United States, to have any force at all, must be considered as part of the law of the land. Their true import, as far as respects individuals, must, like all other laws, be ascertained by judicial determinations. To produce uniformity in these determinations, they ought to be submitted in the last resort to one supreme tribunal. And this tribunal ought to be instituted under the same authority which forms the treaties themselves. These ingredients are both indispensable. If there is in each State a court of final jurisdiction, there may be as many different final determinations on the same point as there are courts. There are endless diversities in the opinions of men. We often see not only different courts but the judges of the same court differing from each other. To avoid the confusion which would unavoidably result from the contradictory decisions of a number of independent judicatories, all nations have found it necessary to establish one court paramount to the rest, possessing a general superintendence, and authorized to settle and declare in the last resort a uniform rule of civil justice. * * *

"The treaties of the United States, under the present Constitution, are liable to the infractions of 13 different legislatures, and as many different courts of final jurisdiction, acting under the authority of those legislatures. The faith, the reputation, the peace of the whole Union, are thus continually at the mercy of the prejudices, the passions, and the interests of every member of which it is composed. Is it possible that foreign nations can either respect or confide in such a government? Is it possible that the people of America will longer consent to trust their honor, their happiness, their safety, on so precarious a foundation?

"In discussing the subject of limitations upon the power of the Federal Government he says that such power 'ought to exist without limitation, because it is impossible to foresee or define the extent and variety of national exigencies, or the correspondent extent and variety of the means which may be necessary to satisfy them.'

"It was in the light of history and with the full knowledge of the condition of the treaty-making power and of the violation of treaties by the States that the Constitution was adopted by the convention of every State after the widest discussion and deliberate consideration. It was a momentous step in human government. It was to be a trial of constitutional representative democracy. While preserving the widest field consistent with liberty in the individual, it was an attempt to confer upon the central government sufficient power to stand among the nations of the earth. It attempted to remedy the evils and instabilities of pure democracies and loose confederations on the one hand, and the oppressions and tyrannies of pure monarchies on the other. While protecting the person and the property of the citizen against the abuses of government, it gave to the central government the power to make treaties with foreign nations necessary to the preservation of the Union, to the extension of its commerce, to the protection of its citizens in foreign lands, and the right reciprocally to confer upon foreign citizens those privileges consistent with the laws and usages of nations; and, lastly, it established a tribunal—the Federal judiciary—which was to preserve the constitutional guaranties of liberty, maintain the supremacy of the Union, and enforce its laws and treaties.

"We come now to the last and conclusive interpretation of the treaty-making power by the Supreme Court of the United States. We shall see how citizens of foreign countries, whose rights, guaranteed by treaties with the central government, had been violated by the States, naturally sought redress in the tribunal the Constitution created for this purpose, and how that court, fully realizing its grave responsibility, established beyond peradventure the supremacy of the treaties over the laws of the States and enforced the rights of foreign citizens, in the face of

popular prejudice. These decisions were rendered at a time when the reasons for the adoption of the constitutional provisions were fresh in the minds of lawyers and jurists. Many of the men who participated in these trials and in the decisions as judges had been members of the Constitutional Convention and of the Congress of the Confederation. They knew the reasons which had actuated the convention in adopting these provisions and the construction which ought to be placed upon them; and by an unbroken line of decisions, evincing the most profound knowledge of the principles underlying representative government, the court sustained the supremacy of the treaty-making power in relation to the subjects under discussion.

"Alexander Hamilton was the first to assert the rights of British subjects to lands in the State of New York, claiming that they were protected by the treaty, notwithstanding the confiscatory legislation of that State. He argued the case of Elizabeth Rutgers *v.* Joshua Waddington in the mayor's court of the city of New York, in 1784. The decision in that case, which sustained the treaty as against the law of the State of New York, brought forth a storm of protest and created the most bitter feeling. It was denounced in mass meetings of the people, and an extra session of the legislature condemned the action of the court. Hamilton was publicly abused, and his motives questioned. But with commendable courage and with masterly ability he defended the treaty-making power and denounced the violations of the treaties by the several States. He published a series of letters under the name of Phocion, in which he clearly set forth the injustice to foreign citizens, their rights under the treaties, and the danger to the Government from these flagrant violations by the States. These letters created a powerful impression upon the public mind and contributed in no small degree to the action in the Constitutional Convention to guard against a possibility of such abuses in the future.

"The first reported case on the subject in the Supreme Court of the United States is the case of Ware *v.* Hylton (3 Dallas, 199). It was in substance provided by a law of the Commonwealth of Virginia that a citizen of Virginia owing money to a subject of Great Britain might pay the same to the State of Virginia, and that the receipt of the governor and council should be a discharge from such debt. The law required the governor and the council to lay before the general assembly an accounting of these certificates of payment, and provided that they should see to the safe-keeping of the money subject to the future directions of the legislature. A British subject sued a citizen of Virginia upon a debt. The defendant pleaded the law of Virginia and the payment to the State. The plaintiff replied setting up the fourth article of the treaty between Great Britain and the United States. The court held that the treaty was the supreme law of the land, and repealed all provisions of the State laws and constitution to the contrary. There were opinions by Justices Chase, Paterson, Wilson, and Cushing. Justice Chase said (3 Dallas, 236–237):

"There can be no limitation on the power of the people of the United States. By their authority the State constitutions were made, and by their authority the Constitution of the United States was established; and they had the power to change or abolish the State constitutions, or to make them yield to the General Government, and to treaties made by their authority. A treaty can not be the supreme law of the land—that is, of all the United States—if any act of a State legislature can stand in its way. If the constitution of a State (which is the fundamental law of the State, and paramount to its legislature) must give way to a treaty and fall before it, can it be questioned whether the less power, an act of the State legislature, must not be prostrate? It is the declared will of the people of the United States that every treaty made by the authority of the United States shall be superior to the constitution and laws of any individual State, and their will alone is to decide. If a law of a State, contrary to a treaty, is not void, but voidable only by a repeal or nullification by a State legislature, this certain consequence follows, that the will of a small part of the United States may control or defeat the will of the whole. The people of America have been pleased to declare that all treaties made before the establishment of the National Constitution, or laws of any of the States, contrary to a treaty, shall be disregarded.

"It will be remembered that the fourth article of the treaty provided that creditors on either side 'shall meet with no lawful impediment to the recovery of the full value, in sterling money, of all bona fide debts heretofore contracted.' Speaking specially of this provision, Justice Chase said:

"* * * The only impediment to the recovery of the debt in question is the law of Virginia and the payment under it; and the treaty relates to every kind of legal impediment.

"But it is asked, did the fourth article intend to annul a law of the States and destroy rights acquired under it?

"I answer that the fourth article did intend to destroy all lawful impediments, past and future; and that the law of Virginia and the payment under it is a lawful impediment, and would bar a recovery, if not destroyed by this article of the treaty.

"* * * Our Federal Constitution establishes the power of a treaty over the constitution and laws of any of the States, and I have shown that the words of the fourth article were intended and are sufficient to nullify the law of Virginia and the payment under it.

"Justice Paterson said:

"The fourth article embraces all creditors, extends to all preexisting debts, removes all lawful impediments, repeals the legislative act of Virginia which has been pleaded in bar, and with regard to the creditor annuls everything done under it.

"Justice Wilson said:

"Even if Virginia had the power to confiscate, the treaty annuls the confiscation. The fourth article is well expressed to meet the very case; it is not confined to debts existing at the time of making the treaty; but is extended to debts heretofore contracted. It is impossible by any glossary or argument to make the words more perspicuous, more conclusive, than by a bare recital. Independent, therefore, of the Constitution of the United States, which authoritatively inculcates the obligation of contracts the treaty is sufficient to remove every impediment founded on the law of Virginia.

"Justice Cushing said:

"A State may make what rules it pleases, and those rules must necessarily have place within itself. But here is a treaty, the supreme law, which overrules all State laws upon the subject, to all intents and purposes; and that makes the difference.

"* * * To effect the object intended, there is no want of proper and strong language; there is no want of power, the treaty being sanctioned as the supreme law, by the Constitution of the United States, which nobody pretends to deny to be paramount and controlling to all State laws, and even State constitutions, wheresoever they interfere or disagree. The treaty, then, as to the point in question, is of equal force with the constitution itself; and certainly, with any law whatsoever.

"Both Justices Paterson and Wilson had been members of the Constitutional Convention. Justice Wilson had been a member of the Congress and a signer of the Declaration of Independence, and was one of the most distinguished lawyers of the United States. The Chief Justice was one of the authors of the Federalist. They were all men deeply learned as lawyers and statesmen. This opinion was delivered in the February term, 1796. It was the leading case which for the first time laid down the principles of the supremacy of the Federal treaties over State laws. It was argued by distinguished counsel, Marshall, subsequently Chief Justice, appearing for the defendants in opposition to the treaty power. It received the most careful and painstaking consideration by the court. It was followed by many decisions all along the same line, some of them particularly applying to the ownership or the devolution of real estate within the States.

"In the case of Chirac *v.* Chirac (2 Wheat., 259), decided at the February term in 1817, Chief Justice Marshall wrote the opinion. The question involved was whether the heirs of Chirac, being aliens, might inherit property in Maryland, according to the terms of the treaty with France, although in violation of the antialien law of that State. Chief Justice Marshall said (2 Wheat., 271):

"It is unnecessary to inquire into the consequences of this state of things, because we are all of opinion that the treaty between the United States and France, ratified in 1778, enabled the subjects of France to hold lands in the United States. That treaty declared that 'The subjects and inhabitants of the United States, or any one of them, shall not be reputed Aubains (that is aliens) in France.' 'They may, by testament, donation, or otherwise, dispose of their goods, movable and immovable, in favor of such persons as to them shall seem good; and their heirs, subjects of the said United States, whether residing in France or elsewhere, may succeed them ab intestat, without being obliged to obtain letters of naturalization. The subjects of the most Christian King shall enjoy, on their part, in all the dominions of the said States, an entire and perfect reciprocity relative to the stipulations contained in the present article.'

"Upon every principle of fair construction this article gave to the subjects of France a right to purchase and hold lands in the United States.

"It is unnecessary to inquire into the effect of this treaty under the confederation, because, before John Baptiste Chirac emigrated to the United States, the confederation had yielded to our present Constitution, and this treaty had become the supreme law of the land.

"In Orr *v.* Hodgson (4 Wheat., 453) it was held that the treaty with Great Britain of 1783 protected the estates of citizens of that country from forfeiture by way of escheat for the defect of alienage.

"In the case of Fairfax's Devisee *v.* Hunter's Lessee (7 Cranch, 603) Justice Story, writing the opinion, held that the heir of Lord Fairfax, although being an alien, was protected by the treaty of 1794 from any forfeiture for alienage under the laws of Virginia.

"In Hughes *v.* Edwards (9 Wheat., 489) the Supreme Court held, Justice Washington writing the opinion, that although under the laws of Kentucky aliens could not hold lands therein or maintain a bill to foreclose a mortgage thereon, yet, under the treaty of Great Britain of 1794, British subjects who then held lands in the territories of the United States were guaranteed the right to continue to hold them according to the nature and tenure of their respective estates; that this was the supreme law of the land, and superior to and rendered void the law of Kentucky to the contrary.

"There were several other decisions to the same effect by the Supreme Court during the first quarter century of the existence

of the Government. Coming down to a later period we find that those decisions have been reaffirmed and approved.

"In 1879 the Supreme Court decided the case of Hauenstein *v.* Lynham (100 U. S., 483–487), Justice Swayne delivering the opinion. Solomon Hauenstein died in the city of Richmond in 1861 or 1862, without any children, leaving real estate therein. An inquisition of escheat was brought by the escheator for that district, and when he was about to sell the property the plaintiff in error, being an alien and the only heir of Hauenstein, intervened and claimed the real estate. It was clear that under the laws of Virginia aliens were incapable of taking property by inheritance. The court held that ordinarily the law of nations recognizes the liberty of every government to give to foreigners only such rights touching immovable property within its territory as it may see fit to concede, and that in this country this authority is primarily in the State where the property is situated, but that where the Federal Government has contracted otherwise such treaty is the supreme law of the land and will be enforced by the courts. The court reviewed Ware *v.* Hylton, Chirac *v.* Chirac, Hughes *v.* Edwards, Orr *v.* Hodgson, the case of the heirs of Lord Fairfax, and other cases. In conclusion, Justice Swayne said:

"We have no doubt that this treaty is within the treaty-making power conferred by the Constitution, and it is our duty to give it full effect.

"These cases were again reviewed and reaffirmed by the Supreme Court in 1889, in the case of Geofroy *v.* Riggs (133 U. S., 263), Justice Field writing the opinion. The court in that case held that under the treaty with France a citizen of that country was entitled to take real estate by descent in the District of Columbia, notwithstanding the law of Maryland, which had been adopted by Congress as the law of the District. The court held that the treaty power of the United States under the Constitution extended to the subject of the ownership of land by foreign citizens within the States. Justice Field said (133 U. S., 266–267):

"That the treaty power of the United States extends to all proper subjects of negotiation between our Government and the Governments of other nations is clear. It is also clear that the protection which should be afforded to the citizens of one country owning property in another, and the manner in which that property may be transferred, devised, or inherited, are fitting subjects for such negotiation and of regulation by mutual stipulations between the two countries. As commercial intercourse increases between different countries the residence of citizens of one country within the territory of the other naturally follows, and the removal of their disability from alienage to hold, transfer, and inherit property in such cases tends to promote amicable relations. Such removal has been within the present century the frequent subject of treaty arrangement.

"* * * In adopting it (the law of Maryland) as it then existed, it adopted the law with its provisions suspended during the continuance of the treaty so far as they conflicted with it; in other words, the treaty, being part of the supreme law of the land, controlled the statute and common land of Maryland whenever it differed from them.

"I shall not attempt to review the decisions of the various Federal circuit courts, except to say that Judge Deady (Baker *v.* City of Portland, 5 Sawyer, 566), of the United States Circuit Court in Oregon, held that a statute of that State prohibiting the employment of Chinese labor on public works was in violation of the treaty between the United States and China; that Judges Sawyer and Hoffman (In re Tiburcio Parrott, 6 Sawyer, 349), in the United States Circuit Court in California, held that the constitutional provision of that State prohibiting corporations within the State from employing Chinese labor was in violation of the provisions of the treaty of 1868 with China; that Judge Munger (Bahuaud *v.* Bize, 105 Fed. Rep., 485), in a late decision in Nebraska held that the treaty of 1853 between the United States and France permitted resident aliens of that country to own real estate in Nebraska, and that the statute of Nebraska to the contrary was void. Nor shall I attempt to review the decisions of the State courts. Many of them have held, following the early decisions of the Supreme Court of the United States, that the provisions of the treaties guaranteeing rights to hold and inherit real estate, giving consular agents the right to administer upon the estates of deceased, and other like provisions, were binding upon the States, notwithstanding the laws thereof. California, I believe, is the only State holding to the contrary. (Tellefesen *v.* Fee, 168 Mass., 188; Louisiana Succession of Ravasse, 47 La. Ann., 1452; Stixrud *v.* Washington, 58 Wash., 339, 109 Pac., 343, 33 L. R. A. (N. S.), 632; Dufour's Succession, 10 La. Ann., 391; Amat's Succession, 18 La. Ann., 403; Crusius's Succession, 19 La. Ann., 369; Rixner's Succession, 48 La. Ann., 552, 32 L. R. A., 177, 19 So., 597; Prevost *v.* Greneaux, 19 How., 1; Wunderle *v.* Wunderle, 33 N. E., 195; Lehman *v.* Miller (Ind.), 88 N. E., 365; Dockstader *v.* Roe (Del.), 55 Atl., 341; Yeaker *v.* Yeaker, 4 Met. (Ky.), 33; Opel *v.* Shoup, 100 Iowa, 407, 37 L. R. A., 583, 69 N. W., 560.)

"There are certain expressions in some decisions of the Supreme Court of the United States, notably in opinions of Chief Justice Taney, delivered in 1840 (Holmes *v.* Jennison, 14 Pet., 540), of Justice Daniel, shortly after, in the License Cases (5 How., 504), and of Chief Justice Taney and Justice Grier in the Passenger Cases (7 How., 283), tending to support the theory that the treaty-making power does not extend to the subjects which by the Constitution are ordinarily committed to the regulative jurisdiction of the States. In all of these cases there were opinions by several of the justices of the court, and it does not appear that the language used was approved by the majority. In fact, in the Passenger Cases the language of Chief Justice Taney was used in a dissenting opinion. These decisions, however, do not purport to overrule the earlier decisions of the court to the contrary and have never been followed by the court since that time. They were rendered at a time, now happily past, when the country was divided by an overwhelming issue which darkened the political sky and clouded the judgments of men. This undoubtedly had its effect upon the decisions of that great court, but the later decisions have placed at rest whatever doubt may have existed.

"The Constitution confers upon the Federal Government, in unqualified terms, the power to make treaties and prohibits the States from making any treaty with foreign States. What reason is there for saying that the treaty-making power is confined to matters which under the Constitution Congress may legislate upon, or that such treaties may not touch upon any subject which, as between Congress and the State governments, in ordinary matters is reserved to the latter? Take, for instance, the question of commerce. There is an interstate and international commerce, the exclusive regulation of which is in Congress. There is an intrastate commerce which is exclusively within the jurisdiction of the States. And yet, even as to the regulation of interstate commerce, the Supreme Court has held that there are no limits except those imposed by the Constitution of the United States; and if the regulations of Congress made pursuant to this plenary power conflict with those of the States, the law of Congress is supreme and the State laws must give way. In regard to the matter of treaties there is no division of power. None of it is reserved to the States. Unless, therefore, the Federal Government may make a treaty regulating the activities of foreign citizens in the States, no regulation can take place, for the States may not make such a treaty and Congress may not legislate upon the subject. Congress does not obtain its right to legislate upon the subject through any other provision of the Constitution than under the treaty-making power. As well might it be said that because the States have power to regulate domestic commerce the General Government could not make a treaty giving foreign citizens the right to travel on the intrastate railways or make use of any of the other conveniences of modern civilization necessary to the comfort and sustenance of such citizens when traveling in this country. Of course, in the absence of action by the Federal Government by treaty the States may regulate the ownership of real estate within their borders by citizens of foreign countries. In the control of international and interstate commerce the regulation of the Federal Government is necessarily exclusive. The intention was to permit the free flow of such commerce unrestrained by the States. But the question of the status of foreign citizens within the United States, their right to engage in business and own property, may or may not be regulated by treaty. It may well be the policy of the Federal Government to leave this to the States. There are many other subjects likewise which it might be found inexpedient for the Government to control by treaties with foreign nations. But the power exists, and whenever, in the judgment of the President and the Senate, it becomes necessary for the Federal Government to exercise this prerogative it is undoubtedly conferred by the Constitution.

"It is a principle of practical construction—the force of which all courts and lawyers recognize in the interpretation of constitutional and statutory provisions—that where a people, without question, have exercised such a power, and especially where it is in harmony with the laws and usages of nations, such practice is of great weight in arriving at the true construction of the constitutional provision.

"The fact that our Government has from the beginning made treaties regulating matters which, as between the Federal Government and the States, are ordinarily within the jurisdiction of the latter is very significant. We have seen that during the early days of the Republic, at the time these constitutional provisions were being formed, the Government exercised the right to make such treaties. It is equally true that it has continued to do so to the present time. In 1870 a treaty was negotiated with the Republic of Salvador (Treaties and Conventions, 1537), which was in existence until 1893, by which the citizens of each

country resident in the other were guaranteed the right to purchase and hold lands and to engage in trade, manufacture, and mining.

"Thomas F. Bayard, when Secretary of State during President Cleveland's first administration, in discussing the subject said:

"That a treaty, however, can give to aliens such rights has been repeatedly affirmed by the Supreme Court of the United States (citing cases); and consequently, however much hesitation there might be as to advising a new treaty containing such provisions, it is not open to this department to deny that the treaties now in existence giving rights of this class to aliens may in its municipal relations be regarded as operative in the States.

"During the very next year he negotiated a treaty with Peru (Treaties and Conventions, 1431), the eleventh article of which guaranteed to the citizens of each country the liberty to dispose of their real estate within the jurisdiction of the other by donation, testament, or otherwise, and providing that the heirs should succeed to such real estate whether by testament or ab intestato.

"Nearly every one of our treaties contain provisions, varying in form, regulating some one or other matter which is ordinarily within the jurisdiction of the State, and which, by the Constitution, is not committed to the Congress other than by the treaty-making clause. These provisions regulate the ownership and descent of land by inheritance or testament, the latter being a subject which has always been exclusively within the jurisdiction of the States, the right of foreign consuls to administer the estates of their deceased countrymen or to intervene in such administration (Rocca *v.* Thompson, 223 U. S., 317; In re Lombardi, 138 N. Y. S., 1007; Consul *v.* Westphal (Minn.), 139 N. W., 300), the right to engage in business, to own and dispose of personal property situated within the States, to travel and enjoy the same privileges as citizens of this country, and granting to foreign citizens free and open access to the courts of justice of the various States. It is true that at the present time a large number of our treaties contain provisions that should the property consist of real estate and the heirs, on account of their character as aliens, be prevented from entering into possession of the inhereitance, they shall be allowed a certain time in which to sell and dispose of the property and withdraw the proceeds; but the very right to inherit real estate within the States and to sell and dispose of it and withdraw the proceeds, in violation of State laws, when granted by treaty, is as much an interference with domestic concerns as any other and can not in principle be distinguished from the right to own real estate.

"The student of government, thoughtfully considering the circumstances under which this treaty-making power was conferred, the practice of nations, and especially of our own country, the decisions of our courts, the expressions of statesmen and publicists, can have little difficulty in arriving at the conclusion that the power of the Federal Government to protect citizens of foreign countries in our midst is plenary. And yet we have been shamefully negligent in many instances in giving this protection. I am persuaded that the humiliating subterfuge resorted to by some of the Secretaries of State to escape this responsibility is owing to the fact that Congress has neglected to provide legislation to punish violations of treaty rights. The subject has been brought painfully to the public mind many times during the last 30 years. In 1880 Chinamen were mobbed at Denver, and at Rock Springs, Wyo., in 1885. Italians were lynched in New Orleans in 1891, and again at Rouse, Colo., in 1895. Mexicans were lynched in California in 1895, Italians at Tallulah, La., in 1899, and again at Erwin Miss., in 1901. Demands of foreign governments in many of these cases were met by the claim of the Secretary of State that the punishment for such offenses was exclusively within the power of States, over which the Federal Government had no control. Notably was this the case in the Mafia riots in Louisiana in 1899, when Secretary Blaine said:

"If it shall result that the case can be prosecuted only in the State courts of Louisiana, and the usual judicial investigation and procedure under the criminal law is not resorted to, it will then be the duty of the United States to consider whether some other form of redress may be asked.

"It is unnecessary to add that the Secretary came to the conclusion that the punishment for this offense was exclusively within the jurisdiction of Louisiana, but only because the Congress had neglected to pass legislation making such violations of our treaties criminal offenses remedial in the Federal courts. Is it any wonder that the Italian Government expressed surprise at this remarkable doctrine, and that in the note of Marquis Rudini to the Italian minister in Washington he said:

"Let the Federal Government reflect on its side if it is expedient to leave to the mercy of each State of the Union, irresponsible to foreign countries, the efficiency of treaties pledging its faith and honor to entire nations.

"As the distinguished Senator, Hon. Elihu Root, said in 1910, our Government is practically defenseless against claims for indemnity because of our failure to extend over these aliens the same protection that we extended to our own citizens, and the final result of the correspondence in each case has been the payment of indemnity, for the real reason that we have not performed our international duty. Presidents Harrison, McKinley, Roosevelt, and Taft each urged upon Congress the passage of a statute conferring on the Federal courts jurisdiction to punish such violations of Federal treaties by citizens of the various States, but to the present time Congress has not acted. Undoubtedly under decisions of the Supreme Court had such treaties, in addition to general guaranties to foreign citizens, contained explicit provisions for the punishment of offenses thereunder by the Federal courts, such treaties would have had the effect of laws and the Federal courts would have had jurisdiction, but the trouble is that these treaties have only contained provisions pledging the faith of the Government in general terms and have not contained explicit provisions for the punishment of such offenses. But the faith and honor of the Nation are pledged to their enforcement, and it is as much the duty of Congress to enact legislation to carry into effect these provisions of our treaties as it is to appropriate money and enact other legislation which Congress has always done to carry out the provisions of our international agreements. The result has been that the only recourse foreign nations have had has been to demand indemnity for such injuries, which this Government has always recognized and paid. No nation claiming the high prerogative of the treaty-making power has a right to shield itself behind the claim that one of the constituent States of the Union has violated the treaty, and that the Central Government has no authority to redress the grievance. It is a position that we resented when Brazil, in 1875, denied its accountability for the injury of an American citizen because it had been inflicted by one of the Provinces. Secretary Fish said:

"You represent that the facts as set forth in the memorial of the claimant are admitted by that Government, which, however, denies its accountability and says that the Province where the injury to Mr. Smith took place is alone answerable. Supposing, however, the case to be a proper one for the interposition of this Government, the reference of the claimant to the authorities of the Province for redress will not be acquiesced in. Those authorities can not be officially known to this Government. It is the imperial Government at Rio de Janeiro only which is accountable to this Government for any injury to the person or property of a citizen of the United States committed by the authorities of a Province. It is with that Government alone that we hold diplomatic intercourse. The same rule would be applicable to the case of a Brazilian subject who, in this country, might be wronged by the authorities of a State.

"I do not mean from anything I have said that our country should admit indiscriminately alien races to engage in industry and own property. But what I do mean is that this is a national question; that the Federal Government alone has the power to exclude them from the States; and, if admitted, to decide on what terms and conditions this should be done.

"It may, however, be said that if there are no implied limits to the treaty-making power, the President, by and with the consent of the Senate, might dismember the Union, abolish the structure of government guaranteed by the Constitution, or convey away the territory of the States.

"These arguments were advanced time and time again in the Constitutional Convention, and in the conventions of the various States, called to consider the adoption of the Constitution, and there are expressions of the courts to the effect that the treaty-making power is limited by these guaranties of the Federal Constitution. This, however, is an academic question, because it is not within human probability that there can ever come before the Federal court the question of the validity of a treaty made by this country by which it surrenders or changes its form of government, or by which any of the prerogatives of the Federal Government are taken away, or republican form of government destroyed in the States. When the time comes, if ever it shall, that such a demand is made, it will be backed by a military power to enforce it rather than by the untrammeled exercise of the treaty-making power.

"Considering the subject, however, from the academic view, certain principles are easily deduced. That the granting or purchase of territory is clearly within the treaty-making power is demonstrated by the law and usage of nations and by the practice of our own country. (Am. Ins. Co. *v.* Canter, 1 Peters, 542.) Undoubtedly it is not within the treaty-making power for the President and Senate to change the form of government, or to stipulate away any of the fundamental prerogatives of the Federal Government. These are guaranteed by provisions of the Federal Constitution coordinate with the treaty clause. A treaty abdicating the functions of the Supreme Court of the United States, if the making of such a treaty can be imagined, would undoubtedly be declared unconstitutional because the provisions

of the Constitution creating the departments of Government are of equal force and effect with that conferring the treaty-making power. These questions can only be settled by the arbitrament of war, but the other questions are those pertaining to the administration of the law in the courts of the country. They are likely to arise at any time and disturb the peace of nations unless speedily settled on well-recognized principles in the courts of the contracting Governments. It is of the highest importance that our country, one of the great English-speaking peoples, claiming an advanced position among the nations of the earth in the science of enlightened government, in the principles of international law, in education and in Christianity, should be ever scrupulous in keeping its treaty obligations. They are as sacred as the private obligations which arise between man and man, in the manifold duties and relations of life in organized society. They are of higher importance in the development of world civilization, because they lie at the very foundation of peace and good order and maintenance of those lasting principles of international law which in the science of modern governments are taking the place of war in the settlement of disputes. We can have little influence in the great movement for world peace if we are neglectful in keeping our own treaty obligations, for the stability of international law and the fulfillment of national obligations is as necessary to the peace of the world as the stability and maintenance of law and order is necessary to the peace and prosperity of society. Law is the embodiment of the highest ideals of civilization. It has governed the relations of men in the most primitive and savage state, and in the modern and highest developed society. Before history recorded and left to succeeding generations the doings of men, law was the governing power and controlling influence of communities and nations. With the growth of government, the uplifting of physical and social conditions, law has been keeping pace with the march of progress. Its invisible forces dominate and control nations, man in all his relations in society, the tremendous transactions of modern economic life, and the minutest details of our social and industrial fabric. It is all-pervading and ever-present. Without it there is no government, no social order, no home. Its administration is the highest and noblest duty of man to his fellows. Its purity and stability are necessary to the peace, happiness, and prosperity of peoples. Its corruption is the destruction of the State and of the Nation."

AMENDMENT OF FEDERAL RESERVE ACT.

Mr. McLEAN. I ask unanimous consent for the immediate consideration of the bill (S. 2395) amending section 25 of the act approved December 23, 1913, known as the Federal reserve act, as amended by the act approved September 7, 1916. I will say to the Senator from Virginia that if there is any debate I will not ask for its consideration. The bill has been unanimously reported by the Committee on Banking and Currency.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, and it was read, as follows:

Be it enacted, etc., That section 25 of the act approved December 23, 1913, known as the Federal reserve act, as amended by the act approved September 7, 1916, be further amended by striking out the period at the end of the third paragraph thereof and adding in lieu thereof the following: ", or until January 1, 1921, without regard to the amount of its capital and surplus, to invest an amount not exceeding in the aggregate 5 per cent of its paid-in capital and surplus in the stock of one or more corporations chartered or incorporated under the laws of the United States, or of any State thereof, and regardless of its location, principally engaged in such phases of international or foreign financial operations as may be necessary to facilitate the export of goods, wares, or merchandise from the United States or any of its dependencies or insular possessions to any foreign country: *Provided, however*, That in no event shall the total investments authorized by this section by any one national bank exceed 10 per cent of its capital and surplus."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed the following acts:

On July 11, 1919:

S. 120. An act to repeal the joint resolution entitled "Joint resolution to authorize the President in time of war to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems, or any part thereof, and to operate the same in such manner as may be needful or desirable for the duration of the war, and to provide just compensation therefor," approved July 16, 1918, and for other purposes;

S. 409. An act to assent to the proposed compact or agreement between the States of New Jersey and New York for the construction, operation, repair, and maintenance of a tunnel or tunnels under the Hudson River between the cities of Jersey City and New York; and

S. 1213. An act to amend an act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918.

On July 12, 1919:

S. J. Res. 63. Joint resolution authorizing the Secretary of War to issue permits for the diversion of water from the Niagara River.

PUBLIC SERVICE COMMISSION OF PORTO RICO (S. DOC. NO. 52).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed.

To the Senate and House of Representatives:

As required by section 38 of the act approved March 2, 1917 (39 Stat. 951), entitled "An act to provide a civil government for Porto Rico, and for other purposes," I have the honor to transmit herewith certified copies of each of six franchises granted by the Public Service Commission of Porto Rico. The copies of the franchises inclosed are described in the accompanying letter from the Secretary of War, transmitting them to me.

WOODROW WILSON.

THE WHITE HOUSE, *July 14, 1919.*

LAWS OF PORTO RICO (S. DOC. NO. 53).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, ordered to be printed, and, with the accompanying paper, referred to the Committee on Pacific Islands and Porto Rico:

To the Senate and House of Representatives:

As required by section 23 of the act of Congress approved March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes," I transmit herewith copies of certain acts and resolutions enacted by the Ninth Legislature of Porto Rico during its first session (Aug. 13 to Nov. 26, 1917, inclusive).

These acts and resolutions have not previously been transmitted to Congress and none of them has been printed.

WOODROW WILSON.

THE WHITE HOUSE, *July 14, 1919.*

HOUSE BILL REFERRED.

H. R. 2847. An act providing additional aid for the American Printing House for the Blind was read twice by its title and referred to the Committee on Appropriations.

TREATY OF PEACE WITH GERMANY.

Mr. SWANSON. Mr. President, several days ago I gave notice that I would address the Senate to-day on the proposed covenant of the league of nations. I shall confine my remarks to that subject, giving my individual views and convictions regarding it. I ask that I may be permitted to conclude my prepared speech before being interrupted, after which time I shall be very glad to answer any question asked or reply to any suggestion made by a Senator.

Mr. President, this Senate, empowered under the Constitution with the authority to approve or reject the pending treaty, containing the covenant of the proposed league of nations, is confronted with the gravest responsibility that has come to it within its history. I believe I am within the bounds of safe and moderate assertion when I affirm that never before in a world crisis has a legislative body had dependent upon its conclusions such important and far-reaching consequences. It is recognized that without our concurrence and cordial cooperation the contemplated league of nations is doomed to utter failure; if we withhold our support, the whole plan would immediately disappear, defeated, destroyed. Thus upon our deliberations and decision the future situation of the world largely depends. May our wisdom and patriotism be commensurate with our weighty responsibilities.

Mr. President, before discussing in detail the provisions of the covenant of the league of nations, the most important part of the proposed treaty, let us consider the conditions existing in the world out of which this league emerges as a rainbow of hope and promise. The world had practically concluded its bloodiest, its most brutal, most widely extended, and most destructive war. Twenty-two nations, comprising nine-tenths of the world's population of one and one-half billions, had engaged in a fierce and titanic conflict. The remaining one-tenth, comprising neu-

tral nations, was indirectly involved, the minutest details of their lives and business being seriously affected. Thus practically all mankind was drawn into the vortex of this world conflagration. The expenditures of the various Governments involved, and the loss of life and property were stupendous and stagger the imagination. It is estimated that 7,400,000 men were killed and 7,175,000 were permanently disabled. I have read the statement that more than 4,000,000 soldiers were buried within 50 miles of Paris. Countless other millions, comprising noncombatants—children, women, and men—were destroyed by starvation, impoverishment, and oppression. The whole world has been enveloped in sorrow and mourning—scarcely a household without its empty chair, scarcely a soul without longings to hear again some voice forever silent. The destruction of property occasioned by the operations of armies and the occupation of hostile territory has been enormous, and it will take years of toil to repair the damage. When the war is finally ended and the armies disbanded, it is estimated that the world will be burdened with a public debt aggregating $190,000,000,000—more than one-third of its total wealth. This portends years of onerous taxation and severe privation. The war in its prosecution has consumed nearly one-half of the wealth of the world.

The losses in life and property exceed those of all wars since the beginning of recorded history. Our social order has been shaken to its very foundation. Civilization, embracing our priceless heritages of liberty, justice, varied betterments, and reforms, obtained only after centuries of effort and sacrifice, was nearly destroyed, escaping almost miraculously. Another such war and all would be lost—mankind would revert to the rule of brute force and barbarism of the Dark Ages. Having the use of the new implements for warfare on land, sea, and air, invented during the course of the recent conflict, future wars would be more ruinous and destructive than the last. The severe shock of another world war, intensified and augmented in destructive force, would shatter our civilization, crumbling it into ruins, like many magnificent civilizations of the past. Therefore the most important problem, and the greatest and gravest duty before us, is to devise means of rendering another world conflagration unnecessary, and, as far as can be done, making it impossible. Before this, all other questions fade into insignificance. This is the paramount obligation of the world's responsible statesmen. To accomplish this laudable purpose the accredited representatives of 22 States have included in the draft of the peace treaty a provision for establishing a league of nations. The objects sought by this league are to establish a peace based on justice and strict regard for the rights, political and economic, of various peoples and nationalities, thus rendering future wars unnecessary, and then to prevent, as far as human agencies at present are capable, further wholesale bloodshed. Does the plan proposed tend to this accomplishment?

The covenant of the league, as at present constituted, has been assailed from two opposite sources. One contention is that it creates a supernation, submerging into its sovereignty the sovereignty of all the signatories to the covenant; that a supreme world sovereign is created to whom the nations are subordinated. The other contention, urged by its opponents with equal insistence, is that the covenant is a worthless paper parchment, without sovereignty, without power, and hence the league will be helpless to prevent war or to adjust any chaotic political conditions which may arise. It is impossible for both of these contentions to be true. These two conceptions of the league are so diverse, so widely separated, that they can never be reconciled. These two schools of disputants will doubtless continue their interminable debate upon the correctness of their respective interpretations. However, neither contention is correct. The league will neither be a superstate or sovereign, nor a helpless, powerless, association of nations.

The instrument creating the "league of nations" is a "covenant" entered into by sovereign States for the accomplishment of certain purposes in designated ways. No nation surrenders its sovereignty by becoming a member of the league. One of the attributes of sovereignty is the ability to make "covenants" or agreements. None of the members of the league subscribe to undertakings which impair their sovereignty. Under the terms of article 1, membership in the league is confined to "any fully self-governing State." That a State reserves its full sovereignty when entering the league is further emphasized and conclusively settled by the provision of the covenant allowing any member, upon giving two years' notice of its intention, to withdraw from the league. No nation, super or otherwise, ever thus expressly provided means for its dissolution. The right to terminate the obligations assumed by the signing of the covenant is expressly reserved, the same as is frequently done in the execution of treaties. This covenant, if ratified by the Senate, would be no more nor less than a treaty legalized under our Constitution. The one impairs our sovereignty no more than the other. It may be contended that it is unwise to assume some of the obligations which are created by the covenant, but it is absurd to contend that in ratifying this covenant we impair in any way our national sovereignty. The covenant clearly avoids the creation of a superstate to dominate as supreme sovereign the affairs of the world.

Mr. President, it is impossible to exaggerate the difficulties confronting those who undertook the formation of this league. A world war with its vast disturbances had to be settled. The wrongs of centuries had to be corrected, or else a new war, of greater magnitude than the one just concluded, would soon engulf the world. Settlements had to be made confirming the political and economic rights of many people; differences, jealousies, and animosities had to be reconciled; persuasion and sternness had to be wisely blended to obtain results. Peace when made must be secured, at least for a reasonable time, in order that society might recover its stability and be rescued from present prostration. In the preparation of a plan to prevent a recurrence of the calamities through which the world had just passed it was necessary to reconcile the jealous pride of small States and the aggressive power of large ones. Concessions were necessary in order to obtain the approval of home governments. Considering all the circumstances, the results obtained by the peace conference are amazing, and its creation of the league of nations will be noted as one of the world's greatest achievements. The plan for the formation of the league is skillfully conceived, and the only one possible under existing political conditions. It contemplates that the 46 States named, constituting more than four-fifths of the world's population, wealth, and power, shall become signatories to a covenant and assume the obligations therein imposed. It anticipates ultimately the incorporation as members of the league of the remaining nations, provision for their admission being inserted.

When the nations now excluded have reformed, have organized stable governments, capable of performing international obligations, and give assurance that their membership will be helpful and not detrimental, they will be admitted. In the end it is hoped that the beneficence of the league will be extended to all nations and people. The league as constituted is so strong that dangers from the formation of another league, antagonistic to it, are almost negligible. No nation would venture into so hazardous an enterprise. The dangers to the success of this league will come from within—never from without. Nations will be desirous of membership in order to share its unmistakable benefits.

Mr. President, we will next consider the method formulated for the operation of the league. Article 2 of the covenant provides:

> The action of the league under this covenant shall be effected through the instrumentality of an assembly and of a council, with a permanent secretariat.

Article 3 provides:

> The assembly shall consist of representatives of the members of the league.
>
> At the meetings of the assembly each member of the league shall have one vote and may have not more than three representatives.

Thus, in the assembly each member of the league, whether large or small, has one vote, the equality of the members being absolutely preserved. The assembly will be composed of representatives of the members of the league, who will be selected in accordance with the laws of the respective States. In the case of the United States the representatives, being officers created by a treaty, would be appointed as provided by an act of Congress. The covenant clearly defines how legal decisions of the assembly will be reached. Article 5 contains the following:

> Except where otherwise provided in this covenant, decisions at any meeting of the assembly or of the council shall require the agreement of all the members of the league represented at the meeting.

Thus the action of the league must be unanimous, except where expressly provided otherwise in the covenant. A thorough examination of the covenant discloses that when the assembly acts alone, not jointly with the council, it is only authorized to decide without unanimous agreement upon the admission of new members, routine matters, methods of procedure, and the publication of a divided report upon matters of dispute referred to it. With the unanimous agreement of the council, a majority vote of the assembly can approve the selection of a general secretary and increase the membership of the council, and a majority of the assembly, with the unanimous approval of the representatives of those members of the league represented in the council, exclusive in each case of the representatives of the parties to the dispute, can make a report upon disputed matters referred to it, which shall have the same effect as a similar unanimous report made by the council.

Much opposition has been urged against the league because a great Nation like the United States has only one vote in the assembly and small nations like Siam and Liberia each has a full vote, and also because Great Britain has one vote and her five self-governing colonies a vote each. But what difference does the number of votes make when on all important matters the action of the assembly must be unanimous, or have the unanimous concurrence of the council, upon which the United States is permanently represented? Thus in all matters of importance before the assembly, except in cases where she is a party to a dispute, the United States will possess a veto power, and a decision can only be reached by her concurrence. Thus the question of the number of votes in the assembly held by different groups is not vital. The league could never be organized on any basis other than that of equal representation for its members. If members were accorded difference in representation, upon what basis should the apportionment be made? If upon population, China and India would dominate the league, and the United States would have only one-fifteenth of the number. If based upon wealth and military power, the situation would be equally as uncertain and unsatisfactory. It was a wise conclusion to give equal representation to all members and require unanimous agreement upon all important matters before action can be obtained. By doing this, important national interests were not left to the decision of uncertain and changing majorities. It eliminated the necessity for intriguing manipulation, with its attendant evils, to control a majority of the representatives. By this method the interest of the United States in all important matters, except those to which she herself is a disputing party, is erected safely upon the solid foundation of her own judgment and will, and is not left to repose upon the quicksands of uncertain and shifting majorities. The assembly as constituted furnishes ample means for the protection of the United States. At present this is the best and only possible manner in which the assembly could have been organized.

Mr. President, we will next examine the formation of the council, the most important agency of the league, and wherein is imposed most of the power possessed by the league. Nearly all the action of the league is obtained through the council. Article 4 of the covenant provides:

> The council shall consist of representatives of the principal allied and associated powers, together with representatives of four other members of the league. These four members of the league shall be selected by the assembly from time to time in its discretion. Until the appointment of the representatives of the four members of the league first selected by the assembly, the representatives of Belgium, Brazil, Greece, and Spain shall be members of the council.
>
> With the approval of the majority of the assembly the council may name additional members of the league, whose representatives shall always be members of the council; the council with like approval may increase the number of members of the league to be selected by the assembly for representation on the council.

Each member of the league represented in the council shall have one vote and only one representative. The selection of the representatives of the members of the league in the council would be made as provided by the laws of the respective countries. In the case of the United States the appointment could be made in pursuance of an act of Congress. The selection of the four members of the league to send representatives to the council by the assembly must be made by unanimous agreement. Hence the four members of the council must be acceptable to the United States. Thus out of nine members of the council four must be selected with the consent of the United States, which, added to our representation, would make five out of nine. The council thus constituted furnishes ample protection to the interest of the United States. The decisions of the council must be unanimous, except where otherwise expressly provided in the covenant. This requirement of unanimity is only waived in matters of procedure and the appointment of special committees of investigation. In obtaining unanimous action for the expulsion of members of the league or in making reports upon disputes referred to the council, the representatives of the members affected or interested in both cases are excluded from participating in the decision of the council. Thus upon all substantial matters that can come before the council for action, except disputes referred to it for report to which the United States is a party, it can reach no decision, take no action, without the concurrence of the representative of the United States. Thus the interest of the United States is amply safeguarded in both the assembly and council, the only agencies of action under the league. Under the covenant we can not be heavily burdened nor driven to do undesirable things by unfair and unstable majorities, but practically all our undertakings, before they become operative, must have the approval of our accredited representatives. We do not venture forth in world affairs, as claimed by some of the opponents of the covenant, to bow in submission to unfriendly majorities, but we continue the master of our own destiny and retain a controlling voice in determining the pathway we shall travel.

Mr. President, as previously stated, the primary object sought to be obtained in the formation of the league is the preservation of peace and the prevention of war. It is an earnest and humane effort to save mankind and civilization from all the ravages and horrors incident to modern warfare. It seeks to introduce into international affairs the rule of law, order, and justice, peaceful consideration and conciliation, and thus eliminate international chaos, which in the past has been so productive of violence and bloody conflicts. It seeks to crown and make perpetual the decisive victory achieved by the valor of our soldiers and sailors and the sacrifices of our people by giving mankind a lasting peace founded on justice, right, and reason. It contains the combined efforts of the world's chosen and most enlightened statesmen to settle the many perplexing questions engendered by this great World War and embodies their hope of placing civilization on a surer and broader foundation. It seeks to avoid war by removing as far as possible the causes which have occasioned conflicts in the past and by providing methods of settling international disputes without resorting to force. It utilizes the treasured experience of the past to settle present difficulties and to build for the future. Let us examine calmly and patriotically—not in heated partisanship, not with the critical scrutiny of a disputant—the provisions contained in this covenant and determine whether they will accomplish the commendable purposes sought. Let us examine and see whether this structure, as claimed by some, is reared on sand and will totter at the first storm or whether the world's greatest and noblest builders have placed it on rock foundations, which will enable it to stand and be a safe refuge to the world in hours of storm and stress.

Mr. President, the first important provision contained in the covenant to relieve the world from existing and heavy burdens and to remove one of the most fertile sources of war in the past is that relating to the reduction of armaments. It is contained in article 8, and is as follows:

> The members of the league recognize that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations.

Does anyone dispute the wisdom and soundness of this declaration? Does anyone desire to expend on armies and navies greater sums than are required for our national security and to insure to us our international rights? Expenditures beyond these for naval and military purposes are wasteful extravagance, burdening business, retarding enterprise, and depriving the Government and the people of much money that could be wisely devoted to many commendable undertakings. The purpose is most laudable and is sought to be obtained in a way that could not in the least be prejudicial to the United States. To accomplish this reduction the covenant provides:

> The council, taking account of the geographical situation and circumstances of each State, shall formulate plans for such reduction for the consideration and action of the several Governments.
>
> Such plans shall be subject to reconstruction and revision at least every 10 years.
>
> After these plans shall have been adopted by the several Governments the limits of armaments therein fixed shall not be exceeded without the concurrence of the council.

What better plan for disarmament could be devised? The council is directed to prepare a general plan of disarmament for the consideration of the Governments of the several members of the league, which plans are not binding upon any State until approved by that State. In formulating these plans the council is directed to reduce armaments to the lowest point consistent with the national safety of each member of the league, considering also the geographical situation and circumstances of danger or attack confronting each member and also the retention of sufficient forces by all members of the league to insure the discharge of international obligations. If the council observes fairly and honestly these principles in the preparation of the plan of disarmament, no State would be threatened in its security, no State would be left helpless at the mercy of another, and the league would be made secure from internal and external overthrow. What guaranties are provided to make effective these desirable conditions? The report and recommendations of the council must have the concurrence of the representatives of the nine States which constitute the council. Thus the report and recommendation of the council can not be made without the approval of the representative of the United States. Without this approval the whole plan of disarmament fails and nations are left, as now, to have such armies and navies as they may themselves determine. Even when the report and recommendations of the council are unanimously made, they do not become binding

on any State until regularly approved by its Government. Under our Government the proposed plan to be effective in binding us must have the sanction of Congress, which is intrusted, under the Constitution, with the power of raising armies and equipping navies. Thus the interest of the United States in any plan of disarmament is amply safeguarded. No general plan of disarmament can be presented without her consent, no obligations imposed upon her without the approval of her Congress, where reposes our national security. It would seem to me that a plan of disarmament devised and adopted by most of the nations of the world upon these conditions, if the United States has any foresight whatever in the exercise of her power, would give her far greater security than any policy of national isolation outside the league, surrounded by nations jealous and apprehensive of her great power and liable at any moment to combine for her overthrow.

If she enters the league she obtains national security by the reduction of her armaments and those of other nations upon plans recommended with her consent and accepted by her Government. If she remains out she only obtains a precarious security by competing with other nations in the creation of vast armies and navies, with their attendant frightful and staggering expense and the certain assurance that some day all her vast national interest will be exposed to the hazards of war. One reposes national security upon the solid foundation of calm foresight and statesmanship; the other places it upon the quicksands of impending wars. We obtain greater security with far less expenditures. A large part of the immense sums now appropriated for armaments would be utilized to secure better educational advantages, to construct good roads, to build better homes, to aid religious and charitable institutions, to develop new industries, and for the general advance of comfort and civilization. There can never be any disarmament with safety, nor will there ever be any, except a general one on the plan outlined in this covenant. Would any nation be so unwise as to make separate treaties for disarmament and leave herself exposed to danger from nations with whom no such treaties have been negotiated? Does anyone prefer that instead of the disarmament provided in this league that the United States should enter into an alliance with one or two of the great powers of the world, and thus be able to reduce her armaments by consenting that the united military forces of the alliance should be used for the offensive and defensive warfare of each member? This would be committing us to the old combination of powers which has deluged the world with war, and which has usually created another combination, the two then fiercely contending for world supremacy. This would be inviting us to a world war instead of a world peace.

Mr. President, no disarmament is possible except a general one, as proposed in this covenant, fortified by the guaranties contained therein. If this league with its plan of disarmament is rejected, it means that we and all other first-class powers will continue in mad and feverish competition constructing navies and creating armies. It means burdens and taxes exceeding anything the people have ever previously borne. It means conscription and universal military service. It means the organization of nations and their industries continuously for war purposes. It means world uncertainty, unrest, and apprehension, followed ultimately by cruel, extensive, and destructive wars. The statesmen of the world owe it to mankind to save it from these wretched conditions and future calamities of world wars. Those of us who favor this league believe it will accomplish these ends. Those who antagonize it offer nothing in its place, propose nothing better. They content themselves with insisting that mankind shall continue strictly in the old pathway that it has traveled so long with bleeding, bruised feet and mutilated limb, and upon which it recently encountered so many dangers and difficulties and barely escaped disaster.

Mr. President, another advantage contained in this plan is that, when adopted by any Government, "limits of armaments therein fixed shall not be exceeded without the concurrence of the council." This concurrence must be unanimous. Then, after the amount of armament has been fixed for each member of the league and approved by each as fair and just, it can not be changed without the consent of the representative of the United States upon the council. This gives us additional security and enables us to protect ourselves from the dangers of increased armaments. The plan fixes no minimum limit of armaments, but only a maximum limit. This compels no nation to make expenditures for war purposes. With the exception of not exceeding the maximum limit, the size of armies and navies and the quantity of war equipment is left absolutely to the discretion of each State. The league only intervenes when the armaments of a nation become so large as to threaten others. I venture the prediction that instead of this restriction being a restraint upon the United States Government this Government will never attain the maximum assigned. The great difficulty encountered in the past to induce this nation to have sufficient naval and military forces for defense against apparent dangers fully justifies this conclusion. The effect of the limit will be to place needed restraint upon ambitious and aggressive powers.

In order to meet the changed conditions which continually arise, it is provided: "Such plans shall be subject to reconstruction and revision at least every 10 years." When this occurs the same requirements for unanimity in the council and adoption by each State continue. Thus the interests of the United States in this respect are fully protected. The plan seeks also to eliminate as far as possible the manufacture of munitions and implements of war by private enterprises, which create large interests favorable to war and have done much to keep the world excited and embroiled. It is hoped never again will the world be cursed with the Krupps and millionaire munition manufacturers, possessed of great political power, engaged in pernicious propaganda to incite the enmity of nations and thus produce war, to their own enrichment. To prevent secret preparation for war and suppress danger to unsuspecting nations, "The members of the league undertake to interchange full and frank information as to the scale of their armaments, their military and naval programs, and the conditions of such of their industries as are adaptable to warlike purposes." To secure a faithful compliance with these requirements of disarmament, a permanent commission is created to advise the council upon their execution and on military and naval questions generally. Thus, from whatever standpoint viewed, it seems to me the provisions contained in the covenant for disarmament are fair, reasonable, and just, will be effective, and furnish the United States ample safeguards for her security.

Mr. President, the history of the world proves that a large majority of wars have been occasioned by a desire of conquest and to obtain additional territory. Conquest and territorial aggression since society and governments were first organized have steeped mankind in war, misery, and violence. Eliminate these causes of war and the peace of the world is almost secured. This covenant undertakes to accomplish this by article 10, which is as follows:

> The members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league. In case of any such aggression or in case of any threat or danger of such aggression the council shall advise upon the means by which this obligation shall be fulfilled.

Those of our countrymen who antagonize the league have directed against this provision their most persistent and unrelenting opposition. They have insisted that the assumption by us of this obligation would embroil us in interminable wars with all the attendant expense and danger. They have presented dire forebodings of United States troops being sent to every part of the globe to settle petty territorial quarrels. They contend that in adopting this provision of the covenant the United States uses her great power, without any recompense whatever, to bring to other nations repose and security. They declare that the acceptance of this would impose upon the United States intolerable burdens and would bring no substantial benefits. They protest against it as a wide departure from our former foreign policy which must inevitably lead to international complications and trouble.

Let us examine this section of the covenant thoughtfully and dispassionately to determine whether these objections obtain, and whether our burdens or our benefits would exceed by our acceptance. It should be noted that this is an obligation assumed, not by the league as an entirety, but by each member individually. Each member of the league undertakes, first, to respect the territorial integrity and existing political independence of all members of the league. This is a solemn promise made by each member of the league that it will never endeavor to acquire by conquest or aggression any of the territory or possessions of any other member of the league. In common parlance, we would agree not to rob any of our associates in the league and they would agree not to rob us. If this league is consummated, as contemplated, it means immediately that four-fifths of the world, and eventually all the world, agrees to cease from wars of conquest and despoilment. If adhered to it would eliminate the causes which have produced most of the wars of the past. If observed, there is not a member of the league, great or small, that ever would have its individual, political existence threatened; and no more would the history of the world be encumbered with the frightful wreck of people and nations through lust of conquest. It means the dawn of a new day in human affairs when practically the world agrees to refrain from wars of despoilment, a day in which each receding hour will bring greater splendors of peace, progress, and prosperity.

Now, when the nations of the world, sobered by sorrow and suffering almost too stupendous to bear, with nearly one accord are willing to raise their hands and make the solemn pledge, are we sullenly and stubbornly to stand aside and become a stumblingblock in the way of this noble achievement? Are we to miss the days of our opportunity, foretold with almost divine foresight by our fathers, when we should become the exemplar of the world for justice, liberty, and peace? Why should we refrain from undertaking to respect the territorial integrity and political independence of members of the league? Do any of them have possessions that we view with covetous eyes and propose to seize and annex? I know of none. Our territory is ample for our purposes and development. We can obtain neither increased wealth nor strength by endeavoring to assimilate new, incongruous peoples. Are there lurking among us those possessed of imperialistic designs who desire to embark the United States upon a career of expansion and are unwilling to see her fettered by this honorable promise? If such exist, the pledge should be made in order to restrain them from ever forcing this Government into such venturesome and dangerous enterprise. Germany to-day, wrecked and ruined, furnishes melancholy proof of the sad fact that the road of ambition and conquest inevitably leads to disaster. From every consideration we can well afford to enter into almost a world compact not to engage in marauding wars to seize the territory of others, not to overthrow their independence and subject them to our will and rule. The formation of such a wide and far-reaching agreement constitutes one of the most important facts in the history of a gloomy and troubled world and marks the attainment of what the most hopeful idealist never thought possible. If I read aright what is in the heart and mind of my countrymen, they are determined that no adverse action of theirs shall shatter these pleasing prospects and make these bright hopes dissolve into empty dreams.

Mr. President, the second obligation assumed by each member of the league individually is to "preserve as against external aggression the territorial integrity and existing political independence of all members of the league." This is a natural corollary from the first. In the former we undertake not to rob our associates ourselves, and in this we agree not to permit others to do so, each associate assuming a like obligation to us.

It should be noted that this guaranty of territorial integrity and political independence is limited to those cases where they are threatened or attacked by external aggression, and does not apply to revolution within a nation. A nation's internal affairs are left undisturbed. A nation can re-form, modify, or change its existing government according to the wishes of the people. If necessary to accomplish these purposes, force can be used. A nation may separate and divide into several units, as her people may determine, provided no external force is applied.

The disruption of a nation by external aggression is prohibited. The obtrusive interference of one nation into the affairs of another, inciting dissensions, destroying unity, weakening its influence and power, would be arrested. No more would there be pressure upon weak nations by the selfish and strong to obtain concessions and "spheres of influence" to the serious detriment of the State coerced, and to all self-respecting nations which refuse to engage in such reprehensible practices.

Competition among powers in exploitation and despoliation would cease. No member of the league, great or small, as previously stated, would ever have its territorial integrity or political independence threatened. Each member of the league, in repose and confidence, would be permitted to work out its own individual destiny, to develop its own culture and civilization. No more would weak States, whose precarious existence has occasioned so many wars, have ever hovering over them the grave apprehension of being subdued and absorbed. Nationality, with its vital, stimulating patriotism, would be preserved, given new life and opportunity.

Mr. President, thoughtful persons recognize the importance of giving such a guaranty now, at least for a limited period, if the peace of the world is to be maintained. The autocratic governments that controlled the vast territories of Russia, Germany, Austria, and Turkey have been overthrown and as yet no real, stable governments established. A large portion of each of these countries is in a condition of political chaos, controlled by turbulent masses, and engaged in warfare among themselves. Some of the new States created out of this immense territory, without the guaranty of the league, would be overthrown, and would return to the domination of their former oppressors. We would render no service to such States in starting them on a noble career and then immediately abandoning them to again become helpless preys.

Some of the new States, possessed of high ambitions, might, unless held by the restraints of the league, venture into wars of conquest and annexation. Without the steadying influences of this guaranty, the chances are that at no distant day war would again be precipitated in eastern Europe, become again a world conflagration, bringing greater calamities than those we have just experienced.

Hon. Elihu Root, former Secretary of State, one of our most thoughtful and farseeing statesmen, in discussing the league, recognized the great immediate need and importance of this article, and recommended its acceptance with an amendment providing that any member could, after the expiration of five years from the signing of the covenant, terminate its obligations under this article by giving one year's notice in writing. After careful consideration he reached the conclusion that the best interest of the United States and of the world demanded the assumption of this obligation for the term of five years. He would have extended the obligations of this article longer than is provided by the covenant.

Article 1 has the following provision:

> Any member of the league may, after two years' notice of intention so to do, withdraw from the league, provided that all international obligations and all its obligations under this covenant shall have been fulfilled at the time of withdrawal.

The requirement of two years' notice is reasonable, as no member should be permitted suddenly to terminate so important an engagement. Neither would it be just for a member to escape its accrued international and covenant obligations by withdrawing. Members that receive the benefits of the league should also bear its burdens. Especially would the United States scorn to avail herself of the privilege of retiring from the league without fully and honorably discharging every obligation. The contention that the United States could not withdraw without the unanimous consent of the council or assembly, the only bodies that can act for the league, is wholly untenable. No power whatever is conferred upon either of these bodies to act upon this question; no authority is given anywhere to compel the retention of a member after giving the required notice of withdrawal.

Disputes arising prior to the withdrawal must be settled as provided in the covenant. This the United States, if she becomes a member, agrees to. But under no provision in this covenant would the United States undertake to let the council, assembly, or any body or person determine whether she had discharged her obligations, and to permit her to withdraw from the league. Hence she reserves this decision for herself. The decision of this question, as it affects her, would be left to the judgment and conscience of her own Government, free from any agreement to submit its decision elsewhere. If the decision occasions differences, it will be like all other disagreements between sovereignties regarding interpretation of treaties and international obligations, and would be settled as it exists under present international law.

Thus, under this covenant, the United States, by giving notice of withdrawal from the league, can limit her obligations under this article, and under the entire league, to a time not far to exceed two years. If this treaty is ratified, including the covenant of the league of nations, the United States can fully perform all her obligations to her allies, discharge her duties to the new nations she has aided in creating, and which she encouraged to revolt against their former masters with many hazards, use her powerful influence to give repose to a disturbed world, bring to a final settlement a war in which she was one of the greatest factors, and then honorably retire, having performed a great service to the world and brought inestimable benefits to herself.

For the United States to reject this treaty and league at this time, involving, as it does, such small possibility of peril for her, would mean that she would skulk in the greatest world crisis that has ever occurred. It would mean she would consent to a world settlement without her voice, without her influence.

This article can impose no burdens upon the United States from which she can not in a reasonable time honorably relieve herself, if she is so disposed. She is committed to no course of action from which, if disappointments should develop, she could not honorably retire and return to the situation she occupied before the acceptance of this covenant. In a short time after ratification the people of the United States, with a knowledge of its practical operations, can determine whether they will continue in or retire from this league. The United States having ventured forth in this war and become one of the controlling influences in world affairs, under the covenant can successfully aid in the settlement of matters so urgently pressing for solution, and then retire, if she so desires, to a

policy of national isolation, and become, if so inclined—as has been urged by some—a national hermit.

But, Mr. President, honor, prudence, self-interest, and national prestige—invaluable assets—all demand that we participate in the settlement of the present disturbance of the world produced by a war in which we were one of the most potential participants. The war is not completed until such a safe and proper settlement is made. Then, too, the world is so closely connected by steam, aircraft, cable, telegraph, and telephone, so deeply touched by racial and political influences, that a political convulsion in any part of the world necessarily affects the entire world. Who would have thought when the misguided youth Prinzip assassinated the Austrian heir and his morganatic wife in the streets of Sarajevo that in less than three years over 2,000,000 United States troops would be fighting in France in the most gigantic war of all times? Who realized that that crime would call a world to arms? Our interests and commerce are so varied, so vast, permeating every quarter of the globe, that in the future it will be almost impossible for us to escape world embroilments. Prudence and wisdom demand that, at least now, we should be present and extinguish the embers that produce flames, and see that the flames, if started, do not become world conflagrations which will envelop us.

Mr. President, the assertion that this article would tend to produce, instead of prevent, wars can not be sustained. This guaranty, made by more than four-fifths of the world, including the present dominant military powers, will, I believe, be sufficient without force to insure the peace of the world. Reckless, indeed, would be that nation which would issue a challenge of defiance to so powerful a league and embark upon the venturesome enterprise of conquest. Any nation would realize that it had more to lose than to gain by so dangerous an undertaking. What has occurred since our announcement of the Monroe doctrine furnishes convincing proof of the correctness of this contention. When a small and feeble nation in comparison to many others, we boldly proclaimed that North and South America were no longer open to colonization; that we would not permit the conquest of any portion of these continents by outside powers; that other nations would not be permitted to aid Spain in reducing her revolting colonies to subjection; and that we would not recognize the transference of Spain's rights or sovereignty to any other Government.

Many viewed the announcement of this doctrine with great alarm, saw in it many perils for this Nation, and prophesied that it would be the cause of innumerable wars. The promulgation of this doctrine gave freedom to one-half of the world, has saved for almost a century the Western Hemisphere from external aggression, and yet the United States has never invoked force for its maintenance. The very knowledge that the infringement of this doctrine would encounter in resistance the full power of this Government has been sufficient to restrain all nations. It deterred both Great Britain and Germany in Venezuela; it compelled without conflict the withdrawal of a large French army from Mexico; it has stood as a protecting shield, never yet openly assaulted, around all America. If the mere announcement of this doctrine by one nation has been sufficient to protect without war from external aggression all America, though great military powers have looked with covetous eyes upon her fair possessions, how much more would the solemn guaranties of this powerful league be effective. We may reasonably expect that the territorial integrity and political independence of the members would be preserved without the necessity arising for the use of force. The apprehension that this article will involve us in many wars is unfounded; it will be most potential in the preservation of peace for us and the world.

Mr. President, it should be noted that when in this article we guarantee the territorial integrity of all members of the league, we receive at the same time from all of them a like guaranty of our territorial possessions. The obligation is mutual. While it is true our continental possessions are safe with any reasonable preparations for defense, yet we occupy exposed positions, which require an immense Navy and a large standing Army to make us absolutely safe. The Philippine Islands are easily open to attack from either a European or an Asiatic power possessed of a strong navy, supplemented by a large and efficient army. These islands have occasioned us in the past great apprehension. These islands are so scattered and difficult of defense, so far from our base of supplies, that their protection in war is dependent upon our unchallenged control of the seas. In case of threatened danger we would be compelled to mass there large armies to prevent surprise and any lodgment by the enemy. These far-flung islands are to us a constant source of peril, yet we will never be base enough absolutely to desert them, toss them unprotected in the whirlpool of world politics, to become the prey of predatory nations. Plans for their independence have been accompanied by the suggestion that their integrity should be guaranteed by several of the strong powers. If we accord them freedom, we can now obtain for them, through this league, a complete guaranty, and thus honorably relieve ourselves of bearing alone this heavy burden. Whether retained by us or given their independence, through this league they will be preserved from all external aggression. In order to safeguard these islands, to which policy we are committed by every consideration of honor and interest, if this league is rejected, it will be necessary for us, in the present disturbed condition of the world, to construct the largest Navy afloat, and have an Army equal to that of any nation. Shall we embark on this great military expense and expansion, or accept the league and with it the honorable pledge of Great Britain and Japan, the only two nations from which the islands could ever be threatened, together with that of other members, to aid in preserving them from all external aggression?

Mr. President, considering this article, we should also reflect that the Panama Canal, its defenses, and the islands owned by us in the Caribbean Sea are outlying territories, requiring for their defense immense naval and military armaments. Under existing conditions we have always asserted that our hold upon this canal was no stronger than the American Navy. This canal, with the exception of our home territory, is the most valuable possession we have. The development of our varied industries, our national prestige, and safety demand that the canal should be under our control and ownership. This is a national policy as fixed as the eternal stars. For its maintenance there is no sacrifice we would refuse. Is our hold upon this canal lessened or strengthened by this article? This is a vital question. Great Britain is the only nation sufficiently strong upon the sea to challenge our ownership. With a navy far exceeding ours, she constitutes the only menace. In this article she pledges not only to respect herself our ownership of the canal and zone, but to preserve it from all external aggression. Thus our ownership under the league would be made as secure as it could be made by national promise and power. But this pledge of members of the league is made doubly secure by the plan of disarmament which, when prepared and presented, must have the approval of our representative upon the council and then be sanctioned by Congress. Thus under the league we obtain not only this important guaranty, but in addition a naval and military force which in comparison with that possessed by other members will, in our judgment, afford us ample security. If the defense of the canal is made dependent upon force, it is safer under the plan of the league than in a fierce race to outstrip all possible competitors in naval and military armaments. The one reposes its safety upon what our calm judgment dictates; the other hazards its safety upon our chances of success in this wild competition.

Mr. President, while the obligation under article 10 is assumed individually by the members of the league, yet its enforcement requires the cooperation of the several members. The article provides:

> In case of any such aggression, or in case of any threat or danger of such aggression, the council shall advise upon the means by which this obligation shall be fulfilled.

Thus whenever the territorial integrity or the political independence of any member is violated or threatened the council meets and advises the means of averting the breach of the covenant. This action of the council must be unanimous. The recommendation for the enforcement of the obligation imposed by this article must have the approval of the representative of the United States upon the council.

The unanimous recommendation of the council is only advisory, and must be approved by the Governments of the several members of the league. This insures that the burden under this article will be fairly and properly distributed. While each member of the league makes a solemn pledge of mutual protection, yet each reserves its right of judgment as to duty and obligation in each case as it arises, and the means by which it shall be discharged. Thus under article 10 no troops of the United States could be sent to engage in war without the advice of her representative in the council and the approval of her Congress. This insures us against undue burdens and impositions. It leaves the extent of our moral and political obligations to our own sense of honor, and we ourselves measure the just demands upon our plighted promise. It creates no supertribunal issuing to us its dictatorial commands. We select and follow our own pathway of duty and obligation. If we make

this pledge, we will never shirk compliance with its just demands. Broken faith, violated promises, refusal of just claims, have never yet darkened the honorable history of America.

Mr. President, the next important provisions contained in the covenant for the promotion of peace are those providing for the settlement of international disputes. They are far-reaching and will be most potential for the accomplishment of the purpose desired. The first of these is contained in article 12, as follows:

> The members of the league agree that if there should arise between them any dispute likely to lead to a rupture they will submit the matter either to arbitration or to inquiry by the council, and they agree in no case to resort to war until three months after the award by the arbitrators or the report by the council.

Another portion of the article requires the award to be made in a reasonable time and the report of the council within six months after submission. Under this article the parties to the dispute can select as the means of adjustment either arbitration or inquiry by the council. They agree to submit the matter of dispute to one or the other, and not to resort to war until three months after the award or report. This is a most effective method of preventing war. It extends the sphere of law and justice, the best consummation of a high civilization. It gives time for passion and animosities to cool and lessen and for reason to assert her sway. War only comes after other methods of settlement have failed. It gives time for the people who bear the burdens and suffer the sacrifices of war to reflect and enables them to restrain their own Governments from venturing into unjust and perilous wars.

Article 13 of the covenant controls matters submitted to arbitration. It is as follows:

> The members of the league agree that whenever any dispute shall arise between them which they recognize to be suitable for submission to arbitration, and which can not be satisfactorily settled by diplomacy, they will submit the whole subject matter to arbitration.
>
> Disputes as to the interpretation of a treaty, as to any question of international law, as to the existence of any fact which if established would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach, are declared to be among those which are generally suitable for submission to arbitration. For the consideration of any such dispute the court of arbitration to which the case is referred shall be the court agreed on by the parties to the dispute or stipulated in any convention existing between them.
>
> The members of the league agree that they will carry out in full good faith any award that may be rendered and that they will not resort to war against a member of the league which complies therewith. In the event of any failure to carry out such an award, the council shall propose what steps should be taken to give effect thereto.

Under this article arbitration is not compulsory. It is left absolutely to the members of the league to determine whether the matter of dispute shall be submitted to arbitration. It is left for them to decide whether it is a suitable matter for arbitration. The article specifies interpretation of treaties, disputes as to a fact, which, if established, would constitute a breach of international obligations, and the extent of reparation for such breach as generally suitable for arbitration. But this is only a declaration addressed to the judgment and will of the members of the league. The parties to the dispute are left entirely free to select the members of the court of arbitration. The members of the league agree to abide by the award and that they will not resort to war against a member of the league who complies with the award. This is an honorable promise to fulfill a pledged obligation. Without this arbitration would be a complete farce and failure. It also conveys an assurance to each member of the league that if it honestly complies with the award it will be secured from war by all members of the league.

Mr. President, this great extension of arbitration will bring inestimable benefits to the world. It will lessen wars; it will increase respect for law and tend to more friendly relations between the nations. It is a wonderful achievement when four-fifths of the world enter into an agreement of arbitration. It marks a great advance of the forces that work for the betterment of mankind.

Let us next examine and see the method of procedure under the covenant when a party refuses to comply with the award. Under article 12 the parties to the dispute have each agreed, "in no case to resort to war until three months after the award by the arbitrators." This gives time for each nation calmly to consider the consequences of war; to determine thoughtfully whether the differences are of sufficient importance to justify hostilities; to invoke diplomacy and the assistance of the council and other nations to reach a settlement. Article 13 also provides:

> In the event of any failure to carry out such an award the council shall propose what steps should be taken to give effect thereto.

Thus while the parties to the dispute are restrained for three months from precipitating war, the council can exercise its influence to obtain a settlement. The council proposes what should be done to make effective the award. The action of the council must be unanimous and thus have the approval of the representative of the United States. The action of the council being only advisory, proposals must, if force is required to effect the award, have the approval of the Governments of the several members of the league. Thus under this article the United States could never be brought to war except with the approval of its representative on the council and the sanction of Congress. It is believed that the proposals of the council will be sufficient to obtain compliance with the award. If not, then it will be left to the judgment and will of each member of the league to determine to what extent it will go in carrying out the recommendations of the council. Thus under this covenant arbitration has all its usual desirable benefits, supplemented with the further advantage that it may be enforced when the necessity for so doing appeals to the judgment of a sufficient number of the members of the league.

The next important provision to insure peace and prevent war between nations is that providing for the settlement of international disputes which have not been referred to arbitration. It is contained in article 15, as follows:

> If there should arise between members of the league any dispute likely to lead to a rupture, which is not submitted to arbitration in accordance with article 13, the members of the league agree that they will submit the matter to the council.

This is a reiteration of the agreement contained in article 12. If a party should refuse to submit a matter of dispute likely to lead to a rupture either to arbitration or the council, as agreed upon, this article provides that either party to the dispute may refer the matter to the council. This is a method provided to compel compliance with the obligation entered into to submit disputed matters either to arbitration or the council before proceeding to war.

When the matter is referred to the council it first exerts itself to obtain a satisfactory settlement between the parties. Thus there is created an official body specially directed to exert its good offices to compose differences between the members of the league. The advice and suggestions of the council, its efforts to reach an accommodation between the parties, can not be resented as an unwarranted interference. It acts officially as a cool, strong, soothing mediator between disputants. The council specially delegated to do this work of conciliation will become a great instrument in effecting settlement of disturbing disputes. Composed of the representatives of great powers, commissioned to allay the causes of national irritation and enmities, its advice and conclusions will be received with profound respect. The existence of such a body in the past would have averted many wars which have scourged mankind. If the council fails to settle the matter, the covenant provides:

> The council either unanimously or by a majority vote shall make and publish a report containing a statement of the facts of the dispute and the recommendations which are deemed just and proper in regard thereto.

Let us next examine and see what the effect of the report will be when made. It is provided:

> If such council fails to reach a report which is unanimously agreed to by members thereof other than the representatives of one or more of the parties to the dispute, the members of the league reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and justice.

Thus if the report fails to obtain this unanimity it has no effect other than that derived from its influence upon public opinion. In this case all the members of the league, including the disputants, are left free and unfettered "to take such action as they shall consider necessary for the maintenance of right and justice." A divided report imposes no obligation whatsoever. Let us next consider the effect of a report unanimously made. The covenant provides:

> If a report by the council is unanimously agreed to by the members thereof other than the representatives of one or more of the parties to the dispute, the members of the league agree that they will not go to war with any party to the dispute which complies with the recommendations of the report.

This provision has occasioned much criticism and opposition. Forebodings of dire ill have been presented as coming to us from this article and provision in case we should enter the league. It is important because this article contains the only substantial thing that the league could do without the concurrence of the representatives of the United States in the council or assembly.

Let us determine definitely the effect of this obligation and what it means. In all matters of dispute in which the United States is not a party it pledges us not to go to war with any party to the dispute which complies with the recommendation of the report of the council, and to which our representative in the council has assented. Reports upon disputed matters to which we are not a party must, whether referred to the council or the assembly, have the concurrence of our representatives.

Thus in all such cases we are amply protected. In those disputes referred to the council to which the United States is a party, and in which cases her representative and those of the other parties are precluded from acting, we pledge ourselves that if all the other members of the council concur in a report we will not go to war with any party to the dispute that complies with the recommendations of the report. It means if the report is favorable to us, and the other party complies with the recommendation, we will not make war. It means if the report is unfavorable to us, if made with the unanimity previously mentioned, we will not go to war against any party accepting the recommendations of the report. It should be noted that the obligation is not to engage in war under these circumstances. This is the full extent of our undertaking. We agree that we will not go to war concerning a disputed matter upon which four-fifths of the world has decided our contention was wrong. Reckless, indeed, would be the Government of a people which would hurl them into all the hazards of war in defiance practically of the public opinion of the world. Such a venture, if made, could only end in disaster. An agreement not to resort to war under circumstances like these is honorable, founded on prudence and wisdom. The people who bear all the sacrifices and burdens have no desire to undergo the horrors of war in the prosecution of doubtful rights and with the chances of success remote. This agreement, far from being a prejudicial fetter upon nations, is a most beneficial restraint, and will tend to save them from many reckless and disastrous wars. Under this article any disputed matter may be referred to the assembly for action, either by the council or by any party to the dispute, which can have it referred on request 14 days after the submission. The action and powers of the assembly are practically the same as those of the council, and what has been previously stated regarding disputed matters referred to the council would apply with equal force to those referred to the assembly. It should be noted in this connection that if the dispute is claimed by either party and is found by the council to be a matter which by international law is solely within the domestic jurisdiction of that party, the council is prohibited from making any recommendations as to its settlement. Domestic matters are excluded from the jurisdiction of the league, or action either by the council or assembly. Immigration, by all text writers on international law and by all Governments, has been considered and treated solely as a domestic question. In the absence of treaties, the municipal law of the country determines absolutely the admission of foreign citizens into the country. This has never been disputed. Vattel, the great authority upon international law, clearly states the law upon this subject, as follows:

> It is an accepted maxim of international law that every sovereign nation has the power as inherent in sovereignty and essential to self-preservation to forbid the entrance of foreigners within its dominions or to admit them only in such cases and upon such conditions as it may see fit to prescribe.

The Supreme Court of the United States in the Chinese exclusion case held that the power of the Government of the United States to exclude foreigners from the country whenever in its judgment the public interest required such exclusion has been asserted in repeated instances and can neither be granted away nor restrained by treaty.

Secretary of State Frelinghuysen in 1882 stated in a letter to Mr. Stillman:

> This Government can not contest the right of foreign Governments to exclude on police or other grounds American citizens from their shores.

The only way that immigration into this country could ever go to the league for consideration or action would be in a dispute regarding the interpretation of a treaty that we made with some nation upon that question. Without the existence of such a treaty the league is debarred from all jurisdiction. We have full power to revoke any treaty made involving immigration. Thus it is left for us to determine whether this question shall ever receive consideration by the league.

Mr. President, in order to make effective the undertakings made by the members of the league, all of which are promotive of peace, it is absolutely necessary that there should be in the covenant a sanction to enforce their observance. Unless this is done, honorable nations which comply with their obligations would be at a great disadvantage over faithless ones which ruthlessly ignore national promises. The covenant would hold the honorable as with bands of iron. Without a sanction it would hold the faithless only with paper bonds, to be snapped as caprice or interest might dictate. A sanction is needed to make the league a living, vital force to insure the peace of the world. To obtain observance of municipal law a sanction with varying penalties is indispensable. It is equally indispensable to secure compliance with the obligations assumed in this covenant. This sanction is contained in article 16, as follows:

> Should any member of the league resort to war in disregard of its covenants under articles 12, 13, or 15, it shall ipso facto be deemed to have committed an act of war against all other members of the league, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a member of the league or not.
>
> It shall be the duty of the council in such case to recommend to the several Governments concerned what effective military or naval force the members of the league shall severally contribute to the armed forces to be used to protect the covenants of the league.
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> The members of the league agree, further, that they will mutually support one another in the financial and economic measures which are taken under this article in order to minimize the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State, and that they will take the necessary steps to afford passage through their territory to the forces of any of the members of the league which are cooperating to protect the covenants of the league.
>
> Any member of the league which has violated any covenant of the league may be declared to be no longer a member of the league by a vote of the council, concurred in by the representatives of all the other members of the league represented thereon.

The substance of this article is that if a member of the league should violate its promise not to resort to war until the disputed matter has been submitted either to arbitration or the council, or three months after the award or report of the council, or violate its promise not to resort to war against any member of the league that complies with the award or recommendations of the council made with the unanimity as previously stated, then the other members of the league will direct against this covenant-breaking member an economic, financial, and commercial blockade, mutually supporting each other in such measures. It should be noted that this economic boycott is only invoked against a nation which has precipitated war contrary to its undertakings or under circumstances which would indicate that it was not justified. The members of the league refuse to be commercially neutral in a war ruthlessly begun by one of its members against another. It will refuse to have any trade relations whatsoever with the offending member. Many believe that this is the most effective means that can be invoked to prevent war. With no access to the markets of the world, either to sell or purchase, a nation engaged in such war would soon collapse. The knowledge that at the commencement of war it would be subjected to these destroying hardships would restrain the most resolute of nations from making the venture. A Government seeking to plunge into war with this threat hanging over it would find combined against it its own national agricultural, manufacturing, and commercial enterprises. Many modern wars have been occasioned by a desire for trade and commercial expansion. This character of war will cease when it is known that its inception will mark the destruction of trade and commerce. This provision is most potential for the prevention of war. It is far more preferable to endure the losses and inconveniences incident to a cessation of trade than to suffer all the horrors and the immense destruction of life and property incident to war.

The members of the league further agree "to afford passage through their territory to the forces of any of the members of the league which are cooperating to protect the covenants of the league." As all the covenants of the league are mutual among its members, this means that we permit troops to pass through our territory to enforce agreements to which we ourselves are parties. Certainly no serious objection can be urged to an undertaking of this character.

Mr. President, these constitute the direct obligations assumed by the members of the league under this article. The method of applying force against the covenant-breaking member is as follows:

> It shall be the duty of the council in such case to recommend to the several Governments concerned what effective military or naval force the members of the league shall severally contribute to the armed forces to be used to protect the covenants of the league.

The procedure under this provision is for the council to recommend to the several Governments against which the covenant-breaking member is waging war the military and naval forces to be furnished severally by the members of the league. The recommendations of the council must be unanimous. As nothing else is provided for either the council or assembly to do in this case, and as these are the only instrumentalities through which the league can take action, it seems that the several Governments affected are left to obtain the armaments recommended as best they can. They can only present the recommendations to the several Governments of the members of the league for consideration and action. The recommendations are only effective when supported by the Governments. The members of the league assume no obligation that these recommendations, when presented, will be ratified by their Governments.

Thus before the military or naval forces of the United States could be used under this article the representative of the United States upon the council must recommend their use and Congress sanction it. This insures that our Army and Navy will not engage in war where we have no vital interest and where we have assumed no legal or moral obligations. These recommendations, when made, will address themselves to the judgment of Congress and be disposed of as the honor and interest of the United States may demand. While the conduct of the covenant-breaking member is declared to be an act of war against all the members, it should be remembered that an act of war by one party is not necessarily war, and that war can only come to this country by a specific declaration of the same by Congress. Germany committed acts of war against us prior to its declaration by Congress. But war between the United States and Germany only began when so declared by Congress.

Mr. President, so desirous is the league of preventing wars and obtaining the settlement of international disputes without resorting to force that it also undertakes to settle disputes between a member of the league and a nation that is not a member of the league, or between nations neither of whom is a member of the league. This is accomplished by inviting such nations to become members of the league for the purpose of ending such dispute "upon such conditions as the council may deem just." The conditions imposed by the council must have the unanimous concurrence of all the members, hence in such cases must be assented to by our representatives upon the council. If such invitation is accepted, the procedure and the provisions for settling disputes between members referred to the council apply "with such modification as may be deemed necessary by the council." The council must be unanimous in making these modifications, and hence require the approval of our representative upon the council. I have already fully discussed the provisions of the covenant regarding disputes between members of the league which apply substantially in these cases, hence will not burden the Senate with a repetition. It is also provided:

> Upon such invitation being given the council shall immediately institute an inquiry into the circumstances of the dispute and recommend such action as may seem best and most effectual in the circumstances.

The recommendation of the council must be unanimous, and hence be approved by our representative upon the council. This action of the council is a recommendation made to the members of the league for the consideration and action of their several Governments. It also provides:

> If a State so invited shall refuse to accept the obligations of membership in the league for the purposes of such dispute, and shall resort to war against a member of the league, the provisions of article 16 shall be applicable as against the State taking such action.

It should be noted that this provision applies only to those cases where an outside State resorts to war under such circumstances against a member of the league. I have already fully discussed the effects of the economic blockade and the provisions of article 16, and will not weary the Senate by a further presentation of them as applied to these cases, which are similar. It is further provided:

> If both parties to the dispute when so invited refuse to accept the obligations of membership in the league for the purposes of such dispute the council may take such measures and make such recommendations as will prevent hostilities and result in the settlement of the dispute.

This action of the council must be unanimous, and hence have the approval of our representative upon the council. The council is herein officially authorized to use its good offices to prevent hostilities and effect a settlement of the dispute. It can make recommendations either to the parties to the dispute or to the several members of the league. The council is only authorized to act diplomatically in advising under this provision, as it has no armies, no navies, under its control; hence it can not wage war. It can not declare war. It may recommend war to the members of the league. They assume no obligations except when an outside nation wantonly attacks a member of the league, as previously stated.

It is believed that the extension of the privileges of the league to outside nations, to be used for the settlement of their disputes, will work for peace and harmony and be the cause of the prevention of many wars. It is believed that States for various reasons not members of the league will willingly avail themselves of its instrumentalities for settling questions which threaten war. It would be fortunate to have an organized body like the league's council, composed of the representatives of the freest, fairest, and most enlightened and peaceful governments, to which nations can with safety and confidence carry for settlement their disturbing differences. Many a war which has desolated the world would have been averted if such a body had existed. Its creation as provided in this covenant marks a great advance along the pathways of peace and justice.

Mr. President, another most commendable feature of this covenant is the portion relating to the colonies and territories which, as a consequence of the war, have ceased to be under the sovereignty of the States which formerly governed them. These, instead of being parceled out among the victorious Allies as spoils of conquest, engendering dissensions and enmities promotive of future wars, and in disregard of the rights and interests of the people concerned, are held as a sacred trust for civilization and are to be administered for the betterment of the inhabitants of the several countries. This is accomplished by selecting as mandatories suitable nations willing to undertake the responsibility of tutelage for these people and performing their tasks under the supervision and direction of the league. It is worded:

> The degree of authority, control, or administration to be exercised by the mandatories shall, if not previously agreed upon by the members of the league, be explicitly defined in each case by the council.

The action of the council must be unanimous. Thus the scope and conditions of each mandatory must have either our approval in the ratification of this treaty or the approval of our representative in the council. The requirement of our assent will stand as a barrier against colonial exploitation and oppression. It will enable us to have accorded to the people of these countries the splendid colonial policies which we conferred upon Hawaii, the Philippines, and Porto Rico, and which have produced wonderful development and progress. It will enable America, where independence sprang from resistance to colonial wrongs, to restrain in the future the hand of colonial oppression. America, the first and stanchest friend of colonial rights, will have her sphere of usefulness enlarged.

Article 23 contains what liberal statesmen and philanthropists have for years sought to secure—the cooperation of nations upon certain vital matters which the individual action of nations is inadequate successfully to handle. The members of the league undertake, in accordance with the provisions of international conventions agreed upon, to endeavor to secure and maintain fair and humane conditions of labor for men, women, and children; to undertake to secure just treatment of the native inhabitants on territories under their control; to intrust the league with general supervision over the execution of agreements with regard to traffic in women and children and the traffic in opium and other dangerous drugs; to provide and maintain freedom of communication and of transit, and for equitable treatment of the commerce of all members of the league; to take steps in matters of international concern for the prevention and control of disease.

These are existing world evils which can only be remedied by international cooperation and action. It is sought to extend a betterment to labor the world over. It endeavors to remove the danger which ever threatens well-paid labor in liberal and civilized countries like America when brought in competition with the low-priced labor of nations less free and advanced. It removes the danger not by reducing the high-priced labor, as advocated by the exploiting selfish, to the level of the low paid but by increasing the low paid to higher, thus benefiting all. If this is accomplished, the products of American labor will find fairer and broader opportunities in all the markets of the world. American labor and American industries will no longer be overshadowed by the peril of cheap pauper labor. Labor conditions, labor remuneration, will have a world improvement. Thus we understand why the toiling masses in all countries so earnestly favor this league, not only because it will save them from the burdens and sacrifices of war but because around it cluster their fondest hopes of general and permanent betterment. To many an oppressed native population this league will bring relief and reform, break many fetters, and illumine their skies with the light of a new and better day.

The infamous traffickers in women and children will be punished in every clime and their nefarious business rendered most difficult. Many a helpless woman will be saved from the purveyor of vice and shame. The use of opium and dangerous drugs will be far better controlled and regulated, and the curse of this evil to mankind lessened. National cooperation will be promptly and efficiently invoked for the prevention and spread of disease, and the world will not be scourged in the future, as it has been in the past, by the spread of dangerous and contagious maladies. Nations will not have to stand helpless, as in the past, and see brought to their shores the contagion of death. The science and energies of the world will be mobilized to destroy and circumscribe the disease at its inception.

By according equitable treatment to the commerce of all members of the league, securing for them freedom of communication and transit, wars occasioned by commercial discrimi-

nation and by prohibition of access to the seas will be prevented. This will remove one of the most fertile sources of the wars of the past. Besides, this will greatly facilitate and increase foreign trade and commerce. This will be most advantageous to the United States. We have firmly established our primacy in foreign commerce. For many years our exports have far exceeded those of any other nation. Our future prosperity is inseparably interwoven with our foreign trade. This provision will be most potential in its future expansion and development.

Thus, Mr. President, this article of the covenant carries international cooperation further than ever before attempted upon subjects where most needed and where international concert is almost indispensable and will ultimately result in manifold benefits to the members of the league.

Mr. President, another admirable feature of this league, which gives it a great superiority over all others previously formed, is the power of amendment. This makes it a vital, growing organism. It enables the league to meet changing conditions, permitting it to eliminate what experience has proven wrong and add to it what is desirable. The requirement of regular meetings of the council and assembly will keep it from languishing and dying from indifference and inactivity. Yet the method of effecting amendment affords ample protection to the United States. Article 26 provides:

> Amendments to this covenant will take effect when ratified by the members of the league whose representatives compose the council and by a majority of the members of the league whose representatives compose the assembly.

Thus no amendment can be made without the approval of the Government of the United States, which will consist of the concurrence of the President and two-thirds of the Senate. We possess an absolute veto power in this respect. Thus we need have no apprehension that amendments will be adopted prejudicial to our best interest. American safety in this respect is firmly secured.

Another great benefit that will accrue from this league is the abolition of secret treaties. All treaties, conventions, and international agreements must be registered and published. Until registered with the secretariat of the league they are not binding. Frank, open, honest diplomacy is substituted for the secret and intriguing diplomacy of the past. No longer will nations live under perpetual apprehension that secret conspiracies have been or are being formed to their detriment; no longer can compacts for spoliation be secretly made and delayed in execution for a favorable time to consummate the robbery; no longer can governments destitute of character enter, as has frequently been done in the past, into secret conflicting treaties with other governments and later betray the one from which the greatest advantage can be derived. Such despicable practices will be relegated to the past, and a new, open, honorable diplomacy inaugurated. The people will be thoroughly acquainted with the obligations to which their government commits them, and hence ultimately all diplomacy will be under the control of the people of the several governments. This will work for peace and for fair, honorable engagements. The secret brood of war conspirators will be destroyed.

Mr. President, the opponents of the league contend that if the United States should enter the league as proposed in the first draft she would by so doing abandon the Monroe doctrine, which has ever been her traditional foreign policy. They have insisted that this doctrine was so important that it should be reserved by explicit declaration. The new draft does this. Article 21 provides:

> Nothing in this covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe doctrine, for securing the maintenance of peace.

Yet, Mr. President, with the clear, explicit reservation some of the opponents of the league are not satisfied. They do not like it being termed "a regional understanding for the securing of peace." It seems to me, Mr. President, the terms of description are apt and amply sufficient. It expressly declares that the Monroe doctrine, and hence all it implies, is not affected by this covenant. It remains unimpaired. Every right possessed by us under this doctrine prior to agreeing to this covenant would continue without diminution. If by possibility any conflict should arise between the provisions of the covenant and the Monroe doctrine, as far as we are concerned the provisions of the covenant are annulled and the Monroe doctrine survives for us as a living foreign policy. We accept the covenant with this clear reservation. This great doctrine may properly be described as a "regional understanding." It embraces in its scope North and South America; it encircles with its protecting arms this vast region. When announced by President Monroe in his message of December 2, 1823, it was clearly and explicitly limited to these two continents. It has never sought extension from the Western Hemisphere. The Monroe doctrine is more than a mere declaration of policy by President Monroe or Congress; it is a clear understanding by us and the world what we will do with all our power under certain circumstances. It was a clear understanding to the German Emperor when at our protest he abandoned his enterprise to seize Venezuela; it was a clear understanding to Great Britain when at the request of President Cleveland she consented to refer the question of disputed territory with Venezuela to arbitration; it became a clear understanding to the French Emperor when at our demand he withdrew his troops from Mexico and left Maximilian to his fate. The Monroe doctrine is also a clear understanding to the effect that as a matter of self-defense it will permit no foreign nations to acquire new territory and establish themselves in regions near us, if by so doing they would become a source of danger to us. Thus it prohibits the acquisition, directly or indirectly, by the consent or without the consent of Mexico, of lands in Mexico by a non-American power to be used or capable of being used as a base to threaten or attack us. Self-defense is an inalienable right superior to municipal law or covenants and one of the main foundations upon which the Monroe doctrine reposes. That this contention is true is clearly illustrated in the case of Yucatan. The governmental authorities of that country offered to transfer the "dominion and sovereignty" of that country to the United States and at the same time made a similar offer to Great Britain and Spain. With reference to the offer, President Polk, in a special message to Congress on April 29, 1848, said:

> Whilst it is not my purpose to recommend the adoption of any measure with a view to the acquisition of the "dominion and sovereignty" over Yucatan, yet according to our established policy we could not consent to a transfer of this "dominion and sovereignty" to either Great Britain or Spain, or any other European power. In the language of President Monroe, in his message of December, 1823, "we would consider any attempt on their part to extend their system to any portion of this hemisphere dangerous to our peace and safety."

The Monroe doctrine can properly be described as an understanding for securing peace. No war has yet been waged for its maintenance. The understanding of it and all it implies has been a great source of peace and has prevented innumerable wars, for behind it to restrain unscrupulous aggressors has stood the vast power and resources of the United States.

President Roosevelt in his annual message of 1901, in speaking of the Monroe doctrine, said, "It is simply a step and a long step toward assuring the universal peace of the world by securing the possibility of permanent peace on this hemisphere." He distinctly limits the doctrine to the Western Hemisphere and commends it for securing the maintenance of peace.

Thus, Mr. President, not only is the Monroe doctrine fully preserved and protected by name in this covenant, but it is given new force and new dignity. We obtain by this covenant practically a world's recognition of our right to insist upon its maintenance as our fully understood foreign policy.

Mr. President, I have endeavored fully and dispassionately to present my conclusions regarding the proposed league of nations. I have enumerated the great advantages which would accrue to the United States and humanity by the adoption of this sane and reasonable plan to secure the peace of the world and prevent the recurrence of another horrible World War. I have shown that the benefits clearly obtained by this Nation will exceed any possible burden that might be imposed. I have proven that the plan of organization and operation will afford to this country every needed means of protection. I have pointed out how causes which have produced wars in the past are removed by this covenant. I have indicated how this covenant will inevitably tend to create comity among the various nations, give better international understandings and fairer international dealings. I have the firm conviction that it is one of the world's greatest documents, marking the beginning of a new and better order in world affairs, separating a past dark with war and strife from the sunlight of a future bright with peace and international cooperation and conciliation. Out of the Revolutionary War, won by American valor and sacrifice, emerged the Declaration of Independence and the Constitution of the United States, the two most precious parchments yet conceived by human mind. The Constitution when proposed was assailed with virulence and encountered prophecies of dreadful calamities to follow its adoption exceeding anything that has been directed against the covenant. Yet the prophets of evil were routed by the calm judgment and patriotism of the people, the Constitution survived the terrific assault, and is to-day universally acclaimed the best scheme of government ever devised and furnished the prototype for all federated governments.

Out of this terrible and prolonged war, whose terrific gloom is only illuminated by a heroism and sacrifice unparalleled, emerges this league of nations to make complete and continuous the great victory won. This league will also survive the vicious attack of these new prophets of evil, and will, as it generously distributes with each receding year its increasing blessings to mankind, be known as the world's great charter of peace.

Mr. President, the pathway of our duty is plain. We should neither hesitate nor halt, but firmly align ourselves with the forces that are working for world betterment. With strong arms and brave hearts let us faithfully discharge our responsibilities as the world's greatest power and fearlessly face a future which beckons us to a greater glory and usefulness. Let us not be frightened by our own prodigious shadow as it projects itself in world affairs. Let us not be deterred from our manifest duty and destiny by a craven fear of becoming great in giving service and direction to a world in the direst hour of its need and distress.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator yield to the Senator from Minnesota?

Mr. SWANSON. I yield.

Mr. KELLOGG. I understood that the Senator did not wish to be interrupted during his speech, but would answer any questions after his speech was concluded.

Mr. SWANSON. I shall be very glad to do so.

Mr. KELLOGG. The questions I desire to ask are not put in any hostile mood, but to obtain the opinion of the Senator on certain provisions of the league.

Mr. SWANSON. I will be very glad to answer the Senator's questions.

Mr. KELLOGG. Article 21 provides:

> Nothing in this covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe doctrine, for securing the maintenance of peace.

Is it the opinion of the Senator that the Monroe doctrine is thereby excepted from the jurisdiction of the league of nations?

Mr. SWANSON. I am satisfied that it is, and I so stated in my speech.

Mr. KELLOGG. If that is the proper construction, can there be any objection to the Senate making that statement in its ratification?

Mr. SWANSON. I do not know but that it might delay the ratification of the treaty. I am not prepared to say now until I come to a further consideration of that feature, but I am satisfied that where by name, clearly and distinctly, the Monroe doctrine is reserved and the world understands it and what it implies it is reserved to the United States by name.

Mr. KELLOGG. I am not now disputing what the Senator says, but I am simply asking if that is the proper construction to be placed upon the clause, can there be any harm in the Senate so stating in its ratification?

Mr. SWANSON. I can not say what effect it would have upon the treaty and what delay it might occasion in the final operation of the treaty. Hence I would not desire to commit myself.

Mr. KELLOGG. I should like to ask one more question. Was the Monroe doctrine established or has it been established by any international engagement, or is it an American declaration of principle which we enforce for our protection?

Mr. SWANSON. I think it is a public declaration of principle and that there is a clear understanding in the world as to what we will do under certain circumstances. The world seems to understand it pretty well.

Mr. KELLOGG. Will the Senator please refer me to any treaty or international engagement recognizing the Monroe doctrine?

Mr. SWANSON. I know of none. "International engagements" I presume would refer to other treaties.

Mr. KELLOGG. That is, the Senator understands that this is an international understanding because we have announced it and the other nations understand we have announced it. Is that it?

Mr. HITCHCOCK. It is not an international understanding, but a regional understanding.

Mr. KELLOGG. I am not disputing what the Senator says. I am simply asking for the basis of his statement. The article reads:

> Nothing in this covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or—

Then we might say, "such as"—

> regional understandings like the Monroe doctrine.

That may not be the proper reading. If this is the correct construction, the Monroe doctrine is defined as an international engagement. But we will pass that. I should like to ask one or two more questions.

Referring to article 15, the clause which the Senator discussed a few moments ago:

> If the dispute between the parties is claimed by one of them, and is found by the council to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the council shall so report, and shall make no recommendation as to its settlement.

Did I understand the Senator to say that the right of the United States to exclude foreigners could not be contracted away by treaty?

Mr. SWANSON. The Supreme Court of the United States in the Chinese exclusion cases held that to make a covenant to that effect, such action by Congress would be a repeal of it.

Mr. KELLOGG. That Congress may violate the treaty?

Mr. SWANSON. Congress can annul the treaty.

Mr. KELLOGG. Congress may violate a treaty by denouncing it, but has not the Supreme Court time and time again held that a treaty fixing the right of foreign citizens to come to this country, to own or inherit real estate and to engage in business is valid?

Mr. SWANSON. The Supreme Court held in the case of the Chinese treaty excluding them that where that is done the treaty is annulled and that you can not make covenants binding upon Congress with reference to the question of immigration.

Mr. KELLOGG. Is not the holding of the Supreme Court this, that a treaty is the supreme law of the land until set aside by act of Congress?

Mr. SWANSON. That is true.

Mr. KELLOGG. Therefore a treaty would be valid which provided that foreign subjects may enter this country, until Congress set aside the treaty or enact a law prohibiting such immigration.

Mr. SWANSON. The treaty must be constitutional, like any act of Congress.

Mr. KELLOGG. That is true, but such a treaty has been held to be constitutional.

Mr. SWANSON. In the Chinese exclusion cases, if I remember correctly, though I have not read them lately, it was decided that the treaty-making power could not make a covenant which would preclude Congress from controlling immigration.

Mr. KELLOGG. Certainly not; Congress could violate the treaty by excluding them.

Mr. SWANSON. If the treaty should contain such a provision, and Congress did not want them to come in, it could annul the treaty in that way.

Mr. KELLOGG. It could violate it.

Mr. SWANSON. It could annul it, and would be allowed to annul it.

Mr. KELLOGG. Suppose, in a dispute between the United States and Japan, for illustration, the United States being one party and Japan the other, the council should hold that it was not a domestic question pure and simple, but that it was an international question in which Japan was interested, what would be the remedy of the United States?

Mr. SWANSON. Under a treaty pending?

Mr. KELLOGG. Under no pending treaty.

Mr. SWANSON. It would be absolutely a domestic question and so held by every nation.

Mr. KELLOGG. Suppose the council should hold to the contrary? The United States is precluded from voting on that, because it is a party.

Mr. SWANSON. The council could not perpetrate an absolute fraud. The Senator knows full well it is an absolute fraud in a court to make a fraudulent decision, and clearly such a decision is not binding. If the contention of the whole world has been up to this time that immigration—though immigration is not named here—is solely a domestic question, then I have no doubt the council would promptly so find.

Mr. KELLOGG. I have no doubt that immigration, the tariff laws, coastwise traffic, duties, and all such things, are purely domestic questions, with which no foreign country should be concerned or have the right to interfere. I have no doubt of that myself.

Mr. SWANSON. They are, and they are absolutely excluded under this covenant.

Mr. KELLOGG. Then, should they not be absolutely excluded from the consideration of the league?

Mr. SWANSON. I think they are.

Mr. KELLOGG. Well, if that is the opinion of the Senator, then there is no objection to the Senate so stating, is there?

Mr. SWANSON. If the reservations come up, I will express my opinion on them when I see them.

Mr. KELLOGG. There is only one other question, I think, which I desire to ask the Senator from Virginia. Referring to article 10, as I understood the Senator from Montana [Mr. WALSH] the other day, it was his opinion that the recommendations of the council as to the means of carrying out article 10 are to be merely advisory and are not to be binding upon this country. Is that the opinion of the Senator from Virginia?

Mr. SWANSON. They are advisory and binding on the conscience and fair dealing and honesty of this country.

Mr. KELLOGG. Well, but are they legally binding under this treaty?

Mr. SWANSON. I do not think they are legally binding. There is no necessity of advising anyone to act legally. The law does not advise a judge to act. The judge enters a decree and it becomes operative.

Mr. KELLOGG. Does the Senator from Virginia believe that there is a binding agreement under article 10 of the treaty under which this Government is bound to come to the assistance of any nation whose territorial integrity and political independence are threatened?

Mr. SWANSON. I said in my address, if the Senator had heard it——

Mr. KELLOGG. I beg the Senator's pardon.

Mr. SWANSON. I stated that we entered into an agreement to preserve as against external aggression the territorial integrity and existing political independence of all members of the league. That is an agreement. Then, as each case arises, it is left to the judgment and conscience and fair dealing of the political power or authority of each country to determine to what extent it is bound by its agreement under section 10 and the means by which it will enforce it.

Mr. KELLOGG. That answers my question. I beg the Senator's pardon; I did not hear that part of his address.

Mr. PITTMAN. Mr. President, I should like to ask the Senator from Minnesota [Mr. KELLOGG] a question in order to get his view. Is the Senator of the opinion that the treaty contract could be changed by reservation as well as by amendment?

Mr. KELLOGG. Mr. President, a contract can not be changed by reservation or amendment without the consent of the other party to the contract, of course.

Mr. PITTMAN. If in the resolution of ratification of the treaty reservations were adopted by the Senate in conflict with any of the terms of the treaty, it would, then, not be a ratification of the present treaty, would it?

Mr. KELLOGG. I think the treaty would be ratified subject to that condition which could be accepted by each of the other countries, if it saw fit to do so.

Mr. PITTMAN. But it would be a change in the contract if it were inconsistent with it?

Mr. KELLOGG. That would depend upon the nature of the reservation.

Mr. PITTMAN. I say if the reservation were inconsistent with any term of the treaty it would be a change, to that extent, of the treaty, would it not?

Mr. KELLOGG. If the reservation changes any of the substantial terms of the treaty, it is a change as to this country, and, of course, can be objected to by any other country; and must either be directly or tacitly accepted by that country.

Mr. PITTMAN. In other words, if there is any change in any terms of the treaty by reservation just as well as by amendment, then it is such a change of the contract that was entered into by the negotiators that it must go back to the other negotiators for their consent?

Mr. KELLOGG. Well, I will say to the Senator I think I have answered his question, but I will take occasion in the Senate, at the proper time, to explain my views upon reservations and amendments and the law applicable to both at greater length, if the Senator from Nevada will excuse me at the present time.

Mr. PITTMAN. Then, one other question and I will excuse the Senator. I take it now that the Senator from Minnesota agrees with the Senator from Nevada that any change in any terms of the contract brought about by the Senate through amendment or reservation is such a change in the whole contract as negotiated between the signatory powers as that it must again be consented to by the other powers who signed it?

Mr. KELLOGG. The Senator from Nevada may make that as his statement, but not as mine.

Mr. PITTMAN. I so understood the Senator; and the RECORD will stand for what he said. However, I do not think that the Senator in any speech that he will ever make—for he is too good a lawyer to do so—will take the position that the Senate may make any material change in a treaty that has been negotiated by our President with other countries and have it binding on any of the parties until it is consented to in its changed form.

Mr. KELLOGG. If we amended the treaty, to be sure, an amendment which changed the terms of the treaty must be accepted, like any amendment to a contract, by the other parties; but that does not extend to every reservation.

Mr. PITTMAN. But if the reservation——

Mr. KELLOGG. If the Senator desires to make his own statement, he can do so.

Mr. PITTMAN. I beg pardon.

Mr. KELLOGG. I will explain my position on that subject fully.

Mr. PITTMAN. And I take it that the Senator makes no distinction between a reservation and an amendment if the effect is the same. The Senator being silent, I naturally conclude that is true.

Mr. KELLOGG. Merely calling it a reservation or an amendment would not make any difference; the substance, of course, decides the question.

Mr. PITTMAN. Then, another question. If the language of the contract is changed, it is not for the party changing it alone to determine the effect of the change, but the other party to the contract also has the right always to determine its effect. I do not think that can be denied. If we change the language of this contract by amendment or by reservation, we may not think that that change of language constitutes any change of substance, and yet, no matter what the change is, the other contracting parties must agree, as we agree, that it does not change the substance of the contract or that such change is agreeable. Otherwise it is not a contract. In other words, there is not a reservation or an amendment that we can place on this treaty that does not necessitate a renegotiation and reconsideration by every contracting power.

Mr. KELLOGG. Mr. President, the Senator from Nevada can not put any such statement as that in my mouth or attribute it to me, for I entirely disagree with him.

Mr. FALL. Mr. President, does the Senator from Nevada mean to say if this treaty were drawn in any shape in which we choose to draw it, changed in every line, changed in substance in every substantial provision, and was then deposited by the President of the United States in Paris and acted upon by either one of the other nations, although they might not affirmatively agree to the changes, that it would not be binding upon that nation?

Mr. PITTMAN. Mr. President, of course, the Senator from New Mexico is a lawyer, and he understands, as we all do, that a contract may be agreed to by consent or by a writing.

Mr. FALL. That is all I wanted to know.

Mr. PITTMAN. But that is not all that the country wants to know. The country would not stand for one moment to have its rights trifled with in any such manner; it would not stand for one moment to have a contract written by the Senate and deposited anywhere under the belief that a certain delay in protesting against it or that lapse of time would give consent to it, when at any time a nation which was obligated to the United States under the treaty might arise and say, "We have never consented to such a change; we have never done anything that would bind us to such a change." In other words, this matter is of too vital importance to this country, as well as to the remainder of the world, for us to have anything but a definite understanding. We are not going to be bound by this treaty until we know that the other nations to whom we assume obligations are also bound by it. There is only one way to know it—not by silence, not by lapse of time, not by mailing it to somebody, not by depositing it somewhere, but by open, notorious assent to any changes that we make; and that is the only thing the President of the United States would accept, and it is the only thing that the Senate of the United States has a right to accept.

Mr. FALL. Mr. President, of course I can not speak for the President of the United States as to what he would accept. I have known people to be compelled to accept things that they declared they would not accept; in other words, still insisting that they would never consent, I have known them to consent.

Mr. PITTMAN. I think, possibly, that will be true of some of the Senators.

Mr. FALL. I think so; I think that they would not even insist that they would not consent, but some of them would consent at once.

Mr. President, neither can I speak for the great people of the United States. I have read upon several occasions declarations that the President of the United States voiced the sentiments of the American people. In view of the fact that just prior to the last election the President said that unless this body had a Democratic majority, and unless the other body of this Congress had a Democratic majority, the world would look upon the results of the election as a repudiation of his foreign policy and it would hamper him in the conduct of his foreign policy, I am

inclined to think that, at least upon some occasions, the President does not voice the sentiment of the people, and that if he were to accept the result of the issue which he himself made he would understand that the majority of the people of the United States do not approve of his foreign policy.

While I am willing, however, to listen to the President when he assumes to speak the voice of the American people, in view of the fact that he was elected two years ago as their spokesman, I must admit that I have not yet arrived at the conclusion that I must accept as the vox populi the voice of the Senators upon the other side of the Chamber upon this proposition. So, when the Senator from Nevada undertakes to tell me that the people of the United States will not stand for this or will not stand for that or will not stand for the other, I say he is no more qualified, except by ability, to speak for the American people upon this subject than I myself am; and judging from the population of the State which the Senator so ably represents I should think that possibly the Senator from New York might be better qualified to voice the sentiment of the people of the United States.

However, this is mere persiflage. I resent somewhat the suggestion of the Senator that anyone here, upon this side at any rate—and I think I speak in that respect for the Republican side—or any of the other Senators here upon the other side are intending in any way whatsoever to trifle with this very grave question which is now confronting us. I presume that each one of us will act under his own sense of responsibility to the people; that he will not simply follow blindly any leader of a party or any man in power or out of power, but that he will listen to suggestions from any responsible and reliable source; that he will give mature deliberation to the question as it is presented to him, and will then, without reference to politics or to who is the President of the United States or to who negotiated this treaty, vote his convictions as he understands them. If those convictions as he expresses them are thereafter confirmed by the great voice of the American people, it will certainly be much to his gratification; I am sure it would be to myself; but to assume, as the Senator from Nevada assumes, following the footsteps of his able party leader, to voice the sentiment of the American people upon this floor upon this question is presumption; and I can not agree with it.

Mr. PITTMAN. Mr. President, we were dealing with a legal question. I do not know that I said anything about the Senators on the other side; I think I never used that expression at all in my remarks. I was discussing the matter with one of the ablest lawyers of this body; I was not making a political speech. I stated that the country would not stand for that kind of trifling, because I assumed that I was talking to a lawyer. I am satisfied that there is no lawyer in this body who, while conscientiously representing a client, would change on behalf of his own client the terms of a contract that had already been signed without asking the other side whether they agreed to the change. I am satisfied that there is not a lawyer in this body who would make such a change in behalf of his own client, and trust to long consent to it being taken as binding the other side to the change. That is not the way in which conscientious, able, sincere lawyers act. That is the reason why I know the Senator from New Mexico would not act in that way, and that is why I know that if he did trifle with the question now before the Senate in the manner suggested the country would call him down, just as his client would call him down if, as an attorney in a civil cause, he should so act.

As to the other remarks of the Senator with regard to the petty matters he discussed, I do not arise here for the purpose of discussing those matters; I did not rise here for the purpose of injecting politics into the discussion, and I will not take the time to answer the Senator's insinuations. I arose for the very purpose, as questions were being asked by the Senator from Minnesota, to bring to a conclusion the purpose of his inquiry. That has been accomplished to my satisfaction. That is all I arose for. There is no question now that the other contracting parties have a right to construe the language as to whether it changes the treaty contract. There is no one here who would contend to the contrary, and I do not care whether the language of a contract be changed by reservation or by an amendment, then the other parties to the contract have a right to consider the new language and determine for themselves whether or not the contract has been changed; and if they say it has been changed, then they must agree to the change by formal act, or impliedly agree to the changed treaty by acting under it or accepting the benefits thereof. What would constitute acting under the treaty? What acts would constitute an acceptance of the benefits of the treaty? In the meantime what protection would our country have under the treaty? It must be evident that any change in the verbiage of the treaty, whether by amendment or reservation, must be submitted to the other parties to the treaty for consideration, approval, rejection, or amendment. This would mean dangerous delay.

Mr. HITCHCOCK. Mr. President, something said by the Senator from New Mexico [Mr. FALL] seemed to cast doubt upon the contention which I have repeatedly made upon the floor of the Senate, that public opinion on the league of nations is crystallizing overwhelmingly in its favor. I do not know whether the Senator was here or not, but I have repeatedly put into the RECORD conclusive evidence that every national organization that has spoken on this subject has spoken in favor of the league. I have also placed in the RECORD many other documents showing the state of public opinion, and I am not going to take the time of the Senate to add to that list now; but I ask to place in the RECORD the resolution adopted at Milwaukee on July 4 by the National Education Association of the United States, which represents 600,000 teachers, as showing the sentiment of the teachers of the United States on that subject.

The PRESIDING OFFICER. Without objection, the resolution referred to will be printed in the RECORD.

The resolution referred to is as follows:

NATIONAL EDUCATION ASSOCIATION OF THE UNITED STATES,
July 11, 1919.

Hon. GILBERT M. HITCHCOCK,
United States Senate, Washington, D. C.

DEAR SENATOR HITCHCOCK: The National Education Association of the United States, at its Milwaukee meeting, July 4, adopted by practically a unanimous vote by the following resolution concerning the league of nations:

"One of the revelations brought to us out of the great World War is the knowledge that no country can preserve its ideals in isolation from the rest of the world. If our ideals of democracy and humanity are to continue, even for ourselves as an American people, it is essential that we establish with the other nations of the world such relations as will tend to preserve the peace of the world, demand from all nations the education of their people in the fundamental ideals and principles of good government, and secure for all peoples the opportunity to pursue their industries and commerce without interruption by unnecessary wars or interference because of the selfish ambitions of any one people or ruler.

"Therefore this association heartily approves the action of President Wilson in his support of the league of nations as a nonpartisan measure, designed to secure the peace and happiness of all people and the propagation and preservation of true democracy."

Very sincerely, yours,

GEORGE D. STRAYER,
President.
J. W. CRABTREE,
Secretary.

Mr. HITCHCOCK. I ask also to have printed in the RECORD the resolution adopted by the Brotherhood of Railroad Trainmen at their second triennial convention, held in Columbus from May 14 to June 4.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution referred to is as follows:

Resolution adopted by the Brotherhood of Railroad Trainmen at second triennial convention held in Columbus May 14 to June 4.

Whereas the greatest armed conflict of history is over. It has been the bloodiest and most cruel and destructive war since the world began. Already we look back upon it as a horrible nightmare; and

Whereas people never voluntarily enter war, which is the result of misgovernment and comes as a lack of cooperation among nations; and

Whereas President Wilson and the learned representatives of our allies and the neutral countries have formulated a plan which we hope will bring about closer cooperation among nations with a view of avoiding future wars—the league of nations. Millions of mothers in the broken homes of the world are dreaming of it to-day. The spirits of 10,000,000 dead men, who but yesterday fell victims to the folly and criminal shortsightedness of man, are whispering their supplications into the ears of a just God that national butchery shall cease and war shall be no more: Therefore be it

Resolved, That we, the Grand Lodge of the Brotherhood of Railroad Trainmen, in session assembled, go on record as in favor of the league of nations: And be it further

Resolved, That a copy of these resolutions be sent to each Member of Congress and a copy to President Wilson, in care of his Secretary at Washington, D. C.

Mr. HITCHCOCK. These, Mr. President, are simply additions to the long list of proofs which I have inserted in the RECORD. I ask some Senator on the other side, if he has any proof of public opinion contrary to the league of nations, to place it in the RECORD.

Mr. FALL. Mr. President, I will undertake to call attention to something of that character in a day or two. If I had the time now in five minutes I could do so, but I have not the time.

Mr. HITCHCOCK. I trust the Senator will do so, and when he brings it in I will place my list against his, and I will guarantee that mine will be twenty times more significant.

Mr. FALL. And when I make my speech I will place in the RECORD the speech which the Senator made in this Chamber on the 7th day of March, 1912, with reference to just how this propaganda was being brought about, when he stated it was paid for by the Carnegie Peace Foundation.

Mr. HITCHCOCK. And when the Senator rises to do that, I shall state from my place upon the floor of the Senate that the Carnegie Peace Foundation has not spent one dollar in promoting propaganda for the league of nations, but is withholding its support from it.

Mr. FALL. Mr. President, I, of course, will not enter into any controversy with the Senator until I bring my proofs here, when I will show him from the official statements of the League to Enforce Peace that the Carnegie Peace Foundation is behind it.

Mr. HITCHCOCK. And I shall show the Senator that the League to Enforce Peace has not received a dollar from the Carnegie Peace Foundation for this purpose.

Mr. FALL. Mr. President, may I add one word more, with the permission of the Senator?

The PRESIDING OFFICER. The Senator from New Mexico has the floor.

Mr. FALL. I have no doubt the Senator from Nebraska is very familiar with the source from which the funds are derived in this case; I have none except of a negative character.

NEAR EAST RELIEF ASSOCIATION.

Mr. CUMMINS. Mr. President, I ask unanimous consent for the present consideration of the bill to which I referred this morning for the incorporation of the Near East Relief Association. I may say that since this morning I have conferred with the Senator from Utah [Mr. KING], and he finds no objection to the bill. I mention again the fact that it has been reported unanimously by the Committee on the Judiciary.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I yield.

Mr. KING. I have no objection to the immediate consideration of the bill; but I did not mean to convey the idea to the Senator from Iowa that I had no objection to the bill. I shall vote against the bill, but I have no objection to its consideration.

Mr. CUMMINS. I think I may have stated it a little broadly. The statement of the Senator from Utah to me was that he had no objection to the present consideration of the bill. I, therefore, ask unanimous consent that the bill be considered at this time.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Tennessee.

Mr. CUMMINS. I yield.

Mr. McKELLAR. Will the Senator state what is the purpose of the bill?

Mr. CUMMINS. There is now in existence, and has been for some time, a large association for the relief of the people of the Turkish Empire, mainly the Armenians. The Senator from Tennessee and all other Senators are familiar with the terrific suffering and the great want that exist in that part of the world. It has been found that the relief can be administered much more economically and much more effectively if the association through which it is administered is organized under a law of the United States, instead of being purely a voluntary association. The bill does not involve the contribution of one penny from the Treasury of the United States. It is entirely an altruistic effort to relieve some of the suffering that exists in that part of the world.

Mr. McKELLAR. It merely incorporates it under the Federal law.

Mr. CUMMINS. It merely incorporates it as a corporation of the District of Columbia. It is purely benevolent, and is very much needed.

Mr. McKELLAR. Does the Government incur any obligation of any kind?

Mr. CUMMINS. None whatever.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Iowa for the immediate consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 180) to incorporate Near East Relief, which was read, as follows:

Be it enacted, etc., That the following persons, namely, James L. Barton, Cleveland H. Dodge, Henry Morgenthau, Edwin M. Bulkley, Alexander J. Hemphill, Charles R. Crane, William Howard Taft, Charles Evans Hughes, Elihu Root, Abram I. Elkus, Charles W. Eliot, Harry Pratt Judson, Charles E. Beury, Arthur J. Brown, John B. Calvert, William I. Chamberlain, Robert J. Cuddihy, Cleveland E. Dodge, William T. Ellis, James Cardinal Gibbons, David H. Greer, Harold A. Hatch, William I. Haven, Myron T. Herrick, Hamilton Holt, Frank W. Jackson, Arthur Curtiss James, Frederick Lynch, Vance C. McCormick, Charles S. Macfarland, Henry B. F. Macfarland, William B. Millar, John R. Mott, Frank Mason North, George A. Plimpton, Philip Rhinelander, William Jay Schieffelin, George T. Scott, Albert Shaw, William Sloane, Edward Lincoln Smith, Robert Eliot Speer, James M. Speers, Oscar S. Straus, Charles V. Vickrey, Harry A. Wheeler, Stanley White, Ray Lyman Wilbur, Talcott Williams, and Stephen S. Wise, their associates and successors duly chosen, are hereby incorporated and declared to be a body corporate of the District of Columbia by the name of Near East Relief and by that name shall be known and have perpetual succession, with the powers, limitations, and restrictions herein contained.

SEC. 2. That the object for which said corporation is incorporated shall be to provide relief and to assist in the repatriation, rehabilitation, and reestablishment of suffering and dependent people of the Near East and adjacent areas; to provide for the care of orphans and widows and to promote the social, economic, and industrial welfare of those who have been rendered destitute, or dependent directly or indirectly, by the vicissitudes of war, the cruelties of men, or other causes beyond their control.

SEC. 3. That the direction and management of the affairs of the corporation, and the control of its property and funds, shall be vested in a board of trustees, to be composed of the following individuals: James L. Barton, Cleveland H. Dodge, Henry Morgenthau, Edwin M. Bulkley, Alexander J. Hemphill, Charles R. Crane, William Howard Taft, Charles Evans Hughes, Elihu Root, Abram I. Elkus, Charles W. Eliot, Harry Pratt Judson, Charles E. Beury, Arthur J. Brown, John B. Calvert, William I. Chamberlain, Robert J. Cuddihy, Cleveland E. Dodge, William T. Ellis, James Cardinal Gibbons, David H. Greer, Harold A. Hatch, William I. Haven, Myron T. Herrick, Hamilton Holt, Frank W. Jackson, Arthur Curtiss James, Frederick Lynch, Vance C. McCormick, Charles S. Macfarland, Henry B. F. Macfarland, William B. Millar, John R. Mott, Frank Mason North, George A. Plimpton, Philip Rhinelander, William Jay Schieffelin, George T. Scott, Albert Shaw, William Sloane, Edward Lincoln Smith, Robert Eliot Speer, James M. Speers, Oscar S. Straus, Charles V. Vickrey, Harry A. Wheeler, Stanley White, Ray Lyman Wilbur, Talcott Williams, and Stephen S. Wise, who shall constitute the first board of trustees and constitute the members of the corporation. Vacancies occurring by death, resignation, or otherwise shall be filled by the remaining trustees in such manner as the by-laws shall prescribe, and the persons so elected shall thereupon become trustees and also members of the corporation.

SEC. 4. That the principal office of the corporation shall be located in the District of Columbia, but offices may be maintained and meetings of the corporation or of the trustees and committees may be held in other places, such as the by-laws may from time to time fix.

SEC. 5. That the said trustees shall be entitled to take, hold, and administer any securities, funds, or property which may be transferred to them for the purposes and objects hereinbefore enumerated by the existing and unincorporated American Committee for Armenian and Syrian Relief, and such other funds or property as may at any time be given, devised, or bequeathed to them or to such corporation, for the purposes of the trust; with full power from time to time to adopt a common seal, to appoint officers, whether members of the board of trustees or otherwise, and such employees as may be deemed necessary for carrying on the business of the corporation, and at such salaries or with such remuneration as they may think proper; and full power to adopt by-laws and such rules or regulations as may be necessary to secure the safe and convenient transaction of the business of the corporation.

SEC. 6. That as soon as may be possible after the passage of this act a meeting of the trustees hereinbefore named shall be called by Cleveland H. Dodge, Henry Morgenthau, Abram I. Elkus, Edwin M. Bulkley, Alexander J. Hemphill, William B. Millar, George T. Scott, James L. Barton, and Charles V. Vickrey, or any six of them, at the Borough of Manhattan, in the city of New York, by notice served in person or by mail, addressed to each trustee at his place of residence; and the said trustees named herein, or a majority thereof, being assembled, shall organize and proceed to adopt by-laws, to elect officers, and generally to organize the said corporation.

SEC. 7. That a meeting of the incorporators, their associates, or successors shall be held once in every year after the year of incorporation at such time and place as shall be prescribed in the by-laws, when the annual reports of the officers and executve boards shall be presented and members of the executive board elected for the ensuing year. Special meetings of the corporation may be called upon such notice as may be prescribed.

SEC. 8. That a copy of the constitution and by-laws and of all amendments thereto shall be filed with the Congress when adopted, and on or before the 1st day of April each year said corporation shall make and transmit to the Congress a report of its proceedings for the year ending December 31 preceding, including in such report the names and residences of its officers, and a full and itemized account of all receipts and expenditures.

SEC. 9. That the corporation shall have no power to issue certificates of stock or declare or pay any dividends, or otherwise distribute to its members any of its property, or the proceeds therefrom, or from its operations. On dissolution of the corporation otherwise than by act of Congress the property shall escheat to the United States.

SEC. 10. That all members and officers of the corporation and of its governing body may reside in or be citizens of any place within the United States.

SEC. 11. That the franchise herein granted shall terminate at the expiration of 25 years from the date of the approval of the act; and that Congress reserves the right to repeal, alter, or amend this act at any time.

Mr. KING. Mr. President, I think all Americans heartily approve of the objects sought by those who are asking for a charter from Congress and are grateful for the splendid work which has been accomplished by the philanthropic and patriotic Americans named in this bill in the Near East, and particularly in Armenia. The work which the men named in this bill and other philanthropic Americans have performed for the relief of the Armenians deserves the highest praise, and I should be reluctant to offer any impediment to the work which they contemplate performing in the future. The situation in Armenia is so deplorable as to excite the sympathies of all people. The people of the United States have been called upon to make generous contributions to alleviate the suffering there existing, and some legal organization or instrumentality is needed in order to properly carry out the wishes of those who are so generously contributing for the salvation of the starving and suffering Armenians.

While applauding the altruism and benevolence of those engaged in this great work, I have objected to this bill, as I have objected to other bills that have come before the Judiciary Committee that created special corporations by special and private Federal acts. There is a general incorporation act, applicable to the District of Columbia, and there is no real or valid reason why resort is not had to this law. The persons named in the pending bill could incorporate under the laws of the District of Columbia, or, if they preferred, they could organize under the laws of some State. I am not aware of any power upon the part of the Federal Government to grant special charters for private undertakings or to enact general incorporation laws for private business pursuits. The Federal Government has a right, of course, to grant charters to organizations that are employed for governmental purposes; but I do not think it is the function, nor is it within the power of the Federal Government, to grant charters to private individuals to engage in private work, although that work may be charitable and benevolent. The Federal Government is one of limited and enumerated powers; it is not within the power of the Federal Government to give charters to individuals to carry on local banks or manufacturing institutions or to engage in charitable and philanthropic activities.

It may not create corporations to operate within the States and to engage in purely private business. The States under their clear and undoubted authority may authorize the formation of corporations or partnerships; they may prescribe the conditions under which artificial persons, such as corporations, may exist and operate. But the authority of the National Government is entirely different.

It should not and it can not validly create corporations to engage in the usual business of the ordinary corporation.

It may organize a company to perform some governmental function. It may provide for the organization of fiscal agencies when their functions are related to the Government and are deemed to be for its welfare and as essential to the discharge of its proper functions.

Mr. CUMMINS. Mr. President, will the Senator yield for a moment in order that I may reply to a suggestion he has just made?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Iowa?

Mr. KING. I yield.

Mr. CUMMINS. I think I understand the standpoint of the Senator from Utah, and, generally speaking, I think it is right and sound, but the Congress of the United States has the same power specially to incorporate a corporation of the District of Columbia that it has to enact the general law under which individuals can incorporate themselves as a corporation of the District of Columbia. I think the Senator from Utah will admit the correctness of that proposition.

Mr. KING. I was coming to that Mr. President. I think I assent, if I understand the Senator from Iowa, to the last suggestion made by him. I was about to say that an effort has been made to differentiate this bill from other bills that have come before the Judiciary Committee, where the plan was to secure a Federal charter without reference to the District of Columbia and the authority of Congress to legislate for it, but solely upon the theory that Congress could rightfully create by special act a corporation to operate anywhere within or without the United States and for purely private purposes. It is possible that there is a distinction between an act which grants a Federal charter to A, B, and C for the purpose of engaging in a certain business, and one which authorizes them as a corporation within the District of Columbia to do the same thing; yet I confess to a feeling of dizziness and uncertainty when I undertake to follow the distinction. This is a measure creating a private corporation by special act of Congress, and the corporation can not be said to be under general law, or referable to general law, because the act creating it says that it is under or within the District of Columbia. The individuals asking for this charter undoubtedly believe that a Federal charter will give them a prestige and a standing that they would not enjoy if they incorporated under some State law or incorporated under the Federal incorporation act of the District of Columbia. They are not willing to avail themselves of the many avenues open to them to incorporate. They decline to secure a charter from a State or to avail themselves of the general act of the District. Apparently they are not so much concerned in having a legal entity, a corporation enjoying the privileges and advantages which would follow—as in securing some advantage from the claim that they are a governmental organization or an arm of the Government—a creation of Congress called into existence by special act.

A number of the gentlemen who are interested in this matter—and they are all admirable men—have spoken to me and have sought to abate any opposition that I might have to the bill by referring to the worthy objects lying back of it, and I have freely conceded that the objects were of the highest purpose. As I understand the position of these splendid men, it was that a Federal charter would give standing and prestige to this organization; that the organization would come in contact more or less with representatives of other nations; and if it were known that it was chartered by the Congress of the United States it would enjoy to a greater or less degree the prestige of a Federal agency and would be regarded as an arm or instrumentality of the Government, and its officers and representatives would receive greater consideration. I can well understand how peoples abroad would not look into the legal questions involved, and would assume that a corporation acting under a charter from the United States was an agency of the Federal Government and its officers were representatives of that Government.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Iowa?

Mr. KING. I yield.

Mr. CUMMINS. I do not think that it could be or ever would be contended that it is an agency of the Federal Government; but if the representation of the fact, which is that it is a corporation chartered by act of Congress, will make the association more effective, if it can administer more relief, if it can help humanity a little more because it is incorporated by Congress than otherwise, why should it not be done, for surely there never was greater need than now for help of this character in the particular region to which this bill applies?

Mr. KING. Mr. President, I assent to the latter part of the statement of my distinguished friend. My sympathies have been aroused, as have the sympathies of all Americans for many years, over the condition of the people of Armenia. The atrocities inflicted upon them, the brutalities to which they have been subjected by Turkey, have excited the indignation of the civilized world; and I think I may say without successful challenge that the American people with practical unanimity feel that Turkey's power ought to be broken and destroyed forever; that she should be driven from Europe and no longer exercise authority over Armenia and her oppressed and bleeding people. And all concur that there should be succor and relief carried to these suffering people. But that is not the only question that we are considering now.

I do not quite agree with the implication of my distinguished friend that we ought to permit an organization, no matter how benevolent or worthy the object of the organization is, to trade upon the fact that it is a Federal corporation. By that I mean that when laws exist under which corporations may be formed we ought not to incorporate them by special act of Congress in order that they may possess superior standing and prestige, no matter how beneficent the objects may be for which they were organized.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Iowa?

Mr. KING. I yield.

Mr. CUMMINS. If the power which I hope we are about to exercise were beyond our authority under the Constitution, I would agree with the Senator from Utah entirely; but it is not beyond our authority under the Constitution. We have a right to exercise this power. Now, if in incorporating this association we signify to the world that Congress realizes the hopeless and helpless condition of the people over there, and that it really is a message of sympathy as well as a message of relief to these oppressed and tortured men and women and children, why should we not exercise some part of our constitutional power to make the world understand that we want to give these people all the relief which the charity and benevolence of the people of the United States are willing to give them?

I can not understand why we should not and could not and can not do that with the greatest propriety.

Mr. KING. Mr. President, the Congress of the United States, in the exercise of its undoubted power, some years ago passed a law for the organization of private corporations within the District of Columbia. I concede that the Congress of the United States has the power to legislate over and with respect to the District of Columbia. It may treat it as territory belonging to and under the jurisdiction of the Federal Government, in the same manner that it legislates with respect to Territories. Indeed, it may go further and it has greater power perhaps than it has over Territories. Congress, out of the public domain,

carves Territories, such as Arizona and New Mexico and others that have now become States, and it legislates with respect to those Territories; but when they become States its power with respect to them is entirely different.

It was the duty of Congress to enact a general incorporation statute to meet the private business and industrial needs of those residing within the District of Columbia and those who desired to do business within the District. This duty was performed and a satisfactory and liberal statute was passed. But this law is ignored by the proponents of this bill; they seek a special act, and ask Congress to exercise powers which a State might possess.

Congress, if it did not question its power to create by special act private corporations, did determine that it was unwise to pursue this course, and thereupon enacted a general incorporation act, under which individuals might form corporations in the District of Columbia. Those seeking the charter provided by this bill may resort to that act, as other individuals have resorted to it, and they may form a corporation having powers adequate and competent for the discharge of the duties and the achievement of the objects which are sought to be accomplished in the bill now under consideration.

Even if it be conceded that this proposed legislation is within the power of the Federal Government, that it is not a Federal charter in the sense that we would grant a charter aside from and outside of the District of Columbia, but that it is tied to the District of Columbia and is legislation in its behalf, and is referable to its power to pass a general incorporation act for the District of Columbia, still I insist that it is unwise to grant a special charter. States long ago discovered the impropriety of granting special charters, either for municipal corporations or for private corporations. General statutes providing for corporations contain provisions for dealing with them. Their powers are defined, the manner of supervision is set forth, and the manner of their dissolution is prescribed. But corporations specially created must be dealt with differently. Here Congress would have to exercise visitorial powers, and quite likely only by special act of Congress could the charter be revoked.

I think that special charters are unwise and improper, and certainly can not be defended where no necessity therefor exists. However, I do not think this charter can be referred to the general power which the Government has to legislate with respect to incorporations in the District of Columbia. This will be called a special charter granted by Congress, not in connection with the District of Columbia, but as an independent grant of power; and in that view I deny the power of the Federal Government to grant the charter or to enact this legislation.

I shall content myself with voting against the bill, but shall offer no obstacle to its immediate consideration.

Mr. WOLCOTT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Delaware?

Mr. KING. I yield.

Mr. WOLCOTT. I understand the Senator to take the position that the Congress has no power to pass such an act of incorporation. Is it not true that the Congress has, in numerous instances before, passed acts of incorporation somewhat similar in principle to this, so that if this passes it will in no sense constitute a precedent in the first instance? There are numerous precedents existing of acts passed exactly in the class with this act. Is not that true?

Mr. KING. Mr. President, I think the Senator is right. The Senator will recall that he served upon a committee that investigated the National German-American Alliance. That organization existed in virtue of a special charter granted by the Congress of the United States; and I think I do not misconceive the view of the Senator when I say that it was his opinion—I know it was mine—that that was a very unwise thing for Congress to have done, even though the Senator may not believe that Congress did not have the power to do that thing.

Mr. WOLCOTT. Yes; I quite concede that it was an unwise thing for the Congress to have done, because of the event, the outcome. My recollection is that the American Red Cross was incorporated by special act of Congress. In that I may be mistaken. It occurs to me that the purposes of the corporation which this bill seeks to create are quite similar to the purposes of the American Red Cross.

Mr. KING. If the Senator will permit me, I grant that there are a number of precedents for legislation of this character; and yet I feel sure that the Senator, belonging to the same school of political thought to which I belong, will agree with me that the Federal Government was not organized for the purpose of granting private charters to individuals to carry on enterprises and industries and charitable and philanthropic undertakings; that the power of the Federal Government to grant charters is limited to those charters that relate to governmental purposes and in the execution of governmental functions. Congress would have the power to grant a charter for a Federal bank, for some fiscal agency of the Government; that would be serving a national and a Federal purpose; but it would not have the power to grant a charter for the purpose of carrying on some manufacturing plant or industry or for the purpose of engaging in some charitable or philanthropic work.

Mr. McKELLAR. Mr. President, when I rose awhile ago and asked the Senator from Iowa [Mr. CUMMINS] to explain the provisions of the bill, I did not do so for the purpose of objecting to this particular bill. I did not know that this bill had been reported, and did not know what it was, and wanted to know before it was actually voted on. I have since seen the bill and examined it, and wish to say that I am heartily in favor of it. I believe it is a very proper measure.

I want to read from the second section of the bill, showing its object:

> That the object for which said corporation is incorporated shall be to provide relief and to assist in the repatriation, rehabilitation, and reestablishment of suffering and dependent people of the Near East and adjacent areas; to provide for the care of orphans and widows and to promote the social, economic, and industrial welfare of those who have been rendered destitute, or dependent directly or indirectly, by the vicissitudes of war, the cruelties of men, or other causes beyond their control.

It appears from this bill that a number of philanthropic men have organized themselves together for the purpose of aiding principally the Armenians, the people in the Near East. To my mind, it is a most desirable thing. It is a most desirable way of managing this particular kind of a charity, because that is what it is. It is much better than if the Government undertook it. It is better in every way; and it seems to me that the Government should give it its approval and its backing, as far as that may be.

These people do not ask anything of the Government. They do not ask the Government to contribute. The Government is not obligated to do anything except to give a general charter to the corporation which is to be organized. The reason for the organization or interpretation is perfectly apparent from section 5, of which I read just a short part:

> That the said trustees shall be entitled to take, hold, and administer any securities, funds, or property which may be transferred to them for the purposes and objects hereinbefore enumerated by the existing and unincorporated American Committee for Armenian and Syrian Relief, and such other funds or property as may at any time be given, devised, or bequeathed to them or to such corporation, for the purposes of the trust.

We all know from common experience that usually matters of this kind can be handled better by a corporation than by an unincorporated society. The part that the Government is to play in it is distinctly set out in section 9, as follows:

> That the corporation shall have no power to issue certificates of stock or declare or pay any dividends, or otherwise distribute to its members any of its property, or the proceeds therefrom, or from its operations. On dissolution of the corporation otherwise than by act of Congress the property shall escheat to the United States.

Mr. President, it seems to me that the bill should pass, and pass unanimously. It is for a worthy purpose. It is for a purpose that the Government ought to be behind; and I hope it will so pass.

Mr. KING. Mr. President, the Senator from Tennessee [Mr. McKELLAR], in the eulogy which he has just passed upon the objects of the bill, utterly misconceives the position which has been taken by myself with respect to this measure. There is no question but that the purposes, as I stated, are worthy. I have the highest praise for the splendid work performed by the Christian men who have carried the banner of hope and help to the stricken peoples of Asia Minor. I know of the great work which they have done, and of the still greater work which they have in contemplation.

There is a great deal of difference between the objects of an organization and the organization itself, or the power to create the organization. I stated before, as I state now, that there ought to be an incorporation. This bill is of such a character as that a legal corporation ought to exist, rather than a voluntary association or a partnership, limited or otherwise. My contention is that the incorporation should be formed under the act of the District of Columbia, which is sufficiently broad and comprehensive for it to obtain all of the power which this bill gives, and all of the power that any organization should desire. If it were not desired to incorporate under the laws of the District of Columbia, then the organization could be effected under the incorporation act of any of the States of the Union.

My contention is that a direct charter by Congress, even for a worthy and a charitable purpose, is beyond the power of the Federal Government. The Federal Government has the right, in dealing with the District of Columbia, to authorize by general law the formation of corporations within the District of Columbia; and I concede that if this can be considered merely the exercise of that power, then undoubtedly this bill is constitutional. If it be a direct assertion of power, if it be in harmony with the theory of some that Congress may incorporate any organization for any purpose within the United States and clothe it with full authority to engage in private business, then I deny the power of the Federal Government to pass this or similar acts.

The PRESIDING OFFICER. The bill is in the Senate as in Committee of the Whole and open to amendment. If there be no amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ATLAS LUMBER CO. AND OTHERS.

Mr. KELLOGG. I ask unanimous consent that the Senate take up for consideration Senate bill 715, which I send to the desk.

The PRESIDING OFFICER. The Senator from Minnesota asks unanimous consent for the immediate consideration of a bill, which will be stated by the Secretary.

Mr. KING. Mr. President, after the bill is read, will the Senator make an explanation of it?

Mr. KELLOGG. Certainly.

The Secretary read the bill (S. 715) for the relief of the Atlas Lumber Co., Babcock & Willcox, Johnson, Jackson & Corning Co., and the C. H. Klein Brick Co., each of which companies furnished to Silas N. Opdahl, a failing Government contractor, certain building materials which were used in the construction of Burke Hall at the Pierre Indian School, in the State of South Dakota, as follows:

Whereas on the 26th day of July, 1911, Silas N. Opdahl entered into a contract with the Commissioner of Indian Affairs for the construction of a brick dormitory, known as Burke Hall, at the Pierre Indian School, at Pierre, S. Dak., for $30,200, without requiring a bond from said Opdahl for the protection of labor and material men, as required by the act of Congress of February 24, 1905, amending the act of August 13, 1894; and

Whereas thereafter the firms and corporations hereinafter mentioned furnished building materials to said Opdahl for use in the construction of said Burke Hall upon the belief and understanding that the Commissioner of Indian Affairs had required the said Opdahl to give the bond required by law for the protection of labor and material men and without having any knowledge to the contrary; and

Whereas the said Opdahl did thereafter, to wit, on the 21st day of November, 1912, complete his said contract for the construction of said Burke Hall; and

Whereas thereafter, to wit, on the 30th day of April, 1913, the proper accounting officers of the Government, in making settlement with said Opdahl, suspended the sum of $5,688 as liquidated damages for delay on the part of said contractor in the completion of said work, and which sum was thereafter turned into the Treasury of the United States; and

Whereas the said Silas N. Opdahl ever since the said 30th day of April, 1913, has been and now is insolvent and unable to pay the firms and corporations hereinafter named which furnished him with certain building materials for the erection and construction of said Burke Hall; and

Whereas thereafter, to wit, on the 11th day of December, 1913, Babcock & Willcox instituted a suit, in the name of the United States of America, against the said Silas N. Opdahl and the American Surety Co. of New York, in their own behalf and in behalf of all other persons who supplied labor and material to said Opdahl in the construction of said Burke Hall whose claims for labor and material were then unpaid; and

Whereas said suit has been prosecuted to final judgment and it has been adjudged and determined that the said American Surety Co. of New York was not liable to material men who furnished materials to said Opdahl under his said contract with the Government (Babcock & Willcox v. American Surety Co. of New York, 236 Fed Rep., 340); and

Whereas the various firms and corporations hereinafter named have no relief in the premises except through and by virtue of an act of Congress: Therefore

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury of the United States not otherwise appropriated, as follows, to wit: To the Atlas Lumber Co., a West Virginia corporation, at Minneapolis, Minn., the sum of $3,530.65; to C. W. Babcock and T. B. Willcox, copartners as Babcock & Willcox, of Kasota, Minn., the sum of $456.95; to Johnson, Jackson & Corning Co., a Minnesota corporation, of Minneapolis, Minn., the sum of $855.94; and to C. H. Klein and C. T. Klein, copartners as the C. H. Klein Brick Co., of Chaska, Minn., the sum of $186.68.

Mr. KELLOGG. Mr. President, a similar bill was unanimously recommended by the Committee on Claims and passed the Senate last winter, but failed to pass the House because it came in so late in the session. This bill has been unanimously recommended by the Committee on Claims. The facts are as follows:

The Secretary of the Interior or the Bureau of Indian Affairs in taking the bond of the principal contractor failed to include in it a clause, which the act of Congress required the Secretary of the Interior to include in the bond, for the payment of the claims of the material men and laborers performing the contract. The law does not permit the subcontractors or material men and laborers to have anything to do with the bond or to bring a suit upon it until six months after the Government shall fail to bring a suit for its own indemnification. By reason of that failure of the Interior Department the court held that the bond was not security as the law requires for the material men. The Government having deducted something over $5,000 from the amount of the contract it is not the loser of a dollar, so the Secretary of the Interior has recommended the passage of the bill, as there is no way to appropriate the money for the payment of the claims without an act of Congress. As the claims are to be paid without interest, the Government will still be ahead $200.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NATIONAL BUDGET SYSTEM.

Mr. McCORMICK. Mr. President, I move that the Senate proceed to the consideration of Senate resolution No. 58, providing for the appointment of a special committee to devise a plan for a budget system.

The motion was agreed to; and the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules with an amendment, to insert after the word "committee," in line 1, the words "to be composed of 10 members, 6 to be chosen from the majority party and 4 from the minority party," so as to make the resolution read:

Resolved, That there be appointed a special committee to be composed of 10 members, 6 to be chosen from the majority party and 4 from the minority party, of the Senate to devise a plan for a budget system, and that said committee shall report a plan for a national budget not later than September 1, 1919.

Mr. KENYON. I desire to ask the Senator from Illinois [Mr. McCORMICK] a question. The resolution reads:

That there shall be appointed a special committee.

By whom? Should not the words "by the Vice President" be inserted?

Mr. McCORMICK. No; it was intended by the Committee on Rules that the committee should be selected by the Senate.

Mr. KENYON. Do I understand the Senator, then, that the Committee on Rules will appoint the committee?

Mr. McCORMICK. No; the Senate itself is to select the members of the committee.

Mr. KENYON. The resolution does not so state.

Mr. McCORMICK. The resolution may be corrected in that regard.

Mr. KING. I think that would be implied.

Mr. KENYON. I should like to ask the Senator further with reference to the date. It reads:

Not later than September 1, 1919.

Mr. McCORMICK. That is due to the fact that the resolution was reported a month ago and has not been acted upon.

Mr. KENYON. Would it not be better to fix a later date?

Mr. McCORMICK. Let it be December 1.

Mr. KENYON. I move to substitute the word "December" for the word "September."

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. In line 5, page 1, strike out "September" and insert in lieu thereof "December," so as to read:

Not later than December 1, 1919.

The amendment was agreed to.

Mr. KENYON. I should like to ask the Senator from Illinois a further question. The committee is to be composed of 10 members, 6 to be chosen from the majority and 4 from the minority party. Does not the Senator feel that that is rather a large committee?

Mr. McCORMICK. If the Senator from Iowa wishes to amend to make it read five and three, respectively, I shall have no objection.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Utah?

Mr. McCORMICK. I yield.

Mr. KING. Would it not be better to make it a committee of seven, four from the majority and three from the minority, to be appointed by the Vice President?

Mr. McCORMICK. In the absence of the Senator from Pennsylvania [Mr. KNOX], the chairman of the Committee on Rules, I would not care to accept an amendment so far-reaching as that. The committee amended the resolution which I introduced and fixed the number of members and the proportion between the majority and the minority, and the committee intended that the special committee should be selected by the Senate. I do not feel free to accept the amendment to the amendment in the absence of the Senator from Pennsylvania.

Mr. LODGE. If I may interrupt the Senator, the plan of the Committee on Rules is that this committee shall be made up as all committees of the Senate are made up.

Mr. McCORMICK. Precisely.

Mr. KENYON. I am not going to urge a reduction, then, in number, though I think it could accomplish more with a smaller committee. It will be difficult to get them all together.

Mr. McCORMICK. I think in writing in the amendment the clerk of the committee erred in placing the words "of the Senate" at the end of line 3 instead of at the end of line 1. I suggest that that correction be made in the resolution.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. Transpose the words "of the Senate" from the end of line 3 to the end of line 1, so as to read:

That there be appointed a special committee of the Senate—

And so forth.

The amendment was agreed to.

Mr. McCORMICK. To meet the objection raised by the Senator from Iowa, I move to strike out the word "appointed" and to insert in lieu thereof the word "elected," in line 1.

Mr. LODGE. I do not think there is any necessity for that amendment. The resolution as it stands provides for the committee like any other Senate committee.

Mr. McCORMICK. If it follows the usual form, of course I have no objection.

Mr. KENYON. Permit me to ask the Senator from Massachusetts whether as the resolution stands the committee would be appointed by the Rules Committee?

Mr. LODGE. No; not at all. We are establishing here a select committee for a temporary purpose, and it will be appointed like all other committees. The names will be brought in by the committee on committees of the majority and minority, respectively, as in the case of all other committees.

Mr. KING. I think the position of the Senator from Massachusetts is correct, for it implies that the body itself shall name the committee, and the amendment suggested by the distinguished Senator from Illinois would not be necessary.

Mr. McKELLAR. Do I understand the Senator from Illinois to say that he will withdraw his amendment?

Mr. McCORMICK. Yes; I withdraw the proposed amendment.

Mr. LODGE. I call attention to the fact that the language of the rule is:

The following standing committee shall be appointed.

It does not say by whom, but they are appointed by the Senate.

The PRESIDING OFFICER. There is a committee amendment, which the Secretary will report.

The SECRETARY. The committee proposes to amend by inserting after the end of line 1 the words:

To be composed of 10 members, 6 to be chosen from the majority party and 4 from the minority party.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the adoption of the resolution as amended.

Mr. SMITH of Georgia. I ask to have the resolution read as amended.

The PRESIDING OFFICER. The Secretary will read the resolution as amended.

The Secretary read as follows:

Resolved, That there be appointed a special committee of the Senate to be composed of 10 members, 6 to be chosen from the majority party and 4 from the minority party, to devise a plan for a budget system, and that said committee shall report a plan for a national budget not later than December 1, 1919.

Mr. SMITH of Georgia. The Senator from Massachusetts thinks that under the resolution the special committee will take the course of general committees and be selected by the Senate?

Mr. LODGE. That is the language of the rule. I do not think there can be any doubt about it.

The resolution as amended was agreed to.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened, and (at 3 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, July 15, 1919, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate July 14, 1919.

UNITED STATES DISTRICT JUDGE.

Henry H. Watkins, of Anderson, S. C., to be United States district judge for the western district of South Carolina, vice Joseph T. Johnson, deceased.

MEMBER OF THE FEDERAL BOARD FOR VOCATIONAL EDUCATION.

C. F. McIntosh, of Indiana, to be a member of the Federal Board for Vocational Education for a term of three years from July 17, 1919. (A reappointment.)

DIRECTOR BUREAU OF FOREIGN AND DOMESTIC COMMERCE.

Philip B. Kennedy, of New York, to be Director Bureau of Foreign and Domestic Commerce, Department of Commerce, vice Burwell S. Cutler, resigned.

(By transfer from commercial attaché.)

ASSISTANT DIRECTOR BUREAU OF FOREIGN AND DOMESTIC COMMERCE.

Roy S. MacElwee, of New York, to be First Assistant Director Bureau of Foreign and Domestic Commerce, Department of Commerce, vice Grosvenor M. Jones, resigned.

ASSISTANT COMMISSIONER OF PATENTS.

Melvin H. Coulston, of New York, to be Assistant Commissioner of Patents, vice Francis W. H. Clay, deceased.

REGISTER OF THE LAND OFFICE.

Mrs. Minnie L. Bray, of Carson City, Nev., to be register of the land office at Carson City, Nev., vice Shober J. Rogers, resigned.

MEMBER OF THE CALIFORNIA DÉBRIS COMMISSION.

Col. E. Eveleth Winslow, Corps of Engineers, for appointment as a member of the California Débris Commission, provided for by the act of Congress approved March 1, 1893, entitled "An act to create the California Débris Commission and regulate hydraulic mining in the State of California," vice Col. William H. Heuer, United States Army, retired.

PROVISIONAL APPOINTMENT, BY PROMOTION, IN THE REGULAR ARMY.

CORPS OF ENGINEERS.

To be first lieutenants.

Second Lieut. Theodore L. Welles, jr., Corps of Engineers, from October 23, 1918.

Second Lieut. Conrad P. Hardy, Corps of Engineers, from October 26, 1918.

Second Lieut. Ernest W. Dichman, Corps of Engineers, from December 4, 1918.

Second Lieut. John H. Chase, Corps of Engineers, from December 29, 1918.

Second Lieut. Edwin R. Harrall, Corps of Engineers, from January 7, 1919.

Second Lieut. Albert Haertlein, Corps of Engineers, from February 7, 1919.

Second Lieut. John C. Arrowsmith, Corps of Engineers, from March 16, 1919.

Second Lieut. Edgar Marburg, jr., Corps of Engineers, from April 3, 1919.

Second Lieut. Harry P. Hart, Corps of Engineers, from April 6, 1919.

Second Lieut. Samuel J. Callahan, Corps of Engineers, from April 13, 1919.

Second Lieut. John E. Wood, Corps of Engineers, from April 16, 1919.

Second Lieut. Roland Jens, Corps of Engineers, from July 30, 1918.

Second Lieut. William E. Thrasher, Corps of Engineers, from August, 20, 1918.

Second Lieut. George W. Coffey, Corps of Engineers, from October 13, 1918.

Second Lieut. George O. Consoer, Corps of Engineers, from October 21, 1918.

Second Lieut. Count Harvey, Corps of Engineers, from July 9, 1918.

PROMOTIONS IN THE NAVY.

Brig. Gen. (temporary) Smedley D. Butler to be a colonel in the Marine Corps from 9th day of March, 1919.

Col. (temporary) George C. Thorpe to be a colonel in the Marine Corps from the 9th day of March, 1919.

Col. (temporary) Alexander S. Williams to be a lieutenant colonel in the Marine Corps from the 8th day of February, 1919.

Lieut. Col. (temporary) Julius S. Turrill to be a lieutenant colonel in the Marine Corps from the 9th day of March, 1919.

Maj. (temporary) Harold F. Wirgman to be a major in the Marine Corps from the 8th day of February, 1919.

Maj. (temporary) Joseph A. Rossell to be a major in the Marine Corps from the 9th day of March, 1919.

Col. Logan Feland to be a brigadier general in the Marine Corps, for temporary service, from the 9th day of March, 1919.

Lieut. Col. Harold C. Snyder to be a colonel in the Marine Corps, for temporary service, from the 8th day of February, 1919.

Lieut. Col. Alexander S. Williams to be a colonel in the Marine Corps, for temporary service, from the 9th day of March, 1919.

Maj. Howard H. Kipp to be a lieutenant colonel in the Marine Corps, for temporary service, from the 8th day of February, 1919.

Maj. Ellis B. Miller to be a lieutenant colonel in the Marine Corps, for temporary service, from the 9th day of March, 1919.

The following-named captains to be majors in the Marine Corps, for temporary service, from the 1st day of July, 1918:

Evans O. Ames,
Stanley M. Muckleston, and
William H. Davis.

The following-named first lieutenants to be captains in the Marine Corps, for temporary service, from the 2d day of July, 1918:

Robert A. Barnet, jr.,
Frank B. Wilbur,
Francis B. Reed,
Lester D. Johnson,
John Kaluf,
Judson H. Fitzgerald, and
Samuel A. Milliken.

The following-named first lieutenants to be captains in the Marine Corps, for temporary service, from the 19th day of July, 1918:

Henry D. F. Long,
James Diskin,
Ross L. Iams,
Lee Carter,
George Nielsen,
Wyle J. Moore,
Charles D. Baylis,
Richard B. Dwyer,
William G. Kilgore,
Harry E. Leland,
Winfield S. Cranmer,
John F. Leslie,
David R. Nimmer,
Georges F. Kremm,
Walter H. Batts, and
Trevor G. Williams.

The following-named first lieutenants to be captains in the Marine Corps, for temporary service, from the 15th day of August, 1918:

David L. Ford, and
Josephus Daniels, jr.

The following-named first lieutenants to be captains in the Marine Corps, for temporary service, from the 17th day of August, 1918:

Horace Talbot,
Edward B. Moore,
Frank W. Hemsoth,
Emil M. Northenscold,
David Kipness,
Robert K. Ryland,
William D. Wray,
Uley O. Stokes,
Charles P. Phelps,
Sherman L. Zea, and
Harold W. Whitney.

The following-named second lieutenants to be first lieutenants in the Marine Corps, for temporary service, from the 2d day of January, 1919:

Herbert S. Keimling,
Ramie H. Dean,
Raymond P. James,
Fred J. Zinner,
Reuben E. Puphal,
Stephen Skoda,
Harold A. Strong,
James E. Foster,
Clarence L. Seward, jr.,
William A. Siefer,
Wilbur T. Love,
William S. Fellers,
Henning F. Adickes,
Roy W. Conkey,
Samuel H. Wood,
Merile H. Stevenson,
Augustus Paris,
Chester E. Orcutt,
Louis B. West,
Denzil R. Fowls,
Forest J. Ashwood,
George C. Buzby,
Augustus H. Fricke,
Edward M. Butler,
Thomas J. Caldwell,
Louis E. McDonald,
George H. Towner, jr.,
Robert A. Cobban,
Stephen E. St. George,
Louis Cukela,
James M. Burns, jr.,
Emmons J. Robb,
Allan S. Heaton,
Erwin F. Schaefer,
Daniel D. Thompson,
Wilbur Summerlin,
Charles F. Commings,
Walter W. Wensinger,
Robert O. Williams,
John T. Stanton,
Virgil P. Schuler,
Harry S. Davis,
Peter P. Wood,
Lawrence E. Westerdahl,
David N. Richeson,
Merle J. Van Housen,
James C. Leech,
Richard S. Ross,
Vinton H. Newell,
Emmit R. Wolfe,
Stephen A. Norwood,
Raymond A. O'Keefe,
Frank M. Cross,
George W. McHenry,
Gale T. Cummings,
Charles W. Holmes,
Samuel H. Woods,
Wilbur Eickelberg,
Robert A. Butcher,
Allen J. Burris,
Earl M. Rees, and
Carl Gardner.

Maj. (temporary) Arthur P. Crist, retired, to be a major in the Marine Corps, on the retired list, from the 9th day of March, 1919.

Maj. (temporary) Thomas F. Lyons, retired, to be a major in the Marine Corps, on the retired list, from the 9th day of March, 1919.

CONFIRMATIONS.

Executive nominations confirmed by Senate July 14, 1919.

UNITED STATES ATTORNEY.

J. M. Clements to be United States attorney, District of Alaska, division No. 2.

MEMBER OF THE FEDERAL BOARD FOR VOCATIONAL EDUCATION.

C. F. McIntosh to be a member of the Federal Board for Vocational Education.

REGISTER OF LAND OFFICE.

Ole Thompson to be register of the land office at Crookston, Minn.

RECEIVER OF PUBLIC MONEYS.

James P. O'Connell to be receiver of public moneys, Crookston, Minn.

HOUSE OF REPRESENTATIVES.

MONDAY, *July 14, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, who lives and reigns in the affairs of men, we thank Thee for all the great men and true who are striving for perfection as individuals, for the purity of the home, the betterment of society, and the higher methods of government in the physical, intellectual, moral, and spiritual life.

Grant them success in their leadership, that the fruitions of life may be altogether in accordance with Thy will and good purposes, through Christ Jesus our Lord. Amen.

The Journal of the proceedings of Saturday, July 12, 1919, was read and approved.

AGRICULTURAL APPROPRIATIONS—VETO OF THE PRESIDENT.

The SPEAKER. The Chair lays before the House a bill, which the Clerk will report by title, with the President's message regarding the same.

Mr. CALDWELL. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. Will the gentleman suspend until the Clerk has read the title?

Mr. CALDWELL. I will.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

H. R. 3157. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920.

The SPEAKER. The gentleman from New York [Mr. CALDWELL] makes the point that there is no quorum present. Undoubtedly there is not.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

Mr. CLARK of Missouri. Mr. Speaker, inasmuch as we have to vote by roll call on the veto, I think the gentleman should withdraw his point of order of no quorum.

Mr. MONDELL. I suppose the gentleman made it because, no doubt, it would be made anyway.

Mr. CLARK of Missouri. We will have a vote by roll call on the message.

The SPEAKER. Does the gentleman from New York insist on his point of order?

Mr. CALDWELL. I insist on the point of order.

The SPEAKER. The gentleman from Wyoming moves a call of the House.

The motion was agreed to.

The roll was called, and the following Members failed to answer to their names:

Andrews, Md.	Frear	King	Rainey, H. T.
Ashbrook	Freeman	Kreider	Reber
Britten	Gallivan	Lever	Reed, W. Va.
Browne	Garrett	McClintic	Rowan
Caraway	Goodall	Mann	Rowe
Costello	Goodwin	Mason	Scully
Crago	Greene, Vt.	Moon	Slemp
Eagle	Hamill	Neely	Small
Echols	Heflin	Olney	Stiness
Edmonds	Hickey	Paige	Walters
Emerson	Hicks	Peters	Wilson, Pa.
Fairfield	Hull, Tenn.	Porter	Winslow
Fitzgerald	Hutchinson	Purnell	

The SPEAKER. Three hundred and seventy-nine Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages in writing from the President of the United States were communicated to the House of Representatives by Mr. Sharkey, one of his secretaries.

AGRICULTURAL APPROPRIATIONS—VETO OF THE PRESIDENT.

The SPEAKER. When the point of no quorum was made the Chair had laid before the House the Agricultural appropriation bill with the message of the President vetoing the same, and the question before the House is: Will the House on reconsideration agree to the bill, the objection of the President to the contrary notwithstanding?

Mr. HAUGEN. Mr. Speaker, the question in controversy has been discussed, debated, and voted on twice by this House. The fact that it has been considered and passed upon on two occasions—first, in the Esch bill, when that bill passed this House by a vote of 232 to 122; second, in this bill, when passed without a dissenting vote—and the further fact that the veto has suspended every legal authority of the Department of Agriculture to continue its activities, I take it that all will agree that we should do everything to expedite the passage of the message. And with that situation confronting us, Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from Iowa moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on the passage of the bill, the objections of the President to the contrary notwithstanding.

Mr. MACCRATE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MACCRATE. The President having vetoed this bill, are the original provisions of the bill subject to a point of order at this time?

The SPEAKER. They are not. The question is on the passage of the bill over the President's veto. The Clerk will call the roll.

The question was taken; and there were—yeas 248, nays 135, answered "present" 1, not voting 46, as follows:

YEAS—248.

Alexander	Drane	Knutson	Sanders, Ind.
Almon	Dunbar	Kraus	Sanders, La.
Anderson	Dyer	Lampert	Sanders, N. Y.
Andrews, Nebr.	Elliott	Langley	Saunders, Va.
Anthony	Ellsworth	Lanham	Schall
Aswell	Esch	Lankford	Sears
Ayres	Evans, Nebr.	Larsen	Sells
Babka	Evans, Nev.	Layton	Shreve
Baer	Ferris	Lazaro	Sinclair
Bankhead	Fess	Lea, Calif.	Sinnott
Barbour	Fields	Lee, Ga.	Sisson
Bee	Flood	Little	Smith, Idaho
Begg	Focht	Luhring	Smith, Ill.
Bell	Fordney	McArthur	Smithwick
Benham	Foster	McCulloch	Snell
Black	Frear	McDuffie	Snyder
Blackmon	Fuller, Ill.	McFadden	Steagall
Bland, Ind.	Gandy	McKenzie	Stedman
Bland, Va.	Garner	McKeown	Steenerson
Blanton	Godwin, N. C.	McKinley	Strong, Kans.
Boies	Good	McLaughlin, Mich.	Strong, Pa.
Booher	Goodykoontz	McLaughlin, Nebr.	Summers, Wash.
Bowers	Gould	McPherson	Sumners, Tex.
Box	Graham, Ill.	Major	Sweet
Brand	Green, Iowa	Mansfield	Taylor, Ark.
Briggs	Hadley	Martin	Taylor, Colo.
Brinson	Hamilton	Monahan, Wis.	Taylor, Tenn.
Brooks, Ill.	Harrison	Mondell	Thomas
Brooks, Pa.	Hastings	Mooney	Thompson, Ohio
Buchanan	Haugen	Moore, Ohio	Thompson, Okla.
Burroughs	Hawley	Moore, Va.	Tillman
Butler	Hayden	Morgan	Timberlake
Byrnes, S. C.	Hays	Mott	Tincher
Campbell, Kans.	Hernandez	Mudd	Towner
Candler	Hersey	Murphy	Upshaw
Cannon	Hickey	Nelson, Mo.	Venable
Carss	Hill	Nelson, Wis.	Vestal
Carter	Hoch	Newton, Mo.	Vinson
Christopherson	Holland	Nicholls, S. C.	Voigt
Clark, Fla.	Houghton	O'Connor	Volstead
Clark, Mo.	Howard	Oldfield	Ward
Classon	Huddleston	Oliver	Wason
Cole	Hudspeth	Overstreet	Watkins
Collier	Hulings	Padgett	Watson, Pa.
Connally	Hull, Iowa	Park	Watson, Va.
Cooper	Humphreys	Parrish	Whaley
Copley	Ireland	Pou	Wheeler
Cramton	Jacoway	Quin	White, Kans.
Crisp	Jefferis	Ragsdale	Williams
Curry, Calif.	Johnson, Ky.	Ramseyer	Wilson, Ill.
Dale	Johnson, Miss.	Randall, Wis.	Wilson, La.
Davey	Johnson, S. Dak.	Rayburn	Wilson, Pa.
Davis, Minn.	Johnson, Wash.	Reavis	Wingo
Davis, Tenn.	Jones, Pa.	Reed, N. Y.	Wise
Dempsey	Jones, Tex.	Rhodes	Wood, Ind.
Denison	Juul	Ricketts	Woods, Va.
Dent	Kearns	Riddick	Woodyard
Dickinson, Mo.	Kendall	Robsion, Ky.	Wright
Dickinson, Iowa	Kennedy, Iowa	Rodenberg	Yates
Dominick	Kincheloe	Romjue	Young, N. Dak.
Doughton	Kinkaid	Rubey	Young, Tex.
Dowell	Kitchin	Rucker	Zihlman

NAYS—135.

Ackerman	Cullen	Glynn	Lehlbach
Bacharach	Currie, Mich.	Goldfogle	Linthicum
Barkley	Dallinger	Graham, Pa.	Lonergan
Benson	Darrow	Greene, Mass.	Longworth
Bland, Mo.	Dewalt	Griest	Luce
Britten	Donovan	Griffin	Lufkin
Browning	Dooling	Hardy, Colo.	McAndrews
Brumbaugh	Doremus	Haskell	McGlennon
Burdick	Dunn	Hersman	McKiniry
Burke	Dupré	Husted	McLane
Byrns, Tenn.	Eagan	James	MacCrate
Caldwell	Elston	Johnston, N. Y.	MacGregor
Campbell, Pa.	Evans, Mont.	Kahn	Madden
Cantrill	French	Kelley, Mich.	Magee
Carew	Fuller, Mass.	Kelly, Pa.	Maher
Casey	Gallagher	Kennedy, R. I.	Mapes
Chindblom	Gallivan	Kettner	Mays
Cleary	Ganly	Kiess	Mead
Coady	Gard	Kleczka	Merritt
Crowther	Garland	LaGuardia	Michener

Miller	Parker	Rose	Temple
Minahan, N. J.	Pell	Rouse	Tilson
Montague	Phelan	Sabath	Tinkham
Moon	Platt	Sanford	Treadway
Moore, Pa.	Porter	Scott	Vaile
Moores, Ind.	Radcliffe	Sherwood	Vare
Morin	Rainey, J. W.	Siegel	Walsh
Newton, Minn.	Raker	Sims	Weaver
Nichols, Mich.	Ramsey	Smith, Mich.	Webb
Nolan	Randall, Calif.	Smith, N. Y.	Webster
O'Connell	Reber	Steele	Welling
Ogden	Riordan	Stephens, Ohio	Welty
Osborne	Robinson, N. C.	Stevenson	White, Me.
Paige	Rogers	Sullivan	

ANSWERED "PRESENT"—1.

Hardy, Tex.

NOT VOTING—46.

Andrews, Md.	Fitzgerald	King	Reed, W. Va.
Ashbrook	Freeman	Kreider	Rowan
Browne	Garrett	Lesher	Rowe
Caraway	Goodall	Lever	Scully
Costello	Goodwin, Ark.	McClintic	Slemp
Crago	Greene, Vt.	Mann	Small
Eagle	Hamill	Mason	Stephens, Miss.
Echols	Heflin	Neely	Stiness
Edmonds	Hicks	Olney	Walters
Emerson	Hull, Tenn.	Peters	Winslow
Fairfield	Hutchinson	Purnell	
Fisher	Igoe	Rainey, H. T.	

So, two-thirds not having voted in the affirmative, the House decided not to pass the bill, the objection of the President to the contrary notwithstanding.

The Clerk announced the following pairs:

On the vote:

Mr. EDMONDS and Mr. BAER (to override veto) with Mr. ROWE (against).

Mr. HARDY and Mr. IGOE (to override veto) with Mr. SCULLY (against).

Mr. MCCLINTIC and Mr. KING (to override veto) with Mr. FITZGERALD (against).

The result of the vote was announced as above recorded.

The SPEAKER. Two-thirds having failed to vote in the affirmative, the bill is not passed. [Applause.] The Chair refers the bill to the Committee on Agriculture.

LEAVE OF ABSENCE.

Mr. BYRNS of Tennessee. Mr. Speaker, my colleague, Mr. HULL of Tennessee, has been ill since last Friday, and is unable to be here to-day and vote. I want to ask that he be indefinitely excused on account of sickness. The doctor has forbidden anyone to see him, and I am unable to say how he would have voted on this proposition.

The SPEAKER. Without objection, leave of absence will be granted.

There was no objection.

CORRECTION.

Mr. YATES. Mr. Speaker, I rise to make a correction of the RECORD. On page 2498, containing the proceedings of day before yesterday, Saturday, the 12th instant, an assertion made by me is omitted. Immediately before the words "This morning in the Congressional Library," should appear the following words: "Samuel Gompers was in Springfield, Ill., in November, 1887. He appeared before Gov. Richard J. Oglesby and made a plea for mercy for the condemned Haymarket anarchists. I was there and saw him and heard him."

The SPEAKER. Without objection, the correction will be made.

Mr. GALLIVAN. Reserving the right to object, I do not know just what it is that the gentleman wants to have corrected.

The SPEAKER. The gentleman from Massachusetts reserves the right to object.

Mr. GALLIVAN. I just want to know what it is that the gentleman wants corrected in the RECORD.

Mr. YATES. The other day, Mr. Speaker, in the House I referred to an alleged statement by Mr. Gompers in reference to the attitude of the laboring men of America, and I stated that I——

Mr. GALLIVAN. I object without any further reservation.

The SPEAKER. The gentleman from Massachusetts objects.

Mr. YATES. Very well, Mr. Speaker.

THE SUNDRY CIVIL APPROPRIATION BILL.

Mr. GOOD. Mr. Speaker, I ask unanimous consent for one minute, in which to make a statement in regard to the sundry civil bill.

The SPEAKER. The gentleman from Iowa asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. GOOD. Mr. Speaker, on Saturday, when the veto message of the President was read on the sundry civil appropriation bill, on motion that message and the bill were referred to the Committee on Appropriations. Yesterday the Committee on Appropriations held quite extensive hearings on the question of educational rehabilitation. Those hearings have been sent to the Public Printer in order that they may be printed so that the Members may have copies when that question comes before the House. I am advised that the printed copies of the hearing will not be ready for the Members until very late this afternoon. It is my intention, therefore, to call up the bill to-morrow morning immediately after the reading of the Journal and the disposition of business on the Speaker's table.

PROHIBITION OF INTOXICATING BEVERAGES.

The SPEAKER. The House, under the rule, resolves itself automatically into Committee of the Whole House on the state of the Union for the further consideration of the prohibition-enforcement bill, and the gentleman from Iowa [Mr. GOOD] will take the chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6810, the prohibition-enforcement bill, with Mr. GOOD in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6810, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 6810) to prohibit intoxicating beverages, and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries.

The CHAIRMAN. When the committee rose on Saturday the reading of section 1, Title I, had just been completed. Amendments are now in order to that section.

Mr. IGOE. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. IGOE: Page 2, line 1, after the word "States," strike out the remainder of the section and insert the words "and the same is hereby repealed."

Mr. BARKLEY. Mr. Chairman, I make the point of order on that.

Mr. VOLSTEAD. I make the point of order that that is not germane to this bill.

The CHAIRMAN. The gentleman from Minnesota makes the point of order.

Mr. IGOE. Mr. Chairman, may I ask upon what ground the point of order is made?

The CHAIRMAN. The gentleman from Minnesota will state the point of order.

Mr. VOLSTEAD. It is not germane.

Mr. IGOE. Mr. Chairman, I desire to be heard. I am not surprised that this point of order should be made. This bill, which is now presented to the House, is divided into three parts. The first part has to do with what is called the enforcement of war-time prohibition. I desire to call the attention of the Chair, first, to the proposition that in this bill we find incorporated by reference an entire act of Congress. It provides that the term "war prohibition," as used in this act, shall mean the provisions of any act or acts prohibiting the sale and manufacture of intoxicating liquors until the conclusion of the present war, and thereafter until the termination of demobilization, the date of which shall be determined and proclaimed by the President of the United States.

That reference incorporates in this bill all of the provisions of what is known as war-time prohibition contained in the act of November 21, 1918, or the rider upon the bill for stimulating agriculture.

The bill further provides that certain terms in that act shall be amended. I desire to call the attention of the Chair, further, to the fact that throughout this bill, in sections 2, 3, and 5, there are amendments of the war-time prohibition act.

I contend, Mr. Chairman, first, that the committee in reporting the bill in this shape can not deprive the House of the opportunity to amend or repeal the war-time prohibition act by referring to it instead of incorporating it in terms. As far as this bill is concerned, and as far as the proceeding of the House are concerned, that act might just as well be incorporated in this bill in the exact language of the act of November 21, 1918. Beyond that this bill contains amendments to the act of November 21, 1918; and while it is true that an amendment may not be amended by another proposition which is not germane, yet I call the attention of the Chair to the ruling in Hinds' Precedents, in volume 5, section 5824, where a proposition

analagous to this was presented. In that case the House had under consideration amendments to the bankruptcy act, and when the first section was read an amendment was offered repealing the bankruptcy act. The chairman of the committee, Mr. Dalzell, ruled that the amendment was germane.

I would like to have the Chair read that opinion in connection with the point of order just made. Chairman Dalzell overruled the point of order and held that the amendment was in order, and said:

It needs no argument to show that it would be competent to amend the pending bill, disposing of it section by section. For example, section 1 may be amended by striking out the words "amended so as to read as follows" and by substituting the word "repealed," so that the section would read: "That clause 15 of section 1 of an act entitled 'An act to establish a uniform system of bankruptcy throughout the United States,' approved July 1, 1898, be, and the same is hereby, repealed."

The same method may be followed in the case of each and all of the sections of the bill in their order. And this process, in the opinion of the Chair, may be made to reach to other paragraphs of the bankruptcy law than those specifically referred to in the pending amendatory bill, because all the sections of the bankruptcy law are germane to each other.

For example, it would be in order to amend the bill by adding additional sections amendatory of sections of the bankruptcy law not referred to in the bill.

Now, Mr. Chairman, it may be said by some that the war prohibition law is not before this Congress in this bill; but if you will read the first section you will see that the term "war prohibition" as used in this act shall mean what? It means the act of November 21, 1918, and it is just as much in this bill as if it had been set out again in the exact language.

Mr. PADGETT. Will the gentleman yield for a question?

Mr. IGOE. Yes.

Mr. PADGETT. I wish to call to the attention of the committee that this first section is simply a definition, and you are simply repealing a definition. You are not repealing the act, but the definition.

Mr. IGOE. But, Mr. Chairman, under the guise of a definition there is incorporated an act of Congress; and if the whole act had been set out in this section, I do not believe there would be any question but what we might amend it or repeal it, and the only question is whether by referring to it instead of incorporating it in this act it can be said that this amendment is not germane.

Mr. BLANTON. Mr. Chairman, I desire to be heard in favor of the point of order against the amendment.

The CHAIRMAN. The gentleman from Texas.

Mr. BLANTON. Mr. Chairman, whatever may be the purpose and intention of the gentleman who offers this amendment, it is clearly an amendment to the war-time prohibition act, not connected with the single amendment in this bill, and the effect of it, if passed, would be twofold: First, it would destroy absolutely the definition which Congress is attempting to place in this bill, defining intoxicating liquor. Without such a definition it would leave it up to the court in each separate, distinct case of violation to determine what intoxicating liquor was, whether or not the particular liquor which had been sold in violation of the law in that case was intoxicating, according to the definition in the State statute, if any there were, and if not, then according to the uncertain evidence pro and con brought before the court. It would just simply hamper the court in enforcing the law and tend to nullify this enforcement law. That would be one result and one effect if this amendment were passed.

Mr. PELL. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. PELL. Is there any reason why, in this as in every other law, questions of fact should not be decided by the jury, as they have been for 500 years?

Mr. BLANTON. I tried to explain to the gentleman the other day that when the law defines murder, to the effect that when any person with malice aforethought, either express or implied, with intent to kill and with a deadly weapon, shall take the life of any reasonable creature in being, he shall be deemed guilty of murder, that when the law so defines murder it does not stop there, but defines what each essential element and ingredient of the offense is; it definitely defines malice aforethought as a guide for the court and jury. In defining the ingredients of murder it tells the court what shall constitute malice aforethought. It tells the court what is meant by a reasonable creature in being. It tells the court what a deadly weapon is—that is, a weapon which is well calculated and likely to produce death from the mode and manner of its use—and so forth. Just so in this particular law there is an attempt made by this Congress, as a law-making body, to tell the court what intoxicating liquor is, not leaving it to each particular court and jury to decide.

Violators of the law will manufacture frosty, or bevo, or some other kind of drink with a large enough per cent of alcohol in it to intoxicate, and there will be plenty of witnesses forthcoming to swear that it will not intoxicate, if this Congress fails to do its duty by defining this term.

Mr. GRAHAM of Pennsylvania. I should like to inquire what legislation the gentleman is referring to which contains all these definitions that he enumerates?

Mr. BLANTON. I am speaking of the State codes, in those States which have codes. I presume the gentleman's State is under the old common law; and, if so, this definition of what malice aforethought is and what a deadly weapon is, has been understood since a time when the memory of man runneth not to the contrary, and it is carried out and enforced by the courts of the States.

Mr. GRAHAM of Pennsylvania. Is it not always dependent upon the decisions which have been rendered; and are not these things frequently questions of fact? For instance, what shall constitute a deadly weapon is a question of fact.

Mr. BLANTON. Does the distinguished gentleman from Pennsylvania mean to tell us that in his State a double-barreled shotgun loaded with buckshot is not ipso facto a deadly weapon under the common law?

Mr. GRAHAM of Pennsylvania. Why, certainly, no; and no legislative action would be necessary to tell common people that that was so.

Mr. BLANTON. Well, that is just what I am trying to do here.

Mr. SAUNDERS of Virginia. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. SAUNDERS of Virginia. The gentleman is not discussing the point of order.

The CHAIRMAN. The Chair sustains the point of order, and the gentleman will confine himself to the point of order.

Mr. BLANTON. I was trying to do so, but was led away from the subject by the questions that were being asked. Mr. Chairman, there is an attempt on the part of the amendment of the gentleman from Missouri, in addition to destroying the definition of intoxicating liquor, to repeal war-time prohibition. I submit to the Chair that that is not germane either to the said war-time prohibition act or to the present legislation under consideration, which in section 1 of Title I amends said war-time act only in the one particular of defining intoxicating liquor. The point of order should be sustained.

Mr. BARKLEY. Mr. Chairman, I desire to discuss the point of order very briefly. In the first place, I take issue with the gentleman from Missouri [Mr. IGOE] in his statement that this bill amends the war prohibition act, except in a very limited way, and especially in this section which he seeks to amend. There are several laws, Mr. Chairman, passed during the last Congress which are known as war prohibition acts. The first law upon the subject was an amendment to the first bill passed for the purpose of stimulating the production of food in the United States. Then in the next food stimulation bill there was an amendment added to that bill which provided against the sale and manufacture of certain liquors to begin at a certain date.

So that in order to identify the words "prohibition act" as defined in this act and defined in section 1 it is made broad enough to refer to any one of those acts, or all of them together.

If this bill were seeking to amend a bill which provided for nothing else except war prohibition, it is questionable whether it would be in order to move to repeal the law itself; it would not be in order unless several sections were involved in the amendment under consideration.

This bill does not amend the war prohibition act except as to the definition of intoxicating liquors. It does not change the penalties. The bill is not an amendment of any section in any previous act or any war prohibition provision. It simply identifies war prohibition acts referring to them in section 1.

It so happens that all the laws that contained provisions for war prohibition are upon entirely different subjects. If the gentleman's amendment is held in order, if it is held to be germane, it not only repeals the several war prohibition acts passed during the last Congress, but the food provision bills passed in the last Congress most of which have no relation whatever to intoxicating liquor.

There was no separate war prohibition act passed. All the war prohibition acts were amendments added to bills which primarily dealt with other subjects independent of intoxicating liquors. So if this amendment is in order as offered by the gentleman from Missouri it not only would repeal all the provisions of war-time prohibition, but the provisions of the food stimulation act enacted during the last Congress because those were the acts referred to in section 1. If it were germane in order to repeal section 1, I deny that it would be germane and in order to offer an amendment to repeal all of

them without specifically mentioning what they are and when they were enacted.

It has been held in a number of cases that where a bill is under consideration to amend one section of a given act it is not in order to move to repeal the entire act. I take it for granted that the Chair is perfectly familiar with those rulings.

The one case cited by the gentleman from Missouri is the case where several sections of the bankruptcy act were under consideration, and it was held that it was in order to repeal the entire act. There the entire act was the subject of bankruptcy, and the amendments to the bill being considered were on the subject of bankruptcy. This bill considers not only war prohibition, but it considers the enforcement of the constitutional amendment. If this amendment is held in order, it would repeal the entire legislation of the last Congress, both the agricultural stimulation and the stimulation of food products, which I am sure is not germane.

Mr. IGOE. Will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. IGOE. It says that the term "war prohibition act" used in this act shall mean the provisions of any act or acts prohibiting the sale and manufacture of intoxicating liquors. I may say further that when the gentleman says there are no additional penalties——

Mr. BARKLEY. I did not say there were no additional penalties; I said it did not repeal the penalties in the original act.

Mr. IGOE. Does it not amend the act by giving new penalties?

Mr. BARKLEY. It provides for the amplification of the offenses in the original act, but that does not repeal the original act; it does not change the purpose; it does not change the tenor; it does not change the letter of the original act; it merely provides the machinery by which the original act is intended to be enforced.

Mr. TOWNER. Mr. Chairman, I think there ought not to be a question in the mind of the Chair regarding the germaneness or want of germaneness of this amendment when we consider what is done. The citation referred to by the gentleman from Missouri [Mr. IGOE] is with regard to a provision that modified or amended a certain existing law. This provision in the first section of this bill does nothing of the kind. It is merely a definition of the term as it is to be used in the act, and to say that by merely stating that when a certain thing is referred to it shall be held to mean a certain thing; that that allows an amendment repealing the entire act would be carrying the doctrine entirely too far. If the Chair will recall the definitions that are in the second title of this act, he will remember that in the first place the phrase "intoxicating liquor" is defined as used in the act. In the second place, the word "persons" is stated to mean to include natural persons, and, in the third place, the word "commissioner" is defined as used in this particular statute.

In order to do away with the necessity of again referring particularly to a long title and again referring, as in this case, to a number of laws and amendments at great length, the matter is definitely referred to, so that it may be easily had in mind by a statement at the beginning of the section. That is all that is done. The language is that the term "war prohibition act" used in this act shall mean so and so. That is all there is to it. It is not an amendment to the war prohibition act; it is not a provision that enters inherently into any of the provisions of the act; it does not modify them nor change them. It only says that when the language hereafter used in the act stating that war prohibition act is referred to it shall mean so and so. I think it is practically unnecessary to use an argument to show that such reference would be clearly outside of any power that might be invoked for the purpose of repealing or even modifying or changing the terms of the law.

There is a decision referred to in the Rules and Digest, on page 344, in which it is stated that to a bill amending a general law on a specific point an amendment relating to the terms of law rather than to those of the bill was offered and ruled not to be germane. That ruling was by Mr. Speaker Reed. It was also confirmed by Mr. Speaker CANNON and also by Mr. Speaker CLARK in later decisions. I am only citing that for the purpose of showing that certainly if that be true, then the mere statement that a reference to a particular law should be considered as it is considered in this bill, would not warrant going so far as to say that you could amend the act itself, and certainly not to the extent of repealing it.

Mr. SAUNDERS of Virginia. Mr. Chairman, this point of order brings up our old friend germaneness, who frequently comes to life to make trouble for presiding officers in the House and Committee of the Whole. According to the principles upon which the precedents establishing the rule of germaneness rest and which are usually cited in this connection, this amendment is not in order. The point of order in my judgment to the amendment ought to be sustained for the following reason: If several sections of an act are under consideration, there can be no question that under the authority of the ruling precedents, an amendment to repeal the act in question would be in order. That proposition has been settled so positively, and so frequently that it is no longer an open one in this body. But that situation is not presented. The language of the section which refers to the words "war-time prohibition" is taken from existing acts solely for descriptive and definitive purposes, and to save verbiage in drafting the bill under consideration. We often resort to this labor-saving device in the preparation of statutes. It is a matter of convenience, operating to conserve language. By the citation of the words used which are taken from existing acts, the committee merely undertook to say what the words "war-time prohibition" should mean wherever found in the bill which they reported.

The second portion of the section which is proposed to be stricken out, may be fairly regarded as an amendment to the war-time prohibition act, or acts, but if so, it is a single amendment. The precedents are abundant, and have been established, I undertake to say, by every Speaker of this body and by every Chairman of the Committee of the Whole for many years past,—that when there is a single amendment to an act under consideration, either in the committee, or the House, such an amendment will not justify a further amendment proposing to repeal the entire act. That is the pending situation. The language which undertakes to define what shall be intoxicating spirits may, I think, be fairly considered as an amendment to the war-time prohibition acts, but if so stated, it is a single amendment. Hence being a single amendment it does not justify an amendment to the effect of that offered by the gentleman from Missouri [Mr. IGOE] which designs to repeal the entire war-time prohibition acts.

Mr. IGOE. The gentleman says that if there were several sections amended this would present a different question.

Mr. SAUNDERS of Virginia. That is the rule.

Mr. IGOE. The bill incorporates by reference the whole act.

Mr. SAUNDERS of Virginia. On that contention the gentleman and I differ.

Mr. IGOE. This act, title 1, throughout the provisions, sections 2, 3, 4, 5, and 6, refers to the war prohibition act, and provides new penalties, provides new duties to be performed by different officers, provides a new proceeding in the courts, and are not all of these amendments of the original act? How could you provide new penalties, new methods of enforcement, new duties to be performed by the different officers, unless you extend the original act by amendment?

Mr. SAUNDERS of Virginia. We are dealing with the first sentence of section 1 of the bill. That sentence says that the term "war-time prohibition act" as used in this act shall mean so and so. In other words a definition is afforded for the purposes of convenience. The gentleman can not by any refinement of legal subtlety, torture the language used, to mean that the President will derive his power to make a proclamation from the present act, and not from the act from which the language cited, is taken.

Mr. IGOE. May I ask the gentleman if it is not also a rule that if an amendment be germane to the whole bill that it may be offered at any place and is not a rule of parliamentary law?

Mr. SAUNDERS of Virginia. That is true.

Mr. IGOE. Then if you take the whole bill together and it provides different amendments, why is it not in order?

Mr. SAUNDERS of Virginia. We have not reached the point where the gentleman has established that this bill presents several amendments to the war-time prohibition acts. We are dealing with section 1, presenting a single amendment and the gentleman's amendment to that section is plainly out of order.

Mr. IGOE. Mr. Chairman, it seems to me the Chair can not ignore all of this bill, Title I which is now before the House. The gentleman in his argument admits that there are other amendments to this bill. But now if the Chair will read throughout the bill it refers to this act——

Mr. SAUNDERS of Virginia. I will say to my friend I have not admitted anything of the sort.

Mr. IGOE. I draw that from the argument of the gentleman.

Mr. SAUNDERS of Virginia. The gentleman made that statement, I do not admit anything of the kind.

Mr. IGOE. I think the gentleman's argument admits it. The sections refer to this act and also to the war-prohibition act. Now, the war-prohibition act is the act of November 21. It provides a single penalty and throughout this act there is provided in one section and another additional penalties, different methods of enforcement, duties placed upon different offi-

cers of the Government, and I contend, Mr. Chairman, you can not do that without amending the original act which is incorporated in this bill, or at least referred to, and all of it relates back to that particular act. Now, can you say that this House may vote to extend an act, may vote to provide new penalties, new methods of enforcement, and yet deprive the House of a chance to vote whether they should have the act at all?

The CHAIRMAN. The Chair is ready to rule. The section reads as follows:

That the term "war-prohibition act" used in this act shall mean the provisions of any act or acts prohibiting the sale and manufacture of intoxicating liquors until the conclusion of the present war and thereafter until the termination of demobilization, the date of which shall be determined and proclaimed by the President of the United States. The words "beer, wine, or other intoxicating malt or vinous liquors" in the war-prohibition act shall be construed to mean any liquors which contain one-half of 1 per cent or more of alcohol by volume.

Under that section the gentleman from Missouri [Mr. IGOE] has offered the following amendment:

Page 2, line 1, after the word "States," strike out the remainder of the section and insert the words "and the same is hereby repealed."

The part stricken out, according to this amendment, reads as follows:

The words "beer, wine, or other intoxicating malt or vinous liquors" in the war-prohibition act shall be construed to mean any liquors which contain one-half of 1 per cent or more of alcohol by volume."

The gentleman from Minnesota [Mr. VOLSTEAD] makes the point of order that this amendment is not germane to the paragraph. It has been decided a number of times by the House that to a bill amendatory of any existing law as to one specific particular amendments relating to the terms of the law rather than those of the bill are held not to be germane. I think that is the well-decided opinion of the House and to that opinion I understand the gentleman from Missouri does not object, but claims that his amendment falls within the provision of the decision of this House which was first made in 1902. I read from Hinds' Precedents, volume 5, page 420, section 5824:

To a bill amending a general law in several particulars an amendment providing for the repeal of the whole law was held to be germane.

It is the contention of the gentleman from Missouri that the bill involves the war prohibition act in more than one particular, and therefore is in order. The Chair has very carefully gone through this bill, and is of the opinion that the language which reads: "That the term 'war prohibition act' used in this act shall mean the provisions of any act or acts prohibiting the sale and manufacture of intoxicating liquors until the conclusion of the present war and thereafter until the termination of demobilization, the date of which shall be determined and proclaimed by the President of the United States" does not amend the war prohibition act. The Chair is of the opinion that the bill amends the war prohibition act in only one particular, and that is it puts in an amendment commencing with the words in line 1, page 2, reading as follows:

The words "beer, wine, or other intoxicating or vinous liquors" in the war prohibition act shall be construed to mean any liquors which contain one-half of 1 per cent or more of alcohol by volume.

That is the only amendment to the war prohibition act that the Chair has been able to find which can be dignified by the term of an amendment to the act.

Mr. DYER. Mr. Chairman, if the Chair will permit I would like to call the attention of the Chair to page 3 of the bill where it provides in line 3 that the punishment upon conviction thereof shall be a fine of not less than $100 nor more than $1,000, or be imprisoned for not less than 30 days or more than one year, or both. Now, the law itself provides in the second paragraph:

"Any person who violates any of the foregoing provisions shall be punished by imprisonment not exceeding one year or by fine not exceeding $1,000, or by both such imprisonment and fine."

Now, that is clearly an amendment if the Chair pleases——

The CHAIRMAN. No. The Chair will call the attention of the gentleman from Missouri to the fact that that provision only provides a penalty for a violation of the provisions of the bill we are now considering if this bill shall become a law. It is not an amendment in any particular of the war prohibition act, and the Chair therefore sustains the point of order.

Mr. IGOE. If the Chair has sustained the point of order, very well; but I was going to show the Chair where the act does amend in some other respects. I wish, for instance, to refer the Chair to the provisions of section 3: "That any room," and so forth, "where intoxicating liquor is sold, manufactured, kept for sale, or bartered in violation of the war prohibition act," and also where the Commissioner of Internal Revenue is given power to do certain things.

The CHAIRMAN. Wherein does that amend the war prohibition act?

Mr. IGOE. The war prohibition act contains no such provision as that.

The CHAIRMAN. With the exception of the single amendment just noted the bill now under consideration simply provides machinery for enforcing the act, and does not amend it in any particular.

Mr. IGOE. The penalty for any one thing in the act is one thing, but to extend the act and then provide penalties for a new offense is certainly an amendment of the provisions of the act.

The CHAIRMAN. The Chair does not think so. The Chair has ruled, and the Clerk will read.

Mr. GARD. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARD: On page 2, line 1, after the word "States" insert the following:

"*Provided*, That whenever in the opinion of the President it shall be no longer necessary for the purposes of the present war to conserve man power, increase efficiency in the production of arms, munitions, or ships, food, and clothing for the Army and Navy, he may issue his proclamation to that effect, and from that date the provisions of the war prohibition act of November 21, 1918, shall cease to be of force and effect."

Mr. VOLSTEAD. Mr. Chairman, I make the point of order that is not germane.

Mr. GARD. Will the gentleman state his point of order?

Mr. VOLSTEAD. My contention is that the amendment simply attempts to amend the war prohibition act, and that the feature of the war prohibition act affected by this amendment has not been touched on at all in this bill one way or another. There is no extension of the war prohibition act; there is no modification in this bill as to the length of time when war prohibition shall continue in force. If there is any modification of the war prohibition act at all, it is in the last few words, the ones to which the Chairman called attention. That is a question that is open to some dispute, and we will concede that for the purposes of this legislation it may be treated as new legislation. Clearly it is an amendment of a part of the war prohibition act not touched on in this bill.

Mr. GARD. Mr. Chairman, the point I had in mind in offering the amendment in the language in which I submitted it is this:

In Title I of the bill H. R. 6810, which relates to the enforcement of war-time prohibition, reference is made to the term "war prohibition act" as meaning the provisions of any act or acts prohibiting the sale or manufacture of intoxicating liquors until the conclusion of the present war, and thereafter until the termination of demobilization, the date of which shall be determined and proclaimed by the President of the United States.

Now, it is the contention of the chairman of the Committee on the Judiciary, if I understand him aright, that there is no reference in this bill as to time or extension or modification or qualification. That is not a tenable statement, Mr. Chairman, because the very language which I have read provides in Title I how long this prohibition act, adopting the language of the war prohibition act, shall run, because it says it prohibits the sale and manufacture of intoxicating liquors until the conclusion of the present war, and thereafter until the termination of demobilization.

Now, it is apparent, it is true——

Mr. BARKLEY. Will the gentleman yield?

Mr. GARD. I prefer to make my statement, after which I will have no objection to yielding. I desire, Mr. Chairman, that I may present this statement without interruption for a few moments, and then I will be very glad to yield to anybody.

Title I, which, in so far as it has any effect, is intended to have the effect of a separate bill, and is disassociated by title from Title II and Title III, provides the exact language of the so-called war prohibition act, which was approved by the President of the United States on the 21st of November, 1918, 10 days after the signing of the armistice by which the conflict between the United States and the Imperial German Government ceased.

Now, in the adoption of that language it is my contention, Mr. Chairman, that this bill carries along with it certain language of conclusion, certain language of operation, because, if it does not, then the language used in Title I is of no effect. If it does not mean what it says, if it does not mean the conclusion of the war and the termination of demobilization, then the English language, in so far as it is adopted in this Title I, is absolutely of no effect. And therefore the position which the chairman of this committee has taken is not tenable, in my opinion, and we start with the proposition that this Title I attempts to write into this bill the language of another bill, and

that is the so-called war prohibition bill, by providing that the act or acts shall be held unlawful until the conclusion of the present war and thereafter until the termination of demobilization.

Now, beginning with that proposition—that legal proposition—then anything which amends that, Mr. Chairman, is unquestionably germane.

The question of what is germane is, of course, laid down in very broad and general principles, and its application, the application of that which is germane, necessarily rests upon an individual case. But unquestionably, if there is a general proposition asserted in the bill, anything which operates as a change in that general proposition, either by way of modification or limitation, is, in my opinion, germane, and that is what is intended to have been done here. When Title I says that this part shall be of effect until the conclusion of the present war and thereafter until the termination of demobilization, the amendment I have offered provides that whenever in the opinion of the President of the United States it is not necessary for purposes of this act to provide that this conservation of food and of feed and of clothing shall be continued for the benefit of our Army and the armies of our allies—and I am not speaking in exact terms, but of what the meaning is—then it must follow that the proposition I have mentioned, giving the President authority to so determine, is a proposition of limitation upon the authority conferred in Title I.

Now, Title I provides for a number of things. It provides for more than the chairman of the committee says it provides for, and section 1 provides for more.

Sections 3, 4, 5, 6, and 7 are all adopted amendments of the so-called war prohibition act.

It is the contention of the chairman of the Committee on the Judiciary that this particular section—and since it is declaratory of all that goes through the section, practically the whole of Title I—is determined by the few words at the end of the paragraph giving a construction of the meaning of the word "liquors." But it is open to other limitations, Mr. Chairman, of which the limitation I speak of is a most pronounced example, because when we have the language which the gentleman from Minnesota, the chairman of the committee, says is an amendment relative to the definition of "liquors," he, before that, incorporates language which is indeed a definition or statement of how long this language defining "intoxicating liquors" is to continue. In other words, it is to continue at the conclusion of the present war and until the termination of demobilization.

Now, that which is introduced here, as this amendment, is an amendment of limitation as to time, and, of course, any limitation of time is germane, since time is of the essence of the offense, because there is no question but that, when the law is concluded and the period of demobilization is reached, this particular act called a war-time prohibition act was intended by legislative meaning to be inoperative.

That is the meaning of this limitation which I offered by way of amendment, which, to my mind, Mr. Chairman, attaches itself to the limitation or adoption of time in the war prohibition act, adopted in its very terms in Title I.

Mr. BLANTON. Mr. Chairman, upon this identical question the Chair has just ruled as being an amendment to the war prohibition act.

The CHAIRMAN. The Chair is ready to rule. The Chair thinks that this amendment is a change in form and not of substance, and therefore a restatement of the case is not necessary.

The amendment offered by the gentleman from Missouri [Mr. IGOE] provided that "the act is hereby repealed." The amendment offered by the gentleman from Ohio [Mr. GARD] provides for a repeal of the act upon the proclamation of the President. So far as the legal positions are concerned, the two amendments stand upon the same footing, and the Chair feels that it is not germane, and therefore sustains the point of order.

Mr. BENSON. Mr. Chairman, I rise for the purpose of offering an amendment to this section.

Mr. GARD. Mr. Chairman, I offer an amendment. I ask that this amendment be considered first, coming from a member of the committee.

Mr. BENSON. I yield to the gentleman.

The CHAIRMAN. The gentleman from Ohio [Mr. GARD] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 2, line 1, after the word "States" insert the following:

"*Provided*, That whenever in the opinion of the President the demobilization of the military forces has progressed to such a point that it shall be entirely safe to permit the manufacture and sale of wines and beer, he may issue his proclamation to that effect, and thereafter the manufacture and sale of wines and beer shall be permitted."

Mr. BLANTON. Mr. Chairman, I make a point of order against that.

Mr. VOLSTEAD. I make the point of order that that is not germane.

The CHAIRMAN. The gentleman from Texas makes a point of order, and also the gentleman from Minnesota.

Mr. VOLSTEAD. This, in effect, repeals in part, instead of totally, the war prohibition act. It is exactly the same in principle as the amendments that have already been offered and ruled out. There is nothing in this bill that relates to the length of time that the war prohibition act shall remain in force; absolutely not. We simply recite in the first paragraph the length of time prohibition is to remain in force, and do not attempt to modify it in any way. We do it simply for the purpose of identifying the particular acts. That is all that it does. There is nothing in it that would in any way modify the act, so far as the length of time it is to continue in force is concerned. This amendment clearly attempts to modify it as to beer and wine.

Mr. GARD. Mr. Chairman, the amendment which I have offered is offered, of course, in the same thought which attended the offering of the other amendment suggested by me, with this addition: I make the contention—and I consistently make the contention with perfect respect and recognition of good faith in the mind of the Chair—that there have been included by the adoption of title 1, of certain language in the so-called war-time prohibition bill, phrases which control both the length of time which it is to operate and the way in which its termination is to be made. In other words, I contend that the adoption of this language, "until the conclusion of the present war and the termination of the demobilization and the determination of the date by proclamation to be proclaimed by the President of the United States," is clearly an attempt to legislatively adopt the language of another bill, to wit, the war prohibition bill, and that when you make reference to the proclamation of the President of the United States being made, under certain conditions, as this bill does, the termination of demobilization and the conclusion of the present war, to be proclaimed by the President of the United States, that is the language of the bill, that is what this bill intends to do; and the amendment I had in mind, the amendment offered by me, was for the purpose of providing exactly what this particular law provides, a proclamation by the President of the United States, except that it permits the proclamation of the President of the United States to be made in a specific way; in other words, it is directory of the general language. It is a limitation and modification and a direction of the language which before has been adopted in this very bill.

The CHAIRMAN. The Chair is ready to rule.

Mr. JOHNSON of Kentucky. Mr. Chairman, I believe that the amendment offered by the gentleman from Ohio [Mr. GARD] is clearly subject to a point of order, if not for the reasons already given, then for the additional reason that it goes, perhaps, further than he intended it to go.

The language of the amendment "permits" the manufacture and sale of intoxicating liquor. That permission would do away with the tax, and we are not now considering the tax question, and therefore it is not germane.

The CHAIRMAN. The Chair is convinced that there is practically no difference, so far as the legal status of this amendment is concerned, between this and the previous amendment. Both seek the same end, and, without reciting the case, the Chair therefore sustains the point of order.

Mr. STEELE. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STEELE: On page 2, line 5, after the word "volume" insert "That the words 'until the conclusion of the present war and thereafter until the termination of demobilization' shall be construed to mean the date when in the opinion of the President it shall be no longer necessary for the purpose of the present war to conserve man power, to increase efficiency in production of arms, munitions, ships, food, and clothing for the Army and Navy."

Mr. VOLSTEAD. I make the point of order that it is not germane.

Mr. BLANTON. I make the further point of order that it is dilatory. The Chair has ruled on this question already.

The CHAIRMAN. The gentleman from Texas makes the further point of order that the amendment is dilatory. The Chair overrules that point of order and will hear the gentleman from Minnesota.

Mr. VOLSTEAD. This amendment seeks to modify the existing war prohibition act in regard to a matter that is not modified at all in the pending bill. Clearly it is not germane under

the circumstances. There is no attempt in this bill to fix the length of time that that act is to remain in force. It simply recites the fact that there are certain acts that remain in force for a certain time, and does not attempt to modify the language of those acts in any fashion. This clearly would be an amendment to the war prohibition act.

Mr. STEELE. Mr. Chairman, this amendment has no direct connection with any question of repeal. It does nothing more than the second sentence in the act itself. It simply refers to the identical language which is recited in the first section of the act, and then gives a definition or construction of the language which is set forth in the first section of the act. The very language which the gentleman has just referred to, which he himself has inserted in the act, recites the language of the war prohibition act and says that those words shall be construed to mean in a certain manner, and the construction then follows. In the amendment which I have offered here I do not go back to the war prohibition act as to anything which is not specifically recited in the very act which is now before the House for its consideration, and I cite the very language that is inserted in that act, and then go on to say that that language shall be construed to mean certain things, entirely without reference to the question of repeal and without reference to any of the points of order that have been considered and determined by the Chair heretofore. It is simply doing what the gentleman from Minnesota has done, providing for the construction of the very language which is set forth in this act which the Chair has ruled to be proper and which is in the nature of an amendment, and this certainly goes no further than that. It has no direct connection with or reference to repeal whatever, but is simply a construction of language contained in the bill before the House.

Mr. SAUNDERS of Virginia. As I followed the amendment which has just been offered and discussed by the gentleman from Pennsylvania [Mr. STEELE] he undertakes to impress an interpretation upon existing law.

Mr. STEELE. No; on the words in this first section.

Mr. SAUNDERS of Virginia. I understand, but those words are taken from existing law. Should the gentleman be successful in his attempt to give to the words of existing law, a meaning which plainly they do not carry, that would unquestionably be an amendment to the existing law. All the language from and including line 4, page 1, down to "The words," on page 2, might be stricken out of this bill without either affecting the bill, or the existing law, save that in the ensuing sections of this measure, additional verbiage intended to be saved by the defining words, would have to be inserted. So far however as the effect of this bill is concerned, and save for the purposes of convenience, the words that I have cited could be safely eliminated. All of those words are contained in existing law, and they are operative, not by virtue of any action of ours to-day, but by virtue of the force given to them by prior enactments of Congress. For instance, suppose the question should be asked whether there are any acts which prohibit the sale and manufacture of intoxicating liquors until the conclusion of the present war, and thereafter until the termination of demobilization, the date of which shall be determined and proclaimed by the President of the United States? What would be the answer? The answer would be that there are such acts, containing that very phraseology. The language from those acts repeated in this connection, is used merely for the purposes of recital, and not to give them any effect of an affirmative character relating to demobilization, the termination of the war, or the authority of the President.

Mr. ALEXANDER. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. ALEXANDER. The amendment of the gentleman from Pennsylvania [Mr. STEELE] has the effect of amending the act described in this bill.

Mr. SAUNDERS of Virginia. That is the statement I have just made.

Mr. ALEXANDER. It makes the time terminate at a different date from that prescribed in the act itself.

Mr. SAUNDERS of Virginia. Certainly. As I have said, he is undertaking to impress an interpretation upon existing law, and when that interpretation adds to the effect of the existing law, it is certainly an amendment. That being so, and as this act is not proposing to amend existing law at all save in one respect, the ruling principle is, as already decided by the Chair, that the amendment of the gentleman from Pennsylvania is not in order, since it is not germane to the single amendment proposed by the committee.

Mr. BARKLEY. Will the gentleman yield for a suggestion?

Mr. SAUNDERS of Virginia. Yes.

Mr. BARKLEY. If the gentleman's amendment were in order, it would likewise be in order, would it not, to offer an amendment stating when the war should end, and in this act we might declare when the war should end?

Mr. SAUNDERS of Virginia. Precisely. The moment this amendment is held to be in order to the existing acts, that ruling would validate germane amendments to every section of these acts, although these acts are not under present consideration, and before the committee.

Mr. STEELE. The Chair has ruled that the words in the act, "beer, wine, or other intoxicating malt or vinous liquors in the war prohibition act shall be construed to mean any liquor which contains one-half of 1 per cent or more of alcohol," are an amendment to the original act. The Chair so stated.

Mr. SAUNDERS of Virginia. Yes; that is true.

Mr. STEELE. There is no such definition in the original act. Therefore it is a modification of the original act to that extent. The words are given a construction in this act. Now, what I am endeavoring to do is just the same as that which the Chair has referred to as an amendment to the original act, which is a construction of the very words in the original act, and also incorporated in this act. It is not amendatory so far as the terms are concerned. It is simply and purely a question of the construction of language which is already inserted in this act.

The CHAIRMAN. The Chair understands that the gentleman desires to refer his amendment to the words in the original act "until the conclusion of the present war," and not to the words in the bill that we are now considering.

Mr. STEELE. They are in the same section, in this very section.

The CHAIRMAN. Yes; but if the Chair understands the gentleman, he seeks to amend the language of the original act.

Mr. STEELE. It is simply a construction of words in the other part of the section.

The CHAIRMAN. Is it an amendment to the original act?

Mr. STEELE. It is not an amendment to the original act any more than the other amendment.

The CHAIRMAN. The Chair wants to get the parliamentary situation and what the gentleman has in mind. Does the gentleman desire to amend so far as the words contained in this bill are concerned without reference to the original act?

Mr. STEELE. I want to construe the words in this very section, section 1.

The CHAIRMAN. The Chair understood the gentleman to say that he wanted to amend the original act.

Mr. STEELE. No; the words in the original act are contained in this act.

Mr. BARKLEY. If that is true, would it not follow that the gentleman's amendment would not only interpret the words in this section but the words in the original act?

Mr. STEELE. That is a question of interpretation. I stated the purpose of my amendment, and that is to construe the words in section 1, now under consideration.

Mr. SAUNDERS of Virginia. Mr. Chairman, I wish to make a further point of order. If the gentleman from Pennsylvania [Mr. STEELE] proposes to construe the words recited in the first sentence of the section, so as to give a meaning to them different from the meaning which they plainly carry in the acts from which they are taken, then his amendment is not germane. Section 1 does not construe the words which it recites from the war-time prohibition acts. The words quoted are taken bodily from existing acts. No meaning is sought to be given to them. The citation is not for that purpose. Whatever meaning they have is by virtue of their place in the original acts. If there are any other war-time acts, identifying phrases might be taken from them and offered as amendments to the language cited. This would be in order. But an amendment which seeks to add something in the way of positive law to the acts from which the words recited are taken, amends those acts, and the Chairman has properly said that this can not be done. The words cited are inserted in the section merely to identify the acts referred to, where the words "war-time prohibition" are used. The gentleman from Pennsylvania is limited, in order, to offering amendments germane to that portion of this section defining the alcoholic content of liquors which makes them intoxicating.

Mr. DAVIS of Tennessee. Mr. Chairman, while the amendment proposed by the gentleman from Pennsylvania follows the second sentence of the first section, as a matter of fact it is intended to amend the terms of the first sentence of the first section. That language is merely descriptive and not legislative in character. In other words, in order to prevent a repetition of the description of the entire purposes of the war prohibition act every time it is referred to subsequently in the act, it is

defined, referring to the original description, as embodied in the title. To amend it as suggested by the gentleman from Pennsylvania would carry into this act an incorrect description of the original war-time prohibition act.

Mr. GRAHAM of Pennsylvania. Mr. Chairman, as I understand the proceeding, we are now discussing the question of parliamentary law, in which our prejudices for or against the bill ought to have no place, for we ought to keep the parliamentary situation straight under all circumstances. I regard the present stage as covering, first, the decision by the Chair that a motion to repeal the entire act is not in order and can not be permitted, because there is only a single section in this bill that relates to the prior act, and he has ruled that the other sections do not constitute amendments. With all deference to the ruling of the Chair, it did seem to me that the other sections were specific amendments of the prior law, for the reason that amendments may be to change the language or put a new interpretation on the language, or it may be to add something to the law. Every one of these sections adds something to the law. But that is past, and we have accepted the ruling.

The next ruling was upon the basis that there could be neither of these amendments entertained for the reason that they were substantially of the same effect as the first, and therefore were ruled out of order. It seems to me that this amendment stands on an absolutely different basis. We have in the first section, section 1, that which it is true, as the gentleman from Virginia has said, is a recital for the purpose of identifying the act. But it goes one step further; it is more than a recital; it becomes a piece of legislation upon the war prohibition act, for it says that certain language of that act shall be construed as follows, and then gives the construction that is placed upon it.

What have we, therefore, before us in the House? We have simply a question of construction of language. That is what this question raises, a question of construction of language in the war prohibition act.

Now, if you have under consideration the placing of a construction upon certain words, surely it is in the power of this House to take up some other words in the same act and say those also shall be construed thus and so. So I care not whether the amendment relates specifically to the language recited in this section or relates to the language as it exists in the bill. What is before the House now is the question of placing construction upon language in the war prohibition act. You assume to put a construction on a few words, and surely the motion of the gentleman adding to the construction that is placed on a certain other sentence is clearly germane to the legislation before the House.

Mr. IGOE. Mr. Chairman, it seems to me that this amendment is in order, because it is to construe certain words in the bill. I do not see why it would not be in order to take the words in this section of the bill and define them, and that is what this amendment does. It does define certain words in the bill, and if that is not germane I do not see how any amendment could be presented to the bill under consideration. The Chair has ruled out other amendments because they related to war prohibition acts, and certainly this amendment relates to the language used in this bill and not in the other bill, and it is within the province of the House to strike out these words and interpret them or do anything with them that it pleases.

Mr. BARKLEY. Does the Chair desire to hear any further argument on the point? If he is ready to rule, I do not care to use any time.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. BARKLEY. Mr. Chairman, if this were the original war prohibition act, in which we seek to set a time when it shall terminate, it would be in order for the gentleman to offer his amendment or for any other Member to offer a similar amendment, but that is not what we are seeking to do in this bill. The only particular in which this title amends the original war prohibition act is in the definition of intoxicating liquors.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. SABATH. Is not the definition that the gentleman proposes new legislation? Are you not trying to apply construction to language that the original bill did not contain?

Mr. BARKLEY. That is true.

Mr. SABATH. So it is new legislation.

Mr. BARKLEY. It is new legislation, and the gentleman's inquiry is correct with reference to the amendment contained in this section, applicable to intoxicating liquors. That is, this bill says that intoxicating liquors, as used in the original war prohibition act, shall mean a certain thing, but this bill does not attempt to construe or amend the language of the original act, saying when war prohibition shall end. Therefore it is not germane, nor is it in order to offer an amendment seeking to construe that language, because if we could amend the entire language of the war act the Chairman would have no doubt ruled in the beginning that it would have been in order to repeal the entire war prohibition act. Certainly if we can amend all of the provisions of the war prohibition act in this bill we can repeal them all, and the Chair was correct in stating that this title seeks only to amend one provision of the war prohibition act, and that is the definition of "intoxicating liquor," and that any amendment offered here which seeks to change the language or the construction of any other provision of the war prohibition act would not be germane.

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. CALDWELL. The gentleman from Pennsylvania [Mr. GRAHAM] a few moments ago said that in his opinion sections 2, 3, 4, 5, 6, and on down to 7 and 8 all contain new matter, and that they are, in effect, amendments to the war prohibition act. What has the gentleman to say about that?

Mr. BARKLEY. That is not even partly true, because this act fixes new offenses, and, therefore, they rest for their validity upon the enactment of this law. They are not amendments to the original act; they do not amend any offense in the original act. They create new offenses by declaring a public nuisance, and so forth, that was not mentioned in the original act.

Mr. CALDWELL. How about section 7?

Mr. BARKLEY. We are not on section 7.

Mr. CALDWELL. But section 7 is a part of Title I, and if Title I in any way amends the war prohibition act more than in one instance, these matters are all within the rule.

Mr. BARKLEY. Section 7 means that none of the provisions of this act shall be construed as repealing any former act or nullifying any regulation made by the Secretary of War or the Secretary of the Navy.

Mr. CALDWELL. The gentleman does not regard that at all as an amendment of the war prohibition act?

Mr. BARKLEY. I certainly do not, in the sense that it would justify an amendment changing the termination of war prohibition.

Mr. GOLDFOGLE. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. GOLDFOGLE. Does the gentleman contend that it is not within the power of this House at this time to broaden or to narrow the construction that is provided in this section?

Mr. BARKLEY. No; I do not; and there is no word in this section that seeks to broaden or narrow the construction of the original act fixing the termination of war prohibition. It will be in order, I take it, for any germane amendment to be offered broadening or narrowing the definition of intoxicating liquors, as contained in this section, but we are not dealing with that subject now. This bill nowhere seeks to shorten the time when war prohibition shall be effective. It does not seek to lessen the time and it does not mention it or treat of it at all, and therefore it is not in order or germane to offer an amendment to this act repealing or amending the original act in that particular.

Mr. GOLDFOGLE. This act treating of war-time prohibition—may not an amendment to the section that has reference to war-time prohibition be offered to provide the time for limiting the operation of the law?

Mr. BARKLEY. Undoubtedly under the rules of the House such an amendment is not in order.

Mr. GRAHAM of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. GRAHAM of Pennsylvania. Does not the language in lines 2, 3, 4, and 5 of page 2 constitute an amendment to the war prohibition act by placing an interpretation upon certain language?

Mr. BARKLEY. I think it may be fairly construed to be an amendment of that language in the original act.

Mr. GRAHAM of Pennsylvania. Very well; the subject before the House is the placing of a construction on language. Why can not the House now place a construction upon the words which the gentleman from Pennsylvania [Mr. STEELE] quotes in his amendment? It is still construing language, and that is all it is.

Mr. BARKLEY. For the very good reason that this is not the original act that we are dealing with, but this act only seeks to construe one sentence of that original act, and that one sentence is the meaning of intoxicating liquors. It is in order to offer any germane amendment to our interpretation of that language in this act, but certainly the offering of a provision construing the meaning of intoxicating liquor in the original act

does not justify on the ground of germaneness an amendment limiting the term within which that act shall be operative.

Mr. GRAHAM of Pennsylvania. Are we not in section 3 dealing with the terms of that act and making an amendment when we add to it this language?—

That any room, house, building, boat, vehicle, etc., where intoxicating liquor is sold * * * is hereby declared a public nuisance.

Does not that, quoting the war prohibition act, add to it by way of amendment by making the property itself liable to be declared a common nuisance?

Mr. BARKLEY. I will say to the gentleman from Pennsylvania that I do not think, legislatively speaking from a parliamentary standpoint, this is an amendment to the original act. This is an independent act creating offenses which were not contemplated in the original act. It is the creation of a new offense that was not denominated in the original act, and therefore it is not an amendment in a legislative or parliamentary sense, although it is related to the same thing.

Mr. GRAHAM of Pennsylvania. May I ask the gentleman if the following language on page 3 is not an amendment of the war prohibition act?—

If a person has knowledge or reason to believe that his property is occupied or used in violation of the provisions of the war prohibition act and suffered the same to be so used, such property shall be subject to a lien—

That is a specific amendment to the war prohibition act by an addition to it.

Mr. BARKLEY. It is not a specific amendment to the war prohibition act, but creates a new, entirely independent offense, which rests upon this act itself for its foundation.

Mr. SMALL. Mr. Chairman, I simply desire to present in another form the argument so well expressed by the gentleman from Pennsylvania [Mr. GRAHAM]. Section 1, which is under consideration, defines the terms of the "war prohibition act." Then it seeks in the latter part of the section to define what is "beer, wine, or other intoxicating malt or vinous liquors," and for present purposes that is a part of the section. Now, Mr. Chairman, this amendment which is pending seeks to define other language in the same paragraph, in fact in the same sentence in the original act. I have before me the original act, approved November 21, 1918. From that I read this language:

After June 30, 1919, until the conclusion of the present war and thereafter until the termination of demobilization, the date of which shall be determined and proclaimed by the President of the United States, no beer, wine, or other intoxicating malt or vinous liquors shall be sold, etc.

Mr. Chairman, there is in the section now under consideration the definition of the words "beer, wine, or other intoxicating malt or vinous liquors," and this pending amendment proposes a definition of the words in the same sentence "until the conclusion of the present war and thereafter until the termination of demobilization, the date of which shall be determined and proclaimed by the President of the United States." The contention of the gentleman from Minnesota, who made the point of order, and the gentleman from Kentucky is that while this section contains the definition of the words "beer, wine, or other intoxicating malt or vinous liquors" and is in the section, and for the purpose of this amendment must be construed as now in the section, yet a definition of the words in the same sentence preceding it is out of order. I submit with all deference that the Chair can not hold that this amendment which is pending is out of order unless at the same time holding that the language in the section of the bill defining the words "beer, wine, or other intoxicating malt or vinous liquors" is also out of order. If one is in order, both are in order. The language in the first section of the bill attempts to define certain words in the sentence—that is to say, "beer, wine, or other intoxicating malt or vinous liquors"—and the pending amendment seeks to define the language in the same sentence "until the conclusion of the present war and thereafter until the termination of demobilization, the date of which shall be determined and proclaimed by the President of the United States." As I said before, if one is in order both are in order. But at the present time this definition of beer, wine, or other intoxicating malt or vinous liquors is a part of the section and this amendment seeks to insert a definition of language in the same sentence of the original act of November 21, 1918, and must be in order.

Mr. STEELE. Mr. Chairman, I wish to make clear and emphatic that this is a construction of the identical language that is in section 1 and the very act which is now before the House for consideration.

Mr. HAYS. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Missouri desire to be heard?

Mr. HAYS. For a moment. Mr. Chairman, by way of discussion whether the proposed amendment is amendatory of the original act or not it has been argued by analogy that the provisions of section 3 are not amendatory of the original act. Now, I challenge the statement which has been made, and say that the true test of whether the provision in section 3 creating a common nuisance and the further provision in section 3 establishing a lien on property, the way to determine whether or not they constitute amendments to the original act is to consider that the original act is not in existence at all. And if it be considered that the original act is not in existence at all, I will ask you by what authority this lien could be enforced or by what authority the building could be declared a nuisance? I think that is a true test to determine whether these specific provisions in section 3 amount to amendments or not. That determines the crux of this particular controversy and the amendment is germane. [Applause.]

The CHAIRMAN. The Chair is ready to rule. The amendment offered by the gentleman from Pennsylvania [Mr. STEELE] is somewhat different from the amendments which have already been ruled upon. The first section provides:

That the term "war prohibition act" used in this act shall mean the provisions of any act or acts prohibiting the sale and manufacture of intoxicating liquors until the conclusion of the present war and thereafter until the termination of demobilization, the date of which shall be determined and proclaimed by the President of the United States. The words "beer, wine, or other intoxicating malt or vinous liquors" in the war prohibition act shall be construed to mean any liquors which contain one-half of 1 per cent or more of alcohol by volume.

Under that section the gentleman from Pennsylvania [Mr. STEELE] has offered the following amendment:

Add at the end of the section: That the words "until the conclusion of the present war and thereafter until the termination of demobilization," shall be construed to mean the date when in the opinion of the President it shall be no longer necessary for the purposes of the present war to conserve man power, to increase efficiency in the production of arms, munitions, ships, food, clothing for the Army and the Navy.

It will be observed that the war prohibition act provides—

That after June 30, 1919, until the conclusion of the present war, and thereafter until the termination of the demobilization, the date of which shall be determined by proclamation of the President, it shall be unlawful to sell for beverage purposes—

And so forth.

It has already been pointed out by the gentleman from Pennsylvania [Mr. STEELE] that he desired to amend this provision of the bill, just as the last part of section 1 of the bill is amended, by the words:

Beer, wine, or other intoxicating malt or vinous liquors in the war prohibition act shall be construed to mean any liquors which contain one-half of 1 per cent or more of alcohol by volume.

If, therefore, this amendment is offered to amend the war prohibition act, it certainly is not germane, and if, on the other hand, it is offered to amend the words that are simply descriptive of the war prohibition act, thereby making this act applicable to a different character of war prohibition act, then certainly the amendment is not germane.

The Chair therefore sustains the point of order.

Mr. DYER. Mr. Chairman——

The CHAIRMAN. The gentleman from Missouri is recognized.

Mr. DYER. I offer an amendment.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DYER: On page 2, line 4, after the word "contain," strike out "one-half of 1" and insert "2¾."

Mr. DYER. Mr. Chairman, I ask unanimous consent that I may proceed for 10 minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DYER. Mr. Chairman and gentlemen of the committee, this measure—Title I of this bill—that we are now considering is what is known as the war prohibition act and regulations for its enforcement.

Mr. Chairman, this amendment I have offered is to permit the manufacture and sale of beer and light wines having not more than 2¾ per cent of alcohol per volume. It changes the language in the bill from "not more than one-half of 1" to "not more than 2¾."

This, as I stated a moment ago, provides regulations for the war-time prohibition act. It is admitted by most of the fair people that in justice and right this law should not be enforced at this time because of the fact that the war is over and the troops have been substantially demobilized.

In addition to that, Mr. Chairman, we have regulations and laws which have been enacted that prevent the taking of intoxicating liquors into the camps of the soldiers, and they are prevented from purchasing intoxicating liquors from anyone. And it seems that at this time, with national prohibition com-

ing into force within six months, and with the guarantee in the constitutional amendment that the people of this country would not have prohibition thrust upon them without a year's time, we ought to be willing to vote for this amendment.

When we passed the resolution providing for the constitutional amendment we said that after the necessary States had ratified the amendment, if they did, there should be one year for the people who are engaged in the manufacture and sale of beer, and so forth, to be permitted to adjust their affairs and their business. Now, Mr. Chairman, this war-time prohibition law is doing the opposite that the Congress and the States of the Union said that the people should do. Keeping this in force now when the war is over, when there is no need for it, is simply forcing prohibition upon the people and taking away from them the rights that they had guaranteed to them under the constitutional amendment. It also destroys unnecessarily and in violation of the constitutional amendment much valuable property.

In addition to that, Mr. Chairman, the President of the United States, who is the Commander in Chief of the Army and Navy, who has spent months in France, and who ought to know, and I am sure does know, more than any other human being in this country as to the needs of this legislation, this war-time prohibition bill, said in the beginning of this Congress in his message which was read to us on the opening day this:

> The demobilization of the military forces of the country has progressed to such a point that it seems to me entirely safe now to remove the ban upon the manufacture and sale of wines and beers.

He said further in his message that he did not have the authority under the act to issue the proclamation at the present time. But he said it ought to be done; that the Congress ought to authorize him to do it.

Now this amendment, Mr. Chairman, is nothing more than to do exactly what the President said ought to be done, permit the manufacture and sale of beers and light wines pending the time when he can issue his proclamation setting aside the whole act. If you will do this, gentlemen of the committee, if you will vote, as I believe you ought to do, for this amendment, which will permit the sale and manufacture of beer and wines during this emergency, I feel that the President would put off the issuing of the proclamation as long as he possibly could, and that would give the country only light wines and beers. And you, gentlemen of the committee, and the American people know that there is practically no harm in light wines and beers, and especially beer of 2¾. It will help to put conditions in this country in the best shape that we can possibly do with the constitutional amendment about to come into effect. It only does what the President recommends and what, in my judgment, Mr. Chairman, we ought to do.

We ought not to force upon the people prohibition before they understood it should come into force and effect. We ought to be fair with the great business interests of the country who have money invested in the beer business and in the vineyards and in the manufacture of wine. There are to-day thousands of dollars—yes, almost a billion dollars—in this country invested in the manufacture of beer and wines and like industries. We ought to give those people an opportunity to adjust their affairs. We ought to be fair enough, in view of the President's recommendation and request to the Congress, Mr. Chairman, to vote for the thing that he has asked for and which is fair and just. It is not to put into sale and into the manufacture or sale high-grade intoxicants, but only those that I have indicated, beer of 2¾ per cent and wine and other things that do not have more than that per cent of alcohol.

And not only that, Mr. Chairman, but there has been a great demand all over this country by the people who work. They have appeared before our committee time and again, and they appeared before our committee in a hearing in the last few weeks, men who represent the people who do the work, the laboring classes in the country. We had men before us who had worked in the mills, who had worked in the mines, and they told our committee—and their statements are in the hearings—that if we deprived the men who go down into the mines and come up exhausted from labor and the heat of any kind of a beverage drink—and they only asked for beer and light wines—if we deprived them of those things, Mr. Chairman, these men would become habitues of things that will undermine their health and strength.

They will drink deleterious things that they can obtain, things that contain excessive alcohol, and which may ruin their systems and make them unfit for work. We have had these men appear before us, Mr. Chairman, and they have warned us of these conditions and of these things. Exhaustive investigations made by experts as to the content of beer having no more than 2¾ per cent of alcohol, investigations made by leading scientists and leading physicians all over this Nation, show in effect that there is no harm in drinking beer of 3¾ per cent alcohol, and I trust that gentlemen of this committee, be they in favor of prohibition or not, will vote for this amendment, because it is only for the time for which this act itself is to remain in force and effect.

The President has intimated, the Secretary of War has intimated, that the troops will be demobilized by the end of September. If that is the fact, it will be the duty of the President under this law to issue a proclamation putting in effect again the sale not only of beer and wine, but of whisky and of other intoxicating drinks. He can not separate them. You have refused, through a point of order, permission to the President to separate them and to permit only the manufacture of wines and beer. You are forcing him under the law, if it remains in force, to open up and compel the making and selling of all kinds of intoxicating drinks. But if you will adopt this amendment, in my judgment, Mr. Chairman, we will not have any more sale of the drinks that contain much alcohol in them. It will put the country upon the basis that you have wished, that the President has recommended, and we will have an opportunity to study in this country genuine temperance, and the result of it, until the national prohibition law goes into effect.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. LUCE rose.

The CHAIRMAN. The gentleman from Massachusetts is recognized.

Mr. GARLAND. Mr. Speaker, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts is recognized.

Mr. LUCE. Mr. Chairman, the proposed amendment ignores a very important economic basis for war-time prohibition. It has been frequently urged in this debate that there is no longer occasion for war-time prohibition. Is that true? The act declared one of its purposes to be "conserving the man power of the Nation." Has the end of fighting left no occasion for this? In such a supposition grave danger lies. Spread of the belief that there is no longer need of the strictest economy will but aggravate our perils. No attempt should be spared to acquaint the people with the facts of the situation. We should look those facts in the face.

The world is impoverished. To get an idea of the loss, reflect on a striking coincidence. According to the Statistical Abstract, the total wealth in the United States, the true value of all the real and personal property, as last calculated, in 1912, was $187,000,000,000. An official book just put into our hands, The War With Germany, prepared by the chief of the statistical branch of the General Staff, estimates the total war expenditures of the principal nations to April 30, 1919, at $186,000,000,000. Some of this would have been spent individually for food and clothing had there been no war, but I notice that very little of the total expenditure resulted in producing any goods of permanent value to mankind. It was mainly wasteful expenditure.

Furthermore, there must be added the tremendous destruction of fixed capital, buildings of all kinds, railways and their rolling stock, farms and their equipment, highways, bridges, mines, machinery, ships, countless objects into which the labor of man had been put. The total of fixed capital destroyed would more than equal the wealth in Canada, which may therefore be added to that of the United States in trying to measure the waste.

Imagine then that some convulsion of nature, some upheaval or depression of the earth's crust, should return the North American continent to the conditions of the ice age. Imagine the vast bed of ice forming on the great arctic plains and for four and one-half years crushing its way toward the south. It shatters every house, barn, church, school, factory; erases every railroad, canal, highway; overwhelms every village, town, and city; uproots every tree in forest and orchard; swallows every garden and farm; utterly obliterates every object to which man has attached value between Hudson Bay and the Gulf of Mexico, from the Atlantic to the Pacific Oceans. When that mighty, resistless flood of ice reaches Cuba its destruction of what we call wealth will have equaled that of the war with Germany.

This wealth must be replaced before the world can be either happy or safe. Men have lost a great part of the tools by which they exist. To this loss may be laid the woes that now beset mankind, the miseries of the greater part of Europe and much of Asia, assassination and revolution, famine and pestilence, suffering beyond measure, death in every form, and of

tragedy. From a share in these we can not escape for we are a part of a world where every act of destruction vibrates to the farthest hamlet.

Our own direct contribution to this terrible waste is put at $22,000,000,000—an amount almost equal to that of all the property in the State of New York, including the metropolis itself.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. TREADWAY. Mr. Chairman, I ask unanimous consent that my colleague may proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

Mr. DYER. Reserving the right to object, Mr. Chairman—which I do not intend to do—the gentleman from Minnesota [Mr. VOLSTEAD] and myself are anxious to see if we can fix upon some time upon this amendment and determine how much time there should be.

Mr. TREADWAY. Could not that be arranged at the conclusion of the remarks of the gentleman from Massachusetts?

Mr. DYER. I myself am compelled to leave the Chamber, and, if the gentleman will pardon me, I would like to have the time fixed now.

Mr. BLANTON. I would like five minutes.

The CHAIRMAN. The Chair hears no objection.

Mr. VOLSTEAD. I would like to ask if we could not agree on 40 minutes—20 minutes on a side?

Mr. BLANTON. Will that include five minutes for me, Mr. Chairman?

The CHAIRMAN. What is the gentleman's request?

Mr. DYER. Mr. Chairman, his request is for 40 minutes. I ask to amend that and have a vote on this amendment at 4 o'clock.

Mr. MADDEN. Make it an hour. That might not mean anything. There might be only 15 minutes' debate under that.

The CHAIRMAN. The request of the gentleman from Minnesota [Mr. VOLSTEAD] is that the debate on the amendment of the gentleman from Missouri [Mr. DYER] be limited to 40 minutes. Is there objection?

Mr. MADDEN. I suggest an amendment to that, to make it an hour.

Mr. GARLAND. I object.

Mr. VOLSTEAD. I move that the debate on this amendment and all amendments to it be closed in one hour.

The CHAIRMAN. The gentleman from Massachusetts [Mr. LUCE] has the floor. The gentleman from Minnesota can not take him off the floor.

Mr. RUCKER. Mr. Chairman, I will ask the chairman of the committee if he will not make the time longer than that.

Mr. GARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GARD. Is not the parliamentary status that some one asked for an additional five minutes?

The CHAIRMAN. Yes; and that time has been granted, and the gentleman from Massachusetts [Mr. LUCE] is entitled to the floor.

Mr. DYER. I reserved the right to object.

The CHAIRMAN. The Chair asked if there was objection, and no objection was heard.

Mr. DYER. I reserved the right to object, and stated that the gentleman from Minnesota [Mr. VOLSTEAD] desired to make a request, and that if the gentleman would yield for that purpose I would not object.

The CHAIRMAN. Subsequently the Chair put the question, and no objection was heard. The gentleman from Massachusetts is recognized for five minutes.

Mr. LUCE. Mr. Chairman, I have but a few more words to say. I had pointed out that our own contribution to this terrible waste has been placed at $22,000,000,000, nearly as much wealth as there is in the State of New York, including its metropolis, and almost twice as much as there is of real and personal property in the whole of New England. Manifestly there is still occasion to conserve the man power of the Nation. We must for many years command from all the people work and thrift and sacrifice; and how better can we conserve the man power of the Nation than by abolishing industries and activities that produce nothing of value and are in themselves destructive? [Applause.]

Mr. VOLSTEAD. Mr. Chairman, I have tried to make some arrangement with reference to time. I move that all debate on this amendment and amendments thereto be closed in one hour.

The CHAIRMAN. The gentleman from Minnesota moves that all debate on this amendment and all amendments thereto be closed in one hour.

Mr. GARLAND. I desire to be heard on the motion.

The CHAIRMAN. The motion is not debatable.

Mr. BARKLEY. I move an amendment to the gentleman's motion, to include the section instead of the amendment; that all debate on the section and all amendments thereto be concluded in one hour.

The CHAIRMAN. The gentleman from Kentucky offers an amendment to the motion of the gentleman from Minnesota, that all debate on the section and all amendments thereto close in one hour.

Mr. LONGWORTH. The gentleman from Minnesota does not accept that amendment, does he?

Mr. VOLSTEAD. No; I do not think we had better.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. BARKLEY] to the motion of the gentleman from Minnesota [Mr. VOLSTEAD].

The question being taken, on a division, there were—ayes 92, noes 70.

Accordingly the amendment was agreed to.

The CHAIRMAN. The question now recurs on the motion of the gentleman from Minnesota [Mr. VOLSTEAD], as amended by the motion of the gentleman from Kentucky [Mr. BARKLEY].

The motion as amended was agreed to.

The CHAIRMAN. Debate on this section and all amendments thereto is limited to one hour.

Mr. DYER. I ask unanimous consent that half of that time may be controlled by the gentleman from Minnesota, the chairman of the committee [Mr. VOLSTEAD], and the other half by my colleague [Mr. IGOE].

Mr. IGOE. I suggest that the gentleman from Missouri [Mr. DYER] control the time.

The CHAIRMAN. The gentleman from Missouri [Mr. DYER] asks unanimous consent that one-half hour be controlled by the gentleman from Minnesota [Mr. VOLSTEAD] and one-half by the gentleman from Missouri [Mr. IGOE]. Is there objection?

Mr. GARLAND. I object.

Mr. DYER. Then I ask unanimous consent that the gentleman from Minnesota [Mr. VOLSTEAD], chairman of the committee, may control one-half of the time and that I may control the other half, if that is satisfactory.

The CHAIRMAN. The gentleman from Missouri [Mr. DYER] asks unanimous consent that half the time be controlled by the gentleman from Minnesota [Mr. VOLSTEAD] and one-half the time be controlled by himself. Is there objection?

Mr. RUCKER. Mr. Chairman, reserving the right to object, why does the gentleman want the whole time controlled on that side? I will say that I do not want any time from the gentleman.

Mr. DYER. I asked that my colleague [Mr. IGOE] control half the time, but there was objection made to that.

Mr. RUCKER. Why should it all be controlled over on that side?

Mr. DYER. If my colleague from Missouri [Mr. RUCKER] will make a speech in favor of my amendment I will be glad to yield him time.

Mr. RUCKER. I hope the gentleman will not.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. DYER]?

There was no objection.

Mr. IGOE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. IGOE. Is it in order to offer amendments to any part of the section during the hour?

The CHAIRMAN. It is in order to offer amendments, but they will not be voted upon until the hour for general debate has expired.

Mr. VENABLE. Shall we just send these amendments to the Clerk's desk?

The CHAIRMAN. They will simply be read for information.

Mr. VENABLE. And we are simply to send them to the Clerk?

The CHAIRMAN. Yes. The gentleman from Minnesota [Mr. VOLSTEAD] is recognized.

Mr. VOLSTEAD. I yield three minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, in defining in this bill what intoxicating liquors shall be, there is an attempt on the part of Congress not to decide what would intoxicate every individual, but merely to decide what would intoxicate, under ordinary conditions, the ordinary individual of our land, and I assume that that takes into consideration young boys of 17, 18, 19, and 20 years of age, who are not accustomed to the use of intoxicating liquors; because the very primary purpose and object of war-time prohibition was to protect the young man power of this Nation. There will be no question of minority in the future to protect young boys of tender years and intoxicating liquor should be defined.

In 1907 it was my privilege and pleasure, in company with 168 other Texas people, to enjoy the magnificent hospitality of the various bankers of St. Louis, Chicago, Philadelphia, New York, and Boston, where upon the banquet table in each one of these five splendid cities of our country there were placed four and even five different glasses from which to drink liquor of various kinds.

There was claret and sweet wine and sour wine and beer and champagne, and the bankers' associations in the five cities named by me vied with each other in trying to entertain our Texas crowd more pleasantly than we had ever been entertained before in our lives. Auto rides, theater parties, receptions, buffet lunches at country clubs, steamer excursions, and banquets, at all of which we had this great profusion of sparkling beverages.

Mr. CANNON. If the gentleman will yield, how does he know it?

Mr. BLANTON. Not by the taste of my palate, but I know by my nose and my eyesight, because I saw four and five glasses, and I saw the contents bubbling and sparkling, and while the contents did not affect the good bankers of St. Louis, the good bankers of Chicago, the good bankers of Philadelphia, the good bankers of New York, or the good bankers of Boston, because all of them seem to be used to it, it did affect some of my good banker friends from Texas who were not used to having four glasses in front of them. [Laughter.] I say you can not decide what is intoxicating liquor by what transpires in St. Louis, Boston, Chicago, New York, or Philadelphia. You have got to decide by the effect that it has on the ordinary individual in this country—in Texas and elsewhere. [Laughter.] It is the young boys and the young manhood of America for whom we are now legislating.

Mr. DYER. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. GARLAND].

Mr. GARLAND. Mr. Chairman, I did not get a chance to speak in general debate on this question. I do not intend to say much now. I have listened patiently to the arguments as to the constitutionality and nonconstitutionality of this bill by the lawyers. They have settled nothing except to their own satisfaction. Each one of them has ended just where he started. For my part, I do not intend to discuss it from the constitutional standpoint for the reason that we have courts for the purpose of settling these questions.

The State Legislature of Pennsylvania voted to sustain the Federal amendment passed by Congress, and at the same session of the legislature they voted that 2¾ per cent beer was not intoxicating. I believe that they were acting honestly. They were certainly not constrained by any feeling against the amendment, because they voted for it. They believed that 2¾ per cent beer is not intoxicating.

I want to say that I think it would be a great mistake for us not to pass this amendment offered by the gentleman from Missouri [Mr. DYER]. Recently, when home during the intermission, I met scores and scores of workingmen in my district, mill men, glass-house men, and miners, and they look upon this act down here taking away 2¾ per cent beer as being an infringement of their rights and privileges, and they say so positively. Good men, some of the best men we have, honest men, men who had boys in the war, said, "What do they mean down there?" I said, "Who mean?" "Why, all of them down there in Washington, to take away our last vestige of privilege that we have in 2¾ per cent beer, something that we are accustomed to, something that does not do us any injury and certainly does not do them any injury. We want them to let us keep it if possible." They do not say very complimentary things as to what they might do if it is taken away from them.

Gentlemen, I believe you are making a mistake. I believe that the passage of this bill without allowing 2¾ per cent beer will not alone be detrimental, as far as we are concerned generally, but I want to say to the Republicans of this House that the President of the United States had to come to the rescue of the daylight saving for the people, and other legislation, and he may do so in this case. So I think the wiser plan is to put this provision in here. It harms no one, and I am for the amendment offered by the gentleman from Missouri. [Applause.] I yield back the rest of my time.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. LONGWORTH having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment joint resolutions of the following titles:

H. J. Res. 120. Joint resolution authorizing the Secretary of War to receive, for instruction at the United States Military Academy at West Point, Tao Hung Chang and Zeng Tze Wong, citizens of China; and

H. J. Res. 65. Joint resolution authorizing the Secretary of War to loan tents for use at encampments held by veterans of the World War.

PROHIBITING INTOXICATING BEVERAGES.

The committee resumed its session.

Mr. VOLSTEAD. Mr. Chairman, I yield two minutes to the gentleman from Michigan [Mr. CURRIE].

Mr. CURRIE of Michigan. Mr. Chairman, the amendment submitted by the gentleman from Missouri [Mr. DYER] clearly presents the question whether or not this House stands for the enforcement of war-time prohibition. The gentleman says that the miners and laborers require intoxicating liquor at the end of their day's work. His very argument admits that 2¾ per cent beer is intoxicating. Is this House going to accept the proposition suggested by the gentleman from Missouri? If it does, it will make war-time prohibition a national farce. [Applause.] My distinguished colleague on the Committee on the Judiciary [Mr. DYER] a few days ago contended before the House that the Commissioner of Internal Revenue had never officially recognized the fact that beverages containing alcohol in excess of one-half of 1 per cent was intoxicating. He read into the RECORD various Treasury decisions and other data to sustain this contention. I now call the gentleman's attention to the last Treasury decision upon this subject. It is No. 2788, and under the heading of "Malt liquors" this Treasury decision at paragraph b, section 14, provides:

Within the intent of the act of November 21, 1918, a beverage containing one-half of 1 per cent or more of alcohol by volume will be regarded as intoxicating.

[Applause.]

Mr. DYER. Mr. Chairman, I yield five minutes to my colleague, Mr. IGOE.

Mr. IGOE. Mr. Chairman, I offer the following amendment, which I would like to have pending.

The CHAIRMAN. The Clerk will read it for the information of the House.

The Clerk read as follows:

On page 2, line 1, after the word "States," strike out the remainder of the section.

Mr. BLANTON. Mr. Chairman, I reserve a point of order, and I would like to have the point of order settled now.

The CHAIRMAN. The amendment is not before the House now—only for information.

Mr. BLANTON. I reserve a point of order.

Mr. IGOE. Mr. Chairman, it is not subject to a point of order; I thought somebody would make it. This is the most unusual situation ever presented to the House. In the first place, the war prohibition act is a rider on an Agricultural bill. Riders seem to be abhorred by some Members of the House, but this one seems to meet with the approval of those who always object to them.

This morning we tried to give this House a chance to vote on the repeal of war-time prohibition, and upon a proposition to give the President the right to suspend it whenever, in his opinion, he thought the time had come when it was no longer necessary to keep it in force. We are met with points of order and objections, but they are absolutely in accord with the position always taken by the prohibitionists since this question came into Congress. When it was sought to give the people of the country a chance to vote upon the eighteenth amendment by providing that it should be submitted for ratification to conventions in the States, objection was made because it would give the people a chance to vote upon it and not the legislatures. Now, throughout the country in those States where an effort has been made to submit the ratification by the legislatures to the people of the States, so that they might have a chance to pass upon the action of their legislatures, we find the prohibitionists appealing of the Constitution. Yet when we appealed a few days ago to the Constitution, we were denounced. They want to prevent a vote by the people throughout the country upon that question. To-day they will not give this House of 435 men an opportunity to vote upon the question of whether you will continue this war prohibition act or whether it shall be repealed or modified whenever the President deems modification might be proper.

I am for the amendment offered by the gentleman from Missouri [Mr. DYER], but I am hopeful that this amendment which I have offered will be adopted, because this Congress has not the right at this time to extend the war prohibition act as they are attempting to do in this definition. The war is over, and yet to-day, in the only instance, I believe, which we have in the Congress, an attempt is being made on this occasion to extend war-time legislation. All of the other war-time legislation has been repealed or will expire and no attempt is made to extend it.

Gentlemen say that the definition of intoxicating liquor as carried in this Title I is not an extension, but it is, for the reason that it includes things which are not intoxicating. I have no doubt but that Congress, under the war-time power, in originally passing this war prohibition act, if it might have passed it originally and constitutionally, could define intoxicating liquors. We could have prohibited the use of leather or anything else, but at this time, when the Army is about to be demobilized, when trade is being opened to all the world, when all the war activities of the Government have ceased, it is beyond the power of Congress to say that in the exercise of its war powers it might extend this act to include things which were not prohibited in the original act.

Under the law of Congress as it stands, if it is to stand, the courts may decide what is intoxicating, and if it is to stand, I hope it will be enforced. But this Congress can surely trust the courts. A few days ago gentlemen read reports here of how the law was being enforced, and yet to-day another gentleman on the committee and other Members of the House will dispute that, and say that it is a farce unless you pass this law. I believe that the law as it stands, if it is to continue, can be enforced, and will be enforced, and I say that you ought to leave it to the courts to determine under the law what are intoxicating liquors. It is beyond the power of Congress now, and it is unfair and unjust to extend the act at this time, and I hope that when this House comes to vote they will strike out the definition of intoxicating liquors, even if they are to allow the rest of the bill to stand.

Mr. VOLSTEAD. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. RUCKER].

Mr. RUCKER. Mr. Chairman, thus far in the consideration of this bill I have said nothing, and now I find myself embarrassed by the attitude of two of my colleagues for whom I entertain very high personal regard, one on the Republican side and one on the Democratic side, both men of stalwart ability and the highest personal character, and both as wrong as any men ever were in the world. I regret it. I am not one of those who quibble about the amount of alcohol in a beer glass. If a glass of beer as manufactured contains one-hundredth part of 1 per cent of alcohol and the committee would invite me to vote to prohibit its sale, I would vote that way. We are seeking to put an end forever to a traffic which, as far as it is possible to ruin, has ruined this Nation. The brewer has linked his fate with that of the distiller, and by the final and deliberate judgment of the country they have both been condemned, and it is our duty in response to the mandate of the good people of 45 States to banish them both from this fair land forever.

I hope that when this Congress has acted that the final chapter will have been written, the final act passed, and that never again will the open doors of the saloon blight the hopes or destroy the happiness of the people of this Nation.

Gentlemen plead for 2.75 per cent beer, as they call it. I do not know what it is. I am a Democrat, but, having some Republican proclivities, I have tasted beer, and the Lord only knows, I do not know, whether it contained 4 per cent or 2¼ per cent or one-half of 1 per cent of alcohol. I am against the sale of it. I am for a law which will make it impossible for any man to sell it. Gentlemen say that this law is too drastic. I tell you, when you are dealing with a class of men who we know will never willingly submit to law, men who will only yield when they are compelled to yield, then of necessity we must deal drastically with them. [Applause.]

Gentlemen recently have produced the records of this city to show the increased crime since the advent of prohibition, but they forget to tell the House and the country that much of the record of crime in this city—possibly most of it—is the record of prosecutions of men who are violating the liquor laws in force in the District of Columbia. That is true everywhere. Adopt a local-option law, adopt a State prohibition law, make it bone dry in the District of Columbia, and immediately, aided and abetted and counseled by the brewery interests, with the sanction and approval of the brewers, men who have no regard for their manhood at once violate the law in order to bring it into disrepute, having assurance of the support of the brewers in their unworthy and criminal acts. Gentlemen know that throughout the country brewers have said to men, time and time again, "Violate this law, bring it into disrepute, give us a great list of crimes on the criminal dockets of the courts, in order to dissuade the people from the righteous course they are pursuing, and we will help you," and then they talk and harp about the increase of crime. I tell you that when you have driven out of this land every brewer and distiller, and thus closed the door of every saloon and driven out every bootlegger, then there will be ushered in a time when crime in the Nation will decrease and the happiness, righteousness, and real prosperity of the people increase. [Applause.]

Mr. DYER. Mr. Chairman, I yield three minutes to the gentleman from Maryland [Mr. BENSON].

Mr. BENSON. Mr. Chairman, I propose to offer an amendment to section 2 to insert the word "hereafter" in line 4, page 2, after the word "shall," and then strike out the word "liquors" and insert the word "beverages." Mr. Chairman, the reason for asking for time on this amendment is this: That this first part of this act has no exception that allows for the sale of patent medicines, toilet waters, or flavoring extracts. Those exceptions apply to the second part of the bill and the war prohibition bill, and there is no exception at all. But we think by the change of the word "liquors" there to "beverages" that beverages having an accepted name, we will be protected by this provision. I understand that the chairman of the committee will accept that amendment. I yield back the balance of my time.

Mr. SABATH. What is the amendment? Have it read.

The CHAIRMAN. Without objection, the amendment will be reported.

There was no objection.

The Clerk read as follows:

Page 2, line 3, after the word "shall," insert the word "hereafter," and in line 4, on page 2, strike out the word "liquors" and insert the word "beverages."

Mr. BLANTON. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The point of order is reserved.

Mr. DYER. Mr. Chairman, I yield three minutes to the gentleman from California [Mr. LEA].

Mr. LEA of California. Mr. Chairman, I will ask that my amendment be read by the Clerk.

The CHAIRMAN. Without objection the amendment will be reported.

There was no objection.

The Clerk read as follows:

Page 2, line 5, after the word "volume," insert "Provided such words or anything contained in title 1 hereof or in the war prohibition act shall not be construed to mean or include wines containing not more than 11 per cent of alcohol by weight."

Mr. BARKLEY and Mr. BLANTON. Mr. Chairman, I reserve a point of order on the amendment.

Mr. LEA of California. Mr. Chairman, the effect of this amendment is to permit the use of this year's grape crop if the amendment is adopted. I take advantage of the short time given me to say if this House is going to adopt legislation as oppressive as section 1 of this act is, it should be informed what it is doing.

Mr. BLANTON. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. The amendment is not before the House for action.

Mr. DYER. I make the point of order against the gentleman's point of order that the matter is not before the committee.

Mr. LEA of California. Mr. Chairman, I appeal to the sense of fairness of the prohibitionists in the House. The grape industry of this country exists in a great many States, but practically the great bulk of the industry is in the State of California. You people of the Eastern States are not familiar with that industry as we know it in the State of California. To-day there is a grape crop on the vines in California the value of which is estimated by the viticultural commission at $12,000,000. If this Congress should adopt section 1 of this act, it will prevent the farmers of California from using these $12,000,000 of grapes that now hang upon the vines. And in connection with that I want to call attention to this: The grape industry is one of its own peculiar kind for this reason: It takes four years to raise a grapevine to the productive age. The cost of raising resistant stock from which our dry wines are largely produced is from $250 to $300 an acre. It would cost the farmers of California over $2,000,000 to dig up the vines devoted to the dry-wine industry when prohibition goes into effect. Next winter when the Federal prohibition amendment goes into effect the farmers of California expect to begin digging up their vines. Do you want to adopt this sort of a precedent in the United States of America with reference to farmers who have given so many years of their lives to the development of the vineyards at great expense, while the crop is about ready to be gathered, to the value of $12,000,000, eight months after the war is over, under the pretense of war necessity? Are you going to deprive them of their hard earnings? It is all right to enforce the Federal prohibition amendment when it goes into effect. It is the duty of this Congress to do that. But I appeal to every sense of

the fairness that has been the highest quality of the citizens of America; do not deny these farmers the use of the grapes now on their vines. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. VOLSTEAD. Mr. Chairman, I yield five minutes to the gentleman from Tennessee [Mr. DAVIS].

Mr. DAVIS of Tennessee. Mr. Chairman and gentlemen of the committee, in my State we have heard practically the same arguments urged against prohibition that have been urged by those who are now endeavoring to emasculate this law. We went through the same process which the Nation as a whole is now passing through. At first, in Tennessee, we had no statutory provision defining what constituted intoxicating liquors. The result was that beverages were sold in various different forms and under various names and with various percentages of alcoholic content, and there was no uniformity of holding, there was no uniformity of enforcement, and, in fact, we had no effective enforcement at all until our State enacted a statute defining intoxicating liquors as defined in this law—that is, one-half of 1 per cent of alcohol. [Applause.]

After that was done the laws were enforced. We got results. Having had eight years' experience as circuit judge in the enforcement of those laws, I have repeatedly seen men who had imbibed so long and so liberally that they were almost pickled in alcohol come into court and swear that they had drunk so many bottles of the beverage under consideration and it had not intoxicated them, with the result that frequently the preponderance of the evidence was that it was not intoxicating, when, in fact, the beverage was intoxicating. The criterion should not be what will intoxicate a man who can stand a great deal of intoxicants, but what will intoxicate an ordinary man, one who is not an habitual drinker of alcoholic liquor. If you permit 2¾ per cent, it simply means that those who desire to become intoxicated will drink that much more in volume in order to get the alcohol. [Applause.]

Mr. GARD. Will the gentleman yield?

Mr. DAVIS of Tennessee. I do.

Mr. GARD. I wish to inquire whether the gentleman had made in his official capacity, while he was on the bench, any judicial interpretation of the language which he now refers to?

Mr. DAVIS of Tennessee. I gave a legal definition, yes; but the evidence to which I referred, which was continuously piled into court, would frequently overturn that definition and confuse the minds of the jury to such an extent that justice was undoubtedly very frequently thwarted.

Now, we have the prohibitory law. The question is whether or not we will provide the instrument for its proper enforcement. Those opposing this legislation say that they are in favor of a reasonable enforcement. They simply want an enforcement; or, rather, a regulation, that will permit the sale and use of liquor. We know from experience, and that experience is what has caused the agitation which is now sweeping the country, that the liquor traffic has refused to be regulated. The only other recourse, as has been demonstrated in every State where it has been tested, is to absolutely and unequivocally abolish it. [Applause.]

Mr. SABATH. Will the gentleman yield?

Mr. DAVIS of Tennessee. I will.

Mr. SABATH. When did you adopt your last prohibition law for the State of Tennessee?

Mr. DAVIS of Tennessee. It went out under what is known as the "four-mile law"; and it was finally legislated out, as you might say, of the larger cities several years ago.

Mr. SABATH. And how much time was then granted to give to the people opportunity to comply with the law, or when did the act go into force?

Mr. DAVIS of Tennessee. In some instances no time was provided, and there was but little time provided in any instance, except when the law was passed prohibiting the manufacture of intoxicating liquors. A few months was then allowed.

Mr. SABATH. How much time was given then?

The CHAIRMAN. The time of the gentleman has expired. [Applause.]

Mr. DYER. Mr. Chairman, I yield three minutes to the gentleman from New York [Mr. PELL].

Mr. PELL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PELL: Page 2, lines 4 and 5, after the word "liquors" strike out "which contain one-half of 1 per cent or more of alcohol by volume," and insert in lieu thereof "which are by a jury decided to be in fact intoxicating."

Mr. BARKLEY. Mr. Chairman, I reserve a point of order against that.

Mr. PELL. Mr. Chairman, I do not see any reason why we should not be willing to trust to the opinion of a jury in a matter like this. The violation of a prohibition law, however offensive it may be, is not murder. We allow a murderer the protection of a jury. A man who burns a house down can be protected by a jury. His offense can be tried by 12 of his peers. But you are denying it to a man who sells a bottle of beer.

Now, there is not a man in this House who seriously believes that 1 per cent or 2 per cent or 2½ per cent could possibly get any grown man drunk. He could not hold enough. There is not a man that does not know perfectly well, and there is not a man from a prohibition State that does not realize perfectly well, that the vast majority of the people of this country know this to be a fact. That is the reason you are afraid of going to a jury, because you know you would not get conviction. And I ask that this question of fact shall be decided as questions of fact have been decided, according to our common law for 500 years, by a jury of 12 men gathered from the neighborhood.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back one minute.

Mr. VOLSTEAD. Mr. Chairman, I yield five minutes to the gentleman from California [Mr. RANDALL]. [Applause.]

Mr. RANDALL of California. Mr. Chairman, I only asked for two minutes in order to make a statement in reference to the wine-grape industry of the State of California.

As I said here the other day, actual experiences are better than a week's argument. The two greatest grape-producing counties in the State of California—Fresno County and San Bernardino County—have not only voted themselves bone dry but they voted by large majorities for a bone-dry, State-wide prohibition amendment to our Constitution in 1918. [Applause.] And the State of California, including every county and every vine-growing section in the State, in 1918 voted by a majority of 17,000 for a bone-dry, State-wide amendment, excluding from these figures only the city of San Francisco, in which there is not a single wine grape.

The people of the East have an idea that the wine-grape industry of California is about the biggest thing we have in that State. We have in the State of California 160,000 acres devoted to the wine-grape industry. As compared with that we have 11,000,000 acres devoted to general farming in the State of California. [Applause.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back three minutes.

Mr. GRAHAM of Pennsylvania. Mr. Chairman, in the absence of the gentleman from Missouri [Mr. DYER], and at his request, I yield three minutes to the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. Mr. Chairman, under the peculiar parliamentary situation that exists this is the last opportunity to offer an amendment to strike out Title I of this bill. Of course, I can not predict what disposition may be made of the amendment under consideration or of other amendments to this section, but should this section be entirely unamended, and should no gentleman who has a prior claim to recognition, a member of the Judiciary Committee, offer such an amendment, I shall move at the proper time to strike out Title I of this bill. I do this, gentlemen, because I do not believe that there is any legitimate connection between Title I and Title II of this bill. There is no legitimate connection between the enforcement of war prohibition and the enforcement of the eighteenth constitutional amendment.

In my judgment the Committee on the Judiciary should have given an opportunity to this House to decide both questions on their merits. They should have brought in two bills instead of one [applause], so that Members of this House might have had an opportunity to vote on each measure separately. I have not the least question that there are a number of gentlemen here who would be willing to vote for a strict enforcement of the national constitutional amendment.

But the situation with regard to this so-called war prohibition is entirely different. There are a number of gentlemen following the leadership of the President of the United States in this matter who believe that this measure should be stricken from the statute books. The necessity for that measure, according to the President, has entirely ceased. If he be right, and I believe he is, surely the necessity for the strict enforcement of this unnecessary law has also ceased. He said officially to this House, in his capacity as Commander in Chief of the Army and Navy, that "the demobilization of the military forces of the country has progressed to such an extent that it seems to me entirely safe now to remove the ban on the manufacture and sale of wine and beer."

Therefore we are advised by him who is the most competent judge of the necessity of this emergency legislation that the emergency has ceased to exist, and that the law ought to be repealed, and I for one think that this House ought to have an opportunity to vote on the question of the war-time prohibition as differentiated from the question of the enforcement of the national constitutional amendment.

I make this explanation now because under the rule lately adopted by the House it will be impossible to do so later. [Applause.]

Mr. VOLSTEAD. Mr. Chairman, I yield five minutes to the gentleman from Oklahoma [Mr. MORGAN].

The CHAIRMAN. The gentleman from Oklahoma is recognized for five minutes.

Mr. MORGAN. Mr. Chairman, although I am a member of the committee which reported this bill, I did not participate in the general debate, and have kept silent so far. I hope this will not be construed, however, as a lack of interest on my part in this measure, because I am deeply interested in it.

Now, if I have any criticism of the measure, it is that it is not severe enough. [Applause.] I know that the word has gone out——

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. I have but five minutes.

Mr. DYER. I would like to know what the punishment would be.

Mr. MORGAN. Any punishment that it had should be heavier in Missouri than in Oklahoma. [Laughter.]

Congress has already spoken, and in the so-called war prohibition act this sentence occurred:

> After June 30, 1919, until the conclusion of the present war and thereafter until the termination of demobilization, the date of which shall be determined and proclaimed by the President of the United States, no beer, wine, or other intoxicating malt or vinous liquors shall be sold for beverage purposes except for export.

This paragraph, to which the gentleman from Missouri [Mr. DYER] offers his amendment, defines those words "beer, wine, or other intoxicating malt or vinous liquors." Of course, I am opposed to this amendment. If I were offering an amendment to this section, I would make it read this way: "Those words shall be construed to mean any liquor which contains any percentum of alcohol by volume."

I repeat, if I had my way and if I were amending this bill, I would make it read so that those words "beer and wine and intoxicating malt or vinous liquors" should be construed to mean liquors that contain any percentage of alcohol. I believe that is the right way. If we intend in good faith to enforce this law we should prohibit the sale for beverage purposes of intoxicating liquors that contain any percentage of alcohol. [Applause.]

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. PELL. Mr. Chairman, I ask unanimous consent to revise my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DYER. Mr. Chairman, I yield three minutes to the gentleman from Illinois [Mr. JOHN W. RAINEY].

The CHAIRMAN. The gentleman from Illinois is recognized for three minutes.

Mr. JOHN W. RAINEY. Mr. Chairman, war-time prohibition should be repealed. It was brought about as a rider to the Agricultural appropriation bill. It was a war measure. It came into being on account of the war to conserve food and fuel. When the armistice was signed this economy became unnecessary. The purpose for which it was enacted being accomplished, the law should be repealed. [Applause.] The President on May 20, 1919, in his message to Congress, said:

> The demobilization of the military forces has progressed to such a point that it seems to me entirely safe now to remove the ban upon the manufacture and sale of wines and beers.

Why do not you Prohibitionists heed his advice? A great majority of you were lying awake nights for an opportunity to repeal the daylight-saving law because of its inconvenience to the farmer, and you overlooked its hardships on the millions of unfortunates to whom this extra hour of sunshine was a godsend. You succeeded in repealing this law, but the great humanitarian in the White House vetoed the bill, and we sustained his veto.

You are jubilant now in the knowledge that you have more than enough votes to pass this vicious bill, but do not be overconfident—the President may use his veto power on this measure. I sincerely hope he does. [Applause.]

The eighteenth amendment provides, "The manufacture, sale, and transportation of intoxicating liquor for beverage purposes is hereby prohibited." The big question is to define what is an intoxicating beverage. This bill would construe it to mean any liquors which contain one-half of 1 per cent or more of alcohol by volume, and the prohibitionists are arguing that this definition was intended by the eighteenth amendment. The amendment forbids intoxicating liquors. Chemists, scientists, and experts maintain 2¾ per cent beer is not an intoxicant. The American Medical Association in convention at Atlantic City unanimously declared that 2¾ per cent beer is nonintoxicating, but that its use is beneficial to humanity at large, and that pure light wines will help prevent the use of narcotics, meaning opium and the like, and men in authority inform us where prohibition has been in effect that addicts to the use of these narcotics have largely increased in numbers, and they anticipate a greater increase when national prohibition comes into being; therefore what is intoxicating liquors becomes a judicial question, one for the courts to decide.

I am informed—and the charge was made on the floor of this House and not denied—that this bill was prepared by representatives of the Anti-Saloon League, assisted by counsel for the patent-medicine associations on matters in which they were interested, hence I am not surprised at the drastic legislation that they are attempting to enact into law.

It is a question open to argument whether the legislatures represented the views and sentiments of the majority of their people when they passed this amendment. We had a direct vote in Chicago in April, 1919, men and women voting. The men's wet vote was 276,817. The men's dry vote was 76,165. The women's wet vote was 129,373. The women's dry vote was 77,014. The men's wet majority was 200,652. The women's wet majority was 52,359. The wet majority in its entirety was 259,011. [Applause.]

There is no doubt but that this bill in its application is un-American; is contrary to the ideals entertained by this country's founders; is opposed to that freedom of action, that liberty of operation which should be expected in this country; is directly opposed to that unrestraint which our forefathers expected when they landed on these Columbian shores; is not altogether different from that spirit which they tried to avoid and escape when they came here in the *Mayflower*. This bill, as has already been expressed, even by certain upholders of the dry issue, is so drastic, so unlawfully restraining of the rights and personal liberty of Americanhood, that it would be a shame and an outrage to the American mind were it to be passed. There is no use repeating or reviewing the prohibition arguments pro or con, for that issue is not in question and such remarks would be useless and a waste of time, but the bill under consideration, by its impracticability, senseless deprivation of our rights and personal privileges assails the principle of prohibition with such force and further brings before our mind's eye its illogical aspect so forcibly that it is good to stop and consider whether we have not gone too far, when we as the National Government attached to our Constitution such a prohibition, when we representing a Nation of freemen have started to impose restraints, I might say undue restraints, upon the freedom of our citizens. All previous amendments to our Constitution furthered the liberties and rights of our people; this is our first departure; here we are depriving them of their rights, and I am apprehensive of the outcome. I appreciate that our Constitution is not a blanket license; that is, an absence of all restraints; but remember that liberty at its source and foundation consists of the absence of all undue restraints. And I say that prohibition is without question such restraint. The proof of it is that if our Constitution warrants the passage of such legislation why may it not enforce antismoking or antienjoyment of any of our personal rights? It goes too far; what we desire our citizens to practice, the laws that we must pass to eradicate the evils of alcoholism, the prohibition that we must enact to safeguard coming generations, the relief we must give to many wives and children of drunkards must be such as conduce to temperance. Temperance, that is the thing. Temperance, that is the virtue, the qualification of a man. You deprive an animal of his cravings completely, because it is not a man, it has no will power, no mind, no sense of morality; but a man, he is above animal life, he has natural attributes which he must learn to use and cultivate, and among these the sublimest, the one by which he is supreme to nature and animal life, the one which makes him almost angelic, is his free will, his capability to do or not to do. It takes a man to be temperate, but prohibition is for the animal.

The charge made here that most of the poverty and misery are the result of drink is wrong. I maintain that poverty and misery drive men to drink [applause], and if some of you prohibitionists who wax eloquent on the dry situation will use some of your oratorical ability when the minimum-wage bill comes up to give the poor unfortunate scrub women, elevator men, and

others who have been working for the Government for years at the paltry salary of $2 per day an opportunity to receive an increase of $1 per day you will be doing your duty for deserving people, and if you are anxious to destroy poverty and misery you can accomplish it more readily by paying a living wage than you can by prohibition, and when this wage bill is called up for final passage I want a record vote. I am anxious to find out how these great prohibition benefactors of humanity will be recorded. [Loud applause.]

What is the conclusion? Control and regulation, limitation and guidance. They have a system of laws in Switzerland by which every man or head of a family is allowed a certain quantity of liquor each week or month, and I am informed it is working admirably and the people are contented, happy, and well satisfied. Some may say that this is mostly theoretical and smacks too much of the sphere of abstraction, of principles, that the prohibition amendment looks to practical results, to the sunshine it is going to bring to the home, to the family, to the health of the individual now, and to the generations to come. I say that I am not opposed to temperance, which would bring forth the results above described, but I am opposed to the principle of a general and unqualified prohibition, curtailing the freedom of action and the liberty of conscience. If we approve such a principle now, who knows how far we will go in time to come?

Further, I might dwell on the economic phase of the question, which is not to be disregarded, though to my mind less forcible. The men who will be thrown out of employment and to my farmer friends I will suggest that one of the principal staples of the Middle West will fall down in price and bulk in production. That will have a material effect upon our economic life. Corn will drop so far down in price in years to come that it will hardly pay the costs of raising it. I at one time had the figures of the amount of corn consumed in Illinois only in the manufacture of liquor, an amount staggering in its quantity, and bear in mind the loss in revenue will be from $600,000,000 to $1,000,000,000.

Henry Ward Beecher once said:

If you say to me that I ought not to drink, perhaps I would agree with you; but if you tell me that I must not drink, I will drink, because I have a natural right to do so, to drink what I please.

This, to my mind, represents the attitude of Samuel Gompers and the representatives of 2,640,000 laboring men when at convention in Atlantic City they voted in favor of light wines and beer.

This bill gives the commissioner almost plenary power in its enforcement, and if he is so inclined he could exercise this authority arbitrarily. Doctors and druggists are required to make so many reports, if they desire to carry on their professions or business, it will be necessary to employ a clerical force to assist them. The housewife is denied the privilege of making cider if it contains one-half of 1 per cent alcohol. I am astounded to discover that the hospitality of one's home is invaded and denied him; you are forbidden giving away or treating to a glass of liquor a caller or visitor.

If one traveling should become suddenly ill on a train and take a drink, he would be amenable to arrest. Another provision, no search warrant shall issue to search any private dwelling occupied as such, unless it is in part used for some business purpose, such as a store, shop, restaurant, hotel, or boarding house. This means that if a man has money enough to live in a private dwelling it can not be searched, but the poor man, who may be forced to occupy a flat over some store, is amenable to the provision and his home may be searched. A man with money can lay in a supply for himself and grandchildren, but the millions of toilers who have not the means to take time by the forelock and lay in a stock are deprived of their wine and beer; you are going to create considerable dissatisfaction, and God knows this is an inopportune time to stir up trouble. [Applause.]

Under the provisions of this bill when a man is accused under certain conditions the burden of proof is shifted to the defendant, and he must prove and establish his innocence. Violative of the established law that a man is presumed to be innocent until proven guilty, and the burden of proof is on the State or the United States. If one owns a house and a tenant, without the knowledge of the owner, violated the provisions of this act and the tenant should be tried and fined and he failed to pay the fine, the premises would be subject to a lien to the amount of the fine, and the property could be sold to satisfy the lien.

Finally, let me conclude by saying that I am opposed to the present measure, first, because of my belief in American freedom, whose spirit is here assailed and minimized; second, because of its impracticability and unreasonableness; third, because of the principle of prohibition which it tends to enforce; fourth, because I have always believed and considered that prohibition is the evolution of a puerile mind; fifth, because I believe that a man is not hopeless as a species of the human race—that a man should and can live as a man; sixth, because morality should spring from our educational system and be taught where the child's mind and heart are being developed and not from the top by constitutional enactment; seventh, because a government which forces its citizenship to practice morality and virtues by statutory enactment is dealing in the sphere of the conscience, is admitting before the world the moral inferiority of the nation; eighth, because religious freedom is guaranteed us by the Constitution, and this sort of legislation, as prohibition, has a tendency to curtail that freedom, is a reaching out in the realm of freedom of conscience. Is not freedom of conscience as precious as freedom of thought and speech? I am as amenable to the wishes of the voters of my district as any man here, but if I believe a thing to be wrong, all the constituencies and offices within the gift of the voters would not make me break faith with myself. I have always tried to vote according to the dictates of my conscience. I have to live with my conscience, and with the help of God I will be on the square with myself. I do not believe in prohibition, and I will vote against it. [Applause.]

Mr. VOLSTEAD. I yield three minutes to the gentleman from Maine [Mr. HERSEY].

Mr. HERSEY. Mr. Chairman, this amendment is the keystone to the arch of the liquor traffic. Samuel Untermeyer, the great criminal lawyer of the city of New York, was in Washington last week to appear before the Judiciary Committee of the Senate for 2.75 beer. Two and three-quarters per cent beer pleases the brewers of this Nation and pleases the liquor traffic of this Nation. It is all they want. That is what they are after, and if they get that by this amendment you might stop right here. You are not going to enforce war-time prohibition; you are not going to enforce the constitutional amendment. [Applause.]

Mr. UPSHAW. That is the truth.

Mr. HERSEY. Now, whatever satisfies the brewers of this Nation does not satisfy me. [Applause.] For the life of me I can not understand how certain of my fellow Members sitting here in this Congress with the oath upon them to support the Constitution of the United States, which Constitution has been duly amended by the people to prohibit all intoxicating liquors, can come in here under that oath to support that Constitution and plead for 2.75 per cent beer, which the brewers want. If they get it, every brewery will run day and night between now and the time when they are stopped. [Applause.] Every saloon will open, every German brewer and liquor seller in this Nation will be back at his old job, and we will be wet. I think we ought to understand the object and purpose of this 2.75 amendment and vote it down. [Applause.]

Mr. DYER. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. REBER] three minutes. [Applause.]

Mr. REBER. Mr. Chairman and gentlemen of the House, I should like to read a little piece of news that appeared in the Herald of this city this morning:

BUTTERMILK MAY COME UNDER NEW DRY BAN.

WESTFIELD, N. J., *July 13.*

Buttermilk is to be put on the skids if a strict enforcement of the prohibition law is carried out, according to Prof. L. B. Allyn, of the State Normal School, for it seldom shows less than 1 per cent of alcohol content and rapidly gains more through fermentation. Probably John D. Rockefeller and other abstemious persons who have used buttermilk freely as a beverage did not know with what a terrible menace they were dealing when they toyed with the by-product of the cow.

The main objection I have to this bill is that it is entirely too drastic. A bill that puts buttermilk in the list of outlawed beverages is, in my opinion, an injury to the prohibition cause and makes the law so ridiculous that public opinion will never sustain it. It is well known that a law to become effective must have public sentiment back of it.

A law that outlaws buttermilk and sweet cider and makes it a crime to manufacture and dispose of the same, or to have the same in your possession or on your premises, as this law does, is so extreme, so radical, and so fanatical that it does not deserve the support of the true friends of prohibition. A law that makes itself ridiculous can not be enforced and hurts the cause it is intended to benefit.

Mr. Chairman, I am in favor of prohibiting the sale of intoxicating liquors as a beverage, for by the ratification of the 18th amendment it is the law of our Nation, but I am not in favor of putting Congress in the position of legislating that all beverages containing more than one-half of 1 per cent of alcohol are intoxicating when I know from actual test and experience that many beverages containing more than one-half of 1 per cent of alcohol are not intoxicating.

Federal courts have already decided that beer containing 2.75 per cent is not intoxicating. Their decisions were based upon tests that were fair and thorough and conclusive.

I had the pleasure of attending a picnic in my congressional district recently where every holder of a ticket had the privilege of drinking all the beer he desired, and many imbibed freely, and not a man was intoxicated. This picnic was held since July 1, and the beer that was given out there was of the 2.75 per cent quality and strength. I was at another festive gathering—a camp fire—in my district, held on July 5, where 2.75 per cent beer was openly sold. I drank two very fair-sized glasses of that beer, probably a pint and a quarter, inside of 10 minutes, and it had absolutely no intoxicating effect upon me whatever, and if it had had enough per cent of alcohol to be intoxicating it surely would have produced an effect upon me, because my system is not saturated with alcohol and is not immune to the effects of alcohol in beverages. I know that my system is free from alcohol because I have not drunk four quarts of beer in my entire life, nor two quarts of whisky or similar liquors, and my father did not drink double that quantity in his 87 years of existence, during 40 years of which he conducted a hotel.

The House will, I hope, pardon me for injecting these personalities in this speech, for I admit that I am proud of my father's temperate record and my own, but I want to emphasize as strongly as I can that 2.75 beer is, in my opinion and from my experience, not intoxicating. Now, if this 2.75 per cent beer is nonintoxicating, and several Federal courts have so held, what possible reason can there be for the suppression of its manufacture and sale, and especially as a war measure, when the war ended eight months ago.

One reason animating some of my colleagues is that some of the brewers were pro-German, and for that reason they should now be punished in this way; but they seem to lose sight of the fact that, by punishing these pro-German brewers, they also punish all brewers, whether they were loyal Americans or pro-German, a step in legislation that can not be sustained by good reason or fair practice. To punish all because some offended is rank injustice. If certain brewers were disloyal, they should be singled out and punished; but it is notoriously wrong to punish an entire class to reach a small number of that class. Some Members have said that it is their purpose to put the brewers and the saloon keepers out of business because these men had opposed their election to Congress. If this were a good reason, I, too, would be justified in voting for this bill, for I had this class of men opposed to me, because they knew that I was very temperate in the use of intoxicating liquors; but these gentlemen lose sight of the fact that, while there is a large number of brewers and saloon keepers, the number of people who are neither brewers nor saloon keepers is vastly greater, and it is this vast multitude that we, as legislators, must also consider, and we must protect their rights and privileges. Many Members have attacked the character of the saloons, and I do not wish to take up the time of this House to defend them as they have heretofore been conducted; but it seems to me that if the intoxicating liquors were eliminated and the saloons were confined to the sale of light wines and beer of nonintoxicating strength the saloons would become as decent and orderly as ice-cream parlors or any other places where the general public assembles.

In some cities temperance societies are trying to establish saloons where all nonintoxicating beverages can be bought and consumed. I am heartily in favor of this movement, because the poor man has claimed that the saloon is his club, and that he has as much right to have his club as the rich man has to have his, and in this I agree with him.

The argument has been advanced by many supporters of this bill that if the saloons are permitted to sell beer containing 2.75 per cent of alcohol they will soon thereafter sell beer containing a much higher percentage of alcohol. This proposition has some merit, for I fear many of the saloon men would yield to the pleadings of their customers for a drink containing a higher percentage of alcohol than the 2.75 per cent variety; but I think this could be prevented by making it impossible for the venders to secure beer containing more than 2.75 per cent of alcohol. This can be accomplished by prohibiting brewers from making and selling beer containing more than 2.75 per cent alcohol. A law could be made to this effect and enforced with less expense than will be entailed to enforce the law under consideration. Congress passed a law for the inspection and certification of meats and is enforcing it, and Congress has the power, I think, to compel the inspection and certification of beer before it leaves the brewery. If the Congress can devise no legal way of compelling brewers to submit to the inspection and certification of their product, then the States surely have the power; and as 45 of the States have already ratified the eighteenth amendment, there can be no reasonable doubt that they would not hesitate to adopt such a measure.

Mr. Chairman, I am one of the new Members of this House, and it may ill become me to criticize the other Members, but I have noticed that when many Members speak for publication in the CONGRESSIONAL RECORD they try to make it appear that they do not know anything about intoxicating drinks, and leave the public to infer that they never tasted liquors. I think it is silly to assume such an attitude and makes us ridiculous before our Nation. The public knows that we are just men and possess the virtues and frailties of men, and when we pretend to be what we are not, or allow ourselves to be placed in such a light, we lay ourselves open to just criticism.

Our constituents know who and what we are and what we were before they sent us here. They know that very few of us, if any, can truthfully say that we have never drunk intoxicating liquors as a beverage. However, it does not follow because we have not been bone dry that we are heavy drinkers or inebriates. In the time that I have been a Member I have not seen a Member under the influence of liquor or deport himself in a way unbecoming the dignity and sobriety of a legislator. There probably never was a legislative body more free from intemperance than I know this Congress to be, and it is just as far from the truth to charge this Congress with being a body of inebriates as it is to say that its Members do not know what intoxicating liquor tastes like. The truth lies between these extremes. Others who have spoken on this bill have stated clearly that Congress has no power to designate the per cent of alcohol that a beverage should contain to make it intoxicating, because if this Congress has the right and power to designate one-half of 1 per cent as the highest per cent permissible, then succeeding Congresses, having equal powers, can designate a higher or lower per cent, thus retaining the liquor question as a football of politics. What per cent of alcohol makes a beverage intoxicating and subject to prohibition should be left to the decision of the United States Supreme Court, and that decision should be strictly enforced.

Mr. Chairman, I wish to read an article published in the Sunday New York Times of July 13, 1919:

NOT ALL PROHIBITIONISTS—CHURCHMEN QUOTED AGAINST NATIONAL DRY LAWS.

The Association Opposed to National Prohibition issued a statement yesterday declaring that "professional prohibitionists and their lobbyists at Washington, who fancy that they are supported by all the churches except the Roman Catholic, will find sooner or later that they are deceived." It was announced by the association that opinions of churchmen reported to the headquarters at 19 West Forty-fourth Street were opposed to the enforcement of the prohibition laws.

"The religious support of the Anti-Saloon League is largely overestimated," said the statement. "Particularly is this true now that the so-called war-time prohibition has been tried out for something like a fortnight, and while the Anti-Saloon League lobbyists are seeking to pass the drastic Volstead bill for its enforcement. Men and women of the churches are not confusing in their minds the two questions of temperance and prohibition. Many of them draw the line very sharply between the two, and they fail to see that prohibition by sumptuary and drastic laws is the proper or effective way to promote temperance.

"'It is a shortsighted contribution to the cause of temperance,' writes the Rev. Dr. Charles H. Parkhurst. 'I said so when national prohibition was first brought up in Congress, and I have seen no reason since then to change my mind.'"

Others whose opinions are quoted are the Rev. Dr. Robert W. Patton, national director of the Federal boards of the Episcopal Church; the late Bishop Potter; the Rev. Dr. J. H. Woodstock, archdeacon of Worcester, England; the Rev. Charles Stelzle; and the Rev. John Mockridge, of Philadelphia.

It is unnecessary for me to comment on this article. It speaks for itself. I wish to read also an item of news published in the Public Ledger, of Philadelphia, Pa., of July 15, 1919, wherein George W. Anderson, Federal judge, decided that beer containing at least one-half of 1 per cent of alcohol was not intoxicating.

Also, decision of Federal Judge Foster.

NONINTOXICATING BEER HELD LEGAL.

BOSTON, *July 15.*

A ruling given to-day by George W. Anderson, Federal judge, that the sale of beer which is not intoxicating is not illegal under the present war prohibition act led to the quashing of the Government's test case against Sanford F. Petts and Leopold H. Vogel, liquor dealers, of this city.

Petts and Vogel were arrested last week charged with selling beer containing at least one-half of 1 per cent of alcohol. It was the contention of the Government that the sale of any beer was against the law. The defendants demurred, arguing that beer must contain a sufficient amount of alcohol to be intoxicating to be illegal.

Judge Anderson sustained the demurrer and declared that he had not the slightest doubt that Congress intended to prohibit the sale of intoxicating liquors and did not intend to stop the sale of nonintoxicating beverages.

"We appear ridiculous," he said, "by giving a misinterpretation to an act of Congres. I won't be a party to it."

BREWERS' DEMURRER IS SUSTAINED AT NEW ORLEANS.

NEW ORLEANS, *July 15.*

Federal Judge Foster to-day sustained a demurrer filed by officials of the American Brewing Co. to an indictment charging that the manufacture of beer of more than one-half of 1 per cent of alcoholic content was in violation of the war-time prohibition act.

On July 15 Mr. Wayne B. Wheeler, general counsel for the Anti-Saloon League, appeared before the Senate Judiciary Subcommittee and asked for sweeping search-warrant powers, suggesting that seizures be authorized without a warrant, or at least that warrants be issued without requiring testimony in support of requests. It seems to me that the advocates of this drastic enforcing act, in their zeal to put teeth into it, are going far to prevent the enforcement of the eighteenth amendment.

Mr. Chairman, the eighteenth amendment of the Constitution declares that "after one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited."

This amendment has been ratified by 45 of the 48 States in the Union and is the law of our Nation and must be enforced, and it is my purpose to support and defend the Constitution, as I am in duty bound as a law-abiding citizen and as my oath as a Congressman requires.

The Nation has adopted this law and it is not my purpose in any way to evade it or to persuade others to evade it, but I do not want to assist in passing an enforcing act that will defeat the very purpose of this law.

Mr. Chairman, I do not wish to take up any more time of this House, but wish to close by inserting an article which was published in the Public Ledger of July 13:

2.75 BEER CALLED SAME AS COFFEE—BREWERS' LAWYER SUBMITS RESULT OF ANALYSIS TO SENATE JUDICIARY COMMITTEE—CIDER WORSE, TESTS SHOW—QUESTION OF INTOXICATING CONTENT FOR JURY TO DECIDE, UNTERMYER CONTENDS.

WASHINGTON, *July 12.*

Samuel Untermyer, of New York, appearing to-day before the Senate Judiciary Committee to protest on behalf of brewers against the continued enforcement of "war-time" prohibition and elimination of 2.75 per cent beer, gave the results of tests conducted by Prof. Harry Hollingsworth, professor of psychology at Columbia University, with beer embracing that percentage of alcoholic content.

An affidavit by Prof. Hollingsworth dealt with tests made with 2.75 per cent beer upon subjects ranging from the total abstainer to the occasional moderate drinker to a case of fairly regular but not excessive user of alcohol. The subjects ranged in age from 21 to 30 years, their health from a very poorly nourished man to a college athlete. His conclusion was that if intoxicating liquor is to be considered as any beverage which would have the same stimulating effect as coffee then the 2.75 beer is to be considered intoxicating, otherwise not.

George Whitehead, of New York, who is associated with Mr. Untermyer, pointed out that the affidavits filed with the committee upon behalf of the Anti-Saloon League were based "entirely upon the opinion of the men who made the demand, not upon any test," and that, therefore, "if any test had been made they must have agreed with those of the experts of the brewers."

SEEKING TO PROHIBIT NEAR BEER.

Mr. Untermyer and Senator WALSH of Montana engaged in a spirited argument upon the question whether Congress had the power to prohibit beer which contains no alcohol at all in order to make effective the war-time prohibition. Other members of the committee joined in the argument, and it became evident that this is one of the provisions now under consideration by the Senate committee, and that it should bar entirely all of the so-called near beers that are now being brewed.

Senator WALSH voiced the sentiment of the "drys" on this question when he pointed out that a beverage which tastes like beer and smells like beer might be used to cover a "blind pig" which actualy sold real beer to customers whom they knew.

"Why not prohibit water that is colored like beer?" asked the witness.

Mr. Untermyer submitted to the committee an affidavit of Lewis B. Allyn, of the Westfield Laboratory, Westfield, Mass., covering the results of an analysis made by him of more than 300 samples of soft drinks and patent medicines to determine their alcoholic content. Dr. Allyn held that ordinary home-made root beer contains as much as 2.75 per cent of alcohol, while another soft drink contained 1.27 per cent. Fifteen samples of ciders obtained from farmers ran from 4.51 per cent to 6.83 per cent by weight and from 5.72 per cent to 7.53 per cent of alcohol by volume.

Mr. Untermyer also presented a list of bitters and tonics which the said analysis showed contained from 16.10 to 41.50 per cent of alcohol by volume.

SAYS CONGRESS LACKS POWER.

Mr. Untermyer insisted that Congress is without power to pass a prohibition enforcement law which will be in fact an extension of the war-time prohibition bill.

He stated that if he were called upon to file a bill of complaint against the enforcement of this proposed law, he would allege that peace has been signed, the Army was being demobilized, that peace had been ratified by the enemy, that trade relations had been reopened with Germany, and that the President, as Commander in Chief of the Army and Navy, had declared that the necessity under which war-time prohibition had been enacted had disappeared. He added he did not believe that any court in the land would permit the farce of calling this legislation "war-time" prohibition.

CALLS LAW INSINCERE.

Mr. Untermyer took the committee to task for what he said was the insincerity of the enforcement legislation now proposed. He also said that it was vicious in that it was class legislation, so far as the war-time bill is concerned. It does not prohibit the man with plenty of money from stocking up his cellars with strong, spirituous drink for years to come, but it does prohibit the poor man from getting a drink that is regarded more as a food than as a beverage.

"My quarrel," Mr. Untermyer said, "is with your attempt to convert anything you please into intoxicating liquor. The war-time prohibition act applies only to intoxicating beer, and 2.75 per cent beer can be shown clearly not to be intoxicating. An extension of that act under the guise of an enforcement measure is not within the power of Congress."

Mr. VOLSTEAD. I yield five minutes to the gentleman from Kentucky [Mr. BARKLEY].

The CHAIRMAN. The gentleman from Kentucky is recognized for five minutes.

Mr. BROOKS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BARKLEY. I will yield to the gentleman.

Mr. BROOKS of Pennsylvania. Just for a question?

Mr. BARKLEY. Yes.

Mr. BROOKS of Pennsylvania. I have heard it said very often that if this legislation goes into effect in connection with the amendment to the Constitution the folks at home will not be allowed to make wine any more.

Mr. FOCHT. Or cider.

Mr. BROOKS of Pennsylvania. Is that true?

Mr. BARKLEY. If this bill is passed it will be unlawful for any person in the United States to manufacture any intoxicating liquor as defined in the law except as permitted in the act itself, and in the regulations to be made by the Commissioner of Internal Revenue under the act, and if that wine is intoxicating, within the definition of this act, and manufactured for beverage purposes it will be against the law to manufacture it. [Applause.]

Mr. BROOKS of Pennsylvania. In other words, wine made at home—which, of course, is intoxicating, whether made from grapes, blackberries, or other berries—will be illegal.

Mr. BARKLEY. The gentleman is capable of interpreting the language of the act as well as I am. I do not desire to discuss that feature of it, and I do not want to take up my five minutes in doing so. But it will be unlawful to manufacture anywhere in the United States any intoxicating liquor as defined in this act except as specifically permitted in the act.

Mr. GOLDFOGLE. Will the gentleman allow me to ask him a question?

Mr. BARKLEY. Not now; let me get started. Mr. Chairman, I hope that none of these amendments offered will be adopted. In the first place, if the amendment striking out the definition of intoxicating liquor should be adopted and Congress should fix no definition of the meaning of the words in the war-time prohibition act, then the courts in enforcing the law, under the practice of the Federal courts, will have to adopt the definition of intoxicating liquors as fixed in the statutes of the various States.

Because in the practice in Federal courts, where Congress makes no provision, the law of the particular State governs. That would mean that there would be utter confusion in the Federal courts of the United States in seeking to enforce war-time prohibition, because one State may have a definition fixing one-half of 1 per cent, and some other State may have a definition fixing 2 per cent, and some other States may have fixed none whatever. Therefore the Federal courts seeking to enforce war-time prohibition, having to rely on a definition fixed by the State legislature, would have to take the definition of one State and then that of another, and the Supreme Court might hold that each was absolutely legal as fixed in the various States. Therefore it would be very unwise for this amendment to be adopted striking out the definition. There might, in that event, be 48 different standards and definitions of intoxicating liquors, if each State should see fit to fix a different standard.

I hope the amendment offered by the gentleman from Missouri [Mr. DYER] permitting the manufacture and sale of beer containing 2¾ per cent alcohol will not be adopted, because, while I do not claim to be an expert on the intoxicating qualities of beverages of any sort, I think any man who has had experience in prosecuting criminals, as it was my fortune to have it for four years, or has had to deal with liquor indictments, will testify to the fact that it is always very difficult to enforce a prohibition law where 2¾ per cent beer is allowed.

The man who sold the liquor will come into court and swear that it contained less than 2¾ per cent of alcohol. Other men will come in and swear that they saw men get drunk on that particular beverage that was sold by the man who testified that it contained less than 2¾ per cent. Others will swear it is not intoxicating. Therefore if an amendment is adopted and 2¾ per cent alcohol in beer is allowed, for all practical purposes you might as well wipe out the war-time prohibition act.

Another serious objection is that if 2¾ per cent beer is retained, you will have the saloons again in full operation. That is one of the things that we are trying to get rid of. It is the saloons, it is the surroundings, it is the evil that attends them, that we want to get rid of. If we let 2¾ per cent beer be sold as a beverage, every saloon that went out of business on the 1st of July will open its doors for the sale of 2¾ per cent beer, and there are many of them that will take chances on selling beer

and other beverages with even more alcoholic content than that, if they have the opportunity to do so. If the war prohibition act is to remain in force, as it will, it ought to be enforced, and it can not be enforced if 2¾ per cent of alcohol is allowed in beer or any other beverage. [Applause.]

Mr. DYER. Mr. Chairman, I yield the gentleman one minute more in order to ask him a question. I want to ask the gentleman if he would be in favor of this amendment of 2¾ per cent beer provided it is not permitted to be drank on the premises where sold. So that would do away with the saloons.

Mr. BARKLEY. I would not be in favor of that amendment, no matter where it is to be drunk. I want to say that the gentleman's own State, Missouri, fixes one-half of 1 per cent as the amount of alcohol in a beverage that is intoxicating. In addition to Missouri, 14 other States have fixed that amount, and 13 States say that anything that contains any quantity of alcohol is intoxicating.

Mr. DYER. I wanted the statement of the gentleman to see whether he was opposed to drinking three-quarters per cent beer because it would continue the saloons or not.

Mr. BARKLEY. I am opposed to it wherever it is sold, but I offered the suggestion as to the continuance of the saloons as an additional reason why it ought not to be adopted.

Mr. DYER. Mr. Chairman, I yield six minutes to the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr. Chairman and gentlemen of the committee, I am interested in the discussion as it applies principally to two things—one the proposed amendment of the gentleman from Maryland [Mr. BENSON], and the other principally to the amendment of the gentleman from Missouri [Mr. IGOE].

It was stated by the gentleman from Maryland [Mr. BENSON] that he had an amendmentt which he offered, with the consent and approval of the chairman of the Judiciary Committee. On last Friday the chairman said that he had been having conferences with persons interested relative to certain amendments to the bill and he would call the committee together. The committee has never been called together, so far as I know, and I speak of this because of my interest in legitimate manufacturing enterprises. I have the same interest that the gentleman from Maryland has in seeking to protect legitimate manufacturing enterprises. I do not think anybody wants to go so far as prohibiting the use of this and making it illegal which is necessary in medicine, articles necessary for the toilet and in flavoring extracts, which are necessary in the daily household economy. I refer to the amendment of the gentleman from Maryland [Mr. BENSON], because he says that his amendment was to strike out the word "liquors" and insert the word "beverages." I do not know whether that has the approval of the chairman of the Judiciary Committee or not, and therefore I would ask the gentleman whether he has so stated.

Mr. VOLSTEAD. I know that an amendment of that kind has been offered.

Mr. GARD. I want to say that if the gentleman has in mind the liberalization of this law so as to take off the ban against legitimate enterprises, I am with him and think it is a proper amendment, but I want to call his attention to the fact that the amendment is offered in relation to "beer, wine, or other intoxicating malt or vinous liquors which contain one-half of 1 per cent or more of alcohol by volume."

Mr. VOLSTEAD. It is not necessary to make any other amendment, for the reason that the original language uses the word "beverage." I am trying to harmonize that.

Mr. GARD. Mr. Chairman, I think it ought to be extended beyond that. I call the attention of members of the committee to the fact that I do not think the present law of war-time prohibition as it is written here contemplates the suppression of flavoring extracts. In Title II, however, that which provides for the enforcement of constitutional prohibition, I think it does. I think it an erroneous procedure to attempt to qualify the words "beer, wine, or other intoxicating malt or vinous liquors" by the use of the word "beverages," so as to protect flavoring extracts, because flavoring extracts should not be construed in relation to "beer, wine, or other intoxicating malt or vinous beverages," and that is all the gentleman would have.

I speak of this because I want to join the gentleman in what he wishes to do, since he said the other day that he realized that the bill was imperfect and should be amended. I think the bill should be amended to properly safeguard flavoring extracts, so that no barrier may be raised against legitimate enterprises. As I said in general debate, I think the language in Title II, section 3, absolutely prohibits the manufacture of flavoring extracts, and it ought to be modified so as to protect legitimate manufacturing enterprises that they may continue as they have in the past.

When the chairman of the committee advises the Committee on the Judiciary or the Committee of the Whole what his idea is I shall be pleased to join with him on any amendment which will liberalize the war-time prohibition bill, and especially the constitutional prohibition bill, to permit these legitimate enterprises, not connected at all with the traffic in intoxicating liquors, to continue, so that the products of their manufacture, which may contain some trifling amount of alcohol, shall not be prohibited.

I shall address myself now in the few brief moments at my disposal to the legal question in respect to the language sought to be stricken out by the gentleman from Missouri [Mr. IGOE], being the language from lines 1 to 5 on page 2. There is not a single law or measure affecting the War Trade Board, the War Industries Board, the food regulation, or other war-time measures which would for the slightest fraction of a moment be given any consideration in respect to its extension by any committee or any part of the Congress of the United States.

This morning we went to the extent that 247 Members in this House voted against the retention of the daylight-saving act. This was largely because it has been associated in the minds of Members as a war measure, and the people of the country realize that we are not at war, and that all these things called war measures are simply subterfuges and evidences of legislative hypocrisy, and the people of the United States now want no more of them and no extension of their kind. I do not believe the war-time prohibition act is capable of this extension legally, and I do not think it should be extended by hypocritical and hysterical action of the Members of this body.

The CHAIRMAN. The time of the gentleman from Ohio has expired. All time has expired. The question is on the amendment offered by the gentleman from Missouri [Mr. DYER].

Mr. GRAHAM of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GRAHAM of Pennsylvania. Do I understand that the motion to strike out, referred to by the gentleman from Ohio [Mr. LONGWORTH], is before the committee?

Mr. LONGWORTH. I have not offered that motion yet. As I understood the ruling of the Chair, that motion would be in order after all perfecting amendments are voted on.

The CHAIRMAN. That is correct—after all perfecting amendments are voted on. Without objection, the Clerk will again report the amendment offered by the gentleman from Missouri [Mr. DYER].

There was no objection, and the Clerk again reported the amendment offered by Mr. DYER.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. GOLDFOGLE) there were—ayes 84, noes 128.

Mr. GOLDFOGLE. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. VOLSTEAD and Mr. DYER to act as tellers.

The committee again divided; and the tellers reported—ayes 90, noes 151.

So the amendment was rejected.

The CHAIRMAN. Several amendments were sent to the Clerk's desk to be read for information during the one hour allotted for debate on this section. Those amendments will now be reported by the Clerk and acted upon without debate. They will be reported in the order in which they were offered.

The Clerk read as follows:

Amendment by Mr. VENABLE: Page 2, line 3, after the words "shall be," insert the word "hereafter."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. BLANTON. Mr. Chairman, I make the point of order against the amendment, because it is not germane in that it changes the former war-time prohibition act. It is an attempt to amend the war-time prohibition act in a way in which this bill does not amend it.

Mr. VOLSTEAD. The amendment ought to go in the bill.

Mr. BLANTON. It changes the terms of the war-time prohibition act.

The CHAIRMAN. The point of order is overruled. The question is on agreeing to the amendment offered by the gentleman from Mississippi.

The question was taken; and the Chairman announced the noes seemed to have it.

On a division (demanded by Mr. VOLSTEAD) there were—ayes 114, noes 14.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment offered by Mr. LEA of California: Page 2, line 5, after the word "volume," insert: "*Provided*, That such words or anything contained in Title I hereof or in the war-time prohibition act shall not be construed to mean or include wines containing not more than 11 per cent of alcohol by weight."

Mr. BLANTON. Mr. Chairman, I make a point of order against the amendment, because it is not germane and it seeks to change the terms of the war-time prohibition act in a way that is not authorized by the rules.

The CHAIRMAN. In conformity with the decisions of the Chair, this is not germane, and the Chair sustains the point of order. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment offered by Mr. IGOE: On page 2, line 1, after the word "States," strike out the remainder of the section.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and the Chairman announced the noes seemed to have it.

On a division (demanded by Mr. IGOE) there were—ayes 83, noes 128.

Mr. IGOE. Mr. Chairman, I ask for tellers.

Tellers were ordered.

The committee again divided; and the tellers (Mr. IGOE and Mr. VOLSTEAD] reported that there were—ayes 94; noes 141.

So the amendment was rejected.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment offered by the gentleman from Maryland [Mr. BENSON]: Page 2, line 3, after the word "shall," insert "hereafter," and in line 4, page 2, strike out the word "liquors" and insert "beverages."

Mr. BLANTON. Mr. Chairman, I make the point of order that the word "hereafter" has already been adopted by the committee and is therefore superfluous. I make the further point of order that to strike out "liquors" and insert "beverages" would be an amendment to the war-time prohibition act such as is not authorized by this present legislation; that the war-time prohibition act uses the word "liquors," which would mean any kind of liquid containing sufficient alcohol to make it intoxicating. For instance, it might be called "Frosty" or be called "Bevo" or "Poinsetta," or called any other name, and which might be intoxicating, and yet it would not make it a penal offense to sell or use under this statute. It is not germane. I submit, Mr. Chairman, that if we strike out the word "liquors" as contained in this recitation of what the war-time prohibition act contains and place instead thereof the word "beverages," then any kind of liquid not labeled beverage—a flavoring extract that might contain 90 per cent of alcohol, which would produce drunkenness, that could be drunk without fear of hurt to the human body, or that a hair tonic containing 90 per cent of alcohol, that might not be injurious to the human system yet be intoxicating—could be used in violation of this law, because it was not made as a beverage. It might be made, for instance, into a hair tonic; it might be made into a flavoring extract; it might be made into a purported medicine; and yet it would violate the purpose and the intent of the war-time prohibition act and not be in violation of this enforcement act. I submit it is not germane to the war prohibition act or to this proposed legislation.

The CHAIRMAN. The Chair thinks it is germane to this bill, and inasmuch as this provision does amend to that extent the war-time prohibition act, it is germane and is in order, and the point of order is not sustained.

Mr. GARD. May we have the amendment reported again? The committee wants to be advised whether this amendment will protect this legitimate industry. If it does, I want to vote for it, but I want to vote for something I think will do it.

The amendment was again reported.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland [Mr. BENSON].

Mr. GARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GARD. Is there any parliamentary procedure by this time by which I might ask the chairman of the committee whether or not this might be confined to beer, wine, or other malt or vinous liquors?

The CHAIRMAN. The gentleman can get unanimous consent.

Mr. GARD. I ask unanimous consent, for the purpose of information, in which I think the committee wants to share.

Mr. SANDERS of Louisiana. Mr. Chairman, I object. We all understand it.

The CHAIRMAN. Objection is heard. The question is on the amendment offered by the gentleman from Maryland [Mr. BENSON].

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. BENSON. Division, Mr. Chairman.

The committee divided; and there were—ayes 86, noes 78.

Mr. BLANTON. Mr. Chairman, on this vote I ask for tellers.

Tellers were refused.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment offered by Mr. PELL: Page 2, lines 4 and 5, after the word "liquors," strike out the words "which contain one-half of 1 per cent or more of alcohol in volume" and insert in lieu thereof the following: "which are by a jury decided to be in fact intoxicating."

Mr. GALLIVAN. Mr. Chairman——

Mr. BLANTON. Mr. Chairman, I rise to a point of order.

Mr. GALLIVAN. Mr. Chairman, I would like to have the attention of the committee so that that amendment could be heard more clearly.

Mr. BLANTON. Mr. Chairman, I reserve a point of order.

Mr. GALLIVAN. All right; I do not object to that.

The CHAIRMAN. Does the gentleman from Texas make the point of order?

Mr. BLANTON. I make the point of order.

Mr. GALLIVAN. The gentleman reserved it.

Mr. BLANTON. I reserve it.

The CHAIRMAN. Without objection, the Clerk will again read the amendment.

The amendment was again reported.

Mr. BLANTON. Mr. Chairman, I make the point of order that it is not germane either to the original war-time prohibition act or to the purpose and intent of this act.

The CHAIRMAN. The gentleman makes the point of order that the amendment is not germane to the bill under consideration or to the war-time prohibition act.

Mr. GALLIVAN. Why, Mr. Chairman, the author of the amendment not having risen, somebody should arise and say something for the amendment.

The CHAIRMAN. No debate is in order on the amendment.

Mr. GALLIVAN. I am speaking on the point of order.

The CHAIRMAN. The gentleman will proceed.

Mr. GALLIVAN. Mr. Chairman, I believe the amendment is absolutely in order. I believe it is germane, and I ask the Chair to consider carefully what the gentleman from New York [Mr. PELL] has offered.

This is a question as to what percentage of alcohol can be carried in liquor, and the gentleman from New York has offered an amendment suggesting that it be left to a jury. Now, I leave it to the Chair, who is always fair, whether or not that amendment should not be presented to this committee for a vote. I have nothing more to say on the matter.

The CHAIRMAN. The Chair is inclined to think that this provision is open to any germane amendment, and that the amendment offered by the gentleman from New York [Mr. PELL] is in order. [Cries of "Vote!"]

Mr. BLANTON. Mr. Chairman, will the Chair hear me for one moment?

The CHAIRMAN. The question is on agreeing to the amendment. [Cries of "Vote!"]

Mr. BLANTON. Will the Chair hear me on the point of order? [Cries of "Vote!"] Oh, that does not stop me. I am addressing my remarks to the Chair.

The CHAIRMAN. The committee will be in order. The Chair has already decided the point of order. The point of order is overruled.

Mr. GALLIVAN. Hooray, for Abilene! [Laughter.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. PELL].

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. PELL and Mr. SABATH demanded a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 86, noes 142.

Mr. PELL. Mr. Chairman, I ask for tellers.

The CHAIRMAN. The gentleman from New York demands tellers. As many as are in favor of taking the vote by tellers will rise and stand until they are counted. [After counting.] Thirty-three Members have risen—a sufficient number.

Mr. BLANTON. Mr. Chairman, I ask for the other side.

The CHAIRMAN. That demand is not in order. Tellers are ordered. The gentleman from Minnesota [Mr. VOLSTEAD] and the gentleman from New York [Mr. PELL] will take their places as tellers. As many as are in favor of the amendment will pass between the tellers and be counted.

The committee again divided; and the tellers reported—ayes 78, noes 143.

So the amendment was rejected.

Mr. LONGWORTH. Mr. Chairman, I move to strike out section 1 of the bill, and I give notice, if that motion should be successful, that I shall move to strike out the balance of Title I.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LONGWORTH: Strike out section 1.

Mr. GARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. For what purpose does the gentleman from Ohio rise?

Mr. GARD. With reference to the motion that the gentleman from Ohio has submitted, is it necessary that he shall offer the same motion at the end of each and every section, and then finally when the title has been completed?

The CHAIRMAN. That is the practice.

Mr. LONGWORTH. Under the practice of the House is not my motion correct as I made it?

The CHAIRMAN. Yes.

Mr. LONGWORTH. Then I give notice if this amendment is successful I shall move to strike out all the remaining sections of Title I.

The CHAIRMAN. That is in accordance with the practice of the House. The question is on agreeing to the motion of the gentleman from Ohio, to strike out the section.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. LONGWORTH. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 87, noes 132.

Mr. GALLIVAN. Tellers, Mr. Chairman.

The CHAIRMAN. Tellers are asked for. As many as favor taking the vote by tellers will rise and stand until they are counted. [After counting.] Twenty-three gentlemen have risen—a sufficient number. The gentleman from Minnesota [Mr. VOLSTEAD] and the gentleman from Ohio [Mr. LONGWORTH] will take their places as tellers. Those in favor of the amendment will pass between the tellers and be counted.

The committee again divided; and the tellers reported—ayes 80, noes 129.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. That the Commissioner of Internal Revenue, his assistants, agents, and inspectors——

Mr. VOLSTEAD. Mr. Chairman, I ask unanimous consent——

Mr. GALLIVAN. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Massachusetts rise?

Mr. GALLIVAN. I did not hear the announcement of the last vote.

The CHAIRMAN. The announcement was that the ayes were 80 and the noes were 129, and the amendment was not agreed to.

Mr. GALLIVAN. "The amendment was not agreed to."

Mr. VOLSTEAD. I ask unanimous consent to correct an error that has occurred in the adopting of these amendments. In line 3, after the word "shall," the word "hereafter" has been inserted; and also after the word "be" the word "hereafter" has been inserted. One of those ought to be stricken out. I ask unanimous consent that the word "hereafter" after the word "shall" be stricken out.

The CHAIRMAN. The gentleman asks unanimous consent that the word "hereafter" inserted after the word "shall," in line 3, be stricken out. Is there objection?

Mr. GALLIVAN. I object.

Mr. VOLSTEAD. I move that it be stricken out.

Mr. SABATH. A point of order. The Clerk has begun the reading of section 2.

Mr. BLANTON. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. At the time the amendment was offered I made the point of order that the word "hereafter" had been inserted, and I understood the Chair to sustain my point of order.

The CHAIRMAN. No; the Chair did not sustain it.

Mr. CLARK of Missouri. Mr. Chairman, there is a right way and a wrong way to do this. The right way is to move to reconsider at the proper time.

The CHAIRMAN. That motion would not be in order in the committee.

Mr. GARD. Do I understand the legislative status to be that the gentleman from Minnesota asks unanimous consent to return to section 1 for the purpose of correcting an error in an amendment?

The CHAIRMAN. The gentleman was on his feet at the time——

Mr. GARD. We could not understand what the gentleman was saying on account of the confusion in the Hall.

Mr. CANNON. May I suggest to the gentleman from Minnesota that the word "hereafter" appears twice in the same sentence? What is the use of bothering about it now? When it is reported to the House the House will undoubtedly strike out one or the other of the words "hereafter."

Mr. VOLSTEAD. Very well.

The CHAIRMAN. The gentleman withdraws his amendment. The Clerk will read.

Mr. REBER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

Mr. GALLIVAN. Mr. Chairman, reserving the right to object, I do not know just what the gentleman is going to put into the RECORD. If he will announce to the committee what he is going to put in, I may not object.

Mr. REBER. I would like to extend and revise my remarks along the lines of the remarks I made here on the floor.

Mr. GALLIVAN. About what?

Mr. REBER. About prohibition.

Mr. GALLIVAN. What side were you on?

Mr. REBER. If the gentleman had been here and attending to his duties, he would have known which side I was on.

Mr. GALLIVAN. Mr. Chairman, still reserving the right to object——

SEVERAL MEMBERS. Regular order!

Mr. GALLIVAN. Reserving the right to object——

The CHAIRMAN. The right to object can not be reserved when the regular order is demanded. Is there objection?

Mr. VOLSTEAD. I object.

The CHAIRMAN. The gentleman from Minnesota objects. The Clerk will read.

The Clerk read as follows:

SEC. 2. That the Commissioner of Internal Revenue, his assistants, agents, and inspectors, shall investigate and report violations of the war prohibition act to the United States attorney for the district in which committed, who shall be charged with the duty of prosecuting, subject to the direction of the Attorney General, the offenders as in the case of other offenses against laws of the United States; and such Commissioner of Internal Revenue, his assistants, agents, and inspectors may swear out warrants before United States commissioners or other officers or courts authorized to issue the same for the apprehension of such offenders, and may, subject to the control of the said United States attorney, conduct the committing trial for the purpose of having the offenders held for the action of a grand jury.

Mr. JOHNSON of Kentucky. Mr. Chairman, I wish to invite the attention of the gentleman from Minnesota, who has the bill in charge, to line 18, where provision is made that the Commissioner of Internal Revenue, his assistants and agents, may conduct the committing trial. I think the gentleman will agree with me that the court conducts the trial, and that after the word "conduct" the words "the prosecution of" should be inserted in line 18, page 2.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Kentucky: Page 2, line 18, after the word "conduct" insert the words "prosecution of."

Mr. MADDEN. That will not make it read just right.

Mr. JOHNSON of Kentucky. I offer an amendment to strike out the word "the" and insert the word "at," so that it will read "conduct the prosecution at the committing trial."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kentucky.

The Clerk read as follows:

Page 2, line 18, after the word "conduct" insert the words "prosecution at" and strike out the word "the."

Mr. GARD. The amendment proposed by the gentleman from Kentucky was not to strike out the word "the."

Mr. WALSH. I make the point of order that the amendment should be reduced to writing. You can not have several Members offering an amendment at the same time.

The CHAIRMAN. The gentleman from Kentucky will reduce his amendment to writing.

Mr. RAKER. Mr. Chairman, while the gentleman from Kentucky is preparing his amendment will the Chair recognize another Member to offer an amendment to that section?

The CHAIRMAN. The gentleman from Kentucky has the floor.

Mr. GARD. The gentleman from Kentucky is preparing his amendment, which is merely a qualifying phrase. I think we should wait to let him do that.

The CHAIRMAN. The gentleman from Kentucky has the floor.

Mr. GOLDFOGLE. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. GOLDFOGLE. Mr. Chairman, in the interest of saving time, the Clerk having taken down the gentleman's amendment in writing, does not that answer the rule?

The CHAIRMAN. The rule is that the amendment shall be reduced to writing and sent to the Clerk's desk.

Mr. GOLDFOGLE. When the Clerk has reduced it to writing, does not that satisfy the rule?

The CHAIRMAN. The gentleman from Kentucky had changed his amendment and the Clerk did not have it. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 18, after the word "conduct," insert the words "the prosecution at."

Mr. RAKER. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. RAKER. If the committee adopts this amendment, will an amendment to strike out lines 17, 18, and 19 as amended be in order?

The CHAIRMAN. It would.

Mr. BEE. Mr. Chairman, has debate been limited on this section?

The CHAIRMAN. No time has been fixed for the limit of debate on this section.

Mr. BEE. May I have the attention of the gentleman from Kentucky? As I understand, with his amendment would not the result be that in the prosecution under this section any layman, any employee, or agent of the Internal-Revenue Commissioner could appear in the court and conduct the prosecution in the face of the statute which exists in most all States that a person presenting a case at the bar, except for himself, must be a member of the bar?

Mr. JOHNSON of Kentucky. I think while that is true Congress can change the rule.

Mr. BEE. Does the gentleman from Kentucky think that it would be proper to permit employees of the Internal-Revenue Department to appear in court and supersede the district attorney in the prosecution of the case?

Mr. JOHNSON of Kentucky. I will interrupt the gentleman by saying that in line 17 it is provided that the one who conducts the prosecution must do so under the control of the United States attorney.

Mr. BEE. I submit to the House that in all the history of jurisprudence there has been no such law which authorizes a layman to come into court and take the place of the prosecuting attorney in the trial of a case. He must be an assistant prosecuting attorney or a member of the bar.

Mr. JOHNSON of Kentucky. This is not the trial of a case.

Mr. BEE. Even at the committing trial the rule is the same.

Mr. VOLSTEAD. Mr. Chairman, I only desire to call attention to the fact that this does not provide for one of these agents or inspectors to carry on the trial except so far as is necessary to bind over the man to the grand jury. These inspectors are doing that now all over the country without being attorneys.

Mr. GOLDFOGLE. Would not this authorize the agent, not a lawyer, to go before the commissioner at the preliminary investigation and there conduct the investigation as investigations are now conducted by regular admitted members of the bar?

Mr. VOLSTEAD. Just as they are now conducted by these very agents.

Mr. GOLDFOGLE. The gentleman is mistaken.

Mr. VOLSTEAD. Just as is done in every State in the Union. It does not require a regularly admitted attorney; anybody can go before the justice; they can in my State.

Mr. GOLDFOGLE. They can not in my State.

Mr. FIELDS. The deputy collectors prosecute cases before the commissioners; they do it in my State.

Mr. GOLDFOGLE. If the gentleman will permit, the amendment to section 2 contemplates that one though not a member of the bar, an agent or inspector, call him what you will, appointed by the Commissioner of Internal Revenue may conduct a legal proceeding before the commissioner that issues the warrant and before whom the case is brought. Is not that so?

Mr. VOLSTEAD. He can not be tried before that court.

Mr. GOLDFOGLE. I am not speaking of the regular trial. I am speaking of the preliminary investigation before the commissioner.

Mr. GALLIVAN. Mr. Chairman, I move to strike out the first two words. I am opposed to this amendment unless the gentleman from Kentucky will provide that the inspector and agents visit the House Office Building. Then I will vote for his amendment. Before this debate is concluded I shall ask that every Member of Congress who votes dry on this proposition be honest to his country and his conscience and that he place in the CONGRESSIONAL RECORD the amount of liquor that he has saved up for himself either in his home or in his office. [Laughter and applause.]

Mr. VOLSTEAD. Mr. Chairman, I make the point of order that the gentleman is not speaking to the amendment.

Mr. GALLIVAN. If the Congress wants to be on the level with the country, it will do as I ask. We are told——

Mr. BLANTON. Mr. Chairman, I make the point of order that the gentleman is not speaking to the amendment.

Mr. GALLIVAN. Oh, sit down. [Laughter.] The country is told that this Congress is overwhelmingly dry. I have been a Member of this Congress since 1914, and I have found it overwhelmingly wet. Now, why—why, in the days when you are making the world safe for democracy and freedom—why tie up the individual unless you are willing, Members of Congress, to tie up yourselves? I have heard, Mr. Chairman, of Members of this House who have said that they have in their private wine cellars enough liquor to take care of them and their friends for 20 years. [Cries of "Name them!"] Mr. Chairman, an inquiry comes from many Members of the House to name them. If they were not good fellows, I would name them. [Laughter.]

But, Mr. Chairman, let me say a serious word in closing. I know that the Republican Party is in control of this House, as it is of the Senate, and it looks as though in the next presidential election the Republican Party would have it all its own way. [Applause and laughter on the Republican side.] Oh, I shall stop that applause in a minute, and I will get it over on the Democratic side.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. SABATH. Mr. Chairman, I ask unanimous consent that the gentleman from Massachusetts may proceed for five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Massachusetts may proceed for five minutes. Is there objection?

Mr. CRAMTON. Mr. Chairman, I object.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for one minute.

Mr. CRAMTON. Mr. Chairman, I object.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word.

Mr. GALLIVAN. I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. GALLIVAN. Mr. Chairman, I ask the gentleman from New York to yield to me for a question.

Mr. CALDWELL. I would like to ask the gentleman from Massachusetts a question.

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Massachusetts?

Mr. CALDWELL. I do, and I want to ask him to tell me what he was going to say. [Laughter.]

Mr. GALLIVAN. Mr. Chairman, I will tell the gentleman from New York what I was going to say. My last statement was greeted with an uproar of applause on the Republican side of the aisle——

Mr. VOLSTEAD. Mr. Chairman, I make the point of order that the gentleman is not discussing the amendment.

Mr. GALLIVAN. I want to say to the Republicans of this House that they are booting the ball away, and they are bringing our dear old Democratic Party right back to life. [Laughter and applause.]

The CHAIRMAN. The gentleman will suspend for a moment. What is the point of order of the gentleman from Minnesota?

Mr. VOLSTEAD. First, that the House is not in order, and, second, that the gentleman is not addressing himself to the amendment.

Mr. GALLIVAN. Oh, yes, I am.

The CHAIRMAN. The point of order is well taken, and the gentleman will confine himself to the amendment.

Mr. CALDWELL. Mr. Chairman, I made the pro forma amendment to strike out the last word, and in my time I asked the gentleman to tell me what he was about to say——

The CHAIRMAN. The pro forma amendment is pending.

Mr. CALDWELL. And I asked the gentleman to tell me in my time what he was about to say.

The CHAIRMAN. The gentleman may do that so long as he confines himself to the amendment under debate, and that is the motion to strike out the last word.

The gentleman will proceed in order.

Mr. GALLIVAN. Mr. Chairman, I will only take a minute or two. The Republican Party got control of this House in the last national election and, to repeat my language, they are booting the ball away. They do not know how to take care of the affairs of this country, and the grand old Democratic Party will come back next fall in great triumph. [Applause on the Democratic side.]

Mr. VOLSTEAD. Mr. Chairman, I make the point of order the gentleman is not speaking to the amendment.

The CHAIRMAN. The point of order of the gentleman from Minnesota is well taken. The gentleman must address his remarks to the amendment.

Mr. CRAMTON. Mr. Chairman, I make the further point that the gentleman from New York who has the floor has yielded.

The CHAIRMAN. The point of order is well taken.

Mr. GARD. Mr. Chairman, I move that the committee do now rise.

The question was taken.

The CHAIRMAN. The Chair is in doubt.

The committee again divided; and there were—yeas 101, noes 81.

Mr. CRAMTON. Mr. Chairman, I ask for tellers.

Tellers were ordered.

The committee again divided; and the tellers (Mr. GARD and Mr. VOLSTEAD) reported that there were—ayes 96, noes 74.

So the motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GOOD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 6810 had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. LAGUARDIA. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. LAGUARDIA. To ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD——

Mr. REBER. Mr. Chairman, may I ask unanimous consent to revise and extend my remarks?

Mr. CLARK of Missouri. Mr. Speaker, all these speeches that go in the RECORD now have got to be confined to this subject; if not, I shall object.

Mr. REBER. My remarks will be on this subject, and nothing else.

Mr. CLARK of Missouri. What does the gentleman from New York say?

Mr. LAGUARDIA. I am asking unanimous consent to extend my remarks in the RECORD on the subject of cooking Army bacon.

Mr. CLARK of Missouri. Mr. Speaker, I object.

The SPEAKER. Objection is made. The gentleman from Pennsylvania asks unanimous consent to extend his remarks on the subject of the bill under consideration. Is there objection? [After a pause.] The Chair hears none.

PUBLIC SERVICE COMMISSION OF PORTO RICO (S. DOC. NO. 52).

The SPEAKER. The Chair lays before the House the following message from the President of the United States.

The Clerk read as follows:

To the Senate and House of Representatives:

As required by section 38 of the act approved March 2, 1917 (39 Stat., 951), entitled "An act to provide a civil government for Porto Rico, and for other purposes," I have the honor to transmit herewith certified copies of each of six franchises granted by the Public Service Commission of Porto Rico. The copies of the franchises inclosed are described in the accompanying letter from the Secretary of War transmitting them to me.

WOODROW WILSON.

THE WHITE HOUSE, *July 14, 1919.*

The SPEAKER. Referred to the Committee on Insular Affairs, with accompanying documents, and ordered printed.

LAWS OF PORTO RICO (S. DOC. NO. 53).

The SPEAKER. The Chair also lays before the House the following message from the President of the United States.

The Clerk read as follows:

To the Senate and House of Representatives:

As required by section 23 of the act of Congress approved March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes," I transmit herewith copies of certain acts and resolutions enacted by the Ninth Legislature of Porto Rico during its first session (Aug. 13 to Nov. 26, 1917, inclusive).

These acts and resolutions have not previously been transmitted to Congress and none of them has been printed.

WOODROW WILSON.

THE WHITE HOUSE, *July 14, 1919.*

The SPEAKER. Referred to the Committee on Insular Affairs, with the accompanying documents, and ordered printed.

RESOLUTION EXTENDING CONGRATULATIONS TO FRANCE, ETC.

Mr. CROWTHER. Mr. Speaker, I ask unanimous consent for the consideration of the following resolution and move its adoption.

The SPEAKER. The gentleman from New York asks unanimous consent for the consideration of the resolution which the Clerk will report.

The Clerk read as follows:

Whereas this 14th day of July, 1919, is the first anniversary of the greatest French national holidays which has occurred since the successful termination of the world's greatest war;

Whereas the United States participated with France and her allies in a part and share of the victorious conclusion of this war; and

Whereas the United States rejoices that its traditional friendship for the French people has been renewed and strengthened by this service of our valiant sons: Now, therefore, be it

Resolved, That the House of Representatives of the United States extend to the Senate, Chamber of Deputies of the Republic of France, and to the people of France, now wholly restored to their national allegiance, its congratulations on the fact that the valor and sacrifice of her loyal sons has not been in vain, and that we rejoice with you that the evil days of autocracy are ended, and that liberty, justice, and equality shall forever reign.

The SPEAKER. Is there objection to the consideration of the resolution?

Mr. GALLIVAN. Mr. Speaker, reserving the right to object, I ask that the Clerk read that particular paragraph of the resolution which refers to the restoration of France to her liberty and safety.

The SPEAKER. Without objection, the Clerk will again read the portion referred to. [After a pause.] The Chair hears no objection.

The part referred to was again read.

The SPEAKER. Is there objection to the immediate consideration of the resolution? [After a pause.] The Chair hears none. The question is on the adoption of the resolution.

The resolution was unanimously adopted.

TELEGRAM OF APPRECIATION FROM POLISH DIET.

The SPEAKER. The Chair lays before the House the following document, which the Clerk will report.

The Clerk read as follows:

DEPARTMENT OF STATE,
Washington, July 8, 1919.

To the House of Representatives:

The undersigned, the Acting Secretary of State, in the absence of the President and Secretary of State from this Capital, has the honor to transmit the following telegram addressed to the Congress of the United States by a unanimous vote of the Polish Diet on July 4, 1919:

"AMERICAN CONGRESS, *Washington:*

"In this memorable anniversary the Polish Parliament turns its thoughts across the ocean to express to your Nation our greetings and veneration. The first principle of your Declaration of Independence, that every man has right to life, liberty, and happiness, has conquered the world. The Polish Nation will never forget the memorable declaration of the great Chief of your State which proclaimed the nations have the same right to life, liberty, and happiness, declaration which forwarded the world on new paths, which promised to Poland her liberation; declaration which you sealed with your blood. Our nation will never forget that during long years you sheltered millions of our people, to whom their own country, groaning under the yoke of the oppressor, would give neither bread nor work, nor who return now to us penetrated by your principles of dignity of human work. The Polish Nation will never forget your remarkable activity or the unfortunate victims of the war work of real practical Christianity.

"(Signed) TRAMPSYNSKY,
"President of the Diet."

Respectfully submitted.

FRANK L. POLK.

Mr. GALLIVAN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. GALLIVAN. What is the course of procedure in a communication of this sort?

The SPEAKER. The Chair thinks there is no further procedure. It will be filed in the archives of the House. Of course, it will be printed in the RECORD.

Mr. GALLIVAN. We have heard about France and Poland, and I would like to hear a favorable word about Ireland. [Applause and laughter.]

ADJOURNMENT.

Mr. VOLSTEAD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 56 minutes p. m.) the House adjourned until Tuesday, July 15, 1919, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SIMS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 6805) to authorize the county of Dougherty, State of Georgia, to construct a bridge across the Flint River, connecting Broad Street, in the city of Albany, said State and county, with the Isabella Road, said county and State, reported the same without amendment, accompanied by a report (No. 115), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. O'CONNOR, from the Committee on Claims, to which was referred the bill (H. R. 5348) for the relief of Mrs. Thomas McGovern, reported the same without amendment, accompanied by a report (No. 116), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 6289) for the relief of the heirs of Robert Laird McCormick, deceased, reported the same without amendment, accompanied by a report (No. 117), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 5239) granting an increase of pension to Gus H. Weber, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SINCLAIR: A bill (H. R. 7286) to establish the Kildeer Mountain National Park in the State of North Dakota, and for other purposes; to the Committee on the Public Lands.

By Mr. BACHARACH: A bill (H. R. 7287) to provide revenue for the Government, to establish and maintain in the United States the manufacture of scientific instruments, laboratory apparatus, laboratory glassware, laboratory porcelain ware, an industry essential to national defense; to the Committee on Ways and Means.

By Mr. MAPES: A bill (H. R. 7288) to require the installation of wireless equipment on all boats or ships carrying passengers for fare and going out of sight of land; to the Committee on the Merchant Marine and Fisheries.

By Mr. HAWLEY: A bill (H. R. 7289) providing for an amendment to paragraph (a) of section 628 of an act approved February 24, 1919, and entitled "An act to provide revenue, and for other purposes"; to the Committee on Ways and Means.

Also, a bill (H. R. 7290) providing for an amendment to paragraph (a) of section 628 of an act approved February 24, 1919, and entitled "An act to provide revenue, and for other purposes"; to the Committee on Ways and Means.

By Mr. FRENCH: A bill (H. R. 7291) adding certain lands to the Idaho National Forest, in the State of Idaho; to the Committee on the Public Lands.

By Mr. BLACK: A bill (H. R. 7292) to extend the same rates of postage to semiweekly newspapers at city letter carrier offices in county of publication as is now charged to weekly newspapers for such service; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 7293) for the investigation of the causes, modes of transmission, prevention, and care of influenza, pneumonia, and allied diseases, and for combating same by the United States Public Health Service, and appropriating $500,000 for such purposes, to remain available until July 1, 1922; to the Committee on Appropriations.

By Mr. SWEET: A bill (H. R. 7294) authorizing the Secretary of War to donate to the Iowa Training School for Boys, located at Eldora, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7295) authorizing the Secretary of War to donate to the city of Greene, Iowa, two German cannons or fieldpieces, to be placed in the J. Perrin Park in said city; to the Committee on Military Affairs.

By Mr. GANLY: A bill (H. R. 7296) donating a captured German cannon or field gun and carriage to the Van Nest Citizens' Patriotic League, of Van Nest, N. Y., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7297) donating a captured German cannon or field gun and carriage to the War Service Honor League, of Bronx, New York, N. Y., for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7298) to amend section 1754 of the Revised Statutes; to the Committee on Reform in the Civil Service.

By Mr. McLAUGHLIN of Nebraska: A bill (H. R. 7299) granting 30 days' leave of absence to employees of the Postal Service of the United States; to the Committee on Expenditures in the Post Office Department.

By Mr. PELL: A bill (H. R. 7300) authorizing and directing the Secretary of the Treasury to permit the exportation of certain distilled spirits; to the Committee on Agriculture.

By Mr. STRONG of Kansas: A bill (H. R. 7301) for the permanent appointment as commissioned officers of certain former noncommissioned officers who were called to active service under temporary commissions as officers between dates of April 6, 1917, and November 11, 1918; to the Committee on Military Affairs.

By Mr. WARD: A bill (H. R. 7302) to establish a fish-cultural station in New York; to the Committee on Appropriations.

By Mr. MOORE of Virginia: A bill (H. R. 7303) for the construction of a public building at Orange, Va.; to the Committee on Appropriations.

By Mr. SMITH of Michigan: A bill (H. R. 7304) for the purchase of a site and the erection thereon of a public building at Marshall, Mich.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7305) authorizing the Secretary of War to donate to the town of Reading, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7306) authorizing the Secretary of War to donate to the town of Vicksburg, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7307) authorizing the Secretary of War to donate to the town of Homer, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7308) authorizing the Secretary of War to donate to the city of Hillsdale, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7309) authorizing the Secretary of War to donate to the city of Charlotte, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7310) authorizing the Secretary of War to donate to the city of Eaton Rapids, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ELLIOTT: Resolution (H. Res. 172) directing the Secretary of State to furnish the House of Representatives with certain information relative to the expenses of the peace commission; to the Committee on Expenditures in the State Department.

By Mr. McFADDEN: Resolution (H. Res. 173) authorizing the Speaker to appoint a committee of seven Members of the House, and that such committee be instructed to inquire into the official conduct of John Skelton Williams, Comptroller of the Currency; to the Committee on Rules.

By Mr. JOHNSON of Mississippi: Resolution (H. Res. 174) to authorize the Speaker to appoint a select committee to investigate the causes of the high prices of meat and other food products; to the Committee on Rules.

By Mr. KREIDER: Resolution (H. Res. 175) to allow the Committee on Expenditures in the Department of the Interior a clerk at a salary of $6 per diem during the session of the Sixty-sixth Congress; to the Committee on Accounts.

By Mr. CALDWELL: Concurrent resolution (H. Con. Res. 20) providing for a joint session of the Senate and House of Representatives for appropriate exercises of welcome to John J. Pershing, general and commander in chief of the American Expeditionary Forces in the World War; to the Committee on Rules.

By Mr. RANDALL of Wisconsin: Memorial of the Legislature of Wisconsin, urging the Congress of the United States to acquire, control, and regulate the principal and necessary stock yards and the refrigerator and other private car lines in the United States; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEGG: A bill (H. R. 7311) granting an increase of pension to George W. Hollenbank; to the Committee on Invalid Pensions.

By Mr. BROOKS of Illinois: A bill (H. R. 7312) granting an increase of pension to Pitsar Ingram; to the Committee on Invalid Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 7313) granting an increase of pension to Adam E. Haughn; to the Committee on Pensions.

By Mr. DRANE: A bill (H. R. 7314) granting a pension to Nettie I. Gill; to the Committee on Invalid Pensions.

By Mr. LEA of California: A bill (H. R. 7315) granting an increase of pension to Alice L. Collins; to the Committee on Pensions.

By Mr. McANDREWS (by request): A bill (H. R. 7316) granting an extension on United States of America Letters Patent No. 710997; to the Committee on Patents.

By Mr. McARTHUR: A bill (H. R. 7317) to remove the charge of desertion against John S. Wampler; to the Committee on Military Affairs.

By Mr. McKENZIE: A bill (H. R. 7318) for the relief of W. W. McGrath; to the Committee on Claims.

By Mr. MONDELL: A bill (H. R. 7319) granting a pension to Samuel Smith; to the Committee on Invalid Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 7320) granting an increase of pension to Eliza P. Cook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7321) granting a pension to Wiley T. Cook; to the Committee on Pensions.

Also, a bill (H. R. 7322) granting an increase of pension to Emily Robinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7323) granting an increase of pension to Simpson R. Sutton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7324) granting an increase of pension to Julia A. Marcum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7325) granting an increase of pension to Nathaniel J. Smith; to the Committee on Pensions.

Also, a bill (H. R. 7326) granting a pension to Randall Smallwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7327) granting a pension to David Pennington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7328) granting a pension to Joseph Bishop; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7329) granting a pension to James M. Taylor; to the Committee on Pensions.

Also, a bill (H. R. 7330) granting a pension to J. W. Nolan; to the Committee on Pensions.

Also, a bill (H. R. 7331) granting a pension to Alice Wilder and Mary B. Wilder; to the Committee on Pensions.

Also, a bill (H. R. 7332) granting a pension to William Jackson; to the Committee on Pensions.

Also, a bill (H. R. 7333) for the relief of Emily J. Mullins; to the Committee on Claims.

By Mr. SELLS: A bill (H. R. 7334) granting a pension to Daniel J. Bresnahan; to the Committee on Pensions.

By Mr. SLEMP: A bill (H. R. 7335) granting a pension to Margaret Elkins; to the Committee on Invalid Pensions.

By Mr. SWEET: A bill (H. R. 7336) authorizing and directing the payment of the claim of Edwin C. Foster; to the Committee on War Claims.

By Mr. THOMPSON of Ohio: A bill (H. R. 7337) granting a pension to Chancey Worline; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7338) granting a pension to Newton S. Long; to the Committee on Invalid Pensions.

By Mr. TREADWAY: A bill (H. R. 7339) granting a pension to Edward J. Davis; to the Committee on Pensions.

By Mr. WASON: A bill (H. R. 7340) granting an increase of pension to Andy Mullen; to the Committee on Pensions.

By Mr. WHITE of Maine: A bill (H. R. 7341) granting a pension to Alice F. Travis; to the Committee on Pensions.

By Mr. WILSON of Pennsylvania: A bill (H. R. 7342) granting an increase of pension to Rachael M. Henry; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of sundry citizens of Massachusetts, favoring repeal of tax on candy, ice cream, soda-fountain drinks and foods; to the Committee on Ways and Means.

Also, petition of the Lithuanian Daina Musical Dramatic Society of Philadelphia, Pa., requesting the United States Government to compel the withdrawal of Polish Army from Lithuanian territories, and that the United States Government recognize the present Lithuanian Government; to the Committee on Foreign Affairs.

Also, petition of International Molders' Union, Local No. 381, Brass, of Springfield, Mass., indorsing the league of nations; to the Committee on Foreign Affairs.

By Mr. BLAND of Missouri: Petition of citizens of Kansas City, Mo., and other points in Missouri relative to repeal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. CANNON: Petition of John Goodrich and sundry other citizens of Danville, Ill., against the repeal of the war-time prohibition; to the Committee on the Judiciary.

By Mr. CAREW: Petition of Dr. Otto P. Geier, secretary of American Medical Association, urging an appropriation of $1,500,000 to be used under the direction of the United States Public Health Service for the investigation of the causes, modes of transmission, prevention, and cure of influenza, pneumonia, and allied diseases; to the Committee on Appropriations.

By Mr. COLE: Petition of the Central Labor Union of Marion, Ohio, urging the passage of a measure to provide for a maximum day of eight hours in establishments producing wares entering into interstate commerce; to the Committee on Labor.

By Mr. ESCH: Petition of sundry citizens of Columbus, Ohio, protesting against conditions created by Japan and existing in Korea and asking the United States Government to take measures to secure fulfillment of treaty entered into between the United States and Korea in May, 1882; to the Committee on Foreign Affairs.

By Mr. FITZGERALD: Petition of the employees of the Housh Co., of Boston, Mass., against the repeal of daylight-saving law; to the Committee on Agriculture.

By Mr. FULLER of Illinois: Petition of the Automotive Equipment Association, of Chicago, favoring legislation requiring universal military training; to the Committee on Military Affairs.

By Mr. KENDALL: Petition of sundry citizens of Greensboro, Pa., favoring repeal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. KINKAID: Petition of Art McVeigh and 24 others, of Spalding; R. W. Evans and 40 others, of Stuart; R. W. Buckles and 24 others of Mitchell; and John J. Kellogg and 24 other residents of O'Neill, all in the State of Nebraska, asking for the repeal of taxes on candy, ice cream, and soda-fountain foods and drinks; to the Committee on Ways and Means.

By Mr. LINTHICUM: Petition of Merchants' and Manufacturers' Association, of Baltimore, Md., and McCormick & Co. (Inc.), of Baltimore, Md., favoring a budget system for the National Government; to the Committee on Rules.

Also, petition of Thomas E. Carson, for the enactment of House bill 3155, extending the time to file claims for refund of tax until December 31, 1920; to the Committee on Ways and Means.

Also, petition of Bernheimer Bros., of Baltimore, Md., urging the repeal of the luxury tax, section 94; to the Committee on Ways and Means.

Also, petition of the H. S. Wampole Co., of Baltimore, Md., asking that exemptions for summer or vacation be added to House bill 5549, and that House bill 2220 be made to read "on and after January 1, 1920," instead of "July 4, 1919"; to the Committee on Labor.

By Mr. LONERGAN: Petition of Mason Wadsworth against the repeal of the daylight-saving law; to the Committee on Agriculture.

By Mr. LUFKIN: Petition of Local No. 302, Musicians' Union, of Haverhill, Mass., in favor of a league of nations; to the Committee on Foreign Affairs.

By Mr. O'CONNELL: Petition of Wylie B. Jones and others, of Binghamton, N. Y., against fanatical legislation forbidding legitimate use of alcohol in preparations which are sufficiently medicated to make them incapable for use as beverage; no other solvent can take its place for extractive and preservative purposes; to the Committee on the Judiciary.

Also, petition of the National Association of Supervisors of State Banks, urging the abolition of the office of Comptroller of Currency; to the Committee on Banking and Currency.

By Mr. RAKER: Letters from California Federation of Women's Clubs, indorsing Smith-Towner bill (H. R. 7) providing for a department of education; from E. Clemens Horst Co., San Francisco, Calif., requesting immediate action on the question of tariff on hops and hop products; and from San Francisco Center of the California Civic League, indorsing the appropriation for the continuation of the demonstration of fish cookery throughout the country; to the Committee on Education.

By Mr. RANDALL of Wisconsin: Joint resolution of the Senate and Assembly of the State of Wisconsin, memorializing and urging the Congress of the United States to acquire, control, and regulate the principal and necessary stockyards and the refrigerator and other private car lines in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. ROWAN: Petition of industial medicine and surgery section of the American Medical Association, urging the appropriation of $1,500,000 under direction of United States Public Health Service for investigation of causes, modes of transmission, prevention, and cure available to July 1, 1922; to the Committee on Appropriations.

Also, petition of National Federation of Federal Employees, against Representative Good's amendment of July 9 to Nolan minimum-wage bill for Government employees; to the Committee on Labor.

Also, petition of C. D. Huyler and others, of New York City, for the repeal of the tax on sodas, candy, etc.; to the Committee on Ways and Means.

Also, petition of the National Association of Supervisors of State Banks, for the abolition of the office of Comptroller of Currency; to the Committee on Banking and Currency.

By Mr. STEELE: Petition of residents of Carbon County, Pa., for repeal of the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. TAYLOR of Tennessee: Petition of East Tennessee Packing Co., of Knoxville, Tenn., protesting against the Kendrick bill (S. 2199) and the Kenyon bill (S. 2202) relating to the meat packing and shipping; to the Committee on Interstate and Foreign Commerce.

By Mr. TAYLOR of Colorado: Petition from citizens of Crawford, Colo., protesting against any amendment or change being made in the present war-time prohibition law; to the Committee on Agriculture.

By Mr. WHITE of Maine: Petition of the Lithuanian Alliance of Rumford, Me., requesting the United States Government to compel Poland to withdraw her army from the Lithuanian territories, and that all assistance be denied to Poland as long as she continues to occupy the invaded territories; also requesting the United States to recognize the present Lithuanian Government and to render it moral and material assistance; to the Committee on Foreign Affairs.

By Mr. YATES: Petitions of Charles H. Besley & Co., Chicago; A. S. Brown, Waukegan; and National Office Supply Co., of Zion City, all in the State of Illinois, urging an efficient prohibition enforcement code; to the Committee on the Judiciary.

Also, petition of the Chicago Malt & Liquor Co., urging that war-time prohibition should be rescinded or that the liquor interests be compensated for loss of property, because "The Government has been our partner and has profited more largely than any of us engaged in it"; to the Committee on the Judiciary.

Also, petition of John A. Berry and others, of Chicago, Ill., asking for an increase of $5 per diem for inspectors of customs; to the Committee on Appropriations.

SENATE.

TUESDAY, *July 15, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to the mount of Thy law with every law that we would write upon our statute books. We can find the conscience of men but by the sanctions of the Divine will revealed to men. We pray Thee to write Thy laws in our hearts that we may form a covenant with God and conform our lives and pattern and shape our national plans according to the vision that Thou hast given to men upon the Mount. Hear us to-day and guide us by Thy holy counsel. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. ASHURST and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PETITIONS AND MEMORIALS.

Mr. CURTIS presented a petition of the National Association of Supervisors of State Banks, praying for the abolishment of the office of Comptroller of the Currency, which was referred to the Committee on Banking and Currency.

He also presented a memorial of the Young Men's Tri Mu class of the First Baptist Church of Topeka, Kans., and a memorial of the Good Citizenship Committee of Lawrence, Kans., remonstrating against the repeal or modification of war-time prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of the Southwestern Interstate Coal Operators' Association, of Kansas City, Kans., praying for the adoption of universal military training, which was referred to the Committee on Military Affairs.

He also presented a memorial of sundry citizens of Newton, Kans., and a memorial of sundry citizens of Goessel, Kans., remonstrating against the adoption of universal military training, which were referred to the Committee on Military Affairs.

He also presented a petition of the Central Labor Union of Arkansas City, Kans., praying for an investigation into the high cost of living, which was referred to the Committee on Finance.

He also presented a petition of Local Lodge No. 90, United Brotherhood of Maintenance of Way Employees and Railway Shop Laborers, of Topeka, Kans., praying for Government ownership and control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. LODGE. I present a resolution adopted by the League of Free Nations Association, which I ask to have printed in the RECORD and referred to the Committee on Foreign Relations.

The resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Resolved, That the League of Free Nations Association in accordance with a referendum of its full membership, calls upon all forward-looking citizens to urge the United States Senate:

1. To ratify without reservations the treaty with Germany, including the league of nations covenant.

Such ratification would establish immediate peace, the world's most urgent need in the interest of order and progress; would abolish many international injustices which have proved prolific causes of war, and would create an agency for the rectification of remaining injustices and for the establishment of mutually advantageous and just relations between nations.

2. To accompany its ratification with a resolution, declaring it to be the purpose of the United States, as a member of the league of nations to:

(a) Press for the immediate restoration of Kiao-Chau and the German concessions in Shantung to the Chinese Republic.

(b) Hold that nothing in the treaty or the covenant shall be continued as authorizing interference by the league in internal revolutions; or as preventing genuine redress and readjustment of boundaries, through orderly processes provided by the league, at any time in the future that these may be demanded by the welfare and manifest interest of the people concerned.

(c) Call for the inclusion of Germany in the council of the league as soon as the new republic shall have entered in good faith upon carrying out the treaty provisions; for the inclusion of Russia as soon as the Russian people establish stable government; and for the full participation of both Germany and Russia on equal footing in all economic intercourse as the best insurance against any reversion to the old scheme of balance of power, economic privilege and war.

(d) Press for the progressive reduction of armaments by all nations.

(e) Throw its whole weight in behalf of such changes in the constitution and such developments in the practice of the league as will make it more democratic in its scheme of representation, its procedure more legislative and less exclusively diplomatic an instrument of growth invigorated and molded by the active, democratic forces of the progressive nations.

JAMES G. MCDONALD,
Chairman of the Executive Committee.

Mr. LODGE presented resolutions adopted by the City Council of Worcester, Mass., relative to the just claims of Italy, which were referred to the Committee on Foreign Relations.

He also presented resolutions adopted at a public meeting of the Massachusetts branch of the League for Permanent Peace, at Boston, Mass., praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. WALSH of Massachusetts. I present a communication from the Massachusetts Tuberculosis League, inclosing a copy of a resolution unanimously adopted by the executive committee of the league, remonstrating against the repeal of the so-called daylight-saving law. I ask that the communication be printed in the RECORD and referred to the Committee on Interstate Commerce.

There being no objection, the communication was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

MASSACHUSETTS TUBERCULOSIS LEAGUE,
Boston, June 30, 1919.

Senator DAVID I. WALSH,
United States Senate, Washington, D. C.

MY DEAR SIR: This letter is written on behalf of the executive committee of the Massachusetts Tuberculosis League for the purpose of urging you to use your influence to secure the veto of the repeal of the daylight-saving law, which is now in the hands of the President.

At its meeting on June 27 the committee unanimously adopted the following resolution:

"Whereas the Massachusetts Tuberculosis League has always advocated the use of a maximum amount of sunlight and fresh air as a means of prevention and cure of tuberculosis; and

"Whereas the said league considers the present daylight-saving law an aid in preserving the general health of the country, and in particular a great help in the prevention of tuberculosis: Therefore be it

"*Resolved*, That the Massachusetts Tuberculosis League views with concern the present effort to do away with the daylight-saving law, and hereby urges the President to veto the repealer now in his hands.

"VINCENT Y. BOWDITCH, M. D.,
"EDWARD O. OTIS, M. D.,
"ROGER I. LEE, M. D.,
"DONALD B. ARMSTRONG, M. D.,
"VANDERPOEL ADRIANCE, M. D.,
"GEORGE L. SCHADT, M. D.,
"Miss LOUISA P. LORING,
"*Executive Committee.*"

Earnestly hoping that you will take any action which may seem to you to be possible and expedient under the circumstances, I am,

Respectfully, yours,

R. V. SPENCER,
Executive Secretary.

Mr. WALSH of Massachusetts. I present a petition signed by Charles H. Cole, formerly brigadier general, Fifty-second Infantry Brigade, by Lieut. Col. Hugh Cabot, Royal Army, Medical Corps, British Expeditionary Force, and other Massachusetts officers who fought in the war with Germany, urging the ratification of the treaty of peace. I move that the petition be received and referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. WALSH of Massachusetts presented petitions from employees of the Boston Rubber Shoe Co., of Malden; of Nichols & Gilpin, of Haverhill; of the Danvers Iron Works; of John Roberts Sons Co.; of Thomas H. Arnold; of Ackerman & Brummell, of Boston; of the Desmond Publishing Co.; of the Hamilton Woolen Co., of Southbridge; of the Massachusetts Mohair Plush Co., of Lowell; of the A. M. Eaton Paper Co., of Roxbury; of the Linen Thread Co. of Massachusetts, of North Grafton; of the Bolton Worsted Mills (Inc.), of Methuen; of Fred S. High, of Boston; of the United States Electric Signal Co., of Newton; of Seamans & Cobb Co., of Boston; of the Spaulding & Tewksbury Co.; of C. Stohn, of Hyde Park; of George P. Batchelder, of Lynn; of the Worcester Pressed Steel Co.; of the Merrimac Mills, of Methuen; of Jonah & George, of Merrimac; of the Boston Bridge Works (Inc.); of the New England Branch of the Thread Agency; of D. Mackintosh & Sons Co., of Holyoke; of the Stickney & Poor Spice Co., of Boston; of the Lawrence Pump & Engine Co.; of the Motor Specialties Co., of Waltham; of the Yale Novelty Co., of Leominster; of the Wireless Specialty Apparatus Co., of Boston; of the Reading Manufacturing Co.; of the S. B. Condit, jr., Co.; of Kenny Bros. & Wolkins; of Peter Gray & Sons (Inc.), of Boston; of the H. M. Hillson Co., of Somerville; of the Hampden Lumber Co., of Springfield; of Grimes & Harris, of Leominster; of the United States Envelope Co., of Worcester; of the Direct Importing Co.; of the Lumsden & Van Stone Co.; of the F. H. Pilson Co., of Boston; of the Can Fastener Co., of Cambridge; and of Godfrey L. Cabot and sundry other citizens of Boston, all in the State of Massachusetts, remonstrating against the repeal of the daylight-saving law; which were referred to the Committee on Interstate Commerce.

Mr. PHELAN presented a petition of the Chamber of Commerce, of Los Angeles, Calif., praying for the establishment of a budget system for the Government, which was ordered to lie on the table.

He also presented petitions of the Woman's Republic Club, of Compton; of the Parent Teachers' Association, of Norwalk; of Martin Severence Chapter, Daughters of the American Revolution, of Pasadena; of Silver Wave Rebekah Lodge, Independent Order of Odd Fellows, of Santa Monica; of Burnaby Lodge, No. 194, Order Sons of St. George, of San Francisco; of the Ministers' Union of San Francisco Bay Region, of Oakland; and of the Board of Christian Education, Diocese of Los Angeles, of Santa Monica, all in the State of California, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. HALE presented petitions of sundry citizens of Portland, South Portland, and Stonington, all in the State of Maine, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. NELSON presented a memorial of sundry citizens of Butterfield, Minn., remonstrating against the adoption of universal military training, which was referred to the Committee on Military Affairs.

He also presented a telegram in the nature of a memorial from the Minnesota Livestock Breeders' Association, of St. Paul, Minn., remonstrating against sustaining the President's veto of the so-called daylight-saving provision in the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry.

Mr. FLETCHER presented a memorial of the Florida State Horticultural Society, of Gainesville, Fla., remonstrating against the restriction of immigration from the Bahama Islands and West Indies into Florida, which was referred to the Committee on Immigration.

He also presented a petition of the Kiwanis Club, of Pensacola, Fla., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Chamber of Commerce, of Jacksonville, Fla., praying for an equitable adjustment of export and import freight rates, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the City Commission of Jacksonville, Fla., praying for the erection of a new post-office building in that city, which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the City Commission of Jacksonville, Fla., praying for the construction of a canal from that city to the St. Johns River, Fla., which was referred to the Committee on Commerce.

Mr. SMITH of Maryland presented a memorial of the Woman's Christian Temperance Union of Buckeystown, Md., remonstrating against the repeal or modification of war-time prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Smithburg, Highfield, and Lantz, all in the State of Maryland, praying for the repeal of the so-called daylight-saving law, which was referred to the Committee on Interstate Commerce.

Mr. CAPPER presented a petition of the Central Labor Union of Arkansas City, Kans., praying for an investigation into the high cost of living, which was referred to the Committee on Finance.

He also presented memorials of the Woman's Christian Temperance Union of Independence, of sundry citizens of Clearwater and La Harpe, all in the State of Kansas, remonstrating against the repeal of war-time prohibition, which were referred to the Committee on the Judiciary.

Mr. PAGE presented a memorial of voters of the Sacred Heart of Jesus Church and of the Council of St. Norbert, No. 134, L'Union St. Jean Baptiste d'Amerique, of West Rutland, Vt., remonstrating against the establishment of a department of education, which was referred to the Committee on Education and Labor.

He also presented a memorial of sundry citizens of Colchester, Winooski Falls, Vt., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. FRELINGHUYSEN, from the Committee on Military Affairs, to which was referred the bill (S. 2259) for the relief of Edward S. Farrow, reported it without amendment and submitted a report (No. 85) thereon.

Mr. McCUMBER, from the Committee on Pensions, to which was referred the bill (S. 1726) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, reported it with an amendment and submitted a report (No. 86) thereon.

Mr. CALDER, from the Committee on the District of Columbia, to which was referred the bill (S. 1369) to regulate the height, area, and use of buildings in the District of Columbia and to create a zoning commission, and for other purposes, reported it with amendments and submitted a report (No. 87) thereon.

COMMITTEE ON THE DISTRICT OF COLUMBIA.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 120, submitted by Mr. SHERMAN on the 14th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on the District of Columbia, or any subcommittee thereof, be authorized to send for persons and papers and to administer oaths, and to employ a stenographer to report such hearings as may be had in connection with any subject which may be pending before said committee, and such other expert assistants as may be necessary; that the committee may sit during the sessions or recesses of the Senate, and that the expense thereof be paid out of the contingent fund of the Senate.

EXPORTS OF MEAT PRODUCTS.

Mr. LODGE. I report favorably without amendment from the Committee on Foreign Relations the following resolution, and I ask for its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The Secretary read the resolution (S. Res. 114) submitted by Mr. SHERMAN on the 10th instant, as follows:

Resolved, That the Federal Trade Commission be, and is hereby, requested to furnish to the Senate, at the earliest possible moment, copies of all documents, correspondence, or other papers in its possession relating to its efforts or action in promotion or concerning the ex-

port trade in meats from the United States to the Kingdom of Great Britain or any of its colonial dependencies and other countries, and especially any communications by the Federal Trade Commission, or any of its members, officers, agents, or employees with the officers or agents of any foreign Government, and more especially all communications had with the Ministry of Reconstruction of Great Britain or the members thereof appointed in 1918, and to include all correspondence with the Hon. Charles A. McCurdy, Member of Parliament, of the Ministry of Foods and recently chairman of the committee on trusts, also such correspondence with any other member of the Ministry of Reconstruction in relation to the meat industries of the United States.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. KENYON. I do not rise to object, but merely to ask what the Senator expects the correspondence to show?

Mr. LODGE. I ask the attention of the Senator from Illinois [Mr. SHERMAN]. The Senator from Illinois introduced the resolution which has just been reported favorably from the committee. The committee reported it without amendment and unanimously. The purpose of the resolution appeared to the committee to be simply to get certain facts in regard to the export of meat products. We saw no reason why the Senate should not have the information.

Mr. KENYON. I realize that there is a propaganda on hand to discredit the Federal Trade Commission and its findings as to the meat industry, and I am anxious to know what the Senator, in a general way, expects to show by the resolution.

Mr. LODGE. Does the Senator suggest that the Committee on Foreign Relations are engaged in such a propaganda?

Mr. KENYON. Not at all, but the Committee on Foreign Relations may not know everything that is going on.

Mr. LODGE. This is a request for information for certain statistics or certain correspondence.

Mr. KENYON. It comes at a time very close to the report of the Federal Trade Commission as to the packers, and it somewhat arouses my suspicions.

Mr. SHERMAN. I will be glad to inform the Senator of anything I have in mind. I have a letter in my possession dated July 7, 1919, from W. B. Colver, chairman of the Federal Trade Commission. Mr. Colver says:

According to the CONGRESSIONAL RECORD for June 27, at page 1985, your remarks are quoted as follows:

"Mr. SHERMAN. Mr. President, I wish to ask the Senator from Ohio a question. Does he know who the chairman of the Federal Trade Commission is now?

"Mr. POMERENE. I think Mr. Colver is the chairman now.

"Mr. SHERMAN. Does the Senator know where he is at this time?

"Mr. POMERENE. I do not; I am not my brother's keeper in that respect.

"Mr. SHERMAN. I am not his keeper either, but I believe I have some accurate information about where he is. Unless he has returned recently, he is in England. When the Senator speaks of the fostering care of the Federal Trade Commission on our export trade, I will say that I believe I will have adequate proof to present here that, instead of promoting our export trade, he is destroying it in England by unfriendly comments, by violent speeches reported in English newspapers denouncing certain of our export lines. I think he is paying his traveling expenses across the ocean out of such appropriations as this."

That is the quotation from the CONGRESSIONAL RECORD. He continues in this manner:

I have not had the opportunity to read the RECORD closely every day, and I may have overlooked your presentation of "adequate proof."

If I have, will you be so good as to cite me to the page of the RECORD, and if you have not presented your proof will you advise me when you do so?

That was the letter. I have some proof in my possession, but there is other proof, I think, that can be furnished by the Federal Trade Commission, its members, or some of its employees. It is that that I seek to have. The resolution asks for the information.

I believe that Mr. Colver if not others of the Federal Trade Commission have communicated very unfriendly information to the British authorities, those who are capable of injuring our export trade. If there is nothing of that kind in these records, then the adoption of the resolution will show nothing, of course, and will not be harmful nor will it afford me any information in answering the questions propounded in this letter of Mr. Colver.

I wish the resolution adopted to the end that if there is anything that can be made public in their correspondence with the English authorities that would discourage or tend to discourage the export trade from this country I be given it.

I will say further, Mr. President, I have a considerable volume of information which will tend and some of it will directly show that what I said as reported in the CONGRESSIONAL RECORD is true. For instance, I have clippings from certain of the London newspapers. I have one from the London Star of April 14, 1919, containing an interview from Mr. Colver. So far as I said he had used violent speeches I am not correct; that is an inaccuracy and I am ready now to make, so far as my present information goes, the correction. But this interview of the 14th of April, in the London Star, is a very hurtful interview. It has a direct tendency not only to damage the export trade but to entirely put the packers of this country out of the British market, not only in England but in all the United Kingdom, and if it is done there naturally the colonial dependencies would probably take the same course.

I wish particularly Mr. Colver or any agent or employee or other member or officer of the Federal Trade Commission to say whether they have had any correspondence along the lines covered in that interview. The interview is enough to establish the truth of the statement I made in the CONGRESSIONAL RECORD. This is the first opportunity I have had to refer to it. This is as follows:

Many people in Smithfield (says a Star correspondent) have been puzzled by the mysterious disappearance from the American meat trust of the firm of Sulzberger & Sons, and the sudden appearance of a new company called Wilson & Co.

Sulzbergers had large dealings with this country, carried out through their agents, Archer & Co., and the story has never been told. It is now revealed in the latest volume of evidence taken by the United States Federal Trade Commission, whose chairman, the Hon. W. B. Colver, has been interviewed in London by a Star representative.

Then follows quite a large matter of alleged statement of fact. I do not care to go into it now because of the time.

Mr. KENYON. May I ask if the Senator is reading from the interview with Mr. Colver?

Mr. SHERMAN. Yes, sir; it purports to be an interview with Mr. Colver.

Mr. KENYON. Has the Senator read any part of the interview?

Mr. SHERMAN. I have not.

Mr. KENYON. What, then, was the Senator reading?

Mr. SHERMAN. I am reading, so far, the heading of the interview, and then follows what purports to be this interview.

Mr. KENYON. From what paper is it?

Mr. SHERMAN. It is from the London Star of April 14, 1919. It is not, I will say, a quotation-mark interview. It states that the reporter of the London Star had an interview with W. B. Colver, and then follow a number of statements about how the firm of Sulzberger & Sons disappeared from the packing business.

I wish to say that, taking the whole of it, this statement is grossly vicious, unfair, and some of it is false.

Mr. KENYON. Does the Senator know that it is an authentic interview with Mr. Colver?

Mr. SHERMAN. I have clipped it from the London Star.

Mr. KENYON. Where does the Senator get the paper?

Mr. SHERMAN. You can get it in the Congressional Library. You will find the original on file there.

Mr. BORAH. Is there any objection to the resolution?

The VICE PRESIDENT. The Chair is just waiting to see.

Mr. BORAH. I asked for the reason that if there is objection to it, I prefer that we proceed with morning business.

Mr. SHERMAN. I would much prefer that course myself. I was only trying to answer the inquiry of the Senator from Iowa.

Mr. KENYON. I was simply trying to find out about the resolution.

Mr. SHERMAN. I do not care to take it up at this time if there is any objection.

Mr. KENYON. Senators are being flooded now with telegrams. There is a general movement in this matter.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution? The Chair hears none. The resolution is before the Senate. Is there any objection? The Chair hears none, and it is agreed to.

JAPANESE CONTROL OF SHANTUNG.

Mr. BORAH. From the Committee on Foreign Relations I report back favorably with an amendment Senate resolution 116, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. The resolution will be read.

The resolution, which had been submitted by Mr. BORAH on the 10th instant, was read, as follows:

Resolved, That the President be requested, if not incompatible with the public interest, to send to the Senate a copy of any letter or written protest by any member or members of the American peace commission against the disposition or adjustment which was made with reference to Shantung, and particularly a copy of a letter written by Gen. Tasker H. Bliss, member of the peace commission, on behalf of himself, Robert Lansing, Secretary of State, and Hon. Henry White, members of the peace commission, protesting against the provisions of the treaty with reference to Shantung.

Any memoranda or other information in the possession of the American peace commission or any member thereof with reference to the attempt of Japan or her peace delegates to intimidate the Chinese peace delegates, and to control the action of said Chinese delegates through and by means of intimidation.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. HITCHCOCK. I ask the Senator from Idaho to let the resolution go over. I object to its consideration. I think the Senator is willing to have it go over.

Mr. BORAH. Very well, if the Senator requests it.

The VICE PRESIDENT. The resolution goes to the calendar.

BILLS INTRODUCED.

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. FRELINGHUYSEN:

A bill (S. 2469) for the relief of Edward Johnson; to the Committee on Military Affairs.

A bill (S. 2470) granting a pension to John B. Moore; to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 2471) for the garnishment and attachment of the wages of Federal employees; to the Committee on the Judiciary.

By Mr. EDGE:

A bill (S. 2472) to amend the act approved December 23, 1913, known as the Federal reserve act; to the Committee on Banking and Currency.

By Mr. WALSH of Montana:

A bill (S. 2473) for the relief of homestead claimants in drought-stricken regions; to the Committee on Public Lands.

By Mr. McCUMBER:

A bill (S. 2474) to amend the war-risk insurance act as amended, and for other purposes; to the Committee on Finance.

By Mr. HALE:

A bill (S. 2475) granting an increase of pension to Alvin A. Noyes (with accompanying papers); to the Committee on Pensions.

By Mr. STANLEY:

A bill (S. 2476) to amend the act establishing the eastern district of Kentucky; to the Committee on the Judiciary.

By Mr. LODGE:

A bill (S. 2477) for the relief of Henry E. Davies (with accompanying paper); to the Committee on Claims.

A bill (S. 2478) granting an increase of pension to Harry Colpus; to the Committee on Pensions.

By Mr. DIAL:

A bill (S. 2479) granting a pension to Nannie M. Franks; to the Committee on Pensions.

By Mr. MOSES:

A bill (S. 2480) granting a pension to Henry Carroll (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 2481) granting a pension to Ellen Merritt;

A bill (S. 2482) granting an increase of pension to Barbara A. Munger (with accompanying papers);

A bill (S. 2483) granting an increase of pension to Anna M. Sill (with accompanying papers);

A bill (S. 2484) granting an increase of pension to Frank Crith (with accompanying papers);

A bill (S. 2485) granting an increase of pension to Charles N. Oliver (with accompanying papers);

A bill (S. 2486) granting a pension to Margaret I. Halbert (with accompanying papers); and

A bill (S. 2487) granting an increase of pension to Caleb Reeser (with accompanying papers); to the Committee on Pensions.

By Mr. POINDEXTER:

A bill (S. 2488) for the relief of the estate of Gen. Luther P. Bradley; and

A bill (S. 2489) for the relief of the legal representative of the estate of Robert Dillon, deceased; to the Committee on Claims.

By Mr. CAPPER:

A bill (S. 2490) granting an increase of pension to James C. Metlin (with accompanying papers); to the Committee on Pensions.

By Mr. HARDING:

A bill (S. 2491) granting a pension to Paul Stanley Adams; to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 2492) to encourage home ownership and to stimulate the buying and building of homes; to create a standard form of investment based on building-association mortgages; to create Government depositories and financial agents for the United States; to furnish a market for Government bonds, and for other purposes; to the Committee on Banking and Currency.

By Mr. WADSWORTH:

A bill (S. 2493) to extend the provisions of the war-risk insurance act of September 2, 1914, as amended, to cadets at the United States Military Academy and midshipmen at the United States Naval Academy; to the Committee on Finance.

A bill (S. 2494) to transfer the tract of land known as the Lighthouse Reservation, at North Point, Md., from the jurisdiction of the Department of Commerce to the jurisdiction of the War Department;

A bill (S. 2495) transferring the tract of land known as Craney Island from the jurisdiction of the War Department to the jurisdiction of the Treasury Department and transferring the tract of land known as Fishermans Island from the jurisdiction of the Treasury Department to the jurisdiction of the War Department;

A bill (S. 2496) authorizing the retirement of members of the Army Nurse Corps (female); and

A bill (S. 2497) to provide for the payment of six months' pay to the widow, children, or other designated dependent relative of any officer or enlisted man of the Regular Army whose death results from wounds or disease not the result of his own misconduct; to the Committee on Military Affairs.

ALLEGED UNLAWFUL PRACTICES OF FEDERAL OFFICIALS.

Mr. CURTIS submitted the following resolution (S. Res. 121), which, with the accompanying papers, was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Whereas charges of unlawful practices have been made against certain officials in the Department of Justice and against the United States district attorney for Kansas, and other Federal officials in that State: Therefore be it

Resolved, That the Committee on the Judiciary, or any subcommittee thereof, be, and is hereby, authorized and directed to investigate the said charges of unlawful and illegal practices committed by certain officials of the Department of Justice, the United States district attorney for Kansas, and other Federal officials in that State; that the said committee report in full to the Senate the findings on such hearings; and be it

Resolved further, That the expenses incurred in the carrying out of this resolution shall be paid from the contingent fund of the Senate upon vouchers ordered by the committee, or any subcommittee thereof, and approved by the chairman of the committee.

TRANSFER OF SHANTUNG TO JAPAN.

Mr. POINDEXTER submitted the following resolution (S. Res. 122), which was referred to the Committee on Foreign Relations:

Resolved, That the Senate does not advise and does not consent to that article of the pending proposed treaty with Germany, China, Japan, and other nations by which Shantung, a part of China, is transferred to the jurisdiction of Japan.

ADDRESS BY GEORGE WHARTON PEPPER.

Mr. FRELINGHUYSEN. Mr. President, I send to the desk an address by George Wharton Pepper before the New Jersey Bar Association in Atlantic City, June 14, 1919, on the executive control of international affairs, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

EXECUTIVE CONTROL OF INTERNATIONAL AFFAIRS.

[Address of George Wharton Pepper before the New Jersey Bar Association in Atlantic City, June 14, 1919.]

I.

"If the covenant of the league of nations becomes operative in its present form, great power and correspondingly great responsibility will be cast upon nine men. Of these nine, one will be a Briton, one a Frenchman, one an Italian, one a Japanese, and one an American. At least for the time being the group will include a Belgian, a Brazilian, a Greek, and a Spaniard. Collectively these nine men will assemble as the executive council of the league. Severally they will purport to represent their respective nations. It is interesting to visualize this composite group and to picture them as they sit at a round table in Geneva. They may 'deal with any matter within the sphere of action of the league or affecting the peace of the world.'

"It is not only interesting but highly important for lawyers to determine what the precise function of this group will be within the broad field thus assigned to it. Laymen may be content to affirm or deny that the league sets up a central government or a superstate. Lawyers, however, will not be satisfied until they understand the substance of the matter, irrespective of the terms used to describe it.

"If and when the council meets, each represented nation will in some manner have chosen its delegates. Some one will claim a seat as the representative of the United States of America. When votes are cast in council there will be no limit to the significance attaching to them. The representative of the United States will in effect hold the proxy of this Nation. When he votes he records the decision of 100,000,000 people. Whether, consistently with the Constitution of the United States, the power thus to vote on behalf of the Nation can be conferred on anybody is a constitutional question which I do not

propose to discuss. I raise the more fundamental question whether the principle of representative action can in fact be so extended as to clothe one man with the uncontrolled authority to commit 100,000,000.

"If the executive council of the league was limited in function to advisory action, the question of representation would still be important. If, as I shall presently show, the vote of the council may actually bind member States in great international emergencies, then the reality of representation becomes not merely important but vital. The aim of the league is to keep the peace of the world after the world shall have made peace. Few things are more likely to breathe discord and precipitate war than the attempt to hold a great nation to a position marked out for it by the action of a single individual, no matter how wise or how trustworthy.

"It is difficult to discuss current international events without seeming to criticize individual statesmen. And yet it can not be wise to shut our eyes and to seal our lips in the presence of object lessons from which there is much to learn.

"With this thought in mind, and solely in connection with the point I am discussing, I direct your attention to what I believe to be one of the most fruitful sources of discord in the United States, and therefore in the world, to-day. I refer to the fact that in regard to matters of world concern the President of the United States has assumed what I believe to be the absolutely impossible task of interpreting and expressing the mind and will of his fellow countrymen.

"There is much heated debate respecting the President's wisdom or unwisdom in declining to seek the advice of the Senate. Without controversy, this at least may be said, that when the Senate and the President act together the people have some check upon solitary Executive action. It may not be a sufficient check. It may not be the wisest kind of a check. But until a better is devised and applied few lawyers will deny that the cooperation of the executive and the legislative departments of the Government is a great safeguard against the kind of solitary Executive action which in extreme cases tends to revolution.

"Senators have lately been engaging in a technical discussion as to whether the draft of a treaty should be made public while it is in process of negotiation. It seems to me that they lose sight of the point which is vital in the present situation, namely, that the so-called negotiation is not being conducted by commissioners who will in due time report to the Executive, who, in his turn, will submit the product of negotiation to the Senate, but by the Chief Executive himself, whose every act and every utterance must necessarily be interpreted as so far committing the Nation that a Senator who ventures to speak out is branded as one who is embarrassing the President and a citizen who ventures to protest must submit to charges of disloyalty. For such a situation we have no precedent in our constitutional history. The question is not whether the President acts wisely when he makes himself a commissioner. The point is that if and when the Chief Executive acts as a commissioner he must either consult with the legislative department at each step of the negotiation or arouse the spirit of discord which is always bred when multitudes of people question the reality of the representation by which they are sought to be bound.

"I call this a contemporary object-lesson, because we are asked to incorporate permanently in the structure of a peace league a theory of representative action which at the present moment is producing grave internal dissatisfaction throughout the country. If our representative in the executive council is appointed by the President alone, the danger will reach its maximum. But if he is chosen by the Congress, or even by popular vote, he will still be placed in an impossible position with his own constituents the very first time a great world question comes before the council for decision. When he undertakes to tell the council and the world how the United States votes on the question at issue he will necessarily arouse the resentment and even the passion of millions of our own people. If one man can express the mind and will of this Nation, why do we have a Congress and a Supreme Court? Why not elect the President by direct popular vote and intrust to him and to his Cabinet the permanent control of all national interests?

"What I have said is intended to direct your attention to the probable effect on Americans of action taken in council by the unfortunate person who is called upon to discharge an impossible duty. What will be the effect of councilor action upon the 36 nations not even nominally represented in the council it is not very difficult to predict.

"This league is not worth while unless it is to be a peace league. It will not prove to be a peace league if the people of member States are constantly thrown into discord and dissension by the well-meant but futile efforts of single individuals to express the national will. It will not prove to be a peace league if States not represented in the council find themselves from time to time committed by the votes of a central authority over which they have not even a nominal control or influence.

II.

"I come now to the proposition referred to a moment ago—that this central group of nine men are in fact given by the covenant the power in every great international emergency to determine the policy and conduct of member States.

"It can not successfully be denied that each league member is bound by covenant to submit to this council of nine all serious disputes of any and every kind which the parties do not unite in arbitrating. Nor can it be denied that in a certain contingency the nation against whom the council decides is bound not to go to war with the successful disputant. The contingency in which a sovereign State is thus bound is that in which there is a unanimous verdict against it by the members of the council not parties to the dispute.

"I pause to note a point often overlooked. It is this, that when nations agree with respect to all manner of future disputes to be bound by the vote of other nations, they are creating a central authority invested with sovereign powers. Whether this central organization shall or shall not be called a 'superstate' is purely a matter of definition.

"The important fact is that when such a system is set up member States have thereby abdicated their right to determine their own course in multitudes of emergencies and have conferred that right upon a body created for the purpose.

"It makes no difference, as a matter of principle, whether the verdict by which a nation is to be bound must be given unanimously by other nations or whether a bare majority vote will suffice. The important point is that when once the action of one nation can be determined by the vote of other nations the line has been crossed which separates diplomatic conference from governmental action. Each member has suffered itself to be built into the structure of a larger governmental concern, much as a kingdom is built into the structure of an empire.

"The international agreement to arbitrate a particular question or a particular class of questions obviously stands on a different basis. The plan embodied in the covenant contemplates the decision by the central body of all questions on all subjects and at all times. The covenant makes it the specific duty of the council to deal with disputes which the parties do not recognize as suitable for arbitration. In other words, the jurisdiction of the council begins where the possibility of arbitration ends.

"Some of the confusion of thought on this subject betrayed by advocates of the league has been due to the fact that the provisions of the covenant creating the central government are expressed in eighteenth century terms of social contract. The fiction of a promise to act in accordance with the central decision is substituted for the language of compulsion. But the consequences are the same. It would be entirely possible to rewrite the Constitution of the United States in terms of social contract. Instead of enumerating the powers of Congress the framers might have drafted a covenant by citizens and States to submit themselves to such action as Congress might take. A breach of the covenant would be an act of lawlessness and prescribed consequences would follow.

"In the case of the league these consequences are sufficiently serious.

"Let it be supposed that the United States and Japan are parties to a dispute over the validity of our immigration policy and that the matter has been referred to the council. Let it further be supposed that the other seven nations in council, against our protest, have decided that this is not a matter purely within our domestic jurisdiction and on the merits of the question have decided against us and in favor of Japan. Let it likewise be supposed that the Mikado thereupon sends a shipload of subjects to San Francisco under battleship convoy and attempts to land them. The United States is bound by its covenant not to go to war against the successful disputant. But let us imagine that the instinct of self-preservation is too strong for us and that we are smarting under a sense of injustice. We fire on the Japanese ships, prevent the landing, and precipitate war.

"What follows?

"The answer given by article 16 is that this act of war on our part against Japan is an act of war against all league members. Instantly each member State becomes bound to subject the United States to a social, commercial, and economic boycott of the most pitiless sort, and it becomes the duty of the council to recommend to the several Governments the military

and naval quotas to be contributed by each 'to protect the covenants" i. e., to enforce the decrees of the league.

"Nobody doubts but that such a situation as I have supposed would be disastrous to the United States. The most that an advocate of the league can say is that this precise situation will not arise. Perhaps not. But history is full of such situations and history has a way of repeating itself. Why should we take so great a chance when the essential value of the league can be preserved by amputating these political excrescences?

"It is to be noted also that there is a financial aspect of situations like the one just suggested. The cost of any war precipitated by a breach of covenant is underwritten by all league members. The United States, under article 16, must contribute a large part of the financing of a distant war in which we may have only a remote concern.

"I have said that there is no international dispute of any kind which may not be dealt with by the council. Among other purely political or nonjusticiable matters the council may determine the following:

"First. Whether a protest by the United States under the Monroe doctrine tends to the maintenance of peace and, if not, may bind us by a decision that the protest is invalid and may safely be disregarded by our adversary.

"Second. Whether a given matter (such as immigration, coastwise trade, protective tariff, status of the Panama Canal) is or is not of purely domestic jurisdiction and, if not, may make a binding decree against us on the merits of the question raised by our adversary.

"Third. Whether the United States has properly discharged its duties as mandatory for some weaker nation, and, if not, to what extent we shall be surcharged.

"Fourth. Whether in any case involving sovereign and national self-determination we are right or wrong in the position we have taken, and what course of conduct the other nation may pursue toward us with the sanction and support of the league and in view of our covenant not to resort to war.

"If the foregoing analysis is correct, three points will have been made clear:

"First. That the league of nations has as its central agency a voting trust of nine nations dominated by five.

"Second. That the voting trustees who act for the several nations have power to decide great and vital questions of national self-interest for member States and to bind them by their decision.

"Third. That while an American is to be one of nine delegates in the council it is from the nature of things impossible that he can express the mind and will of his fellow countrymen otherwise than by a representation which is merely fictional.

III.

"My next point is that the central governmental agency thus set up by the covenant must in all cases resort to executive action rather than to legislative or judicial action and will by so doing produce world-wide discontent, friction, and war.

"In the last analysis every organized government must place its main reliance upon a legislature, a court, or an executive.

"England trusts Parliament, and Parliament has proved the palladium of English liberties.

"We in the United States have learned that the success of our constitutional experiment has resulted from the vesting of judicial power in the Supreme Court.

"Germany trusted the executive, and, as always, executive action quickly lapsed into tyranny. The Kaiser was nothing more than the embodiment of a primitive governmental conception, an unhampered executive with a little court and an embryonic legislature to play with. Given these conditions, everything that followed was a matter of course.

"The covenant of the league of nations sets up a central governmental agency which is the executive raised to its highest power. The so-called assembly is a clumsy and superfluous institution. One doubts whether it will ever meet. If it does, and if it undertakes to decide disputes referred to it by the council or by a party, the principle of majority rule in international affairs will become even more obvious than in the council, for a decision of the assembly becomes binding if made by the nations represented in the council supplemented by a bare majority of the rest—19 out of 36, of which 19 votes Great Britain will cast 5.

"It is not too much to ask that lawyers will consider carefully what it means thus wholly to subordinate the legislative and the judicial function to the executive. In war times, in the interest of strong and vigorous rather than of just and acceptable action, we were willing to make large delegations of authority to the executive. I doubt, however, whether any calm political thinker in America will advocate the indefinite prolongation of this system of executive control for our own affairs, let alone for the affairs of the world. Yet the covenant of the league proposes to perpetuate for the world and under normal conditions such a predominance of the executive function as will turn peace into war even more certainly than it can crown war with victory.

"The fact that there are nine executives rather than one is not material. Four of them are confessedly negligible, and are treated as such. Of the other five, four will represent the powers that dominated the peace conference. Of these four, three have actually been in the assembly. Among the three at any given time the position of commanding influence will be accorded to one.

"What is really proposed is that we should vest executive, legislative, and judicial power for the government of the world in a voting trusteeship dominated by two or three men.

"What we are actually contemplating is an offensive and defensive political alliance for the permanent control of international affairs, coupled with a liberal guaranty of American force to make the alliance effective and a pledge of American capital to finance the wars of the world.

IV.

"An effective way to test the soundness of the foregoing analysis is to inquire whether those who are responsible for the league will consent to the amendments necessary to meet the objections which have here been raised.

"Three simple amendments would suffice to transform this league from a war league into a peace league. If these amendments are refused, the refusal goes a long way toward proving that the determination to set up a strong international government is of the essence of the plan.

"The three amendments are these:

"First. Strike out the covenant which now binds member States to accept the action of the council or assembly and by striking them out transform those bodies into useful international councils of conciliation.

"Second. Create a court of international justice with a compulsory jurisdiction over all justiciable disputes.

"Third. Eliminate from the covenant the blanket guaranties of article 10 and incorporate in the treaty such definite and specific guaranties by the United States and other league members as are requisite to make the treaty settlements actually effective.

"It will not do to refuse to make amendments on the ground that the evils at which they are aimed do not exist. The answer is that multitudes of wise, intelligent, and patriotic citizens actually perceive these grave elements of danger in the document. No group of men should indulge pride of intellect to the extent of declaring that there is only one side to the questions which I have been discussing. The alleged mechanical difficulties in the way of making amendments are purely imaginary. The document can readily be amended if people are in earnest about it.

"A refusal to agree to these amendments is inconsistent with a sincere belief in free government and is consistent only with a settled determination to establish and maintain a centralized executive control of world affairs."

ADDRESS BY THOMAS PATTERSON.

Mr. KNOX. Mr. President, I ask that an address by Thomas Patterson, of the Pittsburgh (Pa.) bar, one of the leading lawyers of Pennsylvania, giving a summary of the league of nations, be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

MEMORANDUM OF THE LEAGUE OF NATIONS.

[By Thomas Patterson, Esq., of the Pittsburgh (Pa.) Bar.]

"What is known as government by organic law—that is, government under a fixed constitution to which legislation must conform—is a matter of comparatively recent date and limited area. Until within recent years all governments, of whatever form, were entirely free to act in accordance with their pleasure as the occasion arose. While they often called important legislation constitutional legislation, yet, in fact, such legislation could be changed at any moment by act of parliament or legislature in the usual method.

"The idea of constitutional restriction probably had its rise in the royal charters of the American colonies. In some of those charters there were contained provisions which prohibited legislation on certain subjects, or provided that certain tenures should be established or customs adopted which the colonial legislature could not change. This idea took larger shape, involving the fundamental union of different colonies, in the Albany

convention of 1763, and later in the Articles of Confederation and the Constitution of the United States.

"In the history which has been made under the latter instrument, we get most of our knowledge of the practical working result of an organic instrument binding together a number of units, over which a central power, created and limited by the Constitution which is the basis of the Union, exercises authority.

"One of the first points to be noted about this constitutional history is that the character and effect of the Constitution as discussed by statesmen at the time of its adoption is entirely different from its character and effect as worked out through judicial decisions and in political history. Originally the Constitution was regarded as a mere league, interfering with the sovereignty of the several States only to the extent that those States had clearly given up specific rights. All powers not given directly or by necessary implication remained with the States.

"When the Constitution came up for adoption by the Virginia convention, Patrick Henry very strongly opposed it, because Virginia, then by far the largest and richest of the colonies, was yielding her independence to some unknown sovereignty, which might later on reduce her to a passive or subject condition, and in support of his argument he called attention to the opening line of the preamble of the Constitution, 'We, the people of the United States.' He was at once answered by James Madison, who had been a member of the constitutional convention, and who said that the words had no meaning, except that, as the framers of the instrument did not know the States which were to sign the agreement, they could not name the States, but they used the term in the sense of 'the people of the States united by this Constitution.' He further said that a most superficial inspection of the document showed that it was entirely a Union of the States and executed in the nature of a treaty in their capacity as States. If it were a Union of the people, the people of the States would decide by a vote of all the people of the States whether to adopt or reject it. The representation in the Senate was by States and amendment to the instrument could only be made by States.

"This argument prevailed. Virginia approved the instrument. Later on the constitutional lawyers of the North—Webster, Marshall, and Story—took precisely the position which Patrick Henry had indicated, that the Union was of the people and not of the States, and that secession, therefore, was illegal, because the Union was not a federation between the States, but an instrument adopted by the people of the States, and a Union of the people and not of communities.

"The answer of the southern lawyers, along the lines which Madison had already indicated in his speech to the Virginia convention, may well be regarded as the better legal argument. The point to be especially noticed, however, is that it was not a question of what was intended by the framers of the Constitution or the people who adopted it, nor what was the logical and legal construction of its various phrases, but the fact that the Constitution had placed the supreme power in the Federal Government; that it had given it control of the Army and Navy, the mint, the post office, and the other elements of national life. It had denied the States all of these rights and prohibited them from maintaining any standing army or from negotiating any treaty between the different States, so that when the Southern States made their desperate effort to tear loose from a Union which had become obnoxious to them they found themselves confronted not by the arguments of lawyers showing that their act was illegal, but by the overwhelming national force opposed to them, and, in spite of their determined and courageous efforts, they were fated to defeat from the start. After the Navy of the United States had laid its strangle hold upon the southern ports, preventing all commerce from entering or departing from those States, the fact that it must before a great while perish was absolutely determined.

"Far from criticizing our Constitution, I think that even the forces once opposed to it would concede that its preservation had been most beneficial, but we see by this incident the results which follow failure to clearly define both purpose and power, in both which respects our Constitution is incomparably clearer than the covenants of the league.

"So we may note that it was not what Madison or Henry or others who argued for or against the Constitution said it would mean that counted at all in the history of the matter, but it was the actual disposition of the powers and the creation of a paramount central authority which determined the result of the controversy.

"Another matter of interest to be noted is that the tendency of the Federal Government has always been toward the extension of its powers. This has not only been accomplished by a course of decision of the Supreme Court, which has naturally enough sought to weld the various State elements into a unified whole, but the course of public thought, of legislation, and of amendment has been one to steadily increase the powers of the Central Government and reduce and limit the powers of the local or State governments. So that, looking back, I think we will all agree that the constitutional history has been one of steady but increasing centralization, until the State lines are almost at the point of disappearing. Yet a result such as this was one of the last things that the framers of the Constitution or the people who adopted it thought it possible to happen. It is what the people who act under a Constitution, not the people who theorize a priori think about it, that is determinative. And this has been accomplished under regulation and control by one of the most conservative bodies of the world—the Supreme Court of the United States, who have, beyond question, earnestly sought not to warp nor disturb the meaning of the Constitution, but to try to apply it in an enlightened sense, according to its spirit.

"With such aids as these brief lessons of our own constitutional history have given us, let us examine for a moment the proposed world federation which comes before us with the title of 'the league of nations.'

"The scope and purpose of the Constitution of the United States are very clearly defined. The reason for its being called into existence, as a necessary protective measure against destruction by the great European powers, also serves sharply to define and make clear its real intent.

"In the case of the league of nations we are at a loss to find any definition that can be laid down so as to give us any accurate limitation of the field of jurisdiction of the proposed federation. We know that international peace is not its sole object. We have, also, 'international cooperation,' whatever that may mean. We know, again, that the assembly, which is its paramount body, 'may deal at its meetings with any matter within the sphere of action of the league or affecting the peace of the world.' What this sphere of action may be, outside the peace of the world and outside international cooperation, whatever the latter term may mean, we are left in doubt, except that we find among the general objects the securing of harmonious conditions of labor, and for this purpose the establishment and maintenance of international organizations; the just treatment of the native inhabitants of territories under the control of the league; supervision over the execution of agreements in regard to certain prohibited traffics and trade in arms; freedom of communication and transit and equitable treatment for the commerce of all the members of the league. It would seem quite apparent that, with so general and vague an outline or description of the field of operations of the league, that field of operations may, in fact, include almost anything in which, for the time being, the nations of the world, or some of them, may be thought to have an interest.

"It is also important to note that the ordinary division into executive, legislative, and judicial powers, which former constitutions always recognized, is not made here. The ordinary action is by the executive council. Final action lies with the assembly. These bodies, if they act at all, must act by some sort of legislation. If the legislation is to be executed, they must appoint executives to carry it out, and there is no court or judicial body that can declare that such legislation or action is beyond the scope of the powers with which the league is invested. In other words, we have a situation in which the central authority is the sole judge of the limits of its powers and the method by which it will carry them into effect.

"With all history pointing, as it does, toward the increase of power in central authority, even when limited by independent judicial supervision, it seems quite apparent that if the league should become an established fact and should exist throughout the years its tendency would be to steadily increase its autocratic authority, and this course is greatly accentuated in the present case by the entirely vague and loosely formed declarations as to what the scope of authority of the league is intended to be.

"This naturally leads us up to the question of sovereignty. It has been much debated whether or not the authorities of the league could enforce upon unwilling nations its will in matters in which those nations might be unwilling to acquiesce. The answer must be that the league is paramount and supreme within the sphere of activity for which it is created. As noted above, what that sphere is is a matter which the councils of the league must determine, but, whatever it may be, within that sphere the powers of the league must be absolutely supreme. That was the ruling of the Supreme Court in the case of the Federal Constitution and must be the ruling of whatever authorities are charged with the execution of the activities of the league. This necessarily follows from the very nature of a constitution. If one of the constituent units may define the

powers of the league and resist its authority, when the sovereignty of the league has been destroyed, then there is an end of the federation. Unless it can speak with authority, it need not speak at all. It does not exist at all for governmental purposes. It would be merely a clearing house, through which the views of nations could be exchanged and action of concerted character decided upon or rejected. And this could be done as well without the league as with it. But more than that, it is perfectly apparent by the relations which the powers of the league are given toward the military establishments in the various units, toward the treaties which are made between those units, toward the punishment of offending nations who refuse to obey its decrees, and the summoning of forces to its aid to carry out the decrees, that the purpose was to create a sovereign power, within the limits of its jurisdiction. As it necessarily must be intended, the league shall be given all necessary power to carry out its edicts or judgments which are to be supreme. Nothing else can be the meaning of such a phrase as that in article 15, referring to the punishment of a covenant-breaking State and the action of the remaining States:

"They (the remaining States) will take the necessary steps to afford passage through their territory for forces of any of the members of the league which are cooperating to protect the covenants of the league.

"In like manner the provisions as to the trade in arms, the inspection of all munition plants, arms, naval and military programs of the various units, speak the same language.

"Let it be conceded that this is a necessary thing, as has been pointed out. If the league be a league at all, then it must have the power to enforce its decrees, and it must have the authority to determine the scope of its jurisdiction. The purpose plainly exists and the necessary powers are given. If there were nothing else, the language, which is repeated, of protecting the covenants of the league by force, would be conclusive upon this subject.

"I need not recall the argument, which is too well known to need repetition, that it is beyond the constitutional powers of the Senate and the Chief Executive to enter into a covenant which shall surrender any part of the sovereignty of the United States. I am only considering for a moment the practical effect which might happen, and therefore must be regarded as bound to happen, if the United States should become a constituent member of the league. Whether or not our relations with Mexico or with the Orient; our admission of emigrants to citizenship from any of those countries; our relations of trade with them or with Europe were subject matter within the jurisdiction of the league of nations is one on which, doubtless, arguments could be heard, but the decision would rest with the councils of the league. Whatever the conclusion they might reach in any given case would have to become the law governing this country in that matter. If it is answered that a country may withdraw from the league upon two years' notice, the answer is apparent that within those two years infinite damage might be inflicted, and that even with this period of secession given a nation might well be so reduced in its military forces as to be unable to withstand coercion if at the time the rest of the world believed that course was desirable. In addition to that, upon what possible theory should a nation accept obligations and enter into covenants of association and alliance where the only possible answer given to its loss of sovereignty would be that it may, after a period, win free and regain such part of its sovereignty as may not have been permanently affected?

"The reasons put forward for the adoption of the league, or for the entrance of this country into the league, of the smallness of the world, of the cause of humanity, of the horrors of war do not seem to me to touch the question at all. The history of this country has not been one of oppression nor of overarmament nor of seeking quarrels either on this continent or beyond the sea. While we have had wars, with little or no preparation for the war on either side, yet to-day I think it may truly be said that no nation has to build a ship or raise an army or build a fort in preparedness for any aggressive act on the part of the United States. Our 3,000-mile boundary line along Canada with not a fort nor a soldier to mark that line is sufficient evidence of what our history has been in relation to international peace.

"What possible call of humanity is there to lead us to undertake to constitute a part of the police force to guard the other side of the world? Prior to the outbreak of the war in Europe most Americans did not even know the names of many of the nations which became involved in that war or their location or the character of their governments. We can contribute nothing in the way of wise policy, and we certainly ought not to be required to contribute anything in the way of force to limit the boundaries or maintain the integrity or suppress violence among those far-distant peoples. In like manner these peoples, as well as the larger nations of Europe, ought not to be called upon, and if called upon could not wisely act, in the settlement of disputes which might arise with our neighbors on this continent or in the East.

"It is an old saying that one may not have efficiency without responsibility. If our country is to keep its guardian place in the New World, it must have the full responsibility for its actions. It can not efficiently perform these functions if the nations of the Old World may reach over its shoulders at any time and determine for it the course of action it should pursue or the decision it should reach.

"If there is any single reason for the cause of humanity that we should interfere for the sake of the world's peace, the case would be different, but it is perfectly apparent that the nations of the Old World, gathered together in any league or treaty they may see fit to adopt or enact, can, if they are of united purpose, successfully reduce their armaments and successfully make common cause against any aggressive warfare, so that such aggressive warfare will cease even to be contemplated. But if, unlikely as it may be, the cause of humanity ever should beckon us to give assistance to the peoples of the Old World, that assistance can be given when the time comes as readily and strongly as it has been done in the past, and all the more efficiently and strongly because this Nation has been permitted to grow up and pursue its destiny unhampered by the restrictions of a league which makes its soldiery, its armament, its Navy, and all its other facilities of defense subject to inspection and regulation from abroad.

"In conclusion, as it seems to me, the questions which are raised here and elsewhere as to the desirability of the league present, at least, arguable matter. If we are at all right in the objections expressed to the league of nations, then the most serious crisis which the American people have encountered since they formed their country is now upon them. Upon what possible theory is debate eliminated and discussion made wrong in regard to a matter so interwoven with all our political history and so fraught with possibilities of evil and harm for our future? Without any criticism of the motives of the Chief Executive, and conceding to him no other purpose than to secure ideal conditions for the world, we must not forget that the history of all republics has been the elimination of the bodies representing the people from the councils of the State and the substitution therefor of the act of the executive. The people, without any thought of disloyalty, care nothing for courts or Congress. They only ask an executive who shall carry out their wishes at the time. The executive, in like manner, naturally and sincerely cares only to interpret and carry forward the wishes of the people. The constant tendency always has been to eliminate any traditional or constitutional provisions intended to act as a check upon the actions of the executive department. There can be no more striking instance of that than the proposition that the treaty of peace should receive automatic approval at once and as a matter of course by the Senate, and not only that, but, as a part of it and automatically and without objection, the Senate should approve and enter into the league of nations.

"Whatever may be the right course or the wrong course in regard to the league, whatever may be the call of humanity or the call of wisdom in relation to this country and the other nations of the world, as evidenced by the league, it certainly seems clear that not only is it due the importance of the subject considered, but it is due the preservation and protection of our own institutions in their most vital aspect that there should be a free and full discussion of the proposed league on its own merits, quite separate and apart from the European peace, a peace which should not be delayed against the clamors of all mankind by coupling with it and requiring automatic acceptance of covenants surrendering the sovereignty of our country."

THE LEAGUE OF NATIONS.

Mr. LENROOT. Mr. President, I ask to have inserted in the RECORD a summary of the league of nations prepared by Maj. Gen. William Crozier.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE LEAGUE OF NATIONS.

[By Maj. Gen. William Crozier.]

"The peace treaty having been finally signed, and being about to be taken up for formal consideration by the Senate as soon as it can be physically gotten before that body, an estimate of the status to which the scattered debate and the discussion in the public press have brought it has a greater interest now than at any previous time, and a correct estimate ought to afford some indication of the chance of the treaty's ratification.

"Significant difference of opinion, of course, centers about the covenant of the league of nations, which the intense opposition of its opponents in the Senate failed to cause the conferees to omit from the treaty, and it is there as Part I. It can fairly be said that no other features of the treaty have given rise to such objection in the Senate as to jeopardize the ratification if the differences in regard to the covenant can be composed. The points in the covenant which have given rise to the most controversy are found in articles 1, 8, 10, and 15.

"The last paragraph of article 1 provides for the withdrawal of a nation from the league upon two years' notice, provided that all of its obligations shall have been fulfilled at the time of its withdrawal. Mr. Root, in a letter to Mr. LODGE of June 19, 1919, called attention to the fact that a claim of unfulfilled obligations ought not to operate to keep a nation wishing to withdraw indefinitely in the league, and proposed a reservation in language explaining a corresponding understanding. As it is undoubtedly the intention to permit withdrawal there would probably be no objection to a reservation for making the intention effective.

"Article 8 relates to the limitation of armaments, and provides, among other things, that plans for the limitation having been adopted by the several governments the limits fixed shall not be exceeded without the consent of the council of the league. As the covenant itself contemplates war under certain contingencies this provision can only relate to the peace-time armaments of the nations, since it would be absurd for a nation to go to war under an agreement forbidding it to increase its armed forces. An explanatory reservation to this effect would probably not meet with objection.

"Article 10 is familiar as the one containing the undertaking to respect and preserve the territorial integrity and existing political independence of all members of the league against external aggression. It has given rise to a great deal of controversy, and Mr. Root in his letter to Senator LODGE advised against its acceptance, pointing out the danger of attempting to commit our people to the forcible preservation in the future of boundaries in which their interest would be small and their sympathies might be on opposite sides. But another objection may be raised against article 10, in that it guarantees the integrity and political independence of countries where, perhaps, these attributes ought not to be guaranteed. For example, we think we waged a righteous war against Spain, and for a good object, namely, the freeing of Cuba from the inefficient sovereignty of the old country; but the process impaired the territorial integrity of Spain, which if the covenant had been in force at the time not only would we have been under engagement to respect but the other member nations would have promised to preserve against our assaults upon it.

"Also, in accomplishing what we have in San Domingo we have undoubtedly impaired, temporarily we hope, the political independence of that country, very much to the advantage of the world, including the Dominicans.

"Other examples might be given in which it would have been unfortunate to respect the political independence of a backward country in which government was not carried on in the interest of the governed and where there was no semblance of the consent of the governed to the exercise of governmental powers, because the governed were too ignorant to give or to withhold any effective consent. There have been and still are such countries, and respect of their political independence is more unfortunate for their own inhabitants than for anybody else.

"Article 10 selects two attributes of the member nations and undertakes to guarantee them, but article 11 declares any threat of war to be a matter of concern to the whole league, and would seem to cover sufficiently aggression against territorial integrity or political independence without a special article for these latter. It is true, however, that we are setting up a number of new nations, and it would perhaps not be inadvisable to help guarantee their boundaries for a short time, until the important neighboring nations should have time to arrange for their protection. It would certainly seem to be more their task than ours. If, therefore, the Senate should ratify the treaty with the reservation that the United States would not be bound by article 10 beyond a certain date, it would free us from the objectionable indefinite engagement, and ought not to constitute an amendment which would require immediate reconsideration of the treaty by the conferees.

"There remains article 15, which is the most important article in the covenant in that it is the one which prescribes the method for the peaceful settlement of all international disputes which are not submitted to arbitration. It is intended to cover all matters of antagonistic policy, which have been the most fruitful causes of the world's wars. In the article the member nations agree that they will submit to the council of the league or to the assembly any dispute likely to lead to a rupture which is not submitted to arbitration, and that they will not go to war with any party to the dispute which complies with the conclusions reached. This is very far-reaching, and it is worth while to examine the procedure and see how it would have worked out in some of the disputes in which we have been engaged and which we thought sufficiently important to be worth fighting about.

"Coming back to the Spanish War, it will be remembered that we went into this war because of the long-continued disorder in Cuba, which ample trial had shown Spain to be unable to cure, and of which the crowning evidence had been the destruction of our war vessel in the harbor of Habana, the Spanish Government being unable to prevent the destruction or to tell who had been guilty of it. After many ineffective warnings, we made up our minds that the only effective remedy lay in the expulsion of the Spanish power from the island. That is, we concluded that Cuba must be withdrawn from the sovereignty of Spain and given her independence. Of course, we would have preferred to secure relief through peaceful means, and if the league of nations had been in existence, under the proposed covenant we should have examined the possibility of relief through the action of a court of arbitration. We could have filed a complaint against Spain, and could probably have counted upon securing from the court an order based upon a finding that the state of affairs in Cuba constituted a nuisance, and to the effect that Spain should abate the nuisance by restoring order. But this is just what we had concluded that Spain, after years of trial, was unable to do; and the order of the court would have left us no further along toward our purpose of relief than we had been before. To try to give effect to such an order would simply have meant more delay and the further endurance of the nuisance. What was considered necessary was, as stated above, the termination of the Spanish sovereignty in Cuba, but this a court would not have had the power to grant, since it would have involved a revolutionary change, and courts can not be revolutionary but must be guided by the law and the precedent and the established order.

"We would therefore have had to abandon the idea of relief through a court and must have turned to the council or the assembly under article 15. Spain would undoubtedly have preferred a judicial settlement, since her title to sovereignty was well established in the law of nations, and a court would have had to respect it; but the only chance of a peaceful settlement in our favor would have been with a body which would not have been bound to as close a view of the case as a court would have been and could have sought a solution in a wider field than the law. In such a search it would have been seen that a less radical action than the termination of the Spanish sovereignty in Cuba might be taken by a recommendation that autonomous government should be established in the island, and, although such recommendation would have bordered very closely on the interference with internal affairs, which is explained to be beyond the province of the league, we have good reason for believing that Spain would have accepted the recommendation, in face of the alternative of war, and would have promised to set up such a government. But we believed that Spain would not be able to carry out the promise, through lack of power and through lack of qualified agents for the difficult task of establishing self-government in a backward country like Cuba, with a large percentage of illiterate inhabitants. We had already considered the suggestion of such a solution and were convinced that it would only have meant more delay and the longer endurance of a situation which had already been endured too long. How well our belief was justified was shown by our own subsequent experience in Cuba, where, notwithstanding our long practice of popular government, we had to take possession of her governmental machinery a second time and run it for years after we had originally installed the machinery by our well-skilled agents and had watched its operation from our advantageous position of proximity.

"Seeking further a solution we found nothing short of the complete withdrawal of Spain from Cuba, which was the conclusion which we arrived at after long and earnest consideration of the problem, in which we were animated by a most sincere desire to avoid war. But the league would have been absolutely barred from granting this solution by the covenant in article 10; and even without this covenant it is impossible to find anything in the proposed scheme for the league which grants it international legislative power, of which a supreme example would be the power to alienate from a nation's sovereignty a portion of its domain. The possession of such power would constitute the league a veritable supergovernment. Here we would have run against a great difficulty, the inability of the league to grant the only relief which we, after long suffering, believed to be adequate. Yet we would have been under a hard and fast agreement not to apply the remedy of war until after we had endured the

delay of submitting the matter to the league, notwithstanding the evident futility of such a process.

"It may be argued that having endured the situation for so many years, we might very well have supported it for the additional time necessary to submit the matter to the league, when the council or the assembly would have soon seen that they could not reach a recommendation of a peaceful settlement, and we would have been free to go ahead with the war. But it is not certain that this would have been the conclusion. We can well remember that there was a strong aversion on the Continent of Europe to having this war take place. Our motives were distrusted, annexation of Cuba being believed to be one of them. Nobody else was suffering particularly from the disorder in Cuba, and in such cases the pressing necessity for relief is not apt to be appreciated by those not suffering. A strong effort was made to bring the concert of Europe to bear in at least limiting the war to American waters.

"The heads of all the diplomatic missions in Washington went in a body to the White House to discourage the war. We had one friend across the Atlantic which prevented action by the concert of Europe, and under the covenant we might have counted upon this friend, perhaps, to prevent a unanimous recommendation of some other course than the only adequate one of war. But European statesmen are conservative, with a strong tendency to remain within the law and the precedent and to discourage revolutionary proceedings; our position before the council would therefore have been a precarious one, with a distinct possibility of a unanimous recommendation that something like the autonomous government scheme be tried.

"So important a matter would probably have been carried by one of the parties or by the council to the assembly, and in that body we would have met the fact that Latin America has never been easy in its mind over our patronizing attitude and the intentions behind it, and would have had the suspicions of its members, and probably their votes, to prevent our freedom to use force in applying to the situation the only remedy which our mature consideration had led us to admit as adequate. It seems difficult to avoid the conclusion that the league, under the proposed covenant, could not have met the situation and could not have brought about as good a result as the war did, either for ourselves, for Cuba, or for the rest of the world, including Spain, if what we hear of the effect of her relief from her colonial burden is true.

"Other examples of the inadequacy of the proposed covenant can be found without going outside our own history, if it had been in operation at the time of our various crises and its terms had been lived up to. In our war of 1812 the casus belli was the impressment into the British service of seamen who were found on American vessels, upon the visitation and search which the British warships had a right to make. High American authorities have since admitted that this practice was sanctioned by previous usage; and the underlying idea of our contention was the new one of the alienability of allegiance, which at that time, and even for many years after, we did not formally put forth ourselves. As the mistakes of Americans for Englishmen were of a kind which were not likely to be made as between other nationalities, it is probable that a council or an assembly of a league of nations would have retained the well-established practice, and we would have been left without relief. Our Revolutionary War and our Civil War were not international, and therefore would not have come under the covenant, but they both afford very good illustrations of the way in which the principles of article 13 and article 15 would have brought about different results from the better ones of the wars. The cause of our Mexican War, having been a boundary dispute, might have been judicially settled, and we would have had a chance of winning out before a court; but it is the only war in which we would have had a fair chance of winning our case before a league, and it is the one which we have ourselves found the most difficult to defend.

"Article 21 of the covenant reserves the validity of the Monroe doctrine, and it has been proposed to make the reservation more explicit by a declaration, upon ratification, that nothing in the treaty shall be construed to require the submission by the United States of its policy regarding questions which it deems purely American to the decision or recommendation of other powers. The covenant itself, as well as the proposed declaration, undoubtedly indicate an admission that we need greater security than that which article 15 affords in regard to these American questions, by which we set great store. Is it consistent, then, to commit ourselves to article 15 in all unforeseen questions of policy which may not be American, such as questions affecting the Philippine Islands, for example, in some of which our policy may be at variance with established international law, as it was in the War of 1812 and in the case of the Spanish sovereignty in Cuba? A precedent, constituting the international law, may at any time become outworn and be a misfit in a new situation.

"The reservation in the covenant in regard to the Monroe doctrine, and the proposed reservation in regard to all American questions, deny the jurisdiction of the league over such questions, even for purposes of inquiry. In order to show good will toward the purposes of article 15 a less rigid attitude than this might be assumed, and the right of the league to investigate even American questions of dispute might be admitted, while reserving to ourselves freedom to take such final action as our national conscience would dictate to be necessary. We could thus agree to communicate to the secretary general the statement of our case with all the relevant facts and papers, and could facilitate in every way the most open examination; but should keep in our own hands the final decision as to policy. This is the fundamental reservation which must be made if we intend to preserve for our people a national policy in accordance with our own standards, instead of subjecting the policy to the standards of a body of heterogeneous membership, part of which we know to be less advanced than our own. In the conference which has negotiated the treaty itself we are not without example of the way in which injustice may be admitted in order to facilitate some other ends, and it would be something more than unfortunate if we should find ourselves obliged to endure similar injustice because we had made a general agreement not to resist a conclusion by force.

"The reservation with regard to article 15 is the least which we must insist upon if we are to preserve real national independence; but it does not leave the covenant other than an instrument of tremendous force. Article 11, in declaring any war or threat of war, whether immediately affecting any of the members of the league or not, a matter of concern to the whole league, takes very advanced ground as compared with anything which the nations have agreed to heretofore. In cases of the outbreak of hostilities in which we ourselves, for example, were not interested directly, we have always made our neutrality our first concern, and have embraced it and cherished it as something which we would not be driven from except in the last extremity. We are now, in accepting article 11, abandoning this position; and we can face squarely about from it by further strengthening the article by resolution, declaring that we will be found in any matter which threatens war, with intention to use our power to coerce an unjustified aggressor, or to state why we do not think, upon inquiry, that such action on our part is called for.

"Still further action in the interest of enforcing peace might be taken in connection with the ratification of the treaty. At various conferences the principal nations of the world have agreed upon certain rules for the government of their relations with one another. These rules have formed the best kind of international law, having been formally accepted by all the parties to whom they applied. But they have never been given any sanction. That is, the nations have not put any backbone in them by agreeing to stand behind their enforcement, or to punish or otherwise take cognizance of their infraction. It would not at any previous time have been possible to do so. Action in resentment of their violation has been left entirely to the injured party. Among the rules which have been flagrantly violated in the great European war are many which are contained in the Convention for the Laws of War on Land, and in the Convention on the Rights and Duties of Neutrals, of The Hague conferences. The unsatisfactory status of these rules would be improved by a resolution declaring it to be the policy of the United States to take cognizance of any violation of them, whether it should itself be directly injured by the violation or not, and to take action for the enforcement of the rules, or to state why it would not consider such action to be appropriate in the particular circumstances.

"If a league with machinery constituted about as provided for in the covenant of the league of nations, notwithstanding the reservations above proposed, had been in existence in the summer of 1914, a sharp reminder would have been sent to the Central Powers, by the United States among others, to the effect that machinery would be set in motion to ascertain the merits of the impending conflict, and that our intervention might be expected if an intention of unwarranted disturbance of the peace should be disclosed. Similar action would have been taken by England, who, as things were, did not feel justified in intervening until the neutrality of Belgium had been actually violated and her own treaty guaranty had been thus challenged. Contrast of our own resulting position with the one which we actually did assume shows enough difference to justify the presumption of a different effect upon the war. We not only made the usual prompt announcement of neutrality

but we stated through the mouths of our public officials that we would not even proceed with prudent defensive armament for fear that such action might be interpreted as preparation for taking part in the war.

"It would be unfortunate if we should enter into a treaty containing an obligation which the people of no great nation would live up to when a question of maximum importance should arise. At a time of tremendous stress it is more than doubtful if such a people would be bound by any paper promises made by an earlier generation, and, once infringed, there would be danger that the whole structure of the covenant would come tumbling down. It would be better that our structure should be solid, if more modest, and that conviction of its serviceability should come with practice in its use. If we pile more promises of performance upon a substructure of supposed mutual understanding throughout the whole world than our knowledge of one another warrants, we may find ourselves at the first storm with nothing left us but a heap of ruins. Our gaze, anxiously fixed upon Europe, has not in the last half year discovered such ease in composing differences of interest, even by nations just ending a struggle side by side against a common enemy, as to justify confidence in committing our own vital interests to the custody of what would be in effect a world legislature, without reservation and with agreement to accept the outcome.

"Let us therefore acknowledge our membership in the family of nations and recognize responsibility for a man's part in the family affairs by strengthening our adherence to the principles of article 11 of the covenant. This article contains the essential and vigorous features of the program of the League to Enforce Peace, as stated by Mr. Taft:

> The member nations "jointly to use forthwith both their economic and military forces against any one of their number making war against another before submitting the issue to either the court or the council of conciliation, and * * * that the league should determine what action, if any, should be taken in respect to recommendations of the council of conciliation in which the parties concerned did not acquiesce."

"Indeed, the article is more comprehensive than Mr. Taft's statement, in that it embraces in its contemplation others as well as members of the league. Neither binds a nation subjectively to accept a conclusion of the council. A stalwart intention with reference to article 11 and a dignified reservation with reference to the peaceful method of article 15 would redeem the treaty from the charge of containing a 'soft' covenant, which is the kind that would probably be favored by all those who desired a soft peace. The covenant would then embody a new state of mind, as compared with that which has animated the world heretofore, and it would be well to practice with it for a while with a view to its improvement."

Mr. GERRY. Mr. President, I ask unanimous consent to have inserted in the RECORD the article of ex-President Taft in yesterday's Washington Post.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

TAFT SAYS IF UNITED STATES BACKS OUT OF ARTICLE 10 THE LEAGUE WILL BE ENDANGERED—DECLARES FRANCE AND SMALLER NATIONS WOULD ASK FURTHER CONFERENCES IF ROOT'S SUGGESTIONS WERE FOLLOWED—CALLS FORMER SENATOR'S REASONING, INVOLVING OBJECTIONS OF OUR FOREIGN-BORN CITIZENS, "CURIOUS."

[By William Howard Taft.]

"Mr. Root's letter to Mr. LODGE raises two questions that will bear discussion. He suggests reservations instead of amendments in the ratification, and says that they need not and will not delay the going into effect of the treaty of peace. He says many precedents justify this view. This statement needs analysis in order to understand it and its weight.

"A treaty is a contract. The minds of the contracting parties must meet before it becomes binding on either. One party can not change the contract after the other has agreed to it, and bind the other party to the change, without the other's acquiescence to it. Strictly speaking, a reservation in the consent of the Senate to a signed treaty, though the reservation be only one of interpretation, must be concurred in by the other party if the reservation is to play any future part in construing the treaty. Otherwise, the reservation is merely an ineffective expression of opinion by the Senate. This was the case in the Spanish treaty, where, after ratification, the Senate passed a resolution as to what it meant by its ratification. The Supreme Court held that it had no effect in construing the treaty.

TREATY-MAKING PROCEDURE.

"The ordinary procedure in treaty-making is first the drafting and signing of the treaty by the plenipotentiaries of the contracting Governments. The signed duplicates of the treaty are referred back to the Governments, to be ratified by them. These ratifications are then exchanged between the contracting Governments and each Government makes known, in its own way, the treaty thus agreed to. It is in the procedure of exchanging the ratifications that such reservations as Mr. Root speaks of are acquiesced in and become part of the treaty. If the ratification of the United States, for instance, contains a reservation to which the Government receiving it makes no objection it may be held to acquiesce in the reservation contained in the ratification of the United States, and thus to agree to make it part of the treaty.

"There is no real distinction in principle between reservations and amendments, but important amendments are not usually incorporated in treaties in this easy, silent, and summary way. The nation receiving a reservation in a ratification would naturally require further negotiation and the conference, if the reservation changes materially the obligation of the parties to the treaty.

PRECEDENTS NOT IMPORTANT.

"The precedents to which Mr. Root refers, therefore, are not important in deciding the question, which his letter raises as to article 10, because the question in each case always is whether the reservation or amendment is so important that the other nations are not likely to let it go without question. If they do not, then negotiations must be resumed and the delay which Mr. Root seeks to avoid must occur. The issue, therefore, is whether the other nations in receiving a ratification of the United States containing a reservation refusing to consent to article 10 and striking it out of the obligations of the United States under the treaty, would accept the ratification, without demanding, as they would have the right, further negotiations before consenting to this change.

"The anxiety of France to strengthen her defense against Germany, apparent throughout the proceedings of the conference, indicates that she would ask further conference. Her representatives labored to secure a provision in the league covenant under which a permanent international police force will be constantly under arms and under a general staff, to act instantly in defense of league members subject to unprovoked attack.

SECURED PROMISES OF BOTH.

"More than this, she secured the promise of Mr. Wilson and Mr. Lloyd-George to present to their respective Governments a special defensive treaty securing the instant action of England and the United States in case of an unprovoked attack by Germany. We can reasonably surmise, therefore, that France would seriously object to eliminating an article furnishing her some defense against such attack, however short it may fall of her earnestly expressed wish.

"Moreover, other and smaller nations would probably object. The importance of the article in the whole plan of the league is manifest. It is the inducement by which the weaker nations are brought into a league. It is the chief protection which the league offers them. The fact that the United States, with its great prestige, its disinterestedness, and its moral influence, as well as its military potentiality, is under the obligation of article 10 constitutes the great cautionary and minatory effect of that article, making it powerful as an agency in restraining wars of conquest. If the United States is to back out of the article, the league will be weakened. The nations, great and small, interested in the league, therefore, will not be likely to pass over such an amendment lightly, but will naturally insist on a reexamination of the whole covenant when its character is thus materially changed.

ARGUMENT A CURIOUS ONE.

"Mr. Root's argument that we should refuse consent to article 10 because some of our foreign-born citizens may object to our helping to discipline their native countries under the article is a curious one in view of the lessons of the war just ended. We probably had more natives from Germany than from any one country in our citizenship when we went to war with Germany. Nothing came under more bitter condemnation than their hyphenated citizenship and their opposition to the war. The question which Mr. Root's objection raises, therefore, is whether, after this experience, we are to allow those who seek refuge in our country and enjoy the boon of our freedom and institutions to restrain us from doing our duty and sharing the burden of the world in maintaining peace.

"Shall we thus officially recognize and acquiesce in the generally condemned hyphenated Americanism? Shall we avowedly allow it to influence our future international relations? One of our great national aims, now insisted on, is a more complete Americanization of our foreign-born citizens. Is no reform to be brought about in this regard? Is anticipation of this continued evil to deter us from a course full of world usefulness?"

Mr. POINDEXTER. Mr. President, I ask unanimous consent to have printed in the RECORD two editorials on the subject of the league of nations and two brief addresses by myself on the same and other current issues.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

"'PITILESS PUBLICITY' DEMANDED.

"WASHINGTON, *July* —.

"The Republican Publicity Association, through its president, Hon. Jonathan Bourne, jr., to-day gave out the following statement from its Washington headquarters:

"'Before the peace treaty with its annexed league of nations covenant is finally disposed of by the Senate the Committee on Foreign Relations owes it to the country to conduct hearings and demonstrate the truth or falsity of the various stories of the peace conference that have come to us from time to time. In spite of the fact that the treaty, and particularly the league covenant contained in it, is fraught with more tremendous consequences to the American people than any document that has come before them since the adoption of the Constitution, practically the only source of information concerning the negotiations has been the partially censored press. The country knows absolutely nothing of the bargains that were made among the delegates to the peace conference in order that the signatures of all the nations might be obtained, and no intimation has been allowed to escape as to the authorship of many of the most important provisions.

"'But although they have been denied authoritative information as the conference progressed, the people have drawn their own conclusions on certain phases of the treaty and covenant that should either be substantiated or proved incorrect. That the committee can easily do by calling before it the members of the personnel of the American delegation and taking their testimony under oath. By combining their statements a connected and accurate story of the proceedings can be obtained, and the people will know at last in what manner their liberties have been trafficked and bartered. Among other things it should be demonstrated—

"'1. Is Mr. Wilson the principal author of article 10 of the league covenant, by which we would be bound for all time to preserve "the territorial integrity and existing political independence" of all members of the league? Such an inference is a natural one, inasmuch as the President used those precise phrases in a speech in January, 1916, in which he advocated similar guaranties for the American Republics.

"'2. Why does Mr. Wilson insist that the absurd language of article 21 protects the Monroe doctrine, particularly in view of the fact that English authorities positively assert that it does nothing of the kind?

"'3. Under what theory was it that the British Empire has six votes in the league while the United States and other nations are allowed but one each?

"'4. Why was the British Empire given control, in the form of mandatories, of about four-fifths of the captured German colonial territory; this in spite of the fact that the British Empire already controlled one-quarter of the total land area of the whole world?

"'5. What was the so-called American scheme for a league of nations; in what respect did it differ from and why was it discarded in favor of the British plan?

"'6. Just what were the considerations that induced Mr. Wilson to agree to urge upon the Senate an alliance guaranteeing protection to France in the event of another war with Germany?

"'7. Is it not a fact that upon the rejection of the league of nations by the United States Senate it will be promptly discarded by the other signatory nations and a separate peace with Germany proceeded with immediately?

"'8. Was there an accurate report, stenographic or otherwise, kept of the proceedings of the various commissions which transacted the real work of the peace conference? If so, is there any reason why the Senate should not be put in possession of a copy of every such record?

"'9. What is the true and unabridged story of the China-Japan-Shantung controversy?

"'10. Where did Mr. Wilson derive his authority, either as President of the United States or as its peace commissioner, to issue what amounted to an appeal to the Italian people to overthrow their government?

"'11. Why should a portion of the Turkish Empire be selected for administration by the United States as mandatory? If this country must be a mandatory for any captured territory, why not select that which formerly belonged to the country with which we were at war—Germany—and which is certainly far more desirable than a province peopled by the unspeakable Turk?

"'These are but a few of the mysteries that confront the American people, which it is their right to have cleared up before they bind themselves under terms that involve those questions. The power that vitalizes a treaty originates in the people. The individuals who represent them in the conference have behind them no possessions of their own with which to negotiate. They merely draw up a tentative arrangement that must be submitted for approval or rejection to the people through their representatives in the Senate. In order that that action may be intelligent the Senate and the public should have in their possession all the data that was available to the negotiators themselves. It is within the power of the Foreign Relations Committee to get it.

"'Not only should these questions receive pitiless publicity in order to insure proper action on the treaty, but it must not be forgotten that the Democratic Party will have as its candidate for the Presidency next year the individual who headed our peace delegation or a man who entertains the same views. It is essential that all the facts surrounding the activities of Mr. Wilson in Paris should be brought to light that the people may know what sort of Americanism has actuated him. If he has proven faithless to his trust to "preserve, protect, and defend the Constitution of the United States," the voters should know it in order that he or the candidate who embodies his views may be properly rebuked at the polls. It may even transpire that the evidence is of such a character as to warrant laying it before the House for appropriate action under the impeachment clause of the Constitution. In any event we should have it before us as a basis for future action.'"

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AMERICANISM WITH PEACE OR INTERNATIONALISM WITH WAR?

[Persistent efforts are being made to cajole the public into the belief that the league of nations is a "league for peace." To prove the utter falsity of that assertion the Republican Publicity Association, through its president, Hon. Jonathan Bourne, jr., herewith presents an analysis of the covenant by articles, clearly demonstrating that the adoption by the United States of the proposed league of nations means war, not peace.]

"The stock argument of the proponents of the covenant for a league of nations has been that the undertaking will prove an instrument for world peace. They have even gone so far as to characterize it as a 'league of peace,' and its opponents have been denounced as preferring war, as trying to make political capital at the expense of the peace of the world, and as putting obstacles in the way of the future happiness of mankind. Going before the people with their pleas to support the league if they wanted peace, the league advocates have won many individuals to their cause who have accepted the statements of the agitators at their face value without troubling themselves to see if they were borne out by facts. But take the peace cry away from the league advocates and there is nothing left on which to base their claims for support of the covenant.

"The whole structure of the league is centered about the idea of compulsion. Starting with a council of the representatives of nine States, really dominated by three nations, or two, if the United States stays out, it is proposed to subjugate all the rest of the world to its will. The very essence of the covenant is force, to be exerted on any nation which, in the opinion of the council, is not comporting itself according to the rules laid down in the covenant and interpreted by the council.

"The covenant bristles with limitations and restrictions on independent nationalism that will prove a constant irritation to countries accustomed to determine their own affairs free from foreign interference. Almost every article in the covenant, save those that deal purely with administrative routine, has in it the essentials for the creation of friction likely to lead to war between nations; in fact, some of them not only tend to war but make war automatic and compulsory.

"Article 1, in defining the method of withdrawal of a nation from the league, says that two years' notice must be given of the intention to withdraw, and even then permission will not be granted unless the council by unanimous vote decides that that nation's league obligations have been fulfilled. Under those conditions the United States once in would be compelled to remain a member, by international force of arms if necessary, if Japan or Greece or Spain chose to make us do so. The resentment of red-blooded Americans to coercion from such sources would inevitably lead to war.

"Articles 2 and 3 are purely administrative.

"Article 4 states that each member of the league shall have one vote in the assembly. Here, again, is a fruitful source of irritation. Liberia, Cuba, and Panama owe their very existence to the United States, which set them up as independent nations

and has acted as a potential guarantor of their integrity ever since. Here the creator is controlled by its creations, which are given three times the voting strength of the power that made them. Other nations that depend for the maintenance of their independent sovereignty on the American Monroe doctrine are given equal voting power in the league assembly with the great people who protect them. Haiti, Salvador, Nicaragua, Guatemala, and Honduras are cases in point. Is the United States likely to submit tamely when, perchance, those little Central American Republics raise a question inimical to the welfare of our country and proceed to outvote us 5 to 1?

"Article 5 stipulates that 'decisions at any meeting of the assembly or of the council shall require the agreement of all the members of the league represented at the meeting.' Certain exceptions of minor importance are made to that rule, but it holds good in the settlement of all questions of great moment. The complications that are sure to arise from the application of this regulation are endless, each of them certain to produce international tension that will lead to war if its strict enforcement is insisted upon by the league members. Germany is soon to be a member, and as such could effectually veto any policy that we might formulate toward Mexico. Inasmuch as the Germans were active in fomenting an anti-American attitude in Mexico during the war, it is not difficult to foresee her policy when she is in the league. Our interference in Cuba to save that country from Spanish oppression could and would have been prevented had the league been in operation in 1898. One nation registering its objection to our Cuban policy would have necessitated its cancellation, and the horrors of Spanish rule in the island would have continued. In short every State in the league, big or little, has the power within itself to invalidate the actions of all the others combined. The moment that arrogant authority, granted by the league covenant itself, is sought to be exercised war will follow unless this great Republic of the United States and the peoples of the world are to be directed by a lot of unstable nations, large or small, in problems which they do not understand and are not capable of solving.

"Article 6 provides for the appointment of the first secretary general of the league and authorizes him to appoint the secretaries and all other members of the league staff. That official has already been named. He is an Englishman of note, and doubtless a very worthy and able gentleman—but an Englishman, with all that the word implies. If there is one trait that distinguishes a British citizen above all others it is loyalty to king and country. Everything is subordinated to service of the Empire. Every incident in English history is a separate incentive to the Britisher to think of his country first, last, and all the time. The secretary of the league, with his absolute power to appoint subordinates, will see to it that the personnel, if not composed entirely of Englishmen like himself, are completely amenable to his dictation. How will Americans like that situation, and are they likely to accept it with submissive acquiescence? Would we not feel a little resentful if every official in our own Senate and House of Representatives was an Englishman? Yet in this supergovernment, clothed with power to override almost anything our own Congress may do, the entire secretarial work, including the care of the archives, is under the complete jurisdiction of England. Is that a tendency toward peace or war?

"Article 7 establishes the seat of the league at Geneva. That means that our destinies are to be determined by a court sitting 3,000 miles distant from our own shores, only a cable connecting us with the proceedings, and even that means of communication subject to such censorship restrictions as may be prescribed at the time. Our experiences during the war have shown how easy it is for all news from across the water to be denied us when the officials so decree. The location of the headquarters of the league at Geneva simply means that the question of our participation in world wars, of tremendous taxation on our people, of life or death to our soldiers, and of our commercial relations with other nations of the world, are to be considered and determined behind closed doors, so far as our keeping in touch with them is concerned. Is that state of affairs likely to promote peace and contentment, or will it probably engender irritation likely to find expression in armed resentment?

"Article 8 relates to disarmament. It provides that the council, 'taking account of the geographical situation and circumstances of each State,' shall plan the reductions in the armies and navies of the several nations. After those plans have been accepted they shall not be exceeded without the concurrence of the council. Here is the situation proposed: Each nation submits a report of its military and naval strength to the council of nine, and those gentlemen, putting their wisdom of the affairs of all nations ahead of the knowledge possessed by the representatives of those nations themselves, proceed to cut down and pare away armies and navies according to their own conception of national needs. England, seeing at once the danger of such an arrangement, has made a reservation that, no matter what is done, the supremacy of her fleet shall not be endangered. The United States, on the other hand, would be completely at the mercy of the council, dominated as it will be by eight foreign votes to our one. Is that a situation into which you want to project your country, and are we going to accept with equanimity the judgment of that council when it orders us to dismantle our modern battleships, remove fortifications from our coasts and the Panama Canal, and destroy our Army organization that has been built up at such fearful cost? Do you believe in putting in the hands of foreigners the power to run riot and ad libitum with our national defenses?

"The last paragraph of article 8 obligates the members of league to 'interchange full and frank information' of the 'condition of such of their industries as are adaptable to warlike purposes.' Which of our industries is not 'adaptable to warlike purposes?' In the last two years practically every industry in this country has been working for the success of our armies, with more or less direct application of its product to the actual fighting. This provision of the covenant means nothing more or less than the publication of every trade secret that enters into the success of American industry. Even patents may be construed to come within the definition of 'full and frank information.' Industrially, this paragraph puts our manufacturers completely at the mercy of foreign competitors who care to take advantage of the opportunity it affords. Again, do you think such a course is wise, either from your standpoint as an American citizen or as a member of humanity in general? Article 8, purporting to turn swords into ploughshares, carries almost in its every word the germs of future wars, and is nicely calculated to excite deep-seated animosities sure to lead to international bloodshed if the irritating cause is continued.

"Article 9 provides for the creation of a permanent commission to advise the council on the execution of the military and naval questions involved in articles 1 and 8. It is not stated what authority shall appoint the members of the commission, but probably the council will make the appointments and the national complexion of the commission will be akin to that of the council. The activities of such a body of experts will merely add a touch of refinement to the decisions of the council and accentuate the world-wide resentment by which its decisions will be received.

"Article 10 breathes war from its first word to the last. This is the provision that pledges member nations to preserve the 'territorial integrity and existing political independence' of every member of the league. Its acceptance by the United States is certain to involve this country in foreign wars with States with which we have no quarrel and perhaps are on the most friendly terms. The sentiment of the article is the direct antithesis of peace. It proposes to extend to all the world every local disturbance, precisely as the dispute between Serbia and Austria involved the nations of both hemispheres. It is preposterous to call the covenant a 'league for peace' when it contains such a mandatory summons to war. Article 10 alone is sufficient to damn the league covenant forever in the eyes of everyone who really wishes to see a step taken in the direction of future peace.

"Article 11 is nothing more or less than an automatic declaration of war for every member of the league. Its opening sentence reads as follows:

"Any war or threat or war, whether immediately affecting any of the members of the league or not, is hereby declared a matter of concern to the whole league.

"Under this provision the United States, if a member, immediately becomes involved in every war of the future, no matter how remote from our own shores, regardless of our relations with the parties to the dispute, or our desire to remain at peace. Our soldiers and sailors, to all intents and purposes, automatically become hirelings of the league, subject to orders to proceed to the scene of bloodshed and fight against the country that the council may deem to be in the wrong. Do you want to send your boys off on such a mission? What becomes of the 'league-for-peace' cry in the light of this article?

"Article 12 includes an agreement by member nations to submit to arbitration or to the council any dispute in which they may be involved, and not to resort to war until three months after the award by the arbitrators or the report of the council. It is provided that in such cases the arbitrators shall submit their award 'within a reasonable time' and the council 'within six months.' Suppose the dispute had been submitted to the

council, then a period of nine months may elapse before a nation is permitted to vindicate its right by force of arms. Meanwhile it must stand idly by and witness perhaps the destruction of its civilization, the murder of its nationals, and the overthrow of its government. This provision is really a prohibition against the establishment of peace. If you find your family menaced by a gang of thugs, you are prevented from raising a finger in protest until the matter has been thoroughly thrashed out by a regularly constituted board of umpires. Is that a theory you wish to see applied to the United States in its dealings with Mexico, for instance? Article 12 is an insurance of war rather than a step toward peace.

"Article 13, like the provisions that precede it, contemplates war, but under different circumstances. After providing for the reference of disputes to arbitration and the award of the arbitrators, the article reads, 'In the event of any failure to carry out such an award, the council shall propose what steps should be taken to give effect thereto.' The ominous meaning of that declaration is apparent. The nation that declines to abide by the decision of a council, stacked 8 to 1 against it, is to feel the full force of such 'steps' as the council may prescribe. In other words, war will be waged against the disobedient nation until it is willing to subjugate itself to the will of the league. Here, again, we have war, not peace, with the United States inevitably involved if it shall be a member of the league.

"Article 14 stipulates that the council shall formulate 'plans for the establishment of a permanent court of international justice.' Inasmuch as the council, the secretariat, and the assembly are dominated by England, it is not difficult to forecast the complexion of the court. While it is not mandatory for a nation to submit its disputes to that particular court, the inference is plain that such a reference is expected. Article 14 does not have the elements of friction in it possessed by most of the other sections of the covenant, but it is easy to see that disagreements and misunderstandings, liable to lead to open rupture, may arise from the judgments of such a court.

"Article 15 is the section that pretends to reserve so-called domestic questions for determination by the nation concerned, free from interference by the league. This is the article under which England will reserve to herself the determination of the Irish problem. Insurrection and bloodshed may run rampant in Ireland for all that the league of nations will do to prevent it. Likewise, revolution may disrupt every country on the face of the globe before the league will step in with its courts of arbitration, council, assembly, and other machinery for 'peace' to bring about a cessation of the carnage. The inconsistency of the league as an agent for peace is conclusively demonstrated by this article. Members of the same national family may murder each other with impunity, but let one of them shoot somebody on the other side of the border, and the league awakes to the fact that there is trouble brewing for humanity and fusses about to find a remedy.

"Article 16 prescribes in considerable detail the methods that will be followed by the league in enforcing its decrees. The moment a nation resorts to war to preserve its national honor in disregard of the obstacles to prompt action put in its path by the covenant it is to feel the might of the league. A world boycott is to be instituted against the offending State at once. All 'financial, commercial, or personal intercourse' with the rest of the world is to be severed, and an international army and navy, recruited from the military strength of the other member nations, are to proceed against the offender. Article 16 is war from start to finish. Force without stint is the prescription set forth in its language.

"Article 17 offers membership in the league to a nation party to a dispute likely to lead to war. If such nation declines to enter the league and assume its obligations, and undertakes to settle its own affairs in its own way, then the drastic punishment prescribed in article 16 will descend upon it. War again! This time it is to come as a measure of coercion to compel a nation to enter the league and yield up its sovereignty to the dictation of foreigners. Let a country assert its independence and evince a determination to mind its own business and compel its neighbors to mind theirs, and its lands are to be laid waste by this 'league for peace,' its nationals slaughtered in the defense of their homes, and the country as a national entity destroyed.

"Article 18 prevents any future treaty from taking effect until it shall have first been registered with the secretary general of the league. This transcends completely the treaty-making power of the Senate, and prevents the consummation of treaties designed to promote amity between nations unless they shall have taken the course prescribed by the meddling league. Let a country undertake to enter into a separate agreement with its neighbor, as every nation has a perfect right to do, and it is immediately liable to all the rigors of military and economic pressure that the league can bring to bear. Situations have often arisen in the past when the interference of a third party in the treaty agreements between two nations have led to war, and it is easily conceivable that they may be repeated in the future.

"Article 19 empowers the assembly to advise member nations to reconsider treaties that the assembly thinks have become inapplicable. No compulsion to change such treaties is contained in the article, but the inference is plain or the provision would never have been included in the covenant. England, it is understood, intends to reserve the treaty of alliance she has with Japan, but what will happen to other nations that persist in keeping their international obligations is a matter of conjecture.

"Article 20 goes a step further than 19 and binds members of the league to abrogate all obligations or understandings inconsistent with the terms of the covenant. That means that a member nation, having a treaty with a nonmember nation, shall immediately repudiate its written word. Such a state of affairs has been productive of wars from time immemorial. Germany started hostilities by repudiating her treaty with Belgium and invading that unhappy country. But the league actually proposes to make such repudiations mandatory. Any self-respecting nation that is thus flouted by another with which it has a solemn undertaking is justified in resorting to arms, and such will be the result of a general application of the principle enunciated in article 20.

"Article 21 is declared by President Wilson to preserve the Monroe doctrine. English authorities say it does nothing of the sort. Here is a clash even before the league becomes an actuality. Suppose we proceed on the theory that our Monroe doctrine is not invaded by the league and undertake to enforce its restrictions against foreign States. Immediately there is conflict with the league, and it becomes incumbent upon us to retreat from our position or fight. We are at once confronted with the alternative of abject surrender or war.

"Article 22 is the one under which mandatories are to be provided for weak States. It is suggested that Armenia and possibly Constantinople are to be allotted to the United States. Think of the millions of dollars and scores of precious American lives that will be sacrificed if we undertake the policing of that portion of the Turkish Empire. However great our compassion for the sufferings of the Armenians, are we ready to send armies for their protection against the cruel Turk? Actual war may not result from article 22, but unnecessary shedding of good American blood is inevitable if we assume the obligations that it contemplates.

"Article 23, among other things, declares that members 'will make provision to secure and maintain freedom of communication and of transit and equitable treatment for the commerce of all members of the league.' This is a vague and dangerous obligation for any nation to assume, full of pitfalls if it is to be literally enforced. This is another world guarantee, this time of a commercial nature, to which every nation becomes a party. Is the United States to insure the inviolability of the commerce of Hedjaz, for instance, or Czechoslovakia or Serbia or Siam? Contemplate, if you can, the manifold complications in which we would become involved were we to adopt such obligations, any one of which might easily plunge us into war if our duty was conscientiously performed.

"Article 24 places all international bureaus under the direction of the league. That means that the Pan-American Union, designed to foster more amicable relations between the American republics, shall move its headquarters from Washington and become a part of the organization of the league at Geneva. The Union heretofore has been a power for peace, enabling the United States to keep in close touch with affairs to the south of us. With its relegation to far-away Switzerland, much of its potency in that direction will be lost.

"Article 25 contains an agreement to encourage national Red Cross organizations, having as purposes 'the mitigation of suffering throughout the world.' Probably a belated realization of the world trouble that will be hatched the moment the league becomes a reality prompted its authors to insert this encouragement to the Red Cross, so that it will be prepared for what is to come.

"Article 26 prescribes the method of amendment of the covenant. Before taking effect an amendment must receive the unanimous vote of the council, and also a majority of the assembly. Such restrictions make it practically impossible for an individual State to succeed in getting amendments that it de-

sires, and a failure to do so is bound to lead to strained relations and possibly open rupture. Compulsion is the keynote of this article, as it is of the whole covenant.

"During our life as a Nation we have not enjoyed uninterrupted peace. But the wars in which we have been engaged concerned issues directly affecting our national life and welfare. Any man who would have suggested that we rush into Asia to settle a controversy between China and Japan would have been branded as insane. It never entered anybody's head in 1904 that we should interfere by force in the Russian-Japanese War. Yet each and every one of the Old World conflicts that take place in the future is to be made 'a matter of concern' to the United States, and we are to become embroiled in it if we subscribe to the obligations of the league covenant.

"A policy of Americanism means that we go to war only to protect our country from foreign aggression. The policy of internationalism embodied in the league means that we go to war to protect every other country on the face of the globe from foreign aggression. Which do you prefer? Is it to be 'Americanism with peace, or internationalism with war?'"

AMERICAN INDEPENDENCE.

[Speech of Senator POINDEXTER at Rochester, N. Y., July 4, 1919.]

"It is of deep significance that as Americans gather to-day to celebrate the severance of their union with a European power it is proposed by the highest authorities in the land that we should form again a union with European powers. The establishment of American independence has had a more profound effect upon civilization and the destinies of man than any other event in history. Sir Edward Creasy in his Fifteen Decisive Battles of the World says:

"The war which rent away the North American Colonies from England is, of all subjects in history, the most painful for an Englishman to dwell on. It was commenced and carried on by the British ministry in iniquity and folly, and it was concluded in disaster and shame. But the contemplation of it can not be evaded by the historian, however much it may be abhorred. Nor can any military event be said to have exercised more important influence on the future fortunes of mankind than the complete defeat of Burgoyne's expedition in 1777; a defeat which rescued the revolted colonists from certain subjections, and which, by inducing the courts of France and Spain to attack England in their behalf, insured the independence of the United States and the formation of that trans-Atlantic power which not only America but both Europe and Asia now see and feel.

"When Miltiades, with a small force, pierced the center of the Persian hosts on the Plain of Marathon and drove them into the sea the question of whether the ideals of Greece or those of Asia should govern the western world was decided forever.

"When Charles Martel, 'The Hammer,' broke the power of the all-conquering Saracens at Tours, Europe and its colonies of the west were saved for Christianity from the doctrines of the Moslem faith.

"When Cornwallis laid down his sword at Yorktown, the doctrines of the natural rights of man and of government by the people were planted upon the earth, never to perish.

"By the extraordinary blessings of Providence a race of statesmen and soldiers, without equal in all the annals of men in their combination of talent and virtue, was raised up in America to take advantage of the great opportunity. Without the divine inspiration of Henry, which enabled him to look beyond the forms and precedents of government, and the flaming genius of his eloquence, which aroused the people, independence could not have been achieved. It needed also the patience, the infallible judgment, the military genius, the self-devotion of Washington; and to fix in the stable forms of government the liberty which they had won required also the practical statesmanship and wise business sagacity of Jefferson, Hamilton, Franklin, and their great associates.

"Through the influence of this example France was led and strengthened to make her fight for liberty and to plant the banners of republican government in the midst of the imperial standards of Europe. By this great example also the subject peoples of Latin America raised the standard of freedom, and the movement of liberty thus begun was placed upon a permanent foundation by the enunciation of the Monroe doctrine, which placed the aegis of the great Republic between the weak peoples of the New World and the ambitions of European kings.

"For a hundred and forty-three years we have celebrated on each anniversary the declaration of our independence from a European power. For a hundred and forty-three years, under a Government that emphasizes the liberty of the individual and minimizes the interference of the State on the great field of the North American Continent our race has expanded in the mighty drama of the West. Under the conditions established by the inspired fathers and leaders of the Republic, our people as a Nation have risen to the highest state of man. We have set up as the supreme object of society the happiness of the citizen rather than the grandeur of the Government; and yet we have proved the paradox that the government which is the servant of its people is the most powerful among the nations. For a century and a half the spirit of liberty and self-reliance was developed in the necessities and adventures of colonial life. It was planted, as their very essence, in the bills of rights, the charters of liberty, the constitutions and laws of the States and of the Union, and for a century and a half it has shaped the issues of our national life. It found preeminent expression in the Declaration of Independence, and its temple of safety in the Constitution of the United States. It is to that spirit of liberty we pay tribute to-day. We gather to worship at its shrine for our own spiritual exaltation and that the fires on the holy altar of freedom may never grow dim. American liberty is the genuine liberty and not the fatal and spurious liberty of Bolshevism, which means the death of freedom, and which, while parading as liberty, is in truth the most pitiless despotism ever practiced, either among savage tribes or civilized nations. American liberty is the liberty of law. It is voluntary subjection of a self-governing people to laws made by themselves, in which no class is recognized, and the rights of person and property are regarded as sacred, as the very foundations of liberty.

"Now for 300 years, at first loosely associated as neighboring Colonies, with the same body of laws, the same traditions of liberty and security, similar conditions and ambitions, and then as one Nation, our people have been the most fortunate of all the world. Possessed of a common language, unequalled even by the Greek, and understood in all parts of the earth, our thoughts have been quickened by apt words of expression. Protected by our laws, we have had the incentive of effort, knowing that we and our children would enjoy the wages of our labor. Freed of governmental paternalism, we developed initiative and have acquired both individual and national prosperity. With our laws we inherited a great religion, and humble ourselves not before men or idols but before the true and living God. We have led mankind in the inventions of genius and have greatly increased the comfort and the productive capacity of the world. We have verified the vision of Milton of 'a mighty and puissant people,' rousing itself, as a strong man after sleep, as a young eagle mewing his immortal wing and lighting his undazzled eye in the full noonday sun.

"Certain cardinal principles of government have characterized our growth as a Nation. One of these, which distinguishes us from all other people, is the abolishment of privilege. Our law recognizes no class, and our Constitution guarantees to every citizen the 'equal protection of the law.' And we have enthroned in the center of the temple of our State and have guarded it as more precious than life itself that principle which we celebrate to-day—the sovereignty and complete independence of the United States. And yet this Fourth of July, as we are gathered here to celebrate the declaration of our independence from Europe, is the first in 143 years when, instead of giving ourselves over wholly to gratitude for our liberties, we actually find our people engaged in a discussion whether we will unite again our fortunes with Europe, from which we were freed in blood and tears. True it is, as the President said at Suresnes on Memorial Day, that our people 'do not realize what has happened.' For the first time, as we meet to celebrate our independence, we find ourselves confronted by the demand that we must make the supreme sacrifice of joining our fortunes with the fortunes of men everywhere. Glorying to-day in that advantage which has been earned by the toil and heroism of our people and preserved by the wisdom of our statesmen, we are told on high authority that the day of national advantage has come to an end. The independence of America and the greatness it has achieved has been the greatest blessing that has ever come to the world; and yet we are told that in the interest of humanity we must sacrifice this fortress of freedom. The most potent factor in preserving the peace of the word has been the power and independence of the United States, and yet we are told in the name of peace we must submerge our independence into a greater United States of the World. The immemorial policy of our statesmen, from Washington to Roosevelt, has been 'peace and honest friendship with all nations'; and yet we are told that 'we are ashamed of our past and ready to forget it.'

"I see before me the returned heroes of this war. I am not ashamed of the record they have made. It is a record of imperishable glory. I have seen a people, lulled into a false security, in a state of unpreparedness, for two years after the sinking of the *Lusitania*, finally led into war, to give belated redress to the wrongs which had been done them, astonish the world by the unity of their patriotism. I am not ashamed of their sacrifices and devotion. They avenged the wrongs of our citizens and restored the essential rights of the Nation on land

and sea. Their devotion is not to be forgotten, but preserved in holy memory forever. Nor are we ashamed of our fathers nor of the 'old order.'

"We are told that to secure the cooperation of nations to preserve peace we must establish a league of nations and put under its control the 'major forces of mankind.' On the contrary, we have on all occasions cooperated with other nations to preserve peace, without surrendering our independence to a league of nations. The most recent instance of this was our cooperation with other nations to enforce peace against Germany. We did this effectively, without a league of nations. In fact, should the power to enforce peace be surrendered to a league of nations, with its own distinct government, there could be no such thing as the free cooperation of nations to enforce peace, since the nations would have divested themselves of this power and conferred it upon the league of nations, which alone would have the power to act.

"The Monroe doctrine, the unwritten law of our foreign policy, was the declaration of the determination of the United States to cooperate with all the nations of the Western Hemisphere to preserve them in peace against the assaults of Europe. This essential principle has done more to preserve peace for a hundred years than all the leagues of nations ever formed. It is proposed now to abandon it in the name of the very peace which it has preserved, and to give to a league of nations, dominated by Europe, complete jurisdiction over every international dispute in which America may be involved.

"It is said Germany would not have commenced the war if she had known the United States would join the forces against her. All that was necessary to make this known to her was for the United States to have announced it. Rev. Henry Van Dyke brought to this Government an appeal from France and England to join them in curbing Germany. The appeal was rejected. It could have been accepted without a league of nations. We finally did join the Allies against Germany without a league of nations.

"It is said that a league is necessary to enforce peace. Peace was enforced against Germany without the league, and such a military power as Germany possessed will not menace the world again in 50 years.

"It is said the league will bring peace to the world. The nations are now cooperating together in Paris. They have not brought peace to the world. War is going on in 20 places in the world—in Russia, in Siberia, in Jugo-Slavonia, in Hungary, in Poland, in Turkey, in Mexico, in Haiti, in Germany. What will the league of nations do to enforce peace in these countries that the military powers now sitting in a peace congress can not do, or refuse to do? If we desire to enforce peace, can not we enforce peace in Costa Rica, or Haiti, or Mexico, without the assistance of a league of nations?

"It is said all future wars can be prevented by a league of nations. If that is so, why did not the great league of nations of 1839 for the neutrality of Belgium prevent the invasion of Belgium by one of the members of the league? Will the new league be any less a 'scrap of paper' than the old one?

"It is said a league of nations is necessary for a limitation of armaments. If this is so, how was disarmament effected on the Canadian border without a league of nations? If disarmament could be effected on the Canadian border without a league, why can not it be done elsewhere? The truth is disarmament can not be ordered by a league of nations but can only be brought about, if at all, by conference and free action and agreement among the nations.

"The league to enforce peace provides neither for peace nor for disarmament.

"It is said that as litigants submit to the decree of a court, nations ought to submit to the decrees of a league of nations. This is an admission that the independence and sovereignty of the Nation is to be surrendered. The court represents the sovereign power of government and disposes of the lives, liberties, and property of parties, and force is back of its decrees; otherwise they would be worthless. We submit to it because it is our own Government, under our control. If a league dominated by foreign powers is to have such control over the United States, then the liberty we are celebrating to-day will be at an end.

"But it is said that other nations surrender as much as we do. This is not true; but, even if it were true, it would be but poor consolation for the loss of our independence to know that other nations had lost theirs. The Kaiser and his socialist followers undertook to set up a power that would have internationalized the world, just as is proposed by the Bolsheviki and the Industrial Workers of the World, who propose to set up an international government to enforce peace under the 'dictatorship of the proletariat.' If they succeed, all nations will have given up the same liberties, and, as all would be on the same footing, according to the league argument, none should object. But such an equality of dishonor would be but a poor compensation for the loss of freedom.

"Peace has been earned by victory and will be preserved by the continued cooperation of the free nations of the world and not by the surrender of their independence to a league.

"There is another menace to our liberties in the propaganda of Bolshevism. Bolshevism is the doctrine of communism to be brought about by force. It is a revolutionary movement, with the object of the forcible seizure and confiscation of all property and its distribution among the revolutionists. This movement is based upon the doctrine of class rule. It would put the Government in the hands of one class and proscribe and exterminate by fire, blood, and starvation all other classes. Its rule would be based on despotism, denying liberty of speech and of the press, and basing its power solely on the doctrine of force. It is put forward in the name of labor, but in fact would be utterly destructive of labor. The only protection of the laboring man is the law. Bolshevism would destroy the law. The only incentive to labor is the vested right of the laborer in his wages. Bolshevism denies the principle of property, without which the fruits of industry would be impossible. Bolshevism would destroy industry and there would be no labor. The end would be the destruction of civilization and a reversion to barbarism, if not the extermination of the race.

"Printing presses are being operated and tons of literature are being distributed advocating this anarchy. Most of its advocates are foreigners. Every alien Bolshevist should be deported at once.

"Both the league of nations and the revolutionary movement of Bolshevism are being supported by vast sums of money and have the encouragement of persons in official position. International big business is backing the league of nations and the international pacifists are supporting both the league of nations and Bolshevism.

"Prussianism, with its socialist backing, league of nationsism, and Bolshevism have this in common. Each proposes to secure peace throughout the world by a central force to enforce peace. Each proposes a central world government. Each is based on internationalism as opposed to the doctrine of nationality. Each alike would mean perpetual war or the sinking of civilization into a despotism that would be worse than death.

"As an illustration of the disappointments and the cruel despotism of the league of nations, it is said the Koreans believed President Wilson would appear in an aeroplane and set them free from Japan. Hopeless insurrection and many deaths resulted, while in the meantime the league of nations was busily engaged in making a compact with Japan whereby instead of freeing the Koreans 30,000,000 Chinese were transferred to her control.

"The land is full of Tories, as in 1776, and it is time for every patriot to be on guard."

[In an address before the Fifteenth District Republican Club, New York, June 24, 1919, on the future of the Republican Party, Senator POINDEXTER said, in part:]

"The mission of the Republican Party in the immediate future is to save the Republic from the process of national disintegration in progress during the present administration. The administration has abandoned our citizens in Mexico to murder and robbery. The Republican Party should elect a President who will fulfill the responsibilities we have assumed in Mexico and reassert American honor and self-respect, so that our citizens, lawfully in that country, will not be forced to ransom their lives with money. After six years of Democratic vacillation and weakness in dealing with Mexico, the suggestion now made in some quarters that Great Britain should be invited to restore order in Mexico should be denounced as false to our fundamental policies, and a Republican Congress should restore order in Mexico and adjust on correct principles its international obligations.

"The act of the Democratic Congress and President internationalizing the Panama Canal should be repealed and that waterway restored again as the property of the people of the United States, to be used in such a way as will be of greatest possible benefit to them, with foreign nations on the same footing among themselves, as provided by treaty.

"The promise of the Democratic administration to haul down the American flag in the Philippine Islands should be repudiated, and a Republican President and Congress should make it clear that the blessings of liberty, which the people of those islands have enjoyed under American rule, will be preserved and the mutual advantage of trade and industrial development under the protection of American law retained for our people. The proposal, while abandoning our responsibilities in the Philippines

to assume the government of Constantinople and Armenia, should be repudiated.

"The extraordinary powers vested in the Executive during the emergency of the war should be repealed at once and Government should be restored to a normal basis.

"The direct and oppressive extraordinary taxes, retarding business and increasing the high cost of living, should be reduced and repealed as rapidly as possible. In order to do this the expenditures of the Government should be restored to a normal basis, waste and inefficiency eliminated, war bureaus abolished, and a tariff bill, so framed as to obtain a larger share of revenue from import duties to protect industry, maintain wages, and especially to protect and encourage the new industries established during the war, should be enacted without delay.

"It should be the first care of a Republican administration to stamp out of the country the propaganda of anarchy and revolution. The alien advocates of enforced communism and confiscation should be returned at once and without exception to the country whence they came, and their aiders and abetters in this country, the so-called 'parlor Bolshevists,' who contribute money to the revolutionary cause, and the officials of the Government, of high and low degree, who have encouraged Bolshevist activities should be exposed and punished.

"The new doctrine of internationalism, advocated alike by the Kaiser and his socialist followers, and by the anarchists and Bolshevists of Russia and America, should be combated as fatal to our institutions. The effort of the internationalists to 'join our fortunes with the fortunes of men everywhere,' and to form a United States of the World, should be opposed as wholly inconsistent with American independence and a menace to liberty."

Mr. NORRIS. Mr. President, I can not vote for the ratification of the treaty of peace with Germany in its present form, and it is because, after as careful and candid a consideration as I have been able to give to the subject, I am inevitably led to this conclusion that I am to-day asking the attention of the Senate while I point out, as briefly as I can, some of the reasons why it seems to me the treaty should be amended. I shall to-day confine my remarks almost entirely to one of its provisions. I do not want to be understood by this that there are not other amendments that in my judgment should be made, but the one provision that I shall confine my remarks to is so indefensible, so unjust, and so wicked that it alone would in my judgment be sufficient to reject the treaty even though every other word contained in it were entirely satisfactory.

Before I take up this particular article, I desire to say that during all my public life I have been a firm believer in some kind of an international agreement between the leading civilized nations of the world that would make war between civilized nations as nearly impossible as human ingenuity could devise. Every drop of my blood cries out aloud in sympathy with what I believe to be the human heartbeats all over the civilized world, that out of this terrible strife, turmoil, blood, and suffering should come some such an agreement. It is a sad commentary upon the civilization of the present age that the great nations of the world, while compelling their citizens to submit their quarrels and disputes to courts and tribunals, organized under general laws for that purpose, should themselves violate the principle of the very law which they enforce upon their subjects. The same principle of law and equity that settles an ordinary lawsuit before a justice of the peace will, if properly applied, without any change or addition, settle every dispute that can possibly arise between nations. War is a relic of barbarism, and can be defended upon no principle that holds sway and controls in any civilized Government. A torn, suffering, bleeding world is heartsick of the barbarous thing that civilization calls war. In the establishment of machinery for the settlement of international disputes in courts of reason rather than upon the battle field no new principle is involved. It only requires the application of those well-understood principles of justice that now apply in all civilized communities. The present treaty which contains the so-called league of nations is not founded upon any such principle. It contains within itself, as I shall later point out, the germs of wickedness and injustice that violate at the beginning the very principle that must control if we are to have a permanent peace. It lays the foundation for future war just as surely and certainly as the stealing of Alsace and Lorraine by Germany 50 years ago kept burning in the heart of every Frenchman a hope for the day when by whatever means necessary they might overthrow the rule of a foreign monarch and ally themselves again with the people of their own tongue.

The league of nations is only a part of the treaty. It contains in itself many objectionable features, but even if we were willing to accept it in its present form we could not do so without accepting the entire treaty. I know that there is a serious objection against any amendment to any part of the treaty, because such a course means that the entire treaty must go back for consideration to the representatives of the various nations. But if the treaty must go back for revision it may just as well go back for a dozen amendments as for one, and since I can not vote for the ratification of the treaty unamended I shall therefore avail myself of every opportunity to vote for any amendment that, in my judgment, improves it, whether it be that part of the treaty providing for a league of nations or any other part. The league of nations part of the treaty was given to the world before the balance of the treaty was drafted, and since that is the part in which the people of civilization were the most interested they have not given attention to many of the other things that the treaty contains, and there are millions of people now who do not know that in order to obtain the league as provided for in the treaty we must agree to many other stipulations and agreements that are abhorrent to every man's sense of equity and justice.

I desire, Mr. President, to be constructive in my criticism. I do not want to tear down an edifice without suggesting, at least, something to take its place, for the object to be accomplished is well worthy of the consideration at hand. I desire, therefore, before I take up the criticism of the treaty which I intend to make, to briefly outline what I believe ought to be included in a treaty providing for a league of nations which, under existing conditions of civilization, we can have a reasonable expectation would receive the approval of mankind. In trying to reach an agreement we ought to approach the subject with an open mind. We ought to free ourselves, as far as possible, of all prejudice and feeling of self-glorification. This applies both to the individual and to the Nation. We should realize that no agreement on any great question in the history of the world has ever been reached except on the basis of sacrifice and compromise. We ought always to keep in mind that the one object in view is the abolishment of war. If we look over the history of the world and observe the paramount causes of wars in the past, it will not be very difficult to discover the things that must be accomplished in order that war may be avoided in the future.

DISARMAMENT.

Standing out prominently among the things that have caused war in the past is the question of armament. Without armament built up in times of peace, the danger of war would not only be lessened but to a great extent abolished entirely. If armament is dangerous to the peace of the world, then why not abolish it? This course, however, requires concert of action. So long as one great nation is building immense fleets of battleships and dreadnoughts, every other nation is compelled to keep somewhere in the same class; and thus we soon have a race between the leading nations of the world to see which can build the greatest fleet of these weapons of human destruction. It is a historical fact that no nation that has kept on increasing its army and developing its navy has not finally found an excuse to use them in battle. I am not intending to discuss this particular subject in detail at the present time, but I only want to say in passing that the present war would have been avoided had Germany not been arming herself and preparing for it for the last 40 years. Article 8 of the pending treaty specifically recognizes the principle that peace can not be maintained without disarmament, but, in my judgment, there is no provision in the treaty anywhere that will bring about disarmament. If the nations which drew it were in earnest and meant to disarm, it would have been just as easy to disarm themselves by this treaty as it was to disarm Germany.

CONQUEST.

Another historical guidepost that leads to war is the conquest of one nation by another—the transferring of the people of a nation at the cannon's mouth, as though they were slaves and chattels. In the present state of human society it is universally condemned by all civilized people. The abolishment of conquest would go a long way toward establishing a permanent peace. It is not defended by any people or nation, and the constitution of a league of nations should contain an agreement that no nation would under any circumstances engage in conquest or add to its territory in any way except by the consent of the people transferred. The compact should go a little further, and provide that no nation would ever recognize the transfer of a people from one nationality to another without their consent.

SECRET TREATIES AND SECRET DIPLOMACY.

The compact for a league of nations should require that all international business should be done in public. Legislatures and parliaments transact their business in the open, where the common citizen can look on and study every step of legislative progress. The laws that govern the people and which the peo-

ple must obey must be enacted in public and enforced in public, and yet the same nations that follow this wholesome rule in their internal affairs violate it entirely when they are negotiating with other nations. The light of publicity is one of the greatest specifics for governmental ills, and its helpful influence applies with equal force to international matters. Secret diplomacy and secret treaties are admitted everywhere to be among the greatest evils of the world. Treaties become the supreme law of every land, and yet many of them have been enacted and held in secret during all the centuries that have passed. They have been the direct cause of many wars and have had important influence in bringing on many other wars. No voice in all Christendom is to-day defending them. Then why not abolish them by international agreement?

INTERNATIONAL ARBITRATION.

The compact for a league of nations should also contain a provision for the arbitration of international disputes. The militarist goes on the theory that might makes right, and yet everybody knows that it is not only a false theory but it is an uncivilized and a barbarous proposition. What assurance can any nation have that a question settled on the field of battle by contending armies will be settled right? Not only does the settlement involve untold misery and suffering by millions of people, but when the decision is reached there is no assurance whatever that it will be either fair or just.

These propositions look simple. They are all practically self-evident. And yet, if they were established by an agreement among the leading nations, the permanent peace of the world would be practically assured. All the wars of the past between nations have been due to one or more of these causes. Personally I would be willing to include some other things in the league. I would not reject a league because it did not contain all of these, but we must take the world as it is and not as we wish it. If the establishment of these four propositions that I have named will bring about a permanent peace, then why not confine our energies, at least for the present, to their establishment. To include more is to invite opposition that may endanger the success of the entire undertaking.

Disarmament is recognized as necessary for permanent peace. Conquest is known to be wrong both in principle and in practice. Secret treaties and secret diplomacy create international suspicion, jealousy, and injustice; and arbitration of disputes between nations is only following out the principle of justice that is applied to the individual all over the civilized world.

The constitution for a league of nations ought not to include anything that is not absolutely necessary to carry out the object of the compact. The few things which I have enumerated are recognized to be the principal causes of all the wars of history. It might safely be said that every war of the past between established civilized nations would have been avoided had these enumerated propositions been recognized and observed.

AN INTERNATIONAL ARMY AND NAVY.

I do not believe it is practical or possible or even desirable that there should be established by any compact an international army or international navy. Human nature will have to change before it is possible for an army of one nationality to be used and handled at will by the government of another nation. For the same reason the so-called international police force will be a practical impossibility. Moreover, there is no necessity for any international force of this kind. If the world would abolish secret diplomacy and secret treaties and conquest and would disarm, there would be nothing for an international army or navy to do, even if it were practicable or possible to have an agreement that would provide for it. There have been many instances in the past where great powers have submitted great questions to international arbitration, and yet there is not an instance in history where any civilized nation failed to carry out in good faith the judgment of such a court. It is hardly conceivable that a civilized nation would take such a course. Such a nation would at once become an outcast in civilization, and if disarmed she would be harmless and sooner or later compelled to submit to the judgment of the arbitration tribunal. And if the international agreement provided for an economic boycott of such a nation, it could not long exist without compliance with the judgment.

SOVEREIGNTY.

I have no sympathy with the argument that by entering a league of nations such as I have outlined we would thereby surrender our sovereignty. Complete liberty of action would, of course, be modified and circumscribed by the constitution of the league; but this is true of every agreement in civilization, whether individual, state, or national. Absolute freedom in any civilized society can not be had, and the assertion and attempt to practice such a freedom is anarchy. The only man who has complete personal liberty is the barbarian living entirely alone in the woods. Every law enacted by every legislature in Christendom circumscribes freedom of action. Human society is built upon the principle that we must surrender some of our individual freedom for the benefit of the whole. This is true of every individual contract. It is true of the most sacred contract known to man—the marriage relation. The 13 sovereign States had to surrender some of their sovereignty when they formed the Union. Our Government never entered into a treaty with any nation on earth without surrendering to the extent of the terms of the treaty some of our sovereignty. And here again we are met with the same proposition that I have before asserted—that in the formation of the proper kind of a league of nations there is no new principle involved. It is only the application of well-recognized principles to international relations.

THE MONROE DOCTRINE.

I do not agree with a large number of my colleagues in regard to the desirabilities of excepting the Monroe doctrine from the application of a league of nations. If we get the right kind of a league of nations, we thereby abandon the Monroe doctrine, and we ought to be glad to do it. We get something better for it. If conquest is abolished, if disarmament takes place, and secret treaties are no longer made, there is no further excuse for the existence of the Monroe doctrine. It never would have been promulgated had there been no secret agreements, secret treaties, or standing armies. The object of the Monroe doctrine was to prohibit conquest upon the Western Hemisphere by nations of the Eastern Hemisphere. If conquest is abolished, then the Monroe doctrine falls. It is replaced with something that applies to the whole world rather than to only a part.

ENTANGLING ALLIANCES.

It is claimed by some that the entering into any kind of a league of nations involves us in entangling alliances, particularly with Europe. I am as anxious as anyone to keep my country out of entangling alliances, and I am in favor of a league of nations such as I have outlined, because I believe it will keep us out of entangling alliances. We are in entangling alliances now. Under the old system we have been unable to avoid them, and it is sufficient answer to this criticism, it seems to me, that our Army is at this very moment standing guard along the Rhine. The world is much smaller than it used to be. The invention of steam, the telegraph, telephone, flying machine, and electrical appliances, have brought the nations of the earth much nearer together. Whether we wish it or not, we are next door neighbor to every nation on earth. We can not avoid international contact, even if we desired to do so, and one of the principal objects of the league of nations would be to prevent entanglements and thus save not only our Nation but all the nations of the earth from getting into them.

PRESENT TREATY.

I have thus briefly outlined what in my judgment ought to be included in a league of nations. I know that no man can get just what he wants, and I would be willing to take less or accept more, so long as the bounds of reason were not surpassed. Moreover, I would be willing to resolve every doubt in favor of the approval of any treaty providing for a league; but we have before us a treaty containing not only a provision for a league of nations, but a re-marking of many of the international lines of the world. And we are asked to accept it in its entirety, without change or modification. It transfers from one nationality to another hundreds of thousands of people. It remaps the entire world. It contains many things outside of the provisions for the league itself that shocks the sensibilities of justice and right. Among these, standing out prominently, is the transfer of a great portion of the Chinese Empire to Japan.

Section 156 of the treaty provides that all the rights, privileges, and possessions of Germany in China shall be turned over to Japan. The practical effect of this provision is to give Japan control over the Chinese Nation and to turn over to her the control of more than thirty-six millions of the Chinese population. Japan is given railroads, mines, submarine cables, together with the right and privilege of exploiting, all free, without compensation, and without limit. There is not a word anywhere in the treaty of Japan, under any circumstances, ever being required to turn anything back to China. It must be remembered that Germany had no right in China that any honest man was bound to respect. What rights she obtained there she obtained at the cannon's mouth because China was unable to defend herself.

It must be remembered, too, that China was one of our allies in the war against Germany. She rendered valuable assistance and sent 300,000 of her people to France, where they were engaged in the necessary work of constructing fortifications, and so forth. She turned over to the allied nations a large number

of German ships that had been interned in her waters. The men China sent to Europe, while not equipped with guns and armament, were sent into the most dangerous zones. They worked under the direct fire of German guns, and when the correct statistics are obtained there is no doubt whatever in my mind but what the figures will show that China lost more men in killed and wounded on the field of battle in this war than did Japan. China not only furnished many German ships and hundreds of thousands of men for the allied cause, but she contributed in a liberal way from her meager savings to the various other war activities. When in America we were making the famous united war-work drive for funds, to be contributed for the work of the Y. M. C. A., the Red Cross, and the Salvation Army, China was asked to contribute $100,000. In answer to this call made by America, in a drive in China lasting two weeks, she contributed $1,300,000, and, as showing the class of contributors to this fund, it is interesting to note that in one Chinese city alone there was contributed 240,000 pennies.

She did everything that an unarmed nation like her could possibly do in carrying on the struggle. She demanded no indemnity, no pay; but at the peace council she asked that the property stolen from her by Germany should be returned to its rightful owner. No nation had a representative at that peace council with cleaner hands than did China. Practically all the other great nations, except ours, were asking for indemnity or the transfer of sovereignty from some other nation. Of all the allied nations against Germany, Japan was perhaps the only one that made any financial gain out of the war. She had no right to the Shantung Peninsula of China than would America have had to demand that Alsace and Lorraine be transferred to her. It is no argument to say that Japan drove Germany out of China. It would be just as logical to say that America drove Germany out of France; that American soldiers recaptured portions of Alsace and Lorraine, and that therefore these territories should be turned over to American sovereignty. Germany had no legal title to a foot of land in China. This is conceded by everybody. No one has yet defended her course. In the case of Alsace and Lorraine, it might even be said in favor of the German Government that these Provinces were transferred to Germany 50 years ago at the end of a bitter war, and that they were part of the indemnity that the victor had a right to demand of the vanquished. But even this argument, unreasonable as it is, can not be offered in favor of giving Shantung and other portions of China to Japan. When Germany took this property from China there had been in reality no contest between the nations, but, like a highway robber, she stole into the harbors with her ships and compelled the Chinese Government to submit.

Every voice in Christendom cried out aloud that France, in the settlement of this war, should be entitled to the return of Alsace and Lorraine. For the same reason and by the same logic civilization ought to have demanded that the property which Germany stole from China should be returned to China. Moreover, when Germany compelled China to surrender portions of her territory it was stipulated in the treaty that was then forced upon China that under no circumstances should Germany be allowed to transfer any of this property to any other nation without China's consent; so if we want to be so cruel and unreasonable as to recognize Germany's title we must take it as a whole, and if we do, then the peace conference had no authority, either in justice or in law, even under their own interpretation, to violate the provisions that required China's consent to any transfer of these concessions to any other power. This action of the peace conference violates every principle of honesty and justice. It is a betrayal by the allied nations of a friendly nation. It turns over innocent millions of people to the rule and control of their worst enemy. Anyone believing in the principle of self-determination of people must blush with shame at this outrageous procedure. China is helpless, it is true. She can not defend herself. She ought to be protected by her friends, but it seems that she was at the mercy of her enemies and they failed and refused to extend to her the mercy that every victorious soldier ought to be willing to extend even to an enemy. She was betrayed by her own friends, and her people have been denied the right to govern themselves and the nation left in the control of the last nation on earth that China would have selected to control her had she been given a voice in the decision of her own destiny. And all this done by those whom she trusted, those in whom she confided and placed her trust, those for whom she shed her blood and sacrificed the lives of many of her people, her comrades in arms in a common cause. One of the most pitiable spectacles in the history of the world is the picture of poor, weak, downtrodden China pleading before the great world tribunal for justice—yes, for mercy—pleading to be saved the humiliation of turning over 36,000,000 of her people, her industries, her holy land, the sacred dust of her ancestors, to the control and government of the one nation of all the earth she feared the most. China had reason for fear. She had been cruelly punished by Japan before. She had been treated by Japan the same as she had been treated by Germany. She had at her own door an illustration of what could be expected when the Japanese were given power to rule over a foreign people. She had seen Japan cruelly and unmercifully take possession of her neighbor, Korea. She knew that at this very time Japan was doing everything within her power to blot out every vestige of Korean literature and history. She knew that Japanese soldiers and Japanese officers had cruelly murdered innocent Koreans who were guilty of only one crime—that of loving their country. She knew that women and children had been murdered in cold blood. She knew that every Korean official had been forced out of office, and that from bottom to top the Korean Government was ruled by the Japanese. She knew that private residences all over Korea were searched for books and literature, and wherever such things were found they were burned, in order that the rising generation might have no opportunity to learn the history of their own country. She knew that the Korean language was being supplanted by the Japanese language, and no place in all the Empire was a Korean school permitted to exist. As between German rule in China and the Japanese rule that she had a right to expect she would have no hesitancy in welcoming back the Hohenzollern. As between German rule in China and Japanese rule in Korea she knew that even the Kaiser's control, wrong and unjust as it was, was a bright and shining light compared with what she could reasonably expect from Japan.

Mr. President, I hold in my hand a photograph of a dead Korean citizen. This was given me by Mr. S. A. Beck, who for 20 years has been a missionary or an agent of the American Bible Society in Korea. He returned to this country only last month, and he stood at the elbow of the man who snapped the kodak when this picture was taken. This poor Korean has one ear cut off. His face is smashed almost into a jelly. He has 28 wounds on his body, every wound given by a Japanese official or soldier; and of what was he guilty? What was the charge? He was unarmed, innocent, engaged in no attempt to do anything unlawful; but in the exuberance of his patriotism he had been guilty of crying aloud, "Hurrah for Korea," and for that he was run down, mutilated, punished, and finally killed. It is only one instance of what is almost a common occurrence in Korea.

I have here a copy of the report made by the Presbyterian Church of America on conditions in Korea, printed in the New York Times of July 13. I shall not attempt to read this entire report, but I wish that every citizen of the United States, and particularly every Senator who must soon pass upon the proposition whether he will turn China over to these same people, would read it. I wish every member of that church all over our land might read this official report by the missionaries of that church. In their introductory they say:

> Many of these reports are repulsive in the extreme, and our readers' blood will boil with indignation, as ours has who have witnessed these things. We make very few comments, therefore, and leave the facts to convey their own lesson. Were the conditions as they actually are to be fully reported, the report would be extremely long and too horrible to relate.

They go on to tell of the tortures—the means that are used—not against people who are committing crimes, not against men who have been adjudged guilty of any charge or any offense, but men and women who have dared to say that they loved their country. Many of these punishments are inflicted for the purpose of extracting confessions for the purpose of getting evidence from the men persecuted against missionaries in order to drive the Christian missionaries out of Korea.

They hang men up by their fingers until the joints separate. They brand the flesh with red-hot irons. They have all manner of means to torture. In many cases it is for the purpose of securing statements from the victims implicating Christian missionaries, and, of course, it is only a question of time until any confession desired is extracted from the unfortunate victims.

This Mr. Beck, who is a Methodist minister, told me he had seen hundreds of Koreans—men, women, and children—run down by officers on horseback, clubbed by Japanese policemen, beaten by soldiers, pounded into insensibility, stabbed with bayonets, and cut up with swords, all because the innocent people joined in a parade in honor of their own country. They were unarmed, harmless, and not even charged with any crime or misdemeanor.

I have had this same man, who spent 20 years in Korea, describe to me things that he saw with his own eyes on the

public streets that are so horrible that it does not seem possible that anyone can believe them,

Now, this Presbyterian official report goes on. I want to quote a little from it. In these punishments that are inflicted they eventually get any kind of testimony they want. Everybody knows that if you commence to torture a human being you can eventually get anything from him that you desire, and they keep on with the torturing until they get it.

Mr. McCORMICK. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Illinois?

Mr. NORRIS. I yield.

Mr. McCORMICK. Is the Senator going to incorporate that report in his remarks?

Mr. NORRIS. I have no objection to doing so.

Mr. McCORMICK. I hope it will be done.

Mr. NORRIS. Here is one instance where they tortured a man, giving an instance of it. This Presbyterian missionary report says, speaking of a man who had been mutilated and whom the narrator saw 33 days after it occurred, when he was in the hospital still alive, with his entire body sore, all battered nearly to pieces, and, as he said, it was almost a revelation that he was still alive:

I saw one scar on the upper part of the leg. It had been seared, some 5 inches in length by a red-hot iron. Of these he bears four—

And so on.

Speaking of another case, they use this language:

This case is not an isolated one. Scores, hundreds, of similar cases could be cited and fully substantiated. Every police station is a veritable hell on earth. Every human refinement in brutality is known there, and such brutality is perpetrated as would blister the tongue to utter.

Another quotation:

Occasionally instead of imprisoning the men they are let off with only 90 blows of the bamboo rod, and that this is no light matter you may well imagine. No man could endure it all at once, so the 90 blows are administered 30 per day for three successive days. A large number of cases coming to the private hospitals are of men who have been thus beaten until they are nearly done for.

Now, I want to read from another part of this same report, and I wish the Senate would listen. You who have daughters and admire them, you who have wives and love them, you who have mothers and revere them, listen:

The examination of women who have been arrested for activity in the independence movement is the most disgraceful and humiliating possible. It will have to be remembered, however, that the Japanese feel no shame when nude in the presence of the other sex. On the other hand, the Korean and the Chinese women have the same feeling of delicacy as Europeans. They feel intense shame when seen by another. The Japanese know this, and so when they put Korean women into the question box—this, mind you, is before they are condemned at all—they are stripped absolutely naked. They are stripped not after they go to the room where they are questioned but in their rooms of confinement, and that by gendarmes.

From here they have to walk across an open court, where they can be seen by anyone who pleases.

Some women who tried to cover themselves had their hands tied behind them. One Bible woman had her arm wrenched out of its socket by this process.

Mr. President, as I said awhile ago, they are particularly anxious to drive Christianity out of the land. I have had explained to me by this missionary from Korea how in a village near Seoul the Christian men were all commanded by the soldiers to go into their own church, and when they got in the soldiers commenced to fire upon the church. Anyone coming out was killed. Then they set fire to the church and burned it and all the men in it. This Presbyterian report refers to an instance of that kind. The missionary had a conversation with a Korean that I want to read. The missionary says:

What is that smoke? Korean.—That is a village that has been burned. Missionary.—When was it burned? Korean.—Yesterday. Missionary.—How was it burned? Korean (glancing around fearfully).—By the soldiers. Missionary.—Why? Did the people riot or shout for independence? Korean.—No; but that is a Christian village.

He goes on with this same Korean and discovers that he lived in the village, and asked him how it happened he is still alive, and the answer was:

I am not a Christian. Only the Christians were ordered to gather.

Mr. President, I wish the Christian people of America would note that all the sacrifices which they have made in Korea now if this treaty goes through, all that they have made in China, or every missionary that has gone there to set up a church and preach the doctrine of Christianity, the doctrine of the lowly Nazarene, are all in jeopardy.

Mr. WATSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Indiana?

Mr. NORRIS. I yield.

Mr. WATSON. In this connection it is worthy of recollection that 1 of the 24 demands made upon China by Japan in 1915 was that Buddhism should be taught in China without restriction or limitation.

Mr. NORRIS. They will do in China like they are doing in Korea. Every book in Korea, every magazine, every paper, every history is being destroyed. The soldiers search the private rooms of the people to get them, in order that they may blot off the face of the earth every vestige of Korean history, which every student knows goes back many centuries, long before the Christian era. These men are just as proud of their country as we are of ours.

But it is going further even than that. These missionaries say that the one particular thing that the soldiers and the police are always trying to find out, whenever they resort to all manner of torture, is in order to get evidence against the missionaries. These are the questions that they put to them. If they raise the flag of Korea, they try to get them to admit when they are dying with torture that some missionary prompted them to do it. It is the Christian religion that is going to be blotted off the face of the earth over there. They then resort to various schemes, charging that the Christians have done the damage and committed the depredations. I will just read a little in this Presbyterian report on that score. This is taken from the pastor of the church at Tyungju:

On April 8 the gendarmes came to the newly built church in this city and gathered the furniture and mats together and set fire to them. Then they put out the fire. The next night a large pile of combustible material was heaped upon the pulpit and set on fire.

They could prove that these soldiers put out one fire. They were careful not to prove that they set the fire which they put out. The next night another fire was started. A deacon of the church rang the bell, and a few Christians came together and put out the fire. The next morning the police commanded the Christians who had houses near the church to move away, the pretext being that they had set fire to the church. Then they moved away, and after they were gone, on the next day, combustibles were put about the church soaked with coal oil and then set on fire. Then the soldiers rang the bell, but nobody came. There was not anybody left to come, and the church and everything burned up. I presume that the records of the Japanese soldier show that the Christians set fire to their own church, and that the first two times the soldiers put out the fire, but that they were unable to do so the third time.

And all this we are asked to approve by a ratification of this treaty. We are now expected to add to this international crime by giving senatorial approval to this unjust judgment. I am as anxious as any man on earth to bring about a fair and honorable league of nations; but if you permitted me to write the constitution of the league and make of it what in my judgment would be a model, and coupled with it the approval of this rape upon China, I would decline. We can not build a temple of justice upon a foundation of sand. We can not build an international tribunal founded upon the betrayal of any people, however weak. Sooner or later such a structure must crumble and decay. Every guidepost of history points to the futility of such attempts made by man. A century ago the avaricious kings of Europe divided up Poland. And yet the spirit of Poland lives; and even now, at the close of this great world struggle, the voice of humanity cries aloud that Poland shall be resurrected. Fifty years ago Germany wrung from France, after a bitter contest, the beautiful Provinces of Alsace and Lorraine. The world stood by. It realized that an injustice was being done, but no nation felt warranted in interfering; but when the world struggle came, when this great war began, there came from all over the world the universal cry that Alsace and Lorraine should be restored to France. These lessons of history teach us that we can not violate the laws of God or nature without eventually suffering the penalty. And whatever structure we build, however powerful we may be when we build it, founded upon such an outrageous and unjust judgment, it will, in God's own time, bring about its own destruction. We are only planting the seeds of future wars that will be just as certain to come as the universal law of creation remains intact.

THE PROCEDURE AT THE PEACE CONFERENCE.

As indefensible as is the judgment rendered at the peace council in transferring Chinese property and sovereignty to Japan, the procedure by which this unjust judgment was brought about is still more reprehensible and indefensible. It is difficult for a fair and reasonable mind to comprehend how these great powers could treat an allied nation with such unmerciful cruelty and lack of justice. But this judgment can be understood better when we observe the procedure by which it was brought about. As unjust and as bad as the judgment was, it fades into insignificance when compared with the secret agreement by which these great powers agreed to divide up the spoils of victory and turn China, one of their own friends and allies, without her consent and against her objection, over to her ancient enemy.

When it became apparent that the United States was about to enter the war, it was feared that China would follow her.

In fact, there is but little doubt but that China would have gone into the war long before she did had it not been for the influence of Japan in keeping her out. England, France, Russia, and Italy all wanted China to get in, and while the matter is shrouded somewhat in mystery there can be but little doubt to the unprejudiced mind that it was Japan, working through her allies, that prevented China from declaring war against Germany. Her object in this was obvious. If China joined in the fight against Germany, she would have a right to appear at the peace conference and to have her wishes and her rights taken into consideration in agreeing upon the terms of peace. Obviously Japan preferred that China should have no place at the peace table, but Great Britain and France were anxious to have China join the allies in order to get the German ships that were interned in Chinese waters. Everybody knows that the question of transportation was one of the vital things of the war. The destruction of ships by submarines had made it necessary for every allied nation to bend every energy in the building of ships in order to replace those that were lost. It was the one thing that for a time appeared to be the greatest cause for fear that Germany might win, and therefore the question of securing these German ships was exceedingly important and valuable. An unbiased mind might even question whether Japan was acting in good faith in thus interfering with the acquiring of ships that might spell the difference between victory and defeat. It seems almost incredible that at this critical stage any allied nation, anxious for the allied cause to win, should take any steps, especially of a selfish nature, to prevent the acquiring of additional ships; but when it became apparent that America was going into the war, and Japan, realizing that this would probably also bring China in, she systematically took up the question with the great powers. She entered into a secret agreement with her then allies—England, France, Italy, and Russia—which provided that after China had become a belligerent, and had given her blood and treasure to bring victory, when these allied powers met around the council table they would divide the spoils of victory among themselves and rob China of her birthright by turning her over to the tender mercies of Japan.

On the 27th day of March, 1917, the Japanese minister of foreign affairs at Tokyo approached the British ambassador located at that place with a view of bringing about such an agreement with the British Government. The British minister cabled to his government at London, and after receiving instructions from his government wrote the Japanese Government as follows:

BRITISH EMBASSY,
Tokyo, February 16, 1917.

MY DEAR EXCELLENCY: With reference to the subject of our conversation of the 27th ultimo, when your excellency informed me of the desire of the Imperial Government to receive an assurance that on the occasion of a peace conference His Britannic Majesty's Government will support the claims of Japan in regard to the disposal of Germany's rights in Shantung and possessions in the islands north of the Equator, I have the honor, under instructions received from His Britannic Majesty's principal secretary of state for foreign affairs, to communicate to you the following message from His Britannic Majesty's Government:

His Britannic Majesty's Government accede with pleasure to request of the Japanese Government for an assurance that they will support Japan's claims in regard to the disposal of Germany's rights in Shantung and possessions in the islands north of the Equator on the occasion of the peace conference, it being understood that the Japanese Government will in the eventual peace settlement treat in the same spirit Great Britain's claims to the German islands south of the Equator.

I avail myself of this opportunity, M. le Ministre, to renew to your excellency the assurance of my highest consideration.

CONYNGHAM GREENE,
His Britannic Majesty's Ambassador.

To His Excellency VISCOUNT ICHIRO MOTONO,
His Imperial Japanese Majesty's Minister for Foreign Affairs.

On the 21st day of February, 1917, the Japanese Government replied to this communication of the British Government as follows (omitting formal part):

The Japanese Government is deeply appreciative of the friendly spirit in which your Government has given assurance, and happy to note it as a fresh proof of the close ties that unite the two allied powers. I take pleasure in stating that the Japanese Government, on its part, is fully prepared to support in the same spirit the claims which may be put forward at the peace conference in regard to the German possessions in the islands south of the Equator.

While the Japanese Government was waiting for a reply from the British Government it proceeded also to negotiate with the other allied Governments. Its message to the French ambassador at Tokyo was signed by the Japanese foreign minister and was as follows:

The Imperial Japanese Government has not yet formally entered into conversations with the entente powers concerning the conditions of peace I propose to present to Germany, because it is guided by the thought that such questions ought to be decided in concert between Japan and the said powers at the moment when the peace negotiations begin. Nevertheless, in view of recent developments in the general situation, and in view of the particular arrangements concerning peace conditions, such as arrangements relative to the disposition of the Bosporus, Constantinople, and the Dardanelles, being already under discussion by the powers interested, the Imperial Japanese Government believes that the moment has come for it also to express its desires relative to certain conditions of peace essential to Japan and to submit them for the consideration of the Government of the French Republic.

The French Government is thoroughly informed of all the efforts the Japanese Government has made in a general manner to accomplish its task in the present war, and particularly to guarantee for the future the peace of oriental Asia and the security of the Japanese Empire, for which it is absolutely necessary to take from Germany its bases of political, military, and economic activity in the Far East.

Under these conditions the Imperial Japanese Government proposes to demand from Germany at the time of the peace negotiations the surrender of the territorial rights and special interests Germany possessed before the war in Shantung and the islands situated north of the Equator in the Pacific Ocean.

The Imperial Japanese Government confidently hopes the Government of the French Republic, realizing the legitimacy of these demands, will give assurance that, her case being proved, Japan may count upon its full support on this question.

It goes without saying that reparation for damages caused to the life and property of the Japanese people by the unjustifiable attacks of the enemy, as well as other conditions of peace of a character common to all the entente powers, are entirely outside the consideration of the present question.

A few days later the French Ambassador replied to the Japanese foreign office, as follows:

The Government of the French Republic is disposed to give the Japanese Government its accord in regulating at the time of the peace negotiations questions vital to Japan concerning Shantung and the German islands in the Pacific north of the Equator. It also agrees to support the demands of the Imperial Japanese Government for the surrender of the rights Germany possessed before the war in this Chinese Province and these islands.

M. Briand demands, on the other hand, that Japan give its support to obtain from China the breaking of its diplomatic relations with Germany—

They had not been broken at the time this correspondence took place—

and that it give this act desirable significance. The consequences of this in China should be the following:

First. Handing passports to the German diplomatic agents and consuls.

Second. The obligation of all under German jurisdiction to leave Chinese territory.

Third. The internment of German ships in Chinese ports and the ultimate requisition of these ships in order to place them at the disposition of the Allies, following the example of Italy and Portugal. According to the information of the French Government there are 15 German ships in Chinese ports, totaling about 40,000 tons.

Fourth. Requisition of German commercial houses established in China; forfeiting the right of Germany in the concessions she possesses in certain parts of China.

Upon receipt of this communication the foreign minister of Japan, on behalf of Japan, promised compliance with the request of the French Government contained in this letter. Similar negotiations were entered into with similar results with Italy, although the negotiations with Italy took place in Rome and not in Tokyo. Similar agreement was also made with Russia, and it must be remembered that at that time Russia was still in the war, and it was anticipated that at the close of the war she would have a place at the peace table.

It is thus clearly disclosed that while these leading Governments of the world were inducing China to get into the war, in order that they might secure her assistance and particularly that they might be able to get possession of the German ships interned in China's harbors, they were secretly plotting among themselves as to her destruction as soon as she had complied with their wishes and the war was over. This procedure applies with particular emphasis to the agreement between Great Britain and Japan. After they had gotten out of China all that was possible then it was agreed that at the council table England should assist Japan in her claim against China, and to compensate England Japan agreed to assist England in getting all the German possessions south of the Equator. It must be remembered, also, that these agreements were made in secret at a time when all the nations entering into them were proclaiming to the world that secret treaties and secret diplomacy must be forever abolished. Poor, weak China was not told by these great statesmen representing the highest civilized nations of the earth, that after she had assisted to the limit of her power in overcoming Germany, she herself should be pounced upon and her territory turned over to other nations, the same as it was proposed to turn over the territory of the common enemy. In all the annals of history I do not believe there is recorded an instance of a more disgraceful and dishonorable agreement to carve up the territory not of an enemy but of an allied friend. Let us bring this proposition home to ourselves. Suppose it had developed at the peace council that England, France, and Japan had secretly agreed that when peace was declared New England should be taken away from the United States and turned over to Canada until such time as Canada saw fit to relinquish her claim. Would there have been found anywhere beneath the folds of our flag a single individual who would have demanded that the Senate should approve a treaty

of peace containing such a provision? Would any such agreement be considered, even if the treaty contained a provision for a league of nations that it was alleged would bring eternal and permanent peace to all the world? Would any American citizen have given a moment's thought to any other provision of the treaty, however valuable or however just? And it would have made no difference had the war been waged so fiercely that during its progress New England had been captured by the Germans, so that the treaty might have truthfully said that the possessions of Germany in New England should be turned over to Canada. Under these conditions is there an American citizen who loves peace so much that he would be willing to take it at such a sacrifice? And would we be any more liable to submit to such an outrage if during the war our Navy had been destroyed, our armaments all obliterated, and, like China, were in a helpless condition? Would the particular wrong be made any the more bearable or sufferable because we should happen to be in a weakened and crippled condition? Would it make the act just or excusable simply because we did not possess the power to resist? And are not the rights even of poor China as sacred to her as our rights are to us? And are we going to condone this outrageous perversion of justice simply because it is practiced upon some one that is weak? Are we going to give our official approval to this robbery of China simply because the principal actors in the cruel farce are the leading nations of the world? Can we afford to purchase peace at the sacrifice of honor? Such action would give the lie to every principle or declaration of justice that was ever made by our Government or any of our allies during the progress of the war.

It gives official approval to secret diplomacy after we and our allies have publicly proclaimed to the world that secret diplomacy was dead. It gives a death blow to the great doctrine of self-determination, for which it was claimed that this great war was, in part at least, fought and won. It writes falsehood upon every declaration that has ever been made by anyone during the progress of this war, that we must fight until we could have a peace that would give protection to the weak as well as the strong. It brands all the claims and protestations of our civilization with hypocrisy and nullifies every instinct of the human heart for justice and equality. And, Mr. President, these same nations are going to be the leading spirits in the league of nations that we are to set up by this treaty. If this is a sample of the justice that will come out of such a league, then what can weak and unarmed nations expect? This secret agreement entered into by the leading nations of the world, and the unjust judgment that followed it, shocks the sensibilities of those who honestly want to bring about a league of nations and causes them on the very threshhold to question and to doubt. Have we not a right to expect more of our boasted civilization? If the greed and avarice shown by the nations that have entered into this secret agreement to despoil China are to control the league that is to be set up, then God help the poor and weak who approach that throne expecting justice. And if we approve this wicked decree, is it any defense to say that we were the only member of the court that was not bribed? Can we shift the responsibility from our shoulders by claiming that we took no part in the procedure that took place in the darkness by which China has thus been despoiled? This judgment can not become operative without our official approval. If we ratify this treaty as it stands, we approve not only the judgment but the reprehensible method by which it was brought about; and if we thus approve it with our eyes open, do we not thereby become a party to it? Is there any possible gain that can come to us or to our Nation that will be sufficient to compensate us for taking such a step? Is peace so sweet or life so dear that we can afford to perpetuate them by giving our official approval to an act brought about by a procedure that would be disgrace to the civilization of the wild man and the barbarian?

If this treaty as it stands becomes operative, and later the 30,000,000 of Chinese in Shantung should rebel against the rule of the Japanese, and then if the balance of China should go to the assistance of their own brethren in attempting to overthrow the unlawful and cruel rule of a foreign government, then under section 10 of the league of nations as it now stands it would be our duty to contribute American lives and American blood on the battle field to assist Japan to retain her power. And are these suppositions unnatural or improbable? What other thing could we naturally expect than that these Chinese in Shantung should rebel? What would be more natural when they do rebel than that the balance of China should go to their assistance? We ought to remember that our approval of this unjust and wicked document may require the services of our sons on the battle field under the Japanese flag to maintain her supremacy in China's holy land.

This treaty should go back, and I believe if the American people could have an opportunity to see all the vice that it contains and were able to express their patriotic sentiments, it would go back practically by a unanimous vote. When the honest citizens of Great Britain, of France, and of Italy realize the injustice that it contains they will unite with us in demanding that it be rejected. In face of what we hope and pray will be a new era in civilization the world can not afford to take such a backward step. We can not build our temple for the future upon such a crumbling foundation, and I do not believe that the Senate of the United States will take the step that is here demanded of it, which, in my judgment, would constitute the blackest page in our Nation's history and be a constant reminder to those who shall follow us that we failed to do our whole duty. If we desire to build a temple upon whose front we can truthfully inscribe the divine motto, "On earth peace, good will toward men," the foundation must be constructed according to the golden rule, upon the principles of justice and equality, and not based upon the doctrine of hypocrisy and greed.

Mr. President, I ask unanimous consent to have inserted in the RECORD the report from the Presbyterian Mission, from which I read some extracts.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

[From the New York Times, July 13, 1919.]

HORRORS IN KOREA CHARGED TO JAPAN—PRESBYTERIAN CHURCH MAKES OFFICIAL REPORT OF MURDERS AND TORTURES—CHRISTIAN TOWNS BURNED—INVESTIGATORS TELL OF AT LEAST 30 MEN DONE TO DEATH IN A CHURCH.

"A report of alleged Japanese atrocities in Korea was made public yesterday at the headquarters of the Presbyterian Church in America. It is a result of investigations by representatives in Korea of the Presbyterian Church in the United States, following the imprisonment of some of its missionaries by the Japanese authorities. The information from Korea was transmitted by such means that it escaped the Japanese censors.

"The report, which is several thousand words in length, is described by the Presbyterian Church in its introduction to the presentment as follows:

"'The American papers are already full to overflowing with the reports of atrocities in Korea. The origin and causes of these are of immense importance, but in this article these subjects can not claim our attention. Knowing that another Belgium is on the world's hands, it becomes necessary that the facts be stated by some one, and that these be held to form the basis of constructive reformation later on. This article is written with this idea in mind.

"'What is reported here can be duplicated in scores of places in Korea, and some of the reports thus far received are even more harrowing than the ones we report. But, as they have not been definitely established by competent witnesses, we omit them but confine ourselves strictly to incidents which are known beyond the shadow of a doubt to be true.

"'Many of these reports are repulsive in the extreme, and our readers' blood will boil with indignation as ours has who have witnessed these things. We make very few comments, therefore, and leave the facts to convey their own lesson. Were the conditions as they actually are to be fully reported the report would be extremely long and too horrible to relate.'

TORTURE OF POLITICAL SUSPECTS.

"Preliminary police examinations of Koreans suspected of complicity in the revolutionary movement are said in the reports of the investigators to include 'every human refinement in brutality,' men being beaten to death and women subjected to nearly every possible form of shameful treatment. Milder punishment, it is said, included 90 blows rained upon the prisoner's body with a bamboo rod, and the administering of many boot kicks, at the end of which the victim, if he survived, was sent almost lifeless to a hospital.

"One such victim, 'a slender, timid, Christian youth,' 19 years old, employed by a shoemaker, was arrested with a wealthy Korean, both charged with circulating the Independent News, a revolutionary publication.

HORRORS IN KOREA.

"The report proceeds:

"'At police headquarters they dealt with the wealthy man first, telling him that if he would disclose who was distributing the secretly published sheet, the Independent News, they would set him free. He told, and the shoe boy, who was his tool, received punishment for both.

"'Word came to me soon after this that our shoe boy had been frightfully beaten and would die. I was very greatly concerned about it. Thirty-three days later I was meeting with some women of the Fifth Presbyterian Church * * * and heard that the boy was in a dying condition in the public

hospital. As there had been no report of his death in the meantime, I had hoped he would escape at least with his life. I went to see him yesterday at the hospital.

"'The only reasons which can account for his being there are either because the police did not want him to die on their hands or wanted to prolong his torture, for he is miraculously recovering. I entered by the main office, presented my card, and was shown to his room without any police interference, at which I was greatly surprised. I went in and saw a very sallow, sick boy—what must he have looked like five weeks before? I knew that God had surely sent me to him. I was there nearly an hour and a half. After his story I sang several hymns, had prayer with him, and departed for home.

"'The following is his story. * * * It certainly is a miracle that he is living. On the day following his arrest he was questioned about complicity with the Korean independence movement.

THE ORDEAL OF A YOUNG PATRIOT.

"'On refusal to reveal aught of the affair he was subjected to six hours of "examination" spelling constant torture, for his arms were put into rings above the elbows until the upper body was greatly distorted—the usual preparation for beating. Beating and kicking were then administered until he fell fainting to the ground. He was given cold water to drink, and water was poured over his body to bring him to again. Then more questions were plied, but the same refusal to reveal facts followed, also physical collapse.

"'I saw one sear on the upper part of the leg. It had been seared some 5 inches in length by a red-hot iron. Of these he bears four. I saw the dead-skin line of the welts that had been raised by blows on his hands. One hand, he said, had been swollen to twice its normal size. Two joints of one finger and two finger ends showed plainly the tale was all too true. His head is still sore from the blows received.

"'Shortly the doctor called on his regular rounds and seemed to take great pains in examining him. Turning to me, he said his chest and lungs were better. Was it exposure to cold that made his chest sore? No. He pulled his clothing down to examine further, and I saw that his whole abdominal region had been involved. A wound—whether by bayonet thrust or doctor's incision I do not know—seemed to be healing. The doctor began by pressing, but after 33 days this boy was unable to endure even a slight touch from chest to groin and from hip to hip. An ice bag was at his head for fever, body was quite wasted to bone, and he was only just able to raise himself to a sitting posture.

A MISSIONARY UNDER SUSPICION.

"'During the four days of torture and the subsequent two days of suffering at the police station a physician had been admitted to see him only three times. He was expecting to die and begged them to kill him. But God had another plan. After 20 days in the hospital he has hopes of recovery.

"'I rode in a ricksha, as I had little time, delivered him some eggs, apples, milk powder, a clean cover for his pillow, with clothes, and the transformation was wonderful. For the clothes he had on had the marks of his experiences from the first. A Korean nurse was in attendance during the visit; the reason I understood later.

"'His soiled clothes were rolled up ready to take along. We had prayer, and I rose and was leaving the room when a coolie confronted us outside the door. He spoke to the sick boy and said: "You must wait; you must not go." About me he said I should go to see somebody. Imagine, please, what they were trying to work up against me—that I was trying to get the boy away in my ricksha. I was in for arrest.

"'He calmly strode into the main office. Over a half hour elapsed ere anything happened. Imagine my terrible plight! I had purchased fish for dinner, and guests were expected. There really was little time to spare. However, I dispatched a woman with the fish and a note, and sat down to wait in patience, for the last thing to do in the Orient is to get flustered.

"'I certainly was the object of much attention. I wondered how many soldiers would come to take me away, and whether they would let me ride or make me walk. Finally my amused meditations were broken, not by khaki-clad armed soldiers but by a plain-clothes Japanese detective, who had come in to interview me. I told him all that I knew, and he was exceedingly mild toward me, when I tell you he was the one who at the police station almost tortured our shoe boy to death. He is the acknowledged spy on all foreigners and the official torturer of our schoolboys.

"'The interview was brief, he saying that the sick boy was yet a prisoner, and hereafter if I wished to visit him I must first apply to the police for permission. It was like thin ice, seeing how far I could go without breaking through. I was really disappointed, for I thought I was going to get inside the jail for sure. A community phone call had been sounded, announcing that I was missing, and a member of the legal committee was about to set out for the police station when I returned.

"'We foreigners enjoy little freedom, nor are we safe under the present Japan and United States of America agreements. Ask Uncle Sam.

MANY CASES OF TORTURE.

"'This case is not an isolated one. Scores, hundreds, of similar cases could be cited and fully substantiated. Every police station is a veritable hell on earth. Every human refinement in brutality is known there, and such brutality is perpetrated as would blister the tongue to utter. Men are known to have been beaten to death, and their bodies handed over to their relatives to bury. Others have been beaten until crippled for life, and then released, to be a burden on their families until the day of their death. * * *

"'Note that the shoe boy had been in the hospital 33 days already when the interview was held. When will he be ready for trial? Still, it is understood that he is to receive nine months in the penitentiary. This was practically decided by the police officers even before being brought to trial. The court simply goes through the form of trying him, and sentences him as the police have suggested.

"'Occasionally, instead of imprisoning the men, they are let off with only 90 blows of the bamboo rod, and that this is no light matter you may well imagine. No man could endure it all at once, so the 90 blows are administered 30 per day for three successive days. A large number of cases now coming to the private hospitals are of men who have been thus beaten until they are nearly done for.

"'All this in a land which boasts before the world of its thoroughly acquired modern civilization, an associate of the great allied nations of the world. * * * When will such mockery as this end and men be called what they really are?'

REVOLTING TREATMENT OF WOMEN.

"The following is a signed statement by an American residing in Korea, dated April 22, 1919:

"'The examination of women who have been arrested for activity in the independence movement is the most disgraceful and humiliating possible. It will have to be remembered, however, that the Japanese feel no shame when nude in the presence of the other sex. On the other hand, the Korean and Chinese women have the same feeling of delicacy as Europeans. They feel intense shame when seen by another.

"'The Japanese know this, and so when they put the Korean women in the question box—this, mind you, is before they are condemned at all—they are stripped absolutely naked. They are stripped not after they go to the room where they are questioned, but in their rooms of confinement, and that by gendarmes.

"'From here they have to walk across an open court, where they can be seen by anyone who pleases. Sometimes they are accompanied by a Japanese female and sometimes not. It might also be said that each time they wash they have to take off the thin kimona which they wear in prison and stand naked before others while they wash.

"'Their arraignment is before men, of course, and the chief part of the examination is to make the pain of the humiliation just as intense as possible. Unmarried girls, as well as Bible women who have lived in homes of refinement and who have been used to nothing else than the courtesies due their sex, are thus outrageously treated. They are called bad women in the most revolting terms just because they have shouted in the street, "Hurrah for Korea!"

"'Some women who tried to cover themselves had their hands tied behind them. One Bible woman had her arm wrenched out of its socket by this process. * * *

"'But this is not all. Some were kicked in the stomach and otherwise roughly treated by these fiendish men. Some of us have heard terrible tales about the German treatment of women in Belgium and France, and, though the awful depths have not yet been reached here, we see the training of the same school.

"'In one section of the country the women are not safe in their homes during the day. They spend the daytime in the hills and come to their homes only at night.

"'The Japanese are great sticklers for the truth when it comes from others. So let others read and understand. We have here sworn statements from women thus treated, which can be produced when needed.'

CHRISTIAN VILLAGE WIPED OUT.

"Christians murdered and burned by Japanese soldiers."—Japan Advertiser, Tokyo, April 29, 1919.

"The following is the most terrible story yet verified. The American vice consul and the British acting consul, as well as many others, have personally visited the scene and have protested against such acts. The governor general was compelled to admit the offense, and the following article gives the general fact:

"Statement of H. H. Underwood, a missionary resident in Seoul, as to trip to neighborhood of Pal Tan, market town in country of Buwon-Kyongki Province, April 16:

"'Party left Seoul about 9.30 a. m. by writer's auto and proceeded to Pal Tan by way of Buwon and Osan, a distance of slightly over 46 miles in all. About 2 miles before reaching Pal Tan a large cloud of smoke was seen rising from behind a market town. The car was stopped for lunch here, and the writer strolled over to a near-by cluster of houses and, finding a farmer, engaged him in conversation. After a little preliminary talk the following took place:

"'H. H. Underwood. What is that smoke?

"'Farmer. That is a village that has been burned.

"'H. H. U. When was it burned?

"'F. Yesterday.

"'H. H. U. How was it burned?

"'F. (glancing around fearfully). By the soldiers.

"'H. H. U. Why? Did the people riot or shout for independence?

"'F. No; but that is a Christian village.

"'After lunch we drove to the town, leaving the car, as it was impossible to cross the stream at the entrance to the town. We walked past the police station, which is situated where the two main roads entering the town meet. A file of soldiers of the Seventy-eighth Regiment was standing outside the station. As we were passing a Japanese policeman came out and demanded where we were going, ordering us into the station. We entered as two Japanese officers got up and left. We all noticed their shoulder straps, which are red, with three stars. This, I am told, is the badge of first sergeant. The policeman who had ordered us into the station shouldered a carbine and followed the officers. In a moment we saw them setting off on the road to Nemyang, with the policeman in the lead.

"'Mr. Curtice then presented his card to the officer and conversed with him in Japanese. I do not speak Japanese, but I know a little, and followed a large part of the conversation. After chatting about the roads, bridges, mutual acquaintances in Seoul, etc., Mr. Curtice asked about the fire. The chief said there had been a small fire, but that it did not amount to much.

ONLY "A LITTLE DISTURBANCE."

"'When asked about the disturbance he said that there had been a little disturbance in that part of the country, but that it was now over. Some more general conversation took place. Mr. Curtice asked if rickshas could be procured in the town, as we would like to make a little excursion to see the fire. The chief asked, "What fire?" Mr. Curtice said the near-by one, and that we would probably like to take a little ride of 3 or 4 miles in the country.

"'The chief seemed a little surprised, but said, "Yes," and sent a policeman with us to the ricksha stand, where we hired three rickshas and set out. The village from which the smoke was rising was not more than a mile from town, and after a short ride we left the ricksha and walked around the foot of the hill on the sides of which the village had been.

"'Our estimate and the statements of the Koreans that the village had consisted of about 40 houses agreed. Only 4 or 5 were left standing. The rest were heaps of smoking ashes, with flames still visible here and there. We saw groups of women, children, and old men sitting on the hillside above the village watching the ruins in dumb despair.

"'We walked the entire length of the village, and about halfway up saw the corpse of a young man terribly burned, lying just outside a building which we learned later had been the church. This body was photographed where it lay.

"'After going the length of the village we came back along the hillside and called to a man sitting in one of the groups mentioned. He held his head in this hands and said that everything he had and all the results of years of hard work had gone. I condoled with him and asked when the fire occurred. He said, "About this time yesterday (2 p. m.)."

"'H. H. Underwood. How did it start?

"'Korean. Why, the soldiers.

"'H. H. U. Were many people burned or hurt?

"'K. The soldiers killed all the Christians who were in the church.

"'H. H. U. What were they in the church on a Tuesday afternoon for?

"'K. The soldiers came and ordered all the Christians to gather in the church.

"'H. H. U. Were there women in the church, too?

"'K. No; the women were told not to come.

"'H. H. U. Well, after the Christians gathered in the church what happened?

"'K. The soldiers fired on them and also used their knives, swords, and bayonets, and then set fire to the church.

"'H. H. U. How did the houses catch?

"'K. Some caught from the church and others on the other side, where the wind did not carry the flames, were set on fire by the soldiers.

"'H. H. U. How is it you are alive?

"'K. I am not a Christian, and only the Christians were ordered to gather.

"'H. H. U. Your house was also burned?

"'K. Yes; there are the ruins [pointing].

"'H. H. U. But there are a few houses left. How about those?

"'K. Those stood by themselves, and after the fire had been set in several places if the rest did not catch they did not set them on fire.

THIRTY KILLED IN A CHURCH.

"'H. H. U. About how many were killed in the church?

"'K. Thirty.

"'I then left this Korean and walked over to another group. Here there were several young women with babies and old women and a young boy of about 19 or 20. These people were Christians and knew Dr. Noble, of the North Methodist Mission, in whose district this church was. I asked the same, or nearly the same, questions, and got the same answers as to time, method, number killed, the setting of the fire, etc.

"'I asked the young man how he happened to be alive, and he replied that he had been away gathering wood on the hills and had returned at night to find all his male friends and relations dead and buried under the flaming ruins of the church.

"'The people were absolutely destitute. Here and there a few household goods had been snatched from the flames, but none of the little groups seemed to have more than a very small bowl of rice or grain for all the survivors, and they said that most of them had lost their grain seeds for the coming year and everything, including domestic animals, on which they were very dependent.

"'We bid good-by to the group, after taking their picture, and walked through the village to one of the houses that was still standing. Here one owner was a very old man, who said that his house stood alone and had not caught fire and had not been set because he was not a Christian. His account of the event tallied in every way with that of the others.

"'He also did not know how many had been killed, but put the number at about 30. After taking a few more photos we returned to the rickshas and started back to the town. The ricksha coolies offered to take us to another place about 3 miles farther on, where the same thing had happened a few days before. They volunteered that about 15 places had been burned, and in most cases Christian centers.

"'This tallied with other stories and with reports brought up to Seoul to the missionaries in charge of the district. The soldiers had been brought in by auto about 2 weeks or 10 days before, and the first villages had been burned at that time. The chief of police had reported that the trouble had been over for some time, and we heard no accusations that there had been any violence on the part of the Koreans in this village which we visited; but the police claim that violence had been committed in other places. We bade good-by to the police and returned to Seoul by auto, as we had come, reaching Seoul about 5.30.

"'The governor general says that the lieutenant in charge of the troops who committed this crime has been punished. We should like to know whether this means removal from his present post and promotion to a higher position somewhere else.

THE BURNING OF TYUNGJU CHURCH.

"'The burning of the Christian church buildings seems to be a favorite pastime of the military, including the police, at present. Attempts are made to prove that the burning is done by nonbelievers who are disgusted with the Christians and are anxious to get rid of them. But the evidence is too strong against the military that they themselves are inciting the people to do the work, while they usually take a place in the background and are righteously indignant when the crimes have been committed. Yes; there are cases, as you can see from the article on the murder and burning of Christians above, that they have done the deeds themselves.'

"We give two accounts herewith of the burning of the church at Tyungju, North Pyengen Province. The one is by

the Seoul Press, a government-controlled paper, and the other by the pastor of the church, an American missionary, who saw the church and made careful investigation. The reader is at liberty to draw his conclusions:

"'Christian church burned. (Seoul Press, April 13, 1919.)

"'On Tuesday, at 6 a. m., fire broke out in a Christian church at Tyungju, site of a district office in North Pyengen Province, and the whole building was reduced to ashes.

"'The loss is estimated at 10,000 yen. It is suspected that some Koreans, detesting the purposeless agitation, have been driven by their bitter indignation to commit incendiarism at the expense of the church.'

"The following is from the pastor of the church:

"'Burning of Tyungja church. On April 8 gendarmes came to the large, newly built church in Tyungju city, gathered the mats and other furniture together, and set fire to them. They also put out the fire. The Christians have been bending every energy to the building and paying for this building.

"'On April 9, at night, as on the 8th, a large pile of combustible material was heaped upon the pulpit and set on fire. A deacon of the church rang the bell and a few Christians came together and put it out. The next morning the police commanded the Christians who had houses near the church to move away, the pretext being that they had set fire to the church.

"'On April 10 combustibles were put all about the church and soaked in coal oil and then set on fire. They also rang the bell, but no one came, and the church burned to the ground.

"'On April 11 the wife of the pastor and some of the church officers were called up and rebuked for burning the church. They also gave them a lecture on what low-down rascals the Christians were, stating that not a single person would come out to help put out the fire. As a matter of fact, any appearing on the streets at night are severely beaten and otherewise mistreated.'

"There was a statement in the Japanese press that Christians set the church on fire to show their disapproval of the leaders of the church in the independence movement. No comments needed.

"In conclusion, after publishing what are alleged to be violently anti-American articles from certain Japanese newspapers, the report of the Presbyterian investigators says:

"'It is unnecessary to say more. These articles speak for themselves. The reader can judge of the attitude of the press when the Government permits such stuff to be printed. As the press always is under the censor here, when such stuff is printed the Government becomes morally responsible. The truth is prohibited. Falsehoods and libels are allowed. Such a course of action only endangers the relations of the Governments concerned.'"

Mr. UNDERWOOD. Mr. President, the war has sapped the foundation of society. It came very near to destroying all hope for lasting peace for this generation of men. In a world broken away from the fundamental principles of right and justice for the protection of humanity, where no court of common arbitration exists, where the selfish passions and desires of men are the ruling cause that shapes their course, where no ideals of equity and fair play are established as a guide to human conduct, the sword—the sword alone—must and will shape the destiny of suffering humanity.

Must we continue to make the sword the sole arbiter of justice and right, or has the time arrived in the progress of the world's civilization when the sword shall become merely the instrument by which the decrees of nations, founded on established principles, shall be enforced? An ever-increasing sense of public justice, sustained by the ever-strengthening power of freedom of thought and action among the masses of men, is crystallizing into a universal sentiment in civilized nations for the recognition of a court of final judgment to guide the future destiny of the world, rather than leave the decision to the blood-stained decree coming from the battle field.

I am forever opposed to war, except a war of defense. Peace should be the foremost policy of our country. There may be nations who in the past were forced to make war that they might live. Not so with us; our fathers gave to us as a sacred heritage the most wonderful country that has ever cradled a great civilization in the progress of the world. Great, fertile plains, capable of producing food for a population ten times larger than our own, mountains and hills holding in their everlasting embrace treasures of raw material such as the world knows not of elsewhere—coal and iron, lead and copper, gold and silver—with but few exceptions, every raw material that is needed to build the greatest industrial nation that the dreams of man can imagine. We possess a people who for industry, courage, and virtue stand unrivaled on the globe. Within our borders we are a world to ourselves, possessing every attribute that makes man strong, great, and self-sustaining. We stand alone, the foremost Nation on our hemisphere, protected on all sides with natural barriers to defend us from the aggression of a foreign foe.

You may say: "Then, why should we become involved in an alliance that may drag us into the disputes, the disasters, and the dangers of other nations?" This was the doctrine our fathers believed in, and one that I am slow to yield. But we face a condition, not a theory. Since the foremost patriot of all the great men who have held allegiance to our flag advised his countrymen against becoming involved in entangling alliances the mind of man has invented, discovered, and perfected the railroad and the steamship, the telegraph and the telephone, the submarine and the aeroplane, the high explosives and the deadly gases. In Washington's time men voyaged across the sea for more than a month to reach the European shore; in our day men have flown across the Atlantic Ocean in 16 hours. Time and space have been eliminated. Dangers to our people and our Republic that were not dreamed of a century ago confront us to-day at our very doors, a threatening menace to our lives, our civilization, and our institutions. Shall we continue to dream of the ideals of the past, or meet as practical men the dangers of the future? For me there is but one course to pursue.

The era of territorial expansion has passed; the era of social development is here. We must face the conditions as we find them. Many of the difficulties of the past arose from the fact that the countries of higher civilization were becoming densely crowded, and those of more primitive life controlled large unoccupied areas, possessing vast natural resources. The instinct inherited from the tribal life of remote ancestors remained the governing cause that guided the course of nations long after it was repudiated as being unmoral in the life of individuals. For the last four centuries, the policy of most of the great nations has been to settle the waste places, and if it could be done without too much danger, to exploit the lands of their weaker neighbors. Force was, and continued to be, the foremost virtue of national life, until it took the combined strength of the world to destroy the last great monster, reared through a century of treason against humanity and imbued with the desire to absorb and destroy all other peoples of the world, their commerce, and their ideals, making the sword the sole arbiter of the destiny of man, and enthroning force as the ideal of modern civilization.

Has the suffering of the Great War taught us nothing? Must we lapse back to the barbarous national morals of the past, without an effort to reach out for a new ideal of national life that will make it as unmoral for a nation to murder, rob, and plunder because it has the power as it has been for an individual to do so? Has not the time come for the universal establishment of order and justice, the development of national resources for the benefit of all, the establishment of the freedom of the seas to the commerce of all lands, the repudiation of the grinding down of the weaker peoples of the earth, the restraint of international greed and monopoly by the enlightened nations of the world in a high court of good morals, and the destruction as a common enemy of any nation that hereafter claims the right to live by the sword? If this be true, then we must not close the book of the Great War without making an earnest effort to baptize anew the Old World into a new and moral life for national existence.

The most important treaty that has ever been negotiated is now pending before the Senate of the United States for ratification, amendment, or rejection. It purposes to end the Great War, to restore our country to peace conditions. It comes to us after many months of deliberation and consideration by ourselves and nations with whom we have been associated in the war. Its terms have been acceded to by the nations with whom we have been at war. It is not the product of the desires or the conclusions of any one nation, but it reflects the compromises that the compelling power of the world's desire for an early peace has forced the allied nations to accept and agree upon in order that the peoples of the whole world may hereafter pursue the paths of peace and abandon the pursuit of war. Under these conditions it can hardly be expected that the terms agreed upon will be entirely satisfactory to all the parties to the contract, and in some of its details it probably does not reflect the sentiments of any of them. The question that confronts the Senate is not whether the treaty reflects the views and traditions of the American people entirely, but as to whether, taken as a whole, it is best to accept it in its entirety and immediately end the period of the war, or as to whether some of its terms are so repugnant to the true interests of our people that we should reject the treaty by amendment or repudiation and endeavor at a later date to reopen the peace negotiations with the hope or expectation of improving the terms from which we desire to dissent.

The contract treats with the most momentous problems that have ever been dealt with at any one time in the world's history. The map of the world is to be changed. Old landmarks are to be destroyed and new ones erected. The governments of hundreds of millions of people are to be changed and reestablished. The commercial and industrial life of the world is to be reorganized and readjusted. Great indemnities are to be exacted from the fallen foes, and restraints in armament, industry, and commerce placed upon them. These questions, and many others, were the burning issues that surrounded the peace table at Paris. They represented the future life of great nations and many peoples. They were the vital issues to be solved. They were questions of to-day, but most of these issues are not in close contact with the life of our own Nation. Although they may mean much to us in the future, their importance is not realized by the people of our country to-day. So far as I have heard, there seems to be but little sentiment, if any, reflected in the public prints and in the talk of men against the acceptance of the verdict of the tribunal of peace so far as it relates to these grave and important matters. The discordant thought of the people at home relates to a question of the future, and not to the issues of the present. The foremost question in the mind of America to-day is the future preservation of the peace of the world, and well may this be so. We were a peaceful, industrious Nation, living without the desire to despoil our neighbors, content within ourselves, seeking only after high ideals of justice and right in all the affairs of national life—patient to an extreme degree with those who affronted us, endeavoring always to keep the peace—and yet, without fault on our part, without the desire for war, a ruthless foe fired on our flag, sank our ships, and, without our having any opportunity to avoid it, drove us into the bloodiest war that the world has ever known. We were compelled to sacrifice many thousands of lives of our brave and gallant sons. In carrying on the war we have spent billions of dollars that will be a burden on our lives and our resources for more than a generation to come. We profit nothing as a result of the war, except that profit which comes to all men who stand courageously for the right and strike down the wrong—the profit that comes from the honor and respect of the peoples of the world. Well may we say, "Has the world gained anything by the destruction of the barbarous Hun, if the conditions that he created in this war may come again?" And, therefore, the question that is foremost in the thoughts of our people is whether or not it is possible for man to establish a rule of law and justice as a substitute for the rule of power and force.

From these sentiments has come the desire for a league of nations, a coming together of the peoples of the earth to establish a high court of justice for the final arbitrament of the disputes of men that have heretofore carried their peoples to the battle fields of the earth. I hear no one dispute the fact that it is far better to settle national disputes by arbitration rather than by the sword, and it appears to me that the sole contention in reference to the approval of those clauses in the pending treaty of peace that establish a constitution for a league of nations is whether the proposed plan is strong enough in itself to accomplish the desired end, or whether the strength of the plan may lead to the destruction of national independence and interfere with the great principle of self-determination in the inner life of the nations of the world.

There have been many causes of war in the past, but the dominating causes of war among the great nations of the world have been the desire for the possession of lands and colonies, commercial concessions and expanded markets, the enlargement of national domain that appeals to the sense of greatness and power, and the desire of each particular nation to dominate and rule the internal affairs of other nations. These great causes of war may be paraphrased in two words: "National selfishness." Until the civilization of the world is prepared to dethrone its own selfish ideals and to recognize the rights of other peoples, the inherent causes of war must continue to exist.

I am not prepared to say that the adoption of the present treaty carries within itself the elimination of these causes of war or that in the end there will be no more wars; but I do say that within the folds of this treaty we find an agreement between the great nations of the world that will probably in the future carry the questions of national dispute to a court of final arbitration, and in many, if not most, instances avoid the horrors and injustices of war. For my purposes in this argument it is not necessary to refer to the clauses affecting the organization of the league of nations. The league is a form of government, and every Government must have defined the details of its organized life and the principles for which it was created. In passing, let me say that I do not regard the organization of the league as a supergovernment. No supergovernment could exist without power to maintain itself. Within itself the league has no power to levy taxes, and without revenue a government can not long exist. The league has no power to raise armies and navies, and without military forces it can not defend itself. It is therefore not a supergovernment, but a federation of States, dependent for its existence upon the future voluntary acquiescence in its continued life of a few of the great nations of the world. Within the terms of the contract is carried the provision that any of the signatory powers to the created organization may withdraw upon giving two years' notice. The announcement of withdrawal from the compact by either France, the United States, or Great Britain would at once destroy the binding force and moral power of the league in the world's affairs. So, with the right to withdraw, I feel that there is no need to fear the dangerous surrender of any of the fundamental principles and rights of the American people. Therefore I am willing to take it and try it and hope that from the seed that is planted to-day, in its fruition the final peace of the world may be found.

I am more interested in the principles enunciated in the clauses relating to the league of nations than I am in the powers given for its government, for on these principles the future life of the league must depend. I would have been glad to subscribe to a contract that would have arbitrarily limited the armaments of the world. Such a decree is not found within the contract, but there is a covenant that seeks to keep the peace of the world, that authorizes the executive council of the league to consider how much the present armaments of nations should be reduced, and submit its conclusions to each member nation of the league, which may then agree or not agree to accept the recommendation. In other words, each nation will finally agree to the limitation of its own armament and, having so agreed, must keep it as long as it remains a member of the league. This is not a strong or a definite agreement, but out of its terms I am hopeful that there will come a gradual disarmament of the world, the lifting of the burden of the preparation for war from the shoulders of striving humanity, and the greater inducement to settle disputes through the high court of arbitration rather than the decision of brutal force.

Another vital principle that we are asked to agree to is that all of the members of the league shall submit differences between them that are not capable of being settled by negotiation before a tribunal to be composed of judges or arbitrators agreed to by them, and after entering into the arbitration they are required to abide by the award. Should either party to the dispute refuse to agree to arbitration, the executive council of the league is required to mediate between them and endeavor to secure a voluntary settlement of the questions involved. If it fails in this, the council is to report on the facts. If the report is unanimous, the member nations are to carry it into effect. If it is not unanimous, it is to be published, and there the matter will end, so far as the league is concerned, except that the moral suasion of the verdict rendered may have the power to avoid the arbitrament of arms.

Another principle involved that will aid the world in guarding against war is a clause in the covenant which provides that the nation shall not begin war until three months after the arbitration award or the recommendation of a compromise. This undoubtedly will operate as a great restraint against war. It is not at all probable that nations involved will not allow the three months' limit to expire before attempting actual hostilities under any circumstances and take the chances of bringing on their heads the condemnation of the other nations of the world. Three months' time for consideration and reflection, with the world looking on and discussing the problems involved, is more likely to point the road to peace than to find the way to war.

The greatest principle of the league tending to keep the peace of the world is that which declares that "the high contracting parties to this treaty shall undertake to respect and preserve against external aggression the political independence and the territorial integrity of every member of the league." Most of the wars that have been waged in the ages that have passed have had as their governing cause the desire to conquer and control another people, or to expand the territory of the country that is the aggressor in the war. Prevent the incentive for wars growing out of a selfish desire for aggression, as the overweening force of this covenant will do, and few actual causes of war will remain that can not without difficulty or danger be submitted to the high court of arbitration.

I have therefore reached the conclusion that, as a Nation, we will be better off in the world's affairs by accepting the terms of the organization of the present league of nations than to destroy all opportunity for the establishment of a world's tribunal of peace by the rejection of the treaty at this time, and I

shall therefore cast my vote against all amendments proposed to the treaty that may delay its ratification and send it back to Paris for further delay and deliberation. I shall vote for the ratification of the treaty as a whole, believing, as I do, that although it may have imperfections within its folds, and it may not express in its entirety the high ideals of everlasting peace, yet that it is a long step in the right direction. It is the building of the road that leads away from the war and the cruelties of strife. It is the starting of the highway of peace, that may ultimately carry us to the establishment of the high principles of equity, right, and justice between all men of all nations.

Mr. PHIPPS. Mr. President, I desire to say a few words on the subject of a league of nations.

Assuming that it were possible to form a league of nations which would—

First. Insure to the peoples of the world a lasting peace, by the prevention of wars between nations;

Second. Preserve the sovereignty of the citizens of the United States so that they would at all times be free to decide questions affecting their own nationality and inherent rights, such as control of immigration and the levying of proper tariff rates; and

Third. Leave exclusively to the decision of the United States Government the policies which it could adopt, from time to time, for the control of its foreign affairs and in dealing with other nations—

Such a league would appeal to me as one to which the United States should subscribe as a member.

The covenant for a league of nations as incorporated in the treaty of peace being negotiated with Governments of the Central Powers and other nations does not properly provide for any one of the three conditions above named; therefore, in my opinion, it should not be approved by the Senate of the United States without first making certain reservations or modifications which would cure these defects.

The suggestions for amendment proposed by Hon. Elihu Root appear to cover what is needed to put the covenant in acceptable form, although further changes may be deemed advisable. I believe that the thorough discussion by the Senate of the proposed league and of the treaty of peace is a national duty, with a view to seeking, fairly and impartially, the most practical methods to be employed for the maintenance of a lasting peace. While it is probable that the problems involved can be worked out in a satisfactory manner, which I hope will be done, and the approval of the Senate given, I am strongly opposed to the acceptance of the league in its present form.

It has been my endeavor to give earnest consideration to this most important subject with an open mind and without reference to party affiliation. My strong feeling has been that the interests of the United States are paramount and must be given precedence, while the affairs and claims of foreign nations are only entitled to take second place, in the consideration of the subject by the Senate.

ADDRESS ON MILITARY JUSTICE.

Mr. CHAMBERLAIN. I desire to present and have referred to the Committee on Printing an address delivered by Lieut. Col. S. T. Ansell on June 26, 1919, at Bedford Springs, Pa., before the Pennsylvania Bar Association, having reference to military justice. It is with a view to having it printed as a public document that I ask to have it referred.

The PRESIDENT pro tempore. The address will be referred to the Committee on Printing.

CALLING OF THE ROLL.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ball	Gronna	McNary	Smith, S. C.
Beckham	Hale	Moses	Smoot
Capper	Harding	Nelson	Spencer
Chamberlain	Harris	New	Stanley
Colt	Harrison	Newberry	Sterling
Cummins	Hitchcock	Norris	Sutherland
Curtis	Johnson, Calif.	Nugent	Swanson
Dial	Jones, N. Mex.	Overman	Thomas
Dillingham	Kellogg	Owen	Trammell
Edge	Kenyon	Phelan	Underwood
Elkins	Keyes	Phipps	Wadsworth
Fall	King	Pittman	Walsh, Mass.
Fletcher	Kirby	Pomerene	Walsh, Mont.
France	Knox	Ransdell	Warren
Frelinghuysen	La Follette	Robinson	Watson
Gay	Lodge	Sheppard	Williams
Gerry	McCormick	Simmons	Wolcott
Gore	McKellar	Smith, Ariz.	

The PRESIDENT pro tempore. Seventy-one Senators have answered to their names. There is a quorum present.

A WORLD CONSTITUTION.

Mr. WILLIAMS. Mr. President, I read this morning an editorial written by Mr. C. P. J. Mooney, the editor of the Commercial Appeal, of Memphis, Tenn., entitled "A world constitution." It strikes me as one of the most intelligent and thorough discussions of the necessity of a league of peace that I have read for some time. I therefore desire to have it inserted in the RECORD as a part of my remarks.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The editorial referred to is as follows:

A WORLD CONSTITUTION.

"Unless the Senate of the United States ratifies the treaty of peace as it is now written the Great War will have been fought in vain.

"The part the United States took in the war will be a waste of human life, property, and suffering unless there follows something by which the dangers of recurring wars are reduced.

"The thing offered is the league of peace. No document is more simple. It is clear and definite. It seeks to bring about a concert of action between all of the great powers of the world, under which disputes between nations and quarrels between races may be adjusted without a resort to violence.

"The main points of the opposition urged against the league by our Senators and their supporters are similar to the main objections to the Constitution of the United States when it was up for ratification. There were many brilliant men, most of them erratic, who are yet famous in the history of America, that opposed violently what we have come to regard as the greatest guarantor of our national life and our personal liberties.

"The Constitution of the United States brought 13 independent States together. For many months several States held out against ratification, and it was finally adopted after an exceedingly close vote in New York. This victory in New York was due to the work of Alexander Hamilton.

"Our Constitution has survived the changes of more than a century. It survived the great Civil War.

"When the Constitution was adopted it provided for an adjustment of disputes between States and for a settlement of differences between citizens of various States through a Supreme Court. This great court has developed every principle in the Constitution which had to do with the right and liberty of the citizen. It has rendered decisions which have been obeyed without question. In other countries such decisions might have caused a change of government or a resort to violence. To the glory of the Supreme Court of the United States, no citizen and no State have ever been deprived of a privilege or a right which justly belongs to him or it.

"The league of nations is a world constitution. Its supreme object is the liberty and peace of peoples. Going into it, no nation will be deprived of any present right or privilege.

"There are other things in these days than brute force by which adjustments are made. Order and peace can be maintained by good sense and common sense. When the peace league has made a decision the common sense and good sense of the world, of the members of the league, behind that decision will ordinarily cause its enforcement.

"England and the United States have for the last hundred years adjusted many sharp disputes by arbitration. The United States for a hundred years has brought about peaceful settlement of acute questions with Russia, Germany, Italy, Japan, and France. It is true we had a war with Spain, but that war was for the liberation of a people.

"So, if two nations agree by a set of treaties to adjust questions peacefully, may not a combination of nations, by one general treaty through one great clearing house, also adjust their differences?

"Suppose the United States, after the armistice, had quickly withdrawn from the conference, and suppose that nothing except individual treaties had been made with Germany. There would have been merely a recess in war.

"For 50 years Germany has worked hard for an idea that the German people have held for 1,200 years—since the days of Charlemagne. That idea is that the Teutonic race is superior to other races, and therefore should dominate the world. Germany has been controlled by this idea for 1,200 years and has been feverishly working to put it in force for 50 years. Germany will not give up the idea within six months.

"It is necessary, then, for the other nations to hold together under some sort of compact until this thought is extirpated from the minds of Germany and the Teutons come to realize, as Frenchmen, Englishmen, and Americans do, that they are not by nature superior to other people and have no right superior to other people.

"The world can not stand for a hundred years such a war as we have gone through. Even now we realize the damage that has been done to the established order. The waste of this war must be repaired. England, France, and Italy must be rehabilitated. We must have a season of peace to readjust our own affairs. In the league of nations there is the only hope of directing the mind of the world into peaceful channels.

"During the war we demanded that certain subject people should be made free. These new nations are like toddling infants. They must be held by the hands until they are able to walk alone. If they are now left to their own devices, it would have been better for them had they not been given a vision of liberty.

"And yet some Senators say that we should live to ourselves. The logic of this is that we should trade only among ourselves; that our people should not go through the lanes of the world. We should become as remote from the rest of the world as an interior country of Asia. We should close our minds, ears, and eyes to all things outside.

"It was the lack of isolation that helped us win our liberty. The first act of the United States after the Declaration of Independence during the War of the Revolution was an 'entangling alliance' with France, and owing to that 'entangling alliance' we and the French were able to beat the British.

"If we are to remain a civilized and enlightened people we must undertake the duties that civilization and enlightenment impose upon us. At first the cave dwellers sought to live without entangling alliances. Human society could not begin to form until after the cave dwellers changed their viewpoint. China and Korea sought this method. Look at them now. Japan abandoned seclusion.

"The Senators say the Monroe doctrine is threatened. These Senators to be logical should, if they oppose the league of nations, also demand the abrogation of the Monroe doctrine.

"The Monroe doctrine was fought by a great force in America because 'it committed the United States to an interminable series of foreign wars.' The Monroe doctrine is intact with us as a member of the league of nations. The league of nations is a development of the unselfish principle of the Monroe doctrine, and applies it to the entire world.

"The opposition of the Senators is partisan and personal. The Members of that body have fooled away months in discussing the treaty of peace, even before it was before them. They want to continue to fiddle while this country is threatened with conflagration. The people should demand that they ratify the treaty, and ratify it at once, and then that they try to develop their intellects so as to grasp some of our tremendous domestic problems.

"The country is running away with itself. We are in a hectic stage of getting money without working for it. We are in the midst of an orgy of speculation and gambling. The necessaries of life, more abundant than they have been for a generation, are mounting sky-high in price. Labor is discontented, and has a right to be. Instead of organization there is disorganization. The laboring man and capitalists are both getting big profits, but these profits are apparently on paper. In many cases they do not purchase those things necessary for the well-being of the individual.

"We should have a program of legislation for the happiness and the good of people.

"Heretofore our legislators have measured prosperity in dollars and cents. It is a false measure.

"Legislation should tend toward making living conditions tolerable for every man who has the will to labor.

"The Senate should ratify the treaty at once and then give attention to these things. For there are certain evil forces, material and spiritual, at work in this country which will destroy us unless they are overcome.

"A majority of the American people are behind President Wilson. He tells them that 'the treaty and the league promise peace to the world.'

"Those who have taken part in the great struggle, and their fathers and mothers, want that thing done which will reasonably guarantee against a repetition of the bloody transactions of the last four years.

"The treaty is an assurance of peace. A rejection of the treaty is a bid to war, to anarchy, and to chaos."

ALLEGED GERMAN-JAPANESE TREATY.

Mr. LODGE. I wish to call up Senate resolution 110, of which I gave notice yesterday.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations with amendments.

The amendments were, in line 1, after the word "be," to insert "and he is hereby"; in line 3, before the word "treaty," to strike out "the" and insert "any," and after the word "treaty" to insert "purporting to have been projected"; in line 5, after the word "annexed," to strike out "and to inform the Senate whether such treaty has been abrogated under clause 2 of article 289 of the treaty with Germany or whether it is still in force and effect" and insert "together with any information in regard to it which may be in the possession of the State Department, or any further information concerning any negotiations between Japan and Germany during the progress of the war," so as to make the resolution read:

Resolved, That the President be, and he is hereby, requested, if not incompatible with public interest, to send to the Senate a copy of any treaty purporting to have been projected between Germany and Japan, referred to in the press dispatch hereto annexed, together with any information in regard to it which may be in the possession of the State Department, or any further information concerning any negotiations between Japan and Germany during the progress of the war.

"JAPAN AND FOE IN SECRET PACT—SOVIET GOVERNMENT MAKES PUBLIC TREATY BETWEEN NIPPON EMPIRE AND GERMANY.

"(By United Press.)

"BUDAPEST, *June 20*.

"The Soviet Government to-day made public in a wireless dispatch from Moscow the following version of an alleged secret treaty negotiated between Japan and Germany:

"'First. Both parties undertake to lend a helping hand to the third treaty party (Russia) as soon as compatible with the world's political situation, for the restoration of her internal order, international prestige, and power.

"'Second. Japan undertakes the granting to Germany of advantages resulting from the most favored nation reciprocity clauses of the existing Russo-Japanese treaty.

"'Third. Japan undertakes to permit Germany to participate, in accordance with concessions embodied in this special treaty, in Japan's preferential treaty rights in China, the parties undertaking to exclude foreign powers (United States and Great Britain) from securing further concessions there.

"'Fourth. Japan undertakes the safeguarding indirectly of Germany's interest in the forthcoming peace conference, striving for minimum territorial and material disadvantages to Germany.'

"The dispatch declared that the alleged treaty was negotiated by Oda, Japanese plenipotentiary, who arrived in Stockholm on October 18, 1918, to begin secret conferences with German Ambassador Lucius. The Bolsheviki claim that Oda transmitted to Tokyo secret German overtures for a separate peace.

"Oda and Lucius, agreeing upon the principles of a treaty, later went to Berlin to complete the draft, the Bolsheviki charge. The German Government approved the document, it was said, but the revolution rendered it impossible of execution.

"The alleged existence of such a treaty was first definitely asserted by Foreign Minister Tchitcherin in a recent interview with the United Press. The Bolsheviki's bitter opposition to the alleged treaty and their desire to make it public results, Tchitcherin explained, from the fact it could only become operative through their overthrow and the restoration of the Russian Empire."

The amendments were agreed to.

Mr. HITCHCOCK. Mr. President, I voted against a favorable report on this resolution in committee, but I do not propose to resist its passage at this time any more than to make a protest against resolutions of this kind, based on such a slender foundation and having the natural effect of indicating to a friendly country, an associate of ours in the war, that the Senate of the United States gives credence to newspaper reports of this character.

It seems to me that to ask the President of the United States in this public and official way whether he has information to the effect that Japan during the war negotiated with Germany with a view to making a separate peace is unworthy of the Senate. No possible good can come of it. There is no substantial foundation for believing that there was such a negotiation.

If the Senate of the United States or if the Committee on Foreign Relations desired to get any actual information it could have secured all the information by a private conference with the President that it can possibly secure by this open declaration.

I object to this resolution because it implies that those who introduce the resolution and those who pass the resolution give credence to the report that Japan took this attitude during the war. I think it is unjust, I think it tends to interfere with the friendly relations existing between the two countries, and I can see no possible good that can come of it.

I shall, however, not resist passage of the resolution because I realize that the votes are here to secure its passage, but I hope when the reply comes from the President it will be the last attempt that will be made by the Senate of the United States to go on a fishing excursion for the purpose of breeding trouble.

Mr. LODGE. Mr. President, the information about negotiations of Japan with Germany was printed in a dispatch of the United Press which I appended to my resolution, but that is by no means the only information in regard to it. It appeared also in the Far Eastern Review. I have a memorandum here from the Far Eastern Bureau of New York which is engaged in the far eastern business, giving all the details, with which I do not

wish to burden the Senate. It does seem to me that where we are making a treaty which includes Japan and includes the gift to Japan of some 36,000,000 Chinese, which will tend to build up very much the Japanese power, we at least ought to know whether there is any truth in the very detailed statements which have been published both by one of the very great press associations and by the Far Eastern Review. For that reason the Committee on Foreign Relations reported this resolution of inquiry.

It has been stated that a copy of this alleged treaty is in the hands of the State Department and has been for some time. Of course it is entirely open to the President to refuse the information if he sees fit, but I think it is perfectly reasonable that we should know about it.

Mr. HITCHCOCK. Mr. President, I do not like to let go without any comment the statement made by the Senator from Massachusetts that this treaty involves a gift to Japan of Chinese territory with thirty or forty million Chinese——

Mr. LODGE. I did not say that treaty. I said the treaty that is before us involves a gift to Japan.

Mr. HITCHCOCK. I understand; I mean the treaty that is before the Senate.

Mr. LODGE. Of course, if the Senator wants to discuss the Shantung provision now, it is open to him to do so, but I wish he would let us dispose of the pending resolution.

Mr. HITCHCOCK. I am going to discuss it for a few moments, with the Senator's permission.

Germany, as the Senator very well knows, got her rights and privileges in the Shantung Peninsula by a treaty with China which was signed in 1898.

Mr. LODGE. I wish the Senator would tell the whole story about that treaty.

Mr. HITCHCOCK. If the Senator will permit me, I am going to do so.

Mr. LODGE. Begin with the missionaries who were killed and the German fleet that went there and extorted the treaty under the guns of the fleet.

Mr. HITCHCOCK. I repeat that Germany got her rights and privileges in the Shantung Peninsula by a treaty which was signed in 1898. That was 21 years ago. When this war started Japan became a party to the war, and at the instance of the other nations involved in the war attacked Germany, then in possession of those rights and privileges and properties in the Shantung Peninsula, and by act of war Japan took those away from Germany in November, 1914. That was two years and a half before the United States entered the war, and it was two years before China entered the war.

Mr. NORRIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to his colleague?

Mr. HITCHCOCK. I yield.

Mr. NORRIS. Does the Senator believe that the treaty between Germany and China which he mentions was a treaty that was in force and that we ought to respect?

Mr. HITCHCOCK. That is the Senator's question and I will answer it in this way: I will say it was a treaty which was acknowledged by the whole world, including the United States, when Mr. Hay was Secretary of State.

Mr. NORRIS. Then, let me ask the Senator another question.

Mr. HITCHCOCK. It was acknowledged under the Republican administration of Theodore Roosevelt.

Mr. NORRIS. If the Senator acknowledges the treaty, then he acknowledges it in toto, does he not? Does the Senator acknowledge part of it and abrogate a part of it?

Mr. HITCHCOCK. I have had nothing to do with the acknowledgment. I am reciting history. I am saying that Germany had a good title, as titles go, to the rights and privileges in the Shantung Peninsula, and that the United States officially, by the State Department when Hay was Secretary of State, acknowledged and recognized Germany's rights in the Shantung Peninsula.

Mr. NORRIS. All right; now, let us assume that. Take that just as the Senator has it. That treaty contained a provision that no rights given by China to Germany under it should be assigned to any other nation without China's consent. If the Senator accepts the treaty, he must take that provision with it.

Mr. HITCHCOCK. China has consented.

Mr. NORRIS. By what authority did they give the rights of Germany to Japan without China's consent?

Mr. HITCHCOCK. China gave her consent by the treaty of 1915.

Mr. NORRIS. By the treaty that we have before us now?

Mr. HITCHCOCK. China gave her consent by the treaty of 1915.

Mr. NORRIS. With Germany?

Mr. HITCHCOCK. Which China made with Japan, in which China said that she would acknowledge and respect and accept any arrangement that Japan and Germany made with respect to the German possessions in the Shantung Peninsula.

Mr. NORRIS. That was a treaty which was made in 1915?

Mr. HITCHCOCK. It was.

Mr. NORRIS. It was like the other treaty. It was forced on her. It was absolutely forced upon her, and everybody knows it.

Mr. HITCHCOCK. I am not discussing how it was done; I am discussing the fact that China——

Mr. NORRIS. The Senator is claiming that Germany's rights in China were by virtue of a treaty?

Mr. HITCHCOCK. Yes.

Mr. NORRIS. And while I do not believe Germany obtained any rights by that kind of a treaty, I am assuming now that she acquired just what the Senator claims; but that treaty itself provided that Germany should not assign any of those rights to any other nation without China's consent; and I am only contending that if you take the position that Germany did acquire any rights——

Mr. HITCHCOCK. I decline to yield to the Senator to make a speech.

Mr. NORRIS. Then the Senator has got to stand by all of it or none of it.

Mr. HITCHCOCK. I decline to yield further. My colleague imposes upon the privilege of interruption and takes the floor away from me.

It is true that the treaty of 1898 between China and Germany contained the provision that the rights should not be assigned without the consent of China, but China gave that consent by another treaty.

Mr. NORRIS. China did not.

Mr. HITCHCOCK. China gave that consent by another treaty made in 1915; and that treaty can easily be put into the RECORD, if the Senator is not satisfied with my statement. So I say that the right which Germany had on the Shantung Peninsula was one which had been secured by treaty, and that that treaty was acknowledged and recognized amongst other ways by the United States in a note signed by John Hay, written on September 6, 1899, in which Mr. Hay complimented Germany for the liberal policy adopted with regard to certain customs collections in that Province.

Therefore, I repeat, that Germany's title has been acknowledged; it existed 21 years ago; and it has been acknowledged by every nation in the world. Whatever title Germany had was taken away from Germany by war by Japan two years and a half before we became involved in the war or had any right to say what Japan should do.

Mr. WILLIAMS. And by treaty with China.

Mr. HITCHCOCK. Therefore I object to the intimation of the Senator from Massachusetts [Mr. LODGE] that in the existing treaty now before the Senate a gift has been made to Japan of 30,000,000 or 40,000,000 Chinese people. As a matter of fact, Japan only secures rights, privileges, and concessions in the Shantung Peninsula, and the sovereignty over the Shantung Peninsula remains and rests in the Chinese Government.

Mr. President, that is not all. China gets something by this treaty which is greater than any asset she has heretofore had. China by the treaty now before the Senate gets the full benefit of article 10, which is so viciously attacked upon the other side. [Laughter upon the Republican side of the Chamber.]

Senators laugh, but Senators know very well that in the past most of the nations of the world have despoiled China and have taken her territory.

Mr. LODGE. And they are doing it now.

Mr. HITCHCOCK. No; Senators should know that under article 10 no further spoliation can occur. They know that there is an absolute promise that the territorial integrity and the political independence of every nation shall be respected.

Mr. FALL. Mr. President——

Mr. HITCHCOCK. That is something that has not heretofore existed.

Mr. MOSES. Mr. President, will the Senator from Nebraska yield to me?

The PRESIDENT pro tempore. The Senator from Nebraska will suspend for just a moment. Senators who desire to interrupt the Senator from Nebraska must first address the Chair.

Mr. MOSES. Will the Senator from Nebraska yield for a question?

The PRESIDENT pro tempore. Does the Senator from Nebraska yield?

Mr. HITCHCOCK. I yield.

Mr. MOSES. I understand the Senator from Nebraska to object to the language used by the Senator from Massachusetts in describing this transaction as a gift to Japan, and I also

object to that language; I think it is more accurately described as a bribe; and I should like to ask the Senator from Nebraska if he will accept that correction?

Mr. HITCHCOCK. I will not accept it.

I have not any patience with the crocodile tears that Senators are shedding over China. Senators now sit here and shed crocodile tears over China when in the past they have never raised their voices in the defense of China and protested against the spoliation of that empire. But here in this treaty, in the form of article 10, is a guaranty that in the future China can not be despoiled.

Mr. NORRIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to his colleague?

Mr. HITCHCOCK. I yield.

Mr. NORRIS. Is it not also true that the treaty between Germany and France by which Alsace-Lorraine was given to Germany was approved by the entire world; and does the Senator think, then, that the recapture of a part of Alsace-Lorraine by American soldiers would entitle the United States, under his theory, to have Alsace and Lorraine given to us?

Mr. HITCHCOCK. Well, Mr. President, there are so many answers to that question that I hardly know how to take them up. The fact is that one of the objects of this war, admitted and proclaimed on the floor of the Senate, was to restore to France the territory taken away by Germany in 1871.

Mr. NORRIS. Will the Senator permit another interruption?

Mr. HITCHCOCK. Yes.

Mr. NORRIS. In the next great war one of the objects will be to restore to China what has by this treaty been taken away.

Mr. HITCHCOCK. Well, I do not know whether the Senator is any better prophet than he is statesman; I do not know whether or not that will be one of the objects of the next war; but I know that China is a beneficiary under this treaty. I know also that whatever title Germany had Japan acquired by right of war before we entered the war.

Mr. WILLIAMS. And by treaty with China.

Mr. HITCHCOCK. Yes; and by treaty with China, of course. I have stated that—by two treaties with China.

Mr. FALL. Mr. President, will the Senator from Nebraska yield to me?

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from New Mexico?

Mr. HITCHCOCK. I yield to the Senator from New Mexico.

Mr. FALL. I notice that the Senator from Nebraska—and I thought very gracefully—congratulated his colleague on the Committee on Foreign Relations, the Senator from Virginia [Mr. SWANSON], yesterday upon his eloquent remarks. Does the Senator from Nebraska agree with his colleague on the committee as to the construction placed upon article 10 by the Senator from Virginia?

Mr. HITCHCOCK. I am not sure that the Senator from Virginia said anything regarding the construction of article 10 in the connection to which the Senator from New Mexico now refers.

Mr. FALL. Well, to sum up, I thought the conclusion of the Senator from Virginia was that we need not be frightened, for article 10 did not amount to anything.

Mr. HITCHCOCK. I think the Senator from Virginia said nothing of the sort. In my opinion, and I am sure in the opinion of the Senator from Virginia, article 10 is one of the most, if not the most, important provision in the treaty for the purpose of preventing wars of conquest in the future. Under that article every member of the league agrees to respect the political independence and existing territorial integrity of every other member of the league.

Mr. FALL. Yes. It goes further than "respect"; it agrees to protect.

Mr. HITCHCOCK. "Preserve" is the language.

Mr. FALL. "Preserve." How is that to be done, in the opinion of the Senator from Nebraska?

Mr. HITCHCOCK. It is to be done as stated in the article. When there is danger or action indicating a war of conquest against any member the executive council is directed to advise and recommend to members of the league the action that they shall take to protect the threatened member.

Mr. FALL. There is nothing in it, then, that compels any action at all?

Mr. HITCHCOCK. I think there is everything in it which would appeal to sovereign nations like the United States to carry out the purposes of the article.

Mr. FALL. It does, then, convey an obligation? It either does or does not convey an obligation?

Mr. HITCHCOCK. The Senator from New Mexico says so.

Mr. FALL. I ask the Senator from Nebraska.

Mr. HITCHCOCK. It does.

Mr. FALL. Convey an obligation?

Mr. HITCHCOCK. Yes; it does convey an obligation.

Mr. FALL. Then, by agreeing to it, we are obliged to preserve the territorial integrity of the Japanese Empire with all of its possessions?

Mr. HITCHCOCK. Yes; certainly.

Mr. FALL. So, being under obligation to do that, if Japan calls upon us to assist in driving the Chinese hordes away from Shantung, in the event the Chinese Republic undertook to recover Shantung——

Mr. HITCHCOCK. No; the Senator from New Mexico is entirely mistaken.

Mr. FALL. Then, under the Senator's construction, we would be obliged to send our boys there?

Mr. HITCHCOCK. Not at all. The Senator from New Mexico was never more wrong in his life than he is at this moment.

Mr. FALL. Mr. President, if the Senator from Nebraska will just bear with my ignorance and enlighten me, I will be very grateful to him, certainly, and I will make any promise if the Senator will merely inform me now what he does believe about it.

Mr. HITCHCOCK. I am not going to make a speech at the suggestion of the Senator from New Mexico. I have risen here for the purpose of resenting the statement that the United States and the other nations which are entering into this treaty are making a present to Japan. We are not making a present to Japan.

Mr. FALL. I beg the Senator's pardon.

Mr. HITCHCOCK. We are not giving a bribe to Japan.

Mr. FALL. I will not interrupt the Senator further.

Mr. HITCHCOCK. We are simply recognizing the facts of history and the facts of the present. The facts of history are that Germany had title and Japan took it away from Germany by war; that Japan holds what she has taken; and there is no present given her either in this treaty by one nation or by all of the nations.

Mr. McCORMICK. Mr. President, will the Senator from Nebraska yield to a question?

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Illinois?

Mr. HITCHCOCK. I do.

Mr. McCORMICK. How did Italy secure possession of Fiume, then, if not by an act of war?

Mr. HITCHCOCK. That question is highly pertinent. The Senator from Illinois knows very well that all that territory is now under the jurisdiction of the conference at Paris to settle its disposition. There is no treaty in existence by which Italy claims possession of Fiume. Italy by the secret treaty which was in existence made no claim to Fiume. Fiume is one of the disputed territories under the jurisdiction of the council at Paris which is endeavoring, in the face of a very difficult race question, to decide what the disposition of it shall be. There is no parallel case between Fiume and Kiaochow.

Mr. McCORMICK. The Senator holds, then, that the United States is bound to observe those secret treaties?

Mr. HITCHCOCK. No; the United States is not bound to observe those secret treaties. The United States has protested against them.

Mr. McCORMICK. The United States is bound to observe the published treaty, then, for the transfer to Japan of German rights in Shantung?

Mr. HITCHCOCK. Ah, the Senator very well knows that those treaties are not only public but years ago were recognized by the United States under a Republican administration.

Mr. McCORMICK. The Senator from Nebraska does not follow me, I think. No Republican administration recognized any agreement under which the British Government expressed its pleasure in acceding to the Japanese demand for Shantung.

Mr. HITCHCOCK. The Senator is now introducing foreign matters that I have not been discussing and that I do not propose to discuss. I am discussing the rights of Japan on the Shantung Peninsula, and I want to deny the intimation made by the Senator from New Mexico that Japan has secured or that Japan claims any rights of sovereignty over any territory in the Shantung Peninsula. She has railroad rights; she has mining

rights; she has commercial rights in Kiaochow. She has no rights of sovereignty, and this treaty gives her no rights of sovereignty.

Mr. MOSES. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from New Hampshire?

Mr. HITCHCOCK. I do.

Mr. MOSES. Did I understand the Senator from Nebraska to state a few minutes ago that this action embodied in the treaty was to make the treaty conform to the facts as they existed?

Mr. HITCHCOCK. Well, I did not fully say that; the Senator has changed it somewhat. I said that men recognize the existence of historical facts and present conditions in making treaties.

Mr. MOSES. And that this treaty in this instance was made to conform to that recognition?

Mr. HITCHCOCK. I assume that it was; yes.

Mr. MOSES. Then, I ask the Senator, Mr. President, if I am justified in assuming that this is one of the instances of which the President spoke to us the other day when he said that the 14 points, now of an historic and evanescent fame, have been made also to conform to the facts?

Mr. HITCHCOCK. Well, the Senator can draw his own conclusions. I have done what I wanted to do.

Mr. LODGE. Mr. President, I am surprised that my very innocent resolution of inquiry should have brought on such an animated debate; but now that the Senator from Nebraska has finished resenting, I will correct my remarks. I said a gift to Japan; it was a price paid, and all the world knows it.

I shall discuss the question of Shantung with some fullness at a later time; but now let me say that there is no statute of limitations which runs against a great wrong like that. Poland was partitioned 150 years ago, and that great wrong is being undone now. The fact that we recognize Germany's seizure of Shantung does not make it any better. Germany had two missionaries killed there. She sent out a fleet, with Prince Henry of Prussia on board, and for those two missionaries she took Kiaoshow and Tsingtau, which are the great ports and harbors of Shantung; she took a circle about it, the environs, and she took great rights extending throughout the province in connection with railroad, mining, and other concessions. Japan took all that away from Germany during the war. England and France took Belgium away from Germany during the war; but does that give them a claim to Belgium? Japan took Shantung, and she also took the precaution to make an agreement with England that England would sustain her in holding the control of the Shantung Peninsula in taking over the German lease of 99 years. England stated that she would be very glad to do it, it being understood that Japan would support her in taking the islands south of the Equator. Japan made a similar arrangement with France. Shantung—and I use that word for brevity, it includes all the German lease rights which have been handed over to the control of Japan and Kiaoshow and Tsingtau and the environs absolutely—is not enemy territory. It is not like Fiume, for Fiume was enemy territory, while Shantung was the territory of a friend and ally.

China came into the war, took the German ships, and sent 200,000 men—she was an unarmed and pacific nation—to labor and work in the trenches and on the railroads behind the line. Many of them were killed; most of them came from the very Province of Shantung. That province was handed over to Japan against the protest of some of our delegates and against the protest of the experts who had charge of that particular question. It was handed over because Japan's signature was needed for the league; it was done as a necessity; and that is the only defense I have heretofore ever heard for it. The territory of an ally, of a friend, who had been loyal to us, was handed over to the great military power of the East. Japan is building up a vast power in China and we are helping her do it.

England stood by and saw Germany take away from Denmark Schleswig-Holstein; she stood by and saw Germany destroy Austria and make it practically a vassal State; she stood by and saw Germany wreck France in 1870; she gave Germany the island of Heligoland; and she has been paying the bill for those awful mistakes in the last four terrible years. She has done it nobly, splendidly, but at a terrific cost. Beware of building up an Asiatic Russia as German Prussia was built up.

There is another great power being built up on the other side of the ocean, and we who are not a party to any secret treaty, an independent Nation with no personal ends to serve, are asked to put our approval at the bottom of that treaty which provides for the robbing of China, handing over this great province to the control practically of Japan. I put aside the question of interest, although it is a very great one, indeed, but I for one do not wish to see my country's name at the bottom of such an agreement as that. I hope it will not be placed there, but at least I know we shall have the opportunity, those of us who do not want our names to go on that record, to vote against giving to Japan this additional vast hold on the continent of Asia at the expense of an unarmed Republic, of a friendly people who were our allies in the war. I think it concerns us nearly to know what Japan has been doing, and that is the reason I reported the resolution.

Mr. THOMAS. Mr. President, it is because of the tensity of the moment resulting from a somewhat impassioned debate that I have determined to call the attention of the Senate to a recent discussion of the Shantung incident by an author of established reputation in the last number of the World's Work. In doing this I am neither approving nor disapproving his narrative, but, inasmuch as we are a friendly Nation, enjoying at the present time relations of the most amicable character with Japan, I think it is due to her, to this country, and to the Senate that something be submitted on the other side, and I submit this as perhaps a better statement than any that I could make and perhaps any that any Member of the Senate could make without considerable preparation.

This article is entitled, "Japan, the Peace, and the Destiny of Asia," and is from the pen of Richard Washburn Child, one of the most reliable and best known of the modern magazine and newspaper contributors. Mr. Child gives a preliminary account, historical in character, of the circumstances under which Germany acquired Kiaochow. With the morality of Germany's action in that regard I have no words but those of condemnation, but it is a fact that she did acquire control of that section of China and that she held it and fortified it and was in possession of it when the World War broke out in August, 1914.

Mr. FALL. Mr. President, will the Senator yield for a question?

Mr. THOMAS. Certainly.

Mr. FALL. Whatever the character of the possession, in whom did the true sovereignty of the Shantung Peninsula rest?

Mr. THOMAS. With regard to that, my recollection is that the concession from China to Germany consisted of a 99-year lease of Kiaochow, with certain rights of a commercial character, involving railroad building in the Province of Shantung.

Mr. FALL. And with rights of an administrative character in connection with all those enterprises?

Mr. THOMAS. Yes; and with rights of an administrative character in connection therewith. Japan entered the war against Germany on the 23d day of August, 1914, after having notified Germany, in the precise language which Germany employed against Japan a few years before at the close of her war with China, to evacuate all of her possessions in China. It took the Japanese two months and two weeks thereafter to occupy Tsingtau, and the capture was made, according to this author, on the forenoon of November 7. On November 11, just four years to a day prior to the end of the war, the conqueror formally entered Tsingtau.

It will be remembered, Mr. President, that Japan announced her intention then of recapturing these concessions in China that she might restore them to China, the original and only legitimate owner. I now take up the narrative of Mr. Child.

Half a year after the Japanese occupation of Tsingtau a note was exchanged between Japan and China providing for the return of the "leased" territory to China after the war on certain conditions. The four conditions specified in this note of May 25, 1915, are as follows:

1. Opening of the whole Kiaochow as a commercial port.
2. Establishment of a Japanese settlement in the locality to be designated by the Japanese Government.
3. Establishment, if desired by the powers, of an international settlement.
4. Arrangements to be made before the return of the said territory is effected between the Japanese and Chinese Governments with respect to the other conditions and procedures.

Mr. NORRIS. Mr. President——

Mr. THOMAS. Just a moment. The last proviso, of course, would require time for its execution, though whether it would be necessary to occupy as much time as has elapsed between the 24th day of May, 1915, and the meeting of the world's congress I can not say. I now yield to the Senator from Nebraska.

Mr. NORRIS. Mr. President, I wish to ask the Senator about the fourth proposition. That contains the meat and pretty near all the meat in the coconut, as I look at it, and provides that the arrangement must be brought about by an agreement between China and Japan. I wish to ask the Senator if, knowing the history of Japan in such matters and the weakness of China, does he think that settlement will be anything more or less than what Japan wants? Is it not about the same as though China had turned it over at once to Japan?

Mr. THOMAS. I must reiterate that my purpose in reading this account into the RECORD just now is that it may go to the public with the comments that have been made upon the action of the congress in Paris regarding Shantung, and not because I am prepared to indorse the completeness of this statement as a justification for that action.

Answering the Senator's question directly, I may say, of course, that when two countries or two men arrange and negotiate upon subjects between them, and there is a great disparity of strength and power between the contracting parties, the conditions are very apt to be as the Senator suggests.

But this author proceeds:

That Japan intends to live up to this promise is proved by the address before Parliament on January 21, 1919, of Viscount Uchida, Japanese minister of foreign affairs. He then said that Kiaochow, on acquisition of the right of free disposal from Germany, would be returned to China "in accordance with the terms of the notes complementary to the treaty of May 25, 1915, regarding the Shantung Province."

The so-called secret treaties of 1917 have no negative effect on the foregoing note or any of its conditions. Baron S. Goto, former minister of foreign affairs in Japan, speaking in New York on May 6, 1919, said:

"The so-called secret treaties entered into in 1917 between Japan and her allies, recognizing her right to inherit German rights in Shantung, were nothing but a step toward the fulfillment of that pledge which she had given China in the agreement of 1915. In the judgment of the Japanese Government, it was necessary for Japan to establish an undisputed right over the German territory before she was in a position to restore it to China. Now that the peace conference has granted Japan's wish, the Government of Tokyo will take steps without delay toward the restoration of Kiaochow to China. Not only will Japan restore Kiaochow to China, but she will undoubtedly enter into hearty cooperation with the Government and people of China for the development of Shantung Province."

On April 30, 1919, the Associated Press filed the following dispatch in Paris:

"The agreement regarding the Shantung Peninsula and Kiaochow which has been reached between the council of three and the Japanese delegates provides for their transfer without reserve to Japan, which voluntarily engages to hand the Shantung Peninsula back to China.

"Japan, as an economic concessionaire, gets only such rights under the agreement as are possessed by one or two others of the great powers. The whole future relation between Japan and China, as well as the territorial integrity and political independence of China, is to come at once under the guarantee of the league of nations."

Baron Makino, one of the Japanese peace delegates, gave an interview to the Matin on April 30, in which he said: "We are accused of intending to occupy Kiaochow permanently. This is inexact. We have agreed to restore it to China. Our agreements will hold—our agreements always hold. There is no example in history of Japan breaking her word. It is just because nobody has the right to doubt our honor that we ourselves should be allowed to arrange restitution and not be compelled in a way that would indicate unjust suspicion."

Sufficient statements of Japanese statesmen have been cited to show that Kiaochow will be returned to China according to the conditions expressed in the note of May 25, 1915.

To Japan will go a Japanese settlement in Tsingtau, but the other powers, if they desire, will have an international settlement. Japan, the United States, and other powers will benefit equally from the opening of all Kiaochow as a commercial port. China will benefit.

Negotiations will be conducted between Japan and China to settle the question of the future ownership and control of the Tsingtau-Tsinanfu Railway and the collieries developed by the Germans.

The remainder of this article is devoted to a discussion of the Chinese complaint.

Mr. President, I put that into the RECORD for what it is worth, and for no more. When an appropriate time comes, I may have something to say with regard to my own view of that feature of the treaty. At present I reserve judgment, merely with the remark that in our discussion of these matters I do not think it is always fair to assume that our Allies—and they are still our Allies—are actuated by any more dishonest or dishonorable motives than lie behind our own actions at the peace conference.

Mr. FALL. Mr. President——

Mr. THOMAS. I yield, with pleasure.

Mr. FALL. I simply desire to ask if included in the article is the official protest of the Chinese delegation made at the peace council?

Mr. THOMAS. No. There is a discussion of the Chinese position; but the protest to which the Senator refers, and which is published in the magazine issued by the New York Times, is not in the article, and it might be extremely appropriate to introduce it into the RECORD in connection with this statement.

Mr. FALL. I was going to ask the Senator, as he has read part of it, if he would include that.

Mr. THOMAS. I shall be very glad to do it, or I am perfectly willing that the Senator shall introduce it now. I yield the floor to the Senator.

Mr. FALL. Mr. President, it seems to me that the Chinese people themselves are entitled to be heard upon their understanding of and—if they have any—their objections to the action of the peace conference in this matter.

The Chinese delegation in Paris issued a statement on May 2 expressing dissatisfaction with the decision. The statement in full reads:

The Chinese delegation has been informed orally on behalf of the council of three of the outline of the settlement proposed regarding the Shantung question. Under this settlement all rights to Kiaochow formerly belonging to Germany are transferred to Japan. While Japan voluntarily engages to hand back the Shantung Peninsula in full sovereignty to China, she is allowed to retain the economic privileges formerly enjoyed by Germany.

These privileges, the delegation is informed, refer to the Tsingtau-Chinan Railway, 280 miles long, the mines connected with it, and the two railways to be built connecting Shantung with the two trunk lines from Peking to the Yangtse Valley. In addition she obtains the right to establish a settlement at Tsingtau, and, although the Japanese military forces, it is understood, will be withdrawn from Shantung at the earliest possible moment, the employment of special railway police is permitted.

Such being the outline of the proposed settlement, the Chinese delegation can not but view it with disappointment and dissatisfaction.

These German rights in Shantung originated in an act of wanton aggression in 1897, characteristic of Prussian militarism. To transfer these rights to Japan, as the council of three proposes to do, is, therefore, to confirm an act of aggression which has been resented by the Chinese people ever since its perpetration.

Such a virtual substitution of Japan for Germany in Shantung is serious enough in itself, but it becomes grave when the position of Japan in southern Manchuria and eastern Mongolia is read in connection with it. Firmly intrenched on both sides of the Gulf of Pechili, the water outlet of Peking, with a hold on the three trunk lines from Peking and connecting it with the rest of China, the capital becomes but an enclave in the midst of Japanese influence.

Moreover, owing to China's declaration of war against the Central Powers on August 14, 1917, and the abrogation of all treaties and agreements between China and these powers, the German rights automatically reverted to China.

The significant part of this protest, Mr. President, was the last paragraph read, with reference to the position of Japan in China if she is allowed to retain the railroads and the Japanese concessions in the Shantung Peninsula—that the capital of China itself is absolutely in the hands of Japan, surrounded entirely by Japanese influence.

Mr. President, it was this transaction to which the President of the United States, in addressing himself to the Senate a few days since, had reference. The President himself is too shrewd a man and has too much regard for his own standing in the eyes of the people of the United States to undertake to make such a defense as has been attempted to be made for him upon this floor. The President of the United States may not be all that some of his worshipers think he is, and in some respects I am frank to say that I think he is as much overrated as any man who ever lived in the United States, but I can say without hesitation or mental reservation that when it comes to a proposition where he may be held to account he is as shrewd as any man who ever addressed a public audience in leaving himself a position from which he can gracefully retire, and then he is equally shrewd in delegating to others, who either have not his ability or have not his regard for the position in which they may place themselves, the ordinary work—I will not use the other expression which I might use—in undertaking to make a defense of such an absolutely indefensible proposition as is presented before the Senate of the United States, and one which the President of the United States, standing before us, would not defend.

I want to read what the President said:

It was our duty to do everything that it was within our power to do to make the triumph of freedom and of right a lasting triumph in the assurance of which men might everywhere live without fear.

Old entanglements of every kind stood in the way—promises which governments had made to one another in the days when might and right were confused and the power of the victor was without restraint.

Note what the Chinese say with reference to Prussian militarism seizing or raping the Shantung Peninsula in 1907:

Engagements which contemplated any dispositions of territory, any extensions of sovereignty that might seem to be to the interest of those who had the power to insist upon them, had been entered into without thought of what the people concerned might wish or profit by.

And I invite the attention of Senators who will read it, who care to inform themselves upon this proposition, to read the notes, respectively, of Great Britain and France in answer to the Japanese propositions upon the Shantung question, where Great Britain immediately said, "We will agree with you that you may have such rights as Germany had," and where France even went further, and then, on the other hand, asked Japan to yield a certain few things to Great Britain and France, respectively.

And these could not always be honorably brushed aside—

Continues the President, excusing himself.

It was not easy to graft the new order of ideas on the old, and some of the fruits of the grafting may, I fear, for a time be bitter.

In the eyes of the President, in the conception of the President of the United States, the rape of Shantung was a bitter fruit, and he was compelled to engraft upon the new ideas this bitter fruit of the old ideas; and yet to the minds of some of his worshipers it is not bitter fruit, but a sweeter could not be rolled in the mouth.

Mr. WILLIAMS. Mr. President, I am very glad, indeed, that the Senator from New Mexico [Mr. FALL] has read as much as he did of the President's address to the Senate. The President attended the conference, the American delegates attended it, as the representatives of our one Nation. They did not go there with the power of making every provision of the treaty of peace to suit themselves. Like every other instrument making a contract between various nations, it was necessarily an instrument of compromise here and there. As the President, in addition to what the Senator from New Mexico said, added, in addressing the Senate, that not every provision of the treaty met with his satisfaction, and he supposed there were no representatives of any nation on the earth that entirely approved every provision of the treaty. Five great nations and nearly a score of other smaller nations meet for the purpose of bringing about peace and terminating a war, and Senators in this body talk as if they would have had them split to pieces at the conference table and go to war with one another—the very worst thing that could have happened for the world; the very thing that Germany hoped for, and that the wisdom of France and Great Britain and the United States and Italy prevented. It was hoped that little things like Fiume, the Shantung Peninsula, and some other things, perhaps adding to the power of Belgium up in the neighborhood of Holland, might create dissensions that might lead to an adjournment of the conferees, and thereby to a delay of peace, and therefore possibly to a separate treaty with Germany by this, that, or the other of her enemies.

The Senator from Massachusetts [Mr. LODGE] insinuates that the theory of a separate treaty on Japan's part had already begun. I do not know. I do not believe it, because I believe in Japan's good faith; but all the time Germany was hoping for a separate treaty with Italy, and then, Russia being in anarchy on the east, Poland not yet upon her feet, Esthonia and Lithuania and all the Baltic Provinces and Finland as well being up in arms, not only against the balance of Russia but against one another, it was evident if Germany could have gotten a breathing spell and come back with Italy or somebody else in the west or Japan and Bolshevist Russia in the east in alliance with her to a fresh beginning of hostilities, the very worst thing that could have happened to the world would have followed. There is no use in saying that the German Army was whipped when this war terminated. I have seen that Americans claim that they whipped it, the British claim that they whipped it, the French claim that they whipped it, but it never was routed to the very last day. Germany herself had lost her morale; the army had to some extent lost its morale as a reflection from home; but that magnificent military machine was there, and is there yet, and do not let yourselves forget it. On an order of 48 or 72 hours, if they had a promising arena upon which to play, they could be remobilized and put almost anywhere upon the borders of Germany.

In his short, impassioned speech the Senator from Massachusetts [Mr. LODGE] made a mistake about a vital fact. Shantung was not the territory of a friendly power at the beginning of this war. Shantung *was* the occupied, possessed, and fully governed territory of an enemy power at the beginning of this war; and there is no denial of a historical fact, no matter by whom made nor how important his opinion may be. Shantung had gone to Germany by her own fraud and force and by the acquiescence or the quiescence of the world. A shameful act, yes—in pay of the lives of two missionaries to seize 36,000,000 people, or certain concessions amongst them, together with entire control of ports and harbors. Shameful, yes; part of the old order of things in which there is so much more of shame than there is of credit to the nations of the earth. But Shantung was German territory when this war opened—German possessed, German occupied, German ruled and governed—everybody else verboten—garrisoned by German troops, held by the German Empire under a treaty with China—a treaty made by force, yes. So was our treaty with Mexico made by force. So was the treaty with France at the end of the Napoleonic wars made by force. So is this treaty with Germany now made by force. Are Senators going to deny the binding authority of treaties when made by force?

Now, whatever the right or wrong of it may be—and the wrong of it stood out so that a man with moral perception enough to fill a nutmeg could see it—the treaty had been made and acquiesced in, not only by everybody else but by us.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Idaho?

Mr. WILLIAMS. In one moment.

The Senator from Massachusetts [Mr. LODGE] is right about one thing. He speaks of Great Britain bringing endless punishment and expense upon herself by acquiescing in various things that took place on the Continent of Europe. We acquiesced in them, too. If she was stupid, so were we. There is no denying that both of us were. The only difference is that the penalty of the stupidity struck her more quickly and more directly in the face. We made no protest about robbing Denmark of Schleswig-Holstein. We made no protest even about invading Belgium, contrary to all treaties. We made no protest about cutting Alsace-Lorraine from the very side and flank of France. If you are going to go back to all the wrongs in history and talk about Great Britain and ourselves "acquiescing" in them, both seeking peace, your conversation will be endless. But the fact remains, and it is a historical fact, first, that China had by treaty given certain territory and certain concessions in Shantung to Germany; secondly, that Japan had whipped the German forces in Shantung and had taken Kiaochow and the other places thus ceded, and had asserted her military power over the territory—German territory at the time—and, third, that China entered into a treaty with Japan in 1915, which has been read, together with the qualifications and modifications of it, by the Senator from Colorado [Mr. THOMAS], which acknowledged the status, and ceded Germany's ill-got gains to Japan.

Those are the historical facts; but I am the last man here present to urge them as the sole or sufficient reason for this provision in this treaty. The real reason for this provision in this treaty was that Japan was going to walk out and quit, and make no treaty, and probably make a separate treaty with Germany, unless that point was yielded. Japan had already applied to have racial equality recognized under the treaty, and she had failed. Then she came up, buttressed—buttressed, mark you—first by a treaty with China; secondly, by a treaty with Great Britain; third, by a treaty with France; fourth, by an understanding with Great Britain, France, and Italy, and Italy felt compelled to stand by her—they had given their word. Now, how could President Wilson be expected to overcome these four great principal allied powers, when all that was in the treaty was that Japan got the rights which Germany had held, with modifications to surrender those rights upon the fulfillment of the four conditions under the Chino-Japanese treaty of 1915, which the Senator from Colorado read?

Now I yield to the Senator from Idaho.

Mr. BORAH. Mr. President, the Senator says that the territory in Shantung did not belong to China at the time the war began.

Mr. WILLIAMS. It did not for the time of the lease, 99 years.

Mr. BORAH. Of course, Germany had certain lease rights there, but the sovereignty of Shantung was in China, and China was exercising it. That, however, was not the question which I rose to address to the Senator.

Mr. WILLIAMS. Right there the Senator is wrong. The absolute sovereignty during the lease of Kiaochow Harbor was in Germany, and the right and power to control which constitutes practical sovereignty rested in Germany.

Mr. BORAH. No; the Senator is mistaken. Germany had certain economic rights there, but the political sovereignty was in China. But that is not the question which I rose to submit to the Senator. Did Germany have any rights of any nature or kind whatever in China when the Versailles conference met?

Mr. WILLIAMS. She did not, because they had passed, first, by conquest, and, secondly, by the Chinese-Japanese treaty, to Japan.

Mr. BORAH. Yes; precisely. They had passed to Japan under the solemn promise of Japan to the United States that she would return them to China.

Mr. WILLIAMS. Yes; and that is a part of the treaty of 1915 which Japan made with China. The Senator has no right to say Japan will not keep her word.

Now, Mr. President, to proceed, I want to say that there is always the presumption of good faith when two nations enter into a treaty with one another. That the presumption is frequently disappointed goes without saying, but for you to take for granted in this august body that Japan is not going to carry out in good faith the terms of her treaty with China and her treaty with the allied powers, of which her treaty with China is a part, is insulting to a friendly nation and a late associate in war.

I want to say another thing. Unlike some Christian nations, Japan has hitherto kept her word. I believe she is going to keep it now.

Mr. BORAH. Mr. President——

Mr. WILLIAMS. I want to add that if Japan does not keep her word, then the league of nations has a right to hear the Chinese cause over again under that clause of the covenant of the league of nations which leaves questions of interpretation of treaties to the determination of the league. When these conditions are fulfilled, if Japan does not comply with the

treaty, then the question of the proper interpretation and fulfillment of the treaty will come before the league of peace, and that league will have a right, if it thinks it a correct conclusion after hearing the evidence on both sides, to say that in order to comply with a proper construction of the treaty Japan must vacate Shantung.

I now yield to the Senator.

Mr. BORAH. The Senator says, "if Japan kept her promise." I assert here that Japan has never kept a treaty engagement with reference to China or Korea that she has ever made.

Mr. WILLIAMS. Japan has done this in the case of China, and I regret it, of course, as do other people: She has forced upon China virtually certain treaties, but as far as I know she has kept them. As to a treaty with Korea, she finally took Korea as an act of war, and she occupies it under the compulsion of no treaty.

I do not approve of the Shantung proviso in the treaty, and I will venture to say that the President of the United States did not. I have never heard him say. I will venture to say that none of our commissioners did, but I will further venture to say that if you had been a member of the commission, and you, and you, and you, and I, and we had come up against this claim of Japan, buttressed by these three treaties and one understanding—first with China and then with Great Britain, and then with France, and then with Italy—we would have regarded it as a rock wall too high to climb and too thick to butt through, and unless we had wanted to leave the peace conference ourselves and make a separate treaty with Germany—in itself an act of bad faith—there was nothing to do but to surrender the point. We could not have everything our own way.

A friend wrote me the other day about this question. I told him he reminded me a little of one of my daughters once. She had straight hair, and another of the little girls had curly hair. The little straight-haired one was a little envious of the curly-haired one. One day the curly-haired girl was complaining of some hardship of some sort, fancied, of course, and the other one turned to her and said, "Well, you can't have everything *and* curly hair." [Laughter.] We could not expect to go to Paris and get everything. Great Britain is a sovereign power, and had a right to make a treaty with Japan. France is a sovereign power, and had a right to make a treaty with Japan.

Even in our discussion of the question of Fiume we have based ourselves upon the fact that the treaty of London between Italy and Great Britain especially reserved Fiume from Italian sovereignty. The league of nations goes as far as it can in that direction. It says all treaties entered into antagonistic to the provisions of the league are canceled and set aside. That is virtually what it means; I am not quoting the language. That is as far as it could go.

Now, Mr. President, let us take up the conditions facing us at Paris and see just where we were. A great war had just taken place. Some twelve millions of human beings had been killed or were stricken with death. A score of millions had been crippled. Billions of money had been poured out like water. The world and its industries were mortgaged for two generations to come, or, if not two, at least one. The thing that the world was yearning for was peace. It was not nearly so anxious for exactly the right sort of peace in every provision and every article as it was for peace itself. The British soldiers were begging to be demobilized and carried home. The American soldiers were almost in mutiny, so anxiously were they begging to be carried back to the United States at once. All this was under the theory that the German Army was "whipped," which it never was. It was defeated, but it never was routed up to the very end. All of it alive was there. Were we going to meet at Paris and quarrel with one another? The great danger was that that might take place in this case which took place in the Balkans when the Balkan league, after whipping Turkey, went to war among its own members. The danger was after victory had been won that we should quarrel and fight with one another and inaugurate a new war more destructive than the old one. The President did the best he could; our commissioners did the best they could; and to set aside a great instrument or to endanger it, or to endanger its successful working out in a peaceful way without renewed war, just because you do not like one provision here and another provision there, strikes me as being foolish—to use ultracharitable language.

Suppose we struck out the Shantung provision here? Suppose Japan then said, "All right, strike us, too, and tie things up." What are we going to do? What could we do? Put all the Navy in the Pacific Ocean, put all our soldiers on our ships again and go to China and take Shantung away from Japan? She is not going to give it up except by war. Do we want our boys sent to Asia to whip Japan out of Shantung, when there are 400,000,000 of Chinamen who ought to do their own fighting in their own cause? Why are Senators so loud-voiced about turning over Germany's stealage from China to Japan, when they raised not a voice about the original German stealage? Is it because they thought Germany would take in her heyday of power "no back talk"? Japan served notice at Paris that she would retire from the conference after she had been defeated upon the other propositions if she were defeated on this. Then she and all of us effected an agreement, and the agreement is sacred, whether we feel like it or not, whether I like it or not. I do not like it. There are other provisions in the treaty that I do not like.

I want to say in conclusion that Japan is doing one of the most dangerous things in the world for herself and the world, unless she keeps faith and fulfills the articles of this treaty or, rather, performs the requirement of the treaty of 1915 with China. She is running the risk of treading upon 400,000,000 people with her little 36,000,000 until, like the worm, they rise, until she arouses the sleeping giant or the sleeping dog, as she probably would prefer to phrase it. She is treading the path of danger in doing that. She is giving those 400,000,000 transportation facilities, she is undertaking to train Chinese soldiers, and the Mongolian can invade Europe again, as he did under Genghis Khan, if he so wills. Japan is doing a dangerous thing. The whole world had better let China alone and not teach her warfare. The way to teach her war is to keep oppressing her and making her angry with "foreign devils" of every description, until she has soldiers trained by German or other officers. There is an abundance of officers without jobs now. Then, about 40 or 50 years from now, Japan may find out that instead of her conquering China she has taught China to organize and wield the power to throw Japan into the Pacific Ocean.

I believe Japan is going to keep faith. If I had any suspicion to the contrary, I would not utter it now. If I had an agreement with the Senator from North Carolina, or if there were an agreement between him and the Senator from Colorado, a sacred agreement, and I even suspected that one or the other might not keep it, I would keep my mouth shut until I found out whether he was going to do it or not, unless I wanted to be insulting. The Senate does not want to insult friendly powers.

We are getting to do that too much. We pass all sorts of resolutions of every description here, whenever we feel like it, just as if we were a debating club and our official resolutions did not amount to anything except our individual views. This sort of speeches and these resolutions on the floor of the Senate are, in a way, official, and go to these other countries as official utterances, and wound and hurt and make enemies unnecessarily.

Mr. President, I never saw a Democratic platform with every plank of which I agreed. I never expect to see one unless you just let me draw it up [laughter]; and if you let me draw it up in toto it might be that in three or four days I would find I was mistaken about one or the other of the planks in it.

Mr. SMITH of Arizona. Mr. President, I should like to suggest to the Senator from Mississippi that perhaps the attitude of many of the opponents of the league is due to the fact that they did not draw it up themselves.

Mr. WILLIAMS. Of course, there is no doubt about that. A great deal of feeling is due to that, at least.

Mr. BORAH. That can not apply to some of us.

Mr. WILLIAMS. Oh, the Senator from Arizona said some only. He did not mean everybody nor did he name anyone particularly. But there was a great deal of complaint in the newspapers that "Senators were not sent over," a few of them, to help draw up the entire thing, the idea being that if they could have drawn it up, it would be better, I suppose. I venture to say there are not three men on the other side of the Chamber who would have agreed on the terms of a covenant of the league of nations. I know several who would not have agreed to any sort of a league of nations, and, by the way, I have respect for the honesty and sincerity of their opinions. I can understand that. I can understand a man not wanting any sort of an alliance of any description or any sort of a covenant of peace or anything else on the theory that it might "entangle" us; but I confess I can not understand the man who says he does want a league of peace and then quarrels with every little provision in this one—almost every "t" and "i."

First, it was said the Monroe doctrine was not safe, and then Wilson told us he thought it extended the Monroe doctrine to the world, but he thought maybe he could get it recognized by name. Then he went over there and had it excluded eo nomine, and because it was called a "regional understanding, like the Monroe doctrine," naming "the Monroe doctrine" in so many words, these critics who did not write it deny that the provision of exclusion applies to the Monroe doctrine at all, because they say it is not properly defined as a regional understanding. It is named, and that is better, is it not? Suppose I excepted from my remarks "all black-haired men, like the Senator from Idaho."

Would the fact that his hair has a tinge of auburn keep him from being accepted as the party meant and named?

By the way, it is a regional understanding. The region happens to be the region constituting the United States and all South and Central America and the West Indian Islands, but it is "regional" all the same. It is also described as "calculated to keep the peace." It not only was "calculated to keep the peace," but it has kept it in America, as far as Europe is concerned, for 100 years now, except once when France invaded Mexico, or it will be 100 years in 1923.

Even that did not satisfy these super-hyper-critics. They then said, "Oh, well, you must give us a chance to withdraw from this thing." The President said every sovereign power had the right to withdraw upon proper notice from any sort of a treaty, of course. But he went over and got the withdrawal written in, coupled necessarily with the idea that the withdrawing nation must "fulfill any obligations" already entered into, whatever they were. Then they quarrel about that just as much as they did before.

Then the Senator from Missouri [Mr. REED] said it surrenders us to "the niggers," and the Senator from Illinois [Mr. SHERMAN] says it surrenders us to the Pope! Then there was expressed the idea that we would be forced by it to help Great Britain conquer Ireland if Ireland should ever revolt, and when we point to that part of the treaty which shows to the contrary, because it refers only to external aggression and not to any internal troubles of any description, an Irish friend of mine says, "Yes; that may be so, but while you can not interfere on England's part you can not interfere on Ireland's part either." In other words, we are wanted to help fight to redress Ireland's wrongs—to "pull her chestnuts out of the fire"—at the expense of our treasure and blood. So they make the ground of objection that the league makes us help England conquer Ireland, and then they go to the second ground and say they object because under the league we can not help Ireland conquer England. I do not know that we want to do either. I have no boys to spare for their mutually disgraceful squabble.

Mr. President, I confess I am prejudiced, because it did not take this war to awake my conscience and my mind to the necessity of some covenant of peace amongst the nations, some instrumentality of some sort whereby arbitration could enter into play instead of cannon. For 20 years before this war began I have been in favor of a league of nations to keep the peace of the world if it could be constructed. Unfortunately, it took 12,000,000 lives and 20,000,000 limbs, and I do not know how many billions of dollars to make a whole lot of other people see it. Unfortunately, now, even all of them can not see it unless each can draw up the league for himself. Each fellow is in favor of a league except the Senator from Idaho [Mr. BORAH] and the Senator from Washington [Mr. POINDEXTER], who are just as honestly opposed to all of it; but pretty nearly all the balance are in favor of a league, if you will let them draw it all up.

Five of the principal nations of the world at war, and a score more nominally in the war, after long travail, agree, and then a United States Senator or two, that none of them ever heard of, representing in ninety-sixth part one branch of one of the nations, wants to draw up a league to suit himself, and says, "Unless you have it virtually just to suit me I will not vote for it." One Senator said he had no objection except to this one provision about Shantung, and that was so awfully wrong in his opinion that he would not vote for it. I have forgotten what strong expression it was that he used, but unless something took place which never could happen he would not vote for it.

I repeat, "You can not have everything *and* curly hair."

Mr. BORAH. Mr. President, we are indebted to the Senator from Mississippi [Mr. WILLIAMS] for stating frankly and quite clearly why Shantung was given over to Japan.

Mr. WILLIAMS. The Senator, of course, understands I just state that as my inference. I have no intimate knowledge.

Mr. BORAH. Of course, I understand the Senator was speaking for himself, but at the same time I know the close relationship of the Senator to other people.

The Senator from Mississippi has stated frankly the real reason for giving Shantung to Japan. It may just as well be accepted as the reason without any circumlocution or uncertainty of argument or bad logic. It is because Japan refused to become a party to the treaty—either the treaty or the league—unless she had Shantung. After you have searched all the evidence and traveled over the entire field of facts and searched all the records of the peace conference, Senator WILLIAMS will be found to be correct.

Mr. WILLIAMS. And, if the Senator will pardon me, Great Britain and France supported her in it, because they had made treaties with her.

Mr. BORAH. Yes; Great Britain and France also have a part of China. Anyone who has studied the situation in the Far East knows that the delivery of Shantung to Japan is a very small item in the tremendous program which has been outlined for the dismemberment of the Chinese Republic. It is quite correct, therefore, to say that Japan demanded Shantung, and that she refused to sign the treaty or to be a member of the league of nations unless she received it, and it is quite correct to say also that Great Britain and France supported Japan in the demand. *It is equally correct to say that the President of the United States could do nothing else than give Shantung to Japan if he desired to have the treaty of peace signed and the league of nations accepted. I agree with both those propositions.*

I do not criticize the President if he conceived the signing of the treaty was of more importance to the future happiness and tranquillity of the people of the world than the distribution of the Chinese Empire among these several powers. I do not criticize him for taking that course. It was a matter of judgment. But let us not here undertake to camouflage the facts. The Senator from Mississippi has stated them just as they are, and the question with reference to Shantung is whether or not the United States will become a party to the transaction. Either Cæsar or nothing.

Mr. President, every Government which sat at that council table when Shantung was bartered to Japan was under a solemn treaty or agreement to respect the territorial integrity of China. The United States had had a treaty or agreement for years with China to respect her territorial integrity. France had a treaty with China to protect her territorial integrity, which was in force and in operation at the time that she sat at the peace conference. Great Britain had a treaty to protect the territorial integrity of China, and every nation which helped to distribute Shantung to Japan and initiate the dismemberment of the Chinese Republic had a solemn agreement or treaty with China to respect or protect her territorial integrity. These treaties or agreements were ignored. Honor and common honesty were ignored, because Japan threatened, and Great Britain and France for selfish reasons supported Japan. It is too true that this treaty could not go through until China was virtually divided. It is perhaps true the President had to consent. But I object to calling it a new charter of civilization. It is the old imperialistic system in its most revolting aspect.

Mr. THOMAS. Mr. President——

Mr. BORAH. I yield to the Senator from Colorado.

Mr. THOMAS. Will the Senator give the date of the treaty to which he refers?

Mr. BORAH. I can not do it now. I thought I had it here, but I have not. I will put it in the RECORD later or a reference to it, so it may be easily identified.

Mr. THOMAS. Was it prior to the acquisition by Germany of the Shantung territory?

Mr. BORAH. I could not state as to the date. But take the Root-Takahira agreement—I have forgotten the date of it, but the Senator will recall the first paragraph of it was that the United States and Japan would respect the territorial integrity of China.

Mr. THOMAS. That being the case, did not that duty shift to the United States when Germany seized Shantung?

Mr. BORAH. I think that is probably true.

Mr. THOMAS. We acquiesced in it at that time and also failed to do our duty, and in that the Senator is correct.

Mr. BORAH. I am not forgiving that feature of it at all; two wrongs do not make a right. We are here disposing of the proposition as it was taken up and settled at Versailles.

Mr. THOMAS. The thought I had in mind, if the Senator will permit me, is that if we and the other nations having this treaty had acquiesced in the seizure, because that is what it was, of Kiaochow and Shantung at the time the conference met in Paris we by our action recognized German sovereignty in that particular section of China; and that being the case, it could not be considered because of our own acquiescence in a wrong as to Chinese territory at that time.

Mr. BORAH. At the time the Versailles conference convened Germany had no territorial rights whatever in China.

Mr. THOMAS. Because Japan had taken it from her by force of arms.

Mr. BORAH. First in importance, because when China declared war on Germany all Germany's rights were at an end. And while Japan had taken Germany's rights by force of arms, in the ultimatum which Japan issued to Germany she included and incorporated in the ultimatum a promise to restore them to China.

Mr. THOMAS. That is entirely true, and that was followed by the treaty of May, 1915, prescribing the terms under which the transfer was made.

Mr. BORAH. Precisely; it was followed by the treaty of 1915; and everyone knows that the treaty of 1915 was secured

by force and under the protest not only of China but virtually under the protest of the United States——

Mr. THOMAS. That is true.

Mr. BORAH. The United States asked Japan officially if it was her intention to retain the Chinese territory, and Japan asserted that it was not.

Mr. THOMAS. That is true; but the fact that the treaty was extorted by force does not do away with the legality of the treaty. If so, then half the treaties of the world are scraps of paper.

Mr. BORAH. Then why did we restore Alsace and Lorraine to France? The Senator also leaves out one important item in that proposition. The first treaty with Germany was extorted by force. It was founded in immorality and injustice. Japan succeeded by force to the rights of Germany. China declared war upon Germany. That terminated the treaty between China and Germany. Japan had no other right than the right of possession of the property of a friendly power or an ally.

Mr. THOMAS. But she had acquired it by force of arms before China declared war against Germany?

Mr. BORAH. Precisely so; but she could not acquire anything except what Germany had, and what Germany had ended when China declared war against her.

Mr. WILLIAMS. That principle does not apply when possession of territory changes.

Mr. BORAH. Oh, yes, it does. There is no difference whatever in the two propositions.

Mr. WILLIAMS. Oh, yes.

Mr. BORAH. In international law the very moment that Germany's rights ended by reason of the declaration of war, that moment no one could acquire anything by virtue of having taken possession of Germany's rights.

Mr. WILLIAMS. No one could acquire anything in virtue of the German treaty after that took place, but they might acquire something in virtue of war intervening between the time when the treaty was valid and the time when Germany entered into war.

Mr. BORAH. Let us see about that. Germany acquires her rights in the first instance by force and by fraud. China signs the German treaty under duress. There comes a time when we want to eliminate Germany from China. Japan, the United States, Great Britain, and France are all interested in eliminating Germany from China, and China is an ally, also, and we go in and take possession of the property of a friendly power. Later that friendly power terminates the rights of Germany by entering the war against her. What possible right, either in international or municipal law, or in morals or justice, could Japan possibly acquire by having taken possession from Germany of that which Germany acquired by force and that which China afterwards terminated by entering the war against Germany?

Mr. President, the Senator from Mississippi had better stand by his original proposition, and that is that there was no right upon which to found the demand of Japan. It was simply the fact that Japan required this as a prerequisite to her entering the league.

Mr. WILLIAMS. Not in the league, but in signing the treaty of peace.

Mr. BORAH. Yes, or anything else in the league.

Mr. WILLIAMS. Not in the league, but in signing the treaty of peace.

Mr. FALL. Will the Senator yield to me for just a moment?

Mr. BORAH. Certainly.

Mr. FALL. Under the argument of the Senator from Colorado [Mr. THOMAS] if Japan fell heir to the German rights by virtue of her conquest of Shantung, conquest by arms, why did Japan approach Great Britain on February 16, 1917——

Mr. WILLIAMS. "To make assurance doubly sure."

Mr. FALL. The Senator's mind works as quickly as usual. And the French ambassador on February 19, and ask them to enter into a secret agreement, a suppressed agreement only recently exposed, and to agree that Japan might at the peace table receive their support in the retention of the Shantung Peninsula.

Mr. BORAH. Yes, and——

Mr. THOMAS. I understood that question to be directed to me.

Mr. BORAH. I will yield to the Senator in a moment. And also Japan demanded the signing of this treaty as a prerequisite for her consent to permit China to enter the war at all. I now yield to the Senator from Colorado.

Mr. THOMAS. The Senator from Mississippi has suggested to me that I should answer that she did it because she wanted to make assurance doubly sure, and I think there is much in that. I believe, however, that there is no obstacle or objection to any country attempting to secure that which she has by the suggestion of treaties with other countries with whom she is at that time in alliance. Japan declared war very largely because she was a party to a treaty of alliance with Great Britain, and under the terms of that treaty, with which I am not at all familiar, it may be that she was required to do so or felt it safe to do so, since otherwise some common claims to the property might be advanced by her ally, Great Britain. That, however, is a conjecture.

If the Senator will permit me to add one other observation, I do not think the fact that Japan did make these overtures or sign the treaty thereafter has anything to do with the main proposition, which is, if two nations by a treaty, whether acquired by force or otherwise, so change their boundaries that one obtains possession of a part of the territory of the other which it loses to a warring power, after which the despoiled country declares war against the despoiler, the declaration of war at that time serves eo ipso to restore conditions as they were prior to the original arrangement.

Mr. FALL. We are trespassing upon the time of the Senator from Idaho, but if he will allow me a moment, I think we need not fall into the realms of conjecture to ascertain the purposes or the acts of these nations at this time, because we have the words, the demands, and the reason for the demands given in the exposition of these secret negotiations. If the Senator will allow me, in the approach made to the French ambassador at Tokyo on February 19, Viscount Motoro said——

Mr. THOMAS. Was that February 19 of this year?

Mr. FALL. On February 19, 1917, the Japanese minister of foreign affairs said:

> The Imperial Japanese Government has not yet formally entered into conversations with the Entente powers concerning the conditions of peace I propose to present to Germany, because it is guided by the thought that such questions ought to be decided in concert between Japan and the said powers at the moment when the peace negotiations begin. Nevertheless, in view of recent developments in the general situation, and in view of the particular arrangements concerning peace conditions, such as arrangements relative to the disposition of the Bosporus, Constantinople, and the Dardanelles, being already under discussion by the powers interested, the Imperial Japanese Government believes that the moment has come for it also to express its desires relative to certain conditions of peace essential to Japan and to submit them for the consideration of the Government of the French Republic.
>
> The French Government is thoroughly informed of all the efforts the Japanese Government has made in a general manner to accomplish its task in the present war, and particularly to guaranty for the future the peace of Oriental Asia and the security of the Japanese Empire, for which it is absolutely necessary to take from Germany its bases of political, military, and economic activity in the Far East.
>
> Under these conditions the Imperial Japanese Government proposes to demand from Germany at the time of the peace negotiations the surrender of the territorial rights and special interests Germany possessed before the war in Shantung and the islands situated north of the equator in the Pacific Ocean.
>
> The Imperial Japanese Government confidently hopes the Government of the French Republic, realizing the legitimacy of these demands, will give assurance that, her case being proved, Japan may count upon its full support on this question.

And it was in similar language that Japan approached Great Britain. I will not take the time of the Senator from Idaho [Mr. BORAH] to read the replies of both those great Governments to this demand or suggestion, or whatever you choose to call it, of Japan as to what she proposed to demand at the peace table. It is only necessary to say that she received immediate private assurance from Great Britain and from France that her demand would be heeded.

Mr. BORAH. Mr. President, no man does credit to his intellectual integrity who undertakes to justify Japan's legal right to Shantung. She had no legal right. The able Senator from Colorado [Mr. THOMAS] says that possibly some obligation rested upon Japan and Great Britain growing out of the Anglo-Japanese treaty and that because Japan entered the war at the suggestion of Great Britain there was some obligation arising by reason of that fact.

Mr. THOMAS. That is merely conjecture.

Mr. BORAH. But that really is not entitled, with all due respect to the able Senator, to be a matter of conjecture, for the reason that both Great Britain and Japan have officially stated that Japan did not enter the war by reason of the Anglo-Japanese agreement or treaty; and Viscount Ishii, in his Fourth of July speech at Boston, said that there was no obligation under the Anglo-Japanese treaty that Japan should enter the war; that it related alone to matters which were not covered by the situation as it then existed, and that Great Britain did not request that Japan enter the war.

Not only that, Mr. President, but Great Britain was rather desirous at that time that she should be permitted to take possession of the German possessions rather than for Japan to do so, and Japan entered the war wholly for another reason. Japan entered the war for the purpose of obtaining those possessions. The evidence, both circumstantial and direct, is conclusive upon that proposition. She entered the war for that purpose; and when she had secured those possessions her activities in the war

practically ceased. She devoted her entire ability and her transcendant ingenuity to securing ultimate and final possession, when she came to the peace table, of those things which she had taken possession of by virtue of war. So, Mr. President, I repeat that the able Senator from Mississippi has stated the whole thing—that there was no treaty obligation which was binding. There was no obligation other than the fact that Japan held the key to the situation.

No nation has ever played its diplomatic game with greater ingenuity and greater ability and greater foresight than did Japan at Versailles. In the first place, she put out her racial equality demand, which she never expected to receive and did not care anything particularly about; but it was the thing upon which she placed her first demand. Then, when the second situation arose with reference to her possessions in China, she was in a position to say: "We will not submit to being rejected or refused twice upon matters which are of vital concern to us."

It not only means that she is in possession of Shantung, but it means that she now controls the three great gateways to China. She is in control of the Manchurian Railway gateway into China; she is in control of the Shantung gateway; and she holds the Formosa Island, which commands the situation with reference to the other and third great gateway into China.

This means, as every student of eastern affairs frankly says it means, the dismemberment of China. It means not alone the possession for the time of Shantung, the transference of from thirty to forty million of people to the domination of an alien enemy, but it means the rupture and breaking up of the Chinese Republic and the Chinese nation. But it means war before the fearful crime is consummated. And article 10 binds us to take part in the war, for when China undertakes to get back her stolen territory and to get back her bartered peoples it will be an application of external territorial aggression.

The Senator from Mississippi asks, What will we do about it? Shall we refuse to recognize the demand of Japan? If so, says the Senator, shall we transfer our fleet to the Pacific Ocean and stand ready for war? I do not think that any such outlook as that need be entertained. I do not anticipate that because we ourselves refuse to underwrite the rape of Shantung we shall be challenged to war. But, Mr. President, let us assume, for the sake of the argument, that something of that kind stares us in the face, then I beg you to contemplate the position we occupy to-day in this entangling alliance affair, that the United States, for the first time in its history, must underwrite the slavery and the oppression of 40,000,000 of people under threat. We have stood for 150 years with a clean record, but now we are told that we must have war if we do not underwrite and perpetuate the transfer of 38,000,000 of human souls to an alien power. That is the thing that is put up to us by the Senator from Mississippi.

I do not think that Japan would go to war unless we underwrite this. She would likely be perfectly satisfied with her treaty with France and with Great Britain. That is their business; that is their doorstep which they may clean or leave unclean as they prefer. I do not presume that Japan expected us to perpetuate for all time that which we have now agreed to do.

But, Mr. President, if the time has come when the United States must engage in enslaving people and in establishing machinery by which they shall be kept in oppression, if the time has come when the United States must consent to the dismemberment of a great nation and to the breaking up and scattering of 400,000,000 people, if the time has come when we must violate our solemn treaties which we have with China to respect her territorial integrity, or face the challenge of another power, we will face the challenge of another power. Whatever else happens we will not sacrifice our honor. We do not anticipate war with Japan; but one thing the American people will never submit to when the facts are known—they will never remain a party to a treaty which has the effect of oppressing millions upon millions of people. We may not draw out now; but when the facts are revealed from time to time, as the debate and consideration goes on, as it will go on for weeks and months, when the true import of this transaction is known, the American people will refuse to break up and dismember the Chinese nation. I say, therefore, Mr. President, while I do not anticipate and certainly do not want trouble with Japan, we will still have the courage to do the honorable thing.

I desire to have printed in the RECORD as a part of my remarks an editorial from the Christian Science Monitor, of Boston, published July 7, 1919.

The VICE PRESIDENT. Without objection, it is so ordered.

The editorial referred to is as follows:

AUT CÆSAR AUT NULLUS.

If the action of the peace conference in respect to China had been actuated by principle, there would be no more to be said in the matter. Neither the protests of Chinese statesmen nor the invective of atrabilious critics could have had any more effect than the barking of dogs. As it is, the efforts of the great powers to justify their action and to persuade Peking to be "reasonable" are absolutely predestined to failure. To begin with, supposing that the ratifying bodies of all the powers, great or small, agree to whitewash the peace conference by accepting its decision, is there one of them which is foolish enough to imagine that this will affect principle? A greater philosopher by far than any of those who sat round the peace table wrote to certain little churches in Galatia, far more insignificant in the full tide of Roman pride and insolence than the powers of to-day can pretend that China is to them, "Be not deceived; God is not mocked: for whatsoever a man soweth, that shall he also reap."

Principle, in other words, is irrefragably principle. And though all the powers in the world say that two and two make five, their sum total is, and will remain, exactly four. Nor it is scarcely necessary to say, will this be altered in any way should China itself be induced to become "reasonable," and to admit that the handing over of 36,000,000 of people to an alien power, with no questions asked, is self-determination. Two and two, in short, will remain four even if the fact be misstated thirty-six millions of times. So far no reason has been produced for the great or minor powers casting themselves for the rôle of Blueskin to Japan's Jack Sheppard other than the fact that Jack Sheppard's presence is much desired in the league of nations. If this be the fact, it can only be said that the league of nations must be in a parlous condition. When the bishop, in the story, dined, somewhat perforce and by reason of the cold and a great hunger, with the highwayman, in the inn by the Great North Road, it may be remembered that he tucked up his apron, so that that symbol of his virtue should not be too aggressively apparent to the innkeeper. It is to be imagined that the great powers, and the minor for that matter, are somewhat busily engaged in these days in tucking out of sight any dispensable emblems of a too arrogant morality when the word "China" is mentioned.

To the plain man, ungifted with the political conscience, for the quality of statesmanship may be summarily dismissed from the present hearing, it is almost impossible to comprehend how the peace conference succeeded in persuading itself that the wrong done to China in Shantung could be worth any right gained from Japan in the league of nations or elsewhere. It will be remembered that when, in the ducal court in Venice, Bassanio pleaded with the "young doctor of Rome," by name Balthasar, that he should "To do a great right, do a little wrong," that second Daniel swept away the Jesuitism of the suggestion with the words—

"'Twill be recorded for a precedent,
And many an error, by the same example,
Will rush into the state: it can not be."

It was, of course, not Balthasar, not Portia, who was speaking in those lines, but the great poet-philosopher of Elizabethan England. He saw clearly enough where playing politics with principle headed for, and it is wonderful that the peace council, with three centuries in which to learn wisdom, and better the example, were at the end of that time simply left tucking up their aprons.

This Shantung affair, then, is manifestly, whether politically or not, one of those matters which, with all respect to Mister Shandy, Tristram of that ilk, they do not order better in France. There is obviously no hope to be sought in Paris, and equally so none to be discovered in London, tied up as Downing Street is in a nefarious bargain with France and Japan. So it is to the Senate of the United States that the eyes of the world are turning, and on the Senate lies the burden of a great responsibility. It is being asked with the dulcet pleading of Bassanio to do a little wrong in order to accomplish a great right. But, in the first place, is it quite certain that the arbitrary disposal of the rights of 36,000,000 of people, and "also much cattle," is such a little wrong? And, in the second place, is it proven that the inclusion of Japan in the league of nations is so mighty a right, after all? On whom exactly would disaster have fallen if Japan had decided to remain outside the league?

The truth of the matter is that, at the great card party in Paris, so far as can be judged—for the game was played with the cards anywhere but on the table—Japan risked a simply tremendous bluff and never had it called. It is quite true that the Japanese delegates were aware that, owing to existing treaty arrangements, they had France and the British Commonwealth in the pockets of their kimonos, if kimonos have such things. It is also true that they were aware that the attention of Italy was focused on Fiume, and that the delegates from Rome were murmuring only that and nothing else, always excepting, of course, everything that had gone before. So that it comes to this—if anyone is going to stand between Japan and its prey, if anyone is going to forbid the rape of Shantung, it will be aut Senatus aut nullus—the Senate or nobody. Can anybody see any difference between the rape of Belgium and the rape of Shantung except this, that in the one case the British Commonwealth and France urged Belgium to stand firm, and they would come to her assistance, while in the other case those great powers became participators in the crime.

What, then, is the Senate going to do? It depends, surely, whether it decides to view the question from the point of view of statesmanship or politics. Politics will urge it to ratify, and have done with a troublesome business. Statesmanship will compel it to face the vast range of probabilities and problems which lie behind a too easy acceptance, to examine them, and to insist on the reopening of the question. The future, not the mere immediate political future of the United States but of world diplomacy and good faith among nations, lies in the decision. "I claim," said Abraham Lincoln once, "not to have controlled events but confess plainly that events have controlled me."

Mr. BORAH. Mr. President, the Senator from Virginia [Mr. SWANSON] yesterday made what was called a keynote speech with reference to the league. I presume it was made in a measure authoritatively. The Senator did not say so, but the presumption is it was a speech which had the approval of those who are most interested in the league. I want to read a paragraph from that speech and then to ask the friends who are supporting this league if they understand this to be its correct interpretation. The Senator from Virginia said:

Article 1 has the following provision:

"Any member of the league may, after two years' notice of intention so to do, withdraw from the league, provided that all international obligations and all its obligations under this covenant shall have been fulfilled at the time of withdrawal."

The requirement of two years' notice is reasonable, as no member should be permitted suddenly to terminate so important an engagement. Neither would it be just for a member to escape its accrued international and covenant obligations by withdrawing. Members that receive the benefits of the league should also bear its burdens. Especially would the United States scorn to avail herself of the privilege of retiring from the league without fully and honorably discharging every obligation. The contention that the United States could not withdraw without the unanimous consent of the council or assembly, the only bodies that can act for the league, is wholly untenable. No power whatever is conferred upon either of these bodies to act upon this question; no authority is given anywhere to compel the retention of a member after giving the required notice of withdrawal.

There is only one construction to be placed upon that language; in fact, it is too plain to call for construction. The clear import of the language is that a nation may withdraw upon its own motion by the simple act of giving notice; and that whether or not it has performed its international obligations or its obligations to the league is a matter to be determined by the nation itself which is seeking to withdraw. Is that the construction placed upon this clause by the advocates of the league? Is it understood here and now that the United States may after it enters this league—if it does—give its notice and at the end of two years may withdraw, whether the other members of the league or the council or the assembly are satisfied with the withdrawal or not? If that is the construction which is to be placed upon this proposition, then one course may be pursued here with reference to amendments. I should like to ask the Senator from Mississippi if he understands that the United States has a right to withdraw from the league upon the simple fact of giving notice, and that no other member of the league can object that the United States has not complied with or has not fulfilled its international obligations or its covenant obligations?

Mr. WILLIAMS. I suppose the question as to whether the United States in such a case had fulfilled its international obligations would be, in the first place, a question which would present itself to the conscience of the United States. I suppose, in the second place, if the other nations which are members of the league differ from the United States about that, they would express their difference.

Mr. BORAH. If they did object, could the United States still withdraw? Would it have a right under the covenant to withdraw?

Mr. WILLIAMS. The United States could physically remain absent, but it would be subject to the obligations which it had incurred to the league, whatever the league decided they were——

Mr. BORAH. Oh, precisely.

Mr. WILLIAMS. After the United States had put its interpretation upon them. I will say further that I can not imagine a case in which the United States would withdraw if the United States thought there was any obligation resting upon it——

Mr. BORAH. Precisely so; but can the United States be the sole judge?

Mr. WILLIAMS. Or if the league thought there were any obligations resting upon the United States.

Mr. BORAH. What I desire to know is: Has the United States a right under the league covenant to interpret its own right to withdraw, and, if the United States says that it has performed its international obligations and has performed its covenant obligations, has any member of the council the right to say "nay"?

Mr. WILLIAMS. Not any member alone; but the league, by unanimous vote of all the other powers—I am not an expert judge, the Senator understands—might, I should say, if I were going to construe it, say, "We do not think that the United States has complied with its obligation, whatever it is," and then the question would come before the league to be decided.

Mr. BORAH. And if the league decides that we have not fulfilled our international obligations?

Mr. WILLIAMS. Then we would be theoretically and technically a member of the league, though we might be absent physically, until we did comply with the obligations.

Mr. BORAH. Oh, of course, you can not take away the right of revolution.

Mr. WILLIAMS. I want to say, if the Senator will pardon me, you can not enter into any agreement where there are obligations on the part of other people to you and to the body of which you are a member without your having obligations to that body also. That goes without saying; it is common sense.

Mr. BORAH. That is what I supposed until I heard the Senator from Virginia make the address to which I have referred and to which I wish to call the Senator's attention, for he says:

The contention that the United States could not withdraw without the unanimous consent of the council or assembly, the only bodies that can act for the league, is wholly untenable.

Mr. WILLIAMS. Oh, yes; that is untenable. That is not the statement the Senator made or the one I made. I said that the United States could not be retained except by the unanimous consent of the league.

Mr. BORAH. Well, if the United States seeks to withdraw, then it takes the unanimous consent of the council——

Mr. WILLIAMS. To keep it there.

Mr. BORAH. To keep it there.

Mr. WILLIAMS. Even technically and theoretically; but I wish to add that practically, if they wanted to keep the United States in the league and we had determined that we had complied with every obligation and would not stay, they would have but one way of compelling us, and that would be to make war upon us, which is absolutely inconceivable.

Mr. BORAH. Well, I do not know. The ex-President of the United States, Mr. Taft, in New York sometime ago, when asked whether the United States if it entered this league could withdraw, said in reply, "You know what experience the Southern States had."

Mr. WILLIAMS. I think there is a vast difference between a constitution which makes a Federal State and a constitution which makes a confederacy for certain purposes, just as much as there was between the old Government under the Continental Congress and the Government which was framed under the new Constitution. There was some grounds—and I believe that even the Senator from Massachusetts [Mr. LODGE] will agree with me about this—for the South's contention that she had a technical constitutional or legal right to withdraw even from a Federal State like this. A fortiori could there be any dispute at all about the right to withdraw from a mere league like this? Nobody is calling this a Federal State, not even a supergovernment; it is a mere league of nations. It was what Calhoun contended the United States was.

Mr. BORAH. Then, as I understand the position of the Senator, it is that, being a mere league of nations, the United States may withdraw whenever it gets ready to give notice, and that nobody can object.

Mr. WILLIAMS. No, I did not say that.

Mr. BORAH. I mean nobody can legally object.

Mr. WILLIAMS. I did not say that; I said they could legally and technically object; that they could say, "Here is an obligation of the United States not complied with, and therefore she ought not to withdraw." Then the United States might reconsider her position, and she would determine either that she would or that she would not. She might say, "Very well; that is true; I will fulfill that obligation, and that will make my connection with the league terminate," or she might say, "I contend that I have fulfilled the obligation, and I will not go back into the league."

Mr. BORAH. Well, that is revolution.

Mr. WILLIAMS. Then there will be no way left except for the league, by unanimous vote, to undertake to coerce her.

Mr. BORAH. Then I ask the Senator this question: Has the council or the assembly any power whatever to pass upon the question of the right of a country to withdraw?

Mr. WILLIAMS. I should think so, reasoning from mere common sense.

Mr. BORAH. I had thought so, too.

Mr. WILLIAMS. The sole right that they have in that respect is to determine whether there is any existing outstanding obligation; that is all.

Mr. BORAH. The Senator from Virginia says that no power whatever is conferred upon either of these bodies, to wit, the council or the assembly, upon this question of withdrawal.

Mr. WILLIAMS. I can not help that. If I were to quote all the various assertions made upon the other side in opposition, so variant with one another and so far apart from one another, you might set them against one another and cancel them off; but I do not think you can cancel a right interpretation of an instrument by quoting some other interpretation. I do not contend that my interpretation is necessarily right; I am no judge. That would be a rather judicial function.

Mr. BORAH. I insist that we go back to our late leader, and get the Senator from Nebraska [Mr. HITCHCOCK] to give his construction of it, because those of us who are seeking to find out what this means are entitled to know from those who are advocating its adoption what the construction is which they, as advocates of its adoption, place upon this important

proposition. There is not any more important clause in the league covenant than the right of withdrawal. If the Senator from Virginia be correct that neither the council nor the assembly has any power whatever to pass upon this question, this debate, of course, will take an entirely different turn upon that proposition; and if anybody knows, including the President or Mr. Lansing, what construction was placed upon it by the conference itself, we are entitled have that.

Mr. WILLIAMS. Undoubtedly, and by the way, Mr. President, if it had been necessary in framing the Constitution of the United States to frame it so that there could never be a lawsuit over its different provisions, our ancestors made some grave *mistakes*. I do not know how many lawsuits have grown out of the interpretation of the various clauses of the Constitution. I read once that there had been 134 law cases growing out of one clause alone. I do not know whether or not that is true; but that does not militate against the desirability of trying to do a thing. The human language is as weak as a human being; nobody yet was ever able to frame an instrument of any sort whose interpretation could not be disputed.

Mr. BORAH. I do not contend that at all.

Mr. WILLIAMS. My interpretation is worth about as little as that of anybody you could ask, I reckon.

Mr. BORAH. I would not say that; I think the Senator has very great ability in the construction of legislative proposals, and I think the Senator from Virginia has also. Therefore I am utterly bewildered to know how I shall get out of this league if I get in.

Mr. WILLIAMS. You will have to get in before you can get out.

Mr. BORAH. I am satisfied it will take longer to get out than it will to get in, it does not make any difference what the construction may be.

Mr. WILLIAMS. I hope so.

Mr. BORAH. But this is the situation: There is no more important article in the covenant than the right of withdrawal. If the right of withdrawal rests alone with the United States, if it can step out whenever it feels that it desires to go out and can step out with honor, having fulfilled its obligations, both legal and moral, according to its judgment, if it is understood by the Versailles conference that the United States can step out whenever it gives notice, that is one thing and it is a very important thing; but if, on the other hand, the council or the assembly has a right to pass upon the question and it takes unanimous consent to agree to our withdrawal, that is a wholly different proposition.

While the Senator says that no instrument can be drawn which will not give rise to dispute at some time in the future, yet we are here making this instrument, we are still writing this instrument, for we are a part of the treaty-making power; and if we assent to an instrument and ask our people to enter into an obligation which we ourselves do not understand and which we confess we do not understand in a matter of such tremendous moment to them—if we do that, shall be have performed our duty in the writing of the treaty upon which the peace of the world is to rest in the future?

Mr. WILLIAMS. Mr. President, my answer to that would be twofold. In the first place, we are not all of the treaty-making power; we are a part of the treaty-making power of one nation. All of the nations have to agree to the treaty. That is the reply to that. Now, I reply——

Mr. BORAH. It is not a reply, because, while we are only one member, we represent ourselves.

Mr. WILLIAMS. I understand the Senator. The Senate has a right to amend; but it has got to go back and get the consent of the others.

As to the other proposition, the Senator says it is something that we do not understand ourselves. In my profession of humility about not being a judge, I am not confessing that I do not understand it. I understand it; I put my construction upon it, and it is very clear to me; but whether it be right or not is a matter for other intellects to struggle with as well as mine.

Mr. BORAH. Well, Mr. President, we seem to have arrived at a point where there is a disagreement between the Senator from Mississippi and the Senator from Virginia as to this——

Mr. WILLIAMS. That seems to be true, from what the Senator has read from the Senator from Virginia.

Mr. BORAH. Because the Senator from Virginia says:

> The contention that the United States could not withdraw without the unanimous consent of the council or assembly, the only bodies that can act for the league, is wholly untenable. No power whatever is conferred upon either of these bodies to act upon this question; no authority is given anywhere to compel the retention of a member after giving the required notice of withdrawal.

Mr. WOLCOTT. Mr. President, will the Senator yield?

Mr. BORAH. I yield.

Mr. WOLCOTT. Awhile ago in the Senator's remarks he referred to treaties with China, which he asserted committed us to the proposal that we should protect the territorial integrity of the Chinese Empire. Did I understand the Senator to say that he is going to insert a reference to those treaties in his remarks?

Mr. BORAH. I think I can get them in just a moment. I will insert them in my speech if I do not get them; but I will get them in a few moments—will kill time until I do get them.

Mr. President, I ask permission to insert in the RECORD a copy of a letter written by Mr. Elmer T. Peterson, editor of the Wichita Beacon, to the Senator from Nebraska [Mr. HITCHCOCK] with reference to a ballot which was taken in that part of the country on the league of nations. This letter was written in reply to a statement made by the Senator from Nebraska that no reference could be made to any instance in which a vote had been taken or public opinion tested which was not overwhelmingly for the league. I ask to insert this letter and also the form of the ballot.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

JULY 5, 1919.

Hon. GILBERT M. HITCHCOCK,
Washington, D. C.

DEAR MR. HITCHCOCK: On page 2067 of the CONGRESSIONAL RECORD for June 30, 1919, you are quoted as saying, "I challenge the Senator from Idaho to refer me to any test made anywhere to show the state of public opinion on this league that is not favorable to it."

We can very readily cite a most conclusive and convincing test of that kind.

The Beacon conducted a poll, open to anybody, using a ballot, a sample of which is inclosed. The result showed that there were only 37 in favor of the present covenant, while 863 were dissatisfied with it and desired either to amend it or reject it altogether; 457 were wholly against any league. The votes for suggested amendments were:

To protect the Monroe doctrine	299
To safeguard immigration, labor, trade, Panama Canal, etc	406
To guard against sending soldiers to other countries (art. 10)	344
In favor of covenant as it stands	37
Wholly against any league	457

The answers were mostly from farmers and people of small towns. The farmers were most strongly against the league. I still have the letters accompanying the ballots, and they are a revelation, showing a very decided sentiment against the present covenant. I consider this a far more reliable and convincing test of the opinion of the "plain people" than that of the Literary Digest, for instance.

The reason we got this result was because we put the question in a plain, straightforward way, whereas all of the other test votes I have noticed put the question in a manner which gave the league a decided advantage. Of course, 9 people out of 10 would vote for "an organization of nations to promote peace," or something of the kind, but when the covenant stands on its merits and the questions are put straight, as they were in this questionnaire, the sentiment is overwhelmingly against the kind of a project you and some of your colleagues are trying to saddle on the United States, and when the people fully realize what it all means, when all the camouflage and rhetoric is stripped off and the true meaning of articles 10 and 11 and other features is known, you can depend upon it that there will be a tremendous revulsion of feeling against you and those who stand with you on this question.

Senator CAPPER, who has kept an open mind on the league question, writes me that this questionnaire is the best he has seen. Since challenges are in order, I challenge you, as leader of the procovenant forces, to put such a questionnaire before the people of the United States. Undoubtedly you know in your heart that the result would be disastrous for your side of the question.

The trouble is that most of the people have not read the covenant and are taking the word of leaders for certain things. This is a very inconclusive and unsatisfactory state of affairs. The league advocates contradict each other as to what the covenant means. Some of them say it is like our American Constitution, which would, of course, make the league a superstate, while others say it is not a superstate and has no power except to recommend or advise action. And so on. As I understand the situation, all the covenant critics ask is that the people be given an opportunity to study the whole thing carefully upon a set of "interpretations," which can be agreed upon by both sides to the controversy, if such a thing is possible, and then vote. If it is impossible to obtain an interpretation of this kind, let the plain words of the English language stand for what they say.

Would the people of the United States have indorsed President Wilson in guaranteeing the independence and territorial integrity of Serbia in July, 1914, league or no league? They would not. Will they indorse any future President in guaranteeing the independence and territorial integrity of any country in a similar case in the future, league or no league? Let your knowledge of human nature answer.

It is idle to say that "this league" is the only league that is before the American people; in fact, it is a slur at American intelligence. The people of a city may be in favor of giving a street car company a franchise, but they are not going to accept any kind of a franchise that the company may feel like presenting. They want to know what it all means, and they have a perfect right to amend the franchise and strike out certain features. The Beacon contended ever since the armistice that some kind of a league was needed, but this does not mean that we have to support the precise instrument that was handed down from Paris. To say that we must take "this league" or nothing is to deny the American people the right of a voice in their own affairs. I do not need to argue this, for you are so intelligent that you know it without argument.

I inclose a copy of the ballot that we used, showing the total votes on each proposition. If you will read the result into the RECORD, along with the other votes of which you have spoken, it may serve to throw a little light by showing the intelligent discrimination shown by Kansas people.

Very truly, yours,

———— ———,
Associate Editor.

(Copies to Senators BORAH and LODGE.)

LEAGUE OF NATIONS BALLOT.

Put a cross in the square opposite the statement or statements that most nearly express your opinion. Cut out this ballot and mail it to the league poll editor, the Beacon, Wichita, Kans., or drop it in ballot box in the Beacon's business office.

I favor the proposed league of nations constitution as published, without amendment, 37.

I favor a league of nations constitution amended so as to protect the Monroe doctrine in specific language, 299.

I favor a league of nations with constitution amended so as to safeguard American rights in matters of immigration, naturalization, labor, trade, and the Panama Canal, in specific language, 406.

I favor a league of nations with constitution amended specifically so that the United States can not be compelled to send soldiers to foreign countries to settle disputes as to boundaries, etc., 344.

I am wholly opposed to any league of nations, 457.

Name, Oscar Turner; address, Meno, Okla.

Mr. BORAH. I will yield the floor until I find the matter I have sent for.

Mr. WILLIAMS. Mr. President, the remarks made by the Senator from Idaho, which would have been humorous to my mind if he had so intended them, and a great many other remarks that have been made in support of various little things about the treaty, call to my mind a piece of exquisite humor that I picked up some time ago, not of the very highest order, but very good, entitled "If the United States Senate debated 'Now I lay me down to sleep,'" by Clark McAdams, in the St. Louis Post-Dispatch. I do not know the politics of that paper. Here is the debate that he says would take place in the Senate:

"FIRST SENATOR. I propose that we adopt for the youth of our Republic the following prayer, to be said before going to bed:

"Now I lay me down to sleep.
I pray the Lord my soul to keep.
If I should die before I wake,
I pray the Lord my soul to take.

"SECOND SENATOR. Mr. President, I protest against obligating the children of this country to any set prayer before they go to bed; but this is a Christian country, something of this sort is understood to be our duty to posterity, and I suppose we therefore must have it. If so, I want to see it given more elasticity. The first line says:

"Now I lay me down to sleep.

"That is unworthy of a free people. It is un-American. Must we lay down to sleep because the law says so, when it may suit the purposes of slumber better to sleep standing up? [Applause.] It is not established that we must lay down to sleep. As a matter of fact, it may be discovered at any moment that a recumbent or prostrate position is exactly that in which we get the least rest. Thousands of soldiers slept standing up in the trenches of France. I am told that most of those men continue to sleep standing up. They find they rest better. Moreover, they do not so completely surrender consciousness sleeping in that way as one does lying down. They wake easier, and their wits are not so sluggish. It is not certain that we should wholly surrender consciousness when we sleep. A good many eminent authorities think not. Certainly the soldier who slept with one eye open, so to speak, did not suffer by that experience. He is the best man among us to-day. Do you know anything about physiology, Mr. President? I am told that physiologically we ought never to sleep as this prayer says we must sleep. It is in an upright position that we are physiologically normal. You know how much trouble we have had with gasoline engines in airplanes because they were not originally suited to running in any save an upright position. They were not properly oiled when they ran on end. They were not properly cooled when they ran upside down. It is the same with us. We are physiologically exactly what we were when we first slept upright in trees and then leaned against the walls of a cave. Did you ever see a horse sleep, Mr. President? A horse almost always sleeps upright. Shall we say, then, that our children must all sleep, as this prayer says they must sleep, or shall we leave them free to sleep as they wish or as science shall discover how they should sleep? [Applause.] I am for the spirit of the prayer, but against the form."

This does not apply to the Senator from Idaho. He is against the form and the spirit also.

"Let us stick to our traditions.
Give us liberty or give us death.
Breathes there a man with soul so dead
Who never to himself hath said:
'This is my own my native land,
To rest in sleeping or to stand—
As Matthew, Mark, Luke, and John,
Who went to bed with their trousers on,
All exercised a freeman's voice
In making that historic choice?'
Breathes there a man with soul so dead
The law can stuff him into bed,
And through the long night watches keep
Its cruel vigil o'er his sleep?

"[Laughter and applause.]

"THIRD SENATOR. Mr. President, the third line of this proposed prayer says:

"If I should die before I wake.

"That is absurd. How could one die before one wakes? As well say one died before one lived. It is the duty of the Senate to weigh words and to determine what they mean. We are here positing the impossible, a thing as unworthy of us as a deliberative body as it would be futile of us as givers of law. Are we, in agreeing upon a little prayer which our children may say before they go to bed, to plumb the depths of metaphysics and try abitrarily to establish a fact of life which has resisted every research of science? [Applause.] I can not believe it. Why can not we make this read simply,

"If I should die—

"Which is probably all that would happen, without attempting to say that one dies before waking or involving ourselves in an interminable dispute over a point which has nothing whatever to do with getting our children reverently and sweetly to bed? [Laughter and applause.] Let us not, in freedom's name, undertake to establish in this body, without benefit of anything better than mere political science, that one dies before one wakes, or wakes before one dies, or attempt to say what happens in that hidden moment when the soul sets forth upon the great adventure of death! [Applause.] Let us concern ourselves with things of the state, which is our business, leaving things of the spirit to those trained in things of the spirit and things of the soul to those trained in things of the soul. Let us continue to be merely Republicans and Democrats [laughter], claiming to know only the things known by Republicans and Democrats [laughter], and not attempt to be metaphysicians or anything which everybody outside this Chamber, whether we know it or not, knows very well we are not. [Laughter and applause.]"

They know very well that we are not any very great judges, too, in interpreting things.

Mr. BORAH. Mr. President, do I understand that this poetry is relative to the views of the Senator from Mississippi and the Senator from Virginia [Mr. SWANSON] as to article 1 in this treaty?

Mr. WILLIAMS. It is relative to my view of some of these little bits of picayunish amendments offered by the opponents of the league of nations.

I read further:

"FOURTH SENATOR. Mr. President, I see nothing in the captiousness of these my opponents save their captiousness itself. [Laughter.] The expressions employed in this beautiful little prayer are merely forms of speech. They are not theological dogma, nor do they attempt to establish a point in dispute anywhere except, perhaps, between ourselves and the Mohammedans. [Laughter.] This prayer expresses a pretty sentiment. It is unfortunate that it does so in words. Words imply as many meanings as there are minds, and we construe them not by any common rule but according to whatever happens to be our belief. If this were not the most disputatious body on earth [laughter], if it did not put such a premium on cantankerousness as history has never seen equaled [laughter], and if it did not hold the motives of all men to be evil until they are by some miracle proven pure [laughter]—if this deplorable condition did not exist here, Mr. President, we would accept and ratify this prayer, happy in the confidence that our children, whose faith, thank God, is greater than our own, would be glad to say it with no thought that it might mean anything more than that through the night they are to be in the Lord's care. [Applause.] It is beneath our dignity as the most august deliberative body in a great Christian Nation to affect to see in it things no one ever dreamed of putting into it, and our grotesque attempts scientifically to analyze it reflect our own faultiness as a Senate rather than its faultiness as a prayer. [Laughter and applause.]"

That particular Senator seemed to have some gumption.

To continue the reading:

"FIFTH SENATOR. Mr. President, I yield to no man in acceptance of what is good, but our responsibility here is too great to accept anything blindly. The last line of this prayer says:

"I pray the Lord my soul to take.

"What do we know in this Chamber of the soul? Is the soul proven? Is it an accepted thing? Did this body ever say so? Did George Washington ever say so? Is it something established to everybody's satisfaction—a thing past debate in the Senate, and now to be recognized in law? Are we going on from this point to establish the status of soul mates [laughter], and to say finally whether or not corporations have souls? [Laughter.] Mr. President, we tread here upon ground so dangerous that we are likely to be blown up any minute. After centuries of debates among the most learned men the world has known—from Soc-

rates, who died in the happiness of feeling that he would see and talk to Homer, down to Prof. Muensterberg, who went off wondering and promised to signal us if there proved to be anything in it—after all this, Mr. President, the United States is to affirm in the ratification of this prayer the stupendous postulate of immortality! [Laughter and applause.] Mr. President, I don't feel equal to it. [Laughter.] Can you imagine the amaze of a world totally unprepared for any such affirmation from this quarter? [Laughter.] Let us not do that. Let us leave that great matter to those intellectual giants whose minds have never been ground down to the infinite detail of the senatorial function. [Laughter.] A man distributing postmasterships over a sparsely inhabited and none-too-well schooled commonwealth is not accustomed to orienting his thought unto the profound problem whether there is a life after this. [Laughter.]

"This is a sweet line:

"I pray the Lord my soul to take.

"It breathes the very spirit of our Christian land. It has in it all the ingeniousness of childhood. It reposes in, I think, an adequate quarter a beautiful trust. [Laughter.] Still, does the Senate want to make it something more than a matter of faith? Does it want to say it is so? No, Mr. President. We want to leave it just as it is. We want everyone quite free to make of it what he will, coereed by no one—least of all the Senate. [Applause.] It would, after everything else is said, be unconstitutional for us to do so. The Constitution guarantees religious freedom. This prayer implies a religious autocracy. Shall we treat our children any less fairly than we treat ourselves? Would we first ratify here a prayer and then require the Chaplain of the Senate to utter it whenever we convene? [Laughter and applause.] Anyway, who cares what the prayers of a Nation are so long as we can make its laws? [Prolonged applause.]

"SIXTH SENATOR. Information has just reached me of an amazing discourtesy to us all. Copies of this prayer have been in possession of Wall Street for two weeks! [Consternation.]"

Mr. BORAH. Two weeks? He is mistaken.

Mr. WILLIAMS. Two weeks he says; I leave questions of time to the author and to the Senator from Idaho to settle. Still continuing the reading:

"Incredible as it is that Wall Street could be interested in any prayer [laughter], I am informed that so far as the important centers of thought and action in this country go ours is about the last to come into possession of this one or to ascertain what is in it. [Groans.] This being the case, I must hold that the prayer is not something with which the Senate can in its dignity at this time have anything whatever to do. [Applause.] Our children can continue to go to bed in the way they have been going to bed. [Applause.] We are perfectly willing to take our chances with Providence, but we won't take any chance with Wall Street. [Laughter and cheers.]"

Mr. President, I read this because I wanted it published in large print instead of small print, as it would have been had I gotten leave to insert in the RECORD; and I do think that as a travesty upon a great deal of tweedledumming and tweedledeeing, and a great deal of "splitting hairs betwixt the nor' and nor'west sides" it is altogether malapropos.

Mr. BORAH. Mr. President——

Mr. FALL. Mr. President, will the Senator from Idaho yield to me for just a moment?

Mr. BORAH. Yes.

Mr. FALL. Listening to this exquisite piece of humor and sarcasm which has just been read into the RECORD by my friend from Mississippi [Mr. WILLIAMS], the wish struck me that the author might know a little more of the true inwardness of legislation and discussion in the Senate. If the author lived nearer or was a little more familiar with Washington and with proceedings in the Senate than he is in the backwoods of St. Louis, he would know that if that prayer had been offered here by a Republican for indorsement, immediately one of the Senators upon the opposite side would have risen and objected, and proceeded to make a speech upon Shantung or some other proposition, or engage in just such discussion as the Senator has been reading, while he would say to one of his companions, "Run, run to the telephone and find out whether or not the President wants this indorsement of the prayer," and upon the telephone being rung, and it being discovered that the President was out engaged in a game of golf, he would say, "Well, then, tell Tumulty just what is going on, that a Republican has offered a prayer here, and we do not know whether we should vote for the indorsement until we hear from the President"; and the answer would come back, "Filibuster; filibuster until the President can return and his wishes be known!"

Mr. WILLIAMS. Mr. President, I compliment the Senator from New Mexico for being almost equal in power as a fiction maker with the other funny man who wrote the article which I read.

Mr. FALL. Mr. President, I compliment myself at least upon being original, and not being compelled to retail fiction by reading from articles in the St. Louis Post-Dispatch.

Mr. WILLIAMS. Mr. President, I shall continue to take counsel from my intellectual humility and modesty, which recognizes a good thing, even though I did not originate it. I shall permit the Senator from New Mexico to take counsel from his egotism, which recognizes nothing but his own originality. There are a great many things that I read that are a great deal better than anything that I can say, perhaps even better than a very few things the Senator says that do not come up to his usual standard.

Mr. FALL. There is no doubt about that, Mr. President; and sometimes I think the Senator is justified in his course in reading into the RECORD in every debate editorials or fiction from some fiction writer. However, the real objection that the Senator from Mississippi has, if he has any, to the little statement I have made is that it is an everyday occurrence, with which he is familiar.

Mr. WILLIAMS. Mr. President, that also demonstrates how powerfully a man can draw upon his imagination. Sometimes you draw upon it and at first know it is a dream and do not believe it; then you make a second draft, and a third, and a fourth, and after a while you get to the point where you really believe the draft is genuine and will be honored in the court of fact.

Mr. BORAH. Mr. President, I am very fond of the Senator from Mississippi, but I think his taste for poetry is perfectly rotten.

Mr. WILLIAMS. Mr. President, that was not poetry. That was prose. The Senator is like the old woman who was very much astonished to find, after she was 70 years old and wanted to know what prose was, that she had been talking prose all her life.

Mr. BORAH. Mr. President, the present occupant of the chair [Mr. WOLCOTT] asked that I insert in the RECORD the treaties to which I made reference:

The Franco-Japanese treaty, which was signed in June, 1907.

The Japan-United States-Russia-Denmark agreement, signed in November, 1908.

The Russo-Japanese convention, signed in July, 1907.

The Anglo-Japanese alliance, signed the last time in July, 1911.

These treaties are found in full in the appendix of a book entitled "Our Eastern Question," by Thomas F. Millar. I think that is a sufficient identification.

Mr. SHERMAN. Mr. President, I wish to inquire whether any notices have been given for addresses on Thursday of this week?

The PRESIDING OFFICER (Mr. WOLCOTT in the chair). The Chair is advised that no such notices have been given.

Mr. SHERMAN. I will give notice, then, that I shall submit some observations on the Shantung question on Thursday, after the completion of the routine morning business.

The PRESIDING OFFICER. The question is on the adoption of the resolution as amended, reported by the Senator from Massachusetts [Mr. LODGE] from the Committee on Foreign Relations.

The resolution as amended was agreed to.

Mr. LODGE. I ask leave in this connection to print the statement from the Far Eastern Review and also a memorandum of the Far Eastern Bureau, which contains a very full account of the alleged treaty and also the text.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

ALLEGED SECRET JAPANESE-GERMAN TREATY.

The following is the draft of the alleged German-Japan treaty of 1918, with explanatory note. It is a copy of a document taken from the official files of the central soviet papers in the Bolshevik archives at Perm on February 2 of this year, when the anti-Bolshevik army ejected the Bolsheviks from the town. The document was obtained by Maj. Slaughter, United States Army, attached to the Siberian army for special service, and was telegraphed in cypher on February 22 from Ekaterinburg to Vladivostok, and thence again in cypher to Washington and Europe.

It is stated that the Bolshevik ambassador to Berlin procured the details of the alleged treaty after the German revolution and the sacking of the German state archives, and telegraphed them to Russia, and as the result the following appeared in the official "Isvestia" of the All-Russian Central Executive Committee of the Soviets, Nos. 255 (519) and 256 (520) of November 22 and 23, 1918:

From fully reliable sources we are informed that:

At the end of October there was received fully reliable and exact information about the arrival in Stockholm of the Japanese Extraordinary Representative Oda, with the aim of carrying on secret conversation with the German ambassador Lutzius concerning the conclusion of a German-Japanese secret treaty. An agreement in principle was reached, after which Oda went to Berlin for the final working out of the treaty itself. The result of the conversation was the draft of a treaty, which, together with the explanatory note

attached, we here publish. We are reliably informed that of the German Government no other than Scheidemann supported the project in question, which was, on the other hand, opposed by the deputy of the center, Secretary of State Erzberger. The revolution which took place in Germany prevented the carrying out of the plan which was the expression of the idea of the treaty and which consisted in the following, namely, that a restoration be carried out in Russia by the forces of Germany and Japan and a German, Russian, Japanese alliance be formed in which Russia should be subordinated to the other two partners in the alliance. After the revolution this treaty became known in the German press and it was published by the Hamburg "Red Banner." This disclosure caused animated discussion and bitter polemic, in connection with which the press close to the German Government tried to refute the very fact of the existence of such a draft. Material at our disposal, however, does not leave the slightest doubt of the authenticity of the documents published by us, all the more that in the composition of the present Japanese Cabinet entered one of the most important Japanese statesmen of German orientation, Gen. Tanaka, minister of war, whose pronouncement on the 7th of May, 1917, in defense of an alliance with Germany provoked at that time the protest of all the Allies. Furthermore, from the documents earlier published by the People's Commissariat of Foreign Affairs it is manifested that efforts toward the conclusion of a separate peace and an alliance between Germany, Russia, and Japan were made by the German Government in March, 1916, by the German ambassador in Stockholm, that same Lutzius, through the Japanese ambassador Ujida (Uchida).

DRAFT OF THE GERMAN-JAPANESE TREATY.

(Strictly confidential.)

PARAGRAPH 1. Both high contracting parties bind themselves as soon as the world political situation permits, to help the third party, Russia, to obtain under their direction the settlement of her internal affairs and the position of a world power.

PAR. 2. One of the high contracting parties, Japan, binds herself to allow the other high contracting party, Germany, the enjoyment of the prerogatives growing out of her treaties with the third party, Russia, as far as they concern Central Asia and Persia and assist in the conclusion of a most favored nation treaty with mutual (reciprocal) guarantees between the third power and the two contracting powers.

PAR. 3. One of the high contracting parties, Japan, binds herself to allow the other contracting party, Germany, the enjoyment of the rights of most favored nation given to her by the treaties in southern China and of certain privileges growing out of this treaty as yet to be defined in a special treaty, and in this connection both contracting parties bind themselves not to allow the passing of further concessions, in regions yet to be definitely defined, into the hands of foreign powers—America and England.

PAR. 4. One of the high contracting parties, Japan, binds herself indirectly to protect the interests of the other high contracting party, Germany, in the coming peace conference, in a manner agreeable to that party in order that she might suffer as little as possible from the onerous terms of peace in respect to territorial and financial losses.

PAR. 5. One of the two high contracting parties binds herself, on the basis of a treaty to be concluded with the third power after her restoration, to secure for the other contracting party, Germany, the conclusion of a treaty of mutual (reciprocal) guarantees, military, political, and economic, and to lend her services to the other party, Germany, in this direction.

PAR. 6. In return for this the other high contracting party, Germany, binds herself to conclude a secret military convention on land and sea with the aim of an alliance of mutual (reciprocal) guarantees and mutual protection against the aggressive intentions of America and England, the details to be worked out immediately after the conclusion of peace by specially empowered delegates of both high contracting parties.

PAR. 7. The secret treaty resulting herefrom will define the basic lines of foreign policy of the three high contracting parties and may in its full extent and in all its individual paragraphs be worked out immediately after the reestablishing of the third high contracting party, Russia.

PAR. 8. The present treaty is concluded for a period of five years counting from the moment of the restoration of the third party, with the exception of paragraph 4, which goes into effect immediately upon receipt of certificates of ratification. In case none of the high contracting parties announces, six months before the end of the five years' period, the intention of discontinuing the action of the treaty, it automatically remains in force for a further five years' period, until one or another of the contracting powers signifies its intention of discontinuing it.

PAR. 9. The present treaty should be ratified as soon as possible and certificates of ratification should be prepared in duplicate in French and German, the German text being the authentic one for Germany and the French text for Japan.

EXPLANATORY NOTE ATTACHED.

The question whether the western orientation which German policy followed during the whole course of the war was the right one received such an exhaustive answer from the very course of the war and of events that it is doubtful if a critical consideration of it is valuable, the more so that at the present moment it has a merely historical interest and not any real significance. The western orientation brought with itself also the mistake that they (the Germans) did not wish to conclude peace with Russia, because they considered it possible to preserve the continued readiness to carry on the war among the Social Democratic sections of the German people possible only under the motto of the battle against reactionary czarism.

In direct contrast to this was the policy of Japan who concluded in the middle of the war an alliance with Russia, the full meaning of which, in view of the disintegration of Russia, lies in the future.

The existence in Germany of the idea that it would be possible to make peace with England at the expense of Russia, as circumstances showed, was not only unfounded but entailed serious consequences in internal politics for the German Federation of States and for her allies.

This was, however, not the only mistake of the political orientation in question. After Germany reached the conclusion that an agreement with England, either directly or through America, was impossible, she let the moment slip by for a timely agreement with Russia, by means of which she could have thrown over the hoped-for bridge to the Near and Far East.

In all probability by means of such an orientation Germany would have prevented the disintegration of Russia and would have protected and even strengthened her rear in the East in an economic, political, and military sense.

Further, it is unlikely that Bolshevism would have been able to obtain such a clear cut mastery in Russia as has been seen in the past 12 months. In all probability in the event of an Eastern orientation on the part of Germany, its progress or mastery would have been only a momentary phenomenon or episode, and at all events would not have brought on such heavy internal and external catastrophes for that State.

An Eastern orientation of Germany would place England face to face with the necessity of withdrawing from a purposeless war and becoming peace loving because as a result of constant loss of tonnage her future economic development would be under direct threat and a Russia supported by Germany would be a military and political danger to the vital nerves of Asia.

But if supported by Germany, Russia is already a mighty factor constituting a serious danger for England [causing her?] to exercise the greatest caution in carrying out her policy; so much the stronger would this factor be if Japan, supported on the Continent by Germany and Russia, should joint the alliance. Such an orientation would constitute a very great danger for America and England.

From the foregoing it follows that the center of gravity of future world politics lies in the reestablishment of a Russia freed of Bolshevism and supported from outside for a number of years in which Germany and Japan would be equally interested.

From this Japan would gain the advantage by virtue of the treaty of mutual support with Germany and Russia; she would become a very strong military force with which America would have to reckon, all the more so that the divergence between England and America on the basis of the self-determination of nations is only a matter of time.

The new political alliance would mean a double advantage, both a political and an economical one, as she (Russia) would be economically strengthened by Germany and Japan, and would be politically protected against English and American aggression while she would again rise to the position of a world power.

For Germany economic advantage would be in the form of considerable concessions in Turkestan, thanks to which she could make herself independent of America in cotton and paper. In a political and military sense Germany would receive full cover for her rear on land through Russia and on sea through Japan.

The final end of such an alliance would be the complete removal of England from Asia, the isolation of England from America, through Canada and India, and the economic expulsion of America from Siberia and England from Russia on the one hand and the exploitation of China, Central Asia, and Persia on the other, the spheres of influence being divided according to the following boundaries: Germany receives freedom of action in South China, Persia, and Central Asia, while Japan can declare her pretensions to northern China, Manchuria, Korea, and Eastern Siberia.

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[Memorandum re alleged German-Japanese alliance relative to Russia and China by G. Charles Hodges, assistant director.]

(Treaty text over.)

SOURCE OF DOCUMENT.

The text of this alleged German-Japanese (Russian) alliance was secured by the representative of the Soviet Republic in Berlin following the German revolution and the sacking of the State archives. The Bolshevist ambassador telegraphed it to Russia, where it appeared in the official organ of the "All-Russian Central Executive Committee of the Soviets" (the Isvestia).

The United States came into possession of this document about two months afterwards, where it was found among the Bolshevist archives at Perm, Siberia, following the capture of that place by the anti-Bolshevist forces, February 2, 1919. (Agreement originally published Nov. 22–23, 1919, in the Isvestia, issues No. 255 (519) and No. 256 (520) in Petrograd.)

The transmitter was, it is said, Maj. Slaughter, United States Army, detailed on special service to Siberia.

UNITED STATES GOVERNMENT IN POSSESSION OF TEXT.

We understand this text to have been regarded as important enough in Siberia to telegraph it in cipher, February 22, 1919, from Ekaterinburg to Vladivostok, where it was again put into cipher and cabled to the United States.

The contents thus should have reached the Department of State by March 1, as well as the British and French foreign offices, about the same time.

CHINA FORCES PUBLICITY.

Public knowledge of this alleged transaction came from our associate in the Great War, the Republic of China. Coming into possession of this document from another source the Chinese Government cabled its contents to the Paris conference.

ALLIANCE OF OCTOBER, 1918, SECOND ENTENTE (NOT ALLEGED JAPANESE-GERMAN TREATY OF MARCH, 1916).

The significance of this second disclosure—entirely different from one of three years ago—can not be overlooked. During 1918 it was denied by England, France, and Japan, as well as subsequently discredited by America, that the alleged arrangements made between Germany and Japan concluded by Lutzius (for Germany) and Uchida (the Japanese ambassador to Russia then and now foreign minister) in March, 1916, in Sweden, had any validity, published in Russia by the People's Commissariat of Foreign Affairs.

Neither the British nor French foreign offices, or the Department of State, however, have given an official verdict.

If they were willing to scout the validity of the first alleged German-Japanese pact of 1916, why should these powers not do the same to this second treaty of October, 1918?

Is the answer in the matter that the second document can not be so denied; that there are diplomatic grounds for its existence?

ALLEGED GERMAN-JAPANESE NEGOTIATIONS, 1918.

This pact, neither confirmed nor denied by the powers affected, is said to have been negotiated in its preliminaries at Stockholm. Japan was represented by an obscure official named Oda, Germany again by Lutzius. Conversations were begun in the latter part of October, 1918.

An agreement in principle being reached, the final draft was made in Berlin.

As for the German attitude, Scheidemann is said to have supported the move, while Erzberger headed the opposition. The document came out during the collapse of Imperial Germany, the Hamburg Red Banner being the first to publish it.

VALIDITY OF THE PACT BY INTERNAL EVIDENCE.

The alleged pact has a comprehensiveness and carries a statesmanship which the first agreement published lacked. The historical setting of the new disclosures puts its consummation at the time Prince Max of Baden was in power. While this was a moment when the German armies were in retreat on the west front, the alliance showed considerable internal evidence of farsighted statecraft. (See Provisions, which clearly show this to be a logical reinsurance treaty, realizing that Germany had been defeated.)

Furthermore, ex-Premier Terauchi declared in the spring of 1918 that an alliance with Germany was a possible development of Japanese statecraft. Moreover, Lieut. Gen. Tanaka, subsequently war minister under Terauchi, stated openly that Japan should have a German alliance. This statement of May 7, 1917, aroused allied objections.

RELATION TO NEW REGIONAL UNDERSTANDING OF 1919.

This German-Japanese combination may be an important element in the present relations between Japan and Britain and France at present, explaining the rumored willingness of the two latter powers to divide the east with Japan along terms paralleling those alleged above.

POWERS WILL NOT REPUDIATE TREATY UNLESS BOLSHEVIK FORGERY.

A statement from Germany or the evasive denial of the alleged pact's validity recently made by Minister Obata in Peking, on behalf of Japan, will not carry any weight.

Nothing may be expected to be forthcoming from the powers affected unless they are convinced that it is a Bolshevik forgery.

—

DRAFT OF ALLEGED CONVENTION.

(Strictly confidential.)

Paragraph 1. Both high contracting parties bind themselves, as soon as the world political situation permits, to help the third party, Russia, to obtain under their direction the settlement of her internal affairs and the position of a world power.

Par. 2. One of the high contracting parties, Japan, binds herself to allow the other high contracting party, Germany, the enjoyment of the prerogatives growing out of her treaties with the third party, Russia, as far as they concern central Asia and Persia and assist in the conclusion of a most-favored-nation treaty with mutual (reciprocal) guaranties between this third power and the two contracting powers.

Par. 3. One of the high contracting parties, Japan, binds herself to allow the other contracting party, Germany, the enjoyment of the rights of most favored nation given to her by the treaties in southern China, and of certain privileges growing out of this treaty as yet to be defined in a special treaty, and in this connection both contracting parties bind themselves not to allow the passing of further concessions in regions yet to be definitely defined into the hands of foreign powers—America and England.

Par. 4. One of the high contracting parties, Japan, binds herself indirectly to protect the interests of the other high contracting party, Germany, in the coming peace conference, in a manner agreeable to that party in order that she might suffer as little as possible from the onerous terms of peace in respect to territorial and financial losses.

Par. 5. One of the two high contracting parties binds herself on the basis of a treaty to be concluded with the third power after her restoration to secure for the other contracting party, Germany, the conclusion of a treaty of mutual (reciprocal) guaranties, military, political, and economic, and to lend her services to the other party, Germany, in this direction.

Par. 6. In return for this the other high contracting party, Germany, binds herself to conclude a secret military convention on land and sea with the aim of an alliance of mutual (reciprocal) guaranties and mutual protection against the aggressive intentions of America and England, the details to be worked out immediately after the conclusion of peace by specially empowered delegates of both high contracting parties.

Par. 7. The secret treaty resulting herefrom will define the basic lines of foreign policy of the three high contracting parties, and may in its full extent and in all its individual paragraphs be worked out immediately after the reestablishment of the third high contracting party, Russia.

Par. 8. The present treaty is concluded for a period of five years counting from the moment of the restoration of the third party, with the exception of paragraph 4, which goes into effect immediately upon receipt of ratification. In case none of the high contracting parties announces six months before the end of the five-year period the intention of discontinuing the action of the treaty, it automatically remains in force for a further five-year period, until one or another of the contracting parties signifies its intention of discontinuing it.

Par. 9. The present treaty should be ratified as soon as possible and certificates of ratification should be prepared in duplicate in French and German, the German text being the authentic one for Germany and the French text for Japan.

EDSEL FORD'S EXEMPTION CASE.

Mr. SHERMAN. Mr. President, a few days ago, seeking to inform myself and to refresh my memory, I went to the War Department in order to find some evidence on the returns made by the local boards from the State of Michigan, to prepare myself for an election contest pending here, which some time will be heard. The Secretary of War, through The Adjutant General, refused me access to the public records. I have no right to see the questionnaires in those matters. They are sealed up, and are not matters of public record; but under the rules of the War Department, or the Provost Marshal General, rather, the second edition, and especially under section 11 of the rules, all except the matters relating to the family history and the physical and mental examination of the registrant are declared to be public records. I sought to see those public records, and that right was denied me by the Secretary of War. I have prepared my views on that question, but owing to the lateness of the hour I do not care to make an address on the subject, but I ask to have them printed. I think they will be sufficiently illuminating without any oral utterance. I ask that they be printed in the ordinary type and not in small type.

The PRESIDING OFFICER. The Chair understands that a request to print remarks, more or less in the nature of a leave to print, has never been granted in the Senate.

Mr. SHERMAN. Then I will read it or I will speak it. I desired to save the time, but I appreciate that a precedent ought not to be made.

A NATIONAL SCANDAL.

I recently applied to Secretary of War Baker to read the records in the Edsel Ford exemption case. The Secretary denied the right, saying through The Adjutant General that matters mental and physical and family dependency were so mingled with the other records as to make it improper. Those exempted subjects are all in the sealed questionnaire, and are in no way connected with the public records of the Ford exemption. The Secretary knows this. His action is solely to shield a presidential pet, who was kept out of the military service of the United States by a gross abuse of Executive power. Secretary Baker conceals the proof of the President's favoritism in this case and his own connivance with it as Secretary of War. The humble citizen with a wife and child but no millionaire father and order from the President to exempt him from the service may well doubt the good faith of the executive heads who apply the draft law. The young man who left his family to live on $30 a month and his wife's efforts would like to read the public record of Edsel Ford's exemption. It is a disgraceful affair, and Secretary Baker well knows the only safety for the President and himself is in suppressing the record of it.

Henry Ford is asking to unseat the sitting Member from Michigan who ran against him last November. The senior Senator from Illinois [Mr. SHERMAN] is a member of the Committee on Privileges and Elections, and desired to inspect those records as material evidence in that contest. Henry Ford alleges votes were had against him by the corrupt use of money. I wish to examine his course in procuring the exemption of his son from military service, and the President's orders to that end, to show Ford was defeated by the people of Michigan in resentment and disgust at such discrimination. That evidence was denied me, and so much of my preparation of the hearing of that contest waits.

In the absence of a reading of the records, I am compelled to rely on secondary evidence. Any inaccuracies which may appear are due to this lack of primary evidence.

An examination of the rule shows that it was drafted for the sole purpose of creating exemptions. I read from page 8 of Selective Service Regulations (second edition), section 11:

All records required by these rules and regulations to be filed with and kept by local and district boards, adjutants general, and other persons in connection with the registration, examination, selection, and mobilization of registrants under the selective-service law, and these regulations shall be public records and shall be open during usual business hours for public inspection of any and all persons. (See sec. 12.)

Provided, however, That the answers of any registrant concerning the condition of his health, mental or physical, in response to Series II of the questions under the head entitled "Physical fitness" in the questionnaire, and other evidence and records upon the same subject, and the answer of any registrant to the questions under series X of the questions under the head entitled "Dependency" in the questionnaire, except the names and addresses of the persons claimed to be dependent upon such registrants, shall not, without the consent of the registrant, be open to inspection by any person other than members of local and district boards.

And so forth, naming other officers.

Now that the President is again on his native soil he might profitably give attention to this national scandal, which begun at his table and reached back to Detroit, Mich. Three hundred and sixty-eight thousand and sixty-four men registered in Michigan for military service June 5, 1917. Among them was Edsel Ford, son of Henry Ford, late a candidate for Senator in that State, and is now a contestant for a seat in this body.

Edsel Ford was called before his local board No. 21, Detroit, physically examined, and passed. No claim of exemption was made to the local board, but within five days he claimed exemption to the district board. He asserted he was an industrial necessity in his father's factory, which would suffer material loss if he was separated from it. Among supporting affidavits is that of Henry Ford, his father, who averred it would be a substantial and material loss to remove his son Edsel from the pay roll. Only a short time before this Ford had testified in the suit of Dodge against Ford that not a single man in his entire industry was necessary to him, so perfect was his system of organization.

Edsel Ford was about 23 years old at that time. His experience was limited, and it did not appear in detail what the character of his work performed was. It appeared the company was wonderfully organized with a variety of executives, experts in their respective lines. It was the largest individual industry in the district, numbering many large enterprises. Yet Edsel Ford

was the only man in the entire district claiming occupational exemption, alleging he was necessary to the successful operation of the business. The quota of the district was 12,539 men. When the board decided the case it had actually certified to The Adjutant General for service 11,080 men. This had required an examination by the local boards of the district of about 70,000 registrants. The district board unanimously denied his discharge from military service. The board was composed of three Democrats and two Republicans, all men of wide experience in practical affairs. They say:

It is unthinkable that this young man, 23 years of age, should be the only one of his class in this entire examination.

It is further observed by the board:

It is a matter of general knowledge that Mr. Ford got along in business surprisingly well for a long period of time without any help from his son. We have no doubt but that during this critical period in our country's progress he will find a way to continue to do so.

The board adds:

To say that the loss of service to the Ford Motor Car Co., with their wonderful organization, of this young man would result in a direct substantial material loss to the company is obviously absurd. To allow this claim would not only fail to maintain the national interest, but would seriously, adversely, affect the national interest during the present emergency. We can think of no one thing that would more deservedly subject the selective draft to serious criticism and the imputation of special favoritism than to allow the claim for exemption herein urged.

From this unanimous decision of the district board Edsel Ford appealed to the President for exemption from military service into which thousands of his fellow countrymen had been drafted. He asked for a stay of drafting into the service pending the appeal, which was granted, and all papers were promptly forwarded to the President, who kept them September, October, November, and part of December, 1917. On December 15, 1917, the Revised Selective Service Regulations, Form 999, became effective. The records of the district board No. 1, of Detroit, will show several hundred appeals were made to the President, and most of them were decided before the revised regulations were promulgated, leaving Edsel Ford's appeal the only one on the President's table. An order was simultaneously issued that no undecided cases pending on presidential appeal should be returned to the boards and any registrant affected by the appeal should have come under the new system with its benefits and advantages. It is generally believed that Henry Ford made a direct application to the President in Edsel's appeal, and as a result Gen. Crowder was, much against his own choice, required by the President so to form the new regulations as to create a class into which Edsel Ford could fall and be exempted without arousing too much attention or comment.

Note class 2-a of the new regulations:

Married men with children, or father of motherless children, where such wife or children or such motherless children are not mainly dependent on his labor for support, for reason that there are other reasonable certain sources of adequate support excluding earnings or possible earnings from labor of wife available and that the removal of registrant will not deprive such dependents of support.

An examination of such rule shows it does not comply with the act of May 18, 1917, or the Provost Marshal General, as first interpreted and applied to him. The law permitted the President to exempt only those in a "status with respect to persons dependent on them for support which renders their exclusion or discharge advisable."

The words in the new regulations "mainly dependent for support" in class 2-a is a palpable invasion of the law, because class 1 furnished 2,800,000 men and was constantly increased by new registrants. It was most likely that class 2-a would never be reached. The rank favoritism, however, under class 2-a and the definition in the Selective Service Regulations, second edition, page 46, is apparent. I quote:

Registrants may claim and may be entitled to deferred classification, class 2a * * * although wife or children are not mainly dependent upon his labor for support.

A grosser perversion and abuse of Executive power or nullification of an act of Congress can not be cited.

The draft boards and the public voiced a tremendous protest against such an arbitrary, unjust rule. Many draft boards refused to classify anybody under it. It was known all over Michigan and elsewhere as the Edsel class. Young Ford, on the creation of class 2-a, immediately claimed exemption under it. The local board denied it in spite of the new rule. He appealed to the district board, which exempted him by a vote of 3 to 2.

The effect on the draft was so disastrous in Michigan that the Government ordered two investigations, and the President tendered, while one of them was pending, a commission to Edsel Ford, which he refused. Neither as an officer or a private was he willing to serve his country. He had a wife and one child, and was exempted under the second regulations, while other married men with children or whose cases had been decided had gone to war or were waiting to go to war under the first regulations. These men had the law changed arbitrarily in plain view by the President to exempt Edsel Ford, while under the first ruling they were drafted. The new or second rule was not applied so those who had not gone to camps but who had failed to appeal to the President would have the benefit of it. A protest went up against this discrimination that made even the hardened departmental officers wince. It explains why the Secretary of War refused to let the public records of the case be seen by a Member of Congress. They can not stand daylight.

Why was Edsel Ford's case held up by the President for months? There was nothing complicated about it. A young man 23 years old claimed he was indispensable to an industry. His father was of enormous wealth and head of what he had sworn was so perfect a corporate organization that nobody's death or withdrawal would affect it. Both the local and district boards had unanimously refused to exempt him. The long delay was to contrive a rule that would release him from service. It took time to invent something that would send many thousands to war and exempt a wealthy protégé of Executive favor.

The appeal ought to have been immediately decided and returned, so drafted men would know Edsel Ford was an example to show that all were treated alike and the draft law was what it was intended to be, a common rule for all instead of a house of refuge built by special regulations to except a wealthy scion of a wealthy father. It was demonstrated that the decision was delayed and young Ford escaped with no actual dependency on him of any kind under any rules or laws. Until this special exemption was framed for Ford, the act itself and every rule promulgated by Gen. Crowder made actual dependency the sole and only test.

Hundreds of thousands were conscripted under the first regulations and the Army was practically raised under rules from which Edsel Ford was at last removed by long delay and a special rule devised by the President palpably for no other purpose.

It was regarded as so gross an exhibition of favoritism that registrants in Michigan did not hesitate to claim the benefit of class 2-a. In other States draft boards did not take the new rule seriously and registrants were ashamed to avail themselves of it. This is demonstrated by the following statement:

In Michigan there were 411,000 registrants and 84,601 in class 2-a.

That shows that the indignation in Michigan was pronounced and widespread.

In Alabama there were 206,248 registrants and 20,850 in class 2-a.

In New York there were 1,120,332 registrants and 74,715 in class 2-a.

In Pennsylvania there were 902,996 registrants and 79,794 in class 2-a.

In Ohio there were 617,371 registrants and 47,467 in class 2-a.

In California there were 332,593 registrants and 13,177 in class 2-a.

In Massachusetts there were 398,364 registrants and 31,330 in class 2-a.

In Wisconsin there were 266,691 registrants and 24,392 in class 2-a.

Comment on such a rule is needless when New York with 1,120,332 registrants, nearly three times Michigan's, had only 74,715 men, 10,000 fewer than Michigan, claim exemption under the Edsel Ford rule made expressly for him by the President.

We can now understand why Ford, the father, became a candidate for the United States Senate in Michigan because the President asked him to. It explains why the Secretary of War protects both the Fords by refusing the right to examine the public records in the case. What a democracy of military service it is! The Secretary does well to suppress the public records of his Chief's and his own evasion of law and shameless abuse of power.

I have a statement and some quotations that I wish to insert without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

A STATEMENT ON A NATIONAL WAR SCANDAL.

"On June 5, 1917, 368,064 men registered in Michigan for a military service. Among them was Edsel Ford, son of Henry Ford, late a candidate for Senator in that State and now a contestant in this body. Of these registrants 135,341 were accepted for service. Of those accepted 44,516 went to camp and abroad

before November 15, 1917, when the President promulgated the new regulation and when Edsel Ford's appeal was returned by the President without action. Of these 44,516 named accepted for service from the State of Michigan under the first regulations of the draft law 6,840 were married men, as it appears from the report of the Provost Marshal General.

"Edsel Ford was a registrant of local board 21, Detroit, which under the first draft regulation had a registration of 2,449. Four hundred and forty-eight were accepted physically. After the June 5, 1917, regulation under the selective-service law of May 18, 1917, regulations were promulgated June 30, 1917, by the Secretary of War, known as the Rules and Regulations, Form 13.

"The act authorized, under section 4 of the law of May 18, 1917, the President to exempt persons engaged in industry, including agriculture, found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interests during the emergency, and those in a status with respect to persons dependent upon them for support which renders their exclusion or discharge advisable, and those found to be physically or morally deficient. The foregoing act used only the word 'exemption,' and it is to be noted only authorized the President through the machinery of the draft boards which he was to create under the act, and the regulations which he was to promulgate for their guidance under the act to exempt on the ground of dependency 'those in a status with respect to persons dependent on them for support, which renders their exclusion or discharge advisable.' It will be seen later that the promulgation of the second regulation was an avoidance of the words in the act 'persons dependent on them for support.'

"Under the first regulation promulgated by the President to govern the registrants of June 5, 1917, Form 13, the system was, in brief, that local and district boards were created in each State. The local boards had exclusive jurisdiction over the dependency and certain other claims for exemption made by the registrants and had complete control of the physical examination, mobilization, and entrainment of the men. The district boards had appellate jurisdiction of the appeal of the man if held for service, and upon the Government's appeal is exempted over all registrants. Such boards had exclusive jurisdiction of claims made on industrial or agricultural grounds. Under these first regulations all men were first examined by their local boards, and then on very informal, brief, and easily understood blanks made their claims before the local board if they desired. If they passed their physical examination and had no claims within the jurisdiction of the local board, such as dependency, they filed their claim for industrial or agricultural exemption with the district board. This claim consisted of a small blank to be filed with the district board, setting forth their claims and supported by as many affidavits as they cared to procure in support thereof. The district board then passed upon the same, and if the registrant was not satisfied, he could within seven days appeal to the President. It then became the duty of the district board to certify the entire record in respect to such claim to the President, who might affirm, modify, or reverse the decision.

"The first regulations provided, as to dependency, as follows: 'Any married man whose wife or child is dependent upon his labor for support' might be exempted upon the showing that the income from which the wife or child received their support was mainly derived from property or other sources independent of his mental or physical labor. Exemptions were only provided for 'those in a status with respect to persons dependent upon them for support, which renders their exclusion or discharge desirable.'

"The man and his wife had to make a very full showing as to the income of each of them and of each child, and of any sums contributed to them and from what the sums were derived. The regulations provided that the term 'labor,' as used in the regulations, meant the fruit of mental or physical effort and not income derived from property or other sources independent of mental or physical labor.

"After the promulgation of these regulations a number of rulings were handed down by the Provost Marshal General, principal among which was the 'ready, willing, and able' regulation, which is said to have been procured directly from the President, and which, in brief, was that if either the registrant's relatives, or his wife's relatives, or his children's relatives were ready, willing, and able to support his wife and children in the husband's absence, then no case of dependency was made out. This situation is referred to in the first report of the Provost Marshal General, after the first draft was through, published December 20, 1917. In this report, at page 22, Gen. Crowder says:

"The most difficult problem of selecting for the local boards was raised by the question of dependency, and especially in its relation to married men of draftable age. There has been some very significant debate in the Senate on consideration of the bill as to whether married men should be exempted from the first draft as such, or whether the determinative principle should be dependency, as it had been agreed that it should be in all other relationships. An amendment exempting married men as such was rejected by the Senate on the direct issue that there was no equity in excusing a married man and necessarily sending a single man to the battle front in his place, when no condition of dependency of the wife existed in fact. There is much to be said on both sides of this question, but it was for this office to execute the law and not to debate it.

"It is significant that on December 20, 1917, Gen. Crowder saw fit to abide by the sentiment of the Senate and to execute the law and not to debate it, by not exempting married people merely because they were married. But, by the time he promulgated his second regulations, he had a change of heart and succeeded in defeating the Senate by—instead of using the word 'exemption,' as used in the act—using the word 'deferment,' and creating five classes, knowing, however, that classes 2 and 3 and 5 were tantamount to exemption. To show that he did know this we have but to refer to the report of December 20, 1917, where, in large type, at page 35, in speaking of the creation of the new system, he says:

"No human mind can forecast the resultant numbers in class 1, but (as the roughest guess, based on the experiences of the first draft) it is estimated that class 1 will comprise a list of physically acceptable men, in number close to 1,000,000—enough for any call in present prospect. Whether this guess be justified in practice or not, it can be announced now as the policy and belief of this office and in all probability it will be possible to fill our military needs without ever invading any class more deferred than class 1; and this is the promise, the standard, and the goal, here for the first time announced, toward which every administrative effort of this office shall be directed.

"Gen. Crowder, in his second report, issued December 20, 1918, after the close of the war, at page 2, quotes this standard and goal set by his office, and says:

"The promise has been fulfilled. Our fighting forces were supplied with men from class 1 only. From the ordinary walks of civil life 2,810,296 men were drawn and placed in the military service. But the deferred classes have remained intact. When hostilities closed there remained in class 1 a supply of fighting men sufficient to meet every military necessity.

"And if the course of the second draft, after the creation of the five classes, be followed, it will be seen what efforts were made by Gen. Crowder to keep class 1 filled, so as not to invade the other classes. He did this by the creation of the "work or fight" and other orders. In the first report Gen. Crowder, after making his remark that he was to execute the law and not debate it, continues:

"It may not be amiss to remark, however, that the net result of the provision was to extract from the field of persons who had no claim of exemption other than the fact that they were married 163,115. And of the 1,294,830 persons discharged on all possible grounds of exemption, 748,762, or 58 per cent, were discharged on the ground of dependency accruing from marriage. There were 1,500,056 married persons called, and only 163,115, or less than 11 per cent chosen.

"The question of actual dependency was left to the boards to determine. It can hardly be said that local boards composed of the neighbors of men to be taken for military service were not the best conceivable tribunals to weigh these questions of dependency, or that they could not be relied upon both to protect the Government from the insistence of selfish and thoughtless claimants on the one hand, and to treat each case of substantial merit with intelligence and sympathetic consideration on the other. In by far the majority of boards this result was attained, but in a very few instances such an uncompromising view of the regulations and the rulings issued in aid thereof was taken that some married men were selected, leaving wives and even children in distress.

"It must be recognized that there were very great difficulties in deciding individual cases. * * *

"Very early in the execution of the law the specific question was put to this office: 'Where the parents of the registrant, or his wife, or both, are ready, able, and willing to undertake the support of the wife during the absence of the registrant can the wife be considered as mainly dependent on the labor of the registrant for support?' It is an extremely dangerous thing to attempt to guide the discretion of so large a collection of tribunals. * * * At the time this question was propounded reports from the various governors were rather alarming, since it was stated that over 70 per cent of registrants were claiming exemption on the ground of dependency. A considerable class of cases had been brought to the attention of this office in which men who had never really supported their wives, but who were, in fact, dependent on their own parents or the parents of their wives, were claiming exemption on the ground that their wives were 'mainly dependent on their daily labor for support.' * * *

"On August 8, therefore, a ruling was made that in that class of cases where the registrant, as a matter of fact was not dependent upon himself, and the parents of the registrant or of his wife were ready, able, and willing to undertake the support of the wife during the absence of the husband, the boards would be justified in finding that such a registrant had not a good claim for exemption on the ground of the dependency of his wife.

"This ruling did not work well. The few boards that had been prone to hold married men for service in the absence of the most unequivocal circumstance of dependency took the ruling as authority to look into the material wealth of the parents of the husband or of the wife. Regardless of readiness and willingness, regardless of whether or not the wife had in the past been actually dependent on the labor of the husband for support, these boards held some married men for service wherever it appeared to them that, rather than let the wife

suffer, the parents would undertake her support during the absence of the husband.

"As soon as this condition developed attention of the boards was called to the error on August 27, and the district boards were cautioned to scan cases before them on appeal to correct such errors. On September 27 local boards were instructed to reopen and reconsider cases in which such erroneous action had been taken, even though the registrant might have been inducted into military service in the meantime.

"It will be noted that at the very time Gen. Crowder wrote the above, the appeal of Edsel Ford was nominally on the President's desk and actually in Gen. Crowder's office, probably on Col. Warren's desk; and that he nowhere in this report refers to the cases of married men with or without children possessed of ample means themselves to support their dependents in their absence, or whose wives were possessed of the same means. In Edsel Ford's case both parties, husband and wife, were possessed of ample, independent means.

"In Gen. Crowder's second report, in speaking of the situation under the first draft regulations, he refers to the fact that class I was constantly being replenished by the new registrants arriving at age, and by men giving up exemptions granted to them and by other means.

"In the second report Gen. Crowder made after the war he takes up the subject of dependency at page 108, and speaks of the rulings during 1917, under which Edsel Ford first came, and under which he should have been sent to war. He speaks of the case of the wife able to obtain support from her own labor or from the assistance of relatives of herself or her husband. He says that August 8, 1917, he issued a ruling that no dependency should be deemed to exist in the following cases:

"1. Where the parents or other relatives of the wife or the husband are able, ready, and willing to provide adequate support for her (and children, if any) during the absence of the husband.

"2. Where the wife owns land which has produced income by the husband's labor, but which could, with reasonable certainty, be rented during his absence to other persons so as to produce an adequate support.

"3. Where there exists some arrangement by which the salary or wage of the husband is continued, in whole or in part, by third persons, being employers or insurers or others, and such portion of the salary or wage, either alone or with an allotment of his soldier's pay, or with other definite income, will furnish a reasonably adequate support.

"Gen. Crowder continues:

"The matter having been presented to the President, the following were his orders thereon:

"'We ought as far as practicable to raise this new National Army without creating the hardships necessarily entailed when the head of the family is taken, and I hope for the most part those accepted in the first call would be found to be men who had not yet assumed such relations. The selective service law makes the fact of dependence, rather than the fact of marriage, the basis for exemption, and there are undoubtedly, many cases within the age limits fixed by law, of men who are married and yet whose accumulations or other economic surroundings are such that no dependency of the wife exists in fact. Plainly, the law does not contemplate exemption for this class of men. The regulations promulgated on June 20, 1917, should be regarded as controlling these cases, and the orders issued under that regulation directing exemption boards to establish the fact of dependents in addition to the fact of marriage ought not to be abrogated.'

"Accordingly, the following ruling was announced: (Compiled Rulings, P. M. G. O., No. 10, par. 1, Aug. 27) Dependency—Other sources of support.—Paragraph B, Compiled Rulings of this office, No. 6, addressed a state of affairs where the parents or other relatives of the wife or husband are able, ready, and willing adequately to support the wife and children, if any, during the absence of the husband. This ruling was responsive to a class of cases that had been brought to the attention of this office where claims of discharge had been made on the ground of dependency on a husband who, as a matter of fact, was not dependent upon himself. The ruling directed the attention of local boards to the fact that scrutiny of cases of this kind might disclose that no discharge was advisable. It was not intended in paragraph B, Compiled Rulings No. 6, should apply to the case of a head of a family whose family at the time of his summons and prior thereto were and had been mainly dependent upon his labor for support. At the same time for the specific case of a wife able to earn a livelihood by her own skill it was announced that 'where the wife and children were actually dependent on the applicant's labor for support and where there are no other means of support, the wife should not be put to the necessity of going to work to support herself'; and that such claims should therefore be recognized 'where in his absence they will be left without reasonably adequate support, after duly taking into consideration the soldier's wage and support from relatives partially or totally previously extended to the applicant himself.'

"It was thus apparent that though the principle of dependency as distinguished from marriage alone was the fundamental characteristic of the law and the regulations, yet its application developed a number of well-defined intermediary cases of varying degrees of equity, upon which the local boards could not be expected to deal with uniformity to general satisfaction. The first system of selection, therefore, while well adapted to cases where the presence or the absence of dependency was unmistakable, was found to lack sufficient flexibility to cover satisfactorily the great mass of intermediary cases.

"Gen. Crowder then, at page 111, justifies the creation of class 2-a. This concludes the remarks on the first system of the draft, and we resume the discussion of Edsel Ford's particular case under it. In August, 1917, Edsel Ford was called before local board No. 21, Detroit, physically examined, and passed. He made no claim to the local board, but within five days filed a claim with the district board, claiming to be a necessary employee in a necessary industry which would suffer substantially and materially loss and detriment if he was taken from it. This affidavit had a number of supporting affidavits, including that of his father, Henry Ford. The affidavit of the latter was palpably false, as he had testified a short time before in the case of Dodge against Ford pending in the Wayne Circuit Court that not a single man in his entire industry was necessary to him, such was the perfection of his system. This claim came up before the district board in Detroit, being district board No. 1, of Michigan, composed of Hon. James O. Murfin, a former circuit judge of the State, a regent of the University of Michigan, and a well-known lawyer; the Hon. Frank H. Croul, former police commissioner of the city and a prominent merchant and manufacturer; Henry B. Ledyard, Esq., a prominent lawyer; the Hon. James B. Cunningham, a prominent Democratic politician and former labor commissioner of the State; and a Dr. Trizsky. Croul and Murfin were Republicans and the other three Democrats. This board unanimously denied Ford's claim by exemption and rendered, in part, the following opinion:

"The character of this application for an occupational exemption makes it seem desirable to file in this case a formal opinion in order that it may be used as a guide to the public and ourselves for future action.

"Edsel Ford is 23 years of age and only son of Henry Ford, the founder and present guiding spirit of the Ford Motor Car Co. While the claim is not supported by any showing from the chief executive of the company, there are supporting affidavits before us filed in support of this claim by subordinate officers.

"It appears from these affidavits that the applicant is a director, vice president, secretary, and treasurer of the recently organized corporation known as Henry Ford & Son. For two years he has been director, vice president, and secretary of the Ford Motor Car Co. There is no serious claim made that any substantial part of his activities are at the present time devoted to Henry Ford & Son. The exact nature of his duties with the Ford Motor Car Co. does not appear in detail, nor is there before us any definite statement of the character of the work he has been in the habit of performing. Running through the record, however (and this is substantiated by statements made to the board), it appears that primarily and principally this young man is being used in the business to relieve his father of some responsibility and do some of his father's work when Mr. Henry Ford is otherwise engaged.

"Is the given individual necessary to the industry? Our instructions from the President in connection with this phase of the case reads as follows:

"'The evidence must also establish, even if the particular industrial enterprise * * * is found necessary * * * that the continuance of such person therein is necessary to the maintenance thereof, and that he can not be replaced by another person without direct, substantial, material loss and detriment to the adequate and effective operation of the particular industrial enterprise * * * in which he is engaged.'

"In the light of these instructions, the determination of this last question becomes quite simple. It is not an exaggeration to state that the fame and reputation of the Ford Motor Car Co. organization is little short of marvelous, and its demonstrated efficiency is known the world over. The extraordinary achievements of this company would have been impossible but for the wonderful organization built up, in which the executives take and should take a very proper pride. It is a most significant fact that this industry, far and away the largest individual industry within our district, should have, at the time this claim for an occupational exemption was filed, but one man of draft age claimed to be necessary to its successful operation. The quota on the present call for our district is 12,539 men. More than this number have already been certified to our board by the various locals within our jurisdiction, and at the time this case was considered we had actually certified to The Adjutant General for service 11,080 men. This had involved an examination by the local boards of approximately 70,000 men. It is unthinkable that this young man, 23 years of age, should be the only one of his class in this entire examination.

"There can be no doubt that it is at all times commendable for any son to gradually prepare himself to help his father, but for us to excuse this young man from military service we must find under our regulations that he is necessary to this industry. It is a matter of general knowledge that Mr. Henry Ford got along in business surprisingly well for a long period of time without any help from his son. We have no doubt but that during this critical period in our country's progress he will find a way without much inconvenience to continue to do so.

"The primary object of the occupational exemption clause of the Selective Draft Act is to exempt from military service trained and skilled artisans whose work can not be duplicated by men over the draft age. It is not contemplated that bookkeepers, cashiers, and men of that description should be in the exempt class, and only in certain cases can an executive officer be said to be of the exempt class. Such cases do arise and will arise in the future but they are rare and exceptional in their nature. To say that the loss of service to the Ford Motor Car Co., with their wonderful organization, of this young man would result in a direct, substantial, material loss to the Ford Motor Car Co. is obviously absurd.

"It is a matter of common knowledge that Mr. James H. Cousins, a business man of ripened and matured experience, who had grown up with this business from its infancy, severed his connection abruptly but without an apparent direct, substantial, and material loss. * If the organization is so perfect as not to feel the loss of a man of his character and description, how can we possibly find that there would be the loss contemplated by the statute if the applicant herein severed his connection with the company?

"No definition has yet been given by any district board or The Adjutant General of the phrase in the law reading, 'The maintenance of national interest during the emergency,' but, in our opinion, there is here presented a case when the national interest during the present emergency would be very seriously affected if a claim would not only fail to maintain the national interest but, in our judgment, would seriously adversely affect the national interest during the present emer-

gency. We can think of no one thing that would more deservedly subject the selective draft to serious criticism and the imputation of special favoritism than to allow the claim for exemption herein urged.

"Because of these reasons we reached the conclusion that the application for a discharge from military service would have to be denied.

"DISTRICT BOARD, DIVISION No. 1,
EASTERN DISTRICT OF MICHIGAN."

"Edsel Ford then appealed to the President and asked for a stay of induction pending the appeal, which was granted; and the papers were then promptly forwarded to the President and remained with the President September, October, November, and were not returned till December, without action, when the President promulgated his new rules and regulations, with five classes; and Gen. Crowder simultaneously issued an order that no undecided cases on presidential appeal should be returned to the boards, and the registrants come under the new system, with its benefits and advantages.

"Revised Regulation, Form 999, known as the Selective Service Regulations, or S. S. R., became effective December 15. The records of district board No. 1 of Detroit will show that several hundred appeals were made to the President, and most of them, subsequent to the appeal of Edsel Ford, but all of them were decided before the new regulations went in, and it is said that Edsel Ford's appeal was the only one remaining upon the President's desk.

"Before going into the new regulations, which, in my opinion, were not justified by the act of May 18, 1917, it may be said here that it is generally rumored that direct appeal to the President was made in Edsel Ford's case after the case had been formally appealed, and that, as the result, he called in Gen. Crowder and wrote a certain personal letter to Gen. Crowder, and that the new regulations were formed and designed to take care of Edsel Ford's case by creating a class into which he could fall without too much comment. It is well known that Gen. Crowder, to various draft officers throughout the country, and to prominent citizens, stated that the creation of this new class for Edsel to fall into was not of his own choice.

"The new regulations created five classes, of which class 1 was to be the class in which all men available for service were to be placed. Class 5 was to be deemed permanently exempt; and classes 2, 3, and 4 temporarily exempt (page 1, S. S. R., Form 999). The only class we are concerned with is class 2-a. This class reads:

"Married man with children, or father of motherless children, where such wife or children, or such motherless children, are not mainly dependent on his labor for support, for reason that there are other reasonably certain sources of adequate support, excluding earnings or possible earnings from labor of wife, available, and that the removal of registrant will not deprive such dependents of support.

"Class B was for a married man without children, whose wife either had worked for her support or had a profession or trade to which she could readily return with an opening to support herself.

"A most casual examination of class 2-a will disclose at once the fact that the class does not comply with the wording of the act, or Gen. Crowder's understanding of it, as explained by him in his first report. The wording of the act only permitted the President to exempt 'those in a status with respect to persons dependent on them for support, which renders their exclusion or discharge advisable.'

"As the words in the act were 'dependent upon them for support,' the words in class 2-a are 'mainly dependent for support,' and, in addition, these persons put in 2-a were exempted even though the word 'deferred' was chosen, because class 1 provided 2,800,000 men, and was constantly replenished by new registrants, the work or fight rule, the changing of occupations of men, and the removal of dependents for various causes, and by the constant shifting of the other classes by the boards. In fact, with over 4,000,000 men under arms in war, and not all of class 1 used at its close, with 2,000,000 infantrymen in France, it is highly improbable that the Army could accommodate more than the normal refilling of class 1.

"But the greatest injustice in the eyes of the draft boards was that class 2-a could only, under its wording and under the definition in the second edition S. S. R., Form 999-a, take care of men who themselves, or their wives, were of independent means. In other words, it only provided for a rich man.

"At page 46, S. S. R. second edition, 999-a, class 2-a was defined, and it reads:

"Registrants may claim and may be entitled to deferred classification, class 2, divisions a and b, although wife or children are not mainly dependent on his labor for support.

"This very definition, taken in connection with the circumstances of the case, is a clear evasion of the act of May 18, 1917, and of the Senate's refusal to permit the mere status to itself exempt any registrant.

"The practical effect of this creation of class 2-a was a storm of protest to Gen. Crowder from the draft boards and other persons, and criticism was universal. Many of the draft boards throughout the country refused to classify anybody in it.

"Edsel Ford, immediately on the creation of class 2-a, made a claim to come under it. The claim was denied at once by his local board, despite the law, and he appealed to the district board. The district board, by a vote of 3 to 2, despite the law, granted him the exemption. The three voting on the law, despite their opinions, and the two not caring whether the law was there or not.

"After Edsel's exemption was granted, the class became known in Michigan and elsewhere as the Edsel class instead of 2-a, and the effect was so disastrous upon the draft in Michigan, everybody feeling that they were entitled to get out who were in circumstances like Edsel, that the Government twice ordered an investigation of the Edsel case. One of the investigations came from the Department of the Lakes at Chicago, and finally Adj. Gen. Bersey and Maj. Peterman, his assistant, ordered an investigation to take place in Detroit. Communications concerning Edsel's case were sent to Robert K. Davis and to the district board in Detroit for investigation. While this investigation was pending, Edsel was tendered a commission by the President, and declined it.

"Gen. Crowder, at page 111 of his second report, seeks to justify the creation of class 2-a, where he says that the phrase 'not mainly dependent' included the case of a married man with a wife and children, 'where there was in fact no dependency whatever other than the natural responsibility which attaches to the status of the normal husband and father.'

"It appears to me, in his words Gen. Crowder convicts himself of an evasion of the Senate's refusal to make the status one of exemption in itself, but there is no doubt existing in the minds of those who know Gen. Crowder that he did this under orders.

"It should be remembered in this entire discussion that class 4-a provided for a man whose wife or children are mainly dependent upon his labor for support.

"Edsel Ford had one child and came under 2-a.

"It must be kept clear in a discussion of this kind that 2-a and 3-b are district; that 2-b only raises the question of a married man who, if taken, his wife would have to go to work for her living. None of the boards believed in sending a wife to work for a living. Therefore Gen. Crowder's discussion, at page 114, of where he sent out queries to the boards asking them what they thought of 2-a and b should be disregarded, as their replies lump these two classes together.

"In the discussion the grave injustice done to other married men with children, who had gone to war under the first regulations, or whose cases had been decided under the first regulations, and who were waiting to go to war, will be seen, as this was changed under their very noses while they were in this country. The benefit of this new law, to wit, that a married man with a child, with independent means, should be put in class 2, was not applied in such manner that those who had gone to camps, but who had failed to appeal to the President, would be given the advantage of it, or that those in camps who had failed to appeal to the President could be released, and a storm of protest went up from these men of means, that Edsel Ford should not have the same law applied to him as was applied to them. The figures can be gotten with great exactitude from the tables heretofore quoted, and also given in Crowder's first and second reports.

"The first query that occurs in the discussion above is, why was Edsel's appeal held up? What serious question was in it that it needed to be held up? It was the clearest case that any district board has sent to the President on appeal. This man, of 22 years, traveling south and elsewhere for over six months of each year, with practically no responsibility in the Ford Co. factory, having been connected most of the time with his father in the tractor plant, and with the evidence and opinion of the district board, presented no difficulties on appeal. The appeal should have been promptly sent back so that a great example could have been given to the draft registrants that Edsel Ford could neither delay the decision of his appeal nor get out by any other means.

"The second query presented is why should class 2-a ever have been created? In view of the wording of the act of May 18, 1917, and the fact that the Senate had refused to consider marriage in itself as a cause of exemption, and in the fact that all through the new and the old regulations, and all through every special ruling handed down by Gen. Crowder the fact was kept prominent before all boards that dependency alone was the sole and only test of exemption or deferment.

"I have not the numerous rulings handed down under the first draft before me, as they are not available, but if an investigation is ever held on this question Gen. Crowder's and the President's arguments and ruling during the first draft, as is-

sued in the bulletins by Gen. Crowder, should be looked up on this very question of dependency.

"Under the first draft the sole question was whether a wife and children were or were not dependent upon the husband's labor for support. It was clear from the beginning in the first draft that if a husband or wife had independent means he could not be exempted. But under the first draft the Government even went further, and under the President's express and personal ruling, written, as Gen. Crowder has stated, on his own typewriter, he went so far as to state that even if the relatives of the husband or wife were ready, willing, and able to care for the dependents while the man went to war, then in fact there was no dependency.

"In conclusion I call attention merely to the effect in Michigan of Edsel Ford's exemption. In Appendix, Table 62–a, page 449, second report of Gen. Crowder to the Secretary of War, we find a table of the registration in all the States given and the number placed in class 2. I merely quote a very few States to show how the draft boards in Michigan felt, that if Edsel was given the benefit of class 2, all others should be given it, and the fact that registrants were not ashamed to claim class 2 when they found that Edsel was put in it. In other States draft boards did not regard class 2–a seriously, and registrants were ashamed to claim the Edsel class.

"In Alabama there were 206,248 registrants, and 20,850 were in class 2.

"In Michigan there were 411,000 registrants, and 84,601 in class 2.

"In New York there were 1,120,332 registrants, and 74,715 in class 2, or 10,000 less than Michigan, with practically three times the registration.

"In Pennsylvania there were 902,996 registrants, and 79,794 in class 2.

"In Wisconsin 266,691 registrants, and 24,392 in class 2.

"In Ohio 617,371 registrants, and 47,467 in class 2.

"In California 332,593 registrants, and 13,177 in class 2.

"Massachusetts, 398,364 registrants, or practically that of Michigan, and 31,330 in class 2.

"Appendix at page 401 should also be examined into."

ADJOURNMENT TO THURSDAY.

Mr. LODGE. I move that when the Senate adjourns to-day it be to meet on Thursday next.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened; and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until Thursday, July 17, 1919, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 15, 1919.

ASSISTANT ATTORNEY GENERAL.

Robert P. Stewart to be Assistant Attorney General.

UNITED STATES ATTORNEYS.

Edward C. Knotts to be United States attorney, southern district of Illinois.

Edwin S. Wertz to be United States attorney, northern district of Ohio.

UNITED STATES MARSHALS.

John Hugh Kirkpatrick to be United States marshal, western district of Louisiana.

John J. Mitchell to be United States marshal, district of Massachusetts.

Thomas Pickett to be United States marshal, district of Nevada.

Michael Devanney to be United States marshal, southern district of Ohio.

William R. Bennett to be United States marshal, district of Porto Rico.

U. S. EMPLOYEES' COMPENSATION COMMISSION.

John J. Keegan to be a member of the United States Employees' Compensation Commission.

RECEIVERS OF PUBLIC MONEYS.

Frank F. Steele, at Helena, Mont.
Raymundo Harrison, at Fort Sumner, N. Mex.
William G. Cowan, at Roswell, N. Mex.
Matthias N. Fegtly, at Vale, Oreg.
Heber C. Jex, at Salt Lake City, Utah.
Claude E. Rusk, at Yakima, Wash.
William F. Page, at Spokane, Wash.

APPOINTMENTS IN THE REGULAR ARMY.

CAVALRY ARM.

George R. Rogers to be second lieutenant.

INFANTRY.

Cadet Julius Lynch Piland to be second lieutenant.

MEDICAL CORPS.

To be first lieutenants.

First Lieut. Earl Hazelton Hare.
First Lieut. Robert Effinger Cumming.
First Lieut. Thomas Matthew Calladine, jr.
First Lieut. William Davis Gill.
First Lieut. Harvey David Thornburg.
First Lieut. Charles Smith Moss.
First Lieut. Irwin Bradfield Smock.
First Lieut. James Kerr Anderson.
Maj. John Newton Merrick.
Maj. Everett Allen Anderson.
Maj. George Newlove.
Lieut. Col. Luke Baker Peck.

PROMOTIONS IN THE REGULAR ARMY.

JUDGE ADVOCATE GENERAL'S DEPARTMENT.

Lieut. Col. Henry M. Morrow to be colonel.
Maj. James J. Mayes to be lieutenant colonel.
Lieut. Col. Walter A. Bethel to be judge advocate with the rank of colonel.
Maj. Irvin L. Hunt to be judge advocate with the rank of lieutenant colonel.

ORDNANCE DEPARTMENT.

To be colonels.

Lieut. Col. Clarence C. Williams.
Lieut. Col. Samuel Hof.

CORPS OF ENGINEERS.

Maj. Lewis H. Rand to be lieutenant colonel.

To be majors.

Capt. Clarence L. Sturdevant.
Capt. Earl J. Atkisson.
Capt. Richard T. Coiner.

To be captain.

First Lieut. Llewellyn B. Griffith to be captain.

COAST ARTILLERY CORPS.

To be colonels.

Lieut. Col. William Chamberlaine.
Lieut. Col. Gordon G. Heiner.

FIELD ARTILLERY ARM.

Lieut. Col. Thomas E. Merrill to be colonel.

To be lieutenant colonels.

Maj. Edward T. Donnelly.
Maj. George M. Brooke.

To be majors.

Capt. Charles J. Ferris.
Capt. William Bryden.

To be captains.

First Lieut. Theodore W. Wrenn.
First Lieut. Harold W. Rehm.

CAVALRY ARM.

To be colonels.

Lieut. Col. Lawrence J. Fleming.
Lieut. Col. Oren B. Meyer.
Lieut. Col. Charles J. Symmonds.
Lieut. Col. Edward D. Anderson.
Lieut. Col. George P. White.

To be majors.

Capt. Walter S. Grant.
Capt. Charles M. Wesson.
Capt. Morton C. Mumma.

To be captains.

First Lieut. Ion C. Holm.
First Lieut. Robert C. Candee.
First Lieut. Joseph L. Philips.
First Lieut. Kenneth McCatty.
First Lieut. Joseph W. Geer.

INFANTRY.

To be colonels.

Lieut. Col. Paul A. Wolf.
Lieut. Col. George D. Moore.
Lieut. Col. Willis Uline.
Lieut. Col. Charles C. Clark.
Lieut. Col. Vernon A. Caldwell.
Lieut. Col. Edmund L. Butts.
Lieut. Col. Henry J. Hunt.
Lieut. Col. Truman O. Murphy.
Lieut. Col. Ross L. Bush.

To be lieutenant colonels.

Maj. Hugh D. Wise.
Maj. Pegram Whitworth.
Maj. James A. Moss.
Maj. Ulysses G. Worrilow.
Maj. Frank J. Morrow.
Maj. Henry C. Clement, jr.

To be majors.

Capt. Alvin C. Voris.
Capt. Fred L. Davidson.
Capt. George E. Kumpe.
Capt. Milo C. Corey.
Capt. Arthur M. Ferguson.
Capt. De Witt W. Chamberlin.
Capt. Walter H. Johnson.
Capt. Robert G. Rutherford, jr.

To be captains.

First Lieut. Harvey C. Kearney.
First Lieut. James D. Basey.

MEDICAL CORPS.

To be colonels.

Lieut. Col. Louis T. Hess.
Lieut. Col. Christopher C. Collins.
Lieut. Col. Benjamin J. Edger, jr.
Lieut. Col. Samuel M. Waterhouse.
Lieut. Col. Eugene H. Hartnett.

To be lieutenant colonels.

Maj. Leartus J. Owen.
Maj. Robert M. Culler.
Maj. Frank W. Weed.
Maj. William A. Wickline.

To be majors.

Capt. William M. Archer, jr.
Capt. Henry F. Philips.
Capt. Nicholson F. Curtis.
Capt. John S. C. Fielden, jr.
Capt. John M. Hewitt.
Capt. Claude W. Cummings.
Capt. James M. Troutt.
Capt. Alan DeF. Smith.
Capt. Frank M. Ende.
Capt. Samuel A. White.
Capt. Albert W. Greenwell.
Capt. Francis M. Fitts.
Capt. Eric A. Fennel.
Capt. Paul E. McNabb.
Capt. Harvey E. Webb.
Capt. George F. Aycock.
Capt. Henry W. Grady.
Capt. Philip J. Lukens, jr.
Capt. Norman McL. Scott.
Capt. Marion R. Mobley.
Capt. Frederick K. Herpel.

To be captains.

First Lieut. Horace S. Villars.
First Lieut. Allen D. Lazenby.
First Lieut. Patrick F. McGuire.
First Lieut. James W. McClaran.
First Lieut. Louis F. Boyd.
First Lieut. Tom S. Mebane.
First Lieut. Edmund B. Spaeth.
First Lieut. Philip L. Coulter.
First Lieut. James B. Montgomery.
First Lieut. Percy E. Duggins.
First Lieut. Brown S. McClintic.
First Lieut. Henry K. B. Hufford.
First Lieut. Joseph G. Fernbach.
First Lieut. Howard H. Dignan.
First Lieut. Charles W. Sale.
First Lieut. Robert H. Lowry, jr.
First Lieut. Hertel P. Makel.
First Lieut. Ward S. Wells.
First Lieut. Seymour C. Schwartz.
First Lieut. Burgh S. Burnet.
First Lieut. Karl F. Kesmodel.
First Lieut. Ross Golden.
First Lieut. Curtis D. Pillsbury.
First Lieut. Nelson A. Myll.
First Lieut. John R. DeVelling.
First Lieut. Roy L. Scott.
First Lieut. William W. Southard.
First Lieut. George H. Dorsey.
First Lieut. Laurent L. LaRoche.
First Lieut. Henry C. Dooling.
First Lieut. Frank S. Matlack.
First Lieut. Cleon J. Gentzkow.
First Lieut. James P. Crawford.
First Lieut. Robert A. Hale.
First Lieut. Allen R. Howard.
First Lieut. Benjamin B. Rowley.
First Lieut. Henry C. Bradford.
First Lieut. Henry H. Towler.
First Lieut. Oral B. Bolibaugh.
First Lieut. Joseph R. Jones.
First Lieut. Harold E. Clark.
First Lieut. Roland A. Davison.
First Lieut. Haskett L. Conner.
First Lieut. Edward B. Macon.
First Lieut. Percy J. Carroll.
First Lieut. Virginius Minervini.
First Lieut. James V. Falisi.
First Lieut. William D. Petit.
First Lieut. Glenn H. Reams.
First Lieut. Jay DeP. Mingos.
First Lieut. Allan W. Dawson.
First Lieut. John W. McKeever.
First Lieut. Ottis L. Graham.
First Lieut. Edwin H. Roberts.
First Lieut. Arthur M. Bacon.
First Lieut. John J. Moore.
First Lieut. Anthony J. Vadala.
First Lieut. Maurice S. Weaver.
First Lieut. John M. Stanley.
First Lieut. Arthur H. Nylen.
First Lieut. Myron P. Rudolph.
First Lieut. Noble DuB. McCormack.
First Lieut. Charles E. Sima.
First Lieut. Bascom H. Palmer.
First Lieut. Harold D. Rogers.
First Lieut. John R. Hall.
First Lieut. Arthur R. Gaines.
First Lieut. William L. Starnes.
First Lieut. William A. Boyle.
First Lieut. Manton L. Shelby.
First Lieut. Paul H. Streit.
First Lieut. John E. Robinson.
First Lieut. Lewis E. J. Browne.
First Lieut. Ernest K. Stratton.
First Lieut. James A. Orbison.
First Lieut. Paul M. N. Kyle.
First Lieut. William C. Whitmore.
First Lieut. Albert B. Pavy.
First Lieut. Francis E. Evans.
First Lieut. Charles E. Brenn.
First Lieut. Francis T. Duffy.
First Lieut. Leonard W. Weaver.
First Lieut. Louie Felger.
First Lieut. Leo S. Trask.
First Lieut. Raymond A. Tomassene.
First Lieut. Lowyd W. Ballantyne.
First Lieut. Otto R. Brown.
First Lieut. Charles E. Yoho.
First Lieut. Cornelius A. Denehy.
First Lieut. Joseph P. Madigan.
First Lieut. Robert K. Simpson.
First Lieut. Patrick S. Madigan.
First Lieut. Frederick B. Little.
First Lieut. Chester A. Stayton.
First Lieut. Herbert W. Rogers.
First Lieut. John R. Evers.
First Lieut. Ralph E. Curti.
First Lieut. Daniel C. Hankey.
First Lieut. Frederick A. Blesse.
First Lieut. Charles C. Dickey.
First Lieut. George B. Fletcher.

First Lieut. Walter H. Mytinger.
First Lieut. John J. Carden.
First Lieut. Henry E. Fraser.
First Lieut. John R. Whisenant.
First Lieut. Harold H. Golding.
First Lieut. Harry P. Shugerman.
First Lieut. William C. Pollock.
First Lieut. William W. McCaw.
First Lieut. Edward H. Tonolla.
First Lieut. Earle D. Quinnell.
First Lieut. Harold O. Brown.
First Lieut. Douglas H. Mebane.
First Lieut. Paul B. Johnson.
First Lieut. Irving K. Lovett.
First Lieut. Montreville A. St. Peter.
First Lieut. Frank McA. Moose.
First Lieut. Percy K. Telford.
First Lieut. Benjamin F. Pence.
First Lieut. Wayne R. Beardsley.
First Lieut. Warren Stirling.
First Lieut. Don G. Hilldrup.
First Lieut. Richard S. Magee.
First Lieut. William A. Smith.
First Lieut. Frank W. Pinger.
First Lieut. Ivy A. Pelzman.
First Lieut. Edward S. Murphy.
First Lieut. Richard E. Werlich.
First Lieut. Herbert R. Stolz.
First Lieut. Louis de K. Belden.
First Lieut. Andrew W. Smith.
First Lieut. Willard S. Howard.
First Lieut. Philip P. Green.
First Lieut. William H. Barrow.
First Lieut. Gordon F. Willey.
First Lieut. Frank A. Plum.
First Lieut. Charles R. Irving.
First Lieut. William W. Jones.
First Lieut. Charles C. Hawke.
First Lieut. Noland M. Canter.
First Lieut. Pierre N. Charbonnet.
First Lieut. James C. Kimbrough.
First Lieut. Meredith R. Johnston.
First Lieut. Merril K. Lindsay.
First Lieut. William D. Middleton.
First Lieut. Leon H. Cornwall.
First Lieut. Read B. Harding.
First Lieut. James W. Duckworth.
First Lieut. Bradford Massey.
First Lieut. Edgar H. Howell.
First Lieut. George W. Snyder.
First Lieut. Paul S. Wagner.
First Lieut. John A. P. Millet.
First Lieut. Joseph D. Foley.
First Lieut. Lewis A. Newfield.
First Lieut. Thomas M. Leahy.
First Lieut. Louis A. LaGarde, jr.
First Lieut. Edward L. Moore.
First Lieut. William M. Archer, jr.
First Lieut. Henry F. Philips.
First Lieut. Nicholson F. Curtis.
First Lieut. John S. C. Fielden, jr.
First Lieut. John M. Hewitt.
First Lieut. Claude W. Cummings.
First Lieut. James M. Troutt.
First Lieut. Alan De F. Smith.
First Lieut. Frank M. Ende.
First Lieut. Samuel A. White.
First Lieut. Albert W. Greenwell.
First Lieut. Francis M. Fitts.
First Lieut. Eric A. Fennel.
First Lieut. Paul E. McNabb.
First Lieut. Harvey E. Webb.
First Lieut. George F. Aycock.
First Lieut. Henry W. Grady.
First Lieut. Philip J. Lukens, jr.
First Lieut. Norman McL. Scott.
First Lieut. Marion R. Mobley.
First Lieut. Frederick K. Herpel.

DENTAL CORPS.

To be captains.

First Lieut. Samuel J. Rohde.
First Lieut. Leroy P. Hartley.
First Lieut. Frederick C. Daniels.
First Lieut. Nathan C. Pickles.
First Lieut. Robert L. Lowry.
First Lieut. Oliver J. Christiansen.
First Lieut. Timothy Harden.
First Lieut. Lawrence K. Anderson.
First Lieut. Timothy F. Leary.
First Lieut. William C. Webb, jr.
First Lieut. Edward C. Alley.
First Lieut. Clinton R. Boone.
First Lieut. David I. Edwards.
First Lieut. Orville A. Grove.
First Lieut. Roy M. Kisner.
First Lieut. Edward A. Thorne.
First Lieut. Lynn H. Tingay.
First Lieut. Claude R. Hollister.
First Lieut. Marhl H. Welch.
First Lieut. Walter D. Vail.
First Lieut. Richard K. Thompson.
First Lieut. Leslie S. Harlan.
First Lieut. Neil J. McCollum.
First Lieut. Clement J. Gaynor.
First Lieut. Walter A. Rose.
First Lieut. Melvin R. Eiche.
First Lieut. George Krakow.
First Lieut. Eugene A. Smith.
First Lieut. Jerome L. Fritsche.
First Lieut. Clarence J. Wright.
First Lieut. Milton A. Price.
First Lieut. William H. Hoblitzell.
First Lieut. Francis M. Tench.
First Lieut. Alvin E. Anthony.
First Lieut. William J. R. Akeroyd.
First Lieut. Fletcher D. Rhodes.
First Lieut. William B. Caldwell.
First Lieut. Lewis W. Maly.
First Lieut. Arthur T. Burchill.
First Lieut. Glover Johns.
First Lieut. Frederick W. Herms.
First Lieut. Harold J. Parker.
First Lieut. Leslie D. Baskin.
First Lieut. Curtis W. Hallam.
First Lieut. James E. Dean.
First Lieut. Henry L. Hogan.
First Lieut. John C. Campbell.
First Lieut. Leland S. Wilson.
First Lieut. Benjamin H. Dean.
First Lieut. Dell S. Gray.
First Lieut. William B. Stewart.
First Lieut. Julius L. Bischof.
First Lieut. Charles H. Brammell.
First Lieut. John A. Rowe.
First Lieut. William T. Williams.
First Lieut. Hooker O. Lindsey.
First Lieut. Alvin D. Dannheiser.
First Lieut. James R. Conner.
First Lieut. Robert L. Strickland.
First Lieut. Roy R. Newman.
First Lieut. Boyd L. Smith.
First Lieut. Avery G. Holmes.
First Lieut. George R. Kennebeck.
First Lieut. Alexander M. Smith, jr.
First Lieut. Horace R. Finley.
First Lieut. Cecil R. Hays.
First Lieut. Roy C. Starr.
First Lieut. Harold S. Embree.
First Lieut. Charles L. Andrews.
First Lieut. Byram S. Purviance.
First Lieut. Joseph L. Boyd.
First Lieut. Joseph L. Rahm.
First Lieut. Clarence R. Jacobson.
First Lieut. Norman M. Mackenzie.
First Lieut. Richard F. Thompson.
First Lieut. Henry H. Collins.
First Lieut. Adrian C. Ragan.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE REGULAR ARMY.

CORPS OF ENGINEERS.

To be captains.

First Lieut. Simon Medine.
First Lieut. Samuel L. Kuhn.
First Lieut. Roy M. McCutchen.
First Lieut. William Lohmeyer, jr.
First Lieut. William A. Clark.
First Lieut. Aubrey H. Bond.

First Lieut. Hubert W. Collins.
First Lieut. Maurice P. Van Buren.
First Lieut. Frederick S. H. Smith.
First Lieut. Frank B. Hastie.

COAST ARTILLERY CORPS.

To be first lieutenants.

Second Lieut. Paul W. Rutledge.
Second Lieut. Alvin C. Smith.
Second Lieut. James C. Corliss.
Second Lieut. Robert T. Chaplin.
Second Lieut. Chester B. McCoid.
Second Lieut. Robert G. Rhett, jr.
Second Lieut. James K. Morris.
Second Lieut. Charles E. Bates.
Second Lieut. Marshall L. Gosserand.
Second Lieut. Winthrop M. Allen.
Second Lieut. Saint John Waddell, jr.
Second Lieut. Cary B. Easley.
Second Lieut. Nicholas B. O'Connell.
Second Lieut. Oscar D. McNeely.
Second Lieut. Abraham R. Ginsburg.
Second Lieut. Vincent K. Smith.
Second Lieut. Charles L. Ordeman.
Second Lieut. Ramon Conroy.
Second Lieut. Thomas J. Betts.
Second Lieut. Morris C. Handwerk.
Second Lieut. Charles Cobb, 3d.
Second Lieut. Benjamin F. Harmon.
Second Lieut. Ralph A. Densmore.
Second Lieut. Charles C. Bell, jr.
Second Lieut. Charles W. Lawrance.
Second Lieut. David W. Burgoon.
Second Lieut. Raymond B. Bottom.
Second Lieut. Farrant L. Turner.
Second Lieut. Henry T. Morrison.
Second Lieut. Leonard R. Crews.
Second Lieut. Harold M. Jobes.
Second Lieut. Thomas J. Delaney.
Second Lieut. William F. Cassedy, jr.
Second Lieut. John W. Loveland, jr.
Second Lieut. Webster H. Warren.
Second Lieut. Evan H. Benoy.
Second Lieut. John B. Bethea, jr.
Second Lieut. Charles W. Higgins.
Second Lieut. Hugh N. Herrick.
Second Lieut. Harry L. Campbell.
Second Lieut. Robert Mochrie.
Second Lieut. Albert B. Ede.
Second Lieut. Donald W. Tyrrell.
Second Lieut. Everett M. Barton.
Second Lieut. Warren S. Robinson.
Second Lieut. William W. Wertz.
Second Lieut. Evans R. Crowell.
Second Lieut. Simon L. Bear.
Second Lieut. James C. Bates.
Second Lieut. William A. West, jr.
Second Lieut. Louis H. Thompson.
Second Lieut. Albert Bonds.
Second Lieut. Thomas W. Conrad.
Second Lieut. Frederick W. Hoorn.
Second Lieut. Joseph C. Stephens.

FIELD ARTILLERY ARM.

To be first lieutenants.

Second Lieut. John Van H. Challiss.
Second Lieut. Junius S. Roberts.
Second Lieut. Frederic W. W. Graham, jr.
Second Lieut. Joseph R. Estabrook.
Second Lieut. Harold D. Finley.
Second Lieut. Leo J. Vogel.
Second Lieut. James P. Kelly.
Second Lieut. Richard B. von Maur.
Second Lieut. Harold T. Deeds.
Second Lieut. Millard L. Hamaker.
Second Lieut. John B. Fidlar.
Second Lieut. Wilbur B. Sumner.
Second Lieut. William E. Corkill.
Second Lieut. Charles D. Brown.
Second Lieut. Lester M. Kilgarif.
Second Lieut. Henry W. Krotzer.
Second Lieut. Robert L. Randol.
Second Lieut. Douglas L. Crane.
Second Lieut. Harry N. Blue.
Second Lieut. Frederic H. Timmerman.
Second Lieut. James H. McHenry.
Second Lieut. Gurney L. Smith.
Second Lieut. John M. Franklin.
Second Lieut. George S. Goodspeed.
Second Lieut. Amos E. Carmichael.
Second Lieut. Raymond H. Seagle.
Second Lieut. John V. Anderson.
Second Lieut. Walter Rompel.
Second Lieut. Winfred C. Green.
Second Lieut. Marion I. Voorhes.
Second Lieut. Algernon S. Coleman.
Second Lieut. Robert F. La Barron.
Second Lieut. Edgar G. Crossman.
Second Lieut. James H. Boyd.
Second Lieut. Ralph K. Learnard.
Second Lieut. Pitt F. Carl, jr.
Second Lieut. David W. Potter.
Second Lieut. John H. Gardner, jr.
Second Lieut. Earl C. Ewert.
Second Lieut. Donald D. Demarest.
Second Lieut. Ralph W. Hahn.
Second Lieut. Orrin P. Kilbourn.
Second Lieut. John T. Clancy.
Second Lieut. Winthrop W. Leach.
Second Lieut. John W. O'Harrow, jr.
Second Lieut. James B. Dick.
Second Lieut. Dan C. Kenan.
Second Lieut. Joseph A. Martz.
Second Lieut. Andrew S. Messick.
Second Lieut. Lee B. Goff, jr.
Second Lieut. Kenneth S. Wallace.
Second Lieut. Ralph Heatherington.
Second Lieut. Eugene B. Ripley, jr.
Second Lieut. Thornton Davis.
Second Lieut. Frederick M. Williams.
Second Lieut. William E. Farthing.
Second Lieut. John C. Butner, jr.
Second Lieut. William B. Bowles, jr.
Second Lieut. Edward Cummings.
Second Lieut. Eugene Weston, jr.
Second Lieut. Edward S. Ott.
Second Lieut. Richard D. Roquemore.
Second Lieut. Ralph B. Bagby.
Second Lieut. Melvin L. McCreary.
Second Lieut. John S. Brown, jr.
Second Lieut. Eugene M. Re Qua.
Second Lieut. Herman H. F. Gossett.
Second Lieut. Murray M. Montgomery.
Second Lieut. Roderick J. McIntosh.
Second Lieut. Lester J. Whitlock.
Second Lieut. Hinton F. Longino.
Second Lieut. Frederick H. Black.
Second Lieut. Wilam B. Cobb.
Second Lieut. Angelus T. Burch.
Second Lieut. Chisholm Garland.
Second Lieut. Harvey Edward.
Second Lieut. George P. Hays.
Second Lieut. George W. Cassell.
Second Lieut. Ralph J. Canine.
Second Lieut. William L. Baily, jr.
Second Lieut. Donald A. Carson.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE REGULAR ARMY.

CAVALRY ARM.

To be first lieutenants.

Second Lieut. Wingate Battle.
Second Lieut. Harold B. Wharfield.
Second Lieut. Wade C. Gatchell.
Second Lieut. Norman D. Twichell.
Second Lieut. Andrew J. Wynne.
Second Lieut. Howard C. Wiener.
Second Lieut. Walter F. Goodman.
Second Lieut. Thomas M. Benson.
Second Lieut. Lucian K. Truscott, jr.
Second Lieut. Ralph E. Alstead.
Second Lieut. James H. Akerman.
Second Lieut. Raymond T. Connell.
Second Lieut. James N. W. McClure.
Second Lieut. Gabriel R. Mead.
Second Lieut. David McK. Wilson.
Second Lieut. Leonard M. Mertz.
Second Lieut. Ernest A. Williams.
Second Lieut. Slocum Kingsbury.
Second Lieut. George H. Millholland.

Second Lieut. Gardiner S. Platt.
Second Lieut. Donald R. Dunkle.
Second Lieut. Chester E. Davis.
Second Lieut. Holmes G. Paullin.
Second Lieut. John H. Irving.
Second Lieut. Evan D. Cameron, jr.
Second Lieut. William F. McLaughlin.
Second Lieut. Glenn S. Finley.
Second Lieut. Manly F. Meador.
Second Lieut. Stephen W. Davis.
Second Lieut. Clarence B. Werts.
Second Lieut. Charles H. Unger.
Second Lieut. William D. Tabor.
Second Lieut. Edward M. Fickett.
Second Lieut. James C. Van Ingen.
Second Lieut. Callie H. Palmer.
Second Lieut. Charles R. Chase.
Second Lieut. Thomas F. Mishou, jr.
Second Lieut. Robert B. Jackson.
Second Lieut. Christopher C. Strawn.
Second Lieut. John R. Breitinger.
Second Lieut. Alfred J. de Lorimer.
Second Lieut. William O. Coleman.
Second Lieut. Herbert R. Sargent.
Second Lieut. John E. Ketchum.

INFANTRY.

To be captains.

First Lieut. Seely B. Fahey.
First Lieut. Philip S. Wood.

To be first lieutenants.

Second Lieut. Eugene M. Frederick.
Second Lieut. Cassius H. Styles.
Second Lieut. Frederick J. Slackford.
Second Lieut. Harold M. McClelland.

To be second lieutenant.

Second Lieut. Thomas Garlot Hannon.

PROVISIONAL APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY.

FIELD ARTILLERY ARM.

Second Lieut. Eugene G. Miller to be second lieutenant.

COAST ARTILLERY ARM.

Second Lieut. Richard A. Ericson to be second lieutenant.

APPOINTMENT IN THE ARMY.

COAST ARTILLERY CORPS.

Cadet Milo Benson Barragan to be second lieutenant.

PROVISIONAL APPOINTMENT IN THE ARMY.

FIELD ARTILLERY ARM.

Second Lieut. Jerome P. Bowes, jr., to be second lieutenant.

TRANSFER TO THE ACTIVE LIST OF THE ARMY.

INFANTRY.

First Lieut. Kelton L. Pepper to be captain.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Commander Walter S. Crosley to be a captain.
Commander Orton P. Jackson to be a captain.
Commander Frank B. Upham to be a captain.
Commander Clark D. Stearns to be a captain.
Lieut. Commander Lloyd S. Shapley to be a commander.
Lieut. Commander Arthur P. Fairfield to be a commander.
Lieut. Edwin B. Woodworth to be a lieutenant commander.
Lieut. Henry G. Fuller to be a lieutenant commander.

The following-named lieutenants to be lieutenant commanders:

Edwin A. Wolleson,
Claude B. Mayo,
Fletcher C. Starr,
Charles F. Russell,
Charles A. Dunn, and
John W. Lewis.

The following-named lieutenants (junior grade) to be lieutenants:

Alson R. Simpson,
Edgar M. Williams,
George M. Lowry,
John A. Byers,
Edward O. McDonnell,
Harold Dodd,
Harold B. Grow,
James A. Saunders,
Robert D. Moore,
Walter S. DeLany,
Stephen B. Robinson,
Roscoe E. Schuirman,
Hans Ertz,
Charles W. McNair,
Otto M. Forster,
John Wilbur,
Edward H. McKitterick,
Laurence R. Brown,
James C. Jones, jr.,
John L. Hill,
Norman C. Gillette, and
Laurance T. DuBose.

The following-named ensigns to be lieutenants (junior grade):

Warner P. Portz,
James M. Shoemaker,
Edouard V. M. Isaacs,
Robert M. Fortson,
Dallas D. Dupre,
Raymond Burhen,
Frederic P. Culbert,
Powell McC. Rhea,
Philip C. Morgan,
Frederick G. Richards,
Chester E. Lewis,
Isaac Schlossbach, and
Joseph H. Chadwick.

The following-named midshipmen to be ensigns:

Maurice VanCleave and
Harold A. Walker.

Medical Inspector Ammen Farenholt to be a medical director with the rank of captain.

Medical Inspector Middleton S. Elliott to be a medical director with the rank of captain.

Medical Inspector Dudley N. Carpenter to be a medical director with the rank of captain.

The following-named surgeons to be medical inspectors with the rank of commander:

Archibald M. Fauntleroy,
Joseph P. Traynor,
John L. Neilson,
Charles C. Grieve,
John D. Manchester,
James S. Woodward, and
James A. Randall.

Surg. Robert G. Heiner to be a medical inspector with the rank of commander.

Surg. Owen J. Mink to be a medical inspector with the rank of commander.

Surg. Harold W. Smith to be a medical inspector with the rank of commander.

Passed Asst. Surg. Micajah Boland to be a surgeon with the rank of lieutenant commander.

Asst. Surg. Joel T. Boone to be a passed assistant surgeon with the rank of lieutenant.

The following-named assistant surgeons of the United States Naval Reserve Force to be assistant surgeons with the rank of lieutenant (junior grade):

Reuben B. Anderson and
Irvin Pope, jr.

The following-named assistant dental surgeons to be passed assistant dental surgeons with the rank of lieutenant:

Joseph D. Halleck and
Marion E. Harrison.

Asst. Dental Surg. Thomas J. Daly, jr., to be a passed assistant dental surgeon with the rank of lieutenant.

The following-named dental surgeons to be assistant dental surgeons with the rank of lieutenant (junior grade):

Griffin G. Frazier and
Carl S. Ziesel.

Dental Surg. Cedric T. Lynes to be an assistant dental surgeon with the rank of lieutenant (junior grade).

The following-named dental surgeons to be assistant dental surgeons with the rank of lieutenant (junior grade):

Louis F. Snyder,
Guy E. Nicholas,
Francis S. Weir,
Leon C. Frost,
Anthony A. Norkiewicz,
Alvin B. Ward,
Eugene D. Jarboe,
Spry O. Claytor,
James M. Campbell, and
John A. Walsh.

Dental Surg. David L. Cohen to be an assistant dental surgeon with the rank of lieutenant (junior grade).

The following-named dental surgeons to be assistant dental surgeons with the rank of lieutenant (junior grade):
Howard R. McCleery,
George A. Collins, and
James F. McGrath.

The following-named chaplains to be chaplains with the rank of captain:
George L. Bayard and
Matthew C. Gleeson.

Acting Chaplain Roy L. Lewis to be a chaplain with the rank of lieutenant (junior grade).

Acting Chaplain William W. Elder to be a chaplain with the rank of lieutenant (junior grade).

Naval Constructor Lewis B. McBride to be a naval constructor with the rank of commander.

Assistant Naval Constructor Jerome C. Hunsaker to be a naval constructor with the rank of lieutenant.

The following-named assistant naval constructors to be naval constructors with the rank of lieutenant:
Edmund R. Norton and
Andrew W. Carmichael.

The following-named boatswains to be chief boatswains:
George B. Llewellyn,
William A. Fulkerson,
Ernest L. Jones,
William C. Milligan,
Edwin R. Wroughton,
William C. Carpenter, and
Charles L. Greene.

The following-named gunners to be chief gunners:
Frederick Petry,
Frederick Evans,
Daniel F. Mulvihill,
Arthur T. Brill,
Michael Garland,
John C. Heck,
Arthur Boquett,
Sigvart Thompson,
Arthur S. Rollins,
Ward T. Hall,
Erich Richter,
Anthony E. Bentfeld,
John Harder,
John J. Welch, and
Charles C. Stotz.

The following-named machinists to be chief machinists:
Oliver T. Miller,
Walter S. Belknap,
John J. Coyle,
George C. Lacock, and
Anton Hengst.

Machinist Vincent F. Le Verne to be a chief machinist.

The following-named carpenters to be chief carpenters:
Louis T. Herrmann and
Robert B. Pick.

The following-named pharmacists to be chief pharmacists:
John Haupt and
Charles E. Reinhardt.

Pay Clerk Alexander Riggin to be a chief pay clerk.

Pay Clerk Thomas C. Edrington to be a chief pay clerk.

Pay Clerk Robert C. Vasey to be a chief pay clerk.

Pay Clerk Melvin E. Throneson to be a chief pay clerk.

Pay Clerk William H. Abbey to be a chief pay clerk.

Pay Clerk Houston S. Stubbs to be a chief pay clerk.

Pay Clerk Herbert C. Lassiter to be a chief pay clerk.

Lieut. (Junior Grade) Wilson E. Madden, retired, to be a lieutenant on the retired list.

Lieut. (Junior Grade) Homer B. Gilbert to be a lieutenant on the retired list.

Lieut. (Junior Grade) John F. Atkinson, retired, to be a lieutenant on the retired list.

Lieut. (Junior Grade) Coburn S. Marston to be a lieutenant on the retired list.

Ensign Shirley A. Wilson, retired, to be a lieutenant (junior grade) on the retired list.

Boatswain Henry Feehan, retired, to be a chief boatswain on the retired list.

Boatswain Alvah M. Smith, retired, to be a chief boatswain on the retired list.

Machinist Michael A. Rossiter, retired, to be a chief machinist on the retired list.

Commander Fletcher L. Sheffield, an additional number in grade, to be a captain, for temporary service.

Commander Herbert C. Cocke to be a captain, for temporary service.

The following-named ensigns of the United States Naval Reserve Force to be ensigns, for temporary service:
Ray C. Billups,
Jesse G. Johnson,
Claude C. Levin,
Archibald F. Stanley,
Walter J. Nelson,
Stuart D. Preston,
James D. Veatch,
Ernest F. Janney,
Roy G. Whittemore,
Fletcher W. Browning,
Ralph W. Buchanan,
Denis B. Delaney,
Horace G. Barton,
Carl W. Hamilton,
Hurston S. Buck,
Clifton T. Miller,
James T. Rice,
Edward C. Bottomly,
Lyman LeR. Dixon,
Joseph J. Rochefort, and
Clarence E. Keller.

Dental Surg. Edwin N. Cochran, United States Naval Reserve Force, to be assistant dental surgeon, with the rank of lieutenant (junior grade).

Pay Clerk Dillon F. Zimmerman to be assistant paymaster, with the rank of ensign, for temporary service.

Acting Pay Clerk John W. Towery to be assistant paymaster, with the rank of ensign, for temporary service.

Acting Pay Clerk George H. Upton to be assistant paymaster, with the rank of ensign, for temporary service.

Assistant Paymaster Carswell C. Furr, United States Naval Reserve Force, to be assistant paymaster, with the rank of ensign, for temporary service.

Assistant Paymaster Morris R. Grady, United States Naval Reserve Force, to be assistant paymaster, with the rank of ensign, for temporary service.

The following-named officers of the United States Naval Reserve Force to be assistant civil engineers, with the rank of lieutenant (junior grade), for temporary service:
Arthur M. Campbell,
Robert E. Hancock,
Paul F. Fagan,
Charles C. Mathis, and
William W. Schneider.

Boatswain William G. Platt to be a chief boatswain, for temporary service.

Gunner Arthur De Graw to be a chief gunner, for temporary service.

The following-named pharmacists to be chief pharmacists, for temporary service:
Edwin A. Rozea,
Lester E. Bote, and
Clarence Beasley.

Acting Pay Clerk John J. Solosky to be a chief pay clerk, for temporary service.

Ensign Raymond P. Le Viness, United States Naval Reserve Force, to be an ensign, for temporary service.

Commander Harold E. Cook to be a captain for temporary service.

Commander John M. Enochs to be a captain for temporary service.

Lieut. Commander Ralph C. Parker to be a commander for temporary service.

Lieut. Commander Carl C. Krakow to be a commander for temporary service.

Lieut. Henry G. Fuller to be a lieutenant commander, for temporary service.

Ensign Edward Webb to be a lieutenant (junior grade), for temporary service.

Ensign John C. Williams to be a lieutenant (junior grade), for temporary service.

Ensign Walter S. Gabel, United States Naval Reserve Force, to be an ensign, for temporary service.

Harold S. Bogan, chief quartermaster, to be an ensign, for temporary service.

The following-named ensigns of the United States Naval Reserve Force to be ensigns, for temporary service:
Harry W. Abrahams and
Arthur B. Robinson.

The following-named warrant officers to be ensigns, for temporary service:
George V. Morey,
Arthur L. Holcomb,

Charles W. Hinds,
Ashton B. Smith,
Ray Parrott, and
George Walker.

Ensign Ronald A. Cox, United States Naval Reserve Force, to be an ensign, for temporary service.

The following-named warrant officers to be ensigns, for temporary service:

Cecil G. Langdon,
Frederick A. Smith,
Lester C. Wishard,
Mars W. Palmer, and
Thomas G. Powers.

The following-named enlisted men to be ensigns, for temporary service:

Frank T. Middleton,
Frank L. Arms, and
Bloomfield M. Fairbanks.

William R. Brown, chief quartermaster, to be an ensign, for temporary service.

Ensign George W. Caldwell, United States Naval Reserve Force, to be an ensign, for temporary service.

The following-named ensigns of the United States Naval Reserve Force to be ensigns, for temporary service:

William T. Burgess,
Thomas V. Corey,
James S. Bush,
Wallace H. Gregg,
Milton P. Wilson,
John J. O'Brien,
William H. Potter,
James P. McCarthy,
Russell A. Runyan,
Albert E. Bogdon,
Arthur J. Macdonald,
Culver Beebee,
James H. Rowley, jr.,
Eugene T. Auger,
George L. Bright,
Wesley E. Whitehouse,
Frederick A. Van Patten,
Roscoe N. Gary,
Earle R. Evans,
Charles R. Price,
J. E. Freeman,
William K. Boone, jr.,
Albert H. Schow,
William G. Dow,
Harvey R. Adams,
Harry E. Lucker,
John D. Vance,
Harry A. Swartz,
Archie E. Vanderwall,
Benjamin H. Taylor,
Thomas J. Bay,
Clarence E. Bence,
John P. Bowling,
R. J. Scofield,
Bennie B. Cutrer,
Thomas H. Galt,
Alexander W. MacNichol,
Lambert Muller-Thym,
Michael O'Sullivan,
R. S. Tewksbury,
Ches C. Childs,
Howard C. Ritter,
Joseph F. Taggard,
Edwin M. Brown,
Herbert B. Rowedder,
Joseph S. Borkoski,
Carleton B. Gildersleeve,
Myles J. Greene,
Lee L. Wilbur,
Donald H. Weaver,
Robert S. Witherington,
Henry P. Stelling,
Arthur J. Gibson,
Christopher C. Cox, jr.,
Harold B. Herty,
Eustace L. Adams,
Walter A. Donop,
Edwin H. Cole,
John McCormick,
Allan B. Pedin,
Julius F. Wilson,
Michael Warnick, jr.,
Arthur W. Daniels,
H. A. Currier Rose,
Milton T. Anderson,
Joseph L. Shotwell,
Arthur D. MacDonald,
Albert J. Burry,
Robert Robinson,
Albert M. Wright,
Henry I. Hyneman,
Bertrand Leppel,
Paul N. Baker,
Kenneth B. Galindo,
Samuel S. Fried,
Edwin D. Hale,
Milo Hazard,
Bernard S. Wilson,
Charles Wykoff,
Thomas A. McDonald,
Ralph A. Beardsley,
Fred J. Barden,
Ralph L. Smith,
Harry C. Uhl,
Walter Dickey,
Paul L. Mather,
Paul E. Hackett,
Philip D. B. Perham,
Herbert H. Taylor,
John M. Keep,
Bernard H. Kinnicutt,
Llewellyn B. Roberts,
William T. Reid,
Arthur E. Griffin,
Floyd J. Nuber,
Leedom B. Andrews,
Russell B. Osterholt,
Harry H. Iredell,
Thomas A. Hanna,
Charles H. Ross,
Robert W. Callahan,
Robert T. Greer,
Eugene O. Lovejoy,
Henry G. Erwin,
Russell R. Fling,
Ralph W. Floody,
John J. Reilly,
Charles K. Smith,
David B. Steffens,
Charles H. Miller,
Joseph W. Rixey,
Charles B. Carlon,
Joseph B. Benedict,
Jack V. Lund,
John L. Akins,
Clarence E. Kiefer,
William R. Burns,
Lawrence C. Hunt,
Harold P. Underwood,
Stephen A. Theard,
Julius F. Marullo,
Edwin J. Houghton,
John M. Higgins,
Clyde W. Brockett,
Edwin C. Millhouse,
Samuel J. Waddell,
Maynard L. Patton,
Raymond V. Wiman,
Charles M. Carroll,
Martin E. Didrichsen,
Charles W. Blodgett,
Julius A. Hobson, jr.,
Philip B. Wickes,
Harry T. Kelly,
Joseph P. Barry,
Charles J. Stadelman,
Frederick M. Wood,
Henry C. Roberts,
George K. G. Reilly,
Albert L. Demaree,
Joseph C. Powell,
John M. Ferry, jr.,
Samuel K. Waters,
Edward E. Scott,
John G. Doherty,
Barclay K. Read,

Charles R. Will,
Howard H. Wright,
Lewis Compton,
Carl A. Novinger,
Paul F. Carroll,
Fred S. Bristol,
Frank R. Walker,
Leon G. DeBrohun,
Joseph A. Guard,
Frank J. Gregory,
Victor J. Oliver,
William B. St. George,
John C. Carty,
Arthur D. Murphy,
Paul G. Wrenn,
Walter F. Hinckley,
Clyde C. Connor,
Robert G. Holden,
Glenn S. Holman,
John G. Maxwell,
Horace M. Rosebush,
David L. Ullman,
Clarence L. Waters,
Thomas W. D. Crockett,
John W. Darr,
Eben G. Bailey,
Albert Birkholz,
Edward P. Donnelly,
Frank W. Falen,
John M. Fewell,
William Gibson.
James Govoni,
Cecil H. Grant,
Harold E. Hansen,
Ralph L. Lovejoy,
Frank S. MacGreger,
Russell G. Phipps,
Myron T. Richardson,
Charles J. Stockman,
James H. Sullivan,
William J. Cruickshank,
Charles E. Lathrop,
Joseph G. Nevins,
Glenn W. Rodgers,
Frederick U. Weigert,
Hugo G. Werner,
George D. Young,
Robert K. Madsen, jr.,
H. William Hansen,
Herbert D. Holdridge,
John A. Smith,
Homer Howard.
Roy T. Hazzard,
Karl A. Drager,
Harrel R. Scott,
Matthias S. Clark,
Elmer O. Davis,
Ambrose L. Osborn,
Edwin J. Brandon,
Hjalmar Eclov,
James S. Warner,
John Schroeder,
Frederick J. Murphy,
Henry J. O'Donoghue,
Arthur J. Silva,
Harry R. Ewen,
Paul G. Haas,
Elmer C. Schacht,
Lynn G. Bricker,
George A. Moore,
James C. Taylor,
Harold W. Alden,
Charles L. Flory,
Raymond R. Morgan,
Robert F. Estill,
Russell Dodd,
William M. M. Lobrano,
Sam Stone Bush, jr.,
Claude M. Donahue,
William M. Junkin,
William A. Dobson,
Lawrence K. Powell,
Frederick J. Keller,
William H. Kershaw,
Arthur J. Feltault,
Harold C. Patterson,
Charles B. Barnard,
Arnold P. Harn,
Clifford C. Lucia,
Harris W. Reynolds,
John A. Sedgwick,
Willard Shaw,
Jackson R. Tate,
Julian A. McPhee,
Arthur W. Peterson,
Roy A. Ibach,
Esmond I. Parker,
Hugh P. Campbell, jr.,
Angus G. Nicolson,
George S. Bacon,
Lawrence F. Blodgett,
Willis C. Carling,
Orrin E. Cummings,
James D. Fisher,
Charles M. Fitzgerald,
William F. Fleming,
James E. Fraher,
Robert W. Grubb,
Casco C. Houghton,
Melville W. Lyon,
Donald McClary,
John H. Parsons,
David A. Peterson,
Arthur E. Pierce,
Clarence H. Pike,
Harold E. Ruisseau,
Ralph H. Smith,
Alan F. Winslow,
Thomas O. Brandon,
Frank Hill,
Jesse W. Broisseau,
Thomas J. Keane,
Clyde E. Brown,
Robert W. Dragoo,
Prentiss D. Moore,
George A. Douglass,
Raymond A. Gardner,
Howard W. Bradbury,
John A. Capocifolo,
Roger V. Mullany,
Charles Wayland,
Stanley F. Nolan,
Andrew D. White,
Clifton H. Cantelou,
John H. Cooper,
Albert A. Blumberg,
Edgar E. Ballard,
Russell D. Bell,
John F. Coady,
Thomas B. Eaton,
Solton Engel,
Charles C. Ferrenz,
Homer S. Fox,
Rufus C. Harding,
James S. Haughey,
William C. Hemphill,
Benjamin L. Hinckley,
Fred E. Hughens,
Frederick H. Lauder,
David Liebovitz,
Frank L. Lienhard,
Leroy G. Miller,
Joseph W. Mullally,
Henry L. Naff,
Frank L. Orr,
Claude T. Schaefer,
Roswell B. Sherman,
William A. Shy,
Allen McK. Slichter,
Herbert S. Torsleff,
Carl H. Troeger,
Willard Von Pape,
Clarence E. Waterman,
Edwin O. Watkinson,
Herman C. Weidman,
Lester M. Wolf,
Horace G. Buckley,
Warren I. Fulton,
Mercer M. Fallon,
Fred D. Heegler,

Miles H. Gray,
James B. Bliss,
Warren H. Buchanan,
Carl H. Cather,
Benjamin F. Stairley,
Dottie E. Zook,
Arthur E. Roebke,
James M. Fassett,
James R. Hardie,
James R. Peters,
Clyde A. Coggins,
Warren E. Lovejoy,
David T. Evans,
Martin M. Weisman,
Nelson S. Hogan,
John W. Welch,
Alvin K. Holmes,
Clifford Camp,
Daniel L. Metts,
Joseph P. Cremin,
Joseph B. Weix,
Frank L. Howard,
Hilmar M. Hektner,
Stonewall J. McMurray,
Samuel R. Sloan,
Carlyle M. Terry,
Cyril J. Alt,
Harry V. Barrow,
Robert Blair,
Charles L. Blatchford,
Robert W. Boughter,
Arthur N. Brabrook,
Frank R. Brooks,
Edward H. Brown,
Henry B. Buckham,
Richard C. Buckley,
Horace D. Byington,
Arthur M. Carden,
William M. Cashin,
Charles A. Christian,
Carter B. Cook,
Robert D. Cronly, 2d,
John D. Crump,
Raymond L. De Muro,
Harold A. Drew,
Carl W. Farrell,
Hal S. Fewell,
Russell L. Fillner,
Howard W. Fletcher,
George J. Flynn,
Lester R. Gorman,
Louis L. Green,
Ray L. Hamilton,
J. Gail Hanes,
Herman J. Hanna,
Ralph S. Holgerson,
Edward J. Hopper, jr.,
Harold M. Hubbard,
Sidney L. Huff,
Elmer D. Jensen,
Otto F. Johanns,
George E. Kenyon,
Alphonsus L. Madden,
Jonter A. Nicholls,
Wilbur F. Peery,
Ralph S. Pratt,
Harry Redfern,
Paul M. Ressinger,
Charles W. Roesel,
Carl A. Ryder,
Hugo F. Sasse,
Eugene A. Schaal,
Henry L. Schwartz,
David J. Sharp,
Hugo A. Stahl,
George W. Stuart, jr.,
Albert A. Walters,
John F. Wegforth,
Joseph E. Welsh,
Carl E. Wiencke,
Charles H. Edmiston,
Fred C. Lewis,
William H. Allen,
William M. Kelso,
William S. Evatt,
Herbert L. Prothers,
John T. Garber,
Russell S. Hook,
Benton B. Baker,
Frederick E. Dukes,
Earl F. Mitchell,
Ernest A. Cushman,
Thomas W. Dixon,
James A. Dwyer,
Paul H. Eames,
Frederick L. Farrell,
James M. Fernald,
Jonathan P. Gilmore,
Benjamin S. Henderson,
Percy W. Howard,
Alan B. Hudson,
William A. McCreery, jr.,
Lorn C. McKinley,
Chester D. McMillan,
Loren H. Myers,
Maurice A. O'Connor,
Clifford B. Schiano,
Harold B. Simmons,
Francis A. Skelton,
John F. Wall,
Groff L. Woodward,
John A. Paulson,
Everett G. Mayes,
Eugene T. M. Ashe,
Peter S. Barbour,
Fred L. Barnes,
Charles D. Belding,
Earle O. Bingham,
Merritt A. Bittinger,
George S. Blome,
Orlo W. Bond,
Leopold Boucher,
Thomas R. Buckham, 2d,
Albert R. Buehler,
Don S. Burton,
James F. Carukin,
Edwin N. Cohen,
William B. Coleman,
Chester L. Connelly,
Frank L. Conway,
Roy C. Cooley,
Harry C. Davies,
Ross E. Denison,
Leroy Dozier,
Arthur W. Drummet,
William D. Dwyer, jr.,
Thomas H. Eaton,
Francis J. Eberly,
Theodore E. Emery,
Russell L. Engle,
Francis J. Enright,
Charles P. Fahey,
Harold S. Forgeron,
Edgar A. Gardner,
Vincent B. Gehlen,
George S. Gelsanliter,
Andrew A. Gerry,
Herman A. Hansen,
Charles E. Harbin,
Thomas F. Hayes,
Russell G. Herron,
Walter L. Holmgren,
John P. Horgan,
Francis P. Hornaday,
James H. Houser,
Carleton G. Howe,
Francis DeW. Hurd,
Myron L. Hyman,
Edgar J. James,
Chester M. Jenkins,
Elder P. Johnson,
Forrest E. Johnson,
Reuben H. Johnson,
John J. Jordan,
Edwin M. Joslyn,
Jacob F. Kiefer,
John W. Kimman,
Edward V. Kurtzrock,
Charles W. LaBlanc,
John A. Lemmer,

Henry M. Lewis, jr.,
Herbert Loewy,
Clarence Z. Logan,
George L. Lynch,
Robert MacIntyre,
Harry McK. Martens,
Merritte M. Maxwell,
John W. McCrae,
Arthur L. McElroy,
Zerah B. Miles,
Paul C. Monser,
Paul Moore,
Harold F. Nickerson,
Arthur M. Nolan,
Arthur L. Nunn,
Raymond E. Overmire,
Andrew C. Panella,
John W. Patrick,
John G. Patterson,
Lisle L. Pollock,
Langdon A. Pope,
Benjamin C. Purrington,
Evard E. Puryear,
Alfred G. Raufer,
Harry N. Rooney,
Leo D. Rosenak,
John K. Ross,
Sigfred A. Sandeen,
John H. Schad,
Charles W. Schofield,
Alfred C. Schroeder,
George B. Service,
Harold G. Seyler,
Timothy A. Sheehan,
William J. Sheerin,
George W. Silsby, jr.,
Harold C. Smith,
Irving B. Smith,
Leland R. Smith,
Emil L. Stephenson,
Waymon A. Stephenson,
Robert F. Stockin,
John E. Stoddard,
Floyd E. Sullivan,
Louis C. Summers,
John E. Swaysland,
James A. Taylor, jr.,
Frederick L. Thompson,
George E. Thompson,
Dorian E. Todd,
Haskell C. Todd,
Joseph P. Tomelty,
Cecil S. Travis,
Arvid Tripp,
Eldron F. Tripp,
George H. Trubenback,
Sheldon K. Turner,
George E. Underhill,
Harold J. Walker,
Florentin P. Wencker,
James L. Wheelock,
William H. Wilhelm,
Raymond W. Robertson,
Albert L. Schrader,
Luman F. Marsh,
Arthur H. Small,
Bernard R. Lewis,
Henry A. Tyburc,
Cyril P. Connolly,
Thomas C. Kizer,
Paul R. Conley,
Philander M. Smith,
Charles D. Hickox,
Alfred B. Berlin,
Charles J. Wolf, jr.,
George H. Pratt,
Dallas M. Stephens,
Norman W. Eberle,
Walter A. Nelson,
Frank Urban,
Francis S. McCabe,
Charles W. Kellogg,
Alfred D. Bosley,
Jennings B. Rudisill,
John Armstrong,
Leslie J. Arnold,
Denzil F. Balthis,
Edwin L. Barr,
Harold W. Bentley,
Frank A. Blomberg,
Ralph W. Bowers,
Andrew Boyd, jr.,
Robert C. Browne,
George H. Burrows,
Robert T. Carey,
Horace F. Chandler,
Willis H. Chase,
Vincent F. Clark,
Elmer A. Cottier,
Albert E. Crabtree,
Ernest S. Croasdale,
James J. Cunningham,
Daniel M. Diener,
Elmer O. Dobroth,
Durbin R. Downey,
William R. Drachbar,
William H. Eichorn,
Abraham R. Elson,
John E. Engs, jr.,
Henry L. Ewbank,
Hugh J. Fanning,
Lauren W. Faulkner,
Lynn Fausett,
George R. Fitzsimons,
James H. Foskett,
Stephen P. Fox,
Stuart K. Fox,
John R. Fristoe,
James D. George,
Harry D. Goldy,
Joseph W. Golinkin,
Richard F. Graner,
Fred J. Haigis,
William R. Hanrahan,
Howell Hedrick,
Virgil E. Hendrickson,
Abraham A. Henning,
Howard C. Hirsch,
Frank M. Hopper,
John F. Hrivnak,
Wilbert L. Hunt,
Harold K. Jackson,
Gustave A. Jetter, jr.,
Cecil C. Johnson,
Leon J. Johnson,
Webb W. Jordan,
Edward C. King,
Bryan E. Langston,
Winfred W. Liddell,
Robert H. Long,
Malcolm D. MacGregor,
Gordan J. Malone,
Anton L. Mare,
Claire H. Masters,
George A. Maven,
Joseph J. McCann,
William C. McClure,
Elbert E. McGee,
James J. McGlynn,
John D. McNamar,
Edward L. Micheau,
Frank Miller,
Joseph T. Moran, jr.,
Charles E. Movius,
Leonard J. Mulrooney,
John D. Murphy,
Basil Neel,
Le Roy A. Nelson,
Robert W. Nicholas,
Paul F. Opp,
Robert E. Permut,
Maurice W. Piper,
Raymond E. Proom,
Otto F. Reis,
Paul G. Robinson,
Errol V. Rosenthal,
Joseph A. Ruetty,
Joseph H. Seyfreid,
Jesse B. Short,
Lowe P. Siddons,

Richard J. Sloman,
Jeremiah Smith,
Raymond O. Smith,
Renshaw Smith, jr.,
Robert D. Stewart,
Sedgwick W. Stiles,
Herman M. Stone,
William L. Travis,
Charles W. Wallace,
Charles D. Warner,
John E. Weaver,
Donald M. Weld,
William J. Williams,
Stanley B. Zaring,
Clement H. Watson,
Frederick W. Hamilton,
William W. McQueen,
Nat H. Hayes,
Philip M. Cooper,
Edward A. Morris,
Hugh E. Dischinger,
Stanley E. Eikenberry,
Jay P. Gwaltney,
William L. Day,
Arden H. Brockbank,
Cyril E. Taylor,
Irvin M. Hansen,
James K. Fuller,
Lurton F. Gottlieb,
Elliott C. Newell,
David M. Evans,
Floyd Gills,
Walter B. Warner,
George L. Nicholas,
William C. Strowd,
Everette H. Croxton,
Courtenay S. Overin,
Philip M. Fisher, jr.,
Joseph P. Ryan,
John A. Chisholm,
Paul J. Leavens,
Gaylord N. Hess,
Herbert N. Royden, jr.,
Donald B. Hyde,
Louis C. DeRochemont,
Harold B. Corwin,
Edward R. J. Griffin,
Alden M. Bartlett,
John A. Pierson,
Albert L. Prosser,
Richard H. Brazeal,
Philip F. Breen,
Claude P. Crankshaw,
William T. Swain,
Harold S. Fraine,
James E. Dwyer,
Edward P. Murray,
Robert W. Hawes,
Joseph S. Donnell, jr.,
Charles C. Ratner,
Frank R. Horton,
Richard H. Morris,
James B. Wallace,
Raymond J. Bruning,
Joseph F. Keenan,
Seth F. H. Lagerstadt,
George M. Illich,
Frank Fendel,
Hyman L. Heller,
J. Fred Nutter,
Hugo M. Rosenberg,
William L. Hickey,
John C. Weare,
James R. Keiser,
Herbert B. Butcher,
J. I. Charles Taylor,
John G. Winn,
Emanuel Taylor,
Karl E. Madden,
Erland F. Andrew,
Percival B. Truslow,
Laurence Thompson,
Marshall A. Townsend,
William E. Martens,
Fox Trimble,
William I. Thompson,
George E. Twining,
Patrick E. Seawright,
Joseph H. Twiss,
Hamlet W. Scott,
Lawrence J. Archer, jr.,
Clarence J. Ragle, and
Richard N. Donelson.

Ensign Arthur K. Aranoff, United States Naval Reserve Force, to be an ensign, for temporary service.

The following-named warrant officers to be ensigns, for temporary service:

Alexander Martin McMahon,
William Miller, and
Karl Sommerfeld.

The following-named enlisted men to be ensigns, for temporary service:

William Olsen,
Frank Schweinhoffer, and
John Campbell Dallas.

Ensign Clarence T. Bunker, United States Naval Reserve Force, to be an ensign, for temporary service.

The following-named ensigns of the United States Naval Reserve Force to be ensigns, for temporary service:

Fred W. Darnell,
Harrell Clifford,
Lawrence Bennett,
Norman M. Nelson,
Albert J. Steelman,
Harold J. Bellingham,
Albert M. Van Eaton,
Lester W. Hansen,
Edmond F. Maxwell,
Harold R. Anderson,
John E. Gabrielson,
Thomas V. Hughes,
Rowland H. Koenig,
Clyde L. Lee,
Harold Ramslie,
Andrew J. George,
George C. Weldin,
Walter O. Roenicke, and
Harold E. Gray.

Ensign Albert H. Roos, United States Naval Reserve Force, to be an ensign, for temporary service.

Ensign Nelson H. Eisenhardt, United States Naval Reserve Force, to be an ensign, for temporary service.

The following-named ensigns of the United States Naval Reserve Force to be ensigns, for temporary service:

Frederick O. Krueger,
Sumner C. Cheever,
Harold H. Kendrick,
Walter W. Heathman,
Ethan J. G. Allen,
Sam J. Strother,
Albert E. Conlon,
Oliver L. Brillhart,
Jerome F. Krutmeyer,
Felix G. Chouinard,
Leland W. Sweeney,
Louis K. Melbye,
Adolphus I. Baker,
William H. Frost,
Robert P. Gillam,
William A. Lower,
Carleton D. Moore,
William A. Geary,
Richard G. Noyes, and
Victor F. Youngman.

Ensign Charles G. Miller, United States Naval Reserve Force, to be an ensign, for temporary service.

Gunner Fred Beauford Chilson to be an ensign, for temporary service.

John Thomas Sunderman, chief quartermaster, to be an ensign, for temporary service.

The following-named ensigns of the United States Naval Reserve Force to be ensigns, for temporary service:

Bellinger Dunham,
Alexander J. R. Ferguson,
James C. Andrews,
Dean H. Beeman,
Gerald O. Boland,
Samuel E. Cunningham,
Chase H. Daugherty,
Gustav J. Dohrenwend, jr.,
Dempsey K. Dodge,
John P. Doyle,

Edward J. Fitzwilliam,
Earl A. Giantvalley,
Gustavius H. Griffin,
Walter E. Hall,
Frederick W. Hollingshead,
Gail P. Helgeson,
Virl Z. Hill,
Charles H. Kay,
Alfred L. Lind,
Lawrence C. Lovejoy,
Ransom F. Maddux,
John J. Manning,
Byron F. Murklee,
Albert J. Petrasek,
William J. Platt,
William F. Raftery,
Elijah J. Reeves,
Joseph I. Rogers,
Ralph G. Slater,
Walter D. Thompson, jr.,
Louis Weiss, and
Charles J. Wideman,

The following-named warrant officers to be ensigns, for temporary service:

John L. Albice,
Joseph E. Jackson, and
Meinrad A. Schur.

William L. Lewis, chief quartermaster, to be an ensign, for temporary service.

The following-named ensigns of the United States Naval Reserve Force to be ensigns, for temporary service:

Horace K. Hutchens,
John H. Gwathmey,
Robert Petross,
Forrest A. Rhoads,
Evander P. Bateham,
Harry H. Baumgartner,
Roscoe H. Schell,
Edward M. Gleason, jr.,
Earl V. Kaufman,
Orion H. Reeves,
Bernard J. Loughman,
William W. Behrens,
Rody Patterson,
John F. McMenamin,
Walter E. Medford,
Lewis R. McDowell,
Russell C. Bartman,
Harry Q. Taylor,
William D. Hodges,
Bernhard H. Wolter,
Kenneth C. Manning,
Cyril W. Connolly,
Joseph L. Fendrich, jr.,
Raymond A. McClellan,
Charles G. Drasher,
Stephen A. Mileham,
Joseph C. Frearson,
Charles H. Butcher,
Thomas B. O'Connell,
Ferdinand H. de Bermingham, jr.,
Scott A. Fuller,
George O. Spaur,
Frederick W. Sievert,
Leigh C. Stewart,
Carl M. Platz,
Lawrence H. Cook,
George D. Birdsall,
Leon J. Benwell,
Harold R. Holcomb,
Samuel J. McKee,
Ralph A. Branham,
Harold J. Kircher,
Edward M. Petterson,
Bryan Jones,
Harry Fredman,
Ray W. Bridenbecker,
George S. Pomeroy, jr.,
William J. Long,
Nullet F. Schneider,
Gordon T. House,
Forest O. Conser,
Dana R. Curry,
Forman Hamilton,
John A. Heiser, jr.,
Marshall W. Hettrick,
William W. Maurer, and
Henry G. Walsh.

The following-named officers of the United States Naval Reserve Force to be assistant surgeons, with the rank of lieutenant (junior grade), for temporary service:

Albert E. Man,
Lincoln Humphreys,
Henry C. Weber,
Albin H. Cecha,
Ernest F. Slater,
Richard M. Little,
Walter P. Keene,
Marshall H. Hood,
Rudolph C. Miller,
Irving E. Stowe,
Carl C. Hugger,
William J. Walsh,
Francis P. Field,
Fleete S. Steele,
Thomas M. Kelly,
William A. Gills,
Axlphar A. Marsteller,
Percy F. McMurdo,
Harry W. Croop,
Max Silverman,
John A. Topper,
John W. Green,
Edward M. Steger,
Harry E. Murphy,
Carl J. Robertson,
Joash I. Yohannan,
John C. W. Taylor,
Samuel W. Connor,
Chester F. McGill,
Leland M. French,
Ward C. Alden,
Maurice S. Mathis,
Robert F. Schanz,
Henry L. Dyer,
Franklyn A. Howell,
Thomas C. Quirk,
Claude E. Smith,
Allen G. Ireland,
Earl E. Dockrey,
Frank H. Towner,
Thomas C. Eley,
Herbert G. Hughes,
Alfred L. Potter,
James E. Burgman,
Gregory L. Robillard,
Lloyd F. Craver,
Alfred N. Sweet,
Jacob Skeer,
Paul F. Cope,
Richard N. Mackey,
Ross U. Whiteside,
Gustavus A. Schaub,
Charles Wheatley,
Charles D. Sinkinson, jr.,
Francis E. Hypes,
Harold C. Kelley,
Harry B. Spaulding,
James E. Fetherston,
Albert H. Faber,
Bert N. Wright,
Alfred S. Grussner,
Ambrose J. Callaghan,
Kenneth S. Davis,
Joseph N. Gehlen,
Richard F. Mullin,
John W. Wear, jr.,
Clarence N. Smith,
Gustave R. Petz,
William G. Rowe,
John G. Davis,
Anton R. Schier,
Thomas F. Long,
Felix O. Bell,
William A. Simpson,
William S. Bunkley,
Joseph J. Horton,
Alfred H. Ehrenclou,
Gleaves B. Kenny,
Roger D. Mackey,
Douglas C. McBride,
Earle E. Sullivan,

William J. Rogers,
George G. Herman,
George P. Quinn,
Roy J. Leutsker,
Joshua H. Harris,
Benjamin H. Adams,
Isom. A. Rankin,
Walter G. Hausheer,
Daniel Luttinger,
William C. Lyon,
Frederick Ludwig,
Francis L. Hughes,
Cyrus R. Currier,
Ernest L. Tracy,
Henry L. Fougerousse,
Otis B. Spalding,
Williard W. Wild,
Lawrence W. Ehegartner,
David E. Horrigan,
Norman S. Betts,
Eiba B. Todd,
Arthur H. Flickwir,
J. Howard Branan,
Marvin B. Glismann,
Lea B. Sartin,
Victor B. Riden,
Frank Sabiston,
Albert H. Aldridge,
Leon H. Griggs,
Franklin P. Dwinell,
James P. Bowles,
George M. Le Gallee,
Clyde W. Brunson,
Chauncey D. Miller,
James E. Purdy,
John P. Gilmer,
Foster C. Rulison,
David W. Eisenberg,
Sydney Walker, jr.,
Francis H. Webster,
Herbert C. Gifford,
James D. Blackwood, jr.,
David C. Thompson,
Worcester R. Angell,
Llewellyn C. Merrill,
Houston R. Farley,
George M. Malkin,
Benjamin G. Baker,
Zachariah A. Barker, and
John B. Bostick,

The following-named officers of the United States Naval Reserve Force to be assistant dental surgeons, with the rank of lieutenant (junior grade), for temporary service:

Nicholas S. Duggan,
William J. Rogers,
Chester H. Webber,
Martin P. Kane,
Charles E. Detmer,
Frank B. Ferrill,
Horace S. Hursh,
Howard C. Miller,
Anton C. Tranchina,
Edward B. Howell,
Philip H. MacInnis,
Daniel A. Doherty,
George S. Maynard,
Joseph E. Sullivan,
Albion C. Tollinger,
Edmund Laughlin,
John A. Waters,
Edward J. Fitzgerald,
Carlton B. Morse,
Benjamin H. Barton,
Tyler W. Spear, and
James J. Spring.

Pay Inspector Ray Spear to be a pay director, with the rank of captain, for temporary service.

Pay Clerk Chauncey G. Olinger to be an assistant paymaster, with the rank of ensign, for temporary service.

Lieut. (Junior Grade) Edward L. Rowse, United States Naval Reserve Force, to be an assistant paymaster, with the rank of ensign, for temporary service.

Asst. Paymaster Cyrus B. Kitchen, United States Naval Reserve Force, to be an assistant paymaster, with the rank of ensign, for temporary service.

Acting Pay Clerk William A. White to be an assistant paymaster, with the rank of ensign, for temporary service.

The following-named acting pay clerks to be assistant paymasters, with the rank of ensign, for temporary service:

Guy J. Cheatham,
Paul J. Fleming,
Walter W. Mahany,
Harry J. Gillen,
John H. Davis,
Harold T. Smith, and
Charles J. Lanier.

Acting Pay Clerk Otis C. Pettit to be an assistant paymaster, with the rank of ensign, for temporary service.

Asst. Paymaster Joseph J. Lyman, United States Naval Reserve Force, to be an assistant paymaster, with the rank of ensign, for temporary service.

The following-named acting pay clerks to be assistant paymasters, with the rank of ensign, for temporary service:

Herman Schwartz,
Herman McInturff, and
Charles W. Albrecht.

Acting Pay Clerk David W. Robinson to be an assistant paymaster, with the rank of ensign, for temporary service.

Naval Constructor Lewis B. McBride to be a naval constructor, with the rank of captain, for temporary service.

The following-named assistant naval constructors to be naval constructors, with the rank of commander, for temporary service:

Jerome C. Hunsaker,
Edmund R. Norton, and
Ralph D. Weyerbacher.

Carpenter Ralph M. Munson to be an assistant naval constructor, with the rank of lieutenant (junior grade), for temporary service.

Carpenter Robert J. Leahy to be an assistant naval constructor, with the rank of lieutenant (junior grade), for temporary service.

Lieut. (Junior Grade) Harold Larner, United States Naval Reserve Force, to be an assistant naval constructor, with the rank of lieutenant (junior grade), for temporary service.

Carpenter John Reid, jr., to be an assistant naval constructor, with the rank of lieutenant (junior grade), for temporary service.

Civil Engineer Reuben E. Bakenhus to be a civil engineer, with the rank of captain, for tempoary service.

The following-named civil engineers to be civil engineers, with the rank of commander, for temporary service:

Kirby Smith and
Glenn S. Burrell.

The following-named officers of the United States Naval Reserve Force to be assistant civil engineers, with the rank of lieutenant (junior grade), for temporary service:

Clyde W. Coryell,
Harold K. Hughes,
Charles B. Watkins,
Edward M. Frost, and
Herbert L. Voight.

The following-named citizens to be assistant civil engineers, with the rank of lieutenant (junior grade), for temporary service:

Harold F. L. Pfohl,
Edward D. Graffin, and
Ferdinand E. Hayes, jr.

Boatswain John C. Baldwin to be a chief boatswain, for temporary service.

Machinist Shine S. Halliburton to be a chief machinist, for temporary service.

Machinist Stephen B. Thornton to be a chief machinist, for temporary service.

Carpenter Alfred Erickson to be a chief carpenter, for temporary service.

Carpenter Merick A. Beach to be a chief carpenter, for temporary service.

The following-named pharmacists to be chief pharmacists, for temporary service:

William F. Bly,
Datus M. Hervey,
Thomas L. Hildreth,
Glenn F. Lyon,
Robert D. Anderson,
Harold S. Austin,
Harold B. Chatfield,
John P. Cooney,
Charles H. Dean,
James F. Durkin,
Henry L. Greenough,

Harvey H. Hogue,
Chauncey R. Holmes,
John K. Holmes,
William H. Huston,
Robert Martin,
Frank D. Mears,
William J. Riney,
Kenneth M. Smith,
William L. Stewart,
Joseph A. Libbon,
Henry P. Knowles,
John J. Lergenmiller,
Hubert E. Randolph,
Harold L. Ryan,
Charlie R. Steen,
Joseph O. E. Hummell,
Willard A. Jackson,
Chester O. Kimball,
Roscoe W. King,
Walter C. Magoon,
Foster B. Redman,
Leland Rowe,
Ertel E. Weaver,
Guy O. Wildasin,
Edward F. Aron,
Richard M. Dunphy,
William F. Sheridan,
William E. G. Bartle,
William F. Crell,
Jack K. Diamond,
Clement Duchesney,
Alfred L. Eldridge,
Allen J. Hueschling,
Benjamin E. Irwin,
Briggs C. Jones,
James A. Kirkpatrick,
Thomas F. Meagher,
Julius H. Mexer,
Albert B. Montgomery,
Frank E. O'Reilly,
Lindsey W. Rider,
Hjalmar Rydeen,
Norman L. Saunders,
Hawthorne Tolderlund,
Theodore B. Wiggins,
Franklyn G. Wetherell,
Joseph Levansaler,
John H. Reed,
Harry L. Rogers, and
Walter Zur-Linden.

Lieut. Shirley A. Wilson, retired, to be a lieutenant commander on the retired list, for temporary service.

Lieut. John L. Fox, retired, to be a lieutenant commander on the retired list, for temporary service.

Commander Powers Symington to be a captain.

The following-named lieutenant commanders to be commanders:

Benyaurd B. Wygant and
Burrell C. Allen.

Lieut. Commander Walter N. Vernou to be a commander.

Lieut. James J. Manning to be a lieutenant commander.

Lieut. Charles G. Davy to be a lieutenant commander.

Lieut. Richard R. Mann to be a lieutenant commander.

Lieut. Horace T. Dyer to be a lieutenant commander.

Lieut. Charles C. Gill to be a lieutenant commander.

Lieut. Augustin T. Beauregard to be a lieutenant commander.

The following-named lieutenants (junior grade) to be lieutenants:

Harold W. Scofield,
Beriah M. Thompson,
William H. P. Blandy,
Elmer L. Woodside,
Glenn B. Davis,
Palmer H. Dunbar, jr.,
George W. Wolf,
Roy Dudley,
James E. Brenner, and
Karl E. Hintze.

Ensign Arthur Landis to be a lieutenant (junior grade).

Surg. John T. Kennedy to be a medical inspector, with the rank of commander.

The following-named passed assistant paymasters to be paymasters, with the rank of lieutenant commander:

Elwood A. Cobey and
Robert S. Chew, jr.

Boatswain James Reilly to be a chief boatswain.

Gunner George W. Waldo to be a chief gunner.

Pay Clerk William C. Jahnke to be a chief pay clerk.

Brig. Gen. (temporary) Smedley D. Butler to be a colonel in the Marine Corps.

Col. (temporary) George C. Thorpe to be a colonel in the Marine Corps.

Col. (temporary) Alexander S. Williams to be a lieutenant colonel in the Marine Corps.

Lieut. Col. (temporary) Julius S. Turrill to be a lieutenant colonel in the Marine Corps.

Maj. (temporary) Harold F. Wirgman to be a major in the Marine Corps.

Maj. (temporary) Joseph A. Rossell to be a major in the Marine Corps.

Col. Logan Feland to be a brigadier general in the Marine Corps, for temporary service.

Lieut. Col. Harold C. Snyder to be a colonel in the Marine Corps, for temporary service.

Lieut. Col. Alexander S. Williams to be a colonel in the Marine Corps, for temporary service.

Maj. Howard H. Kipp to be a lieutenant colonel in the Marine Corps, for temporary service.

Maj. Ellis B. Miller to be a lieutenant colonel in the Marine Corps, for temporary service.

The following-named captains to be majors in the Marine Corps, for temporary service:

Evans O. Ames,
Stanley M. Muckleston, and
William H. Davis.

The following-named first lieutenants to be captains in the Marine Corps, for temporary service:

Robert A. Barnet, jr.,
Frank B. Wilbur,
Francis B. Reed,
Lester D. Johnson,
John Kaluf,
Judson H. Fitzgerald,
Samuel A. Milliken,
Henry D. F. Long,
James Diskin,
Ross L. Iams,
Lee Carter,
George Nielsen,
Wyle J. Moore,
Charles D. Baylis,
Richard B. Dwyer,
William G. Kilgore,
Harry E. Leland,
Winfield S. Cranmer,
John F. Leslie,
David R. Nimmer,
Georges F. Kremm,
Walter H. Batts,
Trevor G. Williams,
David L. Ford,
Josephus Daniels, jr.,
Horace Talbot,
Edward B. Moore,
Frank W. Hemsoth,
Emil M. Northenscold,
David Kipness,
Robert K. Ryland,
William D. Wray,
Uley O. Stokes,
Charles P. Phelps,
Sherman L. Zea, and
Harold W. Whitney.

The following-named second lieutenants to be first lieutenants in the Marine Corps, for temporary service.

Herbert S. Keimling,
Ramie H. Dean,
Raymond P. James,
Fred J. Zinner,
Reuben E. Puphal,
Stephen Skoda,
Harold A. Strong,
James E. Foster,
Clarence L. Seward, jr.,
William A. Siefer,
Wilbur T. Love,
William S. Fellers,
Henning F. Adickes,
Roy W. Conkey,
Samuel H. Wood,

Merile H. Stevenson,
Augustus Paris,
Chester E. Orcutt,
Louis B. West,
Denzil R. Fowls,
Forest J. Ashwood,
George C. Buzby,
Augustus H. Fricke,
Edward M. Butler,
Thomas J. Caldwell,
Louis E. McDonald,
George H. Towner, jr.,
Robert A. Cobban,
Stephen E. St. George,
Louis Cukela,
James M. Burns, jr.,
Emmons J. Robb,
Allan S. Heaton,
Erwin F. Schaefer,
Daniel D. Thompson,
Wilbur Summerlin,
Charles F. Commings,
Walter W. Wensinger,
Robert O. Williams,
John T. Stanton,
Virgil P. Schuler,
Harry S. Davis,
Peter P. Wood,
Lawrence E. Westerdahl,
David N. Richeson,
Merle J. Van Housen,
James C. Leech,
Richard S. Ross,
Vinton H. Newell,
Emmit R. Wolfe,
Stephen A. Norwood,
Raymond A. O'Keefe,
Frank M. Cross,
George W. McHenry,
Gale T. Cummings,
Charles W. Holmes,
Samuel H. Woods,
Wilbur Eickelberg,
Robert A. Butcher,
Allen J. Burris,
Earl M. Rees, and
Carl Gardner.

Maj. (temporary) Arthur P. Crist, retired, to be a major in the Marine Corps on the retired list.

Maj. (temporary) Thomas F. Lyons, retired, to be a major in the Marine Corps on the retired list.

HOUSE OF REPRESENTATIVES.

TUESDAY, *July 15, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord, give us, we beseech Thee, the courage, the strength, the fortitude to cast out the demons which are lying in wait to enter and corrode the soul of man, such as egotism, covetousness, jealousy, hate, revenge, and all that brood of vipers which follow in their wake; that we may develop the angels of love and good will.

"Love never faileth; but whether there be prophecies, they shall fail; whether there be tongues, they shall cease; whether there be knowledge, it shall vanish away.

"For we know in part, and we prophesy in part.

"But when that which is perfect is come, then that which is in part shall be done away.

"When I was a child, I spake as a child, I understood as a child, I thought as a child; but when I became a man, I put away childish things.

"For now we see through a glass, darkly; but then face to face: now I know in part; but then shall I know even as also I am known.

"And now abideth faith, hope, love, these three; but the greatest of these is love."

Amen.

The Journal of the proceedings of yesterday was read and approved.

QUESTION OF PERSONAL PRIVILEGE.

Mr. BLANTON. Mr. Speaker, I rise to a question of privilege, the highest privilege of the House.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. BLANTON. Mr. Speaker, during the debate yesterday on the prohibition enforcement bill, the gentleman from Massachusetts [Mr. GALLIVAN] used the following language, which appears on page 2572 of the CONGRESSIONAL RECORD of yesterday, July 14, 1919, to wit:

> Mr. GALLIVAN. Mr. Chairman, I move to strike out the first two words. I am opposed to this amendment unless the gentleman from Kentucky will provide that the inspector and agents visit the House Office Building. Then I will vote for his amendment. Before this debate is concluded I shall ask that every Member of Congress who votes dry on this proposition be honest to his country and his conscience and that he place in the CONGRESSIONAL RECORD the amount of liquor that he has saved up for himself either in his home or in his office. * * * If the Congress wants to be on the level with the country, it will do as I ask. * * * The country is told that this Congress is overwhelmingly dry. I have been a Member of this Congress since 1914, and I have found it overwhelmingly wet. Now, why—why, in the days when you are making the world safe for democracy and freedom—why tie up the individual unless you are willing, Members of Congress, to tie up yourselves? I have heard, Mr. Chairman, of Members of this House who have said that they have in their private wine cellars enough liquor to take care of them and their friends for 20 years.

Mr. Speaker, I submit respectfully that this is a reflection upon the integrity and the standing of every Member of this Congress. It gives out to the world—and so the morning papers report—that while the Members of Congress are seeking to place prohibition upon the people of the country the Members of this House have stored away, even in their offices in the House Office Building, a Government institution, if you please, enough liquor to last 20 years for the private use of themselves and their friends.

I submit that it is an unwarranted aspersion upon the standing and the integrity and the dignity of this House, whose Members are as strictly sober as any 435 men with whom I have ever been associated before.

The SPEAKER. The Chair is disposed to think, on the question of what is the privilege of the House, that there is a line of wavering degree. The Chair is disposed to think that the remarks of the gentleman from Massachusetts [Mr. GALLIVAN] were not an assault upon the privileges of this House and that the gentleman is not in order.

Mr. BLANTON. Would the Chair recognize me to offer a motion to expunge those unwarranted and unfair remarks from the RECORD?

The SPEAKER. That is not in order. The House has its remedy for that.

Mr. BLANTON. You can not do it in the committee.

The SPEAKER. The Chair thinks it is not a question of privilege.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills and resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. 2395. An act amending section 25 of the act approved December 23, 1913, known as the Federal reserve act, as amended by the act approved September 7, 1916;

S. 180. An act for the incorporation of the Near East Relief Association;

S. 715. An act for the relief of the Atlas Lumber Co.; Babcock & Willcox; Johnson, Jackson & Corning Co.; and the C. H. Klein Brick Co., each of which companies furnished Silas N. Opdahl, a failing Government contractor, certain building materials which were used in the construction of Burke Hall at the Pierre Indian School, in the State of South Dakota; and

Senate concurrent resolution 5.

Resolved by the Senate (the House of Representatives concurring), That there be printed 50,000 copies of the treaty with Germany in the English text alone and without maps, 10,000 of which shall be for the use of the House of Representatives and 40,000 for the use of the Senate.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 715. An act for the relief of the Atlas Lumber Co.; Babcock & Willcox; Johnson, Jackson & Corning Co.; and the C. H. Klein Brick Co., each of which companies furnished to Silas N. Opdahl, a failing Government contractor, certain building materials which were used in the construction of Burke Hall, at the Pierre Indian School, in the State of South Dakota; to the Committee on Claims.

S. 2395. An act amending section 25 of the act approved December 23, 1913, known as the Federal reserve act, as amended by the act approved September 7, 1916; to the Committee on Banking and Currency.

Senate concurrent resolution 5.

Resolved by the Senate (the House of Representatives concurring), That there be printed 50,000 copies of the treaty with Germany in the English text alone and without maps, 10,000 of which shall be for the use of the House of Representatives and 40,000 for the use of the Senate—

to the Committee on Printing.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. GOOD. Mr. Speaker, by direction of the Committee on Appropriations, I submit a privileged report.

The SPEAKER. The gentleman from Iowa submits a privileged report, which the Clerk will report by title.

The Clerk read as follows:

A bill making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

The SPEAKER. Referred to the Committee of the Whole House on the state of the Union.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER. The gentleman from Kansas submits a privileged report from the Committee on Rules, which the Clerk will report.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into Committee of the Whole House on the state of the Union for the consideration of H. R. , being a bill "making appropriations for sundry civil expenses of the Government for the service of the fiscal year ending June 30, 1920, and for other purposes"; that the first reading of the bill shall be dispensed with; that there shall be two hours of general debate, one-half of the time to be controlled by the gentleman from Iowa [Mr. GOOD] and one-half to be controlled by the gentleman from Tennessee [Mr. BYRNS]; that at the conclusion of the general debate the bill shall be read; that on the reading of the bill no amendment shall be in order except germane amendments to the following paragraph, which paragraph is made in order on page 19 of said bill:

"Vocational rehabilitation: For an additional amount for carrying out the provisions of the act entitled 'An act to provide for the vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes,' approved June 27, 1918, as amended, including personal services in the District of Columbia and elsewhere, printing and binding to be done at the Government Printing Office, law books, books of reference, and periodicals, $6,000,000, of which sum not exceeding $15,000 may be expended for rent of quarters in the District of Columbia if space is not provided in Government-owned buildings by the Public Buildings Commission: *Provided*, That no person (except the members of the Federal Board for Vocational Education) shall be paid by said board out of the appropriation contained in this or any other act at a rate of compensation exceeding $2,500 per annum and rates above that sum, except not to exceed the following: One at $6,000, 2 at $5,000 each, 28 in excess of $3,500 and not in excess of $4,000 each, 27 at $3,500 each, 70 at $3,000 each, 60 at $2,750 each, and 100 at $2,500 each."

That at the conclusion of the reading of said bill it shall be reported to the House with such amendments as may be made to the paragraph specified as being subject to amendments. Thereupon the previous question shall be considered as ordered on the bill and the amendments to final passage without intervening motion, except one motion to recommit.

Mr. CLARK of Missouri. Mr. Speaker, I would like to ask the gentleman this: What do we want with any two hours' debate on this thing?

Mr. CAMPBELL of Kansas. The gentleman from Iowa [Mr. GOOD], the chairman of the Committee on Appropriations, suggested two hours of general debate.

Mr. CLARK of Missouri. What are we going to debate?

Mr. CAMPBELL of Kansas. I assume to make some explanation of the hearings that were held, covering a period of more than 12 hours and covering some 150 to 200 pages on this general subject. I assume that it is for the purpose of making an explanation to the House of the paragraphs that are made in order on the bill.

Mr. CLARK of Missouri. It seems to me every man in the House knows what this proposition is, and every man in the House has made up his mind on it, and every man should vote to sustain the veto.

Mr. CAMPBELL of Kansas. The time need not be consumed if the Members do not desire to use it.

Mr. CLARK of Missouri. I should like to ask the gentleman from Kansas or the Speaker, one or the other, or both, what about the veto? We are not going to take this thing up before we vote on the veto, are we?

Mr. GOOD. The veto message has been referred to the Committee on Appropriations and is still in that committee.

Mr. CLARK of Missouri. I know; but you have got to vote on it.

Mr. GOOD. Not necessarily.

Mr. CAMPBELL of Kansas. The veto message defeats the bill, if the House does not reconsider it. The Committee on Appropriations have reported out a new bill with a new number for the consideration of the House, and have taken it up de novo.

Mr. CLARK of Missouri. It is the same old bill.

Mr. CAMPBELL of Kansas. Yes; but it is introduced under a new number and is to be considered de novo in the House.

Mr. CLARK of Missouri. Mr. Speaker, a parliamentary inquiry. Is it not imperative to vote on the veto?

The SPEAKER. The Chair thinks not. The veto message came to the House. The Constitution provides that there shall be consideration of the bill. The House referred the message and bill to the committee. Now, if the committee brings out a bill in accord with the suggestion of the President's veto and the House passes it in that form, it seems to the Chair action on the veto itself is not required. The Chair will look that up.

Mr. CLARK of Missouri. How do we come to be considering this proposition now when no attention is paid to the veto?

The SPEAKER. The veto message, with the bill, was referred to the Committee on Appropriations. Now, that committee has reported out a new bill. The veto message and the original bill are still slumbering in the Committee on Appropriations, and the Chair thinks——

Mr. CLARK of Missouri. It seems to me this way, if the Chair will permit: We pass a bill in due form and the President vetoes it, and the veto is the only excuse that we have for going into this proposition that is brought in here by the chairman of the Committee on Rules. It seems to me the Constitution is imperative. It says that when the President returns a bill to the House in which it originated with his veto, immediately the House shall reconsider the bill, the objections of the President to the contrary notwithstanding. Now, for the sake of convenience, in days gone by the House has juggled with that word "immediately," and I am not insisting on the liberal dictionary meaning of it now. They have postponed action from time to time, and some of the veto messages were sent to committee and never reported back.

Mr. WALSH. Will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. WALSH. Does the gentleman contend that the action of the House in voting to refer the bill, with the veto, to the Committee on Appropriations is not such reconsideration as is contemplated by the constitutional provision?

Mr. CLARK of Missouri. Why, no. The constitutional provision means that you shall consider that veto and pass on it, and the only excuse that the gentleman from Kansas [Mr. CAMPBELL] and his confreres have for bringing in this rule is that the veto ought to be disposed of first.

Mr. WALSH. Will the gentleman permit?

Mr. CLARK of Missouri. Yes.

Mr. WALSH. Does not the Constitution simply require that the bill which is vetoed shall be reconsidered?

Mr. CLARK of Missouri. Of course it does, but it has never been reconsidered; and the Constitution provides, further, for the calling of the roll, and those in favor of reconsideration vote yea and those opposed to it vote nay, and it is the only place in our system of government where you must call the roll. There has been no constitutional disposition of it at all. The roll has not been called.

Mr. DUPRÉ. We have got two sundry civil bills before the House at one time.

Mr. CLARK of Missouri. So the upshot of the whole thing, as the gentleman from Louisiana [Mr. DUPRÉ] suggests sotto voce, is that we have two sundry civil bills before us at one time, or will have if this rule reported by the gentleman from Kansas prevails.

Mr. DUPRÉ. They have introduced another sundry civil bill, with the veto pending.

Mr. CLARK of Missouri. We have another sundry civil bill introduced, with the veto pending, as the gentleman from Louisiana says.

Mr. KINCHELOE. Will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. KINCHELOE. Then, if the House should override the veto of the President, the bill would be passed?

Mr. CLARK of Missouri. Of course. As the gentleman from Kentucky [Mr. KINCHELOE] suggests, if the House should override the veto, why, then there would not be a particle of sense in this performance introduced here by the gentleman from Kansas. It would be an absolute superfluity.

Mr. WALSH. If the gentleman will look at paragraph 105 of the Manual, he will see that a motion to refer a vetoed bill, either with or without the veto message, has been held allowable and within the constitutional mandate that "the House shall proceed to reconsider." I think the distinguished gentle-

man from Missouri [Mr. CLARK], when he occupied the high place of Speaker of the House in the Sixty-fifth Congress, followed that precedent in the case of a vetoed bill by suggesting that a motion to refer was within the direction of the Constitution that it should be reconsidered.

Mr. CLARK of Missouri. The question never was raised when I was Speaker, and I want it understood once more that I am not bound as a Member of the House by what I did as Speaker. [Laughter.]

Mr. WALSH. I think that may be fortunate for the present House.

The SPEAKER. The Chair thinks the decisions on this point are clear. In Hinds' Precedents, section 3550, it says:

A motion to refer a vetoed bill, either with or without the message, has been held allowable within the constitutional mandate that the House "shall proceed to reconsider."

And, as the gentleman from Missouri [Mr. CLARK] states, there have been many cases where bills have been referred to a committee and no further action has been taken upon them.

Mr. CLARK of Missouri. If the Chair will permit, that was simply to get rid of the bills.

The SPEAKER. The Chair thinks the reason of the rule and the reason of the constitutional mandate are fully observed by the action that was taken in this case. Of course, the purpose is that the President's will shall receive the consideration of the House. If the House by a two-thirds vote overrules the President's veto, that defeats the will of the President, and therefore it is provided that that shall be done by a roll call; but in the present instance the committee, as the Chair is advised, have reported, conformably with the suggestion of the President, a new bill, so that all the House has to do, if it does not desire to act in accord with the President, is to defeat the bill which now comes forth, and that defeat can be accomplished, not by a two-thirds vote but by a majority vote, so that in this case the purpose of the Constitution to allow the will of the President to be expressed is being carried out more completely than by the technical yea-and-nay vote, upon which two-thirds are required. At any rate, the precedents fully justify the action of the committee. The Chair overrules the point of order.

Mr. CLARK of Missouri. I want to ask the Chair——

The SPEAKER. The Chair does not think after the Chair has ruled there should be further discussion.

Mr. CLARK of Missouri. I want to ask the Chair a new question. What becomes of the direction in the Constitution that there shall be a yea-and-nay vote on it?

The SPEAKER. As the Chair said, it has been decided a number of times that by referring the bill to the committee no further action need be taken upon it. It has been decided by a long course of precedents, as the gentleman from Missouri is aware. The committee can report it back and then when the bill is before the House it requires a yea-and-nay vote.

Mr. WINGO. If the logic of the Speaker is correct, would not we find ourselves in this situation: You dispose of the veto of the President without a record vote of the House, and would not you dispose of the veto by a majority vote instead of a two-thirds vote?

The SPEAKER. If the House wants to bring the veto before it, all it has to do is to discharge the committee.

Mr. WINGO. Mr. Speaker, I would like to be recognized to make a privileged motion.

The SPEAKER. The gentleman from Kansas has the floor on the rule.

Mr. WINGO. Is it not a privileged motion? That is the subject matter of the President's veto; we are acting on a constitutional matter, and is it not true that the highest privileged motion is in order at any time during the proceedings?

The SPEAKER. Exactly; but that is not now before the House. The President's veto and the bill are in the Committee on Appropriations.

Mr. WINGO. The committee brings in a new bill, which is not privileged, which makes this rule necessary, and is it not a matter of higher privilege to move to discharge the committee, and has it not been so decided?

The SPEAKER. That might be, if the gentleman had the floor, but the question before the House now is on the rule.

Mr. WINGO. If that be true, you can defeat a question of the highest privilege by the Rules Committee coming in and cutting that out. So that a motion of the highest privilege would be set aside by one not of the highest privilege. In other words, you would hold that the rules of the House supersede the Constitution, which I contend is not logical.

The SPEAKER. The Chair thinks the Committee on Rules having submitted this privileged rule, if any gentleman wishes to make a motion suggested by the gentleman from Arkansas, that can be brought before the House by voting down the rule.

Mr. WINGO. The only desire I have is for orderly procedure. Would not that be doing in an indirect way what we might do directly; would it not be a better parliamentary procedure, and be safer, and resolve all doubts in favor of the construction of the Constitution to pass first on the veto? Frankly, I should vote against passing it over the President's veto, but I think we ought to go very carefully and be sure to carry out the constitutional mandate. Would it not be a quicker procedure to pass on the President's veto and then if we override the President's veto that settles it. If the House fails to do that, the Rules Committee can bring in this rule and make the new bill in order.

The SPEAKER. The Chair recognizes that there is much merit in what the gentleman says, but the Chair thinks that this accomplishes the very purpose the gentleman himself says he desires, and that is that the President's veto shall not be overruled. This motion accomplishes the same end without calling for a vote on the President's veto. It simply eliminates one step in the proceeding. It seems to the Chair that this is the quicker way to accomplish that very end. It may have been that when the President's veto was up it would have been better that the House should have voted upon it, but then if the House had failed to sustain the President's veto it would have gone to the committee and then come back just as it comes in now. That was not done; the original bill is not before the House, but is in committee. It seems to the Chair that while that might have been a more orderly manner, yet this has precedents and support and accomplishes the same end and eliminates one step.

Mr. DEWALT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DEWALT. Is not this an attempt to sustain the President's veto by the action of the committee in reporting a bill consonant with the President's views instead of either sustaining the veto by a vote of the House or rejecting it?

The SPEAKER. The Chair does not think that is a parliamentary inquiry.

Mr. KINCHELOE. In case the rule is defeated, what is the method of procedure for securing a vote on the presidential veto?

The SPEAKER. The committee could report it out or the House could discharge the committee.

Mr. CAMPBELL of Kansas. Mr. Speaker, the Committee on Appropriations having had referred to them the sundry civil appropriation bill with the President's veto, took the President's veto as final on that bill, and asked the Committee on Rules for a rule for the consideration of a new bill providing for the sundry civil expenses of the Government for the ensuing year, and this resolution is to make that bill in order. I ask the gentleman from North Carolina how much time he desires on the rule.

Mr. POU. Mr. Speaker, I suggest 20 minutes on a side. I have had some requests for time that I did not have when I first spoke to the gentleman about this.

Mr. CAMPBELL of Kansas. Mr. Speaker, then I ask unanimous consent that debate upon the rule be limited to 40 minutes, 20 minutes to be controlled by myself and 20 minutes by the gentleman from North Carolina [Mr. POU].

The SPEAKER. The gentleman from Kansas asks unanimous consent that debate on this rule be limited to 40 minutes, 20 minutes to be controlled by himself and 20 minutes by the gentleman from North Carolina [Mr. POU]. Is there objection?

There was no objection.

Mr. CAMPBELL of Kansas. Mr. Speaker, I make a further request for unanimous consent that at the end of the 40 minutes the previous question be considered as ordered.

The SPEAKER. Is there objection?

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, I want to ask a question on this proposition. The rule as brought in by the Committee on Rules provides for two hours of general debate, one half of that time to be controlled by the chairman of the Committee on Appropriations and the other half by the ranking minority member of the Committee on Appropriations. Did the Committee on Rules take into consideration the fairness and equity of that, in view of the situation and the conflict of opinion, and consider at all the question of allowing any of that time to be controlled by the chairman of the Committee on Education, which committee is primarily interested in this proposition?

Mr. CAMPBELL of Kansas. Mr. Speaker, the chairman of the Committee on Education is a member of the Committee on Rules and was present when this rule was considered. He then made no suggestion other than the usual suggestion as to the division of time between the majority and the minority members of the Committee on Appropriations.

Mr. BANKHEAD. Reserving further the right to object, I would ask the chairman of the Committee on Rules if he would consider the propriety of himself offering an amendment

to the rule giving those who may be opposed to the amendment brought in by the Committee on Appropriations an opportunity to control at least a part of this time? We have no assurance, in view of the language of the rule, that those of us who may desire to oppose the amendment will be given any consideration whatever in this debate.

Mr. CAMPBELL of Kansas. Mr. Speaker, in response to the request of the gentleman from Alabama, I would say that it has been customary in cases of this kind for both the minority and majority members of the committee having the bill in charge to yield time to any Member of the House who may be especially interested in the measure under consideration, either for or against, and I assume that that arrangement can readily be made in this case.

Mr. FESS. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. I yield.

Mr. FESS. Reverting to the statement about no request being made in the Committee on Rules, I recognized the usual custom of the two sides of the aisle being given the control of the time, and the equity that is always shown to Members who are for or against the bill under consideration. For that reason I took it for granted that there would be no advantage taken on either side.

Mr. CAMPBELL of Kansas. It is always the assumption in the Committee on Rules that there will be a fair division of time between those opposing and those favoring the bill under consideration.

The SPEAKER. Is there objection?

Mr. BLANTON. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. The only bill to be considered now is the new bill that has been introduced?

The SPEAKER. Yes.

Mr. BLANTON. That bill is not printed so that the Members of the House may have access to it or have a copy of it, and I submit the point of order to the Speaker that it should be out of order to consider legislation when the membership of the House has not had the privilege of seeing a copy of the legislation which we are to consider.

The SPEAKER. It may be that perhaps it would be well that that should be in order.

Mr. BLANTON. Is it in order to object to the consideration of this until the bill is printed?

The SPEAKER. It is not. Perhaps it should be, but it is not.

Mr. BLANTON. It is not printed, and we can not get a copy of it.

Mr. CANNON. This rule settles it. That is what the rule is for.

Mr. GARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARD. I notice in the reading of the rule that there was no number given the bill under consideration. Is it necessary that a number be given to the bill?

Mr. CAMPBELL of Kansas. The number will be given by the Clerk.

The SPEAKER. The Clerk reported the bill as H. R. 7343.

Mr. GARD. I did not hear it reported.

The SPEAKER. Is there objection to the request of the gentleman from Kansas. [After a pause.] The Chair hears none, and it is so ordered. The gentleman from Kansas is recognized for 20 minutes.

Mr. CAMPBELL of Kansas. Mr. Speaker, the Committee on Rules has brought in this rule for the consideration of the bill, providing for the reading of the bill without amendments, except germane amendments to the provision providing for the educational rehabilitation of our returned soldiers. This is the only unusual feature of this rule. We justify ourselves before the House for that unusual provision of the rule by the fact that the House has recently considered the sundry civil appropriation bill in its entirety as it is contained in the bill made in order by this rule, with the exception of the provision to which amendments are made in order. Otherwise the rule is not unusual. We made this provision in order to expedite the passage of this very important measure. The activities of the Government are practically suspended. Many of the activities of the Government that are now under operation are in operation in violation of law, and it is a very serious question whether or not the action taken by many of the departments of the Government within the last few days will not be entirely unlawful and so declared by the courts if the question be raised. It is for the purpose of making ample provision for the rehabilitation of our disabled soldiers, sailors, and marines and provision for the operation of the Government that we are anxious to expedite the passage of this bill, and therefore we bring this rule in as now provided.

I reserve the remainder of my time.

Mr. POU. Mr. Speaker, the President vetoed the sundry civil appropriation bill because of the inadequacy of the appropriation to continue the great work of the Federal Board for Vocational Education. In response to the veto of the President the Committee on Appropriations held supplemental hearings and has reported legislation the consideration of which is provided for by the rule which the House is now considering. As this was a unanimous report from the Committee on Appropriations, I imagine that the objections set forth in the President's veto have been satisfied. This vocational education should not be made the subject of too rigid economy. The work of this board is something of which every American ought to be proud. [Applause.] These wounded soldiers should be liberally dealt with. Every one of them should have $100 a month while he is being educated. Those with families should receive more. If this legislation does not satisfy the objection raised by the President's veto, I imagine that we will hear from the President again. Inasmuch as this is a unanimous report and inasmuch as the officers of the Federal Board for Vocational Education have appeared before the Committee on Appropriations, let us hope that this legislation is such that this board can continue its benign work to the end that every one of these wounded soldiers may be given an education such as he prefers by the Government of the United States at governmental expense. [Applause.] I reserve the remainder of my time.

The SPEAKER. The gentleman reserves 17 minutes.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask for a vote on the rule.

Mr. POU. Mr. Speaker, I yield five minutes to the gentleman from Arkansas [Mr. WINGO].

Mr. WINGO. Mr. Speaker, I trust the House in its anxiety to proceed will not set a precedent that may rise to plague us in the future. The committee has reported a new bill, and it frankly admits this is a new bill, and bringing in this rule has admitted it is not a question of privilege, and it is accompanied by the remarkable statement of the gentleman from Kansas [Mr. CAMPBELL]. I desire the House to consider that statement when it comes to vote on this rule. As I now recall the statement—and if I do not quote the gentleman correctly he can correct me—he said that the Committee on Appropriations treated the veto of the President as final. By what authority does any committee of this House treat a veto of the President as final?

Under the Constitution it is made our duty to determine whether a veto of the President is final, and the only jurisdiction—the gentleman will find precedents, although I have not time now to call attention to them—the only jurisdiction the Committee on Appropriations had was to make recommendations to the House whether or not it should sustain the President's veto. Now, the orderly procedure for this House to do and for the committee to have done would have been to have reported back the vetoed bill, not the new bill, but reported back the vetoed bill with recommendation to the House as to whether or not it would advise the House to sustain or reject the President's veto. That is the orderly procedure, gentlemen. If you do not adopt that procedure, you will find yourself coming to this conclusion, that the rules of the House——

Mr. BLACK. Will the gentleman yield for a question? I want to ask the gentleman——

Mr. WINGO. Let me finish my statement. I repeat, if we follow the present proposed procedure, if you let the statement of the gentleman from Kansas go as final as the action of this House that the committee, and not the House, under the Constitution shall determine whether or not the veto of the President is final, you establish a dangerous precedent, and you establish that the rules of this House are superior to the Constitution. The only people who can treat the veto of the President as final is the Congress through solemn proceeding. You must act upon a roll call. Suppose we adopt this procedure to-day and pass this new bill. This House will never carry out the constitutional mandate to pass upon a President's veto. What will happen? I imagine from the reading of this text that the gentlemen are going to get around one of the objections of the President. I am not prepared to say now whether I shall vote to do that. I will be frank to say that I am strongly tempted to do that. As I heard the reading of the proposed amendment they propose to get around one of the objections of the President by changing the limitation. In other words, the House then will by a majority vote override the President's veto and put up to him a second time that which the President has vetoed once. Gentlemen, we can not afford to do that. I am in sympathy with the President's veto. We all want to get quick action. Now, let us vote down this rule. And I shall move, if I can get recognition, to discharge the committee from further consideration. Then call the roll and I will vote to sustain the veto of the President. Then there will be no objection made to the

unanimous consent for the gentleman from Iowa to bring in the new bill, but if there is objection, then the Committee on Rules can make it in order and the House can preserve an orderly procedure.

Mr. BLACK. Will the gentleman now yield?

Mr. WINGO. I yield.

Mr. BLACK. I want to ask the gentleman if he does not think that the rule is this: When a veto message of the President is submitted that any Member of the House has the right to refer that message with the bill to the proper committee, and any other Member of the House who is in favor of passing the bill notwithstanding the President's veto has perfect right to offer a motion to pass the bill notwithstanding the veto, but if no Member——

Mr. WINGO. I think the House has acted properly in line with the precedents. It can refer any question to a committee for recommendation. The House by its procedure referred the veto message to the committee for its recommendation, and that committee ought to come back to this House with the recommendation that it either sustain or vote down the recommendation of the President. If we sustain the veto, then we can bring in a new rule and preserve the constitutional procedure.

Mr. CAMPBELL of Kansas. Mr. Speaker, I shall not permit the observation of the gentleman from Arkansas to pass without notice. The gentleman is very much exercised because the veto of the President was not challenged by the Members of the House and voted upon. There was an opportunity for that vote when the message arrived and was submitted to the House.

Mr. WINGO. Will the gentleman yield for a question?

Mr. CAMPBELL of Kansas. When I conclude the statement. The House observed the practice that has been in vogue for more than a century and that was observed within the past two years in this House. The President of the United States, Woodrow Wilson, on the 22d day of August, 1916, vetoed a public land bill. That bill, together with the veto, was referred to the Committee on Public Lands, and those two measures, the bill and the veto, still lie slumbering in the Committee on Public Lands without a vote or any action whatever on the part of the House on the veto.

Mr. WINGO. Will the gentleman yield for a question?

Mr. CAMPBELL of Kansas. And the gentleman from Arkansas, I believe, was a member of that committee.

Mr. WINGO. Will the gentleman yield for a question?

Mr. CAMPBELL of Kansas. Just as soon as I refer to another bill and veto.

Mr. WINGO. My question was on the other matter.

Mr. CAMPBELL of Kansas. I yield for a question.

Mr. WINGO. Does the gentleman think it sufficient answer to say that a former Congress failing to obey a constitutional mandate to go on record on a presidential veto justifies this Congress doing it?

Mr. CAMPBELL of Kansas. I think the former Congress observed the law and the rules of the House in the action it took.

Mr. WINGO. If we take this procedure to-day, will the gentleman tell me what will become of the President's veto?

Mr. CAMPBELL of Kansas. Exactly the same thing that became of the President's veto on the Army appropriation bill. On August 18, 1916, that bill, together with the veto message of the President, was referred to the Committee on Military Affairs, and four days later a bill was reported from the Committee on Military Affairs making appropriation for the Army and passed the House without a record vote. The gentleman from Arkansas was then a Member of the House.

Mr. WINGO. The gentleman is reciting past history. I am asking what will happen now? Will we ever have a vote on the President's veto under the Constitution if we follow your procedure?

Mr. CAMPBELL of Kansas. No; no more than we had a vote on the veto when the President vetoed the Army bill and the land bill in 1916. If the House had decided to challenge the veto of the President on the Army appropriation bill of 1916, the vote would have been taken immediately by roll call. If the House had desired to challenge the veto message of the President on the land bill, it would have done so by a record vote immediately upon the veto message being laid before the House together with the bill. In this case the House Committee on Appropriations has accepted, and the House is about to accept, the veto message of the President as final so far as the sundry civil bill is concerned, and is reporting out a new bill, according to precedent, providing for the sundry civil expenses of the Government for the next year.

Mr. WINGO. The Chair ruled otherwise to what the gentleman has stated. Objection was made the other day and the Chair overruled the gentleman's objection and insisted, over the objection of the gentleman from Kentucky, that the gentleman from Wyoming [Mr. MONDELL] had a right to move to refer it to the committee. So it was challenged at that time, and the Chair ruled, and very properly, that we had a right to ask for a recommendation of our committee before we acted on the veto of the President.

Mr. CAMPBELL of Kansas. The House acted entirely within its rights in referring the bill and the message to the Committee on Appropriations. We could have voted down that motion. Then the vote would have been taken on the veto message of the President.

Mr. Speaker, I reserve the remainder of my time.

Mr. POU. Mr. Speaker, I yield five minutes to the gentleman from Kentucky [Mr. CANTRILL].

Mr. CANTRILL. Mr. Speaker and gentlemen of the House, of course I think it is a real recognized fact that this whole procedure is just simply a subterfuge of the majority side of the House to keep from going to direct vote on the President's veto message.

Now, I do not blame my friends on the other side of the House very much for trying to "duck" this issue, to use a slang expression. Our friends in the majority, in preparing legislation to take care of wounded and disabled soldiers, evidently did not take proper precaution in the way of appropriations to do that. The President called the attention of the country and of the House to the fact that the majority had been negligent in that regard. And I believe it was upon yesterday that the Republican House sustained a veto of the President. Naturally the majority does not want to get into the daily habit of having the Republican majority on the floor of the House sustaining the vetoes of the President. It is a fact that this whole procedure, the Committee on Rules coming in here with a rule to-day, is almost exactly what the President demands; but the orderly procedure, as pointed out by the gentleman from Arkansas [Mr. WINGO], would have been much better. It would have been a more manly way to have met the situation to have disposed of the veto message and then come in with a rule and then with the bill and have passed it in the regular way.

Of course, the gentlemen on that side are responsible for the legislation. I am sorry that they did not measure up to the requirements when they had an opportunity to provide sufficient money to take care of disabled soldiers.

It devolved upon the Democratic President to use the great power of the veto to bring the majority side to its senses. And, of course, I congratulate my distinguished friend, the chairman of the Committee on Rules, for his ingenuity and wisdom in mapping out a course that will prevent his side from going to record on a fair show on a roll call, as practically every man on that side would vote to sustain President Wilson on this veto. I think the country is familiar with the situation, but I simply wanted to emphasize the fact and call the attention of the public to the way in which they are undertaking to get around and not meet the issue.

It is a well-known fact that every man in the military and naval service of the country and their friends should bear in mind that if it had not been for the veto power exercised by President Wilson the Republican Party would not have given the soldiers and sailors the recourse to which they are entitled. [Applause on the Democratic side.]

Mr. CANNON. Mr. Speaker, will the gentleman yield for a question?

The SPEAKER. Does the gentleman from Kentucky yield to the gentleman from Illinois?

Mr. CANTRILL. Yes.

Mr. CANNON. The Democratic House of Representatives passed the sundry civil bill and it went to the Senate. It did not become a law.

Mr. UPSHAW. Why?

Mr. CANNON. That bill made no more favorable disposition for vocational education than does this bill. [Applause on the Republican side.] Claptrap! Claptrap! [Applause on the Republican side.]

Mr. CANTRILL. Mr. Speaker, I would say to the distinguished gentleman from Illinois that the Senate had no chance to pass upon the bill because of a filibuster by the Republican Senators, who not only killed this bill but many other bills, which required an extra session of Congress. [Applause on the Democratic side.]

Mr. CANNON. But if the gentleman will yield further——

Mr. LAYTON. Mr. Speaker, will the gentleman yield?

Mr. CANNON. A Democratic Congress, in February or early in March, passed a sundry civil bill with a less provision than is contained in the bill we passed. [Applause on the Republican side.]

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. LAYTON. Mr. Speaker, I want to ask the gentleman a question.

Mr. CANTRILL. Just a moment. May I have one minute more?

The SPEAKER. Is there objection?

There was no objection.

Mr. CANTRILL. I would like to answer the question of the gentleman from Illinois.

Mr. LAYTON. Just one question.

Mr. CANTRILL. In reply to the gentleman from Illinois [Mr. CANNON] I will state that a Democratic House did pass all the requirements demanded by the department at that time when the bill was under consideration. The demands are much larger now than they were then.

Mr. GOOD. Mr. Speaker, does the gentleman yield? The gentleman does not want to make a misstatement, I am sure. Will the gentleman yield for a question?

Mr. CANTRILL. Yes.

Mr. GOOD. I will say to the gentleman that he is mistaken about that. The estimates made for this service in the regular Book of Estimates were for $4,000,000, and the only appropriation made by the last Congress for this purpose, a Democratic Congress, was $2,000,000. This Congress has already appropriated $6,000,000 for this purpose, and this bill carries $8,000,000 more. Those are the facts in the case. Post up! Get the facts! [Applause on the Republican side.]

Mr. CANTRILL. These differences could easily have been worked out between the two Houses if the filibuster had not occurred. [Applause on the Democratic side.]

Mr. GOOD. Post up! Post up! [Applause and cries of "Vote!"]

Mr. CAMPBELL of Kansas. Mr. Speaker, how does the time stand?

The SPEAKER. The gentleman from Kansas has 15 minutes, and the gentleman from North Carolina [Mr. POU] has 5 minutes.

Mr. CAMPBELL of Kansas. How many more speeches has the gentleman from North Carolina?

Mr. POU. One speech of five minutes.

Mr. CAMPBELL of Kansas. I wish the gentleman from North Carolina would use his time.

Mr. POU. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. DEWALT].

The SPEAKER. The gentleman from Pennsylvania is recognized for five minutes.

Mr. DEWALT. Mr. Speaker, I care nothing at all about the question as to whether this vocational bill as now proposed to be amended was passed by the House and failed in the Senate, nor do I care what the provisions are, so far as the amount in the bill is concerned, because that is water that has passed by the mill. The question before us, and to my mind the important question, is an orderly manner of proceeding, and with due deference to the decision of the Speaker I maintain that this rule being now considered is not in order.

Now, what are my reasons therefor? In the first place, I do not think anyone will contradict the basic proposition that when a bill is vetoed by the President of the United States it must be returned to the House in which it originated, with the veto message, and immediately thereafter it shall be considered and a vote is to be taken as to whether the bill shall pass, notwithstanding the objections thereto. That, as the ex-Speaker, Mr. CLARK, has already said, has been construed to mean that the consideration can be postponed even indefinitely.

Now, what has been done here? When this veto message came into the House with the bill attached thereto it was by the House referred to the Committee on Appropriations. Now, what does the Committee on Appropriations do? It comes back to the House with what? With a new bill, not with the old bill, not with the bill which was to be voted upon and determined upon as to whether it should be passed by a two-thirds vote, notwithstanding the objections of the President, but with an entirely new bill, so far as we know. Therefore I maintain that, although it is said that this new bill is in consonance with the objections of the President of the United States, it is sustaining the veto of the President by the action of a committee, and when that committee reports the bill to the House the House can vote upon it, and by a majority vote determine that the sustainment of the veto by the President shall be maintained.

Now, that is clearly, if there be anything of force in the language of the Constitution, a violation of the provisions of the Constitution. It deprives the House of voting by a two-thirds vote on the veto message, and gives the right to the House to affirm that message or negative that message by a majority vote. If you get beyond that, you get beyond the Constitution itself. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

The SPEAKER. The gentleman from Wyoming is recognized for five minutes.

Mr. MONDELL. Mr. Speaker, the use of poison gas in warfare was first undertaken by the Huns at the beginning of the Great War. It has never so far received the sanction of the civilized world. But there seems to be a disposition in certain quarters to adapt those tactics to legislative discussion, and so we have a variety of gas explosions here this morning in regard to a matter that is as clear as any feature of the procedure of the House of Representatives. Gentlemen attempt to establish smoke barrages, behind which they hope to conceal their real partisan purpose and intent.

Now, the fact is that there are three motions that can be made when the President returns a bill with his veto—a motion to consider forthwith, a motion to postpone to a day certain, and a motion to refer to committee. And all those motions have been made from time to time since the foundation of the Government, and this is the first time, so far as I know, that anyone has ever raised a question in regard to the validity of any of them.

If the gentlemen on the other side who are agonizing because the House did not do the perfectly senseless thing of voting on a veto message relative to a provision which it expected to amend, practically in accordance with the recommendations of the President, had felt that way when the matter first came before us, they could have either made the motion for immediate consideration or they could have voted down the motion to refer to the committee. They did not even ask for a division. So far as the RECORD shows, the action of the House was unanimous, as I recall it, on the motion to refer to committee—a motion very frequently made; a motion made on that side within the last two years with regard to a great supply bill providing for the Army of the Union. It went to the committee, and exactly the same practice was followed as was followed in that case, when my distinguished friend, the gentleman from Missouri [Mr. CLARK], was in the chair as Speaker, and when a great majority of the men now sitting on that side were here as Representatives in the former Congress, as has been followed in this case.

The SPEAKER. The time of the gentleman has expired.

Mr. CAMPBELL of Kansas. I yield to the gentleman one minute more.

Mr. CLARK of Florida. What was done with the bill?

Mr. MONDELL. It was taken up for consideration, and it was considered, just as this bill will be considered. The only reason why any rule is necessary in this case is to expedite the consideration of this bill. We happen to be operating under another rule, which makes it difficult to get in even with a privileged bill from the Committee on Appropriations. Furthermore, this bill has not been printed, and therefore could not be considered until to-morrow without a rule. Therefore, in order to serve the public interest and have this bill reenacted as soon as possible, it has been necessary to bring in a rule; and the minority members of the Committee on Rules used very good judgment and patriotism in the Committee on Rules by voting for the rule, as they have shown their very poor judgment since the rule was reported. They have proceeded to argue now for the first time the new and strange heresy propounded by the gentleman from Arkansas [Mr. WINGO]. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask for a vote on the resolution.

The SPEAKER. The question is on agreeing to the resolution.

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. WINGO. Mr. Speaker, I ask for the yeas and nays.

The question being taken on ordering the yeas and nays, 21 Members seconded the demand.

The SPEAKER. Twenty-one Members, not a sufficient number.

Mr. WINGO. I ask for the other side, Mr. Speaker.

The SPEAKER. The gentleman demands the other side. Those opposed to taking this vote by the yeas and nays will rise and stand until they are counted. [After counting.] One hundred and ninety in the negative. Twenty-one is not a sufficient number, and the yeas and nays are refused. The resolution is agreed to, and the House automatically resolves itself into the Committee of the Whole House on the state of the Union, and the gentleman from Iowa [Mr. TOWNER] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 7343) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, with Mr. TOWNER in the chair.

The CHAIRMAN. Under the rule the chairman of the Committee on Appropriations has one hour, and the ranking minority member of the Committee on Appropriations, the gentleman from Tennessee [Mr. BYRNS], has one hour. The gentleman from Iowa is recognized for one hour.

Mr. GOOD. I yield 15 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, we are about to consider a bill providing for the sundry civil expenses of the Government in lieu of a similar bill vetoed by the President. The chairman of the Committee on Appropriations, the gentleman from Iowa [Mr. GOOD], will make a statement with regard to the details of the paragraph toward which the presidential veto was leveled. I do not propose to discuss that matter in detail, but propose to discuss for a very few moments the general question of this particular veto.

The sundry civil bill was signed by the presiding officers of the two Houses on the 1st day of July. The President did not act upon it until the 11th, by the veto, which arrived here on the morning of the 12th. He vetoed the bill on the ground that the appropriation of $6,000,000 for vocational rehabilitation was not sufficient, and that there were certain limitations contained in that item upon the amount which might be paid for high salaries, which he claimed would hamper the work of rehabilitation under the paragraph.

We are none of us challenging the President's constitutional right to veto legislation. It is not only his right to do it, but it is his duty to do it when he feels justified in taking that extraordinary action. But so far as my experience goes, this is the most extraordinary and unusual presidential veto we have ever had. There may have been presidential vetoes in the past on the ground that a certain item of appropriation was not sufficient, where the right to create a deficiency was unquestioned, but I do not recall any such veto, and I doubt if there ever has been such a veto up to this time.

There may have been presidential vetoes in the past on the ground that Congress was not providing for salaries sufficiently high, but if there have been I do not recall them. I do not know of a case, have not been able to find a case, where a President has vetoed a bill on the ground that the Congress has not provided large enough salaries. These are the two grounds of the veto before us. If the bill had not been vetoed, no one has any doubt but that the work of vocational rehabilitation would have been carried on in the largest possible and most liberal way, because every dollar of the $6,000,000 carried in the bill was available for use as soon as it was needed and when it was needed.

The right to create a deficiency was unquestioned, and if the $6,000,000 had been needed within a month or two months or three months it could have been used, and Congress would have responded promptly and willingly to any request for a deficiency appropriation to carry on the work. It is true that with regard to these gentlemen whose salaries were about to be reduced they might have been temporarily separated from the public crib and pay roll, some of them, or their salaries of $5,000 and $4,000 and $3,500 might have been reduced somewhat, temporarily at least, until such time as the President might have communicated with the Congress, calling attention to the necessity, as he saw it, if he did see it, to increase the salaries of these officials. No President, so far as I recall, has ever vetoed an appropriation bill because of the alleged insufficiency of an item where a deficiency could be legally created, and no President, so far as I know, has ever heretofore vetoed a bill on the ground that the salaries provided were not high enough.

If it be true that this appropriation is not sufficient for the entire fiscal year, that matter would have been provided for by a deficiency appropriation. If it be true that some of these gentlemen are entitled to $5,000 instead of $4,000, or to $3,500 rather than the $800 or $1,000 or $1,200 that they used to earn in their usual vocations, that fact could have been presented to Congress without the veto of a great supply bill. During the period of the Great War we passed Army and Navy bills that carried but a fraction of the sums needed and used for military and naval purposes, but were any of those bills ever vetoed on the ground that the appropriation was not great enough? The ordinary appropriation bills carried hundreds of millions of dollars. The deficiency appropriations for this same service carried tens of billions of dollars. The President must know and the President does know that through a deficiency appropriation all needed funds would have been provided for, without the extraordinary action of vetoing this tremendously important supply bill.

This Congress in 37 working days passed through both Houses, securing the signing by the presiding officers of the two Houses, seven great bills that had failed in the preceding Congress. The President was not at the seat of government and could not sign them, and from the 1st of July up to the time action was finally taken on these bills practically every activity of the Federal Government was in dire jeopardy lest something might occur to prevent the enactment of these bills into law. Until the President acted, the multiplied activities provided for under this bill, from Panama to Hawaii, from the Arctic to the Virgin Islands, were in questionable circumstances, and still all these activities would have been validated had the President signed the bill.

But when he failed to sign it, these activities, wide flung as are our possessions on land and sea, involving the employment of hundreds of thousands of people, in the most important services under the flag, were left without legal sanction, and to-day so far as they have operated from the 1st of July have been operating without warrant or sanction of law, a condition which has never existed under our flag from the foundation of the Government to this time.

What are some of these activities? The Panama Canal and all of the work on and in and about it; the activities of the Alien Property Custodian; the maintenance of all the Federal penitentiaries; the Coast and Geodetic Survey; the Coast Guard; the Emergency Fleet Corporation as provided for in this bill; the Federal Trade Commission; the great work of flood control along the Mississippi and on the Sacramento Rivers; the activities of the Geological Survey and the Lighthouse Service; many of the most important activities of the Bureau of Labor; all of the activities of the Bureau of Engraving and Printing; the National Park Service and all of the wide-flung public-land services; the Reclamation Service; the work on rivers and harbors as provided for in this bill and on public buildings from one end of the country to the other; the maintenance of St. Elizabeths Hospital, where 4,000 of our unfortunate boys are being cared for; and the maintenance of soldiers' homes throughout the country.

By reason of the veto of this bill all of these activities, so far as they are being carried on, are now absolutely without any warrant of law so far as employments are concerned.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Can I have five minutes more?

Mr. GOOD. I yield five minutes more to the gentleman.

Mr. MONDELL. This bill carries an appropriation of $53,000,000 for military and naval family allowances of soldiers; $75,000,000 for military and naval compensation of soldiers and their families. Not a dollar of these sums can now be legally paid. Not a dollar of them has been paid legally so far as it has been paid since the 1st of July. But in order that the Congress may have its attention called to the salaries of a few gentlemen who do not want to be separated from the public crib, in order that the attention of the country might be called to the fact that there is a possibility of a deficiency six or eight months from now in one item, all of these great appropriations for our soldiers and our sailors, their wives, widows, and orphans, are nullified, held up, deprived of legal sanction.

Why, even the flunkies at the doors of the White House are employed, and have been since the 1st of July, by reason of this veto without warrant of law. If there is anybody being paid there now he is being paid contrary to law and employed contrary to law.

If the Panama Canal is carrying commerce to-day it is doing it without legal sanction for expenditures. If they are taking seals at the Pribilof Islands they are doing it without warrant of law. If they are surveying lands for settlement they are doing it without warrant of law. If they are paying the widows and orphans of soldiers and the crippled soldiers themselves they are doing it without warrant of law.

I would regret to express on the floor of this House my honest opinion as to the motives, purposes, and intent of this absolutely unnecessary and unjustifiable veto of a great appropriation bill. [Applause on the Republican side.] Tying up the activities of the country everywhere for the alleged cure of something that is curable, if it needs cure, through the ordinary processes of the Government and without recourse to this revolutionary procedure. If the President had been at the seat of government when this bill was passed and had wanted to veto it, it might have been done without creating this condition of chaos and confusion. [Applause on the Republican side.]

Mr. GARNER. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. GARNER. The gentleman is cheered by his side of the House when he says that it is an unnecessary veto. Why did not the gentleman move to pass it over the President's veto? [Applause on the Democratic side.] If it is such a clear case as the

gentleman says it is, and wholly unnecessary, why did not the gentleman give us the opportunity to pass it over the veto?

Mr. MONDELL. The gentleman from Texas is a very shrewd, smart, astute gentleman, and he does not believe in this veto any more than I do. In his heart of hearts he knows there is such a thing as taking advantage of an opportunity to appear to be doing something for folks when you are not doing it. That is the answer to his question. [Applause on the Republican side.]

Mr. BYRNS of Tennessee. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. CLARK].

Mr. CLARK of Missouri. Mr. Chairman, the speech just delivered by the gentleman from Wyoming [Mr. MONDELL] would have been a very good speech opposing this veto, but it comes too late. The trouble is that the gentlemen on the Republican side of this House who passed this bill originally over our insistence to increase the appropriation to rehabilitate our crippled soldiers did not want to toe the mark and vote on the question of the veto, because the President's veto is right and proper. That is all there is to this hullabaloo here to-day; merely that and nothing more.

I am more in favor of this veto than I have been of any veto message the President ever sent to this House. [Applause on the Democratic side.] I am in favor of doing everything possible for the comfort and prosperity of the American soldiers, especially those who are wounded or crippled in battle. There was nothing secret about this thing. This is not the first time that a message was ever referred to a committee, but the case that the gentleman from Kansas [Mr. CAMPBELL] cited is not parallel to this. That message that he was talking about was referred to the Committee on Public Lands for the purpose of killing it in the committee. Nobody had any idea of killing this veto, and it ought to have been put on its passage and those who were in favor of it given a chance to vote to uphold the veto.

Mr. CAMPBELL of Kansas. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. CAMPBELL of Kansas. What was the reason for referring the President's veto of the Army appropriation bill in 1916?

Mr. CLARK of Missouri. I do not remember. There are lots of things that I do not carry about in my head.

Mr. CAMPBELL of Kansas. In that case the veto message, together with the bill vetoed, was referred to the Committee on Military Affairs, and four days later a new bill was reported back and passed without a roll call.

Mr. CLARK of Missouri. That is true. I do not remember the circumstances of the case.

Mr. CAMPBELL of Kansas. That is a parallel of this case.

Mr. CLARK of Missouri. The principal part of the speech of the gentleman from Wyoming [Mr. MONDELL] is a whine against the President of the United States. His objection or criticism divides itself into two parts. The first is that the President went to Europe and the second that he vetoed the bill. I am going to give my opinion about both matters. The President of the United States had as much right to go to Europe as he had to go to Baltimore. [Applause on the Democratic side.] I said that from the start. There had grown up in this country the delusion that the President of the United States could not go outside of the country, and when President Taft and Gen. Diaz met on the bridge at El Paso, and each one stood on his own side of the fence and they had some kind of a confabulation down there—that performance confirmed that delusion in the minds of the American people. The gentleman from Kansas has a bill or a resolution or something of the sort providing that no President of the United States shall leave this country. I suggest to him that he is locking the barn after the horse has gone. [Laughter.] No other President except President Wilson ever went to Europe or anywhere else outside of the country.

Mr. CAMPBELL of Kansas. And never will.

Mr. CLARK of Missouri. Maybe never will, but that resolution or bill—which is it?

Mr. CAMPBELL of Kansas. A bill.

Mr. CLARK of Missouri. Of the gentleman from Kansas is not intended to be passed. It is intended to be an indirect assault on Woodrow Wilson, President of the United States. [Applause on the Democratic side.]

Let me tell you something that I remember that happened some years ago. When I think of it it makes me wonder that the gentleman from Kansas did not bring in a resolution censuring Woodrow Wilson for leaving the United States, because he, Mr. CAMPBELL of Kansas, when Col. Roosevelt was in the very zenith of his power and fame, had the courage to stand up here on the floor of the House and take President Roosevelt's hide off in pieces as big as a saddle skirt, and when he got through with that speech I told him that if it were proper for Congress to do so, if Congress had any jurisdiction over the case at all, I would be glad to move that Marshall Ney's name be stricken out of history as the bravest of the brave and the name of the gentleman from Kansas inserted in its place. [Laughter and applause.] Why did not the gentleman live up to the reputation for courage that I have given him? I do not know.

Mr. CAMPBELL of Kansas. I waited until the President's return from his mission to Europe.

Mr. CLARK of Missouri. I will tell you what you want, every one of you over on the Republican side. You want to find some kind of fault with the President of the United States.

Mr. KNUTSON. May I not suggest to the gentleman that the President is making it very easy for us to do so?

Mr. CLARK of Missouri. Oh, no; he is not. You are entirely mistaken. The President of the United States has more power than any man on the face of the green earth.

Mr. KNUTSON. Too much—too much!

Mr. CLARK of Missouri. Perhaps he has too much; but he has it. That is the main fact. While you Republicans have a majority of 43 in the House and a majority of 2 in the Senate, still you lack a good deal of having the coign of vantage in the political fight that you are precipitating in this House from day to day. [Applause on the Democratic side.]

I have not always agreed with President Wilson, and I never do agree with everything that any man who ever lived does, and never will. Men with brains in their heads and courage in their hearts do not have to agree with any particular man about everything that he does and everything that he asks. [Applause.] When I have differed with him I have come out into the open and fought like a man, taking all the slander, lies, and filth which editors, hoping for some reward, could heap on me. I have not sidled in and sidled out as the gentleman from Wyoming and his followers are doing to-day. When I think he is right I propose to support him, tooth and nail. I shall give him the benefit of the doubt every time as to whether he is right or wrong. If he is palpably wrong, I shall fight him or any other man that ever sits in the White House. Certainly the great Republican Party does not propose to reduce itself simply to a concentrated growl. [Laughter and applause on the Democratic side.] That is exactly what you are all doing. The whole speech of the gentleman from Wyoming [Mr. MONDELL] was nothing but a growl, and he is getting to be the greatest growler on the American continent, bar none. [Laughter and applause on the Democratic side.]

Anybody can find fault. That is one of the easiest performances known among men. Any plug can go out with an ordinary telescope and find spots on the sun. They are there; they have always been and always will be, but notwithstanding the spots the sun continues to warm and light and fructify the world. [Applause on the Democratic side.] You can talk all you please about spots upon the present President of the United States, but notwithstanding the fact stands forth that by the verdict of the civilized world he is the foremost man in all the world. [Loud applause on the Democratic side.]

Mr. UPSHAW. Will the gentleman yield?

Mr. CLARK of Missouri. For a question.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK of Missouri. Will the gentleman from Tennessee yield me an additional five minutes?

Mr. BYRNS of Tennessee. I yield the gentleman from Missouri five minutes additional.

Mr. CLARK of Missouri. I did not hear what the gentleman from Georgia said.

Mr. UPSHAW. It was just a friendly question.

Mr. CLARK of Missouri. If it is friendly, all right. I did not start out to pass any eulogy on President Wilson. He needs none. Like Daniel Webster said about Massachusetts, "There she stands and you can judge for yourselves," and there is not a man in the House who has any respect for his own reputation, both for intelligence and veracity, not a single one, who will deny that by the universal suffrage of America he stands at the top of the heap. Now, if any of you want to deny it I will stop long enough to hear you deny it. [Applause on the Democratic side.]

Now, about this veto. Of course, it is sidetracked by the committee, and we will never get a chance to vote on it now. I have great respect for the Speaker, but I think he ruled wrong; but that does not make any difference here or there. What we want to do, and I believe the Republicans, the bulk of them, want to do toward this particular proposition, is to give all the money that is needed to take care of and educate these wounded soldiers. [Applause.] And as far as I am individually concerned, I thank God the President vetoed that bill. [Loud applause.] I yield back the remainder of my time.

The CHAIRMAN. The gentleman yields back three minutes.

Mr. GOOD. Mr. Chairman, I ask the gentleman from Tennessee to yield some time.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield eight minutes to the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. Mr. Chairman and gentlemen of the committee, when we had up for consideration in the Committee of the Whole House on the state of the Union the sundry civil appropriation bill carrying an item of $4,000,000 for the purpose of administering the powers of the Federal Board for Vocational Rehabilitation of wounded soldiers I had a rather earnest colloquy with some of the members of the Committee on Appropriations upon the assertion made by me, and vouchsafed for by other members of the Committee on Education, that the amount carried in the bill, especially as reported back by the conferees after an agreement with the conferees on the part of the Senate, was totally inadequate for the emergent need of that great organization, and I challenged the gentleman from Iowa [Mr. GOOD], the chairman of the committee, at that time to state categorically whether or not he was in a position to assert that in view of the testimony before his committee up to that date he was willing to give to the House the assurance that the sum of $6,000,000 finally agreed upon, in view of all the appropriations, was ample for the purpose of carrying into effect the provisions of the amendment to section 1 of the original act and also the general administrative purposes of the board as provided for in the original act.

I asserted then that it was impossible for those figures to come up to the necessities of the situation, for the reason that a few days prior to that occasion this House by unanimous vote had passed a law amending section 2 of the original act by the terms of which law the Federal Board for Vocational Rehabilitation took over under their exclusive jurisdiction from the Bureau of War Risk Insurance at that time approximately 4,000 additional soldiers, making a sum total in anticipation of their immediately giving at that time something over 7,000 men. It was then, as it is now, gentlemen of the committee, a mere matter of mathematics, based upon the pay of $80 a month for single men and $100 for married men, to establish that the appropriation of $6,000,000 carried by that act amending section 2 was only sufficient for the purposes of that amendment, and it did not make any provision whatever for all the other general expenses of the board at that time.

Mr. DEWALT. Will the gentleman yield?

Mr. BANKHEAD. My time is limited; ask a brief question.

Mr. DEWALT. Are there not practically now 14,000 instead of 7,000? Is not the pay increased from $80 to $85 for single men and to $115 for married men?

Mr. BANKHEAD. I was coming to that, and I thank the gentleman for the suggestion. Gentlemen, when we passed this original bill creating this great department of our Government, a new adventure in the history of our Republic, we did not imagine the great scope that it was going to take, we did not imagine the great area, so to speak, of the beneficence of this legislation, and we did not reasonably anticipate the great number of wounded and disabled men who would come under its provisions. At that time it was estimated that the maximum number of all of our wounded and disabled who would come under the provisions of the bill for all time would be 10,000 men, and up to this date, gentlemen of the committee, as suggested by the gentleman from Pennsylvania [Mr. DEWALT], and, as carried out by the testimony before the committee, they already at this date have under their control, or will have very soon, for vocational rehabilitation practically 14,000 wounded and disabled soldiers, and at the rate of $100 a month, an average for 14,000 men, it is simply another matter of mathematics for you to see that this appropriation of $12,000,000 we are providing for here by this amendment is not going to be sufficient to carry out the purposes of this great law, and that hereafter this board will have to come back to Congress for additional appropriations. The gentleman from Wyoming [Mr. MONDELL], the leader of the Republican Party upon this floor, made a vigorous criticism of the President of the United States for sending in this veto; but, gentlemen, I submit for your consideration that the contention of those of us here upon this floor when this matter was up that this money is needed—as a justification and vindication of the righteousness and justice and humanity of the President of the United States action in vetoing this appropriation—is the fact that the Committee on Appropriations has brought in a bill sustaining his position as to the amount required, and very largely liberalizing the restrictions upon the amount of salaries to be paid.

But, gentlemen, in its real essence and analysis this is not a partisan question, and I think it is rather to be regretted that any element of partisanship should come into discussion of this great proposition. These wounded and disabled soldiers are the wards of this great Nation until they have received fully and completely the benefits of this legislation, and every Member of this House is, in his duty here, a trustee of their interest, and upon a fair and legitimate presentation of the fact showing their necessities, called upon to vote every dollar, not in a stingy, miserly way, but, upon the contrary, in a generous and, I am almost tempted to say, an extravagant manner if necessary.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BANKHEAD. Mr. Chairman, I would like two more minutes.

Mr. BYRNS of Tennessee. I yield two more minutes to the gentleman, Mr. Chairman.

Mr. BANKHEAD. Gentlemen, I think it unfortunate that the restriction upon the salaries should have been fixed. I believe sincerely in the integrity, and not only the integrity but in the wisdom and ability and honesty of those men who are administering this great law. I have no personal interest in any of them. None of them, I believe, comes from my section of the country at all. But they have been men called into the service in this emergency in this great cause, many of them against their real will. Take the case of Dr. Prosser, the director, and he is still, as a matter of fact, superintendent of that great Dunwiddie Institute, out in Minnesota, and it is only by the courtesy of the board of trustees of that institution that his services are temporarily assigned to the Government of the United States. They talk about his salary. He was getting, as president of that institution, the sum of $10,000 per annum, his salary from the Government. If you will make an investigation, you will find that there are a number of these other men who are selected for their capacity, for their excellence of knowledge upon these questions that necessarily go into consideration in making them capable of administering this law, and that they are men who in private avocations and pursuits earn equally as large amounts of salary as those they are now paid.

Under the limitation of time I can not discuss the provisions of this amendment minutely. I rejoice in the interest, at least in the temporary interest, in the wounded and disabled and handicapped and stricken young men of this Republic, who have become so in the service of the flag. Because we stood up here and pleaded in their behalf the other day, we rejoice in the President's veto, which, as indicated by the report brought in by the committee, has resulted in doubling the amount, and we trust will suffice for a large part of the fiscal year to carry out the necessity of caring for those soldiers. [Applause.]

Mr. BYRNS of Tennesse. Mr. Chairman, I yield eight minutes to the gentleman from New York [Mr. DONOVAN].

Mr. DONOVAN. Mr. Chairman and gentleman, first I want to pay my respects and compliments to the Committee on Appropriations. I believe it realized that it made an error and that it has tried to correct it. I do not think that a discussion whether the request for the appropriation was made in a certain form, or how it was made, enters here. I do not think that any action that has been taken up to this time has any particular weight; that is, such action as is against the bill.

It seems to me it reduces itself to this simple proposition: This great Government of ours, by this Congress in its enactment, has decided that it is going to rehabilitate the soldiers. It is a problem, a definite problem, and with it there are certain avenues and elements. What are they? You are either going to carry out and solve that problem for the benefit of these men and, secondarily, for the benefit of our country, or you are going to put a quietus on it. My opinion is that you are going to solve it.

Now, what is the problem? To-day there are 5,200 crippled men in training. What does that mean? It means that those 5,200 men will be employed, or engaged in receiving that training, for an average of 10 months. Does it cost anything for the training? Yes. How much? The tuition is $17 a month, and by reason of an amendment of the second section of the war-risk insurance act there was transferred an appropriation and a duty and a function which belonged to the War Risk Insurance Board, to the Vocational Board, and made a law here, which said that during the training period of these crippled men they must be supported.

The bill brought in here asked for $75, but this House in its discretion and judgment, which I think wise, enacted a law, which has been signed by the President and is now on the statute books, which gives to the single man $80 and gives to the married man $100 a month, plus his tuition of $17 a month, and, for 10 months' training at $117 a month, for a year it totals $1,400. Plus that $117 a month to the married

man there is allowed by allotment $15. If he perchance has one child, he is allowed $10 additional. If he has two children, the second child is allowed $7.50; if he has three children, $5 for the third child, and $5 for every succeeding child. The single man is allowed $80 without dependents, but if he has dependents—and while it may seem a misnomer for a single man to have dependents, it is a fact that he has them—he is allowed for his parents $10 each, and then a gradation down, for his brother, $5, and it goes on down until it reaches his father-in-law. So you can see that the average, where there is a dependent of any of these men, goes from $80 to $117 a month. Twelve months' training equals $1,400. Now, there are actually being trained 5,200 men. Multiply that number by $1,400, and see what the total is. It will go considerably over $6,000,000. When the appropriation was asked for by this board at the last time the sundry civil bill was being considered, it was approximated on this basis. Then the War Risk Insurance Board gave but $35 for support during training, and they averaged $40. There were 7,000 men then ascertained to need training. There were 3,000 actually in training. Four thousand of those men were waiting transfer from the War Risk Insurance Board to the Vocational Board, and your act in amending section 2 accomplished that. That was $90—$60 for support and $30 was estimated during the training for tuition. Seven thousand multiplied by $90 gives you what? It gives you $6,300,000. The board came in and asked for $6,000,000. At that time, my friends, there were but 3,000 actually in training, and this was estimated. What has transpired since? There are now awaiting survey and waiting for training 8,500 men. These men are to average $100. Multiply that by the number——

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. DONOVAN. No; I have but little time. The gentleman is well prepared to take care of his part. We are friendly. I will state only facts.

Now, what has this country done? What is Canada doing? Canada has a problem, my friends, of 40 per cent less men in training than we have. We have nearly 14,000 men ready now.

There have been surveyed 98,000 men by this board. Canada, with her seven thousand and odd men in training, has appropriated $32,000,000, and we have now ready for training approximately 14,000, and we are expected to do the physically impossible thing with but $12,000,000 appropriated.

These funds, my friends, go only to the training and to the support of these crippled men during training. What are the expenses all of which are vital and necessary? There is the traveling expenses of disabled soldiers, emergency medical care, mechanical appliances, salaries and traveling expenses of employees, rent of district offices, equipment, printing, supplies, expert medical service, and communication. In fact, this $12,000,000 will not provide for these and many other things the board is required to do in the registering, surveying, medical examination, training, and placement of disabled men.

Now, much has been said here about the staff of this organization. I want to be perfectly frank and honest. Each side of the House indulges in it—I do not know what you would call it; it may be politics or it may not be—but whatever it is it is mixed with insincerity, and it has no candor to it, and it does not stand the light of day if there is anything in the administration of this department which needs investigation——

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. DONOVAN. May I have five minutes more?

Mr. BYRNS of Tennessee. Mr. Chairman, I yield to the gentleman five minutes.

The CHAIRMAN. The gentleman from New York is recognized for five minutes more.

Mr. DONOVAN. It is the fashion now to investigate everything, and if there is anything to which exception can be taken in the administration of this department, let us investigate and let us not whitewash it or do an injustice. If we find anything wrong, do not stop with an elaborate report which leads nowhere, such as we heard here in regard to the National Security League, but let us seek an indictment. Let us see who these "terrible men" are, as has been suggested by innuendo. Are they broken-down political hacks or not? What are the requirements for the work? Can you take a chauffeur out of a car and have him administer this department? Can you take a man out of a ditch and put him at it? My opinion, gained by observation and investigation, is that you must have trained executives.

I never heard of Dr. Prosser and never saw him until he came before our committee. He impressed me as a capable man. He is an educated man, president of a Minnesota college, an expert in this line, and a pioneer in the upbuilding of the disabled man; he is efficient, practical, earnest, and sincere. Sometimes these qualities are not all welded in a man of superlative education. Then there was Dr. Chandler. Who is he? He has been selected as the president of William and Mary College, and he was Dr. Prosser's assistant, giving his services at a nominal compensation for this most noble work. Who is Dr. Munroe? He is a prominent and successful Massachusetts business man. Who is Mr. McIntosh? He is a member of the Federal Board for Vocational Education, appointed with the then Cabinet members, with two other distinguished Americans, by the President of the United States.

Gentlemen, let us be honest with them. Do you mean to tell me these men are not men of the highest caliber? If they have surrounded themselves with a staff or a kitchen cabinet, unworthy of the exalted position which they occupy in the administration of their sacred trust, let us see at once the wrong is righted. But if they are such men as I describe, let those in this House that are unjust and unfair forever hereafter desist. We have a problem here, an earnest one, and I often think that the facts have not been sufficiently explained. I know that a Member of another body in this building made a reference in error that the Vocational Board had another appropriation of $5,500,000 for the training of soldiers. It is a fact that there is such an item in the Army appropriation bill. It is for the training of soldiers, oh, yes; but not for these soldiers. It is not for the rehabilitation of disabled and crippled soldiers. It is for the normal soldier man. Our great Government made that an attraction to bring them into the Army, and then to make them mechanics and electricians and efficient in numerous branches of the arts and sciences.

In conclusion I want to say to you, gentlemen, that before the committee of which I am a member, the Committee on Education, there is pending a bill authorizing the appropriation of $100,000,000 for the eradication of illiteracy, for the development of Americanization, for the developing of equal opportunities in this great country, and yet when this $12,000,000 is asked for we hesitate and halt. I would vote $150,000,000 for a proposition to give education and the retraining of men who are not educated and who answered the call of their country and went to battle and returned maimed and crippled, to take them off the human scrap heap, where they would otherwise be thrown as human derelicts or outcasts, and give them an opportunity of hope and spirit, again make them a worthy part of the Commonwealth, make them of advantage and value to their country and to themselves.

Nineteen million dollars is the lowest amount that this rehabilitation problem can be operated on for the present year, and the balance between $12,000,000 and that sum will soon be demanded of your committee. I know that it and no other succeeding body of men is knowingly going to cripple this work when the appropriation for it is asked, or where it is asked, or what clothes a man wore when he asked it. It is a problem in this country, and every man here is for it, and will vote for the appropriation, and I say, "Go to it, and God bless you all for doing it." [Applause.]

Mr. GOOD. Mr. Chairman, I yield three minutes to the gentleman from Nebraska [Mr. MCLAUGHLIN].

The CHAIRMAN. The gentleman from Nebraska is recognized for three minutes.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman, I have been very much interested in the remarks of the gentleman [Mr. DONOVAN] who has just left the floor. We are all agreed, I am sure, on the general proposition under consideration. There is not a man here but wants to do everything that is necessary for the rehabilitation of these valiant men.

We should remember, however, as was suggested by the majority leader a while ago, that Congress is in session and will be in session, and that this is a matter where a deficit can be allowed, and where a deficiency bill can be brought in later. Any effort that may be made here to fasten upon anybody, either Democrat or Republican, a desire to appropriate too little for this great and worthy purpose I am sure is altogether unwarranted. I know that every man here feels, in the language of the great Master of men, that not one of us is worthy to stoop down and loose the shoe latchets of one of these men who placed his life upon the altar of his country.

But, Mr. Chairman, I have a keen appreciation of the intelligence of the American soldier, and therefore I fear not from his judgment and understanding of this question any effort that may be made here to attempt to discredit anyone on this side of the House, because it seems that possibly not enough was appropriated for this great and worthy purpose.

The intelligent, efficient American soldier can detect a camouflaged political veto just as readily as any Member of this House.

They know that an additional appropriation could have been made within a week at any time, and would have been made, for this purpose. I do not think that the soldiers of this country, from the days of the Civil War down to the present, have any question in their minds as to who have been their friends, and who will provide amply for them at any time necessity requires. They will not discredit men in this House for seeking to keep down unnecessary appropriations on all lines when there is a deficit of from $2,000,000 to $4,000,000 a day in the public Treasury, and when men in every line of industry are clamoring for a reduction of taxes. We are glad and anxious to do everything that is necessary, and we shall do everything that is required. I believe with those who have already expressed the same conviction on this floor that the exercise of the veto power at this time, holding up all these great appropriations and handicapping so many branches of the Government, was unwarranted, and that it would have been far wiser to approve this measure and trust to Congress to meet the deficit when it should occur.

Each Member here knows that this Congress will provide from time to time every dollar that is necessary for the full and effectual rehabilitation of every American soldier.

Mr. GOOD. I yield 10 minutes to the gentleman from Ohio, Dr. FESS.

Mr. FESS. Mr. Chairman and members of the committee, there is one item in the amendment reported that I would like to have modified if it does what I am sure it does, and which I do not believe the committee intended it to do. It is that paragraph which says that no person except the members of the Federal Board for Vocational Education shall be paid by said board out of the appropriation contained in this or any other act.

The words "or any other act" would cover the Smith-Hughes Vocational Act, and would exclude the present director of the Vocational Board of Education, who is not a member of the board.

Mr. GOOD. Will the gentleman yield?

Mr. FESS. I yield to the gentleman from Iowa.

Mr. GOOD. I will say to the gentleman that on Sunday the committee held a hearing, and it was stated in that hearing that the present director intended to resign his position, and that $6,000 was all they were going to require for any salary, that that would be the limit, and that is one reason why the matter was carried as it is.

Mr. FESS. I regret to have that information, that Dr. Prosser is going to resign from this board. My acquaintance with him is of many years standing, and I know he came here at a great loss in salary. Until recently he received $10,000 a year, and a change was made to cut it to $7,500. Now, this cut to $6,000 would, of course, lose him to us if he had not decided voluntarily to retire. I do not care to take any time to eulogize an individual. It is not a matter of legislation, and therefore I do nothing more than simply to express regret at the information I have just received, which is very sudden and supprising to me. I did not know that we were about to lose him.

The Vocational Board is embarrassed over the rapidly increasing demands for its work, that were not known when it began to work. For example, I have a letter which indicates that $6,000,000 would be all that would be required for this work. That was written at a time when the soldiers had not yet returned from Europe in great numbers, and the amount of work was not well understood; but there are 5,200 soldiers now in training, and 8,500 more whose claims have been approved. That would make nearly 14,000 soldiers who are ready to take the training, and at a very conservative estimate it will go away beyond the amount that is here allowed. I am perfectly frank to state that the amount is beyond anything that I had in mind when I introduced the other bill.

Some are inclined to criticize, on the basis that the work is growing too rapidly. If there was no limit to this I would be in the same attitude of suspicion, but the growth is limited by the number of disabled soldiers, and I do not want to be a party to any legislation on the basis of economy that would deny training to any disabled soldier, no matter how many there are or how large the amount is. [Applause.] For that reason I desist from any criticism of the board for asking for the additional amount, and at the same time I share the desire of the Committee on Appropriations to hold it within reasonable bounds. But it is our business here, with the facts in mind, to act according to the latest intelligence that we have.

Mr. DENISON. Will the gentleman yield?

Mr. FESS. I yield to my friend.

Mr. DENISON. I agree with what the gentleman has stated, and I was wondering if the gentleman from Ohio had found anyone in this House who really differed with him on that proposition, and who was not willing to appropriate liberally or who wanted to economize especially for this line of activity.

Mr. FESS. I agree with my friend from Illinois that there is no disposition on the part of anyone to cut off the needed training. There has been some misunderstanding as to the facts. When we were considering the bill before, I confess that my mind was not entirely clear as to the magnitude of the demands of this work, and when the chairman of the Appropriations Committee reported that the sundry civil bill carried a certain amount, and indicated that it was a duplication, that statement immediately confused the minds of a good many of us. However, it is not a duplication. Our bill which passed the House the other day carried $6,000,000. This is $6,000,000 more, making $12,000,000 in all for the use of this board, and that is not as much as the present demands would seem to indicate. That is, if we have 14,000 maimed soldiers ready for training, and would put them immediately in training, it will take more than the amount that is allowed. But I am perfectly willing to rest in the conviction that the Congress will meet that additional amount under an urgent deficiency bill if it is presented, and the facts are shown that it is needed. For that reason I am inclined to support the report of the chairman of the committee, with the full intention of doing everything in our power to take care immediately of those who are in need of training. With that statement, with a keen intensity of feeling of what we ought to do, I do not hesitate to vote for the bill as it has come before the House at this time. [Applause.]

Mr. BYRNS of Tennessee. I yield five minutes to the gentleman from Georgia [Mr. UPSHAW].

Mr. UPSHAW. Mr. Chairman and gentlemen of the committee, I stand for the man on crutches [applause] not because I happen to be on crutches myself, but because there is a pathos of appeal in any man who faces life with a handicap. If a crowd of newsboys on the street come to me to sell papers, the little fellow who is crippled gets the sale of even more than one if I happen to have the change.

I want to emphasize what was said by the gentleman from Ohio [Mr. FESS]. If it be true that the highest salary to be paid to the man at the head of this vocational training has been reduced to only $6,000, I am heartily in favor of increasing it. I believe that any man who is big enough and great enough to direct a work as great as this ought certainly to receive as much pay as any Member of this Congress. If Dr. Prosser, to whom such high tribute has just been paid by the gentleman from Ohio, was commanding $10,000 a year as an expert before coming to this vocational training leadership, this Government ought not to expect such sacrifice of him. We owe our wounded soldier boys the best that money can buy.

We are inspired to do our best for these soldiers when we think of so many men and women who have fought their way through life with a handicap, and have been a blessing to the world. When we think of how the greatest history of Mexico was written by Prescott, a man who was blind; when we think of Alexander H. Stephens inspiring this House and ruling his State from the throne of his rolling chair; when we think of Joe F. Sullivan, of Arkansas and Michigan, brilliant editor of the Hospital School Journal and author of "The Unheard Cry," who can not walk a step; when we think of Fanny J. Crosby, blind from childhood, writing songs for the comfort of millions of hearts on earth, and which, I think, must be sung among the hosts of the redeemed; when we think of our honored colleague, Mr. SCHALL, of Minnesota, who leans on his staff and with sightless eyes catches visions of beauty and of patriotism that make him an inspiration to us all; and when we think of these brave spirits who were willing to give their all, who come back to us with armless sleeves or staggering on crutches or with sightless eyes, reaching their hands to the Nation for which they were ready to give their lives, I want to go on record, Mr. Chairman and gentlemen of the committee, as standing for everything, and perhaps a little more, that these brave boys need. When one faculty is lost the others are intensified, and it is wonderful and inspiring to contemplate how a man who has been maimed in body can have his remaining faculties developed in power and efficiency, but expert training is necessary to that development, and I stand unequivocally for this appropriation, and for anything else that may be necessary to help these brave heroes under handicap do their efficient best for themselves and for the Nation that loves them so well. [Applause.]

Mr. MCLAUGHLIN of Nebraska, Mr. BANKHEAD, and Mr. DONOVAN had leave to revise and extend their remarks.

Mr. BYRNS of Tennessee. Mr. Chairman and gentlemen, the gentleman from Wyoming saw fit in his remarks to criticize the President for having vetoed the sundry civil bill on account of the fact that it failed to carry what he considered a sufficient appropriation for the rehabilitation of the soldiers. And yet the gentleman from Wyoming, by his support of the amendment proposed by the Committee on Appropriations raising that ap-

propriation, indicates his entire concurrence with the President in the fact that the former sundry civil bill failed to carry a sufficient amount for the rehabilitation of the soldiers. As has been suggested, entertaining the views expressed on the floor of the House, the gentleman from Wyoming, instead of asking that this bill be referred to the Committee on Appropriations, should have immediately asked the House to pass the bill, notwithstanding the veto by the President. His support of an increased appropriation is in itself an indorsement of the veto of the President and entirely inconsistent with his recent remarks.

As a matter of fact, all of the public activities to which the gentleman from Wyoming refers are being carried on at the present time. We know that there will absolutely be no hindrance or let-up in this work. It is true there is at the present time no appropriation for the maintenance, but everyone understands that this bill will become a law in a few days, and that there will be absolutely no embarrassment in any of these activities.

The statement has been made to the effect that under a Democratic House in February last only $2,000,000 was appropriated for this identical purpose. The bill which passed the House in February carried an appropriation of $2,000,000 and made available the $2,000,000 that had theretofore been appropriated. It appeared at that time that the needs of the Vocational Board were only $4,000,000.

I think the report of the committee was $1,500,000 and the committee raised it on the floor of the House to $2,000,000. There was no objection made on the part of anyone that that sum was insufficient, and so far as I know there was no objection on the part of the Vocational Board. The facts are that at that time, as it is now, the Vocational Board was not in a position to say just how much money they needed. A Member has only to read the hearings held by the subcommittee of the Committee on Appropriations last Sunday to ascertain that fact. As a matter of fact, when the Committee on Appropriations reported the bill at this session of Congress it reported an appropriation of $4,000,000 for the Vocational Board, and that was all that they were asking under authority of law. It is true that they had sent a letter to the chairman of the committee, in which they indicated they might need $8,500,000. But so far as I have been able to ascertain the Vocational Board, up to the 1st of June, believed that they would not need more than $8,500,000.

Mr. QUIN. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. QUIN. Could not they have come in at any time before a succeeding Congress and get all they needed?

Mr. BYRNS of Tennessee. The gentleman is correct.

Mr. BANKHEAD. But does the gentleman approve of that method of legislation?

Mr. BYRNS of Tennessee. No; I do not. I do not approve of deficiency legislation except when absolutely necessary.

I think that Congress, when it can determine the facts, should appropriate every dollar that is necessary for the ensuing fiscal year, but here is a case where even the members in charge of the work, where even the members of the Vocational Board, are unable to give to Congress just how much they will need.

Mr. DENISON. Is it not a fact that in an emergency like war, or the conditions growing out of war, there are a great many activities as to which, as a matter of absolute necessity, under the circumstances there can be no accurate estimate made? For instance, like the Army or the Navy, or for this kind of a service.

Mr. BYRNS of Tennessee. The gentleman is correct.

Mr. DENISON. And under those conditions the practical way to meet them is by a deficiency.

Mr. BYRNS of Tennessee. The gentleman is correct. My remarks as to want of information on the part of the Vocational Board are not intended as a criticism, because we all know that it is impossible for them now to say just how many disabled soldiers and sailors will apply for this training and will be entitled to it. Those are facts which must be developed as we go along. The point I was trying to make is this, that when this present sundry civil appropriation bill was reported to the House, the only estimate before the Committee on Appropriations was one for $4,000,000, and when I refer to an estimate I refer to an estimate coming in the legal way, through the Secretary of the Treasury. As I said a moment ago, there was a letter addressed to the chairman of the committee which indicated they would need about two million and a half in addition to the sum carried in the bill, amending section 2 of the original act, which would make eight million and a half; and if that had been true then there could have been no injury done to this service by the passage of the sundry civil appropriation bill, which carried $6,000,000. But a different state of facts was evidently presented to the President and also presented to the Committee on Appropriations last Sunday, showing that they will need a great deal more than $6,000,000. The fact of the matter is, from the statements made as to the number of men who are now in training, who have been accepted for training and who are expected to apply, I do not think the sum of $12,000,000 will be anything like sufficient to carry on the work throughout the next fiscal year. I feel satisfied, however, that the sum of $12,000,000 which is carried under this bill will be sufficient to carry them at least for six or eight months of the year, so that Congress will have ample opportunity at the next session to appropriate whatever is necessary. I do not believe there is a man on the floor of the House who would deny the disabled soldiers and sailors a single dollar that is necessary to provide them with the proper training under the law.

There may be some difference as to the limitation upon the question of salaries. There may be some who think there ought not to be any limitation and others who think that the salary limitation here is too liberal. This limitation authorizes the Vocational Board to spend, I think, something in the neighborhood of $850,000 for salaries to persons who draw more than $2,500 a year, and the lid is off, the sky is the roof, so far as the amount they may expend in salaries under $2,500 is concerned.

Mr. NEWTON of Minnesota. Is it not $941,000?

Mr. BYRNS of Tennessee. That was the amount estimated by the Federal Vocational Board, but I think the committee's limitation has reduced it by about $94,000.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. BANKHEAD. I find the following in the language of the proviso:

> That no persons (except members of the Federal Board for Vocational Education) shall be paid by said board out of the appropriation contained in this or any other act at a rate of compensation exceeding $2,500 per annum.

Was it the purpose of the committee in framing that proviso to restrict this limitation to the officials employed by the Federal Board for the Rehabilitation of Wounded Soldiers, or was it in the purview of the committee that this limitation should apply to salaries paid to the old existing Board of Vocational Training?

Mr. BYRNS of Tennessee. No; the members of the board are especially excepted.

Mr. BANKHEAD. I mean the employees of that other board.

Mr. BYRNS of Tennessee. It was the purpose of the committee to limit any salary that may be paid in this service by the Federal Board to the sums set out in the amendment. The gentleman will recall that there are three or four employees, possibly, of the board now who are drawing salaries from two different sources. In my own judgment it is contrary to a provision of law carried in one of the naval appropriation bills, but I am informed that the Comptroller of the Treasury has passed on it and says that it is proper. Of course, to his decision we must bow, but the committee in recommending that provision to the House did so with the purpose of preventing any salaries being paid out of any other fund in order to supplement salaries set forth in this amendment.

Mr. BANKHEAD. But the specific proposition I want to clarify is whether this is intended under the salary limitation to embrace the employees of the original Vocational Board?

Mr. BYRNS of Tennessee. It applies to all of the employees.

Mr. BANKHEAD. And is not limited to those employed by the board under the act for the rehabilitation of wounded soldiers.

Mr. BYRNS of Tennessee. No.

Mr. BANKHEAD. Then it is new legislation restricting the salary basis of some men already on the roll of the Vocational Board?

Mr. BYRNS of Tennessee. I will say to the gentleman that a former hearing developed that $10,000 was being paid to one employee, $5,000 from one fund and $5,000 from another. The sundry civil bill which we passed fixed the maximum at $7,500. The maximum salary under this amendment is $6,000. That is in accordance with an understanding with the members of the Federal Vocational Board and was their own suggestion. They stated to the committee that they did not desire to pay anyone more than $6,000 and not more than two persons at the rate of $5,000.

Mr. MADDEN. The restriction intended by the limitation is to prevent some man who on the face of things is supposed to get $5,000 from getting $10,000?

Mr. BYRNS of Tennessee. Yes.

Mr. MADDEN. That is as it ought to be. A man ought not be permitted to be on more than one pay roll, and that is what this restriction means.

Mr. BYRNS of Tennessee. I agree with the gentleman.

Mr. FESS. I have just made an examination as to how far this limitation will reach. There are 22 men now in the service under the Smith-Hughes Act who will be cut out if this remains

in the bill. There are 15 regional directors under that bill who get $3,500 each. There are 2 assistants here in Washington who get $4,000. These numbers that are specified here are limited to the rehabilitation of soldiers' activities. If this and any other act remain, it is going to disorganize the work under the Smith-Hughes vocational bill, and I think there was no effort to do that.

Mr. BYRNS of Tennessee. There is no effort to disorganize any service, I will say to the gentleman; but if the gentleman will read this amendment he will find a most liberal provision as to salaries, more liberal, I venture to say, than any other act that has ever been passed through the Congress, and liberal because of the tremendous organization that has been built up by the Federal Board for Vocational Education. As a matter of fact, the facts show that they now have an organization amounting to $3,488,000 per annum, and your committee felt and believe Congress will feel that it ought to keep its hand upon some of these salaries and put in a limitation which seems ample enough under all the circumstances. [Applause.]

Mr. FESS. I do not believe my friend would say $3,500 for a regional director was too much. There are 15 of them throughout the whole United States, and the gentleman would not say that that was an exorbitant price to pay them, and this bill will cut them out——

Mr. BYRNS of Tennessee. No; this bill does not, I submit to the gentleman, cut them out.

Mr. FESS. Yes, it does; this bill does cut them out.

Mr. BYRNS of Tennessee. This bill provides for 28 in excess of $3,500 and not in excess of $4,000 each——

Mr. FESS. They are all employed under the soldiers' rehabilitation act.

Mr. BYRNS of Tennessee. But under this bill there are 28 in excess of $3,500, 27 at $3,500, which makes more than 50.

Mr. FESS. But it does not include the regional directors under the Smith-Hughes Act. That includes those employed under the soldiers' disability act. You are going to cut out those under the Smith-Hughes Act, and I do not think the committee wants to do that.

Mr. BYRNS of Tennessee. I will say frankly to the gentleman that my own idea of this provision was to limit the amount of salaries, the number paid, and the amount that might be paid out of the funds provided in this bill and the act which passed the other day under the charge of the gentleman from Ohio, and not to affect any other service.

Mr. FESS. I agree with the gentleman on that; but you are going back to the Smith-Hughes Act of 1918, which will cripple the service, and I do not think the committee wants to do that.

Mr. BYRNS of Tennessee. The committee certainly has no idea of crippling the service. I say to the gentleman this provides for salaries of persons receiving over $2,500, about $850,000 in round numbers, and then, as I said awhile ago, they have absolutely unlimited authority to employ just as many as they please under $2,500.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. Mr. Chairman——

Mr. MADDEN. Mr. Chairman, before the gentleman from Iowa begins speaking, I have something on my mind and I would like to ask him a question.

Mr. GOOD. I yield for a question.

Mr. MADDEN. I understood the gentleman from Tennessee [Mr. BYRNS] to say that the salary roll that this board has accumulated amounts to about $3,400,000 a year. Now, I would like to know how much money they spend——

Mr. GOOD. I will take that up. I will try to answer the gentleman before I have completed my statement, but I want to make a statement in a logical way.

Mr. MADDEN. If the gentleman will yield, I want to know the percentage of cost of management. If you are going to expend 25 per cent of all the money for salaries, there ought to be some restriction somewhere, I do not care whether it is for the soldiers or for anyone else. [Applause.]

Mr. FOSTER. Will the gentleman permit a question?

Mr. GOOD. I yield for a question.

Mr. FOSTER. Is it not a fact that when the other bill was up from the Committee on Education that three motions were made on this side of the House to increase the monthly amount, two of which were unsuccessful and the third was successful, and that all three of those motions to increase the monthly allowance came from this side of the House? Is not that a fact?

Mr. GOOD. I have not given attention to that phase of the matter and do not recall, but if the gentleman was here and remembers what was done, I will take his statement for it. I want to say now at the outset I do not believe——

Mr. FOSTER. If the gentleman will pardon me in this connection——

Mr. GOOD. I do not yield further just now.

Mr. FOSTER. It was by a vote of 62 to 57.

Mr. GOOD. Mr. Chairman, I do not believe the public will or should look with approval upon any attempt from any source, I do not care how high that source may be, to drag in the mire of party politics the rehabilitation of our soldiers. The rights of the injured soldier are too sacred and our obligation therein is too great to think this should be done. [Applause on the Republican side.] I say without fear of successful contradiction that if the sundry civil bill as passed by the House in the last Congress had become law, only $2,000,000 would have been available to rehabilitate the soldiers who were so unfortunate as to be wounded in this Great War. This Congress has already appropriated $6,000,000 for the service and we are appropriating $6,000,000 by this bill, or $12,000,000, as opposed to $2,000,000 in the last Congress. Now, let us get down to the solid facts and see just what we are talking about with regard to the veto of this measure. Under the law there never was sent to Congress but one estimate for this service for this fiscal year, and that was $4,000,000. Subsequently, from the Committee on Education, there came a bill amending section 2 of the act carrying $6,000,000 of appropriations, and that bill passed and has become the law, and every dollar of it is available for rehabilitation services.

The director, Dr. Prosser, on the 6th day of June, 1919, addressed a letter to the chairman of the Committee on Appropriations in which he said that if the bill, coming with a favorable report from the Committee on Education, carrying $6,000,000, should be adopted, then the estimate which he had made in a letter to the chairman of the Committee on Appropriations, increasing the regular estimate of $4,000,000 to $6,000,000, could be reduced by $3,500,000, which would leave available $8,500,000 for the service. And until the President vetoed this bill there was never an intimation from anyone that the service would cost more than $8,500,000 for the next year.

The gentleman, Dr. Prosser, who has been referred to as a very able man by Dr. FESS, made the statement when this measure was before the committee before that the total cost for the entire service for rehabilitating every man in the United States was $13,502,200, and that it would require for the fiscal year $6,000,000, or until the 30th day of June, 1920. You will find his table on page 19 of the report in the last hearings. It is as follows:

Total cost of work to be done (estimated).

19,000 men trained for 10 months each, at average cost of $655	$12,455,000
27,360 men to be placed in employment, at $20 each	547,200
60,000 additional men yet to be surveyed, at cost of $10 per man	600,000
Total cost of work from June 27, 1918	13,602,200

The Federal Board of Vocational Education is composed of the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, the Commissioner of Education, Mr. Holden, Mr. McIntosh, and Mr. Munroe. I have no prejudice, and I am sure the other members of the subcommittee that heard the testimony both in this Congress and in the last Congress have no prejudice against any of these men or against the director, Dr. Prosser. The men were unknown to us. I never knew any of them, except the members of the Cabinet, and they have not appeared before the committee. But I say to you without regard to politics there was no division in the Committee on Appropriations, either in the last Congress or in this, with regard to the fact that there never was a body of men anywhere intrusted with a great work who seemed to know as little about the subject, who had as small a vision of the great work with which they were intrusted or were attempting to perform as this board to whom we have intrusted the rehabilitation of these boys who have been so unfortunate as to be wounded in this Great War. These boys that were wounded are entitled to rehabilitation under this act and have the tenderest sympathy of every Member of the House. [Applause.] And they should have the tenderest and deepest sympathy of every loyal and true American. And I believe they have. I have stated several times on the floor of the House that Congress would not and the country would not tolerate any cheeseparing with regard to this service. And if the President had signed this bill, and if the limitations were too rigid, if the money carried was found too little, he could have come before the committee or had some one else come before the committee, and within 48 hours he would have received a favorable report, lifting the limitation to the extent that the service would not be impaired. That has been the attitude of the Committee on Appropriations, every member of it, without regard to the political parties to which those members belong, so far as I know.

The President says in his message on this subject:

> Inasmuch as there are already over 4,000 disabled soldiers, sailors, and marines in training, and inasmuch as another 4,000 will be put in training now that the amendment to section 2 has become a law, it is clear that even at the rate of only $80 a month, a sum approximating $8,000,000 will be required for the support of these men.

Who told the President that? Mr. Munroe says it is not true. Mr. Munroe says he did not tell it, and he does not know who did tell the President. Eight thousand men? Four thousand in training, and 4,000 ready for training. Mr. Munroe testified within three days of the date the President wrote that message that instead of 4,000 in training there were 5,200. Instead of 4,000 more waiting there were 8,250 waiting. The President says 8,000. The vice president of this organization says there are almost 14,000. The President says it will take $8,000,000 to pay for the subsistence and tuition of these men. The vice president of the board, within two days after the President's message, says that it would take $18,000,000 to pay this cost. And yet the gentleman from Missouri [Mr. CLARK] rises here and says that he supports this message. I do not know where the President got the information, but Mr. Munroe denies its correctness.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. GOOD. For a question.

Mr. BRYNS of Tennessee. The gentleman will recall, from the veto message of the President, that the $8,000,000 will be used totally for subsistence?

Mr. GOOD. Of course, the gentleman is correct about that. That is what I have read.

Now, immediately after the passage of this law this man who has been so loudly praised by my very good friend, Dr. FESS, sent this message throughout the United States, for which I contend there is absolutely no warrant, and that it is at variance with the facts. His message was:

Under legislation just passed there must be drastic reduction of salaries unless, as we hope, some way can be found to prevent it. Therefore, withdraw immediately all forces from hospitals and other points of discharge and discontinue this service at once. Readjust your forces by releasing a number of men equal to the number so withdrawn. Retain the best qualified men. Inform all men remaining in the service who are receiving over $2,500 that such excess can not be guaranteed after July 1. Urge all good men to stick by the disabled soldier to see if the matter can not be straightened out.

Notwithstanding that message, the bill that he referred to carried 52 places with salaries over $2,500. Is it possible that a man violating the statutes of the United States that provide that no man shall receive two salaries, and this man so receiving two salaries, and is sending out such a false telegram, is the kind of a man to bring rehabilitation to those boys who were wounded in carrying the flag to glory? It ought not to be possible. [Applause.]

Now, Mr. Munroe says that the cost per man was $275. And my good friend——

Mr. MADDEN. Two hundred and seventy-five dollars for how long?

Mr. GOOD. For the complete training. Dr. FESS referred to that fact in his speech, I think, of February 24, in which he said:

The truth about the matter—

I am quoting now from the gentleman from Ohio [Mr. FESS]—

The truth about the matter is, and I want to call attention to it just a minute, that it costs $275, according to the estimate, to rehabilitate a soldier. Think of it! Two hundred and seventy-five dollars in taking a wounded man and putting him on his feet and making him self-supporting and self-respecting, so that he does not become a charge on the Government, but can look the world in the face and not feel that he is a pensioner, a subject of charity; and yet we educate in universities and under private management students at a cost of $1,000 to $2,000.

Now, Dr. FESS is one of the very ablest men on the floor of this House. It takes an expert of the kind referred to, I take it, in the President's message, to fool Dr. FESS. But Mr. Munroe and Dr. Prosser completely fooled him. What are the facts? According to the testimony of these men last Sunday, it will take, not $275, but for subsistence and tuition alone $1,400 for each man.

Mr. MADDEN. Does that $1,400 include the salary of the men that spend this money each year?

Mr. GOOD. It does not. That is for maintenance and tuition. I have a letter here as to the men who are now employed and placed on the pay roll at salaries of $2,500 and over per annum, showing that they will draw out of the Federal Treasury this next year on the present basis of employment $941,000.

Ah, but that is not all. Gentlemen talk about the rehabilitation. This message pleads more for the rehabilitation of the college professor than it does for the soldiers of the United States. [Applause.] Why, this letter just written this morning by the board says:

In response to your telephonic request, I take pleasure in advising you that the pay rolls for personal services of persons employed in the administration of vocational rehabilitation act during the month of June, 1919, amounted to $291,719.80. This amount multiplied by 12 equals $3,488,537.60.

Remember that this is not to pay for teachers or the salary of the men who will train these men. This is the salary of the chair warmers—the men for whose rehabilitation the message pleads. And yet, according to the testimony of Dr. Prosser, this great expert, it was only going to require about $13,000,000 for three years to pay all of the expenses of the rehabilitation of every soldier who will come under the provisions of that very splendid law.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. GOOD. I yield to the gentleman.

Mr. FESS. The $13,000,000 was arrived at under the estimates of the old law, which permitted $30 per month for subsistence, while the new law gives them $80 a month, which is more than double.

Mr. GOOD. Well, the gentlemen has not stated that exactly correct. The change was made from $75 to $80 a month, or an increase of $5 per month, but there was, of course, an amount equal to $35 a month transferred from the Bureau of War Risk Insurance and now part paid by the board.

Mr. FESS. Originally it was $30 a month that the disabled soldier got as subsistence, but now we make it $80, and that makes the difference.

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a question?

Mr. GOOD. I will as soon as I shall have concluded. If the gentleman from Ohio [Mr. FESS] will make a computation, he will find that the changes will not foot anything like $1,400. I want to give the House these facts, and then I will yield.

Mr. MADDEN. But these facts that I have are facts that the House ought to have.

Mr. GOOD. I will try to give the House the facts which I think it ought to have first. Then I will yield.

Mr. MADDEN. Then the House has no rights here.

Mr. GOOD. Yes; it has. But no one has the right to take a man off the floor. I do not yield.

The CHAIRMAN. The gentleman from Iowa refuses to yield.

Mr. GOOD. Mr. Munroe, in making his statement to the committee, said that the Federal Board for Vocational Education never knew that there was a limitation as to salaries in this provision that was carried in the last bill. The bill that passed the House in February, carrying $2,000,000, placed a limitation on the salaries that these people could receive, and that limitation was greater, and everybody in the House, irrespective of whether he was a Republican or a Democrat, voted for it. That limitation was greater than the limitation in the bill which the President vetoed, and yet Mr. Munroe and Mr. McIntosh came before the committee on Sunday last and said they never knew that limitation was in the bill.

Now, let us see whether they knew or not. On the 6th day of June Mr. Prosser addressed a letter to me as chairman of the committee, and in that letter he says:

The House Committee on Appropriations reported to the committee the whole lump appropriation of $1,500,000 on motion of Mr. BYRNS of Tennessee, the chairman of the subcommittee in charge of the appropriation, and this amount was raised in the Committee of the Whole to $2,000,000, and included in an item in the sundry civil bill as it passed the House.

Why, Dr. Prosser knew who made the motion increasing the amount from $1,500,000 to $2,000,000, and yet they came before us on Sunday last and said they did not know what was in the bill that they referred to in this letter, giving the amount that the bill carried and the name of the gentleman who made the motion. Mr. Munroe, who is vice chairman in charge of this matter, never made an estimate to Congress under the Secretary of the Treasury but for $4,000,000 for this service for the next year. He wrote that letter saying that if the $6,000,000 was granted in the educational bill all the additional amount that would be required was $2,500,000, or $8,500,000 in all. Then he withheld from Congress and the Committee on Appropriations all the information he had in regard to this service until last Sunday, when he came before the committee, and for the first time that human lips uttered the words, so far as I am advised, Mr. Munroe said it is going to take $18,000,000 just to pay for the training and the tuition, and he thinks the total sum may amount to $25,000,000. And no estimate even now for any additional amount.

Gentlemen, the estimate was made last October of $4,000,000, when this country was at war, and every day the wires were flashing the news to various parts of the country, to the cities and to the hamlets and the towns, telling of some brave boy who was falling in battle; and it was at that time, when the list of wounded was growing day by day, that this great committee of experts said it would only cost $4,000,000 for this year. And now, six months after the armistice was signed, they come in and think it may take $25,000,000 for this service. But they do not know; that nobody knows. Now, it was on this showing that the committee reported out a bill carrying $6,000,000 additional to the $6,000,000 already appropriated, or $12,000,000, which is ten millions more than was carried in the bill as it passed the House in the last Congress. It may not be enough, but if it is

not, all that will be necessary will be for the board to submit a new estimate and the money will the appropriated. There is absolutely no question about that. [Applause.]

The CHAIRMAN. The time of the gentleman from Iowa has expired. All time has expired. The Clerk will read.

The Clerk began the reading of the bill.

Mr. MADDEN. Mr. Chairman, I understand that the first reading of the bill was dispensed with under the rule. Was it not?

The CHAIRMAN. This is not the first reading of the bill. This is the reading of the bill for amendment.

Mr. MADDEN. I understand there is no amendment but the new matter. I ask unanimous consent that the second reading of the bill be dispensed with, except as to the new matter.

The CHAIRMAN. The Chair would entertain the proposition, but, unfortunately, the House has already ruled that the bill shall be read. This committee can not change that rule by unanimous consent.

Mr. MADDEN. When you get through with the paragraph, I would like recognition. Nobody knows when you finish a paragraph, because we have not a copy of the bill.

The CHAIRMAN. The Chair will request the Clerk to indicate when he reaches the end of the paragraph.

Mr. CANNON. Mr. Chairman, we are in committee now, and notwithstanding the rule, it seems to me it would be in order for the committee to rise, if it sees proper so to do, and the House, notwithstanding any rule by unanimous consent, could omit the reading of this bill, which will take two or three or four hours, and which is not subject to amendment.

Mr. GOOD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GOOD. If the committee should rise, is it the ruling of the Chair that the House can not grant unanimous consent to dispense with the reading of the bill?

The CHAIRMAN. The ruling that the Chair made was that the committee could not change the order of the House.

Mr. GOOD. I move, Mr. Chairman, that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TOWNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 7343) making appropriations for sundry civil expenses of the Government for the service of the fiscal year ending June 30, 1920, and for other purposes, had come to no resolution thereon.

Mr. GOOD. Mr. Speaker, I ask unanimous consent that the bill, except the provision on page 19 with respect to vocational rehabilitation, shall be considered as having been read, and that the further reading be dispensed with.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the bill, except the provision as to vocational rehabilitation, on page 19, be considered as having been read.

Mr. MADDEN. I object.

The SPEAKER. The gentleman from Illinois objects.

Mr. GOOD. I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of H. R. 7343, the sundry civil appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the sundry civil bill, H. R. 7343, with Mr. TOWNER in the chair.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

Mr. MADDEN. I desire to be notified when we reach the end of a paragraph.

The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1920, namely:

Mr. MADDEN. Mr. Chairman, I desire recognition.

Mr. GOOD. I make the point of order that under the rule no motion or amendment is in order except to the provision on page 19 relating to vocational education.

Mr. MADDEN. I insist on a reading of the rule to see whether that is true or not.

Mr. GOOD. I make the point of order.

Mr. MADDEN. I insist on having the rule read, so that I may see whether the point of order is well taken.

SEVERAL MEMBERS. Regular order!

Mr. CLARK of Missouri. I ask unanimous consent to dispense with the first reading of the bill.

Mr. BUTLER. That has been done under the rule. This is the second reading.

The CHAIRMAN. The first reading of the bill has already been dispensed with.

Mr. GOOD. I ask for the regular order, Mr. Chairman.

Mr. MADDEN. I ask that the rule be read, to see whether the gentleman's point of order is well taken.

The CHAIRMAN. The Chair rules that the rule provides that no amendment is in order except an amendment to the particular section referred to in the rule, on page 19.

Mr. BUTLER. You can not even move to strike out the last word.

Mr. CLARK of Missouri. Mr. Chairman, if that rule provides that you can not amend any part of this bill except one part——

Mr. BUTLER. It does that.

Mr. CLARK of Missouri. Then I ask unanimous consent to dispense with the reading of the rest of the bill.

The CHAIRMAN. The Chair will say to the gentleman from Missouri that the Chair has already ruled that that can not be done in Committee of the Whole, the House having ordered otherwise.

Mr. SAUNDERS of Virginia. Will the Chair hear me on that?

Mr. MADDEN. I object, Mr. Chairman, if necessary, so that there need be no discussion about it.

Mr. SAUNDERS of Virginia. I just want to say this——

Mr. WALSH. The point of order has been made—the objection has been made.

Mr. SAUNDERS of Virginia. It does not make any difference if the objection has been made. I am arguing a point of order to the Chair, and the Chair has recognized me, and there is no force in this House that can take me off the floor under those circumstances.

Mr. WALSH. There is no point of order pending.

Mr. SAUNDERS of Virginia. The point of order has been raised, and I asked to be heard on it, on the right to make a request for unanimous consent in committee.

The CHAIRMAN. The gentleman started to argue a point of order that the Chair had already decided, but the Chair has the right to recognize the gentleman, and the Chair has done so.

Mr. SAUNDERS of Virginia. The Chair has that right absolutely, and nobody can take me off my feet on that except the Chair.

The CHAIRMAN. The Chair has the right to recognize the gentleman from Virginia, and has done so, on the point of order. The Chair recognizes the gentleman from Virginia.

Mr. SAUNDERS of Virginia. Mr. Chairman, what I wish to say in this connection is this: It is perfectly true that in Committee of the Whole we can not do anything by unanimous consent that would affect the procedure in the House, or usurp the power of the House by undertaking to give rights that are in excess of our authority, as for instance to give leave to extend remarks generally in the RECORD. The RECORD is not a committee publication. But with respect to proceedings in the Committee of the Whole, we may facilitate them by omitting by unanimous consent to do something that is not of the essence. Suppose we take such action. Who is there to gainsay us, and since we do not report the steps taken in the Committee of the Whole in detail, what evidence will there be when we return to the House of our unanimous consent proceeding? There is no rule of which I have any cognizance which undertakes to say that the Chairman of the Committee of the Whole shall not put a request for unanimous consent, whatever it may be. There is no likelihood that mischief will result from action sought by unanimous consent, for the reason that one objection will reject the request. I have seen many things done in Committee of the Whole by unanimous consent which were contrary to the provisions of some House rule, but the public business was expedited by this action. At times action is taken in Committee of the Whole by unanimous consent, which at other times has been refused. For instance, I have seen the time for general debate which had been fixed in the House, extended by unanimous consent in Committee of the Whole. This request to dispense with this reading relates to us, to our authority, to our action, to our proceedings exclusively. To read this bill is pure formality that will accomplish nothing, save to waste our time. If by unanimous consent we omit that action, the validity of our report to the House and consequent disposition of the same, will be in no wise affected.

Mr. WALSH. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Certainly.

Mr. WALSH. Does the gentleman contend, if the House adopts a rule for certain procedure in the consideration of a measure, that when the House resolves itself into the Committee of the Whole the committee can abrogate that rule by a request to dispense with the reading if objection is made?

Mr. SAUNDERS of Virginia. Not if objection is made, certainly not. I am not contending for that proposition: but for the right on our part to facilitate our own proceedings in Committee of the Whole by unanimous consent. The time of general debate in the Committee of the Whole is primarily fixed in the House, but suppose after we get into Committee of the Whole, we agree amongst ourselves to debate generally for a longer period, how will that affect the validity of our ultimate action? What is the difference in substance between that action, and in beating the devil about the bush by taking up the bill under the five-minute rule and after reading a paragraph agree by unanimous consent that a Member shall proceed for an hour out of order? As I have stated I have seen general debate excluded by unanimous consent in the Committee of the Whole. Moreover I contend that that action was perfectly proper and parliamentary.

Do the Members of this body realize that most of our proceedings in the Committee of the Whole by unanimous consent are in contravention of some rule of the House, and there is no difference in authority and effect between a special rule for action on a given measure, and the general rules under which we may consider another bill. If by unanimous consent we can waive, or dispense with formal procedure imposed by the general rules upon proceedings in Committee of the Whole, we can dispense by like unanimity with provisions of the same character in a special rule under which we may chance to be operating. This it seems to me, must be a patent and unescapable conclusion.

Mr. GOOD. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Certainly.

Mr. GOOD. The gentleman realizes that this is a pretty important bill, and I think the gentleman will agree that anything of the kind ought not to be done in the committee, but that we should go into the House to do it.

Mr. SAUNDERS of Virginia. If the thing proposed to be done jeopardized in anywise this bill I would not suggest this action. Further if request was made for any action that would in any conceivable degree imperil the future of this measure, I would be the first to object to it, but I defy anyone to point out how, or in what way, if we dispense with the reading of this measure by unanimous consent, that fact will ever appear in the House when we report this bill with our conclusions. The bill would be taken up in the House for action on the report of the Chairman of the Committee of the Whole, and disposed of in order. The regularity of that disposition would not be affected by the fact that we had saved several very precious hours for more important work than remaining in session for a reading to which no one would give the slightest attention.

Mr. HARDY of Texas. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. HARDY of Texas. Where the Committee of the Whole is required to perform a certain act, is it not within the power of the committee, by unanimous consent, to dispense with that act?

Mr. SAUNDERS of Virginia. There is no question about that.

Mr. HARDY of Texas. The Committee of the Whole, under the rule, must have the bill read, but it seems proper, by unanimous consent, to dispense with the reading.

Mr. SAUNDERS of Virginia. Yes; and it is the same as read when, by unanimous consent, it is agreed to dispense with the reading.

The CHAIRMAN. The committee can within certain limits control its own action, but the committee must act under the direction of the House when the House has directed the committee so to act. It is not within the power of the committee to vary it. The rule adopted provides that at the conclusion of general debate the bill shall be read. That is the rule for the committee to act upon, and there is no possibilfty of the committee changing that rule. The Clerk will read.

The Clerk, proceeding with the reading of the bill, read as follows:

FEDERAL BOARD FOR VOCATIONAL EDUCATION.

Vocational rehabilitation: For an additional amount for carrying out the provisions of the act entitled "An act to provide for the vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918; as amended, including personal services in the District of Columbia and elsewhere, printing and binding to be done at the Government Printing Office, law books, books of reference, and periodicals, $6,000,000, of which sum not exceeding $15,000 may be expended for rent of quarters in the District of Columbia if space is not provided in Government-owned buildings by the Public Buildings Commission: *Provided*, That no person (except the members of the Federal Board for Vocational Education) shall be paid by said board out of the appropriation contained in this or any other act at a rate of compensation exceeding $2,500 per annum and rates above that sum, except not to exceed the following: One at $6,000, 2 at $5,000 each, 28 in excess of $3,500 and not in excess of $4,000 each, 27 at $3,500 each, 70 at $3,000 each, 60 at $2,750 each, and 100 at $2,500 each.

Mr. MADDEN. Mr. Chairman, I move to amend by striking out the sum of $6,000,000 and inserting $8,000,000.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. MADDEN: Strike out the sum of $6,000,000 and insert $8,000,000.

Mr. MADDEN. Mr. Chairman, according to the statement made by the gentleman from Iowa, the chairman of the Committee on Appropriations, it seems that it will take anywhere from $18,000,000 to $25,000,000 to do the work of rehabilitating the wounded soldiers. And while he says that no estimate for more than $4,000,000 was ever made in the regular way, in addition to that provided for in the act reported from the Committee on Education, yet he says that beyond any doubt it will take at least $18,000,000. The proposal is to appropriate $6,000,000, and that is in addition to the amount appropriated under the vocational act, which will make a total of $12,000,000.

The President of the United States said in his veto message of this measure that not less than $8,000,000 would be needed to meet the emergency that is now before us. I am for rehabilitating the soldier at whatever cost, and I am not for making the appropriation by piecemeal on the theory that we can meet the emergency in deficiency bills at some future time. I am in favor of appropriating money to meet the need now and not some other time. This is the time, and this is the hour, and there can be no excuse for reporting a bill with the same amount that has been rejected through the veto of the President. If it takes $18,000,000, or mayhap $25,000,000, to meet the needs of these men who come before us and say that $12,000,000 is enough, let us appropriate that sum.

Complaint is made by the chairman of the Committee on Appropriations that those in charge of the rehabilitation of these soldiers have been unable to say how many men would need rehabilitation.

Mr. ANDERSON. Will the gentleman yield?

Mr. MADDEN. Not now, thank you. We must all realize that no man living can tell how many men will need it until the war is over. No man living can tell how many of the wounded men would need rehabilitation until they have served a period of treatment in the hospitals in this country and in France. And as time goes by it will undoubtedly be proved beyond any question that more of these men will need that treatment, need the education, need the rehabilitation, for many of them are not going to be cured of what might in the beginning seem to be but a very slight wound.

And so I say that we have an obligation, a greater obligation than was ever imposed upon a legislative body in all the world, and that obligation is to see beyond question that whatever funds may be needed are supplied for the rehabilitation of these men.

They are unable to make a living for themselves; otherwise vocational education would not have been provided, and no man is permitted to enter this vocational educational institution except the men who must be reconstructed. And shall we say that a million or two million dollars is to stand in the way of reconstruction of men who gave their all for the flag, who buckled on their armor and went forth where battles raged to offer for the Nation's life the lifeblood of their hearts? Are we to say that the appropriation bill must carry six and not eight million dollars? Shall we stand upon the order of the amount? We have already expended $51,500,000,000 for the war, and we have left 112,500 American boys buried on the fields of France, and I say the time has come when America, through its Congress, must speak, and now is the time to increase the appropriation. [Applause.]

Mr. BUCHANAN. Mr. Chairman, I offer the following substitute for the amendment of the gentleman from Illinois [Mr. MADDEN]:

The Clerk read as follows:

Mr. BUCHANAN offers the following substitute for the amendment offered by Mr. MADDEN:

Amend the bill by striking out the figures "$6,000,000" and insert in lieu thereof the figures "$12,000,000," and add at the end of the provision after the word "each" the following provision, to wit:

"*And provided further*, That not more than 18 per cent of all appropriations made by Congress on this subject shall be used for the payment of salaries."

Mr. BUCHANAN. Mr. Chairman and Members of the House, I have been sitting here and listening to Members discuss this subject, and everyone, without exception, has expressed unlimited sympathy with, and a perfect willingness to aid, those who have met with misfortunes in the war. I thought possibly this amendment would give them the opportunity to demonstrate whether or not they meant what they said, and extend to all who were injured in the war an opportunity to reap the benefits of the rehabilitation act and not have it limited to a few. Let me state a few facts from the hearings, and if any man believing these facts can escape from the conclusion that it will take $18,000,000 or more, then I do not know what mathematics mean.

Mr. Munroe says, in round numbers, there are 14,000 men in training in this service now. It takes $80 per month under the compensation law for each unmarried man, $115 for a man with a wife, and $125 for a man with a wife and one child, and so on up, according to the number of children he has, as provided by the compensation act. This makes an average of $1,200 per year for each man in training. It takes $200 a year for tuition for each man, which makes the amount $1,400 a year per man for compensation and tuition alone. Multiply $1,400 a year by 14,000 and you have over $19,000,000. Escape it if you can. If you want to provide for these boys, you ought to appropriate the necessary money to accommodate all who apply. Be men and meet the issue; be not penny wise and pound foolish when making appropriations to be used for the benefit of those who on foreign fields upheld our flag so bravely and so gloriously.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. Yes.

Mr. McKENZIE. If I understand the reading of the gentleman's amendment, he provides for $12,000,000?

Mr. BUCHANAN. Twelve million dollars in this bill, and that, in addition to the $6,000,000 appropriated the other day for this purpose in the vocational education act, making a total of $18,000,000.

Mr. KINCHELOE. Mr. Chairman, if the gentleman would permit, I wish he would tell us how he fixed the percentage of salary.

Mr. BUCHANAN. The way I fixed the percentage to be expended in salaries and the reason I did it is to keep the organization, if it be so inclined, from spending in the payment of salaried officers the appropriation we make for the benefit of the soldiers.

Under the bill as reported by the committee the board in control of the rehabilitation activities have unlimited power to employ an unlimited number of civilian employees at salaries between twenty-five and twenty-six hundred dollars each per year. I do not say that this board will abuse this discretion, but believe it the duty of Congress to throw sufficient safeguards around this appropriation to guarantee that the money we appropriate will be applied to the rehabilitation of the soldiers and not squandered in the payment of salaries to numberless civilian employees throughout the country.

Mr. KINCHELOE. But how does the gentleman arrive at the 18 per cent?

Mr. BUCHANAN. I based it on the present salary basis of the board, and found that 18 per cent of the $18,000,000 will give $3,240,000 for salaries, which is, I believe, about the amount they are now paying in salaries, and I feel that more than one-sixth of an appropriation of this size ought to be sufficient for salaries of employees to conduct and supervise the operation of this institution.

Mr. DONOVAN. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. Yes.

Mr. DONOVAN. Does not that include operating expenses, office, and all that—general expenses?

Mr. BUCHANAN. No; it includes only salaries.

Mr. ANDERSON. If the gentleman appropriates $18,000,000 altogether and then shows that it is necessary to expend $3,000,000 and odd for salaries, he will be $3,000,000 short.

Mr. BUCHANAN. Certainly, but I figure that in this way: It usually takes about 10 months to train a soldier. That leaves $200 per year to spare for each soldier. In other words, the $1,400 is calculated for the full 12 months. It would take about 10 months on an average to train a soldier, which would leave $200 per soldier to make up for extra expenses.

Mr. ANDERSON. Eighteen million dollars was figured on a 12-months' basis?

Mr. BUCHANAN. Yes; but it does not take 12 months. It takes 10 months, although some may take more. I submit that proposition to the House, and I say that we should meet the issue and that we should not be penny wise and pound foolish. We should not be parsimonious with these soldiers; we should not run any chance of excluding even one single man whom it is necessary to rehabilitate. It is the most sacred and the highest duty of this Government, as far as the resources of the Government will permit, to restore the impaired ability to earn a livelihood to each of our soldier boys who were injured in this war. Those boys who responded to their country's call, offered their lives for their country's sake, fearlessly invaded the gas-poisoned forests, held trenches against overwhelming odds, went over the top, and carried the tide of battle against the Hun at the point of the bayonet, and in so doing received serious wounds and material injury, which impaired their ability to earn a living. It is the duty of this Government to restore that impaired ability as far as it is humanly possible to do so, and any Member of Congress who fails to cheerfully respond to a generous discharge of this duty disgraces his high office and should be scourged from the House with a whip of scorpion tails.

But reverting again to the facts. There are 14,000 men whose applications have been approved for the rehabilitation training, and it will take over $19,000,000 for maintenance and tuition alone to train these men. This makes no provision for medical attention, for car fare, and for administration work. This makes no provision for the thousands of other wounded soldiers who are daily applying for this training or no provision even for the examination and survey of other applicants who have been wounded and are seeking to be benefited by this law. There is an average of 150 wounded soldiers per day applying for this training, and this appropriation makes no provision for them.

If we mean what we profess and perform our duty to these boys who so gallantly and courageously served their country, we must act now and restore their impaired ability as far as it is within our power to do so, that life to them may be less burdensome and more pleasant. This is an undertaking that can not be postponed, and the statement that we can take care of them in a deficiency appropriation bill is misleading and hypocritical, as every Member of this House knows that the appropriation we make now will limit and confine the work and result in the exclusion of many wounded soldiers from the benefits of the rehabilitation act.

Mr. DENISON. Mr. Chairman, I think the gentleman's idea is about right, and I am going to vote for his amendment, but does he think there is any danger of the President's vetoing it because we make it too much?

Mr. BUCHANAN. I think not. I call the gentleman's attention to the fact that the President in his veto message said it would take $8,000,000 alone for subsistence of only 8,000. Our figures show there are 14,000, and that they are coming in at the rate of 150 a day. Therefore, if anything, the appropriation is too small even if my amendment is adopted. I do not think the President will veto it, but I do think the President was right in vetoing the bill because this appropriation was too small. Instead of being criticized by Republicans in the House, he should be commended. He of all men realizes the duty of this Government to take care of the wounded boys, and he of all men will see that this Government does its duty toward these boys. If Congress does not make an adequate appropriation to take care of these wounded soldiers, I sincerely hope the President will veto the bill again.

Ah, gentlemen, if you will talk with some of these wounded soldiers who have come back, you will find that they went through hell itself for our country and its cause. If, therefore, they went through hell for us, we ought to be willing to go to hell for them. It is true, by their heroic action and victory they have "inscribed their lofty name a light, a landmark on the cliffs of fame," but they can not live on fame alone. We must therefore make adequate provision for their rehabilitation, as far as possible, and compensate them for their impaired abilities, to the end that no American soldier who was injured in this war shall ever feel humiliated, become a beggar on the streets, or become an inmate of a charitable institution. Unless adequate provision is made for them, I shall vote against the bill.

Mr. DENISON. Will the gentleman yield further?

Mr. BUCHANAN. Yes.

Mr. DENISON. Is it proper under the rules to amend this bill to increase the amount to be allowed for each individual's education?

Mr. BUCHANAN. I do not think there is any question about that. I think so.

Mr. DENISON. I think it ought to be a little bit more.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. GOOD. Mr. Chairman, I move to strike out the last word. I call the attention of the gentleman from Texas [Mr. BUCHANAN] to the fact that Mr. Munroe, the same man who made the statement the gentleman has quoted, on page 72, and Mr. McIntosh, also, states that it would cost approximately $25,000,000

for the year, and Mr. Munroe said he thought probably that would not be enough. Of course, Mr. Munroe said he did not know anything about it.

Now, I think we ought to act upon this matter in a big way and in a way that will reflect credit upon the Members of this House. I do not believe there has ever been a time since this law was enacted when anybody wanted to deprive a single soldier of this rehabilitation service. Every Member of the House wants to grant every dollar necessary, but after all we must be careful in making these appropriations that we do not invite waste and extravagance all along the line. It is not alone in the payment of salaries that waste will take place. Now, in regard to the amendment of the gentleman from Illinois [Mr. MADDEN]. The gentleman says that the President asks for $8,000,000, or rather stated in his message it would require $8,000,000, and therefore he makes his amendment in that amount. Now, I call his attention to the fact there has been appropriated and is already available under the bill which passed the House and Senate and has been signed by the President, amending section 2 of the act, $6,000,000 for this service. This bill carries $6,000,000 for this service; the two bills carry, therefore, $12,000,000. I do not know whether that will be sufficient or not. No man living knows whether it will be sufficient or not. Mr. Munroe, vice president of the board, when he was before the committee on Sunday, when he was asked the following questions by Mr. MAGEE, said:

Mr. MAGEE. The probability is that the average would not exceed 10,000. Do I understand you estimate the number at 20,000?
Mr. MUNROE. It may be 20,000. I do not know.
Mr. MAGEE. You do not know anything about it?
Mr. MUNROE. Nobody can foretell it; nobody knows.

Now, with this service in its infancy, with the desire on the part of Congress to give every dollar that is necessary, I ask the House to be sane and calm and to do that which is the businesslike thing to do; and if at any time there appears that the $12,000,000 will not be sufficient it will take only 48 hours after the estimate has been made to the committee to report out a bill granting all that is required to supply the deficiency. I submit that is the orderly way to proceed—that is the way the business men of the country would have this Congress to proceed; it is the way these soldiers would have us proceed—and not proceed without any estimate before us except the wild statement of what it may cost. If you went on that kind of an estimate, if that side of the House wants to appropriate $12,000,000, they ought to take the responsibility; but I believe this side of the House—that stands for economy, that stands for the elimination of waste [applause]—should say that, even when it comes to appropriating for the soldier, we propose to appropriate the money in a businesslike way—appropriate all that is necessary, but not millions upon millions upon the statement of a man who says, "I do not know how much it will take; no one knows." [Applause.]

Mr. FESS. Mr. Chairman and gentlemen of the committee, may I have the attention of the membership for just a moment to see whether we have not some confusion here? The bill as passed from the Committee on Education carried $6,000,000. The sundry civil appropriation bill provided $6,000,000 in lieu of that $6,000,000. That would have left $6,000,000 for the administration of this work this year. The President asked for $2,000,000 additional, which would have made $8,000,000. The law providing $6,000,000 is signed and the money is provided. This asks $6,000,000 more, which is $12,000,000, which is $4,000,000 more than the President asks for, and if I am incorrect I should like to be corrected. That is my understanding after looking into it carefully. We are giving $4,000,000 more than the President asked for in his message.

Mr. MADDEN. Will the gentleman yield?
Mr. FESS. I will yield to my friend.
Mr. MADDEN. Who said that?
Mr. FESS. I say it in view——
Mr. MADDEN. Does anybody verify it? [Laughter.]
Mr. FESS. I think I can verify it.
Mr. MADDEN. I do not mean to insinuate——
Mr. FESS. I understand the gentleman.
Mr. MADDEN. I do not think the Committee on Appropriations will attempt to verify it.

Mr. GOOD. That is exactly a correct statement. The gentleman has stated the case correctly. The bill from the Committee on Education which passed carried $6,000,000. If this bill passes in the form it is reported, it will carry $6,000,000, or $12,000,000 in all will be available.

Mr. FESS. In my time let me ask the chairman that if the bill as reported from his committee had been adopted and had become the law we would have had only $6,000,000 for this service?

Mr. GOOD. That is correct.

Mr. FESS. Now we will have $12,000,000. That means $4,000,000 more than the President asked in his veto message, and that is the reason I am willing to support the matter which is before us.

Mr. BYRNES of South Carolina. If the gentleman will permit, is it not a fact that the President in his veto message referred to $8,000,000 as covering only subsistence and did not therefore take into consideration the $8,000,000 as covering tuition, travel allowance, medical staff, or administration or anything else?

Mr. FESS. If we had passed the bill under the instructions of the President we would have had $8,000,000. As it is we are having $12,000,000.

Mr. BYRNES of South Carolina. The President said $8,000,000 would be needed for subsistence for 4,000 men. We are now presented with an entirely different statement for which we are appropriationg not only for subsistence, for tuition, traveling allowance, and so forth, but for a larger number of men.

Mr. FESS. That is true. The fact still remains we are giving the soldiers $4,000,000 more than the President asked for, and it seems to me it is a justifiable reason for passing it.

Mr. MADDEN. But not anything like we ought to appropriate.

Mr. FESS. That might be, but we can easily increase it when demanded.

Mr. DONOVAN. Assuming that to be a fact, of which I have some doubt, and from the gentleman's point of view possibly it is, is it not a fact that the problem which now confronts this board is that it will take a greater amount than $12,000,000?

Mr. FESS. It probably will take more. I think that would be sufficiently cared for under a deficiency bill. But what I am trying to correct is the statement that this bill is not meeting the requirements of the veto message. It goes away beyond the requirement.

Mr. KINCHELOE. Will the gentleman yield?
Mr. FESS. I yield to my friend from Kentucky.

Mr. KINCHELOE. Does not the President in his message say that this $8,000,000 would only cover under the estimate what the instructors would draw in salary, and says specifically that there will be nothing left for the tuition?

Mr. FESS. Unless you gave the $8,000,000 instead of the $6,000,000.

Mr. KINCHELOE. Did he not say in his message that the $8,000,000 would only pay for tuition and would leave nothing for the operation?

Mr. FESS. I still insist that the bill is going further than the President's suggestion in his veto message.

Mr. GOOD. The concluding paragraph of the President's message contains the following:

I therefore return the bill with the hope that the Congress will reconsider this section of the law, restore the $6,000,000 appropriated under the act amending section 2, and most liberally revise the salary limitations, so that this beneficent work may go on, and go on at once.

And we went even further than that.

Mr. FESS. That would leave $4,000,000 less than we now are granting. I speak in the most thorough sympathy with the efforts for rehabilitation, as every Member knows, and if the $12,000,000 is not enough I shall be one of the first men to urge the committee to vote more. However, it seems to me that this is a very generous allotment from the standpoint of what heretofore was considered.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. GOOD. I want to see if we can not agree as to the time on this amendment and amendments thereto. I ask unanimous consent, Mr. Chairman, that all debate on the amendment of the gentleman from Illinois [Mr. MADDEN] and all amendments thereto, as well as all other amendments as to the amount, be limited to 45 minutes.

Mr. BANKHEAD. Reserving the right to object——
Mr. DONOVAN. Mr. Chairman, reserving the right to object——

Mr. BANKHEAD. Does that include the prohibition of offering an amendment to strike out the words "or any other act," as contained in the proviso?

Mr. GOOD. That has nothing to do with it.

Mr. DONOVAN. Reserving the right to object, was I included in the schedule of the gentleman from Iowa [Mr. GOOD]?

Mr. GOOD. Yes.

Mr. DONOVAN. Thank you.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this amendment and amendments

thereto, and all amendments fixing the amount contained in the paragraph, shall be limited to 45 minutes.

Mr. MADDEN. I object.

Mr. GOOD. Then I move that all debate on that portion of the bill be limited to 45 minutes.

The CHAIRMAN. The gentleman from Iowa [Mr. GOOD] moves that all debate on this amendment and amendments thereto, and all amendments fixing the amount contained in the paragraph, be limited to 45 minutes.

The question was taken, and the motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. QUIN]. [Applause.]

Mr. QUIN. I thank the Chair.

The gentleman from Texas [Mr. BUCHANAN] offered a substitute which I rise to support, and shall give my reasons for it. It is apparent from the hearings that it will take at least $18,000,000. Understand me, I realize that every man on this floor, Democrat and Republican, has voted and will continue to vote to give the wounded soldiers every dollar that they may be entitled to. And all this political talk I do not take any stock in. [Applause.] We are all patriots here. The hearings show that $4,000,000 was the proper amount at the time it was appropriated. The hearings show that $6,000,000 was the sum needed when we came forward with the next appropriation, and the later hearings now show, since the veto, that it will require at least $18,000,000. We understand that it will even take more than that. It is indicated in these hearings that there may be 98,000 of these wounded men. True, Congress can appropriate the money as the occasion arises. There is no intention on the part of any man on either side of this House to curtail that board and its activities. But there is one thing that I shall stand for, and that is a limitation on the salaries of these school-teachers and professors who are in charge of that work. I stand ready to vote every dollar that is necessary to properly teach these men and in order to take care of them and sustain them and pay their traveling expenses, but I believe that the American Congress should not allow salaries of $10,000 and $15,000 and $20,000 a year to be given in the name of patriotism to some $2,500 man to rehabilitate these soldiers and return them to practical life; and I shall vote accordingly, because I believe it is up to this Congress to in some way curtail the wild and extravagant expense that every man can see is going on in this country. [Applause.]

We are here to take care of the soldiers who fought for our country, and we should be here, and I am here, to prevent profiteers demanding enormous salaries as teachers for supposed patriotism, reaching down in the pockets of the taxpayers of this country in the name of the soldier. [Applause.] If we do not curtail the salaries that will be paid for these instructors, you will see them flocking from every quarter of this Republic to get to be instructors of these poor wounded soldiers. [Applause.]

Mr. WHEELER. Will the gentleman yield?

Mr. QUIN. These men can be taught the necessary things to rehabilitate them and fix them for practical life by practical men on reasonable salaries. And when this Congress agrees that the salaries shall be $5,000, $6,000, and $2,500, it seems to me that we ought to stand pat and say that we have some common sense and know what a man's services are worth when engaging in such business.

Mr. WHEELER. Will the gentleman yield for a question?

Mr. QUIN. I can not yield. I have only a short time.

The salaries of the Army officers are fixed by Congress; the salaries of all Government officials are fixed by Congress. Why should not this Congress fix the limitation on the men who are to instruct these soldiers? We fix the amount that one of these wounded soldiers is to receive for compensation and to support and maintain him. I desire to see the wounded soldiers get all the benefit of this appropriation, instead of a large part of it being wasted in extravagant salaries for those in charge of the vocational training:

Why not fix the salaries of the men who shall be charged with the responsibility of instructing them? It is the duty of the representatives of the people to stand for the protection and the safeguarding of the taxpayers of this country at the same time that we are upholding the rights of the soldiers and endeavoring to give them that to which they are entitled under every phase of the circumstances and conditions which now surround them. If we are to legislate in the light of past events, we must realize that before we get through with the wounded soldiers our bills are to go up to $100,000,000 for this splendid purpose instead of $18,000,000. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired. The Chair will recognize next the gentleman from Michigan [Mr. CRAMTON.]

Mr. CRAMTON. Mr. Chairman, I take it that all of the members of the Committee on Appropriations and all of the Members of the House realize the desire of the country for economy in expenditures, and I take it that we all realize also that while that is the desire of the country it is likewise the desire that such economy shall not be secured under any circumstances at the expense of the soldier, and particularly at the expense of those soldiers who by reason of their services and their disabilities require education and rehabilitation. So the question before us is not one involving a difference of feeling as to the treatment to be given those men, but as to the adoption of the method best calculated to secure to those soldiers and sailors in the fullest degree and most effective manner the assistance which they have earned.

Now, there are those of us who from contact with the Vocational Education Board and the study of the hearings have come to fear that the disgrace and the scandal which have come upon the administration of our relations with the soldiers and their families in connection with the War Risk Insurance Bureau, which during the war by inefficiency of management in thousands of cases denied to the dependents of the boys and withheld from them the money and the aid which Congress voted them, will be repeated in connection with this Vocational Education Board. And that regardless of the amount of money you place in the hands of that board, the only way to secure desired results with the present constitution of that board is for Congress to keep as firm a grip as possible on the situation. In other words, instead of giving unlimited amounts of money to them blindly, simply because one member of that irresponsible board gets up and gives a wild guess—instead of giving them unlimited lumps of money on that ground we should give them the money we are satisfied they must have, and then later on, when the situation develops more clearly and the need is well established, if more is needed give it to them.

Now, Mr. Chairman, that board has never yet been able to tell the Committee on Appropriations definitely and tangibly how much they want. More than that, that board does not know to-day what it is doing. They can not tell you to-day what they did yesterday. They can not tell to-day where their offices were yesterday, or where they are to-day.

The city of Detroit is a large city. You might think that a board intrusted with unlimited funds of Government money would be able to tell whether they had in the city of Detroit an office in operation or not; but they appear not to. At any rate, they give out the most contradictory and conflicting statements.

I have here a letter stating that a Michigan soldier, wounded at Chateau-Thierry July 20, 1918, who went to Detroit July 9 to arrange to secure the benefits of vocational training and on arrival there was met with the information that the Detroit office of the board had been closed and that to secure the attention necessary for his enrollment he would have to go to Chicago. That experience being called to the attention of the board in this city the board, through its superintendent of advisement and training, Mr. W. I. Hamilton, wrote a letter to the brother of the soldier acknowledging, in effect, the closing of the Detroit office, saying in substance "the office is closed and you will have to go to Chicago, but we will pay the money to send you to Chicago." That letter was written from the general offices here by a high officer, and a high salaried officer, July 12.

And yet Dr. Prosser, the director of this board, on July 10, one day after the wounded soldier found the office doors barred against him in Detroit, and two days before Mr. Hamilton's letter giving reasons blaming Congress for the closing, gave direct, positive assurance to my colleague, Mr. NICHOLS, who had vigorously brought the matter to his attention, positive assurance that the Detroit office of the board would not be closed. He furthermore on that occasion informed my colleague "that there never has been any intention to close the office and no orders have been sent to close it." To make assurance doubly sure, I am advised, Dr. Prosser called the Chicago office of the board, the district office, by telephone and was informed by the officer in charge there that no such orders had been sent to Detroit from Chicago.

In other words, the office which the wounded soldier found closed on July 9 and was July 12 declared by Mr. Hamilton, superintendent of advisement and training, to have been closed because of the action of Congress, that same office, it was July 10 declared by the director and by the district vocational officer to be then open, never to have been closed, and not intended to be closed.

Such diametrically opposing announcements convict the board of either gross incapacity with resulting confusion in their work or of deliberate insincerity, manifested in deceiving the country to the intended prejudice of Congress. In either case,

from such a board, from such management, the interests of the soldiers must suffer. Flinging millions into their care means extravagance and waste. We must act through the agency the administration has named, but we need not follow their ill-considered guesses not supported by proper showing. Every dollar for which proper expenditure can be shown should and will be voted. But to double and quadruple in appropriation any request made, either to us or to the President, is reckless, dangerous, and unnecessary.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

The CHAIRMAN. The Chair will recognize the gentleman from Kentucky [Mr. KINCHELOE].

Mr. KINCHELOE. Mr. Chairman and gentlemen of the House, I think it is a very unfortunate matter that such an important subject should be discussed in Congress with nothing injected into it but politics. The gentleman from Michigan [Mr. CRAMTON] talks about the scandal in the Bureau of War Risk Insurance and the scandal in other things, and investigations on this and that subject—matters which have no relation whatever to the question of the rehabilitation of these crippled soldiers. If the gentleman and his party keep on investigating and spending money as they have started in their administration of the affairs of this House, the paramount issue in the next Congress will be the investigation of the expenditures of their investigating committees.

The purpose for which I rose mainly was to correct the impression that the gentleman from Ohio [Mr. FESS] made as to the interpretation of the President's veto of this bill. He said in his statement that the President only asked for $8,000,000. I want for the benefit of the House to read exactly what the President did say in regard to this appropriation, in the RECORD of July 12, in the first column on page 2493. He said:

> The section of the bill which I now return, which governs the appropriation for this work, provides the sum of $6,000,000 for all the expenses of rehabilitation, including the support of the disabled men in training, and this sum is stated to be "in lieu of the appropriation contained in the act approved July —, 1919, amending section 2 of the act approved June 27, 1918." Inasmuch as there are already over 4,000 disabled soldiers, sailors, and marines in training, and inasmuch as another 4,000 will be put into training now that the amendment to section 2 has become law, it is clear that even at the rate of only $80 a month a sum approximating $8,000,000 will be required for the mere support of these men, and that under the present appropriation nothing will be available for their tuition and travel or for placing them where they can earn a living, and it will be impossible to meet the needs of the new thousands who are every week seeking the benefits of the rehabilitation act.

Instead of asking for only $8,000,000, he is stating affirmatively that $8,000,000 will cover only the amount that they allowed, basing it upon $80 a month, for their support. If there is any duty that we owe to those who risked their lives to serve their country, and who came out of the service wounded and maimed, it is to rehabilitate them as much as human brains and human genius can do it. We ought to have the best rehabilitation hospitals of any country in the world, and to give these unfortunate men the benefits of all the brains and all the training and all the advantages that money can buy; and, so far as I am concerned, I am opposed to giving it to them in piecemeals, a few million dollars to-day and a few million dollars more to-morrow. [Applause.] In other words, I am opposed to compelling this Bureau of Vocational Education to come back here every few months begging Congress to appropriate a few million dollars more. The statements of the people in charge of this bureau, who ought to know, are that it is going to cost at least from $18,000,000 to $25,000,000. If these soldiers are to be rehabilitated they ought to be rehabilitated now, and they ought not to have to wait, and the machinery of this work ought not to be paralyzed on account of insufficient appropriations while they come back here and ask for additional money. The amendment of the gentleman from Texas [Mr. BUCHANAN] provides for $12,000,000 more in addition to the $6,000,000 already appropriated in the bill from the Committee on Education here a week or two ago, which makes $18,000,000. When these gentlemen who have charge of it say that it will take at least $18,000,000, if we are going to give it to them, why not give it to them now and let the soldiers receive the benefit of it? Because the evidence shows that these men are coming forward and taking advantage of this opportunity by the thousands, and there is no more worthy, eleemosynary institution in the world than this rehabilitation service and these hospitals for these maimed and disabled soldiers, and we ought to adopt the amendment of the gentleman from Texas and not make piecemeal of it.

Mr. MAGEE. Mr. Chairman, I simply want to say to the Members of the House that as a member of the subcommittee that made the recommendation to the full Committee on Appropriations, which was adopted by the full committee this morning, I attended the extensive hearing given to those representing the Federal Board of Vocational Education. We gave them what in our judgment will be a liberal amount at least for the balance of this year.

Mr. MADDEN. Will the gentleman yield?

Mr. MAGEE. Yes.

Mr. MADDEN. Can the gentleman say that the committee have given them all that it will cost for this fiscal year?

Mr. MAGEE. I will say to the gentleman that nobody can tell that, but refer the gentleman to page 24 of the hearings——

Mr. MADDEN. Is the gentleman willing to admit that there are 14,000 of these men who are now ready for training?

Mr. MAGEE. There are 5,200 now in training, according to the hearings.

Mr. MADDEN. And how many are there waiting?

Mr. MAGEE. As I recall there are some seven or eight thousand more waiting.

Mr. MADDEN. Waiting?

Mr. MAGEE. Yes.

Mr. MADDEN. And it will cost $1,400 per year per man, will it not?

Mr. MAGEE. Nobody can tell what it will cost.

Mr. MADDEN. So that it will cost $18,000,000 or $20,000,000 anyway?

Mr. MAGEE. I will call the attention of the gentleman to page 24 of the hearings.

Mr. CALDWELL. Will the gentleman yield?

Mr. MAGEE. I can not yield. I am referring to the statements in the hearings.

Mr. CALDWELL. I desire to call the gentleman's attention to something that is not in the hearings.

Mr. MAGEE. This is what Mr. Holder says:

> Mr. HOLDER. We are going through the same experience as an insurance company or a growing concern, and we have not been in business long enough to quote from experience, so that it is impossible to answer your question positively, as much as we would like to do so.
>
> Mr. MAGEE. That is what I thought. What I had in mind was this: In the first place, that you must be supplied with moneys to meet all reasonable needs. Everybody concedes that. Now then, if an appropriation should be made that is not sufficient for the purpose, Congress at any time, I am sure, would willingly respond and give you additional moneys. It seems to me we ought to try to work together, and work together along those lines. I do not like the intimation being thrown out that the Members of Congress are not willing to vote to give all the moneys that are reasonably necessary or all the moneys that may be required to fulfill these purposes. I do not like that. It seems to me no spirit of that sort should exist, and any talk or intimation of that sort is the cheapest kind of claptrap, political claptrap, you might call it. I do not like that, and I do not think it is warranted. I think we ought to get down to some reasonable basis, if we can, with the understanding that the men who are carrying on this great work will get all the moneys they will require for the purpose. That is my judgment about it.

Now, if you will turn to page 73 of the hearings you will find there further suggestions along this line.

> Mr. MAGEE. You do not know anything about it?
> Mr. MUNROE. Nobody can foretell it; nobody knows.
> Mr. MAGEE. It is a matter of guesswork?
> Mr. MUNROE. Absolutely.

Mr. CALDWELL. Will the gentleman yield right there?

Mr. MAGEE. I will yield for a question.

Mr. CALDWELL. Does the gentleman know how many men there are in hospitals who have not made application yet for the rehabilitation training?

Mr. MAGEE. The number is estimated in the hearings.

Mr. CALDWELL. I will tell the gentleman. It is between 50,000 and 100,000.

Mr. MAGEE. We should not appropriate any greater amount of money than is reasonably necessary to enable the Federal Board for Vocational Education to carry on this work. I think it will be apparent to any Member of the House who reads these hearings that we ought to retain some control of these salaries and put some limitation upon them. [Applause.]

Mr. DONOVAN. Mr. Chairman, I appreciate the courtesy of the Chair and of the committee in granting me time when I have already spoken once.

As I stated earlier to-day, the problem which confronts us here is a definite, ascertainable problem, and it has its solution. There are gentlemen here who embark in oratory and flights of fancy and who waive us aside, but the fact is that

there are a definite number of men now in training and ready for training. There are 13,757 men, or substantially 14,000 men. Last month there were submitted for training 150 men a day. This month, in July, there have been approved for training 76 men a day. The Committee on Appropriations say that the right amount can not be definitely arrived at by computation. Now, gentlemen criticize the Board for Vocational Training. The gentleman from Michigan [Mr. CRAMTON] said—I do not know what the adjective was he used, but it was not complimentary, it was undeserved and unfair; but do these men on the Appropriations Committee, does the chairman with his vast knowledge of minute and infinitesimal things pertaining to the departments in the Government—does the gentleman know how much this is to cost? He does not pretend to make a prophecy. Where are you going to get the tangible figures to approximate, if you want to be generous and fair? You are going to the Vocational Board for the estimate. In the next six months, from indications now available, there will be 14,136 men plus 13,000 men now in training. It is simply a matter of mathematical computation—multiply 14,136 by $1,400 a year for training and subsistence and you have the answer.

This country last year paid $222,000,000 for pensions. You know that this will alleviate and reduce pensions relative to the World War.

Another point overlooked by the Appropriations Committee is that they gave to the War Risk Insurance Bureau an appropriation of $8,800,000 for the support of these same men. Now, this is nothing but a marshaling of funds from the War Risk Insurance under section 2 and placing it with the Vocational Board for Education and Training. Do not lose sight of that fact, and if you do adopt the amendment of the gentleman from Texas, for $12,000,000 in addition to the $6,000,000, you are then only giving a part of what is actually needed to successfully carry on the great work.

Are you going to give these needed funds in piecemeal? When the Appropriations Committee recommends $6,000,000 do they do it out of any generosity of the heart? Why did they send for the board to get an estimate if they could get any better sort of one? Why bother with this tyrannical incompetent board of vocational educators? Why did the committee send for them? They took advantage of the board's requirement as stated, and they lopped off $2,000,000 from the $6,000,000 requested. Do you want to continue that? It is a problem of mathematics and very elementary. There is no man here whether he is educated or not—it is elementary, it is a problem of mathematical progression. The money is needed to maintain this project and you must give it or wipe out the whole system. I trust that the House will adopt the Buchanan amendment because it is the nearest amount to meet the financial requirement for the work to be done, and if you do it you will be doing only partial justice. You will then be giving only $18,000,000 as against $222,000,000 which is given in pensions for the past wars of our Nation.

This is not to continue indefinitely. It is presumed that it will terminate in three years. Last month there came to this country 365,000 men demobilized, and among those were a great list of casuals. There is no man, there is not any human being, who can tell absolutely how many of these men will come for this training. By reason of your act here in increasing the allowance for support during training from $75 to $80 and $100, you have made it more attractive to the soldiers. They came home from overseas and many of them went immediately to their homes. Now, you have made it attractive by increasing the amount so they can decently support their families while they themselves are away at training. They have had their home welcome. They are now coming back in great numbers to report for training and it thus increases this work. [Applause.]

Mr. DENISON. Mr. Chairman and gentlemen of the committee, when the President left this country to return to France, just after the adjournment of the last Congress, he made a public statement in which he criticized the action of the Senate in failing to pass some of the largest supply bills, and called attention particularly to the failure of Congress to pass the appropriation for the Railroad Administration. He pointed out how critical was the financial condition of the Railroad Administration, but he made no mention of the failure to pass the bill containing the provision for the Board for Vocational Education.

Now, when the new appropriation bill for the Railroad Administration came before Congress last month the estimate was for $1,200,000,000, if I remember right. The Director General said that amount was necessary. The appropriation that was carried in the bill was only $750,000,000, or $450,000,000 less than the amount estimated by the Railroad Administration as actually necessary for the railroads. And yet the President approved that bill and signed it, without any protest or complaint.

I am unable to reconcile his action in approving that bill, which was $450,000,000 short of the amount estimated to be absolutely necessary, with his action in returning this bill with a veto simply because he thought it was somewhat less than the amount estimated to be necessary.

Mr. BEE. Will the gentleman yield?

Mr. DENISON. Yes; for a brief question.

Mr. BEE. Does not the gentleman see the difference between an inanimate railroad and a mangled human soldier?

Mr. DENISON. The President in his statement when he left the country in March called attention to the critical condition of the railroads as the result of the failure of the Senate to pass the railroad appropriation bill; but he did not mention this question, and taking the President's own statement for it, I am sure the gentleman from Iowa [Mr. GOOD] and his committee have not been trying to economize at all at the expense of the wounded soldiers of the country, and everyone here knows he has not been doing so. The bill we passed carried $6,000,000 for vocational education, an amount sufficient to answer all the demands for many months to come, if not for the entire year. Yes, of course there is a difference between railroads and mangled soldiers, but that is entirely irrelevant to the question. Evidently there are some who have thought there was at least a difference in their votes and political influence.

Mr. BYRNES of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. DENISON. No; I have not the time. I do not think the committee have been trying to economize at the expense of anyone. They have been simply trying to use good business judgment in the matter of making appropriations. For that I think the committee should be commended.

But the President by his veto of this bill has put the Members of the House in the attitude of not doing their full duty to the wounded soldiers. Everyone knows that is not the case, and to that extent the President has done the Members of Congress an injustice. And, so far as I am concerned, I am not going to let the President get by with any deal of that kind. I am going to vote for the amendment offered by the gentleman from Texas [Mr. BUCHANAN]. I am willing to give to the wounded soldiers every dollar that can be wisely expended for their benefit. The amendment of the gentleman from Texas provides several million dollars more for the rehabilitation of wounded soldiers than the President has recommended, but I shall vote for it just the same.

I have not said a word in the House recently, in fact, not anything at all, as to what I would do for the wounded soldiers. I do not believe much in talking along that line. I think we would better act rather than talk. Talk is cheap; and making a political football out of the wounded soldier's cause ought to be beneath our dignity. In the arrangement made here in the House since the Republicans came into control, I am allowed one little job at $1,200 a year as a matter of patronage, and I am bringing a young man here to take that job who lost his right arm at Chateau-Thierry. He is a right-handed man, and he has to learn how to write again with his left hand. I think he will be out here in the document room. You gentlemen of the House who go there will sooner or later see him. He may be a little awkward at first and unable to perform all of his duties as gracefully as others would, but when he comes I bespeak for him that kindly consideration which I am sure all of the Members of the House are willing to give to one whose right arm lies buried under the sod of France—a sacrifice for you and for me. I am going to do that to show my appreciation for the men who have come back from the war wounded, and I think that is about as substantial a way of doing it as either getting up here on the floor of the House and making a long, noisy speech, telling them what a friend you are to the soldiers, or sending a veto message here trying to put the Members of the House, who have been honestly economizing and making appropriations upon a sound business basis, in the attitude of not being willing to do all that ought to be done for the soldiers when that is not the fact. [Applause.]

Mr. BRIGGS. Mr. Chairman, I can not understand why the President has been subjected to so much criticism on the floor of this House for vetoing the sundry civil appropriation bill when his action is indorsed by the very House itself or will be through the bringing in of an amendment by the Committee on Appropriations of $6,000,000 more for vocational education than the sundry civil bill carried when it passed. The admission is thereby made by such critics that they did not realize the necessities for caring for this vocational training.

I want to read a few extracts from the statement of Mr. Munroe, vice chairman of the Vocational Board, in his testimony

before the Appropriations Committee, since the veto, as to the amount that is necessary:

Consequently these men to whom we are already obligated for their support and tuition fees will be $1,400 a year which multiplied by 14,000 is somewhere, as I figure it, about $18,000,000 required merely for the board, lodging, and tuition of these men. Now, that makes no provision for their medical care. A great many of them, of course, will need very careful care. It makes no provision for their supervision while they are in this course of training and, as you know, gentlemen, we have to very carefully supervise their courses to see that they are carried out as we have planned them to be. It makes no provision for the necessary travel which many of them must take from one place to another. It makes no provision for the administration of a work of this size and there is nothing left absolutely for taking up the problem of the thousands and thousands of other men who have already been surveyed up to the number of 98,000. That is, we have placed under the system 12,000, we are obligated to train about 14,000, that makes 26,000, and in addition to that there are 76,000 men who have been surveyed and whose cases must be followed up as quickly as possible. We have registered a total of 147,000 cases, of which there are 49,000 men who have never been followed up at all and who must be followed up at once. The estimate is that there are probably 60,000 or 70,000 more men still in hospitals and still in the field, and many of those are passibly not on our rolls at all.

Consequently, gentlemen, the figures that we have ahead of us, as we have told you repeatedly, are figures that no one could foresee. We are growing every day. The average number of cases that is being acted upon every day by our district offices is 150, which has to be added to the figure I have already given you. No one can foresee the size of this problem during the coming year.

As we have said repeatedly at the hearings before your committee and to Members of both Houses, we take it for granted that when Congress passed this legislation in June, 1918, they proposed that this job should be done not only thoroughly but that it should be done promptly, and that no disabled boy should be kept waiting for more than a reasonable length of time before he should be put into training.

This House can not afford not to give this appropriation for this training, because the board needs it now. We contemplate getting back the last of all of these wounded men, ready to be examined by this board, in a few months, and the strain upon the resources of the Vocational Board will come within that time. It does not behoove Congress to say that this board shall be hampered by a lack of money; that the Congress shall be hesitant about offering these men the facilities they need to become reconstructed.

When the very life of this Nation was at stake and the liberties and safety not only of our own citizens but of those of the allied world were in jeopardy, the American soldiers, sailors, and marines did not hesitate to offer their lives as a sacrifice upon the altar of freedom. Neither they nor those who held them dear refused to have their lives and safety appropriated in defense of civilization and all that mankind cherishes and values highest; and yet it seems that a Republican majority of this House is refusing to appropriate now the dollars that are necessary to give the Americans who suffered wounds in this war the right and opportunity to be restored physically, and to a life of usefulness when peace has come upon us.

It is a strange doctrine of economy—stranger, too, when it is remembered that scarcely eight months ago every dollar and resource of this Nation was pledged to a process of destruction. No one clamored then for false economies, because they realized that it was no time for such action; that this country would have no patience with it, and that the safety of this land and of civilization could not be jeopardized by a failure to appropriate money enough for cannon, ammunition, rifles, battleships, submarines, destroyers, and articles of every kind which either might or could prove useful in winning the war.

But now, when we come to the period of peace and are embarked upon the processes of restoration of our wounded and are endeavoring to provide hospitals, schools and training, and agencies of every kind to build up and re-create the wounded and shattered American soldiers, sailors, and marines, it ill befits a grateful Nation to indulge in practices of economy at the expense of such heroes; and such action will not be regarded by the people of this land as any real economy, but will be taken and looked upon as a badge of humiliation and shame.

It is one thing to try to make a record of economy; it is quite another to overlook in so doing the priceless generosity and sacrifices made by the young manhood of America in the fearful World War.

I believe that the people of the United States will have no sympathy and no patience with plausible excuses and reasons why an adequate appropriation of money for this vocational work was not made. It will not do to take refuge in realms of skepticism and doubt as to the wisdom of providing the Vocational Board now with sufficient funds to give these wounded boys every chance and every facility to be as fully restored as they can be to begin all over again the task of earning an honest living in the field of civil life.

The Nation not only owes them this; it owes them more. The debt can never be paid. The memory of the heroic deeds of these men will never fade from the pages of history, and will always be enshrined in the hearts of the families, mothers and fathers, wives and children, and their fellow countrymen.

In every one of the millions of homes throughout this land that gave some one of the family to the service of their country there will be preserved with tender and affectionate care the uniforms and symbols of service of those who were enlisted in the service of their country. They will always be precious mementos of the unsurpassed courage and valor of the American soldiers, sailors, and marines who came from the city and from the country, from the farm and from the store, from the school and from the industries; in fact, from every walk of our complex civil life; who loving the arts of peace rather than those of war, yet cheerfully subjected themselves to the severest kind of training and discipline and became the greatest fighters in the world.

Their deeds of supreme bravery, their glorious successes on land and sea, their willingness to endure without complaint the hardships, dangers, and suffering daily encountered, will always constitute a record of which their fellow countrymen will never cease to be proud.

In the crucial and thrilling engagements at St. Mihiel, Chateau-Thierry, and Belleau Wood, where the American soldiers and marines checked for the first time the crushing advance of the German armies and hurled them back with such overwhelming force that the ultimate destruction of the Hun forces was assured, the world and civilization felt for the first time in many weary months its anxiety vanish, and became convinced that right, truth, and justice would prevail.

I wish that time and opportunity were now accorded me to refer in more detail to those glorious and wonderful campaigns in France and Belgium and in other lands, and to make a fuller mention of the indispensable service and memorable triumphs of the Navy in driving the German submarine from the sea and transporting to France in safety over 2,000,000 American soldiers and marines. Their heroic deeds and sacrifices, however, do not have to be recalled to the loved ones of these men or to their countrymen. They are too deeply embedded in the hearts of all to ever be forgotten.

But in treasuring such a record of imperishable fame and glory as these heroes have given America, it would be unworthy beyond expression to forget the needs and welfare of the men who made it.

Every wound and every disability sustained by them in the service of their country is a badge of signal honor and distinction. But in the struggle for existence they are also serious handicaps.

As far as is humanly possible, the Nation must restore them, and restore them now, to a state of health and economic independence. They are not objects of charity, will never be so regarded, and ought not to be. All the money that is needed should be generously appropriated, and appropriated now, when the need is greatest for restoration and training for the various occupations they may be able to follow.

It is not surprising that the members of the Vocational Board should not be able to estimate with absolute certainty the exact amount of money which will be needed in the next 12 months to educate, train, and support the wounded and disabled soldiers, sailors, and marines who are entitled to the benefits of the vocational act. When it is considered that 230,074 men were actually disabled by wounds in battle, and that another vast number, yet undetermined, were disabled by disease, exposure, and illness during the war, all of whom are entitled to the benefits of treatment, training, and support under the provisions of this act, it is apparent that it is impossible for the Vocational Board to state with certainty what the precise financial needs of the board will be in order to admit to such training, when they apply, all those who are entitled to receive it.

It is not sufficient to excuse an adequate appropriation now, to urge that a serious deficiency can be taken care of later when it develops.

When the recent amendment to the vocational act was passed by Congress in January it carried an appropriation of $6,000,000 for the board. The chairman of the Appropriations Committee [Mr. GOOD] sought, when the bill was before the House, to have that appropriation stricken out upon the ground that an adequate and sufficient amount of $4,000,000 had already been provided in the sundry civil bill, passed by the House, and then before the Senate. But the House of Representatives refused to agree with the chairman of the House Appropriations Committee and insisted upon appropriating the additional $6,000,000 in the vocational act, in addition to the $4,000,000 carried in the sundry civil bill, making the total appropriation for vocational training amount to $10,000,000 in all.

When the sundry civil bill went to conference between the House and Senate the conference reported back to Congress a provision increasing the amount for vocational training in the sundry civil bill from four to six million dollars; in that provision, however, was included a clause repealing the $6,000,000 appropriation carried in the vocational bill. It was due to the erroneous conclusion at that time of the chairman of the Appropriations Committee and to his representation to the House that $6,000,000 was all that the Appropriations Committee had found was needed by the Vocational Board. The sundry civil bill, in spite of its urgency, was finall passed.

The President of the United States, however, vetoed the sundry civil bill, because he found that the sum of $6,000,000 was totally inadequate and the limitations on the administrative features of the vocational bill altogether too severe.

After such veto message was presented to Congress the Appropriations Committee held additional hearings, and in those it was disclosed that the very least amount which the board would need for the next 12 months was $18,000,000.

Now, while the Appropriations Committee has consented to allow the board to retain the $6,000,000 appropriated for it in June, but taken from it in the sundry civil bill, and increases such sum by proposing to allow another $6,000,000, making a total appropriation of $12,000,000 in all for the fiscal year ending in 1920, yet it now appears from this very recent testimony before the Appropriations Committee that this amount will fall short by $6,000,000 of the least amount actually needed to pay for the board, lodging, and tuition of the men already in training and whose applications have already been approved.

In other words, the least amount needed now is $18,000,000. If the Buchanan amendment is adopted, this sum will be provided; but if this amendment is defeated, in my opinion it will mean serious denial to thousands who need this training now more than they will ever need it at any other time and when its benefits will be the greatest.

Let Congress show by its acts as well as by its words that it values beyond price the services and sacrifices which the American soldier, sailor, and marine made for his country, humanity, and the safety and liberties of all, and that it means to deal most generously with those who are wounded and disabled in helping them back to a life of further service and usefulness and to an opportunity to face the world again upon an equal plane with their more fortunate fellow men. The adoption of the Buchanan amendment will be a step in the right direction, but its defeat will, to say the least, indicate rather a spirit of indifference or false economy that the Nation will resent and not forget when it calls upon its public servants for an accounting and an explanation as to how they have discharged the trusts committed to their care. [Applause.]

Mr. DONOVAN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. Mr. Chairman, I do not care to speak upon the matter.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GOOD].

Mr. GOOD. Mr. Chairman, in order that we may not be confused as to the status of the appropriation for this service, I want to refer to the statement made while the gentleman from Ohio [Mr. FESS] was on the floor. The only estimate made through the Secretary of the Treasury as required by law was the estimate for $4,000,000 for the whole year. Subsequently a letter was written to the chairman of the Committee on Appropriations increasing this to $6,000,000, and this was subsequently reduced by the board to $2,500,000. Congress enacted a law amending section 2 of the act, carrying $6,000,000, so that if there had been no further action by Congress the Vocational Board now would have for the next year $6,000,000 in addition to the $2,000,000 appropriated by the original act. The $2,000,000 was all used before the end of the fiscal year or by that time. Congress by this bill gives $6,000,000 more, or $12,000,000, which is $8,000,000 in excess of the actual estimate of the department.

I want the Members of the House to remember that in order to give the Committee on Appropriations jurisdiction in the orderly way it is necessary for the Secretary of the Treasury to send an estimate to the Speaker of the House that so much money is required for a given service. No such additional estimate has been made. Let us not cheapen the soldier, let us not cheapen ourselves, by voting for an appropriation that has never been estimated for by anyone.

Mr. RUCKER. Will the gentleman yield?

Mr. GOOD. For a question.

Mr. RUCKER. How much does it cost per soldier for the term of 10 months?

Mr. GOOD. The facts are that while a great deal of loose talk has been going around as to what it is going to cost to rehabilitate a soldier no one knows. Some of them are in training for 10 days and some of them are in training for 4 years. The statement was made that it would cost $1,400 per year, if they were in that long.

Mr. RUCKER. Has not the gentleman some idea of the number now in training and the number at the door waiting to enter; and if the gentleman has that information, why can not this House multiply the one by the other and make the appropriation, whether it is estimated for or not?

Mr. GOOD. I will say to the gentleman that is a fair question, and you could do it if you knew whether or not they would be there 10 days or——

Mr. RUCKER rose.

Mr. GOOD. I can not yield further.

Mr. RUCKER. It would not be used.

Mr. GOOD. The director said on Sunday it would take about six weeks to educate a barber to perform those duties. Now, are you going to give him training for a whole year? He said it would take several months to educate a carpenter. Are you going, now, to give training or the money for training for a whole year and pay that much, when it can not be stated until the service or training is completed? I undertake to say this service ought to be done now. These boys ought to be rehabilitated now and not wait until they are older men. There is no disposition in any way to stop this work. I want to encourage them to give the training as rapidly as possible to these men, but I want to say to the House that we ought to act sanely. When this matter was up before the Committee on Appropriations not a Member objected because the amount was not high enough. No one, so far as I know, was displeased with regard to this amount. It is $8,000,000 more than the amount estimated by the Secretary of the Treasury. It is $4,000,000 more than the amount estimated by the President himself, and the only statement that is made here with regard——

Mr. DAVIS of Tennessee. Will the gentleman yield?

Mr. GOOD. I can not yield. The only statement then made was made by Mr. Munroe, who says, "We do not know; our limited experience will not permit us to state whether or not this will cost $18,000,000 or $25,000,000, or how much it will cost." All Mr. Munroe asked, so far as I am advised, was that the appropriation of $4,000,000 be restored. He did not ask even for the $6,000,000 that the committee has reported. The committee thought that perhaps there might be a recess and it was willing to give at least two-thirds of the maximum guessed at to carry this service well into next year before it would be necessary to take further action. But the Committee on Appropriations so far as I am concerned will be entirely satisfied with whatever action the House may take upon this matter. I know that every Member of the House is interested in the rehabilitation of these boys. They ought to be interested, but at the same time we ought to make our appropriations in a way that when we go before our constituents we can say to them that we did not give more money than was reasonably estimated for the service.

Mr. WHEELER. Will the gentleman yield for a question?

Mr. GOOD. I will.

Mr. WHEELER. After the deduction of salaries under this bill which is now under consideration what will be left for the benefit of the soldier boys, roughly speaking?

Mr. GOOD. The amount estimated here in the letter I read to-day is $3,488,000 for salaries. The limitation put in the bill will effect a saving, as I recall, of about $100,000.

Mr. WHEELER. Three million dollars for teachers——

Mr. GOOD. No; this is for employees and does not refer to teachers. I do not know to what extent that will reflect in the employment of other persons. I do not know and nobody knows whether it will be necessary to have all of those at present employed. Dr. Prosser stated last February the 1st day of June this part of the work would commence to decline and he would commence to discharge these men in six months. That was the peak load, as the gentleman from South Carolina [Mr. BYRNES] stated when the matter was before the House, but Dr. Prosser stated then that the work would be at its height about the month of June. And so I do not know how long it is going to take. No man knows how long it will take to do the work

or how many of this force that is estimated for here will be on the pay roll all the balance of the year. Here is what he said:

It must be remembered that this is temporary service and that many of these employees will finish their service within the next six months.

The CHAIRMAN. The time of the gentleman has expired. All time has expired by direction of the committee.

The question now is on the substitute offered by the gentleman from Texas [Mr. BUCHANAN].

Mr. GOOD. Mr. Chairman, I ask that that be divided. It is in two parts.

Mr. BUCHANAN. Mr. Chairman, I have no objection to dividing it.

Mr. KREIDER. May it be reported?

The CHAIRMAN. The Chair will ask the Clerk to report the first part of the substitute offered by the gentleman from Texas [Mr. BUCHANAN].

Mr. CLARK of Missouri. Let it all be read, Mr. Chairman.

Mr. GARD. Can it not all be read?

The CHAIRMAN. Does the gentleman mean now?

Mr. GARD. Yes; for our information.

The CHAIRMAN. Without objection, the Clerk will read the substitute offered by the gentleman from Texas.

The Clerk read as follows:

Amendment offered by Mr. BUCHANAN as a substitute for the Madden amendment: Amend the bill by striking out the figures "$6,000,000" and insert in lieu thereof the figures "$12,000,000"; and add, at the end of the provision, after the word "each," the following provision, to wit: *"And provided further,* That not more than 18 per cent of all appropriations made by Congress on this subject shall be used for the payment of salaries."

The CHAIRMAN. The question first to be decided is upon the amount, which I will ask the Clerk to read to the House under the order of the separation.

Mr. RUCKER. Mr. Chairman, would it be in order to discuss that division of the proposed question?

The CHAIRMAN. All debate has ended.

Mr. RUCKER. I want to discuss that and two or three other matters incident to it for two or three minutes.

The CHAIRMAN. The Clerk will report the first part of the substitute.

The Clerk read as follows:

Strike out the figures "$6,000,000" and insert in lieu thereof the figures "$12,000,000."

The question was taken; and the Chair announced that the ayes seemed to have it.

Mr. GOOD. I ask for a division, Mr. Chairman.

The committee divided; and there were—ayes 83, noes 96.

Mr. CALDWELL. Tellers, Mr. Chairman.

Tellers were ordered.

Mr. RUCKER. Mr. Chairman, I think some gentlemen in the House probably should know what they are voting on.

The CHAIRMAN. The gentleman from Iowa [Mr. GOOD] and the gentleman from Texas [Mr. BUCHANAN] will take their places as tellers.

The committee again divided; and the tellers reported—ayes 120, noes 119.

So the amendment was agreed to.

Mr. FESS. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The vote now comes on the second part of the substitute offered by the gentleman from Texas. The Clerk will report it.

Mr. FESS. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. FESS. With 120 for and 119 against, if the Chair would vote against it, the amendment would fail? Did the Chair vote?

The CHAIRMAN. The Chair can not vote on this unless he passes between the tellers. [Applause.] The Clerk will report the second part of the amendment.

The Clerk read as follows:

Add at the end of the provision, after the word "each," the following provision, to wit:

"And provided further, That not more than 18 per cent of all appropriations made by Congress on this subject shall be used for the payment of salaries."

The CHAIRMAN. The question is on agreeing to the substitute.

The amendment was agreed to.

Mr. BANKHEAD. Mr. Chairman, I have another amendment that I desire to offer.

The CHAIRMAN. Amendment to what?

Mr. BANKHEAD. Amendment to the amendment of the gentleman from Texas.

The CHAIRMAN. There is one amendment pending. The question now recurs on the amendment offered by the gentleman from Illinois [Mr. MADDEN] as amended.

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. CALDWELL. Mr. Chairman, a parliamentary inquiry.

Mr. WALSH. Mr. Chairman, I ask for a division.

The CHAIRMAN. The gentleman from Massachusetts demands a division.

The committee divided; and there were—ayes 104, noes 136.

Mr. BUCHANAN. I demand tellers, Mr. Chairman.

The CHAIRMAN. Tellers are demanded.

Tellers were ordered, and the Chairman appointed Mr. GOOD and Mr. BUCHANAN to act as tellers.

The committee again divided; and the tellers reported—ayes 136, noes 139.

So the amendment was rejected.

Mr. FESS. Mr. Chairman, I offer an amendment, which I ask the Clerk to report.

Mr. MADDEN. I move, Mr. Chairman, an amendment to strike out the "$6,000,000" and make it "$9,000,000."

The CHAIRMAN. The Chair has recognized the gentleman from Ohio. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FESS: After the word "this" strike out the words "or any other."

Mr. FESS. Mr. Chairman, in the seventh line from the bottom——

Mr. BANKHEAD. Mr. Chairman, I want to offer a substitute for the amendment of the gentleman from Ohio.

The CHAIRMAN. The Chair has recognized the gentleman from Ohio.

Mr. BANKHEAD. I would like to have the gentleman from Ohio yield in order to have it read. There is no conflict between us. I think the amendment would be accepted by the committee.

Mr. FESS. I yield for the reading of the gentleman's amendment.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: After the word "this" in the proviso, strike out the words "or any other," add a comma and the additional words "and the act approved July —, 1919, amending section 2 of the act of June 27, 1918."

Mr. FESS. Mr. Chairman, the proviso or the explanatory phrase or clause given by the gentleman from Alabama [Mr. BANKHEAD] just identifies the law that we want to preserve, and I would have no objection to accepting that explantory statement in connection with the amendment.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. FESS. I yield.

Mr. GOOD. I would like to know just what is in the mind of the gentleman in regard to the effect this provision will have that will be cured by the amendment, whichever one is adopted.

Mr. FESS. I will state to the chairman and to the members of the committee that the Smith-Hughes vocational bill, approved June 27, 1918, carries an annual appropriation, when it is at its maximum, of $7,000,000, to be administered by the Federal Government, in connection with a similar amount to be supplied by the various States; and in order to administer this amount the Vocational Board has divided the United States into 15 vocational districts, over each of which there is a director, and these 15 directors have a salary now fixed at $3,500 each; and the limitation in the bill we are now acting upon is limited to the rehabilitation of the soldiers, while this goes on to this act and will embarrass 15 regional directors, 2 assistants to the board, and in all 22 members that I do not believe the committee wanted to touch at all.

Mr. GOOD. Mr. Chairman, will the gentleman yield further?

Mr. FESS. I yield.

Mr. GOOD. The amendment as it is drawn, I understand, will make this provision in the appropriation of $6,000,000 carried in the bill amending section 2 amenable to the limitation?

Mr. FESS. It will.

Mr. GOOD. I have no objection to the amendment of the gentleman.

Mr. FESS. I am very much obliged.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio [Mr. FESS].

Mr. BANKHEAD. Mr. Chairman, would not my substitute be voted on first?

Mr. FESS. Mr. Chairman, I ask unanimous consent that the gentleman's substitute be voted upon instead of the amendment that I offered.

The CHAIRMAN. Without objection, the substitute will be voted on instead of the original.

There was no objection.

The CHAIRMAN. The Clerk will report it.

Mr. LEVER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Let the amendment be read first.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: After the word "this" strike out the words "or any other," and after the word "act" insert the words "or the act approved July —, 1919, amending section 2 of the act approved June 27, 1918," so that as amended the language will read "*Provided*, That no person (except the members of the Federal Board for Vocational Education) shall be paid by said board out of the appropriation contained in this act or the act approved July —, 1919, amending section 2 of the act approved June 27, 1918, at a rate of compensation exceeding $2,500 per annum," etc.

Mr. GOOD. There is no objection to that.

Mr. FESS. Mr. Chairman, a parliamentary inquiry. I am somewhat confused on that. I want to ask the gentleman from Alabama whether he is sure that the wording of his explanatory clause will extend to the Smith-Hughes bill?

Mr. BANKHEAD. I think it specifically excludes the operation of this proviso from any effect on the original Smith-Hughes Act, and limits this restriction of salary to the act which we are now passing and the act amending section 2.

Mr. FESS. We do not want this limitation to extend to the Smith-Hughes Act.

Mr. BANKHEAD. That is what I am seeking to exclude by my substitute.

Mr. LEVER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LEVER. Is the vote being taken on the amendment of the gentleman from Alabama as a substitute or as an amendment? I understood that the gentleman offered it as a substitute.

The CHAIRMAN. As a substitute. Those in favor of the amendment as now presented will signify it by saying aye.

The substitute was agreed to.

The CHAIRMAN. Does the gentleman from Iowa desire to offer an amendment?

Mr. GOOD. Yes. I think in view of that amendment it is not necessary, unless I have misunderstood the force of the amendment, to retain the words which are in parentheses—

(Except the members of the Federal Board for Vocational Education.)

Mr. BANKHEAD. I agree with the gentleman on that.

Mr. GOOD. I move to strike out the words included in the parentheses—

(Except the members of the Federal Board for Vocational Education.)

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Iowa.

The Clerk read as follows:

Amendment offered by Mr. GOOD: After the word "persons" in the proviso strike out the words in the parentheses—"(except the members of the Federal Board for Vocational Education)."

The amendment was agreed to.

Mr. MADDEN. I move to amend the figures "$6,000,000" by striking them out and inserting in lieu thereof "$9,000,000."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Strike out "$6,000,000" and insert in lieu thereof "$9,000,000."

The question being taken, the Chairman announced that the noes appeared to have it.

Mr. MADDEN. I ask for a division.

Mr. KINCHELOE. I want recognition for the purpose of offering a substitute for the amendment of the gentleman from Illinois.

The CHAIRMAN. Was the gentleman on his feet asking recognition?

Mr. KINCHELOE. I was.

The CHAIRMAN. The gentleman will send up his amendment.

Mr. KINCHELOE. I move to amend by striking out the word "nine" and inserting in lieu thereof the word "ten."

Mr. MADDEN. I accept that amendment.

The CHAIRMAN. The substitute offered by the gentleman from Kentucky will be reported by the Clerk.

The Clerk read as follows:

Mr. KINCHELOE offers a substitute for the amendment offered by Mr. MADDEN by striking out "$9,000,000" and inserting in lieu thereof "$10,000,000."

The CHAIRMAN. The question is on the substitute.

The question being taken, on a division (demanded by Mr. KINCHELOE) there were—ayes 116, noes 154.

Mr. KINCHELOE. I ask for tellers, Mr. Chairman.

Tellers were ordered; and the Chairman appointed Mr. GOOD and Mr. KINCHELOE.

The committee again divided; and the tellers reported—ayes 123, noes 148.

Accordingly the substitute was rejected.

The CHAIRMAN. The question recurs now on the amendment offered by the gentleman from Illinois [Mr. MADDEN] to strike out "$6,000,000" and insert "$9,000,000."

The question being taken, on a division (demanded by Mr. MADDEN) there were—ayes 126, noes 151.

Accordingly the amendment was rejected.

Mr. MADDEN. Mr. Chairman, I move to strike out "$6,000,000" and insert "$7,500,000."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Strike out "$6,000,000" and insert "$7,500,000."

The question was taken; and on a division (demanded by Mr. MADDEN) there were 104 ayes and 159 noes.

So the amendment was rejected.

Mr. MADDEN. Mr. Chairman, I move to strike out "$6,000,000" and insert "$6,500,000."

Mr. WALSH. Mr. Chairman, I make the point of order that the gentleman's motion is dilatory. He has offered amendments in several amounts and they have all been voted down.

Mr. MADDEN. I do not think the Chair will undertake to sustain any such point of order as that.

Mr. WALSH. The Chair will rule on it.

The CHAIRMAN. The Chair sustains the point of order. Are there any other amendments to be offered?

Mr. SABATH. Upon what ground does the Chair sustain the point of order?

The CHAIRMAN. Upon the ground that it is dilatory. The amount that the gentleman has moved to insert is between the two amounts voted down.

Mr. MADDEN. Mr. Chairman, I respectfully appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Illinois appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the committee?

The question was taken; and on a division (demanded by Mr. MADDEN) there were 163 ayes and 83 noes.

So the decision of the Chair was sustained.

The Clerk continued the reading of the bill.

During the reading the following occurred:

Mr. MADDEN. Mr. Chairman, I do not think it is possible for the Clerk to read a page of this bill in less than six seconds. I expect the bill to be read.

The CHAIRMAN. The Clerk will proceed with the reading in order.

Subsequently:

Mr. MADDEN. Mr. Chairman, I object to the Clerk turning over four or five pages of manuscript while he reads one. I have been watching.

The CHAIRMAN. The Clerk will proceed in order.

Subsequently:

Mr. MADDEN. Mr. Chairman, I insist on the pages being read that were turned over. I protest. I want it distinctly understood that as a Member of this House I have rights here. I do not propose to let the Chair sit complacently by and permit that thing to be done.

The CHAIRMAN. If the gentleman will call attention to any particular part of the bill that has not been read, the Chair will see that it is read.

Mr. MADDEN. I do not propose to allow the Chairman to permit the Clerk to turn over five or six pages of manuscript without reading.

The CHAIRMAN. The Clerk will proceed with the reading in order.

The Clerk read as follows:

To enable the Secretary of Labor, pursuant to section 1 of the act approved March 4, 1913, entitled "An act to create a Department of Labor," to continue to foster, promote, to develop the welfare of the wage earners of the United States, to improve their working conditions, to advance their opportunities for profitable employment by maintaining a national system of employment offices in the several States and political subdivisions thereof, and to coordinate the public employment offices throughout the country by furnishing and publishing information as to opportunities for employment, and by maintaining a system for clearing labor between the several States, including personal services in the District of Columbia and elsewhere, and for their actual necessary traveling expenses while absent from their official station, together with their per diem in lieu of subsistence, when allowed, pursuant to section 13 of the sundry civil appropriation act, approved August 1, 1914, supplies and equipment, telegraph and telephone service, and printing and binding, $400,000.

Mr. BLANTON. Mr. Chairman, I make the point of order against this section for the reason that it is new legislation on an appropriation bill and that there is no legislation passed by this Congress authorizing such an appropriation. I call attention of the Chair to the fact that every Chairman during this Congress has sustained this point of order.

Mr. GOOD. Mr. Chairman, I make the point of order that the gentleman's point of order comes too late. No points of order have been reserved on the bill.

Mr. BLANTON Mr. Chairman, I insist that it is not too late. I understand it is the usual custom for some chairman of a committee, or some gentleman, when a bill is reported, to reserve all points of order. I am reliably informed, by an authority that I consider good from a parliamentary standpoint, that it is not necessary and that there is no purpose or reason whatever for reserving points of order, because any Member of the House has the right and privilege to make a point of order upon the conclusion of the reading of any paragraph in the bill. I submit that that is parliamentary law.

I call attention further to the fact that the bill was brought in here under a rule of the committee. It is not printed, and not a Member of the House has an opportunity to know what it contains. If a Member calls for a copy of it, it is impossible to get one. I submit that the point of order should be sustained.

The CHAIRMAN. The Chair holds that unless there is a reservation under circumstances of this kind a point of order can not be entertained to a part or a section of the bill. It seems to the Chair clear that points of order must be reserved, else it is the duty of the committee to report the bill as it is. The Clerk will read.

The Clerk concluded the reading of the bill.

Mr. GOOD. Mr. Chairman, I move that the committee do now rise and report the bill with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TOWNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 7343, the sundry civil appropriation bill, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. GOOD. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The SPEAKER. Under the rule the previous question is considered ordered. Is a separate vote demanded on any amendment? If not, the amendments will be put en grosse. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. MADDEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MADDEN. At what stage of the proceedings will it be in order to move to recommit the bill?

The SPEAKER. After the third reading. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read the third time, and was read the third time.

Mr. BLANTON, Mr. BUCHANAN, and Mr. MADDEN rose.

Mr. BLANTON. Mr. Speaker, I am against the bill, and I desire to make a motion to recommit the bill.

The SPEAKER. The gentleman from Texas [Mr. BUCHANAN], a member of the committee, is recognized.

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Has not a Member of the House who is against the bill the privilege first of offering a motion to recommit?

The SPEAKER. Certainly. The gentleman need not make that inquiry. Does the gentleman from Texas desire to offer a motion to recommit?

Mr. BUCHANAN. I do.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BUCHANAN. Any bill that fails to provide for the disabled soldiers of this country—that does not do it adequately—I am opposed to.

The SPEAKER. The gentleman does not answer the question. Is the gentleman opposed to the bill?

Mr. BUCHANAN. I am opposed to the bill.

The SPEAKER. The gentleman is recognized.

Mr. BUCHANAN. Mr. Speaker, I offer the following motion to recommit, which I send to the desk and ask to have read.

The Clerk read as follows:

Motion to recommit offered by Mr. BUCHANAN: "I move to recommit the bill to the Committee on Appropriations, with instructions to immediately report the same back to the House with the following amendment to the paragraph providing for vocational rehabilitation:

"First, strike out the figures '$6,000,000' and insert in lieu thereof the figures '$12,000,000,' and by adding at the end of the paragraph immediately after the word 'each' the following, to wit: That not more than 18 per cent of all appropriations made by Congress on this subject shall be used for the payment of salaries."

Mr. BUCHANAN. Mr. Speaker, on that I demand the previous question.

Mr. BLANTON. Mr. Speaker, I desire to offer an amendment to the motion to recommit made by the gentleman from Texas.

The SPEAKER. If the previous question is voted down an amendment will be in order; otherwise not. The question is on ordering the previous question on the motion to recommit.

The question was taken; and on a division (demanded by Mr. CRISP) there were—ayes 103, noes 131.

Mr. CALDWELL. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from New York demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Twenty-two Members have risen, not a sufficient number, and the yeas and nays are refused.

So the previous question was rejected.

Mr. GOOD rose.

Mr. BLANTON. Mr. Speaker, I offer an amendment.

Mr. MADDEN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. The Chair recognizes the gentleman from Iowa [Mr. GOOD].

Mr. GOOD. Mr. Speaker, I offer as a substitute for the motion to recommit, that the figures "$12,000,000" be stricken out and the figures "$6,500,000" be inserted in lieu thereof, and on that I demand the previous question.

Mr. MADDEN. Mr. Speaker, I move——

The SPEAKER. The gentleman from Iowa has moved the previous question on his amendment.

Mr. MADDEN. He can not make both motions at once, can he?

The SPEAKER. He can not. He makes first one and then the other. The question is on ordering the previous question.

The previous question was ordered.

Mr. MADDEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MADDEN. Is an amendment to the substitute now in order?

The SPEAKER. Not after the previous question is ordered. The question is on the amendment offered by the gentleman from Iowa to the motion to recommit offered by the gentleman from Texas.

Mr. CRISP. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

Mr. CLARK of Missouri. Mr. Speaker, I ask unanimous consent that the Good amendment may be again reported.

The SPEAKER. The gentleman from Missouri [Mr. CLARK] asks unanimous consent that the Good amendment be again reported. Is there objection? [After a pause.] The Chair hears none.

Mr. GOOD. Mr. Speaker, it is a substitute instead of an amendment.

The Clerk read as follows:

Mr. GOOD moves as a substitute to the motion offered by Mr. BUCHANAN to strike out "$12,000,000" and insert in lieu thereof "$6,500,000."

Mr. GOOD. Mr. Speaker, the substitute I offered was to strike out $6,000,000 and put in $6,500,000. [Cries of "Regular order!"]

Mr. GOOD. Mr. Speaker, a parliamentary inquiry?

Mr. CANNON. Mr. Speaker, what are we voting on?

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. CANNON. I want to find out what we are voting on.

The SPEAKER. The Chair has just asked the Clerk to report the amendment. Without objection, the Clerk will again report the amendment offered by the gentleman from Iowa. [After a pause.] The Chair hears no objection.

The Clerk read as follows:

Mr. GOOD offers as a substitute to the motion to recommit by striking out——

Mr. GOOD sent the written amendment to the Clerk's desk. [Cries of "No!"]

Mr. WALSH. Mr. Speaker, I ask that the amendment of the gentleman from Iowa be reduced to writing.

The SPEAKER. The Chair will see that the House has fair play. The House will be in order and gentlemen will be seated. The Clerk will report the amendment originally offered by the gentleman from Iowa. [Applause.]

The Clerk read as follows:

Mr. GOOD moves as a substitute to the motion to recommit to strike out "$12,000,000" and insert in lieu thereof "$6,500,000."

[Applause.]

Mr. GOOD. Mr. Speaker, a parliamentary inquiry. [Cries of "Regular order!"]

The SPEAKER. The gentleman will state it.

Mr. GOOD. The substitute I offered was reduced to writing by the gentleman from Massachusetts [Mr. WALSH] at my request. I read it from the table instead of sending it to the desk, and if any mention was made—— [Cries of "Regular order!"]

Mr. GOOD. If any mention was made of $12,000,000 it was an inadvertence. [Cries of "Yes!"]

Mr. LITTLE. The gentleman said $6,000,000.

Mr. GOOD. Mr. Speaker, a further parliamentary inquiry. Could I withdraw——

Mr. JOHNSON of Kentucky. I object to a withdrawal of it.

The SPEAKER. In the committee a Member has not a right to change his amendment, but in the House a gentleman has——

Mr. CRISP. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CRISP. I grant a man has a right to withdraw his amendment or motion in the House before the House has taken action on it, but here the previous question has been ordered and it cuts off any other amendment or right to withdraw the amendment. Here is a motion made to recommit. I know the Speaker is fair, I know the Speaker wants to do right. Now, this is a simple matter. If the gentleman from Iowa got himself in a hole it is not the province of the Speaker to pull him out. [Applause.] The gentleman from Texas offered a motion to recommit, which was clearly in order under the rules of the House. That motion provided that the committee should report the bill back instanter appropriating $12,000,000 for the rehabilitation of indigent soldiers, and the gentleman from Iowa offered a substitute—and the Speaker knows a substitute is nothing in the world but an amendment—now, the gentleman from Iowa offers an amendment which is denominated a substitute providing for striking out $12,000,000 and inserting $6,500,000. He could not strike out $6,000,000 because it was not in the motion; $12,000,000 was in it. It provides for striking out that and puts in $6,500,000, and on that he demanded the previous question. The House has ordered the previous question. The yeas and nays have been ordered on the amendment of the gentleman to strike out $12,000,000 and insert $6,500,000, and the Speaker had directed the calling of the roll. And certainly under those conditions the gentleman can not now withdraw his amendment. [Applause on the Democratic side.]

Mr. GOOD. Mr. Speaker, I desire to make a statement. The gentleman from Texas [Mr. BUCHANAN] had offered an amendment to strike out "$6,000,000" in the bill and insert "$12,000,000." I have offered a substitute to strike out "$6,000,000" and insert "$6,500,000." [Cries of "No, no!"] Mr. Speaker, I want to be fair with the House. What I said in offering the substitute was to strike out "$12,000,000" and corrected myself by saying "$6,000,000." And the gentleman from Kansas [Mr. LITTLE] and others who were standing near me here heard perfectly what I said and will verify this statement. I had the substitute as prepared by Mr. WALSH lying on my desk while I was reading from it, and that will speak for itself.

Mr. KREIDER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. KREIDER. To make a parliamentary inquiry. Is it in order to offer a substitute to strike figures out of a bill that are not contained in it? If there is "$6,000,000" in the bill, the gentleman can not offer a substitute to strike out "$12,000,000."

The SPEAKER. The Chair thinks he must be bound by the record as reported by the Clerk, and if the amendment which is before the House is the amendment as reported by the Clerk——

Mr. GREEN of Iowa. Mr. Speaker, if the Clerk reported what the gentleman did not say——

The SPEAKER. The gentleman sent it to the Clerk's desk.

Mr. BLANTON. Regular order, Mr. Speaker.

Mr. NOLAN. Mr. Speaker——

Mr. FESS. Mr. Speaker——

Mr. NOLAN. A parliamentary inquiry.

The SPEAKER. The Chair is mistaken. The Chair understood that the Clerk reported what was sent up to the desk.

Mr. CRISP. May I respectfully ask the Speaker to have the Reporter read his notes?

The SPEAKER. The Chair will be glad to have the Reporter read his notes.

Mr. GARNER. That is all right.

Mr. GOOD. Mr. Speaker, I move to reconsider the vote by which the previous question was ordered.

Mr. CALDWELL. Mr. Speaker, a point of order.

The SPEAKER. What is the point of order?

Mr. CALDWELL. The point of order I make is that it is too late to reconsider, because a roll call has already been ordered on the motion.

The SPEAKER. The gentleman is mistaken.

Mr. CALDWELL. The yea-and-nay vote has been ordered.

The SPEAKER. The Chair thinks it is in order to move to reconsider.

Mr. NOLAN. A parliamentary inquiry, Mr. Speaker.

Mr. CALDWELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from California will state his parliamentary inquiry.

Mr. NOLAN. Mr. Speaker, my parliamentary inquiry is this: Is the substitute for a motion to recommit in order unless it is reduced to writing?

The SPEAKER. The Chair recognized it. The Chair, with the permission of the House, will have the Reporter's notes read.

Mr. NOLAN. Will the Chair answer my parliamentary inquiry? Does not the rule require that the motion to recommit must be reduced to writing?

Mr. CRISP. I never heard of that rule. I wish the gentleman would cite me to it.

The SPEAKER. The House will please preserve order. The Chair recognizes the excitement and the lateness of the hour, but the Chair also recognizes that all men on both sides want exact justice to be done.

The Chair will follow the suggestion of the gentleman from Georgia [Mr. CRISP] and have the Reporter's notes read, and, as he stated before, will abide by them. The Clerk will read.

The Clerk read as follows:

Mr. GOOD. Mr. Speaker, I offer as a substitute for the motion to recommit that the figures "$12,000,000" be stricken out and the figures "$6,500,000" be inserted in lieu thereof, and on that I demand the previous question.

[Applause on the Democratic side.]

The SPEAKER. The question is on the motion of the gentleman from Iowa to reconsider the motion by which the previous question was ordered.

Mr. FESS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FESS. This was offered as a substitute. Must not the substitute go to the part that is originally recommitted and can not as a substitute amend the recommitment?

The SPEAKER. The Chair does not think so.

Mr. GARNER. Regular order, Mr. Speaker. We will never get through here without the regular order.

The SPEAKER. The question is on the motion of the gentleman from Iowa to reconsider the vote whereby the yeas and nays were ordered.

Mr. WINGO. The yeas and nays have been ordered. It is too late. It is too late to reconsider.

Mr. GARNER. The yeas and nays have been ordered.

The SPEAKER. The Chair had forgotten that. The question is on the motion of the gentleman from Iowa to reconsider the vote.

Mr. WINGO. No. The yeas and nays have been ordered. It is too late for the vote to be reconsidered. The yeas and nays were asked for and sustained.

Mr. WALSH. Mr. Speaker, you can move to reconsider.

Mr. WINGO. The yeas and nays have been ordered, and the roll call was ordered. It is too late.

Mr. BAER. Mr. Speaker, I ask for order. Make those men sit down over there. Get the Sergeant at Arms out.

Mr. KNUTSON. Mr. Speaker, may we have order on the Democratic side? [Laughter.]

The SPEAKER. The House will be in order. The question is——

Mr. GOOD. Mr. Speaker, I move to reconsider the action by which the yeas and nays were ordered.

Mr. LEVER. I make the point of order, Mr. Speaker——

Mr. CRISP. I would like to make this point of order, to find out if the gentleman voted, ordering the yeas and nays on the previous question.

Mr. GOOD. I did.

Mr. CRISP. I make the point of order that unless he voted with the prevailing side he can not make the motion to reconsider.

Mr. GOOD. I remember that I was one of the persons who stood up on this side asking for the yeas and nays.

Mr. CALDWELL. Mr. Speaker, I have been trying to get recognition for some time.

The SPEAKER. For what purpose does the gentleman rise?

Mr. CALDWELL. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. CALDWELL. It is this, Mr. Speaker——

The SPEAKER. There is already a point of order pending. You can not make another while that is pending.

Mr. CALDWELL. What is the pending point of order?

The SPEAKER. The point of order pending is the point of order made by the gentleman from Georgia [Mr. CRISP] that the motion to reconsider must have been made by a person who voted on the prevailing side.

Mr. CALDWELL. The point of order I make is that the motion of the gentleman is out of order.

The SPEAKER. The Chair overrules the point of order.

Mr. GARNER. Mr. Speaker, it is suggested by some Members that the calling of the roll had begun, and that one or two Members' names had been called.

The SPEAKER. The Chair thinks that is not correct. The question is on the motion to reconsider the vote whereby the yeas and nays were ordered.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. CLARK of Missouri. A division, Mr. Speaker.

The SPEAKER. A division is demanded.

The House proceeded to divide.

Mr. CRISP. Mr. Speaker, may I ask the indulgence of the Chair a moment to make a parliamentary inquiry?

The SPEAKER. Yes.

Mr. CRISP. This has been presented to me—the question was just submitted. I am frank to say I do not know about it, but I am going to submit it to the Speaker: What the House is now dividing on is whether you will reconsider ordering the yeas and nays. This idea has been presented to me, and it is true, that the Constitution fixes how you get the yeas and nays, it providing that one-fifth of those present under the Constitution may demand the yeas and nays; and if you have a majority of the House to decide that you will not have the yeas and nays, you are violating plainly that provision of the Constitution which requires one-fifth to order the yeas and nays.

Now, I know that the Chair wants to do right, and I want to present that thought to the Chair; and on reflection it does not look to me as though we had the right to take this vote, because in that way a majority of the House can absolutely frustrate the Constitution of the United States. [Applause.]

Mr. JOHNSON of Kentucky. The majority can not deprive the one-fifth of their constitutional right.

The SPEAKER. The Chair is disposed to think that the House has a right to reconsider the motion for the yeas and nays, but if it does so of course immediately the motion is pending, and one-fifth of the House could order the yeas and nays again, so that it seems to the Chair that the question is one of propriety and of usefulness rather than of parliamentary law. The Chair thinks that the motion to reconsider is in order.

Mr. PHELAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PHELAN. If that is correct, suppose the House orders the yeas and nays by one-fifth of the Members standing, and suppose a majority reconsider that. Then suppose, as suggested by the Chair, that the one-fifth again order the yeas and nays. Then suppose again by a majority vote the House reconsiders that motion. Can the Chair tell me what the end of the whole proposition would be?

The SPEAKER. The Chair thinks the second motion to reconsider would be a dilatory motion. But the Chair does not see why it is not now in order to reconsider the vote by which the yeas and nays were ordered. It might happen that on reflection the whole House might want to do away with the ordering of the yeas and nays and ought to have an opportunity to do it.

Mr. PHELAN. A parliamentary inquiry. Suppose the House now reconsiders the ordering of the yeas and nays. Will anything be permitted to intervene before somebody has the right again to ask for the yeas and nays in the same manner?

The SPEAKER. The Chair thinks not.

Mr. PHELAN. Then the first thing in order after reconsideration will be another demand for the yeas and nays. Is that correct?

The SPEAKER. The Chair thinks so.

Mr. PHELAN. The first thing in order is the right of somebody to ask for a roll call?

The SPEAKER. The gentleman must not take the time of the House by repeating a question which has already been answered.

Mr. GARNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. Suppose the House reconsiders the vote by which the yeas and nays were ordered. That question is reconsidered. Then does the question come back whether the House will reconsider the motion by which the previous question has been ordered?

The SPEAKER. No; the Chair has already stated that the Chair thinks that immediately the question would recur on ordering the yeas and nays, which, under the Constitution, can be ordered by one-fifth.

Mr. GARNER. All right. We have more than one-fifth, and that is enough.

Mr. CALDWELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CALDWELL. On a request for the yeas and nays one-fifth of those present rising are enough to order the yeas and nays. On the motion to reconsider if more than one-fifth rise in opposition to reconsidering, is not the motion to reconsider lost?

The SPEAKER. The Chair thinks these parliamentary questions will be answered by the action of the House.

Mr. GOOD. Mr. Speaker, a parliamentary inquiry. Do I understand the Speaker to say that if the House decides to reconsider the motion by which the yeas and nays were ordered it will not then immediately be in order for a Member to move to reconsider the vote by which the previous question was ordered?

The SPEAKER. The Chair thinks not, if one-fifth of the House should then demand the yeas and nays.

Mr. GOOD. Then I withdraw the motion to reconsider.

The SPEAKER. Without objection, the motion is withdrawn.

Mr. CAMPBELL of Kansas. Mr. Speaker, a parliamentary inquiry.

Mr. BAER. Mr. Speaker, I ask for order.

Mr. CAMPBELL of Kansas. Mr. Speaker——

Mr. BLANTON. The regular order, Mr. Speaker.

The SPEAKER. The regular order is that the House shall be in order. Business will be suspended until the House is in order.

ADJOURNMENT.

Mr. GOOD. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Iowa moves that the House do now adjourn.

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. CRISP. The yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 198, nays 160, answered "present" 1, not voting 71, as follows:

YEAS—198.

Ackerman	Ellsworth	Kelly, Pa.	Nolan
Anderson	Elston	Kennedy, R. I.	Ogden
Andrews, Md.	Esch	Kinkaid	Osborne
Andrews, Nebr.	Evans, Nebr.	Kleczka	Paige
Bacharach	Fess	Knutson	Parker
Baer	Focht	Kraus	Platt
Barbour	Fordney	Kreider	Radcliffe
Begg	Foster	LaGuardia	Ramsey
Benham	Frear	Lampert	Ramseyer
Boies	French	Langley	Randall, Wis.
Bowers	Fuller, Mass.	Layton	Reavis
Brooks, Ill.	Garland	Lehlbach	Reber
Brooks, Pa.	Glynn	Little	Reed, N. Y.
Browning	Good	Luce	Rhodes
Burdick	Goodykoontz	Lufkin	Ricketts
Burke	Gould	Luhring	Riddick
Burroughs	Graham, Pa.	McCulloch	Robsion, Ky.
Butler	Graham, Ill.	McKenzie	Rodenberg
Campbell, Kans.	Green, Iowa	McKinley	Rogers
Cannon	Greene, Mass.	McLaughlin, Mich.	Rose
Chindblom	Hadley	McLaughlin, Nebr.	Rowe
Christopherson	Hamilton	McPherson	Sanders, Ind.
Classon	Hardy, Colo.	MacCrate	Sanders, N. Y.
Cole	Haskell	MacGregor	Sanford
Cooper	Haugen	Madden	Schall
Crago	Hawley	Magee	Scott
Cramton	Hays	Mapes	Sells
Crowther	Hernandez	Merritt	Shreve
Currie, Mich.	Hersey	Michener	Siegel
Curry, Calif.	Hickey	Miller	Sinnott
Dale	Hill	Mondell	Smith, Idaho
Dallinger	Hoch	Moore, Ohio	Smith, Ill.
Darrow	Houghton	Moore, Pa.	Smith, Mich.
Davis, Minn.	Hull, Iowa	Moores, Ind.	Snell
Dempsey	Husted	Morgan	Snyder
Denison	Hutchinson	Morin	Steenerson
Dickinson, Iowa	Ireland	Mott	Stephens, Ohio
Dowell	James	Mudd	Strong, Kans.
Dunbar	Jefferis	Murphy	Strong, Pa.
Dunn	Johnson, S. Dak.	Nelson, Wis.	Summers, Wash.
Dyer	Juul	Newton, Minn.	Sweet
Edmonds	Kearns	Newton, Mo.	Taylor, Tenn.
Elliott	Kelley, Mich.	Nichols, Mich.	Temple

Thompson, Ohio	Vaile	Ward	Williams
Tilson	Vare	Wason	Winslow
Timberlake	Vestal	Watson, Pa.	Yates
Tincher	Voigt	Webster	Young, N. Dak.
Tinkham	Volstead	Wheeler	Zihlman
Towner	Walsh	White, Kans.	
Treadway	Walters	White, Me.	

NAYS—160.

Alexander	Dickinson, Mo.	Larsen	Robinson, N. C.
Almon	Dominick	Lazaro	Romjue
Aswell	Donovan	Lea, Calif.	Rouse
Ayres	Dooling	Lesher	Rowan
Bankhead	Doremus	Lever	Rubey
Barkley	Doughton	Lonergan	Rucker
Bee	Drane	McAndrews	Sabath
Bell	Dupré	McDuffie	Saunders, Va.
Benson	Eagan	McGlennon	Sears
Black	Ferris	McKeown	Sherwood
Blackmon	Fields	McKinley	Sisson
Bland, Mo.	Fisher	McLane	Small
Bland, Va.	Fitzgerald	Maher	Smith, N. Y.
Blanton	Gallagher	Major	Smithwick
Booher	Gallivan	Mansfield	Steagall
Box	Gandy	Martin	Stedman
Brand	Ganly	Mays	Steele
Briggs	Gard	Mead	Stevenson
Brinson	Garner	Minahan, N. J.	Sumners, Tex.
Buchanan	Garrett	Montague	Taylor, Ark.
Byrnes, S. C.	Godwin, N. C.	Moon	Taylor, Colo.
Byrns, Tenn.	Goodwin, Ark.	Mooney	Thomas
Caldwell	Hardy, Tex.	Nelson, Mo.	Thompson, Okla.
Campbell, Pa.	Harrison	Nicholls, S. C.	Tillman
Candler	Hastings	O'Connell	Upshaw
Cantrill	Hayden	Oldfield	Venable
Carew	Hersman	Oliver	Vinson
Carss	Holland	Olney	Watkins
Carter	Howard	Overstreet	Weaver
Casey	Hudspeth	Padgett	Webb
Clark, Mo.	Humphreys	Park	Welling
Cleary	Igoe	Parrish	Welty
Coady	Jacoway	Pell	Whaley
Collier	Johnson, Ky.	Phelan	Wilson, La.
Connally	Johnson, Miss.	Quin	Wilson, Pa.
Crisp	Johnston, N. Y.	Ragsdale	Wingo
Cullen	Jones, Tex.	Rainey, J. W.	Wise
Davey	Kincheloe	Raker	Woods, Va.
Davis, Tenn.	Lanham	Rayburn	Wright
Dent	Lankford	Riordan	Young, Tex.

ANSWERED "PRESENT"—1.

Dewalt

NOT VOTING—71.

Anthony	Freeman	Kettner	Pou
Ashbrook	Fuller, Ill.	Kiess	Purnell
Babka	Goldfogle	King	Rainey, H. T.
Bland, Ind.	Goodall	Kitchin	Randall, Calif.
Britten	Greene, Vt.	Lee, Ga.	Reed, W. Va.
Browne	Griest	Linthicum	Sanders, La.
Brumbaugh	Griffin	Longworth	Scully
Caraway	Hamill	McArthur	Sims
Clark, Fla.	Heflin	McClintic	Sinclair
Copley	Hicks	McFadden	Slemp
Costello	Huddleston	Mann	Stephens, Miss.
Eagle	Hulings	Mason	Stiness
Echols	Hull, Tenn.	Monahan, Wis.	Sullivan
Emerson	Johnson, Wash.	Moore, Va.	Watson, Va.
Evans, Mont.	Jones, Pa.	Neely	Wilson, Ill.
Evans, Nev.	Kahn	O'Connor	Wood, Ind.
Fairfield	Kendall	Peters	Woodyard
Flood	Kennedy, Iowa	Porter	

So the motion to adjourn was agreed to.

The following pairs were announced:

Until further notice:

Mr. KING with Mr. NEELY.

Mr. GREENE of Vermont with Mr. Henry T. RAINEY.

Mr. FULLER of Illinois with Mr. SANDERS of Louisiana.

Mr. EMERSON with Mr. RANDALL of California.

Mr. COSTELLO with Mr. SCULLY.

Mr. HICKS with Mr. O'CONNOR.

Mr. HULINGS with Mr. MOORE of Virginia.

Mr. BRITTEN with Mr. WATSON of Virginia.

Mr. BLAND of Indiana with Mr. SULLIVAN.

Mr. WILSON of Illinois with Mr. CARAWAY.

Mr. STINESS with Mr. EAGLE.

Mr. SLEMP with Mr. EVANS of Montana.

Mr. REED of West Virginia with Mr. GOLDFOGLE.

Mr. PORTER with Mr. FLOOD.

Mr. PETERS with Mr. GRIFFIN.

Mr. WOODYARD with Mr. BABKA.

Mr. MASON with Mr. HEFLIN.

Mr. MCFADDEN with Mr. KETTNER.

Mr. MCARTHUR with Mr. HUDDLESTON.

Mr. KEISS with Mr. LINTHICUM.

Mr. BROWNE with Mr. STEPHENS of Mississippi.

Mr. LONGWORTH with Mr. KITCHIN.

Mr. WOOD of Indiana with Mr. ASHBROOK.

Mr. MCFADDEN with Mr. GARRETT.

Mr. MANN with Mr. HULL of Tennessee.

Mr. JOHNSON of Washington with Mr. SIMS.

Mr. MONAHAN with Mr. BRUMBAUGH.

Mr. ANTHONY with Mr. POU.

Mr. PURNELL with Mr. MCCLINTIC.

Mr. GRIEST with Mr. DEWALT.

Mr. KENDALL with Mr. LEE of Georgia.

The result of the vote was then announced as above recorded.

Accordingly the House (at 7 o'clock and 23 minutes p. m.) adjourned until to-morrow, Wednesday, July 16, 1919, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. GRAHAM of Pennsylvania, from the Committee on the Judiciary, to which was referred the bill (H. R. 412) to incorporate Near East Relief, reported the same without amendment, accompanied by a report (No. 119), which said bill and report were referred to the House Calendar.

Mr. LEHLBACH, from the Committee on Reform in the Civil Service, to which was referred the bill (H. R. 3149) for the retirement of employees in the classified civil service, and for other purposes, reported the same with amendment, accompanied by a report (No. 120), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GOOD: A bill (H. R. 7343) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. WHITE of Maine: A bill (H. R. 7344) authorizing the Secretary of War to donate to the city of Lewiston, Me., one German cannon or minnerwerfer, and also two 6-inch Newton trench mortar guns, or two 58.2 French trench mortar guns, or two 2.40-millimeter French trench mortar guns; to the Committee on Military Affairs.

By Mr. RAYBURN: A bill (H. R. 7345) authorizing the Secretary of War to donate to the city of Sherman, Tex., one cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROBSION of Kentucky: A bill (H. R. 7346) to provide for the erection of a public building at Harlan, in the State of Kentucky; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7347) to provide for the erection of a public building at Corbin, in the State of Kentucky; to the Committee on Public Buildings and Grounds.

By Mr. BLACK: A bill (H. R. 7348) to amend the second paragraph of section 10 of an act approved March 21, 1918, so that said paragraph as amended will authorize and direct the President, acting by and through the Director General of Railroads, to grant reduced rates over railroads under Federal control, one and one-third fare for round trip, to passengers attending conventions, meetings, or congresses of religious, charitable, and other organizations or associations enumerated in said paragraph as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWARD: A bill (H. R. 7349) for the relief of the heirs of the Eastern Cherokee Indians; to the Committee on Indian Affairs.

By Mr. CRAGO: A bill (H. R. 7350) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved June 25, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. EVANS of Montana: A bill (H. R. 7351) to provide homes for soldiers, seamen, and marines, and for other purposes; to the Committee on the Public Lands.

By Mr. PLATT: A bill (H. R. 7352) to amend section 5202 of the Revised Statutes of the United States as amended by section 20, Title I, of the act approved April 5, 1918; to the Committee on Banking and Currency.

By Mr. McLAUGHLIN of Nebraska: A bill (H. R. 7353) to donate to Wahoo, Nebr., one or more obsolete (though not disabled) or captured German cannon; to the Committee on Military Affairs.

By Mr. KAHN: A bill (H. R. 7354) to give officers or enlisted men who served during the emergency incident to the war with Germany credit for such service in computing their longevity pay; to the Committee on Military Affairs.

By Mr. JONES of Pennsylvania: A bill (H. R. 7355) for the purchase of a site and the erection thereon of a public building at Bellefonte, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7356) for the purchase of a site and the erection thereon of a public building at Clearfield, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7357) to increase the cost of the public building at Dubois, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Michigan: A bill (H. R. 7358) authorizing the Secretary of War to donate to the town of Allen, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7359) authorizing the Secretary of War to donate to the town of Tekonsha, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7360) authorizing the Secretary of War to donate to the town of Galesburg, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7361) authorizing the Secretary of War to donate to the town of Union City, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SMITH of Idaho: A bill (H. R. 7404) to repeal section 7 of the act of October 7, 1917, entitled "An act making appropriation to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, and for other purposes"; to the Committee on Reform in the Civil Service.

By Mr. GOOD: Joint resolution (H. J. Res. 147) to ratify and confirm, from and including July 1, 1919, obligations incurred pursuant to the terms of certain appropriations for the fiscal year 1920; to the Committee on Appropriations.

By Mr. FITZGERALD: Resolution (H. Res. 177) requesting the United States Food Administration to make an investigation into the present price of flour; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOOHER: A bill (H. R. 7362) granting an increase of pension to John Michel; to the Committee on Invalid Pensions.

By Mr. BROOKS of Pennsylvania: A bill (H. R. 7363) granting a pension to James M. Danner; to the Committee on Pensions.

By Mr. BRAND: A bill (H. R. 7364) granting a pension to John E. Harris; to the Committee on Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 7365) granting a pension to Henry Humphries; to the Committee on Pensions.

By Mr. BURROUGHS: A bill (H. R. 7366) granting a pension to Annie M. Kimball; to the Committee on Invalid Pensions.

By Mr. BURDICK: A bill (H. R. 7367) for the relief of Iver Boreson; to the Committee on Claims.

By Mr. DENISON: A bill (H. R. 7368) for the relief of C. D. Pautler; to the Committee on Claims.

By Mr. DICKINSON of Iowa: A bill (H. R. 7369) granting an increase of pension to Conrad Baker; to the Committee on Invalid Pensions.

By Mr. FISHER: A bill (H. R. 7370) for the relief of the legal representative of Enoch Ensley, deceased; to the Committee on War Claims.

By Mr. FRENCH: A bill (H. R. 7371) granting a pension to May Schwartz; to the Committee on Pensions.

By Mr. GANLY: A bill (H. R. 7372) granting a pension to Herman Lazarus; to the Committee on Pensions.

By Mr. HERNANDEZ: A bill (H. R. 7373) to authorize the payment of $2,000 to the widow of the late Tranquilino Luna; to the Committee on Claims.

By Mr. HICKEY: A bill (H. R. 7374) granting a pension to Amanda Burlett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7375) granting an increase of pension to Thomas J. Brady; to the Committee on Invalid Pensions.

By Mr. MICHENER: A bill (H. R. 7376) granting an increase of pension to Alfred Dobbins; to the Committee on Invalid Pensions.

By Mr. MOORES of Indiana: A bill (H. R. 7377) granting a pension to Margaret L. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7378) granting a pension to Hattie Lameroux; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 7379) granting an increase of pension to James S. Frizzell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7380) granting a pension to Mary J. Moore; to the Committee on Invalid Pensions.

By Mr. RICKETTS: A bill (H. R. 7381) granting an increase of pension to Mary Lyons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7382) granting an increase of pension to James L. Martin; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 7383) granting an increase of pension to James D. Smallwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7384) granting an increase of pension to T. J. Rowlett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7385) granting a pension to Ellis B. McNeeley; to the Committee on Pensions.

Also, a bill (H. R. 7386) granting a pension to Mary J. Martin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7387) granting an increase of pension to John H. Dunkleburg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7388) granting an increase of pension to George E. Cowell; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 7389) granting a pension to Anna O'Brien; to the Committee on Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 7390) granting a pension to Samuel Gilliland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7391) for the relief of Frederick B. Shaw; to the Committee on Claims.

By Mr. WHITE of Kansas: A bill (H. R. 7392) granting an increase of pension to Samuel Lowery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7393) granting an increase of pension to Clement F. S. Aimes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7394) granting an increase of pension to Samuel R. Worick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7395) to correct the military record of John Minster; to the Committee on Military Affairs.

By Mr. TAYLOR of Tennessee: A bill (H. R. 7396) granting an increase of pension to William Allen; to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 7397) granting an increase of pension to Rosanna Miller; to the Committee on Invalid Pensions.

By Mr. TOWNER: A bill (H. R. 7398) granting an increase of pension to John W. Fisher; to the Committee on Invalid Pensions.

By Mr. VARE: A bill (H. R. 7399) granting a pension to Mary Hart; to the Committee on Pensions.

By Mr. WELTY: A bill (H. R. 7400) granting a pension to Cecil B. Jones and Pauline M. Jones; to the Committee on Pensions.

By Mr. WINGO: A bill (H. R. 7401) granting a pension to John Degan; to the Committee on Pensions.

By Mr. HAYS: A bill (H. R. 7402) granting an increase of pension to James McDaniel; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 7403) granting a pension to Mrs. Ida B. Welker; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of 2,000 Americans of Ukrainian descent, protesting the invasion of West Ukraine by the Polish Army; to the Committee on Foreign Affairs.

Also, petition to amend article 10 in league of nations; to the Committee on Foreign Affairs.

By Mr. BABKA: Petition of the industrial medicine and surgery section of the American Medical Association, urging an appropriation of $1,500,000 for investigation of causes, modes of transmission, prevention, and cure of influenza, pneumonia, and other diseases, available to July 1, 1922; to the Committee on Appropriations.

By Mr. BROOKS of Pennsylvania: Petition of citizens of Adams County, Pa., for repeal of tax on soda, soft drinks, ice cream, etc.; to the Committee on Ways and Means.

By Mr. Burroughs: Telegrams from J. M. E. Badger; J. G. McMullen; W. H. Burns; H. M. Flinn; G. E. Burns; Anna M. Driscoll; H. O. Fanington, secretary Draftmen's Union; P. J. Browne, president Federal Employees' Union; Fred N. Staten, president Central Labor Union, all of Portsmouth, N. H., in opposition to the Good amendment to the Nolan bill; to the Committee on Labor.

Also, petition of Merrimack Lodge, No. 5, International Order of Good Templars, Manchester, N. H., by Bertha E. Magee, chief templar, and Gertrude E. Holmes, secretary, advocating the prompt enactment at this session of Congress of laws providing for the full enforcement of the eighteenth amendment to the

United States Constitution, and also definitely defining "intoxicating liquors"; to the Committee on the Judiciary.

Also, petition of 76 residents and voters of Manchester, N. H., advocating the prompt enactment at this session of Congress of laws providing for the full enforcement of the eighteenth amendment to the United States Constitution, and also definitely defining "intoxicating liquors"; to the Committee on the Judiciary.

By Mr. CRAGO: Petition of officers of the One hundred and tenth Infantry and the Tenth Pennsylvania Infantry, protesting against the use of the name Twenty-eighth Division and the insignia thereof by any Regular Army unit; to the Committee on Military Affairs.

By Mr. FITZGERALD: Petition of employees of the Boston Navy Yard, for 44-hour week standard and to grant the Saturday half holiday to its employees during the three summer months; to the Committee on Labor.

Also, petition of Pehr G. Holmes, mayor of Worcester, Mass., relative to the claims of Italy; to the Committee on Foreign Affairs.

Also, petition of John Morton, chairman advisory committee, requesting the State Department to furnish to the United States Senate and to be published for the American people transcripts or copies of all conversations, conferences, negotiations, notes, and other correspondence or intercourse to which Great Britain and the United States have both been parties; to the Committee on Foreign Affairs.

By Mr. FULLER of Illinois: Petition favoring a liberal appropriation for the American Printing House for the Blind; to the Committee on Appropriations.

Also, petition of the Anti-Saloon League of America, favoring effective legislation for the enforcement of war prohibition and constitutional prohibition; to the Committee on the Judiciary.

Also, petition of John Wood Post, No. 96, Department of Illinois, Grand Army of the Republic, favoring the Fuller $50 pension bill; to the Committee on Invalid Pensions.

Also, petition of 60 citizens of Mazon, Ill., favoring repeal of the tax on candy, ice cream, and soda-fountain foods and drinks; to the Committee on Ways and Means.

Also, petition opposing continuance of the United States Employment Service as a permanent branch of the Federal Government; to the Committee on Labor.

By Mr. JOHNSON of Mississippi: Petition of Castnera's Drug Co. and 20 citizens of Long Beach, Miss., protesting against tax on sodas and confectioneries; to the Committee on Ways and Means.

Also, petition of the Carr drug store and 19 citizens of Magee, Miss., protesting against tax on soft drinks, confectioneries, etc.; to the Committee on Ways and Means.

By Mr. KNUTSON: Memorial of citizens of St. Cloud, Sauk Rapids, and Waite Park, Minn., for national ownership and Government operation of all railroads in the United States and its possessions; to the Committee on Interstate and Foreign Commerce.

By Mr. LINTHICUM: Petitions of Federal Employees' Union No. 124, Annapolis, Md., and Federal Employees' Union No. 21, against the Good amendment to the Nolan minimum-wage bill; to the Committee on Labor.

Also, petition of Sylvester F. Carman and George A. O'Donnell, of Baltimore, Md., urging the passage of House bill 5418, relating to the printers, pressmen, and bookbinders; to the Committee on Printing.

Also, petition of G. A. Ogg, of Baltimore, Md., for legislation to enforce the constitutional amendment; to the Committee on the Judiciary.

Also, petition of Paul F. Due and other citizens of Baltimore, Md., against the repeal of the daylight-saving law; to the Committee on Agriculture.

By Mr. MACGREGOR: Petition of Foster Millburn Co., of Buffalo, N. Y., for legislation to permit alcohol absolutely necessary for medicines, toilet articles, and other bona fide preparations; to the Committee on the Judiciary.

Also, petition of Mrs. Roselinda Lester and Mrs. Lena Kolf, of Buffalo, N. Y., urging the passage of the prohibition bill to define intoxicating liquors as all such liquors containing more than one-half of 1 per cent alcohol; to the Committee on the Judiciary.

Also, petition of National Association of State Banks, urging the abolition of office of Comptroller of the Currency; to the Committee on Banking and Currency.

By Mr. MAGEE: Petition of the Empire Lodge of Good Templars, of Syracuse, N. Y., in favor of the prohibition-enforcement act; to the Committee on the Judiciary.

By Mr. MAHER: Petition of E. W. Davis and several hundred other citizens of Brooklyn, N. Y., for repeal of tax on sodas, soft drinks, ice cream, etc.; to the Committee on Ways and Means.

By Mr. McANDREWS: Papers to accompany House bill 7316, granting an extension on United States of America letters patent No. 710997; to the Committee on Patents.

By Mr. MONAHAN of Wisconsin: Resolution adopted at a meeting of the directors of the Wisconsin Game Protective Association, held in La Crosse, Wis., April 2, 1919, recommending appropriation for enforcement of migratory-bird law; to the Committee on Appropriations.

Also, resolution adopted by the Common Council of the city of Milwaukee, June 30, 1919, recommending that the wireless-ship act be amended to include all seafaring vessels carrying passengers and crews above a certain limit; to the Committee on Interstate and Foreign Commerce.

By Mr. MOONEY: Petition of J. H. Dulesky and others, for the repeal of the tax on sodas, ice cream, etc.; to the Committee on Ways and Means.

Also, petition of the City Council of Cleveland, Ohio, in the matter of war-time prohibition; to the Committee on the Judiciary.

By Mr. NELSON of Wisconsin: Petition of the Common Council of Milwaukee, to amend the wireless-ship act; to the Committee on Naval Affairs.

By Mr. O'CONNELL: Petition of Alfred Marling, Sam A. Lewisohn, and Charles B. Staats, all of New York, against the repeal of the daylight-saving law; to the Committee on Agriculture.

By Mr. RAKER: Petition of James B. Gresham Post, No. 9, Veterans of Foreign Wars of the United States, of Los Angeles, Calif., protesting the reducing, by the board of managers of the national military homes, of the basic pay of all employees so that they do not receive the $240 given to all Government employees as a bonus; to the Committee on Ways and Means.

Also, petition of the California Red Wood Association, San Francisco, Calif., protesting against Senate bills 374 and 692; to the Committee on Labor.

Also, petition of the Milk Producers' Association, of San Diego County, indorsing Senator Capper's bill legalizing the organization of farmers; to the Committee on the Judiciary.

Also, petition of J. M. Henderson, Sacramento, Calif., indorsing amendment to act of October 15, 1914, giving farmers the right to organize; to the Committee on the Judiciary.

Also, petition of the California Manufacturers' Association, indorsing daylight saving; to the Committee on Agriculture.

Also, petition of the City Council of Los Angeles, Calif., indorsing daylight saving; to the Committee on Agriculture.

Also, petition of the Associated Milk Producers of San Francisco, Calif., asking support of amendment to act of October 15, 1914, introduced by Senator Capper; to the Committee on the Judiciary.

By Mr. RANDALL of Wisconsin: Petition of Walter M. Burke, Simon Gottlieb, James Bailey, and 52 other citizens of Kenosha, Wis., requesting the repeal of section 904 of the revenue law; to the Committee on Ways and Means.

By Mr. REBER: Petition of F. K. Barthe, of Tamaqua, Pa., carrying 99 signatures of residents of Schuylkill County, Pa., asking for repeal of the tax on candy, ice cream, sodas, and soft drinks; to the Committee on Ways and Means.

Also, petition of Mrs. Joseph Schaeffer, of Frackville, Pa., carrying 85 signatures of residents of Schuylkill County, Pa., asking for the repeal of the tax on candy, ice cream, sodas, and soft drinks; to the Committee on Ways and Means.

Also, petition of Anthony Cernauitskas and John A. Kasabes, of Tamaqua, Pa., asking the United States to demand the withdrawal of Polish troops from Lithuanian territory and to give to Lithuania a moral support in her war against Bolshevism; to the Committee on Foreign Affairs.

By Mr. ROUSE: Petition of 340 citizens of Kenton and Campbell Counties, Ky., urging the repeal of tax on sodas, ice cream, etc.; to the Committee on Ways and Means.

By Mr. SUMMERS of Washington: Petition of Washington State Pharmaceutical Association, protesting against pending legislation seeking to reduce the alcoholic content of any medicated liquid; to the Committee on the Judiciary.

By Mr. TINKHAM: Petition of employees of the Boston Navy Yard, for legislation for the establishment of the 44-hour week as the standard of employment for the employees of the United States Navy Department; to the Committee on Labor.

By Mr. VARE: Petition of the Merchant Tailors' Exchange of Philadelphia, asking that skilled laborers be given permission to enter the country, and that no measure be passed which will exclude them; to the Committee on Immigration and Naturalization.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *July 16, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord God of Hosts, King of Kings, and Lord of Lords, accept our worship and let Thy spirit descend in full measure upon us, and inspire our minds to great thoughts and our hearts to noble deeds; that we may add somewhat to the progress of the world and make for the betterment of mankind; and Thine shall be the praise, in the spirit of the Lord Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. BABKA, indefinitely, on account of illness in family.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. MAPES to withdraw from the files of the House, without leaving copies, papers in the case of H. R. 8708, Sixty-fifth Congress, no adverse report having been made thereon.

SWEARING IN OF A MEMBER.

Mr. CLARK of Missouri. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey, Mr. HAMILL, be sworn in. He has not his certificate with him, but he was elected by over 11,000 majority, and nobody questions the election.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the gentleman from New Jersey, Mr. HAMILL, be permitted to take the oath of office, although his certificate is not yet on file. Is there objection?

Mr. MONDELL. Mr. Speaker, I understand there is no question about the gentleman's election.

Mr. CLARK of Missouri. No.

Mr. HAMILL appeared at the bar of the House and took the oath of office.

EXTENSION OF REMARKS.

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent to insert in the RECORD the memorial address delivered by Mr. Lundeen, formerly a Representative from the State of Minnesota, which he delivered at Arlington on Memorial Day. It is a patriotic address of high literary merit.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by printing a memorial address delivered by Mr. Lundeen. Is there objection?

There was no objection.

CALENDAR WEDNESDAY.

The SPEAKER. This is Calendar Wednesday, and the call rests with the Committee on Labor.

Mr. GARNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. Yesterday afternoon when we adjourned the sundry civil appropriation bill was under consideration, and the previous question had been ordered on the motion to recommit. After the previous question has been ordered upon a bill, is it not necessary to take that vote on the following day, although it be Calendar Wednesday?

The SPEAKER. The Chair thinks not. It comes up on Thursday, not on Wednesday.

MINIMUM-WAGE BILL.

Mr. NOLAN. Mr. Speaker, I call up the bill (H. R. 5726) to fix the compensation of certain employees of the United States.

The SPEAKER. The gentleman from California calls up the bill H. R. 5726, the minimum-wage bill, which is on the Union Calendar. The House will automatically resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5726.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5726, with Mr. WOOD of Indiana in the chair.

The Clerk reported the title of the bill.

Mr. NOLAN. Mr. Chairman, on Wednesday last, when the committee rose, a parliamentary inquiry was submitted by the gentleman from Ohio [Mr. FESS] as to whether an amendment offered by the gentleman from Iowa [Mr. GOOD] had been adopted. The RECORD shows that the amendment was agreed to.

The CHAIRMAN. Yes. The gentleman from Ohio was mistaken. The vote was taken, and the amendment was agreed to, and it was announced. The RECORD shows that the amendment was agreed to.

Mr. FIELDS. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. FIELDS: Page 2, line 4, after the word "zone," strike out the remainder of line 4, all of lines 5 and 6 to and including the word "clerks" in line 7.

Mr. BLANTON. Mr. Chairman, may I offer a perfecting amendment to the amendment of the gentleman from Kentucky?

The CHAIRMAN. The gentleman has not the floor for that purpose.

Mr. FIELDS. Mr. Chairman, as I stated on Wednesday last, the bill as drawn would permit the payment of a greater compensation to janitors in the post offices where janitors are employed than to many of the clerks in those offices. I do not believe that the House desires to enact legislation of that character. I believe, too, that fourth-class postmasters, postal carriers, the city delivery carriers, the rural carriers, the star carriers, and all other carriers to whom this bill as reported will not apply, are as much entitled to the consideration of this body as the employees in any other branch of the Federal Government. I take that position on the broad principle of justice to all employees and in opposition to unfair discrimination against any class of employees. In my brief time I desire to answer one argument that I know will be urged against this amendment, and that is that it would give the minimum wage as provided in the bill to fourth-class postmasters. Fourth-class postmasters are on a percentage basis. They are divided or can be divided into 10 classes, those receiving less than $100 per annum into one class, those receiving more than $100 per annum and not over $200 into another class, and so on, to the maximum compensation of $1,000 per annum. The department could and doubtless would fix a sliding scale, providing that the maximum salary should be counted for a full day's labor. Therefore, a fourth-class postmaster of grade No. 9 would work nine-tenths of a day and a postmaster of the lower grade one-tenth of a day and would be paid by the hour under this bill. Of course, the postmasters of the lower-paid offices do not devote their entire time to their duties as postmaster, but they should receive a living wage for such time as they do devote to it. This Congress that is legislating in the interest of the lower-paid employees of the country should manifest the same interest in all classes of employees and not alone in those who are organized and have representatives in Washington.

I see no reason why the postal employees of the country should not receive the same consideration that all other employees receive, and the arguments that may be urged against this amendment, that all postmasters would be given the minimum salary as provided by the bill for full time, is without foundation. It would give them the minimum salary for the number of hours actually required to perform their work.

Mr. BLACK. Will the gentleman yield?

Mr. FIELDS. Yes.

Mr. BLACK. There is no law that classifies fourth-class postmasters into classes, and the Postmaster General would have no legal authority so to classify them. There is absolutely no classification of fourth-class postmasters.

Mr. FIELDS. But the gentleman must bear in mind that they do not work full time, and this bill provides that employees who are not employed full time shall be paid by the hour. There is a regulation that classes them into different classes. We find that one half of them receive a salary of $180 per annum and the other half receives a salary above $180 per annum——

The CHAIRMAN. The time of the gentleman has expired.

Mr. FIELDS. I therefore hope that the amendment may be adopted.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that I may proceed for 10 minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that he may speak for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. Mr. Chairman, the amendment offered by the gentleman from Kentucky [Mr. FIELDS] and his explanation of it is absurd, untenable, unjustifiable, and ought not to be given serious consideration. The language of the bill as it reads now makes the minimum wage apply to all except the persons holding appointments as postmasters, assistant postmasters, rural carriers, postal clerks, carriers in the City Delivery Service, and railway mail clerks. Now, the postmasters of the United States have their compensation based on the revenues of the office. If the revenues of the office reach a certain amount, the office is then second class; if it reaches a certain other amount, it is then first class; if it is below either of those amounts, it is in the third class; and up to a certain amount it is in the fourth class. Now, how do we pay fourth-class postmasters? We pay them on the basis of the cancellation of postage, not on any fixed compensation. Up to a year ago we paid them 50 per

cent of the first $100 cancellation. A year ago we increased that to 80 per cent. Now the law provides for the first $100 of cancellations; after that they get a certain other percentage of all future cancellation, and they ought not to be embraced in a class that would have a fixed minimum pay. I do not remember how many fourth-class postmasters there are; something like about 40,000.

Mr. FIELDS. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. FIELDS. In the opinion of the gentleman should the law be enacted and if my amendment prevails it would not apply to fourth-class postmasters at all.

Mr. MADDEN. It would apply to everybody.

Mr. FIELDS. To the postmasters who do not serve a full day, who do not devote their entire time to the duties of the office? Does the gentleman contend they would get the full benefit of the allowance under this bill?

Mr. MADDEN. Why, the gentleman is repealing the law upon which the payment rests——

Mr. FIELDS. I am applying this law to the postal employees the same as the other employees, and I think it should apply.

Mr. MADDEN. Just a moment. The postal employees and railway mail clerks are classified, I think, into nine different classes. They enter the service at a fixed compensation. They are promoted every year automatically until they reach the highest grade. The clerks in the first and second class offices are promoted the same way. The city-delivery letter carriers are promoted the same way.

Mr. FIELDS. Will the gentleman yield?

Mr. MADDEN. The amendment of the gentleman will take them out of that classification, that it has taken the Congress years to work out.

Mr. FIELDS. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. FIELDS. They are promoted when there are vacancies or openings to promote them?

Mr. MADDEN. No; they are promoted anyhow every year from one grade to another.

Mr. FIELDS. No; it does not——

Mr. MADDEN. I am stating the facts.

Mr. FIELDS. I know men who have served for years——

Mr. MADDEN. I know the gentleman does not know what he is talking about when he says that.

Mr. FIELDS. I know he does know what he is talking about.

Mr. MADDEN. Every city carrier, every clerk, every railway mail clerk, all are promoted from one grade to another every year when he qualifies. That is all there is to it. The law provides it and it must be done.

Mr. RUCKER. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. RUCKER. Under existing law does not a rural carrier get more than the provisions of this bill?

Mr. MADDEN. He gets $1,560 a year if he travels 24 miles.

Mr. RUCKER. This bill would not increase the salary?

Mr. MADDEN. No; and they do not want it. This provision was put in the law at the request of the postal men.

Mr. FIELDS. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. FIELDS. Those getting that salary would not be affected. It is those getting below $1,080 who would be affected.

Mr. MADDEN. Oh, the gentleman is trying to befog the issue. He is trying to muddle up the whole service. The Post Office Service is divided into classes, made so by law. What he is trying to do is to mix it up so nobody will know where it will stand, and his amendment ought not to prevail.

Mr. BEGG. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. BEGG. If the amendment carries, will not the small postmaster, who conducts an office in a small grocery store and probably hands out 50 pieces of mail a day, be entitled to a salary of $1,000 a year?

Mr. MADDEN. Well, I do not know whether he will or not, because we do not pay him on the basis of annual compensation.

Mr. BEGG. Would we not be compelled to do so if this went through?

Mr. MADDEN. I am afraid we would. And, as a matter of fact, there are over 20,000 post offices where the compensation is not over $50 a year.

Mr. FIELDS. Will the gentleman yield for an inquiry?

Mr. MADDEN. Yes.

Mr. FIELDS. Is the gentleman willing to put the janitor of a post office on a higher salary than many of the clerks throughout the country?

Mr. MADDEN. I do not think the gentleman means what he says.

Mr. FIELDS. I mean exactly what I say. Does the gentleman want to pay the colored janitor of the Chicago office a greater compensation than many of the clerks in that office receive?

Mr. MADDEN. I do not think this bill does that. I do not care whether the janitor is colored or white, if he is performing his duty.

Mr. FIELDS. Does the gentleman think his duty more important than that of the clerks?

Mr. MADDEN. The gentleman does not understand what he is talking about.

Mr. FIELDS. I do.

Mr. MADDEN. The amendment of the gentleman ought not to prevail. And more than that, I want to say that at the close of the last Congress a joint commission was authorized, which is now in session, consisting of five Members of the Senate and five Members of the House, to reclassify the men in the Postal Service, including postmasters, assistant postmasters, janitors, rural carriers, and everybody, and this commission is at work and will report when it has completed its labors some time this fall, and undoubtedly a new classification will be made affecting more than 350,000 people in the Postal Service. And an amendment such as is proposed by the gentleman from Kentucky would destroy the effect of the work that is now in process, and it ought not to be given serious consideration by the membership of the House.

Mr. CANNON. Will the gentleman yield?

Mr. MADDEN. Certainly.

Mr. CANNON. Now, I do not know, but I think there are 30,000 or 40,000 fourth-class postmasters in the country.

Mr. MADDEN. About 40,000.

Mr. CANNON. The assistant postmaster or the deputy postmaster would get his little $3 a day?

Mr. MADDEN. There is no deputy postmaster in the fourth-class offices.

Mr. CANNON. But there is an assistant.

Mr. MADDEN. No; not in the fourth-class offices.

Mr. CANNON. Oh, I think there is.

Mr. MADDEN. The fourth-class postmaster, if he has one, must employ him out of his own pocket.

Mr. CANNON. But the assistant is sworn in.

Mr. MADDEN. Oh, yes; he would have to be sworn in.

Mr. CANNON. Then he is an official.

Mr. MADDEN. But he is a servant of the postmaster and not recognized as an employee of the Government.

Mr. CANNON. Oh, I beg pardon. He becomes an officer of the Government when he takes an oath.

Mr. MADDEN. That is in the third-class offices, but not in the fourth-class offices. There are no assistants in the fourth-class offices.

Mr. CANNON. Oh, yes.

Mr. RUCKER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, for one I am in favor of the amendment offered by the gentleman from Kentucky [Mr. FIELDS]. It seems, and it has long seemed to me, that one of the most outrageous performances of this Government is to maintain a post office for public service at the meager wages paid fourth-class postmasters.

Let me call the attention of the membership of this committee to this fact: Fourth-class postmasters are paid, as stated by the gentleman from Illinois [Mr. MADDEN], a salary based on cancellation. Up to $1,000 of receipts the office is a fourth-class office. Above $1,000 of receipts it becomes a third-class office. The minute it becomes a third-class office the Government pays rent for a building, pays for fuel, and it pays at Government expense a clerk or assistant to help do the work. But before it becomes a third-class office, and while the pay would be perhaps $800 or $900, the postmaster of such office, who performs a valuable service, must out of his or her own pocket pay rent, pay for light, pay for fuel, and pay for all clerical help needed in the office. This is not fair. The fourth-class postmasters, who are as busy every hour of the day as the postmasters in third-class offices, and much busier than postmasters in second-class offices, but get $750 or $800 a year, and out of that must pay $100 or $150 for assistance, $50 or $60 for fuel, and $25 to $50 for rent, cutting the salary down to a mere pittance. Whatever clerical assistance is needed must, under existing law, be paid for by the postmaster. Let me say to you that in nearly every one of these offices clerical assistance must be had, because the people demand, and ought to demand, that the office be kept open. No postmaster can go to the office at 6 o'clock in the

morning and remain in that office behind the counter in the performance of duty during the entire day.

Necessarily there are times when the postmaster must absent himself or herself from the duties of the office. In order to give service during that time they must employ some one. It will not do to say that the postmaster can engage his son or his daughter or his wife, because that merely begs the question, and says that these underpaid officers must use the service of some other member of their family offered gratuitously, without compensation, in order to perform the work of the office. I think the amendment ought to be adopted.

The gentleman from Illinois [Mr. MADDEN] speaks of a commission appointed. This same question has been presented to the Congress a number of times, and for various reasons suggested—one of them a moment ago—no favorable action has been taken. It is said that somebody conducting an office in a grocery store hands out the mail and sells groceries when not waiting on the public at the post office, and therefore the compensation allowed is sufficient for the public service rendered. That may be true. But this Congress, if it wants to, ought to differentiate between those cases where a post office is maintained in a business house and those cases where it is kept in a separate house, and ought to allow some compensation to reimburse the postmaster who must maintain an office and must pay for heat, light, and rent in the performance of the duties of that office. I think it is right and fair that this amendment should be made to apply to those postmasters, and I shall gladly vote for it.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. JONES of Texas. Mr. Chairman, I have a substitute that I desire to offer.

The CHAIRMAN. The gentleman from Texas offers a substitute, which the Clerk will report.

The Clerk read as follows:

Mr. JONES of Texas offers as a substitute for Mr. FIELDS's amendment the following: Page 2, line 4, after the word "zone," strike out the remaining portion of line 4, all of lines 5 and 6, and line 7 down to and including the word "clerks."

Mr. FIELDS. Mr. Chairman, I make the point of order that that is the same as my amendment.

Mr. NOLAN. Mr. Chairman, I make the point of order that that is similar to the other amendment.

Mr. JONES of Texas. No; it is not the same amendment. It leaves out the Territory of Alaska. The gentleman from Kentucky [Mr. FIELDS] included the Territory of Alaska.

Mr. FIELDS. I stated that I had a separate amendment. I did so provide, but I have a separate amendment.

Mr. JONES of Texas. I move, then, to strike out the last word.

Mr. NOLAN. Mr. Chairman, can we come to an understanding as to the time to be devoted to this amendment?

Mr. BLANTON. I desire five minutes, please.

Mr. FITZGERALD. I want five minutes.

Mr. FIELDS. I suggest that we let the debate run a while.

Mr. NOLAN. All right.

The CHAIRMAN. Does the gentleman from Texas [Mr. JONES] withdraw his substitute?

Mr. JONES of Texas. Yes; I withdraw my substitute, since it means the same thing as Mr. FIELDS's amendment.

Now, Mr. Chairman, I am heartily in favor of the amendment offered by the gentleman from Kentucky [Mr. FIELDS]. I do not think any man can give a single really good reason why——

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. Yes; for a question. I would like to get started.

Mr. SNYDER. I would like to ask the gentleman if he has any idea as to how much this amendment would increase the amount necessary to operate the Post Office Department?

Mr. JONES of Texas. I do not know; but I know it will not increase the expense anything like the amount the bill will increase the expense in other lines of the Government service. Every postmaster in the United States has some discretion to exercise. He has some responsibility placed upon his shoulders. On the other hand, there are many employees included in this bill who do work that involves no discretion whatever. Why, the charwomen and the janitors and many other people included in this bill are not doing work that involves any character of discretion. I can see no reason on earth for including people of that kind and character in a minimum-wage scale and excluding people in the country who have responsibility and work of difficult character to perform. I am not making an argument against the bill, but am simply saying that if such a measure is passed the postal clerks, fourth-class postmasters, assistants, and employees should have the benefit of it.

Mr. SNYDER. I would like to ask the gentleman whether he does not think that when proposing an amendment of that kind he should give us some idea of the additional tax that would be placed upon the Government by including such a proposition?

Mr. JONES of Texas. I have an idea the gentleman who asks the question can not tell what other parts of this bill will cost, but I will say that is a matter of arithmetic. The rate of increase will be no greater than it will be with reference to certain other employees coming within the terms of the bill. The gentleman from Illinois [Mr. MADDEN] says this would upset the whole scheme of pay in the Postal Department. It would not interfere with the grading of the postmasters or the clerks or anyone in that connection, because under the terms of the amendment they would simply be paid the minimum wage, regardless of the present classification; and if they would receive more under this amendment than under the ratings they now have their wages would simply be supplemented to the extent of bringing them up to $3 per day, and the others would not be affected.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. CARTER. The gentleman proposes by his substitute to include the carriers in the City Delivery Service and railway mail clerks?

Mr. JONES of Texas. Yes; I understood they are to be included.

Mr. CARTER. Are those people getting as much as $1,080 now?

Mr. JONES of Texas. I do not know as to all of them; but if they are getting $1,080 they would not be injured by this law.

Mr. WELLING. Mr. Chairman, will the gentleman yield for a question?

Mr. JONES of Texas. I will.

Mr. WELLING. Does the gentleman mean to say that he is supporting a proposition here that would give every fourth-class postmaster in America a minimum wage of $3 a day?

Mr. JONES of Texas. I think they are as much entitled to it as some of the others that are the beneficiaries of this bill. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. JONES of Texas. Mr. Chairman, I would like to proceed for three minutes more.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for three minutes more. Is there objection?

There was no objection.

Mr. DUNBAR. Mr. Chairman, will the gentleman yield for a question?

Mr. JONES of Texas. I want to say this: That I do not believe it is just or fair or right to increase the compensation of janitors in every post office that employs a janitor, and to increase the wages of the charwomen, and to increase the wages of every other employee of every character and kind that works for the Government simply because they are organized and because they are being backed by an organization, and deny it to other people who are also in the employ of the Government. If one class is entitled to it, the other is also.

Mr. DUNBAR. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. I do; but I first want to correct an expression that I used in answer to a question awhile ago. Even if the amendment is adopted, it does not give a minimum of $3 a day to all employees. They would, in some instances, receive only 37½ cents an hour. I was in error in the statement that the $3 minimum would apply in all instances.

Mr. DUNBAR. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. DUNBAR. Suppose a fourth-class postmaster cancels 20 letters a day, on which the postage is 2 cents. That would amount to 40 cents a day, or approximately $140 a year. Would the gentleman be in favor of paying fourth-class postmasters $90 a month?

Mr. JONES of Texas. The bill provides for the rating of them. I will say this: That if they are not doing anything more than the gentleman states, they are still doing a lot more than many people do who are in the Government departments here in Washington, who stand around all day and practically do nothing and simply get in the way of people going to the departments.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. KELLEY of Michigan. I was interested in the remark that some of these postmasters would not get additional pay because they worked only part of the time. Are any fourth-class postmasters paid by the hour?

Mr. JONES of Texas. I do not know. The gentleman will have to ask some member of the Committee on the Post Office and Post Roads as to that. But the ones that would be affected would be comparatively few. If you are in favor of the bill—and I take it that most of those that are fighting this motion are in favor of the bill—you are including many more who would be the beneficiaries of this bill who are doing less actual work than do the fourth-class postmasters, and doing work which involves no discretion whatever.

Mr. LANHAM. Will the gentleman yield for a question?

Mr. JONES of Texas. Yes.

Mr. LANHAM. Let me ask the gentleman if it is not a fact that fourth-class post offices are sometimes abandoned, where the service is really needed and where the people of the community are greatly inconvenienced without them, because of the fact that suitable men can not be procured at the salaries now prevailing to take the job?

Mr. JONES of Texas. I am glad the gentleman has asked that question. In many instances fourth-class post offices have been abandoned because postmasters could not afford to take the responsibility and do the work for the amount of pay. I get letters every few days with reference to discontinuing post offices, and I take it the other Members have the same experience.

The CHAIRMAN. The gentleman from Texas offers a substitute for the pending amendment which the Clerk will report.

The Clerk read as follows:

Mr. BLACK offers as a substitute for the amendment of Mr. FIELDS, page 2, line 4, after the word "zone" in line 4, strike out the language "nor to persons holding appointments as postmasters, assistant postmasters, rural carriers, postal clerks, carriers in the City Delivery Service, or railway mail clerks" and insert "nor to fourth-class postmasters."

Mr. BLACK. Gentlemen of the House, if you will give me your attention for about five minutes I would like to explain the effect that my amendment would have if it is adopted. Under the amendment which has been offered by the gentleman from Kentucky [Mr. FIELDS], if it is adopted, I think a fair construction of the bill would then include as amended all fourth-class postmasters and cause them to receive $1,080 per annum. I do not think the House would want to take unwise action of that sort. We have more than 40,000 fourth-class postmasters in the United States who are drawing all the way from $25 a year up to $1,000. When the compensation by the cancellation method at a fourth-class office exceeds $1,000 per annum, the office then goes to the third class and becomes a presidential office.

Mr. FIELDS. Will the gentleman yield?

Mr. BLACK. Yes; I will yield.

Mr. FIELDS. Does the gentleman believe that the department would hold that postmasters who are paid $60 a year on any basis are devoting as much time to their duty as postmasters who receive $1,000 a year or $900 a year?

Mr. BLACK. That would not be the question involved. This bill provides that all officers of the United States Government shall be paid, if they work by the hour, 37½ cents an hour; if they work by the day, $3 a day; if they work by the month, $90 a month; if they work by the year, $1,080 a year. Therefore, if your amendment is adopted it would be bound to include fourth-class postmasters who receive their appointment from the United States. That is my construction of it, and it seems to me that there is no other reasonable interpretation that can be put upon the language.

Mr. FIELDS. They must work by the hour, because they do not work full time.

Mr. BLACK. They work by the year. They are employed annually. Of course it will be conceded that many of them do not put in their full time looking after the work of their office, for it is not required; but even with that it is quite clear to me that they would come within the meaning of the gentleman's amendment.

The point I was getting at is this: I realize as a member of the Committee on the Post Office and Post Roads that the fourth-class postmasters of the country are inadequately paid, and that a method should be, and I have no doubt will be, worked out that will materially increase their compensation according to the business done at their offices. I agree that their need for additional compensation is urgent.

You will recall that at the last session of Congress we appointed a joint commission composed of members of the House Committee on the Post Office and Post Roads and the Senate Committee on Post Offices and Post Roads, and they are now working out this whole proposition; and the House will at once see that we can not take up a thing of this kind on such short notice as we have here to-day, with 40,000 fourth-class postmasters, who get all the way from $25 a year up to $1,000 a year, and increase them by a blanket provision of this kind to $1,080. If my amendment is adopted, all other postal employees will be included, and I think they ought to be included, because under the present law we now have a classification as to postal clerks and letter carriers of six grades—first, second, third, fourth, fifth, and sixth. They begin at $1,000 a year.

Now, what will be the effect of this minimum wage bill if it is passed as to the relative salaries of Government employees? Take my own post office at Clarksville, Tex. There is a janitor in the post office there who receives $720 a year or thereabout. He is not a skilled employee at all. Under this bill he will receive $1,080 a year, or $80 more than the postal clerks when they enter the service after having stood a rigid civil-service examination.

Mr. FIELDS. He will receive that whether my amendment is adopted or not.

Mr. BLACK. Yes; that is true. Now, another thing. If the Good amendment is defeated—and an effort is going to be made to defeat it on a roll call; we have had propaganda through the mails asking for its defeat—what will be the effect? If the Good amendment is defeated, the janitor in a post office will receive $1,320, which will be more than the average postal clerk and letter carrier receives. I do not wish to be understood as throwing the slightest slur at the work of a janitor. Any honorable work is honorable to perform, but certainly no one ought to contend that unskilled work of this kind should be paid for at a larger scale of compensation than such skilled employees as postal clerks, letter carriers, railway-mail clerks, and employees of that kind. I am going to prevent such a situation if I can. I hope my substitute will be agreed to. [Applause.]

Mr. KNUTSON. Mr. Chairman and gentlemen of the committee, the Labor Committee of the House held hearings on this bill during the months of March, April, May, and June, at which hearings full opportunity was given to all the affected classes to appear and give their side of the controversy. I am informed by the ranking member of that committee [Mr. NOLAN], than whom labor has no better friend on the floor of this House, that the bill as it stands is acceptable to all classes of postal employees, and that being the case we should hesitate before tacking on any amendment. The provision exempting postal employees was inserted by my friend, Mr. MADDEN, who has always advocated the best possible working and wage conditions for postal employees, on the ground that city carriers, clerks, and railway mail clerks are classified into grades which entitle them to annual promotions and operates automatically, while in the case of rural carriers the annual salary for service on a standard route of 24 miles is $1,560, with extra compensation for each additional mile, so they would under no circumstances come under the provisions of this act. And as the salaries of all postmasters and assistant postmasters are based on receipts of the office they serve, it will be seen that this could not affect them. Then, too, as the Joint Commission to Investigate Postal Salaries, including not only postmasters of every grade but clerks, carriers, railway mail clerks, rural delivery carriers, janitors, and laborers, is now at work, and will undoubtedly report a comprehensive revision of all salaries before the next session, it would seem unwise at this time to amend this bill, which in itself makes no pretense of dealing with any of the activities of the Postal Service.

Mr. VAILE. Will the gentleman yield?

Mr. KNUTSON. Yes; certainly.

Mr. VAILE. I wish the gentleman would clear up some doubt which some of us have. Can the gentleman tell us whether the persons mentioned in lines 4 to 7, on page 2, postmasters, assistant postmasters, rural carriers, postal clerks, carriers in the City Delivery Service, and railway mail clerks, any of them, receive now under the classification less than the amount specified in this bill?

Mr. KNUTSON. I think not, but as to that I am unable to say definitely.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. KNUTSON. No; I have only five minutes.

Mr. HUDDLESTON. That carries clerks in the service at $900.

Mr. KNUTSON. Be that as it may, they receive a bonus or temporary increase provided for in the law of 1918 and continued in the law of 1919. The fact remains that the postal organizations appearing before the committee stated that the bill was acceptable to them.

Mr. RUCKER. Will the gentleman yield?

Mr. KNUTSON. I can not yield, although I would like to yield to my friend from Missouri. We all want labor to receive every penny to which it is entitled, but we can not get away from the fact that after the extensive hearings which have been held on the bill we can not amend the bill on the floor of the House properly without having hearings before us, especially when we are absolutely ignorant of conditions. Why not stand

by the committee which has held hearings for several months and pass the bill without materially changing it? So far as I am concerned I am also going to vote against the Good amendment which was adopted by the Committee of the Whole House last Wednesday. [Applause.]

Mr. NOLAN. Mr. Chairman, I would like to see if we can not get some limit of time on this amendment.

Mr. CARTER. Reserving the right to object, does the gentleman propose to close debate on all amendments?

Mr. NOLAN. No; on the amendment and substitute of the postal appropriation.

Mr. BYRNES of South Carolina. Reserving the right to object, the gentleman means the postal substitute?

Mr. NOLAN. Yes.

Mr. BYRNES of South Carolina. It does not deny the right to offer other amendments and to discuss them?

Mr. NOLAN. No; only the postal amendment.

Mr. FIELDS. That applies to the amendment before the House and amendments thereto?

Mr. NOLAN. Yes.

Mr. FIELDS. If this amendment does not carry, I have another amendment that contains a part of it, which I desire to offer after a vote is had on this.

Mr. NOLAN. Mr. Chairman, I ask unanimous consent that debate on the pending amendment and substitute be closed in 40 minutes.

The CHAIRMAN. The gentleman from California asks unanimous consent that all debate on the pending amendment and substitute close in 40 minutes. Is there objection?

Mr. JONES of Texas. That will not cut off debate on other amendments?

The CHAIRMAN. On the amendment now pending and the substitute. Is there objection?

There was no objection.

Mr. FITZGERALD. Mr. Chairman, I would like to present another amendment at this time, if proper. After the word "clerks," line 7, insert "and said post-office employees receiving $2,500 or less per annum shall be entitled to the bonus of $20 per month allowed to all civil-service employees of the Government."

Mr. Chairman, I am going to take the time allowed to me to say a word for the clerks and letter carriers in post offices who will be put in the position of receiving $300 less than the employees in the unskilled positions in Washington and other sections of the country if this bill passes, and I hope it will. Surely there is no Member of the House who has the welfare of the Post Office at heart—and the welfare of the Post Office Department includes the sociological and humanitarian side as well as its business side—who is willing that a large number of the clerks and carriers, upon whom the efficiency of that department rests, shall be paid a smaller salary than is given to the commonest laborer in the public service of this country. If there is one charge that the business men of America make now against the business of the country, it is against the efficiency of the Post Office Department. How in the name of common sense are we to expect efficiency in that department, which affects the business life of this country more than any other department, if this Congress permits these men to be underpaid? Thep are underpaid. Every day we read in the newspapers a statement, which can not be contradicted, because the figures are official, and they run throughout the civilized world, that the cost of living has increased over 100 per cent in five years. That means that men in the Post Office Department are getting for $1 what they paid 50 cents for a few years ago. Under these conditions, Mr. Chairman and gentlemen, I think the time has come when we ought to express our opinion in practical language as to what we think of the pay being given these men.

The laborer gets $1,080 a year, $90 a month, by this bill, and he gets his $240 bonus—$1,320 in all—while thousands of post-office clerks and carriers get but $1,000, $1,200, and $1,300 a year. The post-office clerks, men and women, must be efficient; they must have a good brain and plenty of patience; they are more than ordinarily intelligent; they work under the worst possible conditions in some of the post offices—in cellars in the great big post office in Boston, for our post office is a disgrace and a detriment to the health of the men and women working there.

Mr. NOLAN. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. NOLAN. Is the gentleman aware of the fact that all of the representatives of the different postal organizations are in favor of this bill as written?

Mr. FITZGERALD. Mr. Chairman, that may be so, but I attended the convention of the Massachusetts post-office clerks in Worcester about six weeks ago, and they agreed on a maximum of $2,000 a year for clerks and carriers, and I agreed with them and assured them that I would say so to the House the first chance I had.

Mr. NOLAN. Is the gentleman aware of the fact that they are now endeavoring to get a commission appointed to investigate the Postal Service to recommend legislation, and have bills drafted, and want their force taken care of by the Post Office Committees of the House and the Senate?

Mr. FITZGERALD. That may be true, and I would say, if the gentleman makes that statement, he knows what he is talking about, but at the same time I can see no harm in taking care of those getting $1,320 or less, if it can be done in this bill. Personally I do not believe in waiting one hour. Costs are increasing every day, though the war has been over eight months. The month of June shows a 4 per cent increase over the month of May. From my own investigation, the United States Government does not pay large numbers of its employees adequately. This results in thousands of cases where whole families are underfed and inadequately clothed, and such a condition is a disgrace to this Government. [Applause.]

What I have said about post-office employees is largely true of customhouse employees, many of whom have not received increase in pay at all proportionate to the increased cost of living. If the rules permitted, I would fight here all day that the men and women in these important branches of the public service get the pay they richly deserve.

Mr. HERSEY. Mr. Chairman, I think much of the debate in respect to the amendments before the House and the substitutes is proceeding under a wrong conception of the objects and purposes of this bill. As a member of the committee that favorably reported the present bill, I wish to say that the statement made this morning by the gentleman from Illinois [Mr. MADDEN] is correct, and should have some weight with this House. The gentleman from Illinois is a member of the Post Office Committee, and the post-office clerks and Federal employees have no better friend in this House than the gentleman from Illinois, and no interest of theirs is going to suffer at his hands. I will say further that the committee that reported this bill gave due consideration to this matter. I can not understand how men can get up here in this House, who have not investigated or studied this bill, and proclaim themselves as friends of the post-office employees and fourth-class postmasters, who ask that they be not put under this amendment, but that they be given their rights under the Post Office Committees.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. HERSEY. Yes.

Mr. BLACK. I understood the gentleman to state that the postal employees have asked that they be not included in this bill. I would like to know by what authority the gentleman makes that statement. I am a member of the Post Office Committee, and I have never heard of any organization of postal employees protesting against being included in this bill.

Mr. NOLAN. Mr. Chairman, if the gentleman [Mr. HERSEY] will yield to me, I will state that the president of the National Association of Letter Carriers, the secretary of the National Federation of Post Office Clerks, and the officers of the railway mail clerks' organizations have approved this bill, and they want to be taken care of when it comes to legislation affecting their interests by the committee of this House that has always looked after their interests, and that is the Committee on the Post Office and Post Roads.

Mr. FITZGERALD. Mr. Chairman, I would like to ask the gentleman a question.

Mr. HERSEY. Mr. Chairman, I can not yield further. I have the floor. It is absurd for any Member of this House to stand up here and plead for fourth-class postmasters, of which we have some 40,000 in this Nation, who are getting less, many of them, than $100 a year, and endeavor to raise their wages up to $1,080 a year when they are not earning more than $80 or $100 and do not expect any more. It is absurd to come in here and claim that you should not raise the wage of janitors and the charwomen, because they are employed only in the first-class and second-class post offices. A fourth-class postmaster does not employ at the expense of the Government a janitor or charwoman, unless it is for his own benefit.

Mr. RUCKER. The fourth-class postmaster has to do all of the drudgery himself.

Mr. HERSEY. He has to do all of the drudgery himself, and if he does not get money enough, even if it is not more than $50 a year, he does not have to stand it; he can resign. It would be some surprise to a fourth-class postmaster who is getting $50 a year to find that his wages by this amendment had been raised to $1,080 without even his request. The time has come when this Congress must cease to spend the money of the taxpayers by such wild and reckless expenditures, and I

trust this amendment will fail, and that the bill will pass without amendment.

Mr. LANHAM. Mr. Chairman, may I ask the gentleman if the adoption of this minimum wage bill as proposed under these amendments would prevent the remedial legislation which is contemplated for the relief of these postal clerks and fourth-class postmasters?

Mr. HERSEY. The adoption of this bill without amendments would assist and aid all remedial legislation. We can not legislate to settle all labor problems in this country by this one bill for a minimum wage. The gentleman ought to remember that this is a minimum wage bill, and it does not fix the wages of men getting any more than $1,080 a year.

Mr. LANHAM. The adoption of this amendment does not stand as a stumblingblock in the way of the remedial legislation contemplated?

Mr. HERSEY. Not at all. The gentleman from Massachusetts [Mr. FITZGERALD] talks about men getting $2,500 a year, and how they ought to have more. This bill does not affect those men getting more than $1,080 a year.

Mr. FIELDS. And neither does the amendment.

Mr. HERSEY. Yes; it does. The gentleman's amendment would defeat the bill.

Mr. SISSON. Mr. Chairman, I want to call attention of the committee very briefly to what we are doing here. I do not believe there is a single member of this committee who knows what any of these amendments offered will do in dollars and cents. I do not believe that this Congress, made up of professional men, of business men, men whose duty it is to look after the doing of business in a businesslike way, can afford to vote for these amendments. Now, I expect I have as many fourth-class postmasters in my district, because it is a rural district, as any man in this House. I know that most of those postmasters are very much underpaid. Something should be done for them. But I also know that many of these postmasters take the office not because they want the salary so much, but because they want the offices in their places of business.

Mr. JONES of Texas. Will the gentleman yield?

Mr. SISSON. I only have a few moments; I can not yield. They only devote a small part of their time to the post office. The cases are rare when you have any trouble getting people to take the offices. Usually there is a controversy in every little town of from 7 to 8 or 10 or 15 stores about who gets the post office, because they want it in their place of business to draw trade.

Mr. LAYTON. Absolutely.

Mr. SISSON. As a matter of fact, they are paid very little money, and in most instances paid too little. I am willing to help them, but I want to help them in a businesslike way. Will some gentleman tell me whether these amendments offered will cost $10,000,000, $15,000,000, $24,000,000, or $32,000,000? If it is an average of $800 increase, it will be over $32,000,000 added by this bill if the amendment is adopted.

If it is an increase to the fourth-class postmasters of $600, then it is $24,000,000. If we adopt the amendment offered by the gentleman from Massachusetts [Mr. FITZGERALD], we will have added ten or fifteen more millions. I do not believe that the amendments offered in this minimum wage bill, brought out as a whole, ought to be tacked on without consideration, without knowing where you are going and what it will cost. Will gentlemen vote to add $50,000,000 to the expenses of the Government blindly? No man can tell what it will cost. I am in favor of legislating in the proper way. Let the Post Office Committee report a bill and give the House and country some information to act upon. The Committee on the Post Office and Post Roads, having this matter under consideration, were themselves unwilling to determine this matter without thoroughly investigating it. They did not have the time to go into it during the regular session, and therefore a joint commission was appointed between the two Houses for the purpose of investigating this very difficult and mooted question as to how you should pay fourth-class postmasters so as to deal with them properly. Therefore I think these amendments ought to be voted down. And, gentlemen, let me ask you this: Do not you believe some one ought to be in this House to represent the American people and the taxpayers? I hear a great deal here about the people drawing the money.

I have not heard one single word during all of this debate about the people who are to pay the bill [applause], the people whom you and I represent, the people we are sent here to represent and whose best interests we are here to represent. I have not heard one word, but only about people who are being paid. Nothing about people who pay. I will admit that fourth-class postmasters in many cases are very much underpaid.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. SISSON. I yield.

Mr. GREEN of Iowa. It seems to me, if I understood these amendments correctly, that these fourth-class postmasters, instead of it being in their interest it will result in a very large number being abolished entirely, because they can send——

Mr. SISSON. I fear the Post Office Department may be compelled to kill most of the small country offices, for you must understand the Post Office Department has an appropriation bill that appropriates a certain amount of money; and if you pass this bill with the amendment, and it passes the Senate, which I doubt, good administration on the part of the Post Office Department would compel the closing up of about two-thirds of the fourth-class offices.

Mr. RUCKER. The Post Office Department could not do anything much more unpopular than it has been doing.

Mr. SISSON. I do not believe the gentleman's assault upon the Post Office Department as being unpopular——

Mr. RUCKER. I am making no assault.

Mr. SISSON. Yes; it is as much of an assault as the gentleman can make to say "the Post Office Department could not do anything more unpopular than it has been doing." I agree with my friend from Missouri that fourth-class postmasters are underpaid, but I do not believe this is the right way to adjust the pay.

I agree with the gentleman from Texas [Mr. BLACK] that we ought to give this matter proper consideration in a proper way and give to each fourth-class post office the amount of pay to which the office is entitled. This method of offering amendments to the bills on the floor without any gentleman knowing how many millions of dollars it will cost is unwarranted, unwise, and is the worst method of legislation. Not a single Member of Congress who has been offering these amendments has the remotest idea as to whether they will cost five million or fifty million.

I also believe that the Good amendment ought to be adopted, so that the laborers provided for in this bill should not receive the $240 bonus. For example, the bill provides that no laborer employed by the year in any branch of the Federal Government shall receive less than $1,080. Now, take a janitor in the Post Office Department. His minimum base pay would be $1,080. He then would get the $240 bonus, making $1,320. The majority of the third-class postmasters get in the neighborhood of $1,200, so you would have the anomalous situation of the janitor in the post office getting $1,320 and the postmaster getting only $1,200. In the second-class offices the assistant postmaster gets about $1,100 or $1,200. In many instances under this provision the janitor would receive $1,320.

In my judgment this whole bill is wrong in principle. I do not believe that minimum salaries ought to be arbitrarily fixed. The contention here is that "every man is entitled to a living wage." This is an unsound principle. No man is entitled to a living wage as a matter of right. The first difficulty that confronts you is what is a living wage? One man will live well and save money on a small salary. Another man will live shabbily and be constantly in debt on a large salary. The true principle is every man should be entitled to all that he earns when he is working for himself. If working for another, he is entitled to all that he and his employer can agree upon. I do believe that "every laborer is worthy of his hire." But this takes into consideration the principle of a man's efficiency and his productive capacity. In the performance of physical labor a weak and puny man can not earn as much as a strong man physically and is not entitled to the same wage. A slovenly, inefficient, lazy laborer is not entitled to as much as a thrifty, intelligent, efficient, and energetic laborer. No society can last long and no nation continue its business long that does not recognize this principle.

I voted against this bill when it was up before, and I shall vote against it now in its present form. I do not believe that the taxpayers of America should be called upon to respond in such enormous amounts so that the Government will be able to pay salaries far in excess of what men can get in private employ. In towns of from two to three and five and even ten thousand people the efficient clerks get from $50 to $75 and $100 a month. The Government employee works, or pretends to work, most of them, about seven hours, and under this bill the lowest wage paid to the most ignorant, half-witted janitor is $1,320.

Where will this sort of legislation end? Will it be when the Government is completely bankrupt, or will the people, before we reach that horrible financial state, wake up at home, use their ballots properly, and send men to Congress who will give some attention to the taxpayers? In the early days of the Republic Congressmen and Senators took pride in the fact that they were representatives of the people in their districts, and that they were not the special representatives of those people who absorb and enjoy all the taxes paid by the people.

We have been for many hours discussing this bill, and I have not heard a single Representative mention the interests of the taxpayers or mention the interests of the people they are representing. If you were up in the gallery, a stranger to this Government, you would imagine that this House of Representatives was a body organized for the purpose of taking care of the employees of the Government, and that the whole Government itself was an organization the purpose, chief aim, and object of which was to take care of the employees of the Government, and that the only function in all the different branches was to furnish employment for those who were fortunate enough to be on its rolls.

You never hear anything about the taxpayers. You never hear anything about the good of the people. You never hear anything about the interest of the great agricultural class of people, but the cry is continuously for the downtrodden Federal employees. A few people well organized, having filled our mails with propaganda, have at last become the masters of Congress, and the people we represent are being lost sight of, and we are becoming more afraid of the small minority than we are of the great majority of the people whom we really ought to represent.

Mr. Chairman, I therefore do not believe that this bill should pass, and I certainly do not believe that this bill should pass if these amendments are added to the bill, because that makes it infinitely worse. I do not believe that this is a good way to legislate, and I believe that this bill and all these amendments ought to be voted down. [Applause.]

Mr. BLANTON. Mr. Chairman, I decline to yield. [Laughter and applause.] Gentlemen, I want to assert without fear of contradiction that there are three classes of Government employees who have not been heard by the Committee on Labor in the preparation of this bill. One is the fourth-class postmasters, another the third-class postmasters, and another the clerks who help do the work in those offices. They have not been heard either in person or by any organization representing them. Now, the gentleman from Indiana who speaks about a fourth-class postmaster canceling only twenty 2-cent stamps a day should listen to this from a fourth-class postmaster of the country:

LUEDERS, TEX., *July 7, 1919.*

Judge THOMAS L. BLANTON, M. C.,
Washington, D. C.

DEAR SIR AND FRIEND: I would like to have your judgment on a question. Do you think there is any likelihood of the postmasters of the fourth class getting any better pay? I know we get a little raise beginning the first of this month, but it does not amount to anything if you will take the time to figure it out. I can't stay at the price and live. My office is getting where I have to have help. I have to pay $50 per month for help, and I get what is left, which amounted to $39 for the last quarter.

Mr. LAYTON. What is his business?

Mr. BLANTON. He is a fourth-class postmaster——

Mr. LAYTON. What else does he do?

Mr. BLANTON. Let me finish his letter, and you will see.

Can you blame me for quitting? If I did not make a little on the outside—

[Laughter.]

I would starve to death. I have no one to take care of or I would done been dead as heck. My rural carrier gets $1,548 a year and works three and a half hours a day. I get about $800 a year, pay $600 of it for help, work from 5.30 a. m. to 7 p. m. Now, Judge, I am not blowing off—

[Laughter.]

you know I am not that kind of a man, but telling you the straight truth, and you know if my word is worth anything or not.

Hoping to hear from you soon, I remain your friend.

DAVID J. OLINGER, *P. M.*

The above is a fair sample of the letters I am daily receiving from fourth-class postmasters, many of whom have lately given up their positions in disgust, and in instances it has been impossible, as at Norton, Tex., to find anyone to take the office.

As I said the other day, I want the country to know that this minimum-wage bill, which sought to give $110 per month—counting bonus—to negro porters, janitors, messengers, watchmen, and charwomen, 18 years of age and up, and which absolutely refuses to do justice to third and fourth class postmasters and postal clerks, was fathered and brought into this House by a Republican [Mr. NOLAN], was reported out by a Republican committee, and is being handled and so passed on the floor of this House by a Republican majority. I want these postmasters and postal clerks to know that the Republicans of this House are Job's comforters to them, and have fought against and voted down every provision and amendment seeking to do them justice. The old excuse of letting the matter be cared for by the Post Office Committee is threadbare and ridiculous and will not be longer swallowed by these deserving Government employees.

I am intimately acquainted with Mr. Olinger and have known him for over 20 years. He is a capable, highly deserving man, works in his post office from early morning till late at night, in Lueders, a thriving railroad town in Jones County, on the edge of the great oil-producing section of the world-renowned Ranger oil field; yet after deducting the $50 per month he is required to pay his clerk, he receives only $200 a year, just a little over $16 per month. And while refusing to grant him any relief, this Republican House is going to pay $110 per month to negro janitors and chargirls 18 years old, and at the same time let them enjoy each year one month's vacation on full pay and 30 days additional on doctor's certificate on full pay. You are going to hear from the people.

Now, I want to read you one from a third-class postmaster.

Mr. BEGG. Will the gentleman yield for just one question?

Mr. BLANTON. No; I am very sorry I can not, my time is so limited.

This letter is dated Albany, Tex., June 24, 1919, and is addressed to the First Assistant Postmaster General, and says:

This office is swamped with work owing to oil developments in this territory. We are unable to work from 15 to 25 sacks of "Albany distributing" mail, which arrives about 6.45 a. m., until after departure of star routes, which delays this mail 24 hours. The service at Breckenridge has collapsed to such an extent that business firms at that place have parcel post and C. O. D. mail come to this office and send here 27 miles for it. I delivered recently for one firm in Breckenridge C. O. D. packages to the amount of $1,225.24 in one day. I can not work mail for all of Throckmorton County, handle parcel post for Stephens County, and be central accounting office for Shackelford County, and give the patrons of this office service with only $41 per month clerk hire. The receipts of this office so far this quarter amount to $2,036.41. Sales of stamped paper, $1,923.91; box rents, $112.50; total receipts for this quarter last year, $1,331.30. * * * Why are not the patrons of this office entitled to service as well as the patrons of first and second class offices?

Let me read you another excerpt.

Mr. SNYDER. Is that from a fourth-class postmaster?

Mr. BLANTON. From a third-class postmaster. He says:

Why, the rural carrier and his substitute are paid $1,665 per annum for four hours' work, six days a week, serving 84 boxes, while this office is allowed only $492 per annum clerk hire to serve 3,000 patrons of this office, separate mail for 7,000 in Throckmorton County, and be central accounting office for Shackelford County. Why, a clerk in this office has to work 13 hours a day, 6 days a week, and 8 hours on Sunday for $41 per month, while in Abilene they get $125 per month for 8 hours per day and 50 cents per hour for overtime.

Now, gentlemen, this is the situation: This highly intelligent, educated, capable, diligent, overworked postmaster, Mr. Frank K. Sterrett, does not make $110 per month, and never gets a vacation. Here we are asking the clerks in the rural offices—clerks, if you please, who have no other business, who do not get anything else on the outside—to work for $41 per month; white men and white women, if you please; and yet you Republicans with your Republican majority are going to give negro janitors and negro charwomen, 18 years of age, $110 per month, with a whole month vacation each year on full pay. The people of this country are going to call you to account, and you will be absolutely unable to justify yourselves.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FITZGERALD. Mr. Chairman, I would like to get the same privilege.

The CHAIRMAN. The gentleman from Massachusetts also asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none. The gentleman from Texas [Mr. BEE] is recognized for three minutes.

Mr. BEE. Mr. Chairman and gentlemen of the committee, I would not ordinarily intrude upon the time of the committee except for the fact that in my younger days I spent four years as a clerk in a post office. And I think I know pretty well the exactions and duties that fall upon them. There is no more important work in this Government than that done by the Post Office Department. It is the carrier of messages of joy and sorrow, of business and prosperity, to the people of this land.

I do not know whether anyone represented these people or not. I do not care. I want to say to the gentleman from California [Mr. NOLAN] that I am strongly in favor of his bill. I am in favor of any bill that fixes a minimum wage for every man and woman that works in America, and I care not who they are. But I do not believe we ought to exempt a large class such as this.

Here is the difficulty. You have added to the post-office work the parcel post. You have added the war savings stamps, you have added a multitude of duties to the average duty of a postmaster, and all over my district and all over the district of every man in this House there are fourth-class postmasters, rural car-

riers, third-class postmasters, second-class postmasters, post-office clerks, and so on, that are barely eking out an existence and in some instances compelled to follow other avocations in order to live. If they are officers of this Government the Government ought to pay them enough to justify them in attending to their duties, which are numerous, manifold, and important. And for that reason it would be a great mistake to leave out of this bill this class of employees.

With reference to railway mail clerks, there is no occupation in America more hazardous. Every mail clerk that goes out on a run takes his life in his hands, like the soldier who goes on the firing line. The rural carriers go in windy weather, rain and storm. They go to the houses of the farmers of this land. And my friend from Mississippi [Mr. SISSON] says we do not hear from the people who are paying the bills. The people that are paying the bills want the men who are doing the work for them to be adequately compensated, so that they can live and that their families can live decently.

I am in favor of this bill. I want it extended to every character of Government agency, and I hope, Mr. Chairman, that this amendment will be adopted and this character of employees will be included in the benefits of this amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HERSEY. Mr. Chairman, I ask that the gentleman's time be extended one minute.

Mr. BEE. I do not care to consume any more time.

The CHAIRMAN. The gentleman from California [Mr. RANDALL] is recognized.

Mr. RANDALL of California. Mr. Chairman, I yield to no man in this House in my interest for the postal employees of all classes, for I spent 15 years of my life in different branches of the Postal Service. But let me tell you how foolish a thing you are trying to do when you attempt to apply this bill to fourth-class postmasters.

On the 1st day of January, 1919, there were 42,704 fourth-class post offices in the United States, and of that number practically 50 per cent received a salary of less than $180 per year, or, say, 20,000 postmasters received less than $180 a year, and that $180 represented the total revenue of the Government at those post offices. Now, an attempt to apply this bill would result in closing those post offices.

Mr. BLACK. The gentleman understands that my substitute amendment would except the fourth-class postmasters from the provisions of the bill and include all the classified employees?

Mr. RANDALL of California. I am speaking to the original amendment of the gentleman from Kentucky. And while I would be glad to see the postmasters' condition improved, the effect of the amendment as applied to the fourth-class post offices would be to close them.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARLAND. Mr. Chairman and gentlemen, this bill is the emanation of six years' work along this line. It was introduced here in 1913 by the gentleman from California [Mr. NOLAN] after he had given it much thought and after it had run the gantlet of all labor organizations and of all those who were not in labor organizations that could be reached personally and by representation. It has run the gantlet of all the opposition, and finally it appears before us in its present form. The bill itself is what is wanted by the employees generally. The exceptions made in the bill were agreed to by those who are interested in it by their own choosing.

Mr. BLACK. Will the gentleman yield?

Mr. GARLAND. No; I can not yield. I have only five minutes.

It is high time that something of this kind be passed. Now is the time of all times that something should be done. We have gone through a war, and already we are talking of rearrangement. Some of the employers of labor have attempted a rearrangement, and they point to the Government employees as a reason why they should rearrange wages outside. Let me tell you that always in the arguments between employers and employees the wages of the employees in the Government service are pitted against the wages of the employees on the outside.

Now, let us not have an example of low wages paid to the Government employees to be pointed at. When these soldiers and sailors that we are talking so much about have learned trades and want to go to work at their trades, those who are returning and going into all kinds of avocations, let us not have an example here of low wages to be pointed at by their future employers. We do not want to reduce wages. We want to keep up the standard of wages in this country, and this minimum wage is the plan for doing it. Let us have a minimum wage of $3 a day, and that minimum will be respected everywhere outside by manufacturers and workmen.

I believe we should pass this bill. I am opposed to any amendment, whether it is the Good amendment or any other amendment that is offered. I am for the bill just as it is now, and this Congress can then go to the country and say to the people, "Here is the lowest minimum wage. Bring the cost of living down as low as you will, but this is the minimum of wages that we will stand for."

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. NOLAN. Mr. Chairman and gentlemen of the committee, I do not disagree with any statement that has been made about the wages of postal employees. We did not make any investigation of the salaries or income of third or fourth class postmasters. We made no investigation of the wages of railway mail clerks or city-delivery carriers or the clerks in the post offices. But we did have before our committee on numerous occasions the representatives of those organizations indorsing the principle of this bill. We did not have the representatives of the fourth-class postmasters or of the third-class postmasters before us, but they were free to come before our committee, because open hearings have been repeatedly held on this bill or on a similar bill since 1913.

Mr. BLANTON. Mr. Chairman, will the gentleman yield for a question?

Mr. NOLAN. I can not yield. I have only five minutes.

Mr. BLANTON. I hope the gentleman will be fair.

Mr. NOLAN. The gentleman would not yield to anybody else, and for that reason I can not yield to him. We gave an opportunity to be heard to everyone in this country who wanted to be heard on this bill. Everybody that came before us was in favor of the bill. The representatives of the postal employees were in favor of it, and they realized that it was not to apply to their members. They feel that their wants and needs can properly be cared for by the Committee on the Post Office and Post Roads.

Now, a substitute for the amendment of the gentleman from Kentucky [Mr. FIELDS] is offered by the gentleman from Texas [Mr. BLACK], a member of the Committee on the Post Office and Post Roads. He has had an ample opportunity during the time he has been a Member of Congress to look after the interests of the postal employees, and I do not know but that he has consistently done so. But I know this, that the gentleman from Texas was one of 16 men in the last Congress who voted against this minimum wage bill on a roll call, and I do not think that the friends of this bill can expect it to be amended by the opponents of the principle.

Mr. FIELDS. Mr. Chairman, will the gentleman yield?

Mr. NOLAN. Yes.

Mr. FIELDS. The gentleman said the postal employees indorsed the principle of the $3-a-day minimum wage?

Mr. NOLAN. Yes.

Mr. FIELDS. Did they know that they were to be excluded from the operations of the bill?

Mr. NOLAN. Absolutely; and they wanted to be cared for by the committees that have always considered their legislation—the Committees on the Post Office and Post Roads of the House and Senate, who have a joint commission at present working, or supposed to be working, and who are expected to recommend legislation regarding the wages and conditions of postal employees.

Mr. FIELDS. Mr. Chairman, if the gentleman will yield further, their approval of this bill or their failure to want to be included in it was because they expected to be included in another bill?

Mr. NOLAN. The reason why they are excepted from this bill is because their exemption was advocated almost unanimously by the members of the Committee on the Post Office and Post Roads. The gentleman from Mississippi is right. You can not legislate generally on a condition of this kind where no consideration has been given to it. But the needs and the wants of postal employees are to be left to the committee of this House that is appointed for that purpose.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. NOLAN. I yield to the gentleman.

Mr. BLACK. Does the gentleman not know that all the raise this bill will effect as to classified employees will be $80 per annum, their entrance grade now being $1,000?

Mr. NOLAN. I understand the point that the gentleman makes, but in answer to that I will say this, that the Committee on the Post Office and Post Roads can take care of that situation immediately, and if they want to make it $80 in addition to the $1,000 which they now receive, or $180, after hearings and consideration, they can make that the entrance salary and let it affect the postal employees. They can also give some consideration to the needs and wants of third and fourth class

postmasters, and they can find out all the angles attached to that rather complicated condition.

Mr. BLACK. One more short question.

Mr. NOLAN. I yield to the gentleman.

Mr. BLACK. Does the gentleman think that any investigation is needed to determine whether or not the classified postal clerks ought to receive as much salary as a janitor? [Applause.]

Mr. NOLAN. I do not; but you do not confine it entirely to that.

Mr. VAILE. Mr. Chairman, will the gentleman yield?

Mr. NOLAN. Yes.

Mr. VAILE. Is the gentleman advised that postal clerks and carriers in the City Delivery Service and railway mail clerks are expected to be taken care of by the Committee on the Post Office and Post Roads?

Mr. NOLAN. I understand that legislation will be introduced in the immediate future to take care of all the employees in the Postal Service.

Mr. HERSEY. Mr. Chairman, will the gentleman yield?

Mr. NOLAN. Yes.

Mr. HERSEY. Do not the railway mail clerks get more than $3 a day now?

Mr. NOLAN. They do. The minimum amount for postal employees is 2½ cents an hour above the minimum provided in this bill, which is a minimum of 37½ cents. The postal employees receive a minimum of 40 cents an hour, and the minimum amount provided in this bill is 37½ cents.

Mr. Chairman, I ask for a vote. [Applause.]

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. CARTER. Mr. Chairman, it has been contended that the fourth-class postmasters are not entitled to as much as $90 a month, or $1,080 per annum, and some good reasons have been furnished for that contention. But the fourth-class postmasters in a great many instances—I think I might be safe in saying in a large majority of cases—are certainly entitled to more compensation than they are receiving to-day, and they are entitled to consideration at the hands of this committee and of this Congress. [Applause.]

Now, the gentlemen who were in the Sixty-fifth Congress will remember that we had a bill brought in from the House Committee on the Post Office and Post Roads providing increase of pay of postal employees. The history of that legislation is a little bit interesting to the country Congressman and his constituents. We all remember that this bill for the increase in the salaries provided for an increase of about 20 to 30 per cent to every employee in the big cities of this country, and yet it provided for an increased salary for only one class of postal employees in the country outside of the cities. Those were the rural carriers, and their increase amounted to only 15 per cent. I do not know what influence came over the members of our Post Office Committee of the Sixty-fifth Congress, because most of them, as I recall, represented country districts, unless the argument of the gentleman from Illinois [Mr. MADDEN], who hails from the city of Chicago, so completely overpowered and hypnotized them as to make them ignore the rights of their own constituents. He is one of the strongest men in this House, and by his personality and magnetism he seems to have been able to enforce his convictions upon the entire Post Office Committee to the benefit of the service in the cities but to the detriment of the service in the country.

Mr. MADDEN. Will the gentleman yield?

Mr. CARTER. Yes.

Mr. MADDEN. I think the gentleman wants to be fair. Now, will he tell the House in what way we enacted legislation to the detriment of the country service?

Mr. CARTER. I have just stated that. You proposed an increase of 20 to 30 per cent for all the city employees and proposed only one increase for the country employees, and that was an increase of 15 per cent to the rural carriers, and in that bill you did absolutely nothing for the fourth-class postmasters. In that bill you did absolutely nothing for the clerks in the third-class post offices.

Mr. MADDEN. Will the gentleman allow me?

Mr. CARTER. Yes.

Mr. MADDEN. In the first place, the gentleman is not stating the fact.

Mr. CARTER. Oh, well, I do not think the gentleman intends to say that.

Mr. MADDEN. I do not think the gentleman intends to misstate the fact.

Mr. CARTER. I have the gentleman's bill and the other bill right before me. We will see whether I am stating the fact or not.

Mr. MADDEN. The fourth-class postmasters had their compensation increased from 50 per cent of the cancellations to 100 per cent of the cancellations.

Mr. CARTER. Up to $50.

Mr. MADDEN. Up to $100.

Mr. CARTER. Up to the first $100—up to $50, as proposed in the gentleman's bill, but the Committee of the Whole raised it to $100.

Mr. MADDEN. No; we provided for $100 in the recommendation of the Post Office Committee. Now, the third-class post masters' clerks were provided with an increase of 50 per cent.

Mr. CARTER. Yes; an increase of 50 per cent was provided in an amendment proposed on the floor of the House and adopted by the Committee of the Whole, but the bill as it came into this House did not provide one cent of increase for them.

Mr. MADDEN. Yes, it did.

Mr. CARTER. I have the bill right here, and it does not provide any increase.

Mr. MADDEN. A 50 per cent increase was provided in the committee.

Mr. CARTER. I have the bill here. I should like to have the gentleman show me just where that comes in.

Mr. MADDEN. I can not tell where it comes in without the bill before me, but I know this——

Mr. CARTER. I can show the gentleman where it comes in in the bill passed by the House, but the gentleman can not find it in the bill reported by the committee.

Mr. RANDALL of California. That matter was discussed in the Post Office Committee and adopted in the committee.

Mr. CARTER. The gentleman is mistaken about that. I proposed the amendment myself.

Mr. MADDEN. The gentleman will admit that clerks in the third-class post offices were increased 50 per cent.

Mr. CARTER. They were increased by an amendment proposed on the floor of the House, but as the bill was reported by the committee it did not make that increase.

Mr. MADDEN. Yes, it did.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired. All time has expired. The question is on the substitute offered by the gentleman from Texas [Mr. BLACK] for the amendment of the gentleman from Kentucky [Mr. FIELDS].

Mr. BLACK. I ask unanimous consent that that substitute be reported again.

The CHAIRMAN. Without objection, the substitute will be reported.

The Clerk read as follows:

Amendment offered by Mr. BLACK as a substitute for the amendment of Mr. FIELDS: Page 2, line 4, after the word "zone," strike out the language "nor to persons holding appointments as postmasters, assistant postmasters, rural carriers, postal clerks, carriers in the City Delivery Service, or railway mail clerks" and insert "nor to fourth-class postmasters."

The question being taken, on a division (demanded by Mr. BLACK) there were—ayes 2, noes 107.

Accordingly the substitute was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Kentucky [Mr. FIELDS].

Mr. RICKETTS. Mr. Chairman, I should like to have that amendment reported.

The CHAIRMAN. If there be no objection, the Clerk will again report it.

The Clerk read as follows:

Amendment offered by Mr. FIELDS: Page 2, line 4, after the word "zone," strike out the remainder of line 4 and all of lines 5 and 6 and to and including the word "clerks" in line 7.

The question being taken, on a division (demanded by Mr. FIELDS) there were—ayes 31, noes 131.

Accordingly the amendment was rejected.

Mr. FIELDS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FIELDS: Page 2, line 5, after the word "postmasters" strike out the remainder of line 5, all of line 6, and to and including the word "clerks" in line 7.

Mr. MADDEN. A point of order. That has already been voted on.

Mr. FIELDS. No; it has not.

Mr. MADDEN. I make the point of order.

Mr. FIELDS. I desire to be heard on the point of order.

Mr. CLARK of Missouri. What is the point of order?

The CHAIRMAN. The Chair calls the attention of the gentleman to the fact that the word "postmasters" occurs twice in the line. Which does the gentleman refer to?

Mr. FIELDS. After the words "assistant postmasters" I desire to strike out the remainder.

Mr. CLARK of Missouri. What is the point of order?

Mr. MADDEN. The point of order is that the substance of the amendment offered by the gentleman from Kentucky has already been defeated.

Mr. CLARK of Missouri. No; not the whole of it.

Mr. MADDEN. Yes; all of it.

The CHAIRMAN. The point of order is overruled.

Mr. FIELDS. No; Mr. Chairman——

Mr. NOLAN. Mr. Chairman, I would like to see if we can not have some limit of time for debate on this amendment.

Mr. FIELDS. I do not want to agree to that just now.

Mr. NOLAN. The gentleman can have his time. Mr. Chairman, I ask unanimous consent that debate on this amendment be limited to 10 minutes.

Mr. RUCKER. Make it 15.

Mr. NOLAN. Very well, I will make it 15.

The CHAIRMAN. The gentleman from California asks unanimous consent that the debate on this amendment be limited to 15 minutes. Is there objection?

There was no objection.

Mr. FIELDS. Mr. Chairman, this amendment leaves in the bill the language which applies to "postmasters and assistant postmasters." It removes the difficulties that were referred to by those speaking in opposition to my former amendment. This amendment puts this proposition before you squarely: Are you willing to pay the messengers and the janitors in the Post Office Department and in the offices throughout the country in which messengers or janitors are employed, and the Federal employees in all other branches of the Federal Government, a wage of $3 per day and exclude the postal clerks, city-delivery clerks, the rural carriers, and the railroad postal clerks? That is the proposition exactly. In other words, my amendment puts the city clerks, the rural carriers, the star carriers, and the city-delivery carriers on the same basis, gives them the same benefits under this law that are given to all other Federal employees.

Mr. VAILE. Will the gentleman yield?

Mr. FIELDS. I will.

Mr. VAILE. Can the gentleman state how many postal clerks, carriers in the City Delivery Service, or railway mail clerks there are receiving less than 37½ cents per hour, or if employed by the month less than $90 per month, or if employed by the year $1,080?

Mr. FIELDS. I will answer the gentleman by asking him a question. Can he state how many men in other branches of the Federal Government will be benefited by the bill as it now stands?

Mr. VAILE. No.

Mr. FIELDS. I am acting on the general principle of justice to all employees.

Mr. VAILE. The gentleman is offering an amendment that will apparently not affect these people at all.

Mr. FIELDS. Then why oppose the amendment?

Mr. BLACK. Will the gentleman yield?

Mr. FIELDS. Yes.

Mr. BLACK. All the railway mail clerks enter the service at $1,100 and they would not be affected at all. All postal clerks and letter carriers enter at $1,000, and therefore for the first year they would receive the benefit of the increase, and I should say offhand, from the knowledge I have, that there are 15,000 or 16,000 of these men who would be affected.

Mr. VAILE. Under this arrangement the first-year men would get more than the second-year men?

Mr. BLACK. No; the first-year men would be raised to $1,080.

Mr. VAILE. They would get $80 more.

Mr. BLACK. No; they would receive $20 less.

Mr. FIELDS. Mr. Chairman, as I have previously stated, under this bill as drawn the janitors in all post offices where janitors are employed will get the benefit of this bill, but there will be many clerks in these offices that will not receive the benefit of it, and who will, if the bill is enacted as it stands, receive less money than the janitors receive. I do not believe the membership of this House wants to go on record as indorsing that kind of legislation. I for one am unwilling to do so.

Mr. RUCKER. Mr. Chairman, I was very much interested and edified by the learned, patriotic address of the gentleman from Mississippi [Mr. SISSON] a few minutes ago. In his excessive modesty he warned the House that perhaps we do not know what we are doing. I have heard that same kind of talk for a long time, and I want to say right now, that while I have profound respect for every Member of the House, on both sides of the aisle, I believe that there is sometimes and on some occasions more hypocrisy practiced among Members of Congress than in any other body containing a like number of men.

Do you tell me that it is your judgment that these bucks down here in the corridors of public buildings, that crowd the corridors so you can hardly get into an office, that they are entitled to a higher wage and more consideration and more deliberate and intelligent consideration than the thousands of clerks in the post offices over the country who wait upon your wives and your daughters? [Applause.] I do not believe that is the judgment of any man here. But for some reason, following the lead, domination, and control of that autocratic committee, the Committee on the Post Office and Post Roads, dominated to some extent by the gentleman from Illinois [Mr. MADDEN], who blocked legislation yesterday, and who tied up all the multitudinous affairs of the Government in order to have his way, dominated, in my judgment, by the persuasive eloquence and learning of that gentleman, you have refused to do plain justice to a body of public servants in this land who have time and time again appealed to you.

Oh, it may be that the fourth-class postmaster is not a strong or influential political factor. But, gentlemen, right is right. You threaten to abolish fourth-class post offices. Abolish them. The office was not created for the purpose of giving men positions. If they serve no public purpose they ought not to exist. If they do serve a useful purpose I defy the Post Office Department, whether under a Democratic or Republican administration, to abolish institutions which are of value to the interests of the American people. [Applause.]

Mr. LINTHICUM. This does not include the fourth-class postmasters.

Mr. RUCKER. I know I am talking about water that has gone over the dam, but I want to have my say about it. I have not yet accepted the learned advice of the gentleman from Mississippi [Mr. SISSON] or that of the gentleman from Illinois [Mr. MADDEN]. No one speaks for the taxpayer, one says. If I had had the returns of the recent votes of this committee before I made my speech, probably, to be on the popular side, I would not have spoken for the fourth-class postmasters, because, it seems, they have not a friend on the Republican side and devilish few friends on the Democratic side, not as many as they ought to have. [Laughter.] I know that the proposition voted on a few minutes ago was subject to objection, but I am willing to take the best I can get. [Applause.]

I know that every fourth-class postmaster ought not to have the benefits of this law, but I say this: I voted for the amendment of the gentleman from Kentucky [Mr. FIELDS], believing that if we wrote it into the law we might give the Committee on the Post Office and Post Roads in this House a demonstration of the will of the American people as asserted by their representatives and make that committee report legislation that would be just and fair to that class of public servants, and unless you do put the lash to them I want to warn you now, notwithstanding the statement of the distinguished gentleman who has charge of this bill, the gentleman from California [Mr. NOLAN], that the Committee on the Post Office and Post Roads will not report that bill, and the gentleman from Illinois [Mr. MADDEN] knows that it will not.

Mr. BURKE. Mr. Chairman, for the benefit of those who are in favor of the amendments that have been offered I want to say that if they will bring in a bill through the proper channels for an increase of pay and better working conditions for the men in the Postal Department it will have my support.

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. BURKE. No, as I have only a few minutes.

Mr. RUCKER. I just wanted to say that it is a promise that will never be fulfilled, because the gentleman will never have a chance.

Mr. BURKE. I would like to yield to the gentleman, but I can not do so, as I have but four minutes myself.

I am opposed to the amendment offered by the gentleman from Iowa [Mr. GOOD], because I think it takes away from the Nolan minimum-wage bill the good which was originally intended and robs that bill of its intent and purpose; that is, to help the poorly paid employees who work for this Government to earn enough at least to keep body and soul together.

There is not a member of this Congress who is not personally familiar with present-day living conditions, and who does not know deep down in his heart that a workingman can not feed, clothe, and shelter a family of American children on $3 a day. Congress has acknowledged this by former action, enacting into law a provision granting a bonus of $240 per annum on all salaries up to $2,500 per annum. Yet, on account of the high cost of living, how much greater is the necessity for the poor workingman with a minimum wage of $3 a day to profit by such legislation? Why should a distinction be made in his case? The man who controls the meat, the flour, the potatoes, and the calico will

not sell to the man receiving $3 a day one penny cheaper than he will to the man receiving $2,500 per annum.

There has been a disposition throughout this country and throughout all other countries in all lines of work to raise the salaries of the poorly paid employees to such a wage as will keep body and soul together. Will it be said of this Government, in this great land of plenty and boasted equality of all her citizens, that a man can not work for his Government because of the starvation wage paid by that Government? Will not Congress so legislate that the workingman will be paid a wage at this time, when living conditions are higher than ever in the history of the world and when they are soaring higher daily, that will feed, shelter, and clothe American children as American children should be fed, sheltered, and clothed? [Applause.]

Mr. NOLAN. Mr. Chairman, I trust the amendment offered by the gentleman from Kentucky will be voted down. It is nothing more or less than a modification of the amendments voted down a few moments ago. I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky.

The question was taken; and on a division (demanded by Mr. FIELDS) there were—ayes 32, noes 103.

So the amendment was rejected.

Mr. MONTAGUE. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MONTAGUE: Page 2, line 15, strike out the period after the word "act" and insert in lieu thereof a colon and add the following: "*And provided further*, That the provisions of this act shall not apply to clerks to Senators and Representatives in Congress or to Delegates and Resident Commissioners."

Mr. MONTAGUE. Mr. Chairman, I regret to take the time of the committee, because I addressed myself to this subject for a few moments on last Wednesday, but for fear that the matter may have drifted out of the minds of Members I desire to recapitulate somewhat the argument then made. The inquiry which I propounded to the chairman of the committee disclosed that he thought this bill applied to the clerks to Members and Senators and to Delegates and Resident Commissioners, and it is to put such construction beyond question and eliminate it from this bill that I offer this amendment.

The clerks to Members and Senators bear such a peculiar personal and confidential relation to those who appoint them that they should be in a classification to themselves. I think that is foundamentally true, and this has been deliberately and recently decided by the House. Therefore if we apply the minimum wage to this class of clerks, it will necessarily result in exceeding the amount of salary provided for in the bills which we have recently passed, namely, $3,200. It is manifest that a Member can apportion that amount into two salaries so as to make the lesser salary, by reason of the addition or substitution of the minimum wage, increase the $3,200 to a sum ranging roughly from $3,600 to $4,500 in the aggregate. Therefore, to relieve ourselves of this dilemma and to give effect to the legislation which has so recently passed, I have offered this amendment. I hope it will be acceptable to members of the committee, for it is their plain duty to accept it.

Mr. Chairman, I oppose this indirect and hidden method of increasing the salaries of clerks to Members. This method is equivalent to a "back-salary grab" for clerk hire, which is vicious in legislation, shocking to good conscience, and palpably violative of the expressed vote of the Members of this House upon legislation that is scarcely 10 days old. I submit that the amendment should be accepted by the gentleman in charge of the committee and unanimously approved by the Committee of the Whole. Unless we do accept this amendment, we can not defend ourselves before the country.

Mr. O'CONNOR. Mr. Chairman, there is a Latin legal maxim which translated into good English means that in too much discussion or altercation the truth is lost. Stripped of all subterfuge, stripped of all sophistry, for the friends of this measure are out in the open and are boldly declaring their purpose, stripped of all amendatory frills and deadfalls and weasels, this bill means nothing less than an announcement by Congress that it has caught the spirit of the times, that it recognizes that a new light has burst upon the world, that a new era has set in, a new epoch started, that it is the beginning of the new dispensation, that the American people are preparing to meet the great future and its trials that loom large on the horizon even now by adopting a minimum wage, and that from time to time Congress will build upon that foundation the superstructure representing the advanced hopes and aims of the people in the direction of true greatness and happiness. And our hope is that the example of our Government will be an inspiration, a suggestion, a persuasive declaration, if you will, to the industrial and commercial interests of the country to adopt the policy of the Nation and make its minimum wage their own, thereby subduing the rapidly growing discontent of our countrymen as announced through editorials, preachments through the pulpit, and great speeches and orations by the gifted speakers of the land.

Mr. Chairman, some years ago I heard a distinguished member of the bar, addressing the Supreme Court of Louisiana, in the old Cabildo down in New Orleans, where the Louisiana Purchase was signed and consummated, tell by way of illustration of the point which he had in mind, and which for some reason he could not felicitously convey to the court, the finest story that I have ever heard. He had been vainly striving to have the court cast aside all of the irrelevancies and confusing side issues which he thought were being injected into the case and see the one great outstanding principle that was involved. The story made a profound impression upon my mind, as a few years before that I had been in the very place that served for the theater for the splendid legend which he related. Upon a wall in the refectory of a great religious institute Leonardi da Vinci had painted his masterpiece—one of the great pictures of this world—The Last Supper. When he had finished what is destined to live as long as the Christian religion holds sway over the mind of man, he brought an artist friend to witness its unveiling before it would be given to the world. Awed, amazed, profoundly affected by that crowning glory of the painter's brush, the friend, choking with emotion, took a step toward the picture, saying, "Magnificent; it is so realistic, so natural, that I feel as if I could take the chalice from the table." Da Vinci looked for a moment at that indescribably great, yes, divine, creation, holy to the devout and impressive to the irreligious, and muttered the great sorrow that was in his soul, for he knew that while mankind for all the generations that were to sweep over the world after he was gone and forever would regard it as the perfection of art and the most holy and sublime creation that had come to the Christian people he had failed in his great purpose. With one stroke of the brush the cup went out of the picture. It was not to be the central figure of that immortality; it was the pale, pure face of the Nazarene that was to be the central, all-engrossing, all-absorbing figure that was to seize upon the imagination and spirit of the beholder.

I have never forgotten that story. I will never forget the refectory. But as an evidence of the fact that nothing can withstand the mutations of time or even those of man, when Napoleon's army crossed the Alps and poured over the plains of Lombardy, this refectory was used as a barracks, and to accommodate the soldiers a door was cut through the wall on which was painted the original of what is in copy form in the home of all those who worship at the cross and in the church of Him who died on Calvary Hill.

Applying that narrative to the matter we are discussing to-day, and it is applicable, because it is poverty and lowliness that I am discussing, let me appeal to you not to lose sight of the underlying principle of this bill and the tidings of great joy that it will bring the humble of this great land by obscuring its meaning with amendments that will make it a mere salary raiser instead of the mudsill and foundation for the new order that has come to the world. This bill is the beginning of the vindication of those principles for which flesh and blood have struggled through all the ages.

Mr. Chairman, I am tired, heart weary, of hearing Members of this House talk in nickles and dimes and pennies, as if they believe that the jingle of silver and the rustle of greenbacks is the only music the people of our country want to hear—as if we were a sordid dollar-chasing Nation, without hope for the amelioration of the miseries of the poor or a desire to reach for those higher and nobler things that are the aim of a great and splendid people.

The American people believe with Kingsley:

> Do noble things,
> Not dream them all day long,
> And so make life, death, and that vast forever
> One grand, sweet song.

Fear not, believe not, the presidential election will be determined, decided, upon such paltry matters as what money was saved by this legislator or that, but upon those principles of government which will make for a general welfare and the blessings of liberty and freedom that will have a real meaning, a meaning that will carry joy and happiness to our men and women who are saddened at the thought that in a large measure the vicissitudes of existence have offset the emotional value of the high-sounding declaration of benevolence contained in the purpose of our Government as ordained in its preamble. Like the sun, that daily has its magnificent rise, that preamble is again going to shine effulgently upon our people, and in the evening it will become—

> The rainbow to the storms of life,
> The evening beam that smiles the clouds away.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DUPRÉ. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent that the time of the gentleman be extended for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. O'CONNOR. I thank you. I want to say in connection with this bill, however, because I, like all speakers, have wandered far afield, I have not only the interest of an American who loves his country and who wants to see it prosper in all branches of its society, but I want to say, gentlemen, that I have a deep and abiding interest in this bill and desire to see it passed because I wish to see its principles vindicated and then applied to all of the activities of this Government in all the business affairs of our country. Why do I wish it? Four-fifths of the men who discuss labor, poverty, the simple annals of the poor, and I say this without offense to anyone, yes, four-fifths of all, labor conventions excepted, speak from the theoretical standpoint, but in listening to me you are listening to one who has suffered the direct stings of poverty, for when I look back, Mr. Chairman, to the precipitous heights I had to climb in order to stand here among the legislators of my country I feel that I would not again for all the gold that ever came out of the mines of Golconda or of Cripple Creek—I might do it for the glory and grandeur and tragedy of it, but not for all the money in this world—tread that heartbreaking, sorrow-laden path again. But I can speak of it! I was born and reared in a section of the city where from my cradle I saw poverty, and I made up my mind in my earliest day that if ever the occasion presented itself I would endeavor to strike down this hundred-handed, hydra-headed, argus-eyed monster, and I believe the only way is to adopt a bill of this kind. Mr. Chairman, four or five years ago I saw a film picture shown in the city of New Orleans—and in all probability you saw it, too—Lord Roberts inspecting the so-called English volunteers. At that time the Teuton was on his way to Paris.

In my lifetime I have seen anguish, sorrow, despair, and degradation written across the faces of men and women. I have seen them in reformatories; I have seen them in jails; I have seen them in penitentiaries; I have seen them on the sorrowing road to the gallows; but never, before or since, did I see heartbreaking degradation and tragic suffering written so clearly across the human countenance as I saw upon the faces of those derelicts of London who were being mustered into the service. I saw on the face of that hero of England the sadness of a great sorrow. He recognized England had not been true to her trust; that she had neglected her duty to her poor children, the mudsills of her society; that she had not taken care of the girls, who, after all, make men, who by their poverty, by their run-down condition, had sent into the world men who could not combat with its struggles, and who were now in Britain's hour of need, when she was to slowly climb her Calvary, when she was to undergo her Golgotha, half-starved and all but hopeless, men whose youth bore no flowers in its branches, whose hopes burned in ashes away, instead of the well-fed, upstanding men that spring from nourished women and fathers that poverty has not crushed. England's lack of preparedness in arms and her neglect of her flesh and blood—of English boys and girls—almost led to her downfall. It is true they died like men, but the fields where the poppies grow are the burial places for probably 250,000 Englishmen. [Loud applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. O'CONNOR. Mr. Chairman, I ask unanimous consent for leave to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. O'CONNOR. God grant that this picture which I saw, and which I trust you will remember, will be to my country a solemn warning. Do not neglect our poor. Do not let them be confronted with that poverty which beats the heart out of the bravest human being. Remember that the poor are our kith and our kin, our blood, "and once at least our paths have crossed."

Vote for this bill and pray that the God of the nations be with us and our people and our country.

Once to every man and nation comes the moment to decide,
In the strife of truth with falsehood,
For the good or evil side;
Some great cause, God's new Messiah,
Offering each the bloom or blight,
Parts the goats upon the left hand
And the sheep upon the right;
And that choice goes by forever,
'Twixt that darkness and light.

Mr. NOLAN. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. MACCRATE].

Mr. MACCRATE. Mr. Chairman, I rise to oppose the amendment of the gentleman from Virginia [Mr. MONTAGUE].

The other day I listened with a great deal of sorrow to a gentleman in this House characterize the membership as hypocritical, and I desire to say from my short experience among the membership of this House that I have never been with or associated with 435 men whose average sobriety is higher than the average of this House. [Applause.] Of course, the country could not see the twinkle in the eye of the gentleman from Massachusetts [Mr. GALLIVAN] nor observe his jovial face as he spoke on that occasion, but the country ought not to labor under the impression that there is a body of men legislating for the country who are hypocritical when it comes to the method of their life. [Applause.] And but a few minutes ago an equally genial gentleman, and perhaps not meaning the exact language he employed, suggested that on both sides of the aisle Members were hypocritical. Now, these insinuations do this body no good before the country. In the eyes of the country we may have fallen low enough without the help of our own membership. We should endeavor to raise ourselves in the esteem of the citizenship of the country.

But I do not as a new Member endeavor to lecture older men. I simply suggest at this point that if this amendment is adopted we give a handle to the hammer which these two gentlemen have supplied to the country. If you will adopt a minimum wage for all the other departments of the Government and refuse to adopt a minimum wage for your own clerks, then, indeed, the country may say they act a little bit hypocritically.

Mr. RUCKER. Will the gentleman yield?

Mr. MACCRATE. I gladly yield.

Mr. RUCKER. If the amendment offered by the gentleman from Virginia is not adopted, would it be possible under the provisions of this bill to increase the salary of Members' clerks?

Mr. MACCRATE. I can see no way to increase a statutory limitation already put on the salaries.

Mr. RUCKER. The amendment, as I understand it, is to make it impossible to do that or place that construction on the law.

Mr. MACCRATE. As I understand it, you might make a minimum of less than $1,080 for one of your clerks, and I say to you, sir, and I say to the House, that I do not desire to be put in the position of advocating a minimum wage, a living wage, for every other branch of the Government and not say to my own clerk, "You are entitled to a living minimum wage."

Mr. RUCKER. I wanted to get the gentleman's view about it.

Mr. UPSHAW. Will the gentleman from New York yield?

Mr. MACCRATE. Yes; I yield to the gentleman.

Mr. UPSHAW. Does not the gentleman think that as a general proposition it is better for the Government to pay a little too much of wages to a few people rather than commit itself to a narrow policy as to all who work for it?

Mr. MACCRATE. I am not ready to make a statement on that general proposition.

The CHAIRMAN. The gentleman from Oklahoma [Mr. CARTER] is recognized.

Mr. CARTER. Mr. Chairman, I am sorry my good friend from Illinois [Mr. MADDEN] is not present. We had a little colloquy a few minutes ago about a matter which I desire to have settled. He said I made a misstatement, but, of course, he did not say it in an odious way. However, I wanted to show that when I was speaking I knew what I was talking about. I stated that the Committee on the Post Office and Post Roads brought in a bill which did not give any increase whatever to any country employees of the Post Office except to the rural carriers, and it only gave to them 15 per cent, whereas the bill gave to city employees 20 to 30 per cent. The bill as reported by the Committee on the Post Office and Post Roads raised the salaries of the city clerks to $1,000 and $1,500. Prior to that time the clerks had been getting from $800 to $1,200. That was an increase of exactly what I said—20 to 30 per cent. Then the gentleman from Illinois stated, further, that I was mistaken about the committee not having reported an increase for clerks in third-class post-offices.

I have here before me the bill as reported by the committee. It has no reference whatever—and I have read it carefully—to including clerks in third-class post offices. It does not include them. But in the bill as the House passed it we do find this language:

Including allowances for clerk hire at third-class post offices.

By reference to the CONGRESSIONAL RECORD, page 4034, of March 25, 1918, we find this language:

The Clerk read as follows:
Mr. CARTER moves to amend by inserting on page 2, line 18, after the word "employees," the words: "Including allowances for clerk hire at third-class post offices."

And on page 4035, after about a page and a half of discussion, we find this amendment was carried on a division by tellers by a vote of 64 ayes to 38 noes. So the bill as it was brought into

the House contained no reference whatever to and did not include clerks at third-class offices, did not even give them the 15 per cent raise.

The gentleman from Illinois did not vote at all. I insisted on having him vote with me at the time, and he said: "I am a member of the committee. I think you are right, but I do not want to vote against the committee."

Now, Mr. Chairman, let me recite a word further. The bill as reported by the Post Office Committee was so manifestly unfair to the country employees that the House made several amendments equalizing their pay along with city employees, increasing compensation to the poorly paid country employees. Then what happened? The bill went over to the Senate, but this legislative bill increasing salaries never was considered by the Senate at all. It was buried in the committee and never brought into the Senate for consideration. Instead of considering this legislative bill, which had passed the House with amendments doing justice by the fourth-class postmasters, third-class post-office employees, and other country postal employees, the Senate placed riders on the Post Office appropriation bill providing bountiful increases for city employees, but omitting some of the most necessary increases for country employees. The bill was sent to conference, agreed to, then brought back here, and under whip and spur, during the closing hours of a session, as I recall, pressed through the House, not on the merits of the increases but under the necessity of furnishing funds sufficient to keep the departments of the Government going. Now, that is the truth about the whole matter and explains how the will of this House was defeated and how the underpaid postal employees working out in the rural sections were euchred out of their just rights.

Now, I simply make that statement in order that in the future our Committee on the Post Office and Post Roads will understand and the House will understand exactly the conditions about it. If any such measure is brought in in the future, the House will understand the situation and ought to see to it that the country postal employees are provided with a living wage. [Applause.]

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. NOLAN. Mr. Chairman, I would like to close debate on this amendment.

Mr. BLACK. I would like five minutes on this particular amendment.

Mr. NOLAN. I will ask unanimous consent that the debate on this particular amendment be closed in 10 minutes. That will include 5 minutes for the gentleman from Texas [Mr. BLACK] and 5 minutes for myself.

Mr. BLANTON. That will not preclude debate on another amendment?

Mr. NOLAN. No.

Mr. BLACK. Mr. Chairman, I hope that the gentleman from California [Mr. NOLAN] will agree to this amendment which has been offered by the gentleman from Virginia [Mr. MONTAGUE]. When we passed the bill a few days ago increasing the clerk-hire allowance to Members we provided an allowance of $3,200 to be paid to not more than two clerks. It was evidently the intention of Congress that we retain one clerk at $2,000, which was the salary of our secretaries before this last increase was made, and another at $1,200, if the Member should need such other clerk. An effort was made during the consideration of the bill to put a limitation upon it which would definitely fix the salary of one clerk at $2,000 and the salary of another at $1,200. But some gentlemen made the argument that they had old and trusted clerks, and they wanted to put them on the roll at $2,500, and give the remainder to another clerk, and therefore the House refused to put that limitation upon it. I was earnestly in favor of limiting the salary to any one clerk to $2,000, and did all that I could to get that limitation agreed to. The RECORD of that date will show my efforts in that behalf.

Now, under present conditions of affairs, as soon as some Member puts upon the roll a clerk at $2,500, such clerk then becomes an employee of the United States Government and receives the bonus of $240 per annum, which would make a total compensation of $2,740 for that one clerk.

Mr. HERSEY. Mr. Chairman, will the gentleman yield?

Mr. BLACK. I can not yield now. Suppose he puts the other clerk on the roll at $700. That clerk would receive the $700 and the $240 bonus, making a total salary of $940, and if this minimum-wage bill passes he would undoubtedly, unless you adopt the amendment of the gentleman from Virginia [Mr. MONTAGUE], receive the benefits of it, because it would be the latest expression of the will of Congress, and would be the law, and thus the employee whom the Member of Congress put on the roll at $700 would immediately have his salary increased to $1,080, and if the Good amendment is voted down in the House such employee would receive $240 more, which would be one clerk upon the roll at $1,320 and another at $2,740, making a total clerk-hire drawing to such Member of $4,060; and I defy any member of the committee to successfully controvert that fact under the language of these different bills.

Now, I submit, gentlemen, that though we frequently show little consideration to the Public Treasury in this House, it is time that we were calling some halt. [Applause.] In 1916 the Members of Congress made out on $660,000 total allowance a year for clerk hire, later we raised it to $880,000 per annum, and now we have added to it until it is nearly $1,800,000 for the next fiscal year, and if you do not adopt the amendment of the gentleman from Virginia you have left the door open to increase it several hundred thousand dollars more. And so I submit that there ought not to be a dissenting vote to that amendment. [Applause.]

And while I do not think there should be a dissenting vote, still I am perfectly well aware that there will be. I presume there will be enough votes to defeat it, because my observation is that usually the amendment which cuts down public expenditures meets with hard sledding, and the amendment which increases them usually meets with easy sailing.

The public may wake up to the reckless waste and extravagance of Congress some day, but I am not optimistic enough to hope that they will do it very soon.

The CHAIRMAN. The time of the gentleman from Texas has expired. The gentleman from California [Mr. NOLAN] is recognized for five minutes.

Mr. NOLAN. Mr. Chairman, the gentleman from Virginia [Mr. MONTAGUE] offered an amendment which violates the principle of this bill, that Members of Congress will reserve the right to themselves to pay employees in their offices less than the Government of the United States pays to its employees. That is what you are going to do, gentlemen. There has been a great deal of talk—I will not say scandal, but a great deal of comment—about the way Members handled their clerk-hire money in times gone by. It resulted in the last Congress in providing $3,200 for clerk hire for Members, and the Members who advocated that advocated it on this ground: We gave them the opportunity to employ an additional stenographer at $1,200 a year.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. NOLAN. I can not yield. I have but five minutes.

It was given on the ground that each Member must employ two clerks and distribute that $3,200 as he saw fit. And in addition to that, mind you, each one of these two clerks, under the ruling, draws $240 a year bonus. It means $3,680 for clerk hire to each Member of this House. Now, the man who employs one clerk—and I understand some men do—at $3,000 a year—and I understand some of them employ them in their home cities at $200—that particular employee in the home city gets from the Government of the United States in the way of bonus $40 a year more than is paid by the Member. How can you Members of Congress justify an exception of this kind?

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. NOLAN. No; I have only five minutes. You say to the Government of the United States in all departments, "You must pay a minimum wage of $90 a month to all the employees."

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. NOLAN. Then you say you are going to exempt your own employees.

Mr. BLACK. Mr. Chairman——

Mr. NOLAN. Just a minute. I can not yield. I have but five minutes.

The CHAIRMAN. The gentleman declines to yield.

Mr. NOLAN. You say you are going to exempt your own employees. How can you justify that? There is absolutely no foundation for the statement that if this bill passes it raises the clerk hire beyond $3,200 a year. There is an absolute limitation on the clerk hire to Members of Congress. What this would do would be to say to Members of Congress, as to everybody else, "You can not employ them for less than $90 a month." It would mean that you would have to apportion your $3,200 on a basis of $90 to one person and the rest to another clerk, plus the bonus. That is absolutely right. That can not be questioned. If you adopt this amendment, you open the door to discrimination.

Mr. BLACK. Will the gentleman point out the reason?

Mr. NOLAN. I am trying to point out the reason.

The CHAIRMAN. Gentlemen will address the Chair when they want recognition.

Mr. NOLAN. Three thousand two hundred dollars is allowed, and you can appoint two clerks. In addition to that $3,200, each one of these two clerks draws $240 bonus. It means $3,680 to each Member for clerk hire. You can apportion that as you

like; $3,000 to one and $200 to another, or $2,000 to one and $1,200 to another; any way you want to. If you adopt the amendment of the gentleman from Virginia, you stand before this country in the light of saying to the Government of the United States, "You can not pay less than $90 a month, or $3 a day, but we Members of Congress reserve the right in the distribution of this money to pay less than a living wage." That is the thing that is involved in this amendment. I could not agree to it. Other Members of the House may think it is a good amendment. I say no; that it violates absolutely the principle upon which this bill is founded. You can not afford to adopt this amendment if you want to be right and if you want to stand behind the principle upon which this bill is founded. [Applause.]

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Virginia [Mr. MONTAGUE].

The question being taken, on a division (demanded by Mr. MONTAGUE) there were—ayes 56, noes 98.

Mr. MONTAGUE. Tellers, Mr. Chairman.

Tellers were ordered, and the Chairman appointed Mr. NOLAN and Mr. MONTAGUE.

The committee again divided; and the tellers reported—ayes 57, noes 115.

Accordingly the amendment was rejected.

Mr. JONES of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JONES of Texas: Page 2, line 7, after the word "clerks," add the following:

"*Provided*, That fourth-class postmasters shall hereafter be paid the sum of $240 per year in addition to the compensation paid them under existing law."

Mr. NOLAN. Mr. Chairman, I make the point of order that the amendment provides for a bonus in addition to their salaries.

The CHAIRMAN. The point of order is sustained.

Mr. JONES of Texas. I offer another amendment.

The CHAIRMAN. The gentleman from Texas offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JONES of Texas: Page 2, line 7, after the word "clerks," add the following:

"*Provided*, fourth-class postmasters shall hereafter be paid not less than $720 per annum."

Mr. JONES of Texas. Mr. Chairman, I think the issues involved here have been pretty well thrashed out, and I do not care to discuss the matter at length, but simply to call attention to the fact that for a long period of time there has been no increase allowed in the compensation of fourth-class postmasters; and as a result of this attitude on the part of the Government many post offices have been abandoned that should be continued. If this amendment is adopted by the Congress, it will establish a minimum payment to postmasters of $720 per year. I do not believe there is any Member of this House who thinks that a man should hold the position of postmaster and assume the responsibility which the Government places upon the shoulders of postmasters in this country for less than $720 per year. The mail that goes to persons in the country is just as important to them as that which goes to persons in the city is to the people of the city. It is important that all the postal facilities should be furnished to people all over the United States. This Government can well afford to do that. During the last three months I have received notices of the discontinuance of 10 different post offices in the district that I represent, simply because the Post Office Department could get no one to perform the duties of those offices under the present conditions. Before the war they were able to get people to fill those positions, but at present they are unable to do so.

Further, I have letters from many of the postmasters, who say they are going to continue to run the offices from patriotic motives and for the good of the community. I have other cases where citizens of the community are making up a little bonus to the fourth-class postmasters.

It does seem to me that the Congress could well afford to pay a minimum salary of $720 a year. [Applause.]

Mr. RANDALL of California. Mr. Chairman, as I stated awhile ago, the salaries of 20,000 postmasters in the United States are less than $180 per annum, and at those offices the salary consists of the entire revenue of the Government received at those offices. So if the salaries of these officers were increased to $720 per annum the effect would be the discontinuance of all those offices.

But, Mr. Chairman, I rose particularly to discuss the statement made a few moments ago by the gentleman from Oklahoma [Mr. CARTER], who attempts to show that the Post Office Committee failed to bring in a measure here increasing the allowance for clerk hire in third-class post offices. The gentleman from Oklahoma [Mr. CARTER] brings here a bill which was reported by the Post Office Committee on which there was not a recommendation for an increase; but the gentleman from Oklahoma overlooked the fact that the Post Office Committee previous to that time had reported a bill in the Sixty-fifth Congress which did increase the allowance for clerks in third-class post offices by 50 per cent. I have that law before me and will read from it.

Mr. CARTER. Will the gentleman yield?

Mr. RANDALL of California. Yes.

Mr. CARTER. Was that bill ever acted upon?

Mr. RANDALL of California. It is a law.

Mr. CARTER. Had that bill been acted upon?

Mr. RANDALL of California. It had been acted upon. It is the Post Office appropriation bill passed in the Sixty-fifth Congress.

Mr. CARTER. Does the gentleman not know that the increase in the Post Office appropriation bill for allowances for third-class-post-office clerks was placed in the bill in the Senate and not in the House?

Mr. RANDALL of California. No; that increase was put in by the Committee on the Post Office and Post Roads in the House, and I will read the law.

Mr. CARTER. The bill as it passed the House did not contain any increase.

Mr. RANDALL of California. The gentleman did not exhibit this appropriation bill. He presented a special bill.

Mr. CARTER. I referred to this in my remarks. Here is what I said. I said that when this salary bill went to the Senate it was not acted upon by the Senate, but the Senate placed into the Post Office appropriation bill such allowances as they saw fit, and that went to conference.

Mr. RANDALL of California. The gentleman is taking my time. The gentleman did not call attention to this. Here is what the Post Office Committee acted upon:

For allowance to third-class post offices: No allowance in excess of $450 shall be granted where the salary of the postmaster is $1,000, $1,100, or $1,200.

In the law of 1918 that allowance was $300, and we increased it 50 per cent.

Mr. CARTER. There is no controversy between the gentleman and me. The statement I made was this, that in the bill brought in for the increase in salaries——

Mr. RANDALL of California. I am talking about the Post Office appropriation bill.

Mr. CARTER. That in the bill for the increase in salaries the clerks for third-class postmasters were not taken care of. They were taken care of afterwards by having it inserted in the Senate and not in the Post Office Committee of the House.

Mr. RANDALL of California. I remember distinctly that it was discussed in the Post Office Committee of the House and adopted there.

Mr. NOLAN. Mr. Chairman, I trust that the amendment of the gentleman from Texas will not be agreed to. The discussion this afternoon will probably result in some benefit in giving consideration to the salaries not only of the fourth-class postmasters but of the postal employees. I do not think this is the place to legislate for other employees. I think we can get more intelligent consideration of these things through the Post Office Committee, and I hope the amendment will be voted down.

Mr. UPSHAW. Mr. Chairman, I came to the House with the firm conviction that I was going to support this bill against all amendments. I am in sympathy with the spirit of the bill. But inasmuch as the fourth-class postmaster has been long neglected, and inasmuch as this amendment does give him proper recognition, and inasmuch as the amendment offered by the gentleman from Texas does not interfere with the general spirit of the bill, I am in favor of it. While we are thinking of the man in overalls—and I would not vote to take one thing from the man who toils in the city—we must remember that the man between the plowhandles is also one of the twin builders of our civilization. The country post office that has been so long the "glimmering goal" of the rural community—the center—the trysting place of community activities, has been almost put out of business by the rural free delivery. This means that unusual burdens have fallen upon the fourth-class postmasters who yet remain, and inasmuch as this will favor them and will not take a dollar from the city sons of toil I heartily favor the amendment offered by the gentleman from Texas. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. JONES].

The question was taken; and on a division (demanded by Mr. JONES of Texas) there were 40 ayes and 115 noes.

So the amendment was rejected.

Mr. BLANTON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 9, strike out the word "eighteen" and insert in lieu thereof the word "twenty."

Mr. BLANTON. Mr. Chairman, should the Good amendment be defeated by action of the House, and undoubtedly it will be by a Republican majority, then under this bill every 18-year-old negro porter, every 18-year-old negro messenger, every 18-year-old negro watchman, every 18-year-old negro chargirl in the employ of this Government—and there are thousands of them—would receive a salary of $110 a month, and under existing laws they would each get a month's vacation each year on full pay.

Mr. HERSEY. Will the gentleman yield?

Mr. BLANTON. No; I have only five minutes, and am sorry I can not yield to the distinguished gentleman from Maine. Now, I want to show the Congress that such a proposal is ridiculous in the extreme and is out of all reason and out of all proportion to the salaries paid white men and women throughout our land by the private business enterprises of our Nation. I want to read you some excerpts from what people say in my district on that question:

Mr. A. W. Sledge, editor of the Ledger, the daily newspaper of Ballinger, Tex., advises that there are assistant cashiers in the banks of Runnels County, Tex., who do not get over $100 per month; that the salaries of bookkeepers in said banks range from a minimum of $65 to a maximum of $100 per month; that the tellers in said banks receive $100 per month; that the clerks in said banks receive from $40 to $85 per month; that the janitors in said banks receive $30 per month; that said banks of Runnels County allow only 10 days' vacation on pay per year; that there are many women clerking in the stores in Runnels County, working nine hours per day, on salaries ranging from $40 to $65 per month; that the people at home are becoming aroused over the extravagant ideas of Congress in wasting the public money in granting salaries out of all reason and proportion to value of service rendered, and want it checked.

Mr. Harry G. Hubert, editor of the Democrat-Voice, the leading newspaper published in Coleman County, Tex., advises me that there are bank cashiers in Coleman County, Tex., who do not get more than $100 per month; that there are some assistant cashiers in banks there who do not get more than $85 per month; that the bookkeepers in the banks of Coleman County get salaries ranging from $60 to $125 per month; that the janitors in said banks get salaries ranging from $35 to $60 per month; that the night watchmen in said banks get salaries ranging from $50 to $60 per month.

Mr. W. H. Carpenter, editor of the Chief Exponent, the leading and oldest newspaper published in Comanche County, Tex., advises me that the bookkeepers in the banks of Comanche County, Tex., receive salaries ranging from $700 per year to $1,500; that many of said bookkeepers work for $700 per year, which is a little less than $60 per month, and that the people are against Congress fixing salaries out of all reason and proportion.

The Daily Index Co., publishing the leading daily newspaper in Palo Pinto County, Tex., advises me that in Palo Pinto County, Tex., the average salary paid by the banks to bank clerks is $75 per month, and that the minimum salary paid to bookkeepers in said banks is $100 per month.

This Congress is as wild as a March hare when the subject of Government salaries and rights of labor unions are under consideration.

Have you ever seen a west Texas cowboy rope the forefeet of a running yearling? That is what is going to happen to some of us Congressmen unless we change about and quit throwing away the public money and thus placing additional burdens upon the already tax-burdened shoulders of the people.

Mr. FITZGERALD. Let we say to the gentleman from Texas that they ought to have a minimum-wage commission in his State.

Mr. BLANTON. They ought to have a little more reason in this Congress.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. Mr. Chairman, I would like to ask the gentleman whether he thinks those wages are adequate.

Mr. BLANTON. If the gentleman will give me more time I will answer him.

Mr. NOLAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in five minutes.

The CHAIRMAN. The gentleman from California asks unanimous consent that all debate on this amendment close in five minutes. Is there objection?

There was no objection.

Mr. NOLAN. Mr. Chairman, there is one justification for this age limit in the bill, and only one in the minds of the committee. The Committee on Labor felt that if it was a right principle to draft a man to fight in the Army at the age of 18 years they ought to be entitled to the benefits of the minimum wage. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. BLANTON].

The question was taken; and on a division (demanded by Mr. BLANTON) there were 5 ayes and 143 noes.

So the amendment was rejected.

Mr. RUCKER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 7, after the word "clerks," insert:
"*Provided*, That hereafter postmasters of the fourth-class shall receive an annual compensation of not less than $250 plus a reasonable allowance for rent, light, and fuel.

Mr. NOLAN. Mr. Chairman, I make a point of order against the amendment.

Mr. RUCKER. What is the point of order?

Mr. NOLAN. It reduces the amount provided in this bill, which is a minimum-wage bill, and it is not germane to the bill.

The CHAIRMAN. The Chair will hear the gentleman from Missouri.

Mr. RUCKER. On the amendment or on the point of order?

The CHAIRMAN. Does the gentleman from Missouri wish to discuss the point of order?

Mr. RUCKER. I do not; I want to discuss the amendment.

The CHAIRMAN. The point of order is sustained.

Mr. JONES of Texas. Mr. Chairman, I offer the following amendment.

Mr. NOLAN. Mr. Chairman, I ask unanimous consent that debate on this section and all amendments thereto close in 30 minutes.

The CHAIRMAN. The gentleman from California asks unanimous consent that all debate on the section and amendments thereto close in 30 minutes. Is there objection?

Mr. BLACK. I object.

Mr. NOLAN. Mr. Chairman, I move that all debate on section 1 and all amendments thereto close in 30 minutes.

Mr. BLACK. Mr. Chairman, I make the point of order that this bill is subject to amendment, and when a Member offers an amendment under the rules of the House he is entitled to five minutes.

The CHAIRMAN. The point of order is not well taken. The House can control its own proceedings. The motion is that all debate on this section and amendments thereto close in 30 minutes.

Mr. WINGO. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WINGO. There has been no debate on the pending amendment.

The CHAIRMAN. A point of order was made to the amendment, and the point of order was sustained.

Mr. WINGO. The gentleman from Texas offers an amendment.

The CHAIRMAN. But the amendment of the gentleman from Texas has not been reported.

Mr. WINGO. I do not want the committee to say that it is within the power of the man having charge of the bill to have a section read and one amendment offered that might be buncombe, debated, and then move that all debate on the whole section be closed.

Mr. NOLAN. We have been discussing this bill for the last three hours.

Mr. WINGO. Suppose we have? [Cries of "The regular order!"]

The CHAIRMAN. The question is on the motion offered by the gentleman from California that all debate on this section and all amendments thereto close in 30 minutes.

The question was taken; and on a division (demanded by Mr. WINGO) there were 133 ayes and 19 noes.

Mr. WINGO. Mr. Chairman, I ask for tellers.

The question of ordering tellers was taken; and but 18 Members rising, tellers were denied.

Mr. WINGO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WINGO. If subsequent amendments are offered to the section, they can not be discussed.

The CHAIRMAN. Amendments can be offered, but debate is closed.

Mr. WINGO. In other words, the committee does not care to discuss any proposition except the one pending. In other words, close the mouth of those who want to extend this to country Government employees?

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Texas.

The Clerk read as follows:

Page 2, line 7, after the word "clerks," add the following:
"*Provided*, That fourth-class postmasters shall receive a compensation of not less than $320 per annum.".

Mr. NOLAN. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. The point of order is sustained.

Mr. WINGO. Upon what ground?

Mr. NOLAN. I make the point of order that it is not germane to the bill, which is a minimum-wage bill.

Mr. WINGO. Does not the amendment seek to fix a minimum?

Mr. NOLAN. It provides for a specific amount, and it creates a differential in the rates.

Mr. WINGO. Does the gentleman claim and will the Chair rule that we have to take the standard of differential or minimum wage reported by the committee, that we have to take the minimum that the committee reports, that we can not make it larger or smaller or qualify the minimum? That is a most astounding proposition, that this House can not fix any minimum that it desires, that it can not classify any employees of the Government because this is a minimum wage bill for the employees of the Government. To say that we can not take out one class and say that we will have this minimum for this class and another for another class is a ridiculous proposition.

Mr. RUBEY. Mr. Chairman, I want to say in addition to what the gentleman from Arkansas [Mr. WINGO] has said, that this bill specifically exempts fourth-class postmasters and does not fix their compensation at all. It does not apply to them. The gentleman from Texas proposes an amendment that applies to fourth-class postmasters, and this bill does not fix the minimum wage for them at all.

Mr. NOLAN. The bill provides specifically a minimum rate and certain exemptions with fixed minimum rates of $3 per day, $90 per month, or $1,080 per year, and an hourly rate of 37½ cents. An amendment which seeks to fix a differential providing for a different minimum wage is not germane.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. NOLAN. Yes.

Mr. WINGO. Does the gentleman mean to say that the only minimum that we can consider is the one reported by the committee? That is the logic of his argument.

Mr. NOLAN. I say that you are trying to create a differential rather than a minimum.

Mr. WINGO. Can we amend three and make it four?

Mr. ANTHONY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ANTHONY. Mr. Chairman, I want to ask the Chair if the Chair has not already ruled on this matter and if this debate is not out of order.

The CHAIRMAN. The Chair will state that the Chair has ruled upon this question, and that debate is out of order, but the Chair did not care to shut off debate. The Chair wishes to state to the gentleman from Arkansas that if the amendment had been for the purpose of fixing a minimum wage for fourth-class postmasters it would have been in order, but this is not.

Mr. JONES of Texas. That is what it does; that the wage shall not be less than $340 per year.

Mr. CALDWELL. Mr. Chairman, a parliamentary inquiry. What has the Chair ruled?

The CHAIRMAN. The Chair ruled that the point of order is well taken.

Mr. WINGO. Mr. Chairman, I respectfully appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Arkansas appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the decision of the committee?

The committee divided; and there were—ayes 109, noes 47.

So the decision of the Chair was ordered to stand as the decision of the committee.

Mr. HUDDLESTON. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. HUDDLESTON: Page 2, line 15, after the words "this act," insert:
"*Provided*, That in computing the pay which postmasters shall be paid, the Postmaster General shall estimate the time each such postmaster is required to serve on a daily average in the performance of his duties, and shall pay him not less than 37½ cents per hour for such time."

Mr. HUDDLESTON. Mr. Chairman, I know the committee is very impatient. I am very impatient myself to get through with this bill, but I trust that Members will be willing to listen for just a moment, because I fear that we are in great danger of doing a deserving class of public servants a very serious injustice. I ask that representatives of the great city populations consider the situation of the fourth-class postmaster. You have not any of them in your districts, perhaps, but some of us have. I have not a great many of them, but they are very deserving men and women. There can be no denial of the fact that they are the most poorly paid of all the employees of the Government. They get less for what they do than anyone else who is connected with the Government. There are 20,000 of these postmasters in the United States who receive less than $180 per annum, and some of them receive almost nothing. The compensation attached to some of these positions is so ridiculously small as to amount to very little more than the privilege of reading the postal cards that may be passing through. [Laughter.]

I realize that some of the amendments that have been offered on behalf of the fourth-class postmasters have gone to an unreasonable length. I have voted for all of these amendments, but realize that while they would do rough justice to fourth-class postmasters as a class, in certain cases they would give the officer more pay than would be proper. I have realized that it would be necessary to iron out inequalities and to modify the measure, as would be done in the Senate. Some postmasters do very little, and, of course, they get very little, and it is right that they should get but little return for little work. But a man ought to get fair pay for what he does, whether it be much or little. The gentleman in charge of this bill [Mr. NOLAN] would not for a moment advocate paying these fourth-class postmasters less for the time they actually put in than the minimum he fixes in the bill for other Government employees, and the purpose of this amendment is to secure to these fourth-class postmasters a minimum of 37½ cents per hour for the time they actually put in.

If a postmaster puts in only one hour a day, he will receive only 37½ cents for his day's work; if he puts in 10 hours, he will get $3.75 a day. There is nothing unreasonable or extravagant about that. This ought to be done. No man on the floor of the House will deny the justice of paying these postmasters as much as 37½ cents an hour for the time they actually put in on their jobs as computed by the Postmaster General.

I do not favor extravagance, of course, but I do favor justice. This great Government can not afford to be unjust even to its humblest employee. People sometimes laugh at fourth-class postmasters. Why do they laugh at them? It is chiefly because of the poor pay they get. The poor pay attached to it makes the office ridiculous. These postmasters represent our Government; they are about the only Government officers that some people ever see. The office should have some dignity about it. The way to dignify it is to pay a fair compensation to the man or woman who holds it. Why, a man can not afford to accept the position at many post offices unless he can run a store or some other business in connection with it, so that he can not give all his time to serving the patrons of the office. We ought to change this. We ought to make a postmastership worth holding for its own sake.

But the argument is made that postmasters are not dealt with in this bill; that we ought to except them so as to leave them to look for relief to the Committee on the Post Office and Post Roads. The answer to that argument is that these men and women have been reaching out their hands to that committee; they have been appealing to them for help for years and years. These men and women have been asking that committee that justice be done them, but it has not been done. The Committee on the Post Office and Post Roads has answered with soft words and promises, but they have done very little. Postmasters are still going on at the old rate; some of them are working from 10 to 16 hours a day and receiving $40 to $50 per month. It is wrong. It is an injustice; it is not fair on the part of Congress that we should pass back the appeals that these men and women are making and direct them to the committee which has heard their appeals in the past and failed to respond to them. I think we ought to do something for these people now. [Applause.] [Cries of "Vote!"]

The CHAIRMAN. The question is on the amendment of the gentleman from Alabama.

The question was taken; and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. HUDDLESTON) there were—ayes 45, noes 109.

So the amendment was rejected.

Mr. DAVEY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 5, after the word "act," insert:
"*And provided further*, That the minimum wage of temporary clerks and carriers of the Post Office Department shall be 50 cents per hour, and that each permanent employee of the Post Office Department in the classified service shall receive the special bonus of $240 per annum during the fiscal year ending June 30, 1920, as provided for other Government employees, and this shall be in addition to the amount otherwise provided."

Mr. NOLAN. Mr. Chairman, I make the point of order against the amendment, which provides a bonus on a minimum-wage bill.

Mr. DAVEY. Will the gentleman reserve his point of order?

Mr. NOLAN. I will reserve it.

Mr. DAVEY. Mr. Chairman, I wish to say in the beginning I am in favor of the bill itself, but am against the Good amendment. I offer this amendment in entire good faith, because it has a direct bearing upon the very serious situation in the Postal Service. In the principal city in my district it is really almost impossible to employ and keep efficient labor in the Post Office Service. The situation is so bad to-day that they are 30 clerks short in the city of Akron. They no sooner bring in a new clerk than he becomes dissatisfied at the low pay, goes across the street, and hires out at a new job at a higher rate, and it is physically impossible for the men who are left there to handle the work efficiently. I appeal to the membership of this House to give relief to these conditions, which are real and not fancied.

The minimum rate paid for temporary clerks, I understand, is 40 cents an hour. This is less than the ordinary laborer gets, and I can not blame these men who are called upon to pass tests of mentality for refusing to work for these wages, and you can not keep these temporary clerks who are so urgently needed and from whom you expect to develop worthwhile permanent employees. As far as the postal employees generally are concerned, I understand that they have been given an increase of only $200 a year; and I wish to say, gentlemen, that in view of the rapid rise of the cost of living it is impossible to keep good efficient men in the service in adequate numbers. I offer this amendment in the utmost good faith, because there is a desperate situation in the city of Akron and there is an equally desperate situation in every other city. Many good men have remained in the service in spite of the hard conditions under which they have been forced, in the hope that Congress would speedily give them the just consideration to which they are entitled. They expect proper attention to their urgent needs and just claims. They expect it now, not many weary months hence, when many more good men will have lost hope and left the service. Nothing more vitally concerns the business, civic, and social life of this Nation than the Postal Department. It requires and deserves capable men of character and capacity and dependability. You must pay them what they are worth according to present standards of value or you must expect to ruin the service.

Mr. NOLAN. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. Does the gentleman from California desire to say anything in reference to his point of order?

Mr. NOLAN. The point of order is that it provides for a bonus and is not germane to a minimum-wage bill.

Mr. WINGO. Does the gentleman contend that compensation may not be in the nature of a bonus or that it can be only in the nature of an hourly, a daily, or weekly scale of wages?

Mr. NOLAN. I am contending that the gentleman's amendment provides for a bonus and it is not germane to a minimum-wage bill.

Mr. WINGO. He will not care what you call it if you give it to him.

The CHAIRMAN. The first part of the gentleman's amendment is in order, but that portion with reference to the bonus is not in order.

Mr. DAVEY. Then I desire to strike out the last portion in reference to——

The CHAIRMAN. That can not be done, and inasmuch as a part of the amendment is not in order, then the whole amendment is not in order. The point of order is sustained.

Mr. DAVEY. Then I shall offer the first part of the amendment.

Mr. JONES of Texas. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 7, add "Provided hereafter all fourth-class postmasters shall be paid a minimum of not less than $1 per day."

Mr. KNUTSON. I would like to ask the gentleman from Texas if this amendment has the approval of the Postmaster General?

Mr. NOLAN. Mr. Chairman, I desire to make the point of order at this time that the gentleman's amendment is——

Mr. WALSH. It is too late.

The CHAIRMAN. The point of order is too late. It is overruled.

Mr. JONES of Texas. Mr. Chairman, I make one appeal in behalf of a class of people who have no organization formed and no organized propaganda in their behalf—for the man who lives in the country who wants his mail and is entitled to it just the same as the man who lives in the city. Before the cost of living became so high, it was easy to maintain what is ordinarily termed the "country club house," the post offices where the various people met and secured their mail and carried on the conversation of the neighborhood. But now, since the cost of living has become so high, it has been absolutely impossible for them to maintain these post offices in the country districts and thus enable the people who are tilling the soil of this country to receive their mail at regular intervals.

Now, I submit that there is no one who ought to be willing to deny the man who follows the plow the privilege of getting his mail simply to save the paltry sum that would be saved by not allowing this amendment. If you permit this minimum to be paid to postmasters of this country, then, by supplementing their work with the other little business which they can conduct in the community, they will be able to maintain the post office, and many of these letters which we are daily receiving from all over this country will cease to come.

Now, I ask you in behalf of the people who have not organized and made a raid upon Congres to do this. This is one class of people that have not been the beneficiaries of any of the recent increases. We increased the clerks $120 per year and then $240 per year, and have made various other increases. And by the very terms of this bill we provide increases for practically everyone else in this Government. I submit that we can well afford to say to the country communities, where the products of this country are grown, "We will allow you $320 as a minimum and furnish you with postmasters." The drift has been recently, for the last few years, very much from the country districts to the cities, simply because the advantages have been with the people who live in the cities. Can you hope to have this condition remedied when you grant people in the cities certain rights and deny them to those who live in the country? Many here pay tribute to the country people and then vote against their rights.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WINGO. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. NOLAN. Mr. Chairman, I ask that the amendment be voted down. It shows the inconsistency of the gentleman that he offered at one stage of the bill an amendment for $750 and now goes down to $320.

Mr. WINGO. Mr. Chairman, I move to strike out the last word.

The gentleman from California [Mr. NOLAN] says that the amendment of the gentleman from Texas [Mr. JONES] shows inconsistency because he first made an effort to get $700 or more for these underpaid servants of the public, and because he could not get that he charges him with being inconsistent because he tries to get a dollar a day.

If it is impossible for a saddle-colored messenger, sitting in a swivel chair in the corridors of a public building in Washington, to maintain a decent standard of living without getting $3 a day, I maintain it is impossible for the hard-working country postmaster, working 10 hours a day, to maintain a decent standard of living on the $1 a day which is proposed by the amendment.

You are charged with inconsistency if you refuse to consider any amendment except that which comes down to the narrow standard of the committee which reported this bill. They are wonderful gentlemen. It might be better for the world if we had more dreamers like them in legislative halls. I do not criticize their handiwork, but it comes with poor grace for them to charge inconsistency when they pick out one class of employees and object to our voting to do the same justice to another class of employees. Since when did it become more necessary to give a living wage to men in the cities and deny it to the workers of the towns and the country? You and not me are inconsistent.

It is the object here to furnish a minimum wage, and why should we not have a minimum wage that destroys the committee's standard if it is a better minimum wage standard? Why should gentlemen inveigh against others who are trying to help these poorly paid Government employees and charge them with inconsistency? It is a serious problem in the country communities of the United States to get employees to handle

the mail. I know in certain places where rural routes are located they can not get postmasters to run the offices because the remuneration is not sufficient. I submit that a fourth-class postmaster, giving 10 hours a day, although he may not work continuously that 10 hours a day, but must be on duty all the time, works harder than the majority of these saddle-colored messengers that sit down here in these departments. [Applause.]

Mr. KNUTSON. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question recurs on the amendment offered by the gentleman from Texas [Mr. JONES].

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. JONES of Texas. Division, Mr. Chairman.

The committee divided; and there were—ayes 40, noes 102.

So the amendment was rejected.

Mr. DAVEY. Mr. Chairman, I have an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 15, after the word "act," insert:
"*And provided further,* That the minimum pay of temporary clerks and carriers of the Post Office Department shall be 50 cents per hour, and that the minimum salaries of permanent employees of the Post Office Department in the classified service shall be not less than $240 per annum above the amount already provided by law during the fiscal year ending June 30, 1920."

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Ohio [Mr. DAVEY].

The question was taken, and the amendment was rejected.

Mr. RUCKER. Mr. Chairman, I move to strike out the proviso.

Mr. MONTAGUE. I ask leave to revise and extend my remarks on the amendment which I offered.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. DAVEY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RUCKER. My amendment is to strike out the proviso beginning on line 9.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Missouri.

The Clerk read as follows:

Amendment offered by Mr. RUCKER: On line 9, after the word "years," strike out the remainder of the section.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. RUCKER. Mr. Chairman, I want to be heard on it.

The CHAIRMAN. The time has expired.

Mr. RUCKER. Then I ask unanimous consent to address myself to the amendment.

Mr. NOLAN. Mr. Chairman, I can not agree to that.

Mr. RUCKER. The gentleman is making a mistake. There is not a man strong enough in the United States to coerce my vote. I wish to withdraw my amendment, Mr. Chairman. I want to say to the gentleman that the labor gang can not run me.

The CHAIRMAN. The question is on agreeing to the pending amendment.

The question was taken, and the amendment was rejected.

Mr. RUCKER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RUCKER. Do I understand that the chairman of the committee has foreclosed all debate on the bill?

The CHAIRMAN. The committee itself foreclosed debate by deciding that all debate on this section be closed in 30 minutes.

Mr. RUCKER. There is another section, is there not?

The CHAIRMAN. Yes. It has not yet been reported.

Mr. RUCKER. I want to serve notice that I will be heard somehow or other.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. That upon the passage of this act the heads of departments in which are employed persons as defined in section 1 of this act shall issue new appointments at the increased rate of compensation herein provided.

Mr. RUCKER. Mr. Chairman, I move to strike out the section.

The CHAIRMAN. The gentleman from Missouri moves to strike out section 2.

Mr. RUCKER. Of course, I am not seriously expecting that this section will be stricken out, but I want to express the surprise that I have met with here to-day. For the gentleman who has charge of this bill I have a profound respect, both as an individual and as a Representative of his great district. But I am astounded to see the narrow channel into which the gentleman, by reason of the domination of some organization in this country, has been forced.

The title of this bill, let me suggest to the gentleman from California [Mr. NOLAN], ought to be amended so that it would read, "A bill to fix the compensation of certain employees of the United States who reside in cities." All the employees in whose behalf the gentleman and all of his supporters have addressed themselves reside in cities. They are lucky enough to get hold of a Government job, and the gentleman is strenuous in his devotion to their interests. Gentlemen here talk about the absurdity of men trying to live on small wages—$700 or $800 a year—and yet I tell you that in this broad land of ours brave men, patriotic men, are performing a public service every day for far less money. The gentleman from California denies us the privilege of offering amendments, and by exercising the power which the Committee on Labor gives coerces, in my judgment, the votes of Members here.

Oh, I know the power of organized labor in this country, but I want to say to you that if enough men in this House will vote with me I would see this bill hung up until doomsday before it ever passed this House, unless the gentleman relaxes a little and becomes more generous to men who labor outside of the cities. I am perfectly willing to vote against it, although I came here for it. If I could defeat it, I would vote against it. I would defy the advocates of this bill and every beneficiary of this bill, if I had the power to beat it, until such time as they put their affairs in the hands of men who would be broad enough and compassionate enough to know that in this broad land of ours there are good men and worthy men besides those who live within the corporate limits of cities. But outside of the wine growers in the gentleman's district, there is not a man on earth that can excite his compassion or arouse his interest, it seems, unless he belongs to organized labor and resides in some city. Organized labor and organized whisky rings, it seems, have exerted wonderful influence in the last few days, but thank God at least the influence of the liquor forces is growing less and less.

But, Mr. Chairman, I think this Congress to-day is perpetrating a tragedy upon the rights of the people of this Nation. We have appealed all along the line and asked for fair wages for men who perform public service, asked for half wages, asked for a mere pittance, and every time we have appealed for a man who is not blessed with a city residence we find the gentleman from California rising in his place and making points of order or waving his magic wand and controlling the voices of free men. As far as I am concerned, I am getting tired of this spectacle, and I am not going to yield obedience to the humor of committees because of the strength they have, or are supposed to have, in the enforcement of their views.

Mr. Chairman, I withdraw the amendment I offered.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

Mr. NOLAN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California moves to strike out the last word.

Mr. NOLAN. Mr. Chairman, the gentleman from Missouri [Mr. RUCKER], my good friend, as usual when he can not have his own way, gets a little bit peeved and makes statements here that are not entirely in accordance with the facts. This bill takes care of all Federal employees employed by the Government of the United States in the cities, towns, and villages; every public building in this country; every lock and dam; all post-office employees, large and small, no matter where; those in the Life-Saving Service, those out in the Forestry Service, and those out in the Indian Service. Employees in every branch of the Government are taken care of under the provisions of this bill.

Now, I helped as much as I could. I recollect the gentleman from Alabama offering his amendment increasing the salaries of rural carriers from 15 to 20 per cent. I have always been consistent in trying to help them, I do not care whether it is a small country postmaster or who it is; but in all fairness I want to say, in answer to the remarks of the gentleman from Mississippi [Mr. SISSON] that you can not legislate without knowing something about the results of such legislation; you can not safely put on amendments of this character that affect third or fourth class postmasters and others.

Now, I think that the discussion here this afternoon should be beneficial to this class of men who have been under discussion. I think they are entitled to consideration. I am willing to give them all kinds of consideration; but in considering this bill—I have before me the book of hearings on it, 425 or 430 pages—we did not go into the question of salaries of postmasters, because we did not consider that that question was within the jurisdiction of our committee. The gentleman speaks of the Committee on Labor as an arbitrary committee. That committee have not had very much opportunity to become arbitrary. The gentleman speaks of my magic wand. I do not know that I exercise any magic wand; but I know this, that this bill was under consideration in the *last* Congress, and our good friend from Missouri supported it.

Mr. WINGO. How does the gentleman maintain his consistency when he says this bill applies to clerks in post offices, and yet he says the committee have no jurisdiction to consider the salaries of postmasters?

Mr. NOLAN. It applies to employees in post offices—elevator men and firemen, and so forth——

Mr. WINGO. In other words, it proposes to take care of one class of employees in the post office and to exclude another class?

Mr. NOLAN. The amendment to exclude this class of postal employees was put in on the floor of the House during the consideration of the bill in September last, in the Sixty-fifth Congress.

Mr. WINGO. Yes; but at the time I understood it was defeated.

Mr. NOLAN. The gentleman voted for the bill.

Mr. WINGO. I certainly would not have voted in favor of discriminating against one class of employees and in favor of another class of employees.

Mr. NOLAN. The gentleman had an opportunity to defeat that amendment when he was in the House at that time. As I said before, that exception in this bill is simply following the words which were put in on the floor of the House in the Sixty-fifth Congress.

Mr. WINGO. No; my vote alone was insufficient.

Mr. CARTER. Mr. Chairman, I very much dislike to butt in on the proceedings on this amendment, but I want to have a word to say about the amendment as soon as I get through with a little more Post Office Committee history.

As the committee will recall, a few moments ago there was a controversy between the gentleman from Illinois [Mr. MADDEN] and myself about the action of the Post Office Committee. Afterwards I read the RECORD, to which the gentleman from Illinois [Mr. MADDEN] made no objection, and there seemed to be no further difference between us; but the gentleman from California [Mr. RANDALL] came back and took up the cudgel, and he seemed to be laboring under the impression that I was trying to mislead the House. He said, reading from his remarks as reported by the Official Reporter:

> But the gentleman from Oklahoma overlooked the fact that the Post Office Committee previous to that time had reported a bill in the Sixty-fifth Congress which did increase the allowance for clerks in third-class post offices by 50 per cent. I have that law before me and will read it.

Then the gentleman proceeded to read, not the bill reported by the Post Office Committee at all but the Post Office appropriation act passed some four months subsequent to the passage of the salary-increase bill. Furthermore the RECORD shows that those increases were not recommended by the committee, were not even made by the House, but were made at the other end of the Capitol by the Senate. Now, I have before me the act——

Mr. MADDEN. Will the gentleman yield?

Mr. CARTER. Let me finish my statement.

Mr. MADDEN. I should like to ask a question right there.

Mr. CARTER. I yield to the gentleman.

Mr. MADDEN. The gentleman stated when he was on the floor before that the increase in compensation was made on his motion on the floor of the House. Now he says it was made in the Senate.

Mr. CARTER. It was made on my motion on the floor of the House in the legislative bill which carried the increased compensation, but again I say to the gentleman that when that bill went to the Senate it was pigeonholed. That bill never became a law as the gentleman from Illinois himself well knows. As I recall, it was not even considered by the Senate Committee on Post Offices and Post Roads. After burying this salary-increase bill the Senate attached certain increases to the Post Office appropriation bill, and that is the thing to which the gentleman from California [Mr. RANDALL] referred. He was reading from that act, the very act which I have just quoted, when he said I overlooked calling attention to the act. So the gentleman from California [Mr. RANDALL] now comes in and presents, not a bill reported by the Post Office Committee of the House at all, but an act that was passed by Congress. The bills I hold in my hand are the bills reported by the committee and passed by the House, and neither contains any of the figures given by the gentleman from California but contains even less than he said the law authorized to be paid to clerks of third-class post offices at that time, and I will read in order that there may be no mistake. The gentleman from California said:

> In the law of 1918 that allowance was $350, and we increased it 50 per cent.

Here is what the law says:

> No allowance in excess of $300 shall be made where the salary of the postmaster is $1,100 or $1,200.

That is the bill as it passed the House on June 29, legislative day of June 27, 1918.

So the gentleman from California himself was mistaken when he read the law and took it for granted, I presume, that the gentleman from Oklahoma was an easy mark and would not attempt to reply and straighten him out. None of us are always right, and I myself am right so seldom that when I do happen to be right I want the House to understand that I am right, and do not want a man to contradict it who is wrong and does not know what he is talking about. [Laughter.]

Mr. RANDALL of California. Mr. Chairman——

The CHAIRMAN. The time of the gentleman has expired.

Mr. CARTER. I ask unanimous consent for three minutes more.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that his time be extended three minutes. Is there objection?

There was no objection.

Mr. CARTER. The gentleman from California further said when I interrupted him——

Mr. NOLAN. I serve notice that I will object to any further extension or any discussion except on the bill.

Mr. CARTER. Now, I read further from the remarks of the gentleman a few minutes ago, as reported by the Official Reporter of the House.

> Mr. CARTER. Does the gentleman not know that the increase in the Post Office appropriation bill for allowances for third-class post-office clerks was placed in the bill in the Senate and not in the House?
>
> Mr. RANDALL of California. No; that increase was put in by the Committee on the Post Office and Post Roads in the House, and I will read the law.

Certainly he read the law, but he did not read the bill as reported by the Post Office Committee which came to the House and was passed by the House.

Mr. RANDALL of California. Will the gentleman yield?

Mr. CARTER. Yes; I will yield, only do not take up too much of my time.

Mr. RANDALL of California. I will ask the gentleman to read from the report of the House Post Office Committee on this paragraph. Will the gentleman read it?

Mr. CARTER. What on earth has the report of the Post Office Committee to do with it? I am not talking about what the gentleman says in the report. I am talking about what he and his committee does in the bill.

Mr. RANDALL of California. Will the gentleman yield?

Mr. CARTER. No; I will not yield. I want to repeat this to the gentleman from California:

I am not talking about what he said he put in the report. I am talking of what is in the bill. What was said in the report does not help the poor, underpaid country employee one bit. That is just what I am inveighing against—this camouflaging and pretending to be doing a thing which in reality does not exist. It is always said that something is going to be done for the third and fourth class employees, but when the great Committee on the Post Office and Post Roads brings in the bill you never see them taken care of.

Now, another word, and that is that the bill which the gentleman from California refers to is the Post Office appropriation act and was passed on June 27, 1918. The legislative bill to which the increase was made on the amendment I proposed passed this House in March, 1918, some three months prior to the time of the appropriation act presented here, and the gentleman stated that the appropriation act in question passed the House first, when it was really not in existence when the legislative bill was considered by the House.

Mr. RUBEY. Mr. Chairman, I rise for the purpose of calling the attention of the House to the wording of section 2, which has been read, and I would like to have the attention of the gentleman from California, as I want some information. Section 2 reads:

> That upon the passage of this act the heads of departments in which are employed persons as defined in section 1 of this act shall issue new appointments at the increased rate of compensation herein provided.

If this is passed as written, will it not give the head of every department the right to appoint new men to these positions and put out the men now employed?

Mr. NOLAN. I do not think that is so, absolutely not.

Mr. RUBEY. I do not think there is any question but that they will have authority under the provisions of this act as written to make new appointments and to appoint anybody they please, provided, of course, they come under the civil service.

Mr. NOLAN. I think the gentleman is mistaken.

Mr. RUBEY. Can the gentleman tell just what it does mean, whom are they going to appoint?

Mr. NOLAN. The men now in the positions.

Mr. RUBEY. Why not say so and make it absolutely certain.

Mr. KNUTSON. Oh, they will all be good Democrats.

Mr. NOLAN. The language in this section passed the lawyers on the committee. I am not a lawyer.

Mr. RUBEY. Neither am I. Mr. Chairman, I want to say in the little time I have remaining that I intended to support this bill. I expect to support the bill on final passage, unless something happens after this committee rises. We adopted here the other day the Good amendment, which is an amendment that ought to stay in the bill. I say here and now, if that amendment is voted down in the House I shall not support the bill on final passage. I am in favor of giving them $3 a day, I am in favor of giving them $90 a month, I am in favor of giving them $1,080 a year; but I am not in favor of paying them $3.80 a day, I am not in favor of giving them $110 a month, and I am not in favor of giving them $1,320 a year.

Mr. RANDALL of California. Mr. Chairman, the trouble with the gentleman from Oklahoma is that he is behind the times. He refers to the act passed more than a year ago. I am referring to the act passed in the last Congress, and I have here the language of the act as it passed the House and as it passed the Senate. As it passed the House it contained an increase of clerk hire of 50 per cent for third-class post offices, and I submit it to the gentleman from Oklahoma for confirmation. I will read from the report of the House Committee on the Post Office and Post Roads in which the statement is made—

> There is an increase, as shown in the bill, in the salaries of fourth-class postmasters and a 50 per cent increase in the appropriation to cover the cost of clerical service in post offices of the third class.

Mr. CARTER. What was the date of the passage of this; December 8, 1918?

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. WINGO. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

> Page 2, line 18, after the word "appointment," insert the words "to such persons."

Mr. NOLAN. Mr. Chairman, I accept the amendment.

Mr. WINGO. Mr. Chairman, this is the last section of the bill. In a few moments the gentleman in charge of the bill will move that the committee rise, and with it will die the efforts that have been made to do justice to all Federal employees and not "certain" of them, as the title of the bill reads. The title of the bill is to fix the compensation of "certain" employees of the United States. I, for one, have grown sick and tired of Congress picking out one particular class of employees and raising their salaries or wages and ignoring all others. To-day effort after effort was made by members of the Democratic side of the House to do justice to the other employees of the Government, the great majority of whom reside in the rural districts of the South and West.

Time after time when such amendments were offered the Republicans, with their overwhelming majority, voted them down. At no time did more than three Republicans rise to support amendments to this bill to do justice to this underpaid class of Federal employees in the South and the West. Only three Republicans voted to give fourth-class postmasters a minimum of $1 a day. I want to say to my western Republican friends that they need not be surprised. You will get the same kind of treatment by the organization of your party in this House on every other occasion that comes up under the present dominant power of the Republican Party. You went out into the West in the last campaign and you raised the hue and cry that the South was in the saddle, but you will have to go back to your people and explain to them why it is that the West, and especially the rural people of the West, can get nothing out of this Republican Congress. The only explanation that you can make will be that under the Republican rule Massachusetts and New York and Pennsylvania are in the saddle.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. WINGO. No. Let us take the committees of Congress. The Republican Party has placed on the important committees in this House, in more than one case at least, two Republicans from Pennsylvania, and frequently has ignored the entire West, and given them practically no representation upon the committee. That is the reason why to-day, when Members on the Democratic side try to do justice to the rural postmasters of the West only three Republicans rise to assist them. [Applause on Democratic side.] You are going to get worse than that. Pennsylvania and New York and Massachusetts dominate the Republican Party and treat with contempt the farmers of the mid-West and West.

Mr. MADDEN. Mr. Chairman, I make the point of order that the gentleman is not talking about anything in the bill.

Mr. WINGO. Mr. Chairman, I want to say to the gentleman from Illinois——

Mr. MADDEN. I insist upon the point of order.

Mr. WINGO. I can understand how an Illinois Republican, in view of the way Illinois has been outraged by the Republican organization in this House, does not like that subject discussed. Illinois Republicans can hope for nothing at the hands of their party.

Mr. MADDEN. Mr. Chairman, is the Chairman going to pay any attention to the point of order?

The CHAIRMAN. The gentleman from Arkansas is out of order, and he will confine himself to his amendment.

Mr. WINGO. All right, Mr. Chairman. I am calling the attention of the western Members to a certain amendment in this bill——

Mr. MADDEN. What is the amendment before the committee?

Mr. WINGO. The amendment before the committee is to insert the words "to such persons," and I am talking about such persons. [Laughter and applause on Democratic side.] I am talking about Republican postmasters in the hamlets of Illinois for whom the gentleman refused to vote for an adequate wage.

Mr. MADDEN. The gentleman from Arkansas had a chance in the last Congress to do that, and why did he not do it?

Mr. WINGO. I did try to do it, but the gentleman fought every effort, as did the leaders of the Republican Party in the last Congress, and to-day he and they line up solidly against the fourth-class postmasters. [Applause.]

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. NOLAN. Mr. Chairman, I ask for a vote upon the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas.

The amendment was agreed to.

Mr. CANNON. Mr. Chairman, I move to strike out section 2.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

> Amendment by Mr. CANNON: Strike out section 2 of the bill.

Mr. CANNON. Mr. Chairman, I want to read section 2. It is as follows:

> SEC. 2. That upon the passage of this act the heads of departments in which are employed persons as defined in section 1 of this act shall issue new appointments at the increased rate of compensation herein provided.

I do not believe for the purpose of this bill that section is necessary. Why should there be appointments by wholesale and by legislation? I should be very glad to be interrupted if anyone can give me a reason for it.

Mr. NOLAN. I will state to the gentleman from Illinois that as the committee understood it, with a practical reclassification in the way of a minimum-wage bill, it is necessary to direct some authority to the heads of departments to issue new appointments at the increased compensation.

Mr. CANNON. But the bill increases the compensation.

Mr. NOLAN. It can not affect the persons employed.

Mr. CANNON. Why not?

Mr. NOLAN. It does not authorize any new appointments, because practically every one of these employees is a statutory employee or else provided for under a lump sum.

Mr. GOLDFOGLE. Does not the bill automatically increase the salaries without any new commissions or appointments?

Mr. CANNON. It is just like a bonus. Every employee who is getting less than $3 a day, who comes under this bill, will get his $3 a day or whatever the bill provides for. Three dollars a day may abide permanently in the law or it may not. There may be people who ought not to be reappointed. I do not know. Why should you compel by a provision of the law that the Executive shall reappoint every man or woman who is covered by the bill? You may say that the bill means nothing; that you take from the President or the heads of the departments, as the case may be, the power to make appointments. I have no doubt that there are some people who ought not to be reappointed.

Seeing no necessity for this section, I move to strike it out. You may just as well provide that all this army of people who get the bonus by prior or war-time legislation shall be reappointed.

Mr. ALEXANDER. Might not this condition arise: In order to effect economies in the department occasioned by this increase, if the department wanted to dismiss some useless employees, it could not do it? They would have to be recommissioned.

Mr. CANNON. Yes; they must be reappointed. I doubt the constitutionality of the provision. I shall not discuss it from that standpoint. So far as I am concerned, I shall vote to strike out section 2, and I am friendly to the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the Chair announced the ayes seemed to have it.

On a division (demanded by Mr. NOLAN) there were—ayes 86, noes 75.

So the amendment was agreed to.

Mr. CANNON. Mr. Chairman, I did not hear the announcement.

The CHAIRMAN. The ayes were 86 and the noes were 75, and the amendment was agreed to.

Mr. SABATH. Mr. Chairman, I ask for a division.

The CHAIRMAN. The gentleman is too late.

Mr. NOLAN. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WOOD of Indiana, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 5726, had directed him to report the same with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. NOLAN. I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. NOLAN. Mr. Speaker, I demand a separate vote on the amendment offered by the gentleman from Iowa [Mr. GOOD].

The SPEAKER. The gentleman from California asks for a separate vote on the amendment offered by the gentleman from Iowa [Mr. GOOD]. Is there any other amendment——

Mr. BLANTON. On that I ask for the yeas and nays.

The SPEAKER. It is not time yet to demand the yeas and nays. Is a separate vote demanded on any other amendment? If not, the Chair will put the question on the other amendments in gross.

The question was taken, and the other amendments were agreed to.

Mr. NOLAN. Mr. Speaker, I ask for the yeas and nays on the Good amendment.

The SPEAKER. The gentleman from California asks for the yeas and nays on the Good amendment.

Mr. CANNON. Let us have the amendment reported.

The SPEAKER. Without objection, the Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GOOD: Page 2, line 7, after the word "clerks," add the following:

"*Provided further*, That the additional compensation granted to certain Government employees under section 7 of the legislative, executive, and judicial appropriation act, approved March 1, 1919, shall be computed as a part of the total compensation of such employees in determining their rights to the benefit of the minimum compensation herein authorized."

The SPEAKER. On that the gentleman from California demands the yeas and nays. Evidently a sufficient number, and the yeas and nays are ordered.

The question was taken; and there were—yeas 91, nays 282, answered "present" 2, not voting 55, as follows:

YEAS—91.

Ackerman	Byrns, Tenn.	Evans, Nebr.	Huddleston
Alexander	Candler	Fess	Humphreys
Aswell	Cannon	Fisher	Hutchinson
Bankhead	Carter	French	Johnson, Ky.
Barkley	Clark, Fla.	Garner	Johnson, Miss.
Begg	Collier	Garrett	Kincheloe
Black	Connally	Good	Kitchin
Bland, Va.	Cramton	Goodykoontz	Larsen
Blanton	Crisp	Graham, Pa.	Lever
Booher	Davis, Tenn.	Green, Iowa	Luce
Box	Dickinson, Mo.	Hamilton	Mansfield
Brand	Dickinson, Iowa	Hardy, Tex.	Moore, Va.
Browning	Dominick	Harrison	Nelson, Mo.
Buchanan	Doughton	Hoch	Oliver
Byrnes, S. C.	Esch	Holland	Padgett
Platt	Rowe	Stephens, Miss.	Welling
Pou	Rubey	Sumners, Tex.	Wilson, La.
Quin	Rucker	Thomas	Wise
Radcliffe	Saunders, Va.	Venable	Wood, Ind.
Ragsdale	Sears	Vinson	Woods, Va.
Rayburn	Sisson	Volstead	Wright
Riddick	Steagall	Watson, Va.	Young, Tex.
Robinson, N. C.	Stedman	Weaver	

NAYS—282.

Almon	Foster	Luhring	Rodenberg
Anderson	Frear	McAndrews	Rogers
Andrews, Md.	Fuller, Ill.	McArthur	Romjue
Andrews, Nebr.	Fuller, Mass.	McCulloch	Rose
Anthony	Gallagher	McDuffie	Rowan
Ayres	Gallivan	McFadden	Sabath
Bacharach	Gandy	McGlennon	Sanders, Ind.
Baer	Ganly	McKeown	Sanders, La.
Barbour	Gard	McKiniry	Sanders, N. Y.
Bee	Garland	McLane	Sanford
Benham	Glynn	McLaughlin, Mich.	Schall
Bland, Mo.	Godwin, N. C.	McLaughlin, Nebr.	Scott
Boies	Goldfogle	McPherson	Phelan
Bowers	Goodwin, Ark.	MacCrate	Sells
Briggs	Gould	MacGregor	Sherwood
Brinson	Greene, Mass.	Madden	Shreve
Brooks, Ill.	Griest	Magee	Siegel
Brooks, Pa.	Griffin	Maher	Sims
Brumbaugh	Hadley	Major	Sinclair
Burdick	Hamill	Mapes	Sinnott
Burke	Hardy, Colo.	Martin	Smith, Idaho
Burroughs	Haskell	Mays	Smith, Ill.
Butler	Hastings	Mead	Smith, Mich.
Caldwell	Hawley	Merritt	Smith, N. Y.
Campbell, Kans.	Hayden	Michener	Snell
Campbell, Pa.	Hays	Miller	Snyder
Carew	Hernandez	Minahan, N. J.	Steele
Carss	Hersey	Monahan, Wis.	Stephens, Ohio
Casey	Hickey	Montague	Stevenson
Chindblom	Hill	Moon	Strong, Kans.
Christopherson	Houghton	Mooney	Strong, Pa.
Clark, Mo.	Howard	Moore, Ohio	Summers, Wash.
Classon	Hudspeth	Moore, Pa.	Sweet
Cleary	Hulings	Moores, Ind.	Taylor, Ark.
Coady	Hull, Iowa	Morgan	Taylor, Tenn.
Cole	Husted	Morin	Temple
Cooper	Igoe	Mott	Thompson, Ohio
Crago	Jacoway	Mudd	Thompson, Okla.
Crowther	James	Murphy	Tillman
Cullen	Jefferis	Nelson, Wis.	Tilson
Currie, Mich.	Johnson, S. Dak.	Newton, Minn.	Timberlake
Curry, Calif.	Johnson, Wash.	Newton, Mo.	Tincher
Dale	Johnston, N. Y.	Nicholls, S. C.	Tinkham
Dallinger	Jones, Pa.	Nichols, Mich.	Towner
Darrow	Jones, Tex.	Nolan	Treadway
Davey	Juul	O'Connell	Upshaw
Davis, Minn.	Kahn	O'Connor	Valle
Dempsey	Kearns	Ogden	Vare
Denison	Kelley, Mich.	Oldfield	Vestal
Dent	Kelly, Pa.	Osborne	Volgt
Dewalt	Kendall	Overstreet	Walsh
Donovan	Kennedy, R. I.	Paige	Walters
Dooling	Kiess	Park	Wason
Doremus	Kinkaid	Parker	Watkins
Dowell	Kleczka	Parrish	Watson, Pa.
Drane	Kraus	Pell	Webster
Dunbar	Kreider	Peters	Welty
Dunn	LaGuardia	Porter	Whaley
Dupré	Lampert	Rainey, H. T.	Wheeler
Dyer	Langley	Rainey, J. W.	White, Kans.
Eagan	Lanham	Raker	White, Me.
Edmonds	Lankford	Ramsey	Williams
Elliott	Layton	Ramseyer	Wilson, Ill.
Ellsworth	Lazaro	Randall, Calif.	Wilson, Pa.
Elston	Lehlbach	Randall, Wis.	Wingo
Evans, Mont.	Lesher	Reber	Winslow
Evans, Nev.	Linthicum	Reed, N. Y.	Yates
Ferris	Little	Rhodes	Young, N. Dak.
Fields	Lonergan	Ricketts	Zihlman
Fitzgerald	Longworth	Riordan	
Focht	Lufkin	Robsion, Ky.	

ANSWERED "PRESENT"—2.

Blackmon	Knutson

NOT VOTING—55.

Ashbrook	Fairfield	Kettner	Reed, W. Va.
Babka	Flood	King	Rouse
Bell	Fordney	Lea, Calif.	Scully
Benson	Freeman	Lee, Ga.	Slemp
Bland, Ind.	Goodall	McClintic	Small
Britten	Graham, Ill.	McKenzie	Smithwick
Browne	Greene, Vt.	McKinley	Steenerson
Cantrill	Haugen	Mann	Stiness
Caraway	Heflin	Mason	Sullivan
Copley	Hersman	Mondell	Taylor, Colo.
Costello	Hicks	Neely	Ward
Eagle	Hull, Tenn.	Olney	Webb
Echols	Ireland	Purnell	Woodyard
Emerson	Kennedy, Iowa	Reavis	

So the amendment was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. BELL (for Good amendment) with Mr. KNUTSON (against).

Until further notice:

Mr. MANN with Mr. BLACKMON.

Mr. FAIRFIELD with Mr. SCULLY.

Mr. PURNELL with Mr. MCCLINTIC.

Mr. KING with Mr. NEELY.

Mr. HICKS with Mr. HULL of Tennessee.

Mr. IRELAND with Mr. LEE of Georgia.
Mr. FORDNEY with Mr. FLOOD.
Mr. HAUGEN with Mr. HEFLIN.
Mr. MCKENZIE with Mr. LEA of California.
Mr. MCKINLEY with Mr. KETTNER.
Mr. MASON with Mr. EAGLE.
Mr. GREENE of Vermont with Mr. OLNEY.
Mr. MONDELL with Mr. CANTRILL.
Mr. REED of West Virginia with Mr. CARAWAY.
Mr. SLEMP with Mr. SULLIVAN.
Mr. GRAHAM of Illinois with Mr. BABKA.
Mr. STEENERSON with Mr. WEBB.
Mr. WARD with Mr. ASHBROOK.
Mr. REAVIS with Mr. HERSMAN.
Mr. BLAND of Indiana with Mr. SMITHWICK.
Mr. BRITTEN with Mr. SMALL.
Mr. STINESS with Mr. HEFLIN.

Mr. BLACKMON. Mr. Speaker, how am I recorded?

The SPEAKER. The gentleman is recorded in the negative.

Mr. BLACKMON. I am paired with the gentleman from Illinois, Mr. MANN. I desire to withdraw that vote and answer "present."

Mr. KNUTSON. Mr. Speaker, I find I am paired with the Democratic whip, Mr. BELL, and I desire to withdraw my vote of "nay" and answer "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on ordering the bill to be engrossed and read a third time.

Mr. BLANTON. Mr. Speaker, I request a reading of the engrossed copy of the bill.

The SPEAKER. The gentleman demands the reading of the engrossed copy of the bill.

Mr. CALDWELL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. CALDWELL. To make a parliamentary inquiry. I understand if the engrossed copy of the bill is not read that that will kill the bill. Will it not?

The SPEAKER. Oh, no. The bill waits until it is engrossed.

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address of my colleague, Mr. ELLSWORTH, at the funeral of the late Carl C. Van Dyke.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD by printing an address delivered by his colleague, Mr. ELLSWORTH, at the funeral of late Representative Van Dyke. Is there objection? [After a pause.] The Chair hears none.

Mr. BLACK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLACK. A motion to recommit this bill will be in order after the engrossed bill is read, will it not?

The SPEAKER. It will.

Mr. NOLAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. NOLAN. When the engrossed bill comes in in the morning, will the matter be automatically laid before the House as unfinished business and continuing order?

The SPEAKER. It will be in order at any time after the special order is disposed of, unless some other special order takes its place. It can not displace a special order.

Mr. LONGWORTH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LONGWORTH. Then the final determination of this bill would have to wait until a final vote was had on the so-called prohibition bill?

The SPEAKER. Yes. Has the Committee on Labor any further business for the consideration of the House?

Mr. NOLAN. The Committee on Labor has no further bills.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on this bill.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to revise and extend his remarks on the bill just passed. Is there objection? [After a pause.] The Chair hears none.

Mr. WINGO. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Arkansas makes the same request. Is there objection? [After a pause.] The Chair hears none.

Mr. KAHN. Mr. Speaker, a parliamentary inquiry.

Mr. BARKLEY. Mr. Speaker, I wish to make a parliamentary inquiry.

The SPEAKER. The gentleman from Kentucky will state his parliamentary inquiry.

Mr. BARKLEY. There are two special orders now pending in the House, both of them brought in under a special rule. If this matter is not disposed of to-day, do I understand the Chair to say that it would not interfere with either of the special orders pending?

The SPEAKER. It would not.

Mr. KAHN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. KAHN. This is Calendar Wednesday, of course, and the call of committees will proceed, I presume. The next committee, as I understand it, is the Committee on Patents. That committee has some business on the calendar. If that committee were to proceed, and the engrossed copy of the Nolan bill could be brought back here before we adjourn for Calendar Wednesday, would it be possible to get a vote on it this evening?

The SPEAKER. It would.

Mr. CLARK of Missouri. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Missouri. How did the Speaker decide the question as to whether this bill be voted on to-morrow or not?

The SPEAKER. The Chair decided it could not.

Mr. CLARK of Missouri. At no time to-morrow?

The SPEAKER. No; except by unanimous consent. There is a special order which takes precedence of this bill.

Mr. NOLAN. Mr. Speaker, I ask unanimous consent that the House stand in recess until 5 o'clock.

SEVERAL MEMBERS. Oh, no!

The SPEAKER. The gentleman from California asks unanimous consent that the House stand in recess until 5 o'clock. Is there objection?

Mr. BLANTON. I object.

Mr. RUCKER. Reserving the right to object, Mr. Speaker, I want to see this business disposed of, so that we can dispose of the sundry civil bill, so as to provide for the soldiers who want treatment. The gentleman ought not to delay in that way.

The SPEAKER. Objection is heard.

Mr. NOLAN. Mr. Speaker, I ask for the regular order.

CALL OF COMMITTEES.

The SPEAKER. The regular order is the calling of committees. The Chair understands that the Committee on Labor has no further business?

Mr. NOLAN. No.

The SPEAKER. The Clerk will call the roll of committees.

The Clerk called the Committee on Patents.

AMENDMENT OF THE COPYRIGHT ACT.

Mr. NOLAN. Mr. Speaker, I call up the bill H. R. 3754.

The SPEAKER. The gentleman from California, from the Committee on Patents, calls up the bill H. R. 3754, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 3754) to amend sections 8 and 21 of the copyright act, approved March 4, 1909.

Be it enacted, etc., That sections 8 and 21 of the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909, be amended to read as follows:

"SEC. 8. That the author or proprietor of any work made the subject of copyright by this act, or his executors, administrators, or assigns, shall have copyright for such work under the conditions and for the terms specified in this act: *Provided, however*, That the copyright secured by this act shall extend to the work of an author or proprietor who is a citizen or subject of a foreign State or nation only:

"(a) When an alien author or proprietor shall be domiciled within the United States at the time of the first publication of his work; or

"(b) When the foreign State or nation of which such author or proprietor is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States the benefit of copyright on substantially the same basis as to its own citizens, or copyright protection substantially equal to the protection secured to such foreign author under this act or by treaty; or when such foreign State or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States may, at its pleasure, become a party thereto.

"The existence of the reciprocal conditions aforesaid shall be determined by the President of the United States, by proclamation made from time to time, as the purposes of this act may require: *Provided, however*, That all works made the subject of copyright by the laws of the United States first produced or published abroad after August 1, 1914, and before the date of the President's proclamation of peace, of which the authors or proprietors are citizens or subjects of any foreign State or nation granting similar protection for works by citizens of the United States, the existence of which shall be determined by a copyright proclamation issued by the President of the United States, shall be entitled to the protection conferred by the copyright laws of the United States from and after the accomplishment, before the expiration of 15 months after the date of the President's proclamation of peace, of the conditions and formalities prescribed with respect to such works by the copyright laws of the United States: *Provided further*, That nothing herein contained shall be construed to deprive any person of any right which he may have acquired by the republication of such foreign work in the United States prior to the approval of this act.

"SEC. 21. That in the case of a book published abroad in the English language on or after the date of the President's proclamation of peace, the deposit in the Copyright Office, not later than 60 days after its publication abroad, of one complete copy of the foreign edition, with a request for the reservation of the copyright and a statement of the name and nationality of the author and of the copyright proprietor and of the date of publication of the said book, shall secure to the author or proprietor an ad interim copyright, which shall have all the force and effect given to copyright by this act, and shall endure until the expiration of four months after such deposit in the Copyright Office."

JOINT RESOLUTIONS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolutions of the following titles, when the Speaker signed the same:

H. J. Res. 120. Joint resolution authorizing the Secretary of War to receive, for instruction at the United States Military Academy at West Point, Tao Hung Chang and Zeng Tze Wong, citizens of China; and

H. J. Res. 65. Joint resolution authorizing the Secretary of War to loan tents for use at encampments held by veterans of the World War.

RESIGNATIONS FROM COMMITTEES.

The SPEAKER. The Chair lays before the House the following documents, which the Clerk will read:

The Clerk read as follows:

HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., May 29, 1919.

Hon. FREDERICK H. GILLETT,
Speaker of the House of Representatives,
Washington, D. C.

MY DEAR MR. SPEAKER: I hereby tender my resignation as a member of the District of Columbia Committee, to take effect immediately.

Sincerely, yours,

F. W. ROWE.

HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., June 18, 1919.

Hon. FREDERICK H. GILLETT,
House of Representatives, Washington, D. C.

MR. SPEAKER: I hereby tender my resignation as a member of the Committee on Territories, and ask that it be accepted at once.

Very respectfully, yours,

JOHN C. KLECZKA,
Member Fourth District of Wisconsin.

HOUSE OF REPRESENTATIVES,
Washington, June 18, 1919.

MR. SPEAKER: I hereby tender my resignation as a member of the Committee on War Claims, and ask that it be accepted at once.

Very respectfully,

J. G. MONAHAN,
Member Third District of Wisconsin.

The SPEAKER. Without objection, the resignations read will be accepted.

There was no objection.

AMENDMENT OF THE COPYRIGHT ACT.

Mr. NOLAN. Mr. Speaker, the bill H. R. 3754 is a bill to amend sections 8 and 21 of the copyright act, approved March 4, 1909. A similar bill was reported out in the closing hours of the Sixty-fifth Congress, but failed of consideration in the House, due to the congestion of the Calendar.

This bill has the indorsement of the Librarian of Congress and of Mr. Solberg, the Register of Copyrights. It also has the indorsement of the Authors' League of America, and there has been nobody who has appeared before our committee, either personally or through communication, who has opposed the measure. I might give the statement of Mr. Solberg, who probably is more familiar with the copyright law than anybody else connected with the Government. He is the Register of Copyrights in the Library of Congress.

Mr. Solberg states that the proposed amendment to the copyright act, approved March 4, 1909, is necessary in order to accomplish two separate and distinct things. The first change is in section 8, which provides for copyrights in the United States on works by authors who are citizens or subjects of foreign countries, and is for the purpose of securing protection in the United States for works published abroad during the war. The copyright act grants protection in the United States upon certain conditions. To secure valid protection these conditions must be fully and exactly complied with, but owing to the war it was found to be impossible to comply with the prescribed conditions, with the result that only a small percentage of the foreign books and other works issued abroad during the war have secured copyright in the United States, and a large proportion of American books published since August 1, 1914, have failed to secure public protection abroad.

The real intent and purpose of this legislation is to give the authors in this country an opportunity to have copyrighted in foreign countries, especially those that were our allies during the war, the works and books that they published during the war. Due to the limited amount of time permitted under the present copyright laws and our reciprocal relations with other countries, it was impossible for foreign authors in friendly and neutral countries to get their works to America in time to be copyrighted. The same conditions prevailed regarding the works of our own authors and publishers. In the trading-with-the-enemy act we give greater consideration to the countries with which we were at war than we do in the present copyright law to those who were neutral during the war and those that we were allies with.

It is therefore proposed in this bill to amend section 8 so as to secure retrospective protection in the United States for such works as have been first produced or published abroad since August 1, 1914, by providing in the case of such works that the conditions and the formalities prescribed with respect to such works by the copyright statutes of the United States may be complied with within a period of 15 months after the date of the proclamation of the President's proclamation of peace.

These conditions, briefly enumerated, are the deposit of copies for registration, the filing of applications for recording the claims of copyright, the payment of the registration fee, $1, and in the case of books in the English language, that the copy shall have been reprinted and rebound within the limits of the United States.

It does not repeal or amend any of the manufacturing sections of the present copyright law. If they are artistic works, such as photo-engravings and lithographs, that they shall have been reproduced by lithographic or photographic processes wholly performed within the limits of the United States.

It is provided in the bill that only those foreign works shall be considered which are by authors who are citizens or subjects of a foreign state or nation which grants similar protection for works by citizens of the United States, and it is provided that the existence of such protection in behalf of American authors in any foreign country or countries shall be determined by a copyright proclamation issued by the President. The countries chiefly concerned are Great Britain and the British Dominions, France, Spain, Italy, Belgium, and the Scandinavian countries.

To safeguard any American producers who may have secured any rights or privileges by prior republication of works published abroad during the war, the bill contains the following proviso:

That nothing herein contained shall be construed to deprive any person of any right which he may have acquired by the republication of such foreign work in the United States prior to the approval of this act.

Diplomatic correspondence between our Government and Great Britain has led to a proposal for reciprocal, retrospective protection in Great Britain for a period equal in length to our term of copyright protection, upon the single condition that actual—not colorable—publication of the American author's work shall take place in England during the proposed period of 15 months after the date of the President's proclamation of peace, and that the necessary deposit of copies shall be made after such publication in England. The legislation on copyright in Great Britain does not require the manufacture of the book there, protection is secured by merely publishing the work; that is, placing it on sale first or simultaneously with publication of the book elsewhere.

Mr. MOORE of Pennsylvania. I have just been able to obtain a copy of the bill which the gentleman is explaining, and I should like to ask whether it contemplates a new order with regard to the issuing of copyrights to aliens.

Mr. NOLAN. No; it provides that in case any country shall give reciprocal protection we shall give the citizens of that country the benefit of copyrighting works and books produced during the war. Wherever we get reciprocal protection of that kind we ourselves, through proclamation of the President, give them the same rights in this country.

Mr. MOORE of Pennsylvania. May I ask the gentleman what support this bill has and where that support comes from?

Mr. NOLAN. The bill is vouched for by Mr. Solberg, register of the Copyright Division of the Library of Congress. It is also approved by the Authors' League of America, who also represent the Incorporated Society of Authors, Playwrights, and Composers, and the American Publishers' Copyright League.

Mr. MOORE of Pennsylvania. Does it contemplate any new privileges or protection to alien authors not provided by existing law?

Mr. NOLAN. No; only that it takes care of a situation that arose during the war. Authors in foreign countries had to get their works to this country within a certain specified time. The book had to be manufactured and printed, and during the war they were unable to do that. This extends that time within

which that can be done and gives them the right to copyright the works that were produced during the war, provided they give our authors and publishers similar protection in their own country.

Mr. MOORE of Pennsylvania. It provides, on page 2, line 15—

The existence of the reciprocal conditions aforesaid shall be determined by the President of the United States by proclamation made from time to time as the purposes of this act may require.

Is that provision inserted by reason of anything that has happened during the peace negotiations at Paris?

Mr. NOLAN. I could not say as to that. I do not believe it is.

Mr. STEVENSON. I desire to call attention to the fact that the law as it stands to-day contains that. The amendment is in the proviso.

Mr. NOLAN. The Acting Secretary of State transmitted to the Committee on Patents June 24, 1919, a letter giving specific reasons why the State Department or the Government desires this legislation passed.

Mr. MOORE of Pennsylvania. Is there anything which the United States Congress is asked to grant to alien authors in this bill that would not be granted to American authors in any foreign country?

Mr. NOLAN. No.

Mr. MOORE of Pennsylvania. It is wholly a reciprocal proposition?

Mr. NOLAN. Yes. The books that our authors write and publish can be published abroad and get protection, and they can come in here and get the protection that they would receive under the copyright law.

Mr. MOORE of Pennsylvania. Has the gentleman gone into it sufficiently to say if there is anything in the extension of the law which would give a foreign author any privilege in the United States which the American author would not have in foreign countries?

Mr. NOLAN. No; and that is the object of the bill. Mr. Chairman, I reserve the balance of my time.

The SPEAKER. The Chair has been informed that it will be impossible for the minimum-wage bill to be engrossed this afternoon.

Mr. CLARK of Missouri. Mr. Speaker, I would like to ask the gentleman a question for information. Line 16, page 3, requires the foreign author to furnish one complete copy. Unless we have changed the law, and I was not paying any attention to it, the American author is compelled to file two copies. Why should they be allowed to file only one and the American author be compelled to file two?

Mr. NOLAN. I will say to the gentleman from Missouri that that is a new provision. They not only have to file that but under the manufacturers' law, the copyright law, they must have it published and printed in this country. They not only have to file a copy of a foreign publication but they have to have the book that is published and circulated in this country printed and manufactured in this country.

Mr. CLARK of Missouri. Does that compel them to file two copies?

Mr. NOLAN. They have to file one copy printed in the foreign country, and in addition they have to file under the manufacturers' law additional copies in the copyright office.

Mr. JUUL. Mr. Chairman, I would like to ask the gentleman a question. Section 21 provides for books published abroad in the English language. Why does not the bill refer to books in the Spanish, the French, or any other language?

Mr. NOLAN. That is where they bring in the foreign edition; they must file a copyright in addition to the book in the English language.

Mr. JUUL. They must have the book translated and file the translation?

Mr. NOLAN. As a general proposition the books are all printed in the English language. This bill is introduced at the request of the Publishers' and Authors' League. The secretary of the Authors' League was present and represented the incorporated Society of the Authors, Playwrights, and Composers, and the American Publishers' Cooperative League.

ADJOURNMENT.

Mr. BLANTON. Mr. Speaker, I make the point that there is no quorum present.

Mr. NOLAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 53 minutes p. m.) the House adjourned until to-morrow, Thursday, July 17, 1919, at 12 o'clock meridian.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. MACGREGOR, from the Committee on Claims, to which was referred the bill (H. R. 646) for the relief of Perry E. Borchers because of losses suffered, due to destruction of property and termination of contract for services because of smallpox, while in the employ of the Navy Department in Cuba, reported the same with amendment, accompanied by a report (No. 122), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BARKLEY: A bill (H. R. 7405) for the erection of a public building at Hickman, Ky.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7406) for the erection of a public building at Murray, Ky.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7407) to amend section 10 of the act of March 2, 1919, making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. VAILE: A bill (H. R. 7408) to amend section 1 of an act entitled "An act to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in China"; to the Committee on Pensions.

By Mr. SINCLAIR: A bill (H. R. 7409) to appropriate $5,000,000 for the purchase of seed grain and feed for live stock, to be supplied to farmers and stockmen in the drought-stricken areas of the United States; to the Committee on Appropriations.

By Mr. NELSON of Missouri: A bill (H. R. 7410) authorizing and directing the Secretary of War to make certain donations of cannon and ordnance to designated cities, towns, and institutions; to the Committee on Military Affairs.

By Mr. FORDNEY: A bill (H. R. 7411) authorizing the Secretary of War to make donation of condemned German cannons to the city of Saginaw, Mich.; to the Committee on Military Affairs.

Also, a bill (H. R. 7412) to provide revenue for the Government and to establish and maintain the manufacture of fabric, or sueded, cotton gloves in the United States; to the Committee on Ways and Means.

By Mr. HAUGEN: A bill (H. R. 7413) making appropriation for the Department of Agriculture for the fiscal year ending June 30, 1920; to the Committee on Agriculture.

By Mr. BARBOUR: A bill (H. R. 7414) to provide for a public building at Visalia, Calif.; to the Committee on Public Buildings and Grounds.

By Mr. BROOKS of Pennsylvania: A bill (H. R. 7415) authorizing the Secretary of War to donate to the town of Delta, York County, Pa., one German cannon or machine gun; to the Committee on Military Affairs.

By Mr. GREENE of Massachusetts: A bill (H. R. 7416) authorizing the United States Shipping Board to operate or dispose of its emergency merchant vessels and thereby stimulate the friendly intercourse between nations and further developing the merchant marine, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. CURRY of California: A bill (H. R. 7417) to amend an act of Congress approved March 12, 1914, authorizing the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes; to the Committee on the Territories.

By Mr. TINKHAM: Concurrent resolution (H. Con. Res. 21) authorizing the President to appoint a thoroughly representative committee, to be known as national committee of investigation, to investigate the increased prices and the increased cost of living; to the Committee on Appropriations.

By Mr. CALDWELL: Joint resolution (H. J. Res. 148) providing for the presentation of a medal to Gen. John J. Pershing; to the Committee on Military Affairs.

By Mr. LAGUARDIA: Resolution (H. Res. 179) directing the Secretary of War to furnish the House of Representatives certain information; to the Committee on Military Affairs.

By Mr. DALLINGER: Memorial of the Legislature of the State of Massachusetts, protesting against the attitude of the United States Shipping Board toward the port of Boston; to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 7418) granting an increase of pension to Richard Williams; to the Committee on Pensions.

By Mr. BARKLEY: A bill (H. R. 7419) granting an increase of pension to Anderson Scott; to the Committee on Invalid Pensions.

By Mr. BEGG: A bill (H. R. 7420) granting an increase of pension to William E. Gault; to the Committee on Pensions.

Also, a bill (H. R. 7421) granting a pension to Christine E. Geiger; to the Committee on Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 7422) granting a pension to Annie Hills; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 7423) granting a pension to Anna D. Abel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7424) granting a pension to Emma Case; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7425) granting a pension to Martha J. Comstock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7426) granting a pension to Harriet Dutton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7427) granting a pension to William F. Gross; to the Committee on Pensions.

Also, a bill (H. R. 7428) granting a pension to Laura J. Handshy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7429) granting a pension to Catherine Harrington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7430) granting a pension to Daniel B. Klingensmith; to the Committee on Pensions.

Also, a bill (H. R. 7431) granting a pension to Jane Lewis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7432) granting a pension to Sarah Jane McCollum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7433) granting an increase of pension to Eli S. Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7434) granting an increase of pension to Oscar A. Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7435) granting an increase of pension to Napoleon B. Bowker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7436) granting an increase of pension to Nathan L. Brass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7437) granting an increase of pension to Charles H. Crandall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7438) granting an increase of pension to Everett A. Dibble; to the Committee on Pensions.

Also, a bill (H. R. 7439) granting an increase of pension to William P. Hughes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7440) granting an increase of pension to Brainard D. Nelson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7441) to correct the military record of Edgar Hutchins; to the Committee on Military Affairs.

Also, a bill (H. R. 7442) to correct the military record of Henry S. Hunter; to the Committee on Military Affairs.

Also, a bill (H. R. 7443) to remove the charge of desertion from the military record of Henry T. Shafer; to the Committee on Military Affairs.

Also, a bill (H. R. 7444) granting an honorable discharge to Albert Smith; to the Committee on Military Affairs.

Also, a bill (H. R. 7445) granting an honorable discharge to David F. Benson; to the Committee on Military Affairs.

Also, a bill (H. R. 7446) granting an honorable discharge to William H. Sweet; to the Committee on Military Affairs.

Also, a bill (H. R. 7447) to correct the military record of Joseph S. Case; to the Committee on Military Affairs.

By Mr. GOOD: A bill (H. R. 7448) granting a pension to Kittie Rickabaugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7449) granting a pension to Ada G. Sherwood; to the Committee on Invalid Pensions.

By Mr. HASKELL: A bill (H. R. 7450) for the relief of Julius Cohen; to the Committee on Claims.

Also, a bill (H. R. 7451) for the relief of Margaret Speir; to the Committee on Claims.

By Mr. HICKEY: A bill (H. R. 7452) granting an increase of pension to Emma Mathes; to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 7453) for the relief of the A. Lietz Co., of San Francisco, Calif.; to the Committee on Naval Affairs.

By Mr. LONGWORTH: A bill (H. R. 7454) granting a pension to Dalbert Gray; to the Committee on Pensions.

By Mr. MAJOR: A bill (H. R. 7455) granting an increase of pension to Hezekiah Bradds; to the Committee on Invalid Pensions.

By Mr. MOORES of Indiana: A bill (H. R. 7456) granting a pension to Kate A. Wallace; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7457) to correct the military record of Daniel H. Prunk; to the Committee on Military Affairs.

By Mr. RAMSEYER: A bill (H. R. 7458) granting a pension to Nancy A. Littleton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7459) granting an increase of pension to Torbet C. Canfield; to the Committee on Invalid Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 7460) granting a pension to Ephraim Simpson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7461) granting a pension to Elizabeth Marlow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7462) granting a pension to Thomas E. Morrison; to the Committee on Pensions.

Also, a bill (H. R. 7463) granting a pension to Ben B. Sells; to the Committee on Pensions.

By Mr. ROMJUE: A bill (H. R. 7464) granting an increase of pension to Sarah J. White; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 7465) granting an increase of pension to John Ball; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 7466) for the relief of Fred Larsen; to the Committee on Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 7467) granting an increase of pension to Malinda McClanahan; to the Committee on Pensions.

By Mr. VESTAL: A bill (H. R. 7468) granting a pension to Julia M. Ferry; to the Committee on Invalid Pensions.

By Mr. VAILE: A bill (H. R. 7469) for the relief of Hannah Parker; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of the Boiler Makers' Local, No. 304, of Kansas City, Kans., urging 44-hour week for employees of United States Navy Department; to the Committee on Labor.

By Mr. BEE: Petition of R. J. Boyle, P. J. Geehan, Wm. Campbell, and sundry other citizens of San Antonio, Tex., for the amendment of article 10 of the league of nations and for the freedom of Ireland; to the Committee on Foreign Affairs.

By Mr. BROOKS of Pennsylvania: Papers to accompany H. R. 7363, granting a pension to James M. Danner; to the Committee on Pensions.

By Mr. BURROUGHS: Telegram from Charles H. Bean, jr., secretary of the New Hampshire State Federation of Labor, urging the defeat of the Good amendment to the Johnson-Nolan minimum-wage bill; to the Committee on Labor.

Also, petition of Mechanic Lodge No. 23, International Order of Good Templars, at East Weare, N. H., by George H. Hazen, chief templar, and Martha B. Marshall, secretary, advocating the prompt enactment at this session of Congress of laws providing for the full enforcement of the eighteenth amendment to the United States Constitution and also definitely defining "intoxicating liquors"; to the Committee on the Judiciary.

Also, petition of 84 citizens of Weare, East Weare, and immediate vicinity, New Hampshire, advocating the prompt enactment at this session of Congress of laws providing for the full enforcement of the eighteenth amendment to the United States Constitution and also definitely defining "intoxicating liquors"; to the Committee on the Judiciary.

By Mr. CAREW: Petition of sundry citizens of New York City, protesting against tax on soda water, etc.; to the Committee on Ways and Means.

Also, petition of the National Association of Supervisors of State Banks, urging the abolition of the office of Comptroller of the Currency; to the Committee on Banking and Currency.

Also, petition of the National Ornamental Glass Manufacturers Association, for revision of tariff on glass; to the Committee on Ways and Means.

Also, petition of the Wyandot Club, of the fourteenth district, New York County, N. Y., for the United States Congress to recognize the Irish republic; to the Committee on Foreign Affairs.

By Mr. CASEY: Petition of Isaac Long and 65 others, of Pennsylvania, for the repeal of the luxury tax; to the Committee on Ways and Means.

Also, petition of James H. Morgart, of Hazleton, Pa., urging Congress to pass act defining "intoxication liquors," including all alcoholic beverages; to the Committee on the Judiciary.

By Mr. CALDWELL: Petition of citizens of Richmond Hill, N. Y., opposed to the tax on ice cream; to the Committee on Ways and Means.

By Mr. CULLEN: Petition of Wyandot Club, of the city of New York, urging the Congress of the United States to adopt a resolution providing for recognition of the republic of Ireland; to the Committee on Foreign Affairs.

By Mr. DALLINGER: Petition requesting United States Government to recognize the complete independence of the Lithuanian republic; to the Committee on Foreign Affairs.

Also, petition of Local Union No. 1653 (Carpenters), of Cambridge, Mass., in favor of a league of nations; to the Committee on Foreign Affairs.

Also, petition of employees of the Hood Rubber Co., of the State of Massachusetts, against the repeal of the so-called daylight-saving law; to the Committee on Agriculture.

By Mr. HUTCHINSON: Petition signed by 96 citizens of Trenton, N. J., protesting against and urging the repeal of the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

Also, petition signed by 84 citizens of Bound Brook, N. J., protesting against and urging the repeal of the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

Also, resolution adopted by the Board of Commissioners of the city of Hoboken, N. J., urging the adoption by the Congress of the United States of a resolution providing for the recognition of the republic of Ireland; to the Committee on Foreign Affairs.

Also, resolution adopted by the Board of Commissioners of Jersey City, N. J., urging the adoption by the Congress of the United States of a resolution providing for the recognition of the republic of Ireland; to the Committee on Foreign Affairs.

Also, resolution adopted by the Lithuanian Alliance of America, Lodge No. 302, of the city of Trenton, N. J., requesting the United States Government to compel Poland to withdraw her army from the Lithuanian territories and that the United States Government recognize the present Lithuanian government and render it moral and material assistance; to the Committee on Foreign Affairs.

By Mr. JAMES: Petitions of sundry citizens of Alpha and Iron River, Mich., for the repeal of the tax on candy, soda water, ice cream, etc.; to the Committee on Ways and Means.

By Mr. KAHN: Petition of Capt. J. W. Pinder to be given commission in United States Army on retired list without pay; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: Petition of officers of Tenth and One hundred and tenth Pennsylvania Regiments, protesting against use of name and insignia of Twenty-eighth Division in Regular Army; to the Committee on Military Affairs.

By Mr. KINKAID: Petition of 26 citizens of Amherst, Nebr., asking for the repeal of the tax on candy, ice cream, and soda-fountain foods and drinks, etc.; to the Committee on Ways and Means.

By Mr. McLAUGHLIN of Nebraska: Petition of numerous citizens of Exeter and Fairmont, Fillmore County, Nebr., urging the immediate repeal of the daylight-saving law; to the Committee on Agriculture.

By Mr. NELSON of Missouri: Petition of sundry citizens of Columbia, Boone County, Mo., asking for repeal of tax on sodas, ice cream, and soft drinks; to the Committee on Ways and Means.

By Mr. O'CONNELL: Petition of Wyandot Club, of the city of New York, urging the Congress of the United States to adopt a resolution providing for recognition of the republic of Ireland; to the Committee on Foreign Affairs.

By Mr. SANDERS of New York: Petition of 56 residents of Medina, N. Y., and vicinity, urging the repeal of the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. SMITH of Idaho: Resolution adopted by the executive committee of the Idaho State Grange, favoring the enactment of the soldiers' land-settlement bill; to the Committee on the Public Lands.

Also, petition of citizens of Nampa, Idaho, urging the removal of the tax on candy, ice cream, and soda-fountain foods and drinks; to the Committee on Ways and Means.

Also, petition of city council of Boise, Idaho, authorizing investigation regarding price reduction of gasoline, oil, and related products; to the Committee on Interstate and Foreign Commerce.

By Mr. SNELL: Petition of Civil War Veterans, of Wilmington, N. Y., for an increase in the present pension rates granted Civil War veterans and their wives to $50 per month and $30 per month, respectively; to the Committee on Invalid Pensions.

By Mr. TEMPLE: Resolution adopted at a meeting of the former officers of the One hundred and tenth Infantry and Tenth Pennsylvania Infantry, held June 30, 1919, protesting against the use of the name "Twenty-eighth Division" and the insignia thereof, the red keystone, by any Regular Army unit; to the Committee on Military Affairs.

By Mr. VAILE: Petition of Colorado Potato Shippers' Association, protesting against discontinuance of the Denver market news service, urging the continuance of the food products inspection service, and protesting against reduction of funds available for the preservation of fruits and perishables in transit; to the Committee on Agriculture.

By Mr. WEBB: Petition of sundry citizens of North Carolina, for repeal of tax on sodas, soft drinks, ice cream, etc.; to the Committee on Ways and Means.

SENATE.

THURSDAY, *July 17, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, the uncreated, self-existing God, the source of wisdom and of power, we come to Thee making our humble supplication that we may be fitted for the duties of life. As we face the tremendous problems resting upon us we feel to pray with Thy servant of the ancient day, "if Thy spirit go not with us send us not up hence." Send us forth in the discharge of our duties with Thy spirit guiding us, that we shall meet them as men and accomplish the divine purpose and will in us. Bless us to-day, we pray Thee. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of Tuesday last, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PHOTOGRAPHIC EQUIPMENT OF DIRECTOR OF STORAGE (S. DOC. NO. 54).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 26th ultimo, a report of photographic equipment under the control of the Director of Storage, which, with the accompanying paper, was referred to the Committee on Military Affairs and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the President of the United States having returned to the House of Representatives, in which it originated, the bill (H. R. 3157) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, with his objections thereto, the House proceeded, in pursuance of the Constitution, to reconsider the same, and resolved that the bill do not pass, two-thirds of the House of Representatives not agreeing to pass the same.

ENROLLED JOINT RESOLUTIONS SIGNED.

The message also announced that the Speaker of the House had signed the following joint resolutions, and they were thereupon signed by the Vice President:

H. J. Res. 65. Joint resolution authorizing the Secretary of War to loan tents for use at encampments held by veterans of the World War; and

H. J. Res. 120. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Tao Hung Chang and Zeng Tze Wong, citizens of China.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT. The Chair lays before the Senate resolutions adopted by the Legislature of the Territory of Hawaii, petitioning Congress to confer the right of statehood upon the Territory. The resolutions will be printed in the RECORD and referred to the Committee on Pacific Islands and Porto Rico.

The resolutions are as follows:

THE TENTH LEGISLATURE OF THE TERRITORY OF HAWAII,
THE SENATE,
Honolulu, Hawaii, April 30, 1919.

The honorable the PRESIDENT OF THE
SENATE OF THE UNITED STATES,
Washington, D. C.

SIR: I have the honor to transmit herewith certified copy of senate concurrent resolution No. 5, petitioning the Congress to confer upon the Territory of Hawaii the right of statehood, which was adopted by the Legislature of the Territory of Hawaii.

I have the honor to be
Very respectfully,

O. P. SOARES,
Clerk of the Senate.

Concurrent resolution.

Whereas the people of the Territory of Hawaii have ever shown themselves thoroughly capable of self-government both before and since the present Territorial government was established; and
Whereas the people of the Territory of Hawaii have proven their loyalty and devotion to the Federal Government ever since the establishment of said Territorial government; and
Whereas the people of the Territory of Hawaii have further proven their loyalty and patriotism by meeting every request and demand made upon them by the Federal Government during the war just ended; and
Whereas the Hon. JONAH K. KALANIANAOLE, Delegate to Congress from the Territory of Hawaii, has introduced a bill conferring statehood upon Hawaii; and
Whereas the people of said Territory of Hawaii, as a whole, strongly favor the granting of staethood to Hawaii: Now, therefore, be it

Resolved by the Senate of the Territory of Hawaii (the House of Representatives concurring), That Congress be, and it is hereby, petitioned and requested to pass said bill and confer upon the Territory of Hawaii the right of statehood; and be it further

Resolved, That a certified copy of this resolution be forwarded to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, and to the Hon. JONAH K. KALANIANAOLE, Delegate to Congress from the Territory of Hawaii.

THE SENATE OF THE TERRITORY OF HAWAII,
Honolulu, Hawaii, March 7, 1919.

We hereby certify that the foregoing resolution was adopted by the senate of the Territory of Hawaii on March 7, A. D. 1919.

CHAS. F. CHILLINGWORTH,
President of the Senate.
O. P. SOARES,
Clerk of the Senate.

THE HOUSE OF REPRESENTATIVES OF THE TERRITORY OF HAWAII,
Honolulu, Hawaii, March 25, 1919.

We hereby certify that the foregoing resolution was adopted in the house of representatives of the Territory of Hawaii on March 25, A. D. 1919.

H. L. HOLSTEIN,
Speaker House of Representatives.
EDWARD WOODWARD,
Clerk House of Representatives.

The VICE PRESIDENT. The Chair lays before the Senate resolutions adopted by the Legislature of the Territory of Hawaii, authorizing the governor of Hawaii to appoint a commission for the purpose of assisting the Delegate to Congress from Hawaii. The resolutions will be printed in the RECORD and referred to the Committee on Pacific Islands and Porto Rico.

The resolutions are as follows:

THE TENTH LEGISLATURE OF THE TERRITORY OF HAWAII,
THE SENATE,
Honolulu, Hawaii, April 30, 1919.

The honorable the PRESIDENT OF THE SENATE OF THE UNITED STATES,
Washington, D. C.

SIR: I have the honor to transmit herewith certified copy of Senate Concurrent Resolution No. 36, authorizing the governor of Hawaii to appoint a commission for the purpose of assisting the Delegate to Congress from Hawaii, which was adopted by the Legislature of the Territory of Hawaii.

I have the honor to be,
Very respectfully,
O. P. SOARES,
Clerk of the Senate.

Concurrent resolution.

Resolved by the Senate of the Territory of Hawaii (the House of Representatives concurring), That the governor be, and he hereby is, authorized and requested to appoint a commission consisting of two members of the Senate of the Territory of Hawaii and two members of the House of Representatives of the Territory of Hawaii, to be known as the "Legislative Commission of the Territory of Hawaii," for the purpose of assisting the Delegate to Congress by their presence in Washington in the presentation of any and all measures amendatory of any and all laws of the Territory of Hawaii; and be it further

Resolved by the Legislature of the Territory of Hawaii, That if in the opinion of the governor the presence in Washington of the land commissioner and/or the attorney general shall be necessary, the governor be, and he is hereby, authorized to direct the said land commissioner and/or attorney general to accompany the said commission to Washington for the purpose herein indicated; and be it further

Resolved by the Legislature of the Territory of Hawaii, We recommend to the governor that the expenses of such commission and of the land commissioner and/or the attorney general while absent from the Territory of Hawaii be paid from the governor's contingent fund; and be it further

Resolved by the Legislature of the Territory of Hawaii, That copies of this resolution, duly certified to by the president of the senate and by the speaker of the house of representatives, be transmitted to the governor of Hawaii, to the Delegate to Congress, to the Speaker of the House of Representatives at Washington, and to the President of the Senate.

THE SENATE OF THE TERRITORY OF HAWAII,
Honolulu, Hawaii, April 30, 1919.

We hereby certify that the foregoing resolution was finally adopted by the Senate of the Territory of Hawaii on April 30, A. D. 1919.

CHAS. F. CHILLINGWORTH,
President of the Senate.
O. P. SOARES,
Clerk of the Senate.

THE HOUSE OF REPRESENTATIVES OF THE TERRITORY OF HAWAII,
Honolulu, Hawaii, April 30, 1919.

We hereby certify that the foregoing resolution was adopted in the House of Representatives of the Territory of Hawaii on April 30, A. D. 1919.

H. L. HOLSTEIN,
Speaker House of Representatives.
EDWARD WOODWARD,
Clerk House of Representatives.

The VICE PRESIDENT. The Chair lays before the Senate resolutions adopted by the Legislature of the Territory of Hawaii, petitioning Congress to enact legislation requiring residence of not less than one year in the Territory to establish eligibility for Federal appointment within the Territory. The resolutions will be printed in the RECORD and referred to the Committee on Pacific Islands and Porto Rico.

The resolutions are as follows:

THE TENTH LEGISLATURE OF THE TERRITORY OF HAWAII,
THE SENATE,
Honolulu, Hawaii, April 30, 1919.

The honorable the PRESIDENT OF THE SENATE OF THE UNITED STATES,
Washington, D. C.

SIR: I have the honor to transmit herewith certified copy of senate concurrent resolution No. 8, requesting the Delegate from Hawaii to secure the enactment of a measure by the Congress requiring residence of not less than one year in the Territory of Hawaii in order to be eligible to Federal appointments within the Territory, which was adopted by the Legislature of the Territory of Hawaii.

I have the honor to be,
Very respectfully,
O. P. SOARES,
Clerk of the Senate.

Concurrent resolution.

Whereas the Republican and Democratic Parties in their last national convention inserted a provision in their platforms favoring the appointment of residents of Territories to Federal appointive positions within the Territories; and
Whereas the Republican and Democratic Parties in the Territory of Hawaii have gone on record as favoring such a provision; and
Whereas the enforcement of such a provision would be in keeping with the principle of home rule and of democracy, which are the very foundations of the American doctrine of government: Therefore be it

Resolved by the senate (the house of representatives concurring), That the Delegate in Congress from the Territory of Hawaii be requested and urged to secure the enactment of a measure by the Congress requiring residence of not less than one year in the Territory of Hawaii in order to be eligible to Federal appointments within the Territory; and be it further

Resolved, That a certified copy of this resolution be forwarded to the President of the United States of America, the President of the Senate, the Speaker of the House of Representatives, and to the Delegate in Congress from Hawaii.

THE SENATE OF THE TERRITORY OF HAWAII,
Honolulu, Hawaii, March 4, 1919.

We hereby certify that the foregoing resolution was adopted by the Senate of the Territory of Hawaii on March 4, A. D. 1919.

CHAS. F. CHILLINGWORTH,
President of the Senate.
O. P. SOARES,
Clerk of the Senate.

THE HOUSE OF REPRESENTATIVES OF THE TERRITORY OF HAWAII,
Honolulu, Hawaii, April 1, 1919.

We hereby certify that the foregoing resolution was adopted in the House of Representatives of the Territory of Hawaii on April 1, A. D. 1919.

H. L. HOLSTEIN,
Speaker House of Representatives.
EDWARD WOODWARD,
Clerk House of Representatives.

Mr. CURTIS presented a resolution adopted by the Central Labor Union of Kansas City, Kans., favoring the ratification of the league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a petition of Ogoyago Tribe, No. 91, Improved Order of Red Men, of Ottawa, Kans., praying that all American Indians be given the full rights of American citizenship, which was referred to the Committee on Indian Affairs.

He also presented a memorial of sundry citizens of Scott City, Kans., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. HALE presented a petition of the mayor and the board of aldermen of the city of Lewiston, Me., praying for the independence of Ireland, which was referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of Burnham, Me., remonstrating against the proposed plan of the Secretary of the Interior to reclaim arid and swamp lands, which was referred to the Committee on Public Lands.

He also presented a petition of the Equal Suffrage League of Brunswick, Me., praying for the ratification of the league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. LODGE. I present resolutions adopted by the Legislature of the Commonwealth of the State of Massachusetts, remonstrating against the attitude of the United States Shipping Board toward the port of Boston. I ask that the resolutions be printed in the RECORD and referred to the Committee on Commerce.

The resolutions were referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

THE COMMONWEALTH OF MASSACHUSETTS, 1919.

Resolutions protesting against the attitude of the United States Shipping Board toward the port of Boston.

Whereas the port of Boston is the business center of the woolen, worsted, cotton, boot and shoe industries of America, with unsurpassed harbor and terminal facilities, and the advantage of being nearer foreign markets than other American ports; and

Whereas the United States Shipping Board is allocating a greater number of vessels and a larger amount of tonnage to ports less favored than the port of Boston: Be it

Resolved, That the General Court of Massachusetts hereby protest that the present policy of the United States Shipping Board is unwarranted and unfair in its failure to recognize the importance of the New England industries and the opportunity offered in the use of Boston Harbor for aiding in the development of foreign commerce at this critical time and in extending the use of American manufactures in foreign countries;

Resolved, That immediate steps should be taken by the United States Shipping Board to revise its policy so that a sufficient number of ships may be made available immediately for the development of the port of Boston; and

Resolved, That copies of these resolutions be transmitted by the secretary of the Commonwealth to the President of the United States, to the United States Shipping Board, and to the Senators and Representatives in Congress from this Commonwealth.

In house of representatives adopted July 2, 1919.

In senate adopted in concurrence July 7, 1919.

A true copy.

Attest:

ALBERT P. LANGTRY,
Secretary of the Commonwealth.

Mr. LODGE presented a memorial of Local Union No. 4, International Brotherhood of Stationary Firemen, Helpers, and Oilers, of Holyoke, Mass., and a memorial of sundry citizens of Massachusetts, remonstrating against the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

He also presented a resolution adopted at a mass meeting of citizens held in Faneuil Hall, Boston, Mass., favoring the separation of the league of nations covenant from the treaty of peace, which was referred to the Committee on Foreign Relations.

He also presented a petition of Local Grange No. 345, Patrons of Husbandry, of South Carver, Mass., and a petition of sundry citizens of Massachusetts praying for the ratification of the league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. WARREN (for Mr. KENDRICK) presented a petition of sundry members of the faculty of the University of Wyoming, Laramie, Wyo., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. FERNALD presented a petition of sundry citizens of Vallejo, Calif., praying for a reduction in rentals charged the employees of the Mare Island Navy Yard, located near that city, which was referred to the Committee on Public Buildings and Grounds.

Mr. WALSH of Massachusetts presented memorials of 600 employees of the B. F. Sturtevant Co., of Hyde Park; of sundry employees of K. J. Quinn & Co. (Inc.), of Boston; of Gardiner, Beardsell & Co.; of the Mason Brush Works, of Worcester; of the United States Bobbin & Shuttle Co., of Lawrence; of the A. N. F. Shoe Co., of Newburyport; of the J. H. Baker Co., of Beverly; of R. Burleigh Bartels, of Boston; of the Boston Pipe & Fittings Co.; of the Armour Leather Co., of Boston; of the Bristol Patent Leather Co.; of the Gurney Heater Manufacturing Co., of Framingham; of the Boston Blacking Co.; of the Worthington Pump & Machinery Corporation, of Holyoke; of Walworth Bros. (Inc.), of Lawrence; of the Shaw Furniture Co., of Cambridge; of E. Frank Lewis, of Lawrence; of Bates Bros. Co., of Athol; of the Boston Duck Co.; of the Franklin Paper Co.; of the MacGregor Instrument Co., of Needham; of the C. H. Hayes Corporation, of Haverhill; of the Wright Manufacturing Co., of Lawrence; of the National Fireproofing Co.; of the Lovell & Covel Co., of Boston; of the A. E. Little Co., of Lynn; of the Tyer Rubber Co., of Andover; of the H. P. Cummings Construction Co.; of the James Hunter Machine Co., of Boston; of the Dedham Mills; of the Kieth Car & Manufacturing Co., of Sagamore; of the Page-Storms Drop Forge Co., of Chicopee; of the Potter Drug & Chemical Corporation, of Malden; of the American Sugar Refining Co., of Boston; of M. W. Carr & Co., of West Somerville; of the Star Worsted Co., of Fitchburg; of the E. B. Badger & Sons Co.; of the Norfolk Woolen Co., of Franklin; of the E. H. Friedrich Co., of Holyoke; of the Barron Anderson Co., of Boston; of the Crane Co., of Boston; and of the Hudson Worsted Co., of Boston, all in the State of Massachusetts, remonstrating against the repeal of the daylight-saving law, which were referred to the Committee on Interstate Commerce.

Mr. COLT presented a petition of sundry citizens of Cranston, R. I., praying for the enactment of legislation providing for the enforcement of prohibition, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Westerly, R. I., remonstrating against the proposed plan of the Secretary of the Interior to reclaim arid and swamp lands, which was referred to the Committee on Public Lands.

Mr. CAPPER presented a petition of sundry citizens of Washington County, Kans., praying for the repeal of the so-called "luxury" tax, which was referred to the Committee on Finance.

He also presented a petition of the Ogoyago Tribe, No. 91, Improved Order of Red Men, of Ottawa, Kans., praying for the granting to all American Indians the full rights of American citizenship, which was referred to the Committee on Indian Affairs.

He also presented a petition of sundry citizens of Kansas, praying for the repeal of the tax on ice cream, soda, soft drinks, etc., which was referred to the Committee on Finance.

He also presented a resolution adopted by the National Association of Supervisors of State Banks at a convention held in Cleveland, Ohio, favoring the abolishment of the office of the Comptroller of the Currency, which was referred to the Committee on Banking and Currency.

He also presented a petition of the Southwestern Interstate Coal Operators' Association, of Kansas City, Mo., praying for universal military training, which was referred to the Committee on Military Affairs.

Mr. McLEAN presented a petition of Norden Lodge, No. 37, International Order of Good Templars, of New Britain, Conn., praying for the enactment of legislation providing for the enforcement of prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of Bakers' Local Union No. 155, of Waterbury, Conn., and a petition of the Central Labor Union of Hartford, Conn., praying for the repeal of war-time prohibition, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry employees of the American Thread Co., of Willimantic, Conn., remonstrating against the repeal of the so-called daylight-saving law, which was referred to the Committee on Interstate Commerce.

He also presented the petition of Charles Galgano, of Torrington, Conn., praying for the control of the Adriatic coast by Italy and the annexation of Fiume to Italy, which was referred to the Committee on Foreign Relations.

Mr. PHELAN presented a petition of district No. 5 of the California State Nurses' Association, praying for the enactment of legislation conferring rank for nurses in the Army Nurse Corps, which was referred to the Committee on Military Affairs.

Mr. SMITH of Maryland presented a petition of Local Lodge No. 567, Brotherhood of Railway Clerks, of Baltimore, Md., praying for the repeal of war-time prohibition, so as to permit the manufacture of beer of 2¾ per cent alcohol, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Baltimore, Md., remonstrating against the repeal of the so-called daylight-saving law, which was referred to the Committee on Interstate Commerce.

ALLEGED UNLAWFUL PRACTICES OF FEDERAL OFFICIALS.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 121, submitted by Mr. CURTIS on the 15th instant, directing the Judiciary Committee to investigate charges of illegal practices by certain Federal officials in the State of Kansas, asked to be discharged from its further consideration, and that it be referred to the Committee on the Judiciary, which was agreed to.

EMPLOYMENT OF ASSISTANT CLERK.

Mr. SMOOT. From the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 99, submitted by the Senator from New York [Mr. CALDER] on the 27th ultimo, I report it back favorably with amendments, and I ask for its immediate consideration.

The Senate, by unanimous consent, proceeded to consider the resolution.

The amendments were, on page 1, line 3, before the words "rate of," to strike out "$1,800" and insert "$1,500," and in line 5, after the word "Senate," to strike out "until otherwise provided by law" and insert "during the Sixty-sixth Congress," so as to make the resolution read:

Resolved, That the Committee to Audit and Control the Contingent Expenses of the Senate be, and is hereby, authorized to employ an assistant clerk at the rate of $1,500 per annum, to be paid out of the contingent fund of the Senate during the Sixty-sixth Congress.

The amendments were agreed to.

The resolution as amended was agreed to.

EMMA V. KENNEY.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 118, submitted by him on the 14th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to Emma V. Kenney, widow of Beverly W. Kenney, late a laborer in the employ of the United States Senate, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAMBERLAIN:

A bill (S. 2498) for the relief of Henry von Hess; to the Committee on Military Affairs.

By Mr. FLETCHER:

A bill (S. 2499) for the purchase of a site for and the erection of a post-office building at Tarpon Springs, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. SPENCER:

A bill (S. 2500) granting an increase of pension to John W. Sharrock; and

A bill (S. 2501) granting a pension to Edward D. Lockwood, alias George E. McDaniel; to the Committee on Pensions.

By Mr. NEW:

A bill (S. 2502) to amend an act of Congress approved March 12, 1914, authorizing the President of the United States to construct and operate railroads in the Territory of Alaska, and for other purposes; to the Committee on Territories.

A bill (S. 2503) granting an increase of pension to Margaret A. Roberts (with accompanying papers); and

A bill (S. 2504) granting a pension to Curtis Harlin Lewis (with accompanying papers); to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 2505) authorizing the Secretary of War to donate to Long Prairie, Minn., a captured German cannon; to the Committee on Military Affairs.

A bill (S. 2506) to authorize the establishment of a Coast Guard Station on the coast of Lake Superior, in Cook County, Minn.; to the Committee on Commerce.

By Mr. FRANCE:

A bill (S. 2507) to establish an executive department to be known as the Department of Public Health, and for other purposes; to the Committee on Public Health and National Quarantine.

By Mr. GRONNA:

A bill (S. 2508) to appropriate $5,000,000 for the purchase of seed grain and feed for live stock, to be supplied to farmers and stockmen in the drought-stricken areas of the United States; to the Committee on Agriculture and Forestry.

By Mr. SIMMONS:

A bill (S. 2509) to fix the annual salary of the collector of customs for the district of North Carolina; to the Committee on Finance.

A bill (S. 2510) for the relief of Cleveland L. Short; to the Committee on Claims.

By Mr. LENROOT:

A bill (S. 2511) granting a pension to Ethel Kingsbury; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 2512) granting a pension to Mary C. B. Shultz (with accompanying papers); to the Committee on Pensions.

By Mr. JOHNSON of California:

A bill (S. 2513) granting an increase of pension to Isaac N. Strickler;

A bill (S. 2514) granting a pension to Gertrude B. Swain;

A bill (S. 2515) granting an increase of pension to Thomas Hambrook;

A bill (S. 2516) granting a pension to Mary E. Stitt;

A bill (S. 2517) granting a pension to Ernest Court;

A bill (S. 2518) granting a pension to Catharine A. Atkinson;

A bill (S. 2519) granting a pension to John W. Avis;

A bill (S. 2520) granting a pension to Sarah A. Steele;

A bill (S. 2521) granting an increase of pension to Ezra A. Tyler; and

A bill (S. 2522) granting a pension to Herman T. Ammon; to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 2523) to amend section 3 of an act entitled "An act to regulate radio communication," approved August 13, 1912; to the Committee on Commerce.

By Mr. KING (by request):

A bill (S. 2524) to prohibit the transmission through the mails of matter printed, written, or multigraphed in any foreign language under certain conditions and circumstances; to the Committee on Post Offices and Post Roads.

By Mr. NORRIS:

A bill (S. 2525) for the relief of Mrs. Thomas McGovern; to the Committee on Claims.

By Mr. UNDERWOOD:

A bill (S. 2526) granting a pension to George Beals; to the Committee on Pensions.

By Mr. FERNALD:

A joint resolution (S. J. Res. 72) authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to employees of the United States Department of Agriculture who died in the war with Germany; to the Committee on Public Buildings and Grounds.

RECLAMATION PROJECTS.

Mr. SMOOT. I submit a resolution and ask for its immediate consideration. I will state that it is merely for information which is required from the Interior Department as to reclamation projects which have already been completed and those that are under way.

The resolution (S. Res. 123) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Interior be, and he is hereby, authorized and directed to furnish to the United States Senate full and complete information in regard to the various reclamation and irrigation projects and systems, other than those on Indian lands, under his jurisdiction and being constructed by the United States Reclamation Service; said report to contain full information as to the size of each project, the number of acres susceptible to irrigation, the number of acres under each project, the cost of construction to date, the cost of maintenance to date, the cost to complete, the estimated value per acre when complete, the number of acres under each project actually under cultivation, the number of acres farmed by owners, the number of acres farmed by tenants, the funds out of which the project is being constructed, and the amount reimbursed to such funds to date.

REV. E. M. MALLORY AND REV. E. BELL.

Mr. SMITH of Georgia. I submit a resolution which I ask may be read and referred to the Committee on Foreign Relations.

The resolution (S. Res. 124) was read and referred to the Committee on Foreign Relations, as follows:

Resolved, That the Secretary of State is hereby directed to furnish to the Senate the records in the cases, and all papers in his possession connected with the cases of Rev. E. M. Mallory, charged with harboring criminals, and Rev. E. Bell, charged with involuntary homicide, they being citizens of the United States and residents at the time in Korea.

WORLD COTTON CONFERENCE, NEW ORLEANS, LA.

Mr. MOSES. From the Committee on Foreign Relations I report back favorably, without amendment, the joint resolution (H. J. Res. 73) authorizing the President to extend invitations to other nations to send representatives to the World Cotton Conference to be held at New Orleans, La., October 13 to 16, 1919; inclusive, and I ask unanimous consent for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, and it was read, as follows:

Resolved, etc., That the President is hereby authorized to extend invitations to all other nations of the world interested in the manufacture or raising of cotton to appoint delegates or representatives to the World Cotton Conference to be held at New Orleans, La., October 13, 14, 15, and 16, 1919: *Provided*, That no appropriation shall be granted for the expenses of such delegates or for any other expenses incurred in connection with said conference.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SHANTUNG PENINSULA, CHINA.

Mr. SPENCER. I submit a resolution and ask to have it read and referred to the Commitee on Foreign Relations.

The resolution (S. Res. 125) was read and referred to the Committee on Foreign Relations, as follows:

Resolved, That the Senate expresses its deep regret at the provisions of the treaty (secs. 156, 157, 158) which transfers to Japan such broad rights and powers and physical possession over the territory and people in the Shantung Peninsula of China, as being alike disregardful of the true rights and deep-seated desires of the more than 36,000,000 of Chinese inhabiting the peninsula, unjust to the Republic of China, and threatening to the future peace of the world.

It is the sincere hope of the United States that this manifest injustice may be speedily reconsidered and remedied.

LEAGUE OF NATIONS.

Mr. SPENCER. Mr. President, I ask, if there be no objection, to have inserted in the RECORD an editorial from the Grand Rapids Herald, of Michigan, including a letter from Mr. Taft, regarding reservations upon the league of nations. It seems to me it will be very helpful at this time.

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

A SAFE AMERICAN PROGRAM FOR THE LEAGUE OF NATIONS.

(By A. H. Vandenberg, the editor, the Herald.)

Based on a communication received by the Herald yesterday from ex-President William Howard Taft, the Herald believes that Mr. Taft (who, next to President Wilson himself, is the chief American advocate of the league of nations) has come into substantial consent to the Herald's long-preached program for an acceptance of the treaty of peace and a ratification of the league covenant with reservations which shall distinctly make the league safe for the United States.

If this is correct, it should show Washington the way to a speedy and harmonious program of action—acceptable alike in the White House and in the Capitol (if these two citadels be ruled by reason): A program of action which will produce immediate ratification of the treaty and the league covenant, yet which will save American independence, the American Constitution, and American autonomy.

It will be remembered that when Mr. Taft came to Grand Rapids several weeks ago under the auspices of his League to Enforce Peace to plead for the league of nations covenant, the Herald presented him with a questionnaire. In this inquiry, the Herald sought to secure his interpretation upon several muddy sections of the covenant, vitally affecting the destiny of this free nation; and, in addition, begged him to consent to Senate reservations which should officially tell the world that America will always insist upon just such interpretations as he (and other proponents like him) declares, unofficially, to be appropriate. (In each of these important instances, the covenant can be construed two diametrically opposite ways; one way, safe for the United States; the other way, absolutely subvertive of perpetuated independent American Government.)

Mr. Taft did not reply, extemporaneously, in his Coliseum speech that evening. But two days later he favored the Herald with a long and well-sustained communication in which he partially consented that two of the "reservations," which the Herald has urged, would not be inappropriate, provided they did not reopen the entire league problem to renewed international negotiations. At the same time he courteously promised the Herald further investigation into the points we raised.

Yesterday's mail brought a further communication from this eminent statesman. "I send you a suggested series of resolutions," he writes, "which might easily be transformed into reservations." And these are the "resolutions":

"Whereas under article 10 of the covenant, the members undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league, and in case of such aggression or in case of any danger or threat of such aggression, the council is to advise upon the means by which this obligation shall be fulfilled; and

"Whereas the preservation of the territorial integrity and the existing political independence of members may require, and the council may advise, the employment of force: Now, therefore, it is

"*Resolved*, That nothing contained in this treaty or in article 10 thereof is to be so construed as to require the United States of America to employ or to be called upon by the members of the league to employ military force for the purpose of fulfilling any obligation under article 10 until the Congress of the United States shall have passed appropriate legislation pursuant to the powers reserved to it under Article I of the Constitution of the United States with reference thereto.

"*Resolved*, That the power to declare and maintain war is vested in the Congress of the United States, and if the performance by the United States Government of the obligation assumed by article 10 of the covenant at any time requires the exercise of such power, supplementary action by Congress will become necessary.

"*Resolved further*, That in any approval of the treaty of peace a reservation by resolution should be made that the covenant of the league of nations as now drafted is not to be interpreted—

"(a) As affecting or bringing within the jurisdiction of the league the traditional national policy of the United States known as the 'Monroe doctrine,' as it has been from time to time asserted and whereby for its own defense this Nation has regarded as an unfriendly act any attempt by foreign nations, whether by war or purchase or diplomatic intrigue, to make territorial acquisitions or to secure new strategical footholds upon or near the Western Hemisphere or to secure political advantage in the domestic affairs of American nations; or

"(b) As affecting or bringing under the jurisdiction of the league such domestic matters as the admission of immigrants to this country, the regulation of commerce, including coastwise trade and transportation, or the fiscal policy, including tariff laws."

If such reservations as these meet with Mr. Taft's approval, Mr. Taft and the Herald are at last in concert regarding the proper action which should be taken by the United States Senate. Everything that has happened since we first insisted upon this view has strengthened the Herald's conviction that it was advocating the right course—for the sake of America as well as for the sake of the world; and, certainly, nothing could more completely confirm this conviction than to win Mr. Taft's approval.

If to the reservations above outlined there be added one further clause, making it clear that America will always construe the right of withdrawal on two years' notice as being an affirmative right which cannot be vitiated by any league strictures, based upon alleged misconduct during those "two years" through which the "notice" must run, we believe a solid, substantial, patriotic, safe, sane course has been charted which will readily command a heavy Senate majority and which will be entitled to the whole-hearted indorsement of the people of the United States.

Advocates of the league insist (and will continue to insist) that the league covenant is "safe for the United States," because, say they, it does mean just what these reservations say it means. How, then, can they hope to successfully argue against permitting the Senate to say so officially, concurrent with its act of ratification? Evidently Mr. Taft does not intend to be in that dubious posture.

If the covenant does not mean what these reservations declare and what these sled-length proponents declare, then the league is not safe for the United States and should not be accepted, no matter what the pressure from the seats of the mighty. If the covenant does not mean these things, then it does mean that our children may be called to fight the foreign wars of all the world without any right of independent American decision as required by our Constitution; and it does mean that we are transferring sovereign authority over our own immigration laws and our own tariffs and our own Monroe doctrine to an Old World from which we have been successfully independent for 143 years.

It would be suicidal negligence to ratify the covenant without making these moot points clear, without protecting ourselves while we are yet free agents in the world. On the other hand, with these reservations declared, it would be rank provincialism not to participate in the league experiment for the sake of the great peace good it may be made to accomplish within its legitimate sphere.

And who, pray, will object?

Britain can not complain if we are at least partially as jealous of our rights as she has been of hers. She signed no covenant until her supremacy of the seas had been saved for all time and until her league influence had been beautifully safeguarded. Japan can not complain. She got Shantung, answering her particular national ideal, before she yielded to the call of the dotted line. France can not complain. She obtained, with Mr. Wilson's consent, the greatest "reservation" of all when she negotiated a supplementary alliance under which we are called upon to refight her battles along the German Rhine in case the league does not function satisfactorily. As a matter of fact, no foreign nation can object, (1) because the Old World can not have a league without us, and it wants us at any price to help carry its load; (2) because to "object" to such reservations as these would be to openly confess that there is a foreign intention ultimately to interpret the league against us and our independence and our autonomy.

If no one can object outside of the United States, why, in Heaven's name, should anyone inside the United States, from President Wilson down, object, when the sole and only purpose is to preserve America and make clear to the world that we are not abrogating any of our intentions to preserve America?

REPORT ON SITUATION IN KOREA.

Mr. McCORMICK. Mr. President, I ask unanimous consent to have incorporated in the RECORD the report of the Federal Council of Churches of Christ in America on the Korean atrocities.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

REPORT ON SITUATION IN KOREA.

CONTENTS.

Cable messages from Premier Hara.
Introductory statement by commission on relations with the Orient.
The disturbances in Korea (Exhibit I). Historical background of the revolutionary movement.
General survey of the situation in Korea by a committee (Exhibit II):
(a) Beginning of the uprising.
(b) The part played by Christians.
(c) Antiforeign agitation by Japanese (see also Exhibit III).
(d) Indignities to missionaries.
Statements by individual eyewitnesses:
Exhibit IV. Cruelties in Hamheung.
Exhibit V. Atrocities at Suna Ub, Maungsan, Anju, Pan Suk, Keng Syo.
Exhibit VII. Stories of 22 wounded Koreans in Severance Hospital.
Exhibit VIII. Twelve individual interviews (see also Exhibit XVII).
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FOREWORD.

IMPORTANT CABLE MESSAGES.

Just as this pamphlet was about to go to press the following cable message was received from Hon. T. Hara, premier of the Japanese cabinet:

"I desire to assure you that the report of abuses committed by agents of the Japanese Government in Korea has been engaging my most serious attention. I am fully prepared to look squarely at actual facts. As I have declared on various occasions, the régime of administration inaugurated in Korea at the time of the annexation, nearly 10 years ago, calls for substantial modification to meet the altered conditions of things. Ever since the formation of the present cabinet in September last I have been occupied in working out the scheme of needed administrative reforms in Korea. A comprehensive plan of reorganization with this object in view has already been on the tapis. For obvious reasons it has not been possible to proceed at once to its formal adoption in the presence of the disturbances which have unfortunately broken out in various parts of the peninsula.

"In view, however, of the recent improvement in the situation, the contemplated reform can now be, in my estimation, safely introduced, and will be carried into effect as soon as the legal requirements of procedure to make them definitive shall have been completed. Announcement of the plan in a more complete form shall be withheld for the present, but I trust that the fixed determination with which my colleagues and I have been endeavoring to promote the lasting welfare of our Korean kinsmen and to insure a distinct betterment of conditions in the country will not be misunderstood or misconstrued."

The foregoing cablegram was received July 10, and came in answer to a cable sent him June 26, 1919, by the Commission on Relations with the Orient, as follows:

"Agitation regarding Chosen abuses increasingly serious, endangering good will. Can not withhold facts. Urgently important you publish official statements that abuses have ceased and reasonable administrative reforms proceeding. Can you cable to this effect? Address Fedcil—Commission Relations Orient, Federal Council Churches."

At an earlier date, namely, April 20, a cablegram regarding the Korean situation had been sent by Consul General Yada to Viscount Uchida, Minister of Foreign Affairs in Tokyo. In reply to that cablegram, the following message was received by Mr. Yada and handed to this commission on May 15, 1919:

* * * * * * *

"Premier Hara has for some time past been most deeply concerned in regard to the introduction of reforms into the governmental administration of Chosen. He is now in the midst of special investigations as to the best methods for the realization of these reforms, which might be seriously interfered with and made more difficult were the press of foreign countries rashly at this time to incite additional excitement.

"Therefore you are instructed to explain the situation as above stated to the members of the Federal Council Commission, conveying to them at the same time the appreciation on my part of their cordial and friendly spirit which has prompted them to take action in this present trouble. It is also the desire of the premier that you should call their attention more especially to the gravity of the whole affair if it is not handled in a proper way and ask for the continuance of their sane and moderate attitude."

* * * * * * *

These cable messages indicate the earnestness with which this commission, the Consul General Yada, and the Premier of Japan himself have been acting in response to the appeals that have come from Korea.

There is every reason to believe that Premier Hara and his colleagues will exert their fullest power to rectify the wrongs and inaugurate a new era in Korea.

WM. I. HAVEN, *Chairman.*
SIDNEY L. GULICK, *Secretary.*

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THE JAPAN-KOREAN SITUATION.

Early in March telegraphic news from Shanghai and Tientsin began to tell of a remarkable uprising for independence in Korea, which, it was alleged, the Japanese Government was suppressing with great brutality. In April letters began to arrive verifying the telegraphic news, and giving considerable detail. These letters and reports came through many indirect channels in order to escape a rigid censorship and were addressed to the secretaries of foreign mission boards having missions in Korea. Copies of letters from missionaries to friends and kindred in America were also forwarded by them to these board secretaries.

All appealed for some action in America that would save the Koreans from the brutal and inhuman treatment to which they were being ruthlessly subjected.

About the middle of April the first person who came direct from Korea, bringing personal knowledge of the situation, and arriving in New York, was Rev. A. E. Armstrong, secretary of the Board of Foreign Missions of the Presbyterian Church of Canada. He had spent 10 months in the Far East, visiting the stations of his board in China, Manchuria, Korea, and Japan, and was on the point of sailing from Yokohama for America, when he received a wire urging an immediate revisit to Korea. He reached Seoul March 16, was there for three days in consultation with various parties, getting full and accurate information.

On reaching New York he at once consulted Dr. Arthur J. Brown, secretary of the Board of Foreign Missions of the Presbyterian Church of the United States; Dr. Frank Mason North, secretary of the Board of Foreign Missions of the Methodist Episcopal Church of the United States; and Dr. William I. Haven, secretary of the American Bible Society. The subject matter to be dealt with was of such a nature that they thought it could best be handled by the Federal Council of the Churches of Christ in America rather than by the mission boards.

A meeting was therefore called of the Commission on Relations with the Orient of the Federal Council of Churches on April 16. Since that date the commission has held a dozen meetings in connection with this question not only to study it but also to take such action as might seem wise. To two of the meetings a group of important Japanese in New York City were invited. Urgent and full cablegrams were promptly sent to Japan by some of these Japanese friends.

The commission sought by these quiet and friendly methods to exert influences that would secure real results. It deemed it only fair and just to take up the matter first with the Japanese before giving to the daily press the rapidly accumulating material from Korea. This has been done. The commission now feels that the time has come when the full and accurate information in its possession should be made available for the public.

The documents printed in the following pages the commission believes to be thoroughly reliable. More than 30 American and British individuals in Korea have shared in their preparation. Some of the documents are carefully prepared reports by committees; some are personal letters; some are signed affidavits of eyewitnesses. If all the material in hand were published, a volume of about 1,000 pages would result.

One of the reports covers 114 closely packed pages. In these days of excitement and political turmoil in many lands we must accept with caution extreme statements that are not capable of proof. Many exaggerations have been circulated. The facts described in the following pages speak for themselves.

The commission gives this material to the public for two principal reasons. First, because it wishes that every possible influence may be brought to bear for the protection of Koreans from inhuman treatment and injustice. Second, because there is need of a sound and enlightened public opinion here in America, a public opinion that will strengthen the progressive, antimilitaristic forces in Japan in their efforts to secure justice and fair dealing in Korea.

The commission wishes to state with utmost clearness that as a commission it is not concerning itself with the political questions involved in the Korean independence movement. Whether or not Korea should be granted political independence is not a question upon which it is called to express judgment. The commission is, however, concerned with all right-minded men that brutality, torture, inhuman treatment, religious persecutions, and massacres shall cease everywhere. The evidence of the wide prevalence of such deeds in Korea has become convincing.

In dealing with this situation there is need of an accurately informed and just public opinion, able in its criticism of Japan to discriminate between the reactionary and militaristic forces on the one hand and those that are liberal and progressive on the other hand. Wholesome and fair criticism will recognize the disaster that has come upon the whole world through the spirit and practice of militarism. Japan, too, has been caught in its meshes. But in Japan, too, as in other lands, there is a liberal antimilitaristic movement, led by humane and progressive men, who, we believe, share the distress of mind which their friends in America feel over what is being done in Korea.

The present cabinet, having as premier the first "Commoner" who has risen to that high post of responsibility, though liberal itself, is the heir of the disastrous militaristic policies and methods of preceding cabinets. There is good ground for belief that even before the uprising it was earnestly grappling with the problem of administrative reform in Korea. The turmoil has halted its program. Its political foes, moreover, bureaucratic and militaristic, are many and strong and are watching for any opportunity for causing the downfall of the cabinet.

Americans should give the strongest possible moral support to the progressive and antimilitaristic movements in that land. This we can do, especially in this instance, as just indicated above, not by wholesale condemnation of the Japanese Government and people but by distinguishing between the reactionary, autocratic forces that have too largely dominated her policies and leaders in the past and the new liberal policies and leaders that are now coming to the fore. Hope for Korea, and indeed for China and the whole world, lies in the overthrow of militarism in Japan, as in every land, and in the firm establishment of civil liberty and popular rights for every section of the population.

WILLIAM I. HAVEN, *Chairman,*
SIDNEY L. GULICK, *Secretary,*
Commission on Relations with the Orient of the Federal Council of the Churches of Christ in America.

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EXHIBIT I.

THE DISTURBANCES IN KOREA.

(By ———.)

MARCH 21, 1919.

Korea at the present time would be a fertile field for another Bryce investigating commission. Because the stirrings of the present age have reached Korea and have aroused her people to demand freedom the Japanese military system has since the 1st of March exhibited all the characteristics of the Prussian machine which was recently smashed in Europe. Many of the atrocities perpetrated in Belgium have been duplicated in Korea. According to one newspaper 6,000 Koreans are now in jails and prisons, and this is probably below the actual number. The movement for more freedom is country wide; its propagandists include Christians, members of the reformed native cult, the Chuntokyo and Buddhists. Students of Government schools are equally involved with those of mission schools. And in the name of "law and order" countless offenses against humanity are daily being committed.

THE JAPANESE COLONIAL SYSTEM.

Japan established a protectorate over Korea in 1908, and in 1910 formally annexed the country. Prior to the annexation the administrative system was chaotic. By stern enforcement the Japanese have introduced quiet and order, have commenced to exploit the natural resources of the country, set up a judiciary, developed the beginning of an educational system, improved communications, and cultivated hygiene. There is no denying the fact that many reforms have been brought about under Japanese auspices. But the methods employed in governing Korea have not won the hearts of the people. The genius of the Japanese people is attracted by systems which are autocratic. Their police system is German to the core, and in their colonial government they have taken the Prussian rather than the British method as their model. The sword is the emblem of authority. Not only is it carried by the military, gendarmerie, and police, but by the civilian members of the civil service. Every male school-teacher wears a sword; in fact, almost everyone who holds a Government office carries a sword as the symbol of his authority. To bolster up the militaristic system a vast system of espionage exists. Consequently there is no freedom of assembly, no free speech, no freedom of the press. And there is no right of petition of grievances with immunity from arrest. Needless to say, there is no participation in self-government. In the law courts it is alleged that a Korean has no chance in a suit with a Japanese. Habeas corpus is unknown. The State has a right to keep a prisoner for two weeks or more before producing him in open court, and if it desires by means of securing extensions of 10 days ad lib. need not produce a prisoner in practice until it desires to do so. The prisoner is not allowed to consult a lawyer or to see his friends. Torture is freely applied, and a man is considered guilty until proved innocent. Neither is the Korean permitted to enjoy many offices of emolument under the Government. There are some Korean police and gendarmes, but there are very few Koreans in other departments of the civil service. Korea is a paradise for the Japanese job hunter. Efforts have been made by Government officials to deprave the youth of Korea. Commercialized prostitution is flourishing and is extending from the capital to the country parts. A manisfesto describing the grievances of the people has been issued by the independence committee. Another grievance which strikes deeply to the heart of the Korean is the determination of the Japanese to drive out the use of the Korean language from the schools. The proclamation which provides that Japanese is to be the sole language of instruction comes into force in 1920. The lesson of Poland and other countries seems to be lost upon the Japanese. Then there seems to be an organized attempt to deprive the Koreans in the southern part of Korea—which is the warmer portion—of their land and to force them to emigrate to Manchuria. Pressure is put upon the Korean landholder or tenant to sell, usually at a disadvantageous price, and he and his family go north to make a new home. Japanese settlers replace the Korean. This policy is fostered by a semiofficial company called the Oriental Development Co., which receives valuable concessions from the Government. A veteran missionary summed up the situation trenchantly the other day in these words: "This that builds railways, constructs roads, promotes education, understands hygiene, is none the less German."

JAPANESE REFORM TENDENCIES.

In a word, the whole system of government throughout the Japanese Empire reflects the German system in this—that the civil arm of the Government is dominated by the military. Last September the bureau-

cratic ministry of Count Terauchi fell, and was succeeded by that of Mr. Hara. The new ministry was acclaimed by the Japanese press as the first democratic government that Japan has had, and from its acts it would seem to deserve the title. Shortly after the Diet opened one of the new ministers replied to a question inquiring what would be the colonial policy of the new ministry, that the Government realized that they could not continue to rule the colonies by Imperial ordinances, but that new methods were under consideration. The minister could not say when they would go into effect. Later press references seemed to reveal an inner struggle in the Government, the civil element apparently wishing to replace the military government of Korea by a civilian administration, and the militarists opposing any such transformation. At the present moment the militarist element is vociferating in the daily press that it is impossible for Japan to ratify the action of its delegates at the peace conference in regard to the abolition of conscription. This by the way: On March 1, a monster popular demonstration took place in Tokyo demanding manhood suffrage, and the Hara ministry a few days later introduced an electoral reform bill, which has passed the popular house, greatly extending the franchise. It would appear therefore that democracy is slowly gaining in the heart of the Empire, and that there were hopes for a brighter day for the colonies from that end.

THE GENESIS OF THE KOREAN INDEPENDENCE MOVEMENT.

Meanwhile a series of happenings combined to precipitate a crisis in Korea. The first of these was the peace conference and the dissemination of the doctrine of self-determination of races. The following story was told to a representative group of missionaries by the minister of internal affairs of the government general of Chosen.

He stated that the Government had information that a Korean had interviewed President Wilson before he had left for Paris, and asked the President if he would bring up the question of Korea at the conference. The President replied, it is alleged, that the conference could only deal with countries which were affected by the war, and that the question of a country at peace, as Korea was, could not be properly raised. The interviewer then asked whether if it could be unmistakably shown that the Koreans were dissatisfied would the case of Korea then be discussed at the peace conference? To which the President is reported to have said that in that case he would not say that it could not be. According to information from other sources it seems that this is quite a likely story. There are many Koreans in the Western States, in Hawaii, Siberia, and China, and throughout all the centers of Korean population the movement for independence rapidly spread.

The proceedings of the peace conference formed another link in the chain of events. The league of nations, the gospel of the right of small nations to self-determination, the reviving of oppressed nations set free by the war, all fired the imagination of the educated Koreans.

Then an event nearer home occurred to bring out national feeling. On January 20 the ex-Emperor of Korea died, just on the eve of the marriage of his son to a Japanese princess. It was officially reported that the ex-Emperor's death was due to apoplexy. But rumors got into circulation that his death was due either to suicide or poisoning. It was claimed that he had refused to sign a paper which stated that the Koreans were contented under Japanese rule and was made away with because he had refused to do so. It has been officially denied that any such paper was ever presented to the ex-ruler. The news of the ex-Emperor's death was suppressed for a time.

Arrangements were made for the funeral. The Diet at Tokyo adjourned out of respect, after voting 100,000 yen toward the funeral expenses. The consort of the ex-Emperor, who had been assassinated in 1894, was buried not far out of the East Gate of Seoul. It had been decided that the King should be buried about 17 miles from that city, and in accordance with Korean custom it was necessary to bury the Queen by his side. Consequently the body of the Queen was disinterred, and on February 12 the reburial ceremonies were begun and carried through with great pomp, all of the expenses being borne by the Koreans.

These events brought back to the Koreans in a poignant way the remembrance of their national humiliation. March 3 was set for the date of the ex-Emperor's funeral, and it had been arranged that the ceremonies inside the city should be Japanese and outside the city Korean. Needless to say, the arrangements for the Japanese part of the ceremony were not made with the hearty concurrence of the Koreans.

DEMONSTRATIONS BEGIN.

The atmosphere was becoming tense. Evidently the authorities had an inkling that something was brewing, for the principals of schools were called before the prefect at the city hall and told to warn their students not to be led away by the actions of the Korean students in Japan. It should be stated here that during February the Korean students who were attending the various colleges in Japan had started a movement for the self-determination of Korea and many had been imprisoned.

On Saturday, March 1, notices were posted on the streets of Seoul that public gatherings would be held at Pagoda Park, and printed proclamations of independence signed by 33 men were distributed. Shortly after noon a large number of the signers of this manifesto met at a Korean hotel and telephoned to the authorities that they had declared the independence of the country, announcing where they were. The authorities thereupon sent and arrested them. The police published in the newspapers that they had surrounded the ringleaders in an eating house as they were drinking success to their plot.

Meanwhile the people, including many students, had gathered at the park, and from there started to parade some of the principal streets. They walked along in an orderly way, with hands held aloft, calling their national cry of "Mansei," which means "10,000 years." In front of public buildings, such as police headquarters and the various consulates, they would stop and take off their hats and wave them, uttering their cry of "Mansei." At the consulates they sent in letters and their proclamation manifesto. No single act of violence was done. At one point mounted gendarmes charged the crowd and inflicted some saber cuts. The police were arresting as many as they could, and all that evening and on the following day, Sunday, men were being arrested at their homes on suspicion of having been connected with the demonstration. Of the 33 signers, 15 were members of the native cult, the Chuntokyo; 15 were Christians; and 3 were Buddhists. Of the Christians the majority were ministers of the various city churches, many of them college-trained men; one was a Y. M. C. A. secretary; another was connected with the Severance Hospital. Since that day arrests have been made daily, until at present there is scarcely a city church which has not its minister locked up.

On Sunday, March 2, no demonstrations occurred in Seoul. The following day was the day of the ex-King's funeral. The schools had been allocated definite places along the line of march for the Japanese ceremonies. Not one of the higher schools, government, private, or mission, was represented by any but the members of the faculties. The students cut the ceremony dead. The funeral was a military spectacle. The first section, which consisted of naval and military detachments, took 18 minutes to pass a given point. The second section, which took in the Shinto priests, the bier, and the governmental representatives and functionaries, was not so large, and the third section was a line of troops and sailors almost as long as the first. The following day was quiet in Seoul, the Korean ceremonies taking place outside the city. These two days were school holidays.

The next day, March 5, not a single student in the higher schools was in his place, and rumors began to come to the heads of schools that there would be no more students until the country had secured its independence. Since that time, nearly a month ago, not a higher school has been able to open.

On Wednesday, March 5, at the stroke of 9 in the morning, commotion was heard on the main street in front of the railway station. Young men were swarming out of the stores and alleys and making toward the railway station, calling out their national cry. In a remarkably brief time a man in a rickisha started up the street toward the South Gate, surrounded by the throng, who with uplifted arms, carrying red bands, ran through the gate and into the old city toward the palace. This demonstration was composed almost entirely of students, and as it proceeded was joined by high-school girls. The police apparently had been taken by surprise, for the demonstrators had run about half a mile before they were opposed. In the large open space in front of the palace the police were drawn up and charged the crowd with sabers. Many wounds were inflicted. No respect was shown to sex, girls being handled roughly and beaten. Hundreds of arrests were made, including a number of the schoolgirls. No violence was attempted by the students. Their object apparently was merely to demonstrate, and they considered it an honor to be arrested for their country. Nearly all of the student nurses at Severance Hospital rushed out when the crowd passed by the street. They were carrying bandages and were prepared to do Red Cross work if required. Fifteen were arrested and were held in the police station until afternoon. They were questioned closely as to whether the heads of their institutions (the missionaries) had ordered them out. The younger high-school girls who were taken did not fare so well. Most were kept in custody, and more will be told of their sufferings in the jails later.

Various other demonstrations occurred. The street railway employees struck for several days as a protest. The Korean shopkeepers put up their shutters, and have kept their stores closed for over three weeks. The literati prepared a petition sending it to the office of the governor general by the hands of a Christian preacher and a non-Christian. At the office of the governor they were told that such documents should be received at the police department. To the police they accordingly went, and were immediately arrested. It should be noted that the independence manifesto and the petition of the literati are both couched in stately phraseology and breathe a spirit of charity toward those who have inflicted on the Korean nation a mental "reign of terror." (Later another petition was prepared by men who had been ennobled by the Japanese after the annexation, one of these men being the man who in 1866 had petitioned the Korean ruler to conclude a treaty with Japan and open Korea to the west. This man being over 80 years of age and too weak to rise from his bed was not arrested, but all his male relatives were taken into custody and a cordon of soldiers posted about his house. The other was immediately arrested. Both are viscounts.)

DEMONSTRATIONS OUTSIDE THE CAPITAL.

Synchronizing with the outbreaks at Seoul, demonstrations of a similar nature occurred at the leading centers throughout the country. Again, they were orderly. But the minions of the law at the outside centers, where there were fewer foreign eyes to see what took place, behaved in many places with the utmost ferocity. The crowds were fired on and deaths occurred. Two cases of gunshot wounds were sent in from a point in the north to Severance Hospital. At Pyengyang, a large center, foreign observers report that the the crowds were attacked by the members of the fire brigade, who were armed with their hooks which are used to pull the burning thatch off the houses. Many ugly wounds were inflicted. Five men died in a hospital from gunshot wounds, but the authorities are reported to have issued orders that the deaths must not be reported as due to that cause. In the north the authorities seem to have decided to penalize the Christian population, and churches have been wantonly destroyed. In many cases the police have questioned demonstrators and have arrested only those who admitted being Christians. An attempt was made to get 24 wealthy Koreans to sign a statement which said that the 33 signers were low-class people. They refused to do so, and pressure was brought to bear on them for several days before the attempt was given up. It should be said here, to make this point clear, that wealthy men are compelled to submit to periodical police audits of their private finances. There is no halfway government in Korea.

In Hamheung, a point on the east coast, where the Canadian Presbyterians have a mission station, scenes similar to those at Pyengyang were enacted. The fire brigade and coolies armed with clubs perpetrated outrages on the people. An eyewitness statement by Rev. ——— is in our possession. Here the authorities refused to let those injured be treated in the mission hospital. Mr. ——— had occasion to go to the police station during the demonstrations, and saw in a tent the fire brigade, with their hooked poles in hand, and coolies armed with clubs, waiting for the signal to leave the police compound to attack the crowd. The conclusion is irresistible that these men were under the orders of the police. An attempt was made by the chief of police to intimidate the foreigners by saying that their lives were in danger from the non-Christians, but refused to be bluffed, and told the chief that he would be held responsible for any harm that befell the foreigners.

It is not possible at this time to record in detail all of the uprisings in various places. These are fair samples of what occurred throughout the country. The truth will eventually come out as to what has happened in places where no foreigners were present to record what has transpired.

In the official press reports, particularly those which came out in the early stages, the missionaries were openly accused as being the instigators of the movement, and capital was made out of the fact that so many Christians were concerned in it. Every effort was made to minimize the part played by other sections of the population. The police reporters played up the Christian schools and glossed over the facts in regard to the participation of the Government school students and the Buddhists. At the demand of the American consul, official statements have since appeared that the Government discredits the stories of missionary instigation, but the police reports and vernacular press still continue to print them.

POLICE ATROCITIES.

Beating and torture are the cardinal principles of police methods in Korea. When making arrests, usually the victim is cuffed and kicked by several policemen. In the demonstration of March 5 a student noticed that the girl he was engaged to was being attacked by several policemen. He went to her rescue, and was at once set upon by several policemen and severely beaten. He was arrested and has not yet been released, having now been in custody about three weeks. Instances are not infrequent where Japanese in civilian clothes have arrested demonstrators in the presence of the police and have treated them shamefully. Stories of this kind come from Pyengyang and other points as well as Seoul.

From released prisoners stories of cruelty and torture are now pouring out. One student was asked to tell who the leaders were, and his finger nails were pushed back from the skin to assist his memory. Still another prisoner had his finger tips burned for the same purpose. Still another was put in an upright press, which operated with a screw from the back. When the screw is turned the four sides contract, and while the pressure becomes stronger the questioning is carried on—a way of squeezing out information. After being subjected to this torture, the same man had a strong cord tied around the middle finger of his right hand; the cord was then passed through a hook in the ceiling, and his body was pulled up until he was resting on the tips of his toes. He became insensible during the process, and when he awoke found himself lying down while a salve was being applied to his wounds. He left the jail with a swollen hand, which had to be lanced immediately.

The girls fared even worse. For the first few days after being arrested they were confined in the several police stations. As far as can be ascertained, no matrons were on duty in those jails. Or course, the girls were not allowed to communicate with relatives or friends. The main facts in the story of one released girl are as follows: A few hours after being arrested she was brought before an officer, questioned, and beaten by him on the face, shoulders, and legs. The following day the same process was repeated before a second officer. The third day she was taken before a third officer, who called her by vile names and insinuated that she and the other girl prisoners were pregnant. "You can cut us open and see," she retorted. He then said that the Bible taught that sinless people were naked (some coarse references to Adam and Eve being intended) and ordered her to disrobe. She cried, and he did not press his demand. She was again beaten, and the fourth day before still another officer she was questioned and beaten again. One of her ordeals was to kneel down on the floor and hold a heavy board at arms' length for an hour. If her arm trembled, she was beaten again. The girls were always accompanied to the toilet under guard. On the fifth day she was removed to the West Gate prison. She and two other girls were summoned to an officer's desk. She was told to wait outside while her two companions went in. A little later she saw them pass out stark naked, with hair down their backs, holding their clothes in a bundle before them. She was then called in and found two Japanese matrons present with the officer. After being questioned by the officer, she was ordered by the matrons to take off her clothes. After resisting for a time, and being threatened, she did so. Her hair had first been taken down by the matrons. There was no apparent purpose in this request except to humiliate her. After standing several minutes disrobed, she was told to follow one of the matrons. She wrapped her skirt around her and, carrying the rest of her clothes, walked through the hall to a cell, where she found two other girls. On the way thither she passed several male employees of the prison. The following day she was taken out by a matron and taken to a room where a very youthful Japanese doctor was waiting. Again she was ordered to disrobe for a physical examination.

After a long altercation she was allowed to retain one garment. The doctor tapped her chest, asked no questions whatever about her health, and she was in due course taken back to her cell. Several days later a gold-braided official came into her cell, asked her to remove her waist, examined her back and chest, and left the cell. Shortly after this she and a few other girls were released. They were handed over to relatives or school principals, who had been notified to be in attendance. They were constantly guarded by matrons while in the cells, were not allowed to talk, had to remain in a very irksome squatting position all day, and were beaten if they changed their position. They were allowed 15 minutes open-air walking daily after breakfast.

When stories of torture and cruelty to prisoners became current among the missionary community, the Seoul Press ran a couple of editorial articles pointing out that the Koreans were "atrocious liars" and that the stories of cruelties had been investigated, and that the prison authorities assured them that no tortures were taking place. When a missionary showed this article to a Japanese, he naïvely replied that it was intended to mean that there had been no tortures since they had been sent to a certain prison. Another foreigner discussed the editorial with the editor of the paper, who replied that he knew there were cruelties, but that in making that statement he was "speaking officially."

INDIGNITIES TO MISSIONARIES.

The mission body has not escaped uninjured. At Pyengyang, two ladies were prodded with rifle butts as they walked along the street. Two male missionaries were arrested there while trying to protect by their presence only a body of native women whom the police were trying to arrest. After being marched through the streets guarded by soldiers after a stay of a few minutes in the police station, they were released. One of these men was the Rev. Stacy L. Roberts and the other the Rev. E. W. Thwing, of Peking, whose work in antiopium movements has made him an international figure. In southern Korea two lady members of the Australian Presbyterian Mission were arrested and subsequently released. On March 20 the Rev. John Thomas, a missionary of the Oriental Missionary Society, was attacked by soldiers at Kokei and severely beaten. When he produced his British passport it was thrown on the ground and stamped on, as was also a preaching permit which had been given him by the authorities. All of these cases involved consular action, which was promptly taken. At Syenchun the homes of the missionaries were searched shortly after the demonstrations began. On March 17 a body of police, led by a procurator, came to the Severance Union Medical College, placed guards at all the gates and at intervals through the compound, and searched the various buildings of the institution. As already mentioned in connection with the Hamheung incidents, the authorities have tried to get rid of their responsibilities for the protection of foreigners. Rumor has it that a certain consul was asked to warn his nationals to keep off the street, as they could not guarantee to protect them, and the consul is said to have replied that he would issue no such warning and would hold the authorities responsible in case any of his nationals were molested. Two or three days ago the leading newspaper in the capital in an inspired editorial invited the missionaries to confer with the authorities as to the best means of bringing the troubles to a close, and the suggestions of the missionary body have been invited by some representative Japanese. That is the status of the matter at this moment.

On Saturday, March 22, another street demonstration took place at Seoul. It was quickly headed off, and a number of arrests made. On the following Sunday evening demonstrations broke out simultaneously in several different parts of the city. At the East Gate bayonets were freely used and many were wounded. There are persistent reports that a number of deaths occurred. The city is being patrolled by soldiers and is virtually under martial law. It has been so since March 1.

What the outcome will be it is too early to prophesy at this stage. Whether the Koreans will weaken in their stand for complete independence, or pursue their policy of passive resistance until the end, or whether they will accept a program of fundamental reforms, can not be foretold. The revelation of the organizing ability shown in the movement thus far is the surprise and admiration of all who know the Koreans; it is a veritable renaissance. There are many Japanese who realize that their methods of colonial administration have failed to achieve their end, and who are sincerely desirous of bringing about a happier condition. Japan's system has been wrong; it was a German colonial policy, not a British one; it has been an effort to exploit a people and benefit them at the same time. It has been an effort to impose "culture" against the desires of a people with a culture of its own. In the meantime, whatever the outcome, publicity will help both Korea and Japan in their ascent to a higher plane of civilization.

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EXHIBIT II.

A GENERAL SURVEY OF SITUATION IN KOREA.

(By a committee.)

APRIL 7, 1919.

It may be well to give you a general résumé of the situation. For some time past the Japanese authorities had planned to marry the young Korean prince, called the Heir to Prince Yi, to a Japanese princess, the marriage to be a symbol of the amalgamation of the two peoples. The date had been set for January 25, and preparations made, when on January 22 the father of the prince, the ex-Emperor, died under very peculiar circumstances. This, of course, postponed the marriage, and from that time on it was evident to all that the Koreans were becoming agitated in mind. Also the peace conference was deliberating in Paris, and the principle of "self-determination of nations" evidently appealed to Koreans as applicable to their country. Koreans living outside of Korea, in China, Hawaii, and America, had also been looking for some opportunity to accomplish something for the liberation of their country, and were evidently in touch with leaders in Korea. How all these streams of influence acted upon each other we do not know precisely, but their interaction resulted in a demonstration which first broke out on March 1, two days before the date set for the funeral of the ex-Emperor.

Thirty-three representative men from all parts of the country drew up and signed a declaration which they printed by the thousands. Fifteen of these men were leaders of the "Chun Do Kyo" (The Heavenly Way Association), which perpetuates the "Tonk Hak" and "Ill Chin Whei" movements, which were prominent in the years immediately preceding and during the Japanese occupation and annexation of Korea. Fifteen others were Christians, and included some of our most prominent pastors, such as Kil Sun Chu of Pyengyang and Yang Chun Paik of Syenchun. The other three were said to be Buddhists. The head of the Chun Do Kyo signed first and Pastor Kil second.

On March 1 these 33 men met in Seoul, sent one of their number to one of the parks of the city to read the declaration of independence to an assembled crowd of people, after which all the signers surrendered themselves to the police. On the same day and at the same hour similar demonstrations were held in seven or eight other cities of Korea. At these demonstrations it was stated that the participants, although Christians or members of the Chun Do Kyo or Buddhists, as the case might be, were acting wholly as individuals. It was further stated that the movement was to be one of passive resistance, no property was to be destroyed and no Japanese or others injured in any way. This character of the demonstration has been consistently maintained up to the present time except as qualified by statements below, police reports to the contrary notwithstanding. After the reading of the declaration of independence, Korean flags were given out to the demonstrators, who stood up, waving them and shouting "Hurrah (Mansei) for Korean independence!"

In Seoul thousands of people had gathered for the funeral of the late exemperor, and on this day surged up the main streets in dense crowds, shouting for independence but otherwise conducting themselves in an orderly manner. In Pyengyang and other cities, also, as far as foreigners have witnessed the demonstrations, although thousands of people joined in the demonstrations, no rioting occurred. The next day, Sunday, was quiet although church services were forbidden in some cities; but on Monday the 3d similar demonstrations were held in many places but not in Seoul, because there the Koreans wished to have nothing mar the funeral ceremonies in honor of the ex-Emperor.

The movement was so secretly organized that neither the missionaries nor the secret police of the Government knew what was going to happen, though all were conscious of the great tensity of the time. There is, moreover, a remarkably efficient organizing power apparently directing the movement. In a very few days it spread to all parts of the land, even to remote mountain valleys. The police, gendarmes, and soldiers were everywhere called out to disperse the crowds and to arrest the leaders. The first day or so no very rough methods were used, but from then on, and especially out in the country districts the most brutal methods have been employed. Men, women, and children have been repeatedly kicked, beaten with fists or gun butts, bayoneted, sabred, and shot, until our mission hospitals and, if report be true, the Government and other private hospitals, too, are filled with the wounded; Severance Hospital having cots and beds in every available space, even the hallways. Testimony gathered from these wounded is consistent that until attacked the crowds of demonstrators used no force but simply shouted for independence, and were fired upon or otherwise attacked. In one place after the crowd was fired upon it attacked the gendarmes, killing four, and in several country towns gendarme stations are said to have been wrecked. In many instances the gendarmes and soldiers have made no attempt at arrests, but merely fired without warning, and have often fired indiscriminately in the direction from which cheering was heard. In addition to this, even women have been stripped of their clothing in

the open and beaten severely. Soldiers, gendarmes, and police have broken into houses, and not finding the men they wanted, have dragged women and even children around by the hair and beaten them. In one case at least fire was used to torture a man. These Hunnish barbarities have stirred us all to deepest indignation and have to a certain extent terrorized the people who were expecting merely arrest, yet they remain firm in their determination, although they are changing their method of demonstration and protest for the purpose of saving life. For instance, in the cities of Seoul and Pyengyang especially they have closed their places of business and kept them closed for nearly a month now, and it is said that they are going to inaugurate boycotts and strikes along various lines and to refuse to pay taxes. It is obvious, however, that if the brutal methods of repression are continued, retaliation on the part of the Koreans will inevitably be the result, even though they have no weapon.

In the repression of these demonstrations the authorities have evidently decided that the Christian Church as a church, and not merely Christians as individuals, is responsible, and in some places have arrested every officer of the local church, a course which, together with the general terrorization of the people, has prevented services being held during the month. This, however, is particularly true in South Pyengan Province.

Of course, our mission schools have been involved from the start, the students, both young men and women, giving their enthusiastic support to the movement. The natural result has been that with the exception of Ewa Haktang, which is making a rather unsuccessful effort to keep open, all mission schools have been closed since March 1. They have not been closed by the Government, which, indeed, is anxious to maintain the appearance of normal times and the fiction of tranquillity in Korea, but their closure is due to the fact that many students and teachers are already under arrest, while the great majority refuse to study until the object of these demonstrations has been attained. This is a very serious condition and one which may result in the permanent closing of our schools, the Government taking advantage of this opportunity to order them permanently closed on the technical ground that they have not maintained the required continuous course of study. At least two schools have already been warned to this effect. If this should be the result, a very absurd injustice would be involved, inasmuch as the Government schools are in much the same condition as ours, but are being kept "officially" open by the teachers meeting and going through the motions every day.

Although the foregoing might seem to indicate that the movement for independence is largely supported by Christians and followers of the Chun Do Kyo, it is far from being confined to these two classes. It met immediate response from the people generally, and in some places, in fact, Christians have not taken part in it, although their non-Christian neighbors have. Neither is the movement local, as an inspired press reports, but has spread to all parts of the country and among every class of the population. Furthermore, in the last two weeks the old literati, and even the new nobility, created since the Japanese annexation, in recognition largely of their pro-Japanese services, have sent in to the Government petitions asking for independence and have been promptly arrested. In fact, one of these men is the man who in 1866 first petitioned the old Korean King to conclude a treaty with Japan and open the country to the West, a man who has always up to the present been pro-Japanese and was made a viscount by His Imperial Japanese Majesty. It is reported that such petitions will continue to be presented until even the Government is forced to recognize that all classes of the people support the movement.

In regard to the part which has been taken by the Christians special emphasis should be laid upon a report which comes to us on the best authority to the effect that in the consultations which preceded this demonstration the members of the Chun Do Kyo stood for a declaration of independence and the use of force if necessary, while the Christian leaders maintained that they should petition for redress of abuses and wrongs and governmental reforms, but without the use of force. The compromise program finally adopted was to declare independence and to use no force. In a conference with Government officials, to which we shall presently refer, it was admitted by a prominent official that all must recognize that the absence of the element of force in the demonstrations was due to the participation of the Christians.

One of the inevitable concomitants of this turmoil was the charge that missionaries are the instigators and abettors of the whole movement, a charge which bitter articles in the vernacular press violently supported. We inclose a copy of such an article taken from the second most prominent Japanese paper in the peninsula. The American consul general at Seoul protested to the authorities against these articles, but, although this particular one was afterwards officially "withdrawn," articles of a similar import have appeared in all parts of the country and, of course, in Japan. It is only natural that a strong antiforeign feeling should be aroused especially directed toward Americans. You have doubtless heard ere now of the attack upon Rev. John Thomas, a British subject, of the Oriental Missionary Society, who was set upon and severely beaten by police and soldiers under the belief that he was an American instigator of these demonstrations. There have been reports that Japanese were going to beat up some of the missionaries, and, as a matter of fact, Japanese thugs, armed with clubs and knives, have held a parade through the streets of Seoul headed by a mounted gendarme. These men have been brought in not merely to intimidate Koreans and to precipitate violent rioting but to take part in any underhand work that it may seem wise for the authorities to wink at in these disturbed days. So far as foreigners are concerned, the Japanese officials told a newspaper correspondent that if he would carry a lighted cigarette at night he would be safe, because no Japanese would then mistake him for a missionary. Mr. Holdcroft was stopped by two such men, armed with clubs, when on his way to the railway station at night and subjected to cross-questioning as to his nationality, occupation, destination, etc.

You have possibly seen references to reports published in the Chinese newspapers, notably the Peking-Tientsin Times, the North China Star, and the China Press, giving instances of brutality on the part of Japanese soldiers witnessed by missionaries in Pyengyang, Syenchun, and elsewhere. Some of these were never intended for publication in any form, and certainly not with names, dates, and places embodied and involving missionaries in an apparently anti-Japanese propaganda. They were gathered from individuals by an indiscreet missionary from North China, not connected with our board, who was in Korea for the first two weeks of the demonstration. Most of the material was intrusted to him with the understanding that it was to be transmitted to friends in America, but this individual published them verbatim as soon as he got over the border, and even insisted that they go in with names. We are just as indignant over this as anybody else and realize to what an extent our position has been compromised and to what extent also this will stimulate antimissionary feeling, but, of course, it can not be helped now, and since the American consul general is exerting pressure on Japanese authorities to prevent further attacks on Americans in the local press or by Japanese subjects we hope that none of the missionaries will encounter violence. For the most part we are remaining quietly at home, not even attempting country itineration, and not venturing out at night except in case of necessity. In regard to the reports mentioned above as having been published in the Chinese papers, you should know, however, that though they were not intended to be published in this way and not to be used at all in China, they contain a reliable account of actual occurrences, supported by affidavits now on file at the American consulate general, Seoul.

The ultimate effect of this movement on the church in Korea is wholly problematical. The leaders went into it with their eyes open, realizing that failure of their efforts meant persecution and probably severe repression of church activity, but they said they had prayed the matter through and felt that it was God's will for them to make this attempt to secure not merely civil, but real religious, liberty at this particular time in the world's history, when so many small peoples are apparently to secure these blessings. We learned this from the moderator of the Korean General Assembly and others after the demonstrations began and before he and other leaders were arrested. It is reported that officials have stated that the Chun Do Kyo is to be suppresssed entirely and that the Christian Church is to be reduced to about half its present size. Certainly if the military government remains in Korea and the present movement collapses, the outlook for the future is very dark. If, on the other hand, in view of the obvious failure of the administration of the last nine years to conciliate the people, a civil administration and governmental reforms are introduced, while there probably would not be such an aggressive anti-Christian activity, we must anticipate great restriction of Christian propaganda at best. It is quite evident that the most rigorous repression of demonstrations is directed against Christians in those sections of the country where the church is prominent. In the north a number (15, according to credible reports) of churches have had windows, furniture, bells, and Bibles destroyed by soldiers, gendarmes, or authorized thugs, and in many communities where general arrests are made discrimination is always against the Christians. Undoubtedly the Government regards Christianity as the chief factor of the disturbance, and, conceiving that its previous suspicions have been justified, is acting accordingly.

The effect of the movement on mission work is equally problematical, for the Government, while officially stating that they do not regard the missionaries as having any direct responsibility for this uprising, which took Government and missionaries alike by surprise, seems to be making every effort in the examination of prisoners to fasten responsibility upon the missionary body. This we are repeatedly told by released prisoners, but the Koreans under examination uniformly insist that the missionaries are not connected with the movement. The examinations, it may be said in passing, are frequently conducted with all the approved methods of 1912 "conspiracy case." But the situation is none the less grave. Word has just come that Mr. Mowry, of Pyengyang, has been arrested under charge of permitting the production of seditious literature on his premises. We can only surmise the underlying reason for his arrest. Copies of the independence proclamations and news sheets which he has been translating may have been found in his house, or his secretary may have, without his knowledge, used his mimeograph for printing notices regarding local demonstrations. Anything else is inconceivable. Two Australian missionary ladies were arrested and detained two days. They had gone out to call their school girls out of the demonstrations and were arrested on the charge that they were taking part. These instances indicate the critical character of the situation.

At least three informal conferences have been held with representative officials and civilians in Seoul. At the first Mr. Usami called in a group of missionaries (Drs. Gale, Avison, Hardy, Noble, Sharrocks, Mr. Bernheisel, Mr. Bunker, Mr. Gerdine, and Mr. Hugh Miller) and asked their opinion as to the causes of the uprising. Very frank statements were made, notably one by Dr. Gale (who, after many years of consistent pro-Japanese effort, is now plainly outspoken in condemnation of the failure of the military administration), who told Mr. Usami that the Koreans had been living under a reign of terror for the past nine years. The second and third conferences included such men as Judge Watanabe, Mr. Sekiya, Mr. Niwa, Mr. Yamagata, of the Seoul Press, and some other civilians, and, in addition to most of the above missionaries, Dr. Moffett and Mr. Whittemore and Bishop Welch (and at the third conference Dr. Egbert Smith). The gist of the position of the Japanese was the plainly stated desire that missionaries should cooperate with the Government in suppressing the uprising. Bishop Welch, by a previous agreement among the missionaries, replied, stating that anything other than absolute neutrality was impossible, for three reasons: First, it would be useless for us to try to stop the movement. Secondly, it would be resented and destroy our influence; and, finally, it was forbidden by our home Government. The Japanese continued to urge, however (especially through the semiofficial Seoul Press), that missionaries ought to abandon this technically correct position and undertake real cooperation. We need not point out to you the delicacy and difficulty of the situation. At this conference the question of the actuality of atrocities was raised. Dr. Moffett gave his own personal experience as an eyewitness. In private conversation with Dr. Moffett, Mr. Yamagata, editor of the Seoul Press, cheerfully admitted that he was convinced of the truth of the atrocities, but he said that the denials as published in the Press were "official." In a subsequent interview Dr. Avison and Bishop Welch were assured by Mr. Sekiya that the present "lenient" methods of suppression were to be exchanged for extreme measures in the near future. Dr. Welch assured him that any great amount of bloodshed occurring in this connection would alienate the sympathies of the western nations. The missionaries feel that nothing is to be gained by a continuance of such conferences, which might easily be used to compromise our position still further.

As to the possible success of the independence movement we can only give our personal judgment that it is hopeless; that unless there is outside international interference (which is scarcely conceivable in the present state of the world), administrative reform and possibly, in the future, some measure of self-government is the most that can ever be secured. Japan would scarcely grant autonomy without a complete change of heart and the overthrow of the military party in Japan, and, of course, the revolt may be a flat failure and secure nothing.

This is a disappointment. We have not the remotest thought of meddling in politics, and we can not hold any brief in defense of Christians who have deliberately committed themselves to a program of revolutionary agitation, but it is maddening to have to stand by and see unarmed and unresisting people treated with brutality and violence and even shot down indiscriminately and to know that these things are daily occurring in all parts of the country.

As we look toward the future we need scarcely point out to you that, if and when reforms in administration are granted, any possible pressure that can be brought to bear in the proper quarter should be exerted to secure real religious liberty in Korea. There has not been such liberty in the past, either in regard to Christian propaganda or in Christian education in private schools, as you are aware.

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EXHIBIT III.

As a sample of the way in which the local Japanese press is dealing with the situation, we give here a translation of an editorial in a recent edition of the Shosen Shinmun:

"The stirring up of the minds of the Koreans is the sin of American missionaries. This uprising is their work. In investigating the causes of the uprising two or three missionaries have been arrested and have been examined. There are a good many shallow-minded people among the missionaries, and they make the minds of the Koreans bad, and they plant the seeds of democracy. So the greater part of the 300,000 Korean Christians do not like the union of Japan and Korea, but they are waiting for an opportunity for freedom.

"These missionaries look upon the present Korean as they did upon the old Korean, and they consider it proper for the Koreans to say anything they want, if only they enter the Christian schools. They take the statement of Wilson about the 'self-determination of nations' and hide behind their religion and stir up the people.

"The missionaries have tried to apply the free customs of other nations to these Korean people, who are not wholly civilized. From the part that even girl students in Christian schools have taken, it is evident that this uprising has come from the missionaries.

"Behind this uprising, we see the ghost-like appearance of waving his wand. This ghost is really hateful, malicious, fierce. Who is this ghost wearing the dark clothes? The missionaries and the head of the Chuntokyo. These missionaries have come out of the American Nation. They have sold themselves for the petty salary of some 300 yen ($150) per year, and they have crept out like reptiles on their belly as far as Korea. There is nothing of good that can be said of their knowledge, character, and disposition.

"These messengers of God are only after money and are sitting around their homes with a full stomach. The bad things of the world all start from such trash as these. They planned this dirty work, and got into league with the Chuntokyo. If we take all this into consideration these missionaries are all hated brutes.

"Why no public apology in the press? No wonder John Thomas was so brutally attacked. They would not believe him brutal."

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EXHIBIT IV.

(Statement by ———.)

On the night of March 2, and the early morning of March 3, 1919, before any demonstration occurred in Hamheung city, a number of the students and one teacher of the Christian school were arrested and taken to the police station.

On Monday, the 3d, it is said that the stores were ordered closed by the police. This caused a large number of people to congregate on the main streets. Some one in the crowd blew a bugle, and with this the crowd shouted, "Three cheers for the independence of Korea," and waved Korean flags. Students from the different schools in the city were present and a large number of them were arrested. On this day Japanese firemen appeared with the fire-fighting lance hooks, but no one was seriously hurt.

On March 4, about 12.30 noon, loud cheering was again participated in by the Koreans. With this cheer the Japanese fire brigade was let loose among the crowds with clubs; some carried pickax handles; others their long lance fire hooks, some iron bars, others hardwood and pine clubs, some with short-handled club hooks. They rushed into the crowds, clubbing them over the heads, hooking them here and there with their lance hooks, until in a short time many had been seriously wounded, and with blood streaming down their faces were dragged to the police station by the fire brigade.

Among those so treated was a young man named Chai Kyusae, a student and a younger brother of one of the Korean policemen. He was crying as if in great pain; his head hung to one side from a terrible wound in the left side of his head; blood was streaming down his face. This man was sent home after a few days in a critical condition.

Another man was being dragged along toward the police station by two Japanese firemen. Across his head was the mark of a violent blow, and his face was knocked out of shape from a blow on the left side, from which blood was flowing. His left leg also hung limp, and he, too, groaned in pain. This man is a Christian, about 50 years of age. After treatment in the hospital for several days he was set free by the police with no charge against him. His name is Chai Haksung.

Another of those dragged to the police station was Fak Yichin, a student from one of the non-Christian schools. His skull was so badly crushed that after a few days he was sent out in apparently a dying condition to the home of his friends.

On this same day at least seven Korean men and a number of girls were taken to the police station in a pitiful condition from the wounds received.

While these scenes were being enacted the police and gendarmes seemed to take no part in the arrests, but simply kept guard over the Japanese fire brigade as they clubbed and arrested the Koreans.

So far as was seen there was no resistance made by the Koreans; they neither lifted a stick nor hurled a stone to defend themselves, nor did they utter a word of abuse against the Japanese.

On March 6 the stores in Hamheung were still closed and consequently a large number of people were out on the streets. Near the cattle market cheering was again indulged in, and with this the Japanese fire brigade again rushed out with their clubs. A number were clubbed and arrested, among whom was one Pyon Eung Kwan. He was struck on the back of the head with a club and was carried, apparently dead, to the police station. Even on this occasion not a stone or a stick was raised by a Korean; not even a word of abuse was heard. After a few days Pyon was sent home a free man, but with no redress.

A few days later, it is said on reliable information, about 10 miles out from Hamheung on market day the Koreans cheered as they had done in Hamheung. They were not interfered with by the police, and after they had cheered the police officer spoke a few kind words to them and they all went home. It is also said that on March 13 the Koreans at Sinheung on market day cheered for Korea. The police opened fire on the defenseless crowd and four were killed and four were wounded. Among the killed was a woman who, at the time, was passing with a jar of water on her head. The sight of the dead and wounded wallowing in their blood so exasperated the Koreans that they stoned the gendarmes.

Four Koreans are reported killed at Sungdok, near Hamheung.

During these days a large number have been arrested, among whom are many leading Christians. This is, in brief, what has happened in Hamheung and vicinity up to the 15th of March.

I was an eyewitness to what happened on March 4, as hereinabove stated.

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EXHIBIT V.

DECLARATIONS REGARDING ATROCITIES.

(Original signed by ———.)

At Suna Ub.

During the first days of the demonstration in March a crowd of two or three hundred people visited the gendarme station at Suna Ub, Whanghai Province, and told the gendarmes that the country had declared its independence and that they should leave. The gendarmes replied that, of course, if the country had secured its independence they would leave, but that they would need to receive orders from Seoul before they could do so. This satisfied the crowd and it left. A matter of two hours later another crowd of people came and made the same demand. This time the gendarmes opened fire on them and killed five people. A number of others were wounded and thrown into the prison. Later on an old man went to the gendarme station to protest against the treatment meted out to the Koreans. This man the gendarmes shot dead. His wife came in and, finding the body, sat down beside it, wailing, as is the custom of the Koreans. She was told to keep still, and not doing so was also killed. That day or the next morning the daughter of this couple, going to the gendarme station, was slashed with a sword. The wounded men who had been thrown into prison were kept two days; a little bit of rice given them, but not a bit of water. They were in such terrible thirst that they say they drank their own urine. After two days they were turned out by the gendarmes, and some of them were taken over to the Suan Mining Co.'s hospital at Tulmichang. Their wounds having had no proper treatment, gangrene had set in. One man had a bad wound in the thigh which was gangrenous. Another had to have his arm amputated at the shoulder because of the poisoned condition due to neglect after he had been wounded. Of the men who were brought to the hospital one man was about 39 years of age; the others were over 60 years of age.

At Maungsan.

During the first part of March, after the people at this place had shouted for independence, 56 people were asked by the gendarmes to come to the gendarme station, which they did. When they were all inside the gendarmerie compound the gates were closed, gendarmes climbed upon the wall, and shot all the people down. Then they went in among them and bayoneted all who still lived. Of the 56, 53 were killed, and 3 were able later to crawl out of the heap of dead. Whether they lived or not is not known. A Christian woman, in whom we have confidence, made her way to foreign friends after several days' travel and made the above statement. Undoubtedly it is true.

At Anju.

On the night of the — of March, when the people had shouted for independence, but had used no violence at all, the police and gendarmes fired on them and killed seven and wounded many others. These were taken to the local hospital. Later the police visited all the houses in the city looking for those who had taken part in the demonstrations. When they did not find them often they beat the women and dragged them about by their hair. One woman had seven teeth knocked out. The mother of one of the wounded men having told a policeman that if her son died she would take revenge on him, this policeman went to her house and again stabbed her son, who was lying on the floor wounded. The people having protested to the magistrate, he admitted that he had done badly, and the woman whose teeth had been knocked out was able to identify the man who had done it.

At Pan Suk.

To-day, March 29, 1919, I visited the village of Pan Suk, 16 miles to the east of Pyengyang. Here at the edge of the village of some 50 houses is a church and schoolhouse combined. On the 7th of March was held one of the independence demonstrations. Soldiers came and pulled over the bell tower, breaking the bell. With the clapper of the bell and other means they broke all but three of the many panes of glass in the 20 or more three by five windows in the building. They broke the lamps and the pulpit and destroyed all the Bibles and hymn books. Five men and one woman were stripped of all clothing and beaten with guns and with clubs. One man was burnt with matches. The house of the school-teacher was broken into; the chest in which his clothes were was smashed and the clothes burnt. Several were arrested. One man of between 50 and 60 years was taken to Kyengyang and beaten till he died, about the 26th of March. On the 24th of March soldiers came to the village near by, looking for one of the elders of the church. Not being able to find him, they took his wife, a bright looking woman of about 30. They led her, with her 2-year-old baby, to a near-by grove and attempted to force her to tell where her husband was. She would not tell. No doubt she did not know, as the leaders of the church have fled. They stripped her of all her clothing and beat her without mercy. I talked with the woman to-day and she was still stiff and sore from the beating.

At Keng Syo.

On Sunday, March 30, 1919, Rev. ——— and Miss ——— went to Keng Syo. They found, as they said, "A pretty bad condition." The people had not waited for the arrival of the missionaries in the afternoon, but at 11 a. m. had met for Sunday school. As about 25 were praying, soldiers came in, stuck their guns through four panes of glass, beat the keeper, and arrested four men and three women. None of these were officials, the officials either all having been arrested or having fled long ago.

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EXHIBIT VI.

(Statement by ———.)

On Wednesday, March 19, 1919, I telegraphed to our Korean preacher at Kokei that I would be coming to Kokei on the following day, object being to see the property of the Oriental Missionary Society, of which I am the superintendent in Chosen.

On Thursday, March 20, 1919, I arrived at Kokei at about 3 p. m., in company with my Korean helper, who can speak the Japanese language fluently. Our preacher there had already informed the police of my intended visit. We had tea at a Japanese hotel and ordered

our supper for 6.30 p. m. At about 4 o'clock I went to examine the preacher's house and mission, and while standing outside, examining the land with the object of making some alterations, we saw about five young lads running down the hill, yelling "Mansei." They ran past us, waving flags, and disappeared. We thought no more of the incident, but a few minutes later four soldiers carrying rifles rushed up, followed by several policemen. They took hold of us and beat us, and kicked us mercilessly, refusing to hear of explanation, and started to take us to the police station. On the way I showed the policeman, who was dragging me about, my passport and police certificate issued by the Seoul police on the 17th inst., but instead of examining it, he threw it on the ground. I endeavored to pick it up, but was struck and beaten on the head and kicked, and one Japanese man from the crowd, which consisted of many Japanese and many Koreans looking on, hit me with a long heavy stick as thick as a man's arm. My two Korean helpers were beaten very cruelly, one of them being struck on the face, causing a wound from which blood flowed. On my arrival at the police station I saw the police again cuff and kick my Korean helpers. I was then taken to a room by myself. I remonstrated with a Korean who appeared to be a police officer, and asked that my passport might be found, and at 5.30 they brought it to me. Then the chief of police (a Japanese) came in, and I spoke to him through the Korean officer. He asked me a great many questions and then asked me to return to my hotel, saying he was sorry, which I refused to do, as the crowd was still outside. I told him I had nothing to do with the boys, who had only run past where I was standing. I heard the Korean officer say that the five boys had been examined and they said they did not even know that a foreigner was in the town.

At 8.15, after I had had some food from my bag, which had been brought to me from the hotel, the chief of police again said he was sorry and that they had made a mistake. He brought me two papers, written in Japanese, and asked me to sign them. I refused, not knowing what they were about. My Korean helpers, who had already signed the papers, came and asked me to sign, saying that if I did the police would let me go. I absolutely refused to sign, though they tried to persuade me to do so for about a quarter of an hour. Then, as the train left at 8.40, they sent for two rickshas, and escorted by two policemen we went to the railway station and caught the train for Taiden, where I stayed the night.

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EXHIBIT VII.

STORIES OF WOUNDED KOREANS IN SEVERANCE HOSPITAL.

(Interviewed by ———.)

MARCH 29, 1919.

(1) Ri In Ok, a student, 19 years old, from Anju, was wounded in the left leg by a bullet. On March 2 he, with many other students, joined a crowd, perhaps 4,000 strong, and shouted the cry of independence, whereupon approaching the office of the gendarmes about seven Japanese gendarme officers came out and began firing at the crowd. Many shots were fired and 8 men were killed and 20 wounded among the Koreans. The rifle firing dispersed the crowd, who had shown no violence, carried no stones, sticks, or weapons. This young man went to the local Korean hospital, but after superficial treatment was advised to go to the Christian hospital in Seoul, where he could get satisfactory treatment and the bullet could be located. He arrived in Seoul on March 5 and was at once admitted and successfully operated on by the resident surgeons. No religious belief at all.

(2) No Chong Yun, aged 61, a farmer, living just outside Anju, was in the same crowd as above student, and his statement coincides with his, though questioned independently. This man was also shot in the leg, the right one. Asked why he did not go to the Pyengyang Hospital, he replied that he was afraid of the Japanese there, lest they would arrest and further illtreat him. This man also had no special religious belief and did not belong to any church, native or foreign. He came to the hospital on March 5 and was immediately treated by the doctors.

(3) Kim Nam San, aged 27, of Paiju: Went from his village on market day to the local market at Kong Ung with many of his neighbors. There a crowd of about 1,000 gathered, shouting the cry of independence. It was not long before the gendarme force appeared, comprising six Japanese and two Koreans; the former only carried rifles. As the crowd continued to shout, the Japanese fired many times, killing four and wounding three (as far as he knew). He, with others, were running away when a bullet struck him in the shoulder and he fell over. The Koreans used no violence and no weapons, sticks, or stones. This man has no religious belief and does not attend any church or society.

(4) Ko Myen Man, aged 25, lives in Whanghaido. He went to the magistrate's town on March 23, and, joining a crowd of several hundred, shouted the independence cry in front of the magistrate's office. Upon this, gendarmes and police came out with clubs, swords, and guns. They rushed upon the crowd, striking down many with clubs and swords, and also fired their rifles, killing at least 3 and wounding 20 or more. Upon this, the crowd ran away. This man refused to go to the Japanese hospital, but went to the Korean local hospital; but the doctor could do little for him. He recommended him to come up to Severance. He came on March 24 and was immediately attended to and is now recovering. He had a gunshot wound in the upper part of his leg. He has no religious belief and attends no church.

(5) Ri Tol Sa of Duksan, aged 23, said that in the evening about 300 or so villagers gathered and went around the neighborhood shouting the cry of independence. They came to the gendarme station and there, without any violence, stood shouting and waving the Korean flag. The officers of the gendarmes, through the Korean interpreters, asked them to go away. While this was going on motor cars arrived from Seoul (3 or 4 miles away) with a number of gendarmes. Then suddenly about 15 gendarmes came out and fired on the people. As far as he knows 1 was killed and 12 wounded. This man was wounded in the foot. He said that some Korean gendarmes had guns, but he did not know whether they fired or not. All of the crowd were of the working class. He came into the hospital and received immediate attention the next morning (Mar. 26). This man is not associated with any church or sect.

(6) Ri Kai Tong, aged 27, of above village, corroborated the above statement, though in a separate ward. This man was shot in the leg.

(7) Yum Tek Chang, of above village, aged 35, gave similar evidence. He was shot in arm and side. No religion.

(8) Song Yunk Pak, aged 21, of same place. Shot through upper lip. Also indorsed above statements. No religion.

(9) Kang Yong Ie, aged 36, terribly wounded by being shot at close quarters; leg smashed. Gave same account as above. No religion. He is from Duksan.

(10) A man terribly injured in head. Could not give any account of his accident. He is lying in semiconscious state.

(11) Cha Oh Kyun, aged 36, of Ko Yang, about 8 or 9 miles from Seoul, wounded in lower left arm. The stores in the village had closed in sympathy with the desire for independence, but were ordered by local gendarmes (Japanese) to reopen. They refused, and next day about 70 men and boys went up the hill behind the village and shouted the independence cry. The local gendarmes, a Japanese and a Korean, came out, and the Japanese fired. This man was shot and the others ran away. The Koreans used no violence, had no stones or sticks, only a Korean flag or two. This man said that the local gendarmes used to be fairly friendly. He did not belong to any church or sect, though once used to attend the Chundokyo meetings, but had not for some time. He came to the hospital on March 28 and promptly received attention.

(12) An Tong An, 54, of Ko Yang Koon, was struck on arm with a sword in its scabbard, and when down on the ground was beaten with clubs. He said that 500 or so gathered in the neighborhood and, after marching around, shouted the independence cry outside the gendarmes' office. A number of Japanese gendarmes (so he thought) were there in civilian clothes, and very soon 5 mounted policemen, 5 gendarmes with guns, and 20 civilians (private clothes policemen), rushed down on the crowd. This was after the gendarme officer told them to go, threatening them with his revolver, whereupon the crowd said they were not afraid of that. The Koreans used no violence and did not carry sticks or stones. He came to the hospital March 28 and had prompt attention. He has no religious beliefs.

(13) Kim Kwang Un, aged 72, of Anak, went to On Chang market, and, with others, perhaps 500 or 600, called "Mansei." The head gendarme exhorted them to go away, hit several, and insulted others with bad names. At this the crowd surged round and asked why he should strike the people, and as there were several arrested in the gendarme station they asked for their release. The crowd would not disperse, so two Japanese and two Korean gendarmes came out and fired, killing 3 and wounding many, perhaps 20. Then the Koreans, enraged, threw stones at the station, and the gendarmes continued to fire from behind the fence. This man was shot in the shoulder. He tried to get to Seoul, and was arrested at Chinnampo, hands tied, and he was beaten and insulted and questioned as to who told him to go to Severance. The same thing happened at Chai Ryung Ub, but after telling him to go to the Japanese hospital they found that he was not to be frightened and let him go. He came to Seoul and was given immediate help. He is a member of the Presbyterian Church.

(14) Song Yun Pok, of Duksan, aged 21. Shot in face. Broken half of bullet extracted from upper jawbone behind. Gave same evidence as other men from Duksan.

(15) Koo Nak Saw, admitted in frightfully mutilated condition. Died after two hours. Got no particulars from him.

(16) Ri Nam Kee, aged 22, of Paju, beaten with clubs so badly that we could get no information from him as to particulars of wounds. Admitted on Saturday, March 29, and died at 1, Sunday afternoon.

(Statements taken by ———.)

(17) Sung Yong, aged 16, lives near the river at Hyum Sung Li. On the evening of the 23d of March, at 10 p. m., this boy went out with a crowd of men and boys, shouting "Mansay." About 20 soldiers came to disperse them. Most of the crowd scattered. This lad dropped behind and was wounded by a bayonet in the hands of one soldier who ran ahead. Then a second soldier came up behind and thrust a bayonet into the lad's stomach. The cut was 4 or 5 inches in length on the right side of the abdomen. He was a third-year student of the Huun Sang School. He had a grandmother who had attended the Presbyterian Church. He himself had gone a few times only. His mother was not a believer.

(18) Yi Han Dom, aged 32. At See Ki Moon An, inside the little East Gate Seoul. About the 22d of March several hundred men went out without any stones or clubs and cried "Mansei." Soldiers came and fired on them. One shot him, and he will probably lose an eye.

(19) Mi Syun Myung, aged 33, a rice huller. At Tukum went out with a crowd of about 500 men, unarmed. Yelled "Mansei." Four gendarmes came on the scene, fired, killing one and wounding eight others, of whom he was one. Not a member of any church or of the Chundokyo. He was shot through both legs with one bullet.

(20) Chung Yung Heui, aged 34, lives in the county of Paiju. On March 28, at 1 o'clock in the afternoon, a crowd of 400, yelling "Mansei," were met by Japanese gendarmes, who fired. Eight men were killed. They had done no violence, and were not even armed with rocks. This man was shot through the neck.

(21) Yu Yung Kun, aged 42, a leader of the Sin San Lee Presbyterian Church in Paiju county, 65 li from Seoul. A crowd of probably 1,000 men went out with bare hands to cry "Mansei." He was shot by Japanese gendarmes, who followed, shooting as they ran. Three were killed and three wounded. This man was shot through the side of the neck.

(22) Koo Chun Myun, a farmer, aged 34, went out with a crowd of 500 or 600 at Kwang ju Ub on 27th of March at 1 p. m. The gendarmes fired, and this man was hit on the jaw and a large part of the jawbone shot away. Three were killed, and this man severely wounded.

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EXHIBIT VIII.

(Interviewed by ———.)

APRIL 1–5, 1919.

(1) Song Si Ung, of Po Chun, aged 47, gave same evidence as previous man. (See No. 16, Series 1.) This man was shot in top of skull. Bullet extracted by Dr. Ludlow. No religion.

(2) Syung Myeng Ni, aged 32, of Duksan, was shot in leg and operated on by Dr. Ludlow. This man is not in normal senses, so can not investigate particulars. Took part in crowd shouting, as others above. No religion.

(3) San Syen Nan, aged 27, of Po Chun, San Myen, Syen Tai Li. Went to market at Solmoo Chang on market day, and, with about 200 others, called "Mansei." The gendarmes came out, warned the people not to enter the market calling out. But the crowd continued to come on. They had no sticks or stones and showed no violence. The Korean gendarmes fired into the air, but the Japanese gendarmes fired into the crowd. Nine were killed and many injured. This man

was shot in the leg, and managed by stealth to get up to Severance. No religion.

(4) Pak Yun Nak, aged 25, of Ko Yang Kun, Chi to Nyen, Totangki, a church member in Sa Myen Church, met with all his villagers and those of other villages at the end of March, and, without violence, paraded the village, calling "Mansei." Some mounted gendarmes came from Seoul after this and told the people to stop calling and parading and to go home. This they did, and that day there was no violence or trouble. Five days later a number of gendarmes from Seoul came down, and, going from house to house, inquired if the occupant had called "Mansei" on the previous occasion. This man replied "yes, but we stopped and went home when you told us to." This man and many others were arrested and taken to Seoul. At the governor general's (he said, not the prison) he and many others were taken out and flogged. I saw the bruises on his body. He received 60 strokes, 30 at 12 o'clock and 30 at 2 o'clock. Many others received like treatment. He is now in the hospital awaiting attention.

The following young men gave exactly the same evidence:

(5) Chung Hung Pong, aged 16.

(6) Ri Chun Sai, aged 21.

(7) Chang Oo Sang, aged 24.

(8) Pak Cha Kwo, aged 41, of E. Chun Ub, Ri Chung Moon, Umnai Myen, Pang Ko Ri, arrived in hospital April 3 with bad bullet wound through neck. Was attended to immediately and life saved. He, with others, shouted on market day. There was a big crowd but no violence shown. In the evening they were attacked by the Japanese gendarmes and many killed and wounded. This man's neck was in such bad condition that he could hardly speak and so could not give much evidence.

(9) Kim Kum Tung, a lad of 15 years (13 western count) of Choong Chong Do, was brought to the hospital on the back of his father. He was shot through the thigh and forearm. The father gave the following account: The little village, as arranged, went out on the evening of April 1, and shouted "Mansei." About midnight fires were lit on the hills, and shouts went up, but no violence was shown. Presently eight Japanese gendarmes appeared and fired on this band of 20 men and boys, with the result that one was killed and 13 wounded.

(10) Pang Choon Ho, 25 years, of above village, shot in leg, gave similar evidence as above. His younger brother, Pang Sin Sik, aged 21, was shot in many places on legs and arms, and his elder brother was killed.

(11) Pak Syung Koon, aged 44, of above village, gave a like account of the shooting affray. This man was shot with B. B. shot. He was struck in many places.

(12) Ri Pok Yun, aged 26, of Suwon, said that on the last of March he joined a crowd of from 300 to 350 villagers from the neighborhood. They paraded through the villages until they came to the Myen So (district local office). There the Myen Jang (village headman) joined them, and they went on to the police office. The Korean officer in charge came out and said, "Because I am a policeman in the Government employ and wearing a uniform I can not join you, but my heart is with you. Go on, call out 'Mansei,' and I hope we will get independence." Going a little farther they were suddenly approached by three Japanese soldiers, who fired, wounding two men, who fell. The other demonstrators ran away, but on seeing that two of their neighbors were wounded, 40 or 50 of them came back. These were at once arrested under threat, tied together, and taken to the Suwon police station. There they were kept for two days, searched, examined, and beaten from 50 to 90 strokes, and then sent home. The two wounded men were also sent home. In the meantime a Japanese doctor had looked at the wounded men and tied up this patient's leg, which had a bullet wound, with cotton wool. He came to Severance Hospital on April 4. The crowd did no violence, he asserts, simply waved the Korean flag and shouted the independence cry.

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EXHIBIT IX.

DEATH OF A KOREAN YOUNG MAN BY NAME OF KOO NAK SOH.

On March 27, at about 9 p. m., a large body of young men gathered at Andong, Seoul, and shouted "Mansei." The shouting had continued for a few minutes when a large force of police gendarmes and soldiers arrived and dispersed them. The above-named young man, like the others, was peacefully going home and alone, was walking along a small street when suddenly some one pushed him violently in the back, causing him to stumble and fall. His assailant was a policeman, who had seen him in the crowd and followed him to the place where he thought fit to make the attack. After throwing him to the ground the policeman drew his sword and literally hacked at him "like a woodsman would attack a rough old oak." His skull was cut right through so that the brain was visible. This had been accomplished by at least three sword cuts falling in or near the same place. His hands were terribly cut; his left wrist was also cut through to the bone. Those who saw the corpse stated that there were 20 sword cuts, but the photograph only reveals 10.

After this brutal attack on this unarmed and defenseless young man the officer ran away, leaving him in his terrible agony to expire in a few minutes. Some Koreans, happening to pass by, carried him to the nearest native hospital (Kuck Chai Hospital), but little could be done, so they placed him on a stretcher and started out for the Severance Union Medical College, still thinking that his life might be saved. Waile hurrying to the Severance Hospital they were stopped by a policeman from the Honmachi police station, who spoke to them in a threatening way and did all he could to prevent the case being taken to a foreign hospital. They remonstrated, saying that the case was so serious that a delay in taking the man to the Japanese hospital, which was some distance away, would surely result fatally. The Japanese are naturally anxious that such cases should not be seen by foreigners. On arriving at the Severance Hospital, medical examination revealed the fact that the man was already dead. It is impossible to say just when he died. His dead body presented the most pitiful appearance. Numbers of sword cuts had mutilated his head and hands. His clothing was saturated with blood—indeed, a sight never to be forgotten.

During the following day his little cousin, a mission-school girl, stood watch over his body in the morgue; nothing would persuade her to leave the remains of the one she loved. Another life has been sacrificed for the cause of Korean liberty. "We hope that the great God who sees our pitiful state will come ere long and judge in righteousness and justice."

(NOTE.—The deaths so far are estimated at about 1,000, while those in prison number about 6,000. The people have not one rifle or sword among them. They lift up their empty hands and call upon God and all those who knowing Him love righteousness and justice.)

EXHIBIT X.

STATEMENT CONCERNING REMOVAL OF WOUNDED MEN FROM SEVERANCE HOSPITAL, APRIL 10.

(By ———.)

During the forenoon of April 10 a gendarme sergeant named H. Inouye called at the office and stated that the police wished to examine certain of the wounded men at our hospital, and asked that these men be sent to the Yamadomachi gendarmes office for examination.

The request being reported to Dr. Avison, he said that the question of their removal would have to be determined by the surgeon, Dr. Ludlow, and suggested that the examination take place at the hospital rather than that the men be subjected to the dangers of a transfer. To this they agreed, requesting that a private room be arranged where the examination could be conducted privately. They thought it might take one hour for each man.

In the afternoon, Gendarme Sergt. H. Nagase, accompanied by nine gendarmes, came to the hospital and presented his card and a list of seven names of men who were to be examined. Dr. Ludlow was called in order that he might determine whether the cases could be removed from their beds to this room. Such as could be removed were examined in the room, while the others were examined at the bedside. The examination was completed in much less time than had been anticipated, so that they were through with it about 5.30 p. m., I think.

Sergt. Nagase then said he would take five men with him for further examination, leaving two with us, providing we would undertake to notify the police department 24 hours before their being ready for discharge. Dr. Avison called Dr. Ludlow and asked him to state whether these patients could be safely removed. Dr. Ludlow stated that none of them ought to be removed at this time. The officer said they had a doctor at the police department who would make the dressings and look after the treatment. Dr. Ludlow then objected in particular to the removal of three out of the five men, and after a time they consented to leaving one of those three. After further conversation they consented to leave another, taking with them three men, as follows:

Yum Myung Suk, gunshot wounds in abdomen and arm.

Song Yung Pok, gunshot wound in face—bullet extracted.

Yee Myung Keui, gunshot wounds in groin and thigh.

Four men were left in charge of the hospital superintendent, Miss Esteb, with directions that 24 hours previous to their being ready for discharge the police department should be notified. They are as follows:

Yi Kai Dong, gunshot wounds, right thigh and left knee.

Kang Yong Yi, gunshot wound, thigh, large portion torn away.

Kim Il Nam, gunshot wounds, both thighs and cheek.

Ryoo Soon Nyung, gunshot wounds, both thighs.

STORY OF TORTURE BY RELEASED MALE PRISONER.

On the 1st day of March, 1919, at 9 o'clock, a demonstration began, starting from the Nandaimon Station and proceeding toward and through the South Gate. The demonstrators were calling "Mansei" as they ran. I happened to be in the vicinity when the demonstrations started, and, impelled by patriotic impulses, I joined the crowd and proceeded with them for some distance. I then returned to the railway station district, and some policemen, noticing perspiration on my forehead and neck, arrested me as a demonstrator. Three Japanese gendarmes took me to police headquarters, where I spent the night in a cell.

About 10 o'clock the next morning I was called before a procurator and examined. I was asked: "Why did you shout 'Mansei'?" I replied, "I was so glad to hear about the independence of Chosen that I joined in the shout." "Who instructed you to do so?" "There was nobody who instructed me; I did it of my own accord." "In that case," he replied, "you have not only violated the peace, but are a real rioter. You shall be punished, you may be sure of that." I replied, "You may punish me according to law." "Are you a Christian?" he asked. "Yes; I am."

After this I was taken to an inner quarter and shut up for two days and nights. About 11 o'clock in the morning of the third day I was released, after being admonished.

Two days after I was released a friend called at my home, and I dined with him that evening. I talked to him about a letter I had received from a friend of mine in America. My friend asked if he could read the letter, and I showed it to him. He asked me to let him take it away with him, but I did not want him to take it. Then he said, "If you will let me have it, I can stir up the students in the Y. M. C. A. Industrial School. I can reach thousands of people. The students of that school are employed everywhere. I can also reach those employed in the tobacco factories. I can make this letter of use in helping the independence movement." I replied that I was sorry I could not let him have it. I bade him good-bye.

Next morning about 10 o'clock two gendarmes came to my home to arrest me. I went along with them, and was imprisoned in the police headquarters. About three hours after being locked up I was brought before an examiner. The procurator asked, "Do you know your crime?" I replied, "No; I do not know my crime." He said angrily, "You must tell about the communication between you and your friend in America. If you do not, you will be punished by torture." "I have had nothing to do with it at all," I replied. At this the gendarmes who were standing near me struck me on the face with their hands. This made me indignant, and I kicked them repeatedly. For this they beat me terribly. The procurator interrupted the mêlée, and I was put in solitary confinement. Torture apparatus was placed near me. Soon after I was put in a press in an upright posture, the sides of the press contracting as a wheel on the back was turned. I was then told to reveal the truth. But I continued to maintain my innocence. I kept on protesting, and said, "Kill me if you like." I was again put in the press, which was screwed so tightly I could scarcely breathe. Still I protested my innocence to the end. They said, "This man is a knave," and threatened to kill me.

After this they took the middle finger of my right hand, tied strong cord around it, passed the end of the cord over a board near the ceiling, and pulled on the cord until my whole body was hanging by the finger, only the tips of my toes touching the floor. I gradually became unconscious. When I awoke I found myself lying on the floor, and do not know how long I had been left suspended. I felt my forehead and found it wet with perspiration. Although I could scarcely move my body, I tried to make myself as comfortable as I could.

The following morning about 11 o'clock I was again brought out for examination, and after being admonished was released the second time. My home had been searched, and no evidence of any kind had been found.

My hand was in a swollen condition, and I went to a Korean doctor for treatment for several days. Not receiving much benefit, I came to the Severance Dispensary, where I received treatment in the surgical department.

EXHIBIT XI.

THE EXPERIENCE OF A KOREAN GIRL UNDER ARREST BY THE POLICE.

(Statement by ———.)

It was on the 5th of March that I with others, who for the liberty of our loved land formed into a procession at the South Gate, and as a token that we were ready to shed our blood for liberty wore red belts and red bands on our arms. We were marching from the station toward Chongno, cheering and shouting "Mansei!" As we were nearing the Dok-su Palace all of a sudden a Japanese policeman seized me from behind by my hair, and I was violently thrown to the ground. He kicked me several times with his merciless foot. At this I was rendered almost unconscious. He rushed me along by my hair, and I was led to the Chongno Police Department. At the entrance of the police office 20 or more Japanese policemen who stood in line sneered and kicked me and struck me with their swords and struck me in the face so many times that I became almost unconscious. The cruelty was so great that at times I did not realize whether they were beating me or some one else. This was really more than I was able to bear. My hands and legs were bleeding terribly. My body was black and blue from their blows.

I was led into a room, and here again I was handled brutally, as before. They dragged me on the floor, they struck me in the face, they struck me with their swords, they flung me to one corner of the room. At this point I must have been completely unconscious, as I do not remember what happened after that.

On recovering my senses I found myself in a room packed with young men and women. I saw some of them handled so brutally it almost broke my heart to see them beaten. After some time we were cross-examined by a police officer one by one. It is beyond my power to convey to another person how those cross-examinations were carried on. I was made to kneel down with my legs bound together, and each question and answer was accompanied alternately by blows in the face. They spit in my face. This with curses and invectives of the worst kind. He said, "You prostitute, you vile, pregnant girl!" I was ordered to expose my breasts, but refusing they tore my upper garment from me, and I was told all sorts of inhuman things which shocked me terribly. They tied my fingers together and jerked them violently. This made me feel as if my fingers were being torn from my hand. I shut my eyes and dropped down on the floor. Thereupon the examining officers uttered a loud, angry roar and ordered me to kneel down as before, then rushed at me, seizing me by the breast, and struck me violently. Is there anything to be compared with this inhuman treatment? He then said, "You want independence, eh? Preposterous thought. You will get independence when you are locked in jail. Your life will vanish with a stroke of the sword." He then shook me fiercely by the hair. He pulled me by the ear. But he was not satisfied even with this, so he beat me on the head with a stick without mercy. They made me extend my hand and hold up a heavy chair, which, if I let drop, he would strike my elbow with a stick. He made me kneel down near a window with the chair held up as before. If the chair was lowered or it touched the windowpane, he would come and strike me. An hour or so was passed in this manner, when I was told to go down the stairs. I found that I was completely exhausted. I could not walk. I crawled on the floor with much difficulty, even with the help of one of their professional spies, who followed me. I arose and attempted to go downstairs. As I made the first step down my strength gave out, and so I rolled down the whole length of the stairs. I was again unconscious.

On recovering my senses I was obliged to crawl into a room. The policeman in charge of the room was very much amused to see me crawling into the room. He laughed loudly at my misery. Then I prayed and seemed to see Jesus and was much comforted from on high. I thank the Lord for the comfort he gave me at this time.

I spent five days in all at the police station. Then I was sent to the West Gate penitentiary. There I was stripped naked and was looked at by the men. Then I was allowed to put on my dress and was led into a room. I was sneered at and cursed beyond my power to realize. In this room there were sixteen persons who were like myself. The room was not very large, and so we were densely packed together. The toilet arrangements are placed in the room just like the pig's shelter. The room was so filthy that it was not fit even for pigs. We were given beans and salt to eat. While we were eating now and then some one would look in and call us all sorts of names—"You dogs!" "You pigs!" etc.

On the second day a person called the police doctor and several others came in and weighed me stripped naked. They, too, sneered and spat upon me. Now and then I was told by the keeper there that I would be tried publicly. I looked forward to that with a great deal of consolation, as I thought I would have some chance to state my case without reserve, but, alas, I was let out one day without trial and without being told the nature of my offense, or indeed that there had been legal offense.

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EXHIBIT XII.

STORY OF RELEASED GIRL PRISONER.

(Reported by ———.)

To-day, March 28, 1919, a girl, ———, about 21 years of age, came to our home and told the following: "I was arrested on the streets of Pyengyang the 3d of March and taken to the police station. There were many others, both men and women. They asked if we smoked, if we drank, and if we were Christians. Soon all were let out with little or no punishment, with the exception of 12 Methodist women, 2 Presbyterians, and 1 Chun Do Kyo woman. Three of the Methodist women were Bible women. They stripped all the women naked in the presence of many men. They found nothing against me, except that I had been on the street and had shouted 'Mansei.' They beat me until the perspiration stood out all over my body. Then they said, 'Oh, you are hot,' and threw cold water over my naked body. My arms were pulled tight behind my back and tied. Then they beat me again until my body was covered with perspiration, and then threw the cold water over me. Then, saying I was cold, they stuck me with the lighted end of their cigarettes. (Some were stuck with hot irons.) My offense was very little compared with those who made flags, took part in the independence, etc. Some were beaten until they were unconscious. One young woman was just at the time of her monthly sickness. She resisted having her clothes taken off. They tore off her clothing and beat her all the harder—but did not pour the cold water on her. After four days we were taken to the prison. Here we were packed in a room with men and women. One day an old man was beaten until he died. One of the Bible women was right next to him. She asked to be moved, but they compelled her to watch the dead body all night. One of the Bible women not only had her hands bound but had her feet put in stocks. They took our Bibles away and would not allow us to talk or pray. They made vile and indecent remarks to us. All this was done by the Japanese. Though there were Korean policemen in the room they took no part in the beating or in the vileness. The Japanese know the Bible and blaspheme the name of Christ, and asked us if there was not a man by the name of Saul who was put in prison. They asked us most of all as to what the foreigners had said, and were most vile and cruel to those who had been with the missionaries, or who had taught in the mission schools. Some of the girls were so changed that they did not look like persons."

Later, one of the above women died in the prison. (This not confirmed.)

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EXHIBIT XIII.

BRUTALITIES AT TAIKU.

(Statement by ———.)

On March 8, when occurred the demonstration here and many arrests were made, a young man by name of Kim Yong Nai, the son of the elder helper of the Third City Church, and a regular member of the same, was seized by a Japanese officer, thrown to the ground, and, while prostrate, was kicked several times on the head and back of the neck. He was bleeding profusely when led into the police station. The above I have from an eyewitness.

He was kept in jail for two weeks. During this time, the eyewitness referred to, who was in the next cell and was released at the same time, testifies that he heard his friend cry out a number of times at the pain of punishment which was inflicted upon him in jail, which frequently took the form of beating one on the head with the iron key of the cell. When released, he still complained of his head. In a few days after his release he was taken sick, and complained that he suffered terrible pain in his head and that it "seemed as if all one side of his head was gone." He became delirious and died after an illness of about 10 days. The night he died he was protesting in his delirium that he was innocent and that his punishment was too severe. The doctor who attended him states that he died from blows on the head. I saw the body and the neck and the base of the skull was darkly discolored. He was a secretary to a Japanese lawyer and very widely known in the city. His father is still in jail and another member of the family is at the point of death.

Among the demonstrators at a magisterial town near here three men were shot dead and a number wounded and some 40 or 50 taken prisoners. Among the wounded I have seen one and have the following story direct from him: In the early evening there had been a demonstration and some arrests made. Late in the evening he and some 15 others were standing at an inn, where was a man who had been wounded. Three Japanese soldiers and eight policemen gathered and ordered the men to leave. My informant's brother asked what they meant by shooting down an innocent, unarmed man. Whereupon a soldier clubbed him with his gun. Upon seeing his brother thus treated, he objected, and was fired upon and shot in the side. While blood was streaming from this wound, he again complained against such treatment, and was answered again by another shot through the neck. This second shot was fired by a local Japanese merchant, although there were at least 10 regular officers of the law present and only some 15 men gathered. I understand that two Japanese civilians did all the shooting that day and boasted of the same.

I had another personal testimony from a released prisoner of the use of the key placed between the fingers and the fingers being tied at the ends; the key is turned until the arms become paralyzed. This is the second personal testimony from eyewitnesses to this form of torture.

The reports of deaths from shooting we hear are all understated, and no record of the death or burial is made.

I spent the entire day of April 11 at the court attending the trial of some seventy-odd Christians. Among them, and recommended for six months, were some who testified that they were simply in the crowd, but had called nothing. It seemed that everything was construed in the severest form.

April 14, 1919.

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EXHIBIT XIV.

ARTICLE IN SEOUL PRESS EXONERATING MISSIONARIES, MARCH 14, 1919.

Rumors have been rife that foreign missionaries incited the disturbances, or, at least, showed sympathy with the rioters. These rumors owe their origin to the fact that among the leaders of the rioters there have been found Christian pastors and students of mission schools, so it is not to be wondered that they gained currency. But that they are entirely groundless has been established by the result of investigations into the matter conducted by the authorities. The authorities have carried out thorough and strict inquiries concerning it and are satisfied that there is no trace whatever that foreigners instigated the disturbances. Nor is there any evidence that they knew beforehand of the occurrence of the trouble or gave support to the rioters. It is wrong to harbor suspicion against foreigners without justifiable grounds. It is still more to be condemned to spread through the press false reports and baseless accusations against foreigners, fabricating such reports and accusations out of mere suspicion. Such acts will excite the ill feeling of foreigners against Japan and may cause trouble in international relations. Should any foreigners be found guilty of sedition or similar offense, the authorities will have no hesitation in prosecuting them; but, as none have been found to be responsible for the recent trouble, people at large should cast away whatever doubt they may still entertain against them.

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EXHIBIT XV.

THE DEMONSTRATION AT TONG CHAING.

The village of Tong Chaing contains about 300 houses. The young men of the place had been wishing to make a demonstration for some time previous, but Mr. Han, an elder in the church, and other church officers discouraged it, as they feared that there might be violence on the part of the demonstrators, there being a body of 500 miners working in the mines not far away who might take this occasion to rise against the police.

But on March 29, this being market day and many people having come in from outside, a demonstration was started by some children. Others joined in until there were four or five hundred people marching through the town and shouting "Mansei." The demonstration was entirely peaceful, no stones were thrown, and no resistance was offered to the officers of the law. The police came out and arrested 17 persons, half or more of them being Christians. Among those arrested were five women. Later on other arrests were made. The people arrested were

all taken to the police station. From this point on this account will be confined largely to the experiences of three of these women:

—— is a widow living in Tong Chaing. She is 31 years of age (Korean count), and has one child. She was in the crowd calling "Mansei," and was arrested by a Japanese policeman. She was taken into the office and a policeman tore off the underclothes and she protested. As a result they struck her in the face with her hands till she was black and blue. She clung to her underwear, and they put a wooden paddle down between her body and the underclothes to pry them away. They beat her systematically on the arms and legs with a paddle. The beating continued for some time. The police then stopped the beating and sat down to drink tea and eat Japanese cakes, meanwhile making fun of the woman sitting there naked. There were many men in the room. After about an hour they allowed her to have some of her clothes, and sent her into an adjoining room where many of the arrested people were detained. About the time the lights were lighted in the evening she was called out again into the office and put in charge of an elderly man and his wife with instructions to be responsible for her and bring her back when summoned to do so. For a week afterwards she had to lie down most of the time and could not walk around.

—— is a widow, 34 years of age, and has two children. She also had a part in the demonstration. She was arrested by a policeman. On the way to the station, though not resisting, her arm was twisted to the point of dislocation. Taken into the office at the police station, the policeman struck her in the face with his hand, then forced her into a sitting position and kicked her in the head. She fell over here and he continued kicking her. Then he forced her to stand and ordered her to take off her clothing. She took off the outer clothes, but left on the underclothes. She was ordered to remove these, but did not do so. At this point in their treatment of her the proceedings were interrupted by another outburst in the cheering out on the street, and many of the policemen went out to make further arrests. She was allowed to put on some of her clothes and was sent into the next room where those arrested were detained. She was kept there all night and released the next morning with the woman whose account is given below.

Both of the above women belonged to the middle class of Korean women, not the coolie class, and are bright, intelligent women. Both have attended the Bible Institute for a number of terms.

—— is the wife of ——. He was a teacher for a time in the ——. She is a very bright, intelligent woman. She has one child 4 years of age and is probably two or three months advanced in her second pregnancy. She had taken a small part in the demonstration, and had gone to the house of Pyo Hak Sun to comfort Pyo Hak Sun's mother, who was distressed because her daughter had been arrested. As she came out of the house several police and soldiers came into the yard. They knew she was the school-teacher and had been searching for her at the school. They accused her of trying to hide, which she denied. Asked her if she had called "Mansei," said that she had. They ordered her to leave her child, which she was carrying on her back and come with them, and she obeyed. As she stood in front of the door of the police station a policeman kicked her forcibly from behind, and she fell forward into the room. As she lay, stunned, on the floor a policeman put his foot on her head. Then he forcibly raised her up and struck her many times over the head and face. He jerked at the strings that held on her clothing and ordered her to remove her clothes. She hesitating, he tore them off forcibly, meanwhile constantly kicking and striking her. He also beat her with a heavy stick and with a paddle. He tore off her underclothes and kicked her in the chest and beat her, accusing her of setting the minds of the Korean children against Japan, and said that he intended to beat her to death. She tried to cover her nakedness with the underclothes that had been stripped from her, but they were grabbed away. She tried to sit down, but was forced to rise by constant kicking and beating with a stick. She tried to turn away from the many men in the room, but was constantly forced to turn again so as to face the men. She tried to protect herself with her hands and arms, and one man twisted her arms behind her back and held them there while the beating and kicking continued. All parts of her body were beaten. She became benumbed and was losing consciousness of pain. Her face swelled and her body became discolored. She had to be held up and the ill-treatment continued. Finally they ceased and put her at one side of the room, leaving her there for a time. They then took the lunch mentioned in the statement concerning Chung Chung Yul. She was afterwards ordered to put on her clothes and was sent into the next room with the others. About 9 p. m. the three women mentioned above and the other two women who had been arrested were again called into the office. They were asked if they now realized that it was a wrong thing to call "Mansei" and if they would repeat the attempt. They released three of the women but kept Pyo Hak Sun and Yi Hyo Syung. These two women were sent back to the side room, where they spent the night as well as the other prisoners.

The next morning the examination of the prisoners began, some men being examined first. In the meantime the news of the way the women were being treated spread through the village and a crowd of about 500 people gathered in the morning. Some of them were for attacking the police station and taking revenge for the mistreatment of the women. But Elder Han advised against the use of violence or doing anything unlawful. Finally cooler counsels prevailed and it was decided to send in two representatives to make a protest. Two men were chosen, neither of them Christians, and one of them speaking Japanese, and these two went into into the police office, the crowd waiting outside. They protested against the stripping of the women as being unlawful. The chief of police said that they were mistaken; that it was permissible under Japanese law. Also said that they were searching for unlawful papers. The men then wanted to know why they stripped only the younger of the women and not the older, and why they were beaten after being stripped, and why only women and not men were stripped. The chief of police could not answer. There was considerable conversation. The delegates from the crowd were determined, and the crowd itself was getting more and more restless and noisy, many demanding that they, too, be imprisoned or that the prisoners all be released. The chief of the police was finally forced to yield, and he agreed to release all but four of the prisoners.

———, the widow mentioned above, had to be supported on either side as she came out. ——— had to be carried out on a man's back. As they saw the women being brought out in this condition a wave of pity swept over the whole crowd, and with one accord they all burst into tears and sobbed. Some of them cried out, "It is better to die than to live under such savages," and there was a strong sentiment in favor of attacking the police office with their naked hands, of capturing the chief of police and stripping him and beating him to death. But Elder Han and other wiser heads prevailed and kept the people from any act of violence, and finally got them to disperse.

A day or two later representatives of 600 miners from the mines not far away came to Elder Han and inquired the particulars of the affair from him. They said that it was impossible to bear with such savages, and that they were determined to make an attack on the police and take revenge. He argued with them for some time. One of them at least had been drinking, and he got out of patience with the elder and hit him in the groin. But the elder finally persuaded them to at least wait until the Christians then under detention in the police office were either released or sent to some other place, as the Christians did not wish to be implicated in any violence.

Later another demonstration was held here and at least two men were reported shot, but as it had no particular connection with the one partially described above there is no necessity of details being given here.

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EXHIBIT XVI.

STATEMENT ON POLICE METHODS.

(Letter to Hon. ———.)

APRIL 7, 1919.

DEAR MR. ———: We planned for the opening of the new term of college and academy on April 4, after the vacation which began March 5, when the students had been dismissed earlier than expected, and diplomas were given without graduation exercises, because the night before the dormitories were visited after midnight by the firemen with clubs and some of the students dragged out and beaten. On April 2 and 3 there was a systematic canvass of the city houses and students from mission schools were arrested, some of them beaten, some soon dismissed, and others detained under arrest. Word from the chief of police to one of our Japanese professors was that students entering school for the new term must be sent to the police station, where they would be examined. As in the minds of all, such arrest was usually accompanied with beating and kicking and such mistreatment before any investigation or inquiry as to conduct it was impossible to expect any students to enroll. And, as for the academy, two students came, one former student and one new one, they disappearing, however, upon the appearance of the prefect and his interpreter with swords, who came to inquire as to the prospects of opening the school. At the college one student came, but left at once upon hearing what the chief of police had said. Whether this was intended to prevent the opening of schools I do not know, but it may account for the nonenrollment of students.

That afternoon, April 4, about 3.30 p. m., when most of the missionaries had gathered for a prayer meeting at Mrs. Holdcroft's home, a cordon of police and gendarmes was suddenly picketed all about our property and procurators and police and gendarmes began to search our residences. We were telephoned to from one of the houses. I immediately went to my house, found the compound gates shut and gendarmes on guard, about 20 police and gendarmes picketing the compound, and, upon going into the house, I found my wife and children watching some 16 to 20 gendarmes, police, and detectives, in charge of a procurator and his interpreter, already searching three rooms. I asked the head man if he had a search warrant, and he replied: "No; it is not necessary." I said: "I can not give my consent to the search." He then gave me his card, and I said: "Of course, you can forcibly search, but it will be without my consent." He said that that would be all right. (I judge that as he was a procurator he had the legal right to search, even without my consent.) They spread through the whole house, and in my study, and in Mrs. Moffet's bedroom made a most thorough search of desks, drawers, bureaus, papers, letters, etc., even going into my property deeds and the safe.

They were not rude nor disrespectful, and one said that he did not like the job but had to do as he was ordered. However, it was anything but pleasant to have to endure the indignity of having 20 officers, gendarmes, police, and detectives take possession of everything in order to find practically nothing. In my study, among my secretary's papers in the drawer of his desk, they found the following inconsequential things:

1. A copy of the program of the Prince Yi memorial service and the independence service of March 1, written in ink in Korean.

2. A small piece of paper with a statement in Korean of the number of men killed at Anju and the number of those who had taken part from the several villages at Anju in the demonstration.

3. An envelope directed to the theological seminary, coming through the mail with stamp and postmark on it, containing five copies of the independence newspaper. This had come when I was in Seoul, and was in the secretary's desk, where my Korean letters are placed.

None of the above had I ever seen before, and the procurator's interpreter afterwards told me that my secretary also denied knowledge of the first two.

After searching the house they searched the outbuildings, the guest house, and an empty Korean house in the lower part of my compound, where my Bible woman and her son, my secretary, had lived for years, and which they again had permission to occupy. As we were trying to open the front door of the guest house, my secretary came out of the back door, where apparently he had been sleeping for several nights. (I did not know he had occupied this room, although he had had my permission since February to reoccupy the Korean house where he had formerly lived; that is to say, this house in the lower part of the compound.) They seized him, tied him, and, according to the statement of my two sons, who saw it (I did not see it), they hit him, kicked him, punched him, his nose bleeding, and one man hit him across the cheek with a short whip. In the empty Korean house referred to they found two copies of a mimeographed notice in Korean—thin paper rolled up into a small ball and thrown away. The detective told me that a boy had confessed that several of them had taken my mimeograph from the study and printed notices in that empty house. I, of course, knew nothing of it, and if true it was probably done during my nine days' absence in Seoul, March 17 to 25.

While searching my house, the houses of Miss Snook, Mr. Mowry, Mr. Gillis, Mr. McMurtrie, Mr. Reiner, Dr. Baird, and the Foreign School dormitory were also searched. Miss Betts refused permission to search that house, as they had no warrant, and their supply of procurators being short, there was no procurator in that party of police, and they refrained from searching her house. At Miss Snook's house they arrested the matron, cook (a woman), and a young man, Miss Salmon's secretary, searching Miss Salmon's room very carefully. At Mr. Mowry's they arrested a teacher of the City Church School, who was leaving just as the police came, he having come to see Mr. Mowry,

the principal, about the opening of school that day; also a student who had just been released from jail and had come to tell Mr. Mowry about his release. I think another boy was taken there, and I understood they expressed disappointment at not finding Mr. Mowry's secretary. At Mr. Gillis's house they arrested a boy who had been working in his garden for two weeks, a theological student from the country who had come in, and a medical student from Seoul, formerly a student here. These three had hidden in the house before Mr. Gillis returned from prayer meeting. In Mr. Reiner's yard—who had been somewhere on the compound and who was trying to escape, gave himself up to the gendarmes, who proceeded to beat him, strike him on the head, and knocked him down, after which they kicked him on the head several times. At Dr. Baird's they arrested a college student who was acting as secretary to him.

So far as I know there was nothing wrong about any of these being on our places or in our houses, most of them having regular occupations. But as the whole population is fearful of unlawful beatings, some of them, when they saw the police coming, hid and tried to escape capture. They searched my cook, also, but did not arrest him. They marched off with their captives and went through the seminary dormitories, from which they took another mimeograph, and breaking two windows in the Southern Presbyterian Cottage for Professors, I am told, arrested a man who had gone in there. Three men came back and asked to take two mimeographs from my study, to which I consented, asking for a receipt, which they said I could get the next day at the police office. That night, between 7 and 8 o'clock, Mr. Mowry telephoned me that a messenger from the police office had come, asking him and me to go down. I met them at my gate, and we went down together. We were shown into a small room where were three police, and sat down, waiting for 35 minutes before Mr. Mowry was called out for examination. While waiting, we were talking together in English, when one of the policemen said, "You are not allowed to talk." Surprised, I replied, "What, are we under arrest?" He jumped up at once and said, "Wait a minute," went out, and came back shortly, saying, "Never mind, it is all right." I replied, "Of course it is," and we continued our conversation. After Mr. Mowry was called, I was kept waiting another hour, and was then called out for examination before the procurator and his interpreter who had searched my house, also a scribe, and for a part of the time another elderly official. They were very polite and very pointed in their questions, asking particularly about my knowledge of or connection with the independence meeting of March 1; about my secretary, his being on my place, and about the keys of the house in which he had been, and whether he could have had the use of the key without my knowledge; about the use of my mimeographs, whether with my consent and knowledge as to the use to which they had been put. They asked about the three papers found in my secretary's desk in my study, and about my absence in Seoul; about the salaries of my Bible woman and secretary and my own financial condition, saying that I was reputed to be very wealthy, owning much land. After an hour's questioning, in which they learned that I knew nothing, had consented to nothing, and was in no way a party to or knew anything which may have been done by my secretary or others on the place or with my mimeograph (the secretary always having full access to the mimeograph for secretarial work), that I had stayed in Seoul on account of medical work for my wife and child at the hospital, and that the land in my name was the property of the board of missions, of the church, and of schools, they finished the examination.

I then made request for a policeman to accompany me and Mr. Mowry home, as it was near midnight and a missionary had recently been stopped at night on the way to the railway station by two Japanese armed with clubs, and it was not safe for foreigners to be out at night. They said there was no danger, but I called their attention to the fact that the Japanese papers were publishing abusive articles about us and that the low-class Japanese had great hatred toward us. They consented to send a policeman, asking me to wait a little while, and I was shown into the main office of the police station, where I saw sitting on the floor at one end the group of students and secretaries who had been arrested that afternoon and Dr. Bayard's translator, who had been arrested the night before. I asked if I might speak to them, but was refused permission to do so. After waiting some 20 minutes the procurator and his interpreter came in and said that they would send a policeman home with me. I suggested that I wait for Mr. Mowry, but they said that his examination was not yet finished and that I had better go first. I then asked to see Mr. Mowry, to tell him that I was going out and would relieve his wife's anxiety by telling her that they would send a policeman with him a little later. One said, "He is now being examined, but I will tell him." I then went, accompanied by a Korean policeman, but could not waken Mrs. Mowry, so went home. I did not sleep well, and in the morning had a hard headache, so stayed in bed. About 7 o'clock Mrs. Mowry telephoned Mr. McMurtrie that Mr. Mowry had not come home and asked if I had. He came to see me, and I suggested that he get Mr. Bernheisel and at once go to the police station and ascertain the situation, and if Mr. Mowry were under arrest to ask the nature of the charges, telegraph you at once, and ask to see Mr. Mowry and send him food. Mr. Bernheisel will write you what followed. I hope that I have not written in too great detail, but it seems better to write some things which may seem of trivial import rather than leave out the very things you may wish to hear.

Saturday afternoon, April 5, five of those arrested were released—Miss Snook's matron cook, Miss Salmon's secretary, the city school teacher, Mr. Gillis's working boy, and Dr. Baird's secretary; and on Sunday morning Dr. Baird's translator was released, the translator reporting that while he was not beaten, the others had been shamefully beaten while being examined. Saturday afternoon Mr. Mowry's secretary, who graduated from the college in March, came to Mr. McMurtrie's and said that he thought it best to give himself up to the police and not to try to escape from arrest. We then arranged that Mr. Bernheisel should go to the police office, Dr. Moore taking him down in his auto, and report to the police that his secretary was ready to deliver himself up if they would send out a man for him. Dr. Moore brought the man, a detective who knows all the students, back in his auto, and Mr. Mowry's secretary, Yi Po Sik, came out from Mr. McMurtrie's and gave himself up. Mr. McMurtrie accompanied him and the detective in the auto to the police station, and we thus secured him immunity from beating on the way. The secretary did this on his own initiative. He asked me for advice, but I told him that he would have to decide for himself. When the police came on Friday he had hidden and escaped arrest.

This is all I need to report now. I shall write you later commenting on the situation. I would say, however, that personally I do not believe Mr. Mowry has done anything which renders him liable to the law.

EXHIBIT XVII.

STATEMENT CONCERNING THE REMOVAL OF WOUNDED MEN FROM SEVERANCE HOSPITAL.

(By Dr. O. R. Avison, president.)

During the forenoon of April 10 a gendarme sergeant named H. Inouye called at the office and stated that the police wished to examine certain of the wounded men in our hospital and asked that these men be sent to the Yamadomachi gendarmes office for this examination.

The request being reported to Dr. Avison, he said that the question of their removal would have to be determined by the surgeon, Dr. Ludlow, and suggested that the examination take place at the hospital rather than that the men be subjected to the dangers of transfer. To this they agreed, requesting that a private room be arranged where the examination could be conducted privately. They thought it might take one hour for each man.

In the afternoon Gerdarme Sergt. H. Nagase, accompanied by nine gendarmes, came to the hospital and presented his card and a list of seven names of men who were to be examined. Dr. Ludlow was called in order that he might determine whether the cases could be removed from their beds to this room. Such as could be removed were examined in the room, while the others were examined at the bedside. The examining was completed in much less time than had been anticipated, so that they were through with it about 5.30 p. m., I think.

Sergt. Nagase then said he would take five men with him for further examination, leaving two with us provided we would undertake to notify the police department 24 hours previous to their being ready for discharge. Dr. Avison called Dr. Ludlow and asked him to state whether these patients could be safely removed. Dr. Ludlow stated that none of them ought to be removed from the hospital at this time as they still needed treatment. The officer said they had a doctor at the police department who would make the dressings and look after their treatment. Dr. Ludlow then objected in particular to the removal of three out of the five men, and after a time they consented to leave one of those three. After further conversation they consented to leave another, taking with them three men, as follows:

Yum Myung Suk: Gunshot wound in abdomen and arm.
Song Yung Pok: Gunshot wound in face, bullet extracted.
Lee Myung Keui: Gunshot wounds, groin and thigh.

Four men were left in charge of the hospital superintendent, Miss Esteb, with directions that 24 hours previous to their being ready for discharge the police department should be notified. They are as follows:

Yi Kai Dong: Gunshot wounds, right thigh and left knee.
Kang Yong Yi: Gunshot wound, thigh, and large portion torn away.
Kim Il Nam: Gunshot wounds, both thighs and cheek.
Ryoo Soon Myung: Gunshot wounds, both thighs.

EXHIBIT XVIII.

STATEMENT BY A KOREAN STOREKEEPER.

"On April 1 a Japanese policeman and a detective came to my home and asked to see the owner. I replied that the master of the house had gone to the country. I was told to telegraph immediately for him, saying the police required to see him at once. The officers then told me that I must go with them to the provincial police bureau. I asked that they go first and I would follow right away. To this they replied, 'We must go together.'

"On arriving at a police box the policeman telephoned somewhere, stating that the master was away and that he was bringing one of the employees, and asked whether that was satisfactory. The reply was 'yes.' I was then escorted by these officers to the provincial police bureau, where on entering I found a large number of business men. We were spoken to and then given a notice which we were told to read carefully. We were further told that we had broken the law and had done very badly for a whole month by keeping our stores closed, but for that offense we would be forgiven. If, however, after this special forgiveness we again offended by not opening we would be punished severely by the law. We were then asked to sign the following guaranty: 'If you will please help and protect us we will open our shops immediately.' We were told that if we refused to sign this document we would not be released. As far as I know all signed.

"A spy then accompanied me to the store and threatened that if I did not open he would take me back to the police bureau. I opened reluctantly, and in a short time one Japanese and one Korean spy came and stayed around the store until closing time.

"April 2, 1919, I did not come down to the store until late in the morning. When I arrived I found that the lock had been wrenched and the staple broken, so that the doors could be opened. I had not been in the store long when a Korean policeman came and stated that I must report to the police box at Kurigai. I went along with the policeman, and the son of the proprietor accompanied us. We were asked why we had not opened early, to which I replied that owing to some special business it was impossible. A Japanese policeman slapped me on the face for this answer. The son of the storekeeper was also slapped quite frequently. I was struck only a few times. One of the officers in the police box wrote on a piece of paper: 'I promise to open the store at about 8 o'clock in the morning.' To this I had to put my seal.

"April 3. I came down to the store at 9 a. m. and opened up. Pretty soon a policeman came and said, 'Why did you not open up at 8 a. m. as you promised?' I made some excuse, so again I was told to go to the police box. Once more I was scolded, but not struck. The officer said that I must write another statement, in which I was allowed to open between 8 and 9 a. m., but not later.

"April 4. Opened between 8 and 9 a. m. and no trouble."

EXHIBIT XIX.

A PERSONAL LETTER.

(To a Canadian.)

APRIL 10, 1919.

DEAR MR. ———: I suppose you have heard of the Korean revolt. All of us are so exercised over it that it is hard to keep our noses to the grind or our hands from the big stick. We are forced to keep as free from entanglements as possible. The Japanese have followed their usual methods—terrorism and blustering. They have tried their best to shoulder the blame of it upon the missionaries, but, fortunately, the rising was as much a surprise to them as it was to the authorities, if I mistake not. However that may be, let me state my reason for writing. I have tried to get an honest grasp of the young Korean's mind, and have put the result of my investigation down in black and white. I am sending you a copy. I found that the outstanding thought

which remained with me was the failure of Japanese imperialism in Korea, so I have given the paper that pretentious title. Surely the proof of successful rule is a happy, thankful, and prosperous people. Korea can come under none of these heads. You saw something of it yourself. If traveling in Korea was so annoying to you, you can take it from me that it is a great deal more so now. ———, my old teacher, came back from Japan the day before yesterday. Every place he reached he found that his coming had been telegraphed ahead, and that he was expected. Some system, eh? He was arrested twice, and though they could find nothing against him and let him go, it was not before he got his tale of stripes. One numskull of a Japanese gendarme tried to force him to sign a paper saying that he would not continue his studies in theology but take up farming. Men are being arrested here every day, and even before a question is asked them are flogged with a 2-inch square rod. Doctor and I saw two men to-day who came from the local consulate a few days ago. One fellow had left his house to-day for the first time since his release four days ago, he was so badly battered and bruised. Their shoulders were a horrible sight. Torture of the most primitive kind is used and some finer touches added. For example, one of our Christian school-teachers told me yesterday that after his flogging failed to elicit the information the Japanese wanted, they bound his two first fingers together and gauged a pen through between. Try it and see how it feels. The devilishness that finds the nerves that give excruciating pain and yet does not mutilate is—what shall I call it—Germanic? The offense of these fellows was one of having waved a Korean flag and having shouted "Mansei! Long live Korea!" I could tell you of dozens of such stories, and you would scarcely credit them. Here is one, for example: Four young fellows arrived in ——— the first day of the demonstration and took no part in it. They were theological students and were found in the college dormitories by Japanese soldiers. Tied to a wooden cross, they were given 39 strokes with a paddle, and told that as Christ suffered on the cross, it was fitting that they should do the same, and told them they must be bad fellows since they were Christians.

Well, I have written a whole paragraph, with what continuity of thought I don't know, but the idea that runs through it is clear enough. I want you to know what is happening. You will have heard from other missionaries, but you can't hear too much. Japan is proving the Hun of the East—the big bully that strikes where no retaliation can forthcome. Koreans have been remarkably restrained. But read the article. If you think you can get it published without implicating the mission, do so. It is only right that Canada should know, as well as other lands, what Japan is at home. Talk about "No race discrimination." Let her begin at home. If you should publish it, let it be under the name of ———, or no name at all. If you can't get it published in the papers, at least try to get the facts of the poor Koreans' plight before Canada some way. I know that we should try to keep as free as possible from political affairs. But you need to see things for yourself, and then ask whether our religion must be denied the right to throw its white light into the dark corners. We can do nothing but publish the facts, but that is all they expect of us. And we in ——— have a better chance than our men in Korea. I am sending this by Chinese post.

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EXHIBIT XX.

FIRST ACCOUNT OF MASSACRES AND BURNING OF VILLAGES.

Statement of H. H. Underwood as to trip to neighborhood of Pal Tan Market, town in county of Suwon, Kyongki Province, April 16:

Party left Seoul about 9.30 a. m., by writer's auto, and proceeded to Pal Tan by way of Suwon and Osan, a distance of slightly over 46 miles in all. About 2 miles before reaching Pal Tan a large cloud of smoke was seen rising from behind a low hill beyond the market town. The car was stopped for lunch here, and the writer strolled over to a near-by cluster of houses and finding a farmer engaged him in conversation. After a little preliminary talk:

H. H. Underwood. What is that smoke?
Farmer. That is a village that has been burned.
H. H. U. When was it burned?
F. Yesterday.
H. H. U. How was it burned?
F. (glancing around fearfully). By the soldiers.
H. H. U. Why? Did the people riot or shout for independence?
F. No; but that is a Christian village.
H. H. U. Has there been no cheering for independence here?
F. Sometime ago there was in the market town on market day.
H. H. U. But not in that village?
F. I do not think so. Why would they shout all by themselves without any gathering of people?
H. H. U. Have the soldiers been here to this village? Are you Christians?
F. Oh, no; there are no Christians here.
H. H. U. What is the name of that village?
F. Chay Amm Ni (Cheamni).

I then found another man in the same village, and the same questions brought the same answers, with the added information that there were few or no travelers, and that it was difficult to know what was happening, and that the people had not been allowed to gather for market on the last market day.

After lunch we drove down to the town and left the car, as it was impossible to cross the stream at the entrance to the town. We walked past the police station, which is situated where the two main roads entering the town meet. A file of soldiers of the Seventy-eighth Regiment was standing outside the station. As we were passing a Japanese policeman came out and demanded where we were going and ordered us into the station. We entered as two Japanese officers got up and left. We all noticed their shoulder straps, which were red with three stars. This, I am told, is the badge of first sergeant. The policeman who had called us into the station shouldered a carbine and followed the officers, and in a moment we saw them setting off on the road to Namyang, with the policeman in the lead.

Mr. Curtice now presented his card to the officer and conversed with him in Japanese. I do not speak Japanese, but knew a little, and followed a large part of the conversation. After chatting about the roads, bridges, mutual acquaintances in Seoul, etc., Mr. Curtice casually asked about the fire. The chief said that there had been a small fire but that it was now out and did not amount to much. Asked about the disturbances, he said that there had been a little disturbance in that part of the country, but that it was now over.

After some more general conversation Mr. Curtice asked if rickshas could be procured in the town, as we would like to make a little excursion and see the fire. The chief asked, "Which fire?" Mr. Curtice said the near-by one, but that we would probably like to take a little ride for three or four miles in the country. The chief seemed a little surprised, but said "Yes," and sent a policeman with us to the ricksha stand, where we hired three rickshas and set out. The village from which the smoke was rising was not more than a mile from the town, and after a short ride we left the rickshas and walked around the foot of the hill, on the sides of which was the village we had seen.

Our estimate and the statements of the Koreans agreed that the village consisted of about 40 houses, all of which had been burned down except four or five which were left standing. The rest were heaps of smoking ashes with flames still visible here or there. We saw groups of women, children, and old men sitting on the hillside above the village watching the ruins in dumb despair.

We walked the entire length of the village, and about halfway up we saw a corpse of a young man, horribly burned, lying just outside of a building, which we learned later had been the church. This body was photographed where it lay. After going the length of the village we came back along the hillside and called to a man sitting in one of the groups mentioned. He came and I questioned him, but found that fear and shock had numbed him. He held his head in his hand and said that everything he had and all the results of years of hard work had gone. I condoled with him and asked when the fire had occurred. He said, "About this time, yesterday" (2 p. m.).

H. H. Underwood. How did it start?
Korean. By the soldiers.
H. H. U. Were many people burned or hurt?
K. The soldiers killed all the Christians who were in the church.
H. H. U. What were they in the church on a Tuesday afternoon for?
K. Why, the soldiers came and ordered all the Christian men to gather in the church.
H. H. U. Were there women in the church too?
K. No; the women were told not to come.
H. H. U. Well, after the Christians gathered in the church what happened?
K. The soldiers fired on them and also used their "knives" (swords and bayonets) and then set fire to the church.
H. H. U. How did the other houses catch?
K. Some caught from the church and others, on the other side, where the wind did not carry the flames, were set on fire by the soldiers.
H. H. U. How is it you are alive?
K. I am not a Christian, and only the Christians were ordered to gather.
H. H. U. Your house also was burned?
K. Yes; there are the ruins (pointing).
H. H. U. But there are a few houses left; how about those?
K. Those stood by themselves.
H. H. U. About how many were killed in the church?
K. About 30.

I then left this man and walked over to another group. Here there were several young women with babies at the breast and old women and a young boy about 19 or 20.

These people were Christians and knew Dr. Noble of the N. Methodist Mission, in whose district this church was. I asked the same or nearly the same questions, and got the same answers, as to time, method, number of killed, the setting of the fire, etc., etc. I asked the young man how he happened to be alive, and he replied that he had been away gathering wood on the hills and had returned at night to find all his friends and male relations dead and buried under the flaming ruins of the church. These people showed us where the church had stood, and we went down and found another corpse, which was also photographed. The other bodies were still under the ruins of the church.

The people were absolutely destitute, here and there a few household goods had been snatched from the flames, but none of the little groups seemed to have more than a very small bowl of rice or grain for all the survivors, and they said that most of them had lost their grain, seeds for the coming year, and everything, including domestic animals, on which they are very dependent. We bid good-by to this group after taking their picture, and walked through the village to one of the houses that was still standing. Here our owner was a very old man who said that his house stood alone and had not caught and had not been set because he was not a Christian. His account of the event tallied in every way with that of the others. He also did not know how many had been killed, but also put the number at about 30.

After taking a few more photos, we returned to the rickshas and started back to the town. The ricksha coolies offered to take us to another place, about 3 miles farther on, Suchone, where the same thing had happened a few days before. They volunteered that about 15 places had been burned, in most cases Christian centers. The tallied with other stories, and with reports brought up to Seoul to the missionaries in charge of the district. The soldiers had been brought in by auto about 2 weeks or 10 days before and the first villages had been burned at that time. The chief of police had reported that the trouble had been over some time, and we heard no accusations that there had been any violence on the part of the Koreans in this village which we visited. The police claim that violence had been committed in other places. We bade good-by to the police and returned to Seoul by auto as we had come, reaching Seoul about 5.30 p. m.

It will be understood that as I was born in this country I can be absolutely sure as to the conversations with the Koreans, and, of course, of the things which I saw. The Japanese conversation, however, I only followed by words here and there, such as "fire, riot, small, no, yes, bridge, road, auto," etc.

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EXHIBIT XXI.

ADMISSION BY GOV. GEN. HASEGAWA.

[Japan Advertiser, Apr. 27, 1919.]

(Special to the Japan Advertiser.)

SEOUL, *April 25.*

The governor general of Korea denounces the harsh measures taken by some of his subordinates, and some of these, guilty of one of the worst atrocities reported, have already been subjected to appropriate punishment.

The governor general yesterday received a delegation of prominent missionaries who had visited certain Korean villages which had been burned by soldiers this month. After listening carefully to their description of their investigation he replied that their statements of what had occurred were true, and that it was to be deplored.

MUST NOT BE REPEATED.

The ones responsible had been punished, and strict orders had been sent throughout the peninsula forbidding further acts of this kind. His hearers might rest assured, he declared, and might assure other foreigners, that there would be no recurrence of such happenings.

The governor general added that at any time that the missionaries had anything important to discuss they could lay it before him personally.

The governor general's assurance that these harsh repressive measures by subordinate officers were not countenanced and would not be tolerated by the Government is most gratifying.

AID FOR SUFFERERS.

A committee appointed by a representative meeting of the foreign community waited on Gov. Matsunaga to ascertain if they could assist in relieving the sufferers from the late trouble. The governor outlined what the Government was doing and said that private Japanese had also contributed. He was willing to receive foreign contributions, which he would distribute and personally give account for. After thanking the governor, the committee withdrew to report to the central committee.

ATROCITY OF FIRST MAGNITUDE.

The facts reported to the governor general and referred to in the above special cable to the Japan Advertiser from its Seoul correspondent deal with an atrocity of the first magnitude, the particulars of which have reached Tokyo.

The missionaries who investigated were in a party of 10, who visited several villages which had been burned by the Japanese gendarmes and soldiers, the villagers being driven out of their homes and not permitted to take with them anything whatever of value. All they owned was destroyed, and the villagers, young infants and old men and women, have been hiding in the hills, afraid to return to the site of their former homes, and without shelter, food, or covering for their bodies at night. Among these refugees in the hills are some wounded ones, whose wounds have perforce gone untended, with many cases of blood poisoning setting in.

GATHERED VICTIMS TOGETHER.

In the course of their investigation, the searchers for facts reached one village where the little church had been destroyed by fire. The gendarmes and soldiers, marching into this village, had summoned the men of the village to attend a meeting in the church, where they were told certain orders would be read to them. They gathered in the building, some 50 or more.

As soon as the men had all been gathered together, the soldiery opened fire upon them through the open windows, after having surrounded the building. Volley after volley was poured into the gathering, until the floor was covered with heaps of dead and moaning wounded men.

To complete their work, the surviving women of the village told the missionaries, the soldiery entered the building and bayoneted all the men whom the bullets had not killed, while two women who had approached the building to learn the fate of their husbands were likewise bayoneted and their bodies thrown among those of the men. Then kerosene was poured upon the dead, and the bodies and the church building consumed by fire.

When the advance guard of the investigating party reached this place, there were two bodies still left in the smoking ruins, the others having been raked out and disposed of out of sight.

This is the report, in part, the missionary party has made to the governor general.

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EXHIBIT XXII.

THE MASSACRE AND BURNING OF VILLAGES.

[Correspondence in the Japan Advertiser, Apr. 29, 1919.]

The Advertiser correspondent, under date of April 20, says:

THE BURNING OF CHEAMNI.

"For some time past I have been hearing persistent rumors of the burning of entire villages and the more or less complete wiping out of the inhabitants. Latterly these reports came from a district lying 15 or 20 miles west of the large town of Suigen, on the Seoul-Fusan Railroad. It was difficult to obtain the exact name of the places said to be burned, but finally word was received from people coming from the district that the village of Soo Chon had been wiped out by soldiers.

"Mr. Curtice, of the American consulate, asked me if I was willing to make one of a party which would attempt to go through by automobile, and find, if possible, the truth regarding the rumor, and the village of Soo Chon in particular. Mr. Underwood, who was born in the country, and as a missionary has made a very careful study of the language and speaks it with great fluency, was engaged with his car to drive us there and act as interpreter for the party. As a mechanic and assistant in case of accidents, we also took a Chinese chauffeur.

"We left the consulate on Wednesday, April 16. Our route was along the main highway from Seoul to Suwon (Suigen), which parallels the railway. Passing through this ancient walled city, we continued on the old highway, which in historical interest and appearance can be compared to the Tokaido of Japan, until we came to the town of Uoan (Ooan), on the railroad line, and here we turned sharply from our southerly course to one due west.

"The road, which was marked on the map as third class, in no way exceeded our expectations, and the 15 miles that we covered before abandoning the car for rickshas was full of incidents connected with narrow, rotten bridges, good driving, and lucky escapes.

SMOKE STILL RISING.

"About noon we drew up on the slope of a hill, at the foot of which lay a large town, which, according to our reckoning, should be the market town of Parang-Chang, from which our destination, Soo Chon, lay distant 3 miles farther. Mr. Underwood went to a group of farm houses near where we had stopped to learn whether our supposition was correct and whether the people could give us any confirmation of the burning of Soo Chon. The farmers said that the town before us was Perang-Chang, where the police office was, and that Soo Chon, which was 3 miles farther on, had been burned. Pointing to a cloud of thin smoke rising from behind a hill about a mile distant from the market town, we asked what it meant.

"'That,' was the reply, 'is a village called Cheamni, which the soldiers burned yesterday at a little after midday.'

"A question as to the reason of its being burned elicited the statement that there was a Christian church in the village and many Christians. To a question the farmer replied that he was not a Christian and told us what was told him, but that he and the people thereabout kept very close to their houses lest they should be suspected of sympathizing with the sufferers.

"After a brief lunch we drove down to the market town, where we found the only bridge entering the place would not bear the car, so we started on foot past the police station, which was just on the other side, and in front of which was drawn up a squad of about 16 soldiers of the Seventy-eighth Regiment, under command of noncoms. They allowed us to pass by without comment, but shortly came running after us and took us to the police station.

ALL QUIET AT PRESENT.

"Here the police officer in charge received Mr. Curtice's card and asked us to be seated. Mr. Curtice talked to the officer in charge, starting with the formal conversation usual in such cases, and leading up to the question of our desire to obtain rickshas and continue our journey on to Soo Chon. The question was asked him if there was any trouble in the district, and he replied by saying all was quiet at present, though there had been a demonstration in the market town of Parang-Chang some time before. Asked what the smoke over the hill was, he replied that it was a small fire that occurred yesterday.

"The probability of our visiting the place, which lay on the way to Soo Chon, was mentioned, and no objection was raised, only surprise that we should trouble about visiting the scene of a small fire, the implication being of greater ones farther on. A Korean policeman was sent into the market with us, and we took the rickshas he secured and went out on the road about a mile to where a small trail led over to the smoking hamlet. Here we left the rickshas and proceeded on foot.

"When we got to the place, which had been a village of about 40 houses, just under the lee of a low hill, we found only 4 or 5 standing. All the rest were smoking ruins. We passed along the path, which ran along the front of the village lengthwise, and in about the middle we came on a compound surrounded by burned poplars, which was filled with glowing ashes. It was here that we found a body frightfully burned and twisted, either of a young man or a woman. This place we found later was the Christian church, and on coming down from another direction on our return I found a second body, evidently that of a man, also badly burned, lying just outside the church compound. The odor of burned flesh in the vicinity of the church was sickening.

"We proceeded to the end of the village and climbed the hill, where we found several groups of people huddled under little straw shelters, with a few of their pitiful belongings about them. They were mostly women, some old, others young mothers with babes at breast, but all sunk in the dull apathy of abject misery and despair.

GATHER CHRISTIANS FOR MASSACRE.

"Talking to them in their own language and with sympathy, Mr. Underwood soon won the confidence of several and got the story of what happened from different groups, and in every case these stories tallied in the essential facts. The day before we arrived soldiers came to the village, some time in the early afternoon, and ordered all the male Christians to gather in the church. When they had so gathered, to a number estimated to be 30 by our informers, the soldiers opened fire on them with rifles and then proceeded into the church and finished them off with sword and bayonets. After this they set fire to the church, but as the direction of the wind and the central position of the church prevented the upper houses catching, soldiers fired these houses individually and after a time left.

"As we passed down the ruined village returning to our rickshas we came on the last house of the village, which was standing intact, and entered in conversation with the owner, a very old man. He attributed the safety of his house to its being slightly removed and to a vagary of the wind. He was alive because he was not a Christian and had not been called into the church. The details of his story of the occurrence tallied exactly with the others as to what had happened.

"We found that our ricksha men had followed us, leaving their vehicles on the main road. Their surliness and reserve was gone, and they volunteered the information that, while they were only ricksha men living in the market town, yet they would confirm what the people had told us. Further, they could take us in rickshas to the town of Soo Chon, only a short 10 li (3 miles) away. It undoubtedly had been burned, as we could see for ourselves; many more towns had been burned, they said, in that district, 15 in all that they knew of.

AFRAID TO BURY THEIR DEAD.

"We had seen, heard, and smelled enough to confirm all of the reports that have been trickling into Seoul from native sources in this district; and as we had a perilous road to travel before we reached safety for our heavy car on the main highway, we turned back to the market town, sad and sick at the thought of the miserable people camped on the hillside, afraid even to go to their dead. We were met outside the police station by the officer we had seen on entrance; and, telling that as the rikishas were poor, the road bad, and the afternoon waning, we would return to Seoul at once.

"This particular police office is not connected by telephone or telegraph, and the road is little used, so the surprise of our sudden appearance from Seoul in a large car, coupled with Mr. Curtice's diplomacy, was what gained us the privilege of seeing the result of the military method of repression and of talking to the people without interference. A remarkable fact was that on the journey coming and going to the main highway we met only a couple of natives traveling and very little work in the fields, except in immediate proximity to the houses, the more remote fields lying deserted, which was unusual at this time of the year and at variance with conditions along the main highway."

VISIT OF BRITISH CONSUL.

Under date of April 24, the same correspondent writes:

"The British consul had an interview with the Government after the first trip to Cheamni and mentioned the result of our investigation, at the same time expressing a desire to go down himself with certain of his nationals who were interested in mission work.

"The party in the motor car consisted of Mr. Royds, the British consul; Dr. Hardy, of the Canadian mission; Dr. Gale; myself; and extra chauffeur. In addition to the motor car two motorcycles accompanied us (with side cars) carrying Dr. Noble, who is superintendent of the work in that district; Rev. Cable; Rev. Mr. Billings; Rev. Mr. Beck; and Rev. Mr. Herron Smith, who is in charge of the Japanese work in Korea for the Methodist Church.

"We took a different route, where the bridges were in better condition, and arrived at the market town of Parang-Chang about noon, and parked our machines in front of the police station and proceeded at once through the market town toward Cheamni. There were a number of police in front of the station, but they said nothing to us, but fell in behind and followed us to the burned village, evidently having been warned of our coming.

CLEARING AWAY THE DÉBRIS.

"Here we found a large gang of collies cleaning away the ruins preparatory to having the houses rebuilt. All the burnt bodies had been removed and great haste was being made in cleaning the place

up, which was in decided contrast to villages we visited later and which had been destroyed early in the month.

"We photographed freely without interference, but whenever we started to talk to the natives a policeman would saunter up and the Korean would freeze up. Nothing was said to them in our presence, but they were in wholesome fear of what might happen later if they were seen talking to us. However, our party was a large one and we divided up and went in different directions, and those familiar with the language obtained many interviews, and everything confirmed the first report sent you as to the hour and method of assembling the men in the church and exterminating them and then setting fire to the village.

"Careful questioning of some women in a house removed from this village gave the number of Christian men killed as 12, whose names were secured, in addition to which 2 women who went to find out what was happening to their husbands were killed, one a woman over 40 and the other 19. These may have been the bodies we saw outside the church on the first day, this supposition being possible as they were outside the ruins. The remainder of the men killed in the church were members of the Chyong Do Kio and were said to be 25 in number.

OCCUPIED HOUSE FIRED.

"We next started walking to the village of Soo Chon, 3 miles away, which had been the objective of my first visit. We found that this village had been burnt either on the night of the 5th or the morning of the 6th. The story told to our party was that on that night the people were awakened by finding their houses on fire. As soon as they ran out they were struck with swords or bayoneted or shot—none were killed but several wounded, and we found one man whose arm had been laid open with a sword, and who, from lack of attention, would probably die of infection. The British consul afterward obtained a promise from the police in the market town that he should be sent to the hospital at Suigen. In this village a church and about 30 houses had been burnt, but no attempt had been made to clean it up, though it occurred early in the month. We then proceeded to a very small hamlet just over the hill where four or five houses had been burnt.

"As we returned along the road homeward I was somewhat in the rear and a Korean appeared suddenly from a bypath and asked me to go to the village of Kei Rong Kohl, 5 li (1½ miles) away, where 17 out of 19 houses had been burned. This I was unable to do, as it was growing late and our party was well ahead. I overtook a Korean who had been following our party as a spy for the police. He denied knowing of such a place, but finding I knew all about it and could speak the vernacular, he admitted it and confirmed what we had been told regarding Cheamni, particularly the hour, which is very important, for there had been a report among the Japanese of a town being burned through the upsetting of a lamp by Koreans wishing to avoid arrest during the night.

"We were told of a certain place in this district where nine burned villages can be seen from an elevation nearby. We had seen enough to confirm the reports previously received and returned to Seoul.

"The officials in the Government expressed to the consular officials the greatest indignation and surprise at these outrages and promised immediate relief to sufferers.

"A meeting of foreigners was held to see if relief work could be undertaken, and a committee appointed to wait on the officials. Appreciation was expressed by them and the matter is going through official routine. Many officials have visited the district, particularly Cheamni, and in that point I believe active steps for relief are being taken. I think the exposure of what happened at Cheamni will put a stop to this sort of repression."

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EXHIBIT XXIII.

AN INCIDENT IN NORTH KOREA.

On Sunday afternoon, April 20, 1919, the following occurred at the village of Nong Tuk, Sinkai County, Shanghai Province. The Myen Chang (town magistrate), a Japanese, with two Korean police officers, came to the village from the Myen, about 5 li distant. They went to the house of Song Chang Sik, a local preacher in charge of this circuit, but he and his wife had gone to another church on the circuit for the Easter services. The officers beat his old mother, frightened the seven children, broke the water jars, dishes, and furniture, and destroyed his books. The local leader of this church is a fine young man from a well-to-do family, who had been to the Bible School in Seoul. He had been arrested at another place the 1st of March. The officers went now to his house and beat his old grandfather, cutting a gash in his head. They also beat the teacher of the day school, and smashed up things in other Christian homes. They broke every window in the church, with the lamps and stoves, and took the pulpit, the Bibles, and the hymn books into the church yard, where they burned them. They said such low-down people as the Christians had no right to live, and would all be run out of that region.

There has been no demonstration in this village. None of the Christians here took part in any demonstrations for independence in other places. Some days before, at the Myen (township headquarters), where there are no Christians, there had been a demonstration by the non-Christians, of whom six had been shot to death on the spot and many others wounded.

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EXHIBIT XXIV.

STORY OF GOVERNMENT SCHOOL GIRL WHO WAS SABERED.

On March 1, 1919, at 2 o'clock, we started at Pagoda Park, going up to the Taihan Gate, where we shouted "Mansei" with all our might. From there we came to Kangwha Gate and shouted again, going out the West Gate to the French consulate and the American consulate, where we once more shouted "Mansei."

Coming in through the little west gate we again went to the Taihan gate, from thence we went to Pan Chung Tong (where there is a police station). There came out mounted gendarmes trying to stop our course, but we pressed forward to the Government general offices, and there the kotang koan (high official) came out with his sword, beating all in his way, and he struck me with his sword on the back, making a wound three inches long. The force of the blow threw me down, after which he stamped on my head with his foot, leaving me senseless for about 20 minutes.

When I came to I arose, to find my tooth broken, nose and lips bruised and cut, and blood everywhere. My shoulder had a 3-inch cut, and my leg, which had been struck several times, was black and blue.

EXHIBIT XXV.

KWAK SAN AND TYUNGJU.

The Kwak San Church was burned yesterday morning (April 25, 1919) and the Christians prevented from going in to put it out. The atrocious tortures of the prisoners in Tyungju are worthy of African savages and barbarians.

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EXHIBIT XXVI.

PART OF AN EXTENDED REPORT.

A.—Methods of suppression.

APRIL 24, 1919.

The following paragraph can only be a summary of the methods which have been used in the suppression of nationalistic demonstrations. Every statement is supported by signed affidavits deposited with representatives of the United States Government. This must of necessity be a generalization, since conditions varied somewhat in different parts of the country, and the course of events was not always the same.

It must be borne in mind that the demonstrations began without violence of any kind on the part of the Koreans. The movement, as announced, was to be one of peaceful and orderly expression of national opinion, and in the initial public meetings violence was specifically forbidden, and later special notices were circulated cautioning against the use of violence. The demonstrations, involving as they did thousands of people, were remarkable exhibitions of self-control. It is not to be wondered at that later on, when the crowds were enraged by violence of the police and soldiers, there should be retaliation of some sort in a few cases.

At the first outbreak the police seemed nonplussed at the apparently senseless audacity of the cheering demonstrators. It is said that on the first day in some places the police even joked with the crowd. But when the people refused to be permanently dispersed the mood of the officials changed to irritation and anger, and they entered upon a campaign of enraged brutality, police, gendarmes, soldiers, and firemen (armed with pole hooks) kicking, striking, and beating men, women, and children indiscriminately; using gun butts, swords (in the scabbard at first but later bare and bloody), clubs, and freight hooks (inflicting ghastly wounds). As the demonstration continued, swords and bayonets were freely used, and after the first day, as the wave of demonstration spread out through the country districts, soldiers and gendarmes fired on crowds without warning, shooting indiscriminately in the direction of the cheering whenever the cry of "Mansei" was raised, killing and wounding at random. It was inevitable that there should be retaliation. Gendarmerie windows have been broken and gendarmes have been killed. A notable instance was at Morak, where the gendarmes fired into a crowded market, killing several. The crowd pursued the gendarmes and killed four.

In this connection Col. Mayeda, who is second in command of the gendarmes in Chosen, claims that up to March 30 the police reports indicated 38 places in which police and gendarmes had used arms, and that in all these cases the Koreans began violence; that the police and gendarmes were few in number, usually only three or four against hundreds and even thousands of Koreans, and that it was necessary to protect themselves and Government property from destruction. It was his representation that no more violence was used than was necessary. The sufficient answer to this is that in all cases which have come under foreign observation the Korean demonstrators refrained from violence until angered by the wanton cruelty of the police, and that so far from violent measures becoming increasingly necessary recent acts of wholesale slaughter and burning of villages have taken place even after Korean demonstrations had ceased and the crowd dispersed. The police may regard this as punitive; it can not be justified under the plea of necessity or self-defense. Moreover, in every instance where police and foreigners both report on the same cases the police reports are invariably falsified and unreliable. We can therefore place no reliance upon their statements in regard to the course of events elsewhere.

Evidence that the police excuse of Korean attack upon the police station is invalid is found in the fact that in at least one instance the dead Koreans lay in all parts of the city where they fell, none near the gendarmerie, but on the spot where they had been cheering in unresisting groups when fired upon by the gendarmes. There are photographs to substantiate this in the case of Andong, where the dead were reported to be 30, and where a missionary himself counted 7 left lying by the roadside in widely separated parts of the city 14 hours after the shooting.

Official records from March 1 to April 11 show that 9 police and gendarmes have been killed and 109 wounded, while among the Koreans 361 have been killed and 860 wounded. The report of police casualties is doubtless accurate; that of the Korean casualties falls far short of the true figures and only takes cognizance of those officially known to be dead and wounded and does not include those killed and wounded by indiscriminate shooting in the dark down village streets. Individual cases reported in the Government press have totaled more than 600 killed, and these do not include more recent shootings.

The process of arrest at any time of excitements and disturbances is apt to be accompanied with more or less violence. It has been the gratuitous and unjustifiable brutality of officials which has most impressed itself upon observers here. It is not merely the roughing and beating of those who are being arrested, but the actions of those who, without making any attempt at arrest, desperately beat any whom they meet in the road without explanation or inquiry in a general campaign of terrorism. Complaint or remonstrance on the part of Koreans means more severe treatment and even shooting. Japanese civilians have taken part in this work as well, with the encouragement of the police.

A peculiarly revolting feature of police methods is their treatment of women. Their laying violent hands on women is the thing that most often arouses the anger of the Koreans, whose term of execration "barbarians" is called forth by these actions. Women have been stripped and beaten both before and during police examination in police stations, in their own homes, and in the open, usually wantonly subjected to insult and indignity, simply to indulge the brutal propensities of the police or soldiers. The treatment to which educated young women have been subjected appears in appended documents.

Since the coming in of fresh troops and the inauguration of more severe methods of repression, as announced by the Government, increasing numbers of reports come in regarding the violation of women by soldiers. The absence of this form of violence in the past, the sudden appearance of such reports, coincident to the new orders issued, give verisimilitude to the reports, aside from the fact that they come from trustworthy sources. Complaint made to the police in regard to this

has been met with beating and with the statement that such charges must not be brought against servants of the Government.

Treatment of the wounded has been most cruel. In many cases they have not been allowed to go to hospitals. Those brought to mission hospitals have often been smuggled in secretly by their friends. Our physicians can testify to the fact that wounded men have been taken out of hospitals and beaten, and that others have been taken out of hospitals to prison before being discharged by the doctors as cured.

At the Mission Hospital in Pyeng Yang the doctors were told that they must not report patients as having died of gunshot wounds, but that they must say they died a natural death.

The jails, of course, overflowed from the first day. Prisoners in most cases received brutal treatment, though there were notable exceptions. Wholesale arrests have followed from the first outbreak. Examinations have been made as rapidly as possible, and considerable numbers have been discharged after detention ranging from one day to six weeks. In some cases girls and women have received considerate treatment in prison, in others quite the reverse; the girls arrested in Seoul complain uniformly of the brutality of the women jailers and police officials. The whole number reported under arrest varies from 10,000 to 40,000.

Trials according to Japanese law have been proceeding throughout the past weeks, the Koreans for the most part making no defense, but asserting their innocence of any other act than an expression of their desire for independence, which they do not disavow. Sentences have been imposed, ranging from six months to three years at hard labor, while in numerous cases flogging (which can not be administered legally to Japanese) has been administered with from 15 to 90 blows.

As was indicated above, firemen armed with clubs and polehooks were in many places given free hand to do what they wished to beat, scatter, and terrorize the crowds; in other places civilians apparently (possibly the reservists) were armed with clubs and hooks and turned loose upon the Koreans. It must be constantly borne in mind that these Korean crowds were unarmed, the people having been disarmed nine years ago.

The police paraded bodies of armed thugs (Japanese in Korean clothing) through the streets to indicate what might be expected. Rumor freely circulated that missionaries were to be beaten by them. Government officials told a newspaper correspondent and an American official that if they carried lighted cigarettes at night they would be safe from molestation, since they would not be mistaken for missionaries, while a missionary was warned by friendly officials to keep off the streets at night. These thugs have since been withdrawn, owing, it is said, to a protest by the American Consul General.

The Korean demonstrations continued for over a month and have now almost entirely ceased. The soldiers in the country districts, however, are increasingly violent, using fire and sword and terrifying the populace.

B.—*Government attitude toward the Christian Church in suppressing the revolt.*

In speaking of the "Government attitude" we are using an inferential phrase. Officially the Government attitude toward the church is that of religious toleration, and Christians are presumably to receive the same treatment as other citizens involved in the same disturbance. As a matter of fact, however, the Government's real attitude must normally be inferred from the action of the Government's officers and agents, the police, gendarmes, and soldiers.

Ever since Japan first came into control in the peninsula the existence of the Protestant Christian Church has offered a problem to the Government. The reasons are not far to seek; it is primarily the problem which the church from its very beginning offered to autocratic governments. It existed in the days of Rome. It stands out in particular prominence here in Chosen, because here we have an instance where the church is the strongest organization among the people whom the invading nation is seeking to control and denationalize and assimilate.

Dr. A. J. Brown, in his pamphlet on the "Conspiracy case" of 1912 (p. 7), makes the following statement: "The Japanese desire to control everything within their dominions, as foreign business men have learned to their cost. This is particularly true in Korea, where they deem it necessary to their plans to be absolute masters. Now the Japanese see in the Korean Church numerous and powerful organizations which they do not control."

There is a natural solidarity of Christians (especially under our form of church polity) which they themselves have come to appreciate, and which has been an obvious source of anxiety to the Government. The whole attitude of the Government toward the church in this present crisis is largely conditioned by a recognition of this solidarity and unity. A military government without experimental knowledge of Christianity, not appreciating fully its primary spiritual aim nor able to estimate properly the strength of the spiritual forces and factor involved, but fearing them, would naturally view with concern the fact that the largest and most thoroughly organized member of the body politic embraced at the same time the most enlightened and progressive portions of the populations.

Admiral Mahan, in a letter to Dr. Brown, quoted in the pamphlet referred to above, says ("Conspiracy case," p. 21):

"The suspicion excited by Christian gatherings is not only natural but has been characteristic of non-Christian governments from the time of Rome. Sometimes it is well grounded, as in the case of the English Roman Catholics in the days of Elizabeth and James the First. Men bound together by close sympathies of vital religion are in a state very favorable to combination for other objects, as, for instance, patriotic * * *."

The Government apprehension of the power of church organization is clearly witnessed by the encouragement given to the propagation of Christianity by the Congregational Church, which has a form of polity devoid of unity and integration, and therefore easier to control. It is under purely Japanese control.

Presbyterian organization, with its self-government and unity, and Methodist organization, with its unity and its added relation to a foreign ecclesiastical body of great power, are both obnoxious to the Government.

Another reason for the Government's suspicion of the church in Chosen is the fact that foreign influence exercises great power there. (It must be admitted that, while technically autonomous, the native church was dominated for a long period by foreign influence. But the church has rapidly come into its own, in its assemblies being able and ready on occasion to outvote the foreigners, and this very year marked a movement initiated by missionaries, for their actual withdrawal from any other than advisory participation in church assemblies.) The existence of this foreign influence has, beyond question, been an added irritation to the authorities, who felt that it was an obstacle in the way of the Japanization they wished to effect. A former governor general is reported to have said, "We can't have the missionaries here trying to make little Americans out of the Koreans." The remark was not justified, but it indicated sufficiently the official thought.

The immediate effect of the present disturbance, therefore, a disturbance in which Christians have taken a prominent part, has been to confirm and strengthen the suspicion which already existed against Christianity. The fact that it has been in no sense a purely Christian uprising, and the further fact that it was not purely Christian in origin, will not offset the consideration that Christianity has apparently proved itself to be hostile to the Government. This interpretation of Christianity on the part of the Government must be borne in mind as an explanation of the present treatment of the church. Naturally the Government has issued no statement to this effect, but actions of officials speak louder than Government proclamations. The vice governor of Choong Chung Province, a Japanese, and, therefore, the real executive of the Province, called in prominent Koreans, including some Christians, and in a public meeting advised people to have nothing to do with Christianity, which was a Western religion, and not adapted to Orientals. Police officials are urging the same thing everywhere. The procurator, in making his case against Mr. Mowry at the public trial, said: "It is impossible not to suspect Christianity in the matter."

From the very first day of the demonstrations the officials have paid more attention to Christian participation than to that of any other class. Arrests of those actually taking part in demonstrations and made upon the spot were naturally made without discrimination, but in the campaign of general arrests which followed throughout the country, Christians have been singled out for marked discrimination, even before demonstrations have taken place, in many instances.

Throughout the country the police immediately began to arrest pastors, elders, and other church officers. Some of these have been released after weeks of imprisonment and examination. Sentences against others are being daily announced, even in the case of men who took no part in the demonstrations, ranging from six months to three years of penal servitude. Of course no apology is intended for those who took part in the uprising deliberately and expecting the consequences. We are emphasizing the fact of the wholesale arrest and beating of Christians simply because they are Christians. In some places the men and women of the village were called together, all those who admitted they were Christians were maltreated or arrested and the others sent away. Wayfarers met by soldiers and gendarmes are asked whether they are Christians, and beaten and abused on the admission of the fact. Korean Christians remaining in the villages are given all sorts of announcements by local police and gendarmes. They are told that Christianity is to be exterminated, that all Christians are to be shot, that meetings are to be forbidden. It has been stated that Chunt Kyo is to be completely abolished because it is a native religion, but that Christianity, because of its foreign affiliations, while not being abolished, will be reduced by legislative restrictions to half its present size. There is of course no uniformity in these announcements, but they are all evidently part of a campaign of intimidation. That they are not groundless statements is evidenced by the fact that 19 churches have been partly or wholly wrecked by soldiers; bells, furniture, Bibles, and hymn books being smashed or burned. Seven other churches have been burned to the ground. We have no record of churches of other missions involved except as noted below.

The effect of this treatment varies in different localities. In some places worship is entirely suspended, church officers not under arrest are in hiding, and the congregations are scattered. In some places church meetings have been forbidden; in others the services are continued, but with reduced attendance and with police detectives and spies present; in still others the disturbances have had no effect on the congregational gatherings, and many new inquiries are present attracted doubtless by the reputation for patriotism which Christians have acquired. It may be said that the local officials are always ready with some absurd explanation of the distruction of church property such as that the Christians burn their own churches to show their abandonment of Christianity or that non-Christians burn them in hostility to Christians.

Since the bringing in of additional troops from Japan things have grown incredibly worse. These troops were brought in with the avowed purpose of "using severe measures," and interprated in the light of facts this means a campaign of fire and sword and devastation, the burning of whole villages accompanied in some instances with the massacre of inhabitants in the most approved style of Hun and Turk. At present writing attention is centered in a group of villages less than 50 miles from the capital. Two weeks after the first reports of village burning reached Seoul, investigation was made by foreigners. A party went to find the burned villages, and came on one still smoking. It had been burned the day before. At this village, called Chey Am Ni, the soldiers called the village men together in the Methodist Church, about 30 men in a village of 40 houses. Both Christians and non-Christians were present. The soldiers then fired on those present to kill all possible and then burned the church building over the heads of dead and wounded. Six men broke through the wall of the burning building and tried to escape, but were bayoneted outside. Two women who had joined their husbands were shot with the others. The village was then burned to the ground.

The facts are personally attested by representatives from the British and American consulates, members of the Red Cross Society, and of the Patriotic League of Britons Overseas. Photographs were taken of ruins and burned and bayoneted bodies. These outrages had been going on for a period of two weeks and continued in that district till the very day of the unexpected investigation by foreigners. Four other devastated villages in the district have been visited and reports from 11 others have been received. The same thing is being reported from other parts of Korea, and though the reports might have been received with incredulity under other circumstances, nothing is now too horrible to be believed. In all instances the hostility of the soldiers and gendarmes and police is directed against Christians. Christians in districts adjoining the devastated region have been told that the same thing would happen to them, and over large areas the people are sleeping out in the hills without shelter at night because they dare not stay in their villages, which may be burned over their heads at midnight and the inhabitants massacred.

In one village the Christians were ordered to tear down the church building and told that unless they signed an agreement not to be Christians they would be arrested as insurgents. Profession of Chris-

tianity is regarded as equivalent to confession of revolutionary purpose.

In a recent issue of an American church magazine is a statement to the effect that "the Japanese have a feeling of respect for Americans akin to worship"! The author of that article should spend a few months in the presence of the servants of the government of Chosen and learn their opinion of everything American and Christian.

In parts of the country where the reign of terror is being maintained people dare not walk from one village to another for fear of being shot, and the men dare not work in the fields. Frightfulness of another kind is employed. Inhabitants of villages are lined up to be shot and then sent away till another day, when the process is repeated. Even though not actually shot, on these occasions the people have the instances of massacre and devastation before their eyes and never know when the threat will be carried into effect. And always the animus is directed against the Christians.

As a result of the publicity given to these nearest outrages, the Government is taking relief measures for the people of these four villages and promises help and farm implements and seed. They are not able to restore the dead farmers to life, however, and nothing would have been done if the foreigners had not raised a storm of indignation. Nothing had been done in the case of villages similarly devastated two weeks before. The Japanese excuse is that the people were called together for instructions and in their efforts to escape kicked ouer a lamp and started the conflagration! Which leaves the massacres unexplained, but is a sample of the average police explanation accepted by the Japanese.

We can not go into further details in this report. The accompanying documents may be examined. But it can not be doubted that a persistent campaign is being carried on against Christianity under the plea of suppressing revolt.

Villifying, beating old men and little children, breaking up meetings by armed officers and men, wholesale arrests, brutal treatment of those under arrest, threats and intimidation, and massacre are all being employed to break the spirit of Christians, and to prevent the spread of Christianity. These statements are supported by photographs, signed statements, and narratives on file.

THE OUTLOOK.

APRIL 24, 1919.

The uncertainty as to the outcome of the present disturbances is increased by the fact that the government of Chosen finds critics of the administration in the ranks of its own civil officials and in the Liberal parties in the Imperial Government. Investigators are not slow to criticize what they characterize as the stupid policy of the military régime, while the leading journals of Japan are to the extent of their meager information joining in a protest. The Peninsular Magazine, a monthly published in Seoul by a Japanese but for the Koreans and in the Korean language, had its April number confiscated, further publication prohibited, and the editor arrested because it published a long editorial criticizing the governor general's handling of the situation.

Except for rumors to the effect that the student class in Japan are beginning to favor Korean liberty, there is, of course, no one among the Japanese who favors independence for the Koreans, though the more advanced, like Viscount Kato, have come out in favor of autonomy; but many of them feel that the military administration ought to give place to the civil in the future, and that the military administration has made a failure in their colonial policy. As intimated above, right-minded Japanese in Japan proper do not approve of the Government's extreme methods in Chosen and are asking for a change.

It is possible that government reform may take place. A recent statement of Mr. Yamagata, the administrator general, is to the effect that "the agitation is deplorable, coming as it does just on the eve of government reforms" (the bold face is ours). But all officials seem to agree that the present uprising must be crushed before any reforms can be instituted, while the interpellations in the Diet in regard to the Korean situation seem to be a criticism of the administration for failing to keep order in the peninsula rather than a suggestion that the underlying causes of the disturbance be discovered and removed.

We must recognize that democratic tendencies are manifest in the Japanese Empire as well as in the rest of the world, and momentous events may occur at any time, even before this report reaches the board. Only the day before yesterday two automobile loads of Japanese rushed through the streets of Seoul shouting "Democracy banzai." Some 60 arrests have been made in connection with the demonstration. Many and conflicting forces are at work to-day in Japan as well as Korea; but we must not forget the most obvious fact that unless there is some marked change in Government policy or in the character of the administration, or both, mission work in Chosen faces a period of great limitation and difficulty. There are grave problems ahead.

The administrator general has just recently returned from a trip to Tokyo. It had been hoped that his return would mark the announcement of conciliatory measures; but, on the contrary, the official announcement is to the effect that the "lenient" measures employed in the past will be exchanged for utmost rigor, and a new law has been promulgated by the governor general making "any disturbance of the peace with a view to effecting a change of government" an offense punishable with 10 years of penal servitude, and significantly and specifically including foreigners in the ruling.

The effect of the administration's Rehoboam policy at this time can only be conjectured, but there are those who feel justified in quoting a trite proverb to the effect that "whom the gods would destroy they first make mad."

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EXHIBIT XXVII.

A PERSONAL LETTER.

MY DEAR MR. ———: I hardly know what to write. Things terribly upset these days. The country is still in the throes of revolution. The missionaries and Christians are suffering much. The Japanese as a nation do not like Christianity—it is too democratic. One of our missionaries is in jail. Things are in bad shape. I myself am on the "black list" because of an article to the ——— Press. The editor nearly had his paper suppressed over it, and the Government said they might need him later on. You see all papers in Japan and Korea are under Government control.

The poor Koreans are suffering terribly. I suppose fully 6,000 have been killed and thousands beaten—60 to 90 cuts with a brutal rod. All they have done is to shout "Long live Korea!" In some places there has been violence, throwing of stones, etc., but not at first. The Government up to the present has not done a thing but shoot and maim them. Of course it has told them to stop, but in no way has it come in touch with the leaders to see what could be done to stop this awful affair. I am in disfavor because I have told Government officials (and my article) that I believed in advanced reforms. I do not believe in immediate independence.

I am sending this letter via Shanghai. Nothing can get out like this these days. Remember the trouble is we are under the heel of a militaristic Government, exactly like the German. I was caught by some soldiers on Sunday. They soon let me go. I was going to see a man who had been badly beaten by the police. It is all your life's worth to go into the country these days. Oh, Japan is cruel! Even the best Japanese Christians, of course, back their Empire. I know Japan now. Nationally aggressive, obtaining her ends at all costs; if Christianity and love suit her, they are used; if the foulest methods of Machiavelli are required, they are employed, and all is covered with a smiling lie. I know her, but it took me two years.

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EXHIBIT XXVIII.

A PERSONAL LETTER.

APRIL 30, 1919.

DEAR MR. ———: Things are quiet in ———, but there are still disturbances elsewhere. Nearly every day we see batches of prisoners from the country being brought to ——— for examination. Numerous churches have been burned by the military. The northern Presbyterians report at least seven church structures and a large school destroyed in this way, and we know that the southern Methodist and other missions have had similar losses. The students in the higher schools have not returned to study so far. A number of our students in both colleges with which I am connected are still imprisoned.

A terrible thing happened at ——— about ——— miles from ———. In a village there the men were ordered by the soldiers to go to the church on a Tuesday afternoon. About a dozen Christians and some twenty members of the Chundokyo responded. When they were in the church the soldiers fired through the windows, killing and wounding the party. Then the church was set on fire. The flames set one-half of the village on fire, and the soldiers then set fire to the other half. All but three houses were destroyed. It is claimed that this was done in retaliation for the killing of a gendarme, but so far as we can find out the gendarme was killed at quite a distance from this particular settlement. We have heard that the authorities have called the perpetrators to task, and have started in to rebuild the village as reparation.

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EXHIBIT XXIX.

A PERSONAL LETTER.

TOKYO, *April 23, 1919.*

DEAR MR. ———: Mr. Mowry was arrested on April 4, and was detained in prison until the 19th instant, when he was sentenced to six months' imprisonment at hard labor, but was released on bail, pending the hearing of the appeal trial. The charge against Mr. Mowry was that of sheltering five Korean "criminals," and of allowing them to prepare seditious literature on his or on Dr. Moffett's premises. One of these Koreans was Mr. Mowry's secretary, and all the others, I think, were student friends, one of them being a son of Rev. Kil Sun Choo, of Pyengyang, who was one of the signers of the independence manifesto. At the trial Mr. Mowry admitted that these five men had each of them slept in his home on certain nights, but denied that he knew that the police were searching for them or that he knew that they were fleeing from the police, although he said he suspected it in regard to some of them. It might be said that Mr. Mowry has for years been in the habit of entertaining Korean friends—students and others—in his home in this way, and had entertained some of these men before. Mowry stated, however, that the police had not notified anyone that they were searching for these men, and that he did not think it was wrong or would have been wrong unless he had known that the police did want them. Also it should be borne in mind that the mere fact that a man is a Christian Korean is sufficient these days to lead the police to desire to arrest and investigate him.

The trial came off on April 15, no notice having been given either Mr. Mowry or Dr. Moffett, who was endeavoring to keep in touch with the case, until 2 p. m. of the 14th, when it was too late to secure a lawyer, as the nearest available lawyer lives in Seoul, and the trial was to take place at 10 a. m. on the 15th. So the case went to trial without a lawyer. The public procurator asked for a sentence as above—the law allowing up to two years' imprisonment or a fine of yen 200. The judge took the case under advisement until the 19th and then pronounced judgment as asked by the procurator. By this time Dr. Moffett had engaged a Mr. Okobo to represent Mr. Mowry, and an appeal was filed and granted, and Mr. Mowry was released on yen 300 bail.

In the meantime, over here in Japan, Mr. ——— and I had been trying to engage Dr. F. Usawa, who was in charge of "the Conspiracy Case" with Dr. Hanai. On April 10 Mr. ——— left Tokyo for Nagasaki, where Dr. Usawa was engaged on a case, and there made a tentative arrangement with him. These two lawyers are said to be the best criminal lawyers in Japan, and Dr. Usawa, as you know, is a Christian, a member of Mr. Uemura's church. Dr. Usawa returned to Tokyo on the 15th, and I met him on that day and again on the 22d, yesterday, on his return from another case. At this second interview I, acting on instructions from Chosen, definitely engaged Dr. Usawa to take charge of the case—in company with Mr. Okobo. Dr. Usawa thinks that he will be able to go to Chosen before the middle of May, and yesterday telegraphed to Mr. Okobo to try to get the case fixed for May 12. I also urged Dr. Usawa to go as soon as possible and stay as long as he could, because he ought to see for himself the conditions in the country. I had a very frank talk with him and told him some of the happenings we had witnessed personally. He said he would go to Chosen with an open mind and see all he could.

Mr. ———, after he met Dr. Usawa in Nagasaki, crossed over to Chosen. I, however, because it was necessary for some one to stay to perfect arrangements with Dr. Usawa, and also because Mr. F. L. Brown is due here soon to make arrangements for the Tokyo World's Sunday School Convention, stayed on. At first it seemed that every avenue of approach to influential Japanese was blocked. However, within the last week a good many facts as to the real condition of affairs in Korea have begun to come out even in Japan, as the inclosed clipping from the Japan Advertiser will indicate. This has led to a suspicion on the part of many influential Japanese that the censorship has prevented the real state of affairs from being known; and it having been reported that missionaries from Korea are in Tokyo, I am beginning to receive invitations from a number of such men to meet them and tell them what the situation is from our viewpoint. This I am doing, because it is the only means we have of bettering the terrible situation

now obtaining. Already the Federated Council of Churches had decided to send two men to Chosen, one of whom is Mr. ——; the other is not decided. Also ——— and Dr. ——— have asked me to meet them on the 25th to talk over the situation, and they say that they too will probably send over a delegation, some of whom will be members of the Diet. There are a good many encouraging signs that a change in public opinion in Japan, which has been fed with falsified reports, may be brought about.

APRIL 26, 1919.

Yesterday, as indicated above, I met Baron ——— and Dr. ———. There were present also Mr. ———, of the Japan Peace Society, and Mr. ———. We talked about two hours, and I told them very frankly just what is occurring in Chosen. They were interested to the end and said that they felt that a delegation of prominent Japanese outside of Government circles should be sent over. Mr. ——— and I urged them to send this delegation as soon as possible. These two gentlemen were absolutely in ignorance of what is being done in Korea, and I think the conference did good. This morning I met Mr. ——— and talked with him for about an hour. His sympathies are wholly with the Koreans in their desire for greater liberties. He urged three things: First, that we should give the facts to the world. He said the Government would probably resent the publication of the facts, but that it was the only way to remedy the situation. Second, in connection with the publication of these facts, let the newspapers of New York, Paris, and London point out that this situation has been brought about by the military régime, and let them urge Japan to change it. Third, that, if possible, the American and British Governments ought to be approached to get them to bring pressure on Japan to change her policy in this respect. He urged me to speak to ———. In all these conferences we have declined to speak about the political side of the question and have tried to make very plain that we are not taking any part in that, but also we try to make very plain that we feel that we do have a right to speak of the humanitarian side.

I feel repaid for coming for another reason also—I have met so many just and fair-minded Japanese that I am forming a juster estimate of their character as a whole. If Japan could only throw off militarism, there would be great hope for her.

APRIL 30, 1919.

Since writing you on the 23d and 26th, events have taken place rapidly. The first is the admission by Count Hasegawa that atrocities have occurred in Chosen. I send you among other things two extracts from the Japan Advertiser, one under date of April 27 and one under date of April 29, which will be self-explanatory. All I would say in addition to the information that these articles contain is that such happenings have occurred in many other places in Chosen, according to reports which have been brought to us by trustworthy Koreans. I inclose an account of one that is said to have occurred in the town of Maingsan, which is about 110 miles north of Pyengyang—we have a Christian church there, and the report was brought to us by a Bible woman whom we know well and who is trustworthy. These are but examples, though the worst ones of which we know. On a smaller scale, however, the same thing has happened in numberless villages.

I have made some progress in the way of meeting influential Japanese and laying before them the true situation in Chosen. And I am greatly encouraged to find that they are as indignant and as horrified as anyone else when they do know the facts.

KOBE, *May 17, 1919.*

Our interview with an important member of the Government was at once more interesting and satisfactory. His attitude was most cordial and receptive, and though, of course, his official position made it impossible for him to give detailed statements regarding the Government's policy, he indicated with great clearness what that policy was regarding Chosen. The interview began by a statement on our part of our reasons for the belief that in suppressing the agitation in Korea a disproportionate amount of repression was being directed against Christianity; to a statement of what appeared to us to be some of the underlying reasons why Christians had taken part in the movement and a statement of our apprehension regarding the future of Christian work in Korea. Mr. ——— replied to the effect that the Government had no intention of discriminating between Christians and non-Christians, but while there was some reason to believe that Christians had been particularly involved, there were misunderstandings on both sides. He said the Government had been on the point of making reforms when the trouble broke out in Korea, and therefore there was nothing else to do but suppress it, after which the Government proposed to make definite reforms, which he was not at liberty to state in detail. He said the Government has no anti-Christian bias, but that lower officials often fail to convey the Government's ideas and to carry out orders in the proper manner. After quiet is restored mistaken and overzealous officials will be punished. He said that Koreans must be treated in every way as equals, with all rights accorded Japanese in the home country, but that this ideal could not be realized in "one jump." Korea is not like Egypt and India. There the British are governing aliens. Here Koreans and Japanese are of one stock originally, and must ultimately be accorded similarity of treatment. There is racial discrimination all over the world, even in Paris. It can not be wiped out at one sweep. He said furthermore that there must be no difference in education between Japanese and Koreans. Perhaps his most important and significant statement, the bearing of which upon our troublesome educational problem of the past few years you will at once recognize, was to the effect that private schools in Chosen ought to have as complete liberty to teach religion and the Bible as they do in Japan proper. He is, therefore, evidently opposed to the policy of the Korean administration, against which our mission has been holding out consistently since the new educational ordinances were promulgated. He said in conclusion that religion should be as free in Korea as in Japan proper, and authorized us to tell the Koreans that real reforms would be made. We regretfully pointed out to him that the Koreans would not credit the statement, even coming from us, and did not commit ourselves to any course of action. As in the case of ——— (another important member of the Government), we expressed our earnest hope that the degree of liberty which he evidently favored might soon be realized, and we left with him a copy of the document outlining some of the reasons of the present agitation, a copy of which was forwarded to you in my last letter.

You will be interested to know that the council of federated churches of Japan is sending two Japanese pastors in company with Mr. Gilbert Bowles, of the Friends' mission, to Korea to get some first-hand information. These gentlemen expect to arrive in Seoul about the 21st of May.

Since arriving in Kobe we have learned that in spite of Gov. Gen. Hasagawa's assurance on April 27 that atrocities would stop, and also in spite of the above statement that the Government has no anti-Christian bias, the burning of churches still continues. Whether or not the Government has an anti-Christian bias we are convinced that the acts of its servants show a distinct and vicious bias against Christianity.

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EXHIBIT XXX.

A PERSONAL LETTER.

APRIL 30, 1919.

DEAR FATHER: I want to send you a sort of estimate of the situation, which may help you to correct any opinions that have been wrong. The telegraphic news from ——— has not always been reliable, and it may be that many wild rumors have gone out.

In regard to missionaries participating in the independence uprising there is not the slightest truth. We have not even known what was being done till after the events were pulled off in most cases. We have had a great many men come to us for advice as to how they should act as church officers under such a situation, and all that we have done has been to talk frankly of our nonparticipation in the matter, of the danger of the destruction of the church in the movement, and of the large chance that there is very small hope that their appeal for independence will ever accomplish anything but loss of life and the tightening of the oppression. The fact that the pastors so largely went into the movement as leaders looks to the officials as though we were back of it somehow, but that simply illustrates the well-organized channels of influence that we have created in the machinery and life of the Christian community. This church organization was not at all used officially, as far as I have heard. I have not heard of a single case where the officers of the church have used their office or the regular meetings of the church for political propaganda. None the less, the mutual confidence and acquaintance of Christians all over the country have offered the strongest and most effective channel of political effort after the independence movement won the confidence of the Christian leaders. The names of Pastor ———, of———, and of ———, of ———, of the original manifesto, did more to turn the hearts of the Christians all over the country to the movement than anything else. Their influence is ignored by the officials and missionary influence is suspected instead. It is a Korean movement in method, in spirit, and in management.

That the Christian church is right in the midst of the movement no one will deny. The fact that a very large number of our most influential pastors, elders, students, and prominent Christians are in prison now is clear proof that they have been making their influence felt. It is evident that the Christians are the only ones sufficiently in touch with the international situation to realize that the principle of the self-determination of small nations could be applied to their case at this strategic time. The idea that appeal and protest and noise are as powerful as guns would never have swept the country if the Christians were not what they are. The Christians are the only ones who have not been intimidated to the extermination of all hope. Our Christians have felt that our presence was an influence which would compel justice. The Christian community contains men able to do things on a large scale and ready to go forward if the way is opened. The church is strongest along the Manchurian border Provinces, and thus most quickly reached by the influences of the political agitators who have taken refuge in China. So all these things have combined to put Christian leaders in the lead in this independence movement. But they have gone into it without the knowledge of the mission body, even their nearest individual missionary coworkers being left in the dark till after the demonstrations were under way. No missionary would have had the faith or foolhardiness to attack one of the strongest military powers in the world without a sword or a gun or any financial backing, or trustworthy political friends. The Koreans have evidently made up their minds that they would rather die than go on as they are, and so they are committing suicide on Japan's doorstep in protest, in proper oriental fashion. "Self-determination or self-extermination" is the spirit of the movement.

As to the extent of the movement there are two possible views. The uprisings have occurred day and night. Market days, especially where there were thousands of people assembled and arrest was most difficult, were especially used. Schoolboys all over the land have struck, and only those whom the police can lay absolute hands on have been induced to return to their books, and then their work has been largely pretense. Great sections of farmers have refused to sow crops. Merchants have refused to open their shops till forced to do so day after day at the point of the bayonet. As communications are cut off we can not be sure as to what is going on now, but the streams of prisoners that come in day by day now, after two months of incessant uprisings would indicate that every little hamlet is involved more or less. Usually the method has been for the villages of a township to send in all their younger men to a central market on a day fixed, and there, all together, they have gone to the official offices and shouted their throats sore, saying "Mansay for Korea." Every Province and most of the large market places throughout the whole land have had their demonstration. High and low, rich and poor, Christian, Buddhist, and Confucian, church schools and Japanese public schools without distinction, have gone into the demonstrations, willingly facing death or imprisonment, or beating, sheltering neither themselves nor their families—all in hopes that somehow the voice of the oppressed would reach the ear of a merciful God and gain the help of a world newly dedicated to the cause of liberty and justice.

The means used to suppress the revolt have been unmerciful. In fact, the movement has probably reached its present proportions largely because of cruel methods of officials in their attempt to crush it. "Frightfulness" is the proper word to describe much that has taken place. Arrests have been made, with beating with clubs, swords, guns, fists, and whips. Where the crowds seemed too threatening they have been dispersed by shooting promiscuously into the crowds without reference to guilt or nonguilt. After arrest the treatment has been cruel. Trials have been run so nominally and official beating administered with little care as to whether the men beaten were the men who were in the demonstrations or not. All were in sympathy, no doubt, and it has been on this supposition that this indiscriminate punishment has been so freely administered, but it is not just to punish a man for what he has not done. Old men have been laid hold on and beaten in substitution for their sons and grandsons and for neighbors who were leaders but fled and have avoided arrest. Wives have been thus beaten and cast into prison to compel them to produce their husbands. Many farmers have been told that they would be beaten and released, so

that they could go back to their farming. But they have often been given 90 strokes with such cruelty that they have had to be carried home in stretchers. Tales of rape are now coming in frequently. Torture to extract information seems common. How many have been killed outright no one can estimate. There have been many in this district. Most of our Christian leaders seem to have been imprisoned before the shooting was resorted to. The only Christian killed here in this city was killed by kicks on the back of the neck during the process of arrest. His funeral was the biggest that this city has ever seen and the non-Christian community joined with the Christians in singing gospel songs as they went along, guarded by a heavy military escort. None of our churches in this Province have been burned, but there are undeniable testimonies of the burning of large churches in various districts of the north of here. One well authenticated case of barbarism was in ————, where 20 or 25 Christians were shut up in their church, shot down first, and then burned up in their building. This was done, it is claimed, by the new soldiers who have recently arrived. A Korean woman would rather die than expose her naked body in ways not conformable to local custom. But it seems to be the common delight of official depravity just now to humiliate our Christian women by stripping them and beating them while naked. This may be claimed to be merely a process of searching their persons, but the effect is maddening on the Korean masses.

The evident attempt on the part of some officials and most of the semiofficial press to put the blame for this trouble on the missionaries has taken various forms and had several results. The arrest of Mr. ———— has aroused sympathy all over the country. The most reserved sections of the old ———— communities have been touched by this as perhaps by nothing that has ever happened. They know what missionaries do, and such persecution in connection with their patriotic movement for independence has given an open door where we have never had welcome. Missionaries have been beaten and treated in humiliating ways frequently. The press is full of ridicule because of what they pretend to think has been the gross mistake of the American missionaries in leading the Koreans into this strife and bloodshed when even a fool would have had better sense. But, as might be expected, such articles don't fool the men who are putting the demonstrations through. The true position of the missionaries is probably more of a matter of discussion over the nation than ever before and all to the good of the cause we represent. It looks now as though the biggest kind of a landslide were headed toward the church. Of course, this is largely political, but the nation knows now what Christianity and the church are, and most of those who are coming in are ready for both the patriotic leadership of their Christian brethren and also for the full religious life which they have for years known to be the only true way of life, but have refused for various reasons. Reports of church attendance doubling in various places are more and more frequent right in the midst of the most distressing police surveillance. Some churches, where all the leaders are in prison, are practically closed, but in general the work of the Gospel is going right on, even though it has been impossible for missionaries to go to them. In one place a policeman was intrusted with the task of searching the churches of a district. He went about instructing the population that now is the time that all should become Christians. Another story which came yesterday, also, is that at one of the near-by demonstrations where a policeman, Korean, was given a gun by a Japanese gendarme and ordered to shoot, he shot into the air until ordered to use the gun as a club. He rushed madly toward a defenseless and harmless old grandmother with uplifted gun and brought it down with a crash on the stone wall at her side. The gunstock was splintered and the gun a wreck.

The question as to whether the uprising is justifiable or not may be questioned by some. All agree that the Japanese have given the Koreans such an awakening in the last 10 years as they would not have attained in a hundred all by themselves. A reliable, clean government, better commercial enterprises, railways, and auto roads, mail service and telegraph, newspapers and public schools, courts of justice and reliable laws, have been given Korea in a day by Japan. But the missionary enterprise and the Japanese invasion have united in awakening the nation, and now the time comes when they refuse taxation without representation, object to search of their homes and persons by any common police, protest against being beaten without trial, having their lands seized by the Government without compensation for the building of good roads, resent having the so-called reliable, clean Government break down wherever Japanese interests are involved; they abominate the system of public prosecution forced upon their every community by the semiofficial organization that is undermining the chastity of the nation. Their mail is searched and seized at any small pretense. Commercial enterprise is flourishing, but under such conditions as to render Koreans hopelessly the commercial slaves of the Japanese overlords. Competition on a fair basis seems impossible. Public schools are very few. They have changed textbooks so that Korean children are taught history which lauds Japan and ignores the ancient glories of Korea. Fathers clench their fists as they complain that they are compelled to send their children to Japanese schools to learn in a hated language things that they hold to be lies. Christian and non-Christian schools have been crushed, and the Bible ordered out of mission schools even. Newspapers are filled with stuff that has been concocted and censored by the Government till one wonders that manhood could so desert an editor. How can any intelligent human being so garble facts in their papers, while admitting that they do so at the order of the powers that be? New roads are good, but the Koreans, who have built them without proper remuneration at the point of a sword in great gangs of forced labor, do not appreciate them.

Koreans justly feel outraged that Japan limits their right to have good schools of higher than high-school grade, and then refuses to let their best sons go abroad to get an education, except a limited number who are kept under Japanese tutelage in Tokyo. Japanese salaries for men in the same work throughout the whole Government system are twice what Koreans get. And yet it is the Koreans who pay the taxes. The progress is fine and the ship rides high on the wave, but it has become unbearable to the galley slaves in the hold.

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EXHIBIT XXXI.

A PERSONAL LETTER.

APRIL 30, 1919.

MY DEAR DR. ————: No new village burnings in this locality recently, and the Government is doing some relief work for the worst cases here now. A committee representing all westerners living in Seoul met yesterday, and has called a mass meeting of all foreigners for to-morrow at the United States consulate general to plan for supplementing the Government aid. They have rice, and not a spoon with which to eat it, or a dish in which to cook it; no bedding, no clothes but those in which they stood when the massacre took place, and they fled from the burning houses as they were. It makes your blood boil! The church at ———— (better not give the name), in north P. Y., was burned the other night, and the Christians were not allowed to try to put out the fire. Ten thousand dollars would not replace it. "How long, O Lord, how long?"

No school for us this spring, but I have enough to do. More soldiers here in Seoul, garrisoning the city itself, though there has been no violence or even shouting here for weeks.

To-day's Seoul Press reports that a Korean was sentenced to five years' penal servitude for leading a band of agitators and throwing stones at a police box on March 26. That means that the new law imposing imprisonment for 10 years for disturbing public order, a copy of which you have, is retroactive. When the new law was promulgated on April 15 no date was given from which it took effect. But it was stated then that under the existing laws the maximum penalty was two years, so we conclude that it is the plan to apply the new law to cases that are now in the courts.

The Korean Church is standing up well. A famous old chap, Mr. ————, was being examined the other day, and when they asked him what should be done to make things peaceful, he said: "All you Japanese should begin by becoming Christians; then get a new start." I will not soil my paper with their answer, but he went back to his cell in the jail happy because he had spoken "a good word for Jesus Christ." They are not beating him, I am glad to say, but he is a rare exception.

Hastily,

———— ————.

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EXHIBIT XXXII.

THE FAILURE OF JAPANESE IMPERIALISM IN KOREA.

(By a Britisher.)

On March 1 of this year there was initiated in Korea a remarkable revolution; remarkable not only because of its severe indictment of Japanese imperial rule, but also because of the nature and methods of the revolution itself. Despite the superinquisitiveness of the Japanese police this people of 20,000,000 souls rose spontaneously within a few days, and took the Japanese officials unawares. Their "independence manifesto" was circulated in the near-by districts by carriers, but in outlying places was posted Japanese mail and on hand for the day of the demonstration. The method followed was that of passive resistance. No violence was resorted to. Throughout the length and breadth of the land the people contented themselves with speeches in favor of independence, with waving of Korean flags of the old régime, and with shouts of "Mansai."

The 33 men whose signatures were affixed to the manifesto gathered in Seoul on the 1st, read their manifesto, and, after celebrating the event by a dinner, calmly telephoned the Japanese police and offered themselves for arrest. The police, marveling, assented, but soon found that they had a heavier task ahead of them, as reports were flashed by wire from the Provinces, telling of demonstrations in all the large centers. The avowed aim of the demonstration was to protest against Japanese rule and acquaint the world at large of the Korean nation-wide desire for political independence. The Japanese authorities, taken absolutely by surprise, could think of no method of suppression than military force, and for several days the soldiery ran amuck, creating great havoc. But the Koreans, true to their prearranged plan, bore it all with stoic fortitude and only in very exceptional circumstances retaliated in kind. The rancor which such uncalled-for severity engendered in the minds of the Koreans was not likely to be softened by the governor general's proclamation, in which he declared that "Japan and Korea are perfectly united into one great power—a power which constitutes one of the principal factors in the league of nations," and in which he appealed to all Koreans to "exert themselves for the harmonious unification and coordination of the two in order to participate in the great work of humanity and righteousness as one of the leading powers of the world."

Here, then, is a new thing under the sun—a passive revolution—remarkable enough for thinking men to take notice of. At this time, when the two great Anglo-Saxon peoples are standing together for the principles of liberty and nationalism, for treaty obligations, and the rights of small nations safeguarded therein, for a pacific as against a military rule, 20,000,000 Koreans make their sober appeal on these very points, and especially to these two nations. Their independent national life was throttled by Japan 10 years ago, despite the fact that it had been guaranteed by treaty. During 10 years they have been under the heel of a military government, which has destroyed all initiative, and which her well-wishers feared has almost driven out all hope of her ever regaining a place in the sun. The Japanese had excuse for believing that their policy of military rule and imperial education had finally succeeded in crushing all national aspiration. But surely not even the most sanguine of Japanese statesmen could deceive himself into believing that "Japan and Korea are perfectly united into one great nation." Union is a matter of soul, and the soulless administration of the Japanese in Korea has only forced Korea to keep her soul apart in sullen unforgetfulness.

Korea can not forget her history. She can not forget that for nearly 4,000 years she has been a self-governing State. It is true that she was long tributary to China, and received most of her civilization from this great center of eastern culture. But she prides herself that throughout it all she maintained her autonomy. She cherishes the memory of those generals who succeeded in defeating great China, and does not forget the progress in art and science which she made independently before her devotion to Chinese culture stultified her own native genius. It is natural enough, too, for her to remember that Japan received much of her civilization from the common Chinese source through the medium of Korea. It was a Korean scholar who first taught Japan the Chinese classics. Korean priests carried to Japan her national Buddhist religion. It is believed, too, that the Japanese official dress was fashioned upon Korean models. And there is no question that the skill of the Japanese potter was directly borrowed from old Korea.

For several centuries Korea had lagged behind her two great neighbors. Her officials were selfish despots, who crushed the people, and by their system of suppression and extortion put a premium on ignorance and incompetence. The young Korean refers to this period with a keen sense of shame, but also with suppressed resentment that the sins of a past age should be added upon him. His resentment is the more unfeigned when he considers that the autonomy she maintained through 4,000 years—an autonomy that even great China respected—should at last have been wrested from her by the nation that drew much of its ancient civilization through her medium and whose modernism is only a few decades in advance of her own.

The events that led to annexation are well known. The Chino-Japanese War left Japan mistress of the East, and for her own safety she demanded that Korea should maintain absolute neutrality and be relieved of her annual tribute to China. Danger arose, however, from another source, for Russia pushed her political influence too far south for Japan's peace of mind. The result was the Russo-Japanese War for the avowed purpose of maintaining Korean independence. The outcome, however, was a Japanese protectorate over Korea, with the transfer to Japan of Korea's foreign relations. A secret protest against Japanese interference made by the Emperor of Korea to The Hague Conference in 1907 led to the dethronement of the reigning monarch and the tightening of the chain about Korea. The assassination of Prince Ito in Harbin by a Korean and repeated revolts in the peninsula finally gave Japan the excuse for annexation in 1910. It was done on a plea of necessity. Korea was the eastern core of contention, and so long as she remained independent and so ill fitted to govern herself, the peace of the East was threatened. So Japan, in the flush of her victory over a European power, became the guardian of the peace of the East and inaugurated her assumption of the new rôle by the annexation of Korea. During the 10 years that have intervened she has successfully preserved the peace, but only, to use a homely simile, as a housewife preserves her summer fruit. She plucks it from its living stem and, adding enough sugar to keep it sweet throughout its captivity, corks it firmly down to keep it from external influences. It looks good enough and promised well enough for the prospective consumer, but once the top is off the ferment begins. Japan made no mean showing in the bottling-up process, nor did she stint the sugar. But there was never a shadow of doubt who the ultimate consumer should be. And now that the lid has sprung for a season, the ferment has already begun.

The administration of Japan in Korea has much to its credit. She has been jealous of the world's approval, and for nine years the governor general has issued a well-got-up annual report in English on reforms and progress in Korea. Each year there has been found material for publication. Japan has instituted and carried out very successfully a progressive program of improvement. Highways, railways, harbors, and communications, these have increaseed in number and efficiency sufficient to merit the gratitude of the native and the praise of the outsider. Abuses in the local administration, in the collection of taxes, and in the law courts have been remedied. Agriculture, trade, and industry have been encouraged. The number of hospitals has been increased and the police hygienic regulations have improved sanitary conditions. The educational system has been extended and made uniform. Finance has been placed on a more stable basis and abuses in the currency rectified. These and such like reforms have compelled the Korean to thankfully acknowledge his debt to Japan.

But there are other aspects of the Japanese administration that tempt the patriotic Korean to greater thankfulness, inasmuch as they have forced Korea to still nurture beneath a mask of political indifference a hatred of Japan and a national aspiration which has burst forth at the first shadow of an opportunity. Military occupation and military government and the evident purpose of the administration to exploit Korea for the benefit of Japan and the Japanese settler—these rankle in the sensitive Korean mind and force him to fix his hope upon "the day" when his "national aspirations shall be accorded the utmost satisfaction." The military rule has not left him even the vestige of liberty. Every man's movements are under the inquisitorial scrutiny of police and gendarme. All public meetings and society organizations are governed by law. A meeting to discuss world events is an impossibility; a democratic remark would inevitably mean a clash with officialdom. Free speech is unknown. Two years ago three students of the Pyengyang Union Christian College were arrested for making some liberal remarks in a valedictory address, and the literary society of that college was forced to discontinue. It goes without saying that the press is muzzled. No progressive young Korean can find a medium for the expression of his ideas. One of the brightest of young Koreans, Mr. ———, is credited with having edited no less than five magazines, one after the other of which have been suppressed. He is now in prison on the charge of having written the recent independence manifesto. Of magazines run by Koreans, there are no more than one or two in Korea proper, and some four or five issued by college students in Japan. Newspapers in Korea are all edited by Japanese, and even in the case of Christian Messenger, the Korean editor is forbidden to publish paragraphs on world events.

Religious freedom is guaranteed by the Japanese constitution and secured for Korea by the treaty of annexation. It is perhaps only due to the faults inherent in a military system that subordinate officials tend to interfere even here. But interfere they do, particularly in the country districts. The administration encourages Buddhism as the national religion, and the outcry against Christians and the Christian missionaries which followed the present revolt is symptomatic of a deep-seated prejudice. At the present time all Christians are under suspicion, and non-Christians recognize that a profession of Christianity is tantamount to courting official disfavor.

The self-interestedness of the Imperial Japanese rule in Korea is well exemplified in the educational system. A study of it discovers three determining principles: (1) Koreans shall be converted into Japanese, (2) emphasis shall be laid upon a technical education, but (3) Koreans shall not be intrusted with a liberal higher education. In order to accomplish the first of those aims, the chief subject of study in the common-school curriculum is the Japanese language. Not only is there more time given to this subject than to any other two subjects together, but every other subject is taught through the medium of this language except the Korean script. This subject is given no more than two periods every second day, so that if the Korean child still understands his native tongue it is despite his education. Korean history is banned. In its place is a history of Japan with Korean history interspersed here and there, much as colonial history is mentioned in a school history of England. Japanese patriotic songs are meant to cultivate the national spirit. A sense of Japan's military prowess is duly impressed upon the youthful minds by the full regalia—even to the sword—of his Japanese teachers. The second aim of laying emphasis upon a technical education can, of itself, do no harm. The Koreans sorely need to be taught the dignity of labor. But standing, as it does, as the sole purely educational aim, it inevitably gives the Korean the idea that Japan wishes to make him the hewer of wood and the drawer of water. To win unqualified praise such education must go hand in hand with a higher grade general education. But it is just here that the educational system of Korea is chiefly defective. It is in the interest of the Japanese imperial idea that Korea should be kept ignorant of modern events, and the authorities are afraid of a thoroughgoing liberal education. Other than the three special colleges, one each of law, medicine, and technical, there are neither academies, colleges, nor a university provided by the government in Korea. The academies that existed before annexation have been abolished and replaced by "higher common schools" of a much lower standard.

Not only is it in the system of education that the Koreans criticize the administration but in the inadequacy of the number of schools provided for the population, and especially in view of the discrimination in this respect made in favor of the Japanese residents in Korea. The following table will show the statistics for the year 1916 as published in the governor general's annual report, together with a comparative statement of Protestant mission schools:

Comparative statistics of schools in Korea for Koreans and Japanese (with statistics of mission schools).

GOVERNMENT SCHOOLS FOR KOREANS.

Kind of school.	Number.	Scholars.	Applications.
Elementary public school	447	67,629	.....
High elementary school	3	537	2,651
Girls' high school	2	164	187
College	3	277	844

GOVERNMENT SCHOOLS FOR JAPANESE.

Kind of school.	Number.	Scholars.
Elementary school	324	34,100
Middle school	3	375
Girls' high school	9	526
College	2	91

CHRISTIAN SCHOOLS.

Kind of school.	Number.	Scholars.
Elementary school	601	22,542
Middle school	17	2,125
Girls' high school	14	1,352
College	4	250

Government schools for Koreans:	
Government subsidies	Y. 602,888
Population	17,500,000
Government schools for Japanese:	
Government subsidies	Y. 339,660
Population	300,000
Christian schools:	
Government subsidies	None.
Population	300,000

The above table shows that for a Korean population of 17,500,000 the Government has provided no more than 447 schools, capable of receiving no more than 67,629 scholars, or about one three-hundredths of the population. Compared with this there has been provided for the 300,000 Japanese residents 324 schools, capable of receiving 34,100 scholars, or one-ninth of the population. This does not mean that the Koreans are unwilling to educate their boys. The governor general reports the existence of no fewer than 21,800 old-type village schools, which must provide the elements of education to some 500,000 boys. To this must be added the 22,542 children attending Christian schools. But it is the higher-grade school system that receives most criticism from the Korean. Not only do the Japanese boys and girls in Korea get a higher standard of education than the native Korean, but more ample provision is made for their numbers. Including the three colleges, there are only seven schools for Koreans above the common public-school grade, capable of admitting no more than 978 scholars, whereas the Japanese children have 14 schools, with a capacity for receiving 992 scholars. Surely this leaves the administration open to the charge of discrimination and to the further charge of refusing the Korean the benefits of higher education. Here again the excuse can not be made that Koreans are indifferent to higher education, for in 1916 there were 3,682 applicants for the 978 places. The much suspected and maligned Christian church has stepped into the breach and, with its 31 academies and 4 colleges, receives yearly almost 4,000 students. If it be argued that the Government encourages young Koreans to take their higher education in Japan, the answer is that for most young men the cost is prohibitive, and that what applies to the Korean youth should apply equally to the sons of Japanese settlers. Not until the Government makes a fair provision from public funds for the native Koreans as she does for the Japanese colonists will she free herself from the stigma of "race discrimination" within her own empire.

Another example of this "race discrimination" is to be found in her system of official appointments. This is the natural outgrowth of her military policy, and depends upon the educational system for an excuse for its continuance. The ignorance and incapacity of the Korean officials of the former régime was made the excuse for the wholesale employment of Japanese in the higher official service. It was fondly hoped by Koreans that as the years went by and their stronger men acquired more experience and were educated under the Japanese administration the higher official positions would be thrown open to them. The opposite has been the policy and practice of the Japanese. In 1910, 6 out of 13 provincial governors were Korean, now there are only three. At that time all district magistracies were held by Koreans, now at least one-seventh of the largest districts are governed by Japanese magistrates, and even in some places the village provostship has been transferred to Japanese hands. The number of judgeships that have gone to the Koreans is very small, and all school principals are Japanese. The story is the same in every public department. But it is not only in the filling of offices that the discrimination appears but also in the dignity and remuneration attaching thereto. The Japanese officials of the same rank receive 40 per cent higher salaries than the Koreans, and in addition allowances for colonial service. This may happen in the case of men who graduate from the same school. One need not labor to point that the Japanese regard themselves as the superior race. It appears no less among the educated than among the

lower classes. The most dignified Korean official, if met by a Japanese stranger, would invariably be conscious of the other's sense of superiority, and in the same business office the overbearing manner of the Japanese to their Korean assistants is evident enough even to the passer-by.

Look at the administration from whatever point you will, the aim of the Japanese to make Korea a preserve for Japanese officialdom and exploit her for the benefit of Japan and Japanese colonists stands out as clear as day. Visit the large harbors and you will find that the land adjoining the docks is monopolized by the Japanese, and the Koreans denied building rights within the Japanese section. The Crown lands that have been held in perpetual lease by generations of Korean farmers have been sold by the Government, almost exclusively to Japanese settlers. For this reason the immigration to Manchuria has been increasing year by year. The banking system of the peninsula has been greatly extended and improved and is increasingly proving a boon to the natives. But it is surely unfortunate that, with the possible exception of the Kanjo Bank, all the managers and nine-tenths of the clerks are Japanese. It is this wholesale handicapping of the Korean youth that engenders the disaffection which has recently shown itself. This coming as it does from a people who are so strongly urging their policy of "no race discrimination" is, to say the least, an aspersion on Japanese sincerity. Discrimination runs through their whole imperial policy, is applied in their private business enterprises, and is perpetuated by their school system. For not only are Japanese and Korean children separated in their schools, but the standard of education is higher for the Japanese than it is for the Korean.

The origin of the present demonstration in favor of independence has to be sought, then, in the persevering spirit, in the Korean's sense of humiliation, and in a due appreciation of the evils and deficiencies of the present administration. It has an immediate cause which will be noted below, but the movement is by no means "a sporadic revival of patriotism, based upon false reports and instigated by a few individuals." There are three classes principally involved, but a fourth followed spontaneously and swept all Korea into the movement.

(A) The Japanese lay the chief blame upon a sect called "The Church of the Heavenly Way." Their creed is a simple one of two lines, which, however, may not be as colorless as it looks:

Who waits on God shall wield God's might;
Who ne'er forgets all things come right.

Forgets what? To the initiated this may hold more than a religious meaning. Be that as it may, it is worth nothing that this sect has been in existence, under this name, since annexation. Its membership exceeds a million. On three gala days enormous crowds gather in the capital and throughout the country, ostensibly to worship, but in reality to perpetuate the spirit of patriotism and incidentally to provide the organization for a united effort when "the day" should arrive. The sect is avowedly politico-religious, and their prominence in the recent demonstrations is easily accounted for.

(B) The same can not be said of the native Christian church. For many years the Korean Christians have been without hope in this world. So lacking has been their interest in political affairs that the chief tenet of their faith has been the second coming of Christ. The Japanese themselves have been severe in their criticism of the "other worldliness" of the Christian community. It was a surprise, therefore, to the officials and to the missionaries no less, when the church threw off its cloak of indifference and unanimously began to tackle the political problem of the country. The Japanese interpretation of this phenomena is a comment upon the official mind. They refuse to think that the Korean people could have conceived or carried through such a movement without the aid of foreign missionaries. They have despised the ability of the Korean, and have made it their policy to crush all initiative. Hence, too, their mad rage against the Christians. Profession of faith is a heinous crime and a proof that the believer is in league with the foreigner against Japan. The Korean is denied the credit of being able to think or act independently. The prominent part played by the Christians in the revolt is only a proof that the more enlightened and more sensitive natures are to be found in the church. And who but a prig would deny that political wisdom might be expected even from a Christian?

(C) The third class involved consists of Koreans abroad. Students and business men in Japan, China, Russia, and America can not fail to be influenced by the present world movements. The problems of the peace conference are their problems. Most of them have left Korea as a protest against Japanese rule, and it is inevitable that correspondence with friends in Korea should have nourished the patient but persistent anticipations of "the day."

(D) The educated Koreans are to be found in one or the other of the above classes, or in the Buddhist faith. Little mention has been made of the part played by the Buddhists in the rising, but two of their leading priests signed the declaration of independence and demonstrations took place in many of their monasteries. But it was not from the educated classes alone that the protest came. Despite the censorship of the Japanese press, which left many places completely isolated, the country people spontaneously rose throughout the whole land. This can only be explained by the assumption that it needed only a rumor to rouse the national spirit from its seeming lethargy. Old men and ignorant peasants joined in the demonstration. Forbidden oracles and prophecies were brought from the recesses of the past and discussed. "Wai Wang Sam Nyunm Ka Jung Pal Nyun," a 500-year-old prophecy, is now interpreted as meaning "a Japanese king for three years" (referring to the protectorate 1907–1910), "Eight years' rule by 'Ka'" (Kain being the name of the present reigning Emperor, and this the eighth year of his reign). Such like oracles are the common possession of the peasant class and the Bible of the old men. Omens and portents are eagerly sought. During these days the hills around ——— resounded to shouts of "Mansai" by an unseen host. Strange maneuvers of Japanese and of old Korean flags have been reported and taken as good omens. We may laugh at the superstition, but we are forced to note the fact that a nation-wide revolution could be evoked on such slim evidence. The merest semblance of an opportunity was eagerly grasped which might bring relief from their oppressive rule.

The immediate reason for the revolt is the idea that Korea may share in the application of the principle of national self-determination. Koreans feel that at last the world is going to be offered another opportunity to revive just national ideas. Times have changed since Japan took over Korea. They feel that it is no longer either justifiable or possible to maintain the peace of the East by a form of government that crushes every legitimate aspiration of a people of 20,000,000 souls. It was in the hope that the world might learn the true state of affairs in Korea, in the hope that even the statesmen gathered in Paris might learn it, that the present movement was launched.

The revolution was organized by a committee of 33 leaders, who issued a manifesto calling upon Koreans everywhere to unite, stating their aims, and counseling peaceful methods. The three main clauses read as follows:

(1) What we as a nation desire is justice, human rights, a fair chance to life, and scope for legitimate ideals.

(2) We pledge ourselves to the last man and the last hour to see that a fair statement of our people's mind is given to the world.

(3) Let us look to conduct that we do all things orderly, molesting no one, and respecting property.

In pursuance of this policy the Korean demonstrators have instituted a passive revolution. With empty hands, save for the carrying of a small Korean flag, with nothing but shouts of "Mansei—long live Korea!"—the movement has been remarkable for its freedom from violence on the part of the Koreans. They possess no arms and would have been at the mercy of the Japanese military had they resorted to force. The marvel is that they were able to endure to the end and refuse to retaliate against the brutal methods which the administration has taken to subdue the disturbances. The Japanese soldiery were let loose in many places and played havoc among the most innocent. Churches have been wrecked and men hurried to jail on the merest pretext. The usual brutal methods of police investigation have been adopted, and men have come out of the police stations so bruised and battered as to be unfit for work for days. A strike or two in the capital, the refusal of the storekeepers to open their doors, the closing of schools, and frequent demonstrations in favor of independence—that has been the extent of the revolt. Thousands are in jail, and thousands more are carrying on the work which their organizers began. There seems to be no disposition to give up until some promise of reform is given. The Japanese have, unfortunately, made up their minds to suppress the revolt by force and intimidation. It remains to be seen who will win out.

The question of the fitness of the Korean people to govern themselves has been much to the fore. Fears have been expressed that if Japan left Korea alone to-day, the result would be anarchy and Bolshevism. That there would be factions no one will deny—is there any country in this old world where there are not? But that Koreans would go to extremes no one who knows their peace-loving character will grant. It is manifestly unfair to saddle upon new Korea the faults of a former autocratic régime. Times have changed. Koreans of good standing and ability have received their education in Japan and America. They have received American ideals through American missionaries. The Japanese system has not tended to produce big men, but despite it capable men are to be found. The government of a church differs greatly from the administration of a country, but the fundamental faculty is the same. If the ability shown by the Korean Christians in their church courts is any criterion, one might even hope for their successful administration of national affairs. The very efficiency and courage which they have shown in their present revolt is no mean proof of their ability, and the unanimity with which all classes throughout the entire land followed the lead of their committees show a remarkable power of organization and a wonderful willingness to be led. The Koreans are divided in their political aims. Some desire a form of self-government under the suzerainty of Japan along the lines of Britain's self-governing dominions. Others maintain that as Korea and Japan are two distinct races with different national spirit, absolute autonomy alone will provide the necessary opportunity for national progress. Koreans feel confident that they could make as good a showing as Japan. Korean students in Japan, of whom there are 800 this year, claim that they more than hold their own with Japanese students, despite the handicap of the Japanese language. Be that as it may, one thing stands clear—things can never go along as they did before the revolt. Whatever may result the Koreans must be given a greater opportunity to develop along their own national lines. Their national history must be held inviolate, their national language respected. Military rule with its system of gendarmerie must go, and the common rights of man be secured for all. The educational system must give the Korean youth the best possible chance to make good, and the offer of promotion to higher offices must prove the incentive. Ultimately there should be no office in the State which a Korean boy may not one day aspire to. Whether this will mean that Japan must withdraw from the peninsula or not one can not predict. It remains to be seen whether Japan, in the present instance, will respond to the reasonable and restrained protest of this people in the spirit of the times. There are not wanting signs that Japan is mustering courage to defy the enemy within her own gates. The world, and little Korea, will await the outcome. In the meantime we content ourselves with knowing that imperial military rule in Korea stands condemned, and that instead of the two nations being perfectly united they are further apart to-day than ever.

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EXHIBIT XXXIII.

COPIES OF DOCUMENTS PRESENTED TO IMPORTANT JAPANESE IN TOKYO BY A COMMITTEE FROM KOREA—SOME REASONS UNDERLYING THE PRESENT AGITATION IN CHOSEN.

MAY 10, 1919.

The following paper is a condensed statement of what appear to be the most important of the underlying causes of the present agitation in Korea. All of the reasons given have appeared in some form or other in declarations, petitions, and bulletins issued by the Koreans, and so may be taken as an expression of Korean opinion. The statement contains only what seem to some friends of Japan and Korea to be the most important of the causes involved.

It should be said also that it does not embody the immediate causes of this outbreak such as the rumors in connection with the work of the peace conference, prevalent ideas of "self-determination," the activities of Koreans abroad, and the death of the ex-Emperor of Korea.

I.—*The desire for independence.*

It must be remembered that the assimilation of an alien race is a difficult task at best and that in this case it is made more difficult by the fact that the Koreans as a people have never in their hearts been reconciled to annexation.

II.—*The rigor of the military administration.*

Koreans do not know what it would be like to be under a civil administration. Their whole idea of the Imperial Government is drawn from their experience of military rule.

1. The fact that the police have gendarmes and soldiers associated with them in the administration of law leads the Korean to fear the police and to regard them not as civil servants and protectors but as oppressors.

2. This impression is deepened by the harsh and indiscriminate manner in which laws are administered. In the report issued by the government general in July, 1918 (covering the year 1916–17), it is stated that out of 82,121 offenders dealt with in "police summary judgment," 952 were pardoned, 81,139 were sentenced, and only 30 were able to prove their innocence. The unavoidable result of such a system is that a naturally peaceful and gentle-minded people are living in a state of constant terror.

3. The spy system has added to the terrorization of the people. Spies, usually low-class Koreans, are everywhere. No one knows when nor in what form the most harmless acts or words may be reported to the authorities.

4. The treatment of those arrested adds to the fear and hatred of the police.

5. The show of force on all occasions adds to the irritation. Civil officials, even primary school-teachers, wear swords.

6. This system has brought the people to believe that the administration has no idea of leading them, but only of compelling obedience.

III.—*Denationalization.*

1. The Koreans are a different race, with different history, traditions, ideals, ethics, and customs. The present administration seems to aim at the elimination of many things traditionally Korean and the substitution of things new and strange. There seems to be no systematic attempt to win the Korean's loyalty for Japan but to make over the Korean into a Japanese.

2. The exclusion of the Korean language from schools, courts, and legal documents is a great source of irritation. It is recognized that the question of language presents a problem to the Government, but the effect of the present policy on the mind of the Korean can not be minimized.

3. The elimination of Korean history from school curricula is another source of irritation. The Koreans feel that the presentation of the subject of Korean history is neither as full nor as accurate as its importance would warrant.

IV.—*The Koreans have no real share in their government, either legislative or executive, and no hope of securing this has been held out to them.*

1. Some Koreans do hold office, but usually minor ones, and in the case of those holding an important office they can usually be overruled by Japanese officials of lower rank.

2. The inferior education given to the Korean students deprives them of the hope of securing positions by competitive merit in the future.

V.—*Discrimination against Koreans.*

1. There is discrimination in salaries for the same services in government institutions, in business houses, and in labor.

2. In government schools the curriculum is different for Japanese and Koreans. The latter have from two to three years shorter course than the former. In the matter of English also, which all desire to learn, the Japanese have four days a week for five years while the Koreans have only two hours a week for two years. Such differences in educational facilities may be accounted for by the government's inability to provide full courses as yet, but it works an evident hardship and is resented by the Koreans.

3. Corporal punishment can be legally administered only to Koreans.

4. There is discrimination in many apparently minor but really significant matters. For instance, Koreans are rarely employed as train boys or akabos, and Japanese rickisha men are given the best positions at railway stations.

VI.—*No liberty of speech, press, or assembly.*

(Christian Koreans were arrested who were heard praying for a spiritual revival, the authorities insisting that this meant a political revival.)

VII.—*Limited religious liberty.*

1. Religion can not be taught in private schools according to the government revised educational ordinances, which recognize no difference between government and private schools.

2. In the case of Christianity, the Bible can not be taught in private schools opened since March, 1915, or in any schools after 1925.

3. Ceremonies are required which seem to be a violation of conscience to Koreans.

4. Local officials constantly intimidate Christians and those intending to become Christians, in what appears to be an effort to discourage Christianity.

VIII.—*Practical prohibition of Korean study and travel abroad.*

1. Koreans know that Japan's progress is largely traceable to foreign studies at the beginning of the Meiji Era and since, and desire the same opportunity for improvement. With the exception of certain specially favored cases, Koreans are not permitted to go abroad, and those who have received their education abroad are not permitted to return.

2. Even Koreans who have been educated in Japan are so constantly watched by the police on their return to Korea that they can make no proper use of their education.

IX.—*Expropriation of crown lands.*

In many sections of Korea crown lands have been occupied and farmed by the Koreans for generations on the basis of a moderate rental. In many cases the leasehold of these lands had acquired a value almost equal to that of land held in full possession. These lands, however, were in many cases turned over to the Oriental Development Co., and the former occupants required to pay greatly increased rents, which compelled them to abandon the land in favor of government-assisted Japanese settlers.

X.—*Demoralizing influences newly introduced.*

1. Licensed prostitution in all cities and towns has made this form of immorality more open and accessible, and hence has had a more demoralizing effect as well as a more widespread influence upon the young men of the country.

2. The persistent sale of the morphine needle has been unrestricted in many sections.

XI.—*Forced migration to Manchuria.*

The extensive migration of Japanese farmers into central and southern Korea and their occupation of often unjustly secured lands has forced the migration of thousands of Koreans into the less desirable and undeveloped sections of Manchuria.

XII.—*Many improvements benefit Japanese more than Koreans.*

1. Industrial, e. g.: The lumber industry, although extensively developed, brings no additional benefit to the Koreans. In fact, lumber costs more than formerly.

2. Commercial: The Korean merchants lack modern business training and experience, which makes it difficult for them to withstand the unrestricted competition of Japanese merchants.

3. In many cases licensed monopolies work great hardship to the Koreans and cause resentment, e. g., the cotton monopoly and the fertilizer monopoly in Sen Sen.

EXHIBIT XXXIV.

BRUTALITIES IN SYENCHUN IN MAY.

(Statement by Rev. ———.)

MAY 25, 1919.

Eleven Kangkei boys came here from ———. All the 11 were beaten 90 stripes—30 each day for three days, May 16, 17, and 18, and let out May 18. Nine came here May 22, and two more May 24.

Tak Chank Kuk died about noon, May 23.

Kim Myungha died this evening.

Kim Hyungsun is very sick.

Kim Chungsun and Song Taksam are able to walk, but are badly broken.

Kim Oosik seemed very doubtful, but afterwards improved.

Choi Tungwon, Kim Changook, Kim Sungkil, and Ko Pongsu are able to be about, though the two have broken flesh.

Kim Syungha rode from ——— on his bicycle and reached here about an hour before his brother died. The first six who came into the hospital were in a dreadful fix, four days after the beating. No dressing or anything had been done for them. Dr. Sharrocks just told me that he feels doubtful about some of the others since Myungha died. It is gangrene. One of these boys is a Chun Kyoin, and another is not a Christian, but the rest are all Christians.

Mr. Lampe has photographs. The stripes were laid on to the buttocks and the flesh pounded into a pulp.

LEAGUE OF NATIONS.

Mr. SHEPPARD. Mr. President, I ask leave to have included in the RECORD an editorial from the National Inquirer, of Indianapolis, Ind., of July 10, 1919. The editorial deals with article 10 of the league of nations covenant and describes the character, need, and effect of the same.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

ARTICLE 10.

"Article 10 of the league of nations covenant, sought to be eliminated through reservations to be made by the Senate in the resolution of ratification, is of the essence of the covenant—its foundation, without which the covenant would be as a house built in the air.

"Its elimination would be, in effect, rejection of the covenant, for it would constitute a fundamental and vital change, such as would lead other nations, now signatory to it, to refuse to accept the covenant so mutilated.

"There is no doubt of the power of the Senate to make the reservation. It has the constitutional right to do its will with the treaty—covenant and all. It can reject it in toto, it can rewrite it, it can strike out clauses and sections, and add others, and make such interpretations as to the provisions of any clause, section, or article as it may desire. All of that is admitted.

"But if the Senate changes the terms and conditions of the treaty by elimination, addition, or interpretation, or by qualification of its acceptance through reservation as to any article, section, or clause, which, in the judgment of other nations signatory thereto, affects the meaning, purpose, or terms in manner or degree unsatisfactory to them, thereby making the treaty, in purpose, meaning, or terms different from that which they signed, such nations can file their refusal to accept the treaty as changed, modified, or interpreted, and refuse to be bound thereby, and the treaty at that instant would, as to any and all of such protesting nations, become null and void, and be thereafter, as to them, as though the United States had rejected the treaty, or as if it had never been.

"If article 10 is, as we believe it to be, the foundation stone of the covenant, it is essential to its vitality and its life, and its elimination would be such a change as to justify and all but inevitably lead to rejection by the other signatory nations.

"Upon our ratification of the treaty, emasculated by the elimination of this section, the other signatory nations, and especially Great Britain, France, and Italy, and perhaps Japan, would promptly file protests and renunciations, as they would have a right to do, and then as to us, there would be not only no league of nations covenant and no league of nations but no treaty at all.

"In that event the protesting nations could continue the treaty among themselves with the United States excluded, and form a league of nations without us; or they could summons the members of the peace council into session and conference again and begin an effort to formulate a new treaty by new negotiations

in the hope that, after months of labor, something mutually acceptable and which could subsequently be ratified could be obtained.

"Neither of these alternatives, it seems to us, is to be seriously thought of, much less desired. To create the necessity or likelihood of either, under the perilous conditions now existent throughout the world, and especially in Europe, would be to incur a responsibility which we as a Nation ought not to assume.

"Having joined in the overthrow of old conditions, we are in duty bound to remain in at the settlement and share with our associates the responsibility of rehabilitation.

"It will not be a sufficient answer for our withdrawal from such responsibility to say: 'We prefer the isolation and aloofness we enjoyed before the cataclysm engulfed us and involved us in the fateful struggle.' The matter of the abandonment of our isolation was a thing to have been thought of and determined before we abandoned it by becoming a participant in the war or sending our armies to Europe, or even declaring war.

"There were conditions which we believed compelled the abandonment of our traditions and our isolation and coerced us into entrance into the war. Confronted with these conditions, we abandoned traditions and isolation and entered the war. The momentous decision, which the opponents of the league covenant seem now so much to dread, was made then, and made irretrievably, and is not now to be made. It is stare decisis—a thing done; an accomplished fact.

"Through that decision and the things we did in making it effective we changed the conditions of peoples and the status of nations. Governments were overthrown, old institutions dissolved, new governments created, and new institutions put in process of establishment. By that decision then made and our subsequent acts, joined with the acts of the Allies, we changed the weights and balances of the whole world, and can not now recede from the consequences and leave them unredressed, without giving all the world lasting cause for grievance and just ground for censure. We can not now recede from the decision then made. After the decision and our acts under it, we can not change our mind without injury and offense not only to other peoples but to ourselves.

"This grave and indisputable fact leads us, therefore, as a matter of good faith to others and to ourselves, to examine with open minds the character, the need, and the effect of the article in the covenant we propose to eliminate, that we may be sure the gravity and peril of its acceptance are such as to justify striking it out of the covenant, and our breach of faith as to the decision we made when we entered the war, and as to the acts we did in giving our decision effect, and as to the changed conditions which have come upon the world in consequence of our acts. This much, we think, is of necessity demanded of us. We must be sure of justification before recession from that decision and the betrayal of the responsibility consequent upon our acts thereunder. And we can not find justification in invective or vituperation or in charging the article in question to be what it plainly and clearly is not, nor in strained constructions or forced and unwarranted interpretations.

"Justification for so grave an act of recession and so profound a breach of good faith on the part of a nation sensitive of its honor and alive to its duties in the world of nations, and its obligations to mankind, can not be found in passion, in personal animosity, in party desire for advantage, or in the selfish ambition of men. It must be found, if at all, in fact and in fair intendment—found within the actual letter of the article or in the indubitable spirit of it.

"From this conclusion, it seems to us, there is no escape.

"This brings us, therefore, to the inquiry: What is the character and the need of article 10 of the league covenant, and if accepted by us what would be its effect upon us as a Nation and upon our institutions?

"These questions we mean to consider elsewhere in these columns.

"HANLY."

CHARACTER OF ARTICLE 10.

"What is article 10? For what does it provide? What are its terms? Are they such as to warrant the things said of them by some of the Members of the Senate of the United States?

"Such things as these:

"'A monstrosity; obliterative of legitimate race and national aspirations; oppressive of weak nations and peoples; destructive of human progress and liberty; hideous monstrosity; makes us the guarantors forever of the territories of 32 separate governments specifically named in the covenant and of at least 13 other governments to be added thereafter; under the covenant we would underwrite forever the status quo of the whole world; this league means that American boys shall police the world; that all the tottering nations of the earth shall be upheld by our blood and bone; that we, with our glorious past, shall guarantee the territorial integrity of every country on earth and the bondage of every suffering people in anguish begging for freedom; it means the halting and betrayal of New World liberalism, the triumph of cynical Old World diplomacy; the humiliation and end of American idealism.'

"The best answer to these charges, it seems to us, can be found in the text of the article itself. We have quoted it before in other editorials appearing in these columns, but we submit it again:

"'The members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league. In case of any such aggression or in case of any threat or danger of such aggression the council shall advise upon the means by which this obligation shall be fulfilled.'

"We pass over the suggestion which involuntarily occurs to every candid, open mind, that the language in which the opponents of the league have characterized this section, and which we have quoted above, and which might be extended over an entire page of this paper without exhausting the epithets that have been hurled against it and the vituperation laid upon it, is the language of men who are about to betray a great and solemn trust and who seek justification for their perfidy by vituperation and denunciation in advance of their acts, and go directly to the question of the provisions and meaning of the article itself.

"Article 10, it must be remembered, does not stand alone. It is:

"'The preliminary assertion of solidarity upon which articles 11 to 17 are based, and each in a way encompasses them. It establishes a principle; they define its application. It is a mistake to consider article 10 as something that stands alone. Nor is it less a part of the two articles which precede it, those relating to disarmament. In itself it calls for no action by the league or the members of the league unless some extraordinary emergency arises for which no other provision is made in the covenant. In that remote exigency the council is directed to advise upon the means by which the obligations under it may be fulfilled. The council can only advise. It rests upon the respective Governments themselves to decide how they will fulfill their obligations under it. The advice of the council must be by unanimous agreement of its members, and the United States will be a member. No advice as to the course of action will, therefore, be given that would be considered unjust to the United States by the representative of our Government. Probably no advice will be given by the council until after consultation with the respective Governments represented in the council. This consultation would seem to be essential in important matters, for this is a league of nations, not a superstate, and the members of the council are primarily but representatives of the nations that are given the predominating influence. Inasmuch as these nations have the greatest power, both in themselves and in the league, their responsibilities will be the greater, and they will endeavor to reach an agreement among themselves as to what action should be taken in case of such an extraordinary emergency as would fall upon article 10 alone. Each Government must be its own judge as to the manner in which it will fulfill its obligation, and the character and extent of its support will depend upon the circumstances of the case, the greatness of the emergency, and the degree of its own danger. That danger would be measured to a large extent by proximity, and it is reasonable to assume that the countries nearest the seat of trouble would be first to go to the aid of the one attacked. But somehow all would help, if the help of all were seen to be necessary, and it is this assurance that is required to give cohesion and stability to the association, and which alone can provide the moral influence, which may become compulsory, that must be provided for in the absence of a permanent international police force.

"'To summarize, article 10 is the necessary binding of the nations into a unified and potential force for mutual respect and protection. The fulfillment of all ordinary obligations in the pledge it involves is provided for in other articles. It is only in exceptional circumstances not otherwise provided for that action under it specifically would be appealed for. The occurrence of such circumstances is highly improbable, but if they should develop each nation would be the judge of its obligations under the article. Good faith would require the support it pledges, but whether that support would be economic alone or both economic and military would depend upon the nature of the case and the understanding reached by the respective Governments.'

"As suggested in the editorial immediately preceding, article 10 is the basic section of the league, the preliminary assurance of mutual support against external aggression threatening territorial integrity or loss of sovereignty. It is an agreement and a pledge, an agreement that the members of the league will not only themselves respect the sovereignty and the territorial rights of one another but a pledge that they will protect them from aggression by others.

"There is no effort made by this section or elsewhere in the covenant to commit the league to the maintenance of the status quo as to the territorial limits of its members against domestic insurrection or internal revolution—not a word, a syllable, or a letter providing for it or requiring it by any just intendment or justifying such an interpretation. It is a straw man, manufactured by the league's enemies. The agreement by the members to respect the territorial rights of one another of necessity relates to external aggression, and the pledge to preserve the territorial integrity of the respective members by express language is limited to 'external aggression' and 'political independence.' As has well been said, this qualification alone answers most of the arguments directed against the article.

"Former President Taft makes conclusive refutation of the contention that article 10 is not a covenant against revolution by 'oppressed peoples struggling for freedom' in one of his letters in behalf of the covenant:

"'It is objected to article 10 that it is too rigid; that progress of the world may need rearrangement of boundaries, an enlargement of one country and a reduction of another, or the creation of new States. Article 10 does not forbid changes in boundaries or the enlargement or reduction of States or the establishment of new States. All that it forbids is the taking of territory by force from a member of the league or overthrowing its Government by violence. Article 10 does not protect any nation against internal disturbance, rebellion, or revolution. It does not prevent the division of States by these means. The objection assumes that war by one existing nation upon another is necessary to the progress of the world to secure useful changes in boundary. We need not deny that a war of aggression may achieve a useful end; but the basis upon which the league rests is that such advantages are outweighed by the suffering in modern war and the possibility that a small war may lead to a general war and an enormous damage to civilization. The effort in the formulation of the present treaty is to make just boundaries, and the effect of article 10 will, doubtless, be to maintain those boundaries, in so far as to prevent foreign aggression from affecting them.'

"The opponents of the league seize upon article 10 and declare it to be what it is not and to intend what it does not intend and give, as we have seen, forced and unwarranted interpretations to its language that they may have a basis for the denunciation and epithets and vituperation they hurl against it.

"It is incredible that the President and an ex-President of the United States, members of different political parties, holding diametrically opposed views in regard to the domestic questions which divide their parties, and having nothing in common except their Americanism and their love of country, should both be asking the people of the United States to accept an instrument 'destructive of human progress and liberty,' requiring us to 'guarantee the bondage of every suffering people in anguish begging for freedom,' and binding us to the betrayel of 'New World liberalism.'

"This suggestion is so unworthy as to be undebatable.

"HANLY."

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THE NEED OF ARTICLE 10.

"Armies and armaments have cursed the world for centuries, wrecked its cities, devastated its fields, killed its people, and drenched its soil with blood.

"They are not guarantors of peace, but instruments of war. The verity of this statement is beyond dispute. The history of all times, all lands, and all peoples confirms it. If there was ever doubt concerning it, the Great War just closed and the causes which produced and led to it would of themselves establish it.

"Knowing this, and with the red horror of the last five years fresh in their memories, and the wreck and ruin it inflicted spread before their eyes, the representatives of the nations convening at Paris to formulate a treaty, calculated to conserve the fruits of the victory won by the allied and associated nations, sought to provide for the dismantling of armaments and the demobilization of arms, and to prohibit their subsequent creation, beyond police necessity.

"With that purpose the peoples of the earth are in accord.

"But when they attempted to provide for the disarmament of nations, they were confronted with the fact that there would be some nations who would not willingly join in disarmament, but would insist upon building navies and forts and arsenals and mustering and maintaining great standing armies. Europe had just been all but crushed by such a nation and would have been utterly so but for our intervention. Twice in half a century France had been wounded all but unto death by such a nation. For more than a century her people lived in the dread of invasion, and in the presence of the peril that twice in a generation had fallen upon her.

"Under such conditions peaceable nations feared to disarm lest they be left to the mercy of armed aggressors.

"To meet that fear, born of dread experience and kept alive by the present menace, it has been proposed that the nations who disarm shall form themselves into a league which shall not only respect the sovereignty and national independence and the territories of one another, but which shall bind all of them in a pledge of common defense against external aggression threatening the independence or the territories of any of them.

"Here is the need of article 10 of the league covenant and the reason why it is formulated and why it should be accepted and confirmed.

"To strike down article 10 would be to destroy the foundation of the league and to make futile all effort toward disarmament.

"The manner in which the member nations are to be protected in their independence and their territories against external aggression is not provided for in this section, but it is in other sections, and it is so carefully guarded that no nation can justly hesitate to accept the covenant because of it.

"Article 10 is:

"'First of all, the fundamental agreement of mutual support in case of attack from without. It is the foundation upon which the other articles relating to international disputes is laid. There would be no league without it, for many of the nations concerned would not enter into an association that called for disarmament unless some such pledge were made, just as a man whose life is threatened is unwilling to give up his arms unless assured that he will be protected in other ways. If the plans of disarmament are carried out to the satisfaction of the countries and made universal, the time will come when such an agreement as this will be superfluous, for the fear which demands it now will be removed. But under present conditions, and the terror of Germany's sudden and prodigious attack still in the minds of the world, such an understanding is an essential basis for a peace that can be felt to be secure. This is particularly true because of the new countries that are being created as a result of the war and whose integrity and sovereignty are in special need of exterior support. The respect of sovereignty is another important feature. All nations are jealous of their sovereign rights as nations, particularly their right to conduct their own affairs, and this is a proper agreement to respect those rights.'

"The need here disclosed is too essential and imperative to be explained away by vituperation or denunciation. To strike out of the covenant this clause would be to rip out its heart and leave it a mangled, lifeless thing, which the other nations signatory to it will at once reject, preferring to arm themselves and stand in their own might rather than assent to disarmament with nothing to protect them or assure their defense against their neighbors who do not disarm.

"If this article falls through our rejection of it the league covenant falls, for it is as to the covenant an elemental thing, and if the covenant falls the treaty of peace falls, for it is the basis and the corner stone of the treaty.

"It is important that the American people understand the reason for the article, the essential place it holds in the league pact and in the treaty, and that they instruct their representatives in the Senate of the United States as to their will concerning it.

"HANLY."

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THE EFFECT OF ARTICLE 10.

"The effect of article 10 will not be, as contended by its enemies, to involve the United States in constant conflict and world-distant war, or 'that American boys shall police the world,' or that 'the tottering nations of the earth shall be upheld by our blood and bone.'

"Quite the contrary. It will mean that the conscience of the world, centralized and personified in a single world entity, having back of it the will, the purpose, and the ability, economic and military, of the member nations of that entity, will be far more potent and effectual in preventing attacks upon the sovereignty, independence, or territory of the member nations than all the navies that can be built or armies that can be mustered.

It will marshal the spiritual verities, the imponderables, which more than armaments or navies and armies control, in the last analysis, the affairs of men and put them in the scales against the aggressor who seeks to challenge the sovereignty or question the independence or invade the territory of the member nations.

"Its effect will be to create a greater deterrent of aggression than men have hitherto known.

"The result will not be, as its foes so wildly proclaim, the maintenance of the status quo of the internal affairs of its members against revolution waged by misgoverned, oppressed, or distraught peoples.

"On the contrary, it will create an entity the influence of which will ever and always powerfully plead for justice and fair dealing not only as between nations, but as between governments and their own peoples. It will create, foster, and diffuse among men a spirit of conciliation and of recognition of the great fundamental human rights upon which all just government is founded and make for the liberation of peoples and a wider freedom.

"Nor does it follow that in the event of war between distant peoples that the United States would be called upon by the league to send a single soldier to the scene of the conflict. The league would express its power if armed intervention became necessary through the military forces situated nearest to the seat of the trouble. Save in case of international strife here in the New World, or in that of one in the Old, of such proportions and vitalness as to imperil the world, there is scarcely a remote possibility that a single drop of American blood will be shed because of our undertaking to aid in the preservation of the 'territorial integrity' and existing 'political independence' of the members of the league against 'external aggression.'

"In answer to the claim that the effect will be to prevent the territorial development of nations or the emancipation of peoples struggling for freedom, let it be said:

"'The United States is living evidence that war is not essential to territorial expansion and development. We added Florida and Louisiana Purchase and Alaska to our domain by peaceable means. There is nothing in article 10 to prevent such territorial changes. Nor is there anything to prevent changes in form or character of any government. It proposes no interference with peoples in their internal affairs. If a part of a nation should desire to separate from the rest and set up an independent government, there is nothing in this article or elsewhere in the covenant calling for hostile action by the league or any of its members. The possibility that we, for example, might be prevented from going to the rescue of a people seeking their independence is not a persuasive objection. We have had many opportunities in the past, but only once in all history have we taken up arms in such a cause, and there is not the slightest probability of another case similar to Cuba arising in this hemisphere. All the people in the Western World are now free. Although we have had profound sympathy for the struggles for freedom occurring from time to time in the Eastern Hemisphere, we have never once even thought of going to war for them. As to the claim set up by one or two objectors that this would constitute an impious limitation of the Almighty, we are disposed to believe that no association of men can in any way limit His power.'

"The purpose of article 10 is to prevent, if possible, wars of aggression, and failing in that, to minimize the frequency of their recurrence and to localize them and terminate them quickly when they do recur, and will, we believe, if retained and the covenant is accepted, fulfill its purpose.

"HANLY."

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YES, "FALSE AND FRAUDULENT."

"In a recent editorial in Harvey's Weekly, article 21 of the league of nations covenant is denounced as 'both foolish and fraudulent,' a title far more applicable to the argument made against it than to the article itself.

"This article has been quoted before in these columns, but we submit it again, that the reader may have it before him.

"'Article 21. Nothing in this covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe doctrine for securing the maintenance of peace.'

"It is insisted in the editorial in question that the purpose of the article is not the exemption of the Monroe doctrine from the jurisdiction of the league of nations, but its commitment to that jurisdiction. It is said:

"'Had the Paris conference wished to except it from the league of nations jurisdiction, all it had to do was to say so. How easy it would have been to say so is impressively shown by striking out of article 21 the gross errors of definition by implication as follows: "Nothing in this covenant shall be deemed to affect the validity of * * * the Monroe doctrine."

"'That would have been the straightforward, the honorable way to do it. The way not to do it was by adopting the evasive language, flatly false in its every inference and implication, which makes of article 21 as it stands nothing more nor less than a contemptuous insult to American intelligence. It is a fraud on its face, a fraud and, worse than that, a blunder, and a blunder all but Teutonic in its clumsy stupidity.'

"The words which, if omitted, leave article 21 as the author of the editorial insists it should have been are: 'International engagements, such as treaties of arbitration or regional understandings like * * *.'

"The answer is that, in so far as article 21 relates to the Monroe doctrine, that is precisely what has been done. The article is, and was intended to be, broader than the Monroe doctrine. It saves from the jurisdiction of the league 'international engagements such as treaties of arbitration,' as well as the Monroe doctrine. Everyone knows—including Mr. Harvey, the author of the editorial in question, that there are many existing treaties of arbitration between many of the nations that are to become signatories to the league covenant. These treaties are not to be abrogated and are not to be brought within the league's jurisdiction. Their validity is not to be affected by the league covenant. It is intended to, and does, exclude them as well as the Monroe doctrine, from the league's jurisdiction.

"It is insisted that the words 'regional understandings like the Monroe doctrine' are intended to, and do, leave the Monroe doctrine within the jurisdiction of the league and destroy its validity, notwithstanding the declaration that: 'Nothing in this covenant shall be deemed to affect the validity of * * * the Monroe doctrine.' This contention is based upon the assumption that the Monroe doctrine 'is not regional' and 'is not an understanding,' and that being referred to as something which it is not, it is not excluded from the jurisdiction of the league.

"The reasoning is fallacious; even if it be granted that the Monroe doctrine is not 'a regional understanding' and that reference to it as such is a misnomer, it does not follow that the effort to exempt it from the jurisdiction of the league would fail because of the error in its classification, since it is specifically mentioned by name.

"It is also insisted that the Monroe doctrine 'is not for securing the maintenance of peace.' If it is not for that, then what, we ask, is it for? The truth is, it is exactly for that. It was announced by President Monroe and has been maintained from then till now, for the very reason that its application to the Western Hemisphere makes for the peace of this hemisphere. The very basis of its enunciation in the first instance was the belief that the subjugation of the South American republics and Old World colonization on American soil would bring monarchial institutions, inimical in their very nature to democratic institutions like ours, in such close proximity to us that they would multiply the danger of wars and lead to the disturbance of our own peace by conflicts of aggression waged by governments whose principles were irreconcilable with ours.

"That the announcement of the doctrine and its maintenance might possibly lead to a conflict, may be admitted without impairing in the slightest degree the soundness of the point we are seeking to make. That it might some time lead to conflict was, of course foreseen, but it was believed by the statesmen who conceived and proclaimed it, that such conflicts would be far less frequent and far less disastrous to us, than the conflicts which would be certain to follow from the proximity of monarchical institutions planted upon American soil and fostered to aggression by ambition.

"The doctrine was conceived and announced on this belief, and nearly a century of peace for the Western Hemisphere and of immunity from Old World aggression has resulted from its announcement and maintenance.

"It is true that it has stood throughout all this time as an American doctrine; that it has never been reduced to the terms of an international agreement and bears no signature of any government other than our own. But, having been announced and maintained by us now for nearly a century, and having been acquiesced in by the nations of the earth for all that period, it has become, we submit, 'a regional understanding,' so broad and so inclusive as to cover the region of the New World.

"By expressly reserving the Monroe doctrine from the jurisdiction of the league, the nations signatory to the league covenant make solemn record of their recognition and acceptance of it.

"And we having maintained it, to the New World's peace and benefit, and to the peace and benefit of the whole world—the Old and New—we ought to rejoice in the formal recognition

and acceptance of it by the 14 nations who are entering with us the league of nations and signing its covenant.

"The editorial and not the covenant 'is a fraud on its face—a fraud, and, worse than that, a blunder, and a blunder all but Teutonic in its clumsy stupidity.'

"The caustic terms of Mr. Harvey fit exactly—fit his editorial, and not article 21 of the covenant.

"The history of American journalism affords no more mendacious assault upon a man or a great public document than that which is being made by Col. Harvey upon the President of the United States and the covenant of the league.

"His intolerance and bigotry are only exceeded by his personal hatred.

"HANLY."

JAPANESE CONTROL OF SHANTUNG.

Mr. COLT obtained the floor.

Mr. BORAH. I ask the Senator from Rhode Island if he will yield for me to ask for the consideration of a resolution which went over from the last session of the Senate under the objection of the Senator from Nebraska [Mr. HITCHCOCK]?

Mr. COLT. Very well.

Mr. BORAH. I ask for the consideration of the resolution, if there is going to be no debate upon it. If there is, of course, I will defer it until the Senator from Rhode Island gets through.

The VICE PRESIDENT. The resolution will be stated.

The SECRETARY. Senate resolution 116, relative to the action of members of the American Peace Commission regarding Shantung, and also as to attempts by Japan or her peace delegates to control the Chinese peace delegation by intimidation.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution? The Chair hears none, and the amendment reported by the Committee on Foreign Relations will be read.

The SECRETARY. In line 4, after the words "American Peace Commission," insert "or of any officials attached thereto," so as to make the resolution read:

Resolved, That the President be requested, if not incompatible with the public interest, to send to the Senate a copy of any letter or written protest by any member or members of the American Peace Commission or of any officials attached thereto against the disposition or adjustment which was made with reference to Shantung, and particularly a copy of a letter written by Gen. Tasker H. Bliss, member of the Peace Commission, on behalf of himself, Robert Lansing, Secretary of State, and Hon. Henry White, members of the Peace Commission, protesting against the provisions of the treaty with reference to Shantung.

Any memoranda or other information in the possession of the American Peace Commission or any member thereof with reference to the attempt of Japan or her peace delegates to intimidate the Chinese peace delegates, and to control the action of said Chinese delegates through and by means of intimidation.

The amendment was agreed to.

The resolution as amended was agreed to.

TREATY OF PEACE WITH GERMANY.

Mr. COLT. Mr. President, as the peace treaty has now been submitted to the Senate, I wish briefly to discuss one aspect of it upon which public attention is mainly directed at this time.

The league of nations in its essence is simply an association of free nations. Its object is to prevent war through international cooperation. Broadly speaking, it covers three basic principles—obligatory conferences when war is threatened, compulsory submission of every international dispute to some form of arbitration or investigation and report before resorting to war, and reduction of armaments.

The principle of international cooperation as the means by which international peace can be made secure has never been tried before. All other means of preventing war have failed. International law, Hague peace conferences, alliances, arbitration treaties, the balance of power in Europe, and the Monroe doctrine in America have proved entirely inadequate to prevent the most terrible war in the history of mankind. Seven millions lie dead upon the fields of Europe and twenty millions are disabled through wounds or disease. Another such war would destroy civilization. And the danger of another such war is apparent when we consider that civilized nations are so united in every way except politically that a war anywhere is likely to spread into another world conflagration. The age of neutrality is passed forever.

There is no other conceivable solution of this great problem of preventing war except along the lines of a closer union of the family of nations based upon the principle of cooperation or federation. Not to try this experiment would leave the world in the same condition of international anarchy as it was before the war—a world divided into jealous and competing national units, fully armed and dominated by the spirit of an aggressive nationalism. It is this form of nationalism which leads to war, and the only way to overcome this obstacle to peace and to install the reign of law among nations is through international cooperation. This does not mean the surrender of true nationalism. There is no antagonism between true nationalism and an internationalism which would substitute the reign of law for the reign of force.

The league of nations presents itself in a double aspect. First, the league is absolutely necessary to secure the present peace of the world by the enforcement of the terms of peace, and, second, having accomplished this momentous task, it is also necessary to maintain the future peace of the world. For the present, however, we must address ourselves to the immediate problem of meeting world conditions created by the war and whether in order to accomplish this purpose America must not become a member of the league.

The question whether America should become a member of the league in order to meet present world conditions turns primarily upon the question whether we shall become jointly responsible for the enforcement of the terms of peace or whether we shall follow our traditional policy of nonintervention in the affairs of Europe and notify the Allies, as we did the European nations upon signing the treaty of Algeciras in 1906, that we can assume no obligation or responsibility for the enforcement of the terms of peace. If, however, we believe that it would be dishonorable to withdraw from Europe at this time, to desert France, England, and Italy in this critical hour when the whole world is in a turmoil, then the United States should certainly remain in the league during this world settlement and until peace and order are restored. And if it should be found that this association of free nations is not accompanied by all the terrible consequences which its enemies predict, and that it really is a preventive of war, we could then decide to continue our membership in the league. To my mind we must at least see through to the end the great undertaking upon which we embarked in entering the war, and as a part of this undertaking we must help to reestablish a new world order by the enforcement of the terms of peace, which can only be done by our becoming a member of the league of nations.

Mr. President, in the consideration of the league of nations much depends upon the attitude of mind with which the subject is approached. There are those who approach the subject with a strong feeling of dissent at the method the President has pursued at the Paris conference with respect to the whole peace treaty. Whatever may be the right of the President under the Constitution to negotiate ordinary treaties, they believe that he should have remained at home and should have consulted the Senate, and also should have ascertained the public sentiment of the country before negotiating a treaty which, to their minds, is subversive of our traditional policy and which binds America to a new world order. However just this criticism may be, and however much it may tend to prejudice the minds of many, it really has no bearing on the question of the merits of the league as part of the treaty or its ratification by the Senate.

There are others who approach the consideration of the league from the standpoint of our traditional policy of nonintervention by America in the affairs of Europe and nonintervention by Europe in the affairs of the American continents. Starting with this basic principle in mind, they are opposed to any league which impairs this traditional policy. With respect to the war, they declare that we went to war because Germany violated our rights upon the high seas; that the object of the war was the destruction of Prussian militarism because it was a menace to America; that we did not go to war to save France or England, or to "make the world safe for democracy," or to save civilization, but solely for our own self-preservation; that the German armies having been crushed, we have now accomplished the object of the war; and that upon the signing of the treaty of peace we should retire from Europe, leaving the Allies to execute the terms of peace, with possibly this understanding, that if there is another world war which endangers American institutions we will again intervene. They insist that we are under no obligation to the Allies to enforce the terms of peace, and any assumption of such an obligation or any form of league would, in their minds, be a violation of our traditional policy and would involve us in "entangling alliances" in Europe. Hence they are utterly opposed to any league of nations. The war is ended; leave America to look out for her own affairs and Europe to look out for her own affairs is their immovable position.

Then there are others, Mr. President, comprising, I believe, the great mass of the American people, who are convinced that something must be done to prevent future wars, that something must be done to prevent a recurrence of the frightful horrors of the past five years. They want something done. They do not want to leave the world in its old condition, and they favor the league of nations, based upon international cooperation, as the best solution of the problem.

As to whether the league should be ratified in its present form, some are in favor of making no changes, others are in favor of making some reservations, while very many want more light before reaching any conclusion.

Mr. President, the great international problem which confronts the world is the substitution of the reign of law for the reign of force in international disputes. This alone will prevent war. I have always believed that this could be brought about only through an association of nations working together on the principle of cooperation. I am, therefore, in favor of the principles embodied in the league of nations. This does not mean that I have reached a decision that the league should be ratified in the precise form in which it is now presented. This whole subject is one of vast magnitude and of supreme importance to our country, and there are several provisions in the league covenant which call for a full discussion and a most careful consideration by the Senate.

Mr. President, there has been much controversy over the question whether the league should not be separated from the peace treaty and considered at some future time, and this separation has been regarded by many as of vital importance. As for myself, I have always believed the league to be inseparable from the peace treaty, because the treaty can not be enforced except through the league. The treaty declares a basis of settlement. It actually settles little or nothing. It only provides a method of settlement which will take years to carry into effect. Germany is held in bondage for a generation. Austria and Turkey will be stripped of all but fragments of their former territory. New nations have been created from the ruins of great empires. The peace treaty leaves the world on fire, with national aspirations unsatisfied, territorial limits undefined, racial conflicts impending, and with incipient wars already started. This has been a war of continents, and in the enforcement of the terms of peace the whole of Africa and most of Europe, Asia, and the American Continent are affected. It is manifest, therefore, that the league of nations can not be divorced from the execution of the terms of peace. This was a World War, and this situation necessitates a world settlement through the league of nations. America can not divorce the league from the peace treaty. There are only two courses open to us: We can remain in the league and become responsible for the enforcement of the terms of peace or we can quit Europe and notify the Allies that our responsibility is at an end. But if it is unthinkable for us to desert England, France, and Italy when the world is in chaos, we must become a member of the league as providing the only machinery for the restoration of peace and order.

Mr. President, the broad lines of this league are simple. It is well known, as pointed out by ex-Senator Root, that European conferences have several times averted a general European war, as, for instance, the conference of Algeciras in 1906 and the conference of London in 1912. The trouble, however, was that these conferences were voluntary, that no nation was obliged to call one, and no nation was obliged to attend one when called. Now the league makes these conferences obligatory. I regard this as the fundamental feature in the prevention of war. This whole scheme of averting war finally rests upon the good understanding and the exercise of good faith among the nations, and nothing will contribute more to these ends than conferences when the peace of the world is threatened.

So with regard to the settlement of international disputes by arbitration. Everything done heretofore in this line has been on the voluntary principle. No doubt many disputes have been adjusted by arbitration, and America has taken the lead of other nations in this peaceful method of settling international differences and in entering into arbitration treaties. Still no method has hitherto prevailed which compelled nations to submit their disputes to some form of arbitration or investigation and report before going to war. This method at least causes delay and gives time for discussion and the cooling down of the passions. The provisions of the league with respect to arbitration or investigation and report have been criticized as not strong enough, but they clearly will tend to prevent war. No member of the league is likely to violate these provisions and suffer the penalty of an economic boycott or possible armed intervention by the other members of the league.

As to disarmament, the machinery provided by the league will undoubtedly bring about such a reduction of armaments that they will no longer prove a menace to international peace. As I have already said, I consider obligatory conferences, compulsory arbitration or investigation and report before commencing war, and reduction of armaments the three great features of the league which will tend to prevent war.

As to the general objection that the league creates a superstate and hence is destructive of our independence and sovereignty, I am unable to see the force of the arguments in support of this proposition. A superstate can not be formed when every material power that is exercised by the league requires the unanimous consent of the executive council or of the delegates. By reason of this provision and the provision of retirement from the league upon giving two years' notice, the league is more in the nature of a voluntary association. And in this connection it should not be forgotten that in a world composed of a family of nations there is no such thing as absolute sovereignty.

Nor am I impressed with the constitutional objections. The Supreme Court has never held a treaty unconstitutional. The treaty-making power under the Constitution is of the broadest character and it includes everything that is properly covered by the term "treaty" and is not in conflict with some express provision of the Constitution. The Constitution says that—

all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land.

It thus recognizes all treaties then in existence as well as all subsequent treaties made under the authority of the United States. When the Constitution mentions that Congress is given certain powers, it is dealing with the distribution of powers between the General Government and the States. This, however, does not exclude the treaty-making power from exercising many of the powers conferred on Congress. Take, for example, the power conferred on Congress to regulate commerce with foreign nations. This does not exclude the treaty-making power from entering into treaties which regulate commerce. There are scores of such treaties. And so with the power of Congress to levy duties; there are many treaties which regulate duties. While the treaty-making power has never been extended to embrace a declaration of war, it has been extended to guarantee the independence of a foreign State such as Panama, which means intervention or war on the part of the United States in case the independence of such foreign State is threatened. Treaties can not, of course, take away the powers vested in Congress under the Constitution, though they may impose obligations on Congress to carry them out. Some treaties are self-executing and require no action by Congress, while others require some action, as, for example, if a treaty called for the payment of a certain sum of money. A treaty is a contract between sovereign States, and it has the force of a statute. From these observations it is manifest that any provisions of the league which may call for an economic boycott or possibly armed intervention by the United States would require the action of Congress before they could be carried into effect.

Mr. President, there has been much discussion concerning the league of nations, and the controversy seems to have settled down to the proposition whether the covenant shall be ratified in its present form or with certain reservations. I believe the popular sentiment is universal, and I certainly share it, that the Monroe doctrine should be clearly safeguarded. This is purely an American doctrine, and it differentiates the New World from the Old. I also believe that domestic questions, like immigration, which in some of their aspects may be international, should be properly safeguarded. The storm center of these reservations seems to be article 10. As to the retention of this article much may be said on both sides. It may be argued that the United States ought not to bind itself for all time to guarantee the territorial integrity and political independence of the members of the league against external aggression, and yet that argument might not apply with the same force to protecting the territorial settlements made by the peace conference until this new world order is fully established and the present peace of the world made secure. There is a wide distinction between a temporary and a permanent retention of article 10. Upon the question of reservations I reserve my judgment for a full discussion and consideration.

Mr. President, the peace treaty and the league have now been submitted to the Senate. The issues involved are momentous. The fate of America and mankind is in our hands. The country and the world are looking to the Senate for a calm and dispassionate consideration of these great questions, knowing full well the grave responsibility which rests upon us under the Constitution of the United States.

JAPANESE CONTROL OF SHANTUNG.

Mr. SHERMAN. Mr. President, the league of nations, therefore, appears from the view of the Senator from Rhode Island [Mr. COLT] to be a voluntary organization possessed of involuntary and arbitrary powers. This of itself is a solecism and a most anomalous creation, both nationally and internationally. It seems, however, Mr. President, that we are still living on earth among earthy things. We have not yet reached the millennium, unless it be a psychological one, nor are we dealing with demigods or angels. We are still dealing with human nature as we find it on this earth, somewhat erring at times, but

nevertheless possessed of vast hope and optimism, and struggling along the highway of human progress year by year and century by century toward a better course and better things.

However, I can not believe that a psychological millennium will affect well the practical affairs of mankind. Only yesterday blood was shed in Fiume. Only a short time before that we had a 4th day of July; and as preliminary to the discussion of articles 156, 157, and 158 of the treaty I desire to recite the current history of the 4th day of July, 1919, as it affects the peaceable dispositions of mankind.

A certain portion of our people are suffering from verbal delusions. They mistake words for facts and phrases for elemental principles. It is a species of self-hypnotism. There are always people who are good subjects for traveling mesmerists and the crop is unusually heavy just now. We are living among the sunlit peaks of a glorious idealism, with a serene contempt for the changeless laws of nature or our own selves. Our beloved President is sounding the accepted slogans for the grand army of star gazers. All alike are heedless of their feet, and are even now stumbling and falling in the ditches with monotonous regularity.

Several years ago a business depression was described by the President as a psychological condition, and we were bidden to be of good cheer and change the state of our minds. It is so with evangelizing the world. Universal peace will be ushered in by wishing it, and savage, warlike nations instantly lie down by the still waters in green pastures by listening to a few homilies on their wicked ways. Thus we are lulled with documents and soothed into trustful sleep by the promises of our seven-months-absent President. Europe's atmosphere clings to his person. He brings with him the choicest products of Old World diplomacy compounded of the intrigues of Europe and the perfidy of oriental deception mitigated by wholesale robbery of millions of people and hundreds of millions of territory and property.

The league of nations is the colossal confidence game of the ages. Of all its miserable dupes the American and the Chinese peoples are bound by a common misfortune in the superlative degree as proposed victims. China, a mighty, untrained, pacifist nation, is helpless before military Japan. The United States is either betrayed or a victim of incompetence at Paris. Unless we train our military force, we, too, will suffer partition and benevolent absorption by those who claim we are unable to exclude their enemies from our borders. Both are on the brink of perpetual servitude to nations their superiors in diplomacy or arms.

All this is heralded as the millennium. War is no more and peace is secured by crushing every nation that questions the existing order of human affairs. This power rests in three hands, two of whom control. Fiat peace and virtue abound springing from the league of nations. Nations are thereby reborn and purged of all evil. The psychological millennium has arrived. Actual occurrences, however, in an unideal world grate harshly on our ears.

Let me tell the Senate—and if there is a Member in it who can afford to speak his sentiments and tell the truth, I believe he now has the floor—only yesterday the report is, by this morning's cablegrams, that Great Britain withdrew from the Vatican her envoy, who has been there for several years. That of itself is a recognition of political power in an ecclesiastical organization. A papal envoy has been for years—I say "years"; since the beginning of the war it has occurred—from the Vatican itself in London. London papers—the London Spectator, the London Star, the London Times, the ancient "thunderer" from the days of Napoleon—all of them have commented upon this change. A vast unrest is found among the British people because of it. I do not state it simply as a criticism, but I state it as a profound departure from the policies of Great Britain since the days of Henry VIII. Not since the days of that wife-murdering monarch has there been a papal envoy sitting in London from the Vatican. Still we go along serenely oblivious of these changes. I speak of them as political changes of a vital character in the mechanism of nations, and I believe it to be true. To note the recognition of political power in an ecclesiastical organization is not an attack on the church. It is to advise the public of impending change.

Mr. President, I read among the signatory nations, the 32 original elect, the name of Peru. It is one of the 45—32 original signatory nations, and 13 invited. At 3 o'clock—inopportune time, indeed—on the morning of the 4th of July, 1919, two regiments of soldiers rushed in on the palace of the President at Lima, seized by force Señor Don José Pardo, President of Peru, in his private office at that unseemly hour, and immediately conveyed him to the penitentiary, where they confined him, with the principal members of his cabinet. He remained in close confinement until last week, when he was put aboard a launch and headed for an ocean-going steamship, so that he might go into exile and never more trouble the gentlemen who took the trouble to depose him. I shall observe with mild curiosity what our President thinks of it—if it is a summary method of disposing of cabinets.

Two soldiers and three civilians were killed. While the slaughter was far from satisfactory for a coup d'etat in such a Republic, the principle of self-determination of a free people is felt to be sufficiently vindicated.

It is almost superfluous to say that Peru had an election for President last May with two candidates in the field. As usual, both candidates claimed to be elected. Neither could believe the people would refuse to avail themselves of an offer to serve them. They were nearly as sure of this as Henry Ford was in Michigan. President Pardo was maintaining the status quo while the contest was pending before the Peruvian Congress for hearing July 28. Senor Augusto Leguia, candidate of the independent party, claimed four-fifths of the votes were cast for him. A conspiracy was on foot to defeat, he said, the will of the people in the contested election. President Pardo was alleged to favor the seating of Senor Aspillaga, who was Senor Leguia's rival candidate in the May election. Senor Leguia knew what an unfriendly administration can do in an election contest and countered with two regiments of soldiers while it was yet time.

The provisional government of Senor Leguia is in possession of all public offices. He is a constructive statesman of liberal views. He is opposed to revolutions, and only resorted to force to vindicate free government. President Pardo had a rubber-stamp congress of executive echoes and had packed the election committee against him. President Pardo will be tried for violating the constitution and conspiring against the institutions of his country. A responsive chord will be touched among us when we learn the first thing President Liguia did was to establish a strict telegraph and cable censorship. It is believed among Peruvian diplomats such a graceful recognition of United States customs will secure prompt recognition of the palace revolutionaries. The Tinoco revolution in Costa Rica, however, was denied recognition by President Wilson, as he thinks such methods of settling a campaign fracas ought to be frowned on.

An embarrassing feature of Leguia's rude interference with the election contest was breaking off a Fourth of July celebration arranged by the American Legation at Lima. The reign of universal peace vouchsafed by the league of nations was to have been celebrated in speech and song with floats, international flags, and music. All invitations to sit on the platform were canceled and the American colony stayed off the plaza all day. The only familiar event was a speech by the revolutionary President Leguia from the balcony of the palace he captured before daylight that morning. He eloquently defended the league of nations, and declared the only way to have peace in Peru was to run his enemies out of the country or keep them in jail.

That is exactly what the league of nations says. The only mitigating circumstance to Americans in Peru is the country is not yet gone bone dry and they are philosophically availing themselves of this advantage denied home folks.

Even the way, sensational as it is, of settling election contests in Peru did not close the Fourth of July, the natal day of the greatest Republic on earth. Willard met Dempsey that day for the first time in the universal peace era. Willard has solved the question of permanent peace. He expects to return to Kansas as soon as he can stand the motion of the train. Utah scores heavily and the sunflower State must now depend on Vic Murdock to keep in the press reports. The wretched sarcasm of events never dealt so heavy a blow to idealism as the fistic affair on the Erie shore.

Here is what happened: In Toledo, Ohio, July 4, 1919, a prize fight occurred authorized by the law of that State. The law does not refer to it as a prize fight. It is just another case of self-deception. A boxing match sounds better, sparring contest better yet, and a physical contest of muscular development really makes one almost search Wilson's New Freedom for details. The cold daylight truth is, it was a brutal beast of a fight. The front page of the public press carried the headline limits. The league of nations was itself knocked out of first place by something it deprecates or denies. We read of left hooks, of terrific batterings, of punches in the stomach, of Willard knocked down five times hanging helplessly on the ropes, one eye swelled shut and the other on the way to rest, while his knees sagged and a far-away look was noted in what could be seen of his last receding eye, rocking on his heels with quivering body, the blood pouring from his mouth. Again, we

are regaled with a cut under Willard's eye, his face a battered mass, rapid-fire pile-driving swings which left him dazed and staggering about the ring and wabbling into the ropes where he collapsed in his chair with his left jaw dislocated and some of his teeth knocked out. He was covered with blood as he was carried out of the ring. It was indeed a day of triumph at Toledo, a more amazing moral boxing exhibition, punching the stomach, knocking out teeth, and otherwise committing mayhem, assault with intent to do great bodily injury, and other felonies too numerous to mention. The Roman contests of gladiators, Spanish bull fights, and game cocks vary only in degree. The bulls and chickens can not help it. Men make them fight. The captive gladiators killed each other and the survivor was set at liberty while we save him to beat up others until he takes the count. So the cycle of punching stomachs, breaking jaws, and knocking out teeth and eyes goes on in a free country, among a people who lead the world in peace.

I should like some time to have the account of the Dempsey-Willard fight printed at length in the CONGRESSIONAL RECORD opposite the address of the Senator from Rhode Island [Mr. COLT].

The advantage so far lies with the gladiators, the bulls, and the game cocks. The Toledo affair was a statutory fight draped with a euphonious name. A disgraceful, barbarous animal affair, it is to be explained only by remembering the country went dry three days before and the beast in us had to work out some way. What distresses me is to have all these uncivilized things happen just as the President comes home with the league of nations and universal peace. Just as we begin to pass under the influence of a psychological millennium men who lack vision in Peru and Ohio, to quote from the President's last message, shock us back into a world of cold unideal realities.

Mr. President, leaving this matter, which is merely as an introduction to reach actual affairs, I now take up the question of the Shantung territory covered by this treaty as it affects China and the rest of the world.

I read from volume 1 of Malloy's Treaties, page 212. We have manufactured many philanthropic documents in the last eight months. However, in 1858 we entered into a treaty with China. I read from article 1 of the treaty of peace, amity, and commerce of the year named:

> There shall be, as there have always been, peace and friendship between the United States of America and the Ta Tsing Empire and between their people, respectively. They shall not insult or oppress each other for any trifling cause so as to produce an estrangement between them, and if any other nation should act unjustly or oppressively the United States will exert their good offices, on being informed of the case, to bring about an amicable arrangement of the question, thus showing their friendly feeling.

This is an existing treaty, possessed of vitality and promise. Therefore it becomes our duty under article 1, when informed of the case, to bring about an amicable arrangement of the question, thus showing our friendly feeling. I believe it the duty of the Senate so to do. It is the duty of the Senate to discuss articles 156, 157, and 158 of the treaty in order if possible to mitigate the hardships that may fall upon a friendly power. Let us act in the spirit of this treaty, to the end that our friend may not have trusted us in vain.

China has given evidence of her confidence in us for many years. She has trusted our good faith; she has confided in our promises to her. She went into the war; she gave of her men, some 300,000 serving behind the lines. They are not trained. She is a nonmilitary nation. She gave of her men to render every nonmilitary service requested. She gave fully according to the requirements made by the Allies and their associated nations. She trusted us. The question is whether that trust has been well reposed and our good faith will be shown in this transaction.

I now read from page 1046 of the same volume, from what is ordinarily known as the Root-Takahira notes. The language of each is practically the same. It is an exchange of views between the United States of America and Japan. The notes declare:

> 1. It is the wish of the two Governments to encourage the free and peaceful development of their commerce on the Pacific Ocean.
> 3. They are accordingly firmly resolved reciprocally to respect the territorial possessions belonging to each other in said region.
> 4. They are also determined to preserve the common interest of all powers in China by supporting by all pacific means at their disposal the independence and integrity of China and the principles of equal opportunity for commerce and industry of all nations in that Empire.

This will be of some consequence in view of later developments.

I now read from Overlach on Foreign Financial Control in China, page 187. Referring to Japan's activities in 1914 and subsequent years when she entered the war and began active operations against Germany in China, this author says:

> When Japan took possession of the territory originally leased to Germany she did so as the representative of Great Britain and her European allies. At that time Count Okuma claimed that: "Every sense of loyalty and honor obliges Japan to cooperate with Great Britain to clear from these waters the enemies who in the past, the present, and the future menace her interests, her trade, her shipping, and her people's lives." And the Japanese foreign office addresses the United States as follows: "Aside from the history of the seizure of the place by Germany and her conduct dating back to and including her intervention, in conjunction with Russia and France after the Chino-Japanese war, it is absolutely necessary to eliminate such possession completely if Japan is to restore immediately complete peace in the Far East in accordance with the terms of the Anglo-Japanese alliance."

Again I read, from page 213 of the same author, from the message of President Wilson in 1913 at the time the American banking group were compelled by the moral suasion exercised to withdraw from the contemplated loan in China. This loan, it will be remembered, had been developed under the auspices of Mr. Calhoun, who was the minister to China representing this Government in that and prior years. He returned to this country successful in the negotiation of the loan. The American banks had made the necessary arrangements to advance the sums required. At that time, however, they approached, before finally parting with their funds, President Wilson to know whether the moral support and approval of the United States Government would be given to the enterprise. He denied it. He used the following language:

> The conditions of the loan seem to us to touch very nearly the administrative independence of China itself, and this administration does not feel that it ought, even by implication, to be a party to those conditions. The responsibility on its part which would be implied in requesting the bankers to undertake the loan might conceivably go the length in some unhappy contingence of forcible interference in the financial and even the political affairs of that great oriental State, just now awakening to a consciousness of its power and of its obligations to its people. The conditions include not only the pledging of particular taxes, some of them antiquated and burdensome, to secure the loan, but also the administration of these taxes by foreign agents. The responsibility on the part of our Government implied in the encouragement of a loan thus secured and administered is plain enough and is obnoxious to the principles upon which the Government of our people rests. * * * Our interests are those of the open door—a door of friendship and mutual advantage. This is the only door we care to enter.

What a tremendous change has come over the spirit of the President's dreams since!

Keeping this in mind, then, Mr. President, I now read from the treaty of Paris of June 28, 1919. I quote the article relating to the Shantung treaty from section 8, articles 156, 157, and 158:

SECTION VIII.

SHANTUNG.

ARTICLE 156.

> Germany renounces, in favor of Japan, all her rights, title, and privileges—particularly those concerning the territory of Kiaochow, railways, mines, and submarine cables—which she acquired in virtue of the treaty concluded by her with China on March 6, 1898, and of all other arrangements relative to the Province of Shantung.
>
> All German rights in the Tsingtau-Tsinan Railway, including its branch lines, together with its subsidiary property of all kinds, stations, shops, fixed and rolling stock, mines, plant and material for the exploitation of the mines, are and remain acquired by Japan, together with all rights and privileges attaching thereto.
>
> The German State submarine cables from Tsingtau to Shanghai and from Tsingtau to Chefoo, with all the rights, privileges, and properties attaching thereto, are similarly acquired by Japan, free and clear of all charges and encumbrances.

ARTICLE 157.

> The movable and immovable property owned by the German State in the territory of Kiaochow, as well as all the rights which Germany might claim in consequence of the works or improvements made or of the expenses incurred by her, directly or indirectly, in connection with this territory, are and remain acquired by Japan, free and clear of all charges and encumbrances.

ARTICLE 158.

> Germany shall hand over to Japan within three months from the coming into force of the present treaty the archives, registers, plans, title deeds, and documents of every kind, wherever they may be, relating to the administration, whether civil, military, financial, judicial, or other, of the territory of Kiaochow.
>
> Within the same period Germany shall give particulars to Japan of all treaties, arrangements, or agreements relating to the rights, title, or privileges referred to in the two preceding articles.

What is the limit, Mr. President, which these rights give to Japan in point of time? How long will she keep this territory, these port cities? Is this merely a temporary exercise of the rights and privileges gained under these three articles? So far as it appears from the treaty there is no time limit. The occupancy of that territory lasts so long as human government may remain upon earth. This morning the cablegrams report that a distinguished Japanese diplomatic authority in Paris says their occupany is temporary only; that the Japanese Government proposes to relinquish in a reasonable time all the rights acquired in Shantung under these three articles. If that is true, then no reason appears in the Senate why those articles in the treaty should be ratified. On the contrary, an express reservation or even a specific repudiation ought to be made in the Senate of those three articles relating to an ancient and friendly country.

Mr. KING. Will the Senator yield?

Mr. SHERMAN. Certainly.

Mr. KING. Does the Senator think that he is placing the proper interpretation upon the treaty when he asserts that the rights conferred by this treaty upon Japan will endure as long as human government lasts? The Senator will take into account the fact that Germany's rights were such as were derived from her treaty with China in 1898, and under that treaty her rights in the Shantung Peninsula were limited to 99 years. Twenty years of that period have elapsed. Her rights ipso facto would terminate at the expiration of the 99-year period. Obviously when she concedes or yields her rights under this treaty or any other instrument she could not dispose of more than that which she had. Therefore, under this treaty Japan's rights, conceding that she took all of Germany's rights, would be only those of Germany, and Germany's rights expiring at the expiration of practically 70 years from now, certainly Japan's rights would terminate at that time, assuming that in some other instrument she has not limited her rights under this treaty and assuming that she has not by some other arrangement agreed to terminate her rights sooner than the period to which I have referred. Does not the Senator think that his statement is entirely too broad in assuming that Japan's rights are in perpetuity?

Mr. SHERMAN. I had the 99-year limit in mind in the original leasehold, as it is called, made by the Chinese Government to Germany in 1898, following the war of 1897 and 1898, and intended to come to it in due time later on, but I will anticipate that by taking it up now. I do not think my statement is too broad.

For what Germany considered to be good cause she declared war against China. It was not, according to our standards, a cause to wage war. The missionaries were killed by a fanatical outburst in this Province. This Province is the most ancient of all Chinese civilization. Shantung is the home of Confucius and the home of many other Chinese teachers and patriots, running back through many hundreds of years, who have given the doctrine of pacificism to the Chinese people. The dust of Confucius is mingled some place with Mother Earth in the Province of Shantung. It is to the Chinaman holy ground. If there is anything in all that vast unknown Empire that appeals to the ancient memories and the ancient glories of their people, it is this Province. These two missionaries, two Roman Catholic priests, were killed by ignorant fanatics in this Province. The priests were subjects of the Kaiser. It was at most a matter for negotiation by diplomats or national agents to settle in some satisfactory way this breach of international rights. We have had literally hundreds of our citizens killed brutally in a bordering Republic without a solitary protest on the part of this administration, without war save an impotent expedition, in which we were finally told there that three directions of the compass we could not travel, and one, directly north, we could. We did not go to war, and have not gone to war yet. Great Britain has had her subjects slain in various quarters of the globe, and only exacts reparation and guaranties for future safety. She does not go to war at all times for such causes.

Germany, however, in 1898, following our unfortunate expedition in the Philippine Islands, had a portion of her naval force in the far Pacific. When these missionaries were murdered she immediately made it the pretext—I do not say made it the cause but the pretext—to clear for action in Chinese waters. She sent her battleships within gunshot of the port cities. She delivered an ultimatum to the Chinese authorities. She treated it as if armed intervention in German affairs was necessary in the Orient. She treated it as the act of a nation, this act of a few ignorant fanatics in an outburst of vicious religious prejudice.

When the immediate granting of their demands did not come, Germany proceeded to threaten the landing of forces and the desolation of Chinese Provinces. The Chinese Government yielded. The result of this surrender and settlement was the lease of 1898, to which the Senator from Utah [Mr. KING] has alluded. It was a lease for 99 years. It secured territorial rights, mining rights, concessions, and franchises for railways. Germany remained in possession until she was ejected by armed Japanese forces after the declaration of war in 1914. Japan, having some friendly relations with one of the Allies, Great Britain, under the Anglo-Japanese treaty, entered into an understanding finally by which she made war upon Germany and drove her out of her Chinese possessions. In 1915 and 1917 such an understanding was had that before Japan finally ceased her efforts she was guaranteed protection and safety in the future peace treaty for the Chinese possessions which she had taken from Germany. Twenty years or more had elapsed of that 99 years, leaving some 78 years under the unexpired lease.

Let me briefly trace the conduct of Japan since she has taken possession of those rights. Nothing indicates that her possession has a time limit upon it. She has seized the ports, the railways, the mines, and is exercising every concession that belonged to the lease directly or indirectly. She has even in addition to that gone beyond those rights, I believe, seizing other territory and property rights that do not properly belong to the lease.

Let me now refer to Japan's condition.

She is an island nation. She has a limited number of square miles. Her population now reaches near 55,000,000. For many years, up to within the last century, she had no territory on the mainland in Asia. Her possessions began with Korea, with her claims in Manchuria. They have extended, under various pretenses, over both of those countries, although originally the promise was for temporary occupation. Every treaty which has been made public to which Japan's signature, by her accredited representatives, is attached, guarantees the territorial integrity of China. Every treaty, either made at the end of war or in diplomatic negotiations, under which Japan has entered on the Continent of Asia provides for a limited time for the occupation of the territory seized. Japan will not vacate Korea. She will not vacate Manchuria. Japan will not vacate Formosa. Japan will not vacate a square foot of soil on the mainland of Asia over which she has military power or her jurisdiction has extended unless she be driven off by force of arms.

It is her history, it is her diplomatic conduct, for 40 years at least, that when she has entered upon territory on the Continent of Asia, obtained possession of it, and planted her posts and military forces on that soil she remains there and flatly refuses to recede or to surrender. Because of that, because she seized the leasehold of Russia at Port Arthur, following on her difficulty, ending in 1905, with the Russian Government, because she has steadily gathered territorial rights by negotiation, by conquest, by every means known to her, and refused steadfastly to let go of a square mile of province she has gained on the mainland, I have come to the conclusion that when she obtains possession under a 79-year unexpired lease she will allow this part of the treaty to go the way of her other treaties. Why does not Japan restore to China her rightful possessions now? China was robbed by Germany in 1898. Why rob her again, and this time in the house of her supposed friends? Why do not Great Britain and the United States keep Alsace-Lorraine? It would be as just.

But it is very easy in this Chamber to end the argument. Let us, by a reservation, limit the rights of Japan to 79 years, and call upon her to stipulate that at the end of that time she will surrender possession. Even this is confirming the wrong of Germany. If justice is not stillborn in the league of nations, return it to China. Why not have put it in the treaty, in articles 156, 157, and 158? It would have been easily done; but, like the Monroe doctrine reservation, it remains for the Senate to make the objection and require the stipulation to be inserted in the document itself. That is the reason why I think the Senate ought to take action.

Every improvement, every move made by Japan in Shantung, indicates permanent occupation. All of the improvements made in the harbor, every public building, every dry dock, every pier, every military hospital, every barrack that has been erected indicates a permanent occupation, because they are of a permanent character. There are no temporary improvements. They all indicate a settled purpose on the part of Japan to remain where she now is.

Again, a mere leasehold right gives no right to Japan to exercise sovereignty, to land armies, to garrison forts, to build up the great port cities, and to fortify the harbors. These are rights of sovereignty, and these are rights that Japan is now exercising over a leasehold right she has acquired.

Again, it seems to me that we ought not to ratify by our conduct here a leasehold right extorted from China by force of arms. No country gives up spheres of influence within its territorial limits voluntarily. They only surrender by force. China parted with Shantung to Germany because Germany's guns threatened the desolation of her Provinces. Anything extorted by force, when the robber no longer can hold possession, calls upon every civilized government exercising good faith to restore the extorted, robbed property to the victim. Instead of joining here to perpetuate the remaining 79 years in Japan, we ought to join here to restore this property, stolen at the muzzle of German guns, to the nation despoiled, and a friendly power to us for many years.

Let me suggest, we know the condition in which this property and territory is. We know how it was acquired from the country that originally owned it in 1897, parting with it in 1898. If we permit another power to seize this property with this knowledge on our part, we become accomplices, even for

the 79-year unexpired term of the lease. If we permit this, we have guilty knowledge; and we help, by ratifying the treaty with these articles in it, to pass this property from China, the original owner of this territory and sovereign over this domain. We help by our votes to pass stolen property into the hands of an alien power.

There is an old maxim about criminal courts that the accomplice who aids to pass stolen property through the hands of either the original criminal or others, knowing it to be stolen, becomes an accomplice; and the receiver of stolen goods, knowing them to be stolen, is equally guilty with the original criminal. That maxim applies here, and I think it well to invoke it at this time, to see that justice may be done.

Let us consider how the methods of framing the treaty and the motives of men have been influnced. Is it any better than the negotiations of old? Can we examine the motives of men at the Paris peace conference and find that they are any more exalted than those of former years? What has Great Britain received? Colonies in Africa. She has received the spoils of successful war, and, further, she has received article 10 in the league of nations, which guarantees that we, with our military and naval force, will undertake to protect and preserve, as against external aggression, the territorial integrity of all the member nations of the league, including England. That is worth something.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. FRELINGHUYSEN in the chair). Does the Senator from Illinois yield to the Senator from Utah?

Mr. SHERMAN. Certainly.

Mr. KING. Does the Senator complain of the acquisition of territory in Africa by British colonies in South Africa? Does the Senator think that the United States ought to have taken possession of any of the German colonies there? And if not, who is better prepared to assume the control and administration of German colonies in South Africa than the English Crown possessions in South Africa?

Let me say, before the Senator answers that question, that he will recall that Great Britain, before the treaty was entered into, earnestly urged that the United States become a mandatory for the German colonies in South Africa. There was a very strong feeling among our people that we ought not to become a mandatory of any of the territory which the Senator denominates the spoils of war. I am not so sure that that sentiment was not well-nigh universal, and I am inclined to think that it was well founded. But some disposition had to be made of the colonies of Germany. Obviously, Germany ought not to have received back those African possessions. She had murdered the inhabitants, the aborigines, of those African colonies. She had reduced the number from several thousand, and in one or two instances several hundred thousand, to a minimum. She had subjected them to slavery intolerable, and to atrocities and brutalities that no one can defend. Clearly those colonies ought not to have been restored to her. Somebody had to take possession of them. I think Great Britain acted magnanimously. She desired some other nation to become a mandatory, but no nation desired to become a mandatory; at least, our Nation did not; and it seems to me the Senator ought not to complain because in South Africa some of the German colonies have passed now to the Crown of Great Britain or to one of her colonial dependencies.

Does the Senator suggest any different policy, any different method of dealing with the South African German colonies, than that which was pursued by the peace conference?

Mr. SHERMAN. Mr. President, I fear the Senator has not wholly appreciated my comments. I am not in a censorious mood because Great Britain has received the German East African colonies. It is a happy riddance for us. I am opposed to any mandatory in any of the great continents on the other side of the world or across the Atlantic Ocean. However, Great Britain is an adept at always appearing to be a philanthropist. She is now appearing to be a philanthropist in taking these colonies whose population had been abused, as the Senator from Utah says. I think some very gross abuses had been practiced, but we could not administer their affairs. Great Britain knew that we would decline, and would suggest and very readily agree to her administering the affairs of these colonies, so she took them with a spirit of great self-denial and sacrifice. Now, notwithstanding that the greater part of us in this Chamber are of English blood or origin, directly or indirectly, and that our language and laws and literature are very kindred, that ought not to blind us to matters that are of some consequence to us.

Great Britain undertook to administer the affairs of the German colonies in East Africa. I am not complaining about her doing so; I am glad she did; but I need do no more than remind the Senator from Utah that Great Britain has had a protectorate in Egypt for many years. Twenty-five or thirty or more years ago the man known in the Far East as Chinese Gordon went up the Nile to Khartoum. At that time England was just beginning to exercise her protectorate rights in Egypt successfully. After Gordon reached Khartoum his force was surrounded and cut to pieces because of a lack of sufficient support. Kitchener came in a few years, drove out the Arabs that destroyed the British forces, established an orderly government, took possession and administered affairs, and left a civil officer in control. Great Britain has had her Cape colonies for years. If Great Britain's history is followed, it will be found that whenever gold and diamonds are discovered in any country in the world she is always ready to be the philanthropist and administer affairs for that country. She often finds it proper to maintain the blessings of English civilization in such lands. She has been a philanthropic enterprise in Cape Town from the time the white man found that gold existed there in profitable quantities.

From the time the Kimberley diamond mines were discovered, when Cecil Rhodes dreamed his great dream of empire, she has sent her soldiers and her men into South Africa to establish her paramount rights where vast treasures are dug from the bowels of the earth. Of course, it has been concealed and draped with a euphonious philanthropy. It is to see that the blessings of Christianity reach the benighted heathen, to see that the Hottentot should no longer live in his primeval hut, and, incidentally, that the resources of the country, including the precious stones and the metal I have suggested, might be developed for the benefit of mankind.

Here were the two extremes, Mr. President. I am not complaining about it, but I am stating that profit and philanthropy frequently go hand in hand with England; and it is so in the league of nations. Beginning up near the waters of Aboukir, where Nelson destroyed the French fleet in the time of Napoleon, following the Nile, with all her explorations in the days of Livingstone and Stanley, she pushed into the far interior. She built a railway from the mouth of the Nile to Khartoum. It was first a military road, built by Kitchener in that noted expedition. They went far into the interior. They passed the Equator. They carried English settlements and English commerce on the way. From below, from the Cape Town country, they were pushing north. They were building railroads. Between those two colonies in the extreme north and south of the Dark Continent there lay the German Provinces, not of any great value in a commercial sense, but from the strategic standpoint, from their military significance, they meant a world to the Empire of England in Africa. The German colonies thrust their wedge between. The very railroads that came to the German Provinces were not allowed to connect their irons with the railroads outside, so that neither freight nor passenger cars could travel or be transferred or switched from a British railroad to the railroads within the German territory.

That was for military purposes. It is true the Germans treated the natives brutally. They are not the only Europeans who have that history. In the days of King Leopold the Kongo horrors shame and pale into insignificance even the cruelties of the Germans in Belgium. Still we said nothing. The philanthropic instincts of England were not aroused, because they did not concern her territory.

The war came and we had the peace treaty written at Paris. Bear in mind, I am not complaining; I am stating the facts in their orderly development. When it was suggested that Germany should lose her chief African provinces Great Britain said nothing. France talked; the representatives of the United States talked; Italy talked; Belgium talked; but Great Britain said nothing. After a convenient interval of discussion one day the representative of the Australian Government was suddenly heard on the question, and he objected to Germany keeping her far Pacific islands or her colonies in East Africa. He claimed it was a menace to the Australian Government. New Zealand in like manner so insisted. Therefore Great Britain after a while presented herself as willing for the sacrifice.

Not since the day when Great Britain entered upon the Egyptian protectorate has there been anything so convenient and opportune to further her purposes of African empire as the seizing of these colonies. Her dream of the Cape-to-Cairo railroad can now be realized. With the exception of the gap between the rails in the German territory, practically those roads are now built. They are ready for operation with the resumption of peace. This removes the last obstacle, and Great Britain can now run her railway trains from Cape Town to Cairo unobstructed, unmolested by any foreign enemy.

So I say I do not complain; that we ought not to administer these colonies as a trustee for their affairs; and that England has taken them because she is best qualified to do so. She is a great administrator of colonial dependencies; she has had the experience of 150 years, and we have had none, practically; it is contrary to the form and the genius of our Government, anyhow. We willingly saw England take them. I make no criticism, but I state the fact that it was extremely opportune and convenient to England's purposes for her to become the mandatory of the German provinces.

I think when Great Britain gets the colonies of East Africa formerly governed by Germany, and gets article 10 by which we undertake to preserve the territorial integrity around the world, she is obtaining a substantial share of the practical worldly loaves and fishes in this treaty.

Again, France is a party to this treaty. She receives Alsace and Lorraine. It is proper for her to take them. They were taken from her in 1870 or 1871. Germany can not complain, because, in the main, their population was French; they spoke the French language; they were of the French blood; they were Germanized by law; they were compelled to speak German in the schools, to speak it in public and on the streets; the records and the laws were written in the German language; and everything that was of French origin was put under the ban. But, nevertheless, Alsace and Lorraine remained French and are French to this day. So France gets substantial recognition in the righting of an ancient wrong. Japan receives her share of the world's loaves and fishes alluded to—Shantung.

If that high sense of justice prevailed in making this treaty which the President would have us believe in his last address delivered in this Chamber and by many texts in former years, Shantung ought to have been handed back to China. It was taken from her by military force; it was the fruit of a shameless robbery; and we, instead of returning it to the victim, return it to an alien power with a 79-year unexpired term of the lease, with no guaranty on their part, pledges, or security of any kind that they will surrender it even at the expiration of that time. We have back of that the uniform history of this same nation since she became a dominant power in the East, on the mainland of Asia, that when she has planted her power upon Asiatic soil she has never yet removed it, and her policy uniformly indicates that she will not do so in this case.

So Japan has Shantung to console her for an inconsiderable sacrifice. How many men lie in their graves as a result of Japan's entry into the war? How many dollars, gold or yen, are spent as a result? How many of her ships are sunk by submarines—unless they were merchant vessels on some mission of trade in other quarters of the world? Few. Practically all her soldiers that lie in their graves to-day were killed in taking Shantung from the Germans.

What does South Africa get? They get Jan Christiaan Smuts and his draft of a peace league. That satisfies their ambition as well as their provincial or national vanity. With four drafts of a peace league, one by this country and three by others, ours was set aside and the one written by the South African statesman of Cape Town was taken as the draft of the league of nations. That ought to satisfy them. The garlands of immortality about his brow is something to gratify.

What has the United States got? Articles 10, 11, 14, 15, 16, 17, and 19 of the league of nations. Those articles, with the Shantung articles in the peace treaty, Mr. President, prepare a powder magazine in Asia for future explosion. When the eruption comes we will ride high among the predestined victims of this fateful document. The United States practically went into the war claiming little, and we have nothing but air castles as our share of it. Verily the league of nations, as far as it is interwoven with or affected by the peace treaty, is a thing of shreds and patches.

Just as the Senator from Idaho [Mr. BORAH] said a day or two ago, unless checked, China is on the verge of dismemberment. With her more than 300,000,000 people, with 2,000,000 square miles of territory, with vast mines of iron and other minerals, she is on the verge of division and partition among the powers; and articles 156, 157, and 158 are the entering wedges of that oriental dissolution. Poland is restored in Europe the same year China is partitioned in Asia. What a glorious result for us!

Here are the spheres of influence, as given by an Englishman. Great Britain has 28 per cent of the spheres of influence; Russia—and this was before her dissolution of government and present troubles—42 per cent; France, 3 per cent; Germany, 2 per cent; Japan, 5 per cent.

It is said here by the same authority:

> These spheres have been gerrymandered by the war, but the table brings out the secret of Japan's efforts in China—the fear of being excluded from the Continent of Asia. Japan's stern and positive policy toward China has for its aims the protection of Japanese life and property and the safeguarding of Japanese interests.

It is almost unnecessary to have added that; we know it.

Therefore, Mr. President, when we take all these matters together, if we ratify this treaty we set the seal upon the first great division of Chinese territory; we become responsible—directly responsible, not merely morally responsible—by setting our ratification upon this division. History rang for 150 years with the partition of Poland. Let not the future sound with our denunciation as an unholy partner in dividing and destroying China as the first concrete result of the league of nations.

China appeals powerfully to the sympathy and support of the American people. The treaty pending in the Senate is another step in the dismemberment of an ancient empire. This step can be checked either by the United States expressing its emphatic disapproval of articles 156, 157, and 158 or by an awakening of China from her dream of pacifism. China is traveling to the goal to which all nations who will not develop enough military strength for self-defense ultimately go. A vast population for many years has sought safety by peace and by keeping within her own borders. She has disturbed the territory of no other country. She has sought no conquest and been content with her own possessions through the centuries.

Lacking the power to resist aggression, she has been a victim of repeated spoliation. Great Britain has held 410 square miles in Hongkong and vicinity as the English area of influence since 1842, and leases at Weihaiwei 288 square miles since 1898. Great Britain further wields a tremendous influence over the Yangtse Valley and Tibet. China in 1895, at the close of the war with Japan, ceded the island of Formosa, of 13,995 square miles, to Japan. Port Arthur and vicinity was taken by Russia on a leasehold, later comprising 1,362 square miles. Kiaochow leasehold, taken from Germany, together with all the rights appurtenant to it, is the last acquisition of Japan. France has Indo-China-Tonkin territory of 46,000 square miles. Germany's interest is transferred to Japan, and for the present the former disappeared from the Chinese question. Russia transferred her Port Arthur rights to Japan and at present is not a factor in this treaty relating to Shantung. Why China should be exploited, her territory absorbed in the guise of leaseholds, her port cities dominated by alien powers, her mining and railway rights seized by Japan, does not appear, except under the rule of covetous desire coupled with military force. It is a most inauspicious beginning of the substitution of right for might, which is announced to be the basis of the league of nations.

The Senator from Rhode Island [Mr. COLT] in his compact and luminous address, fairly summing up what can be said for it, stated that the substance of the league of nations was the substitution of justice for force. If that be so, upon that solemn principle, upon that obligation of our official oaths, let us practically apply the principle in the Shantung Province. If there be justice in this, then indeed has reason fled from the minds of men and we are ruled again, as in the days of old, by might. Governed by justice and not by force! If we could photograph the minds of the men in this conference as they voted on the numerous bargains and concessions and log-rollings made to finally arrive at some conclusion, there is as little excuse for some of the conduct as anything that ever emanated from the Congress of Vienna.

It has been admitted on the floor of the Senate Chamber that Shantung was given to Japan to pacify her and keep her in the league of nations and procure her consent to the treaty and to the league of peace. That practically is the argument. The Senator from Mississippi [Mr. WILLIAMS] stated that some concessions had to be made. That is true; but they ought to be concessions that do not involve international grand larceny of territorial possession. No compromise can be made upon things that are eternal in their injustice. Justice is not a matter of barter and compromise. Compromise can be made upon matters that are not vital to continued sovereignty and independence of a powerful country, of our ancient friends, of a nation that we asked to join this league, with her three hundred millions of people; and she only drew her mantle about her, in the dignity of her insulted pride, and refuses to attach her signature either to the treaty or to the league. I honor China's name for it. A great race of pacifists, following the principles of their philosophers and teachers of the early days, they have consistently lived, except for internal revolutions of their own, at peace with the world.

Indeed, why did Great Britain sign it? It is said that Great Britain thought but little of the league of nations. Why did

she sign it? Because of article 10, another concession, that this powerful Republic, with her great established credit in the markets of the world, with her great military force, with her potential resources in the soil to feed and victual great armies, might, under article 10, guarantee her territorial possessions every place in the globe with our blood and our treasure. That is why she signed it. That is another concession that I commend to the Senator from Mississippi [Mr. WILLIAMS] as a matter of compromise, compromising away the life and treasure of our own country. How many hundreds of thousands of our men, how many hundreds of thousands of the boys yet in their cradle, helpless infants, are bargained into hopeless military servitude under a foreign sun in battle under article 10, to defend Great Britain's territory, with her mines of diamonds, of gold, her territorial possessions, and her wide-flung commerce around the globe? We pay the price. That is another concession if we ratify the league, and that I commend not only to the Senator from Mississippi but to the people of all our country. God grant it may not return to desolate our homes and burden our taxable resources in the years to come.

France so far has received no bribe; Belgium no bribe. They fought for self-preservation. Will we receive any share of this indemnity from Germany? Not a pound sterling. It will be divided among some of those countries, properly between Belgium and France, to rehabilitate, to rebuild their devastated provinces; properly to Great Britain. I do not complain. Let them have it. But we receive neither territory nor treasure for the taxes we have paid and for the lives we have sacrificed. Not an American grave under European sky speaks of sordid gain to us. They fought for our country, not to plunge future generations into the world's wars everywhere. We did it in self-defense. I am not willing to go any further than that now. If again the same conditions arise threatening our peace and safety, I am willing to vote to declare war, to levy armies, to raise navies necessary to defend ourselves; but we can not and ought not go beyond the law of self-defense. It is the law of human selfishness, but we have not reached that idealistic age yet where we can do more in binding ourselves in international alliances than to make that the basis of our Union.

The reasons assigned for exploiting China and Shantung are far from convincing. It is urged that China, with 2,000,000 square miles of territory, not including Thibet and Mongolia, has 90 per cent illiterate of over 300,000,000 inhabitants. If all who are illiterate shall be reduced to servitude, it will be somewhat uncomfortable for some Americans. A great many Central Americans and much of South America will be in sore distress.

Japan is paralleled with this great people, with only 169,381 square miles of territory and 55,000,000 population, only 10 per cent of which are illiterate. It is said there are many obstacles to stable government in China. Different provinces widely separated, little railway communication, and poor highways or none, it is charged the Chinese lack public spirit; that the different communities build up trade barriers against each other, promoting racial conflict among the Chinese themselves. This in turn, it is alleged, leads to international embarrassments and makes it impossible to maintain trade relations. China is called a vast political desert. The oases are the foreign concessions or spheres of influence of Great Britain, France, and Japan. Without such spheres, it is alleged, no communication could be had with the Chinese. I read the philanthropic assertion that "Japan's stern and positive policy toward China has for its aims the protection of Japanese lives and property and the safeguarding of Japan interests."

Japan is obliged, it is urged, to pursue that course to prevent being crowded off the Asiatic mainland. Her absorption of Korea, her occupation of Manchuria, is indispensable to the growth of Japan. It is argued that if a strong nation like Japan or Great Britain does not observe with a vigilant eye Chinese affairs, powers hostile to these Governments will obtain a foothold in China. They therefore combine police and commercial rights, which with Japan ripen into sovereignty. It is said China is too indifferent or pacifistic to exclude such hostile powers as Germany or is unable in war to drive them from her borders. This, therefore, it is presumed, justifies Japan and other nations of similar conscience which are found members of the league of nations to supervise Chinese affairs. It is evident self-interest is the basis of such conduct.

I read the complacent assurance that Japan has a strong central government; that 16 cabinet changes have occurred in 30 years showing that frequent rotation in office guarantees popular rights. If that is a qualification, in 30 years we have had 80 changes in Cabinet officers. So we still have the best of them in that showing.

It is admitted the military power at times act independently of civil government. It might further be admitted that certain extracts from the constitution of Japan do not smack of the self-determination of free people. Article I declares "The Empire of Japan shall be reigned over and governed by a line of emperors unbroken for ages eternal." There is no third term about that. It lasts forever, providing the government lasts that long.

Again quoting from the constitution:

The Emperor is sacred and inviolable. He is the head of the Empire combining in himself the rights of sovereignty.

He is so like Woodrow Wilson. Small wonder there was a community of interests when he met at Paris the representatives of the Japanese Emperor. They were two of a kind.

A fellow feeling makes one wondrous kind.

It is material to notice under the Japanese Constitution the Emperor has the supreme command of the army and navy, declares war, makes peace, and concludes treaties. The Kaiser could do no more in the days he menaced Europe and the world. It is uncomfortably so a similar power. The legislative branch of the Japanese Government is a house of peers and of representatives. The peers are composed of the members of the imperial family, of the orders of nobility, and of those persons who have been nominated thereto by the Emperor, whose reign of himself and his descendants is eternal. That is a good, sound temporal power. That government possesses all the autocracy, the absolutism, and the concentration of the powers of peace and war in a single head that characterized Prussia from the days of Frederick the Great. What such a system developed in Europe among Caucasians it will develop in Asia among Orientals. It is as plain as the noonday sun that the government is autocratic, and that it will add Chinese province upon province, concession upon concession, until an Asiatic Kaiser, armed with all the modern implements of scientific destructive war, will dominate the affairs of Asia and the Pacific Ocean.

There is in the making another Atilla to come from the confines of Asia again to menace all the civilized world, as in the days of Rome, and all western Europe when destruction was threatened at the hands of that ancient barbarian. Such a concentrated power is never at rest. In time it is as certain to raise up a potential world conqueror as that Macedonia produced Alexander or the French Revolution Napoleon or that the Prussian system produced the Kaiser.

China must either develop military strength or yield her sovereignty in the struggle. There is a community of interests, a fraternal bond, between the Chinese and the United States in this fight. The United States has either been overreached by more capable diplomats or the indifference of those recreant to their duty. China was the first to respond from the neutral nations to the call of our President against Germany. She trusted our professions, our ideals of free government, our opposition to wars for territorial conquest, and to the new freedom promulgated by the author on the part of our country of this treaty. The old maxim that those who trust most suffer most is illustrated once more. China, trusting the United States, the Allies, and associated nations at the peace table, finds herself facing another step in the dismemberment of her country. She finds, too, that the United States joins with those who plunder her territory and rob her of her people. This is done when we are preaching to the world confidence in each other and universal peace based upon justice to all, the strong and the weak alike. If this does not rouse China and develop a military spirit, she is doomed unless the United States comes to the rescue. The open door of John Hay, the friendly relations subsisting for many years, the development of China's resources, through the extension of American credits, are all at an end. There is no open door in Shantung. There will be no extension of credit there save as it profits Japan. The excuses made by Japan and her apology aggravate the original injury. They are the reasons that in every age arbitrary power has advanced to despoil and oppress its helpless victims. Like every outrage, the more it is attempted to be justified the more flagrant and inexcusable the aggression becomes.

The mere fact that Japan claims she is the only power sufficiently near to defend China from the covetous hands of other nations lends special significance to this treaty. Under the plea of protection to China she is riveting Japanese control upon that country in perpetuity. The very argument of necessity is Germany's argument in Belgium and France. Her excuse that there is no other direction in which she can expand makes it impossible to believe Japan ever intends to abandon Shantung or release the seizure of the interests enumerated. The more Japan necessities are exhibited the more evident it becomes that those necessities are the supreme law to Japan and not the justice published in the league of nations.

I commend this underlying principle of action in Japan to all those, not only the Senators to-day but those hereafter, who

shall so sturdily advance the triumph of justice over the rule of force.

If Japan's great commercial interests are urged, it but strengthens the presumption that Japan will remain where she may have the advantage as against other nations. If it be insisted that Japan is the only independent powerful Government within several thousand miles of Peking, it must be remembered that mere proximity is not now measured by miles, but by swift steamships and wire and wireless communications. Civilization, trade, and friendly relations no longer depend upon mere contiguity. It is difficult to resist the conclusion that Japan is preparing to seize Shantung for permanent occupation. Her history in past affairs justifies this belief. Her practices in relation to other treaties convince the observant that it will be repeated here.

In 1897 Germany, professing to be exasperated by the murder of two exiled German missionaries by ignorant fanatics in Shantung, sent German warships to the bay, bombarded the ports, landed troops, and occupied the territory. In settlement she compelled the Chinese Government to sign a 99-year lease, with concessions for railway building and mining. A mere lease of property by one government to another does not divest the lessor government of sovereignty over the territory so leased. Japan entered the war for the express purpose of driving the Germans out of the leased territory. The expulsion of Germany gave Japan no sovereign rights there which she has since assumed. She not only advanced her army over the leased territory but over neutral Chinese territory as well. Of course, it was necessary; it was another military necessity. We heard much of that in Belgium. It was an outrage unspeakable, and followed by equally unspeakable cruelty in Belgium. It was an outrage in Shantung outside of the leased territory. The harshness of Japanese occupation, the cruelties inflicted on the helpless inhabitants, the seizure of property, and the resulting looting irresistibly turn one's thoughts to the German conduct in Belgium. We denounce one in unmeasured terms. We are asked to approve the other and declare it justified in a holy cause. In order further to sanctify this benevolent absorption Japan took the precaution to obtain a secret covenant with Great Britain and France in February, 1917, that they would support Japan's claims at the peace conference. Great Britain and France knew this clandestine arrangement when China declared war against Germany and joined her forces with the Allies. China was in blissful ignorance of this secret compact. The partition of Poland had something to recommend it. It was done openly and defended by the hardy freebooters, who divided the spoils. The perfidy of China's betrayal needs no comment. It so taints and poisons the altruism with which the league of nations was heralded to the world as to stamp it as the superlative treachery in the history of the world.

Japan intends, we are told, in a limited time to withdraw from Shantung and return the country to the Chinese. Japan has planted herself on the continent of Asia in every instance under a promise to occupy for a limited time. In not a single case, whether by treaty, by lease, by promise, or otherwise, has she withdrawn from occupied territory, nor did she intend to when she entered it, nor will she ever do so if left to her own devices. There is no temporary occupation in the character of the improvements made by Japan. From the time that Germany capitulated, November 7, 1914, Japan has had possession over four and a half years. Their building program for factories, business houses, piers, docks, customhouses, naval yards, and all important public property indicates a permanent occupation. Why should military barracks be built, a permanent military hospital constructed, great harbor improvements, and the like be made merely for claim of temporary occupancy? Japan intends to stay where she has placed herself. We are asked to justify those claims. The 21 demands made on China in May, 1915, and acceded to under threat of war from Japan, have never been disavowed. The three sets of notes of 1915 between China and Japan are significant. In substance they give Shantung to Japan. The claims made can not be reconciled with any other intention. Let Japan's declaration, August 24, 1914, through Count Okuma be considered. He said:

> As Premier of Japan I have stated and now again state to the people of America and to the world that Japan has no ulterior motive, no desire to secure more territory, no desire of depriving China or other people of anything which they now possess. My Government and my people have given their word and pledge, which will be as honorably kept as Japan always keeps her promises.

In May, 1915, he said:

> There is not the least obligation on the Imperial Japanese Government's part to return the place [Shantung] to China.

There is an irreconcilable difference between Japan's promise out of possession of Shantung and her performance in possession.

Everywhere in this country the league of nations is referred to as the basis of permanent peace. There is no peace in injustice. Japan will brook no equal rights in China with any other power. Like Germany, her sphere must be universal and exclusive. She will have not only preferential rights outside of Shantung, but exclusive right in this gateway to the Pacific. The United States will find the open door closed in her face. The great strategic and economic advantages will pass to Japan. Not even peace in China will result. Resentment must inevitably be bred against Japan. Civil commotion and revolution will be the natural result. Instead of preventing future wars, this article of the treaty will inevitably involve the world in a future war at no distant time.

If the party now being developed in China shall gain strength, if a militaristic party shall once seize the reins of power over her 300,000,000 of people, the Chinese can fight as well as other Orientals. If once that mighty power be awakened and the drillmaster of the Caucasian penetrates into the interior of China armed with governmental power, there will awake the strength of the sleeping giant, and she will rid herself of Japan, and she may continue her march to the west when once aroused. It is her only salvation, unless the powers of Christendom shall intervene.

The United States exercises sovereignty in the Philippines. Japan's expansion is seaward as well as landward. Her ambition covers the Pacific Ocean as well as the Asiatic mainland. With Germany in perpetual intrigue, it is no far inference that a practical partition resulting from a union of those two powers in Europe and Asia is no impossible event. So such a coalition is the standing menace of the world's peace. The future of Russia in such a coalition is conjectural. The joinder of Germany and Japan is extremely probable, because it follows the lines of self-interest. World league or no world league, nations will cleave to each other following the law of self-interest. The union of Germany, with her military knowledge, with her scientific power to utilize the forces of nature, with the Prussian of the Orient, will sweep away the cobwebs of a mere documentary league as if it had not been.

The United States asks nothing and expected nothing from this war. She is the only one of the principal nations outside of Belgium that has not asked and some have received the spoils of victory. The Allies have met great losses and incurred heavy expenditures. England has received territorial conquest; France has had restored to her Alsace-Lorraine; Japan succeeds to the rights of Germany in Shantung. Some of these three great powers will divide a large indemnity from defeated Germany. The United States takes nothing save the consciousness of a just cause and the vindication of our country's right. I am not in sympathy with the lofty pretensions that we entered the war to defend the rights of free peoples throughout the world. Neither do I believe our controlling purpose was to defend the weaker nation. The propelling motive was to defend ourselves. Whatever may be said the President himself prior to our entry into the war made it plain enough. In his message of April 2, 1917, he said:

> We enter this war only where we are clearly forced into it because there are no other means of defending our rights.

July 14, 1917, he declared:

> It is plain enough how we were forced into the war. The extraordinary insults and aggressions of the Imperial German Government left us no self-respecting choice but to take up arms in defense of our rights as a free people and of our honor as a sovereign government.

In his message of December 4, 1917, after we had been eight months at war, he demanded that the war shall not end with annexation, contribution, nor punitive indemnity. The foregoing does not square with the message of July 10, 1919, in which he declared that—

> We entered the war only as a champion of right, which we were glad to share with free men and lovers of justice everywhere.

Neither does it harmonize with the annexation of Chinese territory ratified by this treaty nor the immense gain accruing to Japan of an economic character.

A vote in this Senate is the only barrier in the way of international injustice. The economic barriers to be built up against us in Asia by the advantage given Japan put a new meaning on the repudiation of the third principle of the 14 points. The mention of these forgotten articles serve little more now than to point the moral and adorn the tale of the utter futility of attempting to forecast the future. We emerge from our great adventure with nothing but the loss of life, a great public debt, and a request from the President to set our seal upon this crowning disgrace for us and humiliation of a friendly nation to strengthen a jealous power that more than once has given evidence of profound dissimulation.

Against such an injustice the league of nations can not prevail to procure lasting peace. The expressions of English papers are unequivocal. The London Observer of July 5, 1919, "demands a peace in which there is some consideration for the better natures of all the people, in which there is hope for world democracy, and in which there is less hatred, less provision for war, less cause for war." It quotes with approval a statement that:

So in article after article they have bequeathed to the world not an unprecedented increase in the common stock of good will but new legacies of division, ascendancies, subjections, dismemberment, new motives for hatred and revenge.

Never were such imaginable quantity of words employed with a view to signing, sealing, and delivering engagements which sooner or later will prove utterly untenable in their substance.

I again recur to the 4th day of July—a memorable day in our own country and memorable elsewhere.

July 4, 1919, Lloyd-George addressed the Commons. His preliminary statements of the league of nations were received with loud laughter. It drew from him this paragraph:

I beg no one in Great Britain to sneer at the league of nations. I look on it as a great and hopeful experiment. I beg that this country may give it a fair and honest trial. Let us try. It will not stop all troubles. It may stop some.

That is just about all that Lloyd-George, on his conscience, could say. The news dispatches and the cablegrams in which this was wired over said that the members sat about on the benches with skeptical looks upon their faces; that their visages expressed great humor at the idea of the league of nations accomplishing anything in the settlement of European troubles. The very look on their faces carried with it their skepticism, and aroused even that supposedly nonexistent quality of humor in the English nation. It even made visible that, and it is supposed that it takes a cold chisel to get it through some of the time. I must confess that if that is the best Lloyd-George can do at the end of the war before the British House of Commons, there is no great abiding faith in his heart in the value of this document. If this is all that can be said for it, what can be thought of its use against such an injustice as the Shantung article to this treaty? Does it not require an optimist exceeding the bounds of human probability to predict peace on such a basis?

Japan assumes sovereign rights over Chinese territory. Mere refinement of language or specious interpretation will not remove this impending truth. Japan will not surrender the advantage so gained unless she denies all of her history and practices since she has been known or her affairs opened up to Caucasian governments. Every step taken from her entry on continental Asia years ago to the present points unerringly to her permanent occupation of Shantung. Secret treaties may be disregarded in the league of nations, but they will never be released or forgotten in oriental diplomacy. Alleged rights under them will be urged again in spite of the league of nations. Japan will become the saber rattler of the world. How much terror she will inspire depends upon the self-possession and degree of military and naval preparation of those whom she wishes to affect.

Whether Shantung becomes under article 10 a part of the territorial boundaries of Japan depends on the interpretation of the council of the league. The community of interests in preserving the existing status in Asia will tend to lead Great Britain and Japan to interpret this article alike. If China should appeal to arms to restore her lost Province, we likely will find ourselves in the disagreeable rôle of making war with Japan to vindicate her right to keep it. Our undertaking to preserve as against external aggression the territorial integrity of Japan will have an unpleasant ending. Article 10 and the portion of the treaty relating to Shantung are twin brothers of a common iniquity. They speak the language of a joint outrage and bear all the evidence of deliberate prearranged conspiracy.

Great Britain bore a large part in the war. She is a diplomatist who has ever cared for her own imperial interests. Nations, like individuals, are often selfish. We have not forgotten that in 1861 the abolition of slavery appealed to the moral sentiment of civilized mankind. Those who administered the affairs of that Empire forgot the justice of human liberty in the covetous desire to see a commercial rival rent in twain. Before Gladstone died he acknowledged that one of the great mistakes he made was in the sympathy he extended to the Confederate States of America while he administered power for his Empire. The lifeblood of Great Britain is her foreign trade. She is a seafaring nation. Her merchant shipping enters the ports of the globe. She has ever been farsighted, unsentimental, and sometimes practically cruel in promoting her commerce against all competitors. It must be remembered ever that we are now her competitor with the conclusion of peace. The usual motives that have prompted Great Britain in former years will resume their sway. We have grown to very great financial strength. We are without adequate experience in foreign trade. We are upon the threshold of that experiment. Great Britain is keenly observant of our course. She has been void of sentiment and sometimes of humanity in breaking down and destroying her rivals in different parts of the world. She is amply able to take care of herself in every great competitive struggle. While a common language and kindred blood go far to promote friendship, they will not remove Great Britain's disposition to take care of herself.

The United States Government must look well to its own defense and preservation. I regret not to be able to accept the splendid dreams generated by the league of nations. I believe our safety is not mere sentiment; it will rest in the strong arm and disciplined military forces of our people. We have denied Japan the right of immigration for her subjects. It has been repeatedly alluded to during the peace conference of Paris by representatives of that nation. The equality constantly proclaimed in the league logically directs Japan's thoughts to that denial. Its refusal has sunk deep into their sensibilities. It is a wound to their pride. We are vulnerable in the Philippines. Our great friend lies beyond in the people of the Chinese Republic. In our day of peril it must be remembered that the interests of Great Britain and Japan in the Orient are identical. Our strength can be divided and our weakness promoted in the time of extremity to let us wage our war with Japan alone. That will be Great Britain's opportunity to regain the commercial and financial supremacy from us. We can defend ourselves. It will be a heavy price to pay, but it will be paid. We may lose the Philippines. We can afford to do so, but I repeat it is questionable in my mind in that hour of trial if the league of nations or Great Britain will be of material assistance. We must defend ourselves. Our trained forces on land and sea must defend our shores and our territory from invasion. Our greatest friend may then be the Chinese people, whom to-day we are asked to humiliate and dismember. Let us remember, not in selfish purpose but upon the immutable principle of justice to a great people, that we ought to defeat these articles 156, 157, and 158 in this treaty, and send forth at the threshold of this period of alleged universal peace our moral condemnation of the territorial theft committed on a friendly power.

LEAGUE OF NATIONS.

Mr. BORAH. Mr. President, there has been much discussion of late with reference to where public sentiment lies concerning the league of nations. Great effort has been put forth by the advocates of the league to satisfy the Senate that the sentiment in favor of the league is overwhelming. I assume, by reason of the effort that has been made to satisfy those who must vote upon this matter, that public sentiment is behind them, that they are interested in knowing precisely what the public sentiment is, and where the majority of the American people actually stand with reference to this important question.

There can be no reason for this continued and persistent effort upon the part of the advocates of the league to demonstrate that the overwhelming public sentiment is in favor of it other than that of procuring votes in the Senate. I think it is a legitimate enterprise in which they are engaged if properly conducted. Speaker Reed once said, "No man rises above his environment"; and I presume most Senators want to keep fairly in touch with their constituency. I want to suggest to-day, in the beginning of what seems a new crisis, in view of the White House conferences, that there is only one way by which to test accurately the public opinion of this country. I invite those who contend that the public opinion of the country is in favor of the league, and who believe that the people of this country want the league, to consider the proposition which I am going to submit. If they believe what they say, they will accept the proposition.

This is not an ordinary treaty. If it were, the argument might be very well made that, the treaty-making power being lodged entirely with the President and the Senate, it is their duty to discharge the obligation which rests upon them, and that the public sentiment of the country would not be instructive and, of course, would not be binding. But this is something more than a treaty. While it passes in popular parlance by the name of a treaty, it really incorporates a scheme which, either directly or indirectly, greatly modifies our governmental action with reference to foreign affairs and our governmental powers. In other words, it is dealing with a matter which must always be of prime concern to the people, and that is the modification, either directly or indirectly, of the form and functions of their Government. It is not in any sense an ordi-

nary treaty. It is a matter of great concern to every citizen of the country. Everyone who is interested in his Government, in preserving it as it exists, and who is anxious to guard against any unwise modification, would be deeply interested and would be entitled to be consulted with reference to any program which would have a tendency, either through actual contractual obligation or in practice, to change or modify his Government.

A popular vote can be had upon this question if those who are in favor of the league will cooperate with those who are opposed to it. I am perfectly aware that the Congress could not provide for a vote which would be legally binding; but if the advocates wish to know accurately public opinion and then wish to call upon their Senators to conform to that public opinion, if they wish to know the judgment of the country in order that Senators may respond to that judgment, there is only one way to do it, and that is to give the people of the country an opportunity to cast a ballot upon this matter. That vote could be taken either upon the treaty as a whole, including the league, or it could be taken upon the two propositions separately.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). Will the Senator from Idaho yield to the Senator from Ohio?

Mr. BORAH. I yield.

Mr. POMERENE. The Constitution, of course, provides for the election of Senators and Representatives and for the election or appointment of presidential electors. Will the Senator kindly point out under what section of the Constitution the Congress of the United States could provide for such a vote as he has indicated?

Mr. BORAH. I do not contend, as I said a moment ago, that a vote could be taken which would be covered by the Constitution so as to make it legally binding. I do contend, however, that in this effort to test public opinion which is being made a process and program may be devised by which a really accurate expression of public opinion may be had. As a moral guide it could be secured and I claim nothing more. It will not be legally binding upon the Senate any more than the petitions which are coming in are legally binding. They are sent for their moral effect as a moral guide in the performance of our duty here, or else hundreds of thousands of dollars would not be spent by Wall Street and big business, as the league pamphlet informs us, to get them.

Mr. POMERENE. Mr. President, I am interested in the legal question now. It will require the expenditure of certain money and the provision of certain machinery in order to conduct such an election as the Senator has in mind. Does the Senator think that the Congress of the United States could provide for an appropriation which would stand the test of the courts that might be necessary for the holding of such an election?

Mr. BORAH. As compared with many appropriations which we have made during the last three years in countless instances, some of which have been sustained, I would have no hesitancy whatever in doing it. I have no doubt whatever that we could make the appropriation. We could avail ourselves of the election machinery of the States through a joint resolution or an act of Congress and take that which would not be legally binding upon us, but that which could for all practical purposes be regarded as a judgment of the people upon this matter. If you want public opinion and propose to call upon Senators to obey public opinion, then let us have as accurate and fair an expression as possible.

I am led to urge this by reason of the fact that every possible method is being adopted and devised for the purpose of throwing into Congress what they claim is the public opinion of the country. My scheme and my process may not be absolutely accurate and possibly could not be measured by legal measurements so that it would in any sense be binding upon anybody; but there could be no possible doubt that it would be infinitely more accurate, and, in fact, so far as moral effect, it would be entirely accurate as to the public sentiment of the country. That, Mr. President, is the program which I have no doubt Congress could provide for and could make the appropriation to pay the expenses of.

If those who are interested in organizing the public opinion of the country are not willing to do that, shall we be asked to accept as any expression of public opinion at all resolutions which are adopted by organizations or conferences or assemblies and sent here? There must be something which is desired to be accomplished by pursuing this method, and if you do desire to achieve as best you may an accurate survey of public opinion then let us go about it in the very best possible way we can under the Constitution.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Colorado?

Mr. BORAH. I yield.

Mr. THOMAS. The Senator has very strong convictions upon the subject of the league of nations as he has upon everything else. I venture to ask him if the expression of public sentiment should be obtained along the line that he suggests or any other and the expression should be for the league instead of against it, would it influence the Senator's vote upon the treaty?

Mr. BORAH. If I should stay in the Senate under such circumstances, it would not influence my vote. I can conceive a situation arising where a Senator from a State would be under obligation to retire.

Mr. THOMAS. I think that answers the question.

Mr. BORAH. But if I should remain here it would not affect my vote. Neither will these petitions and telegrams and letters, manufactured and otherwise, which are sent in here have the slightest effect upon anything that I shall do.

But, Mr. President, I was going to say that there must be a desire on the part of the advocates of the league, assuming that they are acting honestly and in sincerity, to have a survey of public opinion upon this matter. That being true, I am perfectly willing, so far as I am concerned, to join with them in securing the very best test of it that we can possibly get under the peculiar circumstances.

Mr. POMERENE. Mr. President——

Mr. BORAH. I yield to the Senator from Ohio.

Mr. POMERENE. If the Senator will permit me to so say, I differ with him very radically as to the authority which Congress might have to provide for an election of the character indicated. I have no fear as to the result of that election. The only regret I would have in the event that we have it would be that I would be afraid, in view of what the Senator has said, that he would retire from the Senate; and that we would all regret.

Mr. BORAH. The Senator need not feel uneasy. The Senator from Idaho represents a very intelligent and patriotic constituency.

Mr. POMERENE. I was aware of that fact, and it was because of my information on that subject that I ventured the opinion I did.

Mr. BORAH. Mr. President, the President of the United States has been sending for Senators and will continue to send, I understand, until the quota is completed.

Mr. FALL. Mr. President——

Mr. BORAH. In just a moment I will yield. That is a program with which I find no fault. I might express regret that it has not more often been adopted. I think possibly good might often be obtained by the program which now has been adopted. I do not criticize it at all. But, Mr. President, I submit it is not in accordance with the best tenets of republican institutions and of democracy to settle the question whether certain sovereign powers of the Republic shall be transferred to a foreign council dominated by foreign powers behind the doors either of the White House or anywhere else other than as nearly as possible we can get to the public mind of the country. In my opinion the proper thing to do would be to "send for the people," and you can do that by passing a law providing for a plebiscite. Let those who will have to bear the burden, pay the taxes, and fight the battles of the future pass upon this question, which involves not merely the making of a treaty but involves in it the reorganization of some of the most important powers of the Government.

I now yield to the Senator from New Mexico.

Mr. FALL. Mr. President, holding the views the Senator holds, and with which I think I am in thorough accord as to the power of this body to ratify such a treaty as has been proposed or to assist in the creation of a government ultra constitutional, is it not the opinion of the Senator, as it is mine, that under the tenth amendment of the Constitution of the United States the method proposed by the Senator now is the only method by which the Congress of the United States can ascertain what the people propose to do with the power which is left with them? The tenth amendment reads:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

The proposition of the Senator, I understand, is to ascertain from the people themselves whether they desire us to go beyond what we conceive to be our constitutional duty or to violate what we conceive to be our constitutional oath. It strikes me that the only method by which we can ascertain from the people themselves, who have this power, what they desire to be done is by a submission of the question under Article X.

Mr. BORAH. I thank the Senator for calling attention to that particular section of the Constitution.

Mr. President, in undertaking to measure public sentiment and to find out how the people feel about this question, we are constantly meeting with cross currents of public sentiment, and the situation is such at the present time that if one really desires to know how the people feel in regard to the matter there would be no possible way of ascertaining it. We get resolutions, and then we get letters from people who were present declaring the resolutions did not represent the views of the majority of those present.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Ohio?

Mr. BORAH. I will yield.

Mr. POMERENE. I was simply going to call the Senator's attention to another section of the Constitution, which seemed to have been overlooked by my distinguished friend, the Senator from New Mexico [Mr. FALL], with reference to treaties. Section 10 of Article I provides that—

No State shall enter into any treaty, alliance, or confederation.

I realize, of course, that does not go directly to the question of a vote, but the treaty-making power is vested in the President and the Senate. So without some special legislation by the States I do not understand how we would have any right to provide for a vote upon this subject.

Mr. BORAH. Mr. President, I wish to restate my position, and then I should like to be permitted to make my statement, and at the close of my statement I should be very glad to yield to any interrogatory anyone may desire to submit.

I state again that I am not assuming to present a constitutional basis for a vote in the sense that it would be in any way legally binding upon the Senate. I do say, however, that Congress could pass, either by joint resolution or by a law, some measure providing for a method by which a vote could actually be taken, and so far as a test of public opinion is concerned it could be taken in such way as to make it entirely accurate. I have no doubt about that at all, and I am simply presenting it from the standpoint of being a much better method, a more accurate method, and a more reliable method than the method that has already been adopted and which is being pursued throughout the country to survey public opinion.

Mr. President, we are told day by day that the Europeans are anxiously awaiting our action upon this treaty; that public sentiment throughout Europe is in favor of this treaty and the league of nations. The news is brought to us in one way or another that the great masses of the people throughout war-ridden Europe are anxiously awaiting the action of the Senate. On the other hand, the same processes of news gathering and news purveying carries to the Europeans the fact that the great masses of the American people are in favor of the league of nations and of the treaty. If anyone is interested to investigate just how this news is gathered and how it is purveyed back and forth, he will find that it is a part of the propaganda which is going on, if I may use the term, to mislead the masses of Europe as to the views of the people of America and to mislead the people of America as to the view of the masses of Europe. The censorship is just as active and just as effective and doing business at the old stand in the old way just as much to-day as it was during the war. By a little different process, by a widely organized and highly financed plan, all news which favors the treaty and league is brought across the ocean, amplified, accentuated, and thoroughly distributed, while the news against the treaty and the league is either discouraged or minimized. There has never been in the history of civilized society so thoroughly organized and so thoroughly successful a plan to stress one side and to conceal the facts on the other side. You can not get the real views from the people of France in this country at all. France has a censorship as drastic and as efficacious and as persistent to control news that France does not want to go out as it had during the war. Great Britain is no better, and the United States is worse than either. There is only one kind of news that is permitted to have full report concerning the league of nations from those countries, and that is the manufactured, the propagandized news, to reach a certain purpose and accomplish a certain end. I am speaking now of the news from Europe to America and from America to Europe.

That is not all, Mr. President. We have an organization in this country called the League to Enforce Peace. That organization is industriously organizing the public opinion in this country for the purpose of effecting a ratification of the treaty, and a very large portion of the material which it sends to the Senate is unreliable. It is a misrepresentation of the facts, and the men who send it here are in a position to know that it is a misrepresentation of the facts.

I have in my possession the evidence of three different instances where resolutions were put through under the management or inspiration of this organization which upon their face seem to be an expression of the sentiment of the particular assembly or gathering, when there was not a party connected with putting it through who but must have known that it did not represent the full views of the assembly or gathering. And yet it is all sent here for the purpose of compelling the Senate, under the compulsion of public opinion, to perform an act which is perhaps the most important that it has ever been called upon or ever will be called upon as a Senate to perform.

Let me call attention to one illustration which I am permitted to use. On the 30th day of June the Senator from Nebraska [Mr. HITCHCOCK] read into the RECORD a resolution passed by the Federation of Catholic Alumnæ at St. Louis. It was read here for the purpose of satisfying the Senate that this great Catholic organization was in favor of this league of nations. I will read one single paragraph from it:

Resolved, That this International Federation of Catholic Alumnæ, in convention in St. Louis, Mo., representing educational institutions of more than 40 States and in the Dominion of Canada, indorses a league of nations that will give freedom and justice to all—

And so forth.

I called attention at the time to the fact that while I did not know anything about it, in all probability that was not an indorsement of this league of nations at all. I hasten to say that undoubtedly the Senator from Nebraska [Mr. HITCHCOCK] and the Senator from Montana [Mr. WALSH], who presented it to the Senator from Nebraska, were misled into the belief that it was an indorsement of this league of nations. We know that those Senators would not have so claimed unless they had believed it. But it was different with those who had been instrumental in securing it and who had been instrumental in getting it into the hands of the Senators. They must have known that it was not only not an indorsement of this league but that it was intended and stated to be at the time it was passed a condemnation of this league. I read a telegram.

DAVENPORT, IOWA, *July 1.*

Senator WILLIAM E. BORAH: Statement made Monday—

That is, this statement—

in Senate that International Federation of Catholic Alumnæ in convention at St. Louis indorsed present form of league of nations not correct. I am personally responsible for an amendment to resolution sent to us for adoption by League to Enforce Peace. Amendment carried unanimously indorsing a league which would give justice and freedom to all the world and protesting against covenant in present form.

ADA K. GANNON,
Governor of Iowa Alumnæ.

I have the following telegram dated to-day:

International Federation of Catholic Alumnæ at convention in St. Louis did not indorse league of nations. Senator HITCHCOCK mistaken.

MRS. CHAS. A. JACKSON,
Waterbury, Conn., National Trustee.

That is one, Mr. President, which I am permitted at this time to use. There are other instances in which the League to Enforce Peace sent abroad resolutions asking for an indorsement of this league, and they were changed, and a league to accomplish certain things was indorsed and sent out as an indorsement of this league. There are hundreds of thousands, and even millions, of people who believe that a league can be framed which will accomplish justice and which will insure peace, and those same hundreds of thousands of people believe that this league will not do that, and therefore they are opposed to it. Even when they send out resolutions indorsing this league and they are rejected for resolutions which indorse a different league, they are sent here as an expression of public sentiment as to this particular league.

Wherever those people express themselves in any way that they may see fit in favor of their proposition, it is immediately transmitted here under the activity of the League to Enforce Peace as an indorsement of their proposition. I denounce the scheme as a deliberate program to deceive the American people. It is well worthy of the organization, backed as it is by interested financiers of the United States, who for selfish purposes would make this Government underwrite their investments in Europe. The first thing the ex-President of the United States ought to do, if he wishes to preserve an honored name from contempt, is either to put an end to such methods as is now being carried on or withdraw his name from the organization.

Mr. President, let us examine for a moment the public opinion of Europe on this subject as it comes up from the masses of the people of Europe. I hold in my hand a synopsis of expressions from a number of liberal newspapers of Europe. Everyone knows that the liberal people of Europe, the liberal newspapers,

have been for a league, and we are told therefore that this vast sentiment of the struggling people of Europe is in favor of this league. What are the facts? The facts are that the liberal organizations, the liberal sentiment, the liberal mind, and the liberal press of Europe are against this league. It is coming in slowly, coming by freight, because, as I say, the news purveyors do not carry this information and the masses of the American people do not get it. But it is coming along as we get their weekly publications, as we get their resolutions, and the expressions of their leaders.

The New Statesman is familiar to all readers of English periodicals, a liberal publication. In a recent issue it says:

In public the proposals of the Allies may find a few defenders; in private they find none.

Another English publication says:

The more closely the treaty of peace and the covenant of the league of nations are examined the more absurd and unworkable do they appear.

The London Nation, one of the ablest of the liberal publications, in a late issue, declares:

Now, we know what is in store for us. There the peace terms are as they were in 1772, 1815, 1866, and 1871. Will no disaster ever teach us? For the covenant of the league might as well try to alter and maintain new courses for the planets as to regulate the passions challenged in the treaty terms, to moderate the greed and resentment generated by such annexations and transferences of peoples. It is all impossible. Though potent of evil beyond any computation, the treaty, before it is signed, is as dead as a tablet of Babylon.

Further along in the same editorial is this paragraph:

For whatsoever a man soweth that shall he reap. There is no escape from that law. Time hunts him down. No covenants in any league can forge a substitute for the consequences of committing evil. Men have their passions, and for a time may be deluded into a wrong use of them by leaders who say one thing, but mean the doing of another. Yet there is a term to it all, for the majority of men are not mean, are not cunning, nurse no cold and evil intent, are not cruel and vindictive. We know they can be just and generous to the point of sacrificing all they have, even their lives, to a right cause. But statesmen who still base their policies on sentiments which their peoples no longer hold, on passions no longer felt, can not pretend that Europe has not during five years afforded them with examples of what happens to those who maintain a folly after its popular sanction has gone.

The compulsion of the treaty terms is based not on their inherent reason and justice but on a blind trust in force; on the ability of arms to compel from others what otherwise they would never grant. The old idea.

In another editorial of the New Statesman, after commenting on the work at Versailles, says:

Yet the delegates in Paris, bound by their own words and by the wretched bargains which they have made with each other, appear determined to press the issue and to force on Europe a peace which no one wants and which can not fail to bring fresh disasters upon the world.

In the New Age, another Liberal paper or periodical, says:

Nobody can tell in what place the inherent rottenness of the edifice will first show itself. By a colossal effort of military, naval, economic, and every other form of support it is just possible, indeed, that for a generation or two the Versailles building will appear to stand upright. But fall it will sooner or later, and on its fall the world will be once more engaged in universal murder and suicide. Public opinion, no less than kings of old, pays dearly for the favorites who slobber upon its neck and play upon its weaknesses.

In a later issue of the London Nation I find another editorial. It is too long to read here, but I quote paragraphs:

What are men and women to do who have any thought for the future, any apprehension for what is latent in the treaty terms, any sorrow and alarm because of the terrible and unmerited sufferings to-day of millions of innocents in Europe? Is not all being done for us, and in a way which fills us with the deepest anxiety? Something very different ought and must be done. All Conservatives, Liberals, and Socialists, who are alike in thinking that civilization, leaderless and blind, is drifting to destruction, accelerated by the old sort of peace, with its usual accessories, inevitable wars of every kind, are looking for a rallying point. Their differences may wait. Their differences are minor. Their differences had to wait in 1914. To-day the time is no less serious and urgent than then; indeed, it is now more serious and urgent. Various religious bodies have protested against the peace; but they are almost helpless, and they know it. The truth is, we are troubled by a sense of an endangered future, and many of us are looking to organized labor to help us—doubtfully, it is true; uncertain of its mind, still more uncertain of the ability and aim of its leadership. But we ask: Where else shall we look?

Yet it must be confessed that the terms of peace have been received by labor also with a feeling of helplessness; and this feeling, in a measure, extends to the organized labor movements in the various allied countries. But it must be said for international labor that its voice is the first to be raised in effective condemnation of the "peace." The French Socialists are united from right to left and are in accord with the French trade-unions in a repudiation of the treaty in spirit and letter. The Italian Socialists are even more strongly opposed, and the British labor party has issued a manifesto in which the injustices and absurdities of the Paris proposals are exposed. Japan has still no organized labor movement that can make its voice heard, while the American labor movement is too divided politically to be articulate on any noneconomic issue. But to the voices of British, French, and Italian labor is added the voice of the labor international, which has promptly repudiated the peace of injustice and violence. Whatever may or may not follow in the way of action, there can be no doubt that labor is everywhere opposed to the old diplomacy of Versailles.

Again writes the editor of the New Age:

It is too late in the day, however, to attempt to enlist on behalf of reaction the terrors once associated with German Prussianism. Germany, it can not be concealed, is, in the common phrase, down and out; and the fresh fears of the English people are no longer of Prussianism abroad, but of Prussianism at home. It is significant that everywhere the complaint of organized labor of every class is directed against "militarism."

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER (Mr. MOSES in the chair). Does the Senator from Idaho yield to the Senator from Colorado?

Mr. BORAH. I do.

Mr. THOMAS. Does not the Senator construe that article as a condemnation of the entire treaty rather than any particular portion or section of it?

Mr. BORAH. It is a condemnation of the entire treaty, including the league of nations.

Mr. THOMAS. Including the league of peace?

Mr. BORAH. Yes; that is correct.

I read a paragraph from an editorial in Reconstruction, under date of August, 1919. This is a liberal publication, published in this country. While it is comparatively new, it voices the views of a very large constituency:

We should all like a league of free nations, meaning, thereby, a league dominated and controlled not by Old World diplomatists and politicians but dominated and controlled every inch of the way by the peoples of the world.

Is the league advocated by Mr. Wilson such a league? He knows it is not. Everybody knows it is not. This league, if formed, will be controlled by the same constituent elements that have heretofore controlled world politics. The people will have nothing to say as to who shall be their national representatives in the league, not even the people of the United States. Nor in any nation will the people have an opportunity by direct ballot to halt any league move that they believe is drawing them into war.

* * * * * * *

What in the last analysis does the league policy mean but force? It is true that it provides for a certain amount of talk before force is used, but has there not always been enough talk before war was declared? What are the English workingmen afraid of now in their own country? They are afraid of militarism. They take it for granted that the league of nations will come into being; but they have no confidence in it, and they are afraid of militarism. The league covenant provides for the use of all the force it can muster against those who do not bow to its decisions. The President speaks as if the league covenant provides for disarmament. If it did, the league would have stronger claims to public confidence.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Ohio?

Mr. BORAH. I do.

Mr. POMERENE. May I ask the Senator from what paper he was reading?

Mr. BORAH. The last statement?

Mr. POMERENE. Yes.

Mr. BORAH. The issue of Reconstruction of August, 1919.

The New Republic, published in this country, was one of the first advocates of a league—a faithful supporter of this administration and able advocate of the 14 points—but it rejects the present treaty with the league incorporated in decisive and in what might be called, if it were not so well justified, bitter language. It says:

It [the treaty] weaves international animosities and the class conflict into the very fabric of the proposed new system of public law. The European politicians who with American complicity have hatched this inhuman monster have acted either cynically, hypocritically, or vindictively, and their handiwork will breed cynicism, hypocrisy, or vindictiveness in the minds of future generations. The moral source of the political life of modern nations remains polluted. * * * In our opinion the treaty of Versailles subjects all liberalism, and particularly that kind of liberalism which breathes the Christian spirit, to a decisive test. * * * Liberalism lost the peace. That is triumphantly proclaimed by the reactionaries. There are no fantastic ideals, they point out, in the peace of Paris. It is the same kind of peace as the peace concluded after any war of older time—a peace of spoils to the victor, woe to the vanquished, and all the spoils and woe that the traffic could bear or more. Nor do the liberals read any other meaning in the peace.

Mr. KING. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Utah?

Mr. BORAH. I do.

Mr. KING. I do not quite assent to the suggestion of the Senator from Colorado, if I understood his suggestion, and the reply of the Senator from Idaho. I have read a number of those articles to which the Senator refers, as well as some of the so-called liberal publications of Europe and some of the so-called liberal publications of the United States. As I read those publications, the condemnation is not of a league—that is, an organization seeking the cooperation of the nations for the purpose of ameliorating the conditions of war—but the liberal papers of Europe, particularly those of England, denounce the treaty because of its supposed harshness to Germany; and the

Senator will recall that recently a Socialist convention was held in Italy and another convention was held which Miss Jane Addams attended, and there was at each of those conventions a severe arraignment of the treaty because it was alleged that it bore too heavily upon the German people. If the Senator will pardon me, I do not think he can deduce from those publications a condemnation of the principle of a league for the purpose of securing peace and enforcing peace.

Mr. BORAH. Mr. President, the Senator is mistaken to a certain extent, and to a certain extent he is correct. There is no doubt that the liberal press of France and all of Europe is generally opposed to the treaty, and has condemned it. It is equally true, however, that the same liberal press has condemned, in connection with the treaty, the league as it is now incorporated in the treaty and as it is now framed. The Senator will find over and over again it is condemned because it does not inhibit conscription, because it fails to incorporate the principle of self-determination and those principles which were indorsed by the liberal press of Europe in the inception as the basis of the league. The contention is now made by the liberal press of Europe that this league does not conform to the league which they had indorsed or, indeed, to the league which the President had indorsed before he went to Europe.

The fact is that during the war certain propositions were announced as being essential to a successful league of nations. One of those principles was that of self-determination. Another principle, as announced from Europe, at least, was that there should be a provision for disarmament which should be effective and a provision against conscription. The liberal press of Europe are in condemnation of this league because it fails to comply with those propositions and many others. Now, mind you, what I am trying to present is the fact that when it is stated to the American people that the masses of the people of Europe are in favor of this league it is a misconstruction of the public sentiment of that country.

The fact is, Mr. President, that Mr. Wilson went to Europe with one league. He came back with an entirely different league. He went to Europe with a league based upon the principle of democracy, a league of people based upon the principle of self-determination, of absolute disarmament, of the freedom of the seas, and he returned with a different league. He went to Europe with an American league based upon the principles of the American Government, of representation, of democracy, and of free institutions. He came home with a European league based upon the principle of imperialism, of force; and it is condemned by the liberal people of Europe for that reason.

Mr. Wilson may not be willing to admit that he went with an American league and came back with a European league, but the people of Europe know that he did. I challenge any man to find in this league a single principle which was announced as the basis of a league before the meeting of the peace conference. It is the old European system of imperialistic power, with force—force to the limit—that is incorporated in this league. The people of Europe have discovered that fact, and while they condemn the treaty they also condemn the league; and they especially condemn the league in view of the fact that the league is organized for the purpose of enforcing the terms of the treaty, which, as this article which I have read says, will necessarily mean war, interminable war, for Europe.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Colorado?

Mr. BORAH. I yield.

Mr. THOMAS. The last statement of the Senator is somewhat surprising to me. One of the mental criticisms I have made of the framework of the league is the absence of that degree of force which seemed to me to be necessary to make its decrees effective. We all know that in the last analysis the element which governs society and makes its decrees effective is force. Now, if I comprehend the framework of this league, its provisions only reach the limit of force after other efforts at correction and discipline have been attempted and exhausted, and not then until the nations themselves shall be heard from.

It has seemed to me, for example, that there was no force provided for in the provisions of the league that could effectively prevent the rebellion—if I may use that term—of a great power like England or the United States. For instance, if Great Britain should refuse to conform to the provisions of the league and an economic boycott was declared against her, my opinion is that it would prove ineffective, if not ridiculous; for to attempt to boycott by economic discrimination an empire covering two-thirds of the surface of the globe—not occupying all that territory, of course—is an impossibility. It seemed to me, therefore, that one weakness of the league lay in the fact that apparently no effective provision is contained in it which the league could primarily enforce if the member to be discriminated was one of the great powers.

Mr. BORAH. The Senator is correct, as usual. The league is an absurdity wherein it provides for economic pressure, so far as the five great powers are concerned. Of course, it would be absurd to talk about enforcing an economic boycott against England, and nobody contemplates that the league ever intends to do it.

Mr. THOMAS. Or the United States.

Mr. BORAH. Or the United States or Japan or France; but what about the countless millions who are held in subjection by those powers? What about small nations or subject peoples? They will be crushed into subjection. In this case, as in all other leagues, the nations against which decrees run will be small nations.

Mr. THOMAS. Mr. President, as to them, the league does not provide for the exercise of force, if I have read it correctly, except as a last resort.

Mr. BORAH. Well, there is always a certain amount of talking before war.

Mr. THOMAS. Oh, yes; and there is a good deal of talking after war.

Mr. BORAH. Yes; but, Mr. President, as the President said in his address at Boston, lying back of all this is the organized or major force of the world. If you take military power out of this league, it crumbles; but I ask the Senator from Colorado to say where in this league any subject nationality can ever secure its independence or its freedom or its liberty by any orderly fashion or in any orderly way pointed out by the league itself? If the Egyptians want freedom, how can they get it? If India wants freedom, how can she get it? If Korea wants freedom, how can she get it? Where is the democracy or the self-determination which permits the subject nationalities to enjoy that which they were promised? Where is the principle of self-determination or the rights of small nations except as the five great nations see fit to grant it as a benevolent despot?

Mr. THOMAS. Mr. President, I think that raises an entirely different question.

Mr. BORAH. That is the question I was thinking of.

Mr. THOMAS. So far as the internal affairs of the various nations as they are now constituted are concerned, the league does not pretend to interfere. The only way in which the nations to which the Senator refers could secure independence would be by a successful revolution, just as America obtained independence by a successful revolution a great many years ago.

Mr. BORAH. But America never could have obtained her independence if there had been a league of nations in existence at that time, because France, instead of assisting America, would have been siding with Great Britain to suppress America.

Mr. THOMAS. That may be true; but in the event of an internal difficulty, an insurrection occurring among any part of the peoples of the great powers without a league, the instances are exceptional where they obtain external aid. It is true that without the league they might obtain it, and with the league they might not and probably could not. But I am unable to reconcile my ideas and understanding of history if a league such as this to enforce peace can be ultimately effective unless force somewhere is placed behind it, and if it is not there, then the league is foredoomed to failure, because it has no sanction behind it which the nations composing it will respect when dissensions arise.

Mr. LODGE. Mr. President, if the Senator will permit me——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Massachusetts?

Mr. BORAH. I do.

Mr. LODGE. I think if the Senator from Colorado will read the whole of the treaty with Germany, as I take it he has——

Mr. THOMAS. I have read it twice.

Mr. LODGE. Then the Senator must have noticed a number of places—I believe I have counted 77—where the execution is left entirely in the hands of the principal allied and associated powers—that is, the five powers—and he will find, in many of those, provision for force.

Mr. THOMAS. That is true; but that has reference to the enforcement of this treaty.

Mr. LODGE. Precisely.

Mr. THOMAS. My criticisms were based upon the absurd proposition of the possibility of the success of the league of nations without the sanction of force behind it.

Mr. LODGE. There is plenty of force there to carry out this treaty. I am not quarreling with it, but it is there, and it is not left to the league to do.

Mr. THOMAS. My criticism is not confined to the treaty itself, but is designed to call attention to the operation in futuro

upon the nations which may require discipline under this league. If there is no force for that purpose, of course there can be no discipline.

Mr. BORAH. Mr. President, the vice of the argument of those who are supporting the league, as it seems to me, arises out of the fact that whenever they reach a point where they think it will be effective, and might be injurious to the United States, for instance, they say that we can refuse to act. Now, of course the right of revolution, or the right of withdrawal by force, can never be prevented by a mere legal or written instrument. That will always exist; but under article 10 and article 11, assuming that we are going to live up to the league, assuming that we are going to abide by the terms of the contract, then the combined military force of the five great powers is there, subject to the direction and action of the council at Geneva. Now, it is perfectly true that the United States might say: "I will disobey. I will refuse to act on the advice of the council." The minute it does, your league goes down like a house of cards; I agree to that; but I am arguing this league proposition upon the theory that if the United States enters into a contract, it will abide by the terms of that contract as the contract is construed by those whom the United States has agreed shall construe it.

It is one of the most absurd things to me in all the arguments presented by the advocates of the league that we will agree, for instance, under article 11, that the league shall take cognizance of anything which concerns the peace of the world, and that the council shall advise in regard to what shall be done, and then, if it does not suit us, that we will refuse to follow the advice. We may refuse, but we can not honorably refuse to follow the advice of those whom we have solemnly agreed shall advise. If that is true, then you have the combined military power of Japan, Great Britain, Italy, France, and the United States subject to the direction and control of five men, or nine at most, sitting at Geneva, and you have by every moral law the obligation of the United States to obey the instructions which are sent to her. And, Mr. President, let me go a step further. Let us assume that we could withdraw, that we could refuse to obey. I do not agree that we could honorably do so, but let us assume that we could, and let us take an illustration such as we have in the Senate to-day.

An international situation involving possible war arises. The council at Geneva advises a certain course. That course may consist of our sending, we will say, 100,000 or 250,000 or 300,000 troops to Russia or to Japan or the Balkans. You will say to me: "But the Congress of the United States must act upon it." Very well. The Congress of the United States convenes, and we have the argument which is now being presented to us as Senators who are opposed to this proposition, that "the great nations of the earth have agreed. Shall Congress stand in the way, or refuse, or step out, and break the heart of the world?" The Congress of the United States would be dealt with as it is being dealt with to-day; it would be treated with contempt for assuming to have an opinion of its own and insisting upon its constitutional right against the combined judgment of the great nations of the earth. It might not be, under the Constitution, technically binding upon us, but we would first have the moral obligation, and next we would have the pressure which would be brought to bear from every capital of Europe and perhaps from the great centers of the United States to whip Congress into line, and Congress would become an amanuensis for the five men sitting at Geneva. Especially would that be true if a few billion dollars of securities held by international bankers were in peril.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Pennsylvania.

Mr. BORAH. I yield.

Mr. KNOX. As bearing upon our obligation to accept what has been called the advice of the council, I wish to call the attention of the Senator from Idaho to the language used by the President of the United States in his recent address. I will read one rather long sentence, on page 9:

> It was only as the difficult work of arranging an all but universal adjustment of the world's affairs advanced from day to day from one stage of conference to another that it became evident to them that what they were seeking would be little more than something written upon paper, to be interpreted and applied by such methods as the chances of politics might make available—

I invite particular attention to this, now:

> If they did not provide a means of common counsel which all were obliged to accept, a common authority whose decisions would be recognized as decisions which all must respect.

Mr. BORAH. I thank the Senator for calling attention to that. There can be no doubt about our obligation to accept the advice of those whom we have designated to be our advisers. I do not think it is a solid foundation upon which to rest an argument to say that we would not be bound to accept the advice of those whom we had agreed with all other nations should be our advisers.

Mr. President, when our President was before us a few days ago, in his address on the 10th, he said:

> Shall we or any other free people hesitate to accept this great duty? Dare we reject it and break the heart of the world?

That statement, Mr. President, of course, implies—in fact, it unmistakably asserts—that the entire world is anxiously waiting for the acceptance of this league as an assurance of peace and of a return of the tranquillity which it craves.

Let us see. In the first place, I take it, there is no doubt that the rejection of this treaty and this league will not break the heart of China. There are 400,000,000 people—one-third, almost, of the population of the earth. If this treaty and this league are adopted there can be no possible doubt that it will not only be a disappointment to nearly one-third of the population of the earth, but that it will result in creating a feeling of resentment and bitterness of the 400,000,000 people if the treaty and the league are adopted. They will believe, as they now believe, that by reason of the combined power of the five great nations their country has been practically dismembered. It has at least been humiliated, and a vast portion of the people have been transferred to an alien power. They are therefore not only not in favor of the league, but its adoption will result in creating a feeling of bitterness throughout the entire Far East. It will not break the heart of China if it is rejected, but it will indeed break the heart of China if it is adopted.

Will it create a feeling of content and satisfaction with the 140,000,000 people of Central Europe, those who have protested in the most strenuous way and only signed the treaty under perhaps the most remarkable protest that was ever presented by a people—the Germans and their allies?

Will it be satisfactory to the 180,000,000 of Russia? Will it be satisfactory to the countless millions of India? Will it break the heart of those who are excluded from it?

We think in this country that India is satisfied with her situation. The fact is that discontent and unrest and incipient revolution pervade India at this time. Will it be a gratification to India to know that a convention has been made which practically precludes any subject nationality from ever securing its independence except by revolution, and that in case of revolution no great power will be permitted to assist it either directly or indirectly?

Will it be satisfactory to the Egyptians? Egypt is being held in subjection to-day by the actual force of the British arms. Anyone who has read the letters of Mr. Ellis or who has investigated the matter knows that condition in Egypt is that of imminent revolution and the only thing that holds them in subjection is the superior power of the British Empire.

I have a telegram here which reads as follows:

> PARIS, *June 30, 1919.*
>
> Mr. BORAH,
> *The Senate, Washington:*
>
> In the name of humanity and justice, and in the name of the entire Egyptian people, whom I have the honor to represent, I thank you most sincerely for your kind reference to Egypt. We who have fought side by side with the Allies, who have sacrificed so heavily for what we considered the cause of liberty and justice, have been denied a hearing in the peace conference contrary to the principles for the realization of which America had entered the war. The souls of the Pharaohs have therefore been treated as a salable property and chattels. The Egyptian people rely wholly upon the support of the freedom-loving American people for the realization of the national aspiration of a people who have been condemned unheard to a permanent servitude.
>
> SAAD ZAJOUL,
> *Chairman of the Egyptian Delegation.*

I do not think, Mr. President, that a rejection of the treaty and a rejection of the league will break the heart of Egypt. I do not think it will break the heart of Ireland. I do not think it will break the heart of India. I know it will not break the heart of China. It will not break the heart of Korea. I do not think it will break the heart of the liberal people of Europe.

I repeat, the President went to Europe with a league of which all the people were in favor. The people of Egypt, of India, of Ireland, and all the subject nationalities were in favor of the proposition which the President submitted to the world. They went to the peace conference hoping to be heard and to have written into the league a principle which would enable the mass of people to secure their freedom in an orderly and proper way. That was denied them. It has been inhibited from the league, and they are now in a position where there is no avenue of escape from their bondage except that of revolution, with all possible help cut off from the outside.

Mr. President, there are just three classes in Europe who are now in favor of this league as it is written—that is, the

governing class, the military class, and the great financiers or international bankers. So far as the masses of the people are concerned, if we can judge accurately from the evidence which is coming in constantly and day by day, however much they were in favor of the original proposition, they are not in favor of the league as it has been submitted.

I do not speak in a spirit of mere criticism. I speak what all men know and what history will record when I say that this league is not the league the world was promised. The league that was promised, and which, doubtless, millions hoped for, was a league based upon the principles of democracy. This league is based upon the principles of imperialism. The one promised spoke of the rights of small nations. This league, in its very inception and by those who framed it, denies a hearing to Egypt, to India, to Ireland, and turns Korea back to the shambles of a rapacious power. The league promised was to declare that no peoples should ever be ruled by a superior power against their consent. This league has placed nearly one-half of the people of the globe under the control of those from whose rule they asked to be relieved or from whose threat of domination they asked to be protected. The league which was promised spoke of peace, but this league has intertwined in its very being, and without which it would never be accepted, a special alliance for war. The league which was promised was a league based upon Americanism and American principles. This league is based upon the European system and faithful in every respect to the system from which it sprang.

AFFAIRS IN MEXICO.

Mr. KING. Mr. President, I should like to inquire of the chairman of the Committee on Foreign Relations, if it is not incompatible with the public interest, whether or not the committee has considered two resolutions heretofore referred to it and dealing with the question of Mexico, the latter one particularly calling for an investigation of conditions in Mexico?

Mr. LODGE. Mr. President, an inquiry put in that formal and delightful manner, of course, I must answer at once. We have not taken up the Mexican resolutions. As the Senator knows, we have been buried under a treaty of 80,000 words, which we have been trying to read as a preliminary. I shall be very glad to ask the committee to take up these resolutions and dispose of them at the first possible moment.

LEAGUE OF NATIONS.

Mr. HARRISON. Mr. President, I wish to give notice that on next Monday I shall desire to seek recognition to address the Senate on the subject of the league of nations.

Mr. POMERENE. Mr. President, I desire to give notice that, with the permission of the Senate, on Monday next, after the conclusion of the routine morning business, I shall submit some observations on the league of nations.

Mr. McNARY. Mr. President, I desire to give notice that, immediately following the routine morning business on Tuesday next, I shall briefly discuss the league of nations.

Mr. McKELLAR. Mr. President, I wish to give notice that on Wednesday next, after the routine morning business, I shall address the Senate on the league of nations.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

ARBITRATION TREATIES WITH ITALY, SPAIN, AND THE NETHERLANDS.

In executive session this day the following treaties were ratified, and, on motion of Mr. LODGE, the injunction of secrecy was removed therefrom:

ARBITRATION WITH ITALY.

The SENATE:

I transmit herewith, to receive the advice and consent of the Senate to its ratification, an agreement between the United States and Italy, signed March 20, 1919, extending for a further period of five years the arbitration convention concluded between them on March 28, 1908.

Respectfully submitted.

WOODROW WILSON.

THE WHITE HOUSE.

—

The PRESIDENT:

The undersigned, the Acting Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate, if his judgment approve thereof, to receive the advice and consent of the Senate to its ratification, an agreement signed March 20, 1919, between the United States and Italy, extending for a further period of five years the arbitration convention concluded between them on March 28, 1908.

Respectfully submitted.

FRANK L. POLK.

DEPARTMENT OF STATE,
Washington, July 9, 1919.

—

The Government of the United States of America and the Government of His Majesty the King of Italy, being desirous of extending for another five years the period during which the arbitration convention concluded between them on March 28, 1908, extended by the agreement concluded between the two Governments on May 28, 1913, shall remain in force, have authorized the undersigned, to wit, the Hon. Frank L. Polk, Acting Secretary of State of the United States, and Baron Pietro Arone di Valentino, His Majesty's chargé d'affaires at Washington, to conclude the following agreement:

ARTICLE 1.

The convention of arbitration of March 28, 1908, between the Government of the United States of America and the Government of His Majesty the King of Italy, the duration of which by article 3 thereof was fixed at a period of five years from the date of the exchange of ratifications of the said convention on January 22, 1909, which period, by the agreement of May 28, 1913, between the two Governments was extended for five years from January 22, 1914, is hereby renewed and declared in force for a further period of five years from January 22, 1919.

ARTICLE 2.

The present agreement shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by the Government of His Majesty the King of Italy, in accordance with its Constitution and laws, and it shall become effective upon the date of the exchange of ratifications, which shall take place at Washington as soon as possible.

Done in duplicate, in the English and Italian languages, at Washington, this 20th day of March, 1919.

[SEAL.] FRANK L. POLK.
[SEAL.] PIETRO ARONE DI VALENTINO.

ARBITRATION WITH SPAIN.

THE SENATE:

I transmit herewith, to receive the advice and consent of the Senate to its ratification, an agreement between the United States and Spain, signed March 8, 1919, extending for a further period of five years the arbitration convention concluded between them on April 20, 1908.

Respectfully submitted.

WOODROW WILSON.

THE WHITE HOUSE.

—

THE PRESIDENT:

The undersigned, the Acting Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate, if his judgment approve thereof, to receive the advice and consent of the Senate to its ratification, an agreement signed March 8, 1919, between the United States and Spain, extending for a further period of five years the arbitration convention concluded between them on April 20, 1908.

Respectfully submitted.

FRANK L. POLK.

DEPARTMENT OF STATE,
Washington, July 9, 1919.

—

The Government of the United States of America and the Government of His Majesty the King of Spain, being desirous of extending for another five years the period during which the arbitration convention concluded between them on April 20, 1908, extended by the agreement concluded between the two Governments on May 29, 1913, shall remain in force, have authorized the undersigned, to wit, the Hon. Frank L. Polk, Acting Secretary of State of the United States, and his excellency, Señor Don Juan Riaño y Gayangos, chamberlain to His Majesty the King of Spain, ambassador extraordinary and plenipotentiary of His Majesty at Washington, to conclude the following agreement:

ARTICLE 1.

The convention of arbitration of April 20, 1908, between the Government of the United States of America and the Government of His Majesty the King of Spain, the duration of which by article 3 thereof was fixed at a period of five years from the date of the exchange of ratifications of the said convention on June 2, 1908, which period, by the agreement of May 29, 1913, between the two Governments was extended for five years from June 2, 1913, is hereby renewed and continued in force for a further period of five years from June 2, 1918.

ARTICLE 2.

The present agreement shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by the Government of His Majesty the King of Spain, in accordance with its constitution and laws, and it shall become effective upon the date of the exchange of ratifications, which shall take place at Washington as soon as possible.

Done in duplicate, in the English and Spanish languages, at Washington, this 8th day of March, 1919.

[SEAL.] FRANK L. POLK.
[SEAL.] JUAN RIAÑO Y GAYANGOS.

ARBITRATION WITH THE NETHERLANDS.

The SENATE:

I transmit herewith, to receive the advice and consent of the Senate to its ratification, an agreement between the United States and the Netherlands, signed March 8, 1919, extending for a further period of five years the arbitration convention concluded between them on May 2, 1908.

Respectfully submitted.

WOODROW WILSON.

THE WHITE HOUSE.

The PRESIDENT:

The undersigned, the Acting Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate, if his judgment approve thereof, to receive the advice and consent of the Senate to its ratification, an agreement signed March 8, 1919, between the United States and the Netherlands, extending for a further period of five years the arbitration convention concluded between them on May 2, 1908.

Respectfully submitted.

FRANK L. POLK.

DEPARTMENT OF STATE,
Washington, July 9, 1919.

The Government of the United States of America and Her Majesty the Queen of the Netherlands, being desirous of further extending the convention of arbitration concluded between them on May 2, 1908, which convention in consequence of article 1 of the agreement between both high contracting parties of May 9, 1914, will remain in force until March 25, 1919, have authorized the undersigned, to wit, Frank L. Polk, Acting Secretary of State of the United States, and J. T. Cremer, envoy extraordinary and minister plenipotentiary of Her Majesty the Queen of the Netherlands at Washington, to conclude the following agreement:

ARTICLE 1.

The convention of arbitration of May 2, 1908, between the Government of the United States of America and Her Majesty the Queen of the Netherlands, which in consequence of article 1 of the agreement of May 9, 1914, will remain in force until March 25, 1919, is hereby extended and continued in force for a further period of five years from March 25, 1919.

ARTICLE 2.

The present agreement shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by Her Majesty the Queen of the Netherlands, and it shall become effective upon the fourteenth day after the date of the exchange of ratifications, which shall take place at Washington as soon as possible.

Done in duplicate at Washington, in the English and Dutch languages, this 8th day of March 1919.

[SEAL.] FRANK L. POLK.
[SEAL.] J. T. CREMER.

ADJOURNMENT.

Mr. LODGE. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 18 minutes p. m.) the Senate adjourned until to-morrow, Friday, July 18, 1919, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate July 17, 1919.

COLLECTORS OF CUSTOMS.

Thomas H. Tulley to be collector of customs for customs collection district No. 47, with headquarters at Denver, Colo., in place of George E. Hosmer, whose term of office has expired.

Henry Holland to be collector of customs for customs collection district No. 7, with headquarters at Ogdensburg, N. Y.

Otto A. Labudde to be collector of customs for customs collection district No. 37, with headquarters at Milwaukee, Wis., in place of August M. Gawin, whose term of office has expired.

ASSISTANT APPRAISER OF MERCHANDISE.

S. M. Angell to be assistant appraiser of merchandise for customs collection district No. 20, with headquarters at New Orleans, La., to fill an existing vacancy.

SECOND ASSISTANT DIRECTOR BUREAU OF FOREIGN AND DOMESTIC COMMERCE.

Herman G. Brock, of Massachusetts, to be Second Assistant Director Bureau of Foreign and Domestic Commerce, in the Department of Commerce, vice Roy S. MacElwee, nominated to be First Assistant Director Bureau of Foreign and Domestic Commerce.

MEMBER OF THE FARM LOAN BOARD.

Asbury F. Lever, of Lexington, S. C., to be a member of the Farm Loan Board, in place of Herbert Quick, resigned.

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY.

CAVALRY.

Second Lieut. Ira Platt Swift, Infantry, to be second lieutenant of Cavalry, with rank from November 1, 1918.

PROMOTION IN THE REGULAR ARMY.

CAVALRY ARM.

Lieut. Col. Louis C. Scherer to be colonel, with rank from July 11, 1919.

POSTMASTERS.

ALABAMA.

Maggie Winningham to be postmaster at York, Ala., in place of Ella M. Harris, resigned.

Bays D. Cather to be postmaster at Pell City, Ala., in place of W. L. Milner, resigned.

William M. Douglas to be postmaster at Parrish, Ala., in place of Robert G. Waldrop, resigned. Office became presidential October 1, 1918.

Jake E. Wallace to be postmaster at Maplesville, Ala., in place of C. N. Parnell, resigned.

Ruth K. Conerly to be postmaster at Lockhart, Ala., in place of J. B. Sinquefield, resigned.

Walter Whisenhunt to be postmaster at Hanceville, Ala., in place of Arthur A. Weeks, resigned. Office became presidential July 1, 1918.

Jacob E. Hood to be postmaster at Cordova, Ala., in place of James H. Shepherd, resigned.

Richard C. Jones to be postmaster at Camden, Ala., in place of Gorden T. Dannelly, resigned.

Herbert L. Wynn to be postmaster at Ashland, Ala., in place of Dora A. Speer, resigned.

Daniel W. McLean to be postmaster at Headland, Ala., in place of J. W. Roberts, resigned.

Lillian L. Srygly to be postmaster at Town Creek, Ala., in place of G. N. Preuit, resigned. Office became presidential July 1, 1918.

James W. Horn to be postmaster at Brantley, Ala., in place of J. W. Horn. Incumbent's commission expired October 16, 1918.

Clifford R. Rankin to be postmaster at Brewton, Ala., in place of C. R. Rankin. Incumbent's commission expired March 1, 1919.

Louis C. Kelley to be postmaster at Carbon Hill, Ala., in place of L. C. Kelley. Incumbent's commission expired July 8, 1918.

William L. Phillips to be postmaster at Clio, Ala., in place of W. L. Phillips. Incumbent's commission expired March 3, 1919.

John J. Dunlap, jr., to be postmaster at Eutaw, Ala., in place of J. J. Dunlap, jr. Incumbent's commission expired September 29, 1918.

Robert Stephens, jr., to be postmaster at Fairfield, Ala., in place of R. Stephens, jr. Incumbent's commission expired July 17, 1918.

M. W. Camper to be postmaster at Florence, Ala., in place of M. W. Camper. Incumbent's commission expired February 12, 1919.

Stephen D. Fulford to be postmaster at Georgiana, Ala., in place of S. D. Fulford. Incumbent's commission expired February 25, 1919.

Theresa C. Spink to be postmaster at Grand Bay, Ala., in place of T. C. Spink. Incumbent's commission expired January 22, 1919.

Robert L. O'Neal to be postmaster at Huntsville, Ala., in place of R. L. O'Neal. Incumbent's commission expired June 22, 1918.

Nannie S. Coleman to be postmaster at Jasper, Ala., in place of N. S. Coleman. Incumbent's commission expired March 19, 1918.

Joseph S. McCain to be postmaster at Lineville, Ala., in place of J. S. McCain. Incumbent's commission expired December 22, 1918.

Bettie T. Forster to be postmaster at Thomasville, Ala., in place of B. T. Forster. Incumbent's commission expired July 17, 1918.

Robert B. Evans to be postmaster at Elkmont, Ala. Office became presidential October 1, 1918.

Leona Randall to be postmaster at Fort Morgan, Ala. Office became presidential October 1, 1918.

Sarah M. Salley to be postmaster at Hayneville, Ala. Office became presidential October 1, 1918.

William K. Cooper to be postmaster at Northport, Ala. Office became presidential January 1, 1919.

Jesse G. Turner to be postmaster at Slocomb, Ala. Office became presidential October 1, 1918.

William T. Rutledge to be postmaster at Quinton, Ala. Office became presidential January 1, 1919.

Marion D. King to be postmaster at Townly, Ala. Office became presidential April 1, 1919.

ALASKA.

Robert S. McDonald to be postmaster at Nenana, Alaska. Office became presidential October 1, 1918.

George W. Robbins to be postmaster at Valdez, Alaska, in place of C. J. Todd, resigned.

ARIZONA.

George W. Sigler to be postmaster at Florence, Ariz., in place of Ella G. Clarke, resigned.

Charles P. Heisser to be postmaster at Flagstaff, Ariz., in place of James L. Byrnes, resigned.

John R. Livingston to be postmaster at Chloride, Ariz., in place of James M. Russell, resigned.

Leonard D. Redfield to be postmaster at Benson, Ariz., in place of L. D. Redfield. Incumbent's commission expired July 26, 1918.

Ida E. M. Carty to be postmaster at Fort Huachuca, Ariz., in place of I. E. Carty. Incumbent's commission expired July 26, 1918.

Charles Osborne to be postmaster at Holbrook, Ariz., in place of C. Osborne. Incumbent's commission expired December 22, 1918.

John Towner to be postmaster at Naco, Ariz., in place of J. Towner. Incumbent's commission expired July 26, 1918.

Grace E. Moorman to be postmaster at Ray, Ariz., in place of G. Moorman. Incumbent's commission expired March 2, 1919.

Lawrence S. Williams to be postmaster at Williams, Ariz., in place of L. S. Williams. Incumbent's commission expired January 12, 1919.

Ora J. Moss to be postmaster at Somerton, Ariz. Office became presidential October 1, 1918.

ARKANSAS.

Philip J. Smith to be postmaster at Dumas, Ark., in place of P. J. Smith. Incumbent's commission expired January 25, 1919.

Laura B. Bonds to be postmaster at Lucora, Ark., in place of L. B. Denton. Name changed by marriage.

Albert S. Matlock to be postmaster at Van Buren, Ark., in place of William D. Yancey, deceased.

Storm O. Whaley to be postmaster at Sulphur Springs, Ark., in place of John B. Thompson, deceased.

Allen G. Blankenship to be postmaster at Monette, Ark., in place of Hollis S. Bass, resigned.

Claude J. Cotter to be postmaster at Marianna, Ark., in place of Emmet H. McMurry, resigned.

John W. McClenney to be postmaster at Heber Springs, Ark., in place of Arthur G. Morris, removed.

James B. Holder to be postmaster at Harrison, Ark., in place of William H. Watkins, resigned.

William H. Morton to be postmaster at Fayetteville, Ark., in place of Hugh F. Reagan, resigned.

William J. Lenehan to be postmaster at De Witt, Ark., in place of Duffy Allen, resigned.

Fannie M. Zearing to be postmaster at De Valls Bluff (late Devall Bluff), Ark., in place of George C. Cooper, resigned.

Kay S. Rolley to be postmaster at Crawfordville, Ark., in place of Alice L. Rolley, deceased.

Claude E. Skinner to be postmaster at Corning, Ark., in place of A. B. McKinney. Incumbent's commission expired January 27, 1918.

William E. Jones to be postmaster at Bigelow, Ark., in place of R. B. Lawson, resigned.

David D. Draper to be postmaster at Ashdown, Ark., in place of Arthur R. Hill, resigned.

Alfred L. Peacher to be postmaster at Fort Smith, Ark., in place of W. J. Johnston, resigned.

Louis Reitzammer to be postmaster at Arkansas City, Ark., in place of L. Reitzammer. Incumbent's commission expired March 3, 1919.

Mary G. Clark to be postmaster at Bald Knob, Ark., in place of M. G. Clark. Incumbent's commission expired January 25, 1919.

Seaborn J. Smith to be postmaster at Beebe, Ark., in place of S. J. Smith. Incumbent's commission expired July 7, 1918.

William K. Estes to be postmaster at Calico Rock, Ark., in place of W. K. Estes. Incumbent's commission expired January 25, 1919.

Lawrence D. Ballew to be postmaster at Des Arc, Ark., in place of L. D. Ballew. Incumbent's commission expired January 12, 1919.

Lucy C. Pullen to be postmaster at Foreman, Ark., in place of L. C. Dollarhide. Name changed by marriage.

Linn Turley to be postmaster at Forrest City, Ark., in place of L. Turley. Incumbent's commission expired December 29, 1918.

Henry C. Maples to be postmaster at Green Forest, Ark., in place of H. C. Maples. Incumbent's commission expired February 4, 1919.

Benjamin C. Milhoan to be postmaster at Hartford, Ark., in place of B. C. Milhoan. Incumbent's commission expired January 12, 1919.

Robert H. Smiley to be postmaster at Hot Springs, Ark., in place of R. H. Smiley. Incumbent's commission expired March 2, 1918.

Stella W. Harris to be postmaster at Junction City, Ark., in place of C. A. Harris. Incumbent's commission expired September 16, 1918.

Bessie Bevill to be postmaster at Kensett, Ark., in place of Bessie Bevill. Incumbent's commission expired January 25, 1919.

Mark E. Sherland to be postmaster at McGehee, Ark., in place of M. E. Sherland. Incumbent's commission expired February 4, 1919.

Noble J. Nixon to be postmaster at Mulberry, Ark., in place of N. J. Nixon. Incumbent's commission expired January 25, 1919.

Sylvester K. Hohes to be postmaster at Murfreesboro, Ark., in place of S. K. Hohes. Incumbent's commission expired January 25, 1919.

Thomas C. Fleeman to be postmaster at Ozark, Ark., in place of T. C. Fleeman. Incumbent's commission expired February 13, 1919.

John A. Marr to be postmaster at Prescott, Ark., in place of J. A. Marr. Incumbent's commission expired June 16, 1918.

Charles McB. Cox to be postmaster at Rector, Ark., in place of C. McB. Cox. Incumbent's commission expired September 16, 1918.

Benjamin W. Thomasson to be postmaster at Rison, Ark., in place of B. W. Thomasson. Incumbent's commission expired January 25, 1919.

Lucius Pilkington to be postmaster at Searcy, Ark., in place of Lucius Pilkington. Incumbent's commission expired July 27, 1918.

John P. Stafford to be postmaster at Springdale, Ark., in place of J. P. Stafford. Incumbent's commission expired June 13, 1918.

Fred Smith to be postmaster at Stephens, Ark., in place of Fred Smith. Incumbent's commission expired March 3, 1919.

Joe J. Shaddock to be postmaster at Thornton, Ark., in place of J. J. Shaddock. Incumbent's commission expired January 25, 1919.

Robert H. Harrison to be postmaster at Tuckerman, Ark., in place of R. H. Harrison. Incumbent's commission expired January 25, 1919.

James M. Crider to be postmaster at Winslow, Ark., in place of J. M. Crider. Incumbent's commission expired July 7, 1918.

Ella H. Smith to be postmaster at Wynne, Ark., in place of E. H. Smith. Incumbent's commission expired July 7, 1918.

Aubrey Gore to be postmaster at Dierks, Ark. Office became presidential October 1, 1918.

John E. Bittinger to be postmaster at Grady, Ark. Office became presidential July 1, 1918.

Ned P. Atkin to be postmaster at Parkdale, Ark. Office became presidential October 1, 1918.

J. Lewis Ragsdale to be postmaster at Russellville, Ark., in place of J. L. Ragsdale. Incumbent's commission expired July 7, 1918.

Leila H. Smith to be postmaster at Pangburn, Ark. Office became presidential January 1, 1919.

CALIFORNIA.

Mary A. Thornton to be postmaster at Yosemite, Calif., in place of William D. Thornton, resigned.

Charles R. Fuller to be postmaster at Sunnyvale, Calif., in place of J. J. Coutts, resigned.

George E. Kirby to be postmaster at San Luis Obispo, Calif., in place of George A. Barnett, deceased.

George G. Hughes to be postmaster at San Bruno, Calif., in place of Charles A. Bacon, removed. Office became presidential January 1, 1918.

Laura B. Rowden to be postmaster at Riverbank, Calif., in place of R. L. Evans, resigned.

Harvey P. Rogers to be postmaster at Quincy, Calif., in place of F. D. Robertson, removed.

Frank F. Smith to be postmaster at Oilcenter, Calif., in place of J. W. Heard, resigned.

Myrtle M. Evers to be postmaster at Novato, Calif., in place of Thomas F. Keating, deceased.

George W. Archer to be postmaster at Norwalk, Calif., in place of Frank J. Kolash, resigned.

Ambrose E. Daneri to be postmaster at Merced, Calif., in place of C. D. Radcliffe, resigned.

Anna V. Hocker to be postmaster at Hercules, Calif., in place of Andrew M. Ashenfolter, removed. Office became presidential October 1, 1918.

Albert O. Peterson to be postmaster at Escalon, Calif., in place of Rosanna M. Sharkey, deceased.

Selma A. Porter to be postmaster at Dunsmuir, Calif., in place of George B. Coon, removed.

George E. McElroy to be postmaster at Dixon, Calif., in place of John R. Snead, deceased.

Harry G. Hastings to be postmaster at Coachella, Calif., in place of Joseph H. Ramsdale, resigned.

William E. Perry to be postmaster at Artesia, Calif., in place of George R. Frampton, resigned.

Anna M. McVeigh to be postmaster at Brea, Calif., in place of R. G. Pettigrew, resigned.

Myron P. Meacham to be postmaster at Altadena, Calif., in place of M. P. Meacham. Incumbent's commission expired August 11, 1918.

Charles L. Gassaway to be postmaster at Banning, Calif., in place of C. L. Gassaway. Incumbent's commission expired January 22, 1919.

James A. Kelly to be postmaster at Beaumont, Calif., in place of J. A. Kelly. Incumbent's commission expired March 2, 1919.

Charles G. Clyne to be postmaster at Benicia, Calif., in place of C. G. Clyne. Incumbent's commission expired October 22, 1918.

Peter D. McIntyre to be postmaster at Blythe, Calif., in place of P. D. McIntyre. Incumbent's commission expired February 15, 1919.

Luella Mann to be postmaster at Boulder Creek, Calif., in place of Luella Mann. Incumbent's commission expired February 4, 1919.

Owen Kenny to be postmaster at Calistoga, Calif., in place of Owen Kenny. Incumbent's commission expired February 15, 1919.

Benjamin F. Hudspeth to be postmaster at Chico, Calif., in place of B. F. Hudspeth. Incumbent's commission expired October 16, 1918.

William A. Dickey to be postmaster at Chino, Calif., in place of W. A. Dickey. Incumbent's commission expired January 12, 1919.

Ira J. Cree to be postmaster at Claremont, Calif., in place of I. J. Cree. Incumbent's commission expired March 2, 1919.

Wellington E. Hiatt to be postmaster at Cloverdale, Calif., in place of W. E. Hiatt. Incumbent's commission expired October 22, 1918.

Katherine S. Bell to be postmaster at Clovis, Calif., in place of K. S. Bell. Incumbent's commission expired March 2, 1919.

Charles H. Guy to be postmaster at Concord, Calif., in place of C. H. Guy. Incumbent's commission expired July 8, 1918.

Virginia H. Gould to be postmaster at Cottonwood, Calif., in place of V. H. Gould. Incumbent's commission expired March 2, 1919.

Evelyn Mitchell to be postmaster at Dos Palos, Calif., in place of Evelyn Mitchell. Incumbent's commission expired February 15, 1919.

Rosalia A. Crandall to be postmaster at Etna Mills., Calif., in place of R. A. Crandall. Incumbent's commission expired April 6, 1918.

H. P. Martin Eriksen to be postmaster at Ferndale, Calif., in place of Martin Eriksen. Incumbent's commission expired July 16, 1918.

Phillippe P. Roche to be postmaster at Fillmore, Calif., in place of P. P. Roche. Incumbent's commission expired February 25, 1919.

William W. Ware to be postmaster at Fort Bragg, Calif., in place of W. W. Ware. Incumbent's commission expired February 15, 1919.

Charles H. Coffey to be postmaster at Gonzales, Calif., in place of C. H. Coffey. Incumbent's commission expired July 17, 1918.

Corinne Dolcini to be postmaster at Guadalupe, Calif., in place of Corinne Dolcini. Incumbent's commission expired February 25, 1919.

Reuben E. Baer to be postmaster at Healdsburg, Calif., in place of R. E. Baer. Incumbent's commission expired July 26, 1918.

Thomas C. H. De Lapp to be postmaster at Huntington Beach, Calif., in place of T. C. H. De Lapp. Incumbent's commission expired January 22, 1919.

Samuel J. Hindman to be postmaster at Inglewood, Calif., in place of S. J. Hindman. Incumbent's commission expired January 12, 1919.

Nathan L. Rannells to be postmaster at La Jolla, Calif., in place of N. L. Rannells. Incumbent's commission expired January 12, 1919.

Johnnie L. Murphy to be postmaster at Medera, Calif., in place of J. L. Murphy. Incumbent's commission expired February 4, 1919.

Thomas H. Miller to be postmaster at Morgan Hill, Calif., in place of T. H. Miller. Incumbent's commission expired October 22, 1918.

James I. C. Kennedy to be postmaster at Mountain View, Calif., in place of J. I. C. Kennedy. Incumbent's commission expired February 15, 1919.

John E. Walden to be postmaster at Napa, Calif., in place of J. E. Walden. Incumbent's commission expired March 28, 1918.

Fred M. Kelly to be postmaster at Needles, Calif., in place of F. M. Kelly. Incumbent's commission expired January 30, 1919.

John Mitchell to be postmaster at Ontario, Calif., in place of John Mitchell. Incumbent's commission expired January 12, 1919.

James Fullerton to be postmaster at Orange, Calif., in place of James Fullerton. Incumbent's commission expired March 2, 1919.

Fred N. Paxton to be postmaster at Oroville, Calif., in place of F. N. Paxton. Incumbent's commission expired October 16, 1918.

Elgin C. Hurlbert to be postmaster at Pacific Grove, Calif., in place of E. C. Hurlbert. Incumbent's commission expired October 22, 1918.

Charles E. Tabler to be postmaster at Parlier, Calif., in place of C. E. Tabler. Incumbent's commission expired December 22, 1918.

Wilmot D. Wood to be postmaster at Paso Robles, Calif., in place of W. D. Wood. Incumbent's commission expired October 16, 1918.

Edward B. Warmoth to be postmaster at Red Bluff, Calif., in place of E. B. Warmoth. Incumbent's commission expired March 3, 1919.

James V. Swift to be postmaster at Redwood City, Calif., in place of J. V. Swift. Incumbent's commission expired February 15, 1919.

Leota M. Stewart to be postmaster at Rialto, Calif., in place of L. M. Stewart. Incumbent's commission expired January 12, 1919.

K. D. Harger to be postmaster at Riverside, Calif., in place of K. D. Harger. Incumbent's commission expired January 22, 1919.

Joseph Galewsky to be postmaster at St. Helena, Calif., in place of J. Galewsky. Incumbent's commission expired February 15, 1919.

Margaret C. Hamilton to be postmaster at San Anselmo, Calif., in place of M. C. Hamilton. Incumbent's commission expired August 25, 1918.

Ross H. Hille to be postmaster at San Fernando, Calif., in place of R. H. Hille. Incumbent's commission expired December 22, 1918.

Charles D. Overshiner to be postmaster at Santa Ana, Calif., in place of C. D. Overshiner. Incumbent's commission expired January 12, 1919.

Charles E. Lilly to be postmaster at Santa Cruz, Calif., in place of C. E. Lilly. Incumbent's commission expired February 25, 1919.

Harry Hines to be postmaster at Santa Monica, Calif., in place of H. Hines. Incumbent's commission expired January 12, 1919.

George E. Meekins to be postmaster at Stanford University, Calif., in place of G. E. Meekins. Incumbent's commission expired August 25, 1918.

Alfred W. Rozier to be postmaster at Tuolumne, Calif., in place of A. W. Rozier. Incumbent's commission expired January 12, 1919.

Ralph P. Giddings to be postmaster at Turlock, Calif., in place of R. P. Giddings. Incumbent's commission expired February 4, 1919.

William B. Hagans to be postmaster at Ukiah, Calif., in place of W. B. Hagans. Incumbent's commission expired October 16, 1918.

Daniel M. Gibson to be postmaster at Van Nuys, Calif., in place of D. M. Gibson. Incumbent's commission expired March 2, 1919.

Ernest H. Haack to be postmaster at Watsonville, Calif., in place of E. H. Haack. Incumbent's commission expired October 22, 1918.

John J. Blaney to be postmaster at Weaverville, Calif., in place of J. J. Blaney. Incumbent's commission expired August 25, 1918.

Nellie Hawkins to be postmaster at Yreka, Calif., in place of N. Hawkins. Incumbent's commission expired July 17, 1918.

Cinie J. Mills to be postmaster at La Habra, Calif. Office became presidential October 1, 1918.

Joseph P. Schaefer to be postmaster at Mayfield, Calif. Office became presidential October 1, 1918.

Fred F. Darcy to be postmaster at Montebello, Calif. Office became presidential October 1, 1917.

William Henson to be postmaster at Riverdale, Calif. Office became presidential October 1, 1918.

Ruby Vinten to be postmaster at Terminal, Calif. Office became presidential October 1, 1918.

Valentine L. Dillon to be postmaster at Yucaipa, Calif. Office became presidential October 1, 1918.

Harrington Brown to be postmaster at Los Angeles, Calif., in place of H. Brown. Incumbent's commission expired May 1, 1918.

Daniel F. Stafford to be postmaster at Covina, Calif., in place of D. F. Stafford. Incumbent's commission expired March 2, 1919.

Willard Wells to be postmaster at Eureka, Calif., in place of Willard Wells. Incumbent's commission expired September 5, 1918.

Charles H. Gallagher to be postmaster at Sebastopol, Calif., in place of C. H. Gallagher. Incumbent's commission expired February 25, 1919.

Lewis C. Poor to be postmaster at Sherman, Calif., in place of L. C. Poor. Incumbent's commission expired January 12, 1919.

Virgil W. Norton to be postmaster at Sutter Creek, Calif., in place of V. W. Norton. Incumbent's commission expired March 10, 1918.

Stella D. Wilson to be postmaster at Arcadia, Calif. Office became presidential January 1, 1919.

COLORADO.

Joynt G. Lett to be postmaster at Yuma, Colo., in place of Harry M. McKinney, resigned.

Edward Slates to be postmaster at Walsenburg, Colo., in place of A. T. Manzanares, removed.

Anna B. Casady to be postmaster at Springfield, Colo., in place of R. O. Casady, deceased.

Edward S. Spangler to be postmaster at Simla, Colo., in place of Lucille Armstrong. Office became presidential October 1, 1918.

Vivian A. Chambers to be postmaster at Pagosa Springs, Colo., in place of Lydia J. McGee, resigned.

Frances L. Browning to be postmaster at Oak Creek, Colo., in place of William D. Richardson, resigned.

Homer L. Woodbury to be postmaster at Nederland, Colo., in place of Ralph H. Crawford, resigned.

Robert E. McCunniff to be postmaster at La Jara, Colo., in place of Thomas McCunniff, deceased.

Ralph E. Finnicum to be postmaster at Kiowa, Colo., in place of Olive A. Killin, resigned.

Vina Work to be postmaster at Fleming, Colo., in place of Mary E. Holmes, resigned.

James J. Roper to be postmaster at Alamosa, Colo., in place of Herbert R. Sabine, resigned.

Clarence H. Reagan to be postmaster at Aguilar, Colo., in place of Joseph Ray, resigned.

Lester T. Britton to be postmaster at Cripple Creek, Colo., in place of J. E. Hanley, deceased.

Joseph A. Theobold to be postmaster at Breckenridge, Colo., in place of J. A. Theobold. Incumbent's commission expired January 26, 1919.

Milas N. Johnson to be postmaster at Calhan, Colo., in place of M. N. Johnson. Incumbent's commission expired March 3, 1919.

Dorr W. Shores to be postmaster at Carbondale, Colo., in place of D. W. Shores. Incumbent's commission expired January 22, 1919.

Frank W. Childs to be postmaster at Cedaredge, Colo., in place of F. W. Childs. Incumbent's commission expired March 3, 1919.

Benjamin F. Stapleton to be postmaster at Denver, Colo., in place of B. F. Stapleton. Incumbent's commission expired February 27, 1919.

William F. Ordway to be postmaster at Dolores, Colo., in place of W. F. Ordway. Incumbent's commission expired July 7, 1918.

Joseph W. Burkhard to be postmaster at Florence, Colo., in place of J. W. Burkhard. Incumbent's commission expired January 11, 1919.

William G. Hubbell to be postmaster at Fort Lupton, Colo., in place of W. G. Hubbell. Incumbent's commission expired March 3, 1919.

Andrew V. Sharpe to be postmaster at Fruita, Colo., in place of A. V. Sharpe. Incumbent's commission expired December 29, 1918.

Sarah J. O'Connell to be postmaster at Georgetown, Colo., in place of S. J. O'Connell. Incumbent's commission expired January 30, 1919.

Jerry A. Ferris to be postmaster at Golden, Colo., in place of J. A. Ferris. Incumbent's commission expired March 1, 1919.

James Brennan to be postmaster at Grand Valley, Colo., in place of James Brennan. Incumbent's commission expired January 22, 1919.

Ray H. Cowdin to be postmaster at Hugo, Colo., in place of R. H. Cowdin. Incumbent's commission expired March 3, 1919.

Marion R. McCauley to be postmaster at La Junta, Colo., in place of M. R. McCauley. Incumbent's commission expired January 27, 1918.

James M. Brown to be postmaster at Mancos, Colo., in place of J. M. Brown. Incumbent's commission expired January 12, 1919.

Madge L. Weller to be postmaster at New Castle, Colo., in place of M. L. Weller. Incumbent's commission expired March 3, 1919.

Thomas Mowatt to be postmaster at Ouray, Colo., in place of Thomas Mowatt. Incumbent's commission expired January 12, 1919.

Walstien N. Haas to be postmaster at Silverton, Colo., in place of W. N. Haas. Incumbent's commission expired January 12, 1919.

John Davis to be postmaster at Arriba, Colo. Office became presidential October 1, 1918.

Frank G. Colburn to be postmaster at Mount Harris, Colo. Office became presidential October 1, 1918.

Frederick C. Tighe to be postmaster at New Rayner, Colo. Office became presidential October 1, 1918.

George J. W. Longmore to be postmaster at Louisville, Colo., in place of G. J. W. Longmore. Incumbent's commission expired February 26, 1919.

Catherine E. Melis to be postmaster at Aurora, Colo. Office became presidential April 1, 1919.

CONNECTICUT.

John P. Callahan to be postmaster at Branford, Conn., in place of J. P. Callahan. Incumbent's commission expired March 3, 1919.

Edward R. Wooster to be postmaster at Bridgewater, Conn., in place of E. R. Wooster. Incumbent's commission expired February 25, 1919.

Everett I. Pardee to be postmaster at Cheshire, Conn., in place of E. I. Pardee. Incumbent's commission expired January 12, 1919.

Willys R. Monroe to be postmaster at Coscob, Conn., in place of W. R. Monroe. Incumbent's commission expired January 22, 1919.

Thomas H. Collins to be postmaster at Farmington, Conn., in place of T. H. Collins. Incumbent's commission expired February 15, 1919.

David A. Wilson to be postmaster at Hartford, Conn., in place of D. A. Wilson. Incumbent's commission expired February 15, 1919.

Thomas F. Ryan to be postmaster at Litchfield, Conn., in place of T. F. Ryan. Incumbent's commission expired January 5, 1919.

Frederick H. Wall to be postmaster at Manchester, Conn., in place of F. H. Wall. Incumbent's commission expired March 3, 1919.

John F. Penders to be postmaster at Meriden, Conn., in place of J. F. Penders. Incumbent's commission expired July 6, 1918.

John Mulville to be postmaster at Norfolk, Conn., in place of John Mulville. Incumbent's commission expired February 25, 1919.

Walter H. Bishop to be postmaster at North Haven, Conn., in place of W. H. Bishop. Incumbent's commission expired July 17, 1918.

Michael J. Howard to be postmaster at Norwalk, Conn., in place of M. J. Howard. Incumbent's commission expired January 5, 1919.

Timothy J. Kelly to be postmaster at Oakville, Conn., in place of T. J. Kelly. Incumbent's commission expired December 31, 1918.

Emery W. Doolittle to be postmaster at Plantsville, Conn., in place of E. W. Doolittle. Incumbent's commission expired August 11, 1918.

Alexander Gilman to be postmaster at Putnam, Conn., in place of Alexander Gilman. Incumbent's commission expired February 15, 1919.

William P. Stone to be postmaster at Salisbury, Conn., in place of W. P. Stone. Incumbent's commission expired January 5, 1919.

John J. Moran to be postmaster at Southington, Conn., in place of J. J. Moran. Incumbent's commission expired February 25, 1919.

William H. Russell to be postmaster at Southport, Conn., in place of W. H. Russell. Incumbent's commission expired January 5, 1919.

Joseph F. Leahy to be postmaster at Stonington, Conn., in place of J. F. Leahy. Incumbent's commission expired February 25, 1919.

Daniel P. Hurley to be postmaster at Terryville, Conn., in place of D. P. Hurley. Incumbent's commission expired February 25, 1919.

William L. Hanley to be postmaster at Thomaston, Conn., in place of W. L. Hanley. Incumbent's commission expired January 5, 1919.

Thomas S. Rourke to be postmaster at Unionville, Conn., in place of T. S. Rourke. Incumbent's commission expired February 25, 1919.

John W. Cook to be postmaster at Beacon Falls., Conn. Office became presidential October 1, 1918.

Frank La Favre to be postmaster at Central Village, Conn. Office became presidential October 1, 1918.

William C. Saunders to be postmaster at Waterford, Conn. Office became presidential October 1, 1918.

George H. Foley to be postmaster at Mystic, Conn., in place of G. H. Foley. Incumbent's commission expired January 12, 1919.

Edward L. Reidy to be postmaster at Winsted, Conn., in place of E. L. Reidy. Incumbent's commission expired January 5, 1919.

DELAWARE.

Frederick L. Willey to be postmaster at Bridgeville, Del., in place of F. L. Willey. Incumbent's commission expired December 19, 1918.

J. Frank Starling to be postmaster at Dover, Del., in place of J. F. Starling. Incumbent's commission expired January 30, 1919.

George R. Mears to be postmaster at Georgetown, Del., in place of G. R. Mears. Incumbent's commission expired January 12, 1919.

Edwin V. Ocheltree to be postmaster at Greenwood, Del., in place of E. V. Ocheltree. Incumbent's commission expired January 30, 1919.

Effie M. Truitt to be postmaster at Rehoboth Beach, Del., in place of E. M. Truitt. Incumbent's commission expired July 8, 1918.

FLORIDA.

Samuel T. Ward to be postmaster at Panama City, Fla., in place of E. L. Brigman, resigned.

John W. Doe to be postmaster at Palm Beach, Fla., in place of E. R. McKenna, resigned.

Dona H. Weaver to be postmaster at Mayo, Fla., in place of T. J. Weaver, resigned.

Gustavus M. Rhoden to be postmaster at Macclenny, Fla., in place of James O. Milton, resigned.

George L. Drew to be postmaster at Jacksonville, Fla., in place of Peter A. Dignan. Incumbent's commission expired July 6, 1918.

William J. Carter to be postmaster at Homestead, Fla., in place of L. R. Nixon, resigned.

Elisha D. Wightman to be postmaster at Fruitland Park, Fla., in place of L. L. Kenny, deceased.

Louis J. Cowan to be postmaster at Daytona, Fla., in place of William Jackson, deceased.

James A. Douglas to be postmaster at Chipley, Fla., in place of F. C. Wilson. Incumbent's commission expired July 24, 1918.

Benjamin F. Bucanan to be postmaster at Bunnell, Fla., in place of J. L. Councill, resigned. Office became presidential April 1, 1918.

John M. Kelly to be postmaster at Bocagrande, Fla., in place of J. M. Kelly. Incumbent's commission expired July 17, 1918.

Thomas E. Blackburn to be postmaster at Bowling Green, Fla., in place of T. E. Blackburn. Incumbent's commission expired January 30, 1919.

James F. McKinstry to be postmaster at Gainesville, Fla., in place of J. F. McKinstry. Incumbent's commission expired January 26, 1919.

Milton D. Bell to be postmaster at Inverness, Fla., in place of M. D. Bell. Incumbent's commission expired December 22, 1918.

James L. Stokes to be postmaster at Micanopy, Fla., in place of J. L. Stokes. Incumbent's commission expired July 17, 1918.

Laura Knight to be postmaster at Millville, Fla., in place of Laura Laird. Name changed by marriage.

William C. McLean to be postmaster at Orlando, Fla., in place of W. C. McLean. Incumbent's commission expired October 13, 1918.

John W. Jackson to be postmaster at Palmetto, Fla., in place of J. W. Jackson. Incumbent's commission expired March 2, 1919.

John R. Thompson to be postmaster at Saint Andrew, Fla., in place of J. R. Thompson. Incumbent's commission expired July 26, 1918.

Orlando E. Hannah to be postmaster at Tavares, Fla., in place of O. E. Hannah. Incumbent's commission expired February 20, 1919.

Lenora K. Gilbride to be postmaster at Fort Dade, Fla. Office became presidential October 1, 1918.

Rinda Daniel to be postmaster at Moore Haven, Fla. Office became presidential October 1, 1918.

Caroline D. Simrall to be postmaster at Ormond, Fla. Office became presidential July 1, 1918.

Capers S. Weathersbee, jr., to be postmaster at Branford, Fla. Office became presidential April 1, 1919.

GEORGIA.

James H. McWhorter to be postmaster at Wrightsville, Ga., in place of R. P. Hicks, resigned.

Rebie I. Corbin to be postmaster at Warrenton, Ga., in place of J. C. Evans, resigned.

Freeman R. Hardisty to be postmaster at Statesboro, Ga., in place of E. M. Anderson, resigned.

Frank C. Lovett to be postmaster at Sparks, Ga., in place of M. M. McCranie, removed.

Agnes Wells to be postmaster at Smithville, Ga., in place of J. L. Wells, deceased.

George C. Thompson to be postmaster at Manchester, Ga., in place of J. H. Cotter, resigned.

Clement C. Moseley to be postmaster at Lyons, Ga., in place of F. M. Smith, resigned.

Thomas W. Allgood to be postmaster at Loganville, Ga., in place of G. M. Kilgore, resigned.

Walter L. Turner to be postmaster at Lagrange, Ga., in place of Robert Hutchinson, resigned.

John L. Dorris to be postmaster at Douglasville, Ga., in place of C. F. Selman, resigned.

Louise C. Riddle to be postmaster at Davisboro, Ga., in place of L. J. Moye, resigned.

Harry B. Maxwell to be postmaster at Cornelia, Ga., in place of L. F. Maxwell, resigned.

Thomas D. O'Kelley to be postmaster at Conyers, Ga., in place of J. S. Francis, resigned.

Walter W. Daves to be postmaster at Cartersville, Ga., in place of H. J. Jolly, resigned.

Charles P. Graddick to be postmaster at Barnesville, Ga., in place of W. M. Howard. Incumbent's commission expired October 13, 1918.

Josephine M. Gray to be postmaster at Adairsville, Ga., in place of J. M. Gray. Incumbent's commission expired February 4, 1919.

John W. Wells to be postmaster at Adel, Ga., in place of J. W. Wells. Incumbent's commission expired September 24, 1918.

Thomas B. Perry to be postmaster at Camilla, Ga., in place of T. B. Perry. Incumbent's commission expired January 12, 1919.

Emma Pettis to be postmaster at Cave Spring, Ga., in place of E. Pettis. Incumbent's commission expired October 1, 1918.

Frank L. Asbury to be postmaster at Clarkesville, Ga., in place of F. L. Asbury. Incumbent's commission expired February 4, 1919.

Wilbur S. Freeman to be postmaster at Claxton, Ga., in place of W. S. Freeman. Incumbent's commission expired January 12, 1919.

William T. Thurmond to be postmaster at Commerce, Ga., in place of W. T. Thurmond. Incumbent's commission expired February 25, 1918.

William T. Adkins to be postmaster at Edison, Ga., in place of W. T. Adkins. Incumbent's commission expired January 12, 1919.

Robert L. Horne to be postmaster at Ludowici, Ga., in place of R. L. Horne. Incumbent's commission expired January 4, 1919.

Albert S. J. McRae to be postmaster at McRae, Ga., in place of A. S. J. McRae. Incumbent's commission expired January 30, 1919.

Julien V. Frederick to be postmaster at Marshallville, Ga., in place of J. V. Frederick. Incumbent's commission expired February 4, 1919.

Thomas Davis to be postmaster at Meigs, Ga., in place of T. Davis. Incumbent's commission expired July 9, 1918.

George G. Brinson to be postmaster at Millen, Ga., in place of G. G. Brinson. Incumbent's commission expired October 1, 1918.

Frank D. Colson to be postmaster at Ocilla, Ga., in place of F. D. Colson. Incumbent's commission expired May 5, 1918.

Loyd W. English to be postmaster at Pelham, Ga., in place of L. W. English. Incumbent's commission expired March 3, 1919.

P. Brooks Ford to be postmaster at Sylvester, Ga., in place of P. B. Ford, resigned.

John Q. West to be postmaster at Thomson, Ga., in place of J. Q. West. Incumbent's commission expired October 21, 1918.

Josephine H. Lunceford to be postmaster at Union Point, Ga., in place of J. Hilliard. Name changed by marriage.

Tilden A. Adkins to be postmaster at Vienna, Ga., in place of T. A. Adkins. Incumbent's commission expired September 24, 1918.

James C. Newsom to be postmaster at Washington, Ga., in place of J. C. Newsom. Incumbent's commission expired October 21, 1918.

Benjamin R. Leggett to be postmaster at Broxton, Ga. Office became presidential July 1, 1918.

Anna A. Addison to be postmaster at Carnesville, Ga. Office became presidential October 1, 1918.

William D. Wallace to be postmaster at Chamblee, Ga. Office became presidential October 1, 1918.

Abbie F. Beacham to be postmaster at Glenwood, Ga. Office became presidential April 1, 1917.

Herbert F. Rudulph to be postmaster at St. Marys, Ga. Office became presidential July 1, 1918.

Sam Tate to be postmaster at Tate, Ga. Office became presidential October 1, 1918.

Henry M. Miller to be postmaster at Colquitt, Ga., in place of H. M. Miller. Incumbent's commission expired May 6, 1917.

Emory F. Boyd to be postmaster at Tignall, Ga. Office became presidential April 1, 1919.

Joseph B. Williams to be postmaster at Rhine, Ga. Office became presidential April 1, 1919.

Jane M. Wilkes to be postmaster at Lincolnton, Ga. Office became presidential April 1, 1919.

Barbour C. Warnock to be postmaster at Brooklet, Ga. Office became presidential January 1, 1919.

HAWAII.

John F. Daly to be postmaster at Hilo, Hawaii, in place of H. D. Corbett, removed.

Caesar R. Jardin to be postmaster at Kohala, Hawaii, in place of C. R. Jardin. Incumbent's commission expired October 16, 1918.

Mary Mitchell to be postmaster at Fort Kamehameha, Hawaii. Office became presidential October 1, 1918.

I. Ching How to be postmaster at Paia, Hawaii, in place of Millicent M. E. Cumming, resigned.

IDAHO.

Helga M. Cook to be postmaster at McCall, Idaho. Office became presidential October 1, 1918.

John E. Wood to be postmaster at Harrison, Idaho, in place of J. E. Wood. Incumbent's commission expired March 1, 1919.

Ross D. Bothwell to be postmaster at Weiser, Idaho, in place of F. S. Harding, deceased.

Oliver F. Vose to be postmaster at Salmon, Idaho, in place of T. H. Holbert, declined.

Robert B. Haskell to be postmaster at Burley, Idaho, in place of R. S. Story. Incumbent's commission expired June 3, 1918.

Elsie Harrell to be postmaster at Cambridge, Idaho, in place of F. J. Hill, resigned.

Richard L. Baker to be postmaster at Ashton, Idaho, in place of E. J. Kidd, resigned.

Austin A. Lambert to be postmaster at Hailey, Idaho, in place of J. W. Pearson, resigned.

William T. Roberts to be postmaster at Bellevue, Idaho, in place of W. T. Roberts. Incumbent's commission expired December 31, 1918.

William F. Winkler to be postmaster at Council, Idaho, in place of W. F. Winkler. Incumbent's commission expired March 2, 1919.

Alva A. White to be postmaster at Mountain Home, Idaho, in place of A. A. White. Incumbent's commission expired March 2, 1919.

Thomas J. Russell to be postmaster at Post Falls, Idaho, in place of T. J. Russell. Incumbent's commission expired December 22, 1918.

Walter A. Fiscus to be postmaster at Potlatch, Idaho, in place of W. A. Fiscus. Incumbent's commission expired October 22, 1918.

Samuel R. Gwin to be postmaster at Hagerman, Idaho. Office became presidential July 1, 1918.

James Campbell to be postmaster at Hope, Idaho. Office became presidential October 1, 1918.

Franklin B. Fiss to be postmaster at Kuna, Idaho. Office became presidential October 1, 1918.

Grant A. Bristol to be postmaster at Lava Hot Springs, Idaho. Office became presidential October 1, 1918.

ILLINOIS.

James M. Fairbanks to be postmaster at West Chicago, Ill., in place of Joseph Kramer, resigned.

Clara M. Smith to be postmaster at Weldon, Ill., in place of Edna Clemons, resigned.

Joseph S. Euans to be postmaster at Watseka, Ill., in place of J. H. Carey, deceased.

Albert Heyl to be postmaster at Waterloo, Ill., in place of David Schein. Incumbent's commission expired March 10, 1918.

Fred L. Mosimann to be postmaster at Troy, Ill., in place of August Droll. Incumbent's commission expired July 10, 1917.

Frank A. Reese to be postmaster at Sullivan, Ill., in place of C. J. Swisher. Incumbent's commission expired September 18, 1917.

Thomas B. Williams to be postmaster at Sidell, Ill., in place of A. J. Gillogly, resigned.

Harley R. Hootman to be postmaster at Sheldon, Ill., in place of C. L. Butler, resigned.

Rose C. Auth to be postmaster at Rankin, Ill., in place of G. A. Griffith, sr., resigned.

John S. Murphy to be postmaster at Pontiac, Ill., in place of D. C. Eyler, deceased.

Charles Stade to be postmaster at Park Ridge, Ill., in place of K. M. McClements, resigned.

Alfreda Desborough to be postmaster at Panama, Ill., in place of D. R. Bennett, resigned.

Edwin L. Ballard to be postmaster at National Stock Yards, Ill., in place of J. S. Grimes, resigned.

Audie Lindsey to be postmaster at Mahomet, Ill., in place of Eva Carson, resigned.

James W. Cogswell to be postmaster at Louisville, Ill., in place of A. J. Ikemire, deceased.

Mary S. McClymonds to be postmaster at Kirkwood, Ill., in place of R. E. Gamble. Incumbent's commission expired May 20, 1917.

Edward Suppiger to be postmaster at Highland, Ill., in place of F. A. Winter. Incumbent's commission expired April 24, 1918.

John D. Perrine to be postmaster at Herrin, Ill., in place of Alonzo Bonen, removed.

Rollo W. Churchill to be postmaster at Grayslake, Ill., in place of C. J. Wightman, resigned.

John S. Redshaw, jr., to be postmaster at Granville, Ill., in place of F. I. Peterson, resigned.

Bertha M. Densmore to be postmaster at Georgetown, Ill., in place of R. H. Lewman, resigned.

Catherine Burroughs to be postmaster at Genoa, Ill., in place of W. W. Story. Incumbent's commission expired June 27, 1918.

Ella Martz to be postmaster at Elmwood, Ill., in place of Philip Maher, resigned.

James H. Nelms to be postmaster at Edinburg, Ill., in place of C. G. McClary, resigned.

Thomas Berta to be postmaster at Coal City, Ill., in place of William Baskerville, deceased.

Roscoe Tygett to be postmaster at Christopher, Ill., in place of Moses Jordan, removed.

William F. Lammers to be postmaster at Buckley, Ill., in place of Mabel Minger, resigned.

Joseph H. Coffman to be postmaster at Augusta, Ill., in place of J. B. F. Agnew, resigned.

Grace R. Skelton to be postmaster at Port Byron, Ill., in place of W. D. Hall, deceased.

Nathan T. Crews to be postmaster at Menard, Ill., in place of E. C. Richter, declined.

Hugh L. B. Mason to be postmaster at Equality, Ill., in place of W. H. Stader, resigned.

Wesley A. Challacombe to be postmaster at Carlinville, Ill., in place of J. T. Harkins, deceased.

John T. Kelahan to be postmaster at Algonquin, Ill., in place of J. T. Kelahan. Incumbent's commission expired March 3, 1919.

Joseph L. Lampert to be postmaster at Alton, Ill., in place of J. L. Lampert. Incumbent's commission expired February 18, 1918.

Thomas W. Medlin to be postmaster at Anna, Ill., in place of T. W. Medlin. Incumbent's commission expired February 13, 1919.

Thomas W. McGraugh to be postmaster at Ashland, Ill., in place of T. W. McGraugh. Incumbent's commission expired March 3, 1919.

Hazel L. Garvey to be postmaster at Blandinsville, Ill., in place of H. L. Garvey. Incumbent's commission expired February 13, 1919.

Mahala E. Trainer to be postmaster at Blue Mound, Ill., in place of M. E. Trainer. Incumbent's commission expired February 3, 1919.

Wilbur F. Whitney to be postmaster at Byron, Ill., in place of W. F. Whitney. Incumbent's commission expired August 25, 1918.

Frank P. Williams to be postmaster at Carrollton, Ill., in place of F. P. Williams. Incumbent's commission expired February 13, 1919.

Benjamin L. Washburn to be postmaster at Carterville, Ill., in place of B. L. Washburn. Incumbent's commission expired February 3, 1919.

Isaac C. Davidson to be postmaster at Carthage, Ill., in place of I. C. Davidson. Incumbent's commission expired January 4, 1919.

George B. Marvel to be postmaster at Clinton, Ill., in place of G. B. Marvel. Incumbent's commission expired February 18, 1918.

Walter E. Roberts to be postmaster at Coffeen, Ill., in place of W. E. Roberts. Incumbent's commission expired July 25, 1918.

Robert C. Baird to be postmaster at Coulterville, Ill., in place of R. C. Baird. Incumbent's commission expired February 3, 1919.

Stephen A. D. Howe to be postmaster at Cowden, Ill., in place of S. A. D. Howe. Incumbent's commission expired July 21, 1918.

Edwin J. Kingdon to be postmaster at Cullom, Ill., in place of E. J. Kingdon. Incumbent's commission expired March 3, 1919.

Ludwig A. Karcher to be postmaster at Dahlgren, Ill., in place of L. A. Karcher. Incumbent's commission expired February 3, 1919.

George R. Tilton to be postmaster at Danville, Ill., in place of G. R. Tilton. Incumbent's commission expired January 18, 1919.

James L. Molohon to be postmaster at Divernon, Ill., in place of J. L. Molohon. Incumbent's commission expired February 13, 1919.

William F. Hogan to be postmaster at Dixon, Ill., in place of W. F. Hogan. Incumbent's commission expired September 5, 1918.

Darlin H. Thompson to be postmaster at Earlville, Ill., in place of D. H. Thompson. Incumbent's commission expired July 21, 1918.

John J. Lloyd to be postmaster at Fairfield, Ill., in place of J. J. Lloyd. Incumbent's commission expired February 3, 1919.

Carl E. Schmidt to be postmaster at Farina, Ill., in place of C. E. Schmidt. Incumbent's commission expired March 2, 1919.

Frank H. T. Maronde to be postmaster at Franklin Grove, Ill., in place of F. H. T. Maronde. Incumbent's commission expired July 25, 1918.

Michael C. Slattery to be postmaster at Galena, Ill., in place of M. C. Slattery. Incumbent's commission expired February 26, 1919.

John A. Pence to be postmaster at Gibson City, Ill., in place of J. A. Pence. Incumbent's commission expired October 22, 1918.

Frank W. Freeman to be postmaster at Grant Park, Ill., in place of F. W. Freeman. Incumbent's commission expired August 25, 1918.

William M. Cannedy to be postmaster at Greenfield, Ill., in place of W. M. Cannedy. Incumbent's commission expired February 13, 1919.

John A. Mathews to be postmaster at Greenview, Ill., in place of J. A. Mathews. Incumbent's commission expired March 2, 1919.

David Wilson to be postmaster at Gridley, Ill., in place of David Wilson. Incumbent's commission expired February 26, 1919.

Edward T. Crock to be postmaster at Hampshire, Ill., in place of E. T. Crock. Incumbent's commission expired February 26, 1919.

Henry Earle to be postmaster at Hebron, Ill., in place of Henry Earle. Incumbent's commission expired January 12, 1918.

John R. Paskell to be postmaster at Henry, Ill., in place of J. R. Paskell. Incumbent's commission expired January 12, 1919.

Frank G. Pierski to be postmaster at La Salle, Ill., in place of F. G. Pierski. Incumbent's commission expired July 27, 1918.

Joseph C. Lampert to be postmaster at Lena, Ill., in place of J. C. Lampert. Incumbent's commission expired January 12, 1919.

William Q. Crane to be postmaster at Lomax, Ill., in place of W. Q. Crane. Incumbent's commission expired March 3, 1919.

Cora L. Tisler to be postmaster at Marseilles, Ill., in place of C. L. Tisler. Incumbent's commission expired August 19, 1918.

Solomon H. Handy to be postmaster at Marshall, Ill., in place of S. H. Handy. Incumbent's commission expired February 26, 1919.

Edward F. Poorman to be postmaster at Mattoon, Ill., in place of E. F. Poorman. Incumbent's commission expired March 27, 1918.

Emil J. Hess to be postmaster at Mendota, Ill., in place of E. J. Hess. Incumbent's commission expired February 4, 1919.

Samuel M. Stewart to be postmaster at Metropolis, Ill., in place of S. M. Stewart. Incumbent's commission expired February 3, 1919.

John E. Herman to be postmaster at Mounds, Ill., in place of J. E. Herman. Incumbent's commission expired February 3, 1919.

Helen G. Longenbaugh to be postmaster at Moweaqua, Ill., in place of H. G. Longenbaugh. Incumbent's commission expired February 13, 1919.

Thomas E. Davis to be postmaster at Mulberry Grove, Ill., in place of T. E. Davis. Incumbent's commission expired February 3, 1919.

George Rankin to be postmaster at Normal, Ill., in place of G. Rankin. Incumbent's commission expired October 22, 1918.

Harry Bryant to be postmaster at Norris City, Ill., in place of H. Bryant. Incumbent's commission expired March 2, 1919.

Ann Sheehan to be postmaster at Ohio, Ill., in place of A. Sheehan. Incumbent's commission expired February 26, 1919.

Charles Walkup to be postmaster at Oregon, Ill., in place of C. Walkup. Incumbent's commission expired June 13, 1918.

Ben C. Allensworth to be postmaster at Pekin, Ill., in place of B. C. Allensworth. Incumbent's commission expired January 4, 1919.

Hugh Rice, jr., to be postmaster at Piper City, Ill., in place of H. Rice, jr. Incumbent's commission expired February 26, 1919.

Merton L. Spangler to be postmaster at Plainfield, Ill., in place of M. L. Spangler. Incumbent's commission expired July 25, 1918.

Horace C. Aleshire to be postmaster at Plymouth, Ill., in place of H. C. Aleshire. Incumbent's commission expired March 1, 1919.

Ernest R. Duncan to be postmaster at Potomac, Ill., in place of E. R. Duncan. Incumbent's commission expired February 26, 1919.

Charles E. Baum to be postmaster at Ridge Farm, Ill., in place of C. E. Baum. Incumbent's commission expired March 3, 1919.

Wiley B. Barnum to be postmaster at Ridgway, Ill., in place of W. B. Barnum. Incumbent's commission expired February 13, 1919.

William H. Hefferan to be postmaster at Rockford, Ill., in place of W. H. Hefferan. Incumbent's commission expired January 4, 1919.

Charles L. Stephenson to be postmaster at St. Francisville, Ill., in place of C. L. Stephenson. Incumbent's commission expired February 3, 1919.

John T. Scott to be postmaster at Saybrook, Ill., in place of J. T. Scott. Incumbent's commission expired February 3, 1919.

George B. Gray to be postmaster at Sesser, Ill., in place of G. B. Gray. Incumbent's commission expired February 3, 1919.

Isaac W. Terry to be postmaster at Tamaroa, Ill., in place of I. W. Terry. Incumbent's commission expired March 1, 1919.

John T. Carroll to be postmaster at Toluca, Ill., in place of J. T. Carroll. Incumbent's commission expired January 12, 1919.

George L. Hausmann to be postmaster at Vandalia, Ill., in place of G. L. Hausmann. Incumbent's commission expired September 16, 1918.

Harold M. Oakford to be postmaster at Walnut, Ill., in place of H. M. Oakford. Incumbent's commission expired January 20, 1919.

John H. Henson to be postmaster at Xenia, Ill., in place of J. H. Henson. Incumbent's commission expired August 27, 1917.

Glen S. Fleming to be postmaster at Catlin, Ill. Office became presidential October 1, 1918.

Mabel G. Holmes to be postmaster at Cornell, Ill. Office became presidential October 1, 1918.

Perry Westerfield to be postmaster at Frankfort Heights, Ill. Office became presidential October 1, 1918.

Enoch M. Runyon to be postmaster at Green Valley, Ill. Office became presidential October 1, 1918.

William Sutton to be postmaster at Kempton, Ill. Office became presidential July 1, 1918.

Benjamin F. Bosley to be postmaster at Ransom, Ill. Office became presidential July 1, 1918.

Robert Selby to be postmaster at Lovington, Ill., in place of R. Selby. Incumbent's commission expired July 27, 1918.

John Coveny to be postmaster at Elizabeth, Ill., in place of J. Coveny. Incumbent's commission expired July 2, 1918.

Mary Anen to be postmaster at Winthrop Harbor, Ill. Office became presidential October 1, 1918.

John C. Reuter to be postmaster at Freeburg, Ill., in place of J. C. Reuter. Incumbent's commission expired January 12, 1918.

Joseph V. Campeggio to be postmaster at Ladd, Ill., in place of J. V. Campeggio. Incumbent's commission expired January 4, 1919.

Frank S. Stults to be postmaster at Oquawka, Ill., in place of F. S. Stults. Incumbent's commission expired March 3, 1919.

Albert J. F. Larimore to be postmaster at Beecher City, Ill. Office became presidential January 1, 1919.

Rollin A. Gouwens to be postmaster at South Holland, Ill. Office became presidential January 1, 1919.

Dora Blair to be postmaster at New Douglas, Ill. Office became presidential January 1, 1919.

Chriss C. Kavanaugh to be postmaster at Mason, Ill. Office became presidential April 1, 1919.

Louis I. Hannig to be postmaster at Hopedale, Ill. Office became presidential January 1, 1919.

INDIANA.

Burr Atkinson to be postmaster at Vanburen, Ind., in place of George W. Doyle, deceased.

James E. Turner to be postmaster at Roann, Ind., in place of Benjamin E. Goltry, resigned. Office became presidential January 1, 1919.

Gilbert A. Wilson to be postmaster at Roachdale, Ind., in place of Fred. G. Rice, removed.

Charles A. Wall to be postmaster at Ridgeville, Ind., in place of Garland D. Williamson, deceased.

Clarence E. Skelton to be postmaster at Orleans, Ind., in place of S. L. Frost, resigned.

Frank A. Keller to be postmaster at Newburg, Ind., in place of A. H. Martin, deceased.

William H. Morey to be postmaster at Lowell, Ind., in place of Mortimer Castle. Incumbent's commission expired April 24, 1918.

George J. Richman to be postmaster at Greenfield, Ind., in place of W. A. Service, resigned.

William L. Denman to be postmaster at Greencastle, Ind., in place of W. B. Vestal. Incumbent's commission expired June 17, 1917.

Oren S. Hurst to be postmaster at Farmland, Ind., in place of J. H. McFarland, resigned.

Charles L. Berg to be postmaster at Bremen, Ind., in place of Franc Mensel, resigned.

Charles R. Carrette to be postmaster at Whiting, Ind., in place of D. B. Purinton, declined.

Burt E. Kimmel to be postmaster at Howe, Ind., in place of C. E. Schaeffer, resigned.

Francis M. Fultz to be postmaster at Akron, Ind., in place of F. M. Fultz. Incumbent's commission expired July 8, 1918.

Charlie E. Heiney to be postmaster at Andrews, Ind., in place of C. E. Heiney. Incumbent's commission expired March 1, 1919.

Henry E. Snyder to be postmaster at Atlanta, Ind., in place of H. E. Snyder. Incumbent's commission expired January 30, 1919.

Miles Baxter to be postmaster at Auburn, Ind., in place of M. Baxter. Incumbent's commission expired March 24, 1918.

William L. McMillen to be postmaster at Brook, Ind., in place of W. L. McMillen. Incumbent's commission expired February 4, 1919.

J. Bruce Pessell to be postmaster at Butler, Ind., in place of J. B. Pessell. Incumbent's commission expired January 30, 1919.

Merrimon Straughn to be postmaster at Cambridge City, Ind., in place of M. Straughn. Incumbent's commission expired January 22, 1919.

John W. Brand to be postmaster at Columbia City, Ind., in place of J. W. Brand. Incumbent's commission expired January 27, 1918.

Peter F. Hein to be postmaster at Crown Point, Ind., in place of P. F. Hein. Incumbent's commission expired February 25, 1919.

Benjamin F. Houseman to be postmaster at Dunkirk, Ind., in place of B. F. Houseman. Incumbent's commission expired January 12, 1919.

James J. Littrell to be postmaster at Elkhart, Ind., in place of J. J. Littrell. Incumbent's commission expired January 27, 1918.

Theodore Hoss to be postmaster at Fowler, Ind., in place of Theodore Hoss. Incumbent's commission expired January 30, 1919.

Walter M. Engle to be postmaster at Francesville, Ind., in place of W. M. Engle. Incumbent's commission expired March 1, 1919.

George E. Erdmann to be postmaster at Greensburg, Ind., in place of G. E. Erdmann. Incumbent's commission expired March 10, 1918.

William W. Drake to be postmaster at Greenwood, Ind., in place of W. W. Drake. Incumbent's commission expired June 6, 1918.

Edward E. Cox to be postmaster at Hartford City, Ind., in place of E. E. Cox. Incumbent's commission expired January 12, 1919.

John P. Huther to be postmaster at Jasper, Ind., in place of J. P. Huther. Incumbent's commission expired July 25, 1918.

John Postma to be postmaster at Milford, Ind., in place of John Postma. Incumbent's commission expired January 12, 1919.

Amasa S. Robinson to be postmaster at Monroeville, Ind., in place of A. S. Robinson. Incumbent's commission expired January 5, 1919.

Rudolph F. Schneider to be postmaster at Montpelier, Ind., in place of R. F. Schneider. Incumbent's commission expired June 16, 1918.

Frank Billings to be postmaster at Morocco, Ind., in place of Frank Billings. Incumbent's commission expired February 4, 1919.

Alvin E. Hauk to be postmaster at Morristown, Ind., in place of A. E. Hauk. Incumbent's commission expired February 15, 1919.

John A. Cody to be postmaster at New Albany, Ind., in place of J. A. Cody. Incumbent's commission expired January 26, 1919.

Thomas C. Dowling to be postmaster at New Haven, Ind., in place of T. C. Dowling. Incumbent's commission expired February 4, 1919.

Charles F. Ill to be postmaster at Notre Dame, Ind., in place of C. F. Ill. Incumbent's commission expired February 15, 1919.

Alfred M. Hiatt to be postmaster at Pennville, Ind., in place of A. M. Hiatt. Incumbent's commission expired January 12, 1919.

Frank E. Campbell to be postmaster at Red Key, Ind., in place of F. E. Campbell. Incumbent's commission expired January 12, 1919.

Charles K. Lewis to be postmaster at Russiaville, Ind., in place of C. K. Lewis. Incumbent's commission expired February 4, 1919.

Allen Swope to be postmaster at Seymour, Ind., in place of Allen Swope. Incumbent's commission expired March 10, 1918.

Levi T. Pennington to be postmaster at Spiceland, Ind., in place of L. T. Pennington. Incumbent's commission expired July 26, 1918.

Verado W. Bigney to be postmaster at Sunman, Ind., in place of V. W. Bigney. Incumbent's commission expired February 25, 1919.

James H. Roy to be postmaster at Topeka, Ind., in place of J. H. Roy. Incumbent's commission expired January 5, 1919.

Charles W. Reed to be postmaster at Upland, Ind., in place of C. W. Reed. Incumbent's commission expired January 12, 1919.

R. William I. Boggs to be postmaster at Veedersburg, Ind., in place of R. W. I. Boggs. Incumbent's commission expired February 13, 1919.

Eugene Kelley to be postmaster at Waterloo, Ind., in place of Eugene Kelley. Incumbent's commission expired February 4, 1919.

George A. Dalton to be postmaster at West Baden, Ind., in place of G. A. Dalton. Incumbent's commission expired August 19, 1918.

Winfield S. Sanders to be postmaster at Westport, Ind., in place of W. S. Sanders. Incumbent's commission expired February 4, 1919.

William Marmaduke to be postmaster at Wingate, Ind., in place of W. Marmaduke. Incumbent's commission expired February 15, 1919.

Frank E. Parker to be postmaster at Colfax, Ind. Office became presidential July 1, 1918.

Hurbert J. Harris to be postmaster at Hillsboro, Ind. Office became presidential July 1, 1918.

Benjamin H. Knapp to be postmaster at Wheatfield, Ind. Office became presidential October 1, 1918.

Marley Kendall to be postmaster at Dana, Ind., in place of Marley Kendall. Incumbent's commission expired February 25, 1919.

Henry B. Snyder to be postmaster at Gary, Ind., in place of H. B. Snyder. Incumbent's commission expired February 20, 1919.

John L. Rohde to be postmaster at Hammond, Ind., in place of J. L. Rohde. Incumbent's commission expired January 22, 1919.

Louis G. Trixler to be postmaster at Huntington, Ind., in place of L. G. Trixler. Incumbent's commission expired March 3, 1919.

Don C. Ward to be postmaster at Union City, Ind., in place of D. C. Ward. Incumbent's commission expired January 12, 1919.

Charles C. Rickard to be postmaster at Pekin, Ind. Office became presidential January 1, 1919.

Charles Van Arsdall to be postmaster at Hymera, Ind. Office became presidential April 1, 1919.

Charles J. Metzger to be postmaster at Ferdinand, Ind. Office became presidential January 1, 1919.

Harry C. Wesner to be postmaster at Campbellsburg, Ind. Office became presidential January 1, 1919.

IOWA.

Hope C. Niemann to be postmaster at Marcus, Iowa, in place of Benjamin Delaney, resigned.

Arthur E. Granger to be postmaster at Marion, Iowa, in place of T. T. Williams, deceased.

Maude E. Barkley to be postmaster at Pierson, Iowa, in place of Charles E. Perdue, resigned.

Albert H. Stoltenberg to be postmaster at Schleswig, Iowa, in place of Emil M. Peters, resigned.

Philip W. Tembke to be postmaster at Sibley, Iowa, in place of Jacob H. Bahne, resigned.

Esther Y. Walster to be postmaster at Marble Rock, Iowa, in place of Merton I. J. Ackley, resigned.

James F. Conover to be postmaster at Calmar, Iowa, in place of Jacob Meyer, resigned.

Kathryn McGuire to be postmaster at Audubon, Iowa, in place of S. B. Morrissey, resigned.

Edwin P. Anderson to be postmaster at Winfield, Iowa, in place of J. W. Hanna, resigned.

Frank E. Moravec to be postmaster at Oxford Junction, Iowa, in place of Frank Kenney, resigned.

Edward J. Kooreman to be postmaster at Alton, Iowa, in place of E. J. Kooreman. Incumbent's commission expired January 12, 1919.

Carl L. Little to be postmaster at Ames, Iowa, in place of C. L. Little. Incumbent's commission expired January 30, 1919.

Maurice Fay to be postmaster at Anamosa, Iowa, in place of M. Fay. Incumbent's commission expired August 19, 1918.

Harry H. Cate to be postmaster at Anita, Iowa, in place of H. H. Cate. Incumbent's commission expired January 12, 1919.

Henry Durst to be postmaster at Battle Creek, Iowa, in place of H. Durst. Incumbent's commission expired March 1, 1919.

Peter J. Cool to be postmaster at Baxter, Iowa, in place of P. J. Cool. Incumbent's commission expired January 30, 1919.

Joseph E. McKillip to be postmaster at Bellevue, Iowa, in place of J. E. McKillip. Incumbent's commission expired March 2, 1919.

Frank C. Siebengartner to be postmaster at Bettendorf, Iowa, in place of F. C. Siebengartner. Incumbent's commission expired February 25, 1919.

Hans E. Eiel to be postmaster at Buffalo Center, Iowa, in place of H. E. Eiel. Incumbent's commission expired January 12, 1919.

John H. Pettibone to be postmaster at Burlington, Iowa, in place of J. H. Pettibone. Incumbent's commission expired July 1, 1918.

John E. McNamara to be postmaster at Castana, Iowa, in place of J. E. McNamara. Incumbent's commission expired March 1, 1919.

Walter H. Dewey to be postmaster at Chariton, Iowa, in place of W. H. Dewey. Incumbent's commission expired March 1, 1919.

George W. McKeehan to be postmaster at Cincinnati, Iowa, in place of G. W. McKeehan. Incumbent's commission expired February 20, 1919.

Bernhard M. Jacobsen to be postmaster at Clinton, Iowa, in place of B. M. Jacobsen. Incumbent's commission expired May 4, 1918.

John J. McAreavy to be postmaster at Coggon, Iowa, in place of J. J. McAreavy. Incumbent's commission expired July 1, 1918.

Watson B. Chapman to be postmaster at Correctionville, Iowa, in place of W. B. Chapman. Incumbent's commission expired March 2, 1919.

George F. Hughes to be postmaster at Council Bluffs, Iowa, in place of G. F. Hughes. Incumbent's commission expired March 2, 1919.

Nels A. Christensen to be postmaster at Alta, Iowa, in place of N. A. Christensen. Incumbent's commission expired January 5, 1919.

Francis D. Mead to be postmaster at Cresco, Iowa, in place of F. D. Mead. Incumbent's commission expired January 12, 1919.

Earl P. Patten to be postmaster at Danbury, Iowa, in place of E. P. Patten. Incumbent's commission expired February 20, 1919.

Charles H. Bloom to be postmaster at Delmar, Iowa, in place of C. H. Bloom. Incumbent's commission expired May 18, 1918.

Martin F. Kelly to be postmaster at Dewitt, Iowa, in place of M. F. Kelly. Incumbent's commission expired February 20, 1919.

Chris Haffner to be postmaster at Donnellson, Iowa, in place of C. Haffner. Incumbent's commission expired March 2, 1919.

William Walter to be postmaster at Dyersville, Iowa, in place of W. Walter. Incumbent's commission expired September 25, 1918.

Maurice Moroney to be postmaster at Earlville, Iowa, in place of M. Moroney. Incumbents' commission expired February 13, 1919.

Thomas J. Capper to be postmaster at Elgin, Iowa, in place of T. J. Capper. Incumbent's commission expired January 12, 1919.

Inez L. Hanson to be postmaster at Ellsworth, Iowa, in place of I. L. Hanson. Incumbent's commission expired March 3, 1919.

Patrick H. Donlon to be postmaster at Emmetsburg, Iowa, in place of P. H. Donlon. Incumbent's commission expired January 12, 1919.

Samuel Manuel to be postmaster at Fayette, Iowa, in place of Samuel Manuel. Incumbent's commission expired March 1, 1919.

Samuel B. Wesp to be postmaster at Fredericksburg, Iowa, in place of S. B. Wesp. Incumbent's commission expired October 16, 1918.

Madge Fell to be postmaster at Fremont, Iowa, in place of Madge Fell. Incumbent's commission expired January 30, 1919.

William Molloy to be postmaster at Galva, Iowa, in place of William Molloy. Incumbent's commission expired March 2, 1919.

George E. Jennings to be postmaster at Garden Grove, Iowa, in place of G. E. Jennings. Incumbent's commission expired January 5, 1919.

Frank B. Wilson to be postmaster at Greenfield, Iowa, in place of F. B. Wilson. Incumbent's commission expired January 30, 1919.

William J. Nelson to be postmaster at Grinnell, Iowa, in place of W. J. Nelson. Incumbent's commission expired January 12, 1919.

John Vanderwicken to be postmaster at Grundy Center, Iowa, in place of John Vanderwicken. Incumbent's commission expired August 25, 1918.

William C. McWilliams to be postmaster at Hedrick, Iowa, in place of W. C. McWilliams. Incumbent's commission expired January 5, 1919.

Max Mayer to be postmaster at Iowa City, Iowa, in place of Max Mayer. Incumbent's commission expired January 30, 1919.

William P. Coutts to be postmaster at Kellogg, Iowa, in place of W. P. Coutts. Incumbent's commission expired October 6, 1918.

Leo A. Dugan to be postmaster at Kingsley, Iowa, in place of L. A. Dugan. Incumbent's commission expired July 17, 1918.

Henry D. Mussman to be postmaster at Lakota (late Germania), Iowa, in place of H. D. Mussman. To change name of office.

William F. Oehmke to be postmaster at Larchwood, Iowa, in place of W. F. Oehmke. Incumbent's commission expired January 30, 1919.

John E. McHugh to be postmaster at Lisbon, Iowa, in place of J. E. McHugh. Incumbent's commission expired August 25, 1918.

James Nowak to be postmaster at Malcolm, Iowa, in place of James Nowak. Incumbent's commission expired September 25, 1918.

Greenup C. Boston to be postmaster at Malvern, Iowa, in place of G. C. Boston. Incumbent's commission expired January 5, 1919.

H. Peter N. Rix to be postmaster at Manning, Iowa, in place of H. P. N. Rix. Incumbent's commission expired January 5, 1919.

Elbert H. Vary to be postmaster at Mechanicsville, Iowa, in place of E. H. Vary. Incumbent's commission expired July 23, 1917.

Jacob A. Cowger to be postmaster at Mediapolis, Iowa, in place of J. A. Cowger. Incumbent's commission expired March 1, 1919.

William B. Durham to be postmaster at Milo, Iowa, in place of W. B. Durham. Incumbent's commission expired March 2, 1919.

John T. Lanigan to be postmaster at Monticello, Iowa, in place of J. T. Lanigan. Incumbent's commission expired July 13, 1918.

James D. Minnes to be postmaster at Moravia, Iowa, in place of J. D. Minnes. Incumbent's commission expired March 1, 1919.

Cary C. Beggs to be postmaster at Moulton, Iowa, in place of C. C. Beggs. Incumbent's commission expired January 30, 1919.

Stanley Miller to be postmaster at Mount Pleasant, Iowa, in place of Stanley Miller. Incumbent's commission expired January 12, 1919.

Frank W. Eichoff to be postmaster at Muscatine, Iowa, in place of F. W. Eichoff. Incumbent's commission expired January 22, 1919.

George E. Scoles to be postmaster at Nashua, Iowa, in place of G. E. Scoles. Incumbent's commission expired August 5, 1918.

Richard J. O'Connor to be postmaster at Neola, Iowa, in place of Richard O'Connor. Incumbent's commission expired August 25, 1918.

William L. Holtz to be postmaster at Newell, Iowa, in place of W. L. Holtz. Incumbent's commission expired September 25, 1918.

Harry E. Chichester to be postmaster at New London, Iowa, in place of H. E. Chichester. Incumbent's commission expired August 5, 1918.

Jesse A. Winger to be postmaster at Newton, Iowa, in place of J. A. Winger. Incumbent's commission expired January 12, 1919.

Eliza A. Butler to be postmaster at North English, Iowa, in place of E. A. Butler. Incumbent's commission expired February 13, 1919.

Charles A. Sample to be postmaster at Oakland, Iowa, in place of C. A. Sample. Incumbent's commission expired July 13, 1918.

Herman Toering to be postmaster at Orange City, Iowa, in place of Herman Toering. Incumbent's commission expired January 15, 1919.

Harry A. Nash to be postmaster at Perry, Iowa, in place of H. A. Nash. Incumbent's commission expired July 13, 1918.

Emma Nicolay to be postmaster at Postville, Iowa, in place of Emma Nicolay. Incumbent's commission expired January 5, 1919.

Joseph Peters to be postmaster at Preston, Iowa, in place of Joseph Peters. Incumbent's commission expired January 5, 1919.

John O'Rourke to be postmaster at Red Oak, Iowa, in place of John O'Rourke. Incumbent's commission expired February 3, 1919.

Albert F. Jenkins to be postmaster at Russell, Iowa, in place of A. F. Jenkins. Incumbent's commission expired January 5, 1919.

Lacey A. Wine to be postmaster at Sac City, Iowa, in place of L. A. Wine. Incumbent's commission expired January 5, 1919.

Walter E. Witten to be postmaster at Sloan, Iowa, in place of W. E. Witten. Incumbent's commission expired January 22, 1919.

Earl Bronson to be postmaster at Spencer, Iowa, in place of Earl Bronson. Incumbent's commission expired January 5, 1919.

Albert A. Montgomery to be postmaster at Stuart, Iowa, in place of A. A. Montgomery. Incumbent's commission expired September 25, 1918.

James H. Noon to be postmaster at Sumner, Iowa, in place of J. H. Noon. Incumbent's commission expired March 1, 1919.

J. Brady Piatt to be postmaster at Tipton, Iowa, in place of J. B. Piatt. Incumbent's commission expired July 27, 1918.

John Hickey to be postmaster at Vail, Iowa, in place of John Hickey. Incumbent's commission expired January 12, 1919.

Henry G. Kruse to be postmaster at Vinton, Iowa, in place of H. G. Kruse. Incumbent's commission expired June 2, 1917.

Francis A. Gallagher to be postmaster at Walnut, Iowa, in place of F. A. Gallagher. Incumbent's commission expired August 5, 1918.

Samuel W. Koster to be postmaster at West Liberty, Iowa, in place of S. W. Koster. Incumbent's commission expired March 19, 1918.

Richard B. McSwiggin to be postmaster at Williamsburg, Iowa, in place of R. B. McSwiggin. Incumbent's commission expired March 19, 1918.

Alva S. Lind to be postmaster at Blairsburg, Iowa. Office became presidential July 1, 1918.

Clem A. Bohnenkamp to be postmaster at Duncombe, Iowa. Office became presidential July 1, 1918.

Alphonso T. Joder to be postmaster at Hudson, Iowa. Office became presidential July 1, 1918.

John W. Waterman to be postmaster at Klemme, Iowa. Office became presidential July 1, 1918.

Jo G. Milligan to be postmaster at Pulaski, Iowa. Office became presidential October 1, 1918.

John Grant to be postmaster at Stanwood, Iowa. Office became presidential October 1, 1918.

Alma Camblin to be postmaster at Walcott, Iowa. Office became presidential October 1, 1918.

Ira L. Breffle to be postmaster at Lake Park, Iowa, in place of I. L. Breffle. Incumbent's commission expired January 5, 1919.

John F. Dalton, jr., to be postmaster at Manson, Iowa, in place of J. F. Dalton, jr. Incumbent's commission expired January 5, 1919.

Paul W. Farrell to be postmaster at Barnes City, Iowa. Office became presidential April 1, 1919.

Daisy A. Bestor to be postmaster at Grimes, Iowa. Office became presidential January 1, 1919.

KANSAS.

Althea C. Curry to be postmaster at Winchester, Kans., in place on James H. Riley, declined.

Claude J. Wood to be postmaster at Wetmore, Kans., in place of T. J. Martin, deceased.

Everett R. McGalliard to be postmaster at Troy, Kans., in place of George H. Burkhalter, resigned.

Frank A. Moore to be postmaster at Tribune, Kans., in place of Lou Stienbarger, resigned. Office became presidential October 1, 1918.

Henry R. Payne to be postmaster at Spring Hill, Kans., in place of Fred H. Ricketts, resigned.

Lula Ferrell to be postmaster at Peru, Kans., in place of G. W. Wasson, resigned.

Burton C. Peterson to be postmaster at Lyons, Kans., in place of George E. H. Six, resigned.

Anna J. Miller to be postmaster at Lebanon, Kans., in place of James W. Adams, resigned.

John H. Roemer to be postmaster at Hoisington, Kans., in place of Fred G. Meyer, resigned.

Lee Bledsoe to be postmaster at Herington, Kans., in place of Robert L. Notson, resigned.

Robert Focht to be postmaster at Eureka, Kans., in place of Anna C. Huffman. Incumbent's commission expired March 1, 1919.

Sol A. Pack to be postmaster at Burden, Kans., in place of Robert V. Grattan, resigned.

Charles D. Wyatt to be postmaster at Beloit, Kans., in place of Thomas C. Rodgers, deceased.

Horatio C. Duckworth to be postmaster at Altoona, Kans., in place of H. C. Duckworth. Incumbent's commission expired January 12, 1918.

George S. Hartley to be postmaster at Arkansas City, Kans., in place of G. S. Hartley. Incumbent's commission expired January 12, 1919.

Louis C. Orr to be postmaster at Atchison, Kans., in place of L. C. Orr. Incumbent's commission expired December 29, 1918.

Frank E. Munger to be postmaster at Atwood, Kans., in place of F. E. Munger. Incumbent's commission expired January 30, 1919.

William A. McClure to be postmaster at Baldwin City, Kans., in place of W. A. McClure. Incumbent's commission expired January 22, 1919.

Harlan W. Marmon to be postmaster at Barnes, Kans., in place of H. W. Marmon. Incumbent's commission expired February 4, 1919.

Clarence Coulter to be postmaster at Blue Rapids, Kans., in place of C. Coulter. Incumbent's commission expired December 29, 1918.

William S. Twist to be postmaster at Bonner Springs, Kans., in place of W. S. Twist. Incumbent's commission expired January 22, 1919.

Richard F. G. Hepworth to be postmaster at Burlingame, Kans., in place of R. F. G. Hepworth. Incumbent's commission expired March 2, 1919.

Frank H. Higley to be postmaster at Cawker City, Kans., in place of F. H. Higley. Incumbent's commission expired December 29, 1918.

Thomas Pore to be postmaster at Cedar Vale, Kans., in place of T. Pore. Incumbent's commission expired January 30, 1919.

John W. Lapham to be postmaster at Chanute, Kans., in place of J. W. Lapham. Incumbent's commission expired January 12, 1919.

Granville S. Hoss, jr., to be postmaster at Cherryvale, Kans., in place of G. S. Hoss, jr. Incumbent's commission expired February 3, 1919.

Frederick M. Murphy to be postmaster at Clyde, Kans., in place of F. M. Murphy. Incumbent's commission expired August 25, 1918.

Elmer E. Scott to be postmaster at Council Grove, Kans., in place of E. E. Scott. Incumbent's commission expired February 25, 1919.

Carl E. Hallberg to be postmaster at Courtland, Kans., in place of C. E. Hallberg. Incumbent's commission expired January 30, 1919.

John E. Hare to be postmaster at Cunningham, Kans., in place of J. E. Hare. Incumbent's commission expired February 20, 1919.

Isaac N. Richardson to be postmaster at Delphos, Kans., in place of I. N. Richardson. Incumbent's commission expired February 25, 1919.

Henry F. Schmidt to be postmaster at Dodge City, Kans., in place of H. F. Schmidt. Incumbent's commission expired December 29, 1918.

Thomas P. Mannion to be postmaster at Eldorado, Kans., in place of T. P. Mannion. Incumbent's commission expired March 2, 1919.

Harrison Parkman to be postmaster at Emporia, Kans., in place of H. Parkman. Incumbent's commission expired March 3, 1919.

John A. Lindahl to be postmaster at Enterprise, Kans., in place of J. A. Lindahl. Incumbent's commission expired January 20, 1919.

Joseph A. Carson to be postmaster at Erie, Kans., in place of J. A. Carson. Incumbent's commission expired February 4, 1919.

Virginia H. Kinyon to be postmaster at Fall River, Kans., in place of V. H. Kinyon. Incumbent's commission expired January 30, 1919.

P. J. Murphy to be postmaster at Gardner, Kans., in place of P. J. Murphy. Incumbent's commission expired March 1, 1919.

Clayton K. Simon to be postmaster at Goff, Kans., in place of C. K. Simon. Incumbent's commission expired March 2, 1919.

John F. Hostetter to be postmaster at Great Bend, Kans., in place of J. F. Hostetter. Incumbent's commission expired January 22, 1919.

Hiram R. Fulton to be postmaster at Hanover, Kans., in place of H. R. Fulton. Incumbent's commission expired February 20, 1919.

Arthur C. Inlow to be postmaster at Hill City, Kans., in place of A. C. Inlow. Incumbent's commission expired March 2, 1919.

Ferdinand Scharping to be postmaster at Hillsboro, Kans., in place of F. Scharping. Incumbent's commission expired January 30, 1919.

Samuel T. Osterhold to be postmatser at Holton, Kans., in place of S. T. Osterhold. Incumbent's commission expired December 29, 1918.

Samuel S. Graybill to be postmaster at Hutchinson, Kans., in place of S. S. Graybill. Incumbent's commission expired August 25, 1918.

Michael A. Frey to be postmaster at Junction City, Kans., in place of M. A. Frey. Incumbent's commission expired February 4, 1919.

Benjamin F. Tatum to be postmaster at Kinsley, Kans., in place of B. F. Tatum. Incumbent's commission expired September 30, 1918.

Charles A. Taschetta to be postmaster at Leavenworth, Kans., in place of C. A. Taschetta. Incumbent's commission expired March 1, 1919.

Wenslow Cipra to be postmaster at Lincoln, Kans., in place of W. Cipra. Incumbent's commission expired December 29, 1918.

Lloyd E. Jackson to be postmaster at McPherson, Kans., in place of L. E. Jackson. Incumbent's commission expired December 29, 1918.

Henry R. Honey to be postmaster at Mankato, Kans., in place of H. R. Honey. Incumbent's commission expired August 11, 1918.

Harry M. Brodrick to be postmaster at Marysville, Kans., in place at H. M. Brodrick. Incumbent's commission expired February 13, 1919.

John T. Brothers to be postmaster at National Military Home, Kans., in place of J. T. Brothers. Incumbent's commission expired January 12, 1919.

Ernest Bray to be postmaster at Neodesha, Kans., in place of E. Bray. Incumbent's commission expired March 2, 1919.

William L. D. Hagan to be postmaster at Newton, Kans., in place of W. L. D. Hagan. Incumbent's commission expired January 20, 1919.

George A. Milliman to be postmaster at Oakley, Kans., in place of G. A. Milliman. Incumbent's commission expired January 12, 1919.

James H. Cosgrove to be postmaster at Olathe, Kans., in place of J. H. Cosgrove. Incumbent's commission expired March 2, 1919.

Edwin F. Moody to be postmaster at Onaga, Kans., in place of E. F. Moody. Incumbent's commission expired January 12, 1919.

William C. White to be postmaster at Osage City, Kans., in place of W. C. White. Incumbent's commission expired July 1, 1918.

Aldamar P. Elder to be postmaster at Ottawa, Kans., in place of A. P. Elder. Incumbent's commission expired March 1, 1919.

Claud Alley to be postmaster at Oxford Kans., in place of C. Alley. Incumbent's commission expired January 12, 1919.

Thomas J. Ryan to be postmaster at St. Marys, Kans., in place of T. J. Ryan. Incumbent's commission expired December 29, 1918.

William F. Grosser to be postmaster at Salina, Kans., in place of W. F. Grosser. Incumbent's commission expired January 12, 1919.

Richard D. McCliman to be postmaster at Seneca, Kans., in place of R. D. McCliman. Incumbent's commission expired December 29, 1918.

Henry Block to be postmaster at Syracuse, Kans., in place of H. Block. Incumbent's commission expired February 3, 1919.

Timothy D. Seeley to be postmaster at Tonganoxie, Kans., in place of T. D. Seeley. Incumbent's commission expired March 1, 1919.

Joseph J. Keraus to be postmaster at Wakeeney, Kans., in place of J. J. Keraus. Incumbent's commission expired December 29, 1918.

Oscar L. Clarke to be postmaster at Washington, Kans., in place of O. L. Clarke. Incumbent's commission expired March 2, 1919.

Catharine E. Simmons to be postmaster at Wellsville, Kans., in place of C. E. Simmons. Incumbent's commission expired March 2, 1919.

Thomas Torgeson to be postmaster at White City, Kans., in place of T. Torgeson. Incumbent's commission expired January 12, 1919.

Julia B. Temple to be postmaster at Valley Center, Kans. Office became presidential October 1, 1918.

William L. Scott to be postmaster at Sharon Springs, Kans., in place of W. L. Scott. Incumbent's commission expired February 20, 1919.

Daniel E. Pease to be postmaster at Greeley, Kans. Office became presidential January 1, 1919.

John J. Germann to be postmaster at Fairview, Kans. Office became presidential January 1, 1919.

KENTUCKY.

Ernie M. Peniston to be postmaster at Wilmore, Ky., in place of Robert J. Scott, deceased.

George L. Penny to be postmaster at Stanford, Ky., in place of Harvey J. McRoberts, resigned.

Bruner L. Stamps to be postmaster at Scottsville, Ky., in place of David C. Bradley, removed.

Edward F. Coffman to be postmaster at Russellville, Ky., in place of Charles M. Griffith. Incumbent's commission expired May 9, 1917.

Charles E. Cooke to be postmaster at Middlesboro, Ky., in place of W. C. Sleet, resigned.

Richard B Thurman to be postmaster at Hodgenville, Ky., in place of Lee H. Hansbrough, deceased.

James S. Glenn to be postmaster at Hartford, Ky., in place of Ernest E. Birkhead, resigned.

Tracy L. Riley to be postmaster at Fleming, Ky., in place of Mary L. Gay, resigned.

Mary Wilson to be postmaster at Crab Orchard, Ky., in place of Edward O. Gooch, deceased.

Frances L. Coldwell to be postmaster at Benham, Ky., in place of Barbra A. Rasnick, resigned.

Anna M. Sisk, to be postmaster at Allensville, Ky., in place of Olive Haddox, resigned.

Charles B. Burke to be postmaster at Beattyville, Ky., in place of G. T. Smith, resigned.

Virgie H. Lytle to be postmaster at Augusta, Ky., in place of V. H. Lytle. Incumbent's commission expired February 27, 1919.

Leslie C. Adams to be postmaster at Berea, Ky., in place of L. C. Adams. Incumbent's commission expired January 14, 1919.

Allie Reid to be postmaster at Brandenburg (late Brandenberg), Ky., in place of A. Reid. Incumbent's commission expired January 22, 1919.

Edward F. Yelton to be postmaster at Butler, Ky., in place of E. F. Yelton. Incumbent's commission expired January 22, 1919.

Charles E. Beeler to be postmaster at Calhoun, Ky., in place of C. E. Beeler. Incumbent's commission expired January 30, 1919.

Fannie G. Wilson to be postmaster at Campbellsville, Ky., in place of F. G. Taylor. Name changed by marriage.

Moses F. Moore to be postmaster at Central City, Ky., in place of M. F. Moore. Incumbent's commission expired August 5, 1918.

Otis W. Jackson to be postmaster at Clinton, Ky., in place of O. W. Jackson. Incumbent's commission expired September 16, 1919.

Nathaniel T. Mercer to be postmaster at Columbia, Ky., in place of N. T. Mercer. Incumbent's commission expired February 13, 1918.

Burnett M. Powell to be postmaster at Corydon, Ky., in place of B. M. Powell. Incumbent's commission expired January 30, 1919.

Orie S. Ware to be postmaster at Covington, Ky., in place of O. S. Ware. Incumbent's commission expired July 17, 1918.

Len Beshear to be postmaster at Dawsonsprings, Ky., in place of L. Beshear. Incumbent's commission expired July 17, 1918.

Helen L. Gurney to be postmaster at Erlanger, Ky., in place of H. L. Gurney. Incumbent's commission expired January 22, 1919.

James N. Rule to be postmaster at Falmouth, Ky., in place of J. N. Rule. Incumbent's commission expired August 25, 1918.

Robert H. Anderson to be postmaster at Georgetown, Ky., in place of R. H. Anderson. Incumbent's commission expired December 19, 1918.

Joseph E. Moseley to be postmaster at Hopkinsville, Ky., in place of J. E. Moseley. Incumbent's commission expired March 2, 1919.

Willis G. Bandy to be postmaster at Irvington, Ky., in place of W. G. Bandy. Incumbent's commission expired January 22, 1919.

Ephriam P. Brown to be postmaster at Lancaster, Ky., in place of E. P. Brown. Incumbent's commission expired July 27, 1918.

John B. Wathen to be postmaster at Lebanon, Ky., in place of J. B. Wathen. Incumbent's commission expired September 5, 1918.

John B. Lasley to be postmaster at Lewisburg, Ky., in place of J. B. Lasley. Incumbent's commission expired January 22, 1919.

Moses Kaufman to be postmaster at Lexington, Ky., in place of M. Kaufman. Incumbent's commission expired December 19, 1918.

William L. Hale to be postmaster at Mayfield, Ky., in place of W. L. Hale. Incumbent's commission expired February 15, 1919.

William H. Atteberry to be postmaster at Mumfordville, Ky., in place of W. H. Atteberry. Incumbent's commission expired January 12, 1919.

Andrew M. Edwards to be postmaster at New Castle, Ky., in place of A. M. Edwards. Incumbent's commission expired January 22, 1919.

Lawrence T. Doty to be postmaster at Owenton, Ky., in place of L. T. Doty. Incumbent's commission expired January 30, 1919.

Latt W. Springfield to be postmaster at Sebree, Ky., in place of L. W. Springfield. Incumbent's commission expired October 2, 1918.

Otho C. Quirey to be postmaster at Sturgis, Ky., in place of O. C. Quirey. Incumbent's commission expired February 25, 1919.

Mattie E. Carter to be postmaster at Barlow, Ky. Office became presidential July 1, 1918.

John W. Taylor to be postmaster at Stone, Ky. Office became presidential October 1, 1918.

Jesse B. Wise to be postmaster at Stithton, Ky. Office became presidential January 1, 1919.

LOUISIANA.

A. Mabelle Oaksmith to be postmaster at Welsh, La., in place of Teresa M. Stewart, resigned.

William W. Drake to be postmaster at St. Joseph, La., in place of Laura B. Beaubien, resigned.

Ellet B. Jewell to be postmaster at New Roads, La., in place of J. W. Bouanchaud, resigned.

J. Wiley Miller to be postmaster at Many, La., in place of Mary E. Vandegaer, resigned.

Thomas E. Wright, jr., to be postmaster at Houma, La., in place of Thomas E. Wright, deceased.

Henry C. Baldwin to be postmaster at Franklin, La., in place of Thomas F. Frere, deceased.

Harry Preaus, to be postmaster at Farmerville, La., in place of Kate Gilbert, resigned.

Vera M. Canady to be postmaster at Eros, La., in place of Pearl Collins, resigned.

Moise Bellard to be postmaster at Church Point, La., in place of Luda M. Hargroder, resigned.

Florence A. Stuckey to be postmaster at Boyce, La., in place of J. E. Ray, resigned.

Omar G. Goldsby to be postmaster at Amite, La., in place of A. J. Alford. Incumbent's commission expired October 4, 1917.

William T. Oliver to be postmaster at Rayville, La., in place of H. A. Buie, resigned.

William La Croix to be postmaster at Colfax, La., in place of C. L. Wells, name changed by marriage.

Jacob Seiler to be postmaster at Covington, La., in place of J. Seiler. Incumbent's commission expired October 22, 1918.

Joseph Muth to be postmaster at Elizabeth, La., in place of J. Muth. Incumbent's commission expired August 19, 1918.

Hardy C. Richardson to be postmaster at Franklinton, La., in place of H. C. Richardson. Incumbent's commission expired October 21, 1918.

Katherine J. Moynagh to be postmaster at Harvey, La., in place of K. J. Moynagh. Incumbent's commission expired October 22, 1918.

Lee Kiblinger to be postmaster at Jackson, La., in place of Lee Kiblinger. Incumbent's commission expired February 25, 1919.

Shep B. Hanes to be postmaster at Jena, La., in place of S. B. Hanes. Incumbent's commission expired December 19, 1918.

James M. Callaway to be postmaster at Jonesboro, La., in place of J. M. Callaway. Incumbent's commission expired February 25, 1919.

W. Randolph Morgan to be postmaster at Mandeville, La., in place of W. Randolph Morgan. Incumbent's commission expired October 22, 1918.

Joseph P. Trosclair to be postmaster at Opelousas, La., in place of J. P. Trosclair. Incumbent's commission expired February 4, 1919.

William P. Willett to be postmaster at Pollock, La., in place of W. P. Willett. Incumbent's commission expired February 4, 1918.

Samuel L. Barksdale to be postmaster at Ruston, La., in place of S. L. Barksdale. Incumbent's commission expired July 17, 1918.

Robinson M. Leake to be postmaster at St. Francisville, La., in place of R. M. Leake. Incumbent's commission expired October 22, 1918.

Frederick H. Gosman to be postmaster at Shreveport, La., in place of F. H. Gosman. Incumbent's commission expired February 15, 1919.

Henry J. Nelson to be postmaster at Vinton, La., in place of H. J. Nelson. Incumbent's commission expired February 15, 1919.

Simon Kahn to be postmaster at Raceland, La. Office became presidential July 1, 1918.

Irvin P. Duke to be postmaster at Rochelle, La. Office became presidential October 1, 1918.

Felicien H. Toups to be postmaster at Lafourche (late Lafourche Crossing), La., in place of F. H. Toups. Change name of office.

MAINE.

Alice C. Havener to be postmaster at Searsport, Me., in place of Amos Nichols, resigned.

Edith G. Stuart to be postmaster at National Soldiers' Home, Me., in place of William D. Stuart, resigned.

Stanley Renier to be postmaster at Madison, Me., in place of Oscar H. Dilworth, resigned.

George D. Vose to be postmaster at Kingfield, Me., in place of Reuben A. Huse, resigned.

Harry B. Brown to be postmaster at Farmington, Me., in place of Joseph A. Linscott, deceased.

Samuel G. Wing to be postmaster at Fairfield, Me., in place of Silas T. Lawry, resigned.

Charles E. Perry to be postmaster at Kittery Point, Me., in place of H. E. Roberts, removed.

Linza A. Burns to be postmaster at Clinton, Me., in place of L. A. Burns. Incumbent's commission expired March 2, 1919.

Fred A. Pitts to be postmaster at Damariscotta, Me., in place of F. A. Pitts. Incumbent's commission expired July 7, 1918.

John W. Hutchins to be postmaster at Fryeburg, Me., in place of J. W. Hutchins. Incumbent's commission expired January 4, 1919.

Austin W. Keating to be postmaster at Belfast, Me., in place of A. W. Keating. Incumbent's commission expired March 3, 1919.

Alvin E. Dresser to be postmaster at Millbridge, Me., in place of A. E. Dresser. Incumbent's commission expired January 12, 1919.

Dwight P. Macartney to be postmaster at Oakland, Me., in place of D. P. Macartney. Incumbent's commission expired February 21, 1918.

James W. Sewall to be postmaster at Oldtown, Me., in place of J. W. Sewall. Incumbent's commission expired March 3, 1919.

Ferdinand H. Parady to be postmaster at Orono, Me., in place of F. H. Parady. Incumbent's commission expired March 3, 1919.

John P. Coughlin to be postmaster at Saco, Me., in place of J. P. Coughlin. Incumbent's commission expired July 7, 1918.

Joseph A. Kenney to be postmaster at South Paris, Me., in place of J. A. Kenney. Incumbent's commission expired January 4, 1919.

Rufus L. Mudgett to be postmaster at Stockton Springs, Me., in place of R. L. Mudgett. Incumbent's commission expired March 2, 1919.

Elmer E. Crockett to be postmaster at Stonington, Me., in place of E. E. Crockett. Incumbent's commission expired March 3, 1919.

Frank B. Hills to be postmaster at Thomaston, Me., in place of F. B. Hills. Incumbent's commission expired January 4, 1919.

Louis P. Gagnon to be postmaster at Van Buren, Me., in place of L. P. Gagnon. Incumbent's commission expired March 2, 1919.

Mary P. Ross to be postmaster at Vanceboro, Me. Office became presidential October 1, 1918.

Allen H. Stinchfield to be postmaster at Wayne, Me. Office became presidential October 1, 1918.

MARYLAND.

Earle B. Polk to be postmaster at Princess Anne, Md., in place of H. L. Brittingham, resigned.

Edward W. Ross to be postmaster at Pocomoke City, Md., in place of John H. Blades, resigned.

Adelia E. Bowers to be postmaster at Millington, Md., in place of Washington F. Collins, deceased.

John D. Rowe to be postmaster at Indianhead, Md., in place of Sophie E. Posey, resigned.

Walter S. Wilson to be postmaster at Aberdeen, Md., in place of William H. Jacobs, resigned.

Walper G. Musgrove to be postmaster at Brunswick, Md., in place of W. G. Musgrove. Incumbent's commission expired February 25, 1919.

Charles W. Jefferson to be postmaster at Federalsburg, Md., in place of C. W. Jefferson. Incumbent's commission expired November 29, 1917.

Patrick T. McGann to be postmaster at Frostburg, Md., in place of P. T. McGann. Incumbent's commission expired February 20, 1919.

William J. Ford to be postmaster at Lonaconing, Md., in place of W. J. Ford. Incumbent's commission expired February 12, 1919.

David H. Hastings to be postmaster at Lutherville, Md., in place of D. H. Hastings. Incumbent's commission expired February 12, 1919.

Charles A. Deffinbaugh to be postmaster at Oakland, Md., in place of C. A. Deffinbaugh. Incumbent's commission expired February 20, 1919.

Charles Judefind to be postmaster at Rock Hall, Md., in place of Charles Judefind. Incumbent's commission expired January 8, 1919.

Samuel A. Wyvill to be postmaster at Upper Marlboro, Md., in place of S. A. Wyvill. Incumbent's commission expired February 12, 1919.

Joseph P. Getty to be postmaster at Western Port, Md., in place of J. P. Getty. Incumbent's commission expired February 25, 1919.

Benjamin C. Lefever to be postmaster at Williamsport, Md., in place of B. C. Lefever. Incumbent's commission expired February 20, 1919.

Elmore H. Owens to be postmaster at Perryville, Md. Office became presidential October 1, 1918.

Thomas D. Bowers to be postmaster at Chestertown, Md., in place of T. D. Bowers. Incumbent's commission expired January 8, 1919.

Joseph A. Williamson to be postmaster at Frederick, Md., in place of J. A. Williamson. Incumbent's commission expired February 25, 1919.

Joseph E. Hisley to be postmaster at Fort Howard, Md. Office became presidential April 1, 1919.

MASSACHUSETTS.

Willard H. Howell to be postmaster at Wrentham, Mass., in place of H. A. Cowell, resigned.

W. C. Arthur Herbert to be postmaster at West Warren, Mass., in place of J. F. O'Leary, resigned.

Otis J. A. Dionne to be postmaster at Walpole, Mass., in place of Daniel A. Donnelly, resigned.

Wesley G. Rose to be postmaster at South Deerfield, Mass., in place of Luther W. Clark, resigned.

William E. Chaffin to be postmaster at Scituate, Mass., in place of Patrick Curran, resigned.

Andrew J. Maguire to be postmaster at Randolph, Mass., in place of Joseph J. McMahon, resigned.

Frederic W. Brown to be postmaster at North Scituate, Mass., in place of Dennis T. Shea, resigned.

Albert F. Newell to be postmaster at Holden, Mass., in place of W. B. Loring, resigned.

John McGrath to be postmaster at Amesbury, Mass., in place of John McGrath. Incumbent's commission expired September 5, 1918.

James T. Wheelan to be postmaster at Ashburnham, Mass., in place of J. T. Wheelan. Incumbent's commission expired March 3, 1919.

John T. Dolan to be postmaster at Avon, Mass., in place of J. T. Dolan. Incumbent's commission expired January 30, 1919.

Daniel M. O'Leary to be postmaster at Baldwinsville, Mass., in place of D. M. O'Leary. Incumbent's commission expired March 3, 1919.

John J. Downey to be postmaster at Blackstone, Mass., in place of J. J. Downey. Incumbent's commission expired March 3, 1919.

John F. Shea to be postmaster at Bondsville, Mass., in place of J. F. Shea. Incumbent's commission expired July 14, 1918.

James J. Gorman to be postmaster at Bridgewater, Mass., in place of J. J. Gorman. Incumbent's commission expired July 14, 1918.

Edward Gilmore to be postmaster at Brockton, Mass., in place of Edward Gilmore. Incumbent's commission expired February 13, 1919.

Richard A. Cronan to be postmaster at Chicopee, Mass., in place of R. A. Cronan. Incumbent's commission expired March 2, 1919.

Daniel J. Driscoll to be postmaster at Chicopee Falls, Mass., in place of D. J. Driscoll. Incumbent's commission expired March 2, 1919.

J. Wentworth Earle to be postmaster at Cohasset, Mass., in place of J. W. Earle. Incumbent's commission expired February 4, 1919.

George W. Jones to be postmaster at Falmouth, Mass., in place of G. W. Jones. Incumbent's commission expired February 4, 1919.

John R. Smith to be postmaster at Fitchburg, Mass., in place of J. R. Smith. Incumbent's commission expired March 2, 1919.

Bernard F. Callahan to be postmaster at Franklin, Mass., in place of B. F. Callahan. Incumbent's commission expired March 3, 1919.

Charles D. Smith to be postmaster at Gloucester, Mass., in place of C. D. Smith. Incumbent's commission expired March 2, 1919.

Nicholas J. Lawler to be postmaster at Greenfield, Mass., in place of N. J. Lawler. Incumbent's commission expired October 16, 1918.

Thomas F. Donahue, jr., to be postmaster at Groton, Mass., in place of T. F. Donahue, jr. Incumbent's commission expired February 13, 1919.

J. Francis Megley to be postmaster at Holbrook, Mass., in place of J. F. Megley. Incumbent's commission expired March 1, 1919.

Edward F. Dannahy to be postmaster at Holliston, Mass., in place of E. F. Dannahy. Incumbent's commission expired January 5, 1919.

George P. Sheldon to be postmaster at Hopedale, Mass., in place of G. P. Sheldon. Incumbent's commission expired January 15, 1919.

Joseph F. Lapine to be postmaster at Hudson, Mass., in place of J. F. Lapine. Incumbent's commission expired January 5, 1919.

Edward E. Hoxie to be postmaster at Lee, Mass., in place of E. E. Hoxie. Incumbent's commission expired March 1, 1919.

Frank A. Foster to be postmaster at Manchester, Mass., in place of F. A. Foster. Incumbent's commission expired March 2, 1919.

Edward M. Bent to be postmaster at Medfield, Mass., in place of E. M. Bent. Incumbent's commission expired July 15, 1918.

Bernard Campbell to be postmaster at Millville, Mass., in place of Bernard Campbell. Incumbent's commission expired January 30, 1919.

Frederick J. Sullivan to be postmaster at Monson, Mass., in place of F. J. Sullivan. Incumbent's commission expired August 25, 1918.

Charles D. Streeter to be postmaster at Mount Hermon, Mass., in place of C. D. Streeter. Incumbent's commission expired March 1, 1919.

George L. Olivier to be postmaster at New Bedford, Mass., in place of G. L. Olivier. Incumbent's commission expired February 4, 1919.

Michael O. Haggerty to be postmaster at North Adams, Mass., in place of M. O. Haggerty. Incumbent's commission expired October 12, 1918.

Willie S. Smith to be postmaster at Onset, Mass., in place of W. S. Smith. Incumbent's commission expired February 13, 1919.

Alonzo W. Jones to be postmaster at Orleans, Mass., in place of A. W. Jones. Incumbent's commission expired March 3, 1919.

Frank E. Gibbs to be postmaster at Petersham, Mass., in place of F. E. Gibbs. Incumbent's commission expired March 3, 1919.

Aloysius B. Kennedy to be postmaster at Rochdale, Mass., in place of A. B. Kennedy. Incumbent's commission expired February 13, 1919.

Joseph Metras to be postmaster at Southbridge, Mass., in place of Joseph Metras. Incumbent's commission expired January 30, 1918.

Maurice Williams to be postmaster at South Easton, Mass., in place of Maurice Williams. Incumbent's commission expired February 13, 1919.

Susan F. Twiss to be postmaster at Three Rivers, Mass., in place of S. F. Twiss. Incumbent's commission expired October 16, 1918.

Benjamin P. Edwards to be postmaster at Topsfield, Mass., in place of B. P. Edwards. Incumbent's commission expired February 13, 1919.

Thomas G. O'Connell to be postmaster at Wakefield, Mass., in place of T. G. O'Connell. Incumbent's commission expired February 13, 1919.

James T. Hennessy to be postmaster at Wareham, Mass., in place of J. T. Hennessy. Incumbent's commission expired January 30, 1919.

Thomas F. Hederman to be postmaster at Webster, Mass., in place of T. F. Hederman. Incumbent's commission expired January 30, 1919.

William B. Mahoney to be postmaster at Westfield, Mass., in place of W. B. Mahoney. Incumbent's commission expired January 30, 1919.

Maynard N. Wetherell to be postmaster at Chartley, Mass. Office became presidential October 1, 1918.

Margaret E. Lindsey to be postmaster at Fort Andrews, Mass. Office became presidential July 1, 1918.

Patrick R. Mullany to be postmaster at Hatfield, Mass. Office became presidential October 1, 1918.

John T. King to be postmaster at Ashland, Mass., in place of J. T. King. Incumbent's commission expired March 3, 1919.

MICHIGAN.

Bert R. Miller to be postmaster at Vulcan, Mich., in place of Patrick Kearns. Incumbent's commission expired May 26, 1919.

Adelbert L. Stebbins to be postmaster at Sheridan, Mich., in place of A. E. Stebbins, resigned.

Eddy W. Fleming to be postmaster at Rose City, Mich., in place of I. M. Hammond, resigned.

Sadie Wheeler to be postmaster at Manton, Mich., in place of I. C. Wheeler, deceased.

Clara E. Benedict to be postmaster at Lawrence, Mich., in place of A. C. Benedict, deceased.

Henry C. Hemingsen to be postmaster at Grant, Mich., in place of William Dowing, resigned.

Mary E. Chadwick to be postmaster at Frankfort, Mich., in place of M. J. Hoppock, deceased.

James I. Galbraith to be postmaster at Croswell, Mich., in place of A. R. Martin. Incumbent's commission expired February 4, 1918.

Jennie McMinn to be postmaster at Bessemer, Mich., in place of Levi S. Rice, removed.

Arthur G. Creevy to be postmaster at Barryton, Mich., in place of C. L. Farwell, resigned.

Norman E. Weston to be postmaster at Kent City, Mich., in place of J. A. Saur, resigned.

Ira E. Bush to be postmaster at Ontonagon, Mich., in place of G. H. Gauthier, declined.

John Anderson to be postmaster at Gwinn, Mich., in place of M. J. Campbell, resigned.

Willard R. Noyes to be postmaster at Albion, Mich., in place of W. R. Noyes. Incumbent's commission expired March 1, 1919.

Claud E. Firestone to be postmaster at Allegan, Mich., in place of C. E. Firestone. Incumbent's commission expired March 3, 1919.

Vincent P. Cash to be postmaster at Alma, Mich., in place of V. P. Cash. Incumbent's commission expired March 20, 1918.

Horatio J. Abbott to be postmaster at Ann Arbor, Mich., in place of H. G. Abbott. Incumbent's commission expired January 4, 1919.

Albert E. Millet to be postmaster at Armada, Mich., in place of A. E. Millett. Incumbent's commission expired October 9, 1918.

Fred W. Hild to be postmaster at Baraga, Mich., in place of F. W. Hild. Incumbent's commission expired August 25, 1918.

Edward Austin to be postmaster at Battle Creek, Mich., in place of Edward Austin. Incumbent's commission expired August 11, 1918.

Angus M. Miller to be postmaster at Bay City, Mich., in place of A. M. Miller. Incumbent's commission expired January 31, 1918.

William A. Atyeo to be postmaster at Belleville, Mich., in place of W. A. Atyeo. Incumbent's commission expired January 12, 1919.

Jacob C. Rough to be postmaster at Buchanan, Mich., in place of J. C. Rough. Incumbent's commission expired March 17, 1918.

Frederick J. Kruger to be postmaster at Centerville, Mich., in place of F. J. Kruger. Incumbent's commission expired December 31, 1918.

Myron E. Miller to be postmaster at Charlotte, Mich., in place of M. E. Miller. Incumbent's commission expired December 31, 1918.

Patrick H. Schannenk to be postmaster at Chassell, Mich., in place of P. H. Schannenk. Incumbent's commission expired December 31, 1918.

John Noll to be postmaster at Cheboygan, Mich., in place of J. Noll. Incumbent's commission expired August 25, 1918.

Vernon E. Johnstone to be postmaster at Chesaning, Mich., in place of V. E. Johnstone. Incumbent's commission expired March 3, 1919.

James J. Jones to be postmaster at Clio, Mich., in place of J. J. Jones. Incumbent's commission expired February 26, 1919.

Ward J. Kelly to be postmaster at Crystal Falls, Mich., in place of W. J. Kelly. Incumbent's commission expired January 22, 1919.

John Dunham to be postmaster at Daggett, Mich., in place of J. Dunham. Incumbent's commission expired February 15, 1919.

Judson E. Richardson to be postmaster at Evart, Mich., in place of J. E. Richardson. Incumbent's commission expired February 25, 1919.

Ellis T. Jermin to be postmaster at Ewen, Mich., in place of E. T. Jermin. Incumbent's commission expired February 25, 1919.

Peter Van Lopik to be postmaster at Grand Haven, Mich., in place of P. Van Lopik. Incumbent's commission expired February 25, 1919.

Charles E. Hogadone to be postmaster at Grand Rapids, Mich., in place of C. E. Hogadone. Incumbent's commission expired February 26, 1919.

Patrick Garvey to be postmaster at Hemlock, Mich., in place of P. Garvey. Incumbent's commission expired December 31, 1918.

James J. Byers to be postmaster at Houghton, Mich., in place of J. J. Byers. Incumbent's commission expired December 31, 1918.

William O'Riley to be postmaster at Hudson, Mich., in place of W. O'Riley. Incumbent's commission expired February 25, 1919.

Edward G. Scott to be postmaster at Iron River, Mich., in place of E. G. Scott. Incumbent's commission expired February 4, 1919.

Robert M. Smith to be postmaster at Kearsarge, Mich., in place of R. M. Smith. Incumbent's commission expired August 25, 1918.

Salem F. Kennedy to be postmaster at Lakeview, Mich., in place of S. F. Kennedy. Incumbent's commission expired September 24, 1918.

Irwell Brody to be postmaster at Lawton, Mich., in place of I. Brody. Incumbent's commission expired December 31, 1918.

Charlie W. Beier to be postmaster at Lenox, Mich., in place of C. W. Beier. Incumbent's commission expired December 31, 1918.

Earl Hunter to be postmaster at Lowell, Mich., in place of E. Hunter. Incumbent's commission expired December 31, 1918.

Mark Boyd to be postmaster at McBain, Mich., in place of M. Boyd. Incumbent's commission expired February 15, 1919.

Clyde O. Barrett to be postmaster at Mackinaw, Mich., in place of C. O. Barrett. Incumbent's commission expired January 22, 1919.

William G. Howard to be postmaster at Marion, Mich., in place of W. G. Howard. Incumbent's commission expired January 20, 1919.

James C. Beckwith to be postmaster at Marshall, Mich., in place of J. C. Beckwith. Incumbent's commission expired December 31, 1918.

Sidney E. Younglove to be postmaster at Monroe, Mich., in place of S. E. Younglove. Incumbent's commission expired March 2, 1919.

Duncan D. Stewart to be postmaster at Munising, Mich., in place of D. D. Stewart. Incumbent's commission expired February 4, 1918.

Benjamin G. Oosterbaan to be postmaster at Muskegon, Mich., in place of B. G. Oosterbaan. Incumbent's commission expired February 26, 1919.

Merton N. Wolcott to be postmaster at North Adams, Mich., in place of M. N. Wolcott. Incumbent's commission expired February 15, 1919.

Will L. Tinham to be postmaster at Northville, Mich., in place of W. L. Tinham. Incumbent's commission expired January 4, 1919.

William E. Murphy to be postmaster at Pinckney, Mich., in place of W. E. Murphy. Incumbent's commission expired October 22, 1918.

Arthur L. Francis to be postmaster at Portland, Mich., in place of A. L. Francis. Incumbent's commission expired February 25, 1919.

Charles A. Lahser to be postmaster at Redford, Mich., in place of C. A. Lahser. Incumbent's commission expired February 25, 1919.

Charles Davidson to be postmaster at Richmond, Mich., in place of C. Davidson. Incumbent's commission expired February 4, 1919.

Henry J. Klee to be postmaster at Rogers, Mich., in place of H. J. Klee. Incumbent's commission expired January 31, 1918.

Thomas H. Sawher to be postmaster at St. Clair, Mich., in place of T. H. Sawher. Incumbent's commission expired August 25, 1918.

William H. Van Consant to be postmaster at St. Johns, Mich., in place of W. H. Van Consant. Incumbent's commission expired February 3, 1919.

Julius C. Armbruster to be postmaster at Sebewaing, Mich., in place of J. C. Armbruster. Incumbent's commission expired February 4, 1919.

Samuel McClellan to be postmaster at Springport, Mich., in place of S. McClellan. Incumbent's commission expired February 15, 1919.

Leo L. Johnson to be postmaster at Union City, Mich., in place of L. L. Johnson. Incumbent's commission expired March 3, 1919.

John C. Downing to be postmaster at Vermontville, Mich., in place of J. C. Downing. Incumbent's commission expired February 4, 1919.

John B. Murphy to be postmaster at Wayne, Mich., in place of J. B. Murphy. Incumbent's commission expired July 14, 1918.

James Fraser to be postmaster at Webberville, Mich., in place of J. Fraser. Incumbent's commission expired February 3, 1919.

John D. Burgess to be postmaster at West Branch, Mich., in place of J. D. Burgess. Incumbent's commission expired January 20, 1919.

Malcome D. McPhee to be postmaster at Wolverine, Mich., in place of M. D. McPhee. Incumbent's commission expired March 2, 1919.

John F. McInerney to be postmaster at Wyandotte, Mich., in place of J. F. McInerney. Incumbent's commission expired January 4, 1919.

John G. Ulrich to be postmaster at Ceresco, Mich. Office became presidential July 1, 1918.

Fred J. Hohn to be postmaster at Frankenmuth, Mich. Office became presidential October 1, 1916.

William H. S. Wood to be postmaster at Howell, Mich., in place of W. H. S. Wood. Incumbent's commission expired January 18, 1919.

Anna C. Kulish to be postmaster at Minden City, Mich. Office became presidential April 1, 1918.

MINNESOTA.

Verge Kenison to be postmaster at Alden, Minn., in place of E. Q. Stanley, removed.

Prudence M. Crosbie to be postmaster at Brewster, Minn., in place of M. McC. Maher, resigned.

Levi M. Peterson to be postmaster at Cambridge, Minn., in place of Emanuel Yngve, removed.

Millie Berkman to be postmaster at Chisholm, Minn., in place of D. J. Harrington, removed.

Theresa E. Thoreson to be postmaster at East Grand Forks, Minn., in place of E. A. Buckley, resigned.

Eliza O'Hara to be postmaster at Fairfax, Minn., in place of M. D. Brown, resigned.

William P. Cody to be postmaster at Graceville, Minn., in place of James Sammon, removed.

Horace B. Lyon to be postmaster at Hinckley, Minn., in place of J. J. Folsom, resigned.

Carl F. Peterson to be postmaster at Kennedy, Minn., in place of John A. Estlund, resigned.

William P. Marston, jr., to be postmaster at Lake Crystal, Minn., in place of Elliott A. Upson, resigned.

Michael J. Rowan to be postmaster at Lakeville, Minn., in place of William F. Roche, resigned.

Alfred E. Haskell to be postmaster at Maple Plain, Minn., in place of Robert M. Mills, resigned.

Albert J. Rynda to be postmaster at New Prague, Minn., in place of James J. Remes, removed.

Henry E. Day to be postmaster at Raymond, Minn., in place of Denis J. McMahon, resigned.

Emily F. Peake to be postmaster at Remer, Minn., in place of Walter L. O'Neill, resigned.

Theodore C. Radde to be postmaster at Truman, Minn., in place of James D. Griggs, resigned.

Martin A. H. Taggatz to be postmaster at Winthrop, Minn., in place of Jacob Scherer, resigned.

Charles F. Cook to be postmaster at Austin, Minn., in place of C. F. Cook. Incumbent's commission expired January 4, 1919.

Agnes H. Christenson to be postmaster at Beardsley, Minn., in place of A. H. Christenson. Incumbent's commission expired July 14, 1918.

Joseph Haggett to be postmaster at Bird Island, Minn., in place of J. Haggett. Incumbent's commission expired September 23, 1918.

Eugene N. Smith to be postmaster at Blackduck, Minn., in place of E. N. Smith. Incumbent's commission expired February 26, 1919.

Frank Plotts to be postmaster at Blooming Prairie, Minn., in place of F. Plotts. Incumbent's commission expired July 27, 1918.

Henry P. Dunn to be postmaster at Brainerd, Minn., in place of H. P. Dunn. Incumbent's commission expired July 27, 1918.

Sophus A. Nebel to be postmaster at Braham, Minn., in place of S. A. Nebel. Incumbent's commission expired February 3, 1919.

James Adlard to be postmaster at Brown Valley, Minn., in place of J. Adlard. Incumbent's commission expired March 3, 1919.

Frank L. Gorenflo to be postmaster at Cass Lake, Minn., in place of F. L. Gorenflo. Incumbent's commission expired February 26, 1919.

Charles W. Mobeck to be postmaster at Center City, Minn., in place of C. W. Mobeck. Incumbent's commission expired January 26, 1919.

Egbert J. Sutherland to be postmaster at Chatfield, Minn., in place of E. J. Sutherland. Incumbent's commission expired February 26, 1919.

Charles E. Seeley to be postmaster at Coleraine, Minn., in place of C. E. Seeley. Incumbent's commission expired March 1, 1919.

William Reid to be postmaster at Deer Wood, Minn., in place of William Reid. Incumbent's commission expired March 3, 1919.

Fred H. Baldwin to be postmaster at Edgerton, Minn., in place of F. H. Baldwin. Incumbent's commission expired March 3, 1919.

George W. Owens to be postmaster at Elmore, Minn., in place of G. W. Owens. Incumbent's commission expired October 22, 1918.

Knute Nelson to be postmaster at Fertile, Minn., in place of Knute Nelson. Incumbent's commission expired August 25, 1918.

Judge D. Whaley to be postmaster at Fosston, Minn., in place of J. D. Whaley. Incumbent's commission expired July 24, 1918.

James J. Daly to be postmaster at Frazee, Minn., in place of J. J. Daley. Incumbent's commission expired February 3, 1919.

Frank X. Eickmann to be postmaster at Glencoe, Minn., in place of F. X. Eickmann. Incumbent's commission expired January 22, 1919.

Clarence O. Madson to be postmaster at Halstad, Minn., in place of C. O. Madson. Incumbent's commission expired February 25, 1919.

Nels J. Thysell to be postmaster at Hawley, Minn., in place of N. J. Thysell. Incumbent's commission expired February 3, 1919.

John Wicker to be postmaster at Hayfield, Minn., in place of John Wicker. Incumbent's commission expired March 1, 1919.

Samuel G. Anderson, jr., to be postmaster at Hutchinson, Minn., in place of S. G. Anderson, jr. Incumbent's commission expired January 4, 1919.

William H. Nevin to be postmaster at Ivanhoe, Minn., in place of W. H. Nevin. Incumbent's commission expired February 3, 1919.

James H. Parker to be postmaster at Kasson, Minn., in place of J. H. Parker. Incumbent's commission expired February 26, 1919.

John B. Hughes to be postmaster at Lake Benton, Minn., in place of J. B. Hughes. Incumbent's commission expired July 27, 1918.

Martin J. O'Laughlin to be postmaster at Lake City, Minn., in place of M. J. O'Laughlin. Incumbent's commission expired February 15, 1919.

Angebret T. Vigen to be postmaster at Lake Park, Minn., in place of A. T. Vigen. Incumbent's commission expired February 13, 1919.

Jacob Gish to be postmaster at Le Sueur, Minn., in place of Jacob Gish. Incumbent's commission expired January 22, 1919.

John Butler to be postmaster at Lesueur Center, Minn., in place of John Butler. Incumbent's commission expired January 8, 1919.

Mads W. Jensen to be postmaster at McIntosh, Minn., in place of M. W. Jensen. Incumbent's commission expired February 3, 1919.

Patrick B. Jude to be postmaster at Maple Lake, Minn., in place of P. B. Jude. Incumbent's commission expired August 25, 1918.

James McGinn to be postmaster at Minneota, Minn., in place of James McGinn. Incumbent's commission expired August 25, 1918.

Isaac I. Bargen to be postmaster at Mountain Lake, Minn., in place of I. I. Bargen. Incumbent's commission expired February 25, 1919.

Alvin A. Ogren to be postmaster at New London, Minn., in place of A. A. Ogren. Incumbent's commission expired February 3, 1919.

Andrew Rotegard to be postmaster at New Richland, Minn., in place of Andrew Rotegard. Incumbent's commission expired February 4, 1919.

Frederick Pfaender to be postmaster at New Ulm, Minn., in place of F. Pfaender. Incumbent's commission expired March 3, 1919.

Thomas Zeien to be postmaster at North Branch, Minn., in place of T. Zeien. Incumbent's commission expired March 1, 1919.

Charles S. Dougherty to be postmaster at Northfield, Minn., in place of C. S. Dougherty. Incumbent's commission expired January 25, 1919.

Olger P. Oseth to be postmaster at Oslo, Minn., in place of O. P. Oseth. Incumbent's commission expired February 3, 1919.

George Neumann to be postmaster at Osseo, Minn., in place of G. Neumann. Incumbent's commission expired March 1, 1919.

Charles R. Frazee to be postmaster at Pelican Rapids, Minn., in place of C. R. Frazee. Incumbent's commission expired February 26, 1919.

Patrick McCabe to be postmaster at Proctor, Minn., in place of P. McCabe. Incumbent's commission expired September 5, 1918.

John L. Harwick to be postmaster at Rochester, Minn., in place of J. L. Harwick. Incumbent's commission expired March 3, 1919.

Anthony J. Malmquist to be postmaster at Rushmore, Minn., in place of A. J. Malmquist. Incumbent's commission expired March 3, 1919.

Patrick H. Grogan to be postmaster at St. James, Minn., in place of P. H. Grogan. Incumbent's commission expired March 1, 1919.

John Morgan to be postmaster at Thief River Falls, Minn., in place of J. Morgan. Incumbent's commission expired September 23, 1918.

Chauncey W. Bulen to be postmaster at Walnut Grove, Minn., in place of C. W. Bulen. Incumbent's commission expired January 8, 1919.

John F. McDonnell to be postmaster at Waverly, Minn., in place of J. F. McDonnell. Incumbent's commission expired January 8, 1919.

John L. Sammons to be postmaster at Westbrook, Minn., in place of J. L. Sammons. Incumbent's commission expired March 3, 1919.

Oswald C. Brunius to be postmaster at Carver, Minn. Office became presidential October 1, 1918.

John I. Nasett to be postmaster at Robbinsdale, Minn. Office became presidential July 1, 1918.

F. Verne Langdon to be postmaster at St. Louis Park, Minn. Office became presidential October 1, 1918.

Edwin L. Gove to be postmaster at Madelia, Minn., in place of E. L. Gove. Incumbent's commission expired January 26, 1919.

George C. Hompe to be postmaster at Deer Creek, Minn. Office became presidential January 1, 1919.

MISSISSIPPI.

James W. Ashcraft to be postmaster at Charleston, Miss., in place of C. S. Summers, resigned.

William R. Flanagan to be postmaster at Collins, Miss., in place of Benjamin F. Lott, resigned.

Finley B. Hewes to be postmaster at Gulfport, Miss., in place of Newton D. Goodwin, removed.

Alfred F. Cook to be postmaster at Leakesville, Miss., in place of Thomas A. Chapman, resigned.

David H. Landrum to be postmaster at Leland, Miss., in place of John A. Collier, resigned.

Patricia Dougherty to be postmaster at Tunica, Miss., in place of Charlie P. Wadley, removed.

Minnie S. Sudduth to be postmaster at Mount Olive, Miss., in place of F. Fairly, resigned.

Joseph E. Saucier to be postmaster at Bay St. Louis, Miss., in place of J. E. Saucier. Incumbent's commission expired February 4, 1919.

George C. Jackson to be postmaster at Belzoni, Miss., in place of G. C. Jackson. Incumbent's commission expired July 7, 1918.

Susette E. McAlpin to be postmaster at Bolton, Miss., in place of S. E. McAlpin. Incumbent's commission expired February 4, 1919.

Willie Herring to be postmaster at Bude, Miss., in place of W. Herring. Incumbent's commission expired February 25, 1919.

James T. Skelton to be postmaster at Goodman, Miss., in place of J. T. Skelton. Incumbent's commission expired January 22, 1919.

Edgar G. Harris to be postmaster at Laurel, Miss., in place of E. G. Harris. Incumbent's commission expired October 1, 1918.

Benjamin R. Trotter to be postmaster at Lucedale, Miss., in place of B. R. Trotter. Incumbent's commission expired July 17, 1918.

William W. Robertson to be postmaster at McComb, Miss., in place of W. W. Robertson. Incumbent's commission expired September 16, 1918.

Richard H. Coke to be postmaster at Mendenhall, Miss., in place of R. H. Coke. Incumbent's commission expired January 12, 1919.

Nannie Stuart to be postmaster at Morton, Miss., in place of N. Stuart. Incumbent's commission expired December 31, 1918.

Hattie McLeod to be postmaster at Moss Point, Miss., in place of H. McLeod. Incumbent's commission expired March 3, 1919.

Lewis M. McClure to be postmaster at Ocean Springs, Miss., in place of L. M. McClure. Incumbent's commission expired January 22, 1919.

Virginia B. Duckworth to be postmaster at Prentiss, Miss., in place of V. B. Duckworth. Incumbent's commission expired January 22, 1919.

Thomas W. Cooper to be postmaster at Purvis, Miss., in place of T. W. Cooper. Incumbent's commission expired March 3, 1919.

Rose Walley to be postmaster at Richton, Miss., in place of R. Walley. Incumbent's commission expired February 25, 1919.

Lallie H. Humphreys to be postmaster at Greenwood, Miss., in place of L. H. Humphreys. Incumbent's commission expired March 13, 1918.

Frank L. Ratliff to be postmaster at Shaw, Miss., in place of F. L. Ratliff. Incumbent's commission expired December 19, 1918.

Daniel R. Johnson to be postmaster at University, Miss., in place of D. R. Johnson. Incumbent's commission expired March 3, 1919.

Joseph T. Farrar to be postmaster at Anguilla, Miss. Office became presidential July 1, 1918.

McCreight Dansby to be postmaster at Decatur, Miss. Office became presidential July 1, 1918.

Louise M. Quarles to be postmaster at Minter City, Miss. Office became presidential July 1, 1918.

Walter E. Dreaden to be postmaster at Lambert, Miss., in place of W. E. Dreaden. Incumbent's commission expired February 4, 1919.

Pink H. Morrison to be postmaster at Heidelberg, Miss. Office became presidential January 1, 1919.

John V. Therrell to be postmaster at Florence, Miss. Office became presidential April 1, 1919.

MISSOURI.

Grover C. Meineke to be postmaster at Essex, Mo., in place of Grady C. Darby, resigned.

Frank P. Engleman to be postmaster at Greenfield, Mo., in place of William R. Bowles, deceased.

Anna L. Davis to be postmaster at Kearney, Mo., in place of J. C. Hall, resigned.

Allen D. Osenbaugh to be postmaster at Kirksville, Mo., in place of Thomas E. Graves, deceased.

Antoinette Sullivan to be postmaster at Lamonte, Mo., in place of George D. Reavis, resigned.

Ernest A. Wilson to be postmaster at Liberal, Mo., in place of William De Lissa, resigned.

William A. Black to be postmaster at Mansfield, Mo., in place of James Coday, removed.

Joseph Kuehls to be postmaster at Odessa, Mo., in place of Eugene M. Goodwin, resigned.

Don B. Martin to be postmaster at Oregon, Mo., in place of Hugh G. Harsha, resigned.

DeWitt C. Leonard to be postmaster at Ozark, Mo., in place of Charles E. Reid, resigned.

George C. Orchard to be postmaster at Poplar Bluff, Mo., in place of Henry Macom, removed.

Tobie J. Thomure to be postmaster at St. Marys, Mo., in place of James J. Davis, jr., resigned.

Thomas J. Davis to be postmaster at Tarkio, Mo., in place of Earl J. Wright, resigned.

Thomas H. E. Mathis to be postmaster at Ava, Mo., in place of John H. Orr, resigned.

Frances J. Smith to be postmaster at Blue Springs, Mo., in place of Almae C. Hall, resigned.

Roy E. Wilson to be postmaster at Bolchow, Mo., in place of George W. Bedford, resigned.

Ed L. Reed to be postmaster at Breckenridge, Mo., in place of Gideon B. Hart, resigned.

Cleo J. Burch to be postmaster at Brookfield, Mo., in place of Thomas M. Bresnehen, resigned.

Mary L. Shackleford to be postmaster at Bunceton, Mo., in place of Louis O. Nelson, resigned.

Harvey E. Averill to be postmaster at Caruthersville, Mo., in place of William H. Wilks, removed.

Leonidas J. Hall to be postmaster at Columbia, Mo., in place of J. H. Guitar, removed.

Viola J. Moore to be postmaster at Corder, Mo., in place of Ernest M. Moore, resigned.

Ibe C. Walker to be postmaster at Cuba, Mo., in place of Louie C. Mattox, resigned.

Benjamin F. Carney to be postmaster at Crane, Mo., in place of Willis Wiley, resigned.

Delmer Pool to be postmaster at East Prairie, Mo., in place of A. S. J. Martin, resigned.

Andrew L. Davidson to be postmaster at Senath, Mo., in place of R. W. Tucker, resigned.

Gedney D. Hart to be postmaster at Warsaw, Mo., in place of Oliver Davis, declined.

Lulu R. Conway to be postmaster at Union, Mo., in place of J. G. Moutier, resigned.

John A. Cooper to be postmaster at Trenton, Mo., in place of W. E. Austin, resigned.

Leonidas W. Mitchell to be postmaster at Bevier, Mo., in place of L. W. Mitchell. Incumbent's commission expired January 27, 1918.

George H. King to be postmaster at Birch Tree, Mo., in place of G. H. King. Incumbent's commission expired February 13, 1919.

Robert W. Corum to be postmaster at Boonville, Mo., in place of R. W. Corum. Incumbent's commission expired June 23, 1918.

Samuel T. Breckenridge to be postmaster at Bosworth, Mo., in place of S. T. Breckenridge. Incumbent's commission expired February 4, 1919.

Jefferson B. Robertson to be postmaster at Brunswick, Mo., in place of J. B. Robertson. Incumbent's commission expired February 20, 1919.

George P. Hicks to be postmaster at Callao, Mo., in place of G. P. Hicks. Incumbent's commission expired February 4, 1919.

Edward F. Layne to be postmaster at Center, Mo., in place of E. F. Layne. Incumbent's commission expired February 13, 1919.

Francis M. Traughber to be postmaster at Centralia, Mo., in place of F. M. Traughber. Incumbent's commission expired February 4, 1919.

John H. Taylor to be postmaster at Chillicothe, Mo., in place of J. H. Taylor. Incumbent's commission expired February 4, 1919.

Dow S. Pollard to be postmaster at Cowgill, Mo., in place of D. S. Pollard. Incumbent's commission expired January 22, 1919.

David F. Willm to be postmaster at Crystal City, Mo., in place of D. F. Willm. Incumbent's commission expired January 12, 1919.

George T. Barker to be postmaster at Everton, Mo., in place of G. T. Barker. Incumbent's commission expired February 25, 1919.

Joseph B. Smith to be postmaster at Farmington, Mo., in place of J. B. Smith. Incumbent's commission expired January 12, 1919.

Floyd E. Watson to be postmaster at Green City, Mo., in place of F. E. Watson. Incumbent's commission expired March 3, 1919.

Tinsley Brown to be postmaster at Hamilton, Mo., in place of Tinsley Brown. Incumbent's commission expired February 20, 1919.

John R. Blackwood to be postmaster at Hannibal, Mo., in place of J. R. Blackwood. Incumbent's commission expired March 2, 1919.

James H. Campbell to be postmaster at Higginsville, Mo., in place of J. H. Campbell. Incumbent's commission expired December 22, 1918.

Frank D. Ball to be postmaster at Holden, Mo., in place of F. D. Ball. Incumbent's commission expired January 12, 1919.

William H. Farris to be postmaster at Houston, Mo., in place of W. H. Farris. Incumbent's commission expired February 13, 1919.

William A. Crow to be postmaster at Humansville, Mo., in place of W. A. Crow. Incumbent's commission expired December 22, 1918.

William T. Dameron to be postmaster at Huntsville, Mo., in place of W. T. Dameron. Incumbent's commission expired February 15, 1919.

George C. Bean to be postmaster at Illmo, Mo., in place of G. C. Bean. Incumbent's commission expired February 25, 1919.

Robert K. Wilson to be postmaster at Jackson, Mo., in place of R. K. Wilson. Incumbent's commission expired February 4, 1919.

J. Thomas Fisher to be postmaster at Jefferson City, Mo., in place of J. T. Fisher. Incumbent's commission expired February 20, 1919.

Hickman J. Wigginton to be postmaster at Linneus, Mo., in place of H. J. Wigginton. Incumbent's commission expired March 2, 1919.

John V. Bumbarger to be postmaster at Memphis, Mo., in place of J. V. Bumbarger. Incumbent's commission expired October 1, 1918.

James R. Lowell to be postmaster at Moberly, Mo., in place of J. R. Lowell. Incumbent's commission expired December 22, 1918.

William J. Rouse to be postmaster at Monroe City, Mo., in place of W. J. Rouse. Incumbent's commission expired January 22, 1919.

Orville M. Headlee to be postmaster at Morehouse, Mo., in place of O. M. Headlee. Incumbent's commission expired March 2, 1919.

James T. Dearmont to be postmaster at Mound City, Mo., in place of J. T. Dearmont. Incumbent's commission expired January 22, 1919.

John E. Cherry to be postmaster at Mount Vernon, Mo., in place of J. E. Cherry. Incumbent's commission expired February 20, 1919.

Joel J. Thom to be postmaster at Neosho, Mo., in place of J. J. Thom. Incumbent's commission expired June 23, 1918.

Edward Smyth to be postmaster at New Hampton, Mo., in place of E. Smyth. Incumbent's commission expired January 22, 1919.

Harrell Johnson to be postmaster at New Madrid, Mo., in place of H. Johnson. Incumbent's commission expired February 4, 1919.

Nesbert W. Lemasters to be postmaster at Oak Grove, Mo., in place of N. W. Lemasters. Incumbent's commission expired February 4, 1919.

William H. Alexander to be postmaster at Paris, Mo., in place of W. H. Alexander. Incumbent's commission expired January 22, 1919.

Grover C. Gresham to be postmaster at Parkville, Mo., in place of G. C. Gresham. Incumbent's commission expired December 22, 1918.

Martin B. Yates to be postmaster at Pattonsburg, Mo., in place of M. B. Yates. Incumbent's commission expired January 12, 1919.

Albert R. Alexander to be postmaster at Plattsburg, Mo., in place of A. R. Alexander. Incumbent's commission expired August 11, 1918.

Edgar R. Idol to be postmaster at Pleasant Hill, Mo., in place of E. R. Idol. Incumbent's commission expired December 22, 1918.

Samuel J. Jamison to be postmaster at Rich Hill, Mo., in place of S. J. Jamison. Incumbent's commission expired February 4, 1919.

Charles A. Stoner to be postmaster at Ridgeway, Mo., in place of C. A. Stoner. Incumbent's commission expired December 22, 1918.

Louis P. Kern to be postmaster at St. Genevieve, Mo., in place of L. P. Kern. Incumbent's commission expired December 22, 1918.

Robert L. Hamilton to be postmaster at Salisbury, Mo., in place of R. L. Hamilton. Incumbent's commission expired January 12, 1919.

William S. Dray to be postmaster at Savannah, Mo., in place of W. S. Dray. Incumbent's commission expired December 29, 1918.

Francis A. Howard to be postmaster at Slater, Mo., in place of F. A. Howard. Incumbent's commission expired December 22, 1918.

Edwin Reavis to be postmaster at Sweet Springs, Mo., in place of E. Reavis. Incumbent's commission expired December 22, 1918.

Peter J. Weber, to be postmaster at Tipton, Mo., in place of P. J. Weber. Incumbent's commission expired January 12, 1919.

Curry B. Ellis to be postmaster at Vandalia, Mo., in place of C. B. Ellis. Incumbent's commission expired August 15, 1917.

Albert E. Michie to be postmaster at Webb City, Mo., in place of A. E. Michie. Incumbent's commission expired January 12, 1919.

Frederick Blattner to be postmaster at Wellsville, Mo., in place of F. Blattner. Incumbent's commission expired September 5, 1918.

Will H. Zorn to be postmaster at Westplains, Mo., in place of W. H. Zorn. Incumbent's commission expired January 12, 1919.

Rolla N. Owsley to be postmaster at Windsor, Mo., in place of R. N. Owsley. Incumbent's commission expired December 22, 1918.

Alva S. Wells to be postmaster at Wyaconda, Mo., in place of A. S. Wells. Incumbent's commission expired February 25, 1919.

Albert G. Whited to be postmaster at Goodman, Mo. Office became presidential October 1, 1918.

Richard A. Strickler to be postmaster at Wellintgon, Mo. Office became presidential October 1, 1918.

Edson C. Utter to be postmaster at Westboro, Mo. Office became presidential October 1, 1918.

Bennett Wardlow to be postmaster at Lancaster, Mo., in place of B. Wardlow. Incumbent's commission expired January 12, 1919.

John Tappmeyer to be postmaster at Owensville, Mo., in place of J. Tappmeyer. Incumbent's commission expired March 2, 1919.

John W. Davis to be postmaster at Platte City, Mo., in place of J. W. Davis. Incumbent's commission expired July 8, 1918.

Thomas C. Bassore to be postmaster at Rogersville, Mo., in place of T. C. Bassore. Incumbent's commission expired February 4, 1919.

Patrick H. Kidwell to be postmaster at Versailles, Mo., in place of P. H. Kidwell. Incumbent's commission expired February 25, 1919.

Julius H. Stegen to be postmaster at Wright City, Mo. Office became presidential January 1, 1919.

Thomas L. Winston to be postmaster at Lilbourn, Mo. Office became presidential April 1, 1919.

James E. Kinkead to be postmaster at Fornfelt, Mo. Office became presidential January 1, 1919.

Leonard P. Albers to be postmaster at Florissant, Mo. Office became presidential January 1, 1919.

MONTANA.

Joseph D. Filcher to be postmaster at Boulder, Mont., in place of John T. Murphy, resigned.

Rose Mae Obershaw to be postmaster at Cascade, Mont., in place of Leroy W. Obershaw, deceased.

Ruth C. McClure to be postmaster at Culbertson, Mont., in place of K. O. Slette, resigned.

Earl M. Davis to be postmaster at Cut Bank, Mont., in place of Stephen J. Rigney, resigned.

Harry S. Tressel to be postmaster at Geraldine, Mont., in place of George E. Shawler, resigned.

Frank A. Gummer to be postmaster at Gildford, Mont., in place of J. T. Casey, resigned.

L. Blanche Dawson to be postmaster at Polson, Mont., in place of W. H. B. Carter. Incumbent's commission expired September 1, 1917.

William L. Marsh to be postmaster at Roy, Mont., in place of Frederick A. Barney, deceased.

Homer F. Cox to be postmaster at Shelby, Mont., in place of Dan Sullivan, resigned.

James H. Hadzor to be postmaster at Sheridan, Mont., in place of B. L. Golden, resigned.

Reginald W. Spangler to be postmaster at Superior, Mont., in place of Harriet R. Hord, resigned.

Agnes M. Lloyd to be postmaster at Walkerville, Mont., in place of John H. Suydam, resigned.

Lucy B. Cullen to be postmaster at Wibaux, Mont., in place of Thomas H. Rush, removed.

William L. Bruce to be postmaster at Musselshell, Mont., in place of B. O. Dean, resigned.

Emma McPherson to be postmaster at Ekalaka, Mont., in place of J. H. Booth, resigned.

Thomas H. Morse, jr., to be postmaster at Drummond, Mont., in place of M. E. Turrell, resigned.

David J. Kane to be postmaster at East Helena, Mont., in place of D. J. Kane. Incumbent's commission expired January 12, 1919.

Patrick J. Conway to be postmaster at Fromberg, Mont., in place of P. J. Conway. Incumbent's commission expired February 20, 1919.

Presley L. Herring to be postmaster at Glasgow, Mont., in place of P. L. Herring. Incumbent's commission expired February 25, 1919.

William C. Bernard to be postmaster at Harlem, Mont., in place of W. C. Bernard. Incumbent's commission expired February 4, 1919.

Lucile D. Knight to be postmaster at Twin Bridges, Mont., in place of L. D. Knight. Incumbent's commission expired February 20, 1919.

James H. Hines to be postmaster at Valier, Mont., in place of J. H. Hines. Incumbent's commission expired January 12, 1919.

Ephraim E. Hackett to be postmaster at Victor, Mont., in place of E. E. Hackett. Incumbent's commission expired December 22, 1918.

Charles M. Hanson to be postmaster at Wolfe Point, Mont., in place of C. M. Hanson. Incumbent's commission expired March 2, 1919.

Harry Kennedy to be postmaster at Rosebud, Mont. Office became presidential October 1, 1918.

Jennie Bywaters to be postmaster at Sandcoulee, Mont. Office became presidential July 1, 1918.

NEBRASKA.

Ethel K. Thompson to be postmaster at Alma, Nebr., in place of Harry C. Furse, resigned.

Edward C. Lane to be postmaster at Dalton, Nebr., in place of J. C. Frandsen, resigned.

Nellie M. Thayer to be postmaster at Bertrand, Nebr., in place of C. E. Hendrix, resigned.

Eva R. Gilbert to be postmaster at Broadwater, Nebr., in place of Haver Bruner, resigned. Office became presidential October 1, 1918.

Alfred O. Hastings to be postmaster at Chester, Nebr., in place of D. J. Howard, deceased.

Ethel Talcott to be postmaster at Crofton, Nebr., in place of H. D. West, resigned.

Otto A. Steinkraus to be postmaster at Dodge, Nebr., in place of Wm. C. Brodhun, removed.

Lewis A. Wight to be postmaster at Gibbon, Nebr., in place of H. J. Dunkin, resigned.

Charles McCray to be postmaster at Merriman, Nebr., in place of V. L. Green, resigned.

William A. Bartlett to be postmaster at Ord, Nebr., in place of H. M. Davis. Incumbent's commission expired March 1, 1919.

Linneus A. Olinger to be postmaster at Overton, Nebr., in place of F. C. Cooney, resigned.

Seth W. Oleson to be postmaster at St. Paul, Nebr., in place of J. J. Sazama, resigned.

Dollie W. Hyndshaw to be postmaster at Thedford, Nebr., in place of E. H. Hines, resigned.

Stephen D. Phillips to be postmaster at Albion, Nebr., in place of S. D. Phillips. Incumbent's commission expired May 1, 1918.

Robert Graham to be postmaster at Alliance, Nebr., in place of R. Graham. Incumbent's commission expired March 1, 1919.

John Menary to be postmaster at Arnold, Nebr., in place of J. Menary. Incumbent's commission expired March 2, 1919.

John R. McCann to be postmaster at Beatrice, Nebr., in place of J. R. McCann. Incumbent's commission expired August 19, 1918.

Sebastian E. Marty to be postmaster at Columbus, Nebr., in place of S. E. Marty. Incumbent's commission expired March 2, 1919.

Charles E. Lewin to be postmaster at Comstock, Nebr., in place of C. E. Lewin. Incumbent's commission expired February 20, 1919.

William H. Latham to be postmaster at Curtis, Nebr., in place of W. H. Latham. Incumbent's commission expired January 12, 1919.

Russell Mooberry to be postmaster at Dorchester, Nebr., in place of R. Mooberry. Incumbent's commission expired March 1, 1919.

Edward P. Fitzgerald to be postmaster at Elm Creek, Nebr., in place of E. P. Fitzgerald. Incumbent's commission expired July 27, 1918.

William Sweeney to be postmaster at Emerson, Nebr., in place of W. Sweeney. Incumbent's commission expired February 20, 1919.

Alfred G. Corey to be postmaster at Fairfield, Nebr., in place of A. G. Corey. Incumbent's commission expired July 13, 1918.

Charles M. Rebbeck to be postmaster at Gordon, Nebr., in place of C. M. Rebbeck. Incumbent's commission expired October 22, 1918.

Dellmond A. Geil to be postmaster at Grand Island, Nebr., in place of D. A. Geil. Incumbent's commission expired March 3, 1919.

John S. Myers to be postmaster at Grant, Nebr., in place of J. S. Myers. Incumbent's commission expired July 6, 1918.

Daniel A. Page to be postmaster at Hardy, Nebr., in place of D. A. Page. Incumbent's commission expired March 3, 1919.

Tilford A. Willmore to be postmaster at Hebron, Nebr., in place of T. A. Willmore. Incumbent's commission expired March 2, 1919.

John Kinsella to be postmaster at Hemingford, Nebr., in place of J. Kinsella. Incumbent's commission expired July 13, 1918.

Fanny Dworak to be postmaster at Howell, Nebr., in place of F. Dworak. Incumbent's commission expired January 12, 1919.

Ralph L. Duckworth to be postmaster at Indianola, Nebr., in place of R. L. Duckworth. Incumbent's commission expired July 16, 1918.

William L. Zalman to be postmaster at Lawrence, Nebr., in place of W. L. Zalman. Incumbent's commission expired March 3, 1919.

Jacob W. White to be postmaster at Meadow Grove, Nebr., in place of J. W. White. Incumbent's commission expired March 3, 1919.

Robert F. Pate to be postmaster at Minden, Nebr., in place of R. F. Pate. Incumbent's commission expired July 13, 1918.

George W. Ewing to be postmaster at Nelson, Nebr., in place G. W. Ewing. Incumbent's commission expired July 27, 1918.

Frederick A. Mellberg to be postmaster at Newman Grove, Nebr., in place of F. A. Mellberg. Incumbent's commission expired December 29, 1918.

William R. Pease to be postmaster at Niobrara, Nebr., in place of W. R. Pease. Incumbent's commission expired March 2, 1919.

George P. Miller to be postmaster at Papillion, Nebr., in place of G. P. Miller. Incumbent's commission expired February 20, 1919.

Archer E. Ovenden to be postmaster at Pawnee City, Nebr., in place of A. E. Ovenden. Incumbent's commission expired March 2, 1919.

Mark W. Murray to be postmaster at Pender, Nebr., in place of M. W. Murray. Incumbent's commission expired July 6, 1918.

Frank Howard to be postmaster at Ravenna, Nebr., in place of F. Howard. Incumbent's commission expired February 4, 1919.

Nils Lindskog to be postmaster at Pilger, Nebr., in place of N. Lindskog. Incumbent's commission expired February 20, 1919.

Holton C. Letson to be postmaster at Red Cloud, Nebr., in place of H. C. Letson. Incumbent's commission expired October 1, 1918.

Fred W. Mathews to be postmaster at Rising City, Nebr., in place of F. W. Mathews. Incumbent's commission expired July 6, 1918.

George D. Thomas to be postmaster at Seward, Nebr., in place of G. D. Thomas. Incumbent's commission expired July 6, 1918.

John Conroy to be postmaster at Shelton, Nebr., in place of J. Conroy. Incumbent's commission expired July 27, 1918.

Edward P. Griess to be postmaster at Sutton, Nebr., in place of E. P. Griess. Incumbent's commission expired June 18, 1918.

Jarrett W. Ragan to be postmaster at Utica, Nebr., in place of J. W. Ragan. Incumbent's commission expired October 22, 1918.

William H. Harstick to be postmaster at Westpoint, Nebr., in place of W. H. Harstick. Incumbent's commission expired January 22, 1919.

Charles M. Beggs to be postmaster at Carleton, Nebr. Office became presidential July 1, 1918.

Marguerite A. Riley to be postmaster at Dawson, Nebr. Office became presidential July 1, 1918.

Cora D. Barlow to be postmaster at Lodgepole, Nebr. Office became presidential July 1, 1917.

Anna J. Strahl to be postmaster at Ralston, Nebr. Office became presidential July 1, 1918.

Isham R. Darnell to be postmaster at Benkelman, Nebr., in place of I. R. Darnell. Incumbent's commission expired January 12, 1919.

John A. Cocklin to be postmaster at Milford, Nebr., in place of J. A. Cocklin. Incumbent's commission expired March 2, 1919.

NEVADA.

James D. Wallace to be postmaster at Ely, Nev., in place of G. P. Annand, resigned.

Ella C. Currie to be postmaster at Gardnerville, Nev., in place of R. W. Gale, resigned.

James H. Causten to be postmaster at Lovelocks, Nev., in place of W. C. Ruddell, jr., resigned.

Charles E. Southworth to be postmaster at Manhattan, Nev., in place of T. D. Rogers, resigned.

George T. Nugent to be postmaster at Yerington, Nev., in place of L. S. Howe, declined.

NEW HAMPSHIRE.

Henry A. Browne to be postmaster at Farmington, N. H., in place of F. R. Marston, resigned.

Jesse C. Parker to be postmaster at Hillsboro, N. H., in place of F. E. Merrill, resigned.

William H. Drew to be postmaster at Intervale, N. H., in place of F. W. Dinsmore, resigned.

Harriet O. Harriman to be postmaster at Jackson, N. H., in place of M. C. Harriman, deceased.

Charles L. Bemis to be postmaster at Marlboro, N. H., in place of C. L. Bemis. Incumbent's commission expired October 16, 1918.

Andrew D. Davis to be postmaster at North Conway, N. H., in place of A. D. Davis. Incumbent's commission expired January 12, 1919.

Enoch F. Stevens to be postmaster at Raymond, N. H., in place of E. F. Stevens. Incumbent's commission expired October 22, 1918.

John N. Grimes to be postmaster at Troy, N. H., in place of J. N. Grimes. Incumbent's commission expired January 22, 1919.

Nellie A. Card to be postmaster at New Castle, N. H. Office became presidential July 1, 1918.

Otis F. Sumner to be postmaster at Goffstown, N. H., in place of O. F. Sumner. Incumbent's commission expired February 26, 1919.

NEW JERSEY.

Ellen E. Showell to be postmaster at Absecon, N. J., in place of T. D. Showell, resigned.

Alfred Christie to be postmaster at Bergenfield, N. J., in place of George Breisacher, resigned.

Theodore A. Bishop to be postmaster at Carteret, N. J., in place of Valentine Gleckner, resigned.

John Jenkins to be postmaster at Delanco, N. J., in place of A. E. Shaw, resigned.

Sadie P. Miller to be postmaster at Netcong, N. J., in place of W. M. Miller, deceased.

William B. Lance to be postmaster at Stanhope, N. J., in place of G. C. Valentine, deceased.

Hunn Livingston to be postmaster at Allentown, N. J., in place of H. Livingston. Incumbent's commission expired February 4, 1919.

Maude V. Richer to be postmaster at Audubon, N. J., in place of M. V. Richer. Incumbent's commission expired January 12, 1919.

James D. Magee to be postmaster at Bordentown, N. J., in place of J. D. Magee. Incumbent's commission expired March 3, 1919.

Milas W. Hargrove to be postmaster at Browns Mills (late Brown Mills), N. J., in place of M. W. Hargrove. Incumbent's commission expired July 8, 1918.

Joseph L. Hammell to be postmaster at Burlington, N. J., in place of J. L. Hammell. Incumbent's commission expired March 3, 1919.

Walter S. Terrell to be postmaster at Chatham, N. J., in place of W. S. Terrell. Incumbent's commission expired February 25, 1919.

Charles E. Crane to be postmaster at Clayton, N. J., in place of C. E. Crane. Incumbent's commission expired December 22, 1918.

Edward W. Walker to be postmaster at Cranbury, N. J., in place of E. W. Walker. Incumbent's commission expired December 22, 1918.

Abraham C. Hulsizer to be postmaster at Flemington, N. J., in place of A. C. Hulsizer. Incumbent's commission expired March 3, 1919.

Carl L. Richter to be postmaster at Fort Lee, N. J., in place of C. L. Richter. Incumbent's commission expired August 9, 1918.

Bayard C. Stavely to be postmaster at Haddonfield, N. J., in place of B. C. Stavely. Incumbent's commission expired February 25, 1919.

Louis F. Langham to be postmaster at Hammonton, N. J., in place of L. J. Langham. Incumbent's commission expired February 26, 1919.

James C. H. Sherwood to be postmaster at Hohokus, N. J., in place of J. C. H. Sherwood. Incumbent's commission expired July 17, 1918.

Matthias C. Ely to be postmaster at Jersey City, N. J., in place of Matt. Ely. Incumbent's commission expired February 25, 1919.

Arabella C. Broander to be postmaster at Keansburg, N. J., in place of A. C. Broander. Incumbent's commission expired August 19, 1918.

Marcellus Parker to be postmaster at Manasquan, N. J., in place of Marcellus Parker. Incumbent's commission expired February 4, 1919.

Charles C. Stewart to be postmaster at Mays Landing, N. J., in place of C. C. Stewart. Incumbent's commission expired January 30, 1919.

Frank McMurtry to be postmaster at Mendham, N. J., in place of Frank McMurtry. Incumbent's commission expired February 25, 1919.

Edward W. Townsend to be postmaster at Montclair, N. J., in place of E. W. Townsend. Incumbent's commission expired March 1, 1919.

Francis H. Reed to be postmaster at Mount Holly, N. J., in place of F. H. Reed. Incumbent's commission expired March 3, 1919.

George N. Harris to be postmaster at Newton, N. J., in place of G. N. Harris. Incumbent's commission expired March 10, 1918.

Alexander H. Sibbald to be postmaster at Park Ridge, N. J., in place of A. H. Sibbald. Incumbent's commission expired February 4, 1919.

James F. Beardsley to be postmaster at Pompton Lakes, N. J., in place of J. F. Beardsley. Incumbent's commission expired February 6, 1915.

Isaac Klein to be postmaster at Salem, N. J., in place of Isaac Klein. Incumbent's commission expired January 30, 1919.

James W. Rea to be postmaster at South Amboy, N. J., in place of J. W. Rea. Incumbent's commission expired July 17, 1918.

George W. Baldwin to be postmaster at Summit, N. J., in place of G. W. Baldwin. Incumbent's commission expired March 1, 1919.

Robert L. DeCamp to be postmaster at Westfield, N. J., in place of R. L. DeCamp. Incumbent's commission expired January 30, 1919.

James D. Carpenter to be postmaster at Woodbury, N. J., in place of J. D. Carpenter. Incumbent's commission expired January 22, 1919.

John A. Smith to be postmaster at Wrightstown, N. J. Office became presidential October 1, 1918.

Alonzo P. Green to be postmaster at Chester, N. J. Office became presidential October 1, 1918.

William Fehrs to be postmaster at Little Ferry, N. J. Office became presidential July 1, 1918.

Gustav H. Rottgardt to be postmaster at Montvale, N. J. Office became presidential July 1, 1918.

Jennie Madden to be postmaster at Tuckahoe, N. J. Office became presidential October 1, 1918.

Addison Robbins, jr., to be postmaster at Hightstown, N. J., in place of A. Robbins, jr. Incumbent's commission expired February 4, 1919.

Carl Shurts to be postmaster at Lebanon, N. J., in place of C. Shurts. Incumbent's commission expired February 4, 1919.

Fred P. Crater to be postmaster at Gladstone, N. J. Office became presidential April 1, 1919.

NEW MEXICO.

Belle B. Sellars to be postmaster at Cloudcroft, N. Mex., in place of Olive Jones, resigned.

Frank J. Zengerle to be postmaster at Socorro, N. Mex., in place of A. C. Torres, resigned.

George U. McCrary to be postmaster at Artesia, N. Mex., in place of G. U. McCrary. Incumbent's commission expired August 22, 1918.

George Hoffmann to be postmaster at Belen, N. Mex., in place of George Hoffmann. Incumbent's commission expired August 25, 1918.

Louis L. Burkhead to be postmaster at Columbus, N. Mex., in place of L. L. Burkhead. Incumbent's commission expired September 16, 1918.

Harriet C. Butler to be postmaster at Farmington, N. Mex., in place of H. C. Butler. Incumbent's commission expired March 2, 1919.

Charles M. Samford to be postmaster at Hagerman, N. Mex., in place of C. M. Samford. Incumbent's commission expired October 1, 1918.

Bliss Freeman to be postmaster at Las Cruces, N. Mex., in place of Bliss Freeman. Incumbent's commission expired October 16, 1918.

Martin Q. Hardin to be postmaster at Lordsburg, N. Mex., in place of M. Q. Hardin. Incumbent's commission expired February 21, 1918.

James L. Seligman to be postmaster at Santa Fe, N. Mex., in place of J. L. Seligman. Incumbent's commission expired October 1, 1918.

NEW YORK.

Edgar E. Costello to be postmaster at Corinth, N. Y., in place of J. J. Cunningham, resigned.

Allen K. Johnson to be postmaster at Eden, N. Y., in place of Abram Lang, resigned.

William H. Chillson, jr., to be postmaster at Hannibal, N. Y., in place of A. B. Byrne, resigned.

William C. De Witt to be postmaster at Kingston, N. Y., in place of S. R. Deyo, deceased.

Henry F. Blessing to be postmaster at Pawling, N. Y., in place of J. P. Kiernan, deceased.

George H. Miller to be postmaster at Pittsford, N. Y., in place of George Thomas. Incumbent's commission expired February 11, 1918.

Charles C. Michener to be postmaster at Silver Bay, N. Y., in place of A. B. Adams, resigned.

Lottie M. Barker to be postmaster at Spencerport, N. Y., in place of A. G. Colby, resigned.

Almon T. Clarke, jr., to be postmaster at Tupper Lake, N. Y., in place of D. P. Hayes, resigned.

Elizabeth C. Harrington to be postmaster at Wilson, N. Y., in place of J. M. Hackett, resigned.

Ada J. Folsom to be postmaster at Winthrop, N. Y., in place of J. M. McCarthy, resigned.

James J. Fleming to be postmaster at Yonkers, N. Y., in place of M. J. Walsh, resigned.

Joseph G. Cole to be postmaster at Broadalbin, N. Y., in place of C. A. Wilkins. Incumbent's commission expired November 17, 1917.

Percy J. Heimburg to be postmaster at Angola, N. Y., in place of E. A. Lemmler, resigned.

Michael J. Manton to be postmaster at Sayville, N. Y., in place of M. J. Manton. Incumbent's commission expired February 22, 1919.

William F. Britt to be postmaster at Sea Cliff, N. Y., in place of W. F. Britt. Incumbent's commission expired August 7, 1918.

August S. Hughes to be postmaster at Seneca Falls, N. Y., in place of A. S. Hughes. Incumbent's commission expired February 26, 1919.

Wellman L. Bates to be postmaster at Sherman, N. Y., in place of W. L. Bates. Incumbent's commission expired March 3, 1919.

Frank A. Bartley to be postmaster at Sidney, N. Y., in place of F. A. Bartley. Incumbent's commission expired March 2, 1919.

William H. Hennessey to be postmaster at Skaneateles, N. Y., in place of W. H. Hennessey. Incumbent's commission expired October 13, 1918.

Patrick Halloran to be postmaster at Sparkill, N. Y., in place of Patrick Halloran. Incumbent's commission expired October 22, 1918.

Andrew J. Fitzpatrick to be postmaster at Springville, N. Y., in place of A. J. Fitzpatrick. Incumbent's commission expired August 11, 1918.

John W. Hamilton to be postmaster at Stillwater, N. Y., in place of J. W. Hamilton. Incumbent's commission expired August 7, 1918.

James R. Comesky to be postmaster at Suffern, N. Y., in place of J. R. Comesky. Incumbent's commission expired October 22, 1918.

Elbridge J. Stratton to be postmaster at Theresa, N. Y., in place of E. J. Stratton. Incumbent's commission expired October 1, 1918.

John G. Gibson to be postmaster at Utica, N. Y., in place of J. G. Gibson. Incumbent's commission expired February 22, 1919.

Barton L. Piper to be postmaster at Watkins, N. Y., in place of B. L. Piper. Incumbent's commission expired July 28, 1917.

Maynard A. Thompson to be postmaster at Waverly, N. Y., in place of M. A. Thompson. Incumbent's commission expired February 22, 1919.

Charles E. Whitman to be postmaster at Weedsport, N. Y., in place of C. E. Whitman. Incumbent's commission expired March 3, 1919.

Bessie M. Wyvell to be postmaster at Wellsville, N. Y., in place of B. M. Wyvell. Incumbent's commission expired September 5, 1918.

Thomas Smith to be postmaster at West Winfield, N. Y., in place of Thomas Smith. Incumbent's commission expired February 26, 1919.

Effie L. Patten to be postmaster at Whitesboro, N. Y., in place of E. L. Patten. Incumbent's commission expired March 2, 1919.

Louis P. Snyder to be postmaster at Williamsville, N. Y., in place of L. P. Snyder. Incumbent's commission expired March 2, 1919.

George A. Manwarren to be postmaster at Windsor, N. Y., in place of G. A. Manwarren. Incumbent's commission expired March 3, 1919.

Allen S. Brower to be postmaster at Woodmere, N. Y., in place of A. S. Brower. Incumbent's commission expired December 22, 1918.

Charles L. Goodell to be postmaster at Worcester, N. Y., in place of C. L. Goodell. Incumbent's commission expired August 19, 1918.

Roy J. Paxon to be postmaster at Akron, N. Y., in place of R. J. Paxon. Incumbent's commission expired January 12, 1919.

Archie S. Gould to be postmaster at Alfred, N. Y., in place of A. S. Gould. Incumbent's commission expired August 7, 1918.

Edward J. Cunningham to be postmaster at Amenia, N. Y., in place of E. J. Cunningham. Incumbent's commission expired August 7, 1918.

Francis Larkin to be postmaster at Ossining, N. Y., in place of Francis Larkin. Incumbent's commission expired February 22, 1919.

Charles R. Flanly to be postmaster at Babylon, N. Y., in place of C. R. Flanly. Incumbent's commission expired January 25, 1919.

Charles Miller to be postmaster at Baldwin, N. Y., in place of Charles Miller. Incumbent's commission expired July 26, 1917.

Willard H. Tappan to be postmaster at Baldwinsville, N. Y., in place of W. H. Tappan. Incumbent's commission expired October 13, 1918.

Frank P. Bagg to be postmaster at Barneveld, N. Y., in place of F. P. Bagg. Incumbent's commission expired January 26, 1919.

John H. Mara to be postmatser at Beacon, N. Y., in place of J. H. Mara. Incumbent's commission expired July 21, 1918.

Margaret D. Cochrane to be postmaster at Bedford, N. Y., in place of M. D. Cochrane. Incumbent's commission expired August 19, 1918.

Fancher M. Hopkins to be postmaster at Binghampton, N. Y., in place of F. M. Hopkins. Incumbent's commission expired August 19, 1918.

Henry J. Vollmar to be postmaster at Boonville, N. Y., in place of H. J. Vollmar. Incumbent's commission expired August 19, 1918.

Maud Rogers to be postmaster at Bridgehampton, N. Y., in place of Maud Rogers. Incumbent's commission expired January 25, 1919.

William H. Fox to be postmaster at Brocton, N. Y., in place of W. H. Fox. Incumbent's commission expired March 3, 1919.

Charles F. Bergner to be postmaster at Callicoon, N. Y., in place of C. F. Bergner. Incumbent's commission expired February 22, 1919.

James R. Mapes to be postmaster at Canaseraga, N. Y., in place of J. R. Mapes. Incumbent's commission expired February 3, 1919.

James H. Reagan to be postmaster at Chadwicks, N. Y., in place of J. H. Reagan. Incumbent's commission expired October 22, 1918.

William J. Ferrick to be postmaster at Chappaqua, N. Y., in place of W. J. Ferrick. Incumbent's commission expired December 29, 1918.

Almond Cramer to be postmaster at Cherry Valley, N. Y., in place of Almond Cramer. Incumbent's commission expired March 2, 1919.

Fred J. Land to be postmaster at Cohocton, N. Y., in place of F. J. Land. Incumbent's commission expired March 24, 1918.

William M. Heaney to be postmaster at Cold Spring Harbor, N. Y., in place of W. M. Heaney. Incumbent's commission expired December 22, 1918.

Edgar H. Jolliffe to be postmaster at Congers, N. Y., in place of E. H. Jolliffe. Incumbent's commission expired January 26, 1919.

John J. Heneher to be postmaster at Cornwall, N. Y., in place of J. J. Heneher. Incumbent's commission expired September 23, 1918.

Maurice F. Axtell to be postmaster at Deposit, N. Y., in place of M. F. Axtell. Incumbent's commission expired August 19, 1918.

Harry E. Savage to be postmaster at Dexter, N. Y., in place of H. E. Savage. Incumbent's commission expired October 13, 1918.

Byron E. Ogden to be postmaster at Dolgeville, N. Y., in place of B. E. Ogden. Incumbent's commission expired July 17, 1918.

Thomas P. Whalen to be postmaster at Dover Plains, N. Y., in place of T. P. Whalen. Incumbent's commission expired August 7, 1918.

George Taylor to be postmaster at Arkport, N. Y. Office became presidential April 1, 1919.

Theodore M. Larsen to be postmaster at Dundee, N. Y., in place of T. M. Larsen. Incumbent's commission expired March 2, 1919.

Michael J. Spillane to be postmaster at East Syracuse, N. Y., in place of M. J. Spillane. Incumbent's commission expired February 22, 1919.

Albert E. Helmer to be postmaster at Evans Mills, N. Y., in place of A. E. Helmer. Incumbent's commission expired March 2, 1919.

Francis M. Dowd to be postmaster at Faust, N. Y., in place of F. M. Dowd. Incumbent's commission expired March 2, 1919.

John P. Dugan to be postmaster at Fishkill, N. Y., in place of J. P. Dugan. Incumbent's commission expired March 2, 1919.

James J. Smith to be postmaster at Fleischmanns, N. Y., in place of J. J. Smith. Incumbent's commission expired January 25, 1919.

James H. Joy to be postmaster at Fort Ann, N. Y., in place of J. H. Joy. Incumbent's commission expired February 22, 1919.

Walter W. O'Connor to be postmaster at Fort Plain, N. Y., in place of W. W. O'Connor. Incumbent's commission expired February 22, 1919.

Thomas J. Courtney to be postmaster at Garden City, N. Y., in place of T. J. Courtney. Incumbent's commission expired December 22, 1918.

Edward T. Cole to be postmaster at Garrison, N. Y., in place of E. T. Cole. Incumbent's commission expired January 25, 1919.

John A. Neafsey to be postmaster at Glen Cove, N. Y., in place of J. A. Neafsey. Incumbent's commission expired February 22, 1919.

Charles Fitzpatrick to be postmaster at Goshen, N. Y., in place of Charles Fitzpatrick. Incumbent's commission expired August 19, 1918.

Asher C. Stafford to be postmaster at Gowanda, N. Y., in place of A. C. Stafford. Incumbent's commission expired February 22, 1919.

David J. McHenry to be postmaster at Granville, N. Y., in place of D. J. McHenry. Incumbent's commission expired February 22, 1918.

William Johnson to be postmaster at Groveland Station, N. Y., in place of William Johnson. Incumbent's commission expired August 7, 1918.

John W. Salisbury to be postmaster at Hamburg, N. Y., in place of J. W. Salisbury. Incumbent's commission expired January 25, 1919.

George F. Brunner to be postmaster at Harrison, N. Y., in place of G. F. Brunner. Incumbent's commission expired February 26, 1919.

Charles Hogan to be postmaster at Harrisville, N. Y., in place of Charles Hogan. Incumbent's commission expired October 22, 1918.

James R. Mayne to be postmaster at Heuvelton, N. Y., in place of J. R. Mayne. Incumbent's commission expired February 3, 1919.

Cort Kramer to be postmaster at Holland, N. Y., in place of Cort Kramer. Incumbent's commission expired August 19, 1918.

Frank K. Roberts to be postmaster at Holland Patent, N. Y., in place of F. K. Roberts. Incumbent's commission expired March 2, 1919.

John E. Barlow to be postmaster at Horseheads, N. Y., in place of J. E. Barlow. Incumbent's commission expired March 2, 1919.

Melvin W. Billings to be postmaster at Hurleyville, N. Y., in place of M. W. Billings. Incumbent's commission expired August 7, 1918.

Daniel F. Shea to be postmaster at Jamaica, N. Y., in place of D. F. Shea. Incumbent's commission expired December 22, 1918.

Eugene E. Mann to be postmaster at Jordan, N. Y., in place of E. E. Mann. Incumbent's commission expired March 1, 1919.

Jean L. Reed to be postmaster at Little Valley, N. Y., in place of J. L. Reed. Incumbent's commission expired March 2, 1919.

James W. Kelly to be postmaster at Long Island City, N. Y., in place of J. W. Kelly. Incumbent's commission expired October 13, 1918.

John W. Telford to be postmaster at Margaretville, N. Y., in place of J. W. Telford. Incumbent's commission expired March 2, 1919.

John T. Kopp to be postmaster at Martinsville, N. Y., in place of J. T. Kopp. Incumbent's commission expired September 23, 1918.

Wickham R. Gildersleeve to be postmaster at Mattituck, N. Y., in place of W. R. Gildersleeve. Incumbent's commission expired March 2, 1919.

Charles E. White to be postmaster at Middleburg, N. Y., in place of C. E. White. Incumbent's commission expired October 22, 1918.

Thomas P. Hammond to be postmaster at Middleport, N. Y., in place of T. P. Hammond. Incumbent's commission expired July 25, 1918.

Kent Barney to be postmaster at Milford, N. Y., in place of Kent Barney. Incumbent's commission expired August 19, 1918.

Elmer W. Simmons to be postmaster at Millerton, N. Y., in place of E. W. Simmons. Incumbent's commission expired August 19, 1918.

William McNeal to be postmaster at Montgomery, N. Y., in place of William McNeal. Incumbent's commission expired August 19, 1918.

Charles E. Miller to be postmaster at Moravia, N. Y., in place of C. E. Miller. Incumbent's commission expired August 19, 1918.

Edward A. Gross to be postmaster at New City, N. Y., in place of E. A. Gross. Incumbent's commission expired August 19, 1918.

John A. Ganey to be postmaster at New Hartford, N. Y., in place of J. A. Ganey. Incumbent's commission expired July 16, 1918.

Robert J. Healey to be postmaster at New York Mills, N. Y., in place of R. J. Healey. Incumbent's commission expired July 17, 1918.

Augustus A. Blackledge to be postmaster at Nyack, N. Y., in place of A. A. Blackledge. Incumbent's commission expired January 12, 1918.

James O. Murphy to be postmaster at Orchard Park, N. Y., in place of J. O. Murphy. Incumbent's commission expired July 6, 1918.

Glenn F. Pollard to be postmaster at Oriskany Falls, N. Y., in place of G. F. Pollard. Incumbent's commission expired July 16, 1918.

Jerome Ceperley to be postmaster at Otego, N. Y., in place of Jerome Ceperley. Incumbent's commission expired March 2, 1919.

Jesse Jacobs to be postmaster at Oxford, N. Y., in place of Jesse Jacobs. Incumbent's commission expired February 22, 1919.

Thomas H. O'Keefe to be postmaster at Oyster Bay, N. Y., in place of T. H. O'Keefe. Incumbent's commission expired February 27, 1919.

John S. Moran to be postmaster at Painted Post, N. Y., in place of J. S. Moran. Incumbent's commission expired March 3, 1919.

John H. Quinlan to be postmaster at Pavilion, N. Y., in place of J. H. Quinlan. Incumbent's commission expired March 2, 1919.

Willard Vosburgh to be postmaster at Port Byron, N. Y., in place of Willard Vosburgh. Incumbent's commission expired March 3, 1919.

Leverne Thomas to be postmaster at Prattsburg, N. Y., in place of Leverne Thomas. Incumbent's commission expired February 26, 1919.

Fred L. Seager to be postmaster at Randolph, N. Y., in place of F. L. Seager. Incumbent's commission expired March 2, 1919.

William T. Welden to be postmaster at Richfield Springs, N. Y., in place of W. T. Welden. Incumbent's commission expired August 7, 1918.

Len R. Francis to be postmaster at Ripley, N. Y., in place of L. R. Francis. Incumbent's commission expired August 7, 1918.

Charles M. Marnes to be postmaster at Rouses Point, N. Y., in place of C. M. Marnes. Incumbent's commission expired August 7, 1918.

Maurice H. Fanning to be postmaster at Roxbury, N. Y., in place of M. H. Fanning. Incumbent's commission expired March 2, 1919.

John H. Hurley to be postmaster at Rushville, N. Y., in place of J. H. Hurley. Incumbent's commission expired September 23, 1918.

William T. Vaughn to be postmaster at Sag Harbor, N. Y., in place of W. T. Vaughn. Incumbent's commission expired February 13, 1919.

George Q. Johnson to be postmaster at Ardsley, N. Y. Office became presidential October 1, 1918.

Edward W. Harrica to be postmaster at Lyon Mountain, N. Y. Office became presidential October 1, 1918.

John W. McKnight to be postmaster at Castleton, N. Y., in place of J. W. McKnight. Incumbent's commission expired January 25, 1919.

S. Jackson Fuller to be postmaster at Cattaraugus, N. Y., in place of S. J. Fuller. Incumbent's commission expired March 3, 1919.

Gregory Dillon to be postmaster at New Rochelle, N. Y., in place of G. Dillon. Incumbent's commission expired January 25, 1919.

John T. Gallagher to be postmaster at Witherbee, N. Y., in place of J. T. Gallagher. Incumbent's commission expired March 3, 1919.

NORTH CAROLINA.

Mortimer H. Mitchell to be postmaster at Aulander, N. C., in place of J. L. Harrington, removed.

John E. Brown to be postmaster at Boone, N. C., in place of M. P. Critcher, resigned.

William E. Elmore to be postmaster at Bryson City, N. C., in place of W. A. Gibson, deceased.

Albert W. Colwell to be postmaster at Clinton, N. C., in place of R. G. Morisey, deceased.

Thomas S. Booth to be postmaster at East Durham, N. C., in place of E. H. Avent, deceased.

Clarence B. Daniels to be postmaster at Faison, N. C., in place of C. H. Peirce, resigned.

Royall D. Jones to be postmaster at Fayetteville, N. C., in place of J. B. Underwood, deceased.

Charles W. Bagby to be postmaster at Hickory, N. C., in place of J. H. Aiken, deceased.

Arthur G. Walton to be postmaster at Jacksonville, N. C., in place of J. B. Petteway, resigned.

William M. Hanner to be postmaster at Liberty, N. C., in place of J. M. Smith, resigned.

Robert T. Wade to be postmaster at Morehead City, N. C., in place of W. L. Arendell, deceased.

Benjamin F. Dalton to be postmaster at Rutherfordton, N. C., in place of M. H. Jones, resigned.

William M. Henry to be postmaster at Brevard, N. C., in place of W. M. Henry. Incumbent's commission expired January 12, 1919.

Manly W. Cranford to be postmaster at Davidson, N. C., in place of M. W. Cranford. Incumbent's commission expired February 22, 1919.

Samuel Y. Bryson to be postmaster at Hendersonville, N. C., in place of S. Y. Bryson. Incumbent's commission expired March 11, 1918.

Thomas C. Frisbee to be postmaster at Hot Springs, N. C., in place of T. C. Frisbee. Incumbent's commission expired October 21, 1918.

Rosse D. Edgerton to be postmaster at Kenly, N. C., in place of R. D. Edgerton. Incumbent's commission expired February 25, 1919.

Cyrus L. Linville to be postmaster at Kernersville, N. C., in place of C. L. Linville. Incumbent's commission expired October 21, 1918.

Benjamin A. Summerlin to be postmaster at Mount Olive, N. C., in place of B. A. Summerlin. Incumbent's commission expired July 8, 1918.

Lacy F. Clark to be postmaster at Raeford, N. C., in place of L. F. Clark. Incumbent's commission expired February 25, 1919.

Bartholomew M. Gatling to be postmaster at Raleigh, N. C., in place of B. M. Gatling. Incumbent's commission expired February 13, 1919.

Stephen L. Ross to be postmaster at Robersonville, N. C., in place of S. L. Ross. Incumbent's commission expired January 22, 1919.

Joseph B. Cullipher to be postmaster at Saluda, N. C., in place of J. B. Cullipher. Incumbent's commission expired March 2, 1919.

William J. Roberts to be postmaster at Shelby, N. C., in place of W. J. Roberts. Incumbent's commission expired February 4, 1919.

Robert V. Brawley to be postmaster at Statesville, N. C., in place of R. V. Brawley. Incumbent's commission expired December 19, 1918.

N. Henry Moore to be postmaster at Washington, N. C., in place of N. H. Moore. Incumbent's commission expired February 4, 1919.

David T. Clark to be postmaster at Weldon, N. C., in place of D. T. Clark. Incumbent's commission expired December 19, 1918.

Millard F. Hales to be postmaster at Wendell, N. C., in place of M. F. Hales. Incumbent's commission expired October 21, 1918.

Junius Bridger to be postmaster at Windsor, N. C., in place of J. Bridger. Incumbent's commission expired October 21, 1918.

Charlie F. Mitchell to be postmaster at Winton, N. C., in place of C. F. Mitchell. Incumbent's commission expired February 4, 1919.

Sophie H. Adams to be postmaster at Four Oaks, N. C. Office became presidential October 1, 1918.

Lonnie E. Stevens to be postmaster at Benson, N. C., in place of L. E. Stevens. Incumbent's commission expired March 2, 1919.

William M. Goodson to be postmaster at Marion, N. C., in place of W. M. Goodson. Incumbent's commission expired February 4, 1919.

Thomas J. Orr to be postmaster at Matthews, N. C., in place of T. J. Orr. Incumbent's commission expired February 4, 1919.

Walter S. Thomas to be postmaster at Rockingham, N. C., in place of W. S. Thomas. Incumbent's commission expired January 12, 1919.

Archibald H. Boyden to be postmaster at Salisbury, N. C., in place of A. H. Boyden. Incumbent's commission expired July 15, 1918.

St. Elmo Pearce to be postmaster at Youngsville, N. C. Office became presidential April 1, 1919.

Thomas L. Smith to be postmaster at Stoneville, N. C. Office became presidential April 1, 1919.

NORTH DAKOTA.

Minnie S. Abelein to be postmaster at Anamoore, N. Dak., in place of Peter Hengel, deceased.

Jessie J. Davy to be postmaster at Antler, N. Dak., in place of G. E. Dumont, resigned.

Evan S. Brown to be postmaster at Buffalo, N. Dak., in place of H. E. Brown, resigned.

Mabel Nelson to be postmaster at Cando, N. Dak., in place of John McPike, resigned.

Emeline A. Milde to be postmaster at Douglas, N. Dak., in place of G. M. Eng, resigned.

Hugh H. Parsons to be postmaster at Fessenden, N. Dak., in place of Nellie Darcy, resigned.

Ole B. Johnson to be postmaster at Forman, N. Dak., in place of Frank Argersinger, resigned.

Thomas G. Kellington to be postmaster at New Rockford, N. Dak., in place of Walter Priest, removed.

Bernice R. Pottorf to be postmaster at Plaza, N. Dak., in place of A. O. Dahl, resigned.

Helen D. Thompson to be postmaster at Reynolds, N. Dak., in place of J. F. McMenamy, resigned.

Martin L. Vick to be postmaster at Sheyenne, N. Dak., in place of Iver K. Vick, deceased.

Mabel E. Otis to be postmaster at Wildrose, N. Dak., in place of H. E. Stoskoff, resigned.

Michael J. Gurnett to be postmaster at Balfour, N. Dak., in place of M. J. Gurnett. Incumbent's commission expired February 4, 1919.

Robert B. Stewart to be postmaster at Bottineau, N. Dak., in place of R. B. Stewart. Incumbent's commission expired July 7, 1918.

Robert J. Moore to be postmaster at Drayton, N. Dak., in place of R. J. Moore. Incumbent's commission expired August 25, 1918.

James A. Foley to be postmaster at Grafton, N. Dak., in place of J. A. Foley. Incumbent's commission expired March 2, 1919.

Walter P. Osborne to be postmaster at Hunter, N. Dak., in place of W. P. Osborne. Incumbent's commission expired February 26, 1919.

Henrietta Rooks to be postmaster at Linton, N. Dak., in place of H. Rooks. Incumbent's commission expired February 4, 1919.

Charles S. Ego to be postmaster at Lisbon, N. Dak., in place of C. S. Ego. Incumbent's commission expired August 11, 1918.

Nettie A. Isham to be postmaster at Manning, N. Dak., in place of N. A. Isham. Incumbent's commission expired March 2, 1919.

Samuel Loe to be postmaster at Northwood, N. Dak., in place of S. Loe. Incumbent's commission expired August 11, 1918.

Patrick H. Long to be postmaster at Page, N. Dak., in place of P. H. Long. Incumbent's commission expired July 8, 1918.

Henry W. O'Dell to be postmaster at Reeder, N. Dak., in place of H. W. O'Dell. Incumbent's commission expired February 4, 1919.

Franklin E. Ellickson to be postmaster at Regent, N. Dak., in place of F. E. Ellickson. Incumbent's commission expired February 4, 1919.

Alexander R. Thompson to be postmaster at Rolla, N. Dak., in place of A. R. Thompson. Incumbent's commission expired March 2, 1919.

Albert A. J. Lang to be postmaster at Sanborn, N. Dak., in place of A. A. J. Lang. Incumbent's commission expired December 29, 1918.

Carl L. George to be postmaster at Sarles, N. Dak., in place of C. L. George. Incumbent's commission expired December 29, 1918.

Thomas J. McCully to be postmaster at Sheldon, N. Dak., in place of T. J. McCully. Incumbent's commission expired February 4, 1919.

John P. Shahane to be postmaster at Souris, N. Dak., in place of J. P. Shahane. Incumbent's commission expired July 7, 1918.

William W. Smith to be postmaster at Valley City, N. Dak., in place of W. W. Smith. Incumbent's commission expired December 29, 1918.

Robert R. Zirkle to be postmaster at Westhope, N. Dak., in place of R. R. Zirkle. Incumbent's commission expired July 7, 1918.

Waldo Leonhardy to be postmaster at Williston, N. Dak., in place of W. Leonhardy. Incumbent's commission expired March 1, 1919.

Bernhard Ottis to be postmaster at Wyndmere, N. Dak., in place of B. Ottis. Incumbent's commission expired February 4, 1919.

Benjamin L. Fraser to be postmaster at Wales, N. Dak. Office became presidential October 1, 1918.

Percy F. Meharry to be postmaster at Starkweather, N. Dak., in place of P. F. Meharry. Incumbent's commission expired March 2, 1919.

Willis L. Armstrong to be postmaster at White Earth, N. Dak., in place of W. L. Armstrong. Incumbent's commission expired February 26, 1919.

OHIO.

Charles A. Bower to be postmaster at Bowerston, Ohio, in place of C. D. Royer, deceased.

William O. Wallace to be postmaster at Columbiana, Ohio, in place of C. V. Calvin, resigned.

Lillie M. Neel to be postmaster at Dillonvale, Ohio, in place of C. A. Eberle, resigned.

Lonzo S. Green to be postmaster at Freeport, Ohio, in place of W. A. Zellars, resigned.

Lewis B. Shaw to be postmaster at Gallipolis, Ohio, in place of J. E. Halliday, resigned.

Thurman T. Courtright to be postmaster at Lancaster, Ohio, in place of B. F. Price. Incumbent's commission expired October 16, 1917.

Russell G. Hardy to be postmaster at Liberty Center, Ohio, in place of A. J. Leahy, resigned.

Charles E. Penquite to be postmaster at Mason, Ohio, in place of H. E. Bursk, resigned.

Albert Sayers to be postmaster at Monroeville, Ohio, in place of F. W. Maiberger, resigned.

Roy Goddard to be postmaster at Orwell, Ohio, in place of Aymer Nye, resigned.

Clark R. Wilson to be postmaster at Perrysville, Ohio, in place of G. B. Darling, resigned.

Richard S. Ryan to be postmaster at St. Clairsville, Ohio, in place of B. S. C. McBride, resigned.

William W. Rider to be postmaster at Spencerville, Ohio, in place of J. C. Hoch, resigned.

Rufus R. Hannahs to be postmaster at Summerfield, Ohio, in place of R. B. Osborne, resigned. Office became presidential April 1, 1918.

Charles W. Miller to be postmaster at Versailles, Ohio, in place of T. W. Fahnestock, deceased.

James C. Gray to be postmaster at West Park, Ohio, in place of J. J. Gies, resigned.

George F. Parrish to be postmaster at Toledo, Ohio, in place of G. F. Parrish. Incumbent's commission expired February 22, 1919.

Elwyn W. Fisher to be postmaster at Sugarcreek, Ohio, in place of E. W. Fisher. Incumbent's commission expired January 25, 1919.

Lewis K. Thompson to be postmaster at Uhrichsville, Ohio, in place of L. K. Thompson. Incumbent's commission expired February 13, 1919.

William A. Ault to be postmaster at Wadsworth, Ohio, in place of W. A. Ault. Incumbent's commission expired January 26, 1919.

Adam E. Schaffer to be postmaster at Wapakoneta, Ohio, in place of A. E. Schaffer. Incumbent's commission expired September 24, 1918.

Emil Weber to be postmaster at Wauseon, Ohio, in place of Emil Weber. Incumbent's commission expired August 22, 1918.

Welker Besst to be postmaster at West Lafayette, Ohio, in place of Welker Besst. Incumbent's commission expired February 22, 1919.

Henry B. Popps to be postmaster at West Liberty, Ohio, in place of H. B. Popps. Incumbent's commission expired March 3, 1919.

James R. Alexander to be postmaster at Zanesville, Ohio, in place of J. R. Alexander. Incumbent's commission expired April 6, 1918.

Clarence A. Corbin to be postmaster at Ashtabula, Ohio, in place of C. A. Corbin. Incumbent's commission expired January 14, 1919.

Wilber Winfield to be postmaster at Beach City, Ohio, in place of W. Winfield. Incumbent's commission expired July 17, 1918.

James A. Smith to be postmaster at Belle Center, Ohio, in place of J. A. Smith. Incumbent's commission expired July 13, 1918.

David C. Van Voorhis to be postmaster at Bowling Green, Ohio, in place of D. C. Van Voorhis. Incumbent's commission expired July 1, 1918.

Eli C. Wisman to be postmaster at Bryan, Ohio, in place of E. C. Wisman. Incumbent's commission expired February 26, 1919.

Charles F. Vollmer to be postmaster at Bucyrus, Ohio, in place of C. F. Vollmer. Incumbent's commission expired February 22, 1919.

Samuel A. Kinnear to be postmaster at Columbus, Ohio, in place of S. A. Kinnear. Incumbent's commission expired September 5, 1918.

Charles A. Lamberson to be postmaster at Coshocton, Ohio, in place of C. A. Lamberson. Incumbent's commission expired February 13, 1919.

John F. Bauer to be postmaster at Crestline, Ohio, in place of J. F. Bauer. Incumbent's commission expired March 3, 1919.

Herman A. Spangler to be postmaster at Defiance, Ohio, in place of H. A. Spangler. Incumbent's commission expired March 3, 1919.

Alexander J. Shenk to be postmaster at Delphos, Ohio, in place of A. J. Shenk. Incumbent's commission expired July 1, 1918.

John S. Gossett to be postmaster at Dennison, Ohio, in place of J. S. Gossett. Incumbent's commission expired January 26, 1919.

Dennis W. Seward to be postmaster at Elyria, Ohio, in place of D. W. Seward. Incumbent's commission expired March 1, 1919.

James G. Bell to be postmaster at Frankfort, Ohio, in place of J. G. Bell. Incumbent's commission expired February 26, 1919.

Carroll R. Jackson to be postmaster at Gambier, Ohio, in place of C. R. Jackson. Incumbent's commission expired February 20, 1919.

Benjamin F. Reineck to be postmaster at Gibsonburg, Ohio, in place of B. F. Reineck. Incumbent's commission expired July 1, 1918.

Edward L. Hauser to be postmaster at Girard, Ohio, in place of E. L. Hauser. Incumbent's commission expired February 25, 1919.

James Finlayson to be postmaster at Grafton, Ohio, in place of J. Finlayson. Incumbent's commission expired March 3, 1919.

John H. Geach to be postmaster at Granville, Ohio, in place of J. H. Geach. Incumbent's commission expired February 26, 1919.

Fred M. Black to be postmaster at Greenwich, Ohio, in place of F. M. Black. Incumbent's commission expired February 20, 1919.

Grover C. H. Hipp to be postmaster at Grover Hill, Ohio, in place of G. C. H. Hipp. Incumbent's commission expired February 4, 1919.

Jacob E. Mercer to be postmaster at Hicksville, Ohio, in place of J. E. Mercer. Incumbent's commission expired December 31, 1918.

John E. Robbins to be postmaster at Jeffersonville, Ohio, in place of J. E. Robbins. Incumbent's commission expired January 25, 1919.

James E. Sullivan to be postmaster at Lima, Ohio, in place of J. E. Sullivan. Incumbent's commission expired January 20, 1919.

Peter J. Bencler to be postmaster at Louisville, Ohio, in place of P. J. Bencler. Incumbent's commission expired August 25, 1918.

Levi E. Bierer to be postmaster at McComb, Ohio, in place of L. E. Bierer. Incumbent's commission expired February 15, 1919.

Robert T. Spratt to be postmaster at Malvern, Ohio, in place of R. T. Spratt. Incumbent's commission expired February 3, 1919.

Harry C. Brown to be postmaster at Manchester, Ohio, in place of H. C. Brown. Incumbent's commission expired July 13, 1918.

Fred M. Bushnell to be postmaster at Mansfield, Ohio, in place of F. M. Bushnell. Incumbent's commission expired January 20, 1919.

Joseph E. Blackford to be postmaster at Martins Ferry, Ohio, in place of J. E. Blackford. Incumbent's commission expired February 15, 1919.

Mary K. Long to be postmaster at Medina, Ohio, in place of M. K. Long. Incumbent's commission expired January 20, 1919.

William Alexander to be postmaster at Miamisburg, Ohio, in place of William Alexander. Incumbent's commission expired January 25, 1919.

Roscoe V. White to be postmaster at Middlefield, Ohio, in place of R. V. White. Incumbent's commission expired March 1, 1919.

Louis N. Gerber to be postmaster at Middleport, Ohio, in place of L. N. Gerber. Incumbent's commission expired February 4, 1919.

Robert E. Sickinger to be postmaster at Milan, Ohio, in place of R. E. Sickinger. Incumbent's commission expired October 16, 1918.

Jesse O. Shaw to be postmaster at Newcomerstown, Ohio, in place of J. O. Shaw. Incumbent's commission expired September 16, 1918.

Francis N. Cary to be postmaster at New Richmond, Ohio, in place of F. N. Cary. Incumbent's commission expired December 31, 1918.

Henry Becker, jr., to be postmaster at New Washington, Ohio, in place of Henry Becker, jr. Incumbent's commission expired February 26, 1919.

Harry A. Flinn to be postmaster at Orrville, Ohio, in place of H. A. Flinn. Incumbent's commission expired August 25, 1918.

Frank Miller to be postmaster at Paulding, Ohio, in place of Frank Miller. Incumbent's commission expired August 22, 1918.

Eugene C. Chapman to be postmaster at Plain City, Ohio, in place of E. C. Chapman. Incumbent's commission expired January 12, 1919.

Ira A. Deeter to be postmaster at Pleasant Hill, Ohio, in place of I. A. Deeter. Incumbent's commission expired February 22, 1919.

Hiram J. Blackmore to be postmaster at Pomeroy, Ohio, in place of H. J. Blackmore. Incumbent's commission expired July 17, 1918.

Frank J. Mitchell to be postmaster at Port Clinton, Ohio, in place of F. J. Mitchell. Incumbent's commission expired February 22, 1919.

Andrew H. Austin to be postmaster at Ravenna, Ohio, in place of A. H. Austin. Incumbent's commission expired January 26, 1919.

Roy E. Faber to be postmaster at Rittman, Ohio, in place of R. E. Faber. Incumbent's commission expired February 25, 1919.

James A. Ryan to be postmaster at Sandusky, Ohio, in place of J. A. Ryan. Incumbent's commission expired July 25, 1918.

George O. Canaga to be postmaster at Scio, Ohio, in place of G. O. Canaga. Incumbent's commission expired February 22, 1919.

Fred F. Taylor to be postmaster at Seville, Ohio, in place of F. F. Taylor. Incumbent's commission expired September 23, 1918.

Frank C. Schiffer to be postmaster at Shelby, Ohio, in place of F. C. Schiffer. Incumbent's commission expired July 13, 1918.

Val Lee to be postmaster at Sidney, Ohio, in place of Val Lee. Incumbent's commission expired August 22, 1918.

Arthur M. Eidson to be postmaster at Cygnet, Ohio. Office became presidential October 1, 1918.

William J. Deibel to be postmaster at Doylestown, Ohio. Office became presidential July 1, 1918.

Lucius W. Carruthers to be postmaster at Groveport, Ohio. Office became presidential October 1, 1918.

Bronson O. Brott to be postmaster at South Euclid, Ohio. Office became presidential July 1, 1918.

Merril J. Humphrey to be postmaster at Tiro, Ohio. Office became presidential October 1, 1918.

Anna M. Tesi to be postmaster at Yorkville, Ohio. Office became presidential October 1, 1918.

Mary June Zimmerman to be postmaster at Harrison, Ohio, in place of Mary June Dick. Name changed by marriage.

Horace E. McConnell to be postmaster at Milford Center, Ohio, in place of H. E. McConnell. Incumbent's commission expired February 20, 1919.

William E. Warren to be postmaster at Leetonia, Ohio, in place of W. E. Warren. Incumbent's commission expired June 12, 1918.

Danus D. Granger to be postmaster at New London, Ohio, in place of D. D. Granger. Incumbent's commission expired July 17, 1918.

James S. Handshy to be postmaster at Frazeysburg, Ohio. Office became presidential January 1, 1919.

Julius C. E. Jacot to be postmaster at Apple Creek, Ohio. Office became presidential April 1, 1919.

OKLAHOMA.

Starrett C. Burnett to be postmaster at Allen, Okla., in place of I. E. Strickland, removed.

Samuel H. Starkey to be postmaster at Altus, Okla., in place of J. N. Kimberlin. Incumbent's commission expired October 1, 1917.

Albert E. Howell to be postmaster at Avant, Okla., in place of D. A. Callen, resigned.

Essyl B. Logan to be postmaster at Calvin, Okla. Office became presidential October 1, 1918.

William J. Pointer to be postmaster at Chelsea, Okla., in place of W. J. Strange, resigned.

Bernard H. Buchanan to be postmaster at Collinsville, Okla., in place of E. V. Schrimsher, resigned.

Grace E. Wandell to be postmaster at Coyle, Okla., in place of J. A. Pfalzgraf, resigned.

Seth M. Hufstedler to be postmaster at Dewar, Okla., in place of H. E. Malone, removed.

Orville Knight to be postmaster at Drumright, Okla., in place of H. S. Blair, resigned.

Clyde C. Cantrell to be postmaster at Haskell, Okla., in place of T. J. Way, resigned.

Douglas Allen to be postmaster at Lehigh, Okla., in place of M. F. Landon, removed.

Judith L. Black to be postmaster at Marietta, Okla., in place of L. B. Smith, resigned.

Preston R. Calvert to be postmaster at Pawnee, Okla., in place of J. E. McCutchan, resigned.

James C. Williamson to be postmaster at Quinton, Okla., in place of M. E. Didlake, resigned.

William H. Maxey to be postmaster at Randlett, Okla., in place of B. F. Suter, resigned.

Erasmus A. Ingle to be postmaster at Soper, Okla., in place of L. W. Hicks, resigned. Office became presidential April 1, 1918.

Luther E. Brown to be postmaster at Tuttle, Okla., in place of T. J. Brown, resigned.

George H. Montgomery to be postmaster at Valliant, Okla., in place of W. E. Watkins, resigned.

John W. McCracken to be postmaster at Nowata, Okla., in place of Hattie Gore, resigned.

T. Lee Hopson to be postmaster at Ardmore, Okla., in place of C. L. Byrne, resigned.

John D. Pugh to be postmaster at Anadarko, Okla., in place of J. D. Pugh. Incumbent's commission expired March 2, 1919.

Calvin R. Lockhart to be postmaster at Dustin, Okla., in place of C. R. Lockhart. Incumbent's commission expired February 25, 1919.

Lucian B. Sneed to be postmaster at Guymon, Okla., in place of L. B. Sneed. Incumbent's commission expired July 16, 1918.

John B. Pope to be postmaster at Heavener, Okla., in place of J. B. Pope. Incumbent's commission expired March 2, 1919.

William B. Pickett to be postmaster at Hinton, Okla., in place of W. B. Pickett. Incumbent's commission expired March 2, 1919.

David G. Woodworth to be postmaster at Kingfisher, Okla., in place of D. G. Woodworth. Incumbent's commission expired March 19, 1918.

Walter J. Stevens to be postmaster at Lexington, Okla., in place of W. J. Stevens. Incumbent's commission expired February 26, 1919.

Edgar R. Christopher to be postmaster at Lone Wolf, Okla., in place of E. R. Christopher. Incumbent's commission expired February 25, 1919.

Preston S. Lester to be postmaster at McAlester, Okla., in place of P. S. Lester. Incumbent's commission expired October 1, 1918.

Charles L. Williams to be postmaster at Maysville, Okla., in place of C. L. Williams. Incumbent's commission expired September 16, 1918.

Jacob M. Casper to be postmaster at Okeene, Okla., in place of J. M. Casper. Incumbent's commission expired August 5, 1918.

Claude Weaver to be postmaster at Oklahoma, Okla., in place of C. Weaver. Incumbent's commission expired February 22, 1919.

Phillip H. Dalby to be postmaster at Ramona, Okla., in place of P. H. Dalby. Incumbent's commission expired September 16, 1918.

Robert A. Lackey to be postmaster at Roosevelt, Okla., in place of R. A. Lackey. Incumbent's commission expired March 2, 1919.

John H. Meler to be postmaster at Sentinel, Okla., in place of J. H. Meler. Incumbent's commission expired March 3, 1919.

Charles D. Snider to be postmaster at Waurika, Okla., in place of C. D. Snider. Incumbent's commission expired February 4, 1919.

Edwin S. Gray to be postmaster at Weleetka, Okla., in place of E. S. Gray. Incumbent's commission expired March 2, 1919.

Edward T. Washington to be postmaster at Douthat, Okla. Office became presidential October 1, 1918.

Robert D. Bonham to be postmaster at Keota, Okla. Office became presidential October 1, 1918.

William C. Parnell to be postmaster at Meeker, Okla. Office became presidential October 1, 1918.

Caesar F. Simmons to be postmaster at Boley, Okla., in place of C. F. Simmons. Incumbent's commission expired February 15, 1919.

Homer S. Chambers to be postmaster at Dilworth, Okla. Office became presidential January 1, 1919.

OREGON.

Charles E. Hedge to be postmaster at Beaverton, Oreg., in place of M. E. Fitzpatrick, resigned.

Margaret Clark to be postmaster at Canyon City, Oreg., in place of C. W. Brown, resigned.

Henry A. Ball to be postmaster at Hillsboro, Oreg., in place of J. C. Lamkin, resigned.

Charles A. White to be postmaster at Lakeview, Oreg., in place of T. B. Vernon, resigned.

Richard F. Evans to be postmaster at Stanfield, Oreg., in place of E. B. Ward, resigned.

Cora Macoon to be postmaster at Warrenton, Oreg., in place of G. C. Barlow, resigned. Office became presidential October 1, 1918.

Charles R. Tyler to be postmaster at Yamhill, Oreg., in place of Guy W. Brace, declined.

Claiborne H. Stewart to be postmaster at Albany, Oreg., in place of C. H. Stewart. Incumbent's commission expired February 26, 1919.

Lovie R. Watt to be postmaster at Amity, Oreg., in place of L. R. Watt. Incumbent's commission expired January 30, 1919.

Edward J. Kaiser to be postmaster at Ashland, Oreg., in place of E. J. Kaiser. Incumbent's commission expired February 26, 1919.

Charles O. Henry to be postmaster at Athena, Oreg., in place of C. O. Henry. Incumbent's commission expired January 30, 1919.

Diana Snyder to be postmaster at Aurora, Oreg., in place of D. Snyder. Incumbent's commission expired July 17, 1918.

John P. Cooley to be postmaster at Brownsville, Oreg., in place of J. P. Cooley. Incumbent's commission expired October 22, 1918.

Robert Blumenstein to be postmaster at Elgin, Oreg., in place of R. Blumenstein. Incumbent's commission expired February 26, 1919.

Edward L. Campbell to be postmaster at Eugene, Oreg., in place of E. L. Campbell. Incumbent's commission expired February 26, 1919.

John W. Hughes to be postmaster at Fossil, Oreg., in place of J. W. Hughes. Incumbent's commission expired February 4, 1919.

Mary T. Mangold to be postmaster at Gervais, Oreg., in place of M. T. Mangold. Incumbent's commission expired January 30, 1919.

William C. Wilson to be postmaster at Joseph, Oreg., in place of W. C. Wilson. Incumbent's commission expired January 30, 1919.

William R. Cook to be postmaster at Madras, Oreg., in place of W. R. Cook. Incumbent's commission expired January 30, 1919.

Gaphart D. Ebner to be postmaster at Mount Angel, Oreg., in place of G. D. Ebner. Incumbent's commission expired January 30, 1919.

Walter R. Hamer to be postmaster at Newport, Oreg., in place of W. R. Hamer. Incumbent's commission expired February 13, 1919.

James J. Gaither to be postmaster at Toledo, Oreg., in place of J. J. Gaither. Incumbent's commission expired January 30, 1919.

Albert L. Cauley to be postmaster at Fort Stevens, Oreg. Office became presidential October 1, 1918.

Nellie Elliott to be postmaster at John Day, Oreg. Office became presidential October 1, 1918.

George C. Mason to be postmaster at Jefferson, Oreg., in place of G. C. Mason. Incumbent's commission expired January 30, 1919.

Hugh P. McLain to be postmaster at Marshfield, Oreg., in place of H. P. McLain. Incumbent's commission expired March 2, 1919.

PENNSYLVANIA.

John B. Kean to be postmaster at Alexandria, Pa., in place of C. C. Roseborough, resigned.

Archie W. Leech to be postmaster at Beaverdale, Pa., in place of C. S. Burtnett, resigned.

Charles W. Gibbs to be postmaster at Burnham, Pa., in place of J. C. Jacobs, resigned.

Joseph J. Ellison to be postmaster at Darby, Pa., in place of G. N. Coryell, deceased.

Harry L. Edinger to be postmaster at Delaware Water Gap, Pa., in place of J. M. Wallace, resigned.

Besse M. McCauley to be postmaster at Dravosburg, Pa., in place of F. F. Sumney, resigned.

Pearl C. Zittle to be postmaster at East Downingtown, Pa., in place of L. A. Moore, resigned.

Guy L. Horn to be postmaster at Fredericktown, Pa., in place of K. A. McLain, removed.

John N. Sharpsteen to be postmaster at Honesdale, Pa., in place of R. M. Stocker, deceased.

Abner I. Hartman to be postmaster at Lebanon, Pa., in place of W. E. Schaak, resigned.

Elmer D. Buckey to be postmaster at Littlestown, Pa., in place of C. P. Gettier, resigned.

Esther J. Johnson to be postmaster at Madera, Pa., in place of J. A. Shoff, resigned.

Tillie U. McLaughlin to be postmaster at Midway, Pa., in place of G. H. Powelson, resigned. Office became presidential October 1, 1918.

Anthony L. Brautegam to be postmaster at Monessen, Pa., in place of Edmond Jeffries, removed.

Hazel F. Bush to be postmaster at New Florence, Pa., in place of R. S. Wagner, resigned.

Mariquitta M. Smelker to be postmaster at Newton Hamilton, Pa., in place of J. M. Smelker, deceased.

Nancy T. Newland to be postmaster at Orbisonia, Pa., in place of M. E. Taylor, deceased.

Alfred A. Ziegenfus to be postmaster at Palmerton, Pa., in place of W. H. Gruber, deceased.

George B. Wilcox to be postmaster at Portland, Pa., in place of Howard Ott. Office became presidential January 1, 1918.

Harry E. Barndt to be postmaster at Sellersville, Pa., in place of A. S. Magargal. Incumbent's commission expired January 15, 1918.

Raymond K. Zechman to be postmaster at Sinking Springs, Pa., in place of M. D. Zechman, deceased.

Frank B. Whoolery to be postmaster at Smithfield, Pa., in place of F. P. Moates, resigned.

Delos M. Graham to be postmaster at Starjunction, Pa., in place of J. W. Keffer, resigned.

Frank W. Engle to be postmaster at Tidioute, Pa., in place of F. A. Shaw, resigned.

Michael J. Fleming to be postmaster at Tremont, Pa., in place of L. W. Kopp, removed.

Charles F. Wenrich to be postmaster at Wernersville, Pa., in place of M. H. Gundy, resigned.

Clarence L. Kamerer to be postmaster at West Newton, Pa., in place of F. E. Obley, resigned.

Susanna S. Hartman to be postmaster at Yardley, Pa., in place of J. H. Smith, removed.

William F. Burr to be postmaster at Zelienople, Pa., in place of C. J. D. Strohecker, resigned.

Emma Claughsey to be postmaster at East Brady, Pa., in place of H. W. Faloon, deceased.

Leslie C. Lockerman to be postmaster at Cheswick, Pa., in place of L. C. Lockerman. Office became presidential February 4, 1919.

James W. Ailsin to be postmaster at Christiana, Pa., in place of J. W. Ailsin. Incumbent's commission expired February 22, 1919.

Adam F. Hess to be postmaster at Clarion, Pa., in place of A. F. Hess. Office became presidential August 25, 1918.

Lewis J. Lieb to be postmaster at Colver, Pa., in place of L. J. Lieb. Incumbent's commission expired March 3, 1919.

Edmund J. Rafferty to be postmaster at Conshohocken, Pa., in place of E. J. Rafferty. Incumbent's commission expired March 2, 1919.

John T. Butler to be postmaster at Coraopolis, Pa., in place of J. T. Butler. Incumbent's commission expired July 27, 1918.

Josephine R. Callan to be postmaster at Cresson, Pa., in place of J. R. Callan. Incumbent's commission expired August 25, 1918.

Charles L. Fox to be postmaster at Daisytown, Pa., in place of C. L. Fox. Incumbent's commission expired July 27, 1918.

William A. Irwin to be postmaster at Downingtown, Pa., in place of W. A. Irwin. Incumbent's commission expired February 13, 1919.

B. Stiles Duncan to be postmaster at Duncannon, Pa., in place of B. S. Duncan. Incumbent's commission expired February 4, 1919.

Edward M. Dailey to be postmaster at Dushore, Pa., in place of E. M. Dailey. Incumbent's commission expired August 25, 1918.

Horace Lehr to be postmaster at Easton, Pa., in place of H. Lehr. Incumbent's commission expired March 3, 1919.

Albert E. Eckert to be postmaster at East Stroudsburg, Pa., in place of A. E. Eckert. Incumbent's commission expired February 22, 1919.

John B. Shea to be postmaster at Eldred, Pa., in place of J. B. Shea. Incumbent's commission expired February 4, 1919.

Harry R. Schneitman to be postmaster at Elizabethtown, Pa., in place of H. R. Schneitman. Incumbent's commission expired February 22, 1919.

Walter K. Ashton to be postmaster at Fairchance, Pa., in place of W. K. Ashton. Incumbent's commission expired July 27, 1918.

Henry G. Schleiter to be postmaster at Freedom, Pa., in place of H. G. Schleiter. Incumbent's commission expired July 2, 1918.

Harry K. McCulloch to be postmaster at Freeport, Pa., in place of H. K. McCulloch. Incumbent's commission expired February 13, 1919.

Charles B. Duff to be postmaster at Ford City, Pa., in place of C. B. Duff. Incumbent's commission expired January 26, 1919.

Thomas P. McCormick to be postmaster at Forest City, Pa., in place of T. P. McCormick. Incumbent's commission expired February 26, 1919.

Edward E. Fricker to be postmaster at Glenside, Pa., in place of E. E. Fricker. Incumbent's commission expired July 7, 1918.

Lawrence B. Rowley to be postmaster at Greenville, Pa., in place of L. B. Rowley. Incumbent's commission expired March 3, 1919.

William W. Van Eman to be postmaster at Grove City, Pa., in place of W. W. Van Eman. Incumbent's commission expired January 30, 1919.

Daniel E. Hanrahan to be postmaster at Hallstead, Pa., in place of D. E. Hanrahan. Incumbent's commission expired January 25, 1919.

Daniel R. Dunkel to be postmaster at Hamburg, Pa., in place of D. R. Dunkel. Incumbent's commission expired February 22, 1919.

Peter V. Abel to be postmaster at Hastings, Pa., in place of P. V. Abel. Incumbent's commission expired July 27, 1918.

James F. Drake to be postmaster at Hawley, Pa., in place of J. F. Drake. Incumbent's commission expired February 13, 1919.

William A. Kessler to be postmaster at Homestead, Pa., in place of W. A. Kessler. Incumbent's commission expired January 14, 1919.

Richard T. Hugus to be postmaster at Jeannette, Pa., in place of R. T. Hugus. Incumbent's commission expired August 11, 1918.

Forrest B. Dunkle to be postmaster at Jersey Shore, Pa., in place of F. B. Dunkle. Incumbent's commission expired March 3, 1919.

Michael F. Lawler to be postmaster at Jessup, Pa., in place of M. F. Lawler. Incumbent's commission expired January 26, 1919.

Charles N. Stevens to be postmaster at Knoxville, Pa., in place of C. N. Stevens. Incumbent's commission expired March 2, 1919.

Joseph Rodgers, jr., to be postmaster at Lansdale, Pa., in place of J. Rodgers, jr. Incumbent's commission expired July 27, 1918.

Frank M. Longstreth to be postmaster at Lansdowne, Pa., in place of F. M. Longstreth. Incumbent's commission expired August 11, 1918.

Victor E. Gill to be postmaster at Latrobe, Pa., in place of V. E. Gill. Incumbent's commission expired August 11, 1918.

Granville F. Rehrig to be postmaster at Lehighton, Pa., in place of G. F. Rehrig. Incumbent's commission expired March 1, 1919.

John A. Hughes to be postmaster at Lyndora, Pa., in place of J. A. Hughes. Incumbent's commission expired September 24, 1918.

Brinslie C. Lamberson to be postmaster at McConnellsburg, Pa., in place of B. C. Lamberson. Incumbent's commission expired February 26, 1919.

Clarence H. Young to be postmaster at Manheim, Pa., in place of C. H. Young. Incumbent's commission expired February 22, 1919.

Milton M. Dougherty to be postmaster at Mechanicsburg, Pa., in place of M. M. Dougherty. Incumbent's commission expired January 15, 1919.

John W. Runkle to be postmaster at Middleburg, Pa., in place of J. W. Runkle. Incumbent's commission expired February 26, 1919.

James P. Van Etten to be postmaster at Milford, Pa., in place of J. P. Van Etten. Incumbent's commission expired July 27, 1918.

Helen G. Flanigan to be postmaster at Mill Hall, Pa., in place of H. G. Flanigan. Incumbent's commission expired January 15, 1919.

Thomas E. Grady to be postmaster at Montgomery, Pa., in place of T. E. Grady. Incumbent's commission expired August 11, 1918.

Warren F. Harrer to be postmaster at Montoursville, Pa., in place of W. F. Harrer. Incumbent's commission expired March 2, 1919.

Orville W. Chase to be postmaster at Montrose, Pa., in place of O. W. Chase. Incumbent's commission expired February 26, 1919.

Edward H. Sutterley to be postmaster at Morrisville, Pa., in place of E. H. Sutterley. Incumbent's commission expired December 22, 1918.

Edward R. Benson to be postmaster at Mount Jewett, Pa., in place of E. R. Benson. Incumbent's commission expired February 13, 1919.

Thomas Wood to be postmaster at Muncy, Pa., in place of T. Wood. Incumbent's commission expired February 26, 1919.

Peter F. Leininger to be postmaster at Myerstown, Pa., in place of P. F. Leininger. Incumbent's commission expired January 25, 1919.

Charles E. Knecht to be postmaster at Nazareth, Pa., in place of C. E. Knecht. Incumbent's commission expired August 3, 1918.

James J. McArdle to be postmaster at Nesquehoning, Pa., in place of J. J. McArdle. Incumbent's commission expired December 31, 1918.

George W. Heffelman to be postmaster at New Cumberland, Pa., in place of G. W. Heffelman. Incumbent's commission expired January 8, 1919.

Theodore E. Warner to be postmaster at New Oxford, Pa., in place of T. E. Warner. Incumbent's commission expired March 1, 1919.

Thomas A. Derick to be postmaster at Newville, Pa., in place of T. A. Derick. Incumbent's commission expired February 13, 1919.

David M. Means to be postmaster at New Wilmington, Pa., in place of D. M. Means. Incumbent's commission expired February 13, 1919.

Thomas W. Loftus to be postmaster at Archbald, Pa., in place of T. W. Loftus. Incumbent's commission expired January 8, 1919.

Arthur McKean to be postmaster at Beaver Falls, Pa., in place of A. McKean. Incumbent's commission expired January 15, 1919.

Clinton W. Sausser to be postmaster at Bellwood, Pa., in place of C. W. Sausser. Incumbent's commission expired January 15, 1919.

William H. Hartman to be postmaster at Bentleyville, Pa., in place of W. H. Hartman. Incumbent's commission expired July 27, 1918.

Ulysses G. Bowers to be postmaster at Big Run, Pa., in place of U. G. Bowers. Incumbent's commission expired March 3, 1919.

Jacob H. Maust to be postmaster at Bloomsburg, Pa., in place of J. H. Maust. Incumbent's commission expired August 11, 1918.

George D. Schoenly to be postmaster at Boyertown, Pa., in place of G. D. Schoenly. Incumbent's commission expired February 22, 1919.

James G. Paul to be postmaster at Bradford, Pa., in place of J. G. Paul. Incumbent's commission expired December 31, 1918.

John A. Robinson to be postmaster at Brownsville, Pa., in place of J. A. Robinson. Incumbent's commission expired January 25, 1919.

David V. Hays to be postmaster at Burgettstown, Pa., in place of D. V. Hays. Incumbent's commission expired January 20, 1919.

Jacob E. Coatsworth to be postmaster at California, Pa., in place of J. E. Coatsworth. Incumbent's commission expired March 3, 1919.

Blythe J. Davison to be postmaster at Canton, Pa., in place of B. J. Davison. Incumbent's commission expired January 15, 1919.

Patrick F. Connor to be postmaster at Carbondale, Pa., in place of P. F. Connor. Incumbent's commission expired March 3, 1919.

George E. Hipps to be postmaster at Carrolltown, Pa., in place of G. E. Hipps. Incumbent's commission expired February 13, 1919.

Thomas P. Delaney to be postmaster at Castle Shannon, Pa., in place of T. P. Delaney. Incumbent's commission expired July 27, 1918.

William H. Nelson to be postmaster at Chester, Pa., in place of W. H. Nelson. Incumbent's commission expired August 11, 1918.

Thomas V. Tormey to be postmaster at Arnot, Pa. Office became presidential October 1, 1918.

George H. Houck to be postmaster at Cairnbrook, Pa. Office became presidential October 1, 1918.

Charles W. Blose to be postmaster at Delmont, Pa. Office became presidential October 1, 1918.

Mabel E. Nye to be postmaster at Enon Valley, Pa. Office became presidential July 1, 1918.

David J. Bonsall to be postmaster at Grampian, Pa. Office became presidential July 1, 1918.

Mary L. Simons to be postmaster at Harmony, Pa. Office became presidential July 1, 1918.

Gertrude Griffith to be postmaster at Heilwood, Pa. Office became presidential October 1, 1918.

Edna E. Snably to be postmaster at Hollsopple, Pa. Office became presidential October 1, 1918.

Emma McNamee to be postmaster at Imperial, Pa. Office became presidential October 1, 1918.

James J. Hanlon to be postmaster at Kulpmont, Pa. Office became presidential October 1, 1918.

Charles E. Dusenberry to be postmaster at Newell, Pa. Office became presidential July 1, 1918.

George Althouse to be postmaster at Radnor, Pa. Office became presidential October 1, 1916.

Nicholas F. Barrett to be postmaster at Carnegie, Pa., in place of N. F. Barrett. Incumbent's commission expired March 3, 1919.

Edward D. Noble to be postmaster at Claysville, Pa., in place of E. D. Noble. Incumbent's commission expired March 3, 1919.

Adam Wise to be postmaster at Gap, Pa., in place of Adam Wise. Incumbent's commission expired February 22, 1919.

John W. Bisbee to be postmaster at Hop Bottom, Pa., in place of J. W. Bisbee. Incumbent's commission expired February 26, 1919.

William A. McAdoo to be postmaster at Kittanning, Pa., in place of W. A. McAdoo. Incumbent's commission expired March 3, 1919.

John W. Clouse to be postmaster at Moscow, Pa., in place of J. W. Clouse. Incumbent's commission expired March 2, 1919.

William Leslie to be postmaster at Parkers Landing, Pa., in place of William Leslie. Incumbent's commission expired January 26, 1919.

George F. Trout to be postmaster at Stewartstown, Pa., in place of G. F. Trout. Incumbent's commission expired December 31, 1918.

John P. Hines to be postmaster at Stoneboro, Pa., in place of J. P. Hines. Incumbent's commission expired February 26, 1919.

Joseph P. McMahon to be postmaster at Susquehanna, Pa., in place of J. P. McMahon. Incumbent's commission expired January 30, 1919.

James W. Keating to be postmaster at Towanda, Pa., in place of J. W. Keating. Incumbent's commission expired March 1, 1919.

Frank M. Davis to be postmaster at Westfield, Pa., in place of F. M. Davis. Incumbent's commission expired March 3, 1919.

Walter J. McBeth to be postmaster at Braddock, Pa., in place of W. J. McBeth. Incumbent's commission expired January 25, 1919.

Frances H. Diven to be postmaster at West Bridgewater, Pa. Office became presidential October 1, 1918.

Ray J. Crowthers to be postmaster at West Elizabeth, Pa. Office became presidential October 1, 1918.

Thomas Rorer to be postmaster at North Wales, Pa., in place of T. Rorer. Incumbent's commission expired July 7, 1918.

Clyde G. McMurray to be postmaster at Oakdale, Pa., in place of C. G. McMurray. Incumbent's commission expired March 3, 1919.

Nora L. Pickering to be postmaster at Peckville, Pa., in place of N. L. Pickering. Incumbent's commission expired March 2, 1919.

Nathaniel S. Byers to be postmaster at Perryopolis, Pa., in place of N. S. Byers. Incumbent's commission expired February 26, 1919.

John Kehoe to be postmaster at Pittston, Pa., in place of J. Kehoe. Incumbent's commission expired December 22, 1918.

Lewis Dilliner to be postmaster at Point Marion, Pa., in place of L. Dilliner. Incumbent's commission expired July 27, 1918.

Bartly P. McNulty to be postmaster at Ridgway, Pa., in place of B. P. McNulty. Incumbent's commission expired October 30, 1917.

William A. Ketterer to be postmaster at Rochester, Pa., in place of W. A. Ketterer. Incumbent's commission expired January 25, 1919.

William A. Furlong to be postmaster at Roscoe, Pa., in place of W. A. Furlong. Incumbent's commission expired March 3, 1919.

John Cashman to be postmaster at St. Marys, Pa., in place of J. Cashman. Incumbent's commission expired March 2, 1919.

Ralph W. Simcox to be postmaster at Sandy Lake, Pa., in place of R. W. Simcox. Incumbent's commission expired February 26, 1919.

William T. Benner to be postmaster at Saxton, Pa., in place of W. T. Benner. Incumbent's commission expired February 13, 1919.

John J. Durkin to be postmaster at Scranton, Pa., in place of J. J. Durkin. Incumbent's commission expired February 13, 1919.

Origen K. Bingham to be postmaster at Slippery Rock, Pa., in place of O. K. Bingham. Incumbent's commission expired February 26, 1919.

Alexander B. Grof to be postmaster at Somerset, Pa., in place of A. B. Grof. Incumbent's commission expired March 3, 1919.

John J. Kinney to be postmaster at South Fork, Pa., in place of J. J. Kinney. Incumbent's commission expired July 27, 1918.

James W. Hutchinson to be postmaster at Springdale, Pa., in place of J. W. Hutchinson. Incumbent's commission expired July 27, 1918.

Jesse S. Stambaugh to be postmaster at Spring Grove, Pa., in place of J. S. Stambaugh. Incumbent's commission expired January 25, 1919.

Lewis W. Bechtel to be postmaster at Stowe, Pa., in place of L. W. Bechtel. Incumbent's commission expired January 8, 1919.

John F. Johnston to be postmaster at Strasburg, Pa., in place of J. F. Johnston. Incumbent's commission expired July 1, 1918.

John M. Decker to be postmaster at Stroudsburg, Pa., in place of J. M. Decker. Incumbent's commission expired February 26, 1919.

John E. Guthrie to be postmaster at Summerville, Pa., in place of J. E. Guthrie. Incumbent's commission expired January 18, 1919.

Michael J. O'Connor to be postmaster at Trevorton, Pa., in place of M. J. O'Connor. Incumbent's commission expired July 1, 1918.

Allen S. Garman to be postmaster at Tyrone, Pa., in place of A. S. Garman. Incumbent's commission expired February 26, 1919.

Lester N. Strickler to be postmaster at Vanderbilt, Pa., in place of L. N. Strickler. Incumbent's commission expired March 3, 1919.

Presley G. Katz to be postmaster at Verona, Pa., in place of P. G. Katz. Incumbent's commission expired February 4, 1919.

Henry R. Hummel to be postmaster at Watsontown, Pa., in place of H. R. Hummel. Incumbent's commission expired July 27, 1918.

Milton J. Porter to be postmaster at Wayne, Pa., in place of M. J. Porter. Incumbent's commission expired September 23, 1918.

John W. Warehime to be postmaster at Waynesboro, Pa., in place of J. W. Warehime. Incumbent's commission expired February 22, 1919.

Corbly K. Spragg to be postmaster at Waynesburg, Pa., in place of C. K. Spragg. Incumbent's commission expired December 22, 1918.

Otis H. Davis to be postmaster at Wellsboro, Pa., in place of O. H. Davis. Incumbent's commission expired February 26, 1919.

Granville L. Rettew to be postmaster at West Chester, Pa., in place of G. L. Rettew. Incumbent's commission expired August 11, 1918.

Jacob T. Born to be postmaster at Wilmerding, Pa., in place of J. T. Born. Incumbent's commission expired August 11, 1918.

Christian Henderson to be postmaster at Woodlawn, Pa., in place of C. Henderson. Incumbent's commission expired March 3, 1919.

Jacob L. Hershey to be postmaster at Youngwood, Pa., in place of J. L. Hershey. Incumbent's commission expired September 23, 1918.

Helen L. Chaffee to be postmaster at Wesleyville, Pa. Office became presidential April 1, 1919.

Emma C. Roseboro to be postmaster at Pomeroy, Pa. Office became presidential April 1, 1919.

John W. Kelly to be postmaster at Morris Run, Pa. Office became presidential January 1, 1919.

Lula Buffle to be postmaster at Lock No. 4, Pa. Office became presidential January 1, 1919.

Lillian W. Davidson to be postmaster at Carmichaels, Pa. Office became presidential January 1, 1919.

Nettie Beatty to be postmaster at Beatty, Pa. Office became presidential January 1, 1919.

PORTO RICO.

Nicolas Ortiz Lebron to be postmaster at Aibonito, Porto Rico. Office became presidential April 1, 1919.

RHODE ISLAND.

Thomas F. Lenihan to be postmaster at Westerly, R. I., in place of J. A. Farrell, deceased.

Almira G. Blake to be postmaster at Ashaway, R. I. Office became presidential July 1, 1918.

Ruth A. Vars to be postmaster at Bradford, R. I., in place of R. A. Vars. Incumbent's commission expired March 3, 1919.

James Mangan to be postmaster at Greystone, R. I., in place of J. Mangan. Incumbent's commission expired September 23, 1918.

Hartzell R. Birch to be postmaster at Kingston, R. I., in place of A. A. Greenman, resigned.

E. W. Perry Greenman to be postmaster at Narragansett Pier, R. I., in place of E. W. P. Greenman. Incumbent's commission expired February 20, 1919.

John B. Sullivan to be postmaster at Newport, R. I., in place of J. B. Sullivan. Incumbent's commission expired February 13, 1919.

Francis Fagan to be postmaster at Pascoag, R. I., in place of F. Fagan. Incumbent's commission expired February 3, 1919.

Thomas F. Cavanaugh to be postmaster at Woonsocket, R. I., in place of T. F. Cavanaugh. Incumbent's commission expired July 16, 1918.

SOUTH CAROLINA.

Howard A. Littlejohn to be postmaster at Belton, S. C., in place of W. C. Clinkscales, resigned.

Toliver D. Earle to be postmaster at Landrum, S. C., in place of Rufus G. Durham, resigned.

M. Zella D. Abercrombie to be postmaster at McCormick, S. C., in place of A. A. Stuart, resigned.

Josephine B. Pelzer to be postmaster at Pelzer, S. C., in place of Landrum Padgett, deceased.

Ben Harper to be postmaster at Seneca, S. C., in place of J. T. Lawrence, resigned.

Andrew P. Burgess to be postmaster at Summerton, S. C., in place of Ellison Capers, deceased.

Stella R. Nelson to be postmaster at Ridgeway, S. C., in place of Inez H. Whitlock, declined.

Charles R. Calhoun to be postmaster at Greenwood, S. C., in place of G. B. Bailey. Incumbent's commission expired March 19, 1918.

David H. Taylor to be postmaster at Cameron, S. C. Office became presidential October 1, 1918.

Estella S. Herndon to be postmaster at Eutawville, S. C. Office became presidential July 1, 1918.

Loka W. Rigby to be postmaster at Moncks Corner, S. C. Office became presidential October 1, 1918.

Alva K. Lorenz to be postmaster at Aiken, S. C., in place of A. K. Lorenz. Incumbent's commission expired January 12, 1919.

Benjamin J. Hammet to be postmaster at Blackville, S. C., in place of B. J. Hammet. Incumbent's commission expired January 22, 1919.

Tolbert D. McLaurin to be postmaster at Clio, S. C., in place of T. D. McLaurin. Incumbent's commission expired March 3, 1919.

James A. Parler to be postmaster at Elloree, S. C., in place of J. A. Parler. Incumbent's commission expired October 21, 1918.

John W. Peeples, jr., to be postmaster at Estill, S. C., in place of J. W. Peeples, jr. Incumbent's commission expired January 22, 1919.

John A. Chase to be postmaster at Florence, S. C., in place of J. A. Chase. Incumbent's commission expired March 2, 1919.

T. P. McLeod to be postmaster at Hartsville, S. C., in place of T. P. McLeod. Incumbent's commission expired July 24, 1918.

James H. Bodie to be postmaster at Leesville, S. C., in place of J. H. Bodie. Incumbent's commission expired January 12, 1919.

Frank George to be postmaster at Lexington, S. C., in place of F. George. Incumbent's commission expired January 12, 1919.

Clarence D. Cooper to be postmaster at Mayesville, S. C., in place of C. D. Cooper. Incumbent's commission expired January 12, 1919.

George B. Stackhouse to be postmaster at Mullins, S. C., in place of G. B. Stackhouse. Incumbent's commission expired January 30, 1919.

Bernard B. James to be postmaster at Union, S. C., in place of B. B. James. Incumbent's commission expired February 12, 1919.

David Duncan to be postmaster at Whitmire, S. C., in place of D. Duncan. Incumbent's commission expired January 22, 1919.

Bruce K. Arnold to be postmaster at Woodruff, S. C., in place of B. K. Arnold. Incumbent's commission expired August 1, 1917.

John W. Geraty to be postmaster at Yonges Island, S. C., in place of J. W. Geraty. Incumbent's commission expired February 12, 1919.

SOUTH DAKOTA.

John D. Evans to be postmaster at Alpena, S. Dak., in place of H. H. Hatch, resigned.

Leroy A. Gage to be postmaster at Bryant, S. Dak., in place of E. J. Dunn, resigned.

Arthur D. Flagg to be postmaster at Buffalo, S. Dak., in place of C. L. Brady, removed.

Marjorie A. Slemmons to be postmaster at Canistota (late Canastota), S. Dak., in place of G. C. H. Kortboth, resigned.

Herman F. Mettler to be postmaster at Colome, S. Dak., in place of C. W. Marley, resigned.

John R. Fegan to be postmaster at Edgemont, S. Dak., in place of J. W. Applegate, resigned.

Alma J. McCormack to be postmaster at Faith, S. Dak., in place of C. S. Engler, resigned.

Mabel H. Godron to be postmaster at Gary, S. Dak., in place of Julius Palmer, resigned.

Ruth M. Dahlen to be postmaster at Oldham, S. Dak., in place of C. P. Dahlen, resigned.

Clarence E. Archer to be postmaster at Plankinton, S. Dak., in place of J. T. Doyle, removed.

Charles H. West to be postmaster at Presho, S. Dak., in place of J. C. Borcherding, resigned.

Frank Morrow to be postmaster at Pukwana, S. Dak., in place of J. A. Stansky, resigned.

Rose B. Flahart to be postmaster at White Lake, S. Dak., in place of A. A. Closson, resigned.

Hiram J. Hobart to be postmaster at Woonsocket, S. Dak., in place of H. J. Hobart. Incumbent's commission expired January 25, 1919.

Martin M. Judge to be postmaster at Webster, S. Dak., in place of M. M. Judge. Incumbent's commission expired September 30, 1918.

Victor M. Dalthorp to be postmaster at Volga, S. Dak., in place of V. M. Dalthorp. Incumbent's commission expired February 25, 1919.

Demetrious S. Billington to be postmaster at Spearfish, S. Dak., in place of D. S. Billington. Incumbent's commission expired December 29, 1918.

Theodore B. Werner to be postmaster at Rapid City, S. Dak., in place of T. B. Werner. Incumbent's commission expired March 3, 1919.

Albert J. Johnson to be postmaster at Murdo, S. Dak., in place of A. J. Johnson. Incumbent's commission expired February 4, 1919.

John T. McCullen to be postmaster at Miller, S. Dak., in place of J. T. McCullen. Incumbent's commission expired February 25, 1919.

William Lowe to be postmaster at Madison, S. Dak., in place of W. Lowe. Incumbent's commission expired July 16, 1918.

John L. Davis to be postmaster at Letcher, S. Dak., in place of J. L. Davis. Incumbent's commission expired January 12, 1919.

Linville Miles to be postmaster at Langford, S. Dak., in place of L. Miles. Incumbent's commission expired January 25, 1919.

Anton Koch to be postmaster at Isabel, S. Dak., in place of A. Koch. Incumbent's commission expired October 1, 1918.

Patrick H. Murphy to be postmaster at Henry, S. Dak., in place of P. H. Murphy. Incumbent's commission expired February 20, 1919.

Emma K. Biehn to be postmaster at Gregory, S. Dak., in place of E. K. Biehn. Incumbent's commission expired March 2, 1919.

Anthony J. Littig to be postmaster at Flandreau, S. Dak., in place of A. J. Littig. Incumbent's commission expired July 21, 1918.

George F. Davis to be postmaster at Estelline, S. Dak., in place of G. F. Davis. Incumbent's commission expired February 25, 1919.

Edward H. White to be postmaster at Castlewood, S. Dak., in place of E. H. White. Incumbent's commission expired August 19, 1918.

Leslie I. Bingham to be postmaster at Bison, S. Dak., in place of L. I. Bingham. Incumbent's commission expired March 3, 1919.

Hattie L. Meyer to be postmaster at Florence, S. Dak. Office became presidential October 1, 1918.

Calista M. Hall to be postmaster at Harrold, S. Dak. Office became presidential October 1, 1918.

Rhoda S. Owen to be postmaster at Vienna, S. Dak. Office became presidential October 1, 1918.

Johan W. Rydell to be postmaster at Rosholt, S. Dak. Office became presidential January 1, 1919.

Lena Salomo to be postmaster at Orient, S. Dak. Office became presidential April 1, 1919.

TENNESSEE.

Franklin Abernathy to be postmaster at Tracy City, Tenn., in place of W. C. Abernathy, resigned.

Alson C. Patton to be postmaster at Bells, Tenn., in place of G. W. Bell, resigned.

Fannie J. Branch to be postmaster at Colliersville, Tenn., in place of R. L. Strong, resigned.

Ulysses S. Rose to be postmaster at Crossville, Tenn., in place of W. A. Hamby, resigned.

James E. Nelms to be postmaster at Kingsport, Tenn., in place of W. D. Kyle, resigned.

James R. Jetton to be postmaster at Murfreesboro, Tenn., in place of M. G. Elliott, deceased.

Lucille M. Stanley to be postmaster at Tiptonville, Tenn., in place of Lucille Morris. Name changed by marriage.

Joseph W. Nichols to be postmaster at Trenton, Tenn., in place of J. W. Nichols. Incumbent's commission expired February 12, 1919.

George W. Phebus, jr., to be postmaster at Union City, Tenn., in place of G. W. Phebus, jr. Incumbent's commission expired February 12, 1919.

William E. Snodgrass to be postmaster at Spring City, Tenn., in place of W. E. Snodgrass. Incumbent's commission expired March 1, 1919.

John L. Nowlin to be postmaster at Sparta, Tenn., in place of J. L. Nowlin. Incumbent's commission expired February 4, 1919.

Mamie E. Perkins to be postmaster at Selmer, Tenn., in place of M. E. Perkins. Incumbent's commission expired September 29, 1918.

Robert B. Schoolfield to be postmaster at Pikeville, Tenn., in place of R. B. Schoolfield. Incumbent's commission expired July 25, 1917.

Benjamin F. Grisham to be postmaster at Newbern, Tenn., in place of B. F. Grisham. Incumbent's commission expired October 1, 1918.

William P. Chandler to be postmaster at Knoxville, Tenn., in place of W. P. Chandler. Incumbent's commission expired August 25, 1918.

Eugene F. Allen to be postmaster at Ashland City, Tenn., in place of E. F. Allen. Incumbent's commission expired June 24, 1918.

Cobey D. Carmack to be postmaster at Columbia, Tenn., in place of E. W. Carmack. Incumbent's commission expired July 15, 1918.

John B. Dow to be postmaster at Cookeville, Tenn., in place of J. B. Dow. Incumbent's commission expired October 1, 1918.

Fred P. Darwin to be postmaster at Dayton, Tenn., in place of F. P. Darwin. Incumbent's commission expired February 12, 1919.

Johnathan L. Haynes to be postmaster at Decherd, Tenn., in place of J. L. Haynes. Incumbent's commission expired December 16, 1918.

John T. Patten to be postmaster at Dickson, Tenn., in place of J. T. Patten. Incumbent's commission expired February 4, 1919.

Daniel M. Brumit to be postmaster at Elizabethton, Tenn., in place of D. M. Brumit. Incumbent's commission expired February 15, 1919.

George P. Atchison to be postmaster at Erin, Tenn., in place of G. P. Atchison. Incumbent's commission expired December 22, 1918.

Samuel W. McKinney to be postmaster at Etowah, Tenn., in place of S. W. McKinney. Incumbent's commission expired May 20, 1917.

Thomas P. Rucker to be postmaster at Franklin, Tenn., in place of T. P. Rucker. Incumbent's commission expired June 29, 1918.

Kate Penn to be postmaster at Kenton, Tenn., in place of K. Penn. Incumbent's commission expired December 22, 1918.

Florie W. Landress to be postmaster at Signal Mountain, Tenn. Office became presidential October 1, 1918.

Hugh G. Haworth to be postmaster at New Market, Tenn. Office became presidential April 1, 1917.

James J. Darnell to be postmaster at Morrison, Tenn. Office became presidential July 1, 1918.

James M. Gresham to be postmaster at Smyrna, Tenn. Office became presidential April 1, 1919.

Ben G. Mason to be postmaster at Prospect Station, Tenn. Office became presidential January 1, 1919.

George W. Bosham to be postmaster at Bethel Springs, Tenn. Office became presidential January 1, 1919.

Gilbert A. Sipes to be postmaster at Adamsville, Tenn. Office became presidential January 1, 1919.

TEXAS.

Barnett N. Jarrell to be postmaster at Temple, Tex., in place of Alex Dienst, removed.

J. Philomel Cox to be postmaster at Sierra Blanca, Tex., in place of E. M. Love, deceased.

Era M. Dellinger to be postmaster at Annona, Tex., in place of C. P. Giddens. Office became presidential April 1, 1917.

Angus G. Vick to be postmaster at Belton, Tex., in place of A. F. Ferguson, removed.

Edith M. Dudley to be postmaster at Brackettville, Tex., in place of J. R. De Witt, resigned.

Robert A. Smith to be postmaster at Carlton, Tex., in place of J. D. Stevens, resigned.

William H. Carpenter to be postmaster at Comanche, Tex., in place of F. J. Reese, removed.

Robert H. Davanay to be postmaster at Cross Plains, Tex., in place of J. H. Shackelford, resigned.

Kenneth W. Alger to be postmaster at Crystal City, Tex., in place of W. J. Smith, resigned.

Andrew B. Carder to be postmaster at Electra, Tex., in place of R. W. Riddels, resigned.

O. Waldo Williams, jr., to be postmaster at Fort Stockton, Tex., in place of Elias Barry, resigned.

Nathan E. Porter to be postmaster at Gladewater, Tex., in place of J. V. Bradley, resigned.

Vincent V. Urban to be postmaster at Hempstead, Tex., in place of S. B. Boulware, removed.

Samuel L. Erwin to be postmaster at Honey Grove, Tex., in place of S. H. Gardner, resigned.

Sam H. Lane to be postmaster at Jacksonville, Tex., in place of C. A. Lawler. Incumbent's commission expired April 27, 1918.

Crown Dickson to be postmaster at Kilgore, Tex., in place of Andrew Barton, deceased.

Charles A. Hall to be postmaster at La Porte, Tex., in place of W. T. Hall, resigned.

Oscar W. Gallman to be postmaster at Longview, Tex., in place of R. G. Brown, sr., deceased.

Roger W. Bass to be postmaster at Mart, Tex., in place of J. G. Davis. Incumbent's commission expired December 1, 1917.

J. Marshall Bonds to be postmaster at Morgan, Tex., in place of Will Ligon, removed.

William P. Stockton to be postmaster at Plainview, Tex., in place of B. O. Sanford, resigned.

Dandridge A. Bibb to be postmaster at Port Neches, Tex., in place of E. H. Daniel, resigned.

George A. Barnett to be postmaster at Post, Tex., in place of Mark Hardin, resigned.

Herman Beyer to be postmaster at Rosenberg, Tex., in place of S. R. Heard, resigned.

Robert H. McCormick to be postmaster at Weimar, Tex., in place of M. R. Allen, deceased.

Oswald Garrett to be postmaster at Wharton, Tex., in place of T. J. Abell, deceased.

Charles F. Butts to be postmaster at Willis, Tex., in place of Clinton Bybee, deceased.

William A. Smith to be postmaster at Gatesville, Tex., in place of W. A. Smith. Incumbent's commission expired February 4, 1919.

John R. Folkes to be postmaster at Giddings, Tex., in place of J. R. Folkes. Incumbent's commission expired July 17, 1918.

Virgil E. Todd to be postmaster at Gilmer, Tex., in place of V. E. Todd. Incumbent's commission expired January 12, 1919.

John T. Cox to be postmaster at Graesbeck, Tex., in place of J. T. Cox. Incumbent's commission expired January 22, 1919.

James T. Tarlton to be postmaster at Gunter, Tex., in place of J. T. Tarlton. Incumbent's commission expired January 22, 1919.

Dyson L. Lunn to be postmaster at Humble, Tex., in place of D. L. Lunn. Incumbent's commission expired January 22, 1919.

Tilman L. D. Richardson to be postmaster at Jourdanton, Tex., in place of T. L. D. Richardson. Incumbent's commission expired January 22, 1919.

Charles T. McConnico to be postmaster at Kerens, Tex., in place of C. T. McConnico. Incumbent's commission expired December 29, 1918.

Mary K. Hartson to be postmaster at Kyle, Tex., in place of M. K. Hartson. Incumbent's commission expired February 15, 1919.

Albert H. Wolfe to be postmaster at Ladonia, Tex., in place of A. H. Wolfe. Incumbent's commission expired January 12, 1919.

George D. Zivley to be postmaster at Lampasas, Tex., in place of G. D. Zivley. Incumbent's commission expired February 25, 1919.

Jerry N. Worsham to be postmaster at Laredo, Tex., in place of J. N. Worsham. Incumbent's commission expired August 19, 1918.

Walter C. Blalock to be postmaster at Linden, Tex., in place of W. C. Blalock. Incumbent's commission expired January 22, 1919.

Horace C. Blalock to be postmaster at Marshall, Tex., in place of H. C. Blalock. Incumbent's commission expired January 30, 1919.

Cicero Harper to be postmaster at Moran, Tex., in place of C. Harper. Incumbent's commission expired January 12, 1919.

Hattie M. Culpepper to be postmaster at Palmer, Tex., in place of H. M. Culpepper. Incumbent's commission expired October 21, 1918.

Bessie L. Rorex to be postmaster at Panhandle, Tex., in place of B. L. Rorex. Incumbent's commission expired December 29, 1918.

Augustus G. Hubbard to be postmaster at Paris, Tex., in place of A. G. Hubbard. Incumbent's commission expired February 20, 1918.

Horace B. Cooper to be postmaster at Quinlan, Tex., in place of H. B. Cooper. Incumbent's commission expired January 22, 1919.

William E. Bellah to be postmaster at Saint Jo, Tex., in place of W. E. Bellah. Incumbent's commission expired March 2, 1919.

James L. Crawford to be postmaster at San Benito, Tex., in place of J. L. Crawford. Incumbent's commission expired January 12, 1919.

William T. Jackman to be postmaster at San Marcos, Tex., in place of W. T. Jackman. Incumbent's commission expired August 25, 1918.

James L. Sandel to be postmaster at Saratoga, Tex., in place of J. L. Sandel. Incumbent's commission expired January 4, 1919.

Ernest G. Keese to be postmaster at Stamford, Tex., in place of E. G. Keese. Incumbent's commission expired December 29, 1918.

Joseph W. Singleton to be postmaster at Waxahachie, Tex., in place of J. W. Singleton. Incumbent's commission expired January 30, 1919.

Annie H. Hughes to be postmaster at Woodville, Tex., in place of Annie Stryker. Name changed by marriage.

Paul L. Alexander to be postmaster at Lamesa, Tex., in place of P. L. Alexander. Incumbent's commission expired January 12, 1919.

Betty Ramey to be postmaster at Mathis, Tex., in place of Betty Matthews. Name changed by marriage.

Becton G. Edwards to be postmaster at Forney, Tex., in place of B. C. Edwards. Incumbent's commission expired February 4, 1919.

Charles H. Cmajdalka to be postmaster at Fayetteville, Tex., in place of C. H. Cmajdalka. Incumbent's commission expired March 2, 1919.

Eugene A. Shelton to be postmaster at El Paso, Tex., in place of E. A. Shelton. Incumbent's commission expired January 12, 1919.

Sam H. Little to be postmaster at Eagle Lake, Tex., in place of S. H. Little. Incumbent's commission expired February 4, 1919.

Samuel H. Bell to be postmaster at Deport, Tex., in place of S. H. Bell. Incumbent's commission expired December 29, 1918.

Aubrey L. Banks to be postmaster at Denton, Tex., in place of A. L. Banks. Incumbent's commission expired March 3, 1919.

Jefferson A. Davis to be postmaster at Dawson, Tex., in place of J. A. Davis. Incumbent's commission expired January 12, 1918.

Georgie B. Welch to be postmaster at Corpus Christi, Tex., in place of G. B. Welch. Incumbent's commission expired February 25, 1919.

Charles J. Debenport to be postmaster at Commerce, Tex., in place of C. J. Debenport. Incumbent's commission expired December 19, 1918.

Charles F. Goodman to be postmaster at Collinsville, Tex., in place of C. F. Goodman. Incumbent's commission expired March 3, 1919.

Ben H. Pittman to be postmaster at Coleman, Tex., in place of B. H. Pittman. Incumbent's commission expired March 3, 1919.

Thomas A. Boothe to be postmaster at Cleveland, Tex., in place of T. A. Boothe. Incumbent's commission expired July 9, 1918.

Currie C. Powell to be postmaster at Clarendon, Tex., in place of C. C. Powell. Incumbent's commission expired February 11, 1919.

Ransom A. St. John to be postmaster at Cisco, Tex., in place of R. A. St. John. Incumbent's commission expired October 21, 1918.

Bryant H. McKinnon, jr., to be postmaster at Canton, Tex., in place of B. H. McKinnon, jr. Incumbent's commission expired February 4, 1919.

Robert G. Bransom to be postmaster at Burleson, Tex., in place of R. G. Bransom. Incumbent's commission expired January 30, 1919.

A. Burton Reagan to be postmaster at Brady, Tex., in place of A. B. Reagan. Incumbent's commission expired October 24, 1918.

Edwin Forrest, jr., to be postmaster at Blum, Tex., in place of Edwin Forrest, jr. Incumbent's commission expired December 29, 1918.

Charles A. Taylor to be postmaster at Bertram, Tex., in place of C. A. Taylor. Incumbent's commission expired March 3, 1919.

Jack Dies to be postmaster at Beaumont, Tex., in place of Jack Dies. Incumbent's commission expired February 15, 1919.

Robert E. Rankin to be postmaster at Abilene, Tex., in place of R. E. Rankin. Incumbent's commission expired October 21, 1918.

James E. Davis to be postmaster at Bullard, Tex. Office became presidential July 1, 1918.

Lonnie Childs to be postmaster at Fairfield, Tex. Office became presidential October 1, 1918.

William F. Miller to be postmaster at Happy, Tex. Office became presidential July 1, 1918.

Robert N. McMullen to be postmaster at Huntington, Tex. Office became presidential October 1, 1918.

Hugh R. Park to be postmaster at Krum, Tex. Office became presidential October 1, 1918.

Tom W. Shank to be postmaster at Winona, Tex. Office became presidential October 1, 1918.

May E. Perry to be postmaster at Carlsbad, Tex. Office became presidential October 1, 1918.

Roger Q. Kennedy to be postmaster at Elkhart, Tex. Office became presidential January 1, 1919.

UTAH.

George F. Olson to be postmaster at Fairview, Utah, in place of Scerinda Rasmussen, resigned.

James F. Day to be postmaster at Fillmore, Utah, in place of La V. K. Day, removed.

Furnessia A. LeCheminant to be postmaster at Garfield, Utah, in place of W. W. LeCheminant, resigned.

Linda Bardsley to be postmaster at Gunnison, Utah, in place of Linda Bardsley. Incumbent's commission expired March 2, 1919.

Daniel McMillan to be postmaster at Heber, Utah, in place of Daniel McMillan. Incumbent's commission expired March 1, 1919.

Lauritz P. Nelson to be postmaster at Mount Pleasant, Utah, in place of L. P. Nelson. Incumbent's commission expired January 22, 1919.

Francis J. McLaughlin to be postmaster at Park City, Utah, in place of F. J. McLaughlin. Incumbent's commission expired March 3, 1919.

Henry W. Wadley to be postmaster at Pleasant Grove, Utah, in place of H. W. Wadley. Incumbent's commission expired March 1, 1919.

George A. Zabriskie to be postmaster at Springville, Utah, in place of G. A. Zabriskie. Incumbent's commission expired October 22, 1918.

Charles L. Countryman to be postmaster at Bingham Canyon, Utah, in place of C. L. Countryman. Incumbent's commission expired March 3, 1919.

Walter K. Granger to be postmaster at Cedar City, Utah, in place of W. K. Granger. Incumbent's commission expired January 22, 1919.

VERMONT.

George W. Gorman to be postmaster at Barre, Vt., in place of G. W. Gorman. Incumbent's commission expired February 20, 1919.

Daniel H. Cray to be postmaster at Bellows Falls, Vt., in place of D. H. Cray. Incumbent's commission expired February 20, 1919.

Frederick L. Smith to be postmaster at Brandon, Vt., in place of F. L. Smith. Incumbent's commission expired January 12, 1919.

Clement A. Burnham to be postmaster at Bristol, Vt., in place of C. A. Burnham. Incumbent's commission expired January 8, 1919.

James E. Burke to be postmaster at Burlington, Vt., in place of J. E. Burke. Incumbent's commission expired February 20, 1919.

Edward Dunn to be postmaster at Castleton, Vt., in place of Edward Dunn. Incumbent's commission expired July 6, 1918.

James A. Donahue to be postmaster at Essex Junction, Vt., in place of J. A. Donahue. Incumbent's commission expired January 12, 1919.

John J. Gallagher to be postmaster at Hardwick, Vt., in place of J. J. Gallagher. Incumbent's commission expired February 13, 1919.

George W. Pierce to be postmaster at Lyndonville, Vt., in place of G. W. Pierce. Incumbent's commission expired December 29, 1918.

Henry B. Parkhurst, jr., to be postmaster at North Troy, Vt., in place of H. B. Parkhurst, jr. Incumbent's commission expired February 15, 1919.

Moses E. Leary to be postmaster at Richmond, Vt., in place of M. E. Leary. Incumbent's commission expired July 8, 1918.

James A. Cannon to be postmaster at Rochester, Vt., in place of J. A. Cannon. Incumbent's commission expired March 3, 1919.

Hugh A. Sherlock to be postmaster at South Royalston, Vt., in place of H. A. Sherlock. Incumbent's commission expired January 8, 1919.

John H. Wood to be postmaster at Wallingford, Vt., in place of J. H. Wood. Incumbent's commission expired July 6, 1918.

George E. Randall to be postmaster at Wells River, Vt., in place of G. E. Randall. Incumbent's commission expired July 23, 1918.

Rodger Dwyer to be postmaster at West Rutland, Vt., in place of Rodger Dwyer. Incumbent's commission expired July 6, 1918.

David P. Mackenzie to be postmaster at Island Pond, Vt., in place of D. P. Mackenzie. Incumbent's commission expired January 30, 1919.

VIRGINIA.

Otis M. Joyner to be postmaster at Courtland, Va., in place of B. A. Williams, resigned.

D. Taylor Martin to be postmaster at East Radford, Va., in place of G. A. Sullivan, removed.

Reuben M. Beazley to be postmaster at Ettrick, Va., in place of B. M. Faison, resigned.

Charles F. Cummins to be postmaster at Fairfax, Va., in place of C. E. Wiley, resigned.

David G. Snodgrass to be postmaster at Meadowview, Va., in place of H. C. Browning, removed.

George L. Bane to be postmaster at Narrows, Va., in place of C. H. Johnson, resigned.

Katherine T. Maclin to be postmaster at North Emporia, Va., in place of J. E. Everette, resigned.

Eugene A. Hyde to be postmaster at Saltville, Va., in place of J. B. Perfater, resigned.

Myrtle B. Sage to be postmaster at Toms Creek, Va., in place of F. G. Johnson, resigned.

Robert P. Cummings to be postmaster at Abingdon, Va., in place of R. P. Cummings. Incumbent's commission expired February 13, 1919.

Walter Fauntleroy to be postmaster at Altavista, Va., in place of Walter Fauntleroy. Incumbent's commission expired March 2, 1919.

Thurston W. Richardson to be postmaster at Bedford, Va., in place of T. W. Richardson. Incumbent's commission expired January 26, 1919.

Gordon E. Gilly to be postmaster at Big Stone Gap, Va., in place of G. E. Gilly. Incumbent's commission expired September 30, 1918.

Wirt Dunlap to be postmaster at Blacksburg, Va., in place of Wirt Dunlap. Incumbent's commission expired February 13, 1919.

Clarence W. Garrett to be postmaster at Bowling Green, Va., in place of C. W. Garrett. Incumbent's commission expired February 26, 1919.

John W. Kellam to be postmaster at Onley, Va., in place of J. W. Kellam. Incumbent's commission expired January 4, 1919.

Thomas S. Burwell to be postmaster at Lexington, Va., in place of T. S. Burwell. Incumbent's commission expired July 16, 1918.

Frank L. Sublett to be postmaster at Harrisonburg, Va., in place of F. L. Sublett. Incumbent's commission expired January 12, 1919.

Boyd Boggess to be postmaster at Richlands, Va., in place of B. Boggess. Incumbent's commission expired October 21, 1918.

James W. Sibert to be postmaster at Winchester, Va., in place of J. W. Sibert. Incumbent's commission expired December 22, 1918.

Alexander S. Hamilton to be postmaster at Warrenton, Va., in place of A. S. Hamilton. Incumbent's commission expired June 18, 1918.

William H. Maffett to be postmaster at Vienna, Va., in place of W. H. Maffett. Incumbent's commission expired January 26, 1919.

Augustus B. Buchanan to be postmaster at Tazewell, Va., in place of A. B. Buchanan. Incumbent's commission expired January 26, 1919.

Charles N. Davidson to be postmaster at Stonega, Va., in place of C. N. Davidson. Incumbent's commission expired February 13, 1919.

Samuel M. Donald to be postmaster at Staunton, Va., in place of S. M. Donald. Incumbent's commission expired July 25, 1918.

Robert J. Northington to be postmaster at South Hill, Va., in place of R. J. Northington. Incumbent's commission expired July 16, 1918.

Levi B. Davis to be postmaster at Roanoke, Va., in place of L. B. Davis. Incumbent's commission expired February 13, 1919.

Henry C. Humphrey to be postmaster at Remington, Va., in place of H. C. Humphrey. Incumbent's commission expired January 13, 1919.

Jasper W. H. Lawford to be postmaster at Pocahontas, Va., in place of J. W. H. Lawford. Incumbent's commission expired August 19, 1918.

John W. Anderson to be postmaster at Pennington Gap, Va., in place of J. W. Anderson. Incumbent's commission expired August 25, 1918.

Charles C. King to be postmaster at Pearisburg, Va., in place of C. C. King. Incumbent's commission expired October 21, 1918.

Leslie N. Ligon to be postmaster at Pamplin, Va., in place of L. N. Ligon. Incumbent's commission expired October 22, 1918.

Edward E. Miles to be postmaster at Onancock, Va., in place of E. E. Miles. Incumbent's commission expired March 1, 1919.

Charlie F. Kitts to be postmaster at North Tazewell, Va., in place of C. F. Kitts. Incumbent's commission expired August 19, 1918.

Laura L. Keeler to be postmaster at Middleburg Va., in place of L. L. Keeler. Incumbent's commission expired January 13, 1919.

George J. Russell to be postmaster at Marshall, Va., in place of G. J. Russell. Incumbent's commission expired October 16, 1918.

George C. Carter to be postmaster at Leesburg, Va., in place of G. C. Carter. Incumbent's commission expired August 19, 1918.

Asa A. Ferguson to be postmaster at Lebanon, Va., in place of A. A. Ferguson. Incumbent's commission expired August 19, 1918.

John L. Pulley to be postmaster at Ivor, Va., in place of J. L. Pulley. Incumbent's commission expired January 26, 1919.

Aut B. Dye to be postmaster at Honaker, Va., in place of A. B. Dye. Incumbent's commission expired August 19, 1918.

Charles F. Ratliff to be postmaster at Floyd, Va., in place of C. F. Ratliff. Incumbent's commission expired January 26, 1919.

Frederick A. Lewis to be postmaster at Emporia, Va., in place of F. A. Lewis. Incumbent's commission expired September 16, 1918.

Albert N. Cocks to be postmaster at Disputanta, Va., in place of A. N. Cocks. Incumbent's commission expired February 20, 1918.

John S. Snavely to be postmaster at Chilhowie, Va., in place of J. S. Snavely. Incumbent's commission expired March 2, 1919.

Maurice A. Garrison to be postmaster at Cape Charles, Va., in place of M. A. Garrison. Incumbent's commission expired February 13, 1919.

William A. Byerly to be postmaster at Bridgewater, Va., in place of W. A. Byerly. Incumbent's commission expired January 30, 1919.

Margaret P. C. Smith to be postmaster at Yorktown, Va. Office became presidential January 1, 1919.

Robert L. Aycock to be postmaster at Penniman, Va. Office became presidential April 1, 1919.

Samuel T. Dove to be postmaster at Accotink, Va. Office became presidential January 1, 1919.

WASHINGTON.

Louis H. Gurnsey to be postmaster at Addy, Wash., in place of P. L. Paulsen, resigned.

Eliza F. Head to be postmaster at Cathlamet, Wash., in place of Thomas R. Arnold, resigned.

Arthur B. Cass to be postmaster at Connell, Wash., in place of J. E. Janosky, resigned.

Jacob H. Berge to be postmaster at Davenport, Wash., in place of Charles A. Ramm, resigned.

Vanira Chamberlin to be postmaster at Riverside, Wash., in place of H. T. Jones, resigned.

Fred B. Goldsworthy to be postmaster at Rosalia, Wash., in place of R. P. Turnley, jr., deceased.

Albert C. Sly to be postmaster at Stevenson, Wash., in place of Mae O. Gray, resigned.

Bertram R. Sturm to be postmaster at Toppenish, Wash., in place of Leonard Talbott, deceased.

James H. Adams to be postmaster at Waitsburg, Wash., in place of S. F. Patton, resigned.

Robert O. Logsdon to be postmaster at Sprague, Wash., in place of Gertrude Cosgrove, declined.

Christian Hansen to be postmaster at Kirkland, Wash., in place of H. C. Dahlby, resigned.

William A. Lancaster to be postmaster at Fort Casey, Wash. Office became presidential October 1, 1918.

Mae C. Cook to be postmaster at Fort Flagler, Wash. Office became presidential October 1, 1918.

John J. Carney to be postmaster at Aberdeen, Wash., in place of J. J. Carney. Incumbent's commission expired January 12, 1919.

Calvin W. Stewart to be postmaster at Tacoma, Wash., in place of C. W. Stewart. Incumbent's commission expired January 30, 1919.

William Rouse to be postmaster at Stanwood, Wash., in place of William Rouse. Incumbent's commission expired January 12, 1919.

Fenton Smith to be postmaster at South Bend, Wash., in place of Fenton Smith. Incumbent's commission expired February 13, 1919.

James H. McCourt to be postmaster at Sequin, Wash., in place of J. H. McCourt. Incumbent's commission expired February 13, 1919.

Charles E. Hancock to be postmaster at Selah, Wash., in place of C. E. Hancock. Incumbent's commission expired February 15, 1919.

Nelson Murray to be postmaster at Roy, Wash., in place of Nelson Murray. Incumbent's commission expired February 25, 1919.

George T. Heslin to be postmaster at Newport, Wash., in place of G. T. Heslin. Incumbent's commission expired January 22, 1919.

William E. Palmer to be postmaster at Naches, Wash., in place of W. E. Palmer. Incumbent's commission expired March 3, 1919.

Constance G. Clark to be postmaster at Montesano, Wash., in place of C. G. Clark. Incumbent's commission expired February 25, 1919.

Duncan L. Beckes to be postmaster at Lynden, Wash., in place of D. L. Beckes. Incumbent's commission expired February 15, 1919.

Talleyrand Bratton to be postmaster at Goldendale, Wash., in place of Talleyrand Bratton. Incumbent's commission expired July 24, 1918.

Edward J. Byrne to be postmaster at Garfield, Wash., in place of E. J. Byrne. Incumbent's commission expired March 2, 1919.

William F. Roberts, jr., to be postmaster at Elma, Wash., in place of W. F. Roberts, jr. Incumbent's commission expired January 12, 1919.

Lawrence N. Sill to be postmaster at Coupeville, Wash., in place of L. N. Sill. Incumbent's commission expired March 2, 1919.

Roger E. Williams to be postmaster at Concrete, Wash., in place of R. E. Williams. Incumbent's commission expired March 3, 1919.

Stonewall J. Craig to be postmaster at Clarkston, Wash., in place of S. J. Craig. Incumbent's commission expired January 22, 1919.

Elmer McBroom to be postmaster at Chehalis, Wash., in place of Elmer McBroom. Incumbent's commission expired February 15, 1919.

William R. Whitlock to be postmaster at Black Diamond, Wash., in place of W. R. Whitlock. Incumbent's commission expired March 3, 1919.

George D. Shannon to be postmaster at Anacortes, Wash., in place of G. D. Shannon. Incumbent's commission expired January 11, 1919.

John F. Moyer to be postmaster at College Place, Wash. Office became presidential January 1, 1919.

WEST VIRGINIA.

Emery C. Queen to be postmaster at Berkeley Springs, W. Va., in place of W. Jack Hunter, resigned.

Francis M. Peters to be postmaster at Bluefield, W. Va., in place of Floyd J. Brown, deceased.

Harry Brooke to be postmaster at Bridgeport, W. Va., in place of William M. Davis, resigned.

Henry S. Percival to be postmaster at Holden, W. Va., in place of Bertha W. Smith, declined.

Ethel M. Zimmerman to be postmaster at McMechen, W. Va., in place of Otis M. Carroll, resigned.

Gaylord E. Berry to be postmaster at Madison, W. Va., in place of Henry M. Walker, resigned.

Walter E. Stout to be postmaster at Parkersburg, W. Va., in place of Simms Powell, removed.

Worth D. McClung to be postmaster at Richwood, W. Va., in place of Fred Amick, resigned.

William A. Burgess to be postmaster at Saint Albans, W. Va., in place of Guy F. McComas, resigned.

Arthur J. Duncan to be postmaster at Fayetteville, W. Va., in place of A. D. Smith, jr., resigned.

James B. Ballard to be postmaster at Dunbar, W. Va. Office became presidential July 1, 1918.

Edward P. Boggess to be postmaster at Lumberport, W. Va. Office became presidential October 1, 1918.

Hardin D. Carroll to be postmaster at Mason Town, W. Va. Office became presidential April 1, 1918.

William A. Stackpole to be postmaster at Pine Grove, W. Va., Office became presidential July 1, 1918.

Abner Nut Harris to be postmaster at Thorpe, W. Va. Office became presidential October 1, 1917.

Hayes Sapp to be postmaster at Newburg, W. Va., in place of Hayes Sapp. Incumbent's commission expired February 4, 1919.

Alex L. Hatfield to be postmaster at Matewan, W. Va., in place of A. L. Hatfield. Incumbent's commission expired January 26, 1919.

James F. Beatty to be postmaster at Mannington, W. Va., in place of J. F. Beatty. Incumbent's commission expired January 12, 1919.

William G. Bayliss to be postmaster at Macdonald, W. Va., in place of W. G. Bayliss. Incumbent's commission expired September 16, 1918.

Fred S. Hathaway to be postmaster at Grantsville, W. Va., in place of F. S. Hathaway. Incumbent's commission expired January 30, 1919.

Owen J. King to be postmaster at Elkins, W. Va., in place of O. J. King. Incumbent's commission expired April 24, 1918.

C. Forrest Hull to be postmaster at Durbin, W. Va., in place of C. F. Hull. Incumbent's commission expired March 3, 1919.

George H. Merchant to be postmaster at Cairo, W. Va., in place of G. H. Merchant. Incumbent's commission expired February 4, 1919.

Robert G. Oxley to be postmaster at Athens, W. Va., in place of R. G. Oxley. Incumbent's commission expired February 15, 1919.

William N. Cole to be postmaster at Williamson, W. Va., in place of W. N. Cole. Incumbent's commission expired August 19, 1918.

William W. Irwin to be postmaster at Wheeling, W. Va., in place of W. W. Irwin. Incumbent's commission expired December 22, 1918.

Charles Lively to be postmaster at Weston, W. Va., in place of Charles Lively. Incumbent's commission expired December 29, 1918.

Daniel J. Moran to be postmaster at Thomas, W. Va., in place of D. J. Moran. Incumbent's commission expired March 2, 1919.

Robert E. Hedrick to be postmaster at Franklin, W. Va. Office became presidential January 1, 1919.

Andrew J. Taylor to be postmaster at Ansted, W. Va. Office became presidential January 1, 1919.

Morgan T. Morrison to be postmaster at Sutton, W. Va., in place of M. T. Morrison. Incumbent's commission expired February 15, 1919.

Margaret McGugin to be postmaster at Ravenswood, W. Va., in place of Margaret McGugin. Incumbent's commission expired February 4, 1919.

Frederick H. Mahey to be postmaster at Rainelle, W. Va., in place of F. H. Mahey. Incumbent's commission expired February 15, 1919.

Phillip E. Nixon to be postmaster at Paw Paw, W. Va., in place of P. E. Nixon. Incumbent's commission expired February 15, 1919.

Turner A. Wamsley to be postmaster at Parsons, W. Va., in place of T. A. Wamsley. Incumbent's commission expired February 15, 1919.

James A. Pyles to be postmaster at New Martinsville, W. Va., in place of J. A. Pyles. Incumbent's commission expired January 26, 1919.

WISCONSIN.

Tracy M. Page to be postmaster at Bangor, Wis., in place of E. R. Peck, resigned.

Carrie V. Richer to be postmaster at Delafield, Wis., in place of Annie W. Bartholomew, resigned.

Charles A. L. Varney to be postmaster at Greenwood, Wis., in place of K. W. Baker, resigned.

Ivy R. Carman to be postmaster at Minocqua, Wis., in place of A. J. Bolger, removed.

Peter Sievers to be postmaster at North Milwaukee, Wis., in place of William J. Tobin. Incumbent's commission expired April 24, 1918.

Libbie M. Bennett to be postmaster at Pewaukee, Wis., in place of Agnes Scholl, resigned.

Thomas J. Bergen to be postmaster at Prairie du Chien, Wis., in place of A. H. Long. Incumbent's commission expired June 23, 1917.

John J. Kaiser to be postmaster at Stratford, Wis., in place of J. J. Kaiser. Incumbent's commission expired February 13, 1919.

Howard J. Barry to be postmaster at Sun Prairie, Wis., in place of H. J. Barry. Incumbent's commission expired March 3, 1919.

Henry B. Kaempfer to be postmaster at West Bend, Wis., in place of H. B. Kaempfer. Incumbent's commission expired February 13, 1919.

Albert A. Pagel to be postmaster at Schofield, Wis. Office became presidential October 1, 1918.

Carrie A. Anderson to be postmaster at Weyerhauser, Wis. Office became presidential October 1, 1918.

Charles J. Janisch to be postmaster at Waterloo, Wis., in place of C. J. Janisch. Incumbent's commission expired February 13, 1919.

Carrie M. Hogan to be postmaster at Turtle Lake, Wis., in place of C. M. Hogan. Incumbent's commission expired March 2, 1919.

Robert A. Grignon to be postmaster at Suring, Wis., in place of R. A. Grignon. Incumbent's commission expired January 5, 1919.

Herman A. Ohm to be postmaster at South Milwaukee, Wis., in place of H. A. Ohm. Incumbent's commission expired March 2, 1919.

John Coppes to be postmaster at South Kaukauna, Wis., in place of J. Coppes. Incumbent's commission expired January 26, 1919.

John A. Stewart to be postmaster at Seymour, Wis., in place of J. A. Stewart. Incumbent's commission expired January 5, 1919.

Frank J. Haas to be postmaster at Richland Center, Wis., in place of F. J. Haas. Incumbent's commission expired October 22, 1918.

Francis H Metcalf to be postmaster at Reedsburg, Wis., in place of F. H. Metcalf. Incumbent's commission expired October 22, 1918.

George H. Herzog to be postmaster at Racine, Wis., in place of G. H. Herzog. Incumbent's commission expired February 13, 1919.

William F. Gruenewald to be postmaster at Oshkosh, Wis., in place of W. F. Gruenewald. Incumbent's commission expired January 26, 1919.

Benjamin S. Shove to be postmaster at Onalaska, Wis., in place of B. S. Shove. Incumbent's commission expired March 2, 1919.

William Denomie to be postmaster at Odanah, Wis., in place of W. Denomie. Incumbent's commission expired March 2, 1919.

Charles T. O'Brien to be postmaster at Necedah, Wis., in place of C. T. O'Brien. Incumbent's commission expired October 22, 1918.

Levi Lane to be postmaster at Oconto Falls, Wis., in place of L. Lane. Incumbent's commission expired January 26, 1919.

Francis J. Eagan to be postmaster at Muscoda, Wis., in place of F. J. Eagan. Incumbent's commission expired October 22, 1918.

Asa H. Craig to be postmaster at Mukwonago, Wis., in place of A. H. Craig. Incumbent's commission expired October 22, 1918.

Edward F. Butler to be postmaster at Mosinee, Wis., in place of E. F. Butler. Incumbent's commission expired February 13, 1919.

Nina M. Yeager to be postmaster at Montfort, Wis., in place of N. M. Frankland. Name changed by marriage.

George Crawford to be postmaster at Mineral Point, Wis., in place of George Crawford. Incumbent's commission expired March 3, 1919.

Thomas F. Powers to be postmaster at Mauston, Wis., in place of T. F. Powers. Incumbent's commission expired October 22, 1918.

Dorothea Devlin to be postmaster at Loyal, Wis., in place of Dorothea Devlin. Incumbent's commission expired October 21, 1918.

Alexander Buchanan to be postmaster at Lakemills, Wis., in place of Alexander Buchanan. Incumbent's commission expired February 26, 1919.

Michael J. Rice to be postmaster at Kewaunee, Wis., in place of M. J. Rice. Incumbent's commission expired January 12, 1918.

Jeremiah J. Cunningham to be postmaster at Janesville, Wis., in place of J. J. Cunningham. Incumbent's commission expired March 10, 1918.

William Alexander to be postmaster at Hayward, Wis., in place of William Alexander. Incumbent's commission expired January 5, 1919.

Francis M. Porter to be postmaster at Elkhorn, Wis., in place of F. M. Porter. Incumbent's commission expired March 2, 1919.

Ida Englesby to be postmaster at Eleva, Wis., in place of Ida Englesby. Incumbent's commission expired February 26, 1919.

Christian A. Hoen to be postmaster at Edgerton, Wis., in place of C. A. Hoen. Incumbent's commission expired July 21, 1918.

John A. Kuypers to be postmaster at De Pere, Wis., in place of J. A. Kuypers. Incumbent's commission expired February 13, 1919.

Frank H. Kellner to be postmaster at Denmark, Wis., in place of F. H. Kellner. Incumbent's commission expired January 26, 1919.

John D. Burns to be postmaster at Colfax, Wis., in place of J. D. Burns. Incumbent's commission expired August 11, 1918.

Alexander W. Horn to be postmaster at Cedarburg, Wis., in place of A. W. Horn. Incumbent's commission expired January 26, 1919.

Thomas N. Curran to be postmaster at Campbellsport, Wis., in place of T. N. Curran. Incumbent's commission expired February 26, 1919.

Andrew Crahen to be postmaster at Brooklyn, Wis., in place of Andrew Crahen. Incumbent's commission expired March 3, 1919.

Edward Cody to be postmaster at Antigo, Wis., in place of Edward Cody. Incumbent's commission expired January 26, 1919.

James E. Wall to be postmaster at Oxford, Wis. Office became presidential January 1, 1919.

WYOMING.

Ira S. Bowker to be postmaster at Newcastle, Wyo., in place of G. H. Greedy, resigned.

Ruby E. Rimington to be postmaster at Guernsey, Wyo., in place of Ethel A. Berry, resigned.

Thomas H. Baxter to be postmaster at Jackson, Wyo., in place of Sara McKean, resigned.

Alvah J. Macy to be postmaster at Moorcroft, Wyo., in place of C. E. Russell, resigned.

Arlan W. Coons to be postmaster at Basin, Wyo., in place of A. W. Coons. Incumbent's commission expired February 25, 1919.

John McNamara to be postmaster at Kemmerer, Wyo., in place of J. McNamara. Incumbent's commission expired January 27, 1918.

Thomas W. Keenan to be postmaster at Pinebluff, Wyo., in place of T. W. Keenan. Incumbent's commission expired February 4, 1919.

Sherman D. Canfield to be postmaster at Sheridan, Wyo., in place of S. D. Canfield. Incumbent's commission expired March 3, 1919.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 17, 1919.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

H. Percival Dodge to be envoy extraordinary and minister plenipotentiary to the Kingdom of the Serbs, Croats, and Slovenes.

SECRETARY OF EMBASSY OR LEGATION.

CLASS 2.

Richard C. Bundy to be a secretary of embassy or legation of class 2.

CONSUL.

CLASS 8.

Keith Merrill to be consul of class 8.

UNITED STATES ATTORNEY.

Vernon A. Bullard to be United States attorney, district of Vermont.

PROMOTIONS IN THE NAVY.

Capt. Hilary P. Jones to be a rear admiral.

Capt. Charles P. Plunkett to be a rear admiral.

Capt. Richard H. Jackson to be a rear admiral for temporary service.

Capt. Archibald H. Scales to be a rear admiral for temporary service.

Capt. Victor Blue to be a rear admiral for temporary service.

Capt. Frederic B. Bassett, jr., to be a rear admiral for temporary service.

Capt. Joseph Strauss to be a rear admiral.

HOUSE OF REPRESENTATIVES.

THURSDAY, *July 17, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite and ever-blessed God, our Heavenly Father, we thank Thee for life and its manifold blessings; and we most earnestly pray that we may strive daily to honor and dignify our life in a faithful and conscientious service to Thee and our fellow men. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 2254. An act extending the time for the construction of a bridge across the White River at or near Forsyth, Mo.

The message also announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 73. Joint resolution authorizing the President to extend invitations to other nations to send representatives to the world cotton conference to be held at New Orleans, La., October 13 to 16, 1919, inclusive.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 2254. An act extending the time for the construction of a bridge across the White River at or near Forsyth, Mo.; to the Committee on Interstate and Foreign Commerce.

ENROLLED JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following joint resolutions:

H. J. Res. 65. Joint resolution authorizing the Secretary of War to loan tents for use at encampments held by veterans of the World War; and

H. J. Res. 120. Joint resolution authorizing the Secretary of War to receive, for instruction at the United States Military Academy at West Point, Tao Hung Chang and Zeng Tze Wong, citizens of China.

CHANGE OF REFERENCE.

Mr. GARLAND. Mr. Speaker, I ask unanimous consent that reference of House joint resolution 57 be taken from the Committee on Public Lands and referred——

The SPEAKER. That is not in order to-day, under the special rule.

Mr. GARLAND. Very well, I withdraw the request.

SUNDRY CIVIL APPROPRIATION BILL.

The SPEAKER. The business before the House is the unfinished business from Tuesday last, the consideration of the sundry civil appropriation bill on the veto message of the President. When the House adjourned the yeas and nays had been ordered on the substitute of the gentleman from Iowa [Mr. GOOD] to the motion to recommit offered by the gentleman from Texas [Mr. BUCHANAN].

Mr. BLANTON. Mr. Speaker, may we have that motion reported?

The SPEAKER. Without objection the motion will be again reported.

Mr. CALDWELL. Mr. Speaker, I object.

Mr. AYRES. Mr. Speaker, I object.

The SPEAKER. Objection is heard. The question is on the adoption of the Good substitute. The Clerk will call the roll.

The question was taken; and there were—yeas 1, nays 383, not voting 46, as follows:

YEAS—1.

Good

NAYS—383.

Ackerman	Ellsworth	Lankford	Riordan
Alexander	Elston	Larsen	Robinson, N. C.
Almon	Esch	Layton	Robsion, Ky.
Anderson	Evans, Mont.	Lazaro	Rodenberg
Andrews, Md.	Evans, Nebr.	Lea, Calif.	Rogers
Andrews, Nebr.	Evans, Nev.	Lehlbach	Romjue
Anthony	Ferris	Lesher	Rose
Aswell	Fess	Lever	Rowan
Ayres	Fields	Linthicum	Rowe
Bacharach	Fisher	Little	Rubey
Baer	Flood	Lonergan	Rucker
Bankhead	Focht	Longworth	Sabath
Barbour	Fordney	Luce	Sanders, Ind.
Barkley	Foster	Lufkin	Sanders, La.
Bee	Frear	Luhring	Sanders, N. Y.
Begg	French	McAndrews	Sanford
Bell	Fuller, Ill.	McArthur	Saunders, Va.
Benham	Fuller, Mass.	McCulloch	Scott
Benson	Gallagher	McDuffie	Sears
Black	Gallivan	McFadden	Sells
Blackmon	Gandy	McGlennon	Sherwood
Bland, Ind.	Ganly	McKenzie	Shreve
Bland, Mo.	Gard	McKeown	Siegel
Bland, Va.	Garland	McKinley	Sims
Blanton	Garner	McLane	Sinclair
Boies	Garrett	McLaughlin, Mich.	Sinnott
Booher	Glynn	McLaughlin, Nebr.	Sisson
Bowers	Godwin, N. C.	McPherson	Smith, Idaho
Box	Goldfogle	MacCrate	Smith, Ill.
Brand	Goodwin, Ark.	MacGregor	Smith, Mich.
Briggs	Goodykoontz	Madden	Smithwick
Brinson	Gould	Magee	Snell
Brooks, Ill.	Graham, Pa.	Maher	Snyder
Brooks, Pa.	Graham, Ill.	Major	Steagall
Browning	Green, Iowa	Mansfield	Stedman
Buchanan	Greene, Mass.	Mapes	Steele
Burdick	Griest	Martin	Steenerson
Burke	Griffin	Mays	Stephens, Miss.
Burroughs	Hadley	Mead	Stephens, Ohio
Butler	Hamill	Merritt	Stevenson
Byrnes, S. C.	Hardy, Colo.	Michener	Strong, Kans.
Byrns, Tenn.	Hardy, Tex.	Miller	Strong, Pa.
Caldwell	Harrison	Minahan, N. J.	Summers, Wash.
Campbell, Kans.	Haskell	Monahan, Wis.	Sumners, Tex.
Campbell, Pa.	Hastings	Mondell	Sweet
Candler	Haugen	Montague	Taylor, Ark.
Cannon	Hawley	Moon	Taylor, Colo.
Cantrill	Hayden	Mooney	Taylor, Tenn.
Caraway	Hays	Moore, Ohio	Temple
Carew	Hernandez	Moore, Pa.	Thomas
Carss	Hersey	Moore, Va.	Thompson, Ohio
Carter	Hersman	Moores, Ind.	Thompson, Okla.
Casey	Hickey	Morgan	Tillman
Chindblom	Hill	Morin	Tilson
Christopherson	Hoch	Mott	Timberlake
Clark, Fla.	Holland	Mudd	Tincher
Clark, Mo.	Houghton	Murphy	Tinkham
Classon	Howard	Nelson, Mo.	Towner
Cleary	Huddleston	Nelson, Wis.	Treadway
Coady	Hudspeth	Newton, Minn.	Vaile
Cole	Hulings	Newton, Mo.	Vare
Collier	Hull, Iowa	Nicholls, S. C.	Venable
Connally	Humphreys	Nichols, Mich.	Vestal
Cooper	Husted	Nolan	Vinson
Copley	Hutchinson	O'Connell	Voigt
Crago	Igoe	Ogden	Volstead
Cramton	Jacoway	Oldfield	Walsh
Crisp	James	Oliver	Walters
Crowther	Jefferis	Olney	Ward
Cullen	Johnson, Ky.	Osborne	Wason
Currie, Mich.	Johnson, Miss.	Overstreet	Watkins
Dale	Johnson, S. Dak.	Padgett	Watson, Pa.
Dallinger	Johnson, Wash.	Paige	Watson, Va.
Darrow	Jones, Pa.	Park	Weaver
Davey	Jones, Tex.	Parker	Webb
Davis, Minn.	Juul	Parrish	Webster
Davis, Tenn.	Kahn	Pell	Welling
Dempsey	Kearns	Peters	Welty
Dent	Kelley, Mich.	Phelan	Whaley
Dewalt	Kelly, Pa.	Platt	Wheeler
Dickinson, Mo.	Kendall	Porter	White, Kans.
Dickinson, Iowa	Kennedy, Iowa	Pou	White, Me.
Dominick	Kennedy, R. I.	Quin	Williams
Donovan	Kettner	Ragsdale	Wilson, Ill.
Dooling	Kiess	Rainey, H. T.	Wilson, La.
Doremus	Kincheloe	Rainey, J. W.	Wilson, Pa.
Doughton	Kinkaid	Raker	Wingo
Dowell	Kitchin	Ramsey	Winslow
Drane	Kleczka	Ramseyer	Wise
Dunbar	Knutson	Randall, Wis.	Wood, Ind.
Dunn	Kraus	Rayburn	Woods, Va.
Dupré	Kreider	Reavis	Wright
Dyer	LaGuardia	Reed, N. Y.	Young, N. Dak.
Eagan	Lampert	Rhodes	Young, Tex.
Edmonds	Langley	Ricketts	Zihlman
Elliott	Lanham	Riddick	

NOT VOTING—46.

Ashbrook	Denison	Goodall	Johnston, N. Y.
Babka	Eagle	Greene, Vt.	King
Britten	Echols	Hamilton	Lee, Ga.
Browne	Emerson	Heflin	McClintic
Brumbaugh	Fairfield	Hicks	McKinley
Costello	Fitzgerald	Hull, Tenn.	Mann
Curry, Calif.	Freeman	Ireland	Mason
Neely	Reber	Slemp	Upshaw
O'Connor	Reed, W. Va.	Small	Woodyard
Purnell	Rouse	Smith, N. Y.	Yates
Radcliffe	Schall	Stiness	
Randall, Calif.	Scully	Sullivan	

So the substitute was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. FREEMAN with Mr. RANDALL of California.

Mr. PURNELL with Mr. MCCLINTIC.

Mr. KING with Mr. NEELY.

Mr. IRELAND with Mr. LEE of Georgia.

Mr. HICKS with Mr. HULL of Tennessee.

Mr. FAIRFIELD with Mr. SCULLY.

Mr. MASON with Mr. BABKA.

Mr. RADCLIFFE with Mr. SMITH of New York.

Mr. YATES with Mr. MCKINIRY.

Mr. SLEMP with Mr. EAGLE.

Mr. HAMILTON with Mr. JOHNSTON of New York.

Mr. GREENE of Vermont with Mr. O'CONNOR.

Mr. DENISON with Mr. SMALL.

Mr. BROWN with Mr. UPSHAW.

Mr. CURRY of California with Mr. SULLIVAN.

Mr. MANN with Mr. HEFLIN.

Mr. REBER with Mr. FITZGERALD.

Mr. WOODYARD with Mr. ASHBROOK.

Mr. STINESS with Mr. BRUMBAUGH.

Mr. REBER. I desire to vote "no."

The SPEAKER. Was the gentleman present in the Hall when his name was called?

Mr. REBER. No, sir.

The SPEAKER. The gentleman can not vote.

Mr. HAYDEN. Mr. Speaker, I desire to answer "present."

The SPEAKER. Was the gentleman in the Hall when his name was called?

Mr. HAYDEN. No.

The SPEAKER. Then the gentleman can not vote.

Mr. HAYDEN. But I am entitled to answer "present."

Mr. MCKINIRY. Mr. Speaker, I make the same request. I desire to answer "present."

The SPEAKER. The Chair has no authority to grant it.

The result of the vote was announced as above recorded.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. MONDELL. Mr. Speaker, I offer the amendment which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Mr. MONDELL moves, as a substitute to the motion offered by the gentleman from Texas [Mr. BUCHANAN], to recommit the bill H. R. 4373 to the Committee on Appropriations with instructions to forthwith report the same back to the House with the following amendment: On page 43, line 5, strike out the figures "$6,000,000" and insert in lieu thereof the figures "$8,000,000."

Mr. MONDELL. Mr. Speaker, the amendment offered by the gentleman from Iowa——

Mr. CRISP. Mr. Speaker, I make the point of order that this is not debatable. The previous question has been ordered on the bill.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that I may address the House for two minutes.

The SPEAKER. The Chair sustains the point of order.

Mr. GOOD. Mr. Speaker, I move the previous question on the substitute and on the original motion to recommit.

The SPEAKER. The Chair will first put the request of the gentleman from Wyoming that he may address the House for two minutes. Is there objection?

Mr. CALDWELL. Mr. Speaker, I object.

Mr. MADDEN. Mr. Speaker, reserving the right to object——

Mr. BLANTON. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Was not there a motion made for the previous question the other afternoon which would cut off another amendment?

The SPEAKER. No; the gentleman from Iowa——

Mr. GOOD. Mr. Speaker, I move the previous question on the amendment and on the motion to recommit by the gentleman from Texas.

The SPEAKER. The gentleman from Iowa moves the previous question on the motion of the gentleman from Wyoming and on the motion of the gentleman from Texas.

The previous question was ordered.

Mr. CRISP. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CRISP. I would like to ask the Chair if a vote on the amendment of the gentleman from Wyoming [Mr. MONDELL] is to instruct the committee to report a provision in the bill appropriating $8,000,000 for vocational education instead of appropriating $12,000,000, as the original Buchanan motion provides?

The SPEAKER. That is not a parliamentary inquiry.

Mr. GARNER. Mr. Speaker, a parliamentary inquiry. [Cries of "Regular order!"]

The SPEAKER. The gentleman will state it.

Mr. MONDELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MONDELL. Mr. Speaker, if my motion is adopted it will make $14,000,000 available for this purpose——

Mr. CALDWELL. Mr. Speaker, I make the point of order that the gentleman is out of order.

Mr. GARNER. Mr. Speaker, a parliamentary inquiry, which I think is entirely proper for the information of the House and not for myself, I know. If the motion made by the gentleman from Wyoming——

Mr. CALDWELL. Mr. Speaker, a point of order. There is no motion of the gentleman from Wyoming before the House.

Mr. GARNER. Mr. Speaker, if I can have the attention of the House without being interrupted by some gentleman who does not know anything about the proceedings [applause], I was just about to ask the Chair if the substitute offered by the gentleman from Wyoming was adopted then the original Buchanan amendment as substituted would be voted on? Is that correct? It is in the nature of an amendment——

The SPEAKER. It is a substitute.

Mr. GARNER. Well, a substitute. And if the substitute to the original amendment is adopted then the original amendment as substituted must be voted on by the House?

The SPEAKER. The Chair thinks so.

Mr. GARNER. The parliamentary inquiry is this, Mr. Speaker: If the House adopts the substitute of the gentleman from Wyoming, it will then have to adopt the amendment as substituted, so those voting against the proposition of the gentleman from Wyoming would still have an opportunity to vote if it was substituted?

The SPEAKER. The Chair thinks so.

Mr. MONDELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The Chair will suggest to the House that the Chair does not think it is proper procedure for gentlemen, under guise of parliamentary inquiry, to engage in debate. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I call for the regular order, the previous question having been ordered.

Mr. GARNER. Mr. Speaker, I think I am entitled to say——

The SPEAKER. The gentleman is out of order.

Mr. GARNER (continuing). That I desired to make a parliamentary inquiry.

Mr. CAMPBELL of Kansas. Mr. Speaker, on the motion of the gentleman from Wyoming I ask for the yeas and nays.

The SPEAKER. The gentleman from Kansas demands the yeas and nays on the motion of the gentleman from Wyoming.

Mr. KEARNS. Mr. Speaker——

The yeas and nays were ordered.

The SPEAKER. The Clerk will call the roll. Those in favor of the motion of the gentleman from Wyoming [Mr. MONDELL] will, as their names are called, answer "yea," and those opposed will answer "nay."

The question was taken; and there were—yeas 202, nays 184, not voting 44, as follows:

YEAS—202.

Ackerman	Cramton	Garland	Jefferis
Andrews, Md.	Crowther	Glynn	Johnson, S. Dak.
Andrews, Nebr.	Currie, Mich.	Good	Johnson, Wash.
Anthony	Curry, Calif.	Goodykoontz	Jones, Pa.
Bacharach	Dale	Gould	Juul
Baer	Dallinger	Graham, Pa.	Kearns
Barbour	Darrow	Graham, Ill.	Kelley, Mich.
Begg	Davis, Minn.	Green, Iowa	Kelly, Pa.
Benham	Dempsey	Greene, Mass.	Kendall
Bland, Ind.	Denison	Griest	Kennedy, Iowa
Boles	Dickinson, Iowa	Hadley	Kiess
Bowers	Dunbar	Hamilton	Kinkaid
Brooks, Ill.	Dunn	Hardy, Colo.	Kleczka
Brooks, Pa.	Dyer	Haskell	Knutson
Browning	Edmonds	Haugen	Kraus
Burke	Elliott	Hawley	Kreider
Burroughs	Ellsworth	Hays	LaGuardia
Butler	Esch	Hernandez	Lampert
Campbell, Kans.	Evans, Nebr.	Hersey	Langley
Cannon	Fess	Hickey	Layton
Chindblom	Focht	Hill	Lehlbach
Christopherson	Fordney	Hoch	Longworth
Classon	Foster	Hulings	Luce
Cole	Frear	Hull, Iowa	Lufkin
Cooper	French	Husted	Luhring
Copley	Fuller, Ill.	Hutchinson	McArthur
Crago	Fuller, Mass.	James	McFadden
McKenzie	Nolan	Sanford	Treadway
McKinley	Ogden	Sells	Vaile
McLaughlin, Mich.	Osborne	Shreve	Vare
McLaughlin, Nebr.	Paige	Sinclair	Vestal
McPherson	Parker	Sinnott	Voigt
MacCrate	Peters	Smith, Idaho	Volstead
MacGregor	Platt	Smith, Ill.	Walsh
Madden	Ramsey	Smith, Mich.	Walters
Magee	Ramseyer	Snell	Ward
Mapes	Randall, Calif.	Snyder	Wason
Merritt	Randall, Wis.	Steenerson	Watson, Pa.
Michener	Reavis	Stephens, Ohio	Webster
Miller	Reber	Strong, Kans.	White, Kans.
Monahan, Wis.	Reed, N. Y.	Strong, Pa.	White, Me.
Mondell	Rhodes	Summers, Wash.	Williams
Moore, Pa.	Ricketts	Sweet	Wilson, Ill.
Moores, Ind.	Riddick	Taylor, Tenn.	Winslow
Morgan	Robsion, Ky.	Temple	Wood, Ind.
Morin	Rodenberg	Thompson, Ohio	Woodyard
Mott	Rogers	Tilson	Yates
Mudd	Rose	Timberlake	Young, N. Dak.
Nelson, Wis.	Rowe	Tincher	Zihlman
Newton, Minn.	Sanders, Ind.	Tinkham	
Newton, Mo.	Sanders, N. Y.	Towner	

NAYS—184.

Alexander	Dooling	Lazaro	Robinson, N. C.
Almon	Doremus	Lea, Calif.	Romjue
Anderson	Doughton	Lesher	Rowan
Aswell	Dowell	Lever	Rubey
Ayres	Drane	Linthicum	Rucker
Bankhead	Dupré	Lonergan	Sabath
Barkley	Eagan	McAndrews	Sanders, La.
Bee	Evans, Mont.	McCulloch	Saunders, Va.
Bell	Evans, Nev.	McDuffie	Scott
Benson	Ferris	McGlennon	Sears
Black	Fields	McKeown	Sherwood
Blackmon	Fisher	McKiniry	Siegel
Bland, Mo.	Fitzgerald	McLane	Sims
Bland, Va.	Flood	Maher	Sisson
Blanton	Gallagher	Major	Small
Booher	Gallivan	Mansfield	Smithwick
Box	Gandy	Martin	Steagall
Brand	Ganly	Mays	Stedman
Briggs	Gard	Mead	Steele
Brinson	Garner	Minahan, N. J.	Stephens, Miss.
Buchanan	Garrett	Montague	Stevenson
Burdick	Godwin, N. C.	Moon	Sumners, Tex.
Byrnes, S. C.	Goldfogle	Mooney	Taylor, Ark.
Byrns, Tenn.	Goodwin, Ark.	Moore, Ohio	Taylor, Colo.
Caldwell	Griffin	Moore, Va.	Thomas
Campbell, Pa.	Hamill	Murphy	Thompson, Okla.
Candler	Hardy, Tex.	Nelson, Mo.	Tillman
Cantrill	Harrison	Nichols, Mich.	Upshaw
Caraway	Hastings	O'Connell	Venable
Carew	Hayden	O'Connor	Vinson
Carss	Hersman	Oldfield	Watkins
Carter	Holland	Oliver	Watson, Va.
Casey	Howard	Olney	Weaver
Clark, Fla.	Huddleston	Overstreet	Webb
Clark, Mo.	Hudspeth	Padgett	Welling
Cleary	Humphreys	Park	Welty
Coady	Igoe	Parrish	Whaley
Collier	Jacoway	Pell	Wheeler
Connally	Johnson, Ky.	Phelan	Wilson, La.
Crisp	Johnson, Miss.	Pou	Wilson, Pa.
Cullen	Jones, Tex.	Quin	Wingo
Davey	Kennedy, R. I.	Ragsdale	Wise
Davis, Tenn.	Kincheloe	Rainey, H. T.	Woods, Va.
Dewalt	Kitchin	Rainey, J. W.	Wright
Dickinson, Mo.	Lanham	Raker	Young, Tex.
Dominick	Lankford	Rayburn	
Donovan	Larsen	Riordan	

NOT VOTING—44.

Ashbrook	Fairfield	Kettner	Radcliffe
Babka	Freeman	King	Reed, W. Va.
Britten	Goodall	Lee, Ga.	Rouse
Browne	Greene, Vt.	Little	Schall
Brumbaugh	Heflin	McClintic	Scully
Costello	Hicks	Mann	Slemp
Dent	Houghton	Mason	Smith, N. Y.
Eagle	Hull, Tenn.	Neely	Stiness
Echols	Ireland	Nicholls, S. C.	Sullivan
Elston	Johnston, N. Y.	Porter	
Emerson	Kahn	Purnell	

So the substitute was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. RADCLIFFE (for Mondell substitute) with Mr. SMITH of New York (against).

Until further notice:

Mr. REED of West Virginia with Mr. MCKINIRY.

Mr. KAHN with Mr. DENT.

Mr. LITTLE with Mr. KETTNER.

Mr. PORTER with Mr. ASHBROOK.

Mr. BRITTEN with Mr. JOHNSTON of New York.

Mr. ELSTON with Mr. MCLANE.

Mr. NICHOLLS of South Carolina. Mr. Speaker, I wish to answer "present."

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. NICHOLLS of South Carolina. I was not.

The SPEAKER. The Chair is sorry, but the gentleman can not be recorded.

The result of the vote was announced as above recorded.

The SPEAKER. The question now comes on the motion of the gentleman from Texas [Mr. BUCHANAN] to recommit as amended by the substitute just adopted by the House.

Mr. CLARK of Missouri. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. Upon that the gentleman from Missouri asks for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Those in favor of the motion as amended will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 390, nays 0, not voting 40, as follows:

YEAS—390.

Ackerman	Dyer	Knutson	Rainey, H. T.
Alexander	Eagan	Kraus	Rainey, J. W.
Almon	Edmonds	Kreider	Raker
Anderson	Elliott	LaGuardia	Ramsey
Andrews, Md.	Ellsworth	Lampert	Ramseyer
Andrews, Nebr.	Elston	Langley	Randall, Calif.
Anthony	Esch	Lanham	Randall, Wis.
Aswell	Evans, Mont.	Lankford	Rayburn
Ayres	Evans, Nebr.	Larsen	Reavis
Bacharach	Evans, Nev.	Layton	Reber
Baer	Ferris	Lazaro	Reed, N. Y.
Bankhead	Fess	Lea, Calif.	Rhodes
Barbour	Fields	Lehlbach	Ricketts
Barkley	Fisher	Lesher	Riddick
Bee	Fitzgerald	Lever	Riordan
Begg	Flood	Linthicum	Robinson, N. C.
Bell	Focht	Lonergan	Robsion, Ky.
Benham	Fordney	Longworth	Rodenberg
Benson	Foster	Luce	Rogers
Black	Frear	Lufkin	Romjue
Blackmon	French	Luhring	Rose
Bland, Ind.	Fuller, Ill.	McAndrews	Rowan
Bland, Mo.	Fuller, Mass.	McArthur	Rowe
Bland, Va.	Gallagher	McCulloch	Rubey
Blanton	Gallivan	McDuffie	Rucker
Boies	Gandy	McFadden	Sabath
Booher	Ganly	McGlennon	Sanders, Ind.
Bowers	Gard	McKenzie	Sanders, La.
Box	Garland	McKeown	Sanders, N. Y.
Brand	Garner	McKinley	Sanford
Briggs	Garrett	McKinley	Saunders, Va.
Brinson	Glynn	McLane	Scott
Brooks, Pa.	Godwin, N. C.	McLaughlin, Mich.	Sears
Browning	Goldfogle	McLaughlin, Nebr.	Sells
Buchanan	Good	McPherson	Sherwood
Burdick	Goodwin, Ark.	MacCrate	Shreve
Burke	Goodykoontz	MacGregor	Siegel
Burroughs	Gould	Madden	Sims
Butler	Graham, Pa.	Magee	Sinclair
Byrnes, S. C.	Graham, Ill.	Maher	Sinnott
Byrns, Tenn.	Green, Iowa	Major	Sisson
Caldwell	Greene, Mass.	Mansfield	Small
Campbell, Kans.	Griest	Mapes	Smith, Idaho
Campbell, Pa.	Griffin	Martin	Smith, Ill.
Candler	Hadley	Mays	Smith, Mich.
Cannon	Hamill	Mead	Smithwick
Cantrill	Hamilton	Merritt	Snell
Caraway	Hardy, Colo.	Michener	Snyder
Carew	Hardy, Tex.	Miller	Steagall
Carss	Harrison	Minahan, N. J.	Stedman
Carter	Haskell	Monahan, Wis.	Steele
Casey	Hastings	Mondell	Steenerson
Chindblom	Haugen	Montague	Stephens, Miss.
Christopherson	Hawley	Moon	Stephens, Ohio
Clark, Fla.	Hayden	Mooney	Stevenson
Clark, Mo.	Hays	Moore, Ohio	Strong, Kans.
Classon	Hernandez	Moore, Pa.	Strong, Pa.
Cleary	Hersey	Moore, Va.	Summers, Wash.
Coady	Hickey	Moores, Ind.	Sweet
Cole	Hill	Morgan	Taylor, Ark.
Collier	Hoch	Morin	Taylor, Colo.
Connally	Holland	Mott	Taylor, Tenn.
Cooper	Houghton	Mudd	Temple
Copley	Howard	Murphy	Thomas
Crago	Huddleston	Nelson, Mo.	Thompson, Ohio
Cramton	Hudspeth	Nelson, Wis.	Thompson, Okla.
Crisp	Hulings	Newton, Minn.	Tillman
Crowther	Hull, Iowa	Newton, Mo.	Tilson
Cullen	Humphreys	Nicholls, S. C.	Timberlake
Currie, Mich.	Husted	Nichols, Mich.	Tincher
Curry, Calif.	Hutchinson	Nolan	Tinkham
Dale	Igoe	O'Connell	Towner
Dallinger	Jacoway	O'Connor	Treadway
Darrow	James	Ogden	Upshaw
Davey	Jefferis	Oldfield	Vaile
Davis, Minn.	Johnson, Ky.	Oliver	Vare
Davis, Tenn.	Johnson, Miss.	Olney	Venable
Dempsey	Johnson, S. Dak.	Osborne	Vestal
Denison	Johnson, Wash.	Overstreet	Vinson
Dent	Jones, Pa.	Padgett	Voigt
Dewalt	Jones, Tex.	Paige	Volstead
Dickinson, Mo.	Juul	Park	Walsh
Dickinson, Iowa	Kearns	Parker	Walters
Dominick	Kelley, Mich.	Parrish	Ward
Donovan	Kelly, Pa.	Pell	Wason
Dooling	Kendall	Peters	Watkins
Doremus	Kennedy, Iowa	Phelan	Watson, Pa.
Doughton	Kennedy, R. I.	Platt	Watson, Va.
Dowell	Kiess	Porter	Weaver
Drane	Kincheloe	Pou	Webb
Dunbar	Kinkaid	Quin	Webster
Dunn	Kitchin	Radcliffe	Welling
Dupré	Kleczka	Ragsdale	Welty
Whaley	Wilson, Ill.	Wise	Yates
Wheeler	Wilson, La.	Wood, Ind.	Young, N. Dak.
White, Kans.	Wilson, Pa.	Woods, Va.	Young, Tex.
White, Me.	Wingo	Woodyard	
Williams	Winslow	Wright	

NOT VOTING—40.

Ashbrook	Fairfield	Kahn	Reed, W. Va.
Babka	Freeman	Kettner	Rouse
Britten	Goodall	King	Schall
Brooks, Ill.	Greene, Vt.	Lee, Ga.	Scully
Browne	Heflin	Little	Slemp
Brumbaugh	Hersman	McClintic	Smith, N. Y.
Costello	Hicks	Mann	Stiness
Eagle	Hull, Tenn.	Mason	Sullivan
Echols	Ireland	Neely	Sumners, Tex.
Emerson	Johnston, N. Y.	Purnell	Zihlman

So the motion was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. COSTELLO with Mr. SUMNERS of Texas.

Mr. EMERSON with Mr. HERSMAN.

The result of the vote was announced as above recorded.

Mr. GOOD. Mr. Speaker, as directed by the House, the Committee on Appropriations reports back the bill with the amendment as adopted by the House.

The SPEAKER. The gentleman from Iowa, chairman of the Committee on Appropriations, reports that in obedience to the direction of the House he reports back the bill with the amendment as instructed by the House. The Clerk will report the amendment.

The Clerk read as follows:

On page 43, line 5, strike out "$6,000,000" and insert in lieu thereof the figures "$8,000,000."

Mr. GOOD. Mr. Speaker, on that amendment to the bill I demand the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. CLARK of Missouri. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Missouri asks for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and there were—yeas 372, nays 1, answered "present" 2, not voting 55, as follows:

YEAS—372.

Ackerman	Caraway	Edmonds	Haskell
Alexander	Carew	Elliott	Hastings
Almon	Carss	Ellsworth	Haugen
Anderson	Carter	Elston	Hawley
Andrews, Md.	Casey	Esch	Hayden
Andrews, Nebr.	Chindblom	Evans, Mont.	Hays
Anthony	Christopherson	Evans, Nebr.	Hernandez
Aswell	Clark, Mo.	Evans, Nev.	Hersey
Ayres	Classon	Ferris	Hickey
Bacharach	Cleary	Fess	Hoch
Bankhead	Coady	Fields	Houghton
Barbour	Cole	Fisher	Howard
Barkley	Collier	Fitzgerald	Huddleston
Bee	Connally	Focht	Hudspeth
Begg	Cooper	Fordney	Hulings
Bell	Copley	Foster	Hull, Iowa
Benham	Crago	Frear	Humphreys
Benson	Cramton	French	Husted
Black	Crisp	Fuller, Ill.	Hutchinson
Bland, Mo.	Crowther	Fuller, Mass.	Igoe
Bland, Va.	Cullen	Gallagher	Jacoway
Blanton	Currie, Mich.	Gallivan	James
Boies	Curry, Calif.	Gandy	Jefferis
Booher	Dale	Ganly	Johnson, Ky.
Bowers	Dallinger	Gard	Johnson, Miss.
Box	Darrow	Garland	Johnson, S. Dak.
Brand	Davey	Garner	Johnson, Wash.
Briggs	Davis, Minn.	Garrett	Jones, Pa.
Brinson	Davis, Tenn.	Glynn	Jones, Tex.
Brooks, Ill.	Dempsey	Godwin, N. C.	Juul
Brooks, Pa.	Denison	Goldfogle	Kearns
Browning	Dewalt	Good	Kelly, Pa.
Brumbaugh	Dickinson, Mo.	Goodwin, Ark.	Kendall
Burdick	Dickinson, Iowa	Goodykoontz	Kennedy, Iowa
Burke	Dominick	Graham, Pa.	Kennedy, R. I.
Burroughs	Donovan	Graham, Ill.	Kiess
Butler	Dooling	Green, Iowa	Kincheloe
Byrnes, S. C.	Doughton	Greene, Mass.	Kinkaid
Byrns, Tenn.	Dowell	Griest	Kitchin
Caldwell	Drane	Hadley	Kleczka
Campbell, Kans.	Dunbar	Hamill	Knutson
Campbell, Pa.	Dunn	Hamilton	Kraus
Candler	Dupré	Hardy, Colo.	Kreider
Cannon	Dyer	Hardy, Tex.	LaGuardia
Cantrill	Eagan	Harrison	Lampert

Lanham	Mooney	Ricketts	Thomas
Lankford	Moore, Ohio	Riddick	Thompson, Ohio
Larsen	Moore, Pa.	Riordan	Thompson, Okla.
Layton	Moore, Va.	Robinson, N. C.	Tillman
Lazaro	Moores, Ind.	Robsion, Ky.	Tilson
Lea, Calif.	Morgan	Rodenberg	Timberlake
Lehlbach	Morin	Rogers	Tincher
Lesher	Mott	Romjue	Tinkham
Lever	Mudd	Rose	Towner
Linthicum	Murphy	Rowan	Treadway
Lonergan	Nelson, Mo.	Rowe	Upshaw
Longworth	Nelson, Wis.	Rubey	Vaile
Luce	Newton, Minn.	Rucker	Vare
Lufkin	Newton, Mo.	Sabath	Venable
Luhring	Nicholls, S. C.	Sanders, Ind.	Vestal
McAndrews	Nolan	Sanders, La.	Vinson
McArthur	O'Connell	Sanders, N. Y.	Volgt
McCulloch	O'Connor	Sanford	Volstead
McDuffie	Ogden	Scott	Walsh
McFadden	Oldfield	Sears	Walters
McGlennon	Oliver	Sells	Ward
McKenzie	Olney	Sherwood	Wason
McKeown	Osborne	Shreve	Watkins
McKinlry	Overstreet	Siegel	Watson, Pa.
McKinley	Padgett	Sims	Watson, Va.
McLane	Paige	Sinclair	Weaver
McLaughlin, Mich.	Park	Sinnott	Webb
McLaughlin, Nebr.	Parker	Sisson	Webster
McPherson	Pell	Small	Welling
MacCrate	Peters	Smith, Idaho	Welty
MacGregor	Phelan	Smith, Ill.	Whaley
Madden	Platt	Smith, Mich.	Wheeler
Magee	Porter	Smithwick	White, Kans.
Maher	Quin	Snell	White, Me.
Major	Radcliffe	Snyder	Williams
Mansfield	Ragsdale	Steagall	Wilson, Ill.
Mapes	Rainey, H. T.	Stedman	Wilson, La.
Martin	Rainey, J. W.	Steele	Wilson, Pa.
Mays	Raker	Steenerson	Wingo
Mead	Ramsey	Stephens, Ohio	Winslow
Merritt	Ramseyer	Stevenson	Wise
Michener	Randall, Calif.	Strong, Kans.	Wood, Ind.
Miller	Randall, Wis.	Strong, Pa.	Woodyard
Minahan, N. J.	Rayburn	Sumners, Tex.	Wright
Monahan, Wis.	Reavis	Sweet	Yates
Mondell	Reber	Taylor, Ark.	Young, N. Dak.
Montague	Reed, N. Y.	Taylor, Tenn.	Young, Tex.
Moon	Rhodes	Temple	Zihlman

NAYS—1.

Buchanan

ANSWERED "PRESENT"—2.

Clark, Fla. Langley

NOT VOTING—55.

Ashbrook	Flood	Kahn	Reed, W. Va.
Babka	Freeman	Kelley, Mich.	Rouse
Baer	Goodall	Kettner	Saunders, Va.
Blackmon	Gould	King	Schall
Bland, Ind.	Greene, Vt.	Lee, Ga.	Scully
Britten	Griffin	Little	Slemp
Browne	Heflin	McClintic	Smith, N. Y.
Costello	Hersman	Mann	Stephens, Miss.
Dent	Hicks	Mason	Stiness
Doremus	Hill	Neely	Sullivan
Eagle	Holland	Nichols, Mich.	Summers, Wash.
Echols	Hull, Tenn.	Parrish	Taylor, Colo.
Emerson	Ireland	Pou	Woods, Va.
Fairfield	Johnston, N. Y.	Purnell	

So the bill was passed.

The Clerk announced the following additional pairs:

Until further notice:

Mr. FREEMAN with Mr. STEPHENS of Mississippi.

Mr. COSTELLO with Mr. WOODS of Virginia.

Mr. STINESS with Mr. TAYLOR of Colorado.

Mr. SUMMERS of Washington with Mr. SMITH of New York.

Mr. STRONG of Kansas with Mr. RAKER.

Mr. BAER with Mr. GRIFFIN.

Mr. BLAND of Indiana with Mr. DOREMUS.

Mr. GOULD with Mr. FLOOD.

Mr. KELLEY of Michigan with Mr. HOLLAND.

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. NICHOLS of Michigan with Mr. SAUNDERS of Virginia.

Mr. MCFADDEN with Mr. POU.

Mr. GOODYKOONTZ. Mr. Speaker, my colleague, Mr. REED of West Virginia, is absent from the city. I desire to announce that if he were present he would vote for the passage of this bill.

The result of the vote was announced as above recorded.

On motion of Mr. GOOD, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE TO EXTEND REMARKS.

Mr. WHEELER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the bill just passed.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD on the bill just passed. Is there objection?

There was no objection.

Mr. MONDELL. I make the same request.

The SPEAKER. The gentleman from Wyoming makes the same request. Is there objection?

There was no objection.

Mr. LARSEN. I ask unanimous consent to extend my remarks in the RECORD by inserting a portion of a letter, and also remarks of my own, on conditions in the Near East.

The SPEAKER. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. MONDELL. On what subject?

Mr. LARSEN. On conditions in the Near East.

The SPEAKER. Is there objection?

There was no objection.

COPIES OF THE PEACE TREATY.

Mr. KIESS. Mr. Speaker, I ask unanimous consent to call up concurrent resolution No. 5, providing for the printing of 50,000 copies of the treaty with Germany, 40,000 of which are to go to the Senate and 10,000 to the House.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for the present consideration of concurrent resolution No. 5. Is there objection?

Mr. CLARK of Missouri. Reserving the right to object, that is not a fair divvy between the Senate and the House.

Mr. KIESS. I realize that the proportion is the wrong way, but because of the fact that the Senate has to deal entirely with the peace treaty and that it is not a matter for the House, the committee consented to that division, thinking 10,000 copies would be enough for the House.

The SPEAKER. The Chair is informed by the Clerk that this is a Senate concurrent resolution, and that it has not yet come over from the Senate. Therefore the gentleman withdraws his request.

NEAR EAST RELIEF.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I ask unanimous consent to take the bill S. 180 from the Speaker's table and put it on its passage in lieu of bill H. R. 412, which has been reported from the Judiciary Committee and is on the House Calendar, No. 36.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table the bill referred to. Is there objection?

Mr. MADDEN. I object.

Mr. GARD. Mr. Speaker, I ask the Speaker to lay before the House the bill S. 180, to incorporate Near East Relief.

The SPEAKER. The Chair does not feel at liberty to do that under the rule already existing.

Mr. GARD. Mr. Speaker, is not the bill S. 180 accompanied by the House bill 412 subject to being called up?

The SPEAKER. The Chair thinks it can not under the terms of the rule under which the House is operating making the prohibitory enforcement bill in order.

Mr. WALSH. And if the Chair will permit me to state, the rule requires that the Senate bill must come over after the House bill has been reported, which is not the case.

The SPEAKER. It can not come up except by unanimous consent.

Mr. GARD. Is it the ruling of the Chair that it can only come up so long as the pending rule prevails?

The SPEAKER. That is all.

Mr. BANKHEAD. Mr. Speaker, I desire to make a request for unanimous consent. The gentleman from Texas [Mr. PARRISH] was called out while we were taking the vote on the passage of the sundry civil bill, but is now present. Inasmuch as there is no opposition to the bill, I ask unanimous consent that he may be recorded in the affirmative.

The SPEAKER. The Chair thinks that that can not be done by unanimous consent.

PROHIBITION OF INTOXICATING BEVERAGES.

Mr. VOLSTEAD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6810.

The SPEAKER. The Chair will state that the House automatically resolves itself into Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. GOOD in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 6810) to prohibit intoxicating beverages and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries.

Mr. CULLEN. Mr. Chairman, a parliamentary inquiry. I rise for information.

The CHAIRMAN. The gentleman will state it.

Mr. CULLEN. I want to inquire of the gentleman in charge of the bill if he can give us any information when we may possibly arrive at a vote?

The CHAIRMAN. That is not a parliamentary inquiry.

Mr. CULLEN. The reason I ask is that I am gathering some statistics relating to the loss of revenue in the State of New York, which I would like to have incorporated in the RECORD. I have not received it up to this minute, and the question in my mind is whether I will be able to get those statistics into the RECORD.

Mr. CLARK of Missouri. The gentleman can get them in now if he asks permission.

Mr. CULLEN. Mr. Chairman, I ask unanimous consent that I may be permitted to extend my remarks in the RECORD, so far as it relates to this bill.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD on this bill. Is there objection?

There was no objection.

The CHAIRMAN. When the committee rose there was an amendment pending to section 2 of the bill, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Kentucky: Page 2, line 18, after the word "conduct," strike out the words "prosecution of."

Mr. BEE. Mr. Chairman, I have a substitute for the amendment of the gentleman from Kentucky, if it is in order.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. BEE as a substitute for the amendment offered by Mr. JOHNSON of Kentucky: Strike out lines 17, 18, and 19 on page 2 of the bill. Strike out the comma after the word "offenders" and insert a period.

Mr. BEE. Mr. Chairman, the purpose of offering this amendment is that we may strike from the bill the provision authorizing agents and inspectors of the Internal-Revenue Department to conduct the committing trial of offenders to be bound over to the grand jury before the United States commissioner.

Mr. Chairman, it occurs to me that it lowers the dignity of the United States courts to permit any individual to appear and conduct an examination in the absence of the United States attorney or his assistant. Not only does it lower the dignity of the court itself, but it reverts in many instances to injury both to the Government and the defendant, for this reason: An inspector is not acquainted with the rules of law and the rules of evidence, and might introduce before the commissioner evidence illegal in its character, so that without foundation in law men might be bound over to the grand jury where there is no possibility and no probability of an indictment by the grand jury, and the twofold purpose results—one is an innocent man is bound over because some one is not acquainted with the rules of evidence and the provisions of the Criminal Code and conducts the examination in such a manner as to bring out testimony that is not legal.

Upon the other hand, in many instances the examining trial is reduced to writing. The testimony in many of the States of the Union of witnesses taken at the examining trial operates as the appearance under the Constitution that holds that a party must be confronted by witnesses. The Government, in the absence of a trained lawyer or a man experienced in the law and in its procedure, finds itself with testimony taken at an examining trial, where the witness leaves the State and is no longer available, of such a meager character that the Government is deprived of the testimony that would have resulted in the conviction of the defendant.

Mr. Chairman, a prohibition law ought not to be any different from any other law. I am opposed, I will frankly state to the House, to the enactment and continuance of war-time prohibition, as I am opposed to the continuance of all these war-emergency measures that were put upon the people in order that the war might be successfully conducted, and for that period only. So far as my State is concerned, prohibition has been adopted by the constitutional vote of the people of that State. Therefore, it is a moot question there; but I do not desire to vote for a code for the enforcement of the new constitutional provision of the country that is not based on a rule of sane reasoning and procedure. I submit to the House that while it might be done ordinarily, it is a dangerous precedent to turn over the committing examination of a citizen of this country for violation of the Federal law of the land to a man not trained in the law and not holding a license from the constituted authorities of his State.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. BEE. Yes.

Mr. BARKLEY. The gentleman from Texas is aware of the fact that in most of the Federal districts in this country there is a district attorney, with one or two assistant district attorneys, and that they have their offices at the headquarters of the Federal court, which is usually in the largest city in the district. Some of those districts may extend over two or three hundred miles, and it would be physically impossible for the assistant district attorneys or the district attorney to attend these examining trials. What provision would the gentleman make in a case of that kind for some one to represent the Government?

Mr. BEE. Let me ask the gentleman this question: How many United States commissioners have you in the same district where you have one district attorney and several assistant district attorneys?

Mr. BARKLEY. There is a United States commissioner wherever there is a Federal court held.

Mr. BEE. Therefore, if you have a Federal court, where you have the Federal court do you not have an officer detailed?

Mr. BARKLEY. Not at all. There is no assistant district attorney detailed for the office where there is a commissioner. The assistant district attorneys remain in the office of the district attorney. The commissioners are scattered about over the State at places where the Federal courts are held twice a year or more frequently, or not so often, as the case may be; but there is no regular assistant district attorney stationed at every place where the court is held.

Mr. BEE. Of course, I do not know the procedure elsewhere, but in my district we have a district attorney and the court is held at four different places. We have a United States assistant district attorney at each one of those places, and wherever there is a commissioner there ought to be some one to represent the peace and dignity of this great Government and not have it turned over to some individual.

The CHAIRMAN. The Chair would call the attention of the committee to the fact that the amendment offered by the gentleman from Kentucky [Mr. JOHNSON] is to perfect the paragraph. The so-called substitute is to strike out the paragraph, and the question will therefore first occur on the motion of the gentleman from Kentucky.

Mr. VOLSTEAD. Mr. Chairman, this is a strange proposition to present. If the gentleman's motion was carried, he would not accomplish what he seeks at all, because under the general practice these agents would carry on these committing trials just as they are doing everywhere and in every State. I do not believe there is any law anywhere that requires an attorney admitted to practice law to appear before a committing magistrate.

Mr. GARD. Mr. Chairman, a parliamentary inquiry.

Mr. VOLSTEAD. Just a moment. The object of this provision which the amendment proposes to strike out is to limit these men by placing them under the control of the district attorneys. That is all. If there should be any that were not carrying on these prosecutions in a proper fashion, the United States attorney could refuse to have them appear before these courts and prosecute.

The CHAIRMAN. Will the gentleman yield to the gentleman from Ohio?

Mr. VOLSTEAD. I did not understand that the gentleman asked me to yield.

Mr. GARD. I was merely suggesting a parliamentary inquiry.

The CHAIRMAN. The Chair will state to the gentleman that he can not take another gentleman off the floor with a parliamentary inquiry.

Mr. GARD. I have no desire to take the gentleman off the floor.

Mr. VOLSTEAD. We had this matter under consideration when the bill was up on Saturday, and my understanding was that this section had been fully considered, and that there was no serious objection to it. Certainly there is no objection to it upon the ground suggested by the gentleman from Texas [Mr. BEE], and in view of the great amount of time that has been taken on this bill and the very liberal discussion allowed, coupled with the further fact that this is not a matter of vital consequence one way or the other, I move that all debate upon the section and all amendments thereto be now closed.

The CHAIRMAN. The gentleman from Minnesota moves that all debate upon this section and all amendments thereto be now closed.

Mr. GARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GARD. The Chair suggested a while ago that the question for the consideration of the committee was the amendment of the gentleman from Kentucky [Mr. JOHNSON]. The so-called substitute of the gentleman from Texas is to strike out the section. I am informed—and I am merely stating this for those who may not have heard the motion of the gentleman from Minnesota—that the gentleman from Mississippi [Mr. VENABLE] and others desire to be heard.

The CHAIRMAN. The motion to strike out can not be a substitute, because the amendment offered by the gentleman from Kentucky was to insert certain words. The motion of the gentleman from Texas is to strike out all of the section after the end of line 16. After the amendment offered by the gentleman from Kentucky is acted upon, then the question will recur upon the amendment offered by the gentleman from Texas.

Mr. BLANTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. The only Member rising in opposition to the amendment of the gentleman from Texas was the chairman of the committee, Mr. VOLSTEAD, who in effect stated that he did not consider the amendment——

The CHAIRMAN. That is not a parliamentary inquiry.

Mr. BLANTON. The parliamentary inquiry is this, Mr. Chairman. [Cries of "Vote!"] That is not going to stop me when I want to address the Chair. Is such a motion in order until a Member of this Congress who desires to be heard in opposition to the amendment has been given opportunity to do so?

The CHAIRMAN. Yes; it is in order. The question is on the motion of the gentleman from Minnesota to close debate upon section 2 and all amendments thereto.

The question was taken; and the Chair announced the ayes seemed to have it.

On a division (demanded by Mr. BLANTON) there were—ayes 76, noes 13.

Mr. BLANTON. Mr. Chairman, I make the point of order there is no quorum present. Whenever the gag rule is going to be applied they will not gain any time by it.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and seventy-two Members are present, a quorum. The question recurs on the amendment of the gentleman from Kentucky.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now recurs on the motion of the gentleman from Texas.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 3. That any room, house, building, boat, vehicle, structure, or place of any kind where intoxicating liquor is sold, manufactured, kept for sale, or bartered in violation of the war prohibition act, and all intoxicating liquor and all property kept and used in maintaining such a place, is hereby declared to be a public and common nuisance, and any person who maintains or assists in maintaining such public and common nuisance shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than $100 or more than $1,000, or be imprisoned for not less than 30 days or more than 1 year, or both. If a person has knowledge or reason to believe that his property is occupied or used in violation of the provisions of the war prohibition act and suffers the same to be so used, such property shall be subject to a lien for any may be sold to pay all fines and costs assessed against the occupant of such building or property for any violation of the war prohibition act, which said lien shall attach from the time of the service of summons on the owner or his agent; and any such lien may be established and enforced by legal action instituted for that purpose in any court having jurisdiction.

Mr. VOLSTEAD. Mr. Chairman, I move to amend, line 4, page 3, by striking out the first "or" and inserting "nor."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 4, after the figures "$100," strike out the word "or" and insert in lieu thereof the word "nor."

The question was taken, and the amendment was agreed to.

Mr. VOLSTEAD. Mr. Chairman, on page 3, line 10, I move to strike out the word "any" and insert "and." It is a clerical error.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 10, after the word "for," strike out the word "any" and insert in lieu thereof the word "and."

The question was taken, and the amendment was agreed to.

Mr. VENABLE. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 16, after the word "jurisdiction," insert "any violation of this title upon any leased premises by the lessee or occupant thereof shall, at the option of the lessor, work a forfeiture of the lease."

Mr. VOLSTEAD. I accept that.

Mr. GARD. Mr. Chairman, I reserve a point of order. I think the chairman has that covered in another section, and I reserve the point of order, so that the chairman may explain that after the explanation by the gentleman from Mississippi.

Mr. VOLSTEAD. It does not apply to this title.

Mr. VENABLE. Mr. Chairman, the necessity of that amendment comes by reason of the fact that it is undertaken here to make the lessor of a building liable if intoxicating liquors are sold or used on the premises contrary to law, and, of course, as a fundamental proposition of justice you can not hold a man legally liable unless he is in some way responsible for the wrongful act. The lessor of premises has not the right to terminate the lease and hence no control over the conduct of the lessee unless he is given that power by law. This provides the same provision that is carried in the second division of this bill, but it is not applicable here because by the language there it is confined to that particular section and hence would not have reference to this. Without such a provision I doubt the validity of this section.

The CHAIRMAN. Is the point of order made on this section? If not, the Chair will put the question. The question is on the amendment offered by the gentleman from Mississippi.

The question was taken and the amendment was agreed to.

Mr. JUUL. Mr. Chairman, I desire to offer the following amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 16, after the word "jurisdiction" insert, "provided that in no case shall any lien attach exceeding in amount the equitable holding of such owner."

Mr. JUUL. Mr. Chairman and gentleman, it is clear that in the matter of a mortgaged piece of property a great many people who have had nothing to do with the commitment of any crime and who are only guilty of owing property should not have their interests in the property jeopardized by this law, and I take it for granted that the gentlemen do not want to do any such thing.

Mr. BARKLEY. Will the gentleman yield?

Mr. JUUL. I do.

Mr. BARKLEY. Does the gentleman understand as a matter of law that a lien can attach to a man's property beyond what he possesses in it, whether it is equitable or legal?

Mr. JUUL. If the gentleman will wait a minute I will show you the difficulties you are getting into. If a piece of property is tied up by a mortgage or a deed of trust there would be a great deal of difficulty at the time of expiration.

Now, I wish to have the attention of the gentlemen for a minute. I do not intend to take but a minute or two to explain this amendment. You will notice that a mortgage or a deed of trust about to expire, with the difficulties pending against the property on account of the violation of this war prohibition act, that it would be next to impossible to renew the lease or the mortgage, and now I take it for granted that you gentlemen have no desire to ruin anybody, that you want to sit here and play fair. If you play fair, what you ought to do is to tie up the owner of the equitable title in the property to the extent of his equity only. You should do no more than that, and I take it for granted that that is all you intend to do. My amendment provides that no lien shall attach in excess of the amount that the owner has as an equitable interest in the property.

I do not think there is anything unfair in it, and it would settle in the mind of any financial man to whom you might apply for a renewal of your loan exactly the amount of the difficulty in which the property is involved.

Mr. JOHNSON of Kentucky. Will the gentleman yield?

Mr. JUUL. Yes, sir.

Mr. JOHNSON of Kentucky. I wish to invite the gentleman's attention to the fact that the lien which is created in line 9 of page 3 of the bill does not make it a first lien. Therefore the lien retained in this bill would be subject to the lien the gentleman is talking about.

Mr. JUUL. Correct; but you have not defined in this bill what the lien amounts to. I am defining what the lien amounts to when an applicant comes to the bank and wants to renew the loan on his property during the term of his difficulty. The limitation would be equal to the owner's equity.

Mr. CARAWAY. Will the gentleman yield?

Mr. JUUL. Yes.

Mr. CARAWAY. Do you expect that one could procure a renewal of the lien while a suit to enforce a forfeiture for the wrongful use of the property is pending?

Mr. JUUL. I wish to tell the gentleman that I think it would be very difficult. With possibly a first, second, and sometimes a third mortgage on a piece of property, I think it would be extremely difficult to go to any financial agent in the city in

which I reside and renew a mortgage unless you are able to assure him of exactly the difficulties you were in by virtue of the passage of this act. My amendment provides that your difficulty is no greater than your equity, title, or interest in the property, and I can not see why any gentleman should sit on this floor and be unreasonable to the extent of refusing this amendment.

Mr. DAVIS of Tennessee. I want to ask the gentleman if it would not be possible under his amendment for the owner of property to mortgage it for its full value so as to escape the large penalty which would accrue by reason of this Government lien?

Mr. JUUL. I wish to say to the gentleman that that would not be possible at all, because, at least in my State, the mortgage would have to be a matter of record. And I wish to say to the gentleman that one of my reasons for asking for this amendment—and, mind you, you are serving your own people in passing it——

The CHAIRMAN. The time of the gentleman has expired.

Mr. JUUL. I ask for a minute and a half more.

The CHAIRMAN. The gentleman from Illinois asks for a minute and a half more. Is there objection? [After a pause.] The Chair hears none.

Mr. JUUL. Now, if——

Mr. GALLAGHER. Mr. Chairman, I ask that the gentleman have three minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that his colleague have three additional minutes.

Mr. FESS. I object. He has not asked for it.

Mr. BLANTON. I object, Mr. Chairman.

Mr. JUUL. I wish to say here that according to the provision at the bottom of page 4 and in the top line of page 5 the owner is brought into court and is asked to give bonds in the full value of the property; of course he can not do that. He does not own the full value of the property. Therefore I am desirous that you define the extent of the difficulty the owner has gotten into by limiting the amount of the lien to the amount that the owner whom you are hailing into court owns in that property. Now, do you want more than that?

I submit my amendment to your tender mercies.

Mr. GOLDFOGLE. Mr. Chairman, may I ask that the amendment——

Mr. VOLSTEAD. Mr. Chairman——

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota, the chairman of the committee.

Mr. VOLSTEAD. This proposition I do not think dangerous to anybody. It does not involve the lien beyond the equity that the man has. It would simply be whatever interest the person had, or in case there was an owner who suffered or permitted the property to be used for the purpose, it might attach to his interest as well as the other. That is all it amounts to.

Mr. Chairman, I move that all debate on this amendment be now closed.

Mr. JUUL. Will the gentleman yield for a question?

Mr. GOLDFOGLE. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman from Minnesota [Mr. VOLSTEAD] moves that all debate upon this amendment be now closed.

Mr. GOLDFOGLE. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GOLDFOGLE. I ask, since I want to vote understandingly on the amendment, unanimous consent that it be again reported.

The CHAIRMAN. The Chair will put the gentleman's request as soon as he has put the motion of the gentleman from Minnesota. The question is on the motion of the gentleman from Minnesota that all debate on this amendment be now closed.

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. GOLDFOGLE. Division, Mr. Chairman.

The committee divided; and there were—ayes 70, noes 31.

Mr. GOLDFOGLE. I ask for tellers, Mr. Chairman.

The CHAIRMAN. The gentleman from New York asks for tellers. All in favor of taking this vote by tellers will rise and stand until counted. [After counting.] Ten gentlemen have risen, not a sufficient number.

Mr. GOLDFOGLE. I ask, Mr. Chairman, that the amendment be again reported.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the amendment be again reported. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The amendment was again reported.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. JUUL].

The question was taken, and the amendment was rejected.

Mr. TILSON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Connecticut moves to strike out the last word.

Mr. TILSON. Mr. Chairman, I have been disappointed with the attitude taken by those who have framed this bill and are now forcing it through the House. The principle of prohibition has won a great victory in the United States. In 45 States the legislatures have voted to ratify an amendment to the Constitution making it unlawful to manufacture or sell intoxicating liquors. It is a great experiment, one that no other great Christian nation ever tried. The enactment of statutes by which such an amendment to the Constitution is to be enforced becomes a serious as well as important matter. Surely it is a time when all right-thinking persons can afford to sit down and consider calmly and carefully what are the best means for working out satisfactorily under the amendment a most complicated social and economic problem.

Unfortunately we have seen no such attitude on the part of the proponents of this bill. Instead of considering calmly the kind of provisions that might work the least hardship, this bill seems almost fanatical in its methods and apparent purpose to make law abiding just as difficult and law breaking just as certain as possible.

Mr. BLANTON. Mr. Chairman I make the point of order that the gentleman is not in order. He is not speaking to the word "jurisdiction."

Mr. TILSON. Mr. Chairman, I am doing nothing more than what is usually done in debate under the five-minute rule. At any rate, I am discussing the bill. I have not heretofore taken one single minute of time since the discussion of this bill began.

Mr. BLANTON. I withdraw the point.

Mr. TILSON. I thank the gentleman. The spirit of some of those who are demanding the most extreme legislation is well characterized by Clarence Day, jr., in some verses printed in the New Republic, entitled:

SIC SEMPER DISSENTERS.

In the town of Hottentottenville an aged Hottentot,
Whose name was Hottentotten-Tillypoo,
Was feebly hottentottering around a vacant lot,
With a vacant look upon his higgaboo.
Now "higgaboo" is Hottentot, as you may know, for "face,"
And to wear a vacant look upon your face is a disgrace.
But poor old Mr. Tillypoo, he had no other place
Though I understand it grieved him through (and thru).

He was grubbing up potatoes in an aimless sort of way
(Which really was the only way he had),
And an officer was watching him to hear what he might say,
And arrest him if the thing he said was bad;
For it seems this wretched Tillypoo had gone and had the thought
That his neighbors didn't always do exactly as they ought;
And as this was rank sedition, why, they hoped to see him caught;
For it naturally made 'm pretty mad.

So the men of Hottentottenville, they passed a little law,
Which they called the Hotta-Shotta-Shootem act,
Which fixed it so the postman was a kind of Grand Bashaw,
Who determined what was false and what was fact.
And the postman sentenced Tillypoo, and wouldn't hear his wails,
But kept him twenty years apiece in all the local jails,
And said he couldn't vote no more, and barred him from the mails,
And expressed the hope that this would teach him tact.

Well, the last I heard of Tilly, he was trying not to think,
And he'd tied a piece of string around his tongue,
And he never went within a mile of either pen or ink,
And he always stood when any song was sung.
And maybe you are thinking that his fate was rather tough,
But what I say is, not a bit, they didn't do enough;
When anybody differs with you, dammit, treat 'm rough;
Why, they ought to be bub-boiled alive and hung.

Why should a bill for the enforcement of the eighteenth amendment and a bill to perpetuate war-time prohibition be attached to each other like Siamese twins? Is it not because of the fact that so-called war prohibition is not able to stand upon its own merits? Everyone knows that war-time prohibition was from the beginning one-third fraud and two-thirds fake. It was not put into operation until the war was over, and there never was any substantial ground for it as a war measure.

The eighteenth amendment stands upon entirely different ground. In the way and manner provided in the Constitution itself it was submitted and ratified. It is now an integral part of the Constitution we have sworn to support and defend. My own State of Connecticut, in the proper exercise of its rights, did not ratify this amendment; but the amendment being ratified in the orderly, constitutional way, the people of Connecticut are now just as ready, just as zealous, as the people of any other State for the proper enforcement of its provisions.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. TILSON. May I have one minute more?

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. TILSON. As one of the representatives of Connecticut in this body I am ready to vote for a reasonable law to enforce the eighteenth amendment, and, as I said at the outset, I am deeply disappointed that the proponents of this bill have seen fit to couple together two matters that do not belong together and otherwise endeavor to make it difficult or impossible to support the bill. Is it vain to hope that even yet the advocates of this bill will relent so as to permit the passage of a law than can and will be enforced? [Applause.]

Mr. WATSON of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. WATSON of Pennsylvania. I desire to ask the chairman of the committee if the word "person," on page 3, line 6, has any limitation? I notice on page 7 it is defined as meaning "natural persons," and so forth. Would "persons" include executors, administrators, and trustees within the meaning of this act?

Mr. VOLSTEAD. The Federal statutes define a person as a company, firm, or corporation.

Mr. WATSON of Pennsylvania. But not as a trustee?

Mr. VOLSTEAD. No.

Mr. WATSON of Pennsylvania. On line 13 of page 3 your committee provides only that the summons shall be served "on the owner or his agent." Now, we all know that the owner is responsible for his agent. But suppose A dies and leaves an estate to B, and C is executor. B lives in England and knows nothing about his property, and his property is used in violation of the provisions of this act. We all know that an executor is an officer of the court. On whom would you then serve the summons?

Mr. VOLSTEAD. I think I would leave it to the court to determine. It would probably be served by publication, he being a nonresident.

Mr. WATSON of Pennsylvania. You provide that it shall be served on the owner.

Mr. VOLSTEAD. You serve it on the owner by publication. If he could be reached, you would serve it in person; and if not, you would serve it upon him by publication.

Mr. WATSON of Pennsylvania. Suppose the owner lived abroad?

Mr. VOLSTEAD. It would be the same as in any other case.

Mr. WATSON of Pennsylvania. Why not provide for the service of summons on the fiduciary? It seems to me the door has been left open for fraud. A fiduciary who knowingly leases property contrary to this bill should be held responsible. This section only makes the owner or his agent liable.

Mr. Chairman, I withdraw my pro forma amendment and ask to be recognized to present the following amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Pennsylvania.

The Clerk read as follows:

Amendment offered by Mr. WATSON of Pennsylvania: Page 3, line 6, after the word "person," insert "as the owner or fiduciary." In line 7, after the word "property," insert "or property held by him in any form of trust whatsoever." And on line 13, after the word "summons," insert "on the fiduciary or."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. VOLSTEAD. Mr. Chairman, my impression——

Mr. GOLDFOGLE. Mr. Chairman——

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. VOLSTEAD].

Mr. VOLSTEAD. My impression, Mr. Chairman, is that that is entirely unnecessary, and besides I do not think it would be fair to charge the estate in that fashion for the misconduct, for instance, of some fiduciary officer of the class that might come under this provision. I do not think we ought to try to make this so extreme that people would object to it on that account. [Laughter.] I think we cover enough ground in this for war-time prohibition, and I do not think we should go any further.

Mr. GOLDFOGLE. Mr. Chairman, in view of the statement of the chairman of the committee, I will withhold my remarks until I offer my amendment.

Mr. BROOKS of Pennsylvania. Mr. Chairman, I propose an amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania [Mr. WATSON].

Mr. GOLDFOGLE. Mr. Chairman, let us have it reported.

The CHAIRMAN. Without objection, it will be again reported.

The amendment was again read.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. GOLDFOGLE. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. BROOKS] is recognized.

Mr. GOLDFOGLE. Can not a man on this side be recognized once in a while?

The CHAIRMAN. The gentleman will be given an opportunity.

Mr. BROOKS of Pennsylvania. Mr. Chairman, I move to strike out, after the word "both," in line 6, on page 3, the remainder of the section.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BROOKS of Pennsylvania: Page 3, line 6, after the word "both," strike out the remainder of the section.

Mr. GARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GARD. Is this amendment in order before an amendment to perfect the text?

The CHAIRMAN. If there are any amendments to perfect the text, it will be in order to offer them before the vote is taken on the motion to strike out.

Mr. GARD. I desire to offer an amendment to perfect the text, but I do not want to interfere with the gentleman's statement.

Mr. BROOKS of Pennsylvania. Is my amendment in order?

The CHAIRMAN. If there is any amendment to perfect the text, that can be offered before the vote is taken on the motion to strike out.

Mr. SAUNDERS of Virginia. Mr. Chairman, the gentleman from Pennsylvania has been recognized to offer an amendment, which he has offered. He has a right to be heard on his amendment, and he can not be taken from the floor by anyone seeking to offer other amendments. When he has concluded it will be competent for any Member to offer a perfecting amendment, and such amendment will be voted on first.

The CHAIRMAN. The gentleman is correct. The Chair had not ruled that the gentleman from Pennsylvania was not entitled to five minutes to discuss his amendment. The gentleman from Ohio [Mr. GARD] announced that he had an amendment to perfect the text, and the Chair announced that amendments to perfect the text would be in order before the vote was taken on the motion of the gentleman from Pennsylvania.

Mr. GARD. I may have an opportunity to offer my amendment later?

The CHAIRMAN. Yes. The gentleman from Pennsylvania is recognized for five minutes.

Mr. BROOKS of Pennsylvania. Mr. Chairman and gentlemen of the committee, the people of this country have risen in their might and their strength and are determined to wipe out drunkenness and carousing, and I do not believe there is a gentleman on the floor of this House who is opposed to that proposition.

It is our duty to pass a proper enforcement law, but in this proposed enforcement act there are different provisions to which I take exception. One is the section that I propose to strike out by the amendment which I have just offered. I do not think it is at all within reason to subject every man's real estate to levy and sale because somebody has violated a law on that piece of property. If you own an apartment house occupied by many tenants, should you be liable for violations of law by some of your tenants? If you own a farm, should you be responsible for violations of law committed by tenants or any person that might visit or trespass upon that farm? If, by the savings of a lifetime, you or any thrifty son of toil accumulates a home and that home be rented, should that modest home be put in jeopardy because of a violation of law by that tenant? A thousand crimes, a thousand violations of the law, can be committed on your property to-day without subjecting it to levy and sale to satisfy a fine that may be imposed upon the offenders.

I say it is entirely wrong to make this an exception, and I am opposed to it.

Mr. LAYTON. In such a case is not the language of this bill and the spirit of it a very definite statement that the owner

of the property is in collusion with the tenant, and is not that the part of it which you seek to strike out?

Mr. BROOKS of Pennsylvania. It should be only where he is in collusion. The language which I seek to strike out is as follows:

If a person has knowledge or reason to believe that his property is occupied or used in violation of the provisions of the war prohibition act and suffers the same to be so used, such property shall be subject to a lien for and may be sold to pay all fines and costs assessed against the occupant of such building or property for any violation of the war prohibition act, which said lien shall attach from the time of the service of summons on the owner or his agent; and any such lien may be established and enforced by legal action instituted for that purpose in any court having jurisdiction.

Now, many cases might arise in which a man owning property could be put on the defensive and be obliged to defend himself, at an enormous expense, to save his property.

Mr. BLANTON. Mr. Chairman, will the gentleman yield right there for a question?

Mr. BROOKS of Pennsylvania. No; I will not yield.

Mr. JOHNSON of Kentucky. Mr. Chairman, I rise in opposition to the amendment. I wish to say that the language used in this section and that which the amendment seeks to strike out is in effect like the language used in the red-light law for the District of Columbia which is now in force, and that is almost identically copied from the law of Iowa. It has been very effectual in its operation here, and I am informed also in the State of Iowa, and it has worked no wrong upon anybody who was not guilty and did not have guilty knowledge, and I do not believe it should be stricken out.

Mr. GALLAGHER. Mr. Chairman, I would like to call the attention of the membership of the House to the amendment of the gentleman from Pennsylvania [Mr. BROOKS], and what I wish to say regarding it will be from a very different viewpoint. The gentleman from Pennsylvania says, in discussing his amendment:

That the people of this country are determined to wipe out drunkenness and carousing.

I do not believe there is a Member here who is opposed to stamping out drunkenness. He also says:

I do not think it is at all within reason to subject every man's real estate to levy and sale because somebody has violated a law on that piece of property.

Now, the gentleman appears to have a great deal of sympathy for the man who owns property, because he says:

If by the savings of a lifetime you or any thrifty son of toil accumulates a home and that home be rented, should that modest home be put in jeopardy because of a violation of law by that tenant?

I agree with him that it should not. I do not believe that the property of any man should be jeopardized by the passage of this act. However, I suppose he is going to vote for this bill.

I am of the opinion that the Members here, who are anxious for this bill to become a law, care very little for property rights, because they propose to wipe out thousands of millions of dollars' worth of property belonging to men who have spent their lives in the liquor business, and who, by their thrift and labor, have been able to accumulate a certain amount, which you now propose to destroy without any consideration for them or compensation for the loss they suffer. The man who owns a house or any other building may have the same placed in jeopardy by the passage of this bill if some one has violated the law upon it, but the hundreds of millions of dollars' worth of property that men own who have been in the liquor business for years, as has been said in partnership in a way with the Government, to whom they have paid billions of dollars in revenue, does not seem to excite any interest or consideration here whatever, and gentlemen who favor the passage of this bill apparently do not care how much property belonging to them or what kind is destroyed.

I do not hesitate to say that I have some regard, respect, and sympathy for the people who will be ruined by the enactment of this law. If there was any decency or fairness left in the framers of this proposed legislation, they certainly ought to compensate these men for the loss of stock, leases, and the destruction of their business; but instead of that you propose to wipe them out without any regard or thought for their future welfare. To destroy property in the name of the State, without reimbursing the owners, is a dangerous practice.

You seem to think it a joke to injure, ruin, and make worthless their holdings and wreck a business long legalized. Never before in the history of the Government was such a tyrannical reform attempted. Home rule, self-government, and the liberty of the people is to be destroyed, and persecution is to be the order of the day, but before long you will find that you have gone too far. You have the votes to do it, but might is not right; you should be fair and just in this matter.

I believe in temperance; I believe in proper laws to regulate the sale of liquor, and it can and ought to be regulated; but there has never been any effort since I have been a Member of Congress to pass laws for its regulation. What the men want who are behind this prohibition movement is to force prohibition upon the country, regardless of consequences, because they have learned the practical and up-to-date way of doing it. The legislative agents, or the lobby, of the prohibition combine that has been forcing this law through Congress have studied the practical methods adopted by the great combinations and corporations, and because of this they have been able to secure favorable legislation in nearly every legislative body in the United States; they are up to date in practical politics and through their browbeating, bulldozing, and threatening tactics this well-financed antisaloon lobby have scared men in political life everywhere in this country into believing that all of the good people in this country are in favor of this kind of legislation; that all of the church members of the country are demanding it. My, how human nature has changed, if that is so. I think this legislation is wrong and when enforced it will put more men out of politics than any law that was ever passed.

I am opposing this bill to-day—although you have the votes to pass it—because it is unjust, unfair, and un-American, and the most malicious assault on personal liberty that could be made. Fair-minded people, regardless of their views on prohibition, are against it. If it goes into effect, thousands upon thousands of men directly employed in the liquor business, as well as thousands of others in business dependent upon the liquor trade, will be thrown out of employment at a time when the Army is being demobilized and work is hard to obtain. Is it any wonder we have unrest, disaffection, and discontent in the country? We are fighting this measure because it is wrong; and you may think you are winning a great victory by passing it, but the fight has only commenced. It will be denounced in every section of the United States before long, and the men in politics who are responsible for this legislation will be driven from office and power. [Laughter.]

My friend from California [Mr. RANDALL], the prohibitionist, is laughing at that statement. Well, he may laugh about it; he can afford to laugh; he was elected as a Prohibitionist; but let me remind the House that "those who laugh last laugh longest."

Mr. UPSHAW. Does not the gentleman think that the gentleman who depends upon the keg of liquor should be put out of politics?

Mr. GALLAGHER. Oh, that is cheap talk; we hear that line of talk from men who think they are making friends by going around speechifying and pretending to work for the general welfare of the people and the good of the public.

Unto those who talk and talk,
This proverb should appeal:
The steam that blows the whistle
Will never turn the wheel.

Men who do the greatest good for the community in which they live, as a rule, do not blow about it. Professional agitators shout about anything they think will make them popular. [Laughter and applause.]

I voted against the so-called prohibition amendment to the Constitution, to take effect January 1, 1920, when it was before this House for passage. I do not believe in this kind of legislation or the way it was put over. At the time of its passage it was understood that men in the liquor business would have one year after the ratification of the article by the States to wind up their business, and it was so stated at that time by the then chairman of the Judiciary Committee. He said:

While we prohibitionists desire to have the country go dry, we do not propose to let our zeal in that great cause destroy our sense of justice, and I for one was willing to advocate the right of the brewers and distillers to have one year to wind up their business. We have distinguished precedents for this in the action of nearly all the dry States. Most of the States give them a year in which they may wind up their business. I think it a perfectly fair amendment, and I will be very glad to vote for it, and I hope the dry Members will vote for it. (CONGRESSIONAL RECORD, Dec. 17, 1917, p. 432.)

In view of this understanding, men in the liquor business withdrew large quantities of liquor from the bonded warehouses, upon which they paid a tax of $6.40 a gallon, and the retailers throughout the country now have large stocks of liquor on hand, many having already paid a license to conduct their business for a year believing they had that length of time to wind up their affairs before the constitutional amendment would be enforced January 16 next.

I have many letters from men in the business in Chicago that will show the injustice of this law. Let me read you a letter

from a firm in my district, through whose efforts has been built up one of the largest businesses of the kind in the United States:

CHICAGO, ILL., *May 27, 1919.*

Hon. THOMAS GALLAGHER,
House Office Building, Washington, D. C.

DEAR SIR: With the war-time prohibition bill of November 21, 1918, apparently going into effect July 1, 1919, we respectfully call your attention to the injustice of this untimely legislation.

We are holders of large stocks of whiskies of various ages that are doomed to remain unsold in the United States bonded warehouses. Many others find themselves similarly situated, and, in fact, records seem to indicate that 60,000,000 to 70,000,000 gallons of whiskies will be denied an outlet of sale by the arbitrarily setting of this date of prohibition. These spirits were distilled according to specific laws passed by Congress compelling distillers to carry stocks for bottled-in-bond purposes four years in advance of public sale. These liquors, suddenly cut off from public sale after having been brought into existence under Government permission and approval, are virtually confiscated and places an unprecedented loss on their owners.

In addition to this, the Government will sustain a loss in tax at $6.40 per gallon, or approximately $400,000,000, not to mention a further loss through income and profit taxes that will be consequently charged off by owners.

Can Congress, in justice to the business interests of both the people and the Government, consistently deny the owners of these liquors the right to dispose of their stocks before the coming into effect of the Federal prohibition amendment?

We ask you in true-spirit fairness to give this subject, so vital to the welfare of business during these critical moments, your worthy consideration, and only ask sufficient time to tax pay and dispose of distilled spirits now in bond.

Trusting that you will do all in your power to impress on Congress the necessity of legislation to that effect, we remain,

Yours, respectfully,

MORAND BROS.,
S. J. MORAND, *President.*

Here is another statement from a business concern in Chicago that will no doubt prove interesting, if reason and fair dealing has anything to do with the passage of this bill:

CHICAGO, *May 29, 1919.*

Hon. THOMAS GALLAGHER,
House of Representatives, Washington, D. C.

SIR: Permit us to present for your consideration the following facts: At the present time we have a floor stock of liquors which cost us over $50,000; paid in revenue and war taxes, $150,000; still owing additional war taxes due in September, $150,000; total cost of floor stock, $350,000. In other words, for our floor stock the Government receives $300,000. Besides we own bonded goods at cost price of $60,000, on which we must pay the Government about $400,000 before we can get a dollar of our investment.

Our situation is typical of hundreds of others throughout the country.

Is it fair or just that our entire investment, made in good faith and under Government sanction and approval, should be wiped out next July 1 without any chance of redress? Is it consistent with just principles of Government to arbitrarily destroy the property of its citizens without just compensation?

We do not protest against constitutional prohibition. All we ask is protection against the ruinous operation of a war measure which has now ceased to have merit or reason. In fairness and plain justice we ask you to use every honorable means to bring about the repeal of the act of November 21, 1918, or in some manner make it lawful to dispose of liquors now on hand until constitutional prohibition becomes effective.

Respectfully, yours,

EITEL BROS.

A few months' time means a great deal to liquor dealers under the circumstances and would help them to dispose of their stocks, upon which they have paid the Government tax.

We were told that war-time prohibition was necessary to control the food cereals of the country; that it was a food-conservation measure to help us win the war. It was made a law when more than 4,000,000 men were in the service of the country at home and abroad, at a time when we were shipping rye, corn, and barley abroad for the use of foreign brewers. Every sane person, whether he is in favor of prohibition or not, knows that this was not a war measure. The war is over and peace has been declared, and to force this war-time prohibition act upon the country a few months after it was understood that one year was to be allowed those in the liquor business to close up their affairs is indefensible and unjust. Is the Government willing to back up this fraud? I do not believe it. The President is against it; he has said so. Let me read you his message to Congress May 20, 1919:

The demobilization of the military forces of the country has progressed to such a point that it seems to me entirely safe now to remove the ban upon the manufacture and sale of wines and beers, but I am advised that without further legislation I have not the legal authority to remove the present restrictions. I therefore recommend that the act approved November 21, 1918, entitled "An act to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled 'An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products,' and for other purposes," be amended or repealed in so far as it applies to wines and beers.

WOODROW WILSON.

In the face of this fact, do you believe for a moment the President will sign the bill that you are now attempting to pass? He will veto it, and he ought to veto it.

It was stated here in debate that Illinois is for prohibition, that the legislature of the State ratified the constitutional amendment. That is so, but it has never been approved by the people themselves.

The question was submitted last spring to the people of Chicago, that contains nearly one-half of the population of the State, and the people voted against prohibition by a large majority. In the dry districts of Chicago, where there are no saloons, the vote was against prohibition. Even Hyde Park voted wet, and Lake View voted wet; in wards where the saloon keepers have little or no influence they were carried by the wets. One hundred and twenty-four thousand seven hundred and thirty-one women voted wet, while 76,325 women voted dry. Nearly 400,000 men and women voted against prohibition, and less than 159,000 voted for it. I merely cite these figures to show you that national prohibition has been fastened upon the people through the activities of prohibition agents without ever giving the public a chance to express their wishes upon it.

Listen to what the New York World in an editorial, April 27, 1919, says:

Neither of the great parties, Democratic or Republican, ever advocated national prohibition. No Congress was ever elected on that issue. No President ever championed it. No Democratic or Republican candidate for President ever championed it. It was never put forward by the leaders of either party. The Congress that submitted it was elected in 1916, but neither the Democrats nor the Republicans had a word to say about prohibition in their national platforms. Neither Mr. Wilson nor Mr. Hughes ever mentioned the subject. When Congress submitted the amendment to a country whose attention and energies were all absorbed in the greatest war of all history it submitted an amendment on which the American people had never been permitted to go to the ballot box.

We are now called upon to pass a bill to provide for the enforcement of war-time prohibition and to prohibit the manufacture and sale of intoxicating beverages under the constitutional amendment that will be more drastic and unreasonable than any legislator ever dreamed of when he voted for the ratification of the amendment. You propose now to make prohibition a political issue that will remain with us for years to come, and it will plague every man who is responsible for forcing this unwise, unfair, and drastic act upon the people without their consent, and every man responsible for it will have to answer to the people, who will not forget it.

As John J. McKenna, the poet of Archey Road, says in Public Safety:

WE CAN'T FORGET IT.

July the first will soon be here,
When they'll shut off our wine and beer.
Why have they pulled that awful stunt
To hang crêpe on that glorious month
In which we won our freedom?

Mr. VOLSTEAD. Mr. Chairman, I move that all debate on this section and all amendments thereto close at the end of five minutes.

Mr. GARD. Mr. Chairman, I gave notice that I had an amendment that I wanted to offer.

The CHAIRMAN. The gentleman from Minnesota moves that all debate on this section and amendments thereto close in five minutes.

Mr. IGOE. Mr. Chairman, I move to amend the motion of the gentleman from Minnesota by making it 10 minutes, and that the gentleman from Ohio have 5 minutes and the gentleman from Pennsylvania [Mr. DEWALT] 5 minutes.

The CHAIRMAN. The Chair will state to the gentleman from Missouri that that is not in order.

Mr. IGOE. Then I move to amend the motion of the gentleman from Minnesota by making it 15 minutes, so that three gentlemen who I see have arisen may have 5 minutes each.

The CHAIRMAN. The gentleman from Missouri moves as an amendment to the motion of the gentleman from Minnesota that the debate on this section and all amendments thereto close in 15 minutes.

The question was taken, and the Chair announced that the noes had it.

Mr. VOLSTEAD. Mr. Chairman, I ask to modify my motion by making it 10 minutes.

Mr. GARD. Mr. Chairman, I ask for a division on the question of the gentleman from Missouri [Mr. IGOE]. I was on my feet.

The CHAIRMAN. The Chair will again put the motion of the gentleman from Missouri to amend the motion of the gentleman from Minnesota.

The question was taken; and on a division (demanded by Mr. GARD) there were 65 ayes and 20 noes.

So the motion to amend the motion of Mr. VOLSTEAD was agreed to.

The CHAIRMAN. The question now recurs on the motion of the gentleman from Minnesota as amended.

The motion as amended was agreed to.

The CHAIRMAN. Debate is limited on this section and all amendments thereto to 15 minutes. The Chair recognizes the gentleman from Ohio [Mr. GARD].

Mr. McPHERSON. Mr. Chairman, I would like to offer an amendment and have it read.

The CHAIRMAN. The gentleman from Ohio has the floor.

Mr. GARD. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 3, line 13, strike out the language after the word "the" in line 13 and the words "or his agent" in line 14 and insert in lieu thereof the following: "entry and indexing of judgment."

Mr. GARD. Mr. Chairman, I desire to call the attention of the members of the Judiciary Committee to this language, which I think should be changed in the interest of justice as affecting the transfer of property. It in no way affects the fact that a lien may attach, but provides that instead of being a secret lien, such as there is now, by which no person purchasing property could be safeguarded, the lien attaches from the time of the indexing and the judgment in such cases. At the present time it provides that the lien attaches from the time of the service of the summons on the owner or his agent. No one seeking to buy property would have any notice at all of the service of summons on the owner or his agent, since the service of the summons is entirely a personal service, whereas the making of the index judgment is a public record of which every man is bound to take notice.

Mr. BARKLEY. Will the gentleman yield?

Mr. GARD. Yes.

Mr. BARKLEY. Is it not required that any legal notice of service by an officer must be returned to the court from which it issues and is a matter of record?

Mr. GARD. No; the return is made by the sheriff. The summons is given to the sheriff and the sheriff makes the return, but there is no record of the return except possibly his memoranda. But in this instance on the files of the clerk's or the recorder's office, whichever it may be, there is a permanent public judgment which all persons would be bound to observe. As I say, it makes no difference in reference to the lien; it provides that the lien may be taken, but it safeguards the interest of those who might be innocently and legitimately interested in the purchase of the property.

Mr. GOLDFOGLE. Mr. Chairman, may I suggest to the gentleman that in New York there is no way of ascertaining that the summons has been served, by way of public record, until the recovery of the judgment, unless it be revealed by the individuals who begin the suit?

Mr. BARKLEY. If the gentleman's amendment is adopted, any owner of property under the language of the gentleman's amendment might sell it to anyone else and thereby defeat even the lien on the judgment.

Mr. GARD. Oh, no.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BARBOUR. Mr. Chairman, I offer the following amendment as a substitute for the amendment offered by the gentleman from Ohio.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BARBOUR: Page 3, line 13, after the words "of the," strike out the words "service of summons on the owner or his agent" and insert in lieu thereof the following: "filing of notice thereof for record in the public office wherein are kept the records of the title to such real estate."

Mr. BARBOUR. Mr. Chairman, I agree with the gentleman from Ohio [Mr. GARD] as to this language and the impracticability of giving notice of lien thereunder. In most of the States, as I understand it, there is no record in the office where land titles are kept of the service of a summons. The return of the service of summons is filed in the office of the clerk of the court. As I understand the amendment offered by the gentleman from Ohio, under it the lien will not become effective on property until the judgment is entered. The purpose of my amendment is to make the lien effective as soon as the legal notice is filed in the recorder's or registrar's office, where are kept the records of the title to real property.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. BLANTON. The effect of the amendment offered by the gentleman does away with all of the summons. What does the gentleman mean by "legal notice."

Mr. BARBOUR. Whatever legal notice is required in the State where the notice is to be given—a notice of attachment——

Mr. BLANTON. Should you not retain the words "of the service of summons on the owner or agent"? You do away with those words.

Mr. BARBOUR. I do away with those words so far as they affect the title to real property. You can not protect an innocent purchaser of real property if you put a lien on a man's property simply by service of summons on him.

Mr. BLANTON. You leave no provision here for the summons.

Mr. BARBOUR. Then put one in. I drew this amendment very hurriedly.

Mr. BLANTON. Which the gentleman from Ohio had in.

Mr. BARBOUR. If it is necessary, in order to get jurisdiction of the defendant, it should be in, but I think this other amendment should be adopted.

Mr. RAMSEYER. Mr. Chairman, will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. RAMSEYER. What the gentleman means by legal notice in the amendment he offers is the same as they do in some of the States by summons.

Mr. BARBOUR. I mean lis pendens or notice of attachment or notice of lien.

Mr. RAMSEYER. In my State we do not know of any such thing as a summons. It is always a service of notice.

Mr. BARBOUR. Then you have no summons there.

Mr. RAMSEYER. We have no summons.

Mr. BARBOUR. The amendment offered may not cover that point.

Mr. VENABLE. Mr. Chairman, will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. VENABLE. Would not the situation be met by requiring the clerk of the Federal court to keep a record of lis pendens, upon which there should be immediately on the issuance of the summons a notice of the fact that the summons has been issued?

Mr. BARBOUR. Yes; if that would give notice to the purchaser of real property.

Mr. VENABLE. It will, because the purchaser of real property is under a legal duty to go to the official records, wherever they are maintained, to determine whether or not there is anything on file which affects the title of the property.

Mr. BARBOUR. Yes; if you give notice to the purchaser of the property that there is a lien, I do not care what form it takes.

Mr. GOLDFOGLE. Mr. Chairman, the last amendment offered somewhat lessens the danger that threatens innocent owners of property. The provision in the bill which provides that immediately on the commencement of suit a lien shall attach, although no notice of the suit be made a public record, will grievously affect a number of real estate owners, especially in many of the cities of the country. I am glad the gentleman has offered an amendment that at least will make it possible for innocent mortgagees, lessees, and grantees to discover that a lien is claimed upon the property of the owner who is charged with having violated the act, but the amendment does not go far enough. Upon the filing of an information or announcement of a suit charging that an owner has had reason to believe that contraband liquors are kept or stored upon his property, though that owner might be ever so innocent of the charge made against him, his property would be subject to a lien under the bill as now framed and that lien would be pending until the suit was tried and decided in his favor. The bill provides the lien attaches from the time of the beginning of the suit, notwithstanding that no notice of the pendency of the suit is to be filed in a public office, and so the owner would have to wait until the suit is terminated in his favor before he could get rid of the lien that is attempted to be imposed upon his property. This unfair and oppressive situation would, I am afraid, be frequent in cities, particularly in those of the first class and particularly in New York. I speak advisedly as one who as a lawyer has had large experience in the passing of titles to property in my city.

Under the bill as framed, I repeat, if through the malice or exploitation of spies or others or even through some error an action against an owner under the provisions of the bill be commenced, there is no provision under which he could rid his property of the lien or even through bond discharge it until after trial, which in many jurisdictions would be long after the suit was begun—some months, some years. And so the owner would be hampered and frequently prevented from raising a loan by way of mortgage or conveying his property.

Mr. BOIES. Mr. Chairman, will the gentleman yield?

Mr. GOLDFOGLE. In a moment; and if, perchance, he shall, before the Government suit is commenced, have made a contract to convey, and the vendee would want to get out of the contract or not care to have himself saddled with the lien, after taking the deed, that vendee would be relieved from the

contract, and the owner, however innocent of actually violating this prohibition statute, would lose the benefit of his sale. Such a condition, I submit, works hardship and oppression and creates an injustice which never should find place in any law governing a free people.

Now, I want this House in fairness to consider the immense value of property in New York which seriously might be affected by this section. I want you to understand that many an owner of an apartment house in New York, any house, if you please, in which there is no shop, no saloon, no boarding house, in which there is no hotel, would be at the hazard of being affected as I have indicated. This bill is manifestly unfair. I do not rise for the purpose of protecting guilty men; I do not rise for the purpose of trying to allow men to evade the law. If the purpose is to have liens imposed upon the property wherein liquors are found, very well; but I want this House to safeguard the interests of innocent owners and the property rights of parties in interest, and not go further than they think they ought to go in practically confiscating the property of innocent people. I want the rights of real estate owners and lessees safeguarded. I do not want this House in the spirit of fanaticism to run away with itself in trying to hamper owners of real estate to obtain mortgages or to convey their property to bona fide purchasers. If the owner is guilty, very well; let the judgment recovered against him constitute the lien.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOLDFOGLE. Mr. Chairman, may I have three minutes more? I ask unanimous consent that I may have three additional minutes.

The CHAIRMAN. But two minutes remain of the time fixed for closing debate.

Mr. GOLDFOGLE. Mr. Chairman, I ask unanimous consent that I may speak for three minutes more.

The CHAIRMAN. The gentleman asks unanimous consent to speak for three minutes. Is there objection——

Mr. BARKLEY. Mr. Chairman, reserving the right to object, is that time to be taken in addition to the 15 minutes fixed?

The CHAIRMAN. It will take the remainder of the 15 minutes and 1 minute more.

Mr. DEWALT. Then, Mr. Chairman, I must object.

The CHAIRMAN. Objection is heard.

Mr. GOLDFOGLE. I ask for three minutes, not to be counted as part of the time already fixed.

Mr. DEWALT. If the ruling of the Chair is that it will take all of the time, I object.

The CHAIRMAN. Objection is heard.

Mr. GOLDFOGLE. I did not ask to have it taken as a part of the 15 minutes.

Mr. DEWALT. The Chair so rules.

Mr. BLANTON. Mr. Chairman, regular order.

Mr. GOLDFOGLE. It is a question of whether the committee will give unanimous consent to add three minutes to the time.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for two minutes.

Mr. DEWALT. Mr. Chairman and gentlemen——

Mr. GOLDFOGLE. Mr. Chairman, has my request been objected to?

The CHAIRMAN. Objection is heard.

Mr. DEWALT. Mr. Chairman, conceding, for the purpose of argument——

Mr. GOLDFOGLE. It has been suggested that I respectfully suggest to the Chair that before the Chair says that my request has been denied it is due to me, as well as it is due to the members of the committee, that the request be put by the Chair.

The CHAIRMAN. The request was put by the Chair, and the gentleman from Pennsylvania objected.

Mr. SAUNDERS of Virginia. Mr. Chairman, may I suggest for a moment, the gentleman from New York preferred an original request for three minutes, and the gentleman from Kentucky [Mr. BARKLEY] asked what would be the effect of that and the Chair ruled then and there, very properly, that would consume the balance of the 15 minutes and 1 minute more, but then the gentleman from New York asked to have his request modified to 3 minutes, not to take up the 2 remaining minutes of the time fixed by the House, but that it should be in excess of that and not interfere with that, and I do not think that request was ever put to the committee.

The CHAIRMAN. And thereupon the gentleman from Texas [Mr. BLANTON] demanded the regular order.

Mr. SAUNDERS of Virginia. The regular order was, if the amended request of the gentleman from New York should be granted, that is all.

The CHAIRMAN. The Chair wants to be fair in the matter——

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. And if the gentleman from New York makes the request that he be allowed three minutes, not to be taken from the time fixed by the committee, is there objection?

Mr. GOLDFOGLE. Mr. Chairman, I think after these various objections I shall withdraw my request, and I will address this House at a later time.

The CHAIRMAN. The gentleman withdraws his request, and the gentleman from Pennsylvania is recognized for two minutes.

Mr. DEWALT. Mr. Chairman and gentlemen of the committee, conceding for the purpose of argument what I am not willing to concede as a fact, that a person who has knowledge or has reason to believe that his property is occupied thus unlawfully could be punished in the way determined by the provisions of this section, let us see what the effect of this would be upon other parties who are interested in this property and are certainly entirely innocent. Now, I will give a concrete example. The gentleman from Kentucky owns a property worth $10,000. Upon that property he has given a mortgage of $2,000 which is a first lien. Subsequent to that first lien there are three judgments, one held by you, another by a second gentleman, and another by a third. Then comes this process by which a subsequent lien to the first mortgage and these three judgments is entered. We will say that the lien is for $200, being the fine and the cost, and, in the enforcement of the lien, what are all these people required to do?

Now, in the first place, the man who owns the property is obliged to protect it, we will say; and he would undoubtedly try to protect it by bidding to the value of the property if he had the money. But here is a first mortgage creditor, and he is protected because he has the first lien, but according to the laws of almost all the States all of the judgments would be discharged. And every one of these subsequent judgment creditors would be obliged to do what? To bid to the amount of his judgment in order to protect himself, and to bid to the amount of the two prior judgments in order that he might be protected; and would also be required to raise the cash to pay all the prior judgments.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DEWALT. Mr. Chairman, I ask unanimous consent to explain this matter for just one minute more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent for one minute more. Is there objection? [After a pause.] The Chair hears none.

Mr. GOLDFOGLE. Mr. Chairman, reserving my right to object——

The CHAIRMAN. The Chair has already put the request and there was no objection.

Mr. DEWALT. Now, the effect of that judgment——

Mr. VOLSTEAD. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Minnesota rise?

Mr. VOLSTEAD. Has all time expired?

The CHAIRMAN. It has not. The gentleman from Pennsylvania [Mr. DEWALT] is recognized for one minute.

Mr. DEWALT. Now, the effect of that is merely this, that if the first mortgage is $1,000 and the first judgment is $1,000 and the next judgment is $1,000 and the next judgment is $1,000, the man who has $1,000 judgment will be obliged to provide himself with $4,000, the amount of these liens, in order to protect his judgment. In other words, all the innocent people other than the owner of the property must protect themselves by getting money enough to bid in that property. You say this lien shall be enforced and shall be a lien in what court? It must be a lien in the Federal court. And I take the position that the lien in the Federal court does not become effective or capable of enforcement until that lien is recorded in the county in which the property lies. Now, that is certainly true, and therefore it can not become effective simply by the service of the summons.

Mr. VOLSTEAD. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent for two minutes more. Is there objection?

Mr. IGOE. Mr. Chairman, reserving the right to object, it seems to me the chairman of the committee is pursuing a wrong policy. Members of this House who are able lawyers want to discuss some of the important features of this bill, and it seems to me that it is not the proper course to pursue to cut off further debate. But in view of the statement made by the gentleman from New York, who represents, in part, the great city of New York, and other gentlemen here, it seems to me on an important matter of this kind there should be more debate. However, I am not going to object.

The CHAIRMAN. Is there objection?

Mr. GOLDFOGLE. Reserving the right to object——

Mr. JUUL. Mr. Chairman——

Mr. GOLDFOGLE. I want to say that it did appear to me quite singular that whenever the chairman of the committee who has this bill in charge sees fit to limit debate he rises and moves to limit debate, and when any gentleman here, not for the purpose of delay but for the purpose of calling the attention of this House to some provision which he desires to perfect, rises on the floor, objection is made to his either having an extension of time or the privilege to complete a sentence. I object to that kind of procedure. Like the gentleman from Missouri, I do not like to object to the request that is already made, but I do want to give notice now that if this policy is pursued I will object to unanimous consent being carried hereafter.

The CHAIRMAN. Does the gentleman object?

Mr. GOLDFOGLE. No; I do not object.

Mr. JUUL. Reserving the right to object——

Mr. BLANTON. Regular order, Mr. Chairman.

The CHAIRMAN. The regular order is demanded. Is there objection?

Mr. BLANTON. I object.

The CHAIRMAN. The question recurs on the motion of the gentleman from California [Mr. BARBOUR] to the amendment offered by the gentleman from Ohio [Mr. GARD].

Mr. VOLSTEAD. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. That would be an amendment in the third degree and is not in order at this time.

Mr. ROBSION of Kentucky. Mr. Chairman, I offer a substitute for the amendment of the gentleman from Ohio [Mr. GARD].

The CHAIRMAN. The gentleman from Kentucky [Mr. ROBSION] offers a substitute for the amendment offered by the gentleman from California [Mr. BARBOUR].

Mr. ROBSION of Kentucky. No; the gentleman from Ohio.

The CHAIRMAN. That would be an amendment in the third degree and would not be in order at this time.

Mr. JONES of Pennsylvania. Mr. Chairman, I offer an amendment to the substitute.

Mr. WALSH. That, of course, would be in order.

The CHAIRMAN. Does the gentleman desire to amend the amendment offered by the gentleman from California [Mr. BARBOUR]?

Mr. JONES of Pennsylvania. Yes.

Mr. ROBSION of Kentucky. Mr. Chairman, my motion is a substitute amendment to the amendment of the gentleman from Ohio.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Pennsylvania [Mr. JONES].

The Clerk read as follows:

Amendment offered by Mr. JONES of Pennsylvania: Page 3, line 13, after the word "the," in line 13, strike out all of the balance of line 13 and the words "or his agent," in line 14, and insert in lieu thereof the words "filing of notice of the commencement of the suit in the office where the record of the transfer of the real estate is kept."

The CHAIRMAN. All debate is exhausted on this section and all amendments thereto. The question now recurs on the amendment to the substitute.

The question was taken, and the amendment to the substitute was agreed to.

The CHAIRMAN. The question now recurs on the substitute as amended.

The substitute as amended was agreed to.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Ohio [Mr. GARD] as amended by the substitute.

Mr. GARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GARD. I ask unanimous consent that my amendment may be read as modified by inserting the words "on the owner or his agent."

I desire to make a parliamentary inquiry as to what we are voting on; whether it is this part of the section that has already been stricken out or not, and what is the status of the amendment I proposed; and also I ask unanimous consent to correct my amendment by allowing the words "on the owner or his agent" to remain in the language.

The CHAIRMAN. Answering the parliamentary inquiry of the gentleman from Ohio, the Chair will state that the gentleman from California [Mr. BARBOUR] offered a substitute to the amendment proposed by the gentleman from Ohio. To that substitute the gentleman from Pennsylvania [Mr. JONES] offered an amendment. The amendment was agreed to, and the committee has now agreed to the substitute as amended by the gentleman from Pennsylvania [Mr. JONES], and the motion now recurs on the original amendment of the gentleman from Ohio.

Mr. BLANTON. Mr. Chairman, may we have that reported?

Mr. SABATH. Mr. Chairman, I ask unanimous consent that the amendment——

The CHAIRMAN. The gentleman from Ohio has the floor, and has asked that the amendment be read by unanimous consent.

Mr. GARD. I ask unanimous consent that my amendment be reported again, with the addition of the words "on the owner or his agent."

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to modify his amendment?

Mr. GARD. Yes, in that respect.

The CHAIRMAN. Will the gentleman reduce his amendment to writing and send it to the Clerk's desk? Is there objection to the modification?

Mr. BLANTON. Reserving the right to object, Mr. Chairman, may we first have the amendment as it exists at this time reported to the House, so that we will know what we are doing?

The CHAIRMAN. Without objection, the Clerk will report the amendment as it has been agreed to.

The Clerk read as follows:

Mr. BARBOUR offers as a substitute for Mr. GARD'S amendment the following: Page 3, line 13, after the words "of the" strike out the words "service of summons."

Mr. WALSH. That is not what the gentleman from Texas [Mr. BLANTON] asked to have reported.

Mr. GARD. We have asked to have the language of my amendment reported.

Mr. BLANTON. Yes, as adopted by the committee.

Mr. WALSH. He asked to have the Jones amendment reported.

Mr. SABATH. The substitute as amended.

Mr. BLANTON. Yes; the substitute as amended by Mr. JONES.

The CHAIRMAN. The Clerk will report the substitute as amended by the gentleman from Pennsylvania [Mr. JONES].

The Clerk read as follows:

Amendment offered by Mr. JONES of Pennsylvania: On page 3, after the word "the," on line 13, strike out all the balance of line 13 and the words "or his agent," in line 14, and insert in lieu thereof "filing of notice of commencement of the suit in the office where the record of the transfers of real estate is kept."

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio to modify his amendment?

Mr. WALSH. Reserving the right to object, Mr. Chairman, I desire to propound a parliamentary inquiry to the Chair.

The CHAIRMAN. The gentleman will state it.

Mr. WALSH. Is the Chair able to advise the committee which word "the" in line 13 is included in the Jones amendment?

The CHAIRMAN. The Chair was of the opinion that it was the second word "the."

Mr. WALSH. Which one?

The CHAIRMAN. The second word "the." But the amendment itself does not so state.

Mr. VAILE. Mr. Chairman, if the Chair will allow me to suggest, the amendment does state it. It says after the words "of the." There is only one instance where the words "of the" occur in that line.

Mr. SAUNDERS of Virginia. Mr. Chairman, what the committee is seeking to get, and certainly what I want to get—and I think that was the request preferred on my right—is how will the substitute of the gentleman from California [Mr. BARBOUR] read after the amendment has been written into it as proposed by him and acted upon by the committee? How will the substitute read as an entity, as a complete proposition?

The CHAIRMAN. The Clerk will read the substitute as amended.

Mr. ALEXANDER. Mr. Chairman, would it not be better to read the substitute first, and then the amendment, to see how it is modified?

Mr. WALSH. I am going to object to the reading of what has already been adopted. It has been voted on, and now the only thing that has not been read is the motion of the gentleman from Ohio.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio [Mr. GARD] that he be permitted to modify his amendment? The Chair hears no objection.

Mr. WINGO. Reserving the right to object, as I understood from the reading at the desk the modification that the gentleman wants to make would destroy it.

Mr. GARD. I do not ask for the modification. I think it is carried in the original. I ask that my amendment be reported.

The CHAIRMAN. The gentleman from Ohio asks that his amendment be again reported. Is there objection?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. GARD: On page 3, line 13, strike out the language after the word "the," and the words "and his agent" on line 14, and insert in lieu thereof the following: "entry and indexing of judgment."

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Ohio as modified by the substitute.

The amendment as modified was agreed to.

Mr. ROBSION of Kentucky. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kentucky.

The Clerk read as follows:

Amendment offered by Mr. ROBSION of Kentucky: On page 3, line 16, after the word "jurisdiction," insert "if the amount of the proposed lien is less than $3,000, action to enforce same shall be prosecuted in the State courts."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kentucky.

The question was taken, and the amendment was rejected.

Mr. SABATH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SABATH. If I am not mistaken, the gentleman from Pennsylvania [Mr. BROOKS] offered an amendment to strike out all after the word "both," in line 6, page 3. What has become of that amendment?

The CHAIRMAN. That amendment will be put by the Chair as soon as the perfecting amendments have all been acted upon.

Mr. HERSMAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HERSMAN: Add, at the end of section 3, the following:

"*Provided, however,* That neither the provisions of this section nor of Title I of this act shall apply to the manufacture or sale of wine containing not more than 11 per cent of alcohol by weight."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from California.

The question being taken, the amendment was rejected.

Mr. STEVENSON. Mr. Chairman, I have a perfecting amendment which I wish to offer.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STEVENSON: Page 3, line 12, after the word "act," insert "occurring after the passage hereof."

The question being taken, on a division (demanded by Mr. STEVENSON) there were—ayes 60, noes 54.

Accordingly the amendment was agreed to.

Mr. LAYTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LAYTON. Mr. Chairman, there was an amendment offered by the gentleman from Pennsylvania [Mr. BROOKS] so long ago that we have almost forgotten it. What has become of that amendment?

The CHAIRMAN. That amendment is now in order. The vote could not be taken on that amendment until all amendments to perfect the text had been disposed of. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. BROOKS] to strike out all the remainder of section 3 after the word "both," in line 6, page 3.

The question being taken, on a division (demanded by Mr. BROOKS of Pennsylvania) there were—ayes 48, noes 67.

Mr. BROOKS of Pennsylvania. I ask for tellers.

The CHAIRMAN. The gentleman from Pennsylvania demands tellers.

Tellers were ordered, and the Chair appointed Mr. BROOKS of Pennsylvania and Mr. VOLSTEAD.

The committee again divided; and the tellers reported—ayes 57, noes 77.

Accordingly the amendment was rejected.

The Clerk read as follows:

SEC. 4. That the United States attorney for the district where such nuisance as is defined in this act exists, or any officer designated by him or the Attorney General of the United States, may prosecute a suit in equity in the name of the United States to abate and enjoin the same. Actions in equity to enjoin and abate such nuisances may be brought in any court having jurisdiction to hear and determine equity causes. The jurisdiction of the courts of the United States under this section shall be concurrent with that of the courts of the several States.

If it be made to appear by affidavit, or other evidence under oath, to the satisfaction of the court, or judge in vacation, that the nuisance complained of exists, a temporary writ of injunction shall forthwith issue restraining the defendant or defendants from conducting or permitting the continuance of such nuisance until the conclusion of the trial. Where a temporary injunction is prayed for, the court may issue an order restraining the defendants and all other persons from removing or in any way interfering with the liquor or fixtures, or other things used in connection with such alleged illegal sale of such liquor. No bond shall be required as a condition for making any order or issuing any writ of injunction under this act. If the court shall find the property involved was being unlawfully used as aforesaid at or about the time alleged in the petition, the court shall order that no liquors shall be sold, bartered, or stored in such room, house, building, boat, vehicle, structure, or places of any kind, for a period of not exceeding one year, or during the war and the period of demobilization. Whenever an action to enjoin a nuisance shall have been brought pursuant to the provisions of this act, if the owner appears and pays all costs of the proceedings and files a bond, with sureties to be approved by the clerk of the court in which the action is brought, in the full value of the property, conditioned that he will immediately abate said nuisance and prevent the same from being established or kept therein a period of one year thereafter, the court, or in vacation the judge, may, if satisfied of his good faith, direct by appropriate order that the property, if already closed or held under the order of abatement, be delivered to said owner, and said order of abatement canceled, so far as the same may relate to said property; or if said bond be given and costs therein paid before judgment on an order of abatement, the action shall be thereby abated as to said room, house, building, boat, vehicle, structure, or places only. The release of the property under the provisions of this section shall not release it from any judgment, lien, penalty, or liability to which it may be subject by law.

In the case of the violation of any injunction, temporary or permanent, granted pursuant to the provisions of this act, the court, or in vacation a judge thereof, may summarily try and punish the defendant. The proceedings for punishment for contempt shall be commenced by filing with the clerk of the court from which such injunction issued information under oath setting out the alleged facts constituting the violation, whereupon the court or judge shall forthwith cause a warrant to issue under which the defendant shall be arrested. The trial may be had upon affidavits, or either party may demand the production and oral examination of the witnesses. Any person found guilty of contempt under the provisions of this section shall be punished by a fine of not less than $500 nor more than $1,000, or by imprisonment of not less than 30 days nor more than 12 months, or by both fine and imprisonment.

Mr. VOLSTEAD. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 4, line 12, after the word "with," strike out "such alleged illegal sale of such liquors" and insert "the violation constituting the nuisance."

Mr. VOLSTEAD. I offer that, on the authority of the committee, to correct the text.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota [Mr. VOLSTEAD].

The amendment was agreed to.

Mr. VOLSTEAD. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Minnesota offers a further amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 4, line 23, after the word "owner," insert the words "lessee, tenant, or occupant."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

The amendment was agreed to.

Mr. VOLSTEAD. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 5, line 4, after the word "thereafter," insert the words "or during the war and period of demobilization."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota [Mr. VOLSTEAD].

The amendment was agreed to.

Mr. VOLSTEAD. Mr. Chairman, in line 17, on page 5, I move to strike out the word "act" and insert the word "title."

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 5, line 17, strike out the word "act" and insert in lieu thereof the word "title."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

The amendment was agreed to.

Mr. VOLSTEAD. Mr. Chairman, in line 18, on page 4, after the word "be," I move to insert the word "manufactured."

The CHAIRMAN. The gentleman from Minnesota offers a further amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 4, line 18, after the word "be," insert the word "manufactured."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

The amendment was agreed to.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 3, line 24, after the word "causes," insert "in all equity cases in this act provided the defendant shall have the right to demand a jury to pass on all matters of fact."

Mr. LAGUARDIA. Mr. Chairman, I am somewhat encouraged by the statement made by the chairman of the committee [Mr. VOLSTEAD] that he wanted to put mercy and justice into this act. I want to point out that all through this bill provision is made for actions in equity—that is, injunctions, restraints—and in every way giving administrative and prosecuting officials the right to go into court and obtain writs before the defendant has an opportunity to be heard.

I am sure the distinguished chairman of the committee wants to be fair and at least give the defendant a chance to be heard. In most of the equity cases which will arise from this act there is no law involved; it will be almost entirely questions of fact. The testimony of officers and agents and police as to what occured will have to be determined, and it is but fair to permit such questions to be decided by a jury. In all Federal statutes and the Federal criminal code the defendant is entitled to a trial by jury, and is entitled to have the facts passed upon by a jury. Also, in injunction cases, under the Federal act applicable to labor cases, a trial by jury is provided.

In this bill, in the case of a temporary injunction, not even a bond is necessary. Application might be made for an injunction on an affidavit, and even if the affidavit does not contain sufficient facts to sustain a permanent injunction, the defendant would have no redress.

Mr. BARKLEY. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BARKLEY. If the gentleman's amendment was adopted, would it not be possible where a man had been convicted of a criminal offense of conducting a nuisance to demand a jury trial and have a second jury trial on the question of an injunction, and perhaps get a verdict of not guilty, and nullify the first?

Mr. LAGUARDIA. "A" might be found guilty of a certain act, but this equity action lies not against "A" but against "B," the owner of the premises. You would have a different action.

Mr. BARKLEY. Not necessarily; it might lie against the man who committed the crime if he was the owner of the property.

Mr. LAGUARDIA. Well, where there is a different state of facts or a different defendant is the gentleman willing to provide a trial by jury?

Mr. BARKLEY. No; I would not be in favor of a trial by jury in an equity case involving the abatement of a nuisance, whether the man who conducted the nuisance has been convicted in the criminal court or not.

Mr. LAGUARDIA. Is not the purpose of this bill to get away from a trial by jury?

Mr. BARKLEY. Not at all.

Mr. LAGUARDIA. Will the gentleman point out in the bill where a defendant is entitled to a trial by jury?

Mr. BARKLEY. All defendants charged with violating the law have a trial by jury. After the trial by jury if the district attorney wants to abate the nuisance he would have an equity proceeding.

Mr. LAGUARDIA. If it were true that the man must first be convicted of a crime before he resorted to the equity action——

Mr. BARKLEY. But that is not true.

Mr. LAGUARDIA. I know it, and that is why it is vicious. You do not intend to resort to criminal action, but you want to go right into the equity court for enforcement of a criminal statute.

Mr. BARKLEY. Sections 1 and 2 provide for a trial by jury in all criminal cases.

Mr. LAGUARDIA. But is it not true that you can resort to the equity proceeding without going into the criminal court?

Mr. BARKLEY. That is true under State laws already enforced in many of the States.

Mr. LAGUARDIA. But two wrongs do not make a right.

Mr. BARKLEY. I do not think that either is wrong.

Mr. LAGUARDIA. I do not think it is right that a defendant should be taken into the equity court without first taking him into the criminal court and there convicted. I earnestly believe you do not intend to resort to criminal action, but want to go right into the equity court and hold him up in that way. How simple it will be to obtain a temporary writ, make it permanent, and if at any time, even years thereafter, another alleged offense is committed, a man can be hauled up for contempt without any chance of a defense as to the merits of the case and imprisoned, and kept in prison according to the whims of a judge.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SAUNDERS of Virginia. Mr. Chairman, no one in this committee is more heartily in sympathy with the principles and general purposes of this bill than myself, and no one possesses less sympathy for the people who in contumacious violation of this positive statute, and of the amendment to the Federal Constitution, will hereafter knowingly or negligently allow property owned by them to be used in contravention of this act. But I can not agree, Mr. Chairman, that in dealing with highly technical details, such as are found in the section just passed, we should be hurried to a final action fruitful of possible hardships. Other provisions of a technical character will confront us hereafter, and they should be carefully and thoughtfully considered. The section just concluded relates to situations that will arise under the registry laws of the States, a highly technical body of law. I undertake to say that the amendment just adopted will fail to give in a number of States of this Union, any protection whatever to an innocent vendee.

The gentleman who drafted this amendment may think that he has made adequate provision for an innocent purchaser, but certainly he fails to do so, so far as such purchasers in my State are concerned.

I think the gentleman who has charge of this bill, Mr. VOLSTEAD, when a section like this is under consideration and a real difference of judgment with reference to a highly technical subject is developed, ought to allow more time for real consideration and debate than was afforded in this instance. It has frequently been within my observation that during the progress of considering a bill, when a highly technical amendment was under consideration, the chairman of the committee would ask that the section be passed by for the time being, in order that in conference with the advocates of amendment, some amendment adequately covering the entire situation could be drafted.

I tried to have the substitute as it was amended read in its final form, so that I could apprehend its meaning.

My request to this end was shut off on objection by the gentleman from Massachusetts. I have tried privately to secure a copy of the amended substitute, and if it has been correctly given to me, then I undertake to say that in Virginia at least, an intending purchaser will not be sufficiently protected against the liens that will be made effective under this section as amended. This situation ought not to exist. The registry laws of the States are largely different. This act should contain some general provision, wisely and carefully drawn, under which every situation in every State likely to arise as to intending purchasers of property that may be impressed by a lien pursuant to the terms of this statute, may be justly and adequately met, so that innocent purchasers may not suffer. As a friend of this bill, and speaking as such, I ask the gentleman who has charge of this measure to give a reasonable time for consideration of amendments dealing with difficult and perplexing subjects, and not to hastily cut off debate. Technical details should be carefully worked out, in a comprehensive way, and by carefully drawn amendments, that will provide against all situations of difficulty hereafter likely to arise in the enforcement of this act. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. LAGUARDIA].

The amendment was rejected.

Mr. REAVIS. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. REAVIS: Page 6, line 3, after the word "not," strike out the rest of line 3 and the figures and word "$500 nor"; and, in line 4, strike out the last word of the line and the words "than 30 days nor" in line 5.

Mr. REAVIS. Mr. Chairman, my purpose in offering this amendment is to bring this bill within the well-defined policy of the Judiciary Committee of eliminating a minimum fine. It was my understanding—and I had the impression at the time the bill was presented to the House—that it had been agreed upon in the committee that all of these provisions with reference to minimum fines had been stricken from the bill. That was done on page 20 of the bill, and on page 21 of the bill, and I think, to make the matter harmonious, it ought to be done at this place. For many years, at least ever since I have been in Congress, it has been the policy of the Judiciary Committee, at the request of the Federal judiciary, to eliminate the minimum fine and minimum penalty, to leave something to the discretion of the court, who have all of the facts and circumstances of the case before them, to determine anything up to the maximum that would be a just penalty to inflict upon the accused. I do not know that it would ever occur under this section, although

the possibilities of such occurrence are here. There might be a case where the minimum fine and minimum imprisonment provided by this section would work a hardship. There might be a case where the man would be guilty of nothing more than an indiscretion, and in such event the court having jurisdiction of the trial, knowing all the facts and circumstances, ought to be privileged to fix the punishment commensurate with the offense. It would not only work for justice to eliminate the minimum fine and penalty from this bill but it would make the provisions of the section harmonious with the general policy of the Judiciary Committee in cases of like character, which policy has been adopted at almost the unanimous request of the Federal judiciary of the country.

Mr. VOLSTEAD. Mr. Chairman, if we are to enforce this law we must have minimum penalties. I have joined with my friend in striking out minimum penalties in a number of bills and would generally follow that policy, but in this bill we are dealing with a business that is pursued for profit, and unless you impose a penalty that is large enough to make it unprofitable it will continue to go on. [Applause.] This is not a new question. Every State that is attempting to enforce laws of this kind has been compelled to put into them minimum penalties. Turn to the liquor and prohibition statutes anywhere and you will find in almost every one of them a minimum penalty of considerable size. That is true not only in prohibition statutes but even under the ordinary license statute. I have had occasion to examine the Pennsylvania statutes, and I find there that $500 is the minimum for selling without a license. It is necessary, and that is the reason why it is written into these statutes. We can not enforce this kind of a law without making it unprofitable, and that is the reason why we must insist on it.

Mr. REAVIS. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. REAVIS. I would like to ask the chairman of the committee if in this very bill the committee of which he is the chairman did not strike out the minimum penalties in three other sections in the bill in answer to that general policy?

Mr. VOLSTEAD. For the first offense, but for a second and subsequent offense we wrote minimum fines and inflicted, in addition to that, imprisonment, and where it was stricken out it was against my judgment, except in section 30. I could not prevent the committee from doing so. This does not punish for a single sale. This is a case where a man runs a saloon, where he makes a nuisance of himself. That is the instance in which we apply this minimum penalty. When a man does that, he has no business to ask mercy. If he is trying to profit by this kind of violation of law he ought to be punished, and the courts ought not to be permitted to put him in jail for a day or to impose a penalty of $1—as I have been told in some sections they do and will be sure to do—if this amendment is adopted.

The CHAIRMAN. All time is exhausted upon this amendment.

Mr. KAHN. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I believe that it was Shakespeare who said, "Heat not a furnace for thy foe so hot that it do singe yourself." The gentleman from Virginia [Mr. SAUNDERS] pointed out to the committee that there is a great deal of danger if you write this legislation in too radical and in too drastic a manner. The other day I spoke in general debate and called to the attention of the House the fact that lawlessness had been increasing in the District of Columbia in spite of the prohibition law. The Evening Star of this city took exception to my statement. Now, I do not want to disparage the conditions at the Nation's Capital. I believe Washington is one of the best governed cities in this country. But I desire to place in the RECORD in addition to the editorial from the Star of July 14 the news items concerning the crimes which were reported that very day here in Washington and which appeared in the same edition of the Star that carried the editorial. The Washington Times, of that same evening, also reported these crimes, and in addition the cases of drunkenness that had come up in the police court of the District that very morning. These newspaper articles speak for themselves. I also desire to call to your attention that the superintendent of police has asked for more policemen. And the citizens have organized a sort of vigilance committee under the name of Home Defense League. This despite the fact that Washington is bone dry and that since July 1 even Baltimore has gone on the water wagon. I want also to call your attention to the drastic character of the bill with regard to the quantity of alcohol that can be used in various liquors. I have here from the Department of Agriculture a letter, written by the Acting Chief of the Bureau of Chemistry, showing that in such home-made liquors as hard cider, elderberry wine, blackberry cordial, cherry bounce, peach bounce, and cordials of that kind there is anywhere from 4 to 40 per cent of alcohol.

Mr. BUTLER. And makes you very drunk, too.

Mr. KAHN. I suppose it does. Now, do you propose to write a law which will submit your mothers, your sisters, your wives, and the wives of the farmers of this country to be hauled to jail for violating this drastic law? I ask that that letter from the Department of Agriculture be read in my time.

The CHAIRMAN. The gentleman from California asks that the letter referred to be read in his time. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

DEPARTMENT OF AGRICULTURE,
BUREAU OF CHEMISTRY,
Washington, D. C., July 15, 1919.

Hon. JULIUS KAHN,
House of Representatives, Washington, D. C.

DEAR SIR: In response to your telephonic request of July 14, the following data on the alcoholic content of the beverages mentioned are given. A list of references is also appended. Reference to this list is made by number under the headings given below. These beverages as made in the home vary according to the formula used. It is generally true that the formulas used in the home are quite variable, so that the alcohol content given must necessarily be approximate.

Hard cider: The alcoholic content of the undiluted, fermented juice of cider apples may run as high as 8 per cent by volume (8). This alcohol content is produced by fermentation of sugar naturally present in the apples. Adulterated ciders have been analyzed in the bureau which ran as high as 10 per cent alcohol by volume and over (11). This excessive alcohol was produced by added sugar before fermentation.

Elderberry wine: As made in the home this article varies much in alcohol content depending on the formula used. The natural sugar of the berries (4 to 6 per cent sugar) is deficient for wine-making purposes. Sugar is therefore added in varying amounts. In addition to the alcohol produced by the fermentation of the sugar naturally present in the berries and the sugar added, most of the formulas call for an addition of alcohol or brandy (4, 5, and 9). By fermenting natural elderberry juice only about 3 per cent alcohol by volume would be formed (8). This content is increased by fermenting added sugar and by the addition of alcohol. An approximation of the alcohol content of most elderberry wines would be from 7 to 20 per cent by volume.

Blackberry cordial: As made in the home this product may be fermented or may depend entirely on added alcohol, according to the formula used. The product as made by the formula given in the National Formulary, 1916, page 7, is recognized as the official formula (10). This formula would yield a beverage with an alcohol content varying from 20 to 30 per cent by volume. If, however, the alcohol content is dependent on the fermentation of the natural juice of the blackberry, the alcohol content would be 3 to 5 per cent by volume. This is usually augmented by fermentation of added sugar or a straight addition of alcohol in some form.

Cherry bounce: This class of beverage is made from fruit or juice with rum added (1) or by adding alcohol or brandy to alternate layers of crushed fruit and sugar. As generally made it is not fermented. If it depended on the natural sugar content of cherries for its alcohol content, only about 4 to 7 per cent alcohol would be produced. Its alcohol content, therefore, depends on the extent to which the added alcohol is diluted by the fruit juice. Cherry bounce varies in alcohol content between the approximate range of 30 to 40 per cent by volume.

Peach bounce: This article is made in practically the same manner as cherry bounce, and the alcohol content when made as above would be about the same.

As general information, it may be stated that sugar will produce, when completely fermented, approximately one-half of its weight of alcohol. By complete fermentation of sugar only about 16 per cent by volume of alcohol can be produced. In order, therefore, to make a beverage containing more than 16 per cent by volume of alcohol it is necessary to add alcohol, usually in the form of a distillate. The production of alcohol from natural fruit is limited by the sugar content of the juice of the fruit, which may be augmented first by the addition of sugar and, secondly, the addition of alcohol.

Respectfully,

P. B. DUNBAR, *Acting Chief.*

(Attached: List of references.)

LIST OF REFERENCES.

1. "Beverages, Past and Present," by Edward R. Emerson (1908).
2. "Beverages," by Harvey W. Wiley (1919).
3. "Scientific American Cyclopedia of Formulas" (1915).
4. "Fruit Wines," by Brannt.
5. "Encyclopedia of Practical Cookery."
6. "Marion Harland's Cook Book."
7. "Household Gem Cyclopedia."
8. "Analyses in the Bureau of Chemistry."
9. "Brandies, Gins, Rums," by a practical chemist.
10. "Service and Regulatory Announcement," Bureau of Chemistry, No. 14, Opinion 138.
11. "Service and Regulatory Announcement," Bureau of Chemistry, No. 4, Opinion 30.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KAHN. Mr. Chairman, I ask unanimous consent that I may extend my remarks by inserting the newspaper clippings in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none.

The matter referred to is as follows:

[Editorial from Washington, D. C., Evening Star, July 14, 1919.]

PROHIBITION AND "CRIME."

Representative KAHN'S figures showing that "crime" has increased in Washington since the local prohibition law went into effect are not conclusive. They undoubtedly show a greater number of cases in the police court and a larger amount of money collected from fines, but they fail to take into account the increase in population due to the war and they do not show the character of the cases brought into

court. Until they can be analyzed to show proportion to the number of people in the District and to indicate the nature of the charges brought against defendants they are of no value in establishing an actual increase of what is broadly termed crime.

It is well known that a large percentage of the police court cases during the past 18 months are incident to the enforcement of the prohibition act. It was inevitable, with "wet" territory close at hand, that there should be much running of liquor into the District. The early efforts at enforcement were handicapped by lack of juries in the police court, which slowed the disposition of cases. Until the "bone-dry" amendment was extended to apply to the District, convictions were hard to obtain. When that law was made to apply to the District the war-time prohibition act was soon to take effect, and the result was a rush to bring liquor into Washington in anticipation of the drought after July 1. This fact alone would account for a material percentage of the increased number of court cases.

Washington is not crime ridden. It is an exceptionally peaceful, quiet, and safe place. The police are inadequate in numbers, and the problems here presented are difficult. Nevertheless, there is a small percentage of crime; and even in the extraordinary conditions that have prevailed during the past year and a half the city has been well ordered. Prohibition brought work for the police, undeniably, but the work has been as well done as the circumstances permitted. Nor are the police court records for the past few months a measure of the value to the community of the dry law, in the enforcement of which the passing conditions were a severe handicap.

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[From the Evening Star, July 14, 1919, Washington, D. C.]

(News items.)

W. U. WILL PROBE ALLEGED ASSAULT—SEEK GROUNDS TO PRESS CHARGES IN BEHALF OF "MESSENGER GIRL."

Investigation into a reported attack upon a Western Union messenger girl while in the subway connecting the Senate Office Building with the Capitol Friday afternoon was taken up by Western Union officials to-day with intent to press charges against the alleged assailant of the girl.

According to reports, the girl was coming through the subway with messages on Friday afternoon when a white man stopped her and attempted to make an engagement for the evening. On her refusal, Capitol police say, he grabbed her and attempted to force personal attentions on her. She screamed, and the approach of footsteps caused him to release her.

The girl rode up into the Capitol building in the same elevator with the man. She did not make a complaint until some time later, and a detective from the police headquarters in the Capitol was assigned to the case.

BEGIN PROBE AT ONCE.

When the matter was brought before H. F. Taff, general superintendent of this district of the Western Union Co., this morning, he declared that an investigation would begin at once.

W. R. Williams, district manager, and a superintendent of delivery, under whose jurisdiction the girl was working, went to the Capitol this morning to investigate the charges.

"If we find any basis whatever for prosecution," declared Mr. Williams, "we will press charges. The company intends to look after the interests of its woman employees, especially, to the fullest extent. If we get this man and have any sort of a case whatever, we will press the charges to the finish. We believe that an example should be made of the man, in order to safeguard the interests of the other messenger girls in the employ of the company. The company will take up the fight on the verification of any charges."

DESERTED FOR SEVERAL MINUTES.

During late hours of the afternoon the subway between the Senate Office Building and the Capitol is often deserted except for a few pedestrians passing at short intervals of time between the offices. At some periods as much as 5 or 10 minutes elapses before anyone passes. It was in one of these periods of desertion, it is declared, that the alleged attack was made.

Police at the Capitol on finding reluctance on the part of the girl to press charges declared that they would make an examination of the charges at any rate, and assigned a detective to the work. The man who grabbed the girl is not believed to have been an employee of the Capitol by them. It is said, however, that he had been seen loitering in the vicinity of the subway several times.

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COLORED MAN FATALLY SHOT OVER CRAPS GAME—ALLEGED ASSAILANT OF "PEP" JACKSON THIS MORNING THOUGHT TO HAVE LEFT CITY.

Richard Jackson, colored, familiarly known to his friends as "Pep" Jackson, is dead of a bullet wound in his stomach, and the police are looking for James Porter Marshall, also colored, as his alleged slayer. The shooting took place about 2.15 o'clock this morning in the home of Jackson, 2025 Virginia Avenue, the wounded man dying at Emergency Hospital three hours later.

Several acquaintances of "Pep" Jackson assembled at his house last night and participated in games of cards and craps, according to witnesses' statements to the police, and Marshall, angered by the loss of his money, is alleged to have left the house, returned a few minutes later, and fired two shots, without giving Jackson the slightest opportunity to defend himself.

"GUESTS" FRIGHTENED AWAY.

Frightened at the sight of the weapon and reports of the shots, three of Jackson's guests quickly made themselves scarce. They remained out of sight until they were satisfied that the armed man was where he could not shoot them. Then they went to the assistance of their dying companion.

Mrs. Jackson, aroused by the reports of the pistol shots, hurried to the lower floor and found her husband on the floor giving evidence of intense suffering. Detectives from police headquarters and the third precinct police reached the house before the wounded man was taken to the hospital.

WOULD NOT NAME SLAYER.

Efforts to have him name his slayer proved unsuccessful. Several times he was asked if he would tell who shot him, the police stated, and each time his answer was in the negative.

"No" was his response to the question put by a detective.

"Let me alone," he added, "I'm suffering."

Surgeons from Emergency Hospital gave the wounded man first aid. He died without making a statement of the affair.

Information obtained by the police early to-day suggested the probability of the alleged slayer having left the city shortly after the shooting. Marshall, who resided at 621 New Hampshire Avenue, formerly lived at 201 West Sixty-first Street, New York City, the police learned. He came here several years ago.

DESCRIPTION OF MARSHALL.

Detective Edward Weedon, night chief of detectives, sent several members of the detective force to the scene of the crime. It is thought two upper gold teeth of Marshall's will assist in his capture. He is 33 years old, has what the police term reddish-yellow skin, and smooth face. He wore a brown suit with a green stripe and a yellowish panama hat.

Jackson's body was taken to the morgue to-day. An autopsy performed by the deputy coroner showed the cause of death, and Coroner Nevitt arranged to hold an inquest later.

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WATCHES, CASH, CHECKS, THIEVES' MAIN BOOTY—WOMAN ROBBED IN THEATER, WHILE HOME, STORES, AND HUCKSTER WAGON ARE LOOTED.

Watches, cash, and checks formed the principal objects of loot in robberies during the past 36 hours in thefts totaling several hundreds of dollars.

Police were told that Mrs. Ella Louise Yeager, of the Bristol apartments, was the victim of a theft in a downtown moving-picture theater, losing a United States pay check for $25 and $12 in cash. The money and check was in a long tan leather purse, which Mrs. Yeager laid on an adjoining seat, from which it disappeared.

Alexander Petlon, a roomer at 722 Fifth Street, reported stolen from his room yesterday a gold watch valued at $50. Another watch theft was reported by Max Ladle, of 1427 Fifth Street, who told the police that a gold hunting-case watch and chain had been stolen from him while at Eaton Hill, Anacostia, yesterday.

James Maladets, of 919 Twenty-second Street, reported to the police that $85 in bills and four checks had been stolen from his huckster wagon in front of 1775 California Street.

Theodore Petty, proprietor of a barber shop at 802 M Street, told the police that on Saturday night a boy was given $75 to take to his home and that the boy failed to do so.

George F. Morris, manager of a store at Connecticut Avenue and Van Ness Street, reported that his store had been broken into Saturday night and $25 in cash and cigars and cigarettes to the value of $10 had been stolen. Twelve gallons of gasoline had also been stolen from the tank in front of the store.

Fifty dollars in silver was stolen from the store of Lewis Cohn at 408 Twenty-sixth Street by a "jimmy thief," according to a report received by the police last night.

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THIRTY-FIVE "DRUNKS" ARRESTED IN DRY WASHINGTON.

More than 35 cases of intoxication were recorded on the police-court blotter to-day. This is the largest number which has been in court since July 1. Twenty-six persons were locked up, while the others forfeited collateral of $50.

Mr. COOPER. Mr. Chairman, I move to strike out the last two words. Mr. Chairman and gentlemen of the committee, I do not want to take up any of the valuable time of this House, but for a moment or two I desire to answer the statement that has just been made by my good friend from California [Mr. KAHN].

Mr. KAHN submitted certain figures to the House relative to the increase in cases in the police courts of Washington, which he contended showed an increase in crime in this city under prohibition.

I desire to say that those figures do not correctly represent the situation, and I wish to take direct issue with the gentleman from California and show that there has been a very great decrease in crime in Washington under prohibition, in spite of the great increase in population during the war and the general social unrest growing out of the war, which is apparent in all centers of population, whether under prohibition or not, and which unrest is made more difficult to handle wherever the saloon and drinking places openly and publicly exist.

In answer to the gentleman from California I wish to first quote from the 1918 report of the superintendent of police of Washington, Maj. Pullman, who says:

In actual figures, from November 1 to July 1, under license, there were 6,771 arrests in the eight months' period. In the same period under prohibition there were only 2,863 arrests, a decrease of 3,908 cases, or nearly 58 per cent decrease for the eight months.

[Applause.]

Regarding the police-court records which were quoted in the attempt to show that prohibition is not effective and beneficial in Washington, I wish to say that these figures are absolutely refuted by the statistics, which show a most marked decrease of almost 200 per cent in the total number of crimes for which prisoners in the District receive sentence, in the reduction of commitments to the workhouse, and in the figures showing the result of war emergency prohibition.

In the year ending June 30, 1917, the total number of crimes for which prisoners received sentence in the Washington courts was 6,222. This was the last year of the open saloons in Washington. In the year ending June 30, 1918, the number was 3,537, and in the year ending June 30, 1919, the number was 2,511. [Applause.] For violations of the excise and kindred laws, the number of cases for the year ending June 30, 1917, was 3,524; for the year ending June 30 1918, was 1,976; and for the year ending June 30, 1919, was 1,184. It should be remembered that this reduction occurred during war conditions, when the population of Washington was increasing by leaps and bounds.

When general war-time prohibition went into effect on July 1 last, figures show that there was a considerable decrease noticeable at once in arrests in Washington for violation of the liquor laws. Liquor could not be obtained, so readily at least, in Baltimore and other near-by points, and immediately the number of arrests in Washington dropped. For the first 13 days of July, 1918, the number of arrests in Washington for violation of the liquor laws was 223. For the first 13 days of July, 1919, the number of similar arrests was 129. [Applause.] For the first 13 days of June, 1919, the number of such arrests was 242. With the coming of war emergency prohibition on July 1 there has been a reduction in the violations of the liquor laws in comparison with a similar period during any one of the preceding six months.

Concerning the police court cases there has been an increase in the number of cases and the amount collected in fines. This is readily explained and does not indicate increased crime or drunkenness in Washington since prohibition became effective in the District of Columbia in the fall of 1917.

In the District of Columbia branch of the police court are tried all offenses against municipal regulations, and the figures presented can by no process of reasoning be accepted as an indication of any marked increase in crime.

The increase in the number of cases filed and in the amount collected in fines and forfeitures is the natural result of the tremendous increase in population and the resultant increase in the number of arrests for violations of the various municipal regulations and also to the increase in the number of arrests made for violations of the Sheppard law.

A large proportion of the increase is accounted for by reason of the fact that the increase in population brought about a great influx of vehicles, and numerous arrests for violations of the traffic regulations resulted.

While the figures in the United States branch of the police court for the fiscal year ending June 30, 1919, also show a considerable increase when compared with those of the fiscal year ending June 30, 1918, such increase can be largely accounted for by reason of the fact that all informations for violations of the Reed bone-dry amendment and for selling liquor within 5 miles of a military reservation are filed in the United States branch of the police court.

The great increase in the amount of fines imposed and collected is also accounted for by the fact that the fines for violations of the kind mentioned were in most cases very heavy, and in many cases were paid.

Mr. Chairman, I rose at this time only with the object of defending the good name of the District of Columbia. After the statements by the gentleman from California on this floor last Saturday the big newspapers all over the country carried it in great headlines that the District of Columbia was overrun with crime, and that there was more crime here at this time than there ever was before in the history of this city.

Mr. KAHN. Will the gentleman yield for a question?

Mr. COOPER. I have only five minutes and I wish the gentleman would excuse me. We all know war conditions have brought an increase of population into this city. We know that war conditions have brought an increase of crime all over this country. It is not only true in the city of Washington to some extent, and it is admitted that there have been some very serious crimes committed here in this city in the last six months.

But that in no way can be attributed to prohibition of the liquor traffic in the city of Washington. And of the number of cases which the gentleman from California [Mr. KAHN] referred to, in the police court, I was told by Maj. Pullman that not one of those 17,000 cases which he referred to was a criminal offense except those for violation of the liquor law [applause]; that they were all misdemeanors for violation of the traffic laws, of the health code, and the building code, and so forth. He informed me that the District police court did not try criminal cases except bootlegging cases and violations of the liquor law. I desire to say a word about Maj. Pullman and the police force of this city. The people of the District are proud of Maj. Pullman, for he is one of the most efficient and capable officials in the country, and he has surrounded himself with a high-class force of officers, and I, with many other Members of Congress, heartily commend him for the splendid, efficient service they are performing for this city. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

The question recurs on the amendment of the gentleman from Nebraska [Mr. REAVIS].

Mr. VARE. Mr. Chairman, will you please have the amendment reported?

The CHAIRMAN. Without objection the amendment will be again reported.

The amendment was again read.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. REAVIS. Division, Mr. Chairman.

The committee divided, and there were—ayes 57, noes 68.

So the amendment was rejected.

Mr. MACCRATE. Mr. Chairman, I have an amendment.

Mr. GARD. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The gentleman from Ohio [Mr. GARD], a member of the committee, offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. GARD: Page 5, line 18, after the word "thereof" strike out the words "may summarily try and punish the defendant" and insert in lieu thereof the following:

"May try the accused, or upon demand of the accused a trial may be by jury, in which latter event the court may impanel a jury from the jurors then in attendance, or the court or the judge thereof in chambers may cause a sufficient number of jurors to be selected and summoned, as provided by law, to attend at the time and place of trial, at which time a jury shall be selected and impaneled as upon the trial for misdemeanor, and such trial shall conform, as near as may be, to practice in criminal cases prosecuted by indictment or upon information."

Mr. GARD. Mr. Chairman, the language which I have placed in this amendment is the verbatim language adopted by the Sixty-third Congress of the United States in 1914, appearing in volume 38 of the Statutes at Large of the United States at page 739. The policy which led to the enactment of this legislation, which is still upon the statute books, was the policy of giving every laboring man a square deal before court and jury. Therefore, it was written into the law as it appears in section 21 of this act:

That any person who shall willfully disobey any lawful writ, process, order, rule, decree, or command of any district court of the United States or any court of the District of Columbia * * * shall be proceeded against for his said contempt as hereinafter provided.

And the provision affecting the phrase "hereinafter provided" is that—

In all cases within the purview of this act such trial may be by the court or, upon demand of the accused, by a jury.

Now, the subsequent language which I have adopted here is the exact verbatim language of this particular section, concerning the way in which trial for contempt may be had by a jury, to wit, by impaneling of juries from the jurymen in term or by selection by the court. The whole question resolves itself down to this, gentlemen of the committee, whether we are to adopt in this law the language which the Congress of the United States has heretofore adopted in regard to all courts or whether we are to revert to the old process of dealing summarily in all questions of contempt.

It has been my idea that the Congress once having definitely established the fact that no matter with what offense a man may be charged upon contempt, that upon that charge he may present to the court—referring to the charge against him—a demand for a trial by jury, and thereupon he may have that trial by jury, and that there should be no recision from that established principle of legal procedure here at this time.

I know my attitude has been to attempt to write here a reasonable code for the enforcement of the law. I want to be a party to such a code as will carry out the meaning and intent of the terms of war-time prohibition, if that is to be considered, and of the eighteenth constitutional amendment, and I know that should be considered. And in doing that I want to apply to this act as nearly as I can the existing laws of the United States of America. This is an existing law. It provides that a man charged with contempt of court may have a right to trial by jury. This includes in the list of those cases men who may come to the bar of justice if upon contempt for a violation of this war-time prohibition act. And I say right here, I intend to offer this amendment in the same language when I reach the section carrying into effect the constitutional prohibition. I think that is a matter where the fairness of the legislative body of the United States, heretofore evidenced, as it has been evidenced and heretofore carried out, as it has been carried out since 1914, should be continued and should not be abridged, and the guaranteed right of trial by jury should not be denied.

Mr. VOLSTEAD, Mr. NELSON of Wisconsin, and Mr. JUUL rose.

The CHAIRMAN. The gentleman from Minnesota [Mr. VOLSTEAD], the chairman of the committee, is recognized.

Mr. VOLSTEAD. Mr. Chairman, I do not believe that anyone who has had any experience with liquor laws and is in

favor of enforcing the law would offer such an amendment. Turn to the statutes in the various States where they have attempted to enforce prohibition, and you will find that enforcement by injunction is the method that they practically all rely on.

Mr. SABATH. Will the gentleman yield?

Mr. VOLSTEAD. No; I will not yield. I decline because I have only five minutes.

Not very long ago New York—I do not know just how long ago—passed a local option law. The old State of New York, a section from which so many arguments for constitutional liberty have come on this floor in connection with this legislation—old New York wrote the provision for an injunction into its statutes and took the jury trial away in these cases. The only way you can enforce a prohibition statute, the only way it has been found practical to enforce it, is by injunction. There is no other crime where so much ingenuity is displayed in trying to evade, in trying to defeat, the statutes as in the illegal *sale of liquor*. And with a jury there is always the appeal to the man who is a neighbor that sympathizes with the lawbreaker. In cities like New York, Chicago, and many other places, a law such as this amendment would make it would be a farce, and you know it.

I am going to be frank with you. If we mean to enforce this law, if we mean to write upon the statute books something that will honestly and fairly mean prohibition of the liquor traffic, we ought not to flinch from using the necessary means. The courts have repeatedly held that it is legal to enforce such laws by injunction. We are not depriving anyone of a jury trial guaranteed to him by the Constitution. Are we to take the method for enforcement that has always been a failure or the method that is known to be successful? That is the question. If anyone can point out to me a single instance where they have been able to enforce this kind of a law without this remedy, I would like to know where it is.

Mr. GOLDFOGLE. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. GOLDFOGLE. The gentleman speaks of intrusting the jury with the determination of facts. I would like to ask the gentleman if he would be willing to intrust such a question to 12 jurors in his State?

Mr. VOLSTEAD. I challenge the gentleman to point out a single instance in a wet locality where it is possible to enforce this law without this remedy. It is a question of whether we believe in prohibition or not. I appeal to the Members in favor of prohibition to oppose this amendment.

Mr. SABATH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. SABATH. I propose to offer an amendment to the amendment of the gentleman from Ohio by striking out all after the word "jury."

The CHAIRMAN. The gentleman from Illinois [Mr. SABATH] offers an amendment to the amendment offered by the gentleman from Ohio [Mr. GARD], which the Clerk will report. Will the gentleman state his amendment?

Mr. SABATH. For that purpose, Mr. Chairman, I will move to strike out the last two words.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last two words.

Mr. SABATH. Mr. Chairman, the amendment that has been offered by the gentleman from Ohio [Mr. GARD], notwithstanding the objection of the chairman of the committee [Mr. VOLSTEAD], should prevail. All that that amendment aims to do is to secure for a man who is held in contempt by any judge the right of trial by jury.

Now, some of you older Members will recall that for years we tried to bring about legislation that would eliminate these abuses on the part of judges, who, without reason and frequently without justification, would hold men guilty of contempt of court without giving them any chance or opportunity to be heard, and after many years we finally succeeded in passing the act in which that great power, which had been abused by a majority of Federal judges, was taken away, and the right of trial by jury given rightfully to such accused defendants.

Now, I regret exceedingly that the gentleman from Minnesota, the chairman of the committee, has so little confidence in the citizenship of America, that he has so little confidence in the people and citizens in his own State and in his own district, as not to trust them to pass honestly and fairly upon the question of whether a man is actually guilty or not of an offense or any violation of any injunction which may issue in his district or in his State. I myself have the utmost confidence in the citizenship of the people, not only of the gentleman's State but of our entire country. If you prohibitionists are afraid to leave the question of guilt to a jury of 12 men and depend upon some prohibition judge to enforce it, then indeed you yourselves realize that the law is unfair, unjust, and incapable of enforcement.

Now, I repeat, I regret exceedingly that the gentleman from Minnesota, the chairman of this committee, should take the position that he has taken. The right of trial by jury ought not to be denied to a man accused of any offense or crime. That has been granted to him, and it should not be taken away from him. For that reason I hope that the amendment of the gentleman from Ohio will prevail. [Applause.]

Mr. CLARK of Missouri. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Missouri moves to strike out the last word.

Mr. CLARK of Missouri. Mr. Chairman and gentlemen, I take it that every man in the House is in favor of the enforcement of the law on this amendment, and if this war-time prohibition proposition is not cut out of the bill they are also in favor of the enforcement of that law. The eighteenth amendment was adopted by an overwhelming majority of the American States and of the American people. If it is good, the people will know it. If it is bad, the best way to get rid of it is to enforce it. So, good or bad, it should be enforced—honestly, fairly, and reasonably. I am in favor of giving these men the right of a trial by jury. [Applause.] The right to trial by jury is one of our most ancient and fundamental rights, and has been ever since Runnymede. In fact, the barons who made Magna Charta always claimed that that great paper merely set forth their immemorial rights.

Lord Henry Brougham said that all the machinery of law and legislation was consummated in getting 12 good men into a box, and I believe it. I take it that I have had as much experience in trying criminal cases as any man in the House. All of this talk of not being able to enforce prohibition laws is tommyrot, absolutely. I enforced it when I was prosecuting attorney. We had one of the most stringent local-option laws that was ever put on the statute books of any State in the Union, and I can prove that by appealing to Judge ALEXANDER and all the rest of these Missourians here. He was a circuit judge at the time. I enforced that law just as I would have enforced any other law.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. BLANTON. Suppose the law had not been stringent. Would you have enforced a lax law?

Mr. CLARK of Missouri. I would have enforced whatever law there was, whether it was stringent or not stringent. [Applause.]

The truth is that I voted against the adoption of the local-option law in my county because my predecessor, as prosecuting attorney, and myself had both enforced the old dram-shop law, and we had broken up every blind tiger, blind pig, speakeasy, or whatever you choose to call it in the county, and I did not think we needed the new law. I knew that the stiff penalty in the local-option law would make it harder for me to enforce it than it was to enforce the old law. That is, I knew it would be harder to secure convictions. But I only had to crack two of them to break it up entirely. I sent one fellow to jail for 12 months and fined him $300, and stuck the next bootlegger for six months, and that was the end of it. They quit. And, the truth is, the best thing that the temperance people could have done 10 or 15 years ago was to have elected prosecuting attorneys who had the courage and the honesty to enforce the laws as they found them on the statute books.

I will tell you about judges. You can take the most mild-mannered and tender-hearted man you ever saw, make him a judge for life, and his disposition to tyrannize over people will grow with what it feeds on. [Applause.] I will give you the finest example of that in all history. Robespierre, one of the bloodiest despots that the sun ever shone on, when he was a young man was very modest, unassuming, tender-hearted. He was a criminal judge, and he resigned his office rather than pass sentence of death on a man who had been convicted. Yet he lived to cut off the heads of two or three hundred people every morning before breakfast, who had committed no crime whatever, with as little compunction as though they were flies instead of human beings. The English law will not allow a butcher to sit on a jury in a capital case, because the English people hold that the shedding of the blood of lower animals hardens the hearts of men, and that butchers would be very free about shedding the blood of human beings brought before them if they were sitting as jurors.

While I am at it, I want to make another remark or two. I am willing to trust the American jury. [Applause.] There has never been devised by the wit of man a better way to administer justice than that. Of course, juries go wrong sometimes. We all know that. They have brought in verdicts against me sometimes, not only in criminal cases but in civil cases, that made me doubt their sanity; but the same rule that applies to them applies to the judges also. Everybody knows that who has practiced law any.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK of Missouri. I would like five minutes more.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that his time be extended five minutes. Is there objection

There was no objection.

Mr. CLARK of Missouri. Judges are just as apt to go wrong as juries are. I lay that down as a proposition that I can prove by all the Supreme Court reports, not only the Supreme Court of the United States but of every State in the Union. Somewhere from one-fourth to one-half of all the cases that are tried in the nisi prius courts are reversed in the superior courts, and the juries could not do worse than that. The juries are picked from the best men in the community. Lawyers on both sides examine them thoroughly on their voir dire to ascertain whether they have formed or expressed any opinion and ask them some other questions that are pertinent in determining their qualifications. Of course, once in a while you run across a fellow who does not know which side he is on. There used to be a very smart man in the county in which I now live who was a great wag. He was summoned to serve on a jury and was examined on his voir dire. He swore that he had not formed or expressed an opinion about the case. Col. Thomas L. Anderson, a fine man and an ex-Member of Congress, took him in hand to cross-examine him. He said, "My friend, you say you have formed no opinion in this case?"

"No; I have formed no opinion."

"Have you talked with anybody who pretended to know the facts of this case?"

"Yes; both the plaintiff and the defendant told me all about it."

Col. Anderson asked, "How does it happen, then, that you have not formed an opinion?"

"They are both such infernal liars that I would not believe either of them on oath." [Laughter.]

I want to say this to the gentlemen who are running this thing, that you can make this law so stringent that you will hurt your own case. [Applause.] There is not any question about that.

The average citizen out in the country and a good many legislators have the idea that the severer you make the penalty the better law you get. That is not true at all. You can make the penalties so stiff and severe that men will get out of convicting a man if they can without committing perjury. All these things that irritate the people without contributing to the main cause of reasonable enforcement of the prohibition amendment are simply holding up, militating against, the enforcement of the law.

The idea that a man shall not have a particle of whisky or anything of that kind that will make a man drunk in his own house will prove to be a hindrance to the enforcement of this law. I do not want any whisky in my house; I have not got any either. I do not need it. I can not drink it without the risk of getting drunk, so I quit it. [Laughter.] I do not keep it around. I never did keep it around. [Laughter] I repeat that every man in this House that is honest is in favor of the reasonable enforcement of this law.

They had up a great hullabaloo the other day—the question of whether one-half of 1 per cent or 2.75 per cent was intoxicating. I do not believe there is any sense in Congress fixing the amount of alcohol in intoxicating liquor. The question, in my judgment, is for the courts to decide. I will tell you how to find out exactly whether 2.75 per cent beer is intoxicating. If these fellows will send every Member of the House a quart of 2.75 per cent beer and require him to drink it in 30 minutes, then he can tell whether it is intoxicating or not. [Laughter and applause.]

When I was a prosecuting attorney they adopted a local-option law, and all the druggists in the county joined in a letter to me to find out what they could do and what they could not. After a week's study I decided that they could not sell any intoxicating liquor except the alcohol of commerce for medicinal, art, and mechanical purposes.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. CLARK of Missouri. I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CLARK of Missouri. I studied the question conscientiously and read every decision rendered that I could find, and I put a tailpiece to it, that if these proprietary or patent medicines contained more than 3 per cent of alcohol they were barred. It got so that the druggists would not buy from the drummers until the drummers came to me and submitted their formulas, and the result was that I knew more about proprietary medicines at the end of my term of office than any other man in the county.

One fellow sent me a bottle of malt extract. I did not have any chemical apparatus to analyze it, and so I drank it to observe the symptoms. [Laughter.] I wrote him and told him it was barred. [Great laughter.] It had about as much alcohol in it as bock beer. At that time keg beer had 3 per cent alcohol and bock beer had 5 and whisky had 21½.

One day I had been at the extreme end of the county trying a case, and came back in the afternoon, got my mail and started home. An old druggist named Clark—no kin of mine—came out and said: "Hey, you were not here to-day. There was a drummer here, and I ordered three cases of rock and rye; what about it?" I said, "Doctor, you have drunk a great deal of whisky, and I have drunk more than was good for me. Suppose that you were put on the witness stand as an expert and was asked what kind of tipple is rock and rye?" He said he would swear it was a pretty damn good tipple. [Laughter.]

We should take out of this bill everything that is calculated to be unnecessarily irritating and pass a good enforcement law and enforce it. The United States Government has plenty of men roaming around over the country to catch fellows who violate the law.

They tried it in Iowa once when they passed a search-and-seizure law, and it created such an upheaval that at the next election—they went around and searched people's houses, dragging women out of bed and examining the bed to see if they had intoxicating liquors in the bedtick—that at the next election, for the first time after the Republican Party was organized they elected Gov. Boies, a Democrat, and reelected him governor two years later.

Neither the Democrats nor the Republicans want to put oppressive features in the bill—features so irritating and obnoxious as to create open revolt against its enforcement.

Where there is an item that I think is oppressive I am going to vote against it, and wherever I think it is not oppressive I am going to vote for it, because we want to enforce this law; but I insist on the right of trial by jury. [Applause.]

Mr. BOIES. Mr. Chairman, I move to strike out the last word. I have been listening to arguments upon this prohibition bill more or less for the last 30 or 40 days. I have heard it stated a great many times by gentlemen that they are in favor of a law that would enforce the constitutional amendment, but they immediately follow up that statement with an argument or a suggestion to weaken the law. I have heard gentlemen on this floor make the argument, when it seemed to suit them, in striking out a minimum fine that certainly we could trust the judges, and thus weaken the law. When that is passed and it comes to the question of an injunction, as, for instance, against a black drunken devil who will rape a white woman in the city of Washington, they want a jury trial and can not trust the judge. That is the attitude of the gentlemen who are not in favor of a strict enforcement of the eighteenth amendment to the Constitution of the United States.

From my experience upon the bench in Iowa, where we have a drastic law governing the sale of intoxicating liquor, we have the enforcement of that law by injunction, and we are pretty well able to enforce it. Yet it is the hardest kind of a law to enforce that was ever written upon the statute books, because the men who are violating it are without principle whatsoever. They do not care for humanity. They care for the dollar that it will bring, and the courts have recognized the fact that they have to take hold of the enforcement of this law with a firmer grip, in behalf of the people and in behalf of sobriety and decency, than is usual in the execution of the ordinary criminal statutes. [Applause.] While it is true they did elect a Democratic governor in the State of Iowa, as ex-Speaker CLARK says, it was at a time when the Republican Party in the State became a band of cowards politically. But after the election of a Democratic governor for two terms the Republican Party went back into power and it enacted the most stringent law governing the sale of intoxicating liquors that Iowa or any other State ever had, and it has been enforced to the letter so far as it is possible to enforce it. [Applause.]

Mr. NELSON of Wisconsin. Mr. Chairman and gentlemen of the committee, I do not desire to take very much of the time of the committee in the discussion of this bill, because I believe that no argument or discussion here will change a single vote on this question. It is a question that has been debated and argued for several decades. The country at large has spoken in no uncertain tones, and no doubt Congress, as well as the country, is now ready to accept the situation of the abolishment of the saloon and the liquor traffic.

Mr. PELL. Mr. Chairman, if the country has spoken in such absolute and uncertain terms——

Mr. NELSON of Wisconsin. Mr. Chairman, I decline to yield. We are ready for a saloonless Nation. Forty-five out of the 48 States have ratified the prohibition amendment, and I understand that 15 States have already passed prohibitory laws in which they prohibit the manufacture and sale of liquor or beverages containing more than one-half of 1 per cent of alcohol, and that 13 other States have passed prohibitory laws in which they prohibit the manufacture and sale of liquor or beverages containing any quantity of alcohol. Thus it is seen that a big majority of the legislatures of the United States have gone on record for prohibitory legislation that is fully as drastic, if not more drastic, than the legislation which is contemplated in the bill under consideration.

I am, therefore, in favor of the bill as it now stands. We can not make the enforcement code too drastic if we are to prohibit the manufacture and sale of alcohol. The only way to prohibit is to make a law that will prohibit it from being manufactured and sold. [Applause.]

But what I particularly arose to address myself to at this time is to the statement that was made the other day on the floor of the House by the very distinguished gentleman from California [Mr. KAHN], and reiterated to-day, who attempted to draw the conclusion in his speech that crime has increased rather than decreased during the dry régime in Washington, D. C., and that this is indicative of what would be expected to happen all over the United States if the dry bill as proposed should be enacted. I am very sorry that it becomes necessary for me to contradict my distinguished friend and gentleman from California, for whom I have the very highest respect, but I believe that he has been very much misled in his information as to the applications of the facts and figures which he gives. This is a direct reflection on the District of Columbia. I think that we should be very careful to be fair and square in all our arguments. I feel that in this debate too much of insincere propaganda and insincere hypocritical statements have been proposed by the advocates of John Barleycorn. It is to be expected that the representatives of the brewers and distillers would, in a most vigorous manner possible, defend their business, but I do not believe that as Representatives in Congress we should allow ourselves to make statements that are not warranted by the facts merely for the sake of making them in the interest of the liquor traffic.

I believe that as Members of Congress we should be careful to ascertain the truth and make the truth known, no matter where it hits. Now, it is very evident that the overwhelming evidence by courts and medical authorities and police records all over the country show conclusively that crime is increased where alcoholic liquors or beverages are allowed to be sold, and that crime, insanity, and disease are always resultant of the liquor traffic, and that a decrease in crime, insanity, and disease is a direct result from prohibition wherever it is in effect and enforced.

As a direct refutation of the statement of the gentleman from California concerning the ill effects of prohibition in the District of Columbia I wish to read a statement on page 13 of the report of Raymond W. Pullman, superintendent of the Metropolitan police of the District of Columbia, in which he says:

BENEFITS OF PROHIBITION.

When the Sheppard prohibition bill for the District of Columbia passed there was in the minds of many the belief that there would be no appreciable decrease in drunkenness because of the operation of the new law. Even the enemies of prohibition soon learned, however, that not only was there a great decrease of drunkenness, ranging from 50 to 76 per cent, under the amount of drunkenness during the same periods under license, but also that there was a great falling off in cases of disorderly conduct, assault, housebreaking, carrying of concealed weapons, cruelty to animals, and other offenses often growing out of intoxication. In actual figures, from November 1 to July 1, under license, there were 6,771 arrests in the eight months' period. In the same period under prohibition there were only 2,863 arrests, a decrease of 3,908 cases, or nearly 58 per cent decrease for the eight months. Persons who are open minded and who have given a reasonable amount of time to observing the operation of the law, even many of those who at first opposed the enactment of the Sheppard law, will now agree that the prohibition legislation has been a blessing and is perhaps the principal factor which has contributed to the lack of serious disorder or riots of any kind in the National Capital during the entire period of the war. In spite of the fact that through the interpretation of the law in the courts it is possible for persons to bring in as much liquor as they desire, providing they say it is for their own personal use, there has been a great improvement of conditions as a result of the operation of the law. While there naturally has been bootlegging with the liquor brought into the District of Columbia under the cover of the law, yet conditions are so greatly improved that there has been absolutely no trouble in handling the vast crowds which have swarmed the streets of the city during the war period. Hundreds violating the law have been arrested by the Metropolitan police.

I also wish to protest against the slander that has been attached to labor by the statements that have been made on this floor by the distinguished gentleman from Massachusetts [Mr. FITZGERALD] and the gentleman from Illinois [Mr. SABATH] that the laboring men are overwhelmingly in favor of the liquor traffic. I do not believe that this is true. I believe that the labor element of our country is in favor of law enforcement, and in favor of removing the breeder of poverty, disease, and evil which King Alcohol has proven to be in our country. I also wish to protest against the slanderous statement that has been attached to our brave soldiers. The statement has been made in the progress of this debate that our returning soldiers are in favor of the saloon and the liquor traffic. I believe this is a base slander upon our brave soldiers who have offered their lives upon the altar of our country for its freedom and liberty. It is my judgment that the returning soldier is in favor of the removal of the liquor traffic. He is in favor of the highest and best ideals of our country, and that he will be against the greatest evil to-day that is sapping the very vitals and fundamentals of our Government, its happiness, and prosperity. I also rise to protest against the statement made by Mr. GALLIVAN, in which he accuses the drys of Congress as having their cellars and offices filled with booze enough to last for 20 years. Statements of this kind can not be regarded as arguments, and can bring about no good, and anyone knows that they are not in harmony with the facts.

In short, Mr. Chairman, I am in favor of this bill as it is drawn. I do not believe that we can make it too drastic. We must be sure that the liquor seller and bootlegger shall be dealt with in the most drastic manner possible, because if you do not, it is my experience of 22 years of fighting for the enforcement of the liquor laws in our own State that you open the way for lawlessness and the breaking of our prohibitory statutes wherever you make it possible to handle liquor at all, and that if you would change from one-half of 1 per cent to 2¾ per cent, you immediately open the door to all sorts of evasions of the law, and there is absolutely no way to get at the truth of the situation and bring conviction to the violator of the statutes.

John Barleycorn is dead. He has been convicted at the bar of justice of an awakened American citizenship. He has been consigned to the gallows and hung for his unspeakable crimes of the past. He is legally buried—forever buried—and there is very little use for the advocates of the liquor interests to try to resurrect him now. He can not be resurrected.

I therefore plead for an enforcement code that will make it possible to enforce our laws as they should be enforced—a code that will lead to a better citizenship, to better homes, to a happier condition of labor, and a nobler and better understanding of liberty and freedom. We must never forget that license is never liberty, and that the greater the liberty the more restricted it is. [Applause.]

Mr. BARKLEY. Mr. Chairman, I move to strike out the last line. I dislike very much to find myself in disagreement with the distinguished gentleman from Missouri, the ex-Speaker of this House, upon the question of the propriety of this provision and of certain other provisions of this bill, but I do find myself in disagreement with him, and therefore I am compelled to state the reasons why I believe the amendment which was offered by the gentleman from Ohio and championed by the gentleman from Missouri ought not to be adopted. We must not lose sight of the fact that we are providing here for the punishment of men who violate an injunction which has been issued by a court. This does not provide for the original trial of men who are charged with a violation of this law. I take it for granted that there would be very few injunctions ever issued except against habitual criminals. If a man is once tried for selling liquor against the law and is fined or imprisoned, and thereafter ceases to violate the law, there would be no occasion to have an injunction issued against him or against his place of business; but the object of this bill is not only to make it possible to enforce the law but to put teeth in it that will enable the officers to enforce it, and one of the sharpest teeth that can be put in a statute of this kind for the enforcement of prohibition is to provide for an injunction law by which men may be enjoined from the commission of crimes habitually.

Now, some man might be tried and convicted by a jury for violating this law. He might a second time be tried and convicted by a jury, and thereafter being a habitual criminal or habitually using his business place or some other place for the

illegal sale of liquor, then being a habitual criminal, the court issues an injunction against him against the further commission of the crime, and then he, under this amendment, either by summoning bystanders who are in the courtroom at the time or going out on the streets and dragging in other men, his case is entitled to a trial by jury, and that one man on that jury could nullify the act of a half a dozen other juries which have convicted him upon the evidence submitted.

Mr. CLARK of Missouri. Will the gentleman yield.

Mr. BARKLEY. I will.

Mr. CLARK of Missouri. Does not the gentleman know that some of the States, at least, have a statute which fixes a penalty for one offense and a higher penalty for another offense, and after the second conviction under the law he would be considered as a habitual criminal and have the butt end of the statute?

Mr. BARKLEY. Yes; I understand if a man is convicted of a felony once and is convicted a second time he might be sent to the penitentiary for life upon conviction for the third offense, providing the previous convictions are set out in the indictment and are proved. But that does not meet the situation here. Some of these offenses will not be felonies; they may be misdemeanors, and they are misdemeanors. The mere selling of liquor in violation of the law is not necessarily made a felony.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARKLEY. And a man can not be sent to the penitentiary for life or get the butt end, as suggested by the gentleman from Missouri, merely for the repetition of a misdemeanor.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARKLEY. I ask that I may have three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky that he have three additional minutes? [After a pause.] The Chair hears none.

Mr. BARKLEY. Mr. Chairman, I desire now to refer to another suggestion made by the gentleman from Missouri, not because it is important with respect to this amendment but because it does come up a little later in Title II, which is intended to enforce national prohibition. The gentleman said he does not think we ought to fix the alcoholic limit or any alcoholic content as being intoxicating, but it should be left to the courts or juries of the various States. I want to call the attention of the gentleman to the fact that his own State has a statute which fixes one-half of 1 per cent of alcohol as making liquor intoxicating. [Applause.] If we did not fix the alcoholic content either at one-half of 1 per cent or some other per cent, under the practice that is in vogue in the Federal courts it will be left to the laws of the various States, and we might have a jury in Kansas say that one-half of 1 per cent is intoxicating, and we might have a jury in New York say that 5 per cent is not intoxicating, and the Supreme Court might be compelled to hold both decisions to be legal, and we would have no standard applying to the whole country.

Mr. CLARK of Missouri. But when these various decisions go to the Supreme Court of the United States, would not the decision of the Supreme Court settle it for all time?

Mr. BARKLEY. Not at all, because the decision of the Supreme Court will be based upon the law of the States in the case where tried unless Congress itself fixes the standard.

Mr. EVANS of Nebraska. Will the gentleman yield?

Mr. BARKLEY. I will.

Mr. EVANS of Nebraska. And also upon the evidence which would be offered in each case?

Mr. BARKLEY. And also upon the evidence offered in each case. What I am very anxious about at this time is the amendment of the gentleman from Ohio which gives a man the right to bring in a jury in cases of injunction where the court has based its injunction upon evidence either adduced before it or upon numerous trials already had in court where men have been convicted of crime. And if you give them the right to trial by jury in such cases you thereby take away from this law one of the provisions that will enable the Federal officers to enforce it, and therefore I hope the amendment will not be adopted.

Mr. VOLSTEAD. Mr. Chairman, I want to know if there is any way by which we can reach an agreement as to time for debate on this section?

Mr. GARD. We can not hear what the gentleman says over here.

Mr. VOLSTEAD. I would like to know if there is some way of reaching an agreement as to the length of time to be devoted to this section. We have been discussing it now for quite a long time. Would 10 minutes more be satisfactory?

Mr. JUUL. Mr. Chairman, I have an amendment to offer.

Mr. MacCRATE. Mr. Chairman, I have an amendment to this section which I desire to offer, and I believe is in line with the suggestion of the gentleman from Virginia and ought to have discussion on the floor.

Mr. VOLSTEAD. Mr. Chairman, I move that in 30 minutes all debate upon this section and amendments thereto be closed.

The CHAIRMAN. The gentleman from Minnesota moves that all debate on this section and all amendments thereto close in 30 minutes.

The motion was agreed to.

Mr. VOLSTEAD. Mr. Chairman, I ask that the time be equally divided between those in favor and those opposed to the bill.

The CHAIRMAN. The gentleman from Texas [Mr. HARDY] is recognized for five minutes.

Mr. HARDY of Texas. Mr. Chairman, this is to me a very remarkable exhibition. The last two gentlemen who rose, opposing the amendment of the gentleman from Ohio [Mr. GARD], based their opposition on some strange grounds. Mr. Chairman, I do not wish to be unfair to the arguments of either of the gentlemen, but, as I recall it and understood it, the gentleman from Iowa [Mr. BOIES] based his opposition to this amendment on the ground that violators of this law, those to whom it was intended to apply, were such natural liars and criminals that they were not entitled to the essence of justice or a trial by jury. And the gentleman from Kentucky [Mr. BARCLAY] based his argument on the ground that parties to be charged with violation of this law being habitual offenders ought not to be entitled to drag a jury in in order to have a jury trial.

Mr. JUUL. Will the gentleman yield for a question?

Mr. HARDY of Texas. No; I have not the time.

Three or four or five years ago we came into power in this Congress largely because we denounced the tyranny of government by injunction, and we demanded for all persons who were charged with contempt of court, when committed outside of the court, that they be given the right of a trial by jury. When we came into power we passed this law, applying to all contempt proceedings (Stat. L., vol. 38, p. 739):

> In all cases within the purview of this act such trial may be by the court, or, upon demand of the accused, by a jury; in which latter event the court may impanel a jury from the jurors then in attendance, or the court or judge thereof in chambers may cause a sufficient number of jurors to be selected and summoned, as provided by law, to attend at the time and place of trial, at which time a jury shall be selected and impaneled as upon a trial for misdemeanor; and such trial shall conform, as near as may be, to the practice in criminal cases prosecuted by indictment or upon information.

When I campaigned the country and when I helped pass that law I said that as I believed in justice and equality before the law I believed that every citizen had the right to a trial by jury when his life or liberty was involved. [Applause.] We all then believed it. And yet gentlemen tell me to-day that if a man is a habitual criminal, or is charged with a violation of prohibition laws, he has not the right to a trial by jury on a question of fact involving his guilt or innocence. It is a strange thing when those who claim the heritage of law procedure handed down to Anglo-Saxon peoples from Alfred the Great get into a legislative body and denounce the proposed provision for a trial by jury as being a weakening of the law.

Mr. BARKLEY. Will the gentleman yield?

Mr. HARDY of Texas. I have prosecuted criminals, those who had violated local-option statutes, and I have spent days and nights in the prosecution of them, but I have never asked more than an honest jury to determine whether or not they were guilty.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARKLEY. Will the gentleman yield for a question?

Mr. HARDY of Texas. I will be glad to do so if the gentleman will give me two and one-half minutes.

Mr. SABATH. How much time did the gentleman have, Mr. Chairman?

The CHAIRMAN. Five minutes.

Mr. SABATH. I do not think he could have had five minutes.

Mr. WINGO. Mr. Chairman, with all respect to the Chair, I do not think the gentleman from Texas occupied five minutes. I know the Chair is sincere, but the gentleman talked only a little over two minutes.

Mr. GARD. Mr. Chairman, he has not talked for five minutes.

The CHAIRMAN. The gentleman has consumed five minutes by the clock.

Mr. GARD. Then the hands must have been rather elastic.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent that the gentleman be given two minutes more, not to be taken out of the time.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the gentleman from Texas [Mr. HARDY] be given two minutes more. Is there objection?

Mr. MORGAN. Mr. Chairman, a parliamentary inquiry. Is that in addition to the 30 minutes?

The CHAIRMAN. To be taken out of the 30 minutes.

Mr. FITZGERALD. I do not think under the circumstances I would be justified in asking that, because there is a serious difference of opinion among the members of the committee whether he talked five minutes or not, and I think the gentleman from Texas should be given the benefit of the doubt. And I therefore ask unanimous consent that he be given an additional two minutes, not to be taken from the 30 minutes of time allowed.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the gentleman from Texas be allowed two additional minutes, not to be taken from the 30 minutes for debate. Is there objection? [After a pause.] The Chair hears none.

Mr. HARDY of Texas. Mr. Chairman, this amendment which asks that a man charged with violating even a temporary order of a court, issued upon an ex parte affidavit, may have a jury trial is a simple appeal to the old love of freedom that once spread all over this land, and that ought to be able to stand in the heart of an American Congress, no matter how hard the wind blows, how fierce the tide rolls, in any particular direction. [Applause.] And if there be a sentiment in this country that demands that liberty perish in order that some law may be strenuously, if not justly, enforced, for God's sake let the American Congress stand against it and say that the trial by jury of any citizen accused of crime for which he may forfeit his life, his liberty, or his property shall remain sacred. [Applause.] That is, as it always has been, the bulwark of human liberty. We owe to all our people high duties—none higher than the duty to hold sacred the right to a trial by jury for any man, high or low, rich or poor, who is accused of crime. That is all I am asking you to do now.

I return the balance of my time. [Applause.]

Mr. FOSTER. Mr. Chairman and gentlemen, I just want to take about two minutes. I happen to have been prosecuting attorney for eight years in Ohio under some liquor laws very similar to the law we are trying to enact here. I defended—and I am not bragging about it—about 150 men charged with bootlegging. The first acquittal I got happened to be in a case where the prosecution was conducted by Wayne B. Wheeler, of the Anti-Saloon League, and I was elected prosecuting attorney for both my second term and third term with the opposition of the officials of the Anti-Saloon League. But I want to state to you gentlemen, and particularly to the gentleman from Missouri [Mr. CLARK], that if you give a fairly good lawyer a bootlegging case, and if he can not hang a jury or acquit his client, he is not much of an attorney. [Laughter.]

Mr. CLARK of Missouri. Mr. Chairman, will the gentleman yield?

Mr. FOSTER. Yes; gladly.

Mr. CLARK of Missouri. I had a case before a jury and sent a man to jail for 12 months and fined him $300 for bootlegging, and hung on to him in the Supreme Court. [Applause.]

Mr. FOSTER. During the eight years that I was prosecuting attorney I convicted 104 men that were sent to the penitentiary, and 98 of those men would never have been sent to the penitentiary if it had not been for intoxicating liquor. That is the reason why I am on this side of this question to-day.

I want to say this, that in those liquor cases in which I defended—and I am not bragging of it—I reached the conclusion that any man who wants, honestly, to stand for the strict enforcement of the liquor law does not want to turn around and give a jury trial to a man charged with violating the liquor laws of the State or Nation, either one. If you do that you will make a farce of it.

Mr. BARKLEY. Is it not true that under this amendment a man may be convicted 12 times for the violation of this law?

Mr. FOSTER. I am addressing myself to the proposition advanced by the gentleman from Missouri [Mr. CLARK]. What he said was true, but my experience of eight years in that office and eight years out of it has convinced me that in liquor cases we can more safely trust a court on questions of fact than a jury. I venture to say, with all due respect to the membership of this House, that if we would go over both sides of this House and pick out 12 men generally from it who would serve as a jury, you could not either acquit or convict in a "bootlegging" case. [Laughter.]

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. FOSTER. Yes.

Mr. BARKLEY. Is it not true that a man may be convicted originally 12 times for the violation of this law?

Mr. FOSTER. With a jury?

Mr. BARKLEY. With a jury; and then some court might issue an injunction against him to try to get him to stop, and then if they can get one man hung on that jury you would lose the case?

Mr. FOSTER. Yes.

Mr. SABATH. That applies also when men are charged with murder.

Mr. FOSTER. There is not a lawyer in Chicago who could act as prosecuting attorney or district attorney with a jury in cases of this kind and secure conviction, and the liquid gentleman from Illinois knows it. I am a new man here who does not know all the ins and outs of the workings of this House, but I know that a Chicago jury would not convict such a man in such cases.

Mr. SABATH. Have you ever heard of a jury acquitting a man of murder? Is it not understood that a jury enforces criminal statutes?

Mr. FOSTER. Yes; but it is known that every man who wants a jury trial wants it for the purpose of hanging the jury. That is true, and nobody knows that better than the gentleman himself.

The only reason why I appear to take so decided a stand on this question is that I had some knowledge of the facts as prosecuting attorney for eight years where dozens of fine young men were sent to the penitentiary who never would have gone but for this damnable thing of rum. Those who are in favor of the enforcement of national prohibition ought not to shut their eyes to the fact that the moment you adopt this amendment, or any amendment giving general jury trials to men accused of the violation of these proposed laws, thereby you are weakening the enforcement of this national prohibition law.

Mr. HARDY of Texas. Will the gentleman yield for one question?

Mr. FOSTER. Yes. I should like to hear an argument on that side.

Mr. HARDY of Texas. Is it not a fact that the lawyers in criminal cases always ask for a jury trial rather than for trial by the court?

Mr. FOSTER. Yes; and you get a jury trial. Is it not a fact that every attorney, including the gentleman who now addresses me, who wants to acquit a criminal being tried for a violation of criminal laws, wants a jury trial every time, and does not want to leave it to the courts?

Mr. HARDY of Texas. Yes. If I was trying to get convictions, I would always want to leave it to the court; but if I wanted justice in the administration of the law, under the system which we have inherited from England, I would appeal to a jury for the trial of a man accused of crime. [Applause.]

Mr. FOSTER. I will reply in this way—waiving you to one side and putting you in a class by yourself——

Mr. HARDY of Texas. No; I am in the same class with the gentleman.

Mr. FOSTER. Taking the average man, who gets in the habit of wishing for an acquittal when he, as an attorney, is representing a client, looks to a jury, does he not?

Mr. HARDY of Texas. Why does your side grant a jury?

Mr. FOSTER. Not having answered my inquiry, I will put the gentleman back in the class with the rest of us, who, when defending criminals, seek jury trials rather than courts.

Mr. MacCRATE. Mr. Chairman and gentlemen, I heard the chairman of this committee ask that the time be allotted to those opposed to the bill and those for the bill. I assume that a Member can suggest some amendments to this bill even if he is not for or against every provision of it. There are certain technical provisions of this proposed law that we all ought to follow, and give to them, as the gentleman from Virginia [Mr. SAUNDERS] says, some thought and consideration. It is all right to have 12 hours' general debate, but when you come to a section to confine the debate to 20 minutes is positively ridiculous. For instance, on page 3 of this bill you provide for liens, but at no place within the first title do you provide any method whereby a lien can be lifted. I want to suggest, at the end of line 15, on page 5, the words "except as hereinafter provided," and then make a proviso, that whenever an action is brought to enforce the lien a bond may be given to the amount of $1,000, and thereupon the lien shall be discharged. The maximum lien is $1,000 and costs. Why should property, during the pendency of your foreclosure action, be tied up immediately after the issuance of the summons and the filing of your lis pendens, as provided by the amendment which you have adopted? Why should not

the bill provide some method whereby you can cancel the lien pending the action, and whereby the property may be made salable?

And then, in reference to the general proposition, if war prohibition is now to be enforced, why should not Title I be enacted and some attempt made to see how it operates before you start in to legislate permanently to enforce the constitutional amendment? Surely some evidence of how this law works would aid you to enact the permanent legislation for the enforcement of the constitutional amendment.

I could suggest something that might make the law more drastice. Just 200 years ago this year the Sultan Amurath, of Turkey, issued an edict which provided that the nose of any person who smoked tobacco should be cut off. If you want to enact these provisions, go ahead, but in all fairness and with the desire to perfect the legislation I make the suggestion that provision be made for the cancellation of the lien which you have created, and I submit that that provision ought to receive fair and reasonable consideration. I am not going to submit an amendment at this time, because I have not perfected one, but I leave it to the fairness of the committee for them to determine whether or not this law should contain a provision for the cancellation and discharge of the lien by the filing of a bond. [Applause.]

Mr. JUUL. Mr. Chairman, I appeal to the chairman of the committee for the privilege of offering an amendment, and, if I am in order, I would like to offer it now.

The CHAIRMAN. There is already an amendment pending.

Mr. JUUL. May I offer my amendment and have it pending?

The CHAIRMAN. The gentleman may have his amendment read for information.

The Clerk read as follows:

Page 5, line 1, after the word "value," insert "of the financial interest of such owner."

Mr. JUUL. Mr. Chairman, if I may take the time, with the permission of gentlemen, I want to say that the bill provides that the accused shall come in and file a bond with sureties to be approved by the clerk of the court in which the action is brought "in the full value of the property." I want to say to you gentlemen that if you insist on that language in the bill nine-tenths of all the men accused will languish in jail until the cases are tried, which in my county may mean from one to two years.

My amendment provides that the bond shall be given for the full value of the financial interest in the property of the party accused of committing the act. I want to say that any man being a nominal and equitable owner of a piece of property, valued perhaps at $100,000 or $150,000, whose equity may amount to $20,000 or $25,000, there is absolutely no way that such a man could stay out of jail if this language is enforced. It provides that he shall give bond to the full value of the property. He does not own the full value of the property, and in many instances the full value of the property is so gigantic and out of proportion to the offense that you are condemning the man to perpetual incarceration in jail until the case is tried. I doubt if you gentlemen want to do anything of that sort.

Now, the attention of the Chairman seems to have been diverted while I have been talking. I want his attention. You are providing in the bill, Mr. Chairman, in line 5, that the owner of the property shall come in when accused and file a bond to the full value of the property. I am trying to tell you that he may not own the full value of the property, and if you insist on that language as now contained in the bill, nearly every one accused, at least in my county, by virtue of this bill, will have to languish in jail until there is some method found to get him out.

A great flat or apartment building in Chicago may be valued at $150,000 to $200,000 and up. Some tenant may go astray and do something that he ought not to do, and then you compel the owner to come in and furnish bond to such an enormous amount that he will not be able to do it. He can come in and give bond to the extent of his holding in the building.

Mr. MILLER. Will the gentleman yield?

Mr. JUUL. Yes.

Mr. MILLER. How would it work out? Suppose a tenant who is holding from month to month—I am interested in the point the gentleman is making, and I think there is merit in it——

Mr. JUUL. Let me say that in many cases it will be the tenant that commits the offense. Violations will be for having liquor on the premises or selling same. The owner is called in to furnish bond and is accused of having knowledge of the action of this tenant. The bill provides that he is to give bond to the full value of the building. I maintain that he is unable to do it, and if the language is insisted on it will simply result, in every case where the man is the nominal owner of the apartment building, that he will have to languish in jail because he is unable to comply with the provisions of the law, and be unable to furnish a bond in the amount that this bill provides.

Mr. GARD. Mr. Chairman, how much time remains of the time allotted?

The CHAIRMAN. Ten minutes.

Mr. CRAMTON. Mr. Chairman and gentlemen, the purpose of the measure before us is to secure the enforcement of national prohibition of the liquor traffic. I take it that it is our desire to pass a bill that will accomplish that purpose. [Applause.]

Mr. GARD. Will the gentleman yield?

Mr. CRAMTON. I can not yield in five minutes. The gentleman will have his own time. Section 3 provides that "a place of any kind where intoxicating liquor is sold * * * in violation of the war-prohibition act" shall be deemed a nuisance. Section 4 provides that such a nuisance may be proceeded against in equity and an injunction may be secured in a proceeding prosecuted by the district attorney to the court.

After the preliminary hearing, and after the full hearing if the injunction is made permanent, then if the owner of that place continues to sell in violation of law he may be brought in for contempt of court. The trial of the contempt proceeding will be before the judge. Now, it is desired by some gentlemen here—and they protest their friendliness to this law—to have a jury. We all know, and we might as well be frank about it, that the object of having a jury in such a case is to make it more difficult to enforce the law to stamp out the sale of liquor. [Applause.]

Gentlemen remind me, and the gentleman from Missouri [Mr. CLARK] in his interesting remarks reminded me, of a friend of mine at home, a member of the supreme court, one of the finest gentlemen and best lawyers in the State. He has often told me of his experiences when Michigan had State-wide prohibition before, in the late seventies and the early eighties. Then the trial of offenders against the law was before a jury in a justice court. I think that would suit some of these gentlemen even better than what they suggest now. Mr. Justice Moore was then the prosecuting attorney of our county, then a lumber woods county. He said that he brought case after case before a jury in the justice court with 20 to 30 open saloons upon the streets of the little town of Lapeer, and he could not get a conviction in any of them.

The failure to enforce prohibition, not its actual operation, was the reason that State-wide prohibition was repealed in Michigan, and it was 40 years before we got it back again. Now, my friends, you might as well understand that people who have been through that kind of experience, having had that kind of an example before them, have reached the stage where in enforcing this law they want a law with teeth in it, a law that will secure results, a law that will stop the sale of liquor. A few months ago there came to this Chamber from the other body a bill known as the Reed amendment, a drastic bill, some of us thought at that time. Even the drys were alarmed that we were getting too drastic. We were afraid to pass that, afraid of the effect it would have on the sentiment in Michigan that was about to vote on the question, but the drys accepted the challenge of the wets and they passed a real measure, the Reed amendment, as to interstate shipment of liquors. In the State of Michigan, following that act of Congress, in a State where any percentage of alcohol is forbidden, in a State where the law has teeth in it, they adopted State-wide prohibition by a majority of about 70,000, and after it had been in effect a year they rejected even a proposition to sell beer and wine by a majority of 207,000. That is the result where you have an actual enforcement of prohibition, because it is only with actual enforcement that the sale of liquor is really stopped, and it is the use and sale of liquor that must be stopped in order to secure the results desired.

The CHAIRMAN. The Chair desires to make an announcement. A few moments ago he stated that there were five minutes remaining. The Chair overlooked the fact that the gentleman from New York failed to use about two minutes of his time. There are seven minutes remaining, and the Chair will now recognize the gentleman from West Virginia [Mr. GOODYKOONTZ].

Mr. GOODYKOONTZ. Mr. Chairman, the specific proposition now under discussion is as to whether an infraction of an injunction order in a liquor case should be triable by jury. The General Assembly of Virginia a few years ago enacted into law provisions to the effect that a man charged with contempt of court, alleged to have been committed beyond the view of the

court, should be triable by jury. The court of appeals of that State held that a legislative enactment of the character mentioned was not binding upon the court; that the court had an inherent right and full power to enforce its judgments and decrees, and could not be restrained in relation thereto by any legislative enactment. To that view I heartily subscribe.

Mr. PELL. Mr. Chairman, will the gentleman yield?

Mr. GOODYKOONTZ. Yes.

Mr. PELL. Would the gentleman subscribe to that view speaking to a group of men who had been enjoined for strikes?

Mr. GOODYKOONTZ. I hold to the opinion, absolutely, that the courts of this country are entitled to command respect for their judgments and enforce them, and whenever the time comes when the people lose confidence in the courts and will not observe the mandate of the law, or by legislative enactment undertake to circumvent judicial determination, then this country is in a fair way toward anarchy, and I insist that any man who teaches a contrary view is advocating a heresy and is contributing his mind and effort to the undoing of enlightened civilization.

Now, replying directly to the respectful inquiry of the distinguished gentleman from New York, I will say that the question we are discussing is limited to injunction to restrain the use of a building for "speakeasy" purposes—to restrain a common nuisance. The proposition does not include the question, Should the writ of injunction issue to restrain the liquor nuisance? That much is granted. I am only contending that where the injunction right exists that enforcement ought to take place. If the remedy exists, it should be enforced. Every right should be vindicated.

Furthermore, I know it to be true that judges have assumed jurisdiction in cases where jurisdiction was wanting—in labor disputes—and in such case judges have, by force of the power of their judicial position, arbitrarily and autocratically done injury to the men and also to society in general. It is unnecessary for me to say that a judge guilty of this kind of oppression should be removed from the bench.

The gentleman's inquiry has caused me to diverge, but before returning to the main subject I desire to notice a remark made by the erudite and polished gentleman from Iowa [Mr. BOIES], who in debate, just a few minutes ago, said:

> When that is passed and it comes to the question of a black drunken devil who will rape a white woman in the city of Washington, they want a jury trial and can not trust the judge. That is the attitude of the gentlemen who are not in favor of a strict enforcement of the eighteenth amendment to the Constitution of the United States.

I want to say that I do not subscribe to the doctrine of the gentleman from Iowa. I hold that every man, black or white, charged with crime, it matters not how fiendish or monstrous that crime may be, has a right to challenge at the hands of the authorities administering the law a fair and just trial by jury under the Constitution and laws of the country. I am informed that the gentleman was formerly a judge upon the supreme bench of the great State of Iowa, and while his remarks—which I have quoted—are not now ex cathedra, and were uttered in the heat of debate, yet I would be grossly derelict to the cause of law and order did I not challenge an utterance of that character. And, furthermore, I would be unworthy of the respect and friendship of the thousands of colored constituents in the fifth congressional district of West Virginia, who have trusted me, did I not resent what I interpret as an aspersion doubtless inadvertently made—not as against a criminal individual but as against the black race. In my district there is to be found no greater percentage of crime among the colored people than among the white people. Our colored citizens are industrious, honorable, and patriotic. Cheerfully have they given of their means to every war cause, and they have bought freely of the war bonds and other Government securities. By personal effort in household economies, by increased labor in the coal mines and on the railroads, by the planting and cultivation of war gardens, by activities of their section of the Red Cross, by the efforts of their professional men—lawyers, doctors, dentists, and their ministers and teachers—and by their printing presses, and, last but not least, by their blood on the battle field, have they demonstrated their loyalty to their Government and their right to command the respect and confidence of the American people and of the world. Three thousand young colored men left their work on the three great railroads that traverse my district, and in the more than 400 mines—in the Pocahontas, Thacker, Wayne, Logan, and Wyoming coal fields, among the most celebrated in the world—to answer their country's call, and with thousands of their white comrades fought for the land of their birth under the starry flag, obediently to their country's call.

Now, Mr. Chairman, may I be permitted to resume discussion of the main subject, from which I have diverged—prohibition.

Although a member of the Committee on the Judiciary, but being a new Member I have been reluctant to intrude myself into these deliberations, for I realize that a new Member is not familiar with the rules and regulations governing debate and parliamentary procedure, but I have been trying to learn. At the committee hearings I sat and patiently listened to all that was said and done. Concerning the form of the prohibition bill, I found there were about three groups of people, each group representing a different school of thought. One group wanted the bill so carelessly drawn as that, if it were enacted into law, it would carry no force nor effect, would be innocuous and a dead letter. Another group were on the other extreme. With them everything must be subordinated to prohibition. The bill must be drastic, the penalties inflexible, men and business must be put in a strait-jacket, and all this without regard to public sentiment. The bill as brought to us carried provisions to the effect that it was unlawful to manufacture or sell grape juice or to manufacture or sell nonintoxicating malt drinks, of which there are dozens of kinds sold under various trade names, and also practically forbidding the manufacture, sale, and use of flavoring extracts, such as our mothers have used from the day we were born. The possession of the old cook book because, forsooth, it contained a recipe for making dandelion wine was a crime. It was even thought advisable to put the preachers under bond for the proper use of sacramental wine.

These were the views of the men obsessed with one idea. They would destroy legitimate business just because a drunken degenerate would take a dangerous chance in drinking a bottle of lemon extract for the intoxicating effect of the alcohol therein, necessary in the manufacture in order to hold the oil in solution. Such men as these would burn down the house in order to kill the rats.

Then, there was the third group—those who really had prohibition at heart. Men who had the sense to know that a law can only be enforced when it is supported by public opinion; that to make the law too vicious would render it obnoxious and militate against its enforcement; that in certain communities—hitherto wet and now forced to surrender to the binding force of national decision—a drastic law would meet with strong resistance. I say that the men who took this view, in my opinion, were the true friends of prohibition. I am frank to say that, according to my view, the bill—although vitally reformed in many particulars—is yet a little too strong, and I am willing to vote for such amendments as do not adversely affect the principle of prohibition.

In an address before the West Virginia Bar Association, delivered at Parkersburg in December, 1914, I incidentally mentioned that—

> Since our last meeting our friend (?) John Barleycorn has removed his domicile beyond the confines of this State. His principal habitat is now in the old Buckeye State. John is an outlaw, not only in this State but in other States of the Union, more recently the State of Virginia. Public opinion is against him, and in the not distant future he will be run down and annihilated. John has, hitherto, been much in evidence at our banquets. This year he will be conspicuously absent.
>
> While professing to be our friend, John was, in truth, a most subtle enemy. I think that I can with reasonable safety prophesy that in the future our banquets will be dry, even dusty. Rum has left us, we confidently hope, never to return. In its place may be found sobriety, industry, and good fellowship. The genial souls who gather at the board will depart therefrom with clearer minds, purer thoughts, and happier hearts than ever before. Time was that a lawyer might get on a spree, especially in term time, and add merriment to the proceedings. In the future, as now, conditions of this sort will not be tolerated. Although never a tetotaler, as I must confess, I was willing to forego what little pleasure I should get from an occasional drink, in order that temptation be removed from others. A majority of you gave voice to this sentiment at our Webster Springs meeting some four or five years ago, when you voted in support of a resolution to exclude wine from the banquet. This resolution was adopted, but did not prove effective, for the supply had already been laid in and it was deemed best to consume it in order to prevent others from doing so. I think that most of us, weak and erring, were particeps criminis. All this tends to show the fallibility of human nature, but men must be judged by their good points, not by their bad ones. It were needless to say, the resolution was expunged in order that the members be not stultified.

In a political address made at Hamlin, W. Va., September 3, 1918, in stating my position on the question of enforcement, I said:

> Having voted for the prohibition amendment, it was my pleasure, as a State senator, to support and vote for the administrative acts, original and as amended, carrying the will of the people into effect. The wisdom of this legislation is now apparent to all, in view of the greatly diminished number of inmates in our jails and penitentiary, of the greatly increased bank deposits, and of the domestic peace and tranquillity now abounding within our borders. What is good for a State is good for a nation and, therefore, I shall, in event I am elected, and the legislatures of the required number of States shall adopt the amendment as proposed during my term, be pleased again to assist in carrying the verdict of the people into judgment and execution by voting for the passage of such administrative acts as may be essential.

In my district there are many men who would enjoy the pleasure of taking a drink—and to be perfectly frank, I am of

that number—but these, almost without exception, would never consent to return to old conditions. On my trips through that great region I am constantly reminded of the great transformation that has taken place since State prohibition went into effect. In former days almost every village and mining camp had its saloon. Surrounding these, at morning and at evening, were to be found men drunk and disorderly. Now, all is changed. The people are orderly and go to church—men provide for their homes and educate their children, and have money in the bank. Crime has been lessened, public expense of enforcing the criminal law reduced, all the people happier.

In November, 1914, West Virginia, by a majority of 90,000, voted an amendment of her constitution forbidding the manufacture and sale of intoxicating liquor. In January, 1919, West Virginia, by the unanimous voice of the membership of her legislature, ratified the proposed eighteenth amendment to the Federal Constitution, prohibiting the manufacture, sale, and transportation of intoxicating liquors.

The Federal amendment, proposed as aforesaid, having been adopted by reason of the ratification thereof by legislative action of more than the required number of the 48 States of the Union, therefore, in view of these and other considerations, I voted with the majority of the Committee on the Judiciary to report the bill to the House with favorable recommendation, and, in harmony therewith, I shall vote for the passage of the bill.

National prohibition in the United States of America marks a new epoch in the history of the world. Under the old régime, for 4,000 years the right to buy and use liquor has been without appreciable limitation. Now all is changed. We are entering a new era. What the physiological, metaphysical, sociological, and economical effect upon mankind will be remains for experience to determine. My opinion, for whatever it may be worth, is that never again in this country shall we see a lawful sale of liquors for beverage purposes. With the advent of national prohibition this country will be expected to develop a race of men strong physically and, therefore, of great longevity, powerful in their intellectual qualifications, supreme in their moral conceptions, and who, with dynamic power, will force America upon an economic plane high above and far ahead of any other nation of the earth. If we shall live to see the fulfilment of the prophecy, then, in justice, we shall be bound to admit that the pioneers, who led the crusade and won the battle, are entitled to the honor, although belated, that history inevitably accords to the world's great reformers.

Mr. GARD. Mr. Chairman, it would be well to understand the purpose of the amendment. There can be no proper legislation taking away from a man for any sort of crime, if it be a felony, the right to trial by jury. That is not the question here. Cases under this law which provides for the imprisonment as for a felony necessarily will give to every defendant the right to a trial by jury. Why should they not have it when the law of the land guarantees to even the wretch who goes about the streets of Washington assaulting women the right to a trial by jury? It is not an individual case, but it is the practice that every man in this land is entitled, before he is adjudged guilty of any crime, to be tried by a jury of his peers. That is the law, and all that you can do or all that you can write will not nullify it. What we are endeavoring is to try to see that that right shall not be nullified by the right which gives the enforcement of this law or any other law to a court under the guise of punishment for contempt. Why, everybody went to the country, we paid tribute to the liberties of the people of the United States in every branch of honest work when we said, as we did in 1914, that in the event a man is called upon to face a charge of contempt, preferred by a court for the violation of a labor injunction or anything of that kind, that he is entitled to a trial by jury. It was then stated that you could not enforce the law if you have that, but it is the law, and we are enforcing the law, and it is the policy of the United States of America to give every man a fair trial. It was only the thought that in these matters where prejudice and bigotry might appear, as they may appear in this or other matters, instead of vesting arbitrary power in one man it was best for the consideration of the common good to give that power to a jury should he demand it. That is the only proposition here—not to abridge the right of trial by jury, but give to whoever may be charged by a contempt here the same right as any man who may be charged by a contempt in the splendid law referred to. [Applause.]

The CHAIRMAN. The time of the gentleman has expired; all time has expired. The question is on agreeing to the amendment offered by the gentleman from Ohio.

Mr. BLANTON. Mr. Chairman, I make the point of order there is no quorum present.

Mr. FITZGERALD. Mr. Chairman, that illustrates what a fine time a criminal would have with a judge like the gentleman from Texas [Mr. BLANTON]. [Applause.]

Mr. BLANTON. Or with a jury made up of gentlemen like the gentleman from Massachusetts [Mr. FITZGERALD]. [Applause.]

The CHAIRMAN. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and fifteen Members are present, a quorum.

Mr. MILLER. Mr. Chairman, I ask unanimous consent that the amendment of the gentleman from Ohio may be again reported.

The CHAIRMAN. Without objection, the amendment will be again reported.

There was no objection.

The amendment was again reported.

The CHAIRMAN. The question is on agreeing to the amendment. The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. GARD) there were—ayes 70, noes 66.

Mr. BLANTON. I ask for tellers, Mr. Chairman.

Tellers were ordered.

The CHAIRMAN. The gentleman from Minnesota [Mr. VOLSTEAD] and the gentleman from Ohio [Mr. GARD] will take their places as tellers.

Mr. GARD. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Ohio moves that the committee do now rise.

Mr. IGOE. Mr. Chairman, I make the point of order that that motion can not be made while the committee is dividing.

The CHAIRMAN. The point of order is overruled. A motion for the committee to rise is in order at any time.

The question was taken, and the Chair announced that the noes seemed to have it.

On a division (demanded by Mr. BLANTON) there were—ayes 10, noes 101.

Mr. BLANTON. I ask for tellers, Mr. Chairman.

Mr. O'CONNELL. I make the point that that is dilatory, Mr. Chairman.

Mr. GARD. It is not only dilatory but it is out of order. We are in the process of a vote by tellers on another question.

The CHAIRMAN. The gentleman has a right to demand tellers. Those in favor of tellers will rise and be counted. [After counting.] One gentleman has risen, and tellers are refused.

Mr. BLANTON. Mr. Chairman, I ask for the other side.

The demand for the other side was refused.

The CHAIRMAN. The question now recurs on the amendment of the gentleman from Ohio [Mr. GARD]. The gentleman from Minnesota [Mr. VOLSTEAD] and the gentleman from Ohio will take their places as tellers.

The question was taken; and the tellers reported—ayes 76, noes 78.

So the amendment was rejected.

The CHAIRMAN. The gentleman from Illinois [Mr. JUUL] has offered an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. JUUL: Page 5, line 1, after the word "value," insert the words "of the financial interest of such owner."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. GARD. Is not the gentleman entitled to recognition on his amendment?

The CHAIRMAN. All debate has been closed on this paragraph and all amendments thereto.

Mr. JUUL. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. JUUL. I rise for the purpose of having the gentlemen on the floor know what is pending. I doubt very much if anyone knows what it is.

The CHAIRMAN. All debate on the section and all amendments thereto has been closed by order of the committee.

Mr. SABATH. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. SABATH] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SABATH: Strike out all after the word "punished," on line 3, page 6, and insert "by imprisonment of not less than 20 years," so as to read: "Any person found guilty of contempt under the provisions of this section shall be punished by imprisonment of not less than 20 years."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. GARD. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GARD. For the purpose of speaking against the amendment.

The CHAIRMAN. The time was limited by the action of the committee, and it has been exhausted. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 6. That if any section or provision of this act shall be held to be invalid, it is hereby provided that all other provisions of this act which are not expressly held to be invalid shall continue in full force and effect.

Mr. JOHNSON of Kentucky. Mr. Chairman, I move to strike out the section for the reason that it is repeated in section 38, on page 32.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. JOHNSON of Kentucky: Page 6, strike out all of section 6.

Mr. VOLSTEAD. Mr. Chairman, the provision to which the gentleman refers will not be applicable to this title at all. Certainly this section ought to be retained.

Mr. JOHNSON of Kentucky. Both of them say, "the provision of this act." Neither uses the expression of "title."

Mr. VOLSTEAD. But we have an express provision at the end of Title II that only puts into effect before the 16th of next January certain sections of Title II.

Mr. JOHNSON of Kentucky. Section 6, which we are now considering, says:

That if any section or provision of this act shall be held to be invalid, it is hereby provided that all other provisions of this act which are not expressly held to be invalid shall continue in full force and effect.

Now, on page 32, section 38, is this language:

That if any provision of this act shall be held invalid, it shall not be construed to invalidate other provisions of the act.

So it seems to be a repetition.

Mr. CRAMTON. Will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. CRAMTON. Would it meet the views of both gentlemen if the word "act" was stricken out and the word "title" inserted?

Mr. JOHNSON of Kentucky. That would meet with my approval.

Mr. VOLSTEAD. I have no objection to that.

Mr. WALSH. Does the gentleman think it would make any difference if it was stricken out in both cases?

Mr. JOHNSON of Kentucky. I am not prepared to say as to that.

Mr. WALSH. I think the Supreme Court will find it absolutely unnecessary legislation.

Mr. JOHNSON of Kentucky. But there is no reason for it to be used twice.

Mr. VOLSTEAD. There is, if the gentleman will look at the section on page 32. It does not go into effect until the 16th of January next.

Mr. JOHNSON of Kentucky. That has nothing to do with it.

Mr. VOLSTEAD. Yes; if you strike it out here, there will be no provision applicable to Title I.

Mr. JOHNSON of Kentucky. Oh, yes. In both cases the limitation refers to the word "act" and not to the word "title." In both places it relates to the entire bill.

Mr. VOLSTEAD. The gentleman misunderstands me. Turn to the last section of the bill, and there you will find that Titles I and III and sections 1 and 40 of Title II of the act shall be in force from and after the approval of this act. The other sections of Title II shall take effect on or after January 16, 1920. Consequently, the provision on page 32 does not go into effect until January next. Hence, if you are going to leave anything that relates to war-time prohibition, you must leave in place section 6 on page 6.

Mr. JOHNSON of Kentucky. No. The gentleman is mistaken. Only one of these is necessary, because it relates to the question as to whether or not the bill is constitutional.

Mr. VOLSTEAD. If the gentleman cares to amend it by putting in the word "title" instead of "act" I will have no objection, and in that way we can get rid of it.

Mr. JOHNSON of Kentucky. In order that the chairman of the committee may have further time to consider the matter, Mr. Chairman, I will ask unanimous consent to withdraw my amendment, and then when we get to section 38, on page 52, I will move to strike that out.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to withdraw the amendment. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 7. That none of the provisions of this act shall be construed to limit or annul any order or regulation prohibiting the manufacture, sale, or disposition of intoxicating liquors within certain prescribed zones or districts, nor shall the provisions of this act be construed to prohibit the use of the power of the military or naval authorities to enforce the regulations of the President or Secretary of War or Navy issued in pursuance to law prohibiting the manufacture, use, possession, sale, or other disposition of intoxicating liquors during the period of the war and demobilization thereafter.

Mr. GARD. Mr. Chairman, I move to strike out the last two words for the purpose of asking the chairman of the committee how long it is his purpose to continue in session to-night?

Mr. VOLSTEAD. Until 9 o'clock, if the committee will stay. We have not been able to make much progress on the bill. We have had it under consideration now for two weeks.

Mr. GARD. Can the gentleman inform us what is to be done to-morrow?

Mr. VOLSTEAD. My understanding is that the Agricultural bill is likely to take considerable time, and I think we are all anxious to get through with this bill.

Mr. GARD. This is a matter of convenience to the Members of the House to know what the gentleman intends to do. I think there should be a fair representation of Members of the House present when we take up this important matter. Here we are with possibly 45 or 50 people present now.

Mr. VOLSTEAD. Oh, I think there is a quorum in the immediate vicinity.

Mr. GARD. If we are going ahead to-morrow I can see no necessity for prolonging this to-night.

Mr. VOLSTEAD. We will not be able to get much of to-morrow, as I understand it, because if we bring in the Agricultural bill that will occupy much of the time. I am in hopes that the committee will agree to go on until about 9 o'clock. I know many Members would like very much to finish this matter this week, and there is no possibility of that unless we do something of the kind I suggest.

Mr. GARD. I do not desire to appear in the rôle of an obstructionist. I simply want to know for the information of the gentlemen about me who desire to know for their own convenience.

Mr. BLANTON. Mr. Chairman, I move to strike out the last two words for the purpose of asking a question. I would like to ask the chairman whether or not if the committee stays here and works until 9 o'clock the Chair is going to require the Member having the floor from now on to speak in order on the bill? If all the committee is going to do is to talk on matters outside of the bill, we will not save much time by working here until 9 o'clock.

The CHAIRMAN (Mr. ANDERSON). The Chair would state that so far as he is concerned debate has proceeded in order, and if it does not proceed in order the gentleman from Texas, or any other gentleman exercising his right, can call the gentleman on the floor to order. The Clerk will read.

The Clerk read as follows:

TITLE II.

PROHIBITION OF INTOXICATING BEVERAGES.

That when used in Title 2 and Title 3 of this act (1) the word "liquor" or the phrase "intoxicating liquor" shall be construed to include alcohol, brandy, whisky, rum, gin, beer, ale, porter, and wine, and in addition thereto any spirituous, vinous, malt, or fermented liquor, liquids, and compounds, whether medicated, proprietary, patented, or not, and by whatever name called, containing one-half of 1 per cent or more of alcohol by volume which are potable or capable of being used as a beverage.

(2) The word "person" shall mean and include natural persons, associations, copartnerships, and corporations.

(3) The word "commissioner" shall mean Commissioner of Internal Revenue.

(4) The term "application" means a formal written request supported by a verified statement of fact showing that the commissioner may grant the request.

(5) The term "permit" means a formal written authorization by the commissioner setting forth specifically the things that are authorized.

(6) The term "bond" means an obligation authorized or required by or under this act or any regulation, issued in such form and for such a penal sum as may be required by a court, the commissioner, or prescribed by regulation.

(7) The term "regulation" shall include all regulations prescribed by the commissioner with the approval of the Secretary of the Treasury for carrying out the provisions of this act so as to afford safety to the revenues and adequate protection against diversion of liquor for illegal uses, and the commissioner is authorized to make such regulations.

Any act authorized to be done by the commissioner may be performed by any assistant or agent designated by him for that purpose. Records required to be filed with the commissioner shall be filed with an assistant commissioner or other person designated by the commissioner to receive such records.

Mr. HASKELL (interrupting the reading). Do I understand, Mr. Chairman, that this bill is to be read by sections or by paragraphs?

The CHAIRMAN. By sections.

Mr. LONGWORTH. Mr. Chairman, my understanding is that, in reply to a question I asked of the regular occupant of the chair, he answered that it would be read by paragraphs.

The CHAIRMAN. All bills except appropriation bills are customarily read by sections.

Mr. VOLSTEAD. We are reading the bill by sections.

Mr. LONGWORTH. My recollection is that Chairman GOOD ruled specifically in reply to a question I asked that it was to be read by paragraphs.

Mr. VOLSTEAD. No; I think the gentleman is mistaken about that.

Mr. LONGWORTH. I shall look it up.

The Clerk concluded the reading of the section.

Mr. IGOE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. IGOE: Page 7, strike out all of lines 7, 8, 9, 10, 11, 12, 13, and 14 and insert in lieu thereof the following: "The word 'liquor' or the phrase 'intoxicating liquor' shall be construed to include any spirituous, vinous, malt, or fermented liquor, liquids, and compounds, whether medicated, proprietary, patented or not, and by whatever name called, which are intoxicating and which are potable or capable of being used for beverage purposes."

Mr. BLANTON. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and two Members present, a quorum.

Mr. IGOE. Mr. Chairman and gentlemen of the House, I think this is perhaps the most important point in the bill. In this section is presented for the first time, as far as the enforcement of national prohibition is concerned, the question of the power of Congress under the constitutional amendment. There are other sections of the bill which follow where this same question will be presented. There is a very marked difference of opinion between those who advocate this bill and those who oppose it as to the power of Congress under the eighteenth amendment. The eighteenth amendment to the Constitution provides:

SECTION 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof, for beverage purposes, is hereby prohibited.

My contention is that the Congress is limited to the provisions of that first section of the eighteenth amendment.

It is contended by the majority in the report on this bill that under the power given under the second section to enforce this article by appropriate legislation that Congress may go to the extent of prohibiting, if it deems it wise, the manufacture and sale of beverages that are in fact not intoxicating. Now, the amendment is not only limited to the manufacture, sale, and transportation of intoxicating beverages, but it is limited to the business in intoxicating liquors for beverage purposes. If the Congress can go as far as these gentlemen say it can go and deal with nonintoxicants, then there is no reason why we should be limited to prohibiting merely the manufacture, sale, or transportation, nor is there any reason why we should be limited to the prohibition of intoxicating liquor for beverage purposes. The amendment which I have offered provides, in the language of the Constitution, that intoxicating liquor for beverage purposes shall be prohibited. Now, the majority in the report filed on this bill claims that because several States under their various constitutions and State laws have passed acts in which intoxicating liquors are defined to include nonintoxicants, that the Congress may go to the same extent, and I wish to impress here again that in the first section of this article is contained the whole power of Congress, and that section of the article is a complete prohibition in itself. If the words selected there were not intended to give Congress authority, then it was useless to select the words "manufacture, sale, transportation, and exportation." Now, under State laws it is true that the State legislatures have included many beverages which are not intoxicating, but an examination of those cases and an examination of the decisions of the Supreme Court of the United States, where those cases have come up to the court for decision, will show that the constitutions of the States either permitted them to do what the legislatures did or that under the broad police powers of the State that legislation was sustained. Attention has been called particularly to some of those cases where beverages admittedly nonintoxicating were prohibited, but the Federal Government has no general police power. I think that is conceded by all who have discussed this bill or who have considered the question of the power of Congress.

The CHAIRMAN. The time of the gentleman has expired.

Mr. IGOE. May I have five minutes additional?

Mr. BLANTON. Mr. Chairman, I make the point of order there is no quorum present.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to speak for five minutes. Is there objection? [After a pause.] The Chair hears none. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count.

Mr. GARD. Mr. Chairman, I desire to amend the request of the gentleman from Missouri, that instead of having 5 minutes he shall have 10 minutes, because he intends to present a legal argument.

The CHAIRMAN (after counting). Sixty-eight gentlemen are present; not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Frear	Linthicum	Robinson, N. C.
Ashbrook	Freeman	Luce	Rodenberg
Babka	French	Luhring	Rouse
Bacharach	Fuller, Ill.	McAndrews	Rucker
Bankhead	Fuller, Mass.	McArthur	Sabath
Barbour	Gandy, S. Dak.	McClintic	Sanford
Bland, Ind.	Garner	McCulloch	Saunders, Va.
Booher	Goodall	McDuffie	Schall
Brinson	Gould	McFadden	Scott
Britten	Graham, Pa.	McKenzie	Scully
Brooks, Ill.	Green, Iowa	McKeown	Sells
Brooks, Pa.	Greene, Vt.	McKinley	Shreve
Browne	Griest	McPherson	Sims
Brumbaugh	Griffin	Madden	Sinclair
Buchanan	Hamill	Maher	Sisson
Burdick	Hamilton	Major	Slemp
Butler	Hardy, Colo.	Mann	Small
Byrnes, S. C.	Hardy, Tex.	Mansfield	Smith, Idaho
Cannon	Harrison	Martin	Smith, N. Y.
Cantrill	Hayden	Mason	Snell
Carter	Heflin	Merritt	Snyder
Clark, Fla.	Hickey	Monahan, Wis.	Steenerson
Cleary	Hicks	Mondell	Stephens, Miss.
Coady	Houghton	Montague	Stevenson
Copley	Howard	Moon	Stiness
Costello	Huddleston	Moore, Va.	Strong, Kans.
Crago	Hudspeth	Moores, Ind.	Sullivan
Crisp	Hulings	Morin	Sweet
Davey	Hull, Iowa	Mudd	Taylor, Colo.
Davis, Minn.	Hull, Tenn.	Neely	Thompson, Ohio
Dempsey	Humphreys	Nelson, Mo.	Tilson
Dent	Ireland	Nichols, Mich.	Towner
Dickinson, Mo.	Jefferis	Nolan	Treadway
Donovan	Johnson, S. Dak.	O'Connor	Vare
Dooling	Johnson, Wash.	Oldfield	Vestal
Doremus	Johnston, N. Y.	Oliver	Vinson
Dunbar	Jones, Tex.	Park	Walsh
Dunn	Kahn	Parker	Walters
Dyer	Kearns	Platt	Ward
Eagle	Kelley, Mich.	Porter	Wason
Echols	Kelly, Pa.	Pou	Watson, Va.
Elliott	Kendall	Purnell	Webb
Ellsworth	Kennedy, Iowa	Rainey, H. T.	White, Kans.
Elston	Kennedy, R. I.	Randall, Calif.	Williams
Emerson	Kettner	Randall, Wis.	Wilson, Ill.
Esch	King	Rayburn	Wilson, La.
Evans, Mont.	Kitchin	Reavis	Wise
Fairfield	Langley	Reed, N. Y.	Wood, Ind.
Fields	Larsen	Reed, W. Va.	Woodyard
Flood	Lee, Ga.	Rhodes	Young, Tex.
Fordney	Lever	Riordan	Zihlman

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. ANDERSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (H. R. 6810) to prohibit intoxicating beverages, and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries, finding itself without a quorum, had caused the roll to be called, that 224 Members, a quorum, had answered to their names, and that he presented therewith the names of the absentees for insertion in the Journal and RECORD.

The SPEAKER. The committee will resume its session.

The committee resumed its session for the further consideration of the bill H. R. 6810, with Mr. ANDERSON in the chair.

The CHAIRMAN. The gentleman from Missouri [Mr. IGOE] is recognized for five minutes.

Mr. IGOE. Mr. Chairman, I am sorry that interruption came, because I could have finished what I had to say a long time ago. I do not know whether it would have enlightened the House very much, but I have been deeply interested in this particular question, because I think it is one of the most important in the bill. The gentlemen in charge of the bill or the majority of the committee, I think, will concede that Congress has no power to legis-

late upon this question within the States except under this amendment. Of course, it has been suggested that under the power of taxation we might enact certain legislation, and how far we might go in that respect I am not prepared now to discuss.

As to interstate matters, of course, our power is unlimited, and under the war power we may go a long ways. The amendment, however, gives Congress whatever power it has. The contention of the majority that the power is full and complete is one that I deny, because it is not the same as that which was given under the power to regulate interstate commerce or establish post offices and post roads.

Mr. GARD. Mr. Chairman, I ask for order.

Mr. IGOE. Mr. Chairman, I ask leave to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. IGOE. Mr. Chairman, I move that the committee do now rise.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. IGOE and Mr. GARD demanded a division.

The committee divided; and there were—ayes 33, noes 71.

So the motion to rise was rejected.

The CHAIRMAN. The Clerk will read.

Mr. GARD. There is an amendment pending, I believe, Mr. Chairman.

Mr. VOLSTEAD. Mr. Chairman, I want to speak in opposition to the amendment.

This is not a new question. It is a question that we decided a few days ago, and it seems to me we ought not to waste any more time on it unnecessarily. The Attorney General but yesterday called attention to the fact that it was absolutely necessary to have a definition in this war prohibition act to make it effective. It is equally necessary to put a definition of intoxicating liquor into this title, which is the one to enforce constitutional prohibition. There can be no doubt about that. Not only has it been illustrated in the enforcement of war-time prohibition, but it has been illustrated in every State where they have tried it, and, so far as I am advised, not a single State has attempted to enforce anything like a prohibition law or liquor laws of any kind without placing in their statutes a definition. There must be a definition; otherwise the law will be absolutely ineffective.

Let me say this now, and make it plain, that everyone who is in favor of this proposition is opposed to effective enforcement of prohibition. Knowing that the country will not stand for open opposition, they aim to make the law ineffective by providing for a jury trial and by striking out the definition of intoxicating liquor. Let us be honest. You who are for an effective law should stand up for the bill, and those who are opposed to it should come out flat-footed and say, "We are trying to defeat it."

Mr. Chairman, I move that all debate on this amendment be now closed.

The CHAIRMAN. The gentleman from Minnesota moves that all debate on this section be now closed.

Mr. JOHNSON of Kentucky. Mr. Chairman, I hope the gentleman will not insist on that, because I have an amendment I know he will accept.

Mr. VOLSTEAD. On this amendment, then.

The CHAIRMAN. The gentleman from Minnesota moves that debate on this amendment be now closed.

The question was taken, and the motion was agreed to.

The CHAIRMAN. The question now is on agreeing to the amendment offered by the gentleman from Missouri [Mr. IGOE].

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. IGOE. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 35, noes 72.

So the amendment was rejected.

Mr. HASKELL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HASKELL: Amend subdivision (1) of section (1) of title 2 as follows: In lines 12 and 13, page 7, strike out the words "one-half of 1 per cent or more of." In line 13, page 7, after the word "volume," insert "in excess of the maximum per cent fixed for nonintoxicating beverages by proclamation of the President of the United States to be made as hereinafter set forth: That the President of the United States shall appoint a commission of five members to serve without pay, with power to meet at such places as said commission deems advisable, and compel the attendance of witnesses, send for persons and papers, and administer oaths to witnesses. It shall be the duty of this commission to investigate and report to the President of the United States, and to this Congress, at the earliest practicable moment, what maximum per cent of alcohol in the beverages and preparations described in the first paragraph hereof which are potable or capable of being used as a beverage, in its opinion, constitute nonintoxicating liquors. The President of the United States shall, by proclamation, fix the maximum per cent of alcohol for nonintoxicating beverages as reported by said commission."

Mr. HASKELL. Mr. Chairman, as has been stated on the floor of this House——

Mr. BLANTON. Mr. Chairman, I make a point of order against it.

The CHAIRMAN. What is the gentleman's point of order?

Mr. BLANTON. I presume that that is not germane to the purpose of this bill. The purpose of the bill is not to have prohibition by presidential proclamation. The purpose of the bill is to provide adequate legislation in support of the constitutional provision, as provided by the Constitution. The Constitution does not say that the President shall proclaim laws that would carry into effect the constitutional provision. The Constitution says that the Congress may prescribe rules and regulations that will put this law into effect.

The CHAIRMAN. The Chair sustains the proposition.

Mr. HASKELL. Mr. Chairman, will not the Chair hear me on the proposition?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. HASKELL. Mr. Chairman, this section refers to the percentage of alcohol by volume to be permitted in these beverages, and I submit that resolution after resolution has been introduced here in one form or another upon this subject.

That being true, my amendment prescribes a definite and precise way of fixing the alcoholic-volume content. It certainly is proper to have some investigation of the percentage of alcohol which makes these drinks intoxicating, and, on the other hand, the percentage which renders them nonintoxicating. We have had no adequate investigation of that proposition. In fact, no investigation at all. The Committee on the Judiciary, reporting this bill, will not say upon the floor of this House that they have investigated what percentage of alcoholic volume in these drinks constitutes them intoxicating, and, on the other hand, constitutes them nonintoxicating. My amendment proposes a sane way of finding out, in order to comply with the provisions of the eighteenth amendment, which only prohibits intoxicating liquors for beverage purposes.

That is the proposition under consideration. My amendment covers that situation. I would like to be heard on it.

The CHAIRMAN. The Chair will state that it has been held many times by the House that where a provision fixes a standard it is not germane to offer an amendment providing for a commission or any other method of fixing a standard; and the gentleman's amendment providing for a commission is not germane to the provision fixing the percentage of alcohol in the beverage. Therefore the Chair sustains the point of order.

Mr. HASKELL. Mr. Chairman, I respectfully appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from New York appeals from the decision of the Chair.

Mr. VOLSTEAD. Mr. Chairman, it is too late. The decision was announced.

Mr. HASKELL. I could not appeal until it was announced.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the committee? Those in favor of sustaining the ruling of the Chair will say "aye"; those opposed will say "no."

The question was taken, and the Chair announced that the ayes appeared to have it.

Mr. HASKELL. I ask for a division.

The CHAIRMAN. The gentleman from New York asks for a division.

The committee divided; and there were—ayes 73, noes 14.

Mr. HASKELL. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and twenty-two Members present, a quorum.

Mr. HASKELL. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from New York moves that the committee do now rise.

The question being taken (on a division demanded by Mr. HASKELL) there were—ayes 7, noes 86.

Accordingly the motion was rejected.

Mr. JOHNSON of Kentucky. Mr. Chariman, I offer an amendment. On page 7, at the end of line 17, I move to strike

out the period after the word "corporation" and insert a comma and then add the following words:

Also the principal officer of every corporation.

The CHAIRMAN. The gentleman from Kentucky offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Kentucky: Page 7, line 17, after the word "corporation," strike out the period and insert a comma and add the words "also the principal officer of every corporation."

Mr. WALSH. Will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. WALSH. What would "the principal officer of every corporation" be under this definition?

Mr. JOHNSON of Kentucky. Under the definition of "persons," an individual can be both fined and imprisoned; but a corporation can not be imprisoned and can only be fined.

Mr. WALSH. Yes.

Mr. JOHNSON of Kentucky. A common carrier corporation may violate the law and nobody can be imprisoned. The corporation may pay a fine and get off. A hotel corporation could violate the law and get off with a fine and nobody would be imprisoned. But if the language that I have just offered is added to the definition, the principal officer of the corporation can be both fined and imprisoned.

Mr. WALSH. But the gentleman will notice that this is only a definition.

Mr. JOHNSON of Kentucky. Yes.

Mr. WALSH. Now, what would "the principal officer of a corporation" be if that amendment were adopted?

Mr. JOHNSON of Kentucky. That would depend on the articles of incorporation and by-laws of the corporation.

Mr. WALSH. He would be a natural person?

Mr. JOHNSON of Kentucky. Yes; but he himself would not violate the law if a railroad took an illegal shipment.

Mr. WALSH. This definition would not make him a violator of the law.

Mr. JOHNSON of Kentucky. The definition I have added would bring him in all right.

Mr. WALSH. I think the gentleman is mistaken.

Mr. JOHNSON of Kentucky. If I am mistaken, it is a mistake in the right direction; and this language had better be put in.

Mr. VOLSTEAD. Any individual acting as an officer would be liable anyway without this amendment.

Mr. JOHNSON of Kentucky. No; if the Baltimore & Ohio Railroad, for instance, or the American Railways Express Co., should be indicted for an illegal transportation of whisky, the president of the company could not be imprisoned under this bill.

Mr. VOLSTEAD. You would not want to imprison him unless he had some knowledge and had participated in the offense, and if he had he would be liable as a natural person.

Mr. JOHNSON of Kentucky. If the principal officer of the corporation were liable to imprisonment, he would see that the law was carried out by his corporation. Any two or three persons in a community who are bootleggers may resolve themselves into a corporation. Every hotel, every soft-drink establishment, could go to the proper place in the State and become incorporated, and then they could not be imprisoned.

Mr. BLANTON. Will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. BLANTON. Would the gentleman object to striking out the word "principal" and inserting the word "managing"? The president might not have anything to do with the violation of the law. It might be an underling who was the manager of the corporation.

Mr. JOHNSON of Kentucky. If this becomes the law, we will have a live man as the principal officer.

Mr. VENABLE. Will the gentleman yield for a question?

Mr. JOHNSON of Kentucky. Yes.

Mr. VENABLE. As I understand, anyone who participates in the commission of a misdemeanor is liable. Now, how could a corporation commit a misdemeanor through an agent without the agent being equally guilty with the corporation? And if that be true, why is it necessary to make the agents of the corporation liable by name?

Mr. JOHNSON of Kentucky. Oh, I think it is quite clear that there is no way to impose imprisonment upon anybody connected with a corporation unless he be included in this definition.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. GARD. Mr. Chairman, it seems to me that the purpose of the gentleman from Kentucky is not carried out by the amendment he proposes. As has been suggested by the gentleman from Minnesota and the gentleman from Massachusetts, subdivision 2 provides a definition of the word "person," and it is supposed that they shall include natural persons, corporations, associations, and copartnerships.

Mr. JOHNSON of Kentucky. I will say that the corporation would be fined, but nobody could be imprisoned.

Mr. GARD. The same rule would apply to associations or copartnerships or any officer thereof. The gentleman seeks to have somebody designated who might be made criminally responsible on behalf of the corporation, but he does not accomplish that, because it simply provides a definition of the word "partnership." No matter what amendment is put in after the word "corporation," it still means that "corporation" is a person under this definition of the law. That is all there is to it. The amendment of the gentleman from Kentucky is not only not necessary but defeats its own end.

Mr. VENABLE. Mr. Chairman, if the purpose be to so arrange that if the corporation is engaged in the sale of liquor some individual who would act for the corporation can be punished, I do not think the amendment is necessary. A corporation can only act through certain individuals named, and everyone who participates in the commission of a misdemeanor is guilty of the misdemeanor. There are no accessories to misdemeanors. Everyone who aids and abets and helps in the perpetration of a misdemeanor is guilty as principal, and so if you had the agent of a corporation, when the corporation was engaged in the sale of liquor, that individual would be punished on the basis of his own personal guilt.

Now, however, if the purpose of the amendment be to choose some agent of the corporation to punish as a vicarious sacrifice, whether he had anything to do with the actual sale or not, it ought to be defeated, because it is unjust to punish a man for an act that he knew nothing about and had no part in the performance.

Mr. VOLSTEAD. Mr. Chairman, I move that all debate on this section and amendments thereto be now closed.

The CHAIRMAN. The question is on the motion of the gentleman from Minnesota.

The question was taken, and the motion was agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Kentucky [Mr. JOHNSON].

The question was taken, and the amendment was rejected.

Mr. WALSH. Mr. Chairman, I move to insert, on page 7, line 6, before the word "that" the words "section 1," and strike out the figures 2 and 3 and insert the Roman numerals II and III in place thereof.

The Clerk read as follows:

Page 7, line 6, before the word "that" insert the words "section 1." In the same line add an "s" to the first word "title," strike out the figure 2, and strike out the word "title" and the figure 3, and insert in place of figure 2 the Roman numeral II and in place of title 3 insert the Roman numeral III.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The amendment was agreed to.

Mr. WALSH. Mr. Chairman, I ask unanimous consent that in line 7, after the figure 1 in parentheses, the word "the" may be spelled with a capital "T."

The CHAIRMAN. The gentleman asks unanimous consent that in line 7 the word "the" shall commence with a capital. Is there objection?

There was no objection.

Mr. WALSH. Mr. Chairman, I desire to ask the chairman of the committee if he would have any objection, in lines 20 and 23, page 7, and in line 1, on page 8, to striking out the word "means" and insert the words "shall mean," making it conform to the provisions in subparagraphs 2 and 3?

Mr. VOLSTEAD. That is all right, except in line 5, on page 8. You will have to strike out the word "include" there.

Mr. WALSH. Yes; and insert the words "shall mean."

Mr. VOLSTEAD. There is no objection to that.

Mr. WALSH. Very well. Then, Mr. Chairman, I offer that as an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. WALSH: Page 7, line 20, strike out the word "means" and insert the words "shall mean." Page 7, line 23, strike out the word "means" and insert the words "shall mean." Page 8, line 1, strike out the word "means" and insert the words "shall mean." Page 8, line 5, strike out the word "include" and insert the word "mean."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts.

The amendment was agreed to.

Mr. GARD. Mr. Chairman, I offer the following amendment, which has been authorized by the Committee on the Judiciary, but which so far has not been reported by the chairman.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. GARD: Page 7, line 14, strike out the words "as a" and insert in lieu thereof the word "for." Strike out the period and after the word "beverage" insert the word "purposes."

Mr. GARD. As I say, that was authorized by the Committee on the Judiciary.

Mr. VOLSTEAD. There is no objection to that.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. JOHNSON of Kentucky. Mr. Chairman, I move to amend, on page 8, line 2, by striking out the word "issued" and inserting in lieu thereof the word "executed." Mortgaged bonds are issued, but appearance bonds are executed.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Kentucky. Page 8, line 2, strike out the word "issued" and insert in lieu thereof the word "executed."

Mr. VOLSTEAD. Mr. Chairman, I accept that.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. JOHNSON of Kentucky. Also on the same page at the end of line 10, after the word "regulations," strike out the period and insert the words "as are not inconsistent with law." Subsection (8) there gives a blanket commission to the Commissioner of Internal Revenue when approved by the Secretary of the Treasury to issue all sorts of regulations. I think it should be limited to make the regulations consistent with law.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Kentucky: Page 8, line 10, after the word "regulations," strike out the period and insert the words "as are not inconsistent with law."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. FITZGERALD. Mr. Chairman, I move to add the word "cider" after the word "wine," in line 9, page 7, striking out the word "and" which precedes the word "wines."

Mr. BLANTON. Mr. Chairman, I make the point of order that the gentleman should put his amendment in writing in accordance with the rules.

The CHAIRMAN. The gentleman will submit his amendment in writing.

Mr. FITZGERALD. Very well. Here it is. I send it to the desk and ask that the Clerk report it.

The Clerk read as follows:

Amendment by Mr. FITZGERAID: Page 7, line 9, after the word "porter," strike out the word "and," and after the word "wine" insert the words "and cider."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. FITZGERALD) there were—ayes 16, noes 76.

So the amendment was rejected.

Mr. SAUNDERS of Virginia. Mr. Chairman, I want to ask the chairman of the committee whether in line 21, page 7, the words "showing that the commissioner may grant the request," should not be stricken out of the definition of the term "application"? It seems to me a clumsy addition to the definition already there.

Mr. VOLSTEAD. I think not. I think it is as it ought to be set forth.

Mr. SAUNDERS of Virginia. If it is supported by the committee, that seems to be sufficient.

The Clerk read as follows:

SEC. 2. That the Commissioner of Internal Revenue, his assistants, agents, and inspectors shall investigate and report violations of this act to the United States attorney for the district in which committed, who shall be charged with the duty of prosecuting the offenders, subject to the direction of the Attorney General, as in the case of other offenses against the laws of the United States; and such Commissioner of Internal Revenue, his assistants, agents, and inspectors may swear out warrants before United States commissioners or other officers or courts authorized to issue the same for the apprehension of such offenders, and may, subject to the control of the said United States attorney, conduct the committing trial for the purpose of having the offenders held for the action of a grand jury. Section 1014 of the Revised Statutes of the United States is hereby made applicable in the enforcement of this act.

Mr. JOHNSON of Kentucky. Mr. Chairman, on page 8, line 20, I move to strike out the words "shall be" and insert in lieu thereof the words "is hereby."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 8, line 20, strike out the words "shall be" and insert in lieu thereof the words "is hereby."

The question was taken, and the amendment was agreed to.

Mr. JOHNSON of Kentucky. Mr. Chairman, on page 9, in line 5, after the word "conduct" I move to insert the words "the prosecution at."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 5, after the word "conduct" insert the words "the prosecution at."

The question was taken, and the amendment was agreed to.

Mr. GARD. Mr. Chairman, I offer an amendment to strike out the comma as it appears in line 3, page 9, and insert a period, and strike out the balance of the language down to and including the word "jury" in line 6.

The CHAIRMAN. The Chair calls the attention of the gentleman to the fact that there are two commas in line 3; after which word?

Mr. GARD. After the word "offenders." I said to strike out the comma after the word "offenders" and insert a period, and strike out the balance of the language of that line and lines 4, 5, and 6 down to and including the word "jury."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 3, after the word "offenders" strike out the comma, insert a period, and strike out the remainder of line 3, all of lines 4, 5, and 6 down to and including the word "jury" in line 6.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 3. That no person shall on or after the date when the eighteenth amendment to the Constitution of the United States goes into effect, manufacture, sell, barter, give away, transport, import, export, deliver, furnish, receive, or possess any intoxicating liquor except as authorized in this act, and all the provisions of this act shall be liberally construed to the end that intoxicating liquor as a beverage may be prohibited. Liquor for nonbeverage purposes and wine for sacramental purposes may be purchased, sold, transported, and used as herein provided.

Mr. VOLSTEAD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, lines 17 and 18, after the word "be," strike out the balance of the paragraph and insert the words "manufactured, sold, bartered, given away, transported, imported, exported, delivered, furnished, and used, but only as herein provided and permits may be issued therefor."

Mr. VOLSTEAD. The words "received, possessed," should come after the word "furnished," and I desire to modify the amendment to that effect.

Mr. JOHNSON of Kentucky. Before that is done I desire to offer a perfecting amendment.

The CHAIRMAN. The Chair will ask the gentleman from Minnesota to state again in what respect he desires to modify his amendment?

Mr. VOLSTEAD. After the word "furnished" insert the words "received, possessed."

The CHAIRMAN. If there is no objection, the gentleman will be permitted to modify his amendment, and the Clerk will report the amendment as modified.

The Clerk read as follows:

Page 9, lines 17 and 18, after the word "be," strike out the balance of the paragraph and insert "manufactured, sold, bartered, given away, transported, imported, exported, delivered, furnished, received, possessed, and used, but only as herein provided and permits may be issued therefor."

Mr. GARD. Mr. Chairman, I move to amend by including the word "purchased."

Mr. JOHNSON of Kentucky. I desire to offer a perfecting amendment.

Mr. GARD. After the word "manufactured," in what came from the chairman of the committee—I ask for the attention of the chairman of the committee—is it not the purpose of the gentleman also to include the word "purchased"? The gentleman struck out the language after "may be" and inserted the word "manufactured" and other words. Did not the gentleman also intend to include the word "purchased"?

Mr. VOLSTEAD. There is no prohibition expressly against purchase in the first part of the section, and it is not necessary.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

After the word "manufactured" insert the word "purchased."

Mr. VOLSTEAD. I have no objection.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now recurs on the amendment of the gentleman from Minnesota [Mr. VOLSTEAD] as amended.

The amendment was agreed to.

Mr. BLACK, Mr. JOHNSON of Kentucky, and Mr. WHITE of Maine rose.

The CHAIRMAN. The gentleman from Texas [Mr. BLACK] is recognized.

Mr. BLACK. Mr. Chairman, I have an amendment, which I have sent to the Clerk's desk.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLACK: Page 9, line 14, after the word "be," strike out the balance of the line and all of line 15 and insert in lieu thereof the following:

"Construed according to the plain import of the language used, without regard to the distinction made between construction of penal laws and laws upon other subjects; and no person shall be punished for an offense which is not made penal by the plain import of the words of this act."

Mr. BLACK. Mr. Chairman, in the section which we now have under consideration is written the following language, on lines 14 and 15:

All the provisions of this act shall be liberally construed to the end that intoxicating liquor as a beverage may be prohibited.

I think I am as strong an advocate of a firm and effective enforcement measure as any man in this House, but, gentlemen, this is a highly penal statute, and it occurs to me that the language which I have just read is very unusual. What is meant by the language "shall be liberally construed to the end that intoxicating liquor as a beverage may be prohibited"? What is the meaning of the words "liberal construction"? Does it mean that enlarged construction which would extend words beyond their natural and obvious meaning? If it does, I am sure that Congress would not want to adopt language of that sort in a statute that is as highly penal as this one. We all understand that the common-law construction was that laws are strictly construed when they are highly penal in favor of the person accused. That is to say, if the language used was ambiguous and not clear, the party accused under it was given benefit of doubts.

Now, I take it that it was the purpose of the committee who framed this bill to get away from the common-law rule of construction, and, therefore, they have used these words, "shall be liberally construed."

Mr. ALEXANDER. Will the gentleman yield?

Mr. BLACK. In just a moment.

An interpretation of that language would seem to mean that when you bring a defendant into court and charge by indictment that he has violated the provision of this law, if the judge in construing that language shall be doubtful as to whether he is guilty or not, he shall give it a "liberal construction," and instruct the jury, in effect, to find him guilty. If that is not the meaning of the words "shall be liberally construed," then I would like to inquire, What do they mean?

I have not the slightest desire to help write a lame and ineffective prohibition law. On the contrary, I wish to aid in passing one which will carry out the mandate of the eighteenth constitutional amendment. I think my record on the prohibition question will bear any test my constituents care to give it. But my advocacy of prohibition does not prevent me from advocating such an amendment as the one which I have proposed, and which, if adopted, I think will improve the bill and make it more harmonious with our code of laws and system of criminal jurisprudence.

Mr. ALEXANDER. I do not know any two ways to construe a statute, except to construe it liberally or strictly, and the courts have so recognized it from time immemorial in their decisions, and your amendment injects confusion into the law.

Mr. BLACK. It does not.

Mr. ALEXANDER. To a lawyer it does. It may not to a layman.

Mr. BLACK. I wish to say that the language contained in my amendment is not chosen hurriedly and without consideration. I have adopted the language which has been embodied in our penal code in Texas for years, and it was put in there, not to give any so-called liberal construction to penal statutes nor to permit any narrow construction, but to say that language used shall be construed according to the plain import of the words.

Now, let me read you the amendment I have offered—and I have followed exactly the language that has been used in the construction of the penal statutes in my own State.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLACK. May I be permitted to speak for five minutes more?

Mr. GARD. Mr. Chairman, I ask unanimous consent that the gentleman may have five additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BLACK. Here is the language I have moved to substitute for the language of this section relating to construction, and if my amendment is adopted it would therefore read as follows:

And all the provisions of this act shall be construed according to the plain import of the language used without regard to the distinction made between construction of penal laws and laws upon other subjects; and no person shall be punished for an offense which is not made penal by the plain import of the words of this act.

Now, that provision was put in as article 9 of our penal code in Texas because of the fact that prior to it the courts had said that in the construction of a penal statute they would have to follow the common law; and in many cases the common-law construction was highly technical.

And, therefore, in order to obviate those technicalities we put in our penal code the provision which I have just read.

Now, I am not advocating any narrow and technical method of construction. But if I have got to choose between a strict construction and a liberal construction in a penal law, I would choose the strict construction, because, if I understand it aright, it has always been the doctrine of the Democratic Party and the theory of this Government and one of its most cherished principles that the protection of the individual in his rights is the highest aim and purpose of government. In fact, the very essence of our Federal Constitution is found in that provision, in it which guarantees to every citizen that he shall not be deprived of life, liberty, or property without due process of law. Of course, if all men who are accused of crime were guilty, possibly we would not need to guard their rights so carefully, but in framing a law, no legislator has a right to assume that all men accused under it will be guilty and none innocent. Therefore it is our duty and our responsibility to see to it that in all penal laws proper safeguards are provided for the protection of the innocent.

The amendment which I have offered simply provides that the provisions of this act shall be construed according to the plain import of its language and that no man shall be convicted of a crime, unless it comes clearly within the plain import of the language used. If that is not the way any penal statute should be construed, then I would like to inquire, Why not? The intent of Congress is the thing to be sought, and what better evidence is there of that intent than the plain import of the words used in the act? With this explanation of my amendment I submit it to the consideration of the House.

Mr. VOLSTEAD. Mr. Chairman, I do not think we ought to take up a great deal of time on this. This is not an unusual proposition at all. It is found in many statutes of this class. The purpose of it is to indicate to the court what the object of the legislation is, and to say to the court that it shall receive a construction that will carry out that purpose. We say the object of it is to prohibit intoxicating liquor as a beverage. That may be important in connection with the next section, and I think it ought to remain in there, and remain in substantially the form in which it is. I can see no harm.

Mr. Chairman, I move that all debate on this amendment be now closed.

Mr. BLANTON. Oh, Mr. Chairman——

The CHAIRMAN. The gentleman from Minnesota moves that all debate on this amendment be now closed. The question is on agreeing to that motion.

Mr. BLANTON. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The gentleman from Texas makes the point of no quorum.

Mr. BLANTON. If the gentleman from Minnesota is going to try in that way to prevent us from being heard on this bill we will see if he can gain time by it.

The CHAIRMAN. The gentleman from Texas is out of order. The Chair will count. [After counting.] One hundred and forty Members are present—a quorum. The gentleman from Minnesota moves that all debate upon this amendment be now closed. The question is on agreeing to that motion.

The question was taken, and the Chairman announced that the ayes appeared to have it.

Mr. BLANTON. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 70, noes 24.

Mr. BLANTON. Mr. Chairman, I ask for tellers on that.

The CHAIRMAN. The gentleman from Texas demands tellers. Those in favor of taking this vote by tellers will rise and stand until they are counted. [After counting.] One person has risen, not a sufficient number.

Mr. BLANTON. Mr. Chairman, I make the point of no quorum on the vote last taken.

The CHAIRMAN. The point of order is dilatory.

Mr. BLANTON. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Texas moves that the committee do now rise. The question is on agreeing to that motion.

The question was taken, and the motion was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. BLACK].

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. BLACK. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 42, noes 84.

Mr. BLACK. Tellers, Mr. Chairman.

The CHAIRMAN. Tellers are demanded. As many as favor the taking of the vote by tellers will rise and stand until they are counted. [After counting.] Twenty gentlemen have risen, a sufficient number.

Tellers were ordered; and the Chair appointed Mr. VOLSTEAD and Mr. BLACK as tellers.

The committee again divided; and the tellers reported—ayes 51, noes 75.

So the amendment was rejected.

Mr. WHITE of Maine. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Maine offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WHITE of Maine: Page 9, line 15, after the word "that," insert "the manufacture, sale, transportation, exportation, and importation of," and strike out the words "as a beverage" and insert in lieu thereof "for use for beverage purposes."

Mr. WHITE of Maine. Mr. Chairman, I do not think this changes in any particular the real intent of the section; but we get our power to act from the constitutional amendment, and when we undertake in the act itself to express its real purpose and intent it seems to me we may well make it conform to the constitutional language. That is what my amendment does, and nothing more. If my amendment is adopted, the language will read in this fashion in line 15:

To the end that the manufacture, sale, transportation, exportation, and importation of intoxicating liquors for use for beverage purposes may be prohibited.

And that is just what the constitutional amendment authorizes us to do, and that is the limit of our power. It seems to me the amendment is proper.

Mr. VOLSTEAD. Mr. Chairman, I do no believe this amendment ought to be agreed to. Our various State courts in construing State constitutional amendments that are practically in the same language, and in construing statutes on this subject containing language substantially the same as this, have all held, so far as I am aware—I know a great many of them have held—that the object of those statutes is to prohibit the use of liquor, and it is perfectly evident to anyone who reads this constitutional amendment that the use of liquor as a beverage is what is prohibited. The manufacture is prohibited. The importation is prohibited. Without manufacture and without importation there can be no intoxicating liquor as a beverage in this country, and it seems to me we might as well express that purpose clearly in the act itself. That is the reason why I did not insert the language that has been offered now by the gentleman from Maine [Mr. WHITE] as an amendment. It seems to me we ought to stand for the interpretation of the language of the amendment that has contantly been announced by the courts as the purpose of this class of legislation, and it seems to me we might as well write it into the statute and tell the courts that this is what we understand it to mean.

Mr. WALSH. Why was it not written into the statute?

Mr. VOLSTEAD. I think that is what the language in the bill means.

Mr. WALSH. It does not mean that. It does not say so. It is very cumbersome language, if the gentleman will note—

To the end that intoxicating liquor as a beverage may be prohibited.

Mr. VOLSTEAD. I think that clearly expresses the idea.

Mr. WHITE of Maine. The gentleman thinks that means then just exactly what my language says?

Mr. VOLSTEAD. I think you will have to spell it out from your language, while my language says so in so many words.

Mr. SAUNDERS of Virginia. I should like to ask the chairman of the Judiciary Committee a question. In line 12 is the word "possess." What does that word mean, and what significance does it carry?

Mr. VOLSTEAD. Possession is very important in connection with the prosecution of a great many of these offenses.

Mr. SAUNDERS of Virginia. I have this specific case in mind. Suppose a citizen has a case of wine that he purchased at a time when it was lawful to make the purchase, and the same is now in his possession. Does this act undertake to make that possession unlawful?

Mr. VOLSTEAD. We make express provision for that in section 35, on page 30. There we expressly make it legal to have it in one's possession, and this does not interfere with that. When we reach that section probably some amendment will be offered.

Mr. SAUNDERS of Virginia. I merely desired to ascertain the meaning that this word "possess" is intended to carry.

I wish to say a word in support of the amendment of the gentleman from Maine [Mr. WHITE]. It seems to me that this is a very desirable amendment, and one that ought to be adopted by the committee. I do not think that the argument of the chairman of the committee [Mr. VOLSTEAD] in reply to the argument of the gentleman from Maine [Mr. WHITE] was by any means convincing. Whatever may be the declarations in State statutes with respect to the construction of State enactments, the analogy is by no means striking enough to justify the language of the present bill. We are enacting a statute in enforcement of a constitutional amendment, and our statute by construction can not give to the amendment a meaning in excess of that which it plainly carries.

The constitutional amendment says that exportation, importation, transportation, manufacture, and sale of intoxicating liquors for beverage purposes are prohibited. Our statute of enforcement can only deal with the acts prohibited by the amendment. We can not go further in our legislation, than the limits of the amendment which does not, for instance, prohibit the consumption of intoxicating spirits provided they are in your possession.

Even when constitutional prohibition becomes effective, spirits lawfully in the possession of the citizen may be used in his home. Use is not inhibited by the amendment. When the gentleman from Maine proposes by his amendment that we shall construe a law in enforcement of the constitutional amendment to the end that the inhibitions of that amendment shall be effected, he is proposing something that is plainly right. The committee should be anxious to make effective the plain meaning of the Constitution. Thus far should we go, and no further.

Mr. BLANTON. Mr. Chairman, I believe I am as strong a prohibitionist as there is in this House or in the United States, yet I am in favor heartily of the amendment offered by the gentleman from Maine. I think it should be adopted, for it is clearly the law, as stated by the gentleman from Virginia [Mr. SAUNDERS], that we can not go beyond the power given to us by the eighteenth constitutional amendment.

I was not in favor of the amendment offered by my colleague, Mr. BLACK, although in nine cases out of ten I would be willing to follow this distinguished gentleman from Texas, because his judgment is right nine times out of ten. But I remember the effect of the very statute which he had incorporated from the Texas code into his amendment. I remember that under that very statute a negro indicted for a cold-blooded murder was four different times by a jury found guilty of murder in the first degree and given the death penalty.

Four different times the Court of Criminal Appeals of the State of Texas under that very statute was forced to reverse the case on a technicality, and the fifth time the negro was tried the jury for the fifth time gave him the death penalty. But in their verdict they said, "We, the jury, find the defendant guilty of murder as charged in the indictment, and assess the punishment at death." And yet because the jury failed to say that they found him guilty of murder "in the first degree," under that statute which the gentleman from Texas quoted, which required a strict construction of the law, for the fifth time in Texas that verdict was reversed, notwithstanding the fact that the indictment charged murder in the first degree, and the jury found him guilty of murder as charged in the indictment. Some people say a negro can not get a fair trial in the South; yet for the fifth time the Texas Court of Criminal Appeals reversed the judgment and sent it back for another trial, and this negro's lawyer was appointed by the court and served throughout all trials without a single dollar of compensation.

Mr. PELL. Mr. Chairman, I make the point of order that the gentleman is not in order.

The CHAIRMAN. The gentleman will proceed in order.

Mr. BLANTON. I will now confine myself to the question, but I was prevented from speaking against the Black amendment at the time it was offered.

Mr. BLACK. Does not the gentleman know that the court of appeals pointed out substantial errors in all those trials?

Mr. BLANTON. The gentleman from Texas knows that the fifth time the court of appeals sent it back they found only

one error, and that a technical one, to wit, that the jury had failed to say that it was murder "in the first degree," although they assessed the death penalty as a punishment and said that he was guilty of murder as charged in the indictment, which charged murder in the first degree.

Mr. BEE. Was not that fundamental?

Mr. BLANTON. Under the said "strict-construction" statute, yes.

Mr. DOWELL. Mr. Chairman, I make the point of order that the gentleman from Texas is not confining himself to the question.

SEVERAL MEMBERS. What became of the negro?

Mr. BLANTON. I want to say that that negro got justice in Texas. [Laughter.] I think the amendment of the gentleman from Maine should be adopted and I hope the chairman of the committee will accept it. If he does not, I hope the House will adopt it, because clearly we can not go beyond the scope given us in the eighteenth amendment of the Constitution. We must not adopt provisions in this bill unwisely, that would force the Supreme Court to hold that it was unconstitutional. I want a severe, drastic measure, with sharp teeth in it, that will forever put intoxicating liquor out of business in our Nation, but, above all, I want a constitutional bill.

Mr. VOLSTEAD. Mr. Chairman, I move that all debate on this section and all amendments thereto now close.

Mr. GARD. I have another amendment.

Mr. JOHNSON of Kentucky. I hope the gentleman will not use the word "section."

The CHAIRMAN. The question is on the motion of the gentleman from Minnesota that debate on this section and all amendments thereto be now closed.

The question was taken; and on a division (demanded by Mr. IGOE) there were 78 yeas and 46 noes.

Mr. GARD. Mr. Chairman, I ask for tellers.

Tellers were ordered; and the Chair appointed as tellers Mr. VOLSTEAD and Mr. GARD.

The committee again divided; and the tellers reported that there were 77 yeas and 51 noes.

So the motion was agreed to.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Maine [Mr. WHITE].

The question was taken, and the amendment was agreed to.

Mr. JOHNSON of Kentucky. Mr. Chairman, on page 9, line 13, I move to insert after the word "act" the words "and also except such as may be legally stored in a United States bonded warehouse."

Mr. VOLSTEAD. I do not think that ought to go in here.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 13, after the word "act," insert the words "and also except such as may be legally stored in a United States bonded warehouse."

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was rejected.

Mr. WILSON of Pennsylvania. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. WILSON of Pennsylvania: Page 9, line 18, add the following:

"*Provided, however,* That wine and cider may be made and possessed at his home by any person for use thereat for himself and his family."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania.

Mr. WILSON of Pennsylvania. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. WILSON of Pennsylvania. I desire to be heard on the amendment.

The CHAIRMAN. Debate has been closed by action of the committee. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken; and on a division (demanded by Mr. FITZGERALD) there were—ayes 50, noes 72.

So the amendment was rejected.

Mr. GARD. Mr. Chairman, in line with the adoption of the amendment of the gentleman from Maine, I move to strike out, on page 9, line 11, the words "give away."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. GARD: Page 9, line 11, strike out the words "give away."

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. GARD) there were—ayes 32, noes 76.

So the amendment was rejected.

Mr. GARD. On page 9, line 12, I move to strike out the word "furnish."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. GARD: Page 9, line 12, strike out the word "furnish."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. GARD. Mr. Chairman, in the same line I move to strike out the word "receive."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. GARD: Page 9, line 12, strike out the word "receive."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. GARD. Mr. Chairman, on page 9, line 12, I move to amend by inserting the words "for sale" after the word "possess."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. GARD: Page 9, line 12, after the word "possess," insert the words "for sale."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. GARD) there were—ayes 35, noes 72.

So the amendment was rejected.

The Clerk read as follows:

SEC. 4. That the purchase, sale, transportation, importation, exportation, and use of the articles enumerated in this section shall not, after having been manufactured and prepared for the market, be subject to the provisions of this act if they correspond with the following descriptions and limitations, namely:

(a) Denatured alcohol or denatured rum produced and used as provided by laws and regulations now or hereafter in force.

(b) Medical preparations manufactured in accordance with formulas prescribed by the United States Pharmacopœia or National Formulary of the American Institute of Homeopathy that are nonpotable and unfit for use for beverage purposes.

(c) Patented, patent, and proprietary medicines that are nonpotable and unfit for use for beverage purposes.

(d) Toilet, medical, and antiseptic preparations and solutions that are nonpotable and unfit for use for beverage purposes, contained in bottles or packages, upon which are printed conspicuously and legibly in English the quantity by volume of alcohol in such preparation.

(e) Flavoring extracts that are nonpotable and incapable of being used for intoxicating beverage purposes.

(f) Vinegar.

A person who manufactures any of the articles mentioned in this section may purchase and possess liquor for that purpose, but he shall secure permits to manufacture such articles and to purchase such liquor, give the bonds, keep the records, and make the reports specified in this act and as directed by the commissioner. No such manufacturer shall sell, use, or dispose of any liquor otherwise than as an ingredient of the articles authorized to be manufactured therefrom.

Any person who shall knowingly sell any of the articles mentioned in this section for beverage purposes, or who shall sell same under circumstances from which the seller might reasonably deduce the intention of the purchaser to use them for beverage purposes, shall be subject to the penalties provided in section 30 of this act.

Mr. WALSH. Mr. Chairman, I desire to direct the attention of the chairman of the committee to the language to be found in line 21, on page 9, "after having been manufactured," and so forth. Does not the chairman think it would be better if he moved to strike out the word "having" in line 21 and inserted the words "they have," so that it will read "after they have been manufactured"?

Mr. VOLSTEAD. Mr. Chairman, I accept that amendment.

Mr. WALSH. Then I offer that as an amendment, Mr. Chairman.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 21, strike out the word "having" and insert the words "they have."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. VOLSTEAD. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. VOLSTEAD: Page 10, line 16, after the word "extracts," insert the words "and sirups."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

The amendment was agreed to.

Mr. VOLSTEAD. Mr. Chairman, I offer the following amendment.

Mr. GARD. Mr. Chairman, a parliamentary inquiry——

The CHAIRMAN. The gentleman will state it.

Mr. GARD. For the purpose of asking a question. Does the gentleman from Minnesota understand that the amendment he offered is all he is going to offer to subdivision E?

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 10, lines 16 and 17, after the word "are," in line 16, strike out the words "nonpotable and incapable of being used" and insert the word "unfit."

The question was taken, and the amendment was agreed to.

Mr. VOLSTEAD. Mr. Chairman, I desire to offer another amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 11, at the end of line 2, add "no more alcohol shall be used in the manufacture of any extract, sirup, or other article capable of being used for beverage purposes than the quantity necessary for extraction or solution of the elements contained therein and for the preservation of the article.

The question was taken, and the amendment was agreed to.

Mr. VOLSTEAD. I offer another amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 11, line 7, after the word "purposes" insert "or shall sell any beverage containing one-half of 1 per cent or more of alcohol by volume in which any extract, sirup, or other article is used as an ingredient."

Mr. WALSH. Mr. Chairman, I was unable to be present when this amendment was considered in the committee.

Mr. GARD. It never was considered in the committee.

Mr. WALSH. And I will ask the Chairman if he will just explain what those words are intended to cover.

Mr. VOLSTEAD. There is no question but these sirups and extracts can be used for intoxicating beverage purposes by being mixed with a little water and sugar. When we had this matter under consideration and the attorneys and others appeared for the extract and sirup people they insisted it could not be done, but I thereupon drew an amendment which would have prohibited any of these sirups or extracts that would be fit for beverage purposes after being diluted. When that proposition was submitted to them they very promptly threw up their hands and confessed they could be used for intoxicating beverage purposes. Then this proposition that I have just submitted to the House was submitted to them.

Mr. GARD. Was this proposition ever submitted to the Committee on the Judiciary?

Mr. VOLSTEAD. My understanding was that it was.

Mr. GARD. I have no such understanding.

Mr. VOLSTEAD. I had it there and tried to submit all of these propositions. It has been submitted to the extract and sirup people, and they agreed to have it inserted in substantially the language that I offer these amendments.

Mr. IGOE. Will the gentleman yield for a question?

Mr. VOLSTEAD. Yes.

Mr. IGOE. This is the first time I have heard of it, and I just want to get the effect of the gentleman's amendment. Does it provide that any beverage that contains one-half of 1 per cent of alcohol, which also contains any flavoring extract, shall be——

Mr. VOLSTEAD. It is made illegal to sell as a beverage any liquid made out of these extracts or sirups that contain one-half of 1 per cent of alcohol by volume.

Mr. IGOE. Any beverage that contains one-half of 1 per cent by volume and which contains a flavoring extract——

Mr. VOLSTEAD. Yes. The claim is that the extracts and sirups are never used as a beverage, but they can be used to make a beverage, and to guard against that we insert this provision. I have another proposition that likewise was agreed to by the people——

Mr. IGOE. By whom?

Mr. VOLSTEAD. That takes care of it.

Mr. IGOE. Will the gentleman yield for a question? By whom does the gentleman say it was agreed to?

Mr. VOLSTEAD. It was agreed to by the men that represented the extract and sirup people.

Mr. GARD. Not agreed to by the Committee on the Judiciary.

Mr. VOLSTEAD. I do not know that all of these amendments were submitted to the committee.

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. VOLSTEAD. I will.

Mr. SUMNERS of Texas. I would like to ask the chairman of this committee if these amendments which are now being proposed meet the situation presented to us by the wholesale druggists and manufacturers of extracts, those people engaged in legitimate industries in which they use alcohol, and who are sending telegrams and letters to the Members of the House?

Mr. VOLSTEAD. They have been consulted, and they have made no serious objection to this proposition.

Mr. SUMNERS of Texas. The question I ask the chairman of the committee is, if this series of amendments which are being proposed reach objections to this bill that have been raised by these people?

Mr. VOLSTEAD. That is the purpose of them, and they are practically agreed to now by the various people.

Mr. SUMNERS of Texas. It was the understanding of the chairman of this committee that this series of amendments do meet the objections that have been raised by those engaged in that business?

Mr. VOLSTEAD. Yes. Some of them will not agree, but there is a practical agreement between myself and those men in reference to these particular amendments. I am offering them with that understanding. There may be a slight change in the phraseology, because we did not distinctly agree on all of the phraseology, but this was the result of the conference.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. WALSH] has expired.

Mr. WALSH. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WALSH. I desire to ask the chairman of the committee to explain the necessity for this amendment, particularly in view of the fact that in the definition under subparagraph 1 of section 1 of Title II, that says liquids containing one-half of 1 per cent or more of alcohol by volume are included within the term "liquor" or "intoxicating liquor." Now, what is the advantage or necessity for this particular amendment?

Mr. VOLSTEAD. In paragraph (e) we do not use the expression "liquor." We use the word "beverage." Consequently flavoring extracts and sirups are not limited to the definition in the paragraph the gentleman refers to.

Mr. WALSH. They are liquids.

Mr. VOLSTEAD. But the language is not used in the first paragraph. And we liberalize it by limiting sirups and extracts to liquids that are unfit for intoxicating-beverage purposes.

Mr. WALSH. That is, they might contain more than one-half of 1 per cent of alcohol and still not be considered as intoxicating?

Mr. VOLSTEAD. They might contain 95 per cent of alcohol.

Mr. WALSH. And that is the purpose of this amendment?

Mr. VOLSTEAD. That is the purpose of this amendment, because we are turning over to these people a large amount of alcohol and we are saying to them, "Make these articles; the public wants them." Now we try to put some limitation on them so that they shall not be used for beverage purposes. That is all.

Mr. WALSH. Certainly we would agree to it.

Mr. CLARK of Missouri. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. I will.

Mr. CLARK of Missouri. How can the druggist or proprietor tell for what purpose anybody is buying this stuff?

Mr. VOLSTEAD. This is intended to reach the wholesaler and retailer.

Mr. CLARK of Missouri. I know; but I am asking how the retailer is going to tell for what purpose a man is buying it?

Mr. VOLSTEAD. That is true enough; but this is the only way I can see that we can reach the situation.

Mr. CLARK of Missouri. I understand that extract of lemon is a very popular tipple in certain neighborhoods. Now, suppose some man's wife wants him to get a lot of this stuff in order to make cakes and pies or use for other culinary purposes, how does the druggist know that he is not going to drink it?

Mr. VOLSTEAD. If he does not know and sells in good faith, he is not liable.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. GARD. Mr. Chairman, for the purposes of information, may we have the last amendment read?

The CHAIRMAN. Without objection, the pending amendment will be again read.

The amendment was again reported.

Mr. BENSON. Mr. Chairman, I would like to speak on this amendment.

The CHAIRMAN. The debate on this amendment is exhausted.

Mr. FITZGERALD. The debate has not been exhausted on this question, as I understand.

The CHAIRMAN. The Chair understands seven minutes have been exhausted and three minutes remain.

Mr. BENSON. Nobody has spoken on this side, Mr. Chairman. No time was fixed, as I understand.

The CHAIRMAN. The Chair will say to the gentleman that two Members have already spoken on this amendment. The Chair recollects that the time was yielded by one man.

Mr. BENSON. I move, Mr. Chairman, to strike out the last word.

The CHAIRMAN. The gentleman from Maryland moves to strike out the last word.

Mr. BENSON. I want to say, Mr. Chairman, that that amendment that is put in there now is simply giving to the extract people with one hand the privilege to manufacture and conduct their business, and with the other hand you are taking it away from them. [Laughter.]

It is impossible to manufacture extracts with less than one-half of 1 per cent of alcohol in them, and the last provision that is put in there prevents the use or manufacture of extracts if they have one-half of 1 per cent of alcohol. It is well known to everybody that you can not produce extract of lemon or of vanilla or any of these other essences without using alcohol to do it. That is conceded. It is also known that you could not have flavoring for food, you can not have flavoring for bread or cake or candy or soda water if you do not have extracts to take the place of it. You are going ahead and in this act providing it so that people who are accustomed to using sherry and brandy for baking purposes will not even have the opportunity of using lemon and vanilla for those things.

Mr. TINCHER. Mr. Chairman, will the gentleman yield?

Mr. BENSON. No; I can not yield. I will yield to the gentleman if I have time. As a matter of fact, we all know that when you cut out the use of alcohol it increases the use of sweets, and the people of this country and the soldiers found it out, that they needed candy and sweets. You will practically be putting these people on a flavorless diet if you cut out all flavoring extracts, and this last part of the amendment does exactly that thing and nothing else, because in the first case there it says that anyone who shall knowingly sell any of the articles mentioned for beverage purposes shall be guilty, and it ends up by saying that anybody who sells extracts with one-half of 1 per cent of alcohol shall be guilty. The first part of the amendment is nullified by the latter part.

Now I will yield to the gentleman from Kansas.

Mr. TINCHER. I want to say that in providing these extracts you do not contend that it is necessary to have a preparation of alcohol to sell them and keep them?

Mr. BENSON. Of course you have to.

Mr. TINCHER. Does not the gentleman understand that in dry States now they are forced to sell the extracts, and do sell them?

Mr. BENSON. No. I understand that in the State of Montana they did have such a law, and the people there forced them to repeal it.

Mr. TINCHER. That is an argument on the part of the manufacturers the other way.

Mr. BENSON. I have a letter in my pocket from a manufacturer who manufactures, or tries to manufacture, five extracts, and he says that is all he can do, and he has no confidence in them himself. [Laughter.] The great society of flavoring extract people, which met at Atlantic City last week, went on record on that subject.

Mr. TINCHER. I have here a vanilla flavor prepared without alcohol.

Mr. BENSON. Yes, and it is a fake. [Laughter.]

Mr. TINCHER. No; it is not a fake. I can prove to you by the best cook in Washington that it is the best flavor going. [Laughter.]

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. ELSTON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California moves to strike out the last word.

Mr. ELSTON. I have heard the amendment read, and I do not know whether I understand it perfectly or not. I would like to know if this is the interpretation of the amendment that the gentleman proposes: Do you mean that any extract manufactured in accordance with the terms of this act and strictly within the limitations in regard to the alcohol content in volume can not be injected into any beverage containing other liquid save water unless that extract itself, which might be in volume a drop only, contains less than one-half of 1 per cent of alcohol?

Mr. VOLSTEAD. No. Here is the proposition: The flavoring extract itself may contain 50 per cent or 95 per cent, as some of it may. That does not cut any figure. But if you do that for the purpose of making a beverage out of it, then you must reduce it below one-half of 1 per cent.

Mr. ELSTON. This is the proposition: If you take a container and fill that container with a nonalcoholic liquid, and then inject only sufficient of this 50 per cent of extract into it so that the whole shall contain less than one-half of 1 per cent in volume of alcohol, then it is permissible to drink it, is it?

Mr. VOLSTEAD. It is permissible; yes. There is no difficulty about it when you stop to think.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

The question being taken, on a division (demanded by Mr. BENSON), there were—ayes 74, noes 47.

Accordingly the amendment was agreed to.

Mr. VOLSTEAD. I offer another amendment, Mr. Chairman.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 11, at the end of line 8, add: "If the commissioner shall find, after notice and hearing, as provided for in section 5 of this title, that any person has sold any flavoring extract, sirup, or beverage in violation of this paragraph, he shall notify such person, and the person for whom the sale was made, if any, to desist from selling such article, and it shall thereupon be lawful for a period of one year thereafter for any person so notified to sell any such extract, sirup, or beverage without making an application for, giving a bond, and obtaining a permit so to do, which permit may be issued upon such conditions as the commissioner may deem necessary to prevent such illegal sales, and shall require a record and report of sales. If the commissioner shall find that any article can be successfully and economically manufactured so as to contain less than one-half of 1 per cent of alcohol by volume he shall by regulation forbid the manufacture and sale of any such article containing more than one-half of 1 per cent of alcohol by volume. Such regulation shall take effect six months after the date it is promulgated, and thereafter it shall be unlawful to manufacture and sell any article so forbidden. Any finding under this paragraph shall be subject to court review as in said section 5 provided.

Mr. GARD. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. GARD. In the course of this amendment as read by the Clerk, it seems that the commissioner orders somebody to desist, and after that time it is "lawful" for a year for him to do this thing.

Mr. VOLSTEAD. Unlawful.

Mr. GARD. The Clerk read "lawful."

The CHAIRMAN. The Chair will state that that is hardly a parliamentary inquiry.

Mr. GARD. It is a parliamentary inquiry. I desire to have it reread, then.

The CHAIRMAN. The amendment provides that it shall be "unlawful."

Mr. GARD. The Clerk read "lawful."

The CHAIRMAN. The amendment specifies that it shall be unlawful. The question is on agreeing to the amendment.

Mr. VOLSTEAD. This is agreed to by the extract people—those engaged in the industry.

Mr. GARD. Does the gentleman think he ought to write a bill here because it is agreed to by the extract people or other people?

Mr. WALSH. That is the way this bill was written.

Mr. GARD. Does the chairman of the Judiciary Committee think that is the way it ought to be written?

Mr. FITZGERALD. The Republicans have been accustomed to allow interested parties to write their bills for them, and they have never gotten away from that habit.

The CHAIRMAN. Does the gentleman from Minnesota yield to the gentleman from Ohio?

Mr. GARD. I have no further inquiry. I simply desired to know whether the chairman of the Judiciary Committee thought that was proper.

Mr. VOLSTEAD. I will just make an explanation in reference to this. Because of the change made in paragraph (e) of this section, it is necessary to harmonize the language.

Mr. GARD. Does the gentleman intend to continue longer in session this evening?

Mr. VOLSTEAD. We would like it very much if we could finish this section.

Mr. GARD. I think the members of the committee are tired. We have been here since noon, nine hours and a half now.

Mr. VOLSTEAD. I want to call attention to this amendment. I think it is important that something of this kind should go into the bill.

When this matter first came up no one appeared, as far as the extract people were concerned. I think the committee—I know I was—was misled as to just what the situation is in regard to flavoring extracts. After the bill had been reported, a number of parties interested in extracts and sirups appeared in my office, and I received a large number of letters calling my attention to the language in paragraph (e). It was insisted that under that paragraph the makers of extracts and sirups could not continue business. So the question came up as to what sort of an amend-

ment would have to be made. It was claimed that no extract could be made without alcohol. At first it was insisted that these sirups and extracts containing alcohol could not be used for beverage purposes at all. They finally abandoned that theory and made frank confession that a good deal could be made into drink for beverage purposes.

Then the question was presented of how to make it safe to permit their manufacture and sale. I examined the statutes of different States to determine what the States had done in reference to this matter. After considerable negotiation I submitted to the committee the proposition that is outlined in these amendments. There are extracts made without alcohol. The States of Kansas, Texas, and Georgia permit very few, if any, of these extracts to be sold.

Mr. BLAND of Missouri. Let me ask the gentleman: Are not the extracts made without the alcohol synthetic or artificial flavor?

Mr. VOLSTEAD. I am not able to answer that question. There have been sent to my office different kinds of extracts made without alcohol. I have received a large number of letters from various institutions insisting that all of this sort of extracts can be made without alcohol. Consequently we put the provision contained in this amendment that if they can be made successfully and economically without alcohol then, in the interest of prohibition, we ought to require it.

It is insisted that extracts made without alcohol are just as good. In fact, some contend that they are better and more economic than those made with alcohol. It seems to me that if they are going to sell large quantities after prohibition goes into effect that can be used for intoxicating beverages, we ought to find some way to reach the situation. Consequently I thought we might leave it to the commissioner to determine whether these articles need go on the market at all.

Mr. BLAND of Missouri. Does the gentleman or the manufacturers say that the extract of vanilla can be made from the vanilla bean without alcohol?

Mr. VOLSTEAD. I have a large number of packages of vanila extracts in my office.

Mr. BLAND of Missouri. Is it artificial or synthetic flavor?

Mr. VOLSTEAD. It is insisted that they are just as good as the alcoholic extracts.

Mr. BLAND of Missouri. Just as good to the taste, does the gentleman mean?

Mr. VOLSTEAD. Yes; they are called extracts and are, no doubt, extracts of the vanilla bean. I do not think there is any question about that.

Mr. SUMNERS of Texas. Mr. Chairman, I move to strike out the last two words to get some information from the chairman of the committee. This is a very important provision in this bill and deals with a matter concerning which everybody in the country is interested. These amendments, which practically rewrite this section of the bill, we have never had an opportunity to examine. I will ask the chairman, in view of the lateness of the hour, if he would not be willing to offer the amendments to-night for the purpose of the RECORD and afford the Members of the House an opportunity to examine them and vote on them later.

Mr. VOLSTEAD. If the House is willing to do that, I will offer them and then move that the committee rise.

Mr. Chairman, I will ask that for the time being that the amendments be submitted now and voted on when we resume our sitting on this bill, but in the meantime I would like to suggest other amendments to perfect the section.

The CHAIRMAN. The gentleman offers certain amendments for the information of the House, and they will be read.

Mr. CLARK of Missouri. The gentleman seems to be asking to have them printed in the RECORD, so that Members may see what they are. If they are going to be put into the RECORD, what is the sense of reading them.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that they be read for the information of the House. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Page 11, line 4, after the word "in," insert the words "paragraphs a, b, c, and d of."

Page 11, line 7, strike out "beverage" and insert "such."

Page 11, line 4, after the word "purposes," insert "or any extract or sirup for intoxicating-beverage purposes."

Page 11, lines 10 and 11, after the figure "4," strike out "is capable of being used as a beverage" and insert "does not correspond with the descriptions and limitations therein provided."

Mr. GARD. Mr. Chairman, we have not yet read section 5.

The CHAIRMAN. These are merely being read for the information of the House.

Mr. GARD. They are not offered for purposes of adoption?

The CHAIRMAN. Not now. The Clerk will read.

The Clerk read as follows:

Page 11, line 8, strike out the word "act" and insert the word "title."

Page 11, lines 13 and 14, after the word "article," in line 13, strike out "is capable of being used for beverage purposes" and insert "does not so correspond."

Page 11, lines 23 and 24, after the word "article," in line 23, strike out "is not capable of being used for beverage purposes" and insert "corresponds to the descriptions and limitations provided in section 4 of this title."

Page 9, lines 19 and 20, after the word "the," in line 19, strike out the words "purchase, sale, transportation, importation, exportation, and use of."

Mr. GARD. Should not the word "act" be stricken out in line 22, page 9, and the word "title" inserted?

Mr. VOLSTEAD. That has been done. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GOOD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 6810, and had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to extend my remarks on the Nolan-Kenyon bill.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD on the Nolan-Kenyon bill. Is there objection?

There was no objection.

Mr. BAER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by placing therein a letter from Judge Pollock, a noted authority on prohibition.

Mr. WALSH. Mr. Speaker, I object.

Mr. BAER. Then I ask unanimous consent to extend my remarks in the RECORD on this bill.

The SPEAKER. Is there objection?

Mr. WALSH. If it is to contain any letter written by anyone else, I object.

The SPEAKER. Objection is heard.

ADJOURNMENT.

Mr. VOLSTEAD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 9 o'clock and 35 minutes p. m.) the House adjourned until to-morrow, Friday, July 18, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Commerce, submitting supplemental estimates of appropriation required by the Bureau of Standards for the fiscal year 1920 (H. Doc. No. 151); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Commerce, submitting a supplemental estimate of appropriation required by the Department of Commerce for salaries, office of the Secretary of Commerce (H. Doc. No. 152); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. DENISON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 6222) to remove a certain tract or lots of land in Cristobal, Canal Zone, from the operation and effect of the Executive order of the President of December 5, 1912, pursuant to the act of Congress of August 24, 1912 (37 Stats., ch. 390, p. 565), reported the same without amendment, accompanied by a report (No. 123), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 4718) granting a pension to Winfield H. Handley, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RAYBURN: A bill (H. R. 7470) donating captured cannon and cannon balls to the city of Celina, Tex.; to the Committee on Military Affairs.

Also, a bill (H. R. 7471) donating captured cannon and cannon balls to the city of McKinney, Tex.; to the Committee on Military Affairs.

Also, a bill (H. R. 7472) donating captured cannon and cannon balls to the city of Honey Grove, Tex.; to the Committee on Military Affairs.

Also, a bill (H. R. 7473) donating captured cannon and cannon balls to the city of Ladonia, Tex.; to the Committee on Military Affairs.

Also, a bill (H. R. 7474) donating captured cannon and cannon balls to the city of Greenville, Tex.; to the Committee on Military Affairs.

Also, a bill (H. R. 7475) donating captured cannon and cannon balls to the city of Commerce, Tex.; to the Committee on Military Affairs.

By Mr. WALSH: A bill (H. R. 7476) to extend the provisions of section 211 of the Penal Laws of the United States; to the Committee on the Judiciary.

By Mr. ROBSION of Kentucky: A bill (H. R. 7477) to provide for the erection of a public building at Pineville, in the State of Kentucky; to the Committee on Public Buildings and Grounds.

By Mr. PLATT: A bill (H. R. 7478) to amend section 5200 of the Revised Statutes of the United States, as amended by acts of June 22, 1906, and September 24, 1918; to the Committee on the Judiciary.

By Mr. LANHAM: A bill (H. R. 7479) to authorize the acquisition of a site and the erection of a Federal building at Stephenville, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. SANFORD (by request): A bill (H. R. 7480) to amend the first section of the act entitled "An act to authorize the Hudson River Connecting Railroad Corporation to construct a bridge across the Hudson River in the State of New York"; to the Committee on Interstate and Foreign Commerce.

By Mr. GODWIN of North Carolina: A bill (H. R. 7481) to fix the annual salary of the collector of customs for the district of North Carolina; to the Committee on Ways and Means.

By Mr. VESTAL: A bill (H. R. 7482) to establish the standard of weights and measures for flours, meals, corn products for human food, and commercial feeding stuffs, and for other purposes; to the Committee on Coinage, Weights, and Measures.

By Mr. JOHNSON of Mississippi: A bill (H. R. 7483) for the enlargement, extension, and improvement of the United States post-office building at Hattiesburg, Miss.; to the Committee on Appropriations.

By Mr. DICKINSON of Iowa: A bill (H. R. 7484) to amend section 465 and section 466 of the tariff act of October 3, 1913, in respect to the tariff on corn or maize and corn meal; to the Committee on Ways and Means.

By Mr. MUDD: A bill (H. R. 7485) granting 30 days' leave of absence in each year, without forfeiture of pay during such leave, to civilian employees of the United States Coast Guard and Life-Saving Service; to the Committee on Expenditures in the Navy Department.

By Mr. MILLER: A bill (H. R. 7486) to provide for the purchase of a site and for the erection of a public building thereon at Seattle, Wash.; to the Committee on Public Buildings and Grounds.

By Mr. MUDD: A bill (H. R. 7487) to regulate the pay, allowances, promotion, and privileges of warrant officers in the Coast Guard; to the Committee on Naval Affairs.

By Mr. BLAND of Indiana: A bill (H. R. 7488) to provide for the monthly payment of pensions, and for other purposes; to the Committee on Appropriations.

By Mr. REED of West Virginia: A bill (H. R. 7489) authorizing the Secretary of War to donate to the county of Braxton, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7490) authorizing the Secretary of War to donate to the county of Webster, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7491) authorizing the Secretary of War to donate to the county of Calhoun, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7492) authorizing the Secretary of War to donate to the county of Harrison, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7493) authorizing the Secretary of War to donate to the county of Lewis, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7494) authorizing the Secretary of War to donate to the county of Nicholas, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7495) authorizing the Secretary of War to donate to the county of Ritchie, W. Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7496) authorizing the Secretary of War to donate to the county of Upshur, W. Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7497) authorizing the Secretary of War to donate to the county of Gilmer, W. Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7498) authorizing the Secretary of War to donate to the county of Doddridge, W. Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7499) authorizing the Secretary of War to donate to the county of Clay, W. Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SCOTT: A bill (H. R. 7500) to protect the coastwise trade of the United States, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. STEAGALL: A bill (H. R. 7501) to amend section 15 of an act approved July 17, 1916, and known as the Federal farm-loan act; to the Committee on Banking and Currency.

By Mr. LAGUARDIA: Joint resolution (H. J. Res. 149) creating a congressional committee to confer with the leaders of the Mexican people for the purpose of bringing about harmony among the factions in Mexico and establishing law and order in that country; to the Committee on Rules.

By Mr. HAWLEY: Joint resolution (H. J. Res. 150) to suspend the requirements of annual assessment work on mining claims during the year 1919; to the Committee on Mines and Mining.

By Mr. PARRISH: Resolution (H. Res. 180) authorizing the Speaker of the House to appoint a committee from the House to investigate the causes of the high cost of living, the reasons therefor, and for other purposes; to the Committee on Rules.

By the SPEAKER: Memorial of the Legislature of the Territory of Porto Rico, urging an appropriation to build a breakwater in the Port of Ponce, Island of Porto Rico; to the Committee on Rivers and Harbors.

Also, memorial of the Legislature of the Territory of Hawaii, urging Congress to confer upon the Territory of Hawaii the right of statehood; to the Committee on the Territories

Also, memorial of the Legislature of the Territory of Hawaii, urging Congress to enact legislation requiring residence of not less than one year in the Territory of Hawaii in order to be eligible for Federal appointments within the Territory; to the Committee on the Territories.

Also, memorial of the Legislature of the Territory of Hawaii, authorizing the governor of Hawaii to appoint a commission for the purpose of assisting the Delegate to Congress from Hawaii; to the Committee on the Territories.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRUMBAUGH: A bill (H. R. 7502) granting a pension to James O'Brien; to the Committee on Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 7503) granting an increase of pension to Annie E. Arnold; to the Committee on Pensions.

By Mr. EDMONDS: A bill (H. R. 7504) for the relief of Einar Barfod; to the Committee on Claims.

By Mr. FORDNEY: A bill (H. R. 7505) granting a pension to Mary A. Parker; to the Committee on Invalid Pensions.

By Mr. GLYNN: A bill (H. R. 7506) granting an increase of pension to Antionette Flint; to the Committee on Invalid Pensions.

By Mr. HARDY of Texas: A bill (H. R. 7507) to reimburse S. G. Ward for losses and damages sustained by him by the negligent dipping of his cattle by the Bureau of Animal Industry, Department of Agriculture; to the Committee on Claims.

Also, a bill (H. R. 7508) to reimburse H. A. Swink for losses and damages sustained by him by the negligent dipping of his

cattle by the Bureau of Animal Industry, Department of Agriculture; to the Committee on Claims.

By Mr. HUDDLESTON: A bill (H. R. 7509) granting a pension to Emma S. Hanlon; to the Committee on Pensions.

By Mr. JOHNSON of Mississippi: A bill (H. R. 7510) granting a pension to Albert S. Woods; to the Committee on Pensions.

By Mr. KEARNS: A bill (H. R. 7511) granting a pension to William Fussnecker; to the Committee on Pensions.

Also, a bill (H. R. 7512) granting a pension to Edward E. Henton; to the Committee on Pensions.

Also, a bill (H. R. 7513) granting a pension to Charles W. Lanham; to the Committee on Pensions.

Also, a bill (H. R. 7514) granting a pension to Charles Dolderer; to the Committee on Pensions.

Also, a bill (H. R. 7515) granting a pension to Starling N. Caron; to the Committee on Pensions.

Also, a bill (H. R. 7516) granting an increase of pension to Samuel A. Berry; to the Committee on Pensions.

Also, a bill (H. R. 7517) granting an increase of pension to Charles E. Caplinger; to the Committee on Pensions.

Also, a bill (H. R. 7518) granting an increase of pension to John J. Mitchell; to the Committee on Pensions.

By Mr. MACGREGOR: A bill (H. R. 7519) granting an increase of pension to Mary Elseser; to the Committee on Pensions.

By Mr. McKINLEY: A bill (H. R. 7520) to correct the military record of William H. Dotson; to the Committee on Military Affairs.

By Mr. MORIN: A bill (H. R. 7521) to reimburse Louis Schultz; to the Committee on Claims.

By Mr. MUDD: A bill (H. R. 7522) for the relief of Louis A. Yorke; to the Committee on Naval Affairs.

By Mr. REED of West Virginia: A bill (H. R. 7523) granting a pension to Philip Cox; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7524) granting a pension to Carl C. Dunham; to the Committee on Pensions.

By Mr. SANDERS of Indiana: A bill (H. R. 7525) granting an increase of pension to Andrew Kravets; to the Committee on Pensions.

By Mr. SANFORD: A bill (H. R. 7526) granting a pension to Ira Froment; to the Committee on Invalid Pensions.

By Mr. SMITHWICK: A bill (H. R. 7527) granting a pension to Lula L. Abbott; to the Committee on Pensions.

Also, a bill (H. R. 7528) for the relief of L. H. Howell and R. L. McKenzie; to the Committee on Claims.

By Mr. SNELL: A bill (H. R. 7529) granting an increase of pension to Jackson Young; to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 7530) granting an increase of pension to Augustus Gilmore; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 7531) granting an increase of pension to William E. Armstrong; to the Committee on Pensions.

By Mr. GANDY: A bill (H. R. 7532) granting a pension to Isaac Richey; to the Committee on Invalid Pensions.

By Mr. IRELAND: A bill (H. R. 7533) granting an increase of pension to Cornelia F. Huckins; to the Committee on Invalid Pensions.

By Mr. McGLENNON: A bill (H. R. 7534) granting an increase of pension to John J. Russell; to the Committee on Invalid Pensions.

By Mr. MONTAGUE: A bill (H. R. 7535) for the relief of Ellen M. Willey; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of Ogoyago Tribe No. 91, Improved Order of Red Men, urging legislation to grant to all American Indians full rights of American citizenship; to the Committee on Indian Affairs.

By Mr. BEE: Petition of sundry citizens of San Antonio, Tex., for the repeal of the luxury tax; to the Committee on Ways and Means.

By Mr. BURROUGHS: Resolutions of Lithuanian R. C. Alliance of America, Lodge No. 119, signed by L. J. Jakaitis, chairman, and J. A. Zukauskas, secretary, located in the city of Manchester, N. H., requesting the United States Government to recognize the complete independence of the Lithuanian Republic; to the Committee on Foreign Affairs.

Also, petition of Lithuanians of the city of Manchester, N. H., by R. Kondrotas, chairman, and J. A. Zukauskas, secretary, requesting recognition by the United States Government of the complete independence of the Lithuanian Republic; to the Committee on Foreign Affairs.

Also, petition of the Lithuanian Roman Catholic Parish of All Saints of the city of Manchester, N. H., by L. J. Jakaitis, chairman, and Felix Chekutis, secretary, requesting the United States Government to compel Poland to withdraw her army from the Lithuanian territories and that all assistance be denied to Poland as long as she continues to occupy the invaded territories, and also that the United States Government recognize the present Lithuanian Government and render it moral and material assistance; to the Committee on Foreign Affairs.

Also, resolutions of Harmony Grange of Sanbornton, N. H., by J. S. Currier, J. M. Bodwell, and M. A. Hill, committee on resolutions, urging the immediate repeal of the daylight-saving law; to the Committee on Agriculture.

By Mr. BYRNS of Tennessee: Papers to accompany bill granting increase of pension to Annie E. Arnold; to the Committee on Pensions.

By Mr. DOWELL: Petition of 225 citizens of Iowa, asking the repeal of the luxury tax; to the Committee on Ways and Means.

By Mr. FULLER of Illinois: Petitions of the National Grange, the National Board of Farm Organizations, and E. M. D. Bracker, county farm adviser of Knox County, Ill., favoring repeal of the daylight-saving law; to the Committee on Agriculture.

Also, petition of the National Confectioners' Association of the United States favoring the repeal of the excise tax on candy; to the Committee on Ways and Means.

Also, petition of H. W. Wessels Post, No. 85, Grand Army of the Republic, of Portville, N. Y., favoring a pension of $50 per month for all surviving soldiers of the Civil War; to the Committee on Invalid Pensions.

Also, petition of sundry citizens of Rockford, Ill., favoring the repeal of the tax on soda water, ice cream, and similar articles of food and drink; to the Committee on Ways and Means.

By Mr. JOHNSON of Mississippi: Petitions of Dr. E. J. Mathis, of Deaumont, Miss., and 20 other citizens, and the Kiln Drug Co., Kiln, Miss., all protesting against that part of the revenue law pertaining to soda water, etc.; to the Committee on Ways and Means.

By Mr. LEHLBACH: Petition of sundry citizens of New Jersey, for the repeal of the tax on sodas, soft drinks, ice cream, etc.; to the Committee on Ways and Means.

By Mr. MACGREGOR: Petition of Jacob Moschets Sons, Joseph Hahlen estate, and Jacob Dold Packing Co., protesting against the Kenyon and Kendrick Senate bills to regulate meat packers; to the Committee on Ways and Means.

Also, petition of the Industrial Traffic Club, of Buffalo, N. Y., suggesting changes in the Esch bill, H. R. 4378; to the Committee on Interstate and Foreign Commerce.

Also, petition of Edward Smith Packing Co., of East Buffalo, N. Y., protesting against passage of Kenyon and Kendrick Senate bills to regulate meat packers; to the Committee on Ways and Means.

Also, petition of the C. K. Linck Packing Co., Buffalo, N. Y., urging defeat of the Kendrick bill, S. 2199, and the Kenyon bill, S. 2202; to the Committee on Ways and Means.

By Mr. McLAUGHLIN of Nebraska: Petition of numerous citizens of Geneva, Ohiowa, Tobias, Chester, Alexandria, Bruning, Fairmont, Exeter, Carleton, Davenport, Martland, Chickley, Milligan, Friend, Sutton, and Grafton, Nebr., urging the immediate repeal of the daylight-saving law; to the Committee on Agriculture.

By Mr. McGLENNON: Petition of the mayor and aldermen of Jersey City, urging the adoption of a resolution providing for recognition of the republic of Ireland; to the Committee on Foreign Affairs.

By Mr. RAKER: Protest of Alfred Berryessa, secretary Federal Employees' Union No. 1, San Francisco, Calif., against Good amendment to Nolan minimum wage bill; to the Committee on Labor.

Also, protest of Forbes H. Brown, Vallejo, Calif., against Good amendment to Nolan minimum wage bill; to the Committee on Labor.

Also, petition of Cam Whitthorene, of San Francisco, Calif., protesting against the Good amendment to Nolan minimum wage bill; to the Committee on Labor.

By Mr. RANDALL of Wisconsin: Petition of the Lithuanian R. C. Alliance of America, Branch 22, Kenosha, Wis., by Melis Tubeles, chairman, and Paul Jusis, secretary, requesting the United States Government to recognize the complete independence of the Lithuanian republic; to the Committee on Foreign Affairs.

Also, petition of Thomas A. Sullivan, Capt. Edward Dayton, and 44 citizens of Kenosha, Wis., requesting the repeal of section 904 of the revenue law; to the Committee on Ways and Means.

By Mr. REBER: Petition of John Biskis and Peter Buscavage, of Tamaqua, Pa., and of Joseph Abravzinsky and John A. Rutkowsky, of Shenandoah, Pa., asking that the United States demand the withdrawal of Polish troops from Lithuanian territory and give to Lithuania a moral support in her war against Bolshevism; to the Committee on Foreign Affairs.

By Mr. TINKHAM: Petition of the employees of the Boston Navy Yard, urging 44-hour week for employees of United States Navy Department; to the Committee on Labor.

Also, petition of the Bottlers and Drivers' Union, No. 122, in favor of the league of nations; to the Committee on Foreign Affairs.

By Mr. YATES: Petition of Nikolaus Kuhn, 3309, Thirty-eighth Place, Chicago, Ill., protesting against the United States joining the league of nations; to the Committee on Foreign Affairs.

Also, petition of the Tenk Hardware Co., of Quincy, Ill., protesting against reduction of postal rates on advertising pages of magazines; to the Committee on the Post Office and Post Roads.

Also, petition of the Farm Implement News, Masonic Temple, Chicago, Ill., urging repeal of zone postal rate advance; to the Committee on the Post Office and Post Roads.

Also, petition of Schneider & Metzger, Peoria, Ill., urging repeal of luxury tax, and also urging that Congress put an end to inefficient administration of our railroad and express systems which are unendurable; to the Committee on Ways and Means.

Also, petition of Keith Swartz, Anti-Saloon League, Dixon, Ill.; Joseph J. Edwards, Forrest, Ill.; and Edward F. Rittenhouse, Pontiac, Ill., all urging enforcement of prohibition; to the Committee on the Judiciary.

SENATE.

FRIDAY, *July 18, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we present ourselves to Thee and open our hearts for the reception of Thy truth. Thou hast promised that Thou wilt write Thy laws in our hearts, and in our minds Thou wilt establish them. So we pray as we journey on to the duties of this day that we may have the guidance of the inward monitor—the law that is written deep in our own hearts, that is in conformity to the will of God. May we feel that our highest obligation is to do that which is pleasing in Thy sight. So do Thou bless us this day. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CABLEGRAM FROM THE ARGENTINE SENATE.

The VICE PRESIDENT. The Chair lays before the Senate a cablegram from the President of the Senate of the Argentine Nation, expressing its intense satisfaction for the signing of the treaty of peace, which will be referred to the Committee on Foreign Relations.

PERMANENT RANK OF SUPERIOR OFFICERS (H. DOC. NO. 153).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, referred to the Committee on Military Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I take the liberty of calling your attention to a matter which I am sure is at the heart of the whole country, and which I have had very much in mind throughout all these months when we were trying to arrange a peace that would be worthy of the spirit and achievements of the men who won the victory in the field and on the sea. After mature reflection, I earnestly recommend that you give the permanent rank of general to John J. Pershing and Peyton C. March, expressing the law in such a way as to give precedence to Gen. Pershing; and that you give the permanent rank of admiral to William S. Benson and William S. Sims. I take it for granted that I am only anticipating your own thoughts in proposing these honors for the men upon whom the principal responsibilities devolved for achieving the great results which our incomparable Navy and Army accomplished.

WOODROW WILSON.

THE WHITE HOUSE, *18 July, 1919.*

PROPAGANDA FOR LEGISLATION.

Mr. THOMAS. Mr. President, during the last two or three days my mail has been largely burdened with letters, some of which are written, some in printed form, but practically identical in language, of which this is a sample:

> The writer wishes to protest against the passage of Senate bill 2202, the Kenyon bill, on account of it being unjust, un-American, and socialistic.

The bill referred to is that introduced by the Senator from Iowa [Mr. KENYON] to regulate the packing industry. My purpose in reading this communication into the RECORD is to emphasize the fact that a very obvious and a very common system of propaganda has been inaugurated against the bill.

I am not familiar with the merits of the bill; it may be subject to all the epithets which are made against it in this correspondence; but it would seem to me that those who are initiating it either have a very low opinion of the intelligence of the average Senator or else they go upon the theory that by demonstrating considerable political strength they can influence Senators in their ultimate determination of this bill. As a Member of this body I want to protest against the constant tendency to either oppose or commend to our attention bills and business before it by that method of appeal. It is becoming a nuisance and particularly to those of us who have other correspondence that is of substantial value to attend to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 7343) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED.

H. R. 7343, an act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, was read twice by its title, and, on motion of Mr. WARREN, referred to the Committee on Appropriations.

MILITARY AIR SERVICE.

Mr. THOMAS. Mr. President, while I have the floor I want to refer to another subject briefly, and I will preface what I have to say by reading a very brief clipping from this morning's Washington Post. It is entitled "Air Service drops plans":

> SQUADRONS ABANDONED, AS OFFICERS WILL BE ONLY 222 ON SEPTEMBER 30.
>
> Plans for the establishment of four observation air squadrons in the Philippines as part of the basic defense of the islands will have to be abandoned, Army officials said yesterday, unless some remedy is found for the present situation of the Air Service. Each of these squadrons requires 41 flying officers, and the entire commissioned personnel of the service will number only 222 by September 30.
>
> Other important projects to be abandoned include 3 squadrons for Hawaii, 3 squadrons for Panama and 2 for the border patrol, and 40 balloon companies for the United States.

This announcement is doubtless due to the fact that the committee of conference on the Army supply bill were unable to agree upon a greater amount than $25,000,000 for the Army Air Service, a sum which would be as well expended if it were taken out into midocean and sunk to the bottom of the sea, so far as any permanent benefit that it will confer upon our air service is concerned. The Senate Committee on Military Affairs, with practical unanimity, recommended and reported, and the Senate adopted, an appropriation of twice that amount, which was the lowest limit under the hearings that was commensurate with the adequacy and the needs of this service.

Now, I believe in economy as earnestly as any man, but I protest against that false economy which consigns this great arm of the service, both for offense and defense, into what is virtual abandonment.

Mr. President, the Air Service is the coming arm for defensive and for offensive purposes. It is so fully appreciated and recognized by our late allies in the war that they, notwithstanding their depleted finances and burden of taxation, are bending their energies and devoting large appropriations to the development of this service. We, with whom the airship originated—for it is an American invention—and who found ourselves so handicapped because of our neglect of it at the time we entered into the war, now propose to give little, if any, attention to it, in consequence of which, if trouble again arises, we shall be in the same situation in which we were when war was declared against Germany.

Mr. President, if the information which the public receive from the administration is reliable—and I hope it is—to the effect that the policy of "watchful waiting" with regard to Mexico is to be abandoned, and if we are to assume a firm attitude toward that country, we may happen to be precipitated into serious differences almost without warning. It will then

be a melancholy spectacle to the Nation, and doubtless one of great pleasure to any of our competitors, that we shall not possess a single air squadron—we, this mighty Nation, with its 100,000,000 people and with its recent experiences, notwithstanding its expenditures of $100,000,000, will be bereft of the advantage this service affords. I want the country to understand that the Senate of the United States is not to be held responsible for this humiliating condition.

PROPAGANDA FOR LEGISLATION.

Mr. SMOOT. Mr. President, with regard to the propaganda referred to by the Senator from Colorado, I wish to say that it is not all on the bill referred to by him; it is on nearly every bill that comes before Congress.

Mr. THOMAS. I stated that fact.

Mr. SMOOT. As far as that particular bill is concerned, I will say that I have received 10 petitions to support it against 1 in opposition to the bill.

Last Monday and Tuesday the Joint Committee on Printing held hearings on the question of what department publications should be discontinued after August 1. The representatives of the departments wherever they received an impression that any of the publications issued from their departments were to be discontinued or thought that the committee was inclined to discontinue them immediately began a propaganda by sending telegrams into nearly every State of the Union, requesting that individuals interested or subscribers immediately telegraph to the chairman of the Joint Committee on Printing protesting against the discontinuance of the publications.

Mr. THOMAS. If the Senator will permit me, I want to emphasize the fact that the practice is becoming so common that it is not only ineffective but it is a nuisance. My impression is that the basis of it is on the assumption that a development of strength of a political character and a combination of voters will have its effect upon the action of the Senate. Congress is not in favor of prohibition; but Congress to-day is doing the will of the prohibitionists because Members of both Houses believe that the prohibition sentiment is better organized and stronger than any other; and people are carrying on the same propaganda in different ways.

Mr. WILLIAMS. Will the Senator excuse just a suggestion?

Mr. SMOOT. Certainly.

Mr. WILLIAMS. I think what the Senator from Colorado just said confirms what Tom Carlyle said, that public sentiment is not what everybody thinks, but what the people charged with public duty think that everybody thinks.

Mr. SMOOT. Mr. President, I have wondered who paid for these telegrams. I happen to be chairman of the Joint Committee on Printing, and as to the telegrams that I have received—floods of them—protesting against the discontinuance of certain publications, I know the parties who sent the telegrams do not pay the expenses of sending them; and I know that in the case of the telegrams sent from the department the Government of the United States will have to pay for them.

Mr. SMITH of Arizona. In many cases, if the Senator will permit me, the parties sending the telegrams know nothing at all about the purpose for which they are sent.

Mr. SMOOT. The Senator is absolutely correct. I have received telegrams calling attention, for instance, to House resolution, say, 487, and the party sending the telegram knew no more about House joint resolution 487 than a baby knows. I have written such persons many times and asked them "what particular part of the resolution do you object to?" They have answered, and said they have not even seen the resolution, know nothing about it; and yet they are paying—or some one is paying—the expense of sending telegrams. Against this propaganda that is on Congress ought to express its dissent, and I believe every Senator and every Representative ought to announce that he will pay no attention to propaganda of this kind hereafter. Of the telegrams that I have received there is no difference in wording in any of them.

Mr. WILLIAMS. If the Senator will excuse me in this connection, I received three so-called petitions addressed to me against the league of peace upon the ground that it was surrendering the sovereignty and independence of the United States: and in each case all the signatures were in the same handwriting, and the language was exactly the same in each petition. But I do not see any right that I have to quarrel about that. People have a right to wire me, and they have a right to send petitions, and they have a right to use propaganda, and, God knows, they have a right to suppose that Representatives and Senators will be influenced by political motives, and that if a Representative or Senator thinks that he may be defeated, he will take one course; and if he thinks not, he will probably take another. Is it not, after all, our own fault? Is it not our own cowardice? If people did not believe that, they would not bring that sort of pressure to bear on us.

Mr. SMOOT. I have no objection whatever to any citizen of the United States writing to any Senator or Representative; and surely I have no objection to his writing to me, provided he expresses his own opinion and provided he pays the expense. I am not speaking about such requests. I am speaking about a propaganda started by the departments themselves.

Mr. WILLIAMS. Oh.

Mr. SMOOT. And the Government paying for the telegrams. I have not any doubt that there is some arrangement made by which the Government or somebody pays for the telegrams that we are receiving in this particular propaganda.

Mr. WILLIAMS. I do not want to be misunderstood about that. Of course, any propaganda started and carried on at the expense of the United States Government against either branch of the legislative body is wrong in every conceivable form. I was not talking about that. I was going back to the basic point at the root of all of it; and the basic point at the root of all of it is that if politicians, Senators, and Representatives were not cowards, this sort of pressure would not be here bothering us to-day.

Mr. SMOOT. There is a great deal of truth in what the Senator says.

Mr. KING and Mr. SMITH of Georgia addressed the Chair.

The VICE PRESIDENT. Does the Senator from Utah yield; and if so, to whom?

Mr. SMOOT. I will yield first to the Senator from Georgia.

Mr. SMITH of Georgia. Not only would it be improper to use public money, but it would be also equally as improper for public officials to take the money of parties in interest and send out telegrams at their expense while they are in public employment.

Mr. SMOOT. I will say to the Senator that some of the telegrams I have received protesting against the publication of certain documents have reference to documents which the committee have no idea of discontinuing at all and never have had.

I now yield to my colleague.

Mr. KING. Mr. President, I received a letter four or five days ago. It was unusually frank and candid, differing from many of those that are written to Senators and Congressmen. The writer stated that he had received word from a certain bureau in the Department of Agriculture that owing to the penuriousness of Congress in failing to make adequate appropriations for a certain publication it was to be discontinued or its usefulness very much minimized, and protesting against it, and insisting that we make large appropriations for the continuation of that publication. He confessed that he got his inspiration from the department; the department had written him and he was asked to write me because I had been somewhat strong in my opposition to departmental publications and bureau publications, many of which are but a waste of printer's ink and an annoyance and an unnecessary expense to the Government.

Mr. SMOOT. I think I received a protest from the same gentleman to whom my colleague has referred, and at the bottom of it there was a threat in which he predicted what would happen to me if I did not do such and such a thing. All I wish to do at this time is to call attention to the fact that I believe the departments of the Government ought to cease propaganda of this sort. If it affects me in any way it is that if I were favorable to a proposition and the head of some department began a propaganda of the kind that is going on now I would almost feel like changing my attitude, if for no other reason than to let the departments know that Senators and Representatives will act upon their judgment irrespective of what propaganda may be started.

Mr. WARREN. Apropos of the remarks of the distinguished Senator from Colorado and the distinguished Senator from Utah, I will ask the Secretary to read section 6 of the third deficiency appropriation act, which refers directly to this matter and which was sought to be corrected by the Committee on Appropriations, who reported that bill, which Congress passed.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes.

* * * * * * *

SEC. 6. That hereafter no part of the money appropriated by this or any other act shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertise-

ment, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation; but this shall not prevent officers and employees of the United States from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

Any officer or employee of the United States who, after notice and hearing by the superior officer vested with the power of removing him, is found to have violated or attempted to violate this section, shall be removed by such superior officer from office or employment. Any officer or employee of the United States who violates or attempts to violate this section shall also be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than $500 or by imprisonment for not more than one year, or both.

Mr. WARREN. That would seem to cover the case. It is the current law, and I hope and I believe it will be enforced.

Mr. WILLIAMS. Mr. President, I want to ask the Senator from Wyoming one question before he concludes. It seems to me that that goes a little bit too far. It says except when some executive officer shall be requested by a Member of Congress. I think that every executive officer, even in the most subordinate capacity, ought to be left free to write directly to a Senator or Representative and advocate an appropriation or the cessation of one, whichever he chooses. I would suggest when the Senator finally brings the matter before the Senate that he leave that out and do not say "upon request of a Member of Congress."

Mr. WARREN. I think the Senator did not hear me when I stated that it is current law, a law which was passed some weeks ago.

Mr. WILLIAMS. No; I did not hear the Senator say that, and if I had, it would not change my view that so much of it ought to be corrected at once, because undoubtedly an executive officer or the head of a bureau or department ought to be left perfectly free, upon his own initiative, to advise me or you or the Senator from Utah or any other Senator as to what he thinks would be an improvement in the law in order to better carry on the business of the Government. To make it a penal offense to do that without our request is making ourselves a lot of Prussian junkers, in a way. We do not want to do that, of course. That law ought to be corrected to that extent.

PEACE TREATY AND LEAGUE OF NATIONS.

Mr. BECKHAM. Mr. President, on Monday next, at the close of the morning business, I shall ask the privilege of addressing the Senate on the subject of the pending peace treaty and the league of nations.

TRANSFER OF SHANTUNG TO JAPAN.

Mr. ROBINSON. Mr. President, I give notice that on Thursday next, at the conclusion of the routine morning business, if the business of the Senate permits, I shall discuss the provisions of the treaty of peace relating to Shantung.

TREATY OF PEACE WITH GERMANY.

Mr. PITTMAN. Mr. President, I gave notice that on the 14th instant I should take occasion to briefly present to the Senate my views with regard to certain reservations upon the peace treaty. I desire to submit to the Senate my views with reference to that matter on next Wednesday morning, provided no Senator has given notice that he desires to occupy that time. If so, with the permission of the Senate, I will discuss the matter on Friday morning at the close of morning business, not only with relation to the legal effect but also with respect to the political effect of such reservations.

LEAGUE OF NATIONS.

Mr. GAY. Mr. President, I wish to give notice that on Tuesday, July 29, I shall address the Senate on the league of nations.

MILITARY AIR SERVICE.

Mr. FALL. Mr. President, a few moments ago the Senator from Colorado [Mr. THOMAS] referred to the possible necessity for further airplanes and some criticism of the action of Congress or of the department with reference to the discharge of officers in the service. I send to the desk a letter from the governor of New Mexico containing a telegram from the governor of Texas upon this subject, and I ask that it may be read.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

STATE OF NEW MEXICO,
Santa Fe, July 11, 1919.

MY DEAR SENATOR: I have this day received a telegram from Hon. W. P. Hobby, governor of Texas, which is in words and figures as follows, to wit:

AUSTIN, TEX., *July 10, 1919.*

Gov. O. A. LARRAZOLO,
Santa Fe, N. Mex.:

Knowing the Mexican situation as I do and believing that some action by the United States Government with reference to conditions in Mexico and along the border will be necessary in the near future, I view with alarm the action of the War Department in demobilizing and discharging all officers of the National Army, which will practically wipe out the Air Service. To my mind, it is imperative that Congress make some provisions for a continuation in service of a reasonable number of the National Army officers until a permanent military policy has been established, as it would be impossible to get these trained officers, upon whom the Government has spent millions of dollars, especially in the aviation branch, back into service after being discharged. Please wire your Senators and Representatives to aid this matter.

W. P. HOBBY,
Governor of Texas.

I agree with Gov. Hobby that the policy of demobilizing and discharging the officers of the National Army now on duty, principally along the Mexican frontier, is rather an improvident one, and that at least until matters in Mexico assume a permanently peaceful and orderly condition a sufficient number of such trained officers and soldiers should be kept on duty along the border, and this, as you can readily understand, as a necessary protection to our people and interests.

I therefore suggest to you the advisability of conferring with the War Department and of calling the attention of the Secretary of War to this matter, with the request that a sufficient force, commanded by competent and trained officers, be maintained along the Mexican border until such time as their further presence there is shown to be unnecessary.

Hoping that you will attend to this request, I beg to remain,

Very sincerely, yours,

O. A. LARRAZOLO, *Governor.*

Hon. A. B. FALL,
United States Senate, Washington, D. C.

Mr. FALL. Mr. President, I have not complied with the request of the governor in so far as taking up this matter with the War Department is concerned because I am informed that the War Department has no recourse; that the Congress of the United States having failed to make provision for these officers it has become necessary for the War Department to take the action which they have taken. I should like to know from the chairman of the Military Affairs Committee if that is not a correct statement of the case.

Mr. SMITH of Arizona. Mr. President——

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Arizona?

Mr. FALL. I do.

Mr. SMITH of Arizona. As the Senator is on the floor, I desire to state that I have been to the War Department in an effort to have as many soldiers as possible kept along the international line from Texas to the California coast. I have been assured that Gen. Cabell, who is in charge of this, was keeping the War Department advised of the conditions existing, and I have been informed likewise that every possible protection would be taken to sufficiently guard the border. I confess that, judging from the letters I have received from the towns along the border of Arizona, they are not satisfied. I believe they are absolutely sincere in it and know what they are doing; and I should welcome any act, either by the department or by the Congress, that will put beyond peradventure any threatened danger to the American people along the border between the two Republics.

While I am on my feet I will say in that connection that at some later day in this session I may have something to say about the conditions in Mexico as revealed to me from public prints and from private letters, and will submit to the Congress the necessity of some steps being taken to safeguard the lives and property of the people not only on the border but those living in Mexico under the invitation, if you please, of the Republic of Mexico.

Mr. FALL. Mr. President, the Senator from Arizona did not catch fully the statement I was making.

Mr. SMITH of Arizona. That is true; I could not hear the Senator.

Mr. FALL. I will repeat for the Senator's benefit that I stated that I had not presented to the War Department this communication to me from the governor of New Mexico, inclosing to me the telegram from the governor of Texas, because my information was that the War Department could do nothing in the matter; that the Congress of the United States itself, by cutting off appropriations, had rendered it necessary that the War Department should discharge these officers whom these governors seem to think are so necessary for the protection of the border in the aeronautic service, and I had just requested the chairman of the committee to state whether my information was incorrect.

Mr. SMITH of Arizona. Before the chairman answers the question I want to inquire of the Senator if there are not enough soldiers that could be sent to that place for the proper and full

defense of that whole border without endangering the safety of the balance of the country? If there is any place in the world where we need the soldiers now, in my judgment, it is along that border.

Mr. FALL. Mr. President, I will take just a moment or two to express my views on that subject. I shall trespass for only a minute upon the time of the Senate.

In my judgment, sir, the trouble along the border is that the troops there have not the proper orders. In my judgment, if they were ordered to prevent raids or incursions upon this side and to take any means which they thought necessary to preserve order along the border and to protect the lives and property of American citizens one-tenth the number now on the border could do it. We have a border of very great length, 1,400 miles, practically unprotected. We have enough troops to patrol every mile of it, and more; but the difficulty is that they must so conduct themselves as not to bring this country into a possible conflict with anyone who may be temporarily exercising power in Mexico. The consequence is that the faces of our troops along the border, guarding us ostensibly from raids from the other side, are turned toward the north instead of toward the south to prevent incursions of American business men owning property in Mexico into the Republic, at least upon a great many occasions, at various points. They are attempting to prevent smuggling, as they call it, from this side to the other side, and they overlook the smuggling from the other side to this side. They do pursue a hot trail, as they call it, when they can get orders from a superior officer to pursue a hot trail; and I may say that the troops, in so far as their orders are concerned, have performed their duty magnificently. The people of the United States do not know that at least 12 times within the last 4 or 5 or 6 months the troops of the United States have gone across the Mexican border and have pursued Mexican marauders, and when they examined the bodies invariably they found the uniforms of the Carranza regular soldiers upon the bodies of at least some of those marauders whom they were pursuing. Col. Langhorne and the officers under him in the Great Bend district in Texas have done magnificent service, and if they were turned loose and told to stop it they would stop the trouble along the border.

Now, I renew the request for information from the chairman of the Military Affairs Committee.

Mr. WADSWORTH. Mr. President, with respect to the Air Service, which was discussed here a few minutes ago, we might just as well face the facts as they are. The Army appropriation bill made an exceedingly severe cut in the Air Service appropriations and brought the appropriations down to such a point, not only in the matter of the appropriation of $25,000,000 for maintenance, operation, experiment, and construction, but also in the pay appropriation for the Army, that the Air Service is practically reduced to a shell. There will be little left of it by September 30. Between now and September 30 every emergency officer serving in the Air Service must be discharged, for the simple reason that by September 30 there will not be any money to pay such officers. The same is true in every other branch of the Army, but the effect upon the Air Service is the more serious, because it was among the emergency officers that we found our fliers.

I am informed by the Chief of the Air Service that this will leave on September 30 a total commissioned personnel in the Air Service of 232 officers. Practically all of those will have to be assigned to purely administrative duties, and we will have, in effect, no fliers at all.

It is idle to talk about the De Haviland planes, of which we have something like 3,000 in storage, in good, bad, or indifferent condition. If the present plans go through—and I think myself the War Department is quite helpless in the matter—there will be no one to fly the planes. I say "no one." There may be ten or a dozen men who might be gathered here and there out of the regular service who have become fliers during this war and who can be taken away from the administrative work; but to all intents and purposes there will be no active flying service in the Army of the United States after September 30 next.

Mr. FALL. Mr. President, I have been somewhat critical in the past of the War Department, although not vociferously so, and I simply wanted to do that department justice in this matter, as I understood the facts about it, by saying that if there is any blame whatsoever to be placed in the particular matter under discussion it is the fault of the Congress of the United States and not the fault of the War Department.

Mr. WADSWORTH. And may I interject the observation that it can hardly be said to be the fault of the Senate?

Mr. FALL. That is my understanding.

Mr. STANLEY. Mr. President, will the chairman of the committee permit a question? Is it not true that 90 per cent of these planes, or a great portion of them, are to be turned back to the original manufacturers at about 10 per cent of the cost of making them?

Mr. WADSWORTH. I think the Senator from Kentucky must be referring to training planes. It is true that the department is endeavoring to sell at the best figures it can the training planes, of which we have a tremendous surplus; but the only combat plane, or so-called combat plane, that we have in any quantity is the De Haviland 4, which already, I may say, is, by comparison with foreign planes, out of date, but it is a serviceable plane. The trouble is we will not have men to fly it.

Mr. STANLEY. Have we not any battle planes?

Mr. WADSWORTH. The De Haviland 4 is the only plane we have which is used in aerial warfare of any kind or description.

Mr. STANLEY. Are these training planes serviceable for any other service than training planes?

Mr. WADSWORTH. They are not. You can not mount guns on them. You can not do active work with them. They are only to train men to fly.

Mr. WILLIAMS. Mr. President, are they being sold at 10 per cent of their cost?

Mr. WADSWORTH. That matter was discussed when the Army appropriation bill was before the Senate. It is true that 2,700 training planes were sold at something like 10 or 15 per cent of their original cost. Some were entirely out of condition, some were in poor condition, some were in good condition.

Mr. WILLIAMS. What was the reason or the excuse, whichever it may be, given for that transaction?

Mr. WADSWORTH. That nobody wanted them in large quantities.

Mr. WILLIAMS. Could they not have been retailed, then, to a little bit better advantage?

Mr. WADSWORTH. Well, that is a question of policy. I am not prepared to defend the War Department on that point nor to criticize it.

Mr. WILLIAMS. I am not asking the Senator to defend the War Department. I am merely asking his opinion.

Mr. WADSWORTH. The Senator asked me a question, and I am endeavoring to answer it. I can give the Senator the War Department's explanation, and I have to trust to my recollection, which may be somewhat inaccurate. According to my recollection, the War Department asserted that it would have been dangerous to sell training planes to individual citizens all over the country.

Mr. WILLIAMS. Why?

Mr. WADSWORTH. Because many of those planes are not in good repair, and accidents would inevitably follow their falling into the hands of individual citizens; and the War Department contended that it would be a bad policy for the Government to sell 2,700 planes, in all degrees of defective condition or lack of repair, and let them be scattered all over the country, and have crashes and accidents and complaints following. So, rather than do that, they sold a large number to the Curtiss Co., who agreed to take them just as they ran. Some of them were standing in hangars, some of them were on factory floors, some of them had flown almost to destruction, some had been flown very little. The Curtiss Co. agreed to take a certain number just as they ran, and to get them out of the country, and to let somebody else do the crashing.

Mr. WILLIAMS. Of course, if that be true, the department was justified in violating the maxim of "caveat emptor"; but are not the materials in an airplane worth more than 10 per cent of its cost, even if you are going to junk it?

Mr. WADSWORTH. I can not tell the Senator from Mississippi. I do not know.

Mr. WILLIAMS. I do not know, either. I thought perhaps the Senator did.

Mr. KING. Mr. President, will the Senator from New York permit me to make an inquiry?

Mr. LODGE. Mr. President, I rise to a question of order. I should like to know if the morning business is concluded?

The VICE PRESIDENT. It has not started yet.

Mr. LODGE. I thought we were under the order of petitions and memorials.

The VICE PRESIDENT. We are. We have had one petition.

Mr. LODGE. We are acting under that order, then. There are a number of Senators who are pretty busily engaged who have been sitting here trying to get an opportunity to dispose of some morning business. Therefore I ask for the regular order.

The VICE PRESIDENT. The Senator can have it. Are there further petitions and memorials?

PETITIONS AND MEMORIALS.

Mr. MOSES. I present resolutions adopted at a mass meeting of the Friends of Irish Freedom of Walpole, N. H., remonstrating against the adoption of the covenant of the league of na-

tions. I ask that the resolutions be printed in the RECORD and referred to the Committee on Foreign Relations.

The resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

JULY 12, 1919.

Hon. GEORGE H. MOSES,
Washington, D. C.

DEAR MR. MOSES: At a mass meeting of the Friends of Irish Freedom of the Town of Walpole, N. H., held July 6, 1919, the following resolutions were unanimously adopted:

"Resolved, That we are opposed to any league of nations that does not safeguard the Monroe doctrine and the absolute right of the American people to decide for themselves what is necessary for their welfare and happiness.

"Resolved, A league of nations founded on force of millions of subject races is not a desirable amendment to the Constitution of the United States of America, and we request our Senators to vote against it.

"Resolved, That we demand the freedom of Ireland and all subject races before we consider a league of nations.

"Resolved, That a copy of these resolutions be sent to our Senators in Congress."

FRIENDS OF IRISH FREEDOM OF WALPOLE, N. H.
WM. J. KING.
PATRICK REARDON.
JOHN HEALEY.

Mr. MOSES. I present resolutions adopted at a mass meeting of sundry Lithuanian citizens of Manchester, N. H., which I ask to have printed in the RECORD and referred to the Committee on Foreign Relations.

The resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

LITHUANIANS OF MANCHESTER, N. H.,
122 Merrimack Street, July, 1919.

Hon. GEORGE H. MOSES,
United States Senate, Washington, D. C.

HONORABLE SIR: We, the Lithuanians of the city of Manchester, N. H., have, in mass meeting assembled, adopted the following resolution:

"Whereas Lithuania was for ages an independent State, whose inhabitants, a distinct ethnic group, have never renounced their right to independence; and

"Whereas the establishment of the independent Lithuanian State would add materially to the future peace of the world: Therefore be it

"Resolved, That we, the Lithuanians of this city and citizens of the United States of Lithuanian descent, request the United States Government, through the honorable Representative of our district and the honorable Senators of our State, to recognize the complete independence of the Lithuanian Republic."

R. KONDROTAS, *Chairman.*
J. A. ZUKAUSKAS, *Secretary.*

Mr. MOSES. I present resolutions adopted at a mass meeting of sundry Lithuanians of the Roman Catholic Parish of All Saints, of Manchester, N. H., which I ask to have printed in the RECORD and referred to the Committee on Foreign Relations.

The resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

ROMAN CATHOLIC PARISH OF ALL SAINTS,
Manchester, N. H., July 13, 1919.

To his honor GEORGE H. MOSES,
House of Senators, Washington, D. C.

HONORABLE SIR: We, members of the Lithuanian Roman Catholic Parish of All Saints, of the city of Manchester, N. H., in a meeting assembled at Battery Building, Manchester Street, Manchester, N. H., have adopted the following resolution:

Whereas the invasion by the Polish Army of Lithuania is a brutal violation of the war aims declared by President Wilson and the allied governments, condemned by liberal opinion the world over as indefensible interference with the right of self-determination of nations;

Whereas Lithuania was for ages an independent State, whose inhabitants, a distinct ethnic group, have never renounced their right to independence: Be it

Resolved, That we, the members of the parish and American citizens of Lithuanian descent, hereby request the United States Government to compel Poland to withdraw her army from the Lithuanian territories, and that all assistance be denied to Poland as long as she continues to occupy the invaded territories; and be it further

Resolved, That we request the United States Government to recognize the present Lithuanian Government and to render it moral and material assistance.

L. J. JAKAITIS,
Chairman.
FELIX CHEKUTIS,
Secretary.

Mr. MOSES. I present resolutions adopted by Lodge No. 119, Lithuanian Roman Catholic Alliance of America, of Manchester, N. H., which I ask to have printed in the RECORD and referred to the Committee on Foreign Relations.

The resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

ROMAN CATHOLIC ALLIANCE OF AMERICA, LODGE NO. 119,
Manchester, N. H., July 13, 1919.

To his honor GEORGE H. MOSES,
House of Senators, Washington, D. C.

HONORABLE SIR: We, members of the Lithuanian Roman Catholic Alliance of America, Lodge 119, located in the congressional district of the city of Manchester, N. H., have in a meeting assembled at the lodge hall, 153 Manchester Street, adopted the following resolution:

Whereas Lithuania was for ages an independent State, whose inhabitants, a distinct ethnic group, have never renounced their right to independence;

Whereas the establishment of an independent Lithuanian State would add materially to the future peace of the world: Therefore be it

Resolved, That we, the members of the lodge and citizens of the United States of Lithuanian descent, request the United States Government, through the honorable Representative of our district and the honorable Senators of our State, to recognize the complete independence of the Lithuanian Republic.

L. J. JAKAITIS,
Chairman.
J. A. ZUKAUSKAS,
Secretary.

Mr. CAPPER presented petitions of Midland Grange, No. 1681, Patrons of Husbandry, of Burrton; of Local Grange, No. 1812, Patrons of Husbandry, of Reno; of Ninnescah Grange, No. 1878, Patrons of Husbandry, of Sylvia; and of Highland Grange, No. 1790, Patrons of Husbandry, of Topeka, all in the State of Kansas, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Independence, Kans., and a petition of sundry citizens of Goodland, Kans., praying for the repeal of the tax on automobiles, which were referred to the Committee on Finance.

He also presented a petition of sundry citizens of Goessel, Kans., and a petition of sundry citizens of Harper County, Kans., praying for the repeal of the tax on ice cream, soda, soft drinks, medicines, toilet articles, clothing, etc., which were referred to the Committee on Finance.

Mr. WALSH of Massachusetts. I present a communication from the League of Free Nations Association, inclosing a resolution adopted at the national conference of that association, based upon a referendum vote of its members throughout the country. I ask that the communication and accompanying resolution be printed in the RECORD and referred to the Committee on Foreign Relations.

The communication and accompanying resolution were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

LEAGUE OF FREE NATIONS ASSOCIATION,
New York City, July 9, 1919.

Senator DAVID I. WALSH,
Wardman Park Inn, Washington, D. C.

MY DEAR SIR: The inclosed resolution, based upon a referendum vote of members throughout the country, was passed last night at a national conference of this association.

Very truly, yours, JAMES G. MCDONALD,
Chairman.

Resolved, That the League of Free Nations Association, in accordance with a referendum of its full membership, calls upon all forward-looking citizens to urge the United States Senate—

1. To ratify without reservations the treaty with Germany, including the league of nations covenant.

Such ratification would establish immediate peace, the world's most urgent need, in the interest of order and progress; would abolish many international injustices which have proved prolific causes of war; and would create an agency for the rectification of remaining injustices and for the establishment of mutually advantageous and just relations between nations.

2. To accompany its ratification with a resolution, declaring it to be the purpose of the United States, as a member of the league of nations, to—

(a) Press for the immediate restoration of Kiaochow and the German concessions in Shantung to the Chinese Republic.

(b) Hold that nothing in the treaty or the covenant shall be construed as authorizing interference by the league in internal revolutions or as preventing genuine redress and readjustment of boundaries, through orderly processes provided by the league, at any time in the future that these may be demanded by the welfare and manifest interest of the people concerned.

(c) Call for the inclusion of Germany in the council of the league as soon as the new Republic shall have entered in good faith upon carrying out the treaty provisions; for the inclusion of Russia as soon as the Russian people establish stable government; and for the full participation of both Germany and Russia on equal footing in all economic intercourse as the best insurance against any reversion to the old scheme of balance of power, economic privilege, and war.

(d) Press for the progressive reduction of armaments by all nations.

(e) Throw its whole weight in behalf of such changes in the constitution and such developments in the practice of the league as will make it more democratic in its scheme of representation, its procedure more legislative and less exclusively diplomatic; an instrument of growth invigorated and molded by the active, democratic forces of the progressive nations.

Mr. WALSH of Massachusetts presented memorials of employees of the Hood Rubber Co., of Watertown; of the H. J. Heinz Co.; of Charles H. Horne & Co., of Averill; of the Hazen-Brown Co., of Boston; of the Truscon Steel Co., of Boston; of the Ideal Vogue Shoe Co., of Averill; of Kenworthy Bros. Co., of Stoughton; of the Babson Statistical Organization; of the Loose-Wiles Biscuit Co., of Boston; of the Rice, Barton & Fales Co., of Worcester; of Robert G. Pratt & Co.; of George C. Vaughan, of Peabody; of the Angier Chemical Co., of Boston; of Putnam & Cross, of Lynn; of the Weber Piano Co.; of Rogers Lunt & Bowles Co.; of the Bicknell-Thomson Co., of Greenfield;

of the Columbia Steel & Shafting Co., of Boston; of the Hunt-Spiller Manufacturing Co., of Boston; of Robbins Gamwell & Co., of Pittsfield; of Wadsworth, Howland & Co., of Boston; of the John Hood Co., of Boston; of the Springfield Printing & Binding Co.; of the L. E. Knott Apparatus Co.; of the Beaver Mills, of North Adams; of the American Bosch Magneto Corporation; of John P. Squire & Co.; of the Barrett Co.; of Whitney & Co., of Leominster; of the Globe Automatic Sprinkler Co.; of the Cheney Bigelow Wire Works, of Springfield; of the J. D. Clark Co., of Rochdale; of the Standard Plunger Elevator Co., of Worcester; of the Potter Drug & Chemical Co., of Malden; of the Burmus Paper Co. (Inc.); of the United Button Co.; of the Spencer Box Co.; of the Sulpho-Naphthol Co.; of the A. E. Little Co., of Brockton; of the Wire Goods Co., of Worcester; of the Merrimack Manufacturing Co., of Lowell; of C. B. Sampson, of Holyoke; of the Armour Leather Co., of Boston; and of the Baker-Vawter Co., of Holyoke, all in the State of Massachusetts, remonstrating against the repeal of the so-called daylight-saving law, which were referred to the Committee on Interstate Commerce.

Mr. ROBINSON presented resolutions adopted by the board of directors of the St. Francis levee district of Arkansas, in annual meeting at Bridge Junction, Ark., favoring the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. SUTHERLAND presented a memorial of sundry citizens of Braxton County, W. Va., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. WARREN, from the Committee on Appropriations, to which was referred the bill (H. R. 2847) providing additional aid for the American Printing House for the Blind, asked to be discharged from its further consideration and that it be referred to the Committee on Education and Labor, which was agreed to.

Mr. MYERS, from the Committee on Public Lands, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

A bill (S. 793) authorizing the issuance of patent to the Milk River Valley Gun Club (Rept. No. 88); and

A bill (S. 794) granting lands for school purposes in Government town sites on reclamation projects (Rept. No. 89).

REV. E. M. MALLORY AND REV. E. BELL.

Mr. LODGE. From the Committee on Foreign Relations I report back favorably with amendments Senate resolution 124, submitted by Mr. SMITH of Georgia on the 17th instant, and I ask for its present consideration.

The VICE PRESIDENT. Is there any objection to the present consideration of the resolution?

There being no objection, the Senate, by unanimous consent, proceeded to consider the resolution.

The amendments were, in line 1, before the word "is," to strike out "Secretary of State" and insert "President"; in the same line, after the word "hereby," to strike out "directed" and insert "requested"; in line 2, after the word "Senate," to insert "if not incompatible with the public interest"; in line 3, after the word "in," to strike out "his," and in the same line, after the word "possession," to insert "of the State Department," so as to make the resolution read:

Resolved, That the President is hereby requested to furnish to the Senate, if not incompatible with the public interest, the records in the cases and all papers in possession of the State Department connected with the cases of Rev. E. M. Mallory, charged with harboring criminals, and Rev. E. Bell, charged with involuntary homicide, they being citizens of the United States and residents at the time in Korea.

The amendments were agreed to.

Mr. SMITH of Georgia. Mr. President, I have received a number of communications from parties acquainted, as they thought, with the facts complaining very bitterly of trials or alleged trials in Korea and of treatment of our citizens as well as the natives and other citizens. I did not present to the Senate or make public those communications; I thought it hardly wise to do so; but when these two cases were brought to my attention, when two alleged trials of American missionaries in Korea were referred to, with the further statement that the records were in the State Department, and that they would give us an appreciation of what was taking place, I felt that at least we ought to have those records, as requested by those who wrote to us, and find out from them, if we could, something of an accurate character. It was for that reason that I offered the resolution.

The VICE PRESIDENT. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

FORT PECK INDIAN RESERVATION.

Mr. MYERS. I present the report of the Committee on Public Lands on Senate bill 183, with amendments, and I submit a report (No. 90) thereon. It is a bill introduced by my colleague [Mr. WALSH], and is intended to afford partial relief to the homesteaders on the Fort Peck Indian Reservation, in Montana. They have suffered from terrible drought for three years. I ask that the bill be read, and then I shall ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That any person who has made homestead entry under the provisions of the act of Congress approved May 30, 1908 (35 Stats. L., p. 558), entitled "An act for the survey and allotment of lands now embraced within the limits of the Fort Peck Indian Reservation, in the State of Montana, and the sale and disposal of all the surplus lands after allotment," may obtain an extension of time for one year from the anniversary of the date of entry last preceding the passage of this act within which to pay the one-half of the installment then due or such part of any preceding installment, where payment has not yet been made and where an extension of time therefor is not authorized by the act of Congress approved March 2, 1917 (39 Stats. L., p. 994), by paying interest at the rate of 5 per cent per annum on the sums to be extended from the maturity of the unpaid installments to the expiration of the period of extension, the interest to be paid to the receiver of the land office for the district in which the lands are situated, within such time as may be prescribed for that purpose by the Secretary of the Interior: *Provided*, That the one-half of any installment which becomes due within one year from the passage of this act and for which an extension of time for payment is not authorized by the said act of March 2, 1917, may also be extended for a period of one year by paying interest thereon in advance at the said rate: *Provided further*, That any payment so extended may annually thereafter be extended for a period of one year in like manner, but no payment shall be extended beyond eight years from the date entry nor shall any extension be granted for less than one year: *And provided further*, That if commutation proof is submitted all the unpaid payments must be made at that time.

SEC. 2. That moneys paid as interest provided for herein shall be deposited in the Treasury to the credit of the Fort Peck Indians, the same as moneys realized from the sale of the lands.

SEC. 3. That the failure of an entryman to make any payment that may be due, unless the same be extended, or to make any payment extended either under the provisions hereof or under the provisions of the said act of March 2, 1917, at or before the time to which such payment has been extended, shall forfeit the entry and the same shall be canceled, and any and all payments theretofore made shall be forfeited.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendments were, on page 2, line 17, after the word "may," to strike out "annually," and in line 18, after the word "manner," to strike out "but no payments shall be extended beyond eight years from the date of entry, nor shall any extension be granted for less than one year," so as to read:

That any person who has made homestead entry under the provisions of the act of Congress approved May 30, 1908 (35 Stat. L., p. 558), entitled "An act for the survey and allotment of lands now embraced within the limits of the Fort Peck Indian Reservation, in the State of Montana, and the sale and disposal of all the surplus lands after allotment," may obtain an extension of time for one year from the anniversary of the date of entry last preceding the passage of this act within which to pay the one-half of the installment then due, or such part of any preceding installment, where payment has not yet been made and where an extension of time therefor is not authorized by the act of Congress approved March 2, 1917 (39 Stat. L., p. 994), by paying interest at the rate of 5 per cent per anuum on the sums to be extended from the maturity of the unpaid installments to the expiration of the period of extension, the interest to be paid to the receiver of the land office for the district in which the lands are situated within such time as may be prescribed for that purpose by the Secretary of the Interior: *Provided*, That the one-half of any installment which becomes due within one year from the passage of this act and for which an extension of time for payment is not authorized by the said act of March 2, 1917, may also be extended for a period of one year by paying interest thereon in advance at the said rate: *Provided further*, That any payment so extended may thereafter be extended for a period of one year in like manner: *And provided further*, That if commutation proof is submitted all the unpaid payments must be made at that time.

The amendments were agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SUNDRY CIVIL APPROPRIATIONS.

Mr. WARREN. From the Committee on Appropriations I report back favorably without amendment the bill (H. R. 7343) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes. I give notice that I shall ask the Senate to take up the bill for consideration immediately upon the conclusion of the routine morning business.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SPENCER:

A bill (S. 2527) to amend section 4875 of the Revised Statutes, to provide a compensation for superintendents of national cemeteries; to the Committee on Military Affairs.

By Mr. NUGENT:

A bill (S. 2528) to grant certain lands to the city of Pocatello, State of Idaho, for conserving and protecting the source of its water supply and as a municipal park site; to the Committee on Public Lands.

By Mr. MYERS:

A bill (S. 2529) to appropriate money for the relief of impoverished and suffering homesteaders and other farmers in the drought-stricken western regions of the United States; to the Committee on Appropriations.

By Mr. JONES of New Mexico:

A bill (S. 2530) to authorize an advance to the "reclamation fund" for the prompt completion of drainage work on the Rio Grande project (Texas-New Mexico), and other purposes; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. SUTHERLAND:

A bill (S. 2531) donating a captured cannon or fieldpiece and cannon balls to the town of Follansbee, Brooke County, W. Va.; to the Committee on Military Affairs.

By Mr. JOHNSON of California:

A bill (S. 2532) to incorporate the Private Soldiers' and Sailors' Legion of the United States of America; to the Committee on the Judiciary.

By Mr. CAPPER:

A bill (S. 2533) granting an increase of pension to George E. Guthrie (with accompanying papers); to the Committee on Pensions.

By Mr. SMITH of Arizona:

A bill (S. 2534) granting an increase of pension to Anton Mazzanovich (with accompanying papers); to the Committee on Pensions.

PRICE OF COAL.

Mr. FRELINGHUYSEN. I offer a resolution which I ask to have read and referred to the Committee on Contingent Expenses, and also that it be referred to the Committee on Interstate Commerce if that is in order.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 126) was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Whereas for several years the price of coal to the consumer has from time to time been largely increased; and

Whereas for a period this increase in price was attributed to existing war conditions; and

Whereas in spite of the fact that since the armistice was signed, November 11, 1918, normal peace conditions have prevailed, the price of coal has continued to rise, without any apparent economic or other proper reason therefor: Therefore be it

Resolved, That the Committee on Interstate Commerce, or any subcommittee thereof, be instructed to make inquiry into the cause or causes which have brought about the enormous increase in the market price of coal, and to that end obtain full data regarding freight rates, wages, profits, and other matters bearing upon the question under consideration, with a view to determining who or what may be responsible for such increase in price, whether due to economic causes, and, therefore, proper and right, or whether due to manipulation or profiteering on the part of miners, shippers, or dealers in coal.

Resolved further, That the Committee on Interstate Commerce, or any subcommittee thereof, be authorized and directed to subpœna witnesses and compel their attendance, to send for persons and papers, and do such further acts as may be necessary to secure any and all information desired in the furtherance of said inquiry.

Resolved further, That the Committee on Interstate Commerce shall report its findings to the Senate, together with such recommendations as may be pertinent and advisable, with a view either to congressional or Executive action, in order to remedy existing conditions or the punishment of any individual or corporation deemed guilty of unlawful acts.

Resolved further, That the expense of the aforesaid inquiry be paid out of the contingent fund of the Senate.

DAYLIGHT-SAVING LAW.

Mr. GRONNA. Mr. President, I send to the Secretary's desk a short communication from the Farmers' Union and ask that it be read.

The VICE PRESIDENT. Without objection, the Secretary will read.

The Secretary read as follows:

615 WOODWARD BUILDING,
Washington, D. C., July 15, 1919.

DEAR SIR: We are glad that there is still a chance for the repeal of the daylight-saving law, as all farmers are interested in seeing this done at the earliest possible moment.

This is a question upon which the farmers are of one opinion. They are absolutely unanimous in their opposition to this law and have been from the day it went into effect. It is not only a great inconvenience to them, but in many cases proves an absolute loss and waste to them.

The farmers were told during the war that they must expect to make greater sacrifices than any other class. They were practically the only business men who worked without a "cost plus" in some form. They were the only laborers who never went on a strike, no matter how long the hours or how little the pay. Now, the daylight-saving law, along with other things, has been instrumental in creating dissatisfaction among farm laborers. They have borne all this patiently up to the time when there can be no legitimate excuse for a continuance of such unjust legislation.

Farmers do not have access to the President as do the organizations that are advocating the continuance of this law. They feel sure that if the President was closer in touch with the situation and knew the hardships this law works upon them and that they are unanimously against it he would not want them to bear this unnecessary burden longer. You have been on the ground continuously and know the feeling of the farmers in this matter, and we feel that we may depend on you to see that this unjust and unnecessary law is repealed at once.

Very truly, yours,

JOHN A. SIMPSON,
President.

E. A. CALVIN,
Washington Representative,
Association Farmers' Union Presidents.

THE LEAGUE OF NATIONS.

Mr. WILLIAMS. Mr. President, I hold in my hand an article entitled "The league of nations," written by William H. Fleming, of Georgia. Mr. Fleming was formerly a Representative in the Congress of the United States. I served with him there either one or two terms, I have forgotten now which. He is a remarkably good lawyer and a very clear reasoner, and he has written an article which, I think, will aid the public and the readers of the CONGRESSIONAL RECORD to understand the legal situation with regard to the league of peace, especially upon the question of the surrender of sovereignty and independence, that has been so much argued; and I ask that it be inserted in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

THE LEAGUE OF NATIONS.

(By William H. Fleming, former Congressman Tenth District of Georgia.)

We people in America did not pay the price nor bear the agony of France and Belgium and England and Italy in the World War. Yet the pages of history afford no nobler example of devotion to liberty, of loyalty to humanity, of service to brother man, and of duty to God than when America pledged her life, her fortune, and her sacred honor that the Hun should not crush out our Christian civilization.

Victory has been achieved, but not without the sacrifice of seven and a half million of human lives and a waste of wealth almost inconceivable.

Some of the leading statesmen of the world met at the Paris conference, and many other statesmen who were not there lent their counsel and advice—notable among the number being Hon. William Howard Taft, whose noble patriotism leaves no place for narrow partisanship. Under the direction of these leading minds, hundreds of experts, embracing every line of industry, of politics, of law and of government, labored for months. As a result of their work and wisdom, in dealing with the most difficult and complicated situation that ever faced any set of men, a treaty of peace has been formulated. That treaty has been signed by the delegates at Versailles and awaits only formal ratification by the proper authorities of the nations involved in the conflict.

Under our Government it is the prerogative of the United States Senate to act upon all treaties when presented to it by the President. That body is now asked by some of its Members to reject this treaty of peace, or to so amend it as to block its present operation, and thus delay the return of peace to an anxious and suffering world.

Some of these opponents of ratification are men of high position in our public life. They must have some reasons, more or less satisfactory to themselves, for their obstructive action at this critical stage.

Evidently we can not afford to oppose ratification on the mere authority of the great names appearing among the obstructionists—for if we accept that principle for our guidance, we are met with the authority of still greater names in favor of ratifying the treaty. We, the people, must therefore examine for ourselves into the validity of the objections.

LEAGUE OF NATIONS PROPERLY EMBODIED IN TREATY OF PEACE.

In the first place, and regardless of its provisions, we are told that the league of nations ought not to have been embodied in the treaty of peace.

This criticism, when subjected to analysis, appears illogical to the extent almost of insincerity. Of course any man who really believes that concerted action by the civilized nations of the world to enforce peace is in itself an undesirable and

abominable thing is fully justified in saying that the league ought not to have been embraced in the treaty. That man is opposed to the league in the treaty or out of it.

But taking it for granted, as we surely may, that the league to enforce peace is a thing to be desired, as a forward step in the higher development of world affairs, by which peace-loving democracies may combine their powers to protect themselves and weaker peoples against aggression of war-loving nations, then it is patent that to have neglected to take advantage of the one great opportunity presented by the peace conference at Paris would have been almost a crime. At the least, it would have been a blunder in diplomatic strategy, and we have the saying of a famous French diplomat that in such matters a blunder is worse than a crime.

Had not The Hague Tribunal labored for years in vain to get unity of action for peace among the nations? Did not Germany thwart every effort in that direction, because she was confident of her superior power and intended to bring on a war of conquest for her own aggrandizement?

But the developments of the war brought about a sudden change in the attitude of nations in regard to this issue. When Prussianism was in defeat, and all the peoples of central Europe, exhausted in man power and in wealth, stood aghast at the unspeakable horrors of the bloody conflict, it was then that the world, as never before, was ready to listen to those men of vision who pleaded that the powers of righteousness should combine against the powers of evil, and thus promote the happiness and prosperous development of both good and bad.

Such an opportunity to serve mankind would probably not have come again in a hundred years. We should be thankful that our President had the intuition of genius to seize the occasion for the accomplishment of this great mission, and also that he had the moral courage to stand by his convictions.

With confident assurance we may accept it as a fortunate fact that the league of nations was put in the right place at the right time.

The founding of this league of nations will, no doubt, be held by students of history in future years as one of the great blessings of the World War that balances off to some extent its terrible evils of suffering and loss.

THE LEAGUE AND THE CONSTITUTION.

Again, we are told by some of those conscientious objectors in the Senate and out of it that our Constitution forbids our entering into such a league.

From the beginning of our Government we have had much discussion about the proper location of the dividing line between State rights and National rights under our Constitution, but by no possibility can that time-worn issue be dragged into the consideration of the acceptance or rejection of the treaty of peace.

The Constitution itself expressly says in Article I, section 10, paragraph 1, that no State shall "enter into any treaty, alliance, or confederation."

The full power of treaty making is vested in the President and the Senate, acting by a two-thirds vote of those present. (Art. II, sec. 2, par. 2.) In our foreign relations States are unknown. Abroad there is but one flag, the flag of the Union.

The Supreme Court of the United States, speaking through Justice Field in 133 United States, page 266, says that the treaty power extends "to all proper subjects of negotiation" between our Government and the Governments of other nations. After stating that a treaty can not do what the Constitution forbids, nor change the nature of the National Government nor of the State government, nor cede any portion of the territory of a State without its consent, Justice Field adds:

> But with these exceptions it is not perceived that there is any limit to the questions that can be adjusted touching any matter which is properly the subject of negotiation with a foreign country.

Thomas Jefferson is on record as holding that the treaty-making power extends to all subjects "usually regulated by treaty."

However, if the authority of the Supreme Court and of Thomas Jefferson fails to carry conviction to any adherent of the doctrine of State rights, surely such adherent will not question the authority of John C. Calhoun, the most profound and logical expounder of the Constitution as related to that doctrine.

When Mr. Calhoun was Secretary of State under President Tyler, he addressed a letter on June 28, 1844, to Mr. Wheaton, then American minister to Prussia, in which he used the following language:

> The treaty-making power has indeed been regarded to be so comprehensive as to embrace, with few exceptions, all questions that can possibly arise between ourselves and other nations, and which can only be adjusted by their mutual consent, whether the subject matter be comprised among the delegated or reserved powers.

The framers of our Constitution have not deserved the praise heaped upon them by historians and statesmen if a defect should now be discovered in that document which compels us to refuse cooperation in the greatest organized movement ever undertaken for the welfare of mankind. They made no such blunder, and we wear no such shackles.

OUR TREATY WITH PANAMA.

Following up the general objection as to the unconstitutionality of the treaty and the league, the critics specify by alleging that we have no constitutional right to stand sponsor for the liberty or independence of any foreign nation, and that such action would be without precedent.

In answer, let us look to the record.

On November 18, 1903, Hon. John Hay, our Secretary of State, signed a convention with the Republic of Panama for the construction of the ship canal; on February 23, 1904, ratification was advised by the Senate, and on February 26, 1904, proclamation of the treaty was duly made. The very first article of that treaty reads as follows:

> The United States guarantees, and will maintain, the independence of the Republic of Panama.

If we had the constitutional power to guarantee the independence of Panama, why have we not the same power to cooperate with other leading nations of the world to guarantee the independence of Belgium and Poland and other members of the league? Evidently it is not a question of power but of policy.

THE LEAGUE AND AMERICANISM.

But the point about which the enemies of the league seem to concentrate their heaviest artillery is article 10, which reads as follows:

> The members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league. In case of any such aggression, or in case of any threat or danger of such aggression, the council shall advise upon the means by which this obligation shall be fulfilled.

We are told by some of these objectors that such a covenant is un-American; that it is a surrender of American sovereignty; and that no red-blooded American should submit to it, and so forth. And one excited alarmist in the Senate has sworn an oath that he would not vote for the treaty even though Christ himself should approve it.

ROOSEVELT FAVORED ARTICLE 10.

In the midst of these direful forebodings we can derive some comfort at least by turning to the words of a man whose red-blooded Americanism no one can doubt, and whose standard, ever in the front of the battle like the white plume of Navarre, was the political rallying point for millions of his devoted countrymen.

When President Roosevelt had been awarded the Nobel peace prize for his great service in bringing about the peace of Portsmouth, between Russia and Japan, and had returned from his trip to Africa, and was making his triumphal journey through Europe, he went to Christiania, Norway, to receive his distinguished honor in formal manner from the hands of the Nobel peace committee.

The date was May 5, 1910. His audience was the world. The occasion was one that will be ever memorable in history. The opportunity called for the best of truth and wisdom that was in the heart and head of this orator-statesman from America. He rose to the situation then, full of pure patriotism and free of petty partisanship.

He made two carefully prepared addresses. In one he spoke thus:

> In the end I firmly believe that some method will be devised by which the people of the world as a whole will be able to insure peace as it can not now be insured.
>
> How soon that end will come I do not know; it may be far distant, and until it does come I think that while we should give all the support that we can to any possible feasible scheme for quickly bringing about such a state of affairs, yet we should meanwhile do the more practicable, though less sensational things.
>
> Let us advance step by step; let us, for example, endeavor to increase the number of arbitration treaties and enlarge the methods for obtaining peaceful settlements. Above all, let us strive to awaken the public international conscience, so that it shall be expected, and expected efficiently, of the public men responsible for the management of any nation's affairs, that those affairs shall be conducted with all proper regard for the interests and well being of other powers, great or small.

There we heard him appealing to the conscience of the world, as we so often heard him appeal to the conscience of America.

In his other address he was even more definite in its application to present world conditions, and said:

> Finally, it would be a master stroke if these great powers bent on peace would form a league of peace, not only to keep the peace among themselves, but to prevent by force, if necessary, its being broken by others.

After reading those brave words let no American who believed in Roosevelt consent to striking out article 10 from the league of nations. We might well charge that article 10 was paraphrased from the speech of this great American.

ROOSEVELT FORETELLS THE COMING OF WILSON.

But again, and chiefly, as if touched with the spirit of prophecy, Mr. Roosevelt said:

As things are now, such power to command peace throughout the world could best be assured by some combination between those great nations which sincerely desire peace and have no thought themselves of committing aggressions.

The combination might at first be only to secure peace within certain definite limits and certain definite conditions; but the ruler or statesman who would bring about such a combination would have earned his place in history for all time, and his title to the gratitude of mankind.

It is no reflection on Mr. Roosevelt for us of this day to suggest that perhaps he thought it possible sufficient years were left to him to win again the Presidency of the United States, and from that vantage point of power realize in himself his vision of that coming statesman.

Fate dashed his hopes. Death closed his eyes upon that entrancing prospect. But his prophecy was fulfilled in Woodrow Wilson, the veritable man he foretold, who has, indeed, "earned his place in history for all time and his title to the gratitude of mankind."

WM. H. FLEMING.

AUGUSTA, GA., *July 2, 1919.*

ALSATIAN POTASH.

Mr. FRELINGHUYSEN. Mr. President, I send to the desk a copy of the magazine called "Victory—An Illustrated Magazine of Franco-American Relations," and I ask that a short article contained in it on Alsatian products be printed in the RECORD, for the information of the Senate.

I do not know how many Senators here have been importuned by their farmer constituents to do something in relation to the present situation as to the price of potash; but at the present time the farmers are compelled to pay an exceedingly high price for potash. I understand that there is an embargo against Alsatian potash, formerly German potash, now under the control of France, and it has been stated that the price of potash has been inordinately high on account of this embargo. The statement has also been made that France could not supply us with potash for several years. This article gives certain facts and contradicts the impression which has been gained that potash could not be imported from France. If something could be done to satisfy the industry here in America and at the same time release this potash for importation, the farmers of the country would be greatly benefited.

I ask unanimous consent that this article be printed in the CONGRESSIONAL RECORD, in order that those interested in the subject may be informed.

Mr. WILLIAMS. Mr. President, I have no objection to the article being printed, but I wish to ask the Senator what he means by "something being done" for the producers of potash here? Does he mean that he wants a duty placed upon the importation of potash, so as to make it more expensive to the farmers than it otherwise would be?

Mr. FRELINGHUYSEN. No. I want the embargo at the present time placed upon the importation of potash by the War Trade Board taken off.

Mr. WILLIAMS. I understand that that has been done.

Mr. LODGE. No.

Mr. WILLIAMS. The embargo has been raised. At least, I saw a publication in the Washington Post the other day to that effect. I do not know—nobody can believe anything he sees in a newspaper, necessarily—but if not done it soon will be, and if any request of ours will help to do it, all the better, of course.

Mr. FRELINGHUYSEN. I will say to the Senator that I have requested not only the War Trade Board but the Department of Agriculture to do something in the matter.

Mr. FLETCHER. Mr. President, my information is that the Senator from Mississippi is in error about potash being taken off the embargo list. I think it is included in the embargo.

Mr. LODGE. It certainly is. So are dyestuffs.

Mr. FLETCHER. Yes; so are dyestuffs. I think the Senator from New Jersey is entirely right. We ought to take that embargo off and let the foreign potash come in.

Mr. WILLIAMS. It states that dyestuffs from Germany and potash from Saxony were not released from the embargo, but the Alsatian potash was. I may be mistaken.

Mr. FRELINGHUYSEN. If the Senator from Mississippi will read the article, he will ascertain that the principal supply of potash will come from Alsace; and, if the embargo is lifted, our farmers in this country, instead of paying $170 a ton for potash, which they need for the production of their crops, will be paying $50 or $60 a ton.

Mr. WILLIAMS. When was that article written?

Mr. FRELINGHUYSEN. July, 1919, this month.

Mr. WILLIAMS. That is the date of publication; but when was it written? Does the Senator know?

Mr. FRELINGHUYSEN. I do not know.

Mr. WILLIAMS. I am inclined to think it was written about the close of the war. But whether that is true or not, the resolution can not do any harm. It is of the utmost importance to the cotton planters very much more than anybody else, because they use more potash in proportion to hydrogen and other fertilizers than do almost any other producers of plants.

Mr. SMOOT. Potash is to be discussed in the near future in the House of Representatives. If there is any duty placed upon it, it must originate there. I am not going to object to this article going in the RECORD; but I wish to say that the farmers may be able to buy potash a little cheaper if the embargo is lifted and the importation allowed to come into this country free of duty until the American industry is destroyed that has been established in the production of potash in this country. But after that happens I do not know whether they will be able to buy it for any less than they are buying it to-day or not.

Mr. SMITH of Georgia. I wish I really thought there has been a potash industry successfully established in this country. I am looking for the facts. I hope it has been done, but I am a little afraid it has not.

Mr. SMOOT. I will say to the Senator it has been successfully established; I have not any doubt of it; and if an embargo were placed on potash importations I think within the next 12 months there would be potash produced in this country sufficient for its needs. I have not the time, I will say to the Senator——

Mr. SMITH of Georgia. The prices which the producers of potash we are talking about are asking to be paid are exorbitant.

Mr. SMOOT. That came about because of the fact that the war was on, and every country wanted unusual quantities of potash for munition purposes. They required the potash, and it made no difference what price the producer asked, it was paid. But that is not what the American producer is expecting in the future. The American producers expect to make a business of it in this country and to produce potash sufficient for the needs of the country, and if we allow them a fair chance I have no doubt they will produce it at a fair price.

Mr. SUTHERLAND. Mr. President, I merely wish to suggest to the Senator from New Jersey [Mr. FRELINGHUYSEN], with reference to the first resolution which he introduced, that if the Senate is going to inquire particularly into the high cost of all the articles which we are now consuming, we will have nothing much to do but that. The price of coal is high because every basic element that enters into the cost of coal is high. Wages have been increased. The price of steel has been very largely increased. Everything that the coal producer has to buy has largely increased in cost, but more particularly wages have increased. The same thing has happened with reference to coal that has happened with reference to cotton, cotton oil, and with reference to everything the farmer produces. I am quite sure the Senator has no objection if investigation is to be made along these lines that it should include the entire subject of the high cost of living at this particular time and not one particular subject.

The VICE PRESIDENT. Is there objection to printing in the RECORD the article referred to by the Senator from New Jersey? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

(From Victory for July, 1919.)

"ALSATIAN POTASH.

"Since the signing of the armistice it seems that a campaign has been carried on in America against the importation of potash from Alsace. This campaign is of more or less German origin, although some of its leaders maintain that we must not deal with Germany, and others that American industry would suffer; finally some say that France would not have enough potash for home consumption if we permitted its importation.

"A quick survey of the question will show that the real situation is quite different from that which is presented in certain American newspapers.

"*I.—Potash industry in America.*

"BEFORE THE WAR—GERMAN IMPORTS.

"The potash industry began in the United States in 1914. Before that date Germany was the chief potash-producing country. In 1913 the Kalis Syndicate had extracted, from the Stassfurt mines alone, 11,800,000 tons of crude salts and had manufactured 1,650,000 tons of concentrated salts. When the war came the cessation of the importation of potash was a great blow to

America, which, before the war, had made use of a fleet of 250 steamships for the sole purpose of importing potash from Germany.

"In view of the fact that the price of potash rose to 2,000 and 2,500 francs a ton for chloride of potassium, as compared with a former price of 195 francs, American business men realized how hard it was to have to depend upon the outside world for essential products.

"Before the war the amount of potash used in the United States was as follows: In 1910, 244,900 tons; in 1912, 216,000 tons; in 1913, 231,000 tons.

"Every year about 220,000 tons were used in agriculture and 10,000 tons in chemical industries. This potash was furnished almost entirely by Germany, and the value of imports in 1913 reached $18,073,685. In 1914 only 207,000 tons were imported; in 1915 the amount dropped to 134,000 tons.

"DURING THE WAR—AMERICAN PRODUCTION.

"During the war the production of American potash amounted in 1916 to 35,739 short tons; in 1917 to 126,961 short tons; in 1918 to 192,587 short tons. It was obtained from different sources—from the salt waters of Searles Lake, from California, and from the lakes of Nebraska; also from the dust of cement furnaces and from seaweed along the Pacific coast. Some have even attempted to produce potash as a by-product in beet-sugar refining. One company, the Oxnard Sugar Factory, manufactured 100 tons in this way in 1918.

"All these processes, however, are very costly and were only developed in consequence of the practically entire suppression of imports; in 1917 imports amounted only to 8,100 tons, sources being as follows: Russia, 17 per cent; Chili, 17 per cent; England, 15 per cent; Italy, 10 per cent; Japan, 14 per cent; other countries, 32 per cent.

"The importation of potash from France was very small before the war and fell from 1,000 tons, worth $84,400 in 1914, to 83 tons, worth $5,200 in 1915.

"PRESENT SITUATION AND FUTURE NEEDS.

"Since the signing of the armistice, because of the drop in price of potash, certain American processes of manufacture have been abandoned. It was due to this that two companies failed—the Diamond Match Co. and the Hercules Powder Co., both of whom extracted potash from seaweed and sea wrack.

"II.—Actual conditions in the German potash industry.

"Germany, in spite of the loss of Alsace-Lorraine, remains, because of the importance of the Stassfurt mines, a formidable opponent.

"In December, 1918, the Minister of Agriculture in Washington gave out that 'even under the most favorable conditions it would be impossible to obtain French potash in the United States before June 1.' This statement, which can easily be explained by the change in régime of the Alsace-Lorraine mines, was exaggerated by the Germans, and on January 17 a dispatch of the Associated Press announced that because of the needs of France no authorization for importing Alsatian potash into the United States could be obtained for two or three years at least. This statement is not based upon facts.

"Besides, the manufacturers of the State of Nebraska tried to put an obstacle in the way of shipments of 500,000 to 600,000 tons of potash which were to have been sent to the United States in the ships that returned from France.

"The total German production of 1917 was 1,004,285 tons, as compared with 1,110,274 tons in 1914; however, the loss of the Alsatian mines will reduce these figures. On the other hand, German consumption has enormously increased. Germany, therefore, will not be able to export any potash unless she greatly increases the production of the Stassfurt Basin, which, before the war, was already being worked to its full extent.

"III.—The Alsatian Basin.

"In 1869 rock salt was discovered at Dornach, near Mulhausen; however, it was not until 35 years later, in 1904, that three Alsatians formed a company to develop the resources of sea coal and petroleum in the valley of Nonnenbruch. Rock salt was discovered at a depth of 358 meters; then, at 645 and 725 meters, two layers that were recognized as being potash.

"Finally, this potash bed was found to extend over approximately 200 square kilometers, mostly under the forest of Nonnenbruch, northwest of Mulhausen.

"Its depth varies from 500 meters in the south to 800 meters in the north. According to calculations based upon these investigations, the entire bed includes 1,472,000,000 tons of useful products, of which at least 300,000,000 tons are pure potash. These mines cover an area extending from the foothills of the Vosges to Mulhausen, Cerny, and Soulz.

"The Industrial Society of Mulhausen has figured that the lower layer of potash covers 172,000,000 square meters and the upper layer 84,000,000 square meters—in a word, that the total production would amount to nearly 70,000,000,000 francs.

"The Alsatian salts are greatly superior in quality to those of Stassfurt; the latter need to be put through an expensive process in order to separate the chloride of potassium from the chloride of magnesium. The Alsatian mineral contains no magnesium. It is necessary merely to crush the mineral when it comes from the mines in order to obtain salts for agriculture.

"The consumption of potash salt in France will undoubtedly increase in the future, and the development of the Alsace-Lorraine potash beds will permit France to play an important rôle among potash-exporting countries.

"In 1914 the output of the Alsace-Lorraine beds was more than 40,000 tons, and this was far from representing the possible output, for the Germans did not wish to make Alsace-Lorraine a serious competitor of the Stassfurt mines. Thus the owners of the latter mines succeeded in reducing the Alsatian output to a minimum and to keep prices high by this means.

"German propaganda in the United States has attempted to spread the idea that France would be opposed to the export of Alsatian potash, especially to the United States.

"IV.—France offers to ship potash to the United States.

"Because of all the facts above mentioned, the idea prevails in the United States that France refuses to allow the exportation of potash. This idea is false. A telegram from President Wilson, dated April 28, announces that 'France offers to ship potash to the United States' under conditions favorable to America, where the price of potash has risen six times as high as that paid for German potash before the war.

"In 1916 a representative of the American Potash Syndicate maintained that the price of potash, extracted from the lakes of Nebraska, could advantageously compete with prices of German potash in America before the war. He tried to prove that potash sold at from $20 to $40 a ton. But a recent statement of potash producers shows that the real price is double this, or four times the price of Alsatian potash that was sent to Rotterdam.

"Therefore, for 10 years the United States has sustained an enormous loss in order to encourage the development of potash in America; and for 4 years this industry has been allowed to develop freely, without competition, under shelter of a protecting tariff. Capital has easily been procured to build factories, but most of them have failed. More than 100 licenses have been taken out, but none has had real commercial value.

"The French Government is considering sending Alsatian potash by boat, via Rouen to Havre; moreover, they contemplate sending a qualified Alsatian representative to organize sales upon arrangement with American business houses.

"V.—Conclusion.

"Alsatian potash imported to the United States will, therefore, be three times less expensive than that produced here. Unless the price of American potash is greatly reduced (which is hardly likely) it will be profitable to only a small number of producers to prohibit the importation of the Alsatian product. To do so would be contrary to the interests of agriculturists, farmers, and general consumers; in a word, to practically the entire population of the United States, since the fall in price of articles of primary importance, such as cotton, fruits, cereals, tobacco, potatoes, etc., depends upon the abundance of crops.

"In closing we may state that the exportation of Alsatian potash is one of the means that will permit France to pay for a part of the articles she receives from America, and that in this way it will stimulate the foreign commerce of the United States."

LEAGUE OF NATIONS.

Mr. WILLIAMS. Mr. President, I have a very short article, written by Frederic R. Coudert, the very worthy son of a very noble sire. The article is entitled "The League Basis for a Better World System." I request that it be inserted in the RECORD.

The VICE PRESIDENT. Is there any objection? The Chair hears none. It is so ordered.

The matter referred to is as follows:

THE LEAGUE BASIS FOR A BETTER WORLD SYSTEM.

(By Frederic R. Coudert.)

[The following clear and brief outline of reasons why the people of the United States should support the plan for a league of nations now before the Paris conference is contributed to this magazine by an authority of recognized international distinction.]

"I.

"The league is the result of the logic of events rather than of the will of statesmen or of the theories of political philosophers. Nationalism, in many respects a beneficent principle, is also in many cases a disruptive force. It succeeded to and replaced those traditions of European unity embodied in the concept of the Roman Imperium. The national movement slowly develop-

ing through the eighteenth century and breaking out with fury during the French Revolution, led, like the Reformation, to a quarter of a century of war. Present conditions in Europe are calculated to lead to indefinite warfare in the attempt to realize national aspirations. Such warfare can only be avoided by co-operative action upon the part of the great nations. Necessary self-interest at a time of continuing peril dictates a permanent league of nations as in similar fashion the temporary union of free democratic peoples was essential to save civilization from the assault of Prussianism.

"II.

"The instinct of peoples the world over understands this necessity. Two powerful forces or ideas are at work—that which makes for national self-consciousness and that which aims at a wider organization of humanity. They are the two great dynamic forces of world politics to-day. Nationality must be recognized and its rights asserted and maintained not by an appeal to force but to the association of nations which, having recognized in principle the justice of those claims, is now creating a mechanism for overcoming the difficulties incident to their just application.

"III.

"The league of nations has been injured by its more enthusiastic adherents who, in declaring that it will end war and inaugurate the millennium, play into the hands of its enemies.

"What it can do and will do is to adopt federation as a working principle under which the nations may maintain their national existence without necessary recourse to war. This principle has made America what it is; its application can alone save Europe from an indefinite vista of conflict.

"IV.

"The pivot upon which the league of nations must mainly revolve is the solidarity of the English-speaking Commonwealths. With France we will always have close, sympathetic, cooperative relations. No greater task devolves upon the American citizen to-day than to strive for good fellowship with those who have the same language, the same common law, kindred institutions, a common consciousness of right and wrong, and whose combined power in men and resources could defy militant aggression from almost any combination of powers seeking world domination by force.

"V.

"The United States can not live and, in fact, never has lived in isolation. The Seven Years' War, as well as those wars incident to the French Revolution and Napoleon, involved the American Colonies and the American Nation. That we can be indifferent to nothing which threatens world strife the war has proved. Our undivided duty is to work for the Federal principle and its practical application, through methods which will ever grow by practice and experience more efficient.

"VI.

"Thus the success of the league of nations already existent will depend most largely upon American opinion. It is the duty of all interested in bringing about a better world system to educate that opinion and to create a 'state of mind' favorable to international cooperation. In order that this may be effected, partisanship must be eliminated, superficial objections answered, erroneous ideas of national sovereignty, mostly 'made in Germany,' put aside, and moral and intellectual approval of the Nation marshaled behind its President spokesman in the superb and inspiring attempt in applying the federative principle on a world scale to bring about a better system and a firmer foundation for international law and morality. The doctrine of sovereignty was never carried so far as by the Prussian State; it defeated its own end.

"VII.

"The draft approved by the conference at Versailles for the constitution of a league of nations embodies the best attainable in the present condition of opinion.

"1. It provides for a permanent organization always ready to function.

"2. It makes provision for a taboo or 'outlawry' of any nation refusing to abide its decision.

"3. It furnishes machinery for solving one of the world's fundamental difficulties—to wit, the exploitation of undeveloped peoples.

"4. The difference between the proposed plan and the mere opportunity for arbitration afforded by The Hague Conference is, of course, fundamental. The latter assists the established practices of arbitration and aims at some codification of international law, while the proposed league institutes a new world order designed to correct the inherent disruptive tendencies inevitable in the system of theoretical, sovereign, independent, unrelated nations.

"5. Above all, it places preponderant power in the hands of the world's great democracies and gives to France, the United States, Great Britain, and Italy an influence which can always be decisive against predatory power under whatever forms disguised. The agreed plan marks a capital event in history and furnishes a basis for infinite development toward international cooperation and the marshaling of material and moral force behind law. World opinion is at last given an organ of expression. The part of America in bringing about this result is one for just patriotic congratulation.

"6. The Monroe doctrine announced to the world that the United States would protect the integrity of South American States against foreign aggression. The league extends that principle of protection to all nations. The rights of the United States are not impaired; the guaranties of the States of South America are strengthened. It is a misapprehension of the meaning of the Monroe doctrine to believe it endangered by the proposed plan.

"President Monroe defined his own doctrine as follows:

"We owe it, therefore, to candor, and to the amicable relations existing between the United States and those (European) powers, to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the Governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of suppressing them, or controlling in any other manner their destiny, by any European power, in any other light than as a manifestation of an unfriendly disposition toward the United States.

"One of the latest official exponents of the doctrine, President Theodore Roosevelt, so defined it:

"The Monroe doctrine should be the cardinal feature of the foreign policy of all the nations in the two Americas, as it is of the United States. * * * The Monroe doctrine is a declaration that there must be no territorial aggrandizement by any non-American power at the expense of any American power on American soil. It is in no wise intended as hostile to any nation in the Old World. Still less is it intended to give cover to any aggression by one New World power at the expense of any other. It is simply a step, and a long step, toward assuring the universal peace of the world by securing the possibility of permanent peace on this hemisphere. During the past century other influences have established the permanence and the independence of the smaller States of Europe. Through the Monroe doctrine we hope to be able to safeguard like independence and secure like permanence for the lesser among the New World nations.

"I know of no more completely adequate or satisfactory definition.

"Senator Root has lucidly defined the now traditional doctrine, as follows:

"It is the substance of the thing to which the Nation holds, and that is and always has been, that the safety of the United States demands that American territory shall remain American.

"The Monroe doctrine does not assert or imply or involve any right on the part of the United States to impair or control the independent sovereignty of any American State. The declaration of Monroe was that the rights and interests of the United States were involved in maintaining a condition, and the condition to be maintained was the independence of all the American countries. * * * We frequently see statements that the doctrine has been changed or enlarged; that there is a new or different doctrine since Monroe's time. They are mistaken. There has been no change. One apparent extension of the statement of Monroe was made by President Polk. * * * All assertions to the contrary notwithstanding, there has been no other change or enlargement of Monroe's doctrine since it was first promulgated.

"7. Those who oppose a league in principle are, in large part, the men who obstructed America's entrance into the World War on the theory of 'isolation' or unconcern with the affairs of other nations; a theory never true to the facts and absurd in this century, in which nothing is so impossible to conceive as a lotos-eating America 'careless of mankind.' The experience of the Great War has killed the theory, save in the most parochial-minded. This is no time for 'little Americans.'

"8. On the other hand, there are those in and out of the Senate who, while honestly favoring a league of nations, attack the proposed plan upon the ground that it would require the sending of American troops to take part in Europe's struggles. While this appears to us a parochial view overlooking changed world conditions, which necessitate action on the part of America to maintain peace in a world which modern methods of transportation have made comparatively small, we think that an extension of the very valuable plan of mandatory control would meet the objection, as far as it has any foundation, by dividing the world into four zones, one of which would be the Western Hemisphere, in which the United States, acting in accordance with the league's mandate, could intervene when anarchic or other conditions threatened world peace. The United States, as in the case of the Philippines, has never hesitated in its willingness to give an account of its political stewardship.

"9. Inaction would be fatal. Some means to solve pending problems must be found. The mass of mankind ardently desires something that may save civilization from war or anarchy. Leaders of opinion can not be dumb to the clamor of world

anguish. The present proposed constitution of a league of nations, with slight modifications not inconsistent with its announced principles and with a revision clarifying some of its clauses, would be the greatest advance yet made by mankind on the long, cruel road from the reign of force and fraud toward that of law and peace."

SUNDRY CIVIL APPROPRIATIONS.

Mr. WARREN. Mr. President, I ask unanimous consent to call up the bill (H. R. 7343) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. WARREN. I ask unanimous consent that the formal reading of the bill be dispensed with and that it be read for amendments only.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. WARREN. Mr. President, I think I ought to say that the only changes in the former bill are to one part of one section. One change simply strikes out $6,000,000 and inserts $8,000,000, on page 43, and the other change strikes out, on the same page, the item in which the original members of the Federal Board were included with others in the limitation of salaries. Those are the only two changes that occur in the bill as it was originally passed through both bodies.

I have been asked a number of questions regarding the amounts made available for the vocational educational problem altogether. I desire to say that to this $8,000,000 may be added the $6,000,000 passed in the special bill which came from the Committee on Education and Labor. There was also $3,500,000, or a little more, for the current year provided for in the original bill and its amendments providing for the educational rehabilitation problem, and there is $5,500,000 in the Army bill. So the whole amount passed at this time and available for the current year is $23,000,000.

The veto of the President was based upon something like 4,000 soldiers now under care of this agency and 4,000 more who will have to be taken on, and he asked for an addition of $2,000,000. The House has provided even more than that—$14,000,000 more, carried in the two bills.

As to the limitation of salaries, I have here a list of the changes that have been made. Several Members of the House have told me that the Vocational Board is entirely satisfied with the list as finally arranged, and that will be shown by reading the printed report of the hearings. While it provides very liberally for 288 in place of 307, starting at $6,000 and the lowest man getting $2,500, yet there is saved in this list $94,080. The 288 men will get from $2,500 to $6,000 and there is no limit as to how many they may employ under $2,500 per annum.

Mr. KING. Mr. President, I did not quite understand the Senator. Do I understand his position to be that there is no limitation upon the amount that may be utilized of this appropriation for the payment of employees and no limit upon the number of employees?

Mr. WARREN. The limit is as I stated. The balance of it is, of course, subject to the judgment and determination of the board as to how many, if any, they shall employ. They have at present employed, as I understand it and as the evidence seems to show, 307, but they felt that they could cut that number to 288.

Mr. SMITH of Georgia. It is very difficult to hear what the Senator says, and I am very much interested in his statement.

Mr. WARREN. I was saying that they have employed 307 men, whose total salaries amount to $941,580. The list was gone over at the hearings and the secretary of the board has assured me that this schedule of 288 men has been accepted by the board as satisfactory. All the 288 men receive salaries of $2,500 or more, and the necessary employment of additional men can be made at figures less than $2,500 each.

Mr. SMOOT. Mr. President, the Appropriations Committee decided that they would offer no amendment to the bill, and the bill as now reported is the bill as it passed the House. I want to take just a short time of the Senate to discuss some features of the bill, particularly the appropriation that has been referred to by the chairman of the committee.

The chairman is correct in saying that there has been appropriated with the amount carried in the pending bill $23,000,000 to cover all the activities of the Federal Board for Vocational Education, both in the direct appropriation for that board and the appropriation through the Army appropriation bill. I want to say in the beginning that this $23,000,000 is not going to be sufficient to pay the expenses that will be incurred the coming year. We might just as well know it now as later in the year.

Mr. THOMAS. May I ask the Senator right there what his estimate of the deficiency will be?

Mr. SMOOT. The estimate by the officials of the bureau is that there will be $11,000,000 deficiency.

Mr. THOMAS. I suppose it is safe to assume it will be a good deal more than that.

Mr. SMOOT. I have no doubt at all in my mind but what it will be.

So far as the object of the legislation is concerned, nobody can find fault with it. If the money was to be expended in a way that no criticism could be offered of it, and if it were expended primarily for the soldier himself, I doubt whether a soul would utter a word of objection. But if the reports are true that come to me, Mr. President, this bill is not altogether a bill for the rehabilitation of soldiers. It is also a bill intended to rehabilitate superannuated professors and school-teachers from one end of the country to the other. The proposed organization on July 1, 1919, was as the chairman of the committee said——

Mr. SUTHERLAND. Mr. President, will the Senator yield for a question?

Mr. SMOOT. Certainly.

Mr. SUTHERLAND. Does the Senator mean that they are to be rehabilitated financially under the terms of the bill?

Mr. SMOOT. That is exactly what I mean.

Mr. SMITH of Georgia. If the Senator will pardon me, if he means that incompetent, broken-down teachers are to be employed at good salaries, I think the Senator is mistaken about it.

Mr. SMOOT. If I am informed correctly, a great many of these teachers are now here in the District of Columbia awaiting the passage of the bill, and if I am informed correctly there have been letters sent to all the States of the Union asking for a list of teachers that they can get who are not employed at this time, who could be used in this service. I have not seen those letters, but I am told by a man who has been interested in this legislation that that is the case, and that they have a great number of them in the District of Columbia now waiting to be employed as soon as the President signs this bill.

Mr. KENYON. May I ask the Senator who sent the letters?

Mr. SMOOT. I think the Senator would know just as much about who sent them out as I would.

Mr. KENYON. Would it be Dr. Prosser?

Mr. SMOOT. I can not say whether he signed the letters or not, but the Senator knows himself that there have been letters sent throughout the country asking for such information.

Mr. KENYON. I heard the Senator from Utah say that, and he is generally correct, and, of course, I would be inclined to accept his statement at this time, but I would like to bring out who is accused of doing that and find out about it.

Mr. SMOOT. I have not seen the letters, but I have been told they were sent out by a man who has been interested in the advancement of this legislation.

Mr. President, it is true that in the organization as proposed on July 1, 1919, there were to be 307 employees receiving salaries all the way from $2,500 to $10,000. I have the list showing the number of employees comprising the 307 and the compensation to be paid to each grade.

The committee in the House took this question up and agreed, as I am informed, with the officials of the bureau to a reorganization as reported in this bill, and the number receiving above $2,500 has been cut from 307 to 288. There is no limit in this bill as to the number of teachers who can be employed at $2,475——

Mr. THOMAS. Or $2,499?

Mr. SMOOT. Yes, or $2,499, as the Senator suggests. The sky is the only limit. Of all the legislative bills that have been presented to Congress that open the door wide to pay any salary below $2,500 out of a lump-sum appropriation, this bill and its companions are the limit. There is no particular amount named that shall be paid for salaries. It can all be paid for salaries under this appropriation. No amount is set aside for the expenses. All is to be paid out of one lump sum, to be handled exactly in the way that the officials of the bureau may desire. Prof. Branch, of Chicago, Ill., the head of the Branch School of Engineers at Chicago, was in Washington when this bill was under consideration before. Prof. Branch was one of the men at the first meeting in Washington at the time Dr. Prosser arranged for the meeting of certain professors throughout the country for the purpose of proposing this legislation.

Prof. Branch tells me that at that meeting the program was mapped out and certain schools of the country selected where this education should take place, and it was agreed at that meeting, he informs me, that the schools should receive their proportion of the soldiers based upon their ability to handle

them or the room that they might have to accommodate them. The professor came to Washington a short time ago, protesting against the agreement not being carried out. I asked him in what way, and he said that the Branch School of Engineers, of Chicago, Ill., up to that time had not had one soldier assigned to it; and, on the other hand, Dr. Prosser assigned to the school in which he was interested, namely, the Dunwoody Institute, in Minnesota, nearly 4,000 soldiers.

Mr. SMITH of Georgia. Did Prof. Branch make that statement to the Senator?

Mr. SMOOT. Yes; he made that statement to me.

Mr. SMITH of Georgia. Then I have very little confidence in anything that he says.

Mr. SMOOT. Prof. Branch told me that he had offered to take students at $15 per month and that Dr. Prosser was charging $50 a month for every soldier.

Mr. KENYON. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Iowa?

Mr. SMOOT. Certainly.

Mr. KENYON. If the Senator is sure of his facts it is a very serious charge. I had heard those charges around the Capitol——

Mr. SMOOT. I asked Prof. Branch to go to see you at 9.30 o'clock one morning and tell his story to you.

Mr. KENYON. He did spend an hour and a half with me, and then I followed the story up, because it was a shocking thing to me that such a thing should go on. Does the Senator understand that Dr. Prosser, on this statement of Mr. Branch or any other information the Senator has, had these men in the Dunwoody Institute after he became connected with the Vocational Board?

Mr. SMOOT. Prof. Branch did not tell me what time they began assigning to his school, and therefore I can not say. I am not going to say anything except just what Prof. Branch told me.

Mr. KENYON. I know, but these are pretty serious charges against a man like Dr. Prosser, and if they are true, Dr. Prosser ought to go.

Mr. SMOOT. I agree with the Senator.

Mr. KENYON. As I understand the facts, if the Senator will allow me to state them——

Mr. SMOOT. Certainly; I shall be glad to have the Senator state them.

Mr. KENYON. Before Dr. Prosser became a member of the board at all there were some 4,000 soldiers who had been sent to the Dunwoody Institute at different times for training—that is, for different kinds of positions with the Army. That was done by that institution, which is an endowed institution in Minnesota. Since that time and up to the present time I have a list of men who are at the Dunwoody Institute. The Senator from Georgia has one. At this time there are 44, and there is no such charge as $50 a month made. The Senator from Georgia and myself, who do not stand for graft any more than anybody else, called these men and talked to them. I had heard of the Bliss Institute having received $50 a month for tuition, which seemed to me to be an outrageous proposition. I have not yet substantiated that, but the contracts were made to pay for these soldiers' training on the basis of just what the institution charges others. The Senator, I am sure, is mistaken. I know the Senator is so fair that he would not want to make a charge against a man holding the important public position that Dr. Prosser does, with a clean life and character, reflecting upon him as it does, if it is not true.

Mr. SMOOT. Certainly. The Senator knows me well enough to be sure of the fact I would not do that.

Mr. KENYON. I do. Upon what does the Senator base his statement that $50 a month was paid in this Dunwoody Institute?

Mr. SMOOT. I said Prof. Branch told me, and I think he told the Senator, too. If he did not, he did not tell him all he told me. He said that there was $50 a month charged in the Dunwoody Institute for every man who was sent to that institution. He also said that he had offered, and was ready, to take the same men or the same number of men into his institution for $15 a month.

Mr. KENYON. He did, and I think Mr. Branch ought to have some of these men. I do not like the situation in that respect. But he did not know that the $50 a month was charged. It is just like all these other rumors that float around, distorting people's characters. When I pinned him down to whether or not he knew, he said that he did not know, and I say it is not true.

Mr. SMOOT. He stated to me that he did know it, and he said they were getting $50 a month.

Mr. SMITH of Georgia. Again he discredited himself by putting himself in the attitude of a man who states one thing that is absolutely false and is not to be believed in anything he says.

Mr. SMOOT. I will state my object in speaking about the matter. I do not want this board to start out with any such proposition as one of the men who was instrumental in providing for this very legislation said that it started with. I would not say a word to blacken the character of a single soul on earth; I know what false reports mean to men; but here was a man who attended the very first meeting, who was asked to attend that meeting here in Washington, and did so, and the program was mapped out, the policy was adopted of selecting where the soldiers should be sent, and every detail was agreed to beforehand, before they came to Congress to ask for this legislation.

If Prof. Branch has made statements such as I say he has, and I am quite sure the Senator from Iowa feels positive that he made the statements to me, he should not have a soldier sent to his institute if the statements are untrue.

Mr. KENYON. Will the Senator pardon me?

Mr. SMOOT. Certainly.

Mr. KENYON. I do not want to see the Senator do any injustice to his informant. I think if we had taken him and pinned him right down to whether he knew this to be true, he would have stated that he did not, but he had heard it, as the Senator has heard it.

Mr. SMOOT. No; the Senator is wrong there, because I stood in the Senate hallway and listened to him, and I asked him to go to Mr. GOOD, chairman of the Committee on Appropriations of the House, and tell him the story he had told me, as the question was then to come before the Senate in the sundry civil appropriation bill, the bill that finally passed Congress on the 1st day of July. I asked him, "Am I at liberty to use this information?" He said, "Yes." And not only that, but he expressed an earnest desire that hearings should be had, and stated that he was perfectly willing to appear before a committee of the Senate and testify to these things.

Mr. KENYON. Mr. President, that raises a straight question of veracity. The Senator is a member of the Committee on Appropriations. So am I. Why not bring this man before the committee, and bring Dr. Prosser before the committee? This is a question of fact that is susceptible of proof. The information furnished me by the board is as follows:

> Tuition for regular courses is free to residents of Minnesota.
> Entrance fee, $3.
> When necessary to arrange a special course for a man or group of men because of their peculiar handicap or lack of previous preparation, 50 cents per day may be paid until such time as a man is qualified to enter upon a regular course offered by the institute.
> Tuition rate for men outside the State varies from $15 to $20 per month, depending wholly on course.

If Mr. Branch is going around stating that Mr. Prosser is placing men in an institution with which he has been connected, and with which he has a nominal connection now, at $50 a month tuition, that is a mighty serious charge.

Mr. SMOOT. That is what it is.

Mr. KENYON. And if it is true, I should say that the President of the United States, if he can, ought to request Mr. Prosser to resign. If it is not true, then the gentleman who makes these accusations ought to come here or before a committee and say that he has been mistaken.

Mr. SMOOT. Mr. President, as I said before, I think that if Mr. Branch has made these statements, and they are not true, his institution should not be used in any way for the rehabilitation of our soldiers. I will go that far.

Mr. KENYON. If Mr. Branch makes the charges, let him come in and prove them, and "prove up or shut up" when he is assailing the character of a man like Dr. Prosser.

Mr. SMOOT. I think the Senator from Iowa is right. But, Mr. President, we can not wait for the passage of this bill upon that account. That can be done hereafter.

Mr. KENYON. I want to ask the Senator if he really believes now in his heart that these men were sent to the Dunwoody Institute when there are only 44 of them now, instead of 4,000? There have not been 5,200 in training at any time; so it is a perfectly ridiculous statement that 4,000 of them were receiving this training at Dunwoody Institute. Does he really believe that these men have been sent up there, and have paid $50 a month?

Mr. SMOOT. Mr. President, after what the Senator from Iowa has stated, I have my grave doubts of it; and I want the Senator from Iowa to understand that I have never yet made a statement in this connection based on my own knowledge. I took particular pains to say to the Senate that I was telling the Senate just what Prof. Branch had told me, and I was very anxious that he should tell Mr. GOOD, of the House, and Mr. KENYON, of the Senate, just what he told me.

Mr. KENYON. Mr. President, I want to say that I was very much impressed with his appearance and candor and intellectuality, and what he said about his school; and I am satisfied now that what he meant to convey to the Senator and to me was that he had heard that this had been done, but that he was in no sense stating it as a fact.

Mr. SMOOT. I want to say to the Senator that he told me this: He said, "It is nothing more or less than paying $35 a month more to Dr. Prosser's institution than all the other institutions in this country would charge." If that is not a positive statement of what was being done, I do not know what could be. I shall be delighted to learn that it is not true, and I do not say that it is true, nor do I claim that it is true; but I do claim that that is what Prof. Branch told me in relation to this matter.

Now, Mr. President, I want the Congress to understand and the people of this country to understand that there will be many, many a scheme and many a steal inaugurated in the name of the American soldier.

Mr. THOMAS. Mr. President, why does the Senator put that in the future? It is being done now, it has been done ever since the armistice, and it will continue to be done as long as a single soldier of the American Expeditionary Forces is on this earth.

Mr. SMOOT. I accept the correction, because the Senator from Colorado is correct. Every faddist in the United States, every schemer who can think of some kind of a proposition to get dollars out of the Treasury of the United States, is trying to bolster it up by the statement that it is for the benefit of the American soldier who fought the battles of our country in a foreign land. Nobody lives who would do more than I to take care of the soldier. In my opinion nobody would object to an appropriation for his relief; but I have seen so many schemes started with the evident purpose of helping the man that starts them, based upon a statement that it was for the recognition of the service of the soldiers of our country, that I am getting suspicious of claims coming under that guise or disguise.

I am not going to object to this appropriation; but I want to say, as I said in the beginning, that this appropriation is not going to be sufficient to carry on the work for the coming year. If the work is carried on with no graft attached to it, in the spirit in which Congress acts in making the appropriation, there is not an American citizen that would object to it.

I doubt whether it would be wise now to send this bill back to the House. I doubt whether it would be wisdom to undertake at this time to make an appropriation for the personnel of the bureau, as is done in the case of nearly all of the different departments of the Government, but if there were time to do so it would be the very height of wisdom, and then make certain appropriations for certain purposes, and then, when reports come to Congress, find out just how the money was expended. The trouble is with these lump-sum appropriations. When we find that there are being paid by the Government, at some of these bureaus, salaries as high as $15,000 out of a lump sum, with no report made to Congress, we ought to stop it.

I say now, Mr. President, as I said before, that we are not going to reduce the number of Government employees in the District of Columbia until the Appropriations Committee refuses to give the money. That is the only way in which it will be done. Why, do you realize that in the Civil Service Commission's report that I picked up just this morning I find that there were added to the employees in the District of Columbia from June 1 to June 28 four thousand five hundred and odd employees, and during that same time there were separated from the service 3,381 employees, or an increase of 1,119 in the number of employees in the District of Columbia from June 1 to June 28 of this year? We all thought that just as soon as the war was over some of these departments, at least, would begin to reduce their forces.

I know it is too late to do anything with the appropriations for the present fiscal year; but I want to say that I shall object to any further appropriation bills passing this body unless there is some authority that will show why the appropriations should be made. Unless there is a reduction in the number of employees in the District, I for one shall insist that the appropriations be cut, irrespective of what the department officials say.

Mr. KING. Mr. President, will my colleague yield?

Mr. SMOOT. Certainly.

Mr. KING. Is any investigation being made by any of the committees for the purpose of ascertaining the character of services rendered by the employees, and the necessity for a reduction, or the reason why a reduction is not being made in the clerical forces of the Government in the District of Columbia?

Mr. SMOOT. None that I know of.

Mr. KING. Will the Senator pardon me while I call attention to a card which I have recently received? I have had perhaps 50 similar letters and cards from employees in the Government service. I received this one on the 10th of the present month from a relative of one of the employees in a Government department. A portion of the card is as follows:

> The person referred to worked her first day in the War Department, Nineteenth and B NW., and filed 900—

Then there is a blank space, meaning, I suppose, papers—

> expecting to do better the next day. Before the close of the first day several of the young men working there in the same department took her aside and told her to lay off working that way, as she would work several of them out of a job. Since then she has only filed 400 per day. You should pension these young men. It would save office rent.

This is one of the letters or cards of the same character, which I think many of the Senators are receiving, showing the incompetent service which is being rendered, and showing that in many of the departments there are people hanging on, doing nothing, and preventing those who have an inclination to do an honest day's work from performing their service. Something ought to be done to rid these departments of the thousands of incompetent, inefficient, and unnecessary employees.

Mr. SMOOT. If our Efficiency Bureau had the power given them to go into all the departments without the consent of the heads of the departments, and then had power to put their recommendations into force, I have not any doubt but that we could get rid of a third of the employees in the District of Columbia. I receive letters every day from the employees of the departments. I received one this morning. I am not going to read it. It is a long one, but, among other things, it said in the letter:

> Employees in different divisions all told the same story, that they had nothing to do for days at a time, and that their supervisors came to them and told them to write letters to their friends, or do anything to keep up the appearance of being busy.

I am not going to take the time of the Senate to read the whole letter, but I do claim that we are not going to separate the employees in the District of Columbia from the Government service as long as we appropriate money to pay them.

Mr. President, I have said what I have for the very purpose of bringing this matter to the attention of the board itself; I want to say frankly to the Senator from Iowa that after what has been said, and the statements that have been made, even were they true, I do not believe the board would now continue such actions in the future. I hope and trust that there is nothing in the reports; but I considered it of enough importance to bring to the attention of Congress, so that if there was any truth whatever in the reports the board would see that that condition was corrected and rectified; and that, I have confidence, will be done.

Mr. KENYON. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Iowa?

Mr. SMOOT. I yield the floor.

Mr. KENYON. I rose to ask a question, but I can say what I had in mind in just a minute. It is in reply to the question raised by the Senator from Utah.

I am generally in such thorough accord with the Senator from Utah on these propositions of dispensing with the services of unnecessary clerks, and all these matters, that I do not like to disagree with him now. I do not think we disagree on anything except what are the facts. If they are the facts as the Senator states them, I can agree with him.

I want to say about this proposition of rehabilitation professors that the Senator speaks of, and that they have sent out through the country letters to bring all of the professors here or to different places and put them on the pay roll, that the facts of that matter are just these: When they saw the tremendous amount of work they were to have under this larger number of soldiers they did ask then for the months of July and August—that was the limit of the employment—to register at their different offices around the country professors who could be used for this particular work. I will say to the Senator that it was merely a temporary employment. That is all there is to that story of bringing in all the professors and school-teachers in this country for rehabilitation work; and they did not get anybody.

Mr. KING. Mr. President, will the Senator permit me to interrupt him?

Mr. KENYON. Yes.

Mr. KING. I should like to state to the Senator that I have received communications from a number of professors and executive officers in institutions of learning throughout the United States, who state that they would be very glad to

operate within their own States and discharge any duty that this board may require that they should perform within their States, for nothing. They want to make contribution toward the work of rehabilitating the soldier, and they would be only too glad to aid in every possible way in their own States without charging anything whatever.

Mr. KENYON. I will say to the Senator that especially in New York and New Jersey has that been true. There have been a great many dollar-a-year men helping in this work.

Mr. KING. Oh, if the Senator will pardon me, many of the State universities and State schools will care for some of these soldiers who are to be rehabilitated; and the universities and colleges within the States and other schools within the States will be very glad to aid and will not charge anything for their services. The difficulty has been, or rather the reason why more have not offered their services, that the idea has gone out that Dr. Prosser and those associated with him were building up a great Federal machine here, and they were paying high salaries, and they did not want anybody within the States who would not separate themselves entirely from their State activities and give their undivided time and attention to the Government and come here and be under the direction of Dr. Prosser and his assistants, so that they could be sent throughout the country on a sort of ambulatory mission. I am sure that if they would utilize in the States the services of the educational men within the States they would get a far better service than they will get now and it would not cost the Government as much as the present plan will cost.

Mr. KENYON. They have been doing that. All I want to do further is to place in the RECORD a copy of a letter from Dr. Prosser to the Senator from Illinois [Mr. MCCORMICK] explaining the Dunwoody Institute matter. I think it will clear up the entire matter; and I think his other statement clears up the professorship matter that we have heard so much about.

I am in agreement with the Senator, however, that there are probably too many employees; and I wish there were some way in all of those departments in which the number of employees could be cut down. I will join the Senator in any kind of a move in that direction.

I ask unanimous consent that this letter may be placed in the RECORD.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

JULY 3, 1919.

Hon. MEDILL MCCORMICK,
United States Senate, Washington, D. C.

MY DEAR SENATOR MCCORMICK: Having been honored with a call from your secretary, Mr. Hansen, wanting certain facts, it gives me pleasure to furnish you the following information as to the training of disabled soldiers by the Federal Board for Vocational Education at Dunwoody Institute, Minneapolis, and in Chicago, Ill.

When the war broke, I was director at Dunwoody, coming to Washington on leave of absence to become director of the Federal Board for Vocational Education under the vocational educational law approved February 23, 1917. By the vocational rehabilitation act, approved June 27, 1918, the reeducation and placement in employment of disabled soldiers, sailors, and marines was also given to the board, and I have been responsible, as director, for this new work as well. I expect at an early date to return to Dunwoody.

The Federal board is using more than 500 institutions in this country for the training of disabled men in agriculture, commerce, and the trades and industries, as well as shops, offices, and farms. A list of these institutions as of June 1 is given on pages 2, 3, 4, and 5 of the Vocational Summary for May, 1919, attached hereto.

These institutions are approved before being used by the central office on the recommendation of the superintendent of training and the chief of the Division of Vocational Rehabilitation. Information is gathered about the school. A personal inspection is also made by some representative of the board. Practically all the proposals to use a school are made by the district vocational officer for the district in which the school is located, and approved unless there is reason for disapproval by the central office. All the proposals for the use of schools in the Chicago and Minneapolis districts have been made by the district offices.

Eighteen schools and plants are being used by the Minneapolis district, as shown on pages 3 and 5 of the Vocational Summary attached, the disabled men sent them from the States of Minnesota, North and South Dakota, and Montana. The training work for each district is carried on largely in the district office city where the work can be carefully supervised by the agents of the board.

Dunwoody is one of these 18 schools recommended by the district office and approved by this office. It is a private philanthropic institution giving training for about 20 different trades and industries and has an equipment in plants and buildings worth about $1,000,000 and an endowment of more than $5,000,000. It admits all disabled Minnesota men to regular classes free of charge and charges only actual cost for special classes. Since it can not, under the terms of the will of the founder, admit nonresidents of the State free of charge, the actual cost of their instruction is paid.

The records of this office show the following facts regarding the number of disabled men in training at Dunwoody on July 1, 1919:

Number of men in regular courses at Dunwoody Institute to date	41
(Of this number, 7 have discontinued the course.)	
Number of men taking electrical courses	7
(These are included in the number given on the second line.)	

LIST BY COURSES.

Baking	3
Electrical work related to telephone industry	3
Electrical courses	4
Machine shop	7
Tractors and gas engines	3
Tractor repair and operation	5
Linotype	1
Commercial photography	3
Farm mechanics	1
Oxyacetylene welding	2
Auto mechanics	5
Building construction	2
Printing	1
Building construction and drafting	1
Total	41
Number of receiving-station cases	69

SUMMARY OF MEN AT DUNWOODY.

Regular courses	41
Receiving-station courses	69
Total	110
Included in the above are:	
Regular electric courses	7
Receiving-station courses in electrical lines	18
Total	35

The whole matter of the use of this school was frankly discussed with the standing committee of the board at the start, as I anticipated that some person with a grievance, real or imaginary, would raise the question sooner or later. It was necessary for us to use the school, since it is the only industrial and trade school with proper facilities for this task in the four States of the district. We could not punish the disabled man because the director had been connected with it!

I am informed that Mr. Branch, president of an electrical school at Chicago, has charged that, using my official position here to the advantage of Dunwoody, more than 4,000 disabled soldiers have been trained there. Surely this is a mistake, as the total number of men who have been placed in training from the start of the work in 48 States and 500 institutions was approximately 4,200 up to July 1, 1919. As I pointed out above, 110 of these are in training at Dunwoody, of whom 4 have been awarded courses in electricity.

In this connection it may be interesting to show the numbers of disabled men in training in other institutions for the trades and industries:

Ohio Mechanics Institute, Cincinnati	131
Tulane, New Orleans	110
Franklin, Boston	70
Georgia Tech, Atlanta	89
Dunwoody, Minneapolis	110
Rankin, St. Louis	52

It is possible that Mr. Branch has reference to the training done by Dunwoody during the war of enlisted or drafted soldiers preparing for mechanical and technical positions in the Army and Navy. These were not disabled men, but soldiers preparing for service across seas, sent to the institute by the War or Navy Departments for training under the same contract made with at least a hundred other similar institutions in the country. Dunwoody trained upward of 8,000 men for mechanical and technical service in Army or Navy, of whom about half were for each service.

The first arrangements were made with the Navy by me in June, 1917, while I was still at the school. From June until January, 1917, the institute paid from its own funds as a patriotic contribution about $100,000 for the instruction of sailors and marines barracked for the purpose at Minneapolis, for which it has not and does not expect to receive a cent of reimbursement from the Government. Beginning January 1 all detachments of sailors and marines were trained at Dunwoody at a price less than actual cost.

When the committee on education and special training began its work of training mechanics and technicians for the military service, Dunwoody was one of the schools approved by the War Department committee. Its dealings were entirely with Mr. H. W. Kavel, the acting director of Dunwoody, and contracts were made by him with the committee directly. I might say, in passing, that in carrying out these contracts the school lost not less than $50,000 in addition, which it regards as a patriotic contribution.

The necessity for the use of schools for this purpose was urged in every possible way by the Federal board on the Secretary of War, and a general plan for it prescribed to him, which was adopted as a basis for the work of the committee on education and special training.

At the outset the plan was for the Federal board to have charge of the inspection and supervision of the training under the committee. At the very outset, however, serious differences of opinion about policies and procedure caused the withdrawal of the Federal board with entire good will from the work of the War Department committee before any soldiers had been sent to an institution for training. At the request of the committee the Federal board detailed some of its agents to inspect about 40 institutions, one of which was Dunwoody, and report their findings to the committee. This represents the total connection of the board and, therefore, of myself with this matter.

Mr. Branch was very active and very much interested in this matter when a conference was held by the board here in Washington with heads of institutions from all over the country to learn whether the plans proposed by the board to the Secretary of War were feasible. Inasmuch as we had nothing to do with the approval of schools and severed our connection with the committee within a month after the plan was launched, I have had no general knowledge, in a busy life, as to which schools were used, nor have I known whether or not Mr. Branch's school was used.

Now as to the facts regarding the use of Chicago and Illinois schools for disabled men. A glance at page 2 of the attached vocational summary will show these schools as recommended for use by Mr. Sylvester, the district officer at Chicago, and approved by this office. The total number of men in training in the city of Chicago on July 1 was 241. Inasmuch as Mr. Branch's school is an electrical school, you will doubtless be interested in knowing that only four disabled men are training there for electricians and for electrical engineering, as follows: Armour Institute, 1; Commercial School of Trades, 1; Lewis Institute, 1; Lane Technology, 1.

Mr. Hamilton, the superintendent of training at this office, who has charge of the approval of schools, is absent from the city. When he

returns I shall ask him to provide for you a statement as to his decision concerning Mr. Branch's school and the reason therefor.

May I not assure you in closing that so far as I know no person connected with this board is in any way prejudiced against either Mr. Branch or his school. Personally my relations with him have always been cordial and friendly. As we can not, however, place students in every institution, we must make a decision as between institutions in the exercise of our duty and responsibility to disabled men. You are at liberty to use this letter in any way you see fit.

Very truly, yours,

———— ————, *Director.*

Mr. SMOOT. Mr. President, I want to say to the Senator from Iowa, in all fairness to Prof. Branch, that it was not he that told me of the letters that were sent broadcast throughout the country asking for professors who could enter this service. That came to me from a man who is here in the District, and, as I am informed, knew of all the letters that were being sent out.

Mr. KENYON. But has the Senator any of those letters? I have asked the Board for Vocational Training to send me some of those letters, so that I might put them in the RECORD. Their statement, made to me not over 10 minutes ago, is that they are merely temporary matters, lasting only for the months of July and August, when they supposed that this work would be at its height.

Mr. SMOOT. I will say to the Senator that I have not the letters, as I stated in the beginning, and yesterday morning was the first I had heard of them; and, as I say to the Senator, the information came to me from a party who said that he knew of the letters and called my attention to them.

Mr. SMITH of Georgia. Mr. President, I am very much gratified that the President vetoed this bill and gave us an opportunity to right what I think was a serious wrong in the bill as it was passed, so far as it treated the question of giving a chance for rehabilitation by vocational training to wounded or injured soldiers. There were severely wounded, according to the records, about 80,000.

Mr. SMOOT. Mr. President, will the Senator yield there for just a moment?

Mr. SMITH of Georgia. Certainly.

Mr. SMOOT. I think it is due Congressman GOOD to make this statement:

Congressman GOOD and I met Dr. Prosser and two other of his associates in the Marble Room when the former bill was under consideration, and I heard Congressman GOOD say to Dr. Prosser that with the amount of money that they had on hand, and the statement that was made by him that they had sufficient to pay the July expenses, he thought that the $6,000,000 provided in the other bill was sufficient; but if it was not sufficient, he would promise Dr. Prosser that, as far as he was concerned as chairman of the Appropriations Committee of the House, he would see that the money was furnished in due time.

I wanted to say that, because I am quite sure that Mr. GOOD felt, just as I felt, that the bill was satisfactory to Dr. Prosser in the way that it was originally passed, with that understanding; but afterwards the question of the limitation of salaries came up, and now, as I understand, that is the reason why objection was made to it more than the amount appropriated. I think the Senator from Georgia knows that if the appropriation made was not sufficient it would have been taken care of.

Mr. SMITH of Georgia. I understood perfectly when the bill was in the Senate that the appropriation which it carried was not sufficient to do the work. The Senate committee, however, had stricken out altogether the limitation placed by the House committee upon the salaries to be paid. At that time I called the attention of the Senate to a letter I had received from the Secretary of Commerce, with a suggested plan for a limitation of salaries substantially higher than those in the House bill; but as the Senate committee had stricken out entirely the provision with reference to the limitation of salaries, and as it provided enough to go on at present, I made no objection to the Senate bill, although I stated at the time that, of course, it did not carry enough money for the work, but it would do until further legislation might be passed. The radical defect was that when we went to conference the House provision limiting salaries was restored, and with that provision nearly one-half of the force of instructors and experts necessarily would have resigned—a force that, in my opinion, was doing splendid work.

Mr. President, as I have just stated, there were, in round numbers, 80,000 soldiers reported severely wounded and total casualties of something like 240,000.

I believe it the duty—and it should be the pleasure—of those of us who did not go to the front, who stayed at home, safe and sound, to tax ourselves enough to make these men who have lost their arms and lost their legs and been otherwise physically injured financially whole so far as we can possibly do so. I believe that in the case of the man who has lost his leg or his arm and who was making $150 a month or $200 a month before we ought to be glad to pay him all his financial loss. I never have been much in favor of service pensions. If the man gets out sound, I think he ought to receive his compensation in connection with his discharge; but whether he volunteered to go to the front, or whether by draft we sent him to the front, he did the fighting for those of us who were here at home. We should find real pleasure to make up to the injured his loss of earning capacity caused by his injury. I feel that these 243,000 men ought to receive from us willingly a sum which will put them where they can live or earn or be compensated by their Government to the extent of their financial loss as a result of their injury.

The railroad company is liable to its employee who is injured in its service to the extent of his injury. I do not say there is a legal liability on the Government, but I say there is a moral liability, and it ought to be a pleasure to follow the policy of making these injured men financially sound.

Mr. President, accepting that as a basis for my discussion of this subject, I come to the question of the effort by the Government, through the expenditure of money, to fit these injured men again to take their place in labor, in occupations—not perhaps the old place, perhaps a new one—but to fit them, so far as college instruction or other instruction can do so, to take a place where they can again make what they made before their injuries were received.

It was with that in view that I had the pleasure of presenting to the Senate at the Sixty-fifth Congress a bill to provide vocational rehabilitation and return to civil employment of disabled soldiers and sailors discharged from the military and naval forces of the United States. The Senate of the United States, after a three-day debate, on a roll call, had no Senator who failed to support the bill. It was unanimously passed. Why, it was not only right, it was sound economically. It was sound economically because if we spend two or three thousand dollars a man to fit him to return to occupation so that he can earn as much as he did before, it is a much less sum that we would be called on to pay if we kept up his salary permanently. He perhaps was a man making $1,500 to $2,000 or from $1,000 to $2,000 a year. If he is left without special training, his earning capacity may be practically gone; but if we spend $3,000 to fit him again to earn $1,000 to $2,000 a year it is an economic saving, according to my view of the responsibility of his Government for his loss. What is wrong with that? It is an economic saving to the country because we are fitting a man who otherwise might do nothing to be a producer and a substantial and useful citizen. Over and above that, we bring back into his life the joy of not being dependent upon charity, of not being dependent upon his Government to compensate him year by year for his loss. We bring back into his life the joy and privilege of doing for himself, of being still capable of earning for himself and perhaps for his wife and his children a support.

Mr. President, when I consider the problem of vocational rehabilitation, I can not be patient with suggestions of extreme, narrow economy. I do not believe anywhere that money should be wasted. But the experience of the countries involved in the war, even before we entered the war, demonstrated the fact that men with physical injuries, ofttimes unable to pursue their former occupation, by special training, by special instruction, have been fitted in many, many instances to again earn a competency even larger than that which they earned before. A fairly well-educated farm laborer loses his arm or his leg or is injured otherwise physically so that active physical labor can no longer be performed by him. He goes to the agricultural college, and in a two-year course is taught and becomes capable of doing a higher order of work than he ever did before and producing more than he did before. I mention this as one of many lines in which the physically defective may receive training which will fit him for profitable occupation.

Mr. President, to give such instruction, to give such aid to the injured soldiers is a splendid contribution upon the part of this country, a splendid use of money, lessening our real liability to them and adding greatly to their value as citizens and their opportunities for happy lives.

I think this work will cost a good deal of money. We have now 13,757 injured soldiers who have been approved for training by the central office. We have 5,200 now in training. We have 8,577 approved, who are going forward at once, and in a few days there will be 13,757 in training. One hundred and forty-seven thousand one hundred and nineteen have been reached by the representatives of the Federal board and have been informed of their rights; 98,779 are under supervision, and efforts are being made to classify and assign them. Suppose it costs $1,400 or $1,500 a year to give to one of these men his training and to fit him to go back into active occupation, we should not be disturbed about the cost.

The Canadian Government undertook to erect buildings and carry its injured soldiers into schools organized and built expressly for the purpose. A much wiser policy was embodied in our bill. It was the policy to distribute them to existing institutions, retaining them as near to their homes as practicable.

It has been charged that there was some arrangement looking toward the schools to which the soldiers would be distributed agreed upon before the rehabilitation bill was introduced, and the inference has been drawn that this was to aid favored institutions. I will state to the Senator from Utah [Mr. SMOOT] what, if it is investigated, will be found to be the truth upon this subject. The question which confronted those of us studying the problem was, Shall we undertake to build schools as Canada did or can we find institutions already in existence prepared to do the work of training the injured soldiers?

A number of men not connected now with the Federal Board for Vocational Education, but educators and physicians, studied the work of a number of schools and colleges to see if the soldiers could be taken care of without establishing or building new institutions, not allotting the soldiers at the time to the schools, not distributing them then to any institutions, but to find out whether there were institutions already in existence that could meet with some added work the responsibility which was to be placed upon them if selected to train the injured soldiers. That is the whole of it, magnified and misrepresented into the statement that it was a scheme to give money to these particular institutions. The plan adopted was a wise one. I went over it with these men before I introduced the bill. I discussed it with teachers and college professors and men who were not connected with the Federal board to determine whether it was safe to provide in the bill that the money was not to be used to erect new institutions. That was the real object, but it is very easy to take a fact and repeat it once or twice and get a false impression about it. I am personally acquainted with the efforts that were made before I introduced the bill to find out whether institutions existed that could meet the demand.

With reference to the soldiers sent to the Dunwoody Institute in Minnesota by the Vocational Board, I do not think any considerable number are there. My memoranda does not show a hundred already placed in Dunwoody. I have a statement here of the manner in which they are paid. If they are from Minnesota and have no special instruction, as I understand it, the Minnesota students go to the school free of tuition; and most of those who are there are from Minnesota. If they have special instruction, that costs not to exceed 50 cents a day. I have a copy of the letter written by Dr. Prosser to the governor of the institute before scholars were assigned to it, stating that he could not consent to more than 50 cents a day being required as a basis, and $20 a month was the limit. For students coming from other States, where the institute was not obliged to receive them, the Government was to pay tuition of from $15 to $20 a month, according to the character of the work and the expense put upon the institution in the matter of tuition.

The grand total is: Residents of Minnesota, 82; outsiders, 32; actually assigned, contracts pending, and contracts not yet received at the central office, July 13, 114 men for the Dunwoody Institute.

This shows how easy it is to misunderstand and misrepresent. It is hard to repeat a thing just as it is told you, even if you try to do so, and with a little feeling on the subject it is easy to magnify, and repetition transforms a situation from what it was into something which it never was.

I wish to say that I will be glad to join the chairman of the Committee on Education and Labor in calling for a list of every man employed in this work by the Vocational Board. I am deeply interested in this work. I am deeply interested in it for the good it will do, and then I am deeply interested in it because it is a measure I helped promote, and I wish to see it conducted absolutely clean, and I believe it will be. I wish every dollar that is expended spent solely for the good of the soldiers for whom it is to be used. I will join in this work the able chairman of the Committee on Education and Labor, who succeeded me in that position last March. As he always helped me while I was chairman, I am determined to return the service, and help him as chairman in every way within my power.

Mr. KENYON. I thank the Senator. I hope I may be as the Senator was, for the Senator was always right, and I hope I may be as right as the Senator was and merit his aid.

Mr. SMITH of Georgia. The Senator from Iowa and I agree on practically everything that has been done for several years past, and I think we were both right.

Mr. President, I hope this bill will pass as the House has sent it to us. I do not want Senators to be frightened by the fact that this rehabilitation work will cost money. What I want them to do is to understand that if we rehabilitate these soldiers we will be meeting a liability that we ought otherwise to provide for year by year in appropriations far greater than any figures that the rehabilitation will cost.

Mr. MYERS. Mr. President I offer the following notice in regard to the pending bill, which I ask to have read.

The PRESIDING OFFICER (Mr. OVERMAN in the chair). The Secretary will read the notice.

The Secretary read as follows:

Notice is hereby given that under Rule XL of the Standing Rules of the Senate, I shall to-morrow, July 19, 1919, or on the first legislative day after to-day when the Senate may be in session, move, when the bill (H. R. 7343) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, is before the Senate, to suspend subdivisions 2 and 3 of Rule XVI of the Standing Rules of the Senate, prohibiting the adding of new items of appropriation and prohibiting the proposing of general legislation on any general appropriation bill, for the purpose of offering an amendment in the form of a new section to the said H. R. 7343 making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, which said proposed amendment in the nature of a new section is as follows:

To resume and prosecute work on projects and units thereof under the reclamation act, stopped during the war, and to begin and prosecute existing projects and units thereof which are practically ready for prosecution, to be immediately available, and to be expended under the terms and conditions of the reclamation act, except that in the matter of employment a preference shall be given to discharged soldiers, sailors, and marines, $50,000,000.

Mr. FALL. Mr. President, I offer the following amendment.

The PRESIDING OFFICER. The Secretary will report the amendment.

The SECRETARY. Amend, by adding after the figures "$1,730,000," in line 21 of the bill, the following proviso:

Provided, That the status of peace between the former Imperial German Government and the United States of America being declared to exist, no part of said sum shall be used in enforcing the provisions of section 3 of the act of October 6, 1917, known as the trading-with-the-enemy act, as amended.

Mr. SMITH of Georgia. Mr. President, it does seem to me that this bill ought to be passed without adding anything to it. The chairman of the committee, of course, is in charge of the bill, and his judgment is better than mine. If we are to begin modifying other features of the bill it will be difficult to stop. This money is needed at once, is it not? Are we not running on it now?

Mr. WARREN. It should have been passed before the 1st day of July. We are running without the bill.

Mr. SMITH of Georgia. We are running without funds since the 1st of July.

Mr. FALL. It is not my fault.

Mr. SMITH of Georgia. It is not the Senator's fault, but it might be if we add such an amendment to the bill, however meritorious it may be.

Mr. FALL. I have not injected an amendment into the bill until this moment. I have taken up no time whatsoever in discussing it. I have been somewhat in sympathy with the Senator from Georgia, who has devoted a good deal of time when it was here before and now to discussing it. This is simply a limitation upon an appropriation. That is all it is.

Mr. KENYON. I understood, though I may be in error, it states that peace has been declared between Germany and the United States?

Mr. FALL. No; it is simply a recognition of the status as a reason for the limitation upon the pay of United States marshals.

Mr. KENYON. I am not going to object to it.

Mr. HARRISON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	McCumber	Shields
Chamberlain	Harris	McKellar	Smith, Ariz.
Colt	Harrison	Moses	Smith, Ga.
Culberson	Henderson	Myers	Smith, Md.
Curtis	Johnson, Calif.	Nelson	Smoot
Dial	Johnson, S. Dak.	New	Spencer
Dillingham	Jones, N. Mex.	Norris	Stanley
Fall	Kellogg	Nugent	Sutherland
Fernald	Kenyon	Overman	Swanson
France	King	Page	Trammell
Frelinghuysen	Kirby	Pittman	Underwood
Gay	Knox	Poindexter	Walsh, Mass.
Gerry	La Follette	Ransdell	Walsh, Mont.
Hale	Lenroot	Reed	Warren

Mr. KIRBY. I announce the unavoidable absence of the Senator from Texas [Mr. SHEPPARD], the Senator from Wyoming [Mr. KENDRICK], and the Senator from Arkansas [Mr. ROBINSON] on official business.

Mr. DIAL. I announce the absence of the Senator from South Carolina [Mr. SMITH] on account of illness in his family.

The PRESIDING OFFICER. Fifty-six Senators having answered to their names, a quorum is present.

Mr. SMITH of Georgia. Mr. President, I am not out of sympathy with the object sought to be accomplished by the Senator from New Mexico, but I think it would be unfortunate to involve this bill, which ought to pass at once, with anything else. So I make the point of order that the amendment is general legislation offered on an appropriation bill; and, if the Chair will permit me, I will state the reason why I insist that it is general legislation.

The trading-with-the-enemy act fixed the time of the proclamation of the President as the time when peace shall be restored. The amendment proposes to substitute, I think, the declaration of Congress as the time of the termination of the war in place of the time fixed in the trading-with-the-enemy act.

Mr. FALL. Mr. President, the Senator from Georgia, possibly, is unaware of the fact that the trading-with-the-enemy act is permanent legislation that has been on the statute books of this country in one form or another since 1798, and during the present conditions the Congress of the United States in its wisdom saw fit to enact legislation along that line.

The trading-with-the-enemy act is itself permanent legislation which is invoked or coming in force automatically whenever this country is at war. The original act was placed upon our statute books during the status of war, which was never declared, between France and the United States of America. Section 3 of the trading-with-the-enemy act, which is the section referred to in the proposed amendment, simply makes it unlawful—

(a) For any person in the United States, except with the license of the President, granted to such person, or to the enemy, or ally of enemy, as provided in this act, to trade, or attempt to trade, * * *.

That is permanent legislation which in one form or another we keep on our statute books, so that if war arises it is not necessary to reenact the legislation.

Mr. SMITH of Georgia. Let me ask the Senator, Is there a provision in the amendment limiting it to the termination of the war by the proclamation by the President?

Mr. FALL. There are other provisions of the act, such, for instance, as the provision with reference to the Alien Property Custodian, which, when the President declares the war to have ended, become inoperative.

Mr. KING. Will the Senator permit an inquiry?

Mr. FALL. Certainly.

Mr. KING. Has this subject received consideration at the hands of the Foreign Relations Committee, of which the Senator is a member? If so, did not the committee act adversely upon the suggestion of the Senator from New Mexico?

Mr. FALL. I made a statement in the Senate immediately after the action or nonaction—it was not action—by the Foreign Relations Committee, in which I stated that I had assurances that the resolution would be reported out within a day or two. At that time Germany had not yet signed the peace treaty. My understanding was that some Senators thought that the resolution to which the Senator from Utah refers should not be reported out until after Germany had signed the treaty, for the reason that otherwise I might be accused of giving encouragement to Germany not to sign the peace treaty. I have not brought the resolution up nor attempted to bring it up since.

Mr. KING. Will the Senator permit another inquiry?

Mr. FALL. Certainly.

Mr. KING. In view of the fact that the matter is still before the committee and has received consideration at its hands, and in view of the further fact that Germany has signed the treaty and the committee will undoubtedly act very promptly one way or the other upon the resolution, does not the Senator from New Mexico think it would be somewhat of a discourtesy for us now to take it out of the hands of the committee?

Mr. FALL. The Senator may possess a very much finer and keener sense of courtesy than has the Senator from New Mexico. If the Senator from New Mexico had entertained any such sentiment he would not have offered this amendment, because the Senator does not intend, however ignorantly he may act, to show any discourtesy to the Foreign Relations Committee, or any other committee, or any individual Senator, or to the Senate as a whole.

Mr. President, the status of affairs is simply this, and it might just as well be understood once for all: The status of peace between the United States and Germany exists, and are you afraid to declare it and turn your citizens loose and let them trade?

Mr. PITTMAN. Mr. President, does the Senator understand that the adoption of a resolution declaring that the United States is at peace with Germany would in any way control the status in Germany as viewed by the German Government?

Mr. FALL. No; I do not.

Mr. PITTMAN. Then we would be in a position where we had declared ourselves at peace with Germany, with no declaration on the part of Germany that she was at peace with the United States; would we not?

Mr. FALL. No; not at all.

Mr. PITTMAN. That was the view I took of it.

Mr. FALL. I do not think the Senator understands the situation. In the first place, Mr. President, there seems to be an idea in the minds of a great many people—and I am not surprised that the opinion should be entertained by the layman, the ordinary citizen, who is busy with his engagements and does not pay any attention to matters of this kind—I am not at all surprised that the opinion exists, because of the propaganda which has been going on in this country for so long, to the effect that it was necessary to force the hand of the Senate of the United States, that they should ratify a peace treaty in order that peace might exist. The fact is that peace exists and has existed, and it becomes the duty of some one in this country to put it in effect, to put it in force; and the signing of a treaty or the ratification of the treaty is not the only method by which peace is brought about.

When war ceases peace exists. War is a status. Peace is a status. Peace is the ordinary status of the people of the earth. War is an extraordinary condition, establishing a status. You do not make war by declaring war. You do not make peace by declaring peace. You make war by fighting. You make peace by ceasing to fight. The rules and regulations under which the peoples of the several Governments will continue to act after the status has been established are embraced in what is known as a treaty of peace, and that is all that we have before us to-day and are considering in the Foreign Relations Committee now.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Nevada?

Mr. FALL. For a question; yes, sir.

Mr. PITTMAN. If peace is a question of fact and not of declaration, why is the Senator desirous of having a declaration on the part of the United States until a joint or contemporaneous declaration is made on the part of Germany?

Mr. FALL. Oh, Mr. President, so far as we are concerned—the Senator is a lawyer—this is municipal legislation, applicable to the people, if it is anything, that we are considering here, a sundry civil bill; and if this amendment is not subject to the point of order, then it is purely legislation affecting the people of the United States, and has nothing to do with Germany or whether Germany declares the war to cease or not.

Mr. President, the blockade has been lifted. The different nations of the world are trading with Germany. The President of the United States, if we can believe the public press, is issuing licenses to citizens of the United States enabling them to trade with Germany. The papers have informed us of this fact, and that those who seek licenses may get them at the proper office. If this amendment has any effect whatsoever, it will simply be to place all citizens on an equality, so that under a prosecution for a violation of section 3 of the trading-with-the-enemy act, such a citizen not holding a license issued by the President of the United States can offer the amendment itself in justification for his act.

That is the status of the amendment. If it is subject to a point of order, let the point be raised and the ruling be had. If it is not, let us have a vote.

Mr. UNDERWOOD. Mr. President, I have just read the amendment offered by the Senator from New Mexico; and it appears to me that the substance of the amendment is an effort by indirection to declare the status existing between this Government and the Government of Germany, without awaiting the usual course of the ratification of a treaty. It appears to me that there can be but one conclusion as to the purpose of the amendment. It reads as follows:

That the status of peace between the former Imperial German Government and the United States of America being declared to exist, no part of said sum shall be used in enforcing the provisions of section 3 of an act of October 6, 1917, known as the trading-with-the-enemy act.

Now, of course, if we do not desire further to enforce the provisions of the trading-with-the-enemy act we have a right to say so, and withhold those portions of the appropriation in this bill that will probably go to the United States marshals and district attorneys; and it might be in order, if it is not new legislation, for the Congress to make that limitation. The only criticism of that, if that were all that were contained in the body of this amendment, would be as to whether or not we desired to continue in force the terms of the trading-with-the-enemy act.

I understand that under Executive orders at the present time the trading-with-the-enemy act is not being enforced. There

may be some technical orders being issued that it is necessary to promulgate in order to comply technically with the terms of the act; but there is no real effort to restrict trade under the terms of the trading-with-the-enemy act at this time.

Mr. FALL. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from New Mexico?

Mr. UNDERWOOD. I yield.

Mr. FALL. Unless the terms of section 3 are being complied with, then whoever is allowing such trading is violating the law of the United States.

Mr. UNDERWOOD. I said that probably some technical blanket orders are being issued to prevent that; but whilst the Senator is on his feet I should like to ask him a question. Would he be willing to consent to strike out of his amendment these words?—

That the status of peace between the former Imperial German Government and the United States of America being declared to exist—

And just let the amendment read as follows:

Provided, That no part of said sum shall be used in enforcing the provisions of section 3 of an act of October 6, 1917, known as the trading-with-the-enemy act.

Mr. FALL. Does the Senator ask me that question?

Mr. UNDERWOOD. Yes.

Mr. FALL. I have a little Irish in me. Will the Senator tell me whether, in the event I consent to striking out those words, he will support the amendment?

Mr. UNDERWOOD. Yes; I will support it.

Mr. FALL. Very well, sir. I have no objection to striking them out.

Mr. UNDERWOOD. All right, Mr. President. With that modification of the amendment, I have nothing further to say. I have no desire to keep the trading-with-the-enemy act on the statute books.

Mr. SMITH of Georgia. With that modification of the amendment, I withdraw my point of order.

Mr. FALL. Of course, I simply desire to say that I am anxious to get results, and that I have consented to strike out that clause for the purpose of getting results. Any other or further purpose I have had has been achieved by offering it as it was in the original words.

The PRESIDING OFFICER. The Secretary will state the amendment as modified.

The Secretary read as follows:

Provided, That no part of said sum shall be used in enforcing the provisions of section 3 of an act of October 6, 1917, known as the trading-with-the-enemy act, as amended.

The PRESIDING OFFICER. The question is upon the adoption of the amendment as modified.

Mr. WARREN. Mr. President, in view of the condition of this legislation, I trust that that amendment may not be adopted. While fully in sympathy with the movement, yet I am also in sympathy with these thousands of men and women who are waiting for the compensation due them, and with these establishments that are really going ahead without warrant of law, as they have been doing for more than half of this month. It seems to me necessary that we should at this time pass this bill as it has come to us from the House and take up these other matters at some later day.

Therefore I hope the amendment will not be adopted.

Mr. FALL. Mr. President, I want to say that, of course, the Senator from Wyoming is not at all to blame in this matter; but, nevertheless, I have been misled into the thought that there would be no objection to this proposed amendment if I acceded to the suggestion of the Senator from Alabama. Otherwise I certainly should have endeavored to secure a vote directly upon the question as to whether the Senate of the United States, at least, as one body, is ready to declare its recognition of the fact that peace exists between this country and Germany. Of course now there is no opportunity for me to have the voice of the Senate upon that proposition by virtue of the fact that I have been, not of course caught in a trap, because no one intended to lay any for me——

Mr. UNDERWOOD. I want to say to the Senator that I have had no conference with the Senator from Wyoming.

Mr. FALL. I am sure of that.

Mr. UNDERWOOD. And so far as I am concerned I am perfectly willing to vote for the Senator's amendment, and will do so.

Mr. FALL. I am confident that the Senator will; and I was simply expressing my very serious regret that the chairman of the committee had refrained from expressing himself until after the agreement had been reached between the Senator from Alabama and the Senator from Georgia and myself, and I had agreed to an amendment of the amendment.

Mr. WARREN. The Senator is reminded that there was a point of order made by the Senator from Georgia [Mr. SMITH] which was pending and not determined upon and waiting until this later consent to change the amendment.

Mr. FALL. Oh, I am not accusing the Senator——

Mr. NELSON. Mr. President, I want the Senator from New Mexico to understand that the Senator from Alabama and the Senator from Georgia can not bind the Senate, and that we are not obliged to adopt this amendment because they have agreed on it.

Mr. SMITH of Georgia. Mr. President——

Mr. FALL. I have not undertaken to make any such assertion nor any such suggestion. The remark of the Senator is entirely unwarranted. I was simply expressing my personal regret that I had been led into certain action by the suggestion of the Senator. I have criticized no Senator whomsoever, and the Senator from Minnesota should know from our past association that he is the last one in this body whom I would attempt to criticize in any way.

Mr. NELSON. I was surprised, Mr. President, at the language of the Senator. He seemed to intimate that this thing was settled because of the agreement that had been made. I want to say to him that it is not settled for one. There will be one vote against it, anyway.

Mr. FALL. Why, of course; and I want to say that I was very much surprised at the attitude and the language of the Senator from Minnesota.

Mr. SMITH of Georgia. Mr. President, the Senator from Minnesota misunderstood me. The Senator from New Mexico withdrew his amendment—that part of it which I thought made it subject to a point of order. Therefore I withdrew my point of order. I still hope that the bill will pass without any amendment at all.

Mr. UNDERWOOD. Mr. President, I am sorry that the Senator from Minnesota seems to think that some of his brother Senators have made an agreement that affects him. My purpose in rising a moment ago was to combat the amendment offered by the Senator from New Mexico as it stood, because I believed that the language in the amendment at that time involved those very grave questions which affected peace conditions in this country; and, believing that they should only be considered in the proper way in connection with the treaty, I was prepared to resist the amendment on that ground. But I wanted to know the attitude of the Senator from New Mexico, and I asked him as to whether or not he was trying to withhold appropriations from the future carrying on of the trading-with-the-enemy act, or whether the main purpose of his amendment was to affect the peace status of the country. When I asked him if he was willing to strike out those words that related to the peace status of the country, he said he was, but first asked me if I was willing to support the amendment without them, and I said I would; that I was willing to support his amendment if it did not affect questions relating to peace.

That conversation was entirely between the Senator from New Mexico and myself. Of course, it did not affect anyone else in the Senate; and I merely wish to say that, so far as I am concerned, the trading-with-the-enemy act was a very useful piece of legislation when we were in an actual condition of war. I expect and hope that within 30 days the treaty of peace will be ratified by the United States Senate and a technical condition of war will be over, as an actual condition of war is over, and therefore I see no reason in the world why any money should be wasted in carrying on the trading-with-the-enemy act at a time when we have let down the bars for the admission of all classes of goods into the enemy country to-day. By the terms of the agreement entered into in Paris, not waiting for our ratification, the doors are open to Germany for the goods and the trade of every nation on the earth, including ourselves.

Now, I do not believe that the executive branch of the Government will use any of this money to further enforce the trading-with-the-enemy act, but if that were done it certainly would be a waste of public money. Therefore I do not see any harm whatever in adopting the proposal of the Senator from New Mexico and providing that this money shall not be used for that purpose when we do not want it used for the purpose, when we are not going to use it for the purpose, after he has stricken out that section of the amendment which related to the peace status of the two nations.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from New Mexico.

Mr. FALL. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DIAL (when his name was called). I am paired with the Senator from Michigan [Mr. NEWBERRY]. I transfer that pair to the Senator from Oklahoma [Mr. OWEN] and vote "nay."

Mr. UNDERWOOD (when his name was called). I have a general pair with the junior Senator from Ohio [Mr. HARDING]. He is absent to-day. I transfer that pair to my colleague, the senior Senator from Alabama [Mr. BANKHEAD], and vote "yea."

Mr. WALSH of Montana (when his name was called). I inquire if the Senator from New Jersey [Mr. FRELINGHUYSEN] has voted?

The PRESIDING OFFICER. He has not.

Mr. WALSH of Montana. I have a pair with that Senator, which I transfer to the Senator from Oklahoma [Mr. GORE], and vote "nay."

Mr. WATSON (when his name was called). I transfer my general pair with the senior Senator from Delaware [Mr. WOLCOTT] to the senior Senator from Connecticut [Mr. BRANDEGEE] and vote "yea."

Mr. WILLIAMS (when his name was called). I have a standing pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I transfer that pair to the senior Senator from Virginia [Mr. MARTIN] and vote "nay."

The roll call was concluded.

Mr. TRAMMELL (after having voted in the negative). I have a pair with the senior Senator from Rhode Island [Mr. COLT]. I transfer that pair to the senior Senator from California [Mr. PHELAN] and will let my vote stand.

Mr. FERNALD. I have a pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from West Virginia [Mr. ELKINS] and vote "yea."

Mr. FALL (after having voted in the affirmative). I have a general pair with the junior Senator from Wyoming [Mr. KENDRICK]. I transfer that pair to the junior Senator from New York [Mr. CALDER] and will allow my vote to stand.

Mr. HENDERSON (after having voted in the negative). I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK]. I transfer that pair to the senior Senator from Ohio [Mr. POMERENE] and will let my vote stand.

Mr. KELLOGG. I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS], who is absent, and therefore withhold my vote.

Mr. KIRBY. I wish to announce that the Senator from Wyoming [Mr. KENDRICK] and the Senator from Texas [Mr. SHEPPARD] are necessarily detained from the Senate.

Mr. GERRY. The Senator from Arkansas [Mr. ROBINSON], the Senator from Ohio [Mr. POMERENE], the Senator from California [Mr. PHELAN], and the Senator from Florida [Mr. FLETCHER] are detained on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Delaware [Mr. BALL] with the Senator from Florida [Mr. FLETCHER];

The Senator from Colorado [Mr. PHIPPS] with the Senator from Texas [Mr. SHEPPARD];

The Senator from Michigan [Mr. TOWNSEND] with the Senator from Arkansas [Mr. ROBINSON]; and

The Senator from South Dakota [Mr. STERLING] with the Senator from South Carolina [Mr. SMITH].

The result was announced—yeas 27, nays 33, as follows:

YEAS—27.

Borah	Gronna	Lenroot	Poindexter
Cummins	Hale	Lodge	Spencer
Curtis	Harding	McCumber	Sutherland
Dillingham	Johnson, Calif.	Moses	Underwood
Fall	Kenyon	New	Wadsworth
Fernald	Knox	Norris	Watson
France	La Follette	Page	

NAYS—33.

Ashurst	Henderson	Pittman	Thomas
Beckham	Hitchcock	Ransdell	Trammell
Chamberlain	Jones, N. Mex.	Shields	Walsh, Mass.
Culberson	King	Smith, Ariz.	Walsh, Mont.
Dial	Kirby	Smith, Ga.	Warren
Gay	McKellar	Smith, Md.	Williams
Gerry	Nelson	Smoot	
Harris	Nugent	Stanley	
Harrison	Overman	Swanson	

NOT VOTING—36.

Ball	Frelinghuysen	McNary	Reed
Bankhead	Gore	Martin	Robinson
Brandegee	Johnson, S. Dak.	Myers	Sheppard
Calder	Jones, Wash.	Newberry	Sherman
Capper	Kellogg	Owen	Simmons
Colt	Kendrick	Penrose	Smith, S. C.
Edge	Keyes	Phelan	Sterling
Elkins	McCormick	Phipps	Townsend
Fletcher	McLean	Pomerene	Wolcott

So Mr. FALL's amendment was rejected.

Mr. KIRBY. Mr. President, I desire to offer the following amendment.

The PRESIDING OFFICER. The Secretary will read the amendment.

The SECRETARY. On page 44, line 18, insert the following additional proviso:

Provided further, That the board is authorized to use of any unexpended balance on hand the sum of $50,000 for assisting in the construction and equipment of a woman's reformatory institution near Camp Pike, in Arkansas, said board having agreed with the local State authorities to furnish said sum for the purposes upon their supplying a like amount, which has been done.

Mr. WARREN. Mr. President, while I might under other circumstances not object to this amendment, as I said a moment ago in reference to another matter, I feel that the necessity of passing the bill without amendments of that kind makes it necessary for me to make a point of order against the amendment.

The PRESIDING OFFICER. The point of order is well taken. If there be no further amendment proposed, the bill will be reported to the Senate.

Mr. MYERS. Mr. President, I rise to a question of order. I make the point of order that, having given written notice in compliance with the rule that to-morrow I would offer an amendment, the final vote can not be taken to-day. My notice serves automatically to postpone a final vote on the passage of the bill until to-morrow.

The PRESIDING OFFICER. The point of order is not well taken.

Mr. MYERS. Mr. President, I desire to be heard for a minute upon the point of order. I had no opportunity to give the notice until to-day. The bill was passed by the House only yesterday afternoon. Prior to that time I did not know but what the bill would be defeated in the House. I had no way of knowing that it would pass the House and come to the Senate, and it was only reported to the Senate to-day. I had no way of knowing what would be in the bill as reported until it was reported to-day. I had no way of knowing what the committee might put in the bill or take out of the bill. I had no way of knowing what the contents of the bill would be until it was reported to-day.

A construction of a rule which would make the rule meaningless and ineffective is not a sound construction of a rule. A rule must be given some construction which will make it operative and effective and which will make it mean something. If you give a rule a construction which destroys the rule, then the construction is unsound, because it would destroy the very subject which you are construing.

If the bill had been up for consideration before the Senate on yesterday, I think it could be justly contended that by giving my notice to-day I was too late, but I had no opportunity to give the notice until to-day. I claim that the rule under which I gave my notice, Rule XL of the Senate, operates so that when a bill is reported to the Senate, if a notice is given of a motion to suspend the rule in order to offer an amendment which is prohibited by the rules, it operates automatically to put the final vote over one day—that is, if it is offered on the day the bill is reported.

If I were to give the notice to-morrow, the bill having been before the Senate to-day, that I would on Monday make this motion, then I would have slept on my rights. But I have had no rights to sleep on heretofore.

I say when the bill is just reported to the Senate this rule places it in the power of any Senator to put the vote over one day if he gives his notice on the same day that the bill is reported, not if he gives notice on a subsequent day, but on the same day he can postpone the vote for 24 hours. You may say if a Senator can do that he can postpone the vote on the bill forever, but that is not sound, because his right to postpone the vote 24 hours is limited to giving a notice on the same day the bill is reported to the Senate, and after that day if he gives a notice he is too late and he has slept on his rights. Unless you take that construction of the rule it simply destroys the right of a Senator to give notice on the same day a bill is reported that he will on the next day move to suspend the rules in order to offer an amendment which is forbidden by the rules. Unless that construction is taken, then a Senator is powerless to give notice that he will move to suspend the rules on the same day the bill is reported if the rest of the Senate is ready to vote that day. Therefore I urge the point of order that the bill can not be voted on to-day.

The PRESIDING OFFICER. The Chair overrules the point of order.

Mr. MYERS. Then, Mr. President, I offer the amendment now without notice, and in doing so I will beg the chairman of the committee in charge of the bill not to make a point of order against it, because a delay of one day will not hurt anything in

regard to the bill. I ask that the amendment may be read, so that the chairman of the committee may hear it. I offer it now without notice.

The PRESIDING OFFICER. The Secretary will read the amendment.

The SECRETARY. Add at the proper place in the bill:

To resume and prosecute work on projects and units thereof under the reclamation act stopped during the war and to begin and prosecute existing projects and units thereof which are practically ready for prosecution, to be immediately available and to be expended under the terms and conditions of the reclamation act, except that in the matter of employment a preference shall be given to discharged soldiers, sailors, and marines, $50,000,000.

Mr. WARREN. Mr. President, I would like to help my friend the Senator from Montana at the proper time, but I am compelled to make a point of order against the amendment.

The PRESIDING OFFICER. The point of order is sustained.

Mr. MYERS. Then I will offer another amendment, which is materially different. I ask that it be read and hope it may appeal to the Senator.

The PRESIDING OFFICER. The Secretary will read the amendment.

The SECRETARY. Add at the proper place:

To prosecute further work on projects, and units thereof, under the reclamation act, now in course of construction, and to begin and prosecute new projects and units thereof in drought-stricken regions of the United States, to be immediately available and to be expended under the terms and conditions of the reclamation act, except that in the matter of employment a preference shall be given to drought-stricken and suffering homesteaders, farmers, and ranchers, $5,000,000.

Mr. WARREN. Mr. President, I shall have to make a point of order against that amendment.

The PRESIDING OFFICER. The point of order is sustained.

Mr. MYERS. I was in hopes the chairman of the committee would not make a point of order against it, as it is for a much smaller sum. Of course, that is a matter for the Chair to rule upon.

The PRESIDING OFFICER. The Chair has sustained the point of order.

Mr. WALSH of Montana. Mr. President, I can not believe that the Senator's point of order is well taken.

Mr. WARREN. Pretty nearly all points of order lie against it. In the first place, it has not been estimated for; in the second place, it has not been presented to the committee and printed a day beforehand; it is legislation, and it also increases an appropriation.

Mr. WALSH of Montana. I did not understand the Senator to put his objection on those grounds.

The bill was reported to the Senate without amendment.

The VICE PRESIDENT. The bill is in the Senate and open to amendment.

Mr. MYERS. Mr. President, I desire to renew my point of order that the Senate can not vote on the bill to-day, in view of the notice I have given.

The VICE PRESIDENT. The Senator from North Carolina [Mr. OVERMAN] sustained the point of order, and the Chair will stand by the Senator from North Carolina.

Mr. MYERS. Then I appeal from the ruling of the Chair.

The VICE PRESIDENT. The Senator from Montana appeals from the ruling of the Chair. The question is, Shall the ruling of the Chair stand as the judgment of the Senate? [Putting the question.] The ayes have it.

The bill was ordered to a third reading, read the third time, and passed.

ARTICLE 10, COVENANT OF LEAGUE OF NATIONS.

Mr. WALSH of Montana. Mr. President, I give notice that on Monday, the 28th day of July, at the close of the morning business, I shall address the Senate upon article 10 of the covenant of the league of nations.

ADJOURNMENT TO MONDAY.

Mr. LODGE. Mr. President, I move that when the Senate adjourns it be to meet on Monday next.

The motion was agreed to.

DEPARTMENT EQUIPMENT FOR ROAD PURPOSES.

Mr. KING. Mr. President, on July 1 the Senate adopted two resolutions—Senate resolution 108 and Senate resolution 109—one directing the Secretary of Agriculture to report the quantity and description of war material, equipment, and supplies, particularly the number and description of cars, trucks, and tractors, which will be required for the use and improvement of highways, and so forth. A supplement or complement to that resolution directed the Secretary of War to report to the Senate the number and description of cars, trucks, tractors, and other war material, equipment, and supplies on hand and which are not needed by the War Department, and so forth. The purpose was to require these departments to indicate the number of cars that would be required for road purposes and the number that would be available then for sale.

My information was that there were several thousand trucks that were not being properly cared for, and that would so deteriorate as to become of little or no value, whereas if they were properly handled and properly disposed of several millions of dollars might result to the Government. I desire to inquire whether, pursuant to these resolutions, these departments have responded and furnished the information required.

The VICE PRESIDENT. None has come to the hands of the Chair.

Mr. KING. I shall simply content myself with saying that some of these departments are very slow in answering the demands and requests made for information by the Senate. If these departments fail to furnish this information at the next meeting of the Senate I shall ask for the passage of appropriate resolutions which I hope will secure the information called for.

EXECUTIVE SESSION.

Mr. LODGE. Mr. President, I think I ought to say that it will be necessary to keep the Senate in session until the sundry civil bill has been signed by the presiding officers. The bill has gone back to the House, and there will be no delay in signing it, because it is engrossed and ready. In the meantime I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 1 hour and 25 minutes spent in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bill and joint resolution, and they were thereupon signed by the Vice President:

H. R. 7343. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes; and

H. J. Res. 73. Joint resolution authorizing the President to extend invitations to other nations to send representatives to the World Cotton Conference to be held at New Orleans, La., October 13 to 16, 1919, inclusive.

DEATH OF EDWARD V. MURPHY.

Mr. CHAMBERLAIN. Mr. President, I rise to announce the death of Edward V. Murphy, at Albany, N. Y., on the 16th instant, while en route to Canada, where he hoped he might regain his rapidly failing health. He is to be interred in this city on Monday next.

For almost 60 consecutive years he has been connected with the official stenographic force of the Senate. Mr. Murphy entered upon this work on February 13, 1860, and ever since that time has rendered most faithful and efficient service. His has been a wonderful experience, and his contact with men and measures before and since the Civil War made him a most interesting and instructive figure in and around the Capitol. Always faithful, courteous, and kindly, and holding him, as I did, in the highest regard, I feel constrained to announce the death of this splendid public servant to my colleagues in the Senate.

Mr. LODGE. Mr. President, I offer the following resolutions.

The VICE PRESIDENT. The resolutions will be read.

The resolutions were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with deep sensibility of the death of Edward V. Murphy, late one of its Official Reporters, and expresses its sense of the fidelity, industry, and ability with which he discharged the duties of his responsible office.

Resolved, That the Secretary transmit a copy of these resolutions to the family of the deceased.

Mr. LODGE. Mr. President, I move as a further mark of respect to the memory of the deceased that the Senate adjourn.

The motion was unanimously agreed to; and (at 4 o'clock and 47 minutes p. m.) the Senate adjourned until Monday, July 21, 1919, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 18, 1919.

CONSULS.

CLASS 5.

Edward J. Norton to be a consul of class 5.

CLASS 8.

Harry A. McBride to be a consul of class 8.
Raymond C. Mackay to be a consul of class 8.
William W. Early to be a consul of class 8.
William P. Garrety to be a consul of class 8.

DIRECTOR BUREAU OF FOREIGN AND DOMESTIC COMMERCE.

Philip B. Kennedy to be Director Bureau of Foreign and Domestic Commerce.

FIRST ASSISTANT DIRECTOR BUREAU OF FOREIGN AND DOMESTIC COMMERCE.

Roy S. McElwee to be First Assistant Director Bureau of Foreign and Domestic Commerce.

ASSISTANT APPRAISER OF MERCHANDISE.

S. M. Angell to be assistant appraiser of merchandise for customs-collection district No. 20, with headquarters at New Orleans, La.

UNITED STATES MARSHAL.

Albert Bollschweiler to be United States Marshal, District of New Jersey.

COAST AND GEODETIC SURVEY.

George H. Durgin to be junior hydrographic and geodetic engineer.

COLLECTOR OF CUSTOMS.

Thomas H. Tulley to be collector of customs for customs-collection district No. 47, with headquarters at Denver, Colo.

HOUSE OF REPRESENTATIVES.

FRIDAY, *July 18, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou everliving God, the same yesterday, to-day, and forever; creating, re-creating, upholding, sustaining Thy children in everything that is pure and holy, help us to be too wise to be ignorant, too strong to be weak, too broad to be narrow, too just to be prejudiced, too noble to be mean, too generous to be selfish, too brave to be cowards, that the trend of our life may be Godward in imitation of the world's Great Exemplar. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to insert in the RECORD the report of the committee, headed by ex-Justice of the Supreme Court Charles E. Hughes, on the Bureau of War Risk Insurance in reference to the consultations they have been having the last few days.

The SPEAKER. The gentleman from Texas asks unanimous consent to insert in the RECORD the report made by the committee on the War Risk Insurance Bureau.

Mr. WALSH. What committee is that—Interstate Commerce——

Mr. RAYBURN. No; a report made by the committee headed by ex-Justice Hughes, which has been through the bureau in the last few days, an expurgated copy of which was found in the newspapers this morning.

Mr. WALSH. Ex-Justice Hughes?

Mr. RAYBURN. And several other members.

Mr. WALSH. The name sounds familiar.

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, this committee is an unofficial committee, is it not?

Mr. RAYBURN. Oh, yes.

Mr. LAGUARDIA. And some society ladies and others are on it, are they not?

Mr. RAYBURN. Well, I do not know that that is any reflection on these ladies——

Mr. LAGUARDIA. I do not mean any.

Mr. RAYBURN. They are the heads of great organizations——

Mr. LAGUARDIA. But not expert insurance people; rather a social affair?

Mr. RAYBURN. I think ex-Justice Hughes of the Supreme Court is considered a pretty good authority on insurance matters.

Mr. CRAMTON. Does the gentleman think in a few hours any committee can make an overhauling of that department that would be considered——

Mr. RAYBURN. They do not profess to make any overhauling of the department or a full investigation. This is an advisory committee asked here to consult on certain policies with reference to that bureau.

Mr. LAGUARDIA. What is the purpose of getting it in the RECORD at this time?

Mr. RAYBURN. I would like for the Members of the House to have an opportunity of knowing what they say about certain matters set out in this report.

Mr. LAGUARDIA. It makes no constructive suggestions?

Mr. RAYBURN. I think they do.

Mr. DYER. Mr. Speaker, regular order.

The SPEAKER. The regular order is the request of the gentleman from Texas. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries.

AGRICULTURAL APPROPRIATION BILL.

Mr. HAUGEN. Mr. Speaker, by direction of the Committee on Agriculture I offer a privileged report on the bill (H. R. 7413) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920.

The SPEAKER. The gentleman from Iowa, chairman of the Committee on Agriculture, reports the bill, which the Clerk will report by title.

Mr. CANDLER. Mr. Speaker, I reserve all points of order on the bill.

Mr. DYER. Mr. Speaker——

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 7413) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920.

Mr. DYER. Mr. Speaker, I make a point of order against the bill.

The SPEAKER. The gentleman will state his point of order.

Mr. DYER. That it is not in order to take it up for consideration at this time.

The SPEAKER. The Chair does not understand the gentleman is offering it for consideration at this time.

Mr. DYER. I wanted to find out if it is proposed to take it up now.

Mr. HAUGEN. I desire to take it up at the earliest possible moment.

The SPEAKER. The bill is ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into a Committee of the Whole House on the state of the Union for the consideration of H. R. 7413, being a bill "making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920." That the first reading of the bill shall be dispensed with. That there shall be one hour of general debate, one-half of the time to be controlled by the gentleman from Iowa [Mr. HAUGEN] and one-half to be controlled by the gentleman from South Carolina [Mr. LEVER]. That at the conclusion of the general debate the bill shall be read. That the provisions in all paragraphs of said bill shall be in order. That on the reading of the bill no amendments shall be in order except germane amendments to the following paragraph, beginning on line 8, page 102, of said bill:

"That section 3 of the act entitled 'An act to save daylight and to provide standard time for the United States,' approved March 19, 1918, is hereby repealed, effective on the last Sunday of October, 1919, after the approval of this act, when by the retarding of one hour the standard time of each zone shall be returned to and thereafter be the mean astronomical time of the degree of longitude governing each zone as defined in section 1 of said act approved March 19, 1918."

That at the conclusion of the reading of said bill it shall be reported to the House with such amendments as may be made to the paragraph specified as subject to amendment. That thereupon the previous question shall be considered as ordered on the bill and amendments to final passage without intervening motion except one motion to recommit.

Mr. CLARK of Missouri. Mr. Speaker, I would like to ask the gentleman a question or two.

Mr. CAMPBELL of Kansas. I yield to the gentleman from Missouri for a question.

Mr. CLARK of Missouri. What makes you shut out any discussion or amendment of these four other senatorial propositions that were hitched on this bill originally and the House never had any chance to discuss except on the conference report?

Mr. CAMPBELL of Kansas. That was asked by the Committee on Agriculture after consulting with Members of another body, with a view of expediting the passage of the bill. It was thought it would materially expedite the passage of this bill if the Senate amendments, that would have been subject to a point of order, were made in order and reported as agreed upon by the conferees.

Mr. CLARK of Missouri. What goes of this great hullabaloo here that we have had about senatorial riders on appropriation bills? Have the Republicans entirely surrendered on that proposition or not?

Mr. CAMPBELL of Kansas. That is not the question immediately before the House at this time.

Mr. CLARK of Missouri. I know it is not, and I am trying to get information.

Mr. CAMPBELL of Kansas. The Committee on Agriculture, as I stated, were desirous of expediting the passage of this bill and providing appropriations, so that the salaries of the employees in the Department of Agriculture could be paid. I understand that they are now selling their liberty bonds to pay their living expenses because there is no money available to pay their salaries.

Mr. GARNER. Does the gentleman believe the method he has adopted now will expedite the final consummation of this legislation?

Mr. CAMPBELL of Kansas. That is the belief of the committee that reported the bill.

Mr. GARNER. I think that its belief is not well founded.

Mr. RUBEY. Will the gentleman yield?

Mr. CAMPBELL of Kansas. I yield.

Mr. RUBEY. I desire to give the gentleman some information, and that is that the report of the Committee on Agriculture was not a unanimous report.

Mr. CLARK of Missouri. I would like to ask if this is not another instance of "passing the buck"?

Mr. CAMPBELL of Kansas. I am not familiar with that term. [Laughter.]

Mr. KNUTSON. Will the gentleman yield?

Mr. CAMPBELL of Kansas. For a question.

Mr. KNUTSON. May I ask the gentleman from Missouri [Mr. RUBEY] if the Democratic members of the Committee on Agriculture were in favor of daylight saving?

Mr. RUBEY. I will reply to the gentleman by saying that the Democratic members of the committee, speaking for myself, are not in favor of delaying this great bill by sending it again to the President of the United States. [Applause on the Democratic side.]

Mr. DYER. Will the gentleman yield for a question?

Mr. CAMPBELL of Kansas. For a question.

Mr. DYER. The gentleman knows, of course, that his committee presented and had adopted by this House a special rule for the consideration of this prohibition regulation bill. Does the gentleman think that this bill which he now would make in order should take precedence over the prohibition bill and is of greater importance to the country than that great bill that we absolutely want so badly?

Mr. CAMPBELL of Kansas. In answer to the gentleman from Missouri, who is so eager for the early enactment of the law for the enforcement of prohibition, I will state that it is important to the country that provision be made for the payment of the expenses of the Department of Agriculture, which is now without funds.

Mr. DYER. Will the gentleman yield further for just a minute?

Mr. CAMPBELL of Kansas. For a question only.

Mr. DYER. Well, if the gentleman feels that way about it, that it is so important, why does he intend to make in order a bill which has upon it a rider which he knows from the controversy about it will delay the enacting of this bill into law for maybe months and weeks? [Applause.]

Mr. GARRETT. Will the gentleman be good enough to give me a few minutes?

Mr. CAMPBELL of Kansas. I yield 10 minutes to the gentleman from Tennessee.

Mr. GARRETT. Mr. Speaker, I ask for order. I should like the attention of the House for a few moments.

Mr. CLARK of Missouri. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The gentleman from Missouri makes the point of order that there is no quorum present. The Chair will count. [After counting.] Two hundred and one gentlemen are present, not a quorum.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Anthony	Gould	Kiess	Rhodes
Ashbrook	Graham, Pa.	King	Riordan
Browne	Greene, Mass.	Lee, Ga.	Rouse
Carter	Greene, Vt.	Linthicum	Rowan
Costello	Hamill	McClintic	Schall
Dent	Hamilton	McGlennon	Scully
Dewalt	Hayden	Maher	Slemp
Dooling	Heflin	Mann	Smith, N. Y.
Eagle	Hersman	Mason	Stephens, Miss.
Echols	Hicks	Neely	Stiness
Fairfield	Hull, Tenn.	Oldfield	Sullivan
Fordney	Ireland	Porter	Tilson
Frear	Kahn	Purnell	Vare
Freeman	Kelley, Mich.	Reber	Walsh
Goodall	Kettner	Reed, W. Va.	Walters

The SPEAKER. On this vote 372 Members have answered to their names; a quorum is present.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield 15 minutes to the gentleman from Tennessee [Mr. GARRETT], to be used as he may determine.

The SPEAKER. The gentleman from Tennessee is recognized for 15 minutes.

Mr. GARRETT. Mr. Speaker, there are two phases of this matter to which I wish to call the attention of gentlemen of the House. The question of the daylight-saving legislation is not the only question and not the most serious proposition that is involved in this very drastic resolution presented by the Committee on Rules. It was stated before the Committee on Rules by the chairman of the Committee on Agriculture when applying for this resolution that there were, as I remember it, at least six legislative propositions contained in the bill as reported by his committee which were placed in the former bill by way of amendment by the Senate and those legislative propositions were never passed on by the House of Representatives save only as the House was voting upon the final completed conference report.

Now, this resolution provides that all those propositions shall be in order, and it further provides that they shall not be subject to amendment. Therefore six important legislative propositions are to be brought de novo before the House for the consideration of the House—propositions that would not be in order, perhaps, under the general rules of the House, and yet the House must pass upon them without even being permitted to offer an amendment to strike them out. I do not favor any such principle of legislation as that, and for that reason I shall vote against the previous question on this resolution.

The other phase of the matter is this so-called daylight-saving proposition. With that gentlemen are quite familiar. The House has passed an independent bill, for which, by the way, I voted, and will vote again, to repeal that daylight-saving law, and that bill is now pending before another body ready for action at any time it chooses to act. That body placed an amendment on the Agricultural appropriation bill which carried the repeal of the daylight saving, placing it there by way of a rider. The President of the United States has seen fit to veto the entire bill because of that proposition. This House has voted once, exercising its right, aye, its constitutional duty, and it failed to pass it over the veto of the President. Now, it is proposed to come again, with precisely the same legislation in principle, and once more carry it to the President of the United States. For what? We know he will veto it again. I can conceive of no reason why it is desired to do it save perhaps to give the House another opportunity to vote to pass it over the President's veto. That can be had by the Senate passing the independent bill and letting us have a straight test on that measure without tying up one of the great departments of the Government. [Applause on the Democratic side.]

As one, therefore, who favored the repeal of that legislation and who will vote again to repeal it, and who will vote to pass that independent measure over the veto of the President, I most earnestly appeal to this House not to trifle with this great appropriation bill and undertake to force this proposition in by way of a rider which has no business on the bill. [Applause.]

Mr. Speaker, I reserve the remainder of my time.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield four minutes to the gentleman from Iowa [Mr. HAUGEN].

Mr. HAUGEN. Mr. Speaker, the gentleman from Tennessee [Mr. GARRETT] has referred to six riders. He has called attention to the fact that the six riders have not been given consideration by the House, and for that reason he contends this bill should not pass, carrying them. Yet it has been suggested that the six of the seven riders, not having been considered by the House, shall be made in order, and that the rider to repeal the daylight act, which has been considered by the House and passed upon by the House by a vote of 232 to 122, shall not be made in order.

Gentlemen, will you suggest a rule making in order six riders on an appropriation bill when not one of them has been considered by the House and not the seventh one, which has been considered? Gentlemen, this rule affords an opportunity for the speedy consideration and passage of this appropriation bill. A vote for this rule means the immediate passage of this bill. A vote against the rule means delay. Vote down this rule, if you will. If so, you will be fortunate to have a bill by the 1st of September.

Mr. RUCKER. Mr. Speaker, will the gentleman yield?

Mr. HAUGEN. I can not yield now.

Are you willing that the employees of the Department of Agriculture shall go without pay? We submit the proposition to you. The responsibility is upon you. If you delay, you will be responsible. If you vote down this rule, you delay the passage of the bill.

What is there to this rule? Only that the House may have opportunity to vote for or against the repeal of the so-called daylight-saving act. That is all there is to the proposition. Are you afraid to trust yourselves? Are you afraid to go on record? Are you so determined to defeat this proposition—a proposition that 95 per cent of the farmers desire to have repealed, and repealed immediately—to refuse to take care of the department? It will not do, gentlemen, merely to say that you are for the repeal of the daylight-saving act and to do everything that you can to defeat it. That will not go.

It has been suggested that if this proposition is turned down the farmer will forget. Do not be deceived. If the farmer is compelled to get up an hour earlier in the morning, at 3 o'clock instead of 4 o'clock, with his lantern in hand, he will be reminded of the President's veto and the action of Congress. Gentlemen, will you have it said that the Committee on Agriculture, having jurisdiction of matters pertaining to agriculture, should deny the farmers the right to have this matter determined by their own Representatives? Are we not safe in leaving it to the vote of their own Representatives? Are you afraid to trust yourselves? That is the only proposition. Anyone who knows anything about it—and my Democratic friends know it as well as I do, and everybody knows it—knows that the only way to insure a speedy consideration and passage of this bill is simply to give the House an opportunity to vote upon the proposition so that a vote may be had in the Senate.

Mr. CLARK of Missouri. Mr. Speaker, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. CLARK of Missouri. Why do you not give the House a crack at these six propositions that the Senate opens up with?

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. HAUGEN. I have no objection.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield to the gentleman two minutes more.

The SPEAKER. The gentleman from Iowa is recognized for two minutes more.

Mr. CLARK of Missouri. If you vote for this new rule, you will vote to shut the House up on these six senatorial propositions that are riders. They can not be amended.

Mr. HAUGEN. The House accepted the six propositions unanimously.

Mr. CLARK of Missouri. They were accepted by the House on the conference report on the whip and spur of getting this great appropriation bill through, and the House never had a chance to discuss those Senate propositions.

Mr. HAUGEN. I put it up to the Democratic side of this House. Will you now delay the passage of this bill under the pretext that you want consideration of a proposition that you voted unanimously to accept heretofore? [Applause.] It is up to you, gentlemen.

Mr. RUBEY. Will the gentleman yield?

Mr. HAUGEN. I yield to the gentleman.

Mr. RUBEY. Does the gentleman think he will expedite the passage of this bill by passing it here and sending it to the Senate, and from there to the President to have it vetoed and sent back here again?

Mr. HAUGEN. The gentleman from Iowa not only thinks so, but the gentleman from Missouri himself knows it. No one knows it better than the gentleman from Missouri. [Applause.]

Mr. RUBEY. I know it will cause more delay——

Mr. HAUGEN. You can not deceive the American people by any procedure of this kind. Be candid about it. We must deal with the situation exactly as we have it. We are trying to pass this bill. You are trying to delay it, and the responsibility rests with you. The responsibility rests upon the President. He kept this bill 10 days. The Committee on Agriculture reported the bill. We have given it consideration, we have reported it, we have requested a rule, and the rule is here. The opportunity is here. Will you turn it down? Gentlemen, the responsibility is with you. [Applause.]

Mr. SCOTT. Will the gentleman yield?

Mr. HAUGEN. Yes.

The SPEAKER. The time of the gentleman has expired.

Mr. GARRETT. Mr. Speaker, I simply wish to say that gentlemen need not be alarmed about this bill being delayed in its consideration. I say that in answer to the statement of the gentleman from Iowa [Mr. HAUGEN]. If the previous question is voted down, a proper resolution for the immediate consideration of this bill will be forthcoming very promptly.

Mr. HAUGEN. What assurance can the gentleman give us for a rule that will give immediate consideration?

Mr. GARRETT. If the previous question is voted down, the gentleman will have his resolution very promptly.

Now I yield three minutes to the gentleman from South Carolina [Mr. BYRNES].

Mr. BYRNES of South Carolina. Mr. Speaker, I represent an agricultural district, and I introduced a bill to repeal the daylight-saving law. I voted for the separate bill that passed the House and is now in the Senate. I voted for this rider to the Agricultural bill. I voted to override the President's veto. Should the Senate pass the bill now pending in the Senate and the President veto it, I will again vote to override the President's veto. But, gentlemen of the House, I am not going to lend myself to this absolutely inexcusable and indefensible proposition submitted to-day.

The gentleman from Iowa [Mr. HAUGEN] asserts that he has at heart the interests of the Agricultural Department. He knows and I know that every project in that department is embarrassed to-day; that the work is being stopped; that employees who should have been paid on the 15th have not been paid, and are borrowing money all around the city of Washington. He says that we are responsible for the delay in passing the bill if we vote against this rule. Are you honest in it? Bring in a continuing resolution continuing the appropriations that the department had last year. If the gentleman will do that, the appropriations will be continued and this question can be fought out; but to bring this proposition in here when such conditions exist in the department, when employees who are on leave and expected to visit their homes can not go because they have not the money, when they are borrowing money to pay board bills, when the work of the department throughout the country is stopped, and then submit this proposition to the President again, is playing politics instead of in a patriotic way attempting to legislate in behalf of the country. It is merely an effort to embarrass the President. Bring in your continuing resolution and continue the appropriations of last year, and as soon as you do it every one of us will vote to repeal the daylight-saving law. If you do not, you are not going to use us to further any such scheme.

Mr. ALEXANDER. Will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. ALEXANDER. With the elimination of the daylight-saving proposition could not the Committee on Rules bring in a rule to suspend the rules and pass the Agricultural bill to-day?

Mr. BYRNES of South Carolina. The gentleman knows that they could and it would be adopted in 30 minutes, the bill sent to the Senate, and made a law within 24 hours. But let us not deceive ourselves. Every man on this side of the House knows that by taking this course we are going to delay the enactment of this Agricultural bill and embarrass the department. We should adopt a continuing resolution to save the department or else leave the amendment out of the bill and send it to the Senate. Let the Senate vote on the House bill now pending in the Senate and send it to the President and if he vetoes it I will vote to override the veto. But this proposition is simply an effort to tie it on here without an opportunity to put an amendment on it, send it to the Senate, and then send it to the President and have it vetoed and come back here and delay the appropriations for the Department of Agriculture. You gentlemen who represent agricultural districts and who are in favor of the existence of the Department of Agriculture can not afford to vote for such a proposition. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield eight minutes to the gentleman from Illinois [Mr. RODENBERG].

Mr. RODENBERG. Mr. Speaker, I am heartily in favor of the adoption of this resolution. I concede, of course, that the President was clearly within his constitutional rights when he vetoed the Agricultural appropriation bill because it contained a provision repealing the law known as the daylight-saving law. But I, for one, insist that there are times when even the President is not justified in exercising his right of veto, and especially when by so doing he sets at defiance the overwhelming sentiment of the people whom he is supposed to serve and whose wishes he is supposed to carry out. [Applause on the Republican side.]

The gentleman from South Carolina has talked about the great Department of Agriculture not being able to function. If that department is not able to function it is due to the obstinacy of the President of the United States and nothing else. [Applause on the Republican side.]

There is an explanation for this most unpopular action of the President. In violation of a tradition as old as the Republic, and which has been regarded by all of his predecessors as binding as law, the President, as we know, has absented himself from the country for eight or nine months. He has breathed a foreign atmosphere so long that he is no longer in close touch with the sentiment of the common people of his own country.

The pleas of the farmers—all the farmers—of the mothers of children of school age, and of many of the workingmen of this country that they should be relieved of the effects of this irksome and foolish law, passed in the first instance by Congress simply because it bore the Presidential stamp of being a war measure, has fallen on deaf ears.

Of course, now that the whole world has been made safe for democracy, perhaps it is appropriate that the President should insist that every day in this country should be made safe for the joy rider and for the patron of the golf links and tennis courts. Without intending any disrespect, because I have the greatest possible respect for the office of President, I want to say that when the President makes the assertion in his veto message that this legislation is in the interest of the workingmen of this country he is about as far wrong as he was when, as a member of the Paris peace conference, he allowed the friendly Republic of China to be robbed of the Province of Shantung by the wily and unscrupulous Jap. [Applause on the Republican side.]

I represent a great industrial district—one of the greatest industrial districts in this country—and the workingmen of that district, as well as the farmers, are unanimously in favor of the immediate repeal of this law, and they advance most excellent reasons for their demand. They say that because of the intense heat that prevails throughout the Middle West it is impossible for them to sleep until late at night, when it gets somewhat cooler, but that they are compelled under this law to get up an hour earlier in the morning and thus to lose an hour of refreshing, invigorating, and beneficial sleep. That is what they object to.

Talk about this being in the interest of the workingman! I want to say that the great majority of the workingmen who live in the section where we have hot summers are bitterly opposed to this measure.

There is another element that is found in opposition to this freakish law about which I wish to speak, a strong element, strong in numbers and powerful in influence, and that is the mothers of children who are going to school. You and I and every one of us who is so fortunate to have a son knows that it is next to impossible to induce a healthy, vigorous, normal boy to quit his play and come in the house until it is dark. Under this new-fangled law darkness does not come until about 9 o'clock, and 9 o'clock is time for children to be in bed. As a result our boys and girls are deprived of the hour which they have heretofore devoted to study in preparation for their school work of the following day. If you will consult the schoolteachers of the country, I venture to say that they will tell you that more children have flunked in their studies since this law went into effect than at any time before in the history of the country. [Applause.]

The truth of the matter is there is not a single justification for the continuation of this law. It has accomplished no substantial or beneficial results of any kind.

Mr. PELL. Mr. Speaker, will the gentleman yield?

Mr. RODENBERG. No; I shall not yield. The law has proved an intolerable nuisance to many of our people, and I hope that when the rule is adopted and the bill is again passed and sent to the President he, for once in his life, will set aside his own pride of opinion and listen to the voices of the representatives of the people and sign the bill. [Applause.]

Mr. GARRETT. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Speaker, after the attitude that I have taken on this measure and the fight that I tried to put up against this repeal I would be lacking in self-respect and courage if I did not take the floor at this time. I fail to see the analogy between the Shantung situation and justifying the repeal of this law as a rider on an appropriation bill. [Applause.] I want to tell my colleagues on the Republican side of the House—the new Members—that this is not a party matter. We may be new to this House, but we know how a party matter can be brought about, and none of us is bound to this rule as a party proposition.

The gentleman from Illinois [Mr. RODENBERG] complains about the condition of the farmer and the condition of the school children. This repeal does not take effect until March of 1920. It does not repeal the law immediately. We have passed a bill to repeal that law, and that bill is in the Senate, and we should abide by the action of that bill. Those of us who voted against the bill will abide by it. We threw out this rider on the Agricultural bill when it was before us; we voted against the bill that was passed. The presidential veto was sustained in this House, and now they can not force this on us and say that it is a party matter. The individuals on the committee who brought in this rule seem to individually disavow such action but collectively approve it. I appeal to the new Members on this side that this is not a party matter, but it is simply the pressure being brought to bear by the agrarian movement. We have a perfect right to vote against the previous question and vote against the rule and also to vote against the bill if the rule is carried. There is nothing irregular in that vote. Do not let an argument of party regularity change your attitude. I repeat it is not a party matter. I do not know what percentage of the people all over the country want this measure kept as a law, but I know that an overwhelming majority of the people in my city are for keeping this law as it is, and I believe that when the President returned to his P. C. and got the reports from his listening posts they reported accurately that the majority of the people of this country are in favor of keeping the law exactly as it is on the statute books to-day. [Applause.] In the same breath that we are urged to vote for this repeal comes the claim that we want to expedite the passage of the appropriation bill. Notwithstanding that fact, a rule is brought in, which, if carried, absolutely hinders and retards the passage of the bill. I repeat it, and every man of common sense must acknowledge it, that we have passed a repealing bill; that that bill is now before the Senate; that it can be passed by the Senate in a few minutes and again put up to the President squarely on its merits. If you are so sure that the people of the country want a change, why do you not let it go to the President as a separate bill and not after a veto attach it as a rider to this appropriation bill? [Applause.]

I urge again the Members who have voted against this repeal, who have sustained the fight in the House, to stand by us now and to vote against the previous question and vote against the acceptance of the rule. [Applause.]

Mr. GARRETT. Mr. Speaker, at the request of several Members, I wish to make it perfectly clear that if the previous question be voted down I will then be entitled under the practice of the House to the floor, and will immediately offer a resolution to take up at once the consideration of this Agricultural appropriation bill under the general rules of the House.

Mr. RUBEY. Read the resolution.

Mr. GARRETT. It will take too much of my time, but the bill will be considered under the usual rules of the House, in the manner in which these bills are considered usually. There will, therefore, be no delay about that.

I now yield the remainder of my time to the gentleman from Illinois [Mr. JOHN W. RAINEY].

Mr. JOHN W. RAINEY. Mr. Speaker, I want to call attention to the statement made by the Republican spokesman, my colleague from Illinois [Mr. RODENBERG]. He said that the distinguished President has evidently been out of touch with the people of this country. The Republican Party has been peeved ever since the people of the country reelected the present incumbent of the White House, and because he won the admiration of the people of the United States and went abroad and won the admiration of the world the Republicans are more peeved than ever. I voted against the repeal of the daylight-saving law. It was passed, and this great man in the White House had the courage to veto it because he was in touch with the majority of the people of the United States, and he knows that the majority of the people are opposed to the repeal of the daylight-saving law. It resolves itself into a contest between the farmers and the people of the cities. The Representatives of the agricultural districts come in here, the representatives of the farmers, who are banded together and show their strength. They insist that this law shall be repealed and they demand their commands be obeyed. I come from a city where thousands and hundreds of thousands of the toilers who work in the great industries do not want it repealed, where there are little girls in the factories who are denied an opportunity to enjoy God's sunlight otherwise, and I want them to have an opportunity to get out of doors to build themselves up physically and mentally. There are about 12,000,000 people engaged in agricultural pursuits as against 27,000,000 who are engaged in other industries; therefore my colleague [Mr. RODENBERG] is out of touch with the people instead of the President.

This is not a partisan question, but every opportunity given the Republicans of this House to inject politics and criticize the leader of the American people they grasp it; they admonish him for going to Europe, and if he refrained from crossing the

ocean in all likelihood they would be verbally chastising him for not going. He had a right to go, and no one will deny he reflected the greatness of the United States and acquitted himself in a masterly way.

With you Republicans it is not a question of right or wrong. It is a question of abusing the administration, playing petty politics, and I think the people of this country are getting tired of it.

I am further opposed to this rule because of the riders attached in the Senate, which prevent discussion on the floor of this House of questions which affect all the people of this country; and under this drastic rule we are forbidden to raise our voice against this injustice and abuse. I will vote against it, and ask all of you who are interested in the great majority of the people of these United States, regardless of their political affiliation, to do likewise.

Now, if the gentleman from Illinois and the Republican Party desire to respond to the will of the majority of the people, then permit this present daylight-saving law to run along as it is and thereby give the poor, unfortunate toilers of this great country an opportunity to enjoy a few hours' recreation with their families. Another thing, Mr. Speaker, this Agricultural Committee——

Mr. RAGSDALE. Will the gentleman permit an interruption?

Mr. JOHN W. RAINEY. It has made it impossible——

The SPEAKER. The time of the gentleman has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield four minutes to the gentleman from Ohio [Mr. BEGG].

Mr. BEGG. Mr. Speaker and gentlemen of the House, I am very much interested in the discussion of this question. I am interested from two angles. I am interested because the gentleman from New York [Mr. LAGUARDIA] gave a good deal of advice to the new Members. I am interested from the gentleman's standpoint who just completed his speech, the gentleman from Chicago [Mr. JOHN W. RAINEY], and I want to say to you men that I have lived in the country a good many years, and I have also lived in the city a good many years, and think I know something of the lives and habits of each class of people. I live in a city to-day, and if there is 30 per cent of the population, or even if there is 10 per cent of the population in the city or in the rural districts of my State—Ohio—that is in favor of this bill not being repealed I will vote with the Democratic side of the House. [Applause.] Under the present arrangement we are placed two hours ahead of where we were two years ago, and everybody in my community and in my State is called upon to disregard the laws of the land and the wishes of the high and mighty, who sends down his desires to this body, to violate the law or be inconvenienced. Every city and every village in my State to-day have disregarded this law and have gone back to the old time. This forces every one of Ohio's citizens to be technical law violators. The only thing that it really causes is inconvenience with the railroads and with transportation. I have it on good authority that the people who are interested in maintaining this law are the financial interests, because they lose a few hours of interest in computing the time at which interest begins and ends. [Laughter on the Democratic side.] I am very glad to hear you enjoy that remark, but if you will go to your banker, and if he does not tell you that what I have said is true I will again vote with you.

Mr. PELL. Will the gentleman yield for a moment?

Mr. BEGG. I can not, as I have only a couple of minutes in which to speak. Another point. Mr. Speaker, why should not this rule be sustained and passed. It gives gentlemen on that side of the House—the Democratic—an opportunity, if they want to do so, to vote for the bill and for its passage. Many of them profess to be in favor of its repeal. If this action is dilatory, if it is delaying the passage of this Agricultural bill, you can not charge it to a single man in this House, but to the President.

Mr. DONOVAN. Will the gentleman yield?

Mr. BEGG. There has been one vote taken on the bill, and it passed by a vote of 232 to 122. I can not yield now.

Mr. DONOVAN. All right.

Mr. BEGG. And if 232 Representatives of this House do not have the means to be and are not in closer touch with the common people of this country than any President can be, sitting in the White House, what is a Congress for?

Mr. PELL. God knows.

Mr. BEGG. Nor do I know, by the way it has been acting the last two years, by its bowing to every whim of the President.

Mr. COOPER. Will the gentleman yield?

Mr. BEGG. I yield to the gentleman from Ohio.

Mr. COOPER. The gentleman from Illinois just stated he represented the toiling masses, the working people of the land. How do the working people of Ohio stand on this bill?

Mr. BEGG. Ninety per cent or more are in favor of its repeal.

Mr. DONOVAN. Will the gentleman yield?

Mr. BEGG. For a question.

Mr. DONOVAN. The statement of the gentleman was that financial interests are opposed to it, owing to losing some certain hours of their interest charges. Now, I will ask the gentleman if he will call on the gentleman from Pennsylvania [Mr. MCFADDEN], one of his colleagues, who is a banker, as to whether there is anything that would cause one to base such an opinion——

Mr. BEGG. I will give the gentleman the privilege of asking the gentleman from Pennsylvania [Mr. MCFADDEN].

Mr. DONOVAN. I would ask the gentleman from Pennsylvania [Mr. MCFADDEN]——

Mr. BEGG. But not in my time. Mr. Speaker, I want again to call the attention of the House, and particularly the new Members——

The SPEAKER. The time of the gentleman has expired.

Mr. BEGG. May I have one minute more?

The SPEAKER. The gentleman from Kansas controls the time.

Mr. CAMPBELL of Kansas. I yield the gentleman one minute more.

Mr. BEGG. I want to call the attention of the new Members, because I am one, and I admit we are pretty green in some of our aspects on the floor of this House, and also to direct the attention of the old Members to this fact: We came from the people last fall [applause], and we know their wishes as well as you who are older, and I want again to direct the attention of the Members on the Democratic side to the fact that the reason we are here is because the people back home were not satisfied with your administration. [Applause.]

Mr. SABATH. Will the gentleman yield?

Mr. BEGG. I want again to appeal to the Members of this side of the House that you will not get any consideration by pleading with that side of the House. [Applause.] I want to say to the leaders on this side you can count on me for Republican measures, because I am a Republican all the time. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield two minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, the situation is a very simple one. There are just two questions before us. The first is, Shall we stop talking and begin to vote—— [Cries of "Vote!" on the Democratic side.] That is what the previous question means, and gentlemen who vote against the previous question are not voting to settle anything, but simply to indulge in further conversation.

Second, the question is, Shall we consider the Agricultural bill, a great supply bill that should be passed? It is reported by the Committee on Agriculture. The only way it can be considered is under a rule, and the adoption of the rule will provide for the immediate consideration and passage of the bill; and it is the duty of every man on this side, at least, having regard for the great interests served by this bill, to vote for the previous question and vote for the rule, in order that we may pass the Agricultural bill promptly. [Applause on the Republican side.]

Mr. GARRETT. Mr. Speaker, the gentleman from Kansas kindly agreed to yield to me three minutes.

Mr. CAMPBELL of Kansas. I yield three minutes to the gentleman. I will state to the gentleman from Tennessee, however, that there will be two more speeches on this side.

Mr. GARRETT. That is perfectly satisfactory to me.

I have twice stated that if the previous question should be voted down, under the practice of the House some one in opposition to the resolution as it stands would be entitled to the floor for the purpose of offering an amendment. If that should occur, therefore, and I obtain recognition, I shall offer this resolution as a substitute for the committee resolution:

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7413, being a bill making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920; that the first reading of the bill be dispensed with; that there shall be not to exceed one hour of general debate, one-half to be controlled by the gentleman from Iowa [Mr. HAUGEN] and one-half by the gentleman from South Carolina [Mr. LEVER]; that at the conclusion of general debate the bill shall be read for amendment under the five-minute rule; that at the conclusion of the reading of said bill it shall be reported to the House with amendments, if any, whereupon the previous question shall be considered as ordered on the bill and all amendments to final passage without intervening motion, except one motion to recommit.

With that resolution there is no reason why this bill should not be considered and passed before the sun goes down to-day.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield three minutes to the gentleman from Ohio [Mr. DAVEY].

Mr. DAVEY. Mr. Speaker and gentlemen of the House, I appear before you because I am in favor of the repeal of the daylight-saving law.

In the brief time allotted to me I wish to give the several reasons which lead me to that conclusion. First, the people in both the cities and the country in the section from which I come are against the daylight-saving law. The sentiment among the farmers is almost universal against it, and I might answer my very eloquent friend from Illinois [Mr. JOHN W. RAINEY] that the people of the cities, the toiling masses, in our part of the country are against the daylight-saving law. I represent as great an industrial city as there is in the Middle West—the city of Akron. [Applause.] There is no question that the present daylight-saving law is a great injustice to the farmer, and I am very much of the opinion that it is an equal injustice to the people of the cities. I can well understand why those distinguished gentlemen from the East are in favor of the present daylight-saving law, and I can not blame them.

Mr. PLATT. Will the gentleman yield?

Mr. DAVEY. I will yield.

Mr. PLATT. Is it not true that Toledo and Cleveland, Ohio, adopted a daylight-saving law ahead of the Government?

Mr. DAVEY. It is true that all the cities of eastern Ohio adopted eastern time, and now they have rejected the faster time and gone back to the old time.

Mr. PLATT. If this bill is passed as the Committee on Agriculture is bringing it in, it will still leave you an hour ahead of where you were before.

Mr. DAVEY. It will leave us where we were by choice.

There is one more thing that I wish to say, gentlemen, perhaps partly in answer to my very good colleague from Ohio——

The SPEAKER. The time of the gentleman has expired.

Mr. DAVEY. It is just this, that I appear here as an American citizen and not as a Democrat. [Applause on the Republican side.] I am seeking to serve my country as an American, and I hope to be a better Democrat by being first an American. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, the motion will be on the previous question. The gentleman from Tennessee [Mr. GARRETT] has appealed to the House to vote down the previous question, and at the same time was frank enough to state that that would throw the control of the House to the other side of the aisle. That is the only real political motion that will be made upon this subject to-day—the motion on the previous question. If the gentlemen on this side desire to throw the control of the House of Representatives to-day into the hands of the Democratic Party, they will vote against the previous question.

The next question is on the adoption of the rule. That brings the question of the consideration of this bill before the House to-day, and will enable the House to pass the bill to-day. The motion that would be offered by the gentleman from Tennessee [Mr. GARRETT], if he were given control here, would delay the passage of this bill for as long as it takes to pass the Agricultural appropriation bill, which in the last instance was about 10 days. Last of all, if this rule is agreed to, it simply gives the House of Representatives an opportunity to consider all the legislation made in order in this bill. It is not a party question after this rule is agreed to. It is then a question for the House of Representatives to decide.

Mr. GARRETT. Will the gentleman yield?

Mr. CAMPBELL of Kansas. For a brief question.

Mr. GARRETT. Of course, the gentleman does not mean to leave the impression that there is opportunity to consider it with amendments?

Mr. CAMPBELL of Kansas. I did not intend that the House should so understand it. I have stated the contrary. The House will have an opportunity to discuss, however, the only question at issue, which is the daylight saving. That is the only question at issue here; and the motion to recommit will give a yea-and-nay vote to the Members of this House on the daylight saving. If a yea-and-nay vote is not had upon an amendment to that, that provision goes out of the bill. And I say to the House that, if I have any influence with those in control, we shall have a yea-and-nay vote on the daylight saving [applause], so that every Member of the House who is opposed to the law can go on record plainly for its repeal, and those in favor of the law can just as plainly vote against its repeal. [Applause.] All we ask is that the Members of the House of Representatives shall have an opportunity to consider this bill as indicated in the rule and vote as they please on the question of daylight saving.

The rule makes the legislation in order in the House. Then Members of the House can vote as their convictions dictate and as their constituents desire when it comes to voting upon the question at issue.

Mr. Speaker, I move the previous question on the resolution. [Applause.]

The SPEAKER. The gentleman from Kansas moves the previous question. The question is on agreeing to that motion.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GARRETT. I ask for the yeas and nays.

The SPEAKER. The gentleman from Tennessee demands the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Those in favor of ordering the previous question will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 201, nays 178, answered "present" 1, not voting 50, as follows:

YEAS—201.

Ackerman	Evans, Nebr.	Little	Rodenberg
Anderson	Fess	Longworth	Rogers
Andrews, Md.	Focht	Luce	Rose
Andrews, Nebr.	Fordney	Lufkin	Rowe
Anthony	Foster	Luhring	Sanders, Ind.
Bacharach	French	McArthur	Sanders, N. Y.
Baer	Fuller, Ill.	McCulloch	Sanford
Barbour	Fuller, Mass.	McFadden	Sells
Begg	Garland	McKenzie	Shreve
Benham	Glynn	McKinley	Sinclair
Bland, Ind.	Good	McLaughlin, Mich.	Sinnott
Blanton	Goodykoontz	McLaughlin, Nebr.	Sisson
Boies	Graham, Ill.	McPherson	Smith, Idaho
Bowers	Green, Iowa	MacCrate	Smith, Ill.
Brooks, Ill.	Greene, Mass.	MacGregor	Smith, Mich.
Brooks, Pa.	Griest	Madden	Snell
Browning	Hadley	Magee	Snyder
Burdick	Hardy, Colo.	Merritt	Steenerson
Burroughs	Haskell	Michener	Strong, Kans.
Butler	Haugen	Miller	Strong, Pa.
Campbell, Kans.	Hawley	Monahan, Wis.	Summers, Wash.
Cannon	Hays	Mondell	Sweet
Chindblom	Hernandez	Moore, Ohio	Taylor, Tenn.
Christopherson	Hersey	Moore, Pa.	Temple
Classon	Hickey	Morgan	Thomas
Cole	Hill	Morin	Thompson, Ohio
Cooper	Hoch	Mott	Timberlake
Copley	Houghton	Mudd	Tincher
Crago	Hulings	Murphy	Towner
Cramton	Hull, Iowa	Nelson, Wis.	Treadway
Crowther	Husted	Newton, Minn.	Vaile
Currie, Mich.	Hutchison	Newton, Mo.	Vestal
Curry, Calif.	James	Nichols, Mich.	Voigt
Dale	Jefferis	Ogden	Ward
Dallinger	Johnson, S. Dak.	Osborne	Wason
Darrow	Johnson, Wash.	Paige	Watson, Pa.
Davey	Jones, Pa.	Parker	Webster
Davis, Minn.	Juul	Peters	Wheeler
Dempsey	Kearns	Platt	White, Kans.
Denison	Kelly, Pa.	Quin	White, Me.
Dickinson, Iowa	Kendall	Radcliffe	Williams
Dowell	Kennedy, Iowa	Ramsey	Wilson, Ill.
Dunbar	Kennedy, R. I.	Ramseyer	Winslow
Dunn	Kinkaid	Randall, Wis.	Wood, Ind.
Dyer	Knutson	Reavis	Woodyard
Edmonds	Kraus	Reber	Yates
Elliott	Kreider	Reed, N. Y.	Young, N. Dak.
Ellsworth	Lampert	Rhodes	Zihlman
Elston	Langley	Ricketts	
Emerson	Layton	Riddick	
Esch	Lehlbach	Robsion, Ky.	

NAYS—178.

Alexander	Carss	Gandy	Larsen
Almon	Carter	Ganly	Lazaro
Aswell	Casey	Gard	Lea, Calif.
Ayres	Clark, Fla.	Garner	Lesher
Babka	Clark, Mo.	Garrett	Lever
Bankhead	Cleary	Goldfogle	Linthicum
Barkley	Coady	Goodwin, Ark.	Lonergan
Bee	Collier	Hardy, Tex.	McAndrews
Bell	Connally	Harrison	McDuffie
Benson	Crisp	Hastings	McGlennon
Black	Cullen	Hayden	McKeown
Blackmon	Davis, Tenn.	Heflin	McKinley
Bland, Mo.	Dent	Hersman	McLane
Bland, Va.	Dickinson, Mo.	Holland	Major
Booher	Dominick	Howard	Mansfield
Box	Donovan	Huddleston	Mapes
Brand	Doremus	Hudspeth	Martin
Briggs	Doughton	Humphreys	Mays
Brinson	Drane	Igoe	Mead
Brumbaugh	Dupré	Jacoway	Minahan, N. J.
Buchanan	Eagan	Johnson, Ky.	Montague
Burke	Evans, Mont.	Johnson, Miss.	Moon
Byrnes, S. C.	Evans, Nev.	Johnston, N. Y.	Mooney
Byrns, Tenn.	Ferris	Jones, Tex.	Moore, Va.
Caldwell	Fields	Kincheloe	Moores, Ind.
Campbell, Pa.	Fisher	Kitchin	Nelson, Mo.
Candler	Fitzgerald	Kleczka	Nicholls, S. C.
Cantrill	Flood	LaGuardia	O'Connell
Caraway	Gallagher	Lanham	O'Connor
Carew	Gallivan	Lankford	Oldfield

Oliver	Robinson, N. C.	Stedman	Watson, Va.
Olney	Romjue	Steele	Weaver
Overstreet	Rubey	Stephens, Miss.	Webb
Padgett	Rucker	Stephens, Ohio	Welling
Park	Sabath	Stevenson	Welty
Parrish	Sanders, La.	Sumners, Tex.	Whaley
Pell	Saunders, Va.	Taylor, Ark.	Wilson, La.
Phelan	Scott	Taylor, Colo.	Wilson, Pa.
Pou	Sears	Thompson, Okla.	Wingo
Ragsdale	Sherwood	Tillman	Wise
Rainey, H. T.	Siegel	Tinkham	Woods, Va.
Rainey, J. W.	Sims	Upshaw	Wright
Raker	Small	Venable	Young, Tex.
Randall, Calif.	Smithwick	Vinson	
Rayburn	Steagall	Watkins	

ANSWERED "PRESENT"—1.

Nolan

NOT VOTING—50.

Ashbrook	Gould	King	Schall
Britten	Graham, Pa.	Lee, Ga.	Scully
Browne	Greene, Vt.	McClintic	Slemp
Costello	Griffin	Maher	Smith, N. Y.
Dewalt	Hamill	Mann	Stiness
Dooling	Hamilton	Mason	Sullivan
Eagle	Hicks	Neely	Tilson
Echols	Hull, Tenn.	Porter	Vare
Fairfield	Ireland	Purnell	Volstead
Frear	Kahn	Reed, W. Va.	Walsh
Freeman	Kelley, Mich.	Riordan	Walters
Godwin, N. C.	Kettner	Rouse	
Goodall	Kiess	Rowan	

So the previous question was ordered.

The Clerk announced the following pairs:

Until further notice:

Mr. TILSON with Mr. ASHBROOK.

Mr. WALTERS with Mr. SCULLY.

Mr. WALSH with Mr. MAHER.

Mr. VARE with Mr. DEWALT.

Mr. REED of West Virginia with Mr. DOOLING.

Mr. STINESS with Mr. RIORDAN.

Mr. PORTER with Mr. HAMILL.

Mr. MANN with Mr. SMITH of New York.

Mr. KELLEY of Michigan with Mr. GRIFFIN.

Mr. KAHN with Mr. KETTNER.

Mr. GRAHAM of Pennsylvania with Mr. ROWAN.

Mr. GREENE of Vermont with Mr. SULLIVAN.

Mr. SLEMP with Mr. EAGLE.

Mr. MASON with Mr. BABKA.

Mr. HICKS with Mr. HULL of Tennessee.

Mr. IRELAND with Mr. LEE of Georgia.

Mr. KING with Mr. NEELY.

Mr. PURNELL with Mr. MCCLINTIC.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER. The House automatically resolves itself into the Committee of the Whole House on the state of the Union, and the gentleman from Kansas [Mr. CAMPBELL] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 7413) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, with Mr. CAMPBELL of Kansas in the chair.

Mr. HAUGEN. I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The first reading of the bill is dispensed with under the rule.

Mr. HAUGEN. I yield five minutes to the gentleman from Kansas [Mr. TINCHER].

Mr. TINCHER. Mr. Chairman and gentlemen, I do not intend to take up much time on this bill. I think it is important that this House pass the bill, but I do want to talk just a little bit about the so-called Senate amendments. They are Senate amendments in a way, and in a way they are not. Every one of them was changed in conference. As I understand it, there were six amendments proposed by the Senate, which the conferees finally accepted as revised by the conferees, and they were attached to this bill as it passed. Every one of them ought to be on the Agricultural bill, and it is hardly fair to the body at the other end of the Capitol to criticize them for wanting to put some amendments on the Agricultural bill. Being an appropriation bill, it has to originate in this House; and certainly, as it has to pass the Senate, they have a right to some consideration in it. The conferees of the House reduced the amendments of the Senate until they are merely nominal as compared with other appropriations. Under this rule, of course, the only vote that will be of any consequence is that on the daylight saving. Your committee in reporting the bill as they did were actuated by two things. One was the current report that the President, having spent a few days in the United States, has been informed concerning the wishes of the people of the United States with reference to this war measure and that he is now ready to act accordingly. I do not know how reliable that information is. Much of my information is of a negative character, procured by consulting the ranking members of our committee on the other side, men whom you would have supposed the President would have consulted before vetoing this bill; men of the opposite party to myself, who are familiar with conditions in the United States, who favor the repeal of the daylight-saving law, and men who know the feeling of the people here. I am informed that the President never talked to one of them before vetoing the bill. He must have been busy in preparing that long treaty and in the work that he had abroad, and he was simply ill-advised in making that veto, and we are all hoping it will not occur again.

The other proposition is that a two-thirds majority of both Houses of Congress have voted to repeal this law, and there was some question in the committee whether that proposition had been properly presented to the Chief Executive. I think he was not advised on this subject. I am sure that some one from that side of the House had talked to him on one of the days that he was at home concerning a man at Ellis Island whom they were going to have removed. Then I think another man spent a day or two with him, no doubt, concerning this man Densmore, and I am satisfied some man on that side of the House has been explaining to him about the Postmaster General, and a lot of Senators were talking to him about the league of nations, so that he did not have time to find out that nearly three-fourths of the Representatives in Congress, representing their people at home, whose sentiments they speak, were asking for the repeal of the daylight-saving law. We are now simply offering him a chance to correct his error. [Applause.]

Mr. LEVER. I yield five minutes to the gentleman from Texas [Mr. YOUNG].

Mr. YOUNG of Texas. Mr. Chairman and gentlemen of the committee, I represent an agricultural district. I have no large cities in my district. My people are favorable to the old system of time. They are against the new innovation. I voted against it. I voted to override the President's veto. While I did that and while I shall continue to represent the views of my people, as I understand them, I recognize the fact that I am confronted with a situation where I have got to use my judgment as a man and as a lawmaker.

The President was within his authority under the Constitution when he vetoed the Agricultural appropriation bill. We were within our authority when we sought to override that veto and restore the old time. Now, we have before us the proposition as to whether or not we are to have legislation writing the appropriation bill into law, so that the great Agricultural Department may function, or whether we shall pass the buck back to the President and let him again veto this bill, because it carries with it the measure that he vetoed only quite recently. It is a serious proposition that confronts me as a representative of my people; but while that is true, I have come to the conclusion after deliberate thought that we can have legislation on this time question by reason of the fact that in the other end of the Capitol now is a bill containing the very provision that is in this bill. All that the Senate has to do is to pass on that legislation, and we shall have it stripped of the appropriation features of this bill, and then we can vote our sentiments and override the veto of the President, should he veto that measure if it is passed by the Senate. I do not feel that I can by my vote delay the appropriation bill which supports the entire Agricultural Department of this Nation, because that department now needs the funds, and I shall vote to pass this bill without the daylight section and take my chances as to representing my people who are in favor of repealing the daylight law, and when that measure passes the Senate and comes back, even if the President vetoes it, I shall vote to override that veto. That is the common sense of the situation as I see it. [Applause.]

I yield back the remainder of my time.

Mr. LEVER. How much time did the gentleman yield back?

The CHAIRMAN. The gentleman from Texas had one-half minute remaining.

Mr. HAUGEN. I yield five minutes to the gentleman from Nebraska [Mr. MCLAUGHLIN].

Mr. McLAUGHLIN of Nebraska. Mr. Chairman, it seems to me that the committee, in reporting this bill in its present form, acted wisely. As has been stated by my colleagues, there are other riders on the bill, four or five of them. It would, therefore, have been unfair to make all other riders in order and at the same time not give the House the privilege of taking

a vote on the daylight-saving proposition—a question on which we have received more petitions for its repeal than have been received on all other matters of legislation put together. More than 2,200 telegrams came to the House Office Building the first day after the President's veto, urging Congress to repeal the daylight-saving law notwithstanding the veto. It is a fact that farm organizations all over the country from New York to California and from the Canadian line to the Gulf are now sending letters, telegrams, and petitions to the President endeavoring to inform him that the farmers of this country are practically unanimous for the repeal of this provision.

Mr. SEARS. Will the gentleman yield?

Mr. McLAUGHLIN of Nebraska. I will.

Mr. SEARS. If that is true, why does not the Republican majority in the Senate pass the bill which the House has already passed?

Mr. McLAUGHLIN of Nebraska. That is not for our consideration over here.

There were two arguments which the Executive used in justifying his veto of this bill. The first was that his advisers, including the experts of Europe, had informed him that the daylight law was a good and wise measure; and the second that the law enabled laborers to work during daylight and save artificial light, thereby saving fuel.

I submitted to the Members when this matter was up for consideration before that during the months of April, May, September, and October people who start at work at 7 o'clock in the morning, as most people do, must begin work by artificial light. In addition, they must use artificial light in the home to get ready to go to work. So the reasons given for the veto are not valid. I believe that if these things are pointed out to the President in addition to the vast number of telegrams and petitions that will come to him in the meantime, the President will see the wisdom of approving this measure if it goes to him a second time.

I want to submit, in all fairness, that if the people of the large cities see advantages in this measure they can have such advantages without the law—without forcing upon the farmers of all the country the disadvantage of working contrary to the natural hours regulated by the sun. It is unfair to ask the farmers of the entire Nation, upon whom not only this country but the world is depending for food, to work an hour and a half ahead of the sun.

It was argued when the hearings were had, when this act was passed in the previous Congress, that certain manufacturers in the East had adopted this provision before the law went into effect and had found it advantageous. If that is so, why, in the name of common sense, can not they start an hour earlier in the morning and have an hour extra in the afternoon without saying by mandate of law to all these 10,000,000 farmers, "You must adopt this law in order to accommodate us in the city"?

The fact of the matter is a large majority of the laborers in every part of the country are also asking for this repeal. Organized labor recently voted by a large majority for its repeal. The propaganda for the law is being directed entirely by the Daylight Savings Corporation of New York City.

Mr. Chairman, I submit that such imposition is not fair. I appeal to the sense of justice of my colleagues. I believe if this matter was submitted to the President of the United States by his numerous friends on the Democratic side of the House in just the right light he would see the error of attempting to fasten on the millions of farmers and laboring men of the country a rule that is to their disadvantage, when all the advantages claimed for the measure can be had by every city that wants them without any law at all. [Applause.]

Mr. Chairman, I yield back the balance of my time.

Mr. HAUGEN. Mr. Chairman, I yield three minutes to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Chairman, I want to say that I have never known the people of Illinois to be so wrought up over a proposition as they seem to be over this.

On Monday, the 14th, I voted to override the President's veto and pass the repeal bill. Through an inadvertence, which nobody intended, a couple of dispatches were sent from here to the papers stating I was the only Illinois Member of Congress outside of the city of Chicago who had voted to sustain the President's veto. From that time to this life has been a burden. To show the intensity of the feeling, I want to take the liberty within my few minutes to read a portion of a letter I have received.

Hon. RICHARD YATES,
Washington, D. C.

DEAR CONGRESSMAN YATES: I have just noticed that you voted to sustain President Wilson on the nonsensical daylight-saving law. I am surprised to see you vote thus, but you know what you want to do. You will not have many supporters in this section when you ask for votes again. I have supported you a great many times and under trying circumstances, but I can not and will not support you any more.

I venture to say that every Member of this House has heard from his constituents in every nook and corner of the country on this subject. I have, Mr. Chairman, and I do not want any mistake whatever as to how I am going to vote. I am going to vote here to-day to pass the repeal of the daylight-saving law over the President's veto. And in doing so I will register the will, the overwhelming will, of the overwhelming majority of the people of Illinois. [Applause.]

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that Members be given five legislative days to extend their remarks in the RECORD.

Mr. LEVER. On the bill, on the daylight-saving proposition?

Mr. HAUGEN. Yes.

Mr. SABATH. What is the request?

Mr. HAUGEN. For five legislative days for Members to extend their remarks. Only one hour has been given for debate, and it is fair to give Members the right to extend their remarks.

Mr. MOORE of Pennsylvania. Reserving the right to object, I want to ask the gentleman to make this specific—that these are to pertain only to the subject of the daylight-saving law.

Mr. HAUGEN. Very well.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. AYRES. I object.

Mr. LEVER. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. RUBEY], a member of the committee.

Mr. RUBEY. Mr. Chairman and gentlemen of the committee, we have now under consideration the Agricultural appropriation bill, which covers something like 100 pages. However, in the present situation no attention is being paid to the important provisions of the measure and the necessity of speedy action on our part. With many Members the only question is the sending of this bill back to the President of the United States a second time, when it is sure again to be vetoed and result in still further delay and consequent hardship upon every employee of this great department of the Government.

Let me briefly recount the history of this legislation. Very soon after the convening of Congress in extra session we passed the Agricultural appropriation bill and sent it to the Senate. When we took the bill up for consideration in the House the Committee on Rules was appealed to and asked to give us a rule in order to make the repeal of the daylight-saving law in order upon the appropriation bill. The Committee on Agriculture was unanimous, with one exception, in asking for that rule. Now, what happened? The Committee on Rules refused the rule, and we had to pass the appropriation bill through the House without the daylight-saving repealing clause in it. The bill went to the Senate. There they inserted the repealing clause; it came back here, and we agreed to it. It then went to the President, and he vetoed it.

I yield to no man in my admiration of the President of the United States, Woodrow Wilson, and yet I feel that he made a mistake when he vetoed that provision of the Agricultural bill. In doing so, however, he acted wholly within his rights. When the bill came back with the veto message to the House, I voted to pass it over the President's veto, but we lacked a few votes of the necessary two-thirds and failed to pass it over his veto. The bill was then sent to the Committee on Agriculture. That committee now brings it here again to-day, with the recommendation concurred in by a majority that the bill again be passed and sent to the President with this repealing clause in it. There is not a gentleman in this House who is a thinking man but knows that when it reaches the President of the United States it will again be vetoed.

It is no light matter to veto a bill. No President of the United States is going to put his veto upon a measure without giving it his careful and candid consideration. We know that the President before he vetoed this bill did give the matter careful consideration, and you know and I know when it goes back to him it will mean another veto message and another delay in the passage of this measure. It is not necessary to do that. Three times this House has placed itself upon record in favor of the repeal of the daylight-saving law. You did it when you agreed to the conference report upon the Agricultural appropriation bill, you did it when you passed the Esch bill through this House as a separate measure, and you did it a few days ago when you voted by almost a two-thirds majority to pass this bill over the President's veto.

To-day in the other end of the Capitol there is the Esch bill, which was passed through this body by a vote of 244 to 133. That bill has been lying over there unacted upon for days and weeks. Why do not you gentlemen who are so anxious to put this up to the President a second time go over there and urge

your friends upon the committee on that side to report out that bill? If you will do that, in 15 minutes it can be passed through that body and be sent to the President of the United States. I am in favor of the repeal of the daylight-saving law. I have voted for its repeal, I have voted to pass it over the President's veto, and should the Esch repeal bill be vetoed I will vote to pass that bill over the veto. I am unwilling to longer delay and hinder the passage of a great supply bill when this repeal can be accomplished in the regular way by the Senate passing the measure which has already been acted upon by the House.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. LEVER. Mr. Chairman, I yield one and one-half minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Chairman, I shall vote against the repeal of the daylight-saving law, and in doing so I voice the sentiments of more than 218,000 people whom I represent in the city of Baltimore. They have tried this law for a year. They find it beneficial. The school-teachers are in favor of it. I find there is a universal sentiment in the city of Baltimore against its repeal. I wish the bill which has been sent to the Senate could be considered by that body, so that the matter would be taken up in the proper way. I was talking to one of the men employed in the Agricultural Department yesterday. He told me that men there were borrowing money that they might live upon, and that they were unable, many of them, to go home on their vacations because they did not have money, and when they borrow this money he said they have to pay 10 per cent interest upon it. This matter ought to be taken up as an individual matter and not placed as a rider on the Agricultural appropriation bill. One of the speakers has just told us that there are 12,000,000 people engaged in the agricultural pursuits of the country and 27,000,000 people engaged in the industrial pursuits. Is not this great number of people, more than doubling the 12,000,000, entitled to some consideration in this matter?

Take the lives of those engaged in agricultural pursuits. They live in the fresh air and sunshine of the country, amid the trees and flowers and those things which make for health and comfort. Their life is one in the open fresh air and the beautiful sunshine—two ingredients which physicians tell us are more health-giving than all the medicines we could take. Their food is fresh from garden and field, and everything which Providence has provided is at their hand.

The 27,000,000 engaged in industrial pursuits are composed of men, women, and children crowded into the factories and shops of the great cities of the land, toiling behind the machines, sewing in the factories, and performing all the vast services required of them in their line of endeavor. Their life during working hours must necessarily be confined indoors in the crowded portions of our cities, where the heat of the day is reflected by brick and mortar, amid the close air of the factory, and the smoke coming from the great chimneys in their sections. Their only chance to get the fresh air, to enjoy free exercise and a bit of the country, is during their leisure hours when daylight makes it possible.

If you cut off the hour provided under the daylight-saving law in the afternoons they are deprived of just that much daylight in which to enjoy some of the blessings which the agricultural community enjoys all the time. To speak of the golf or tennis player is to speak of only an infinitesimal part of our city people. The men and the women enjoying this pursuit usually control their own time in which to take their exercise or to work; they are not confined to the long hours and the arduous work of those engaged in the industrial pursuits.

I speak for the laboring men, the women, and the children who find, by virtue of this law, they can get into the great parks and recreation centers of our cities to enjoy a little pleasure during daylight when their work has ended, the toiling masses of our people who are entitled to our attention. To go through my city after working hours one beholds in that section where live those engaged in these pursuits thousands of men, women, and children sitting upon the doorsteps, parading in the parks, playing baseball or some other game in which they are interested. It has meant much to these people, and to deprive them of it would be a great handicap.

I realize from what has been said that the farmer is somewhat inconvenienced by virtue of this law, but from my personal observation of the farmers of my State I can not see where it has been very harmful to them. Let them practice a little Christianity; let them remember their brethren engaged in the cities who are the purchasers and consumers of the products which they produce.

My city is largely engaged in canning enterprises, in the manufacture of many articles of clothing, ready-made and otherwise. When these factories or canning houses close in the evening one beholds thousands of the young boys and girls wending their way toward home. They have time under the present law for something to eat, and then they can make their way to the great parks, the river sides, and other places of amusement for recreation and fresh air.

I do hope nothing will be done to deprive them of this great blessing. If you must test the strength of Congress against the constitutional right of veto by the President, do not do it at the expense of the Agricultural bill as a rider. Let us not subject the employees of the Agricultural Department to delays and expense by not being able to pay them their money. There are thousands of these employees, many of them compelled to borrow money to live upon, some paying large percentage. Pass the Agricultural bill as an Agricultural bill, and let the Senate take up and consider and pass, if they will, the law which passed this House, repealing daylight saving, so that the question can go before the President purely upon its merits, and then if it is vetoed and the opposition wants to take the matter before the country in the next election, they will have a clear-cut case to present to the people.

Mr. Chairman, I sincerely hope that this daylight-repeal rider will not pass this House; that the President having expressed his opinion through his constitutional authority and having been sustained by a vote of this House, it will not be put up to him again in a similar bill in a similar manner, but individually as a separate and distinct proposition as provided in the bill I have mentioned.

By unanimous consent, Mr. LINTHICUM was granted the right to extend his remarks in the RECORD.

Mr. LEVER. Mr. Chairman, I yield five minutes to the gentleman from Florida [Mr. SEARS].

Mr. SEARS. Mr. Chairman, I am unalterably opposed to the daylight-saving law. My State was placed in a new zone, and therefore they ran the clock up two hours, and we are now practically sleeping in the daytime and working at night. My people are opposed to this law, but I do not believe in hypnotizing myself into believing we can secure the repeal of that law by a rider on this bill any more than I believed in hypnotizing myself into trying to believe that we were saving daylight. I shall therefore not vote for the proposition in connection with this bill. This great appropriation bill was held up until last Monday because of the President's veto, but since that time the delay has been caused by the committee. I voted to override the President's veto. I voted for the amendment to the Agricultural bill repealing the law. I voted for the bill repealing the daylight-saving law, which is now in the Senate of the United States, and I say to my friends on the Republican side, if they have hypnotized themselves to the extent of believing they are fooling the people of this country, I fear they will wake up to find out that they are mistaken. Gentlemen on the other side know they have a majority in the Senate. The people know you have a majority in the Senate, and they know that even before this bill was reported that the Senate of the United States, with or without the Democratic votes, could have repealed that law, and the bill dealing solely with daylight saving could have been sent to the President for his consideration.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. SEARS. No; I can not yield, as I only have a few minutes. That would not have delayed this Agricultural appropriation bill, which should have already been passed so the Department of Agriculture and the work under it may be carried on throughout this country without further interruption. I believe the time has come when gentlemen in this House should try at least to rise above politics and meet the measurement of statesmen.

It is all right for you to play your little politics when you go home and try to fool the people, but the farmers of the country for whom you are so solicitous are reading the newspapers, and they know that the play you are pulling off here to-day is merely for political effect, mere buncombe, and it will not get you anywhere. What the people want is a repeal of the daylight-saving law, and I trust my good friends on the Republican side will be sincere, and that they will go to their colleagues at the other end of the Capitol and have them pass favorably upon the bill which we sent over to them.

As I said before, every chance I get to repeal the law I shall do so, except in this case, where I believe I would do more harm than good by voting to again place it as a rider upon this bill, knowing and believing as I do that the bill would again be vetoed and that it would be impossible to override the veto of the President of the United States, as shown by the vote the other day. Let us cease these political alignments and at least for a day legislate wisely.

Mr. DENISON. Mr. Chairman, will the gentleman yield?

Mr. SEARS. Yes.

Mr. DENISON. Does the gentleman think the President would veto this bill if it goes to him a second time?

Mr. SEARS. If the President was sincere in his first veto, and I believe he was, though I did not and do not agree with him, he will be false to himself if he does not veto it again if it includes the daylight-saving clause.

I desire simply to say further, Mr. Chairman, if the daylight-saving clause is permitted to remain in the bill, and it can only be permitted to remain in the bill for the purpose of embarrassing the President, those who are responsible can not escape the responsibility for any delay in the final passage of the bill.

I desire further to say I trust my Republican colleagues are sincere in their efforts to secure a repeal of the daylight-saving law, and, if they are, that they will see to it that the Senate passes the bill for that purpose which we passed and sent over there some time ago. I shall watch with a great deal of interest the final outcome and the fate of that bill.

Mr. HAUGEN. Mr. Chairman, I yield three minutes to the gentleman from Missouri [Mr. HAYS].

Mr. HAYS. Mr. Chairman, the President vetoed the Agricultural appropriation bill because that bill carried a provision to repeal the daylight-saving law. A large majority, but less than two-thirds, of this House has voted to override that veto. The appropriation bill is again before Congress for consideration, and I am in favor of again writing into it the clause for repeal of the daylight-saving law. The short time allotted to me will not permit a lengthy analysis of the reasons why this obnoxious law should be repealed. Suffice it to say that an overwhelming majority of the people of my district and of the Nation at large demand its repeal. The parents of school children in town and country are against this law; the dairymen who are now selling their herds rather than stay up all night to prosecute their business are against it; the farmers with one accord are tired of it; 90 per cent of the population in whatever vocation are insisting that this law be stricken from our statutes. That sentiment is reflected here to-day from Democrats as well as Republicans.

You gentlemen on the other side of this Chamber concur with us in saying the daylight law is a bad one and ought to be repealed; yet you say our effort to repeal it in this particular bill is partisan politics. I deny the insinuation of any partisanship in this question. You admit that the law should be repealed, yet you say its repeal should be an independent measure. You say if we pass the present bill with provision for repealing the daylight-saving law the President again will veto it. But I say he is much less likely to again veto the Agricultural appropriation bill with its daylight-saving repeal than he would be to veto an independent daylight-saving repeal bill. We were unable to pass the old bill over his veto; so why should we hope for strength to pass an independent daylight-saving repeal over his veto?

Gentlemen, I put the proposition up to you as a matter of expediency. Let us stand for repeal in the Agricultural bill and put it squarely up to the President. Too much is at stake under these vast appropriations for him to hazard a second veto. One of the greatest divisions of our Government, a department far-reaching in its activities, is now paralyzed by reason of the recent veto. Can the President afford to prolong that disaster by another veto? I say he can not. I assert that at the time he wrote his veto message he was ill-advised as to true conditions. He stated in the message that the daylight-saving law had given "all but universal satisfaction." You Democrats who oppose us to-day concede that the President was misinformed when he wrote the text of that message. But still you say he would veto it again. In your zeal to protect the President from his manifest blunder, perhaps you are unfair to him in your estimate of his character. I have great respect for the office of President; and I have great respect for Mr. Wilson. I want to deal more fairly with him than do you gentlemen on the other side of the aisle.

Some excuse may be offered for the mistake he has made. For many months he has been away from America. Although most of us believed he should have been in Washington, where his official duties lay, he saw fit to spend his time abroad. I do not recall that fact for criticism, because he was following the line of duty as he saw it. But I do recall the fact in order that you may see how completely he was out of touch with the masses of people at home. He could not know how obnoxious and offensive the daylight-saving law had become. In the brief interval between his return from the royal courts of Europe and the assertion of his veto power he had no chance to inform himself about the views of our people on this important question. Moreover, in the abundance of his wisdom, the President is not prone to seek advice from smaller minds. I dare say no Democrat in this House had the chance to advise him with regard to public sentiment on this matter, and I am quite sure no Republican could do it. Therefore, it is not surprising that the President guessed wrong when he went in the face of public opinion in his veto statement ascribing universal popularity to the irksome, unwieldy daylight-saving law. But now he knows better. The newspapers have informed him. Democratic and Republican speeches printed in the RECORD from a Congress sent here by a wide-awake national constituency have informed him. Petitions numbered by multiplied thousands have informed him.

No Member on either side of this House will challenge my statement when I say that President Wilson knows to-day what the people of America think about the daylight-saving law.

Yet Democrats stand here and say he will again veto this bill if we seek to repeal the daylight-saving law. But I am unwilling to subscribe to that harsh view of the President. I should not like to believe, as the members of his party assume to believe, that the President would bow his neck in the stubborn pride of opinion and ride roughshod over the action of a Congress voicing the recognized public sentiment. Yet, if my charitable excuse for his veto blunder is not well founded, if he should persist in defying public judgment, then we have the right to know it.

Mr. RUBEY. Mr. Chairman, I would like to ask permission to extend the few remarks I made a while ago.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. BEGG. Mr. Chairman, I make the same request.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman, I make the same request.

Mr. HAUGEN. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GOLDFOGLE. Mr. Chairman, I voted against the repeal of the daylight-saving law and see no reason at all to change my position. The daylight-saving law has been a piece of beneficent legislation to millions of American people. I voice the judgment of over 200,000 people of my district, a district made up of the working class, and I express the judgment of hundreds of thousands of the men and women in my city of every occupation and vocation when I say the daylight saving has contributed immeasurably to their comfort, their pleasure, and their happiness.

The increased hours of daylight made it possible for the people of my city—and I take it that it is so with the people of every other city and of the larger towns—to obtain a greater amount of outdoor enjoyment, a larger degree of convenience to have and enjoy the companionship of family and friends, and a broader opportunity for recreation than they had under the former time schedules. This has been conducive to better health, and it has made for the comfort and improvement of both mind and body. It has been the means of saving fuel and artificial light to a very large extent; and in these days of high and excessive cost of living it has aided in the savings of the middle and the poorer classes.

An amusing feature of the debates upon the law has been to hear Representatives of the farming districts vigorously appeal to the House as though the agricultural interests were exclusively to be considered and people engaged in industrial, commercial, manufacturing, and professional opportunities were deserving of no consideration at all. It was repeated again and again on the floor that those who opposed the provision to repeal were merely golf players and sought increased daylight for their own enjoyment. Those who thus spoke were either insincere in their unfounded and unjustified statements or else woefully ignorant of conditions of the masses outside of their rural environments.

In my insistence that the daylight-saving law be retained, I not only satisfy my own belief in the beneficial character of the law, but I am obedient to the demand of millions of toiling men and women, boys and girls, whom the increased hours of daylight, with all its opportunities and advantages, has brought much cheer and pleasure, better health and economic conditions.

The President in his wisdom, and in the exercise of his constitutional right, vetoed the Agricultural bill because of the rider that provided for the repeal of daylight saving. In his veto message he clearly stated his objections to the repeal. In the exercise of the duty and prerogatives of the House we took a vote on the question whether the bill should pass notwithstanding the President's objection, and the veto for want of a two-thirds vote was sustained. Why, then, try to foist this measure upon this House again? The attempt to coerce the President will not succeed, for were this repeal measure to be again passed by the House it would be met by another veto of the President. I have no patience with this effort to inject

partisan politics or play the game of petty politics with so great a measure as is before us. The attempt now made to pass the repealing clause after the President's veto has been sustained is unfair to the President, and is making a mere football of this legislation. If it should pass, it will lead to an unjustified delay in making necessary appropriations for the payment of Government employees and meeting the expenses for conducting the Agricultural Department and its activities. For such delay those who now seek the repealing clause passed will be responsible.

I am not unmindful that much inconvenience may be caused to a great many people in the land due to the changed daylight schedule, but the greatest good is to be given to the greatest number, and viewing daylight saving as wholesome and salutary to the greatest number of the people, I oppose the repeal of the law.

Mr. LEVER. Mr. Chairman, I yield five minutes to the gentleman from Mississippi [Mr. CANDLER].

Mr. CANDLER. Mr. Speaker, I ask that the gentleman from Ohio [Mr. MOONEY] be recognized for one minute of the five allotted to me.

Mr. MOONEY. Mr. Chairman and gentlemen of the committee, there is a very unusual situation in my city in regard to the matter under consideration. Cleveland, I think, was the first, certainly one of the first, cities to adopt the daylight-saving plan and it gave universal satisfaction, but shortly after the Nation followed our lead we were transferred from the central to eastern time zone. Under this arrangement we were really 1 hour and 40 minutes ahead of the sun, and following an ordinance by the city council the law has been disregarded.

It gave me pleasure to vote for the repeal of this law when our House bill was up for consideration. Later, when the Agricultural bill came back with Senate rider to repeal the law, although it seemed to me that this was no proper rider for an appropriation bill, I again voted for it, and still again when it came back vetoed by the President. I favored the repeal of daylight saving then and have not changed my position now; there is a bill for that purpose that has passed this House and is now pending in the Senate. I shall support that bill again should it come back to us. I do not understand why that course can not be followed by the friends of this repeal. It seems to me that there must be some purpose in adding this rider to an appropriation bill which does not appear upon the surface. The suspicion is present that some gentlemen who are confident that the President will again veto the entire bill seek to make it appear that he is responsible for delaying payment of salaries to employees in this department. With any such purpose I am not in sympathy; and for the reason that I feel, as the distinguished gentleman from Kansas says he does, that there should be no delay, I shall vote against the daylight rider in this bill, not because I do not want it repealed, for I do, but because I am unwilling to hamper this great department of the Government.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOONEY. Mr. Chairman, I ask unanimous consent to extend and revise my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CANDLER. The provision in this bill under consideration is the following:

> That section 3 of the act entitled "An act to save daylight and to provide standard time for the United States," approved March 19, 1918, is hereby repealed, effective on the last Sunday of October, 1919, after the approval of this act, when by the retarding of one hour the standard time of each zone shall be returned to and thereafter be the mean astronomical time of the degree of longitude governing each zone as defined in section 1 of said act approved March 19, 1918.

Mr. Chairman, this provision, if passed, would only repeal one section—section 3—of the daylight-saving law. It would not repeal all of the law; only one section. I was one of only 40 Members in the House of Representatives who voted against the passage of the daylight-saving bill when it originally passed in the House. I voted to repeal it the first opportunity offered. I voted the other day to pass it over the President's veto. Certainly, then, my record so far as the repeal of the daylight-saving law is concerned is unquestioned and unquestionable. I am against the daylight-saving law and anxious to have it repealed, and being anxious to have it repealed I do not want to see it placed upon this great Agricultural appropriation bill which will force the President again to veto it as well as to veto again the whole Agricultural bill. Now, what is the situation? The repeal of the so-called daylight-saving law was placed as a rider in the Senate on the Agricultural bill and passed the Senate and then the House, and the President, because of that provision, vetoed the whole bill. An effort was made in the House to pass it over the President's veto, and it failed. What assurance have you if you retain this provision in this bill that the President will not again veto it? You have no assurance whatever that he will not veto it, but on the other hand you have every reason to believe he will again veto the whole bill. In fact you and I are practically certain he will again veto it. Then why willfully endanger all the appropriations for the great Agricultural Department when by pursuing a sensible and reasonable course we can promptly pass this bill and then secure the repeal of the daylight-saving law on its own merits, if we can secure its repeal at all.

Mr. WELLING. Will the gentleman yield?

Mr. CANDLER. I am sorry I can not yield; I have not the time. Now, then, if this repeal provision is put upon this bill, if you will examine it, you will see it does not provide for the repeal of the daylight-saving law until the last Sunday in next October. I want to repeal it right now, to-day. You have plenty of time to pass a law to repeal it long before next October. You have got plenty of time. You appear very anxious to-day and show great apparent zeal to put this provision in this bill to repeal this law "next October," when you know it will defeat its repeal and defeat all the appropriations for the whole Agricultural Department. Are you willing to do that? I am not. [Applause.] Besides that, on the last Sunday in October the clocks will be turned back anyway and will not again be turned forward until March, 1920, under the present daylight-saving law as it is on the statute books. Therefore you will have from now until next October to repeal it and accomplish the same result, and not lose a minute of time, and in addition to that you will have six months after the 26th day of next October to repeal it and not take the slightest risk of defeating the Agricultural bill. Now, honestly, do you not believe that would be the safer and better course? Therefore your great anxiety to pass this provision in this bill for the repeal of this law next October, when under the present law the clocks will be turned back then anyway, does not seem to be genuine, but simply appears to be a disposition to play cheap peanut politics in reference to this bill and an effort to slap the President in the face, and if you do that I assure you that you will not secure the passage of the Agricultural appropriation bill or secure the repeal of the daylight-saving bill by any such unbecoming and unseemly tactics. [Applause.] You do not want either to pass the appropriation bill or repeal the daylight-saving law from the course you are pursuing, but to secure, if you can, some cheap political advantage, even at the expense of the general good, because you have every reason to believe the President will veto both again, and you can not pass the bill over his veto, because you have tried it and failed, and if you try it again you will fail again, and you know it. Then why try?

What is the becoming and sensible course to pursue? Eliminate this provision and pass this Agricultural appropriation bill without it, and you know the President will promptly sign it as soon as it reaches him, and the great Agricultural Department can resume its activities, which are now suspended and paralyzed. We have passed the bill repealing the daylight-saving law in the House of Representatives, and it is now pending in the Senate. You Republicans have a majority in the Senate as well as in the House. Let the Senate pass the daylight-repeal bill which has already passed the House and which I voted for, and send it to the President, and if he vetoes it I will vote to pass it over his veto. That is the orderly and becoming way to proceed to secure the passage of this Agricultural appropriation bill and to secure the repeal of the daylight-saving law. If both results can not be obtained in that way, they can not be obtained at all, and you must know it as well as I do. You are not deceiving yourselves, and you will not deceive the people, by your claptrap and apparent zeal when you must know you will only delay what the people desire, to wit, the repeal of the daylight-saving law and the passage of the Agricultural bill, if you persist in this course to include this provision as a rider on this bill. [Applause.]

The gentleman from Missouri [Mr. HAYS] said a little while ago, "Let us resort to some expediency." Well, all right; let us resort to some expediency right now and a little common sense as well and eliminate this provision from this bill and pass this Agricultural appropriation bill and secure the approval of it by the President of the United States, and put the Agriculture Department upon its feet again just as soon as possible, and then secure the passage of the bill repealing the daylight-saving law which a large majority in this House and in the Senate favor. If you are sincere, you will do that. If not, you will vote your peanut politics and not vote for the benefit of the Agriculture Department or for the best way to secure the repeal of the daylight-saving law or for the best interests of the country.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. CANDLER. I thank you, gentlemen of the House, for your attention and leave the matter with you for your serious consideration and decision. [Applause.]

Mr. SEARS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

Mr. ELSTON. Does the gentleman wish to extend on the remarks just made or extend his remarks upon another subject?

Mr. SEARS. On the remarks just made.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Chairman, the gentleman from Mississippi [Mr. CANDLER] suggested a few moments ago that we should put the proposition of repealing the daylight-saving law up to the Senate. "Passing the buck" seems to be the slogan on the Democratic side of the House.

Now, my friends, there is no politics in this issue whatever, notwithstanding the attempt on the part of several Democratic Members to give to it a political tinge. The quesion of repeal is purely economic. The people generally demand this legislation. It works a hardship on them as well as a financial loss, while only in a comparatively few instances would its repeal work a hardship in the cities.

The gentleman from Florida [Mr. SEARS] in his speech said that his constituents are practically a unit in demanding the repeal of daylight saving, and yet he is going to follow the President, who has set himself in opposition to the expressed wishes of a majority of the people. I ask you, is that representative government? Are we going to permit the President, who has been absent from this country for many months, and as a result of such absence has got out of touch with the American people to some extent, to dictate to this great legislative body as to what we are to do? Ah, my friends, if such is the case, the Congress of the United States has fallen upon evil days.

Mr. SIMS. Will the gentleman yield?

Mr. KNUTSON. I can not yield to my good friend from Tennessee, for I have but a few minutes remaining.

My friends, there should be no politics in this question, and I am sorry that a large majority of the Democrats have seen fit to line up behind the President on this question, notwithstanding that many of them at heart favor the repeal. I would vote to repeal this law even though it had been vetoed by a President belonging to my own party, for I will not stifle my honest convictions at the behest of any individual; neither will I knowingly vote against the majority sentiment of the people back home, who have been so good to me in the past. We are not here to vote our own sentiments or convictions, but rather to vote and act as those whom we represent wish us to vote. That is my conception of popular government, and I will continue to make that my guiding principle.

This question has been discussed pro and con in Congress, so there is really nothing new that I can bring into the discussion. It is working a positive hardship upon the agricultural classes which is daily resulting in great financial loss. Under the new order our farmers can not get out in the hay and harvest fields until 8 and 9 o'clock in the morning because of the heavy dews, and the hired men in many instances insist on quitting at 6 o'clock so they can go to town. It means that our dairymen must commence milking at 3 and 4 o'clock in the morning. It means too long a day for the housewives both on the farms and in the cities. I have had scores of letters from women in my district asking me to work and vote for this repeal, and I submit that we must take the American mothers into consideration. The sacrifices they made in the late war are without parallel in the annals of history, and God forbid that the day will ever come when we shall turn a deaf ear to their pleadings.

Gentlemen of the committee, this is a burning issue with us. The folks back home are not talking "league of nations," but they are talking for the repeal of the daylight-saving law. With them it is a breathing, pulsating issue, for it affects them vitally. We ought to legislate according to their wishes and best interests and not according to whim and caprice of an individual who has assumed to tell us what we want and need. I, for one, will not take orders from the White House. Mine come from the sixth district in Minnesota. I know no boss save the people of my district. [Applause.]

Mr. HAUGEN. Mr. Chairman, I yield two minutes to the gentleman from New York [Mr. SIEGEL].

Mr. SIEGEL. Mr. Chairman, I am going to vote against this bill when it comes up for a vote if it contains this rider. I am opposed to any legislation which contains a rider which is being forced upon the people of this country. The President having vetoed the bill on account of that rider, his veto having been sustained by the House, this is no method to try to enact such legislation—by rider, the most reprehensible way of making laws.

The people in the large cities throughout the country—those who do the work—are in favor of the present daylight law; and yet some gentlemen coming from various parts of the country, who do not know the cities and do not know the people who live in them, say to you that 90 per cent of the people in those cities do not want the daylight-saving law. They are drawing very heavily upon their imaginations. It is the man who represents the city districts in the East who is closer to the people than the man who represents a country district. The reason for that is that the Representatives from the city districts get an opportunity of going back home and getting in closer touch with their people every week. They know that the working people of this country, including those who do occasionally play lawn tennis if they have the opportunity, are in favor of the daylight-saving law. Hundreds and thousands of employers and the leading newspapers of the country favor the daylight law. And I venture to say this, that the President of the United States has sufficient strength and determination of will to veto this bill again if it comes to him containing this rider. And I will say also that the American people will sustain the President in that view and in that action. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SIEGEL. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HAUGEN. Mr. Chairman, I yield two minutes to the gentleman from Maine [Mr. HERSEY].

Mr. HERSEY. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HERSEY. Mr. Chairman, this situation confronts the House: The daylight-saving repeal has passed this House three times by an overwhelming majority. This House voted the other day on the veto message by an overwhelming majority against the daylight-saving bill. No Member of this House has had his mind changed by the President's veto.

Every Democrat claims that nothing the President has said in his veto message has changed his mind. The President gave no new reasons or arguments to sustain his veto of the bill. On the one hand you have this condition in the country: A corporation called the "Daylight Saving Association," organized in the city of New York, made up of the club and sporting element, has been sending propaganda to all the chambers of commerce in the large cities saying, "Have your secretary send a telegram to your Senators and your Congressman to vote to sustain the President's veto of the daylight-saving bill." That is all you have on one side. On the other side you have the united farmers of this Nation demanding that you keep faith with them and repeal this war-time measure.

This daylight-saving bill is a war measure pure and simple. You never could have enacted it without making it a war measure. You know you could not. You said to the farmers that when the armistice came, when war ceased, you would repeal the law. Now you are refusing to do it. The President is refusing to keep faith with the farmers of this Nation.

Prior to our entrance into the war with Germany and the enactment of this war legislation called daylight saving, the people of this Nation had never had any trouble or inconvenience in adapting their pleasures and their business to the clock—the time as regulated and used for 100 years.

It was thought necessary during the war to use great bodies of workingmen in Government industries for the production of war material and to use further all the hours of daylight upon the farm in the production of food products, and the people were called upon everywhere to make special sacrifices during the war that the armies might be trained, clothed, and fed.

Right after the declaration of war, on the 15th day of April, 1917, the President issued his appeal to the people of this country and made this special appeal to the farmers of this Nation:

> I take the liberty, therefore, of addressing this word to the farmers of the country and to all who work on the farms: The supreme need of our own Nation and of the nations with which we are cooperating is an abundance of supplies. A food supply, especially for the present year, is superlative.
>
> Without abundant food, alike for the armies and the peoples at war, the whole great enterprise upon which we have embarked will break down and fail. The world's food reserves are low. Not only during the present emergency, but for some time after peace shall have come, both our own people and a large proportion of the people of Europe must rely upon the harvests in America.

Upon the farmers of the country, therefore, in large measure rests the fate of the war and the fate of the nations. May the Nation not count upon them to omit no step that will increase the production of their land or that will bring about the most effectual cooperation in the sale and distribution of their products? The time is short.

It is of the most imperative importance that everything possible be done, and done immediately, to make sure of large harvests. I call upon young men and old alike and upon the able-bodied boys of the land to accept and act upon this duty—to turn in hosts to the farms and make certain that no pains and no labor is lacking in this great matter.

This appeal was followed by this daylight-saving bill as a war measure, and while it met with much bitter opposition from the farmers they finally withdrew that opposition under the assurance from Congress and the President that when the war was over the law should be repealed.

The present Agricultural bill, the first of its kind enacted after the war, carried the repeal of the daylight-saving law. It passed both Houses of Congress with scarcely no opposition whatever and went to the President for his approval. The President, without giving any new reasons whatever for the repeal, vetoed the Agricultural appropriation bill on July 11, and the House on July 14 by a vote of 248 to 135 said that the President was wrong and that his veto did not meet the approval of Congress, but they lacked 8 votes of having the necessary two-thirds to override the veto.

It has been many years since any question has so aroused the farmers of this Nation as has this veto, which has disregarded the rights of those whom the President called upon to help win the war by making every sacrifice.

The farmers of this Nation did make to the very limit the supreme sacrifice. They gave first their sons from nearly every farm, depriving themselves in many cases of sufficient help, and forced the wife and mother, the daughters and little children, to labor in the fields to take the place of the boys who had gone overseas. They labored through every hour of daylight and far into the night to produce food for the Nation and the world. They submitted to extortionate freight rates under Government control of railroads. They obeyed all the war-time rules and regulations of the Food Administration. They saved the Nation and the world in its time of stress and peril, and now when they desire above all things to get back to normal conditions and conduct their farms and business in their own way the President by this veto disregards their rights and ridicules their every protest.

When the brewers and saloon keepers of the Nation appealed to the President to repeal war-time prohibition he sends a message to Congress saying:

The demobilization of the military forces of the country has progressed to such a point that it seems to me entirely safe now to remove the ban upon the manufacture and sale of wines and beers, but I am advised that without further legislation I have not the legal authority to remove the present restrictions. I therefore recommend that the act approved November 21, 1918, entitled "An act to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled 'An act to provide further for the national security and defense by stimulating agriculture and *facilitating* the distribution of agricultural products,' and for other purposes," be amended or repealed in so far as it applies to wines and beers.

The petitions and prayers of the united farmers of the country must be disregarded while the President is fighting to save the brewery and the saloon.

I am aware that in the past the politicians have considered the vote of the farmers of the country "not worth the powder." They have all professed to be friends of the farmer except when it comes to legislation for his benefit. They are ever ready and willing to flatter the farmers in the press and on the stump and to "farm the farmer" as an easy mark for votes. But that day has gone, and everywhere, in every State of the Union, the farmers to-day are organizing for their mutual benefit. They are forming societies, unions, and organizations to protect the interests of the farm in matters of politics and legislation. The farmer has determined to be no longer ridiculed and disregarded. His rights are as sacred as those of socialistic organizations which inscribe upon their banners "No beer no work." They will be heard. The Members of this Congress who voted to sustain the President in this disregard of the rights of the farmers will find at the next election that they will be disregarded by the farmers of the Nation. Let us have a roll call and put on record those who have not the courage to stand by their own judgment and who refuse to keep faith with the farmers of the Nation.

Mr. HAUGEN. Mr. Chairman, I yield one minute to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, I have asked for this one minute in order to present a city man's view with regard to the question of daylight saving. We are in favor of the daylight-saving law as it now stands. Many of us voted to support the President's veto. I was one of those. This matter has now come to the committee and to the House, however, in such form that those of us who desire to vote to sustain daylight saving as it now exists may have an opportunity to do so. Some gentlemen misunderstood this rule. It was brought in unquestionably in response to the demands of the farmer constituency, and perhaps of the larger number of those who vote on the Republican side of this House. I am always in favor of reaching the point on a question like this—we are dealing with an appropriation bill—and for that reason voted for the rule, but I reserved to myself the right, which I still reserve, when the opportunity comes, as I expect it will come, to vote for the continuance of the daylight saving as we now have it. And I wish to assure our friends from the city districts that that opportunity will come to-day, and we will have a square vote on the question.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. ROSE].

Mr. ROSE. Mr. Chairman, I rise merely to add my approval to what has already been said by the gentleman from Pennsylvania [Mr. MOORE]. I voted for the rule for the same reason as did the gentleman from Pennsylvania, with the express and distinct understanding that opportunity would again be given to vote directly upon the section relating to daylight saving.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from New York [Mr. SNYDER].

Mr. SNYDER. Mr. Chairman and gentlemen, I have not said a word on this floor since the passage of the Indian appropriation bill. I have heard considerable discussion here about the people in the cities favoring the continuance of the daylight-saving act. I represent a district which is very largely industrial, but we have in addition varied agricultural interests. I have made a very careful canvass of my district on this question, and I find that the statements of gentlemen who are saying here that the majority of the people in the cities favor the act are borne out by the information that I get from my district. But I think a majority of the people of my district favor the repeal of the act. I voted the other day to pass the measure over the President's veto. I shall be glad to vote again to-day in the interest of the repeal of the act, believing that I am representing a very large percentage of the sentiment in my own district and a very large percentage of the sentiment of the people throughout the country. [Applause.]

Mr. LEVER. Mr. Chairman, I yield three minutes to the gentleman from Alabama [Mr. ALMON].

The CHAIRMAN. The gentleman from Alabama is recognized for three minutes.

Mr. ALMON. Mr. Chairman, sometime ago we passed through this House a bill repealing the daylight-saving law by an overwhelming majority, and sent it to the Senate. About that time the Senate placed a rider on the Agricultural bill repealing the daylight-saving law, and it was agreed to by the conferees of the two Houses.

The President vetoed this bill because of the provision repealing the daylight-saving law. The veto was sustained in the House for the reason that it did not receive a two-thirds vote.

I voted against the daylight-saving law at the last session of Congress when it was passed. I voted at this session to repeal it and also voted to pass it over the President's veto. The President was within his rights when he vetoed the bill. We who voted to pass it over his veto were within our rights.

The Agricultural appropriation bill which we passed through the House is now in the Senate, and if passed by that body will be approved by the President. The Senate could also repeal the daylight-saving law by adopting the bill which we passed in the House as a separate measure and it could go to the President again in this way. But instead of having that course pursued the Republican majority in the House, for the purpose no doubt of trying to embarrass the President, has reported another Agricultural bill with this rider, knowing that if it is passed and sent to the White House again in the same form it will be vetoed. It looks like small politics on the part of the Republican majority. The President was no doubt willing to assume the responsibility for the little delay caused by his veto, but if this bill is sent back to him again in the same form they will be responsible for the further delay in the passage of this appropriation bill. The great Agricultural Department has been very much embarrassed since the 15th of this month on account of this annual appropriation bill not having passed. The thousands of employees of this department, I am told, are borrowing money and paying 10 per cent interest because they could not be paid their last pay checks.

The repeal of the daylight-saving law would not take effect if passed until next March, so there is plenty of time to consider its passage. Under these circumstances it should not have

been placed as a rider in this bill and should be stricken out when the bill is reached for amendments, and I have no doubt but that it will be.

I am as much in favor of the repeal of the daylight-saving law as any Member of this House, but I am not in favor of delaying the passage of this appropriation bill carrying more than $33,000,000 when it will in no way aid in the repeal of the daylight-saving law. Further delay in the passage of this bill will paralyze the activities of the Agricultural Department, and it will be no credit to Congress to send back this identical bill to the President which he has vetoed, and it seems to me that it is offered for no other purpose than to try to embarrass the President, and is very small politics to say the least of it. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. HAUGEN. Mr. Chairman, I yield one minute to the gentleman from Texas [Mr. BLANTON].

The CHAIRMAN. The gentleman from Texas is recognized for one minute.

Mr. BLANTON. Mr. Chairman, what the farmers and laborers and merchants and bankers and doctors and lawyers and preachers and all the people in my district want is the repeal of this law, and they do not want any excuse for not repealing it. [Applause.]

My colleagues who do not vote to repeal this law can live until doomsday, and yet they can never properly explain to the people their action for not voting to repeal something that the people do not want. [Applause.]

I am going to vote to repeal this law, even though the President is in favor of it. During the war I sustained and backed up the President by voting for every single thing he requested, but the war is over now, and I am now going to reassume the full duties, functions, and responsibilities of a representative of the people. The President exercises one responsibility—that of the Chief Executive—while I am expected to exercise another—the legislative capacity of a Representative of the people in Congress to carry out their will and desire, and this I am going to do. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. I ask unanimous consent, Mr. Chairman, to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. KNUTSON. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. ROSE. Mr. Chairman, I make the same request.

Mr. AYRES. Mr. Chairman, I object except as to those who have actually spoken on the bill. I object to those extending remarks who have not spoken on the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DAVEY. Mr. Chairman, I ask the same privilege.

The CHAIRMAN. The gentleman from Ohio also asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, I yield three minutes to the gentleman from Tennessee [Mr. SIMS].

The CHAIRMAN. The gentleman from Tennessee is recognized for three minutes.

Mr. SIMS. Mr. Chairman, everybody who was in the last Congress knows that I have played no politics on this question. A bill came from the Senate, introduced by a Republican, by Senator CALDER, and although I was then chairman of the Committee on Interstate and Foreign Commerce and could have introduced a bill of my own had I so desired, I would not ask the committee to report it, but asked the committee to report the bill introduced by Senator CALDER, a Republican. That bill was reported and passed this House. I made every effort, even when I was scarcely able to stand on my feet, to secure consideration of it in the House, and when it was passed only 40 votes were registered against the bill, and of those 40, 36 were Democrats and 4 were Republicans.

Now, when the bill for repeal was reported from the committee of which I still have the honor to be a member I never mentioned politics in relation to it, and it was passed by a vote of 232 to 122. It was moved in the Senate to suspend the rules and make the repeal bill in order on the Agricultural appropriation bill, and only five or six votes were finally cast against it. It came back here and was agreed to in conference. It was sent to the White House and vetoed, but without my advice.

Are you gentlemen opposed to the repeal of the daylight-saving law, except by a rider on an appropriation bill? Those opposed to the daylight-saving law have almost unlimited strength in the other body, and can pass the bill that we passed; they may be able to pass it by a two-thirds vote. But some gentlemen in here are playing politics of an inconceivably small and contemptible variety, which is demonstrated by the fact that you are trying to force the President to veto this bill again. If you pass this bill with the repeal of the daylight saving in it, he will probably veto it again, and we will sustain his veto again and put the responsibility where it belongs. [Applause.]

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. LEVER. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has five minutes remaining.

Mr. LEVER. Mr. Chairman, the situation as it presents itself to the committee is this: Some weeks ago, when the Agricultural appropriation bill was about to be considered in this House, an effort was made to induce the Committee on Rules to present a rule making this amendment in order on that appropriation bill. The Committee on Rules, under the very able management of the distinguished Chairman of the Committee of the Whole at the present moment, for some reason or other refused to allow that rule. The Agricultural appropriation bill passed the House and went to the Senate, and the Senate attached an amendment to it repealing the daylight-saving law. That bill came back to the House from conference, and the conference report was agreed to, including the repeal of the daylight-saving law. It was sent to the President with that feature in it. The President, exercising his constitutional right, vetoed that bill, and sent it back to the House. The House sustained the President's veto, although a majority of the House, it is only fair to say, did not vote to sustain the veto.

As soon as it became apparent that under the peculiar circumstances there might be found a method of embarrassing the President of the United States and subjecting him to criticism upon what I conceive to be more or less a comparatively inconsequential proposition, there seems to have been no trouble whatever in inducing the Committee on Rules, which of necessity is the political committee in this body, to report out a rule to this House to-day making in order this proposition, although they would not give it to us before.

Anyone who knows the President of the United States, who has ever looked into his cold, gray eyes, is well aware of the fact that while the provision in this bill differs slightly from the provision sent to him before, when this bill reaches him he will veto it again upon the ground set forth in his former veto message. Now, I am in favor of the repeal of this daylight-saving law myself, and introduced a bill since the signing of the armistice to repeal it. I am in favor of it because I think a majority of the people whom I have the honor to represent in this body desire to have it repealed; but I do not feel that as a sensible man dealing with a situation, dealing with a fact and not a theory, I should stand here and play the childish rôle of doing something that I know we will have to do over again. Therefore I shall vote to strike this out.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Chairman, our Democratic friends declare themselves in favor of a measure and then declare that they are going to vote against it.

The bill gives an opportunity to again show whether you are for or against the repeal of the so-called daylight-saving act. Its history and faults are well known. When the Agricultural appropriation bill was under consideration in the House the first of this session, as chairman of the Committee on Agriculture I offered an amendment to the bill repealing the entire so-called daylight-saving act. A point of order was made against the amendment and sustained.

The Senate inserted the repeal in the Agricultural appropriation bill, and the House, having already passed a separate measure repealing section 3 of the daylight-saving act by a vote of 232 to 122, concurred in the conference report on the Agricultural appropriation bill containing the repeal of the entire act referred to, with little discussion and without a dissenting vote.

The Agricultural appropriation bill was vetoed by the President because it contained the repeal of the daylight-saving act. The House voted 248 to 135 to pass the measure over the President's veto—nearly the necessary two-thirds vote.

In view of the sentiment shown in the House by the votes, the hardship imposed by section 3 of the daylight-saving act, especially upon the farmers, the inconvenience and expense caused in general, the sentiment expressed in numerous resolutions, petitions, and communications addressed to Congress urging its repeal, a majority of the committee again recommended the repeal of section 3 of the daylight-saving act, which section provides that the standard time of each zone shall be advanced one hour during the seven summer months. This would not affect the other sections of the act, which provide for the establishment of standard time and zones and authorize the Interstate Commerce Commission to define such zones. In other words, it would simply repeal the daylight-saving provision of the act, and is identical with the amendment which I offered to the Agricultural appropriation bill and to the repeal passed by the House June 18 by a vote of 232 to 122.

In view of the above I, as chairman of the committee, reported the Agricultural appropriation bill, containing the repeal, and requested the Committee on Rules to report a rule making the entire bill in order for immediate consideration so as to expedite its passage. The rule has been reported. The previous question has been ordered. Your opportunity is here. Will you vote for the repeal or will you turn it down? You can not get away from it, gentlemen. You can not deceive the farmers; you can not deceive anybody by the statement that you were for the repeal but voted against it.

All sorts of excuses have been offered for voting against the repeal of the so-called daylight-saving act, against the previous question on the rule, and against the main question—the repeal of the act. One excuse advanced by Democratic friends is that this side is playing politics. I assume that every Member will vote his honest convictions in accord with the best interest and the desire of those whom he represents. The contention is that the people in the cities are opposed to the repeal and the people in the country, especially the farmers, are for the repeal. If so, I take it that Members will vote on the question as they have done heretofore. City Members will vote against the repeal and Members representing agricultural districts will vote for the repeal. What is the situation? The Republicans, the majority, are responsible for legislation. The President vetoed the Agricultural appropriation bill because of the clause contained in the bill repealing the daylight-saving act. The department is without legal authority to continue its activities. Not one dollar can be legally expended outside of the permanent annual appropriations. Many employees are without funds to meet their obligations, without money to pay their rent. Instead of making payments on bonds subscribed for they are being compelled to dispose of them at a sacrifice. Everybody knows, every Democratic Member of this House knows, that the plan suggested to reinsert the repeal in the Agricultural appropriation bill is the only one that will expedite the passage of the bill. The proposition is not to obligate anybody to vote for the repeal but to give every Member of this House an opportunity to again vote upon the question, not to vote for or against it but to vote as he pleases.

Now, a word as to the political phase of it. No reference as to what took place in the committee is proper or in order, but the vote just taken upon the previous question on the rule to make the provision for the repeal of the daylight-saving act in order was a test. This is, as before stated, under the rules of the House, the only way in which a vote can be had upon the proposition. The RECORD will show the fact that every one of the 12 Republican members of the Agricultural Committee voting voted for the previous question, and that every one of the 7 Democratic members voting voted against it; that every one of the 7 Republican members of the Rules Committee voting voted "aye," and that every one of the 4 Democratic members of that committee voting voted "no." So here we have, at least, from the members of the two committees having jurisdiction over the matter an expression as to whether the House shall be given an opportunity to vote upon the question. The RECORD will show a solid Republican vote for and a solid Democratic vote against it. Judging by the vote and by what has taken place here to-day, it is safe to say that, possibly with one exception, every Democratic member of the two committees voting will record his vote against the repeal provision, so if our Democratic friends raise the issue, if it is any consolation or advantage to them, the RECORD will tell the story. As far as I am concerned, I am satisfied to stand by the RECORD and accept the challenge. Now that you have raised the issue, it will not be for my Democratic friends who are doing everything in their power to defeat the repeal of the daylight-saving act, who are not even willing to permit a vote upon the proposition, to say that you were for it. No! The day has passed when campaign promises and the throwing of a few bouquets to the voter just before election will be acceptable. The voter will hold you to your campaign promises. He will hold that "actions speak louder than words." With the President's veto and the record made here it will not do for any Democratic Member to say to his farmer constituent, who will be compelled to light his lantern, or to stumble around in the dark, in order to do his chores, milk his cows, swill his hogs, and care for and hitch his team in time to take his children to school at 8 o'clock sun time instead of 9 o'clock, that he was for the repeal but voted against it.

The farmer will not accept it. Nor will the employees in the department, in the factory, in the mill, or on the railroads, nor the mothers and children who, in order to get their required rest and sleep, are compelled to go to bed one hour earlier, which is especially undesirable during the summer months, when, owing to the intense heat, it is impossible for them to sleep the first hours of the night, and who are thus deprived of an hour of beneficial rest. Parents and teachers report that a large number of children have failed this year in their studies, due largely to loss of sleep. All agree that refreshing sleep is invigorating to both mind and body, and is as necessary and conducive to health and longevity as food.

If the act can not be repealed, the title of the act, in order to comply with the schedule fixed therein, should at least be changed from "An act to save daylight" to read "An act to compel the housewife to prepare the evening meal in the heat of the middle of the afternoon; the suitor to court his sweetheart in the daylight; the laborer, after his evening meal, to sit on the porch in the heat of the summer and swat flies, go to bed while it is still light, roll around an hour or two in the early part of the hot summer evening, and later be called by the alarm clock in the cool, refreshing hours of the morning; the farmer to stack and thrash his grain wet with the morning dew—not to conserve or increase but to curtail production, to increase the high cost of living, and to do foolish and uncalled-for things too numerous to mention." Why this absurdity? If there is any advantage in advancing the clock, why not improve upon it by advancing it an hour or two more, so that, as suggested, we may eat our evening meal at noon, and then have an opportunity to attend the ball game and matinees?

Why deprive 100,000,000 people of sleep at the proper and God-appointed time in order to give the golf player that extra hour on the golf links and accommodate a few who desire to work on the earlier schedule? Everybody knows no legislation is required to change their schedules. If a change is desired by them, all that is necessary is for the employer and employee to agree to make the change.

What unpardonable sin have the people in the country committed that warrants the discrimination? Have they not done their part? We were at war. The world was short of food. The winning of the war depended upon food as much as upon any other thing. Congress found it necessary to fix the price of wheat at half the price the farmer would have received if the law of supply and demand had not been interfered with. He gave his sons to the Army; his wife and daughters took his sons' place in back of the plow. He bought bonds, he gave to the Red Cross and Young Men's Christian Association. Invariably his hired help quit work at the usual time by the clock, which was an hour early as a result of this unjust and uncalled-for law, and interfering with the law of nature on the farm.

The act not only costs the farmer millions of dollars annually, but curtails production, and thus adds to the already high cost of living to millions of consumers. We have 6,000,000 farmers and 6,000,000 laborers employed on the farm. One hour lost each morning, owing to the dew, to each of the 12,000,000 on the farm is equal to 12,000,000 hours, which is equivalent to 1,500,000 eight-hour days, and that, at a wage of $4 a day, amounts to $6,000,000 loss to those on the farm daily at least for every day during the several weeks of haying, harvesting, and thrashing that this absurd law is in effect. In addition, the farmer was compelled to pay millions of dollars additional transportation charges. On the other hand, the millers, the packers, the steel trust, and various other enterprises were put under Government control, either through the license system or by voluntary arrangements. Many contend that the licensing system should be continued, especially as to the packers and other big interests. Railroads were taken over and granted hundreds of millions of dollars compensation in excess of a fair and reasonable compensation. What happened to the millers, the packers, and others under Government control? Millers were permitted to increase their operating profits 175 per cent and on their capital invested 100 per cent.

According to the Federal Trade Commission's report as printed in Senate Document No. 248, Sixty-fifth Congress, second session, page 7:

Five meat packers, Armour, Swift, Morris, Wilson, and Cudahy, and their subsidiaries and affiliated companies have monopolistic control of the meat industry and are reaching for like domination in other products. Their manipulations of the market embrace every device that is useful to them, without regard to law. Their reward, expressed in terms of profit, reveals that four of these concerns have pocketed in 1915, 1916, and 1917 $140,000,000.

On page 14 it states that "of this astounding figure $121,000,000 represents excess over their prewar profits." On page 15, tanners are reported to have increased their profits from $644,390.90 in 1914 to $3,576,544.27 in 1916. On page 14 it reports the profit made by Morris & Co. for the fiscal year ending November 1, 1917, as 263.7 per cent on the $3,000,000 capital stock outstanding. On page 9 the steel corporation is reported to have increased its profit of $46,520,407 in 1914 to $478,204,343 in 1917, or about 1,000 per cent. Much of these excess profits at the expense of the farmers, who were greatly inconvenienced by this unjust law.

The farmer submitted to all of it. With lantern in hand he started out one hour early; his good wife and sweet daughter helped milk the cows and swill the pigs; his daughter ran the binder; his wife helped shock the grain; and he produced 917,000,000 bushels of wheat—about one-third of the wheat production in all the world. He brought in to market every bushel he could spare at the price fixed by Congress, or at half price. If he did not bring it in, the Government made him, or had some one bring it for him. He produced 5,600,000,000 bushels of cereals—about one-third of the world's production of cereal. The number of head of cattle was increased to 43,000,000; swine to 71,000,000; sheep to 49,000,000; meat, pork, and mutton was increased to nineteen and one-half billion pounds.

Notwithstanding the discrimination and the sacrifices made, will you who vote against the repeal say to your farmer constituent, "I, as your friend and Representative, voted to continue the burden, the discrimination, so that the joy rider, the city chap, might spend an additional hour on the golf links"? Will you say to him, "My vote is recorded in the CONGRESSIONAL RECORD July 18; I stand upon my record; I renew all my previous campaign promises and assure you, as I have in the past, of my sincere affection for you and a deep interest in your welfare"? Will you who voted against the repeal say, "You have accepted my promises in the past and have so generously given me your loyal support, if I merit your confidence and a continuance of your support, as a reward for what I have done for you in this matter, kindly continue to rise earlier, forget the President's veto, my vote against the repeal of the daylight-saving law, and vote for me"? According to the sentiment expressed by the hundreds of thousands in communications received, the indications are that he is not likely to forget.

One reason given in the veto message for the vetoing of the repeal of the daylight-saving act is "that in other countries similar legislation has resulted in substantial economy." Society has fallen into the practice of patterning their dress after Paris fashions. Others buy goods made in foreign countries. Has it come to this, that our laws, too, must be patterned after European law?

Another contention is, now that the President has vetoed the bill, there is nothing left for Congress to do but to pass it as it comes back to us. I concede the President's right to veto bills, but I still reserve the right to vote as my conscience dictates. It can never be charged that I am a "rubber-stamp" Congressman. To the contrary, I have always contended against autocracy in this country. Thousands of lives have been sacrificed, hospitals are filled with maimed and wounded, millions of dollars have been spent and millions more will be required to cancel the debt—all to stamp out autocracy across the seas. Our forefathers fought and died that there might be freedom of thought, action, and personal independence. Shall autocracy be tolerated here, or even suggested? Shall it all have been in vain?

I have always supposed that the declaration that this is a government of the people, for the people, and by the people meant just what it implies—a representative form and not a one-man government. With all due respect to those who believe in the concentration of power, who believe that the interests of the people can best be served thereby, I am absolutely opposed to the concentration of legislative power in one man. Mind you, there can be no curtailment of a Member's right and personal independence without invading the rights of the people whom he represents. I believe it is our duty to assert our own right as well as the rights of those whom we represent and to shun unbecoming, unstatesmanlike, and un-American practice. Let us do our sworn duty, vote as our conscience dictates, and assert our rights granted under the Constitution.

I have a right to exercise the privilege of voting for or against the repeal at this time. I propose to exercise it. I do not concede you the right to say that you are for the measure and then do everything you can to defeat it, everything you can to delay action, giving as an excuse that the President has vetoed it and that you must now take his order as it comes.

Mr. SEARS. Will the gentleman yield for a question?

Mr. HAUGEN. Certainly.

Mr. SEARS. As chairman of the Committee on Agriculture, having the responsibility upon you for this legislation, if the President should veto it again, then what would you do?

Mr. HAUGEN. I will continue to do my duty as I see it, to expedite the consideration of this legislation. Much has been said about the Committee on Rules. The Committee on Rules is responsible to the party for legislation. In order that the passage of the bill might be expedited and that every Member of the House might be given an opportunity to vote upon this all-important question, the repeal of the so-called daylight-saving law, as chairman of the Committee on Agriculture, I requested a rule, and the rule is here. Every vote cast against the rule on that side has been a vote not only to delay the passage of the bill but to defeat it.

The question of repealing the so-called daylight-saving law has been discussed and voted upon first when it passed the House as a separate measure by a vote of 232 for and only 122 against the repeal; second, on the conference report on the Agricultural appropriation bill without a dissenting vote; third, against sustaining the President's veto by almost a two-thirds vote, or 248 to 135.

In view of that I shall not take up further time, except to avail myself of the privilege granted me to extend my remarks by appending telegrams and extracts from communications just received.

One from the chamber of commerce of the capital of my home State, which goes to show that not only the farmers but practically all the people of Iowa are for its repeal:

Good luck to you in your protest against daylight savings. You not only have backing of agriculture and labor but some large organizations. You can't change the law of nature by a statutory law. This best argument against daylight savings.

One from New York State Dairymen's Association:

The dairymen, forming the largest industry in New York, demand the repeal of the daylight-saving law.

One from the Southern Ruralist, Atlanta:

Disappointed at not seeing you yesterday. Wish to assure you farmers of South are almost unanimous in favor of repeal of daylight-saving law. Believe measure and President should have another chance. Industrial interests can adjust themselves to statute law. Farm operations are inevitably controlled by natural law. Farmers have suffered seriously under present law as war measure, and in justice now demand repeal.

One from an Iowa minister:

I notice, with intense regret and chagrin, that Mr. Wilson vetoed the Agricultural bill, in his eagerness to retain the daylight-saving bill. Is it possible that he is to be supreme dictator of our Nation, regardless of the will of the people? Is he going to continue to make a football of Congress? Truly his head must have been turned by the flattery of Europe, that he defies our lawmaking body and aspires to usurp the legislative, judicial, and executive prerogatives of our land. The champion of beer, the peace advocate, and now catering to a few idle rich in the matter of the daylight-saving law. He totally ignores the farmer and the majority millions who proclaim daylight-saving matter a rank fake, dividing country and town and literally ruining the work of the church. Are not our laws to be based upon the "consent of the governed?"

He would imperil the Nation and agriculture, the very heart of the Nation, to satisfy the whim of the idle rich. Put the matter to a universal vote, if necessary, and put up a death struggle to repass it. The principle of all government is involved in this matter. Write the ministers of America; they know the sentiment of their people. He has thrown down the gantlet, now let the Republican Party rise up in its might and put this thing across and also sweep the Nation for a new and a Republican President.

The Nation will be behind you. Millions are tired of one-man rule.

One from a professor at Mercer University, Macon, Ga.:

I am writing to commend you for the renewal of the fight for the repeal of the daylight-saving law. I feel that you will be more successful this time.

A large majority uncomplainingly accepted the law as a temporary war measure, believing that it would be promptly repealed after the close of the war. Hence we are well-nigh astounded that President Wilson should by his veto undertake to make permanent this temporary war measure over the wishes of about two-thirds of his people.

Here in Macon churches have changed services from 11 to 12 a. m. and 8 to 9 p. m.; banks have changed opening hours from 9 to 10 a. m.; schools and colleges have also made changes in opening hours, but have failed to satisfactorily adjust matters.

One from the Public School Teachers' Club, New Brunswick, N. J.:

For some unaccountable reason the public press is advocating putting the clocks one hour ahead of honest time. We teachers know that it is undesirable for the pupils and teachers in our public schools, for the children in the elementary grades particularly. Please do what you can to get us honest time all the year round.

About a month ago the National Federation of Labor Unions, at its annual convention held at Atlantic City, N. J., passed a resolution by a large majority condemning this "daylight-saving law." Scores of mothers have told me that all the potentates on earth can not make their children go to sleep an hour earlier than honest time, but it would seem that the law of "the majority rules" does not work in this case. The advocates of this daylight saving seem to think it

is more important to conserve money than to conserve nervous energy. This Republic is dependent upon the welfare of the rising generation. The children need the regular hours of sleep. May you be successful in your efforts to secure honest time for the children and workers of the United States.

Three from the National Grange, Washington, D. C.:

JUNE 7, 1919.

The National Grange, representing more than a million producing farmers, has asked the Congress of the United States to repeal the so-called daylight-saving law.

All agricultural organizations are united in demanding the repeal of this measure, which has caused hardship to all workers, farm workers in particular, every day since it went into effect.

JULY 14, 1919.

In voting to repeal the daylight-saving act Congress met the wishes and had the approval of the farmers of the United States as expressed through their principal organizations, including the National Grange and the National Board of Farm Organizations, the latter including as constituent members the National Farmers' Union, the National Milk Producers' Federation, and others.

All of these combined represent the organized farmers of America.

Such daylight-saving act has resulted in a distinct and material loss to farmers, which loss is reflected in both increased cost to consumers and decreased production. No sufficient reason has been advanced for such a change in the custom of generations.

We urge its repeal.

JULY 17, 1919.

The fight for the repeal of the daylight-saving law has not been abandoned, in spite of the President's veto and the failure by a few votes of the House to override it.

President Wilson has been in Paris, busy and out of touch with the real sentiment of the American people. He is hearing things from the farmers and their representatives just now. He will continue to hear.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The Clerk will read the bill.

The Clerk read as follows:

Salaries, Office of Farm Management: One chief of office, $5,000; 1 assistant to the chief, $2,520; 1 executive assistant, $2,250; 2 clerks, class 4; 2 clerks, class 3; 3 clerks, class 2; 8 clerks, class 1; 3 clerks, at $1,100 each; 4 clerks, at $1,080 each; 1 clerk or draftsman, $1,020; 10 clerks, at $1,000 each; 18 clerks, at $900 each; 6 clerks or map tracers, at $840 each; 1 messenger or laborer, $720; 1 messenger boy, $660; 3 messenger boys, at $480 each; 1 charwoman, $480; 5 charwomen, at $240 each; 1 library assistant, $1,440; one library assistant, $900; one photographer, $1,400; 1 cartographer, $1,500; 1 draftsman, $1,440; 1 draftsman, $1,200; 2 draftsmen, at $900 each; in all, $84,430.

Mr. WINGO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WINGO. Under the rule, as I understand it, no section of this bill is open to amendment except the last one.

The CHAIRMAN. That is true.

Mr. WINGO. The statement has been made to the House that the bill is the same as that which was agreed to in conference. How are we going to correct it where we find that the bill is not the same, and where one matter is entirely left out? How is the House going to correct it under the rule?

The CHAIRMAN. On the face of the bill——

Mr. WINGO. To give a concrete illustration, the "soft pork" proposition is entirely left out of this bill. When the conference report came in the gentleman from Iowa gave me assurances that it was taken care of, by reducing the item of $40,000 provided by the Senate amendment to $20,000.

The CHAIRMAN. That is not a parliamentary inquiry.

Mr. WINGO. How are you going to reach that?

Mr. HAUGEN. It is in the bill. There is a proposition in the bill to cover that. I refer the gentleman to the gentleman on that side who is responsible for the amendment.

Mr. WINGO. There is no "soft pork" item in this bill. Either the gentleman was incorrect in the assurances he gave me or else he is mistaken now.

The CHAIRMAN. The clerk will read.

The Clerk read as follows:

For inspection and quarantine work, including all necessary expenses for the eradication of scabies in sheep and cattle, the inspection of southern cattle, the supervision of the transportation of live stock and the inspection of vessels, the execution of the 28-hour law, the inspection and quarantine of imported animals, including the establishment and maintenance of quarantine stations and repairs, alterations, improvements, or additions to buildings thereon, the inspection work relative to the existence of contagious diseases, and the mallein testing of animals, $525,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, at the proper time I desire to offer an amendment to strike out the daylight-saving item. When will be the proper time?

The CHAIRMAN. When that paragraph is reached, such a motion will be in order.

Mr. MOORE of Pennsylvania. I was not here when the rule was read. I have been advised that the reading of the bill should first be completed.

The CHAIRMAN. In answer to the gentleman's parliamentary inquiry, discussion on this item and amendments thereto will be in order when that item is reached in the bill.

The Clerk read as follows:

That section 3 of the act entitled "An act to save daylight and to provide standard time for the United States," approved March 19, 1918, is hereby repealed, effective on the last Sunday of October, 1919, after the approval of this act, when by the retarding of one hour the standard time of each zone shall be returned to and thereafter be the mean astronomical time of the degree of longitude governing each zone as defined in section 1 of said act approved March 19, 1918.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. MOORE of Pennsylvania: Page 102, line 8, strike out the paragraph.

Mr. MOORE of Pennsylvania. Mr. Chairman, the passage of this amendment would mean the elimination from the bill of the daylight-saving repealer. I am offering it at this time for the purpose of giving to those who desire to retain the existing law upon the statute books an opportunity to vote. I am quite sure that our friends from the country, who are enthusiastic for the passage of the repealer, will give to those of us who come from other geographical sections and who are in favor of daylight saving an opportunity to express ourselves at this time. I do not object to the appeal coming up from the farming sections of the country, where they seem to think that the daylight-saving law has worked an injustice to them. That is not so much a political question as it is a question of environment. But I assume that our friends from the farming districts, who are always strong and potential in this House, will give to those of us who come from congested centers, who know something about the value of time, who appreciate a little extra daylight and an opportunity to use it, a chance to express ourselves in like manner. Therefore, in order that the issue may be squarely met, I offer the amendment striking out of this bill the daylight-saving repealer. It came in as a rider; it is one that can fairly be knocked out, because the bill already passed by this House—the Esch bill—is more comprehensive, though it has not yet passed another body. Many of my colleagues have expressed the desire, since we passed the rule giving an opportunity for consideration of this entire question, for which rule I voted, to express themselves, and I have taken the opportunity to offer this amendment and give them this chance.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. JOHNSON of Washington. I have voted in favor of the daylight repeal. To do that again and vote to keep it in the bill will only result in its being vetoed again, will it not?

Mr. MOORE of Pennsylvania. That may be. If we take the word of our friends on the other side of the House, the President will probably adhere to his previous action and veto the bill. If in doing that he offends the farmers of the country, that is neither the gentleman's concern nor mine; that is the concern of the President of the United States.

We have passed a daylight-saving repeal, which is now in the Senate. Gentlemen on the other side have been insisting that the President had it within his constitutional right to veto the bill. Many of them represent farming constituencies, and they are responsible in the votes they cast this day when they predict that the President will adhere to his previous action and still do that thing which it is evident the farmer does not want; that is for them to deal with as they view the situation.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. LAGUARDIA. The gentleman says that he offers the amendment so that Members may have the opportunity to register their desire on the matter, but the gentleman offers it in good faith, so that the provision may be stricken from the bill?

Mr. MOORE of Pennsylvania. Of course, I am for daylight saving. My constituents expect me to vote that way. In another place than this I did vote with the majority of my colleagues to bring this matter on the floor—that was to afford consideration—but I reserved the right to vote as my constituents would have me vote on the question. We should meet an issue like this squarely and have it over.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I shall support the amendment offered by the gentleman from Pennsylvania [Mr. MOORE] to strike from this bill the section which would repeal section 3 of the daylight saving act. As one of the Committee on Agriculture, I strongly opposed the inclusion of this section in this bill, believing that it was unwise to do so and not proper here, in view of the fact that the President had vetoed the bill on account of the inclusion of this provision.

I have been somewhat inconsistent with respect to this daylight-saving matter. I voted against the Esch bill, because I believed in daylight saving. Later, however, as one of the conferees of the House, consulting with the conferees of the Senate, in the trading and dickering that was necessary for us to do in order to reach an agreement on the large number of Senate amendments, I agreed to accept the Senate amendment to repeal the daylight-saving act, and when the bill was returned to the

House I voted to adopt the conference report which contained the repeal provision. When the bill was returned to the House, having been vetoed by the President, I voted to pass the bill over his veto. My later votes were in keeping with the large majority sentiment of my committee and in keeping with the action of the conferees. In order to reach an agreement with the Senate it was necessary for us to accept the amendment repealing the daylight-saving law. But I believe, Mr. Chairman, that the matter should have rested there and that neither the Committee on Agriculture nor the House itself should have given further attention to the matter. Some of the Members resent the President's action. I have differed from him in his method of trying to influence legislation. I have at times resented his interference because I believed that he was doing it improperly and in an unwarranted way. But respecting this matter, he has proceeded entirely in keeping with the Constitution and has been entirely within his right. After the vote was taken in the House to pass the bill over his veto, and the effort to override the veto failed, my judgment was and is now that we should respect it, and that it was not becoming of us to reinsert this matter and throw it back in his face again. [Applause.]

I am led to that opinion also because of the condition in which the Department of Agriculture is and will find itself on account of the delay in the passage of the bill. Until this becomes a law there is no provision carrying authority or money for any of the activities of the Department of Agriculture. These activities are numerous and many of them are very important, and because the bill failed to become law before the beginning of the new fiscal year many of them have been, and still are, suspended.

The department is very seriously embarrassed and will be more and more so as time goes on until this bill or some bill shall be passed. This condition is very much to be regretted, and I should very much regret to see the House responsible for continuing the trouble. As was said a few minutes ago by a gentleman speaking of this matter, many of the employees of the department, unable to obtain their semimonthly salaries on the 15th, were obliged to borrow money, and they find themselves seriously embarrassed and have suffered loss. This unfortunate condition must not be permitted to continue, as I believe it will be continued, if this repeal section is included in the bill again sent to the President and again vetoed by him. Having availed ourselves of the privilege the Constitution gives us of trying to pass it over the veto, and having failed, in my judgment it is not becoming in us again now, without any change whatever of facts or circumstances respecting the matter, to try to pass the bill in the same form. [Applause.]

Another thing that moved me to oppose the inclusion of this paragraph is that this House in an orderly way a few weeks ago passed what is known as the Esch bill, which repeals section 3 of the daylight-saving law, or will repeal it if it shall become a law. That is the section that provides for the turning back and the turning forward of the clocks. That is the section and the operation under it that it is said is so much objected to by the farmers of the country. That bill is now in the Senate. It can be taken up and passed at any time in short order. In 15 minutes, if the Senate will give consideration to the bill, it can be passed and will go to the President. That is the orderly way for Congress to proceed. This section we are now considering is a "rider" on an appropriation bill, always an objectionable feature in legislation, something that we inveigh against, something that the country disapproves. This ought not to be the manner of attempting to deal with so important a matter. In my judgment we would be moving with decent respect for the opinion of the country, with proper consideration for the Department of Agriculture, and with proper respect for the President of the United States if we should eliminate this section. [Applause.] There is a decent and orderly way to proceed; let us take that way. There is a becoming way to treat and to do business with the Executive, widely as we may differ from him; let us pursue that way.

The responsibility for delay and for the unfortunate condition in the department thus far is upon the President. He is evidently willing to assume it. If further delay shall occur—and I feel sure it will, a serious delay—the responsibility will be on us, and I for one am not willing to assume it; and I trust that the amendment of the gentleman from Pennsylvania will be adopted. [Applause.]

Mr. ANDREWS of Nebraska. Mr. Chairman, I rise to speak in opposition to this amendment. No one can doubt the right of the President to exercise his judgment in vetoing the recent Agricultural bill. I take issue squarely, however, with the gentleman from Michigan [Mr. McLAUGHLIN], who says that if we include this in the bill under consideration and another veto should follow, the responsibility will rest upon us. It will rest where the responsibility now rests for delay in the passage of this bill to supply the Department of Agriculture. [Applause.] Congress passed the recent Agricultural bill in due time. If the man who had the constitutional right to veto that bill had been on the ground, where he was expected to be, in the discharge of official duties, that veto could have been here and the whole thing disposed of long ago. [Applause.] We are now called upon to consider this question anew. Two hundred and forty-eight Members of the House voted to override that veto and one hundred and thirty-five Members voted to sustain it. Count up the population according to the ratio of representation in this House. Where do you have the expression of judgment as to the comparative strength of the voting population of the Nation in regard to the retention or repeal of the so-called daylight-saving law. Fifty-two million people against it and only twenty-eight million for, according to the census of 1910. There it stands, almost 2 to 1.

The farmers of the country are united in demanding the repeal of that law. No one on this floor, no one in a veto message, has yet pointed out any valid reason that will override the objections presented by the agricultural interests of the country with relation to this matter. I challenge you to study the whole record of the debate, and put the volume of population that voted by representatives in this House for the repeal over against the population of the country that voted to sustain the law. Some seem to think that there is no special inconvenience for a farmer to be called out at 3 o'clock in the morning instead of 4, in the busiest time of the year, in order to make trains with his dairy products and in order to carry on the regular demands of farm life.

Many have suggested in this debate that it is far more desirable that a few men shall have the pleasure of an automobile ride at the latter end of the day, while the farmer takes the inconvenience of an hour at each end of the day.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS of Nebraska. I have not the time. It is absolutely impossible for us to place this so-called daylight-saving law in keeping with the convenience and interests of the agricultural sections of the country. Men may think that by statute the Congress of the United States can change the nature of the rooster that crows at the stated time in the morning, but when the rooster crows and looks at the clock and sees that he is an hour ahead of time, he says the clock is a liar, and that the man who voted for that law was not quite so wise as the rooster himself. You enacted it as a war measure and promised that you would repeal it at the close of the war. That assurance was given here and also at the White House.

Will you now turn your backs upon that pledge and repudiate that promise?

There is no doubt as to the serious inconvenience to the agricultural interests of the country. Will you stand against them? Will you stand against the united judgment of the farmers of the Nation and say that this so-called daylight-saving law shall be perpetuated? Have we not a right to reconsider and send it back to the President with a request that he likewise reconsider rather than stand against the interests of the farmers of the Nation? I think we should do so.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. GREEN of Iowa rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GREEN of Iowa. To speak to the amendment.

The CHAIRMAN. Debate on the amendment offered by the gentleman from Pennsylvania is exhausted.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word of the amendment of the gentleman from Pennsylvania.

I agree with the gentleman from Nebraska [Mr. ANDREWS] that the President had the right to veto this provision which is under consideration, but there are many things which the ordinary citizen and which even the President of the United States has a right to do that he ought not to do under the circumstances, and this is one of them. [Applause.] If there is any privilege, if there is any right, that the ordinary citizen of the United States has it is to say what time he shall get up in the morning. He knows best when he ought to commence his duties. The President of the United States, no matter how great his knowledge, how great his skill, no matter how much information he may have acquired over in Europe on this subject, can not give him any information on that line.

The representatives of the people, the men who know the opinion of the people of the country, the men who know what the people want, by an overwhelming majority have said that the people of these United States want this law repealed. The demand comes from the farmer, from the laborer; and who are opposed to that demand? The golf player and the joy rider.

Those are the principal parties who are opposed to the repeal of this law.

Mr. GOLDFOGLE. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. I am unable to yield. I have only five minutes. Every man in this House who has worked on a farm—and there are many of them, including myself—knows that the farmer can not properly carry on his work under such regulations that this present law imposes. He knows that this is a matter of justice to the farmer; it is a mere matter of pleasure and convenience to those who are opposed to it. The farmer's hours are long at best, his work hard and toilsome. For a long time conditions of work have been so much easier in the cities that there is a constant drift toward them, a tide that ought to be turned, if possible.

The laborer, too, realizes, that this new time is no benefit to him. He loses the cool early morning hour for sleep. He can get no more done and is not so comfortable. The merchants of the small town almost unanimously voted the new time to be a nuisance.

That is the situation here, but they tell us if we submit to the veto of the President everything will go on nicely with the Department of Agriculture. Why is it that the employees of the Department of Agriculture are not getting their pay? It is not because of this House—this House voted their pay long ago—but because the President stubbornly, ill-advised, uninformed, insisted on opposing the wishes of the people, and determined that these employees should not receive their pay. Of course, we could always give up our rights. Congress can surrender any right that it has and submit to one-man rule, but the President of the United States has no more right to demand that of us than we have now to insist that this question shall again be put up to him for his decision. We hope by this time that he has remained in this country long enough to be better informed upon the situation. [Applause.]

Mr. PLATT, Mr. HAUGEN, and Mr. KINCHELOE rose.

Mr. PLATT. Mr. Chairman, I rise to oppose the amendment offered by the gentleman from Iowa. The gentleman from Iowa moved to strike out the last word.

Mr. KINCHELOE. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Kentucky is recognized to strike out the last two words.

Mr. PLATT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KINCHELOE. I hope this will not be taken out of my time.

The CHAIRMAN. It will not be.

Mr. PLATT. Mr. Chairman, have not I the right to recognition in opposition to the amendment before a new amendment is offered by a gentleman?

The CHAIRMAN. The gentleman from Kentucky, the Chair understands, is in opposition to the amendment.

Mr. KINCHELOE. Mr. Chairman and gentlemen of the committee, I think there has been more inconsistency indulged in by the Republican side of this House on this amendment to-day than any I have ever heard since I have been here. As far as I am concerned, I voted against the enactment of the daylight-saving law originally in war time, I voted for the repeal of the daylight saving, I voted to override the veto of the President, and I am still for the repeal of the daylight-saving law. But here is the situation: You who say that you are consistently in favor of the repeal of the daylight-saving law have voted on that in a separate bill that was brought here from the Committee on Interstate and Foreign Commerce for its repeal. It passed this House on the 18th day of June. It is now pending in the Senate. Then how can you get this bill repealed any sooner by voting to keep this rider on the Agricultural bill when the bill that passed the House June 18 is now pending in the Senate? It is a question that when you vote to retain this rider you vote to embarrass the President. You know if you vote the retention of this rider in this bill it is putting it up to him in the same form it was before; and you are not going to back him off the boards on this proposition, and you need not be uneasy about it. [Applause on the Democratic side.] It is a question of petty politics, and you are going to get the hot end of it so far as playing the President off the boards is concerned and delay the enactment of this great Agricultural appropriation bill, which involves great agricultural activities throughout the country. Why do you want to keep this in here when a bill has already been passed by the House repealing the law, when the question was met squarely in the face and not as a rider on an appropriation bill but as an original proposition itself?

I am frank to say that while I voted against the law when it was originally enacted, while I was in favor of the repeal of it, while I voted to override the President's veto, yet I do not propose by my vote now to let go unenacted this great Agricultural appropriation bill. As said by the gentleman from Michigan [Mr. MCLAUGHLIN], the Senate can pass the House bill over there in 15 minutes. So it is a question with us as Members of this House that by voting against the motion of the gentleman from Pennsylvania—and I am as much for the repeal of the daylight-saving law as any of you—we are voting to hold up this great Agricultural appropriation bill which will paralyze the great agricultural activities of this country simply to play a petty game of politics and undertake to play the President off the boards. You will find yourselves badly mistaken in that proposition.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Chairman, if I may have the attention of the gentleman from Arkansas [Mr. WINGO], the gentleman made a statement a few minutes ago that he had been deceived by the chairman of the committee. I desire to call his attention to the fact he has not been deceived. First, I call his attention to the report made by the conferees, and if he will turn to page 1 he will find this language:

> That the House recede from its disagreement to Senate amendment numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$327,680"; and the Senate agree to the same.

If he will turn to page 17 of the bill, he will find that the amount is increased from $307,680 to $327,680; that $20,000 was added to the appropriation for the investigation. If the gentleman is not satisfied, I refer him to the gentleman from South Carolina [Mr. LEVER], who is satisfied and had this matter in charge.

Mr. HAUGEN. Mr. Chairman, this question has been discussed at various times and passed on by the House. It is getting pretty late. Is it not possible that we can reach some agreement as to the conclusion of the debate? I move that all debate on this question close in 20 minutes.

The CHAIRMAN. The gentleman from Iowa moves to close debate in 20 minutes.

The motion was agreed to.

Mr. GARLAND. Mr. Chairman, I want to speak for the amendment.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the time be controlled by the gentleman from South Carolina and myself, to be equally divided.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the time be equally divided by the gentleman from South Carolina [Mr. LEVER] and himself. Is there objection? [After a pause.] The Chair hears none.

Mr. LEVER. Mr. Chairman, I yield three minutes to the gentleman from New York [Mr. DONOVAN].

Mr. DONOVAN. Mr. Chairman and gentlemen of the committee, in my opinion the whole gamut and range of discussion on the daylight-saving law has been exhausted, and yet it appears to me most unfortunate that there has been an element engendered in the debate which really is something that we do not desire to be said of ourselves. Reference has been made to the why and wherefore of the President in vetoing the Agricultural bill; the psychology of his mind has been gone into, and yet we are jealous of a great prerogative which is ours, namely, not to be questioned on or reprimanded for any vote or attitude we may take in this great lawmaking body in regard to the enactment of legislation. Without going further to cite instances, it seems to me that this procedure is a great mistake. I believe we should consider this matter independent of the personal attitude of anyone and solely on its merits.

There was some discussion during the debate in which the charge was made that the great financial interests of the country were back of the objection to the repeal of the daylight-saving law, because if repealed they would lose a few hours' profit on interest charges. It was ludicrous. It was the essence of simplicity. It was almost imbecility. Yet it was seriously propounded by a Member in good faith.

I do not think any one Member can speak for the great American public on this most vital subject absolutely and in toto. There are men here who proudly expand their chests and who figuratively decorate themselves with distinguished-service medals for having acquired that knowledge and belief. In my humble opinion we but reflect the sentiment of our several districts and our several communities. The sentiment of the district I represent is overwhelmingly in favor of the retention of the daylight-saving law, but yet we are told that the farmers are, or should be, by divine right or otherwise, the principal class to be considered, and as they demand the repeal it should be enacted.

Since the beginning of the debate I observed in the RECORD of the 15th instant a communication from the Massachusetts Tuberculosis League to Senator DAVID I. WALSH, of that State, relating to this subject, which strongly appeals to me. If there is a reason of superlative import that appeals to all genuine and humane Americans for the retention of this beneficent law, it is the reason given in this communication, which is as follows:

MASSACHUSETTS TUBERCULOSIS LEAGUE,
Boston, June 30, 1919.

Senator DAVID I. WALSH,
United States Senate, Washington, D. C.

MY DEAR SIR: This letter is written on behalf of the executive committee of the Massachusetts Tuberculosis League for the purpose of urging you to use your influence to secure the veto of the repeal of the daylight-saving law, which is now in the hands of the President.

At its meeting on June 27 the committee unanimously adopted the following resolution:

"Whereas the Massachusetts Tuberculosis League has always advocated the use of a maximum amount of sunlight and fresh air as a means of prevention and cure of tuberculosis; and

"Whereas the said league considers the present daylight-saving law an aid in preserving the general health of the country, and in particular a great help in the prevention of tuberculosis: Therefore be it

"*Resolved*, That the Massachusetts Tuberculosis League views with concern the present effort to do away with the daylight-saving law, and hereby urges the President to veto the repealer now in his hands.

"VINCENT Y. BOWDITCH, M. D.,
"EDWARD O. OTIS, M. D.,
"ROGER I. LEE, M. D.,
"DONALD B. ARMSTRONG, M. D.,
"VANDERPOEL ADRIANCE, M. D.,
"GEORGE L. SCHADT, M. D.,
"Miss LOUISA P. LORING,
"Executive Committee."

Earnestly hoping that you will take any action which may seem to you to be possible and expedient under the circumstances, I am,

Respectfully, yours,

R. V. SPENCER,
Executive Secretary.

Gentlemen, if we wish to get an ascertainment of a genuine, earnest reason for the retention of the daylight-saving law on the statute books, I know of no stronger advocacy, I know of no stronger or more potent reason, that transcends all the slush, all the hypocrisy, and all the insincerity that has been advanced in argument by the opposition in behalf of the farmers, than to give more opportunity for the enjoyment of daylight and sunshine and the hope of aspiration and restoration to health and energy to those stricken with the insidious germs of the devouring white plague. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. FESS having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Dudley, one of its clerks, announced that the Senate had passed without amendment the bill H. R. 7343, the sundry civil appropriation bill.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

Mr. HAUGEN. Mr. Chairman, I yield three minutes to the gentleman from Iowa [Mr. TOWNER].

The CHAIRMAN. The gentleman from Iowa is recognized for three minutes.

Mr. TOWNER. Mr. Chairman, the statement is repeatedly made by our good friends on this side of the House that the Republicans are playing politics in again putting before the President this question.

Now, gentlemen, let us see whether or not that is a justifiable accusation. The President, when he vetoed this message, had returned from Europe only a very few days. He could not have ascertained with any degree of certainty the sentiment of the people of this country. And yet, gentlemen, listen to what he says. In closing the veto message the President used this language:

It, moreover, served the daily convenience of many communities of the country in a way which gave all but universal satisfaction.

Is any gentleman on this floor able to say that the President knew the truth when he claimed that this law was giving "all but universal satisfaction"? Let us see what he further said. I read:

And the overwhelming testimony of its value—

That is, of the daylight-saving law—

The overwhelming testimony of its value which has come to me convinces me that I should not be justified in acquiescing in its repeal.

The overwhelming testimony that was given to the President was all one way, and the President was grossly and egregiously deceived. That is the fact in regard to the matter. There is not any question about what the people of the United States think about it. Instead of the overwhelming testimony being opposed to the repeal of this law, it is the other way.

And now, gentlemen, is it unwise for you, or is it unwise for us, to say to the President, "You were mistaken when your advisers told you that the overwhelming sentiment of this country was against this repeal. You have had time now to know better. We are giving you this information. We put this up to you now again, respectfully, for your consideration. The overwhelming testimony is for its repeal." There is no politics in that, gentlemen.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. LEVER. Mr. Chairman, I will yield three minutes to the gentleman from Tennessee [Mr. SIMS].

The CHAIRMAN. The gentleman from Tennessee is recognized for three minutes.

Mr. SIMS. Now, gentlemen of the House, I hope to have your attention, especially on this side.

Mr. DONOVAN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. ANDREWS of Nebraska. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. ALMON. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SIMS. Now, gentlemen, let us take a practical, commonsense view of this matter. This rule in its nature is revolutionary. It is assuming that the President was not well informed or was not sincere in his veto to now bring in the identical legislation, in effect if not in words, and put it up to him again.

Let us see what we are going up against. Suppose we pass this appropriation bill with this rider in it and the President vetoes it, and the veto is again sustained. Then there is just as much common sense and just as much practical sense and just as much reason in bringing in another bill and having a rider on it as there is to have it on this bill.

I did not dream that the gentleman from Pennsylvania [Mr. MOORE] or anyone else on that side was going to offer the amendment that he did. This amendment solves the whole problem. If this amendment is agreed to, the appropriation bill is passed on its merits.

This repeal rider is not in support of any provision in the appropriation bill. This is not the last day or the last week of an expiring Congress, and the law itself in this rider does not take effect until the last Sunday in October, so that there is no emergency about this matter, not a particle. Why should you pursue a course which might never end, because you can repeat the same thing from now until the 1st of January? The President can veto this bill. Under our parliamentary rights we can bring in a new rule to cover the same old question over and over. Why do you want to invite such a thing as that?

The idea of gentlemen telling me of the President being now rightly informed and changing his mind! I want to ask: How in the world do you know? Have you been talking with him? Have you had anything from him that warrants such a conclusion? If so, he will not veto the other bill passed by the House in the proper way when it is passed in the Senate. No; the gentleman from Iowa [Mr. TOWNER] proclaims that the President will not veto this bill. If he is correct as to this bill, we can rest assured that he will not veto the other. So you are driven into a hole and are playing small politics in a small way. I do not mean to say that you have not the right to do it, but this farce can and will continue just as long as the bill is passed, vetoed, and returned. [Applause.]

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. HAUGEN. Mr. Chairman, I yield two minutes to the gentleman from North Carolina [Mr. DOUGHTON].

The CHAIRMAN. The gentleman from North Carolina is recognized for two minutes.

Mr. DOUGHTON. Mr. Chairman and gentlemen of the committee, I am earnestly in favor of the repeal of the daylight-saving law. I voted for its repeal when it was under consideration sometime ago, and I also voted to pass the bill to repeal this law over the President's veto.

I am always glad to follow the leadership of the President when I can do so and at the same time follow the light of my own convictions and the wishes of my constituents; but when

this can be done only by stifling my convictions and running counter to the expressed desires of the people whom I have the honor to represent, then I prefer to follow them rather than the President of the United States [applause], though I have great respect and admiration for him.

In my opinion the people of the United States are extremely desirous of getting back to normal conditions and getting away from the irritating, disturbing, and vexatious conditions that were made necessary in order to win the war. They submitted to these war-time regulations patiently and uncomplainingly while necessary, but now that the war is over they are tired of such regulations and their patience is becoming rapidly exhausted. Since the veto message was received I have had numerous letters and petitions from the people of my district urging that I do all in my power to bring about the repeal of this law, and I feel that I should be derelict in my duty and not responsive to the sentiment of my constituents if I did not, even in the face of the President's veto, do all in my power to stand by and reflect the views, sentiments, and desires of the people of my district. [Applause.]

I have no doubt, Mr. Chairman, that a large majority of the people of the entire country favor the repeal of this legislation. The President, having been abroad for several months dealing with great international problems in his efforts to better world conditions and reach an agreement with the other great nations whereby wars in future will be minimized or made impossible, has not had the opportunity Members of Congress have had of ascertaining public sentiment in regard to this very important matter. I feel that the repeal of this law, which was enacted especially to meet war-time conditions, would meet with the approval of the majority of the people of this country, and I am certain that in casting my vote for its repeal I am reflecting the sentiment of the people of my district in their desire to have repealed a law that has accomplished the purposes for which it was enacted. [Applause.]

Mr. LEVER. I yield three minutes to the gentleman from Pennsylvania [Mr. GARLAND].

Mr. GARLAND. Mr. Chairman, I have heard some talk here of evidence in this matter as to whether the daylight-saving law has been valuable or not. I am for the amendment. I think we ought to retain the daylight-saving law until some evidence is shown against its value. It is said that 1,200,000 tons of coal have been saved by the daylight-saving clause in one year. I understand that the evidence given to the President the other day was that $520,000,000 worth of vegetables were raised in war gardens by the people of this country in one year because of that hour of daylight saving. To show that those who express a desire to have this daylight-saving law repealed now are not in earnest about it, I only wish to say that if there is a real desire to have this law changed, if there is any reason why it should be changed, why can it not wait until next winter, why can it not wait until we have *some* evidence on the other side? Gentlemen talk about evidence. What is the evidence? They say the farmers want the repeal of this law. I worked for five years on a farm when I was a boy, and a farmer's hours are from the early crack of daylight until the last wagging of the tail at night. The hired man said to the hired girl, "John stayed till 1 o'clock this morning." "How do you know?" "Why, he was here when I got up to do the chores this morning." [Laughter.] That is an evidence of how they work on the farm. [Applause.]

There should be hearings held if this law is to be repealed and careful investigation of the value or nonvalue made. The element of moral value in people working what is known as war gardens, and the health derived as well as the value in food products, would be enlightening and fruitful.

Mr. HAUGEN. I yield one minute to the gentleman from Pennsylvania [Mr. FOCHT].

Mr. FOCHT. Mr. Chairman, with all due respect to my beloved friend, the Congressman at large from Pennsylvania [Mr. GARLAND], in order that you may know that there is far from entire accord and unanimity in Pennsylvania favoring the retention of the so-called daylight law, I wish to say that while I have never been a farmer, like Mr. GARLAND, I expect some day to be one, and that is one reason why I want this daylight-saving law repealed. But there are other reasons, and many have been given here to-day. It has been said here that the farmers alone are interested in this matter; but that is far from the fact. I was very much surprised this morning to find in my mail an observation on a criticism made by a very dear friend who happens to be a Democratic editor and a great admirer of the President of the United States. Dr. John B. Griffith, an eminent physician of Lewistown, Pa., wrote me a letter, which I incorporate below. Lewistown is the center of great manufacturing establishments, and, following the course I have always pursued toward the workingmen, I would under no circumstances vote for the repeal if such action could possibly work them injury. While they can be subjected to no loss or inconvenience, the repeal of the law will be of inestimable value to the farmer, who should be encouraged to produce more rather than less, and to second the force of this argument I need but call attention to the high prices prevailing for food, which, to bring down to normal, every possible expedient should be employed. [Applause.]

[Dr. Griffith's letter.]

LEWISTOWN, PA., *July 17, 1919.*

Hon. B. K. FOCHT,
Washington, D. C.

MY DEAR SIR: The attached clipping from our daily paper is not my understanding of the sentiment in this locality. The sooner you get the absurd law repealed the better.

Cordially, yours,

J. B. GRIFFITH.

The clipping to which the above letter refers is as follows:

[From the Lewistown Sentinel.]

Congressman Focht is desirous of reflecting the sentiment of his district, but I doubt if he did it when he voted to override the President's veto of the daylight-saving repeal. The opposition to the daylight saving was very largely in the West and South. It seems to me that the change of an hour in that time is eminently satisfactory to the people of this section. It gives them so much more daylight every evening either for enjoyment or for home work and gardening. It is claimed that the farmers are against this daylight saving, but their position seems more selfish than anything else. The farmer can go to work and quit when he pleases, as he has always done. I would think that our Congressman's vote was a purely political one, moved by his implacable opposition to anything that comes from Wilson. A majority of Pennsylvania's Congressmen were more considerate. Eleven voted to override the veto, but 19 voted to sustain it.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CAMPBELL of Kansas, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 7413, the Agricultural bill, and had come to no resolution thereon.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill and joint resolution of the following titles, when the Speaker signed the same:

H. R. 7343. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes; and

H. J. Res. 73. Joint resolution authorizing the President to extend invitations to other nations to send representatives to the World Cotton Conference to be held at New Orleans, La., October 13 to 16, 1919, inclusive.

ARMY AND NAVY PROMOTIONS (H. DOC. NO. 153).

The SPEAKER laid before the House the following message from the President of the United States, which was read and referred to the Committee on Military Affairs and ordered printed:

To the Senate and House of Representatives:

I take the liberty of calling your attention to a matter which I am sure is at the heart of the whole country, and which I have had very much in mind throughout all these months when we were trying to arrange a peace that would be worthy of the spirit and achievements of the men who won the victory in the field and on the sea. After mature reflection, I earnestly recommend that you give the permanent rank of general to John J. Pershing and Peyton C. March, expressing the law in such a way as to give precedence to Gen. Pershing; and that you give the permanent rank of admiral to William S. Benson and William S. Sims. I take it for granted that I am only anticipating your own thoughts in proposing these honors for the men upon whom the principal responsibilities devolved for achieving the great results which our incomparable Navy and Army accomplished.

THE WHITE HOUSE, *18 July, 1919.* WOODROW WILSON.

Mr. BLANTON. Mr. Speaker, would it be in order to amend by making Woodrow Wilson permanent President of the United States? [Laughter.]

The SPEAKER. The gentleman from Texas is out of order.

AGRICULTURAL APPROPRIATION BILL.

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Agricultural appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. CAMPBELL of Kansas in the chair.

Mr. MCLAUGHLIN of Michigan was given leave to extend his remarks in the RECORD.

Mr. LEVER. Mr. Chairman. [Applause; Members rising.] Mr. Chairman and gentlemen, I would be without the semblance of feeling if my heart did not overflow at the beautiful nonpartisan reception you have just tendered me. It is all unexpected, for I rose with the intention of demonstrating beyond peradventure the awfulness of those who sit to my left. It is likely that this is the last time that I shall ever address the membership of the House of Representatives. The position to which I go was tendered to me, and I go to it untrammeled by any thought save that of the best interests of the country. I have served in this body for nearly 18 years, and yet I am a comparatively young man. I felicitate myself that I am a more or less close observer and a good judge of men, and I want to say that there has never been gathered together on the face of the earth a body of men who more nearly represented the Christian and patriotic character and courage of their people, such as the people of the United States, as now faces me. [Applause.] There is more ability brought together here than in any similar body that assembles on the face of the earth. [Applause.] I believe there is more patriotism. [Applause.] It seems to me during my many years of service that while we have our political differences and our fun and our frolics, when we reach a period of seriousness the one thought is the best interest of those we serve. [Applause.] There is not a man in this body to-day that I would not trust to the very limit, even to the keeping of the honor of my family and of my home. [Applause.] As I leave you soon, I want everyone of you to know that I shall carry with me the profoundest respect and admiration for you as a body and an affectionate and tender regard for every Member of you personally. [Applause.]

Mr. HAUGEN. Mr. Chairman, I need not say that it is with universal regret to every Member in this House that the distinguished Member from South Carolina [Mr. LEVER] is to leave this membership [applause.]; that we are no longer to have the benefit of his good counsel. He is a man of industry and intelligence; he has performed his duty with fidelity, rectitude of purpose, and with a firm determination to do justice and right. [Applause.]

Mr. Chairman, I yield the balance of my time to the gentleman from Kansas [Mr. TINCHER].

The CHAIRMAN. The gentleman from Kansas is recognized for one minute.

Mr. TINCHER. Mr. Chairman, I just want to call the committee's attention to this proposition. I do not believe there is anything in the argument made to this House that the House by passing this bill demanded by the farmers of this country, the Agricultural bill, is mistreating anyone. Who is the Agricultural Department in the interest of? Who is it for? The clerks over here? Is that all—to appropriate money to pay the heads of the department and their clerks? The farmers, it is said, constitute a little over one-third of the people. The gentleman from Illinois said that all the farmers of the United States are demanding this legislation. He calls our attention to the fact that only one-third are farmers. The other two-thirds are willing to use what the farmer raises or produces for them, but they are not willing that they shall have anything to say about the law on the subject. [Applause.] The proposition for this side of the House is who will you obey, your constituency or some one else? [Applause.]

The CHAIRMAN. The gentleman's time has expired, and all time has expired. The question is on the motion to amend offered by the gentleman from Pennsylvania to strike out the paragraph.

The question was taken; and the Chair being in doubt, on a division there were—144 ayes and 125 noes.

Mr. HAUGEN and Mr. SNELL and Mr. BLANTON demanded tellers.

Tellers were ordered; and the Chair appointed as tellers Mr. MOORE of Pennsylvania and Mr. HAUGEN.

The committee again divided; and the tellers reported that there were 165 ayes and 123 noes.

So the amendment was agreed to.

The Clerk completed the reading of the bill.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise and report the bill with amendment to the House, with the recommendation that the amendment be agreed to, and that as amended the bill do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CAMPBELL of Kansas, Chairman of the Committee of the Whole on the state of the Union, reported that that committee had had under consideration the bill H. R. 7413, the Agricultural appropriation bill, and had directed him to report the same back with an amendment, with the recommendation that the amendment be agreed to, and that the bill as amended do pass.

The SPEAKER. Under the rule which the House has adopted the previous question is ordered on the bill and amendment to final passage. The first question is on agreeing to the amendment.

Mr. HAUGEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The Clerk will call the roll.

Mr. CARTER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. For what purpose does the gentleman rise?

Mr. CARTER. To ascertain what is before the House.

The SPEAKER. The Chair stated explicitly that the amendment is before the House, the only one adopted. The Clerk will call the roll.

The question was taken; and there were—yeas 203, nays 171, not voting 56, as follows:

YEAS—203.

Ackerman	Dyer	Larsen	Pou
Alexander	Eagan	Lehlbach	Radcliffe
Almon	Edmonds	Lesher	Rainey, J. W.
Aswell	Elston	Lever	Raker
Babka	Evans, Mont.	Linthicum	Ramsey
Bacharach	Fields	Lonergan	Randall, Calif.
Bankhead	Fisher	Longworth	Rayburn
Barkley	Fitzgerald	Luce	Reber
Bee	Flood	Lufkin	Robinson, N. C.
Benson	Fordney	McAndrews	Rogers
Black	French	McArthur	Romjue
Blackmon	Fuller, Mass.	McDuffie	Rose
Bland, Mo.	Gallagher	McKiniry	Rubey
Bland, Va.	Gallivan	McLane	Rucker
Booher	Gandy	McLaughlin, Mich.	Sanders, La.
Box	Ganly	MacCrate	Sanford
Briggs	Gard	MacGregor	Scott
Brinson	Garland	Madden	Sears
Britten	Garner	Magee	Sherwood
Browning	Garrett	Major	Siegel
Brumbaugh	Glynn	Mansfield	Sims
Buchanan	Godwin, N. C.	Mapes	Smith, Mich.
Burdick	Goldfogle	Mays	Steele
Burke	Goodwin, Ark.	Mead	Stephens, Ohio
Byrnes, S. C.	Graham, Pa.	Merritt	Stevenson
Byrns, Tenn.	Greene, Mass.	Michener	Sumners, Tex.
Caldwell	Griffin	Miller	Taylor, Ark.
Campbell, Pa.	Hardy, Colo.	Minahan, N. J.	Temple
Candler	Hardy, Tex.	Montague	Tinkham
Cantrill	Harrison	Moon	Treadway
Carew	Haskell	Mooney	Upshaw
Carss	Hayden	Moore, Pa.	Vaile
Casey	Heflin	Moores, Ind.	Venable
Chindblom	Hersman	Morin	Vinson
Clark, Fla.	Holland	Nelson, Mo.	Walsh
Coady	Humphreys	Newton, Minn.	Watkins
Collier	Husted	Nichols, Mich.	Weaver
Crago	Hutchinson	Nolan	Webb
Crisp	Igoe	O'Connell	Webster
Crowther	James	Ogden	Welling
Cullen	Johnson, Miss.	Oldfield	Welty
Currie, Mich.	Johnston, N. Y.	Oliver	Whaley
Dallinger	Kahn	Olney	White, Me.
Darrow	Kearns	Osborne	Wilson, Ill.
Davis, Tenn.	Kelly, Pa.	Padgett	Wilson, La.
Dent	Kennedy, R. I.	Paige	Wilson, Pa.
Donovan	Kincheloe	Parker	Wingo
Doremus	Kitchin	Pell	Winslow
Drane	Kleczka	Peters	Woods, Va.
Dunn	LaGuardia	Phelan	Young, Tex.
Dupré	Lankford	Platt	

NAYS—171.

Anderson	Davis, Minn.	Houghton	Monahan, Wis.
Andrews, Md.	Dempsey	Howard	Mondell
Andrews, Nebr.	Denison	Huddleston	Moore, Ohio
Anthony	Dickinson, Iowa	Hudspeth	Morgan
Ayres	Dominick	Hulings	Mott
Baer	Doughton	Hull, Iowa	Mudd
Barbour	Dowell	Jacoway	Murphy
Begg	Dunbar	Jefferis	Nelson, Wis.
Bell	Elliott	Johnson, S. Dak.	Newton, Mo.
Benham	Ellsworth	Johnson, Wash.	Nicholls, S. C.
Blanton	Emerson	Jones, Pa.	Overstreet
Boies	Esch	Jones, Tex.	Park
Bowers	Evans, Nebr.	Juul	Parrish
Brand	Evans, Nev.	Kendall	Quin
Brooks, Ill.	Fess	Kennedy, Iowa	Ragsdale
Brooks, Pa.	Focht	Kinkaid	Rainey, H. T.
Burroughs	Foster	Knutson	Ramseyer
Butler	Frear	Kraus	Randall, Wis.
Campbell, Kans.	Fuller, Ill.	Lampert	Reavis
Cannon	Good	Langley	Reed, N. Y.
Caraway	Goodykoontz	Lanham	Rhodes
Carter	Graham, Ill.	Layton	Ricketts
Christopherson	Green, Iowa	Lazaro	Riddick
Clark, Mo.	Hadley	Little	Robsion, Ky.
Classon	Hastings	Luhring	Rodenberg
Cole	Haugen	McCulloch	Sanders, Ind.
Connally	Hawley	McFadden	Sanders, N. Y.
Cooper	Hays	McKenzie	Saunders, Va.
Copley	Hernandez	McKeown	Sells
Cramton	Hersey	McKinley	Shreve
Curry, Cal.	Hickey	McLaughlin, Nebr.	Sinclair
Dale	Hill	McPherson	Sinnott
Davey	Hoch	Martin	Sisson

Small	Strong, Kans.	Tincher	White, Kans.
Smith, Idaho	Strong, Pa.	Towner	Williams
Smith, Ill.	Sweet	Vestal	Wise
Smithwick	Taylor, Colo.	Voigt	Wood, Ind.
Snell	Taylor, Tenn.	Volstead	Woodyard
Snyder	Thomas	Ward	Wright
Steagall	Thompson, Ohio	Wason	Yates
Stedman	Thompson, Okla.	Watson, Pa.	Young, N. Dak.
Steenerson	Tillman	Watson, Va.	Zihlman
Stephens, Miss.	Timberlake	Wheeler	

NOT VOTING—56.

Ashbrook	Gould	Lea, Calif.	Rouse
Bland, Ind.	Greene, Vt.	Lee, Ga.	Rowan
Browne	Griest	McClintic	Rowe
Cleary	Hamill	McGlennon	Sabath
Costello	Hamilton	Maher	Schall
Dewalt	Hicks	Mann	Scully
Dickinson, Mo.	Hull, Tenn.	Mason	Slemp
Dooling	Ireland	Moore, Va.	Smith, N. Y.
Eagle	Johnson, Ky.	Neely	Stiness
Echols	Kelley, Mich.	O'Connor	Sullivan
Fairfield	Kettner	Porter	Summers, Wash.
Ferris	Kiess	Purnell	Tilson
Freeman	King	Reed, W. Va.	Vare
Goodall	Kreider	Riordan	Walters

So the amendment was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. VARE (for) with Mr. KING (against).

Mr. MCGLENNON (for) with Mr. IRELAND (against).

Mr. ROWE (for) with Mr. LEE of Georgia (against).

Mr. SCULLY (for) with Mr. MCCLINTIC (against).

Until further notice:

Mr. COSTELLO with Mr. LEA of California.

Mr. WALTERS with Mr. MAHER.

Mr. GOULD with Mr. SABATH.

Mr. KELLEY of Michigan with Mr. HAMILL.

Mr. HAMILTON with Mr. MOORE of Virginia.

Mr. GRIEST with Mr. DICKINSON of Missouri.

Mr. TILSON with Mr. FERRIS.

Mr. PURNELL with Mr. O'CONNOR.

Mr. BLAND of Indiana with Mr. CLEARY.

Mr. VARE with Mr. ROWAN.

Mr. KIESS with Mr. DEWALT.

The result of the vote was announced as above recorded.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. HAUGEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

CORRECTION OF A REFERENCE.

The SPEAKER. The Chair would like to ask unanimous consent of the House to reconsider a reference which was made a few minutes ago, and refer that part of the President's message which refers to the Army to the Committee on Military Affairs, and that part which refers to the Navy to the Committee on Naval Affairs. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. JOHN W. RAINEY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. YATES. Mr. Speaker, I make the same request.

Mr. WINGO. I make the same request.

Mr. HENRY T. RAINEY. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none

ADJOURNMENT.

Mr. McLAUGHLIN of Nebraska. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The Chair did not recognize the gentleman for that purpose. The gentleman from Minnesota.

Mr. VOLSTEAD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6810.

The SPEAKER. It is not necessary to make that motion.

Mr. CANNON. Mr. Speaker, I think the motion to adjourn would be in order.

The SPEAKER. If anybody wishes to make a motion to adjourn——

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 33 minutes p. m.) the House adjourned to meet to-morrow, Saturday, July 19, 1919, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (S. 1377) for the relief of Amherst W. Barber, reported the same without amendment, accompanied by a report (No. 125), which said bill and report were referred to the Private Calendar.

Mr. MACCRATE, from the Committee on Claims, to which was referred the bill (H. R. 946) for the relief of James A. Showen, reported the same without amendment, accompanied by a report (No. 126), which said bill and report were referred to the Private Calendar.

Mr. LITTLE, from the Committee on Claims, to which was referred the bill (H. R. 644) for the relief of Oscar Smith, reported the same without amendment, accompanied by a report (No. 127), which said bill and report were referred to the Private Calendar.

Mr. MACCRATE, from the Committee on Claims, to which was referred the bill (H. R. 909) for the relief of Ellen Agnes Monogue, reported the same without amendment, accompanied by a report (No. 128), which said bill and report were referred to the Private Calendar.

Mr. STEENERSON, from the Committee on the Post Office and Post Roads, to which was referred the bill (H. R. 7138) granting a franking privilege to Edith Carow Roosevelt, reported the same without amendment, accompanied by a report (No. 129), which said bill and report were referred to the Private Calendar.

Mr. GREENE of Massachusetts, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 6857) to authorize the change of the name of the steamer *Charlotte Graveract Breitung* to *T. K. Maher*, reported the same without amendment, accompanied by a report (No. 130), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GODWIN of North Carolina: A bill (H. R. 7536) donating a captured German cannon or field gun with carriage and projectiles to the town of Duke, Harnett County, N. C., for decorative and patriotic purposes; to the Committee on Military Affairs.

By Mr. WILSON of Pennsylvania: A bill (H. R. 7537) authorizing the Secretary of War to deliver to the town of Webster, Pa., one cannon or fieldpiece captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. PETERS: A bill (H. R. 7538) authorizing the Secretary of War to donate to the city of Belfast, Me., two machines guns; to the Committee on Military Affairs.

By Mr. BLAND of Indiana: A bill (H. R. 7539) to provide for monthly payment of pensions, and for other purposes; to the Committee on Invalid Pensions.

By Mr. WEBB: A bill (H. R. 7540) to provide for the erection of a public building at Lincolnton, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. CLARK of Missouri: A bill (H. R. 7541) authorizing the Secretary of War to donate to the town of Fulton, Mo., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 7542) to provide for the establishment of branch offices of the Bureau of War Risk Insurance; to the Committee on Interstate and Foreign Commerce.

By Mr. DENT: A bill (H. R. 7543) to create in the Army of the United States a corps to be known as the corps of chaplains; to the Committee on Military Affairs.

By Mr. GRAHAM of Illinois: A bill (H. R. 7544) authorizing the Secretary of War to donate a captured German cannon, with shells, to the city of Rock Island, Ill.; to the Committee on Military Affairs.

By Mr. HUDSPETH: A bill (H. R. 7545) to authorize an advance to the "reclamation fund" for the prompt completion of drainage work on the Rio Grande project (Texas-New Mexico), and for other purposes; to the Committee on Irrigation of Arid Lands.

By Mr. CRAMTON: A bill (H. R. 7546) authorizing the Secretary of War to donate to the town of Algonac, Mich., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. BROOKS of Pennsylvania: A bill (H. R. 7547) to provide for the purchase of a site and the erection of a public building thereon at Red Lion, county of York, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. TAYLOR of Colorado: A bill (H. R. 7548) to encourage the production of molybdenum; to the Committee on Ways and Means.

By the SPEAKER: Memorial of the Legislature of Texas approving the "conditions of peace" submitted to Germany and favoring the ratification thereof by the Senate; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALMON: A bill (H. R. 7549) granting an increase of pension to Robert H. Roberts; to the Committee on Pensions.

By Mr. BROOKS of Pennsylvania: A bill (H. R. 7550) granting a pension to Daniel B. Yeaple; to the Committee on Pensions.

By Mr. BUTLER: A bill (H. R. 7551) to appoint Admiral William S. Benson, United States Navy, and Rear Admiral William S. Sims, United States Navy, as permanent admirals in the Navy; to the Committee on Naval Affairs.

By Mr. BYRNES of South Carolina: A bill (H. R. 7552) granting an increase of pension to Robert Wilks; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 7553) granting a pension to Margaret Howell Butler; to the Committee on Pensions.

By Mr. CLARK of Florida: A bill (H. R. 7554) granting a pension to Carrie Lee; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 7555) granting a pension to Sarah G. McIntire; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7556) granting a pension to Pierre L. Carmouche; to the Committee on Pensions.

Also, a bill (H. R. 7557) granting a pension to Earle F. Chase; to the Committee on Pensions.

Also, a bill (H. R. 7558) for the relief of Elias B. Bell; to the Committee on Military Affairs.

Also, a bill (H. R. 7559) granting an increase of pension to Edwin C. Albertson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7560) granting an increase of pension to Walter Calhoun; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7561) granting an increase of pension to Lyman E. Stowe; to the Committee on Invalid Pensions.

By Mr. DOWELL: A bill (H. R. 7562) granting an increase of pension to Henry Neely; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 7563) to appoint Col. George K. Hunter, United States Army, retired, to the position and rank of brigadier general on the retired list; to the Committee on Military Affairs.

By Mr. EVANS of Montana: A bill (H. R. 7564) granting an increase of pension to Mary A. Bennett; to the Committee on Invalid Pensions.

By Mr. FAIRFIELD: A bill (H. R. 7565) granting a pension to Mahala Goff; to the Committee on Invalid Pensions.

By Mr. GOLDFOGLE: A bill (H. R. 7566) providing that Thomas H. Rockwell, late lieutenant in the Third Regiment New York Volunteer Infantry, shall be deemed to have been honorably discharged from the military service; to the Committee on Military Affairs.

By Mr. HOLLAND: A bill (H. R. 7567) for the relief of G. T. and W. B. Hastings, partners trading as Hastings Bros.; to the Committee on Claims.

By Mr. HULL of Tennessee: A bill (H. R. 7568) granting a pension to John B. Peters; to the Committee on Pensions.

By Mr. HUTCHINSON: A bill (H. R. 7569) granting a pension to H. Frederica Olcott; to the Committee on Pensions.

By Mr. LEA of California: A bill (H. R. 7570) granting an increase of pension to Emma S. Norton; to the Committee on Pensions.

By Mr. McCLINTIC: A bill (H. R. 7571) for the relief of Lucius K. Osterhout; to the Committee on Military Affairs.

By Mr. McFADDEN: A bill (H. R. 7572) granting a pension to Benjamin C. Read; to the Committee on Pensions.

By Mr. MacGREGOR: A bill (H. R. 7573) authorizing payment of compensation to Pasquale Dolce; to the Committee on Claims.

By Mr. MONAHAN of Wisconsin: A bill (H. R. 7574) granting a pension to Mary Holmes; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 7575) granting an increase of pension to Cass C. Lapoint; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 7577) granting an increase of pension to Sherman G. Johnson; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 7578) granting a pension to Mary A. Donaldson; to the Committee on Invalid Pensions.

By Mr. UPSHAW: A bill (H. R. 7579) granting a pension to Tebitha Cummings; to the Committee on Pensions.

Also, a bill (H. R. 7580) granting an increase of pension to George W. Ryan; to the Committee on Invalid Pensions.

By Mr. WILSON of Pennsylvania: A bill (H. R. 7581) granting a pension to Dolly Becker; to the Committee on Invalid Pensions.

By Mr. WILSON of Illinois: A bill (H. R. 7582) granting a pension to Eleanora D. Powers; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the Japanese Association of Hawaii, Honolulu, favoring the relaxation of the prohibition law; to the Committee on the Judiciary.

Also (by request), petition of the International Brotherhood of Paper Makers, of Turners Falls, Mass., in favor of league of nations; to the Committee on Foreign Affairs.

By Mr. CAREW: Petition of National Federation of Federal Employees, of Washington, D. C., against the Good amendment to the Nolan wage bill; to the Committee on Labor.

Also, petition of Washington Central Labor Union, by N. A. James, secretary, against the Good amendment to the Nolan minimum-wage bill; to the Committee on Labor.

By Mr. DARROW: Resolution of the National Association of Supervisors of State Banks, recommending the abolition of the Office of Comptroller of the Currency; to the Committee on Banking and Currency.

Also, petition of Stokes & Smith Co., David Lupton's Sons Co., Biddle-Gaumer Co., and Arthur C. Jackson, of Philadelphia, protesting against House joint resolution 121; to the Committee on Labor.

By Mr. EMERSON: Petition of United Commercial Travelers of Dayton, Ohio, favoring the meter-liter-gram system; to the Committee on the Judiciary.

By Mr. HARDY of Colorado: Petition of the United National Association of Post Office Clerks, Pueblo, Colo., asking for advanced compensation; to the Committee on the Post Office and Post Roads.

By Mr. McLAUGHLIN of Nebraska: Petition of sundry citizens of Bruning, Strang, Shickley, Steele City, and Ong, Nebr., urging repeal of daylight-saving law; to the Committee on Agriculture.

By Mr. MacGREGOR: Petition of Horace O. Lanza, of Buffalo, N. Y., urging Congress to retain light wines and beer; to the Committee on the Judiciary.

Also, petition of W. H. Sanford, of Buffalo, N. Y., against the repeal of the daylight-saving law; to the Committee on Agriculture.

Also, petition of Richmond Avenue Methodist Church, of Buffalo, N. Y., for full enforcement of prohibition laws; to the Committee on the Judiciary.

Also, petition of Lantz Bros. & Co., of Buffalo, N. Y., objecting to certain parts of Esch-Pomerene bill (H. R. 4378); to the Committee on Interstate and Foreign Commerce.

By Mr. MAHER: Petition of sundry citizens of the State of New York, for the repeal of the tax on sodas, soft drinks, ice cream, etc.; to the Committee on Ways and Means.

By Mr. PELL: Petition of sundry citizens of New York, protesting against the tax on sodas, soft drinks, ice cream, etc.; to the Committee on Ways and Means.

By Mr. ROWAN: Petition of Wyandot Club, of the city of New York, urging recognition of the republic of Ireland; to the Committee on Foreign Affairs.

Also, petition of Central Bureau of Extension Table Manufacturers, of Chicago, Ill., urging retention of the zone advances; to the Committee on the Post Office and Post Roads.

Also, petition of the Federal Employees' Union, of Louisville, Ky., urging enactment of Lehlbach retirement bill; to the Committee on Labor.

Also, petition of the Federal Employees' Union of Sault Ste. Marie, Mich., urging enactment of Lehlbach retirement bill; to the Committee on Labor.

Also, petition of the Dover Federal Employees' Union, Dover, N. J., urging favorable report of committee to the House of the Lehlbach retirement bill; to the Committee on Labor.

Also, petition of the Washington Central Labor Union, urging defeat of the Good amendment to Nolan minimum-wage bill; to the Committee on Ways and Means.

Also, petition of the advisory board, Philadelphia and Camden Federation of Pennsylvania Lines, urging what is known as the Plum plan of ownership and operation of railroads, and until enacted for Government control; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Self-Determination League of Liberty, New York City, advocating drastic restriction and regulation of all spirituous liquors and Federal law preventing the manufacture of adulterated and impure liquors of all kinds; to the Committee on the Judiciary.

By Mr. SIEGEL: Petition of the Wyandot Club, of New York City, asking for self-determination for Ireland; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES.

SATURDAY, *July 19, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

With renewed faith and confidence, O God, our Heavenly Father, in the overruling and inward ruling of Thy providence, help these, Thy servants, with true devotion to duty, to go forward with the business of the hour, assured that if they are true to themselves as light is given them all will be well; for Thine is the kingdom, and the power, and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVES OF ABSENCE.

By unanimous consent, leaves of absence were granted as follows:

To Mr. LEE of Georgia, for two days, on account of illness.

To Mr. KRAUS, for two days, on account of important business.

WITHDRAWAL OF PAPERS.

Mr. BRINSON, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Thomas E. Delvin, no adverse report having been made thereon.

Mr. IGOE, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, papers in the cases of Esther C. Vernell, Sixty-fifth Congress, and Edward Flannagan, Sixty-fourth Congress, no adverse reports having been made thereon.

Mr. WALSH, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the cases of George C. Peterson (H. R. 1631), Albert Damon (H. R. 12963), William H. Le Baron (H. R. 11045), Cora F. Withell (H. R. 10687), Annie Casey (H. R. 13094), Peter Black (H. R. 9213), Hodges W. Drayton (H. R. 12978), Sylvester D. Phinney (H. R. 1628), Luther F. Thayer (H. R. 12979), William Johnson (H. R. 12980), and Carrie C. Washburn (H. R. 1630), all of the Sixty-fifth Congress, no adverse reports having been made thereon.

ENROLLED BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that yesterday they had presented to the President of the United States, for his approval, the following joint resolution and bill:

H. J. Res. 73. Joint resolution authorizing the President to extend invitations to other nations to send representatives to the World Cotton Conference to be held at New Orleans, La., October 13 to 16, 1919, inclusive; and

H. R. 7343. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

PROHIBITION ENFORCEMENT.

The SPEAKER. Under the rule the House will resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the prohibition-enforcement bill.

Mr. GARD. Mr. Speaker, owing to the fact that there are so few people here, I make the point of no quorum.

The SPEAKER. The gentleman from Ohio makes the point that there is no quorum present, and evidently there is not.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Ackerman	Echols	Kreider	Riddick
Andrews, Md.	Edmonds	Layton	Riordan
Anthony	Elston	Lee, Ga.	Rouse
Ashbrook	Fairfield	Linthicum	Rowan
Bacharach	Freeman	McClintic	Rowe
Benham	Garland	McGlennon	Sanders, N. Y.
Benson	Goodall	McKenzie	Schall
Brinson	Gould	McKinley	Scully
Brooks, Pa.	Greene, Vt.	MacCrate	Slemp
Browne	Griest	MacGregor	Smith, N. Y.
Browning	Hamill	Maher	Stephens, Ohio
Burke	Hamilton	Mann	Stiness
Caldwell	Hicks	Mason	Sullivan
Campbell, Pa.	Houghton	Merritt	Summers, Wash.
Carew	Ireland	Murphy	Tilson
Cleary	Johnston, N. Y.	Neely	Vare
Costello	Kearns	Nicholls, S. C.	Walters
Dale	Kelley, Mich.	Platt	Ward
Dewalt	Kelly, Pa.	Porter	Watson, Pa.
Dooling	Kettner	Purnell	Wilson, Ill.
Dupré	Kiess	Radcliffe	Yates
Eagan	King	Randall, Calif.	Young, N. Dak.
Eagle	Kraus	Reavis	Zihlman

The SPEAKER. Three hundred and thirty-eight Members have answered to their names, a quorum.

Mr. CRISP. Mr. Speaker, I move to suspend further proceedings under the call.

Mr. GOOD. Mr. Speaker, I move to suspend further proceedings under the call.

The SPEAKER. The gentleman from Iowa moves that further proceedings under the call be suspended. The question is on agreeing to that motion.

The motion was agreed to.

LEAVE TO ADDRESS THE HOUSE.

Mr. GOOD. Mr. Speaker, I ask unanimous consent that I may make a statement, not to exceed five minutes in length.

The SPEAKER. The gentleman from Iowa asks unanimous consent to proceed for five minutes. Is there objection?

Mr. WINGO. What about?

Mr. GOOD. I wanted to get unanimous consent in order to bring up a resolution to make the appropriations that have been approved since July 1 available from July 1. They are not retroactive. It will take but a few minutes.

Mr. WINGO. It is a matter of public business?

Mr. GOOD. Yes.

Mr. CURRIE of Michigan. Reserving the right to object, Mr. Speaker, I have just learned that the Senate is not in session to-day, and therefore no action that the House might take to-day would become effective. I therefore feel obliged to object.

Mr. GOOD. I will say to the gentleman that I shall be compelled to ask for a rule, and it will take more time to get a rule and put this matter through in that way than the five minutes that would be required to put it through at this time.

PROHIBITION OF INTOXICATING BEVERAGES.

The SPEAKER. Objection is made. Under the rule the House resolves itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6810, prohibiting intoxicating beverages, and the gentleman from Iowa [Mr. GOOD] will take the chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6810, with Mr. GOOD in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6810, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 6810) to prohibit intoxicating beverages, and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries.

The CHAIRMAN. Several amendments are pending.

Mr. BLAND of Missouri. Mr. Chairman, I understand there is only one amendment pending. I want to offer an amendment to that amendment.

The CHAIRMAN. The gentleman from Missouri offers an amendment to the pending amendment offered by the gentleman from Minnesota [Mr. VOLSTEAD], which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLAND of Missouri to the amendment offered by Mr. VOLSTEAD: After the words "a record and report of sales" strike out the words "If the commissioner shall find that any article can be successfully and economically manufactured so as to contain less than one-half of 1 per cent of alcohol by volume, he shall, by regulation, forbid the manufacture and sale of any such article

containing more than one-half of 1 per cent of alcohol by volume. Such regulation shall take effect six months after the date it is promulgated, and thereafter it shall be unlawful to manufacture and sell any article so forbidden. Any finding under this paragraph shall be subject to court review as in said section 5 provided."

Mr. VOLSTEAD. Mr. Chairman, I accept that.

Mr. BLAND of Missouri. I want to be heard, Mr. Chairman, on the amendment for a moment, because if given time I think I may be able to throw some light on other provisions of the bill.

Mr. Chairman, I am very much afraid that the members of the committee who are supporting the drastic provisions of this bill are losing sight of the fact that there is a very great difference between the enforcement of a prohibition law by the Federal Government and the enforcement of a similar law by the State government. A great many gentlemen have justified their support of some of the most severe, drastic, and, to me, at times unreasonable measures of this bill by the declaration that they have had great and unusual difficulties, and sometimes did not meet with success, in enforcing even the most severe provisions of State laws. That may be true. I have always entertained a serious doubt whether or not State prohibition would be effective. I have never entertained a doubt that Federal prohibition would be effective, if reasonable enactments or provisions to enforce the law were passed by the Federal Congress. I have no such doubt now, and for that reason I believe that it is not necessary to write a bill which is so drastic and unreasonable and, I might almost say, fanatical as to drive away from it those who desire to support and vote for it and who are, in fact, anxious and ready to write a reasonable law to carry into effect the constitutional amendment when it becomes operative on January 16 next. There are some who object most seriously and rightfully to a bill that violates many of the heretofore established rules of criminal procedure; one which reverses the burden of proof; one which eliminates the presumption of innocence and establishes the presumption of guilt; and one which takes away from the Members of this House the opportunity to vote on the separate measures, one relating to war-time prohibition and the other to constitutional prohibition. These two laws are based upon entirely different reasons, grounds, and necessities, and certain it is, in fairness, that the Members of the House should be given the opportunity to express themselves by their votes upon these measures presented as separate bills. I realize, however, from the proceedings of the House and the position taken by those in charge of the bill that this fair opportunity will not be extended.

Therefore I come now to the amendment which I offered, and it illustrates by analogy the reason for carefully considering all of the provisions of the bill, to the end that great wrong and injustice may not be done. I said the other night, during a session of the House, while considering this bill, that the compounds, flavors, or artificial products presented to the Committee on the Judiciary as being flavoring extracts were not, in fact, flavoring extracts. I am prepared to say that the article my esteemed friend from Kansas [Mr. TINCHER] carried in his pocket and exhibited to the House was not a flavoring extract, and if it had been labeled and sold as such, then, under the national pure food and drugs law, such act would have been in violation of the law, and would have constituted a crime. I want to read to the committee the official definition which has been adopted by the Bureau of Chemistry of the Department of Agriculture:

A flavoring extract is a solution in ethyl alcohol of proper strength, of the sapid and odorous principles, derived from an aromatic plant, or parts of the plant, with or without its coloring matter, and conforms in name to the plant used in its preparation.

I stand here in the presence, Mr. Chairman, of my colleagues to say, without fear of successful contradition, that no line of flavoring extracts can be manufactured without the use of alcohol to extract the sapid and odorous principles of the plants or the parts of the plants.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. BLAND of Missouri. I must decline to yield now until I am through, as my time is so limited. Then I shall be glad, if permitted the opportunity, to answer any questions by any of the gentlemen of the committee.

The CHAIRMAN. The gentleman declines to yield.

Mr. BLAND of Missouri. I want to present the serious result if this particular amendment offered by the chairman of the Judiciary Committee should be adopted in its entirety. If so adopted and if by some process not unknown to science and chemistry the flavoring extracts could be manufactured without the use of alcohol by some secret process it would result in building up in this country, under such condition, a monopoly which would be protected and perpetuated by this amendment, and which would prey upon the people by exacting prices to be fixed and determined at its own pleasure, and I am sure, under such opportunity, these prices would yield enormous and unreasonable profits.

I do not believe that a line of flavoring extracts will ever be manufactured without the use of alcohol as a solvent to extract the properties of the plants or parts of plants. I know, beyond question, it can not be done now. I know, too, that the Bureau of Chemistry of the Department of Agriculture and the eminent chemists of this country will bear witness to the correctness of this statement. The very definition by the Bureau of Chemistry, which has been issued for the guidance of the public and for the enforcement of the national pure food and drugs law to the dealers and for the purpose of controlling the marketing of flavoring extracts, shows you the position taken by the highest authorities who have in hand the enforcement of the national pure food and drugs law.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. BLAND of Missouri. Mr. Chairman, I ask unanimous consent to have three minutes more.

Mr. IGOE. I ask unanimous consent, Mr. Chairman, that the gentleman may proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

Mr. FOSTER. Reserving the right to object, Mr. Chairman——

Mr. MADDEN. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. BLAND of Missouri. I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BLAND of Missouri. Mr. Chairman, as I have stated, there is only one method within my knowledge which can be pursued in the manufacture of flavoring extracts, and that, as I have stated, is with the use of ethyl alcohol of proper strength. The other preparations which I have mentioned are made by the following process: The coal-tar synthetic flavors which must be labeled as "artificial" under the national food and drugs law are made by combining the coal-tar products. It is possible from coal-tar products to make almost all if not all of the odors of perfumes and almost all if not all of the flavors. From these coal-tar products are also made habit-forming drugs, such as veronal, sulfonal, medinal, and almost an infinite variety of others. The synthetic flavors are not the real flavoring extracts made in accordance with the definition which I have heretofore read but are artificial and must be so labeled. There are other flavors, such as orange, lemon, and vanilla, made as emulsions from the oils of the lemon, orange, and vanilla, and so forth, and by vegetable oils or mineral oils in combination with oils of lemon, and so forth. When made in combination with the vegetable oils these preparations become rancid and, to the best of my information, are not fit for the trade, and are only sold to a very limited extent. The same may be said with reference to the coal-tar synthetic flavors. Flavoring extracts made as I have heretofore described are necessary to modern civilized life. In fact, have been used by the housewives from almost time immemorial.

The emulsion flavors, as I understand it and to which I have referred, made from the oils do not distribute themselves uniformly when cake or pastries are manufactured with such flavors contained, nor do such flavors distribute themselves uniformly in the manufacture of soft drinks and other like articles. For these reasons, and I could name others, it seems to me clear that nothing should be done by this body which would remove from the homes of this country or prevent the legitimate use of flavoring extracts to render palatable and pleasant the foods and the harmless drinks sold at the soda fountains throughout the length and breadth of the land.

If my conception is right, whenever any legislation is enacted by this body it should be enacted in the interests of the 107,000,000 people of this great Nation. Unless amendments are made the effect of this bill will be to modify the national formulary, the United States Pharmacopœia.

I went to a drug store this morning on my way to attend this session and secured hastily, as I was behind time, some labels. Let me read some of them:

Aromatic spirits of ammonia; alcohol, 68 per cent. Dose, from 30 to 60 drops in water.

Tincture of vanillin, U. S. P., containing 61 per cent absolute alcohol by volume.

Tincture of peppermint; alcohol, 85.5 per cent. Dose: Two years old, 6 drops; 5 years old, 15 drops; 10 years old, 20 drops; adults, one-half teaspoonful. To be taken in a little sweetened water.

Extract of witch-hazel; alcohol, 14 per cent.
Essence lemon; absolute alcohol, 90 per cent by volume. For flavoring jellies, custards, ice creams, and cakes, etc.; avoid boiling; use to suit taste.
Sweet spirits of nitre; each fluid ounce contains alcohol, 92 per cent; ethyl nitrite, 4 per cent, or 18 minims. One month old, 5 drops; 6 months old, 10 drops; 1 year old, 12 drops; 5 years old, 25 drops; 10 years old, 50 drops; adults, 1 to 2 teaspoonfuls.
Spirit of camphor; absolute alcohol, 89 per cent by volume. Dose for adults, 5 drops to a teaspoonful, first added to sugar, and then mixed with water.
Elixir valer ammonia, contains about 25 per cent alcohol.

There are many other articles the labels of which I might have obtained if I had time, like tincture of gentian, which contains about 50 per cent alcohol; tincture of quassia, about 50 per cent alcohol; bay rum, etc., and which I might enumerate. Every one of these articles are drinkable, although not palatable. They are drinkable, if one's stomach does not rebel, and will produce exhiliration and even intoxication, but they are also remedies, and, as I have said, there are many others which are prescribed by the medical fraternity.

I may even go to the extent of saying that right here in Washington denatured alcohol is taken internally if the information which I have secured as a response to my inquiries is correct, and it is a well-known fact that around refining plants quantities of gasoline are taken as a drink or a beverage and produces a species of intoxication. I mention these matters to emphasize this proposition that the real test is not whether an article is fit or unfit to be taken internally in quantities and to the extent of producing intoxication by the moral pervert, but the proposition that should be applied is this: Permit these household remedies to continue and the useful and remedial agents to be made and used legitimately and provide to punish or incarcerate the moral pervert not only for the protection of society but for his protection when he persists in the misuse of these preparations and impose a punishment of severe character upon the dealer who sells the same as a beverage or has reasonable and just cause to know that the same are being purchased for use as a beverage. In this connection I want to say that the abuse of these useful and necessary preparations by the small percentage of moral perverts or users thereof should not deprive the 107,000,000 people of this country of the legitimate and rightful use of these preparations. Many provisions of this bill seem to disregard these people and would indicate that some of the supporters of the bill do not take the larger and broader view, but limit themselves to the narrow view that the legislation must be in the interest of the few who persistently, willfully, and wrongfully are willing to violate the sane and reasonable enactments of law.

In conclusion I wish to say that I am not now speaking in opposition to the enactment of a law which will render effective constitutional prohibition which the people have overwhelmingly declared themselves in favor of, but I am simply endeavoring to challenge the attention of the members of the committee to the proposition that we ought not go to utterly extreme lengths and legislate in a manner which may, and will in some cases without amendments, result in great injustice to legitimate industries and to the inconvenience and injury of the general public.

There is one concluding thought, and that is that unless this bill is made more reasonable in terms within the brief period of one year following the time it becomes a law, 90 per cent of the adult population of this country stand a good chance, whether advertently or inadvertently, intentionally or unintentionally, of being guilty of a criminal act. The housewife who extracts the juice of the fruit, if it later ferments, the farmer who makes his cider, if it later ferments, and I could enumerate many, many other instances of persons innocent of wrongful intent becoming guilty under the terms of the law as it was presented by the Judiciary Committee, because all of these preparations will in fermentation contain more than one-half of 1 per cent of alcohol.

Mr. DYER. In view of the statement of my colleague and of his knowledge of this matter because of his long experience, and the statement of the chairman of the Judiciary Committee that it is agreeable to that committee, I do not see any necessity for further argument, and I ask for a vote.

Mr. TINCHER. Mr. Chairman, I rise to oppose the amendment.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. TINCHER. Mr. Chairman, it does not make any difference to me how many agreements people make about these amendments, I have my views on this subject, and I want to state my position.

The gentleman calls attention to the fact that I produced here before this body a bottle that did not contain an extract. It is labeled "flavor." I asked the gentleman, before I produced the bottle, if he did not mean that they had to have the alcohol to produce the extract, instead of meaning that they had to preserve it in alcohol and put it on the market in a condition in which it could be used and drank as a beverage, and that is what I supposed he meant, and that is the truth. They do need the alcohol to produce it, but it does not have to be put on the market in a condition in which it can be used as a beverage. If this amendment prevails, it will be permitted to go on the market in that condition.

Mr. BLAND of Missouri. Will the gentleman yield?

Mr. TINCHER. Not until I finish my statement. Then I will yield. I say to you that they are preparing flavors for cooking to-day and selling them on the market that are just as good and better than those preserved in alcohol. They are doing that with every one of these flavors, and they are being used in the dry States to-day. I had a conversation with my friend yesterday in which he said I was radical because I wanted to legislate to protect the depraved man, that no one but a depraved man would use an extract as a beverage. That is possibly true, but there is no question that alcohol creates a thirst and creates a hunger for it. That has been conceded.

I have in mind a case that happened in Oklahoma some 15 years ago, the first jury case that was tried at Cherokee, Okla., the county seat of one of the greatest counties in the State. A man was tried for murder. He had murdered a young man, 28 years old, who had a wife and two children, who had gone there, a progressive, upright, and industrious young man. The murderer's name was Jacobs. The man who was murdered was named Strohl. Jacobs shot Strohl in cold blood. I was called in to assist in the prosecution. I am not going to tell any imaginary, startling stories. The evidence disclosed that Jacobs had drank 28 bottles of lemon extract the day he committed the murder. Jacobs was probably depraved, but Strohl was not. There was no one in Strohl's family who was depraved, but Strohl and his family were entitled to the protection of the law. The history of enforcement has been that when these extracts could be sold with a solution of alcohol in such form that they could be used as beverages they were so used, and the very class of people who ought never to touch liquor were the people who used them. [Applause.]

Mr. DYER. The gentleman is talking now about dry States?

Mr. TINCHER. I understand the Constitution contemplates that we are to have a dry Nation. [Applause.] I am talking for a dry Nation. I am doing my duty as a Representative of my people who expect me to help to enact a law to enforce the Constitution and make the Nation dry. [Applause.]

Mr. DYER. Will the gentleman yield?

Mr. TINCHER. I had some more things that I wanted to say, and I will not yield for a moment. I want to say that there is a disposition here to inject technical objections which will tend to hinder enforcement.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question is on the amendment offered by the gentleman from Missouri [Mr. BLAND] to the amendment offered by the gentleman from Minnesota [Mr. VOLSTEAD].

The question was taken; and on a division (demanded by Mr. DYER) there were—ayes 114, noes 48.

Mr. BLANTON. I ask for tellers on that.

SEVERAL MEMBERS. Oh, no!

Tellers were refused; one Member rising to second the demand.

Accordingly the amendment to the amendment was agreed to.

Mr. BLANTON. When I am right I am willing to be alone.

The CHAIRMAN. The question is on agreeing to the amendment as amended.

The amendment of Mr. VOLSTEAD's as amended was agreed to.

Mr. HUSTED. Mr. Chairman. I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr HUSTED: Page 10, line 13, after the word "purposes" strike out the remainder of the paragraph and insert a period.

Mr. HUSTED. Mr. Chairman, the object of my amendment is to strike out the requirement on page 10, line 13, that the quantity of alcohol by volume shall be printed on the bottle or package in which the toilet, medical, or antiseptic preparation is contained.

I submit that this provision can serve no useful purpose whatever in the enforcement of prohibition. On the contrary, it may be positively detrimental, because it will call the attention of men who seek to use preparations of this kind for beverage purposes to the fact that they contain alcohol. It will also make it very easy for a druggist who wants to evade the law to sell

these things for beverage purposes, and simply point to the bottle, and the bottle will speak for itself and show that the preparation contains alcohol.

Now, under the pure food and drugs act Congress excepted flavoring extracts from this requirement. Congress excepted it from that requirement simply because flavoring extracts were frequently used for beverage purposes. It excepted them in the interest of temperance. I submit there is no reason why these preparations should be required to show the alcoholic content any more than flavoring extracts. On the contrary, they are in exactly the same class, and if one is excepted the other ought to be excepted in the interest of temperance.

As I understand, the gentleman from Minnesota [Mr. VOLSTEAD], the chairman of the Judiciary Committee, has the same view. People who make these preparations are very much opposed to the requirement, because they fear it will get them into trouble under the following section of the bill, which gives the Commissioner of Internal Revenue the ability to hale them before him in case of a violation which may result in serious trouble and inconvenience in the carrying on of the business.

Mr. BLAND of Missouri. Will the gentleman yield?

Mr. HUSTED. Yes.

Mr. BLAND of Missouri. Does the gentleman understand that these requirements in the food and drugs act are in order to control the sale of liquids that carry alcohol?

Mr. HUSTED. The pure food and drugs act requires it in medical preparations, but there is no reason why it should be required in cases of this kind. It is proper that the Government should have the information, and the Government has the information, for whenever an application is made by the manufacturer of a preparation the manufacturer has to state to the Commissioner of Internal Revenue the quantity of alcohol contained in the preparation. There is no good reason why the information should be lodged anywhere else, and there is good and sufficient reason why it should be conspicuously printed on the label, so that a degenerate can know what it contains and so that the crooked druggist can point his finger at it when a man comes into the drug store looking for something of that kind.

Mr. BLAND of Missouri. Does not the gentleman know that the druggist could point at the article just as well if it is not printed on the label, and is not he subject to two penalties—one for not showing the alcoholic content under the national food and drugs act and the other for selling it as a beverage punishable under this act—and both of them are reasonable?

Mr. HUSTED. I know and I believe that every man in the House recognizes that it would be very much more easy for the druggist to get it into the hands of the man looking for it, and much more easy for him to evade the law, if the quantity of alcohol was conspicuously printed on the label. If you leave it in here you are going to increase the sale of these articles for an improper purpose.

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. Is not a substitute to perfect the original text a preferential amendment?

The CHAIRMAN. Perfecting amendments have priority.

Mr. WINGO. How can a substitute perfect the text of an amendment?

Mr. BLANTON. A substitute to perfect the original text.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota.

Mr. BLANTON. Will the Chair answer my inquiry?

The CHAIRMAN. The Chair answered the gentleman. A perfecting amendment will be put before an amendment to strike out.

Mr. BLANTON. When the time comes I have such an amendment.

Mr. VOLSTEAD. Mr. Chairman, this matter was submitted to the Committee on the Judiciary, and it was thrashed out there quite fully. The committee refused to strike out this provision. There are some Members on the Judiciary Committee who had a part in framing the act under which medical preparations, patent and proprietary medicines, are required to be labeled in this fashion, and they insisted that it remain in the bill. Personally I do not think there is much advantage in it, but their judgment was that there would be, and the committee deferred to their judgment. I ask that under the circumstances it remain in the bill.

Mr. BLANTON. Mr. Chairman, I offer an amendment as a substitute.

The Clerk read as follows:

Page 10, line 14, preceding the word "printed," insert the word "correctly."

Mr. BLANTON. As has been stated, this provision is required by the pure food and drugs act, and I think in accordance with the statement made by the chairman of the committee it ought to remain in the bill. But I think the amendment I offer should be adopted in order to make it mean something. If my amendment is adopted, it will read:

(d) Toilet, medical, and antiseptic preparations and solutions that are nonpotable and unfit for use for beverage purposes, contained in bottles or packages, upon which are correctly printed conspicuously and legibly in English the quantity by volume of alcohol in such preparation.

What is the use of requiring anyone to print on the label the purported quantity unless they are required to correctly do so? I think the word "correctly" should be put there, because otherwise it is not required, and they could put on any formula they please. But the law as it stands now, as I understand, would not reach it. I think it should be clearly stated that it is the purpose of Congress to require and hold responsible every manufacturer of these medical and toilet articles, and that they shall print on the label the correct amount or volume of alcohol contained in that preparation.

Mr. VAILE. If the gentleman will yield, I would like to ask if he means by the word "correctly" that the truth shall be stated or that the printing shall be correct and not misspelled. [Laughter.]

Mr. BLANTON. I mean both.

Mr. VAILE. I submit that the gentleman's amendment does not convey that idea.

Mr. BLANTON. I think it does. There are 435 Members of the House, and sometimes there are about 435 different opinions on questions that come up.

Mr. DENISON. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. I yield.

Mr. DENISON. Does not the gentleman from Texas think the word "correctly" is necessarily implied, because if the amount of alcohol is incorrectly stated, then the amount of alcohol in the material is not printed.

Mr. BLANTON. My answer to the gentleman will answer the gentleman from Colorado [Mr. VAILE]. There might be a typographical error offered as an excuse. I want to make it plain to the manufacturers of these articles that they must see to it that the labels upon their articles must show correctly the amount of alcohol that is contained in such bottles.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. I yield.

Mr. VINSON. The section as it is written requires the printing on the receptacle of the correct amount of alcohol by volume. That is already provided for, and failure to do that is made a crime. The gentleman would require that the manufacturer shall correctly print, and, as I see the matter, the only difference which the gentleman's amendment makes to the section is that he makes it a crime if a word is misspelled.

Mr. BLANTON. No; I would make it a crime if the manufacturer does not see to it that it contains a correct representation of the volume of alcohol.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. VOLSTEAD. Mr. Chairman, I would like to agree on some time for debate. It seems to me that we ought to, if there are no further amendments to this section——

Mr. GARD. Mr. Chairman, will the gentleman yield to me for a suggestion?

Mr. VOLSTEAD. Yes.

Mr. GARD. I would suggest to the chairman of the committee that when we come down to the real gist of this language that appears on line 14, page 10, in order to correct the matter and have a thorough understanding, the gentleman ask unanimous consent that the word "true" be inserted before the word "quantity," so that it will read:

Upon which are printed conspicuously and legibly in English the true quantity by volume of alcohol in such preparations.

Mr. VOLSTEAD. It seems to me it is exactly the same, whether we use the word "correctly" or "true."

Mr. GARD. If the gentleman does not offer it, I will.

Mr. BLAND of Missouri. I think under the national food and drugs act it is absolutely required that the exact quantity of alcohol by volume be printed.

Mr. VOLSTEAD. This is a new provision of law that the gentleman has reference to and applies to paragraphs (b), (c), and (e). Mr. Chairman, I move that all debate upon this section and all amendments thereto be now closed.

The CHAIRMAN. The gentleman from Minnesota moves that all debate on this section and all amendments thereto be now closed.

Mr. VOLSTEAD. Mr. Chairman, I ask to modify that by making it five minutes.

The CHAIRMAN. The gentleman modifies his motion by making it five minutes.

Mr. GARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GARD. The RECORD shows that there are a number of amendments which were read and which are supposed to be pending to this section, appearing on page 2808 of the RECORD. I want to know whether the chairman of the committee desires that there be no debate on any of those amendments, or whether they shall be open for discussion and information?

Mr. VOLSTEAD. My impression is, if the gentleman will turn to the RECORD, that he will find that all of these amendments have been debated. They are simply made necessary to correct the text.

Mr. GARD. They have not even been offered. They were submitted by the gentleman for the purpose of being printed in the RECORD.

Mr. BLANTON. Mr. Chairman, I demand the regular order.

Mr. VOLSTEAD. They are treated as offered.

Mr. GARD. I think we should have a fair opportunity to discuss these amendments, which have been presented in the RECORD but have never been offered.

The CHAIRMAN. The motion is to close debate. The question is on the motion of the gentleman from Minnesota that all debate on this section and all amendments thereto close in five minutes.

Mr. VOLSTEAD. Mr. Chairman, I desire to modify that again by making it 15 minutes.

The CHAIRMAN. The gentleman from Minnesota again modifies the motion that all debate on this section and all amendments thereto close in 15 minutes.

Mr. BLANTON. Mr. Chairman, can the gentleman modify his motion after the Chair has put it without unanimous consent?

The CHAIRMAN. The gentleman can not modify his motion except by unanimous consent.

Mr. SAUNDERS of Virginia. Then, Mr. Chairman, I move to amend the gentleman's motion by making it 15 minutes.

The CHAIRMAN. The question is on the motion of the gentleman from Virginia to amend the motion offered by the gentleman from Minnesota, that the time be fixed for 15 minutes.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The motion now recurs on the motion of the gentleman from Minnesota [Mr. VOLSTEAD] as amended.

The motion was agreed to.

Mr. VOLSTEAD. Mr. Chairman, I ask unanimous consent that the amendments that were read for information be considered pending, so as to save the time of reporting them over again.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the amendments which were read in the RECORD be considered pending. Is there objection?

Mr. WALSH. Mr. Chairman, the amendments can not be considered pending until they are reported. The other night they were reported for the simple purpose of having them printed in the RECORD. If the gentleman will ask to have them reported, I shall not object.

The CHAIRMAN. The Chair will state that that can be done by unanimous consent, but only in that way. Is there objection?

Mr. WALSH. Unless they are reported I shall object.

The CHAIRMAN. The gentleman from Massachusetts objects.

Mr. VOLSTEAD. Mr. Chairman, I ask that they be reported and be pending.

The CHAIRMAN. There is an amendment pending. The gentleman asks unanimous consent that the amendments offered and printed in the RECORD be reported. Is there objection?

Mr. DALLINGER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DALLINGER. Will the time consumed in reading these amendments be taken out of the 15 minutes?

The CHAIRMAN. It will not be taken out of the time for debate. Is there objection to the request? [After a pause.] The Chair hears none. The amendments will be reported.

The Clerk read as follows:

Page 9, lines 19 and 20, after the word "the" in line 19, strike out the words "purchase, sale, transportation, importation, exportation, and use of the."

Page 11, line 4, after the word "in," insert the words "paragraphs (a), (b), (c), and (d) of."

Page 11, line 4, after the word "purposes," insert "or any extracts or sirups for intoxicating beverage purposes."

Page 11, line 7, strike out the word "beverage" and insert "such."

Page 11, line 8, strike out the word "act" and insert the word "title."

Page 11, lines 10 and 11——

Mr. BARKLEY. That section has not been read.

Mr. DALLINGER. Mr. Chairman, I desire to offer an amendment.

Mr. SNYDER. Mr. Chairman, can we not have the section of the bill read as amended? In other words, I want to know how the bill will read with these amendments in it.

The CHAIRMAN. It can be done by unanimous consent. The Chair will advise the gentleman from Massachusetts that there is an amendment and a substitute pending. His amendment can be offered later. The question is on agreeing to the substitute offered by the gentleman from Texas [Mr. BLANTON] to the amendment offered by the gentleman from New York [Mr. HUSTED].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from New York [Mr. HUSTED].

The question was taken, and the amendment was rejected.

Mr. BLANTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. I understood under the order of the House that there had been agreed upon 15 minutes of general debate, following which all pending amendments including my own would be voted upon. The gentleman from Massachusetts was then recognized by the Chair to present an amendment and to speak for five minutes. I then absented myself for less than two minutes by stepping out in the hall only momentarily, during which short absence the Chair placed before the committee the amendment I had previously offered. Was that in order?

The CHAIRMAN. It was in order. Debate may be had at any time until the conclusive action of the committee on the entire section.

Mr. BLANTON. Could the gentleman from Massachusetts be taken off his feet after being recognized?

The CHAIRMAN. He was not taken off his feet.

Mr. LONGWORTH. I desire to suggest to the gentleman from Texas that the only practical difference was one vote as against no vote.

Mr. BLANTON. I suggest to the distinguished gentleman from Ohio [Mr. LONGWORTH] that sometimes one vote, when it is a correct one, is more vital than numerous incorrect votes. [Cries of "Regular order!"]

Mr. GARD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 10, line 14, after the word "the" insert the word "exact."

The question was taken, and the amendment was agreed to.

Mr. GARD. I have another amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 10, line 4, strike out the word "medical" and insert in lieu thereof the word "medicinal."

The question was taken, and the amendment was agreed to.

Mr. GARD. Mr. Chairman, I have another amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 10, line 11, strike out the word "medical" and insert in lieu thereof the word "medicinal."

The question was taken, and the amendment was agreed to.

Mr. DALLINGER. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. DALLINGER: Page 10, line 7, after the word "are" strike out "nonpotable.'

Mr. DALLINGER. Mr. Chairman, according to the dictionary the word "nonpotable" means nondrinkable. Now, it seems to me it is perfectly ridiculous to put in this bill section 4, providing that certain kinds of liquors may be manufactured and sold that contain alcohol and then put in the word "undrinkable." Now, it seems to me the word "unfit" which follows answers every purpose. Every patent and proprietary medicine and every medicinal preparation is drinkable and can be drunk.

Mr. ROGERS. Will the gentleman yield?

Mr. DALLINGER. Certainly.

Mr. ROGERS. If the gentleman's amendment prevails, the gentleman will then move to strike out the same word in lines 10, 12, and 16?

Mr. DALLINGER. I have the amendments prepared for that purpose. And it seems to me the word "nonpotable" practically

takes out the whole purpose of this section, and I trust this reasonable amendment will be adopted.

Mr. VOLSTEAD. Mr. Chairman, I do not believe those words ought to be stricken out. This question has been submitted to the attorneys appearing interested in these preparations, and, while they would prefer to have them stricken out, they admitted that those words will not prevent them from making their legitimate products. They have submitted them to the Commissioner of Internal Revenue, and he has, as I am told, assured them that there is not anything in these words to prevent making the products now on the market.

And we ought not to liberalize this proposition any more than is necessary. What is a beverage? It is not simply something you can drink. A beverage is something you drink for the pleasure of drinking it. That is the definition of the courts. And, in view of that fact, it is not necessary to strike out these words.

Mr. DALLINGER. I would like to ask the chairman of the Committee on the Judiciary whether the Commissioner of Internal Revenue or anyone connected with the Department of Justice told him that these words ought to be used?

Mr. VOLSTEAD. The attorneys told me they were willing to let them stay, though they would, of course, be glad to have them go.

Mr. DALLINGER. The attorneys for whom?

Mr. VOLSTEAD. The attorneys for the patent-medicine proprietors——

Mr. DALLINGER. I want to ask the gentleman if he himself consulted with the Collector of Internal Revenue and the Department of Justice in regard to these words?

Mr. VOLSTEAD. I consulted the assistant commissioner in regard to them, and he said that they could make these articles under this legislation.

Mr. FITZGERALD. Is the gentleman willing to substitute the word "nondrinkable" in the interest of clearness, so that the people can understand it, instead of the word "nonpotable"?

Mr. VOLSTEAD. I think the word "nonpotable" is much more favorable to the men making this class of goods than the word "nondrinkable."

Mr. FITZGERALD. Mr. Chairman, I think we ought to defer to the wishes of the people of the country rather than to the makers of these beverages.

The CHAIRMAN. The gentleman from Minnesota [Mr. VOLSTEAD] moves that all debate on this amendment——

Mr. VOLSTEAD. Mr. Chairman, I withdraw that motion.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. DALLINGER].

The question was taken, and the amendment was rejected.

Mr. DOUGHTON. Mr. Chairman and gentlemen of the House, I had not intended to take up any of the valuable time of the committee on this very important measure. However, as two of my colleagues from North Carolina have spoken rather in opposition to the pending bill, I am unwilling that this debate shall close without anyone from my State raising a voice in its favor. [Applause.]

The manufacture and sale of intoxicating liquors for beverage purposes have been prohibited by constitutional mandate and the eighteenth amendment ratified by practically all of the States of the Union, and this in itself is sufficient evidence that a majority of the voters of this country are opposed to the manufacture and sale of liquor for beverage purposes; and it now becomes the duty of Congress to enact suitable legislation for the enforcement of this law and make effective the declared will and purpose of the people.

There can, in my judgment, be no valid defense made by anyone for either the manufacture, sale, or consumption of intoxicating liquors for beverage purposes. I am a prohibitionist by sentiment, habit, and practice, and the matter with me is a deep, settled conviction. The State that I have the honor in part to represent had the wisdom to adopt prohibition 10 or 12 years ago, and it has more than justified itself.

I was somewhat surprised when I read in the RECORD the remarks of my able colleague from North Carolina [Mr. POU], for whom I entertain the greatest respect both as to his ability and integrity. I quote a portion of his remarks as found in the CONGRESSIONAL RECORD, page 2282, as follows:

> * * * When you put this law on the statute books your troubles will begin, because at this minute, while I am standing here, there are in a dozen States which have already adopted prohibition more illicit stills in operation than there ever were saloons at any time in the history of those States. * * *

Mark you, Mr. Chairman, that while bearing testimony in a general way as to the failure of prohibition laws in various States, not named, my colleague is very cautious not to allude to the effect of prohibition upon his home State of North Caroline; and I venture the statement that he will not testify on this floor, or elsewhere, that the law has been a failure in our State. [Applause.] On the contrary, I believe he would be forced to admit, as every fair-minded man must do, whether he believes in prohibition or not, that it has been, generally speaking, a great benefit and blessing to our State, and that at the present time there is not consumed in that State one-tenth of the liquor that was consumed there before prohibition was adopted. And it would have been even less had it not been for the amount of liquor that was brought into the State from Maryland and other wet States. Also, the business of the criminal courts has proportionately decreased in North Carolina since the prohibition law was put in force, and no State in the Union is making greater progress along moral, educational, and industrial lines, and a large part of the credit for this great beneficial change in the social and material welfare of the people is due to the driving of the distilleries and saloons from our Commonwealth.

Many fair-minded men who strongly opposed prohibition at the time it was adopted in our State have since been converted and are now among its most ardent supporters and defenders solely on account of the great benefits which have accrued to the State by its adoption. Should a referendum be held there to-day on the subject I am satisfied that not 10 per cent of the electors would vote to return to the old conditions when the liquor business was legalized by the State and was one of the industries sanctioned by law.

It is frantically contended by the opponents of this measure that it is too drastic and should be radically amended. Now, it may be that some minor amendments are advisable and even necessary, and I myself may vote for some of these amendments when offered, but I want it to be amended by its friends and not by its enemies. [Applause.] If you trust those who are opposed to national prohibition to shape this legislation, when it is enacted you will find that the very purpose for which the law was intended will have been defeated and that you will be giving the people a subterfuge. Only by drastic and stringent legislation can the purpose sought by the constitutional amendment be secured. The law must not only have teeth to punish those who would violate it, but must also have eyes with which to locate its violators. [Applause.] If you attempt to handle the lawless element of society with gloves on our efforts will be a failure from the beginning. The measure we enact, if it is to accomplish the purposes sought, must be firm and unequivocal, and the punishment provided must be sure, swift, and far-reaching; and the lawless element, who will desperately attempt to override or evade this law, must be brought to a certain realization that prohibition is an accomplished fact.

Mr. FITZGERALD. Will the gentleman allow a question there?

Mr. DOUGHTON. I have not the time. I have only five minutes. If you will give me more time I will be very glad to answer any question I can.

Already in some territory where prohibition has been adopted by the States the manufacture and sale of liquor is shifting, in many instances, from the ignorant and worthless element to men with a higher order of intelligence and of greater financial ability. The profits are so great, and as liquor becomes scarcer and the demand for it greater, unscrupulous men are lured into the business by reason of the exorbitant profits.

In a few cases in my own State a combination of circumstances would indicate that the officers of the law are blind to their duty and, for some mysterious reason, are unable or unwilling to locate and break up the moonshining and bootlegging activities. The men engaged in this business have lost all respect for law, have no regard for the welfare of society, neither fear God nor regard man, and will only be deterred from their nefarious business by the most rigid and stringent legislation. This can not be accomplished in any other manner.

The great degree of efficiency in our Navy at this time affords a striking example of what can be done by handling the liquor question with an iron hand, so to speak. When our Navy was put on a bone-dry basis several years ago, principally through the instrumentality of the present Secretary of the Navy, Hon. Josephus Daniels, of North Carolina, he was criticized and scoffed at from all sides, both within and without the service, and held up in the public press as a visionary, whose theory of having a dry Navy could not be put into practice. But these criticisms did not deter him from following the light of his convictions; prohibition was enforced in the Navy, and the results speak for themselves. And those who were at first loudest in their condemnation of his action are to-day among his most enthusiastic and ardent supporters.

So, Mr. Chairman, the same drastic measures must be taken in enforcing prohibition throughout the country at large as were enforced in the Navy, if the intention of the law is to be accomplished.

Let us stand up, therefore, like men and resist the impious plea of those who would thwart the expressed will of the people. The people are expecting and demanding that the greatest of all evils and the worst of all curses be placed in chains and cast into outer darkness. The liquor business has brought its own condemnation, and its funeral knell has been sounded; it has proven itself the worst curse the world has had to battle with, and the most potential instrumentality of the devil. Business men in every important industry have outlawed it, and say it must be banished from the land; the railroads have placed a ban upon it; the large mercantile establishments all over the country will not employ drinking men in their business; the banks will not trust the handling of their money, or the people's money, to men who use intoxicating liquors; the medical profession has practically eliminated liquor from its list of remedies; the Army and the Navy have set their disapproval on it, and it has been banished from their midst; the millions of homes in our fair land cry out in anguish for its extinction, and every good mother in our beloved country rejoices that this great Government no longer harbors, but will fight to the limit, the worst enemy of the home. We should, therefore, Mr. Chairman, make this legislation sufficiently drastic to banish forever from our midst the greatest detriment to American life, happiness, and prosperity. [Applause.]

Mr. BAER. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from North Dakota moves to strike out the last two words.

Mr. DYER. Mr. Chairman, does the gentleman ask for time?

Mr. BAER. I moved to strike out the last two words.

Mr. DYER. I wanted to make the inquiry, Mr. Chairman, if the gentleman's time will come out of the 15 minutes?

The CHAIRMAN. All time will be taken out of the 15 minutes. The gentleman from North Dakota is recognized for five minutes.

Mr. DYER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DYER. I understood from the Chair a moment ago, when the gentleman from North Carolina asked for recognition, that there were nine minutes remaining. He used five. Under that calculation there would be only four left.

The CHAIRMAN. The gentleman is correct. The Chair was mistaken. Four minutes remain.

Mr. BAER. Mr. Chairman, I am in favor of prohibition. My record will show I have voted for every prohibition bill. We have prohibition in our State—North Dakota—and it works very successfully. I would not want to raise my three boys in any State where they do not have prohibition. [Applause.] But I want to say that those reformers in the country who are trying to do away with cigarettes, tobacco, pickled peaches, and things of that kind do not have my sympathy. I am not going to vote to take away from the people any more personal rights. There is an enterprising firm out West making a brand of near beer, and legibly and conspicuously printed on the bottle is the notice, "Do not mix the contents of this bottle with yeast because it will make it intoxicating." [Laughter.]

Now, if you have cases like this some people will begin to agitate for the enactment of a prohibition law to prevent the sale of yeast, and this will have a serious economic effect upon the farming industry. I am going to stop with the prohibition of intoxicating liquors. I am whole-heartedly for a dry nation.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. BAER. I will yield to the genial Member from New York.

Mr. LAGUARDIA. I want to know if there is any connection between the two facts that your State is prohibition and your State manufactures yeast? I notice the gentleman has this formula in his mind very accurately, and the question arises if there is any connection between the two things? [Laughter.]

Mr. BAER. We raise very few hops and manufacture little yeast, but there are many legitimate industries that might be interfered with. The gentleman may be more familiar with it than I am. I want to say, however, that I am not an expert on intoxicating liquor.

I would like to put in the RECORD as a part of my remarks a letter from Judge Charles A. Pollock, one of the most noted authorities on prohibition. He has written a history of prohibition in North Dakota, and he has decided many liquor cases. In this letter he states many of the difficulties that we have had in trying to define what is intoxicating and what is nonintoxicating. I thank the Members of the House. [Applause.]

I ask unanimous consent to extend my remarks in the RECORD on this subject.

The CHAIRMAN. The gentleman from North Dakota asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. GARD. Reserving the right to object, does the gentleman ask leave to extend his remarks beyond publishing this letter?

Mr. BAER. No. I just want to add this letter.

Mr. GARD. The gentleman does not want to extend his remarks by publishing a book?

Mr. BAER. No, sir.

The CHAIRMAN. Is there objection?

There was no objection.

Following is the letter referred to:

FARGO, N. DAK., *May 15, 1919.*

Hon. JOHN M. BAER, M. C.,
Washington, D. C.

MY DEAR SIR: Referring to our conversation of yesterday about the necessity of having a suitable definition of intoxicating liquors placed in the law covering war and constitutional prohibition, will say:

In November, 1889, North Dakota was admitted to the Union carrying in its constitution a prohibitory clause. At once the legislature was called upon, as Congress now is, to pass a prohibitory law looking toward the enforcement of the plain terms of the constitution, it not being self-enforcing. Our constitution, like that of the United States recently adopted, permitted sales of liquor for certain excepted purposes, viz, "medicinal, mechanical, scientific, and wine for sacramental purposes" in a manner as provided by statute.

The committee intrusted with the duty, and I may add the privilege, of framing the law, after considering the matter very carefully, proposed the following definition, which was thereafter adopted:

"All spirituous, malt, vinous, fermented, or other intoxicating liquors or mixtures thereof, by whatever name called, that will produce intoxication, shall be considered and held to be intoxicating liquors within the meaning of this act." (N. Dak. Laws, 1890, p. 316, sec. 6.)

This definition was the same as used in the Kansas law prior to that time and upon the construction of which Mr. Justice Brewer, in 1881, then being on the supreme bench of Kansas, wrote the decision in the celebrated "Intoxicating liquor cases (25 Kans., 524). In that case, however, he was dealing mostly with the word "mixtures."

When we began enforcing our act of 1890, the courts were at once called upon to define the words "intoxicating liquor." Evidence was taken from physicians and pharmacists. Questions arose like these: "Will liquors containing less than 2 per cent by volume of alcohol intoxicate?" The answers were many. Some would say "No; in the average of cases." Others would testify that it would depend a good deal upon the time of day the liquor was drunk, or the state of the stomach of the person drinking, whether intoxication would follow. Many witnesses would ask, "To how much intoxication do you refer; do you mean to make a man drunk, tipsy, or just feeling good?"

As a court, trying to solve these problems, I was put to my wits end. In that state of mind I drafted an amendment to the law and asked friends in the legislature to have it adopted in the interest of clearness and certainty. The amendment consisted in adding a proviso clause to the law of 1890, which reads:

"*Provided*, That fermented and alcoholic liquors, and mixtures thereof, shall not be deemed intoxicating if they contain less than 2 per cent of alcohol by volume." (Ch. 74, Laws 1895, N. Dak.)

Within three months after the passage of that act we found ourselves in a horrible condition. The brewers of malt liquors made a beer containing about 1.90 per cent of alcohol by volume, and placed therein, as a preservative, such poisons as cocculus indicus, copperas, opium, extract of logwood, and many other ingredients calculated not only to make the drinker drunk but crazy besides.

At the next session it did not take me very long to appear before a committee of the legislature and ask for a change. It was made, and the following definition was adopted:

"All spirituous, malt, vinous, fermented, or other intoxicating liquors or mixtures thereof, by whatever name called, that will produce intoxication, or any liquors or liquids which are made, sold, or offered for sale as a beverage and which shall contain cocculus indicus, copperas, opium, cayenne pepper, picric acid, Indian hemp, stryehnine, tobacco, darnel seed, extract of logwood, salts of zinc, copper, or lead, alum or any of its compounds, methyl alcohol or its derivations, amyl alcohol, or any extract or compound of any of the above ingredients, shall be considered and held to be intoxicating liquors within the meaning of this chapter." (Ch. 96, Laws N. Dak., 1897.)

This law put a stop to the use of poisons, but our difficulties were not at an end. Several times have amendments been made trying to fix a reasonable limit to the amount of alcohol which could be used in beer without the same being classed as intoxicating. We once used the words "or any mixtures of such liquors as, retaining the alcoholic principle or other intoxicating qualities as a distinctive force in the compound and may be used as a beverage and become a substitute for the ordinary intoxicating drinks * * * shall be deemed intoxicating," etc. (Ch. 191, Laws N. Dak., 1907.)

The last amendment was made by chapter 231, Laws of North Dakota, 1911, and the section, which is the same as section 10105 Comp. Laws, 1913, reads as follows:

"The following liquors are hereby declared to be intoxicating and their intoxicating quality shall by all courts be presumed, viz: All spirituous, malt, fermented, and vinous liquors (except unfermented grape juice in hermetically sealed bottles), alcohol, whisky, rum, brandy, beer, ale, porter, wine, hard cider, and malt, or mixtures thereof, by whatsoever name called, or any liquor that will produce intoxication of any degree, or any liquor or liquids which are made, sold, or offered for sale as a beverage and which shall contain cocculus indicus, copperas, opium, cayenne pepper, picric acid, Indian hemp, strychnine, tobacco, darnel seed, extract of logwood, salts of zinc, copper, or lead, alum or any of its compounds, methyl alcohol or its derivatives, amyl alcohol, or any extract or compound of any of the above ingredients, shall be considered and held to be intoxicating liquors within the meaning of this chapter."

Notwithstanding all these attempts to permit a "trace" of alcohol to be permitted in the beverage known by the name of beer, or a liquor resembling beer, we have had constant trouble. We have about decided that the only way in which evasions of the law can be prevented is to prohibit the use of any alcohol whatsoever. A large number of the brewers seem to be without a conscience in the matter, as is evidenced by the foisting upon our people poisonous preservatives, when the temperance folk were trying to be as moderate as possible in their demand for the extinction of the beverage use of alcoholic stimulants.

Trusting the foregoing may give you the desired historical experience of our State covering the 30 years since prohibition took effect, I have the honor to remain,

Very sincerely,

CHAS. A. POLLOCK.

Mr. SNYDER. For one Member of this House, I would like to know what we are going to vote on?

The CHAIRMAN. The Chair will state that no amendment has been offered except that some have been offered to be considered pending.

Mr. DYER. The amendment of the gentleman from Minnesota is pending.

The CHAIRMAN. The Clerk will report the amendments as they were offered.

The Clerk read as follows:

Page 11, line 7, strike out the word "beverage" and insert the word "such."

Mr. DYER. I ask for a vote.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Page 11, line 4, after the word "in," insert the words "paragraphs (a), (b), (c), and (d) of."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next one.

The Clerk read as follows:

Page 11, line 4, after the word "purposes," insert the words "or any extract or sirup for intoxicating beverage purposes."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next one.

The Clerk read as follows:

Page 11, line 8, strike out the word "act" and insert the word "title."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next one.

The Clerk read as follows:

Page 9, lines 19 and 20, after the word "the," on line 19, strike out the words "purchase, sale, transportation, importation, exportation, and use of the."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 5. That whenever the commissioner has reason to believe that any article mentioned in section 4 is capable of being used as a beverage, he shall cause an analysis of said article to be made, and if, upon such analysis, the commissioner shall find that said article is capable of being used for beverage purposes he shall give not less than 15 days' notice in writing to the person who is the manufacturer thereof to show cause why said article should not be dealt with as an intoxicating liquor, such notice to be served personally or by registered mail, as the commissioner may determine, and shall specify the time when, the place where, and the name of the agent or official before whom such person is required to appear.

If the manufacturer of said article fails to show to the satisfaction of the commissioner that the article is not capable of being used for beverage purposes, it shall be treated as liquor. The manufacturer may by appropriate proceeding in a court of equity have the action of the commissioner reviewed, and the court may affirm, modify, or reverse the finding of the commissioner as the facts and law of the case may warrant, and during the pendency of such proceedings may restrain the manufacture, sale, and other disposition of such article.

Mr. VOLSTEAD. Mr. Chairman, I offer an amendment on page 11, lines 10 and 11, to strike out, after the figure "4," the words "is capable of being used as a beverage" and inserting in place of that "does not correspond with the descriptions and limitations therein provided."

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 11, line 10——

Mr. GARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GARD. It is for the purpose of asking the gentleman from Minnesota a question. Does the gentleman intend to offer it there or on line 13?

Mr. VOLSTEAD. There is another amendment on line 13 to make it correspond.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 11, lines 10 and 11, strike out the words "is capable of being used as a beverage" and insert the words "does not correspond with the descriptions and limitations therein provided," so that as amended the line will read:

"SEC. 5. That whenever the commissioner has reason to believe that any article mentioned in section 4 does not correspond with the descriptions and limitations therein provided, he shall cause an analysis of said article to be made."

And so forth.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. BRINSON. I move to strike out the last word.

Mr. DYER. I make the point of order that the gentleman is not in order.

Mr. CLARK of Florida. The gentleman is in order to move to strike out the last word of the amendment.

The CHAIRMAN. No debate has been had. The gentleman is entitled to recognition without a motion to strike out the last word.

Mr. BRINSON. Mr. Chairman, my purpose principally in addressing the House for five minutes is to read a letter which I have received from a very prominent member of a labor union in my home town of New Bern, N. C.

Mr. BLANTON. I object, Mr. Chairman.

Mr. BRINSON. The gentleman from Texas will not be offended by the letter.

Mr. FITZGERALD. The gentleman from Texas ought not to object to the truth.

Mr. BLANTON. The gentleman is not proceeding in order and is not discussing the amendment.

Mr. FITZGERALD. I rise to a point of order. The gentleman from Texas [Mr. BLANTON] is not in order.

The CHAIRMAN. The gentleman from North Carolina will proceed in order to discuss the amendment that has been offered by the gentleman from Minnesota [Mr. VOLSTEAD].

Mr. BRINSON. The gentleman whose letter I have before me is an honored and very active member of a labor union in my home town. When he read the report of a meeting held here in front of the Capitol a few weeks ago, protesting against prohibition, he wrote me this letter, which I am sure the gentleman from Texas [Mr. BLANTON] will not object to.

Mr. BLANTON. All right.

Mr. IGOE. Does the gentleman from Texas say it is all right now?

Mr. BRINSON. He has not seen it, but he knows it is all right. The letter is as follows:

Hon. S. M. BRINSON, *Washington, D. C.*

DEAR SIR: A few days ago organized labor made a demonstration in front of the Capitol at Washington in order that it might influence Congress to repeal the war-time prohibition measure in so far as light wine and beer are concerned. Now, I am a bona fide member of a labor union, and I want you, as our Representative, to know that not all organized labor is backing the liquor traffic; and I hope you will use your influence and vote to see that this or any other measure that would tend to give our people relief from the dread liquor traffic is not repealed, but, if possible, may be strengthened.

Very truly, yours, G. S. MATTHEWS.

[Applause.]

Mr. FITZGERALD. Where is that letter from?

Mr. BRINSON. New Bern, N. C. I want to say that this letter reflects the sentiment of the vast majority of the laboring people of my own community and of the State of North Carolina as well. In every movement for prohibition in North Carolina, whether State wide or local, the laborers of that State have stood almost unitedly in advocacy of this movement; and in every movement for its enforcement the strongest and most sustained support has come from members of the labor unions. [Applause.]

Now, Mr. Chairman and gentlemen, it is not at all unpleasant to me that my first appearance in debate on this floor is in behalf of a measure which seeks to effectuate the will of a vast majority of the people of this Nation on this great question. [Applause.] I want to say that when 45 out of 48 States of this Union have with emphasis, and in many States overwhelmingly, passed affirmatively upon this constitutional amendment, it means that the people of this land want that law, and they want it rigorously and honestly enforced. [Applause.]

It may be, as has been suggested here, that some provisions of this law are slightly harsh and ought to be modified, and in those cases I shall vote for modification; but whether modified

or not I shall vote for the bill, and in voting for it I know I voice the sentiment of the people of my home State and of a vast majority of the people of this Union. [Applause.] My friends, a ban has been put upon the liquor traffic. The people of this country want no more of it. They want to be freed of it and its blighting influences and its baneful effects upon the institutions of this land. I can not believe that the American Congress will disappoint the expectations of a vast majority of the people. I can not believe that the American Congress will prove recreant to the trust put into its hands, or that it will deny to the people the fruitage of their victory. We must, if we would respect the obligation which comes to us with the passage of the constitutional amendment, put upon the statute books laws necessary to effectuate the end sought in the amendment. This I feel sure will be done, and effective enforcement will be found. [Applause.]

Utopia will not be reached at once. There will be many violations of the law, many evasions.

Ridicule will be heaped upon the lawmakers. This should not deter us. The future citizens of this country, the men and women of another generation, will look back to this as an epochal period—a milestone marking substantial progress in social and political and physical evolution.

With curious and inquiring minds the men of a later day will search for the explanation of an enlightened Nation tolerating for so long a period such a demoralizing institution as the saloon.

We are coming into better days. We are more concerned for the welfare of our fellows than ever before. The question of Cain finds instant answer from us. We are our brother's keeper. Our strength must supply his weakness. Our light must dispel his darkness.

Our arms shall be thrown around him, and together we shall tread the paths of community and national honor.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota [Mr. VOLSTEAD].

The amendment was agreed to.

Mr. VOLSTEAD. I offer another amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 11, line 13, after the word "article," strike out "is capable of being used for beverage purposes" and insert "does not so correspond."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. VOLSTEAD. I offer another amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 11, lines 23 and 24, strike out "is not capable of being used for beverage purposes" and insert "corresponds to the descriptions and limitations provided in section 4 of this title."

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Minnesota.

The amendment was agreed to.

Mr. WALSH. Mr. Chairman, I move to strike out the last word for the purpose of directing the attention of the chairman of the committee to the fact that in line 5, page 12, the word "proceedings" is misspelled. I ask unanimous consent that the Clerk may correct the spelling.

The CHAIRMAN. Without objection, it will be so ordered.

Mr. FITZGERALD. Mr. Chairman, I move as an amendment to add after the word "beverage," on page 11, line 11, the words:

"*Provided*, That nothing in this act or any title thereof shall prohibit or make unlawful the making or possessing by any person at his own home wine, beer, or cider for his personal use or for the use of members of his immediate family."

Mr. VOLSTEAD. I raise the point of order that that is not germane.

Mr. SAUNDERS of Virginia. The gentleman wants to offer that in line 21. The word "beverage" has been stricken out.

Mr. FITZGERALD. The fact has been called to my attention that by an amendment the word "beverage" has been stricken out. So I accept the suggestion of the gentleman from Virginia that the amendment come after the word "appear," in line 21.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. FITZGERALD moves to amend, page 11, line 21, after the word "appear," by inserting the following:

"*Provided*, That nothing in this act or in any title thereof shall prohibit or make unlawful the making or possessing by any person at his own home wine, beer, or cider for his personal use or for use of his immediate family."

Mr. VOLSTEAD. I reserve a point of order.

Mr. BLANTON. I make the point of order.

The CHAIRMAN. The gentleman from Minnesota reserves a point of order and the gentleman from Texas [Mr. BLANTON] makes a point of order to the amendment offered by the gentleman from Massachusetts that it changes the law in regard to war-time prohibition. This bill simply provides machinery for enforcing that law. The point of order is sustained.

Mr. FITZGERALD. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent that I may proceed for 10 minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that he may proceed for 10 minutes. Is there objection?

Mr. DYER. Mr. Chairman, I shall not object to 5 minutes, but I shall to 10 minutes.

The CHAIRMAN. The gentleman from Massachusetts is recognized for five minutes.

Mr. FITZGERALD. Mr. Chairman, the gentleman who took his seat a few moments ago, the gentleman from North Carolina [Mr. BRINSON], referred to the position that was taken by the labor bodies here in Washington a few weeks ago. As I was present at that meeting I wish to say that that meeting did not pretend to speak for all the labor in the United States. It met here in response to the Atlantic City convention, where, according to the record, the delegates against prohibition represented more than 2,000,000 men. I am aware, as every sensible Member of this House is aware, that all organizations of labor do not stand against prohibition. The gentleman from Ohio [Mr. COOPER] and many other Members of the House have emphasized that fact. But it is our contention that labor, speaking generally, in the eastern section of the country is against this bill. I think it is only fair to Mr. Gompers and other men who have spoken on the subject that this fact should be recognized. Mr. Gompers has never pretended that he spoke for every labor man in this country.

A great deal has been said about the character of the opposition to this measure, particularly in eastern cities, and a great deal has been said of the foreign element of the country that lives in congested sections of the country, as though these people lacked character and ability and brains and morals—those things essential for the well-being of this country.

I have an official document, printed at the expense of the Government, which shows the record—and perhaps this document ought not to be looked upon as conclusive of health conditions, but it is one of the many documents that have been brought to the attention of the country by the Government of the United States during the war—indicating the physical condition of some of the men called into the Army. This report refers to the results of examinations at mobilization camps. It tells a story of the morals of a large part of the Army, and it should convince some of those who have been criticizing our large cities in the East as sinkholes of corruption that they do not know what they are talking about.

The record of the Army shows that in venereal diseases the great big city of New York has the best record, with a percentage of 2.44, whereas Fort Worth, Tex., has a percentage of 18.67. Boston is second, with a percentage of 2.64. Strange to say, the smaller communities, towns, and cities have the worst record in this respect. Wilmington, N. C., has a percentage of 14.56, as against Waltham, Mass., with only 1 per cent. Des Moines, Iowa, a strong prohibition community, shows a percentage of 4.88; Omaha, 5.16; Kansas City, Kans., 6.57; Wichita, Kans., 4.95. These communities, which have had prohibition for years, and whose percentage of venereal diseases among their soldiers is twice as large as the big cities of New York and Boston, certainly can not lay the blame at the door of the colored population.

Mr. BRINSON. Will the gentleman yield?

Mr. FITZGERALD. No; I can not yield unless the gentleman will get me more time. Macon, Ga., a city of between 40,000 and 50,000, has 18.43, while Woonsocket, R. I., has 1.62 and Salem, Mass., 1.64. The great State of Massachusetts, with 70 per cent of the people of foreign extraction, has a majority of its cities with the best record in the whole country. There may be good reasons for the high percentage of venereal diseases in many of these communities which I have mentioned, and undoubtedly some of the Members representing them will make a proper reply. My principal object is to call the attention of this House to the wonderful showing of New York over Boston, with their teeming millions of all classes and races, white, black, and yellow, as a sufficient answer to veiled charges against the morals of the people of these communities.

I think the country ought to know this thing because of the insinuation that has been sent abroad that the morals of the

people who live in the great hives of industry are bad, and that the lives that the young men lead in these communities are rotten, and that they should be corrected by constitutional methods put upon the people of the whole United States by a group of faddists who would do well to look into the rotten moral conditions disclosed in the report issued by the United States Public Health Service.

Mr. ALEXANDER. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. ALEXANDER. Did not Massachusetts and New York both vote for this constitutional amendment?

Mr. FITZGERALD. The Massachusetts Legislature voted for prohibition under the lash of the prohibition lobby. If the people of Massachusetts could vote on this measure to-morrow, they would defeat it overwhelmingly.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. FITZGERALD. I ask for three minutes more.

The CHAIRMAN. The gentleman from Massachusetts asks that his time be continued three minutes. Is there objection?

Mr. DYER. I object.

Mr. CLARK of Florida rose.

Mr. VOLSTEAD. Mr. Chairman, I move that all debate on this section and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Minnesota moves that all debate on this section and amendments thereto close in five minutes.

Mr. CLARK of Florida. Mr. Chairman, if we are to be throttled in this way, I make the point of no quorum.

Mr. GARD. Mr. Chairman, I desire to oppose the motion of the gentleman from Minnesota.

The CHAIRMAN. The gentleman from Florida makes the point of no quorum. The Chair will count. [After counting.] One hundred and twenty-nine Members present, a quorum.

Mr. GARD. Mr. Chairman, I desire to amend the motion of the gentleman from Minnesota by making it 15 minutes.

The CHAIRMAN. The gentleman from Iowa moves to amend by making it 15 minutes.

The question was taken; and on a division (demanded by Mr. GARD) there were—57 ayes and 33 noes.

So the amendment to the motion was agreed to.

The CHAIRMAN. The question now is on the motion of the gentleman from Minnesota as amended.

The question was taken, and the motion was agreed to.

Mr. DYER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DYER. What is the amendment pending before the committee?

The CHAIRMAN. Section 5 is pending and any amendment thereto.

Mr. DYER. But is there not an amendment pending now?

The CHAIRMAN. There is no amendment pending at this time.

Mr. GARD rose.

Mr. POU. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The Chair will recognize the gentleman from Ohio, a member of the committee.

Mr. GARD. Mr. Chairman, what I intended to do was to correct possibly a misapprehension on the part of the Chair. My motion was that debate upon the pending amendment be limited to 15 minutes.

The CHAIRMAN. The Chair will state to the gentleman that there was no amendment pending.

Mr. GARD. There was a motion to strike out the last word.

Mr. CLARK of Florida. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The Chair thinks the gentleman from North Carolina is first entitled to recognition. He was on his feet, and the Chair will recognize him.

Mr. CLARK of Florida. I have been on my feet for half an hour.

Mr. POU. Mr. Chairman, the position of any one Member of this Chamber is of small importance, and yet no man would wish his position misunderstood.

I have fought on the side of temperance all of my life. Many years ago my father led the fight against the saloon in my own State, when there were only a handful of supporters to aid in the forlorn fight he was leading.

When it was proposed to adopt prohibition by a vote of the people of my State I did what I could to promote success. I stood for prohibition in North Carolina at a time when it required far more courage to do so than is required now. Everybody in the community where I live knows this is true.

As a Member of Congress I supported the Webb-Kenyon bill. Indeed, I reported to this House the rule which made that bill in order and which, of course, created opportunity for its enactment into law.

But, Mr. Chairman, I have at all times insisted that prohibition was a question which should be dealt with by the States. After all is said and done, no law is stronger than the public sentiment which is the support of all law.

Surely it is not necessary to say I have no quarrel with the patriotic men and women who during many long and weary years have fought for national prohibition. They are sincere. They are unselfish and they are doing what they believe is best. I respect them and admire them, and I hope the result of this legislation will make men and women better throughout America.

My objections to this bill, Mr. Chairman, are several in number, and I am going to say also that my views are just as sincere as those of the gentlemen who favor the legislation. First of all, the bill is not constitutional. The eighteenth amendment does not give to the Congress the power to put people in jail for making and selling a nonintoxicating drink. Now, I do not believe there is a solitary Member of this body who will rise in his seat and say that in his opinion one-half of 1 per cent alcohol constitutes a drink which is intoxicating. If the eighteenth amendment had given to the Congress the power to deal with alcohol, treating alcohol as a poison, as many insist, this bill would be constitutional, but the new amendment confers no such power. It does confer on the Congress power to legislate in respect to any "intoxicating" liquor or drink. But when we attempt to prohibit the manufacture of a drink which everybody admits is not intoxicating the amazing thing is that a majority of this Chamber is willing to go on record in favor of such legislation. You have no more right to make unlawful the manufacture of beers containing, for instance, three-fourths of 1 per cent alcohol than you have to prohibit by law the manufacture of any one of the numerous soft drinks dispensed in the drug stores. You have just as much right to prohibit the manufacture and sale of Coca-Cola, coffee, tea, persimmon beer, or buttermilk as you have to do what you are attempting to do by this bill. The Supreme Court of the United States, in my humble judgment, will declare the bill unconstitutional. That would be reason enough, but there are other reasons which make it impossible for me to vote for the bill.

I can not support a measure with such drastic and far-reaching provisions. When I was a young lad I heard a great debate between two intellectual giants in my State, Zebulon B. Vance and Thomas Settle. In that debate I heard the great Vance give a definition of Democracy. He said the Democratic Party believed in a government of few functions, with just as little restriction as possible upon the liberty of the citizen. Of course, I can not quote his exact words, but I remember their substance very distinctly. That is the principle I am standing for here and now. Shall the Federal courts put on trial and send to prison the man who makes cider for his own use from the fruit of his own orchard? That is what this bill proposes, and nobody will deny it. Think of that, if you please. When I was a boy almost every farmer in the community made cider. We had it frequently in our home. It never caused any drunkenness unless some one drank a whole half-gallon pitcher full after it became hard. [Laughter.] Now you propose to make that harmless practice a crime, and a crime not against the State law but you propose to take the criminal who makes cider from his own apples for his own use away from his own county, perhaps put him on trial before a United States judge, who has power to send him to a Federal prison. Mr. Chairman, I say I can not support such a provision in the bill. It would be in violation of every principle of my political belief to do so, and I do not believe any considerable number of my constituents wish any such drastic provision placed in this bill. I do not believe a majority of this Chamber really favors such provision.

Now, another objection: It has long been a custom in my State to make wine from blackberries. Such wine has been used from time immemorial as a medicine. My sainted mother, now with God's angels in heaven, often made such wine. It never made anybody drunk, but was often used in dysentery and similar diseases. Now I am asked to make that custom of my people a crime. I am asked to vote for a law which would subject many a housewife to indictment in the United States court and upon conviction to fine or even imprisonment. Again, I repeat, Mr. Chairman, I can not, I will not, vote for any such law.

Here is another provision in your bill: Any person who in a private place takes a gill of liquor, if he is on a train, a trolley car, or any other public conveyance, may be taken to the Federal court, tried, and sent to jail. One gentleman tried to tack on

an amendment by which the taking of liquor "publicly" would have been a crime; but no; the extremists in this Chamber voted the amendment down, and as the bill is now written any person on any public conveyance who takes liquor, even if that person does so in private and as a medicine purely, commits a crime, and the offender can be tried in the United States court.

Wine can not even be used to commemorate the supreme sacrifice of our Lord and Savior, except in the manner set forth in this bill. We have talked about Russia and the Russian Czar and the slavery of the Russian people; we have heard about blue laws and the burning of witches; but I venture the statement that no civilized nation has ever passed a law more far-reaching than this, making criminal so many acts of the citizen heretofore considered harmless and by most people entirely proper.

Mr. IGOE. Originally there was a provision in this bill about sacramental wines. I will say to the gentleman we have now provided in this bill that no one can use or give away sacramental wines except as provided in the bill, and there is no provision for doing it.

Mr. POU. Of course the bill is extreme, but that prohibition of which my friend has just spoken goes further than I supposed anyone would be willing to go. The sacrament of the Lord's Supper can not be celebrated, if wine containing alcohol is used, without first consulting some representative of the Government. I do not care to discuss this phase of the subject. Let us hope the bill will be amended. The necessity would seem to be apparent.

On a former occasion I mentioned the discriminating character of the bill. The man who makes cider for his own use from his own fruit violates the law. The housewife who makes blackberry wine for medicine violates the law. The citizen who takes one swallow of spirits, even in private, on a train or trolley or other public conveyance violates this law. There are a dozen acts at this time considered harmless for which the citizen can be sent to jail, but the rich man who has thousands of dollars' worth of all kinds of drink can go on drinking and can not be touched under this bill. In many communities light beer is almost universally used. The man who acquires a bottle of beer after the passage of this bill can be sent to jail, but his rich neighbor who filled his cellar with whisky, wine, beer, ale, champagne, and so forth, can go on drinking and can not be touched by your law. Just how you defend that provision in your bill is hard to understand. It is said that certain rich men throughout the Nation have expended thousands of dollars in the purchase of liquor. I heard of one man who at one time bought more than $20,000 worth of liquor and stored it away in his cellar. That man can not be touched under this bill, the title of which should read, "A bill to prohibit drinking by all except the rich." I wonder that anyone can support a provision so unjust, so unfair. To my mind the provision exempting the stock of the rich utterly should damn the entire measure, and yet everyone seems to agree the exemption will stay in the bill.

Mr. Chairman, I mentioned the other day the large number of places where liquor could be had even in prohibition States. Of course, I was only expressing an opinion. On yesterday I was able to get statistics which are interesting. In two States during the fiscal year ending June 1, 1919, 1,906 illicit stills were captured; just how many were not found by the officers of the law must be left to conjecture. One thing is reasonably certain: The officers did not find all in those two States; and yet you expect to enforce this law with its unheard-of provisions. You vainly expect to enforce a law which violates the right of the citizen as no law has ever done before. If there were 1,900 illicit stills in those two States during the last fiscal year which the officers were able to find, how many do you suppose will spring up during the first fiscal year after this bill becomes a law?

One word in conclusion: The new amendment gives to the Congress control over the manufacture, sale, and transportation of intoxicating liquor. The States have ratified that amendment. It is now a part of the Constitution, and I stand ready under my oath of office to support a measure enforcing the provisions of that amendment. I am ready to vote to make it unlawful to manufacture, sell, or transport intoxicating drink. It is not hard to draw such a bill; indeed, such legislation is pending before the committees of the two Houses. Why go further? Why pass a law which will require the services of a large army to enforce? Why not leave to the citizen a few things to decide for himself? Our forefathers fled from the tyranny of too much law, too many laws, too severe laws. Now we go far beyond the nations of the Old World in attempting to regulate the habits of the people.

From my heart I hope and pray you have not gone too far, that only good may follow, and I am as sincere as you are when I say this.

But I can only follow the dictates of my own conscience and my own judgment. For a good many years I have tried to serve my people and my country faithfully. You can not say anything against the evil of drunkenness which I will dispute. You can not paint the poverty and distress of the drunkard's home any darker than I believe it to be. But you can not make your drunkard a sober man by such legislation as this. There is a better, a surer, way. In your efforts to make men sober you had better beware lest you strike a blow to liberty herself. America is hailed as the champion of liberty throughout the world. Wherever men live, to the uttermost ends of the earth, they do homage as never before to America as the champion of human liberty. In this glorious hour, when America is being acclaimed wherever men believe in freedom, shall she herself, through her Congress, strike a blow at the liberty of her own children? If that blow is struck, if liberty is wounded, no part of the responsibility shall be mine. Unless the bill is amended, I shall vote against it. In doing so I can meet my Maker with a clear conscience. I am doing what I believe to be my duty.

Mr. CLARK of Florida. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from North Carolina. I shall not take five minutes. I want to say just a word or two. I had intended originally just to give a reason or two for being in favor of this bill, and did not intend to say anything along any other line until the gentleman from Massachusetts [Mr. FITZGERALD] submitted his remarks a few moments ago. I am not now going to be drawn into any particular discussion about that matter, but I can not sit here quietly and allow the people whom I represent to be put in the position in which the gentleman from Massachusetts seeks to place them. When he reads statistics showing that certain diseases caused by immoral practices are more prevalent in my section of the country than in his he knows that the reason for it is that a very large proportion of the population afflicted with that disease in my section of the country do not belong to my race or to his.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Florida. I have not the time.

Mr. LAGUARDIA. Those figures are not figures of people generally but show the condition of the health of the men who were drafted in the particular localities.

Mr. FITZGERALD. I so stated.

Mr. CLARK of Florida. Yes; and the gentleman knows that in the city of Wilmington, N. C., that he referred to, the vast majority drafted were negroes, and that a large percentage of negroes throughout the land are afflicted with that disease.

Mr. FITZGERALD. This same statement speaks about the West——

Mr. CLARK of Florida. I do not yield.

Mr. FITZGERALD. Very well.

Mr. CLARK of Florida. The gentleman had his say. But I did not get up to talk about that. The people of New York, the people of Massachusetts, are no more moral, no more virtuous, than the people in my section of the country.

Mr. FITZGERALD. But I claim they are just as good.

Mr. CLARK of Florida. And I do not claim they are not. I say they are just as good, and I think they are just as good in one section as in another, so far as the people belonging to my race and his are concerned, but it is unfair and unjust to count as against us in the computation all the drafted negro soldiers, and all negro soldiers were drafted.

I want now to say a word as to why I am in favor of this bill. I think it does make people more moral, and I think it makes for enforcement and obedience to law. I want to tell you that some of the crimes that have been committed in my section of the country have been committed by brutes whose brain, what little they had, was inflamed by liquor, and the courts are crowded with people brought there to be tried on account of liquor, and that is why I want to get rid of it more than for anything else. I desire to banish liquor for the protection of the youth of the country and for the elimination of the crime that it is directly responsible for in all sections of the country.

It has been responsible for the commission of more crime and more infamous crime than any other one agency in all this land. [Applause.]

Mr. Chairman, as I have said, the sale of intoxicating liquors, in my opinion, is a prolific breeder of crime. Overindulgence in liquor does at times create a false courage which nerves the weak criminal to commit those crimes which shock the community. Many times have vicious brutes nerved themselves to commit murder and rape by an overindulgence in the vile poison within their reach, when if it had not been obtainable these crimes would not have disgraced the State. I confidently believe that a very large percentage of the cases where innocent women have become the victims of the brutal rapist and lynchings have followed in consequence would never have occurred

had it not been for the indiscriminate dealing out of this devil's brew called "whisky." With us in the South I am quite sure this is largely true, and I am also sure that no greater blessing could come to the negro race in the South than to forever place intoxicating liquors beyond their reach. The average negro in the South is law-abiding and docile as long as he remains strictly sober, but let his brain once become inflamed with the vile, cheap liquor usually sold him and he becomes a perfect demon, and is liable to commit the most vicious of crimes. In this connection, Mr. Chairman, I desire to call attention to some views I lately expressed on this subject of "mob rule and lynchings" by presenting a letter written to me by Mr. Samuel Gompers, president of the American Federation of Labor, and my reply, as follows:

WASHINGTON, *July 7, 1919.*

Hon. FRANK CLARK,
House Office Building, Washington, D. C.

SIR: Permit me to bring to your attention the following resolution adopted by the thirty-ninth annual convention of the American Federation of Labor, expressive of the sentiments of the organized labor movement of America in opposition to mob rule and lynching:

"Whereas President Woodrow Wilson issued from the Capital City of our Nation on July 26, 1918, a personal statement addressed to his fellow countrymen, defining mob-spirit action, called upon the Nation to show the world that while it fights for democracy on foreign fields it is not destroying democracy at home; and

"Whereas, while the President referred not alone to mob action against those suspected of being enemy aliens or enemy sympathizers, he denounced most emphatically mob action of all sorts, especially lynchings; and

"Whereas in all wars, where our country and its interests were at stake, the colored race, with their white brothers, fought, shed their blood, and died in defense of Old Glory and over there gave their all that others may live in peace and happiness ever after; and

"Whereas lynching, cowardly and unjust, is also a blow at the heart of ordered law and human justice; and

"Whereas the colored people, their workers, their breadwinners, throughout the Nation look with hope and anxiety in their hearts to those in the struggle for better conditions, for better homes, and for the good things of life, as well as protection from mob rule and for a surging popular opinion behind that will not tolerate a laxity in upholding the laws of our land; and

"Whereas the hope of civilization is in democracy; the hope of democracy is in justice; the only hope of justice in the tribunals, through which justice can be secured, and the only hope of the functioning of these tribunals is in the sentiment which demands that they within their departments shall be supreme, and that any effort to incite mob violence shall be regarded as an attack upon the very foundations of society itself; and

"Whereas the American labor movement, American Federation of Labor, knows no race, color, or creed in its stand for the toiling masses to get justice; and

"Whereas through its representatives in convention assembled at Perth Amboy, N. J., week of August 19, 1918, the New Jersey State Federation of Labor, with a membership of over 90,000, indorsed this resolution; and

"Whereas the great American labor movement through its conventions, city, State, and national, is the very medium through which popular and public sentiment can best be expressed against mob rule and for proper enforcement of the laws of our land: Therefore, be it

"*Resolved*, That copy of the same be sent to our Representatives in Congress and the United States Senate and Speakers of both Houses, and to the press and to the President of our Nation, Hon. Woodrow Wilson."

I have the honor to remain,
Respectfully yours,

SAM. GOMPERS,
President American Federation of Labor.

HOUSE OF REPRESENTATIVES, UNITED STATES,
COMMITTEE ON WAR CLAIMS,
Washington, D. C., July 14, 1919.

Hon. SAMUEL GOMPERS,
President American Federation of Labor,
Washington, D. C.

MY DEAR SIR: I am just in receipt of your favor of the 7th instant, covering copy of resolution adopted by the American Federation of Labor in its thirty-ninth annual convention, lately held, which you state is "expressive of the sentiments of the organized labor movement of America in opposition to mob rule and lynching."

Of course, all good citizens everywhere are, and should be, opposed to "mob rule and lynching" and should exert every possible effort for the punishment of crime through the ordinary legal channels and the orderly administration of justice. Good citizens of every section of the country will undoubtedly agree that this course is the ideal one under a Government such as ours. But, my dear sir, have you ever thought that if organizations of people who are constantly passing resolutions condemnatory of lynchings and denouncing as barbaric and uncivilized communities in which they sometimes occur would devote a modest portion of their time in efforts to let the inhuman brutes who commit the usual crime which incites the people to take the law into their own hands understand that punishment will be speedy and sure it might result in lessening the tendency to "mob rule and lynching"?

Of course, the resolutions are aimed at the South, although it is not so stated in specific language. I am a southern man nearly 60 years of age, and have lived in the South all of my life. I know conditions in the Southern States, and I know the negro fully as well as any living man of my age. I not only have never participated in a lynching, but I never witnessed one in all my life and sincerely trust I never may. Brutes, both white and black, are sometimes lynched in the South, but they are generally thus disposed of for assaults on women, such, as I believe, on three distinct occasions have been committed within the past few days almost within the shadow of the National Capitol. However, the record will not show that any white man, or negro man either, has even been lynched or shot down like a dog in the South because he wanted work, as negroes were shot down in East St. Louis, in the State of Illinois, a few short years ago. The negro in the South is privileged under the law to work out his destiny, as fully enjoying all his legal rights as does the white man, and the industrious and law-abiding among them are accumulating property, educating their children with funds mostly raised by taxation of the property of white people, and are content, if only let alone by agitators who either know nothing of conditions or whose hatred of the South inspires them to create trouble.

The men of no country or section of country, in my opinion, are worth a "tinker's dam" if they do not respect and protect, at any and all hazards, the virtue and chastity of their women, and my humble judgment is that both white and negro brutes will cease to be lynched in the South when they cease to make assaults upon women, and not before. Those who seem to be so bitterly opposed to the summary execution of these brutal assailants of innocent and defenseless girls and women, with great unction, say: "Let the law take its course." What does this mean? It means that the brute is to be incarcerated in a jail and fed and fattened for several months, and when the trial is held the wretched victim of the hellish lust of the inhuman scoundrel must appear and detail all the shocking facts and circumstances of her shame and degradation in the presence of the gaping crowd assembled in the court room. To any refined, innocent, virtuous woman death would be much preferable to the passing through such an ordeal as this. When your organization is so solicitous of these brutal, bestial creatures do you not think it would be well to not waste all your sympathies on them, but rather to give a little thought to the pure young girl or the virtuous young wife and mother who has fallen a victim to the hellish lust of the beast? These victims have suffered more than a thousand deaths, and their families have suffered with them. A mad-dog or a rattlesnake is shot down on sight, and how much better is the rape demon than the mad-dog or the rattlesnake?

While, as I have said, I have never taken part or even witnessed a lynching, I am quite sure that in the South they have always got the right man, and the swiftness and certainty of punishment has undoubtedly deterred other brutes from the commission of this crime. Right here at the very doors of the Capitol three white women, according to the city press, have been ravished by a negro brute or brutes within the past two weeks and the criminal or criminals are still at large. The victims, robbed of virtue, suffering the tortures of the damned, with their lives forever blighted, while this brutal beast still travels the public highways seeking to satiate his infamous lust. In this community, where they "let the law take its course," innocence and virtue are prostrate at the feet of the hell-born lust of the beast, while the officers of the law are busily engaged in an united effort to see to it that no contraband whisky invades the sacred precincts of the Capital.

I sincerely trust that your organization and others may turn your attention toward lessening the need for summary punishment. Let us not forget the victim when we are deploring the fate of the rapist.

Yours, very truly,

FRANK CLARK,
Member of Congress.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Florida asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. SAUNDERS of Virginia. Mr. Chairman [applause], I listened with a great deal of interest to the remarks of the gentleman from North Carolina because he voiced an attitude that has been expressed heretofore on this floor, by him, and others namely that they favor a reasonable enforcement law. None of the gentlemen who have given expression to this attitude, have aided us in anywise to frame a reasonable enforcement law, or indicated what in their judgment, a reasonable enforcement law would be. [Applause.] The gentleman asks us to come back to our senses. We should maintain our senses at all times whether dealing with this, or any other subject matter. This body is not passing a prohibition law. We are enacting a law to enforce the Constitution of the United States. That Constitution declares that the manufacture, sale, exportation, importation, and transportation of intoxicating liquor for beverage purposes is absolutely prohibited.

How is it proposed to pass a reasonable enforcement act, unless we make effective these constitutional inhibitions, these explicit declarations of the organic law of the land? [Applause.] What would these gentlemen have us to do? Do they mean that we should pass an enforcement law which will allow a measurable amount of transportation, exportation, importation, manufacture, and sale? Is it their idea of a reasonable enforcement law that it should deal in part only with these inhibited things? Rather ought we not to enact an enforcement law which will seek to make effective in good faith an amendment which is to-day a part of the organic law by virtue of the almost universal action of the States? [Applause.] I repeat my question. What do these gentlemen have in mind as a reasonable enforcement law of a constitutional amendment which declares that the manufacture, sale, importation, exportation, and transportation of intoxicating spirits for beverage purposes is absolutely forbidden? Is a reasonable enforcement law one that would allow a measure of transportation, or sale? Is that what these gentlemen have in mind? If sale is forbidden, do you think that some sales for beverage purposes ought to be allowed? If so, to whom, when, and where? If exportation is forbidden as it is, do you think that we ought to wink at transportation, if so when and where, and under what circumstances ought we to wink?

Now, so far as manufacture by the housekeeper is concerned, there is nothing in this law that forbids the manufacture of

domestic wine except for beverage purposes. It may be made under regulation for other purposes. We have that right not only under the State constitutions, but under the eighteenth amendment to the Constitution. In legislating we can not go further than to exercise the powers conferred by that amendment. There is no police power afforded to Congress by any provision of the Constitution.

Mr. IGOE. Will the gentleman yield?

Mr. SAUNDERS of Virginia. With pleasure.

Mr. IGOE. Section 3, as we have adopted it, does read, however, that liquors for nonbeverage purposes and wine for sacramental purposes are forbidden except——

Mr. SAUNDERS of Virginia. Except as provided by this law. I asked the chairman on a previous occasion what that language meant, because if this law in any section undertakes to prohibit the doing of something which the Constitution does not forbid, I will agree with the gentleman from Missouri to strike that section out. There are some sections of this bill——

Mr. IGOE. Will the gentleman agree further to insert a proviso that if the defendant can show on the charge that the liquor is not in fact intoxicating——

Mr. SAUNDERS of Virginia. It devolves upon the prosecution to make good that charge. The prosecution must establish the allegations of the indictment or warrant.

Mr. IGOE. If the gentleman will permit me further, the definition does not only cover what shall be intoxicating, and the chairman expressly states in putting it in, it was put in——

Mr. SAUNDERS of Virginia. That is a matter that has already been discussed and settled. That is behind us. The committee has agreed that we ought to define what are intoxicating spirits. I am not going to be drawn into a repetition of the arguments on that subject. As I have said that matter is behind us, it has been settled.

Mr. DENISON. Will the gentleman yield?

Mr. SAUNDERS of Virginia. I will.

Mr. DENISON. I desire to ask the gentleman a question for information, at least for my information. If this law is passed as has been reported now and it becomes a law, will the farmer and his wife be permitted to make grape wine for his own family use on the table?

Mr. SAUNDERS of Virginia. For beverage purposes.

Mr. DENISON. I do not know of any reason for wanting wine except to drink.

Mr. SAUNDERS of Virginia. If the gentleman will read the constitutional amendment, it will answer his question.

Mr. DENISON. I am asking the gentleman.

Mr. SAUNDERS of Virginia. We are not passing a prohibition statute. The amendment announces the positive law relating to intoxicating spirits. It declares that the manufacture of intoxicating spirits for beverage purposes is forbidden. That is what the Constitution says and that citation I think answers the gentleman's question.

The CHAIRMAN. The time of the gentleman has expired. There is two and a half minutes remaining of the time. [Cries of "Read!"]

Mr. GARD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio, a member of the committee, has an amendment to this section, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 11, line 25, strike out the word "liquor" and insert in lieu thereof the following: "an intoxicating beverage."

The CHAIRMAN (Mr. CRAMTON). The gentleman from Ohio offers the amendment which has been reported. The gentleman is recognized for two and one-half minutes.

Mr. GARD. The purpose of the amendment as offered by me is to carry out what must be manifestly the intent of the section. I take it that section 5 has for its purpose the very good one, that where one is manufacturing an intoxicating beverage under the guise of one of the exceptions set out in section 4 the Commissioner of Internal Revenue has the power of regulating or prohibiting that and of treating it as a thing which is prohibited. Now, the gentleman from Virginia [Mr. SAUNDERS] just a moment ago said that it is undoubtedly true the constitutional amendment made provision for manufacture, sale, exportation, and importation of intoxicating liquor for beverage purposes. That is the constitutional definition. That is the definition which we must carry out here by our legislation for enforcement.

The chairman of the committee in the bill presented——

Mr. VOLSTEAD. Will the gentleman yield?

Mr. GARD. I have not very much time.

Mr. VOLSTEAD. It would allow liquor that might contain 2 or 3 per cent, would it not, provided it is not intoxicating?

Mr. GARD. No; it would not. My amendment is that it shall be treated as an intoxicating beverage. No matter what it is, it is treated as an intoxicating beverage. I want to make it stronger than you have it here.

Mr. VOLSTEAD. You change it radically by using those words, so that it does not confine it to liquor that only contains one-half of 1 per cent, but it may be a liquor that contains considerably more.

Mr. GARD. Oh, no. This is my amendment, that if the manufacture of said article fails to show to the satisfaction of the commissioner that the article is whatever your language says, if put in there, it shall be treated as an intoxicating beverage.

Mr. VOLSTEAD. Would the gentleman insert the words "intoxicating liquor" instead of "beverage"?

Mr. GARD. I have no objection.

The CHAIRMAN. The time of the gentleman from Ohio has expired. All time has expired.

Mr. GARD. Mr. Chairman, I ask unanimous consent for one minute more.

The CHAIRMAN. All time has expired under this section.

Mr. GARD. Mr. Chairman, I ask unanimous consent to proceed for one minute in further answer to the question of the gentleman.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for one minute more. Is there objection? [After a pause.] The Chair hears none.

Mr. GARD. I have no objection to amending it so as to change the word "beverage" to "liquor."

Mr. BARKLEY. Will the gentleman yield?

Mr. GARD. I want to explain the amendment. If you will ask for an additional minute, I will be glad to yield.

Mr. VOLSTEAD. If the gentleman will change his amendment——

Mr. GARD. I had in mind that the term "beverage" was broader than the word "liquor."

Mr. VOLSTEAD. Beverage is not defined. Intoxicating liquor is defined. If you change it to "intoxicating liquor"——

Mr. GARD. I have no objection to that.

Mr. VOLSTEAD (continuing). Then I will have no objection.

Mr. GARD. Mr. Chairman, I ask unanimous consent to so modify my amendment that the word "beverage" may be changed to "liquor."

The CHAIRMAN. Without objection, it will be so modified. The question is on the amendment of the gentleman from Ohio [Mr. GARD] as modified, and the Clerk will report the modified amendment.

Mr. GARD. I ask to offer a new amendment, to insert the word "intoxicating."

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 11, line 25, after the word "as," insert the word "intoxicating."

Mr. BARKLEY. Mr. Chairman, I offer an amendment to the amendment, to add after the word "liquor" the words "as defined in this title."

The CHAIRMAN. The gentleman from Kentucky offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BARKLEY: After the word "liquor" in line 25 on page 11 insert "as defined in this title."

The CHAIRMAN. The question is on the amendment of the gentleman from Kentucky.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Ohio [Mr. GARD] as amended.

The amendment as amended was agreed to.

The Clerk read as follows:

SEC. 6. That no one shall manufacture, sell, purchase, transport, or prescribe any liquor without first obtaining a permit from the commissioner so to do, except that a person may purchase and use liquor for medicinal purposes when prescribed by a physician as herein provided.

All permits to manufacture, prescribe, sell, or transport liquor shall expire on the 31st day of December next succeeding the issuance thereof. All permits to purchase liquor shall, among other things, specify the quantity and kind to be purchased and the purpose for which it is to be used, and shall not be in force more than 10 days from the day of its issuance. No permit shall be issued to any person who within one year prior to the application therefor or issuance thereof shall have violated any permit issued under this title or any law of the United States or of any State regulating traffic in liquor. No permit shall be issued to anyone to sell liquor at retail unless such sale is made by a pharmacist designated in the permit who is duly licensed under the laws of his State to compound and dispense medicine prescribed by a duly licensed physician. No one shall be given a permit to prescribe liquor unless he is a physician duly licensed to practice medicine and actively engaged in the practice of such pro-

fession. All permits shall be in writing, dated when issued, and signed by the commissioner or his authorized agent. It shall, among other things, give the name and address of the person to whom it is issued and of those who are permitted to do the authorized acts. It shall designate and limit the acts that are permitted and the time and place when and where such acts may be performed. No permit shall be issued until a verified, written application shall have been made therefor, setting forth the qualification of the applicant and the purpose for which the liquor is to be used, together with such other facts as shall show that the permit may properly be granted.

The commissioner may prescribe the form of all permits and applications and the facts to be set forth therein. Before any permit is granted the commissioner may require a bond in such form and amount as he may prescribe to insure compliance with the terms of the permit and the provisions of this title.

Mr. VOLSTEAD. Mr. Chairman, I offer an amendment in order to correct some of the grammar.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 12, line 14, after the word "thereof," strike out "all permits" and insert "every permit."

The CHAIRMAN. The question is on the amendment of the gentleman from Minnesota [Mr. VOLSTEAD].

Mr. DENISON. Mr. Chairman, I have not heard all of the discussion on this bill. I want to vote for it if I can. But there have been certain statements here this afternoon that have somewhat aroused my fears. For instance, the statement of the gentleman from North Carolina [Mr. POU]—and I am accustomed to paying considerable attention to statements made by the gentleman from North Carolina—was to the effect that under the provisions of this bill it would be unlawful for a person to make cider at home. Now, I do not know whether that is true or not, but as the gentleman from North Carolina stated it I give a good deal of weight to it. And the thought was suggested to me as to whether or not the bill defined the words "beverage purposes" as used in the constitutional amendment. I consulted the chairman of the committee, and I understood from him the bill does not define the words "beverage purposes," although it defines other language used in the constitutional amendment.

Another thing I would like to know is what the gentleman from Minnesota [Mr. VOLSTEAD], the chairman of the committee in charge of the bill, understands by the words "beverage purposes" and why that term is not defined in this act? Is the definition of those words omitted purposely?

I have never understood that if a person at his home makes cider for table use it could be said to be made for what is called "beverage purposes," or if a person makes a little grape juice for family use at his own table, that that would be for "beverage purposes." If I am wrong about that, I would like to be corrected by the gentleman in charge of the bill, who is supposed to know all about these questions.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. DENISON. Yes; I will be glad to yield to the gentleman from Massachusetts.

Mr. WALSH. Why should he be allowed to make cider containing more than one-half of 1 per cent of alcohol any more than whisky containing more than one-half of 1 per cent of alcohol?

Mr. DENISON. If he makes it for his own table use, is that made for use as a "beverage" or not?

Mr. WALSH. They do not wash in it; they drink it. [Laughter.]

Mr. DENISON. Then is water a "beverage"?

Mr. WALSH. Yes.

Mr. DENISON. Is milk a "beverage"?

Mr. WALSH. Yes.

Mr. DENISON. Then we are to understand that anything we swallow as a liquid and do not have to chew is a "beverage"? Do I so understand my friend from Massachusetts correctly?

Mr. WALSH. Under the provisions of this bill, that might include soup. [Laughter.]

Mr. DENISON. I was going to ask the gentleman from Massachusetts whether soup is a "beverage"?

Mr. FITZGERALD. Some people eat soup.

Mr. GARD. I would like to know from the gentleman from the Cape Cod district whether clam chowder is a solid or liquid food?

Mr. WALSH. It depends on how it is made. [Laughter.]

Mr. FITZGERALD. It is the best chowder in the world.

Mr. LONGWORTH. Anything you can eat with a sponge is a "beverage."

Mr. DENISON. I have always supposed that the words "beverage purposes," as used in connection with this kind of legislation, meant that it must be in some way connected with intoxicating liquors. I do not consider pure water as a beverage. I think this bill ought at least to contain some definition of "beverage" or "beverage purposes." I do not approve of a bill which will make anyone liable to prosecution simply for taking the juice out of apples for use by his family at the family table, or taking the juice out of grapes, so far as that is concerned, for use at his family table. Out in Illinois many people raise their families sometimes on apple juice or grape juice; and I would hate to see the time come when the farmers out there may not be permitted to let their children drink apple juice or sweet cider at the family table.

Mr. BARKLEY. How about corn juice?

Mr. DENISON. I have no objection to letting them use corn juice if it is not intoxicating. I fear some of the provisions of this bill will be so drastic as to defeat the very purposes of the bill.

Mr. FITZGERALD. Mr. Chairman, I move to strike out the last word.

Mr. VOLSTEAD. Mr. Chairman, for the last half hour we have not made any progress but have indulged merely in general discussion. We already had 12 hours of general discussion on this bill. There would be ample opportunity to put stuff of this kind in the RECORD. I hope we can make some progress now.

Mr. GARD. Mr. Chairman, it seems to me that the discussion of the gentleman from Illinois [Mr. DENISON] should not be characterized as "stuff" but well merits the intelligent answer of the chairman of the Committee on the Judiciary.

Mr. VOLSTEAD. We have had too many speeches of that kind.

Mr. FITZGERALD. Is the farmer permitted to make cider or not? That is the question, Mr. Chairman.

Mr. VOLSTEAD. Mr. Chairman, I move that all debate on this section be now closed.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman withhold that for a moment?

The CHAIRMAN. The gentleman from Minnesota moves that all debate on this section and all amendments thereto be now closed.

Mr. CANNON. Mr. Chairman, I offer an amendment to that motion to have debate close in 10 minutes.

Mr. VOLSTEAD. Does the gentleman want to offer an amendment?

Mr. CANNON. I want to offer a pro forma amendment. I want to ask a question. I think I can get through in three minutes.

Mr. SUMNERS of Texas. I would like to have two minutes.

Mr. McPHERSON. I would like to have a few minutes.

Mr. VOLSTEAD. I move, Mr. Chairman, that in 10 minutes the debate be closed on this section and all amendments thereto.

The CHAIRMAN. The gentleman from Minnesota moves that the debate be closed on this section and all amendments thereto in 10 minutes. The question is on agreeing to that motion.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. CANNON]. The Chair is not advised as to the apportionment of the time under this motion.

Mr. CANNON. I think I can get through in a very short time. Certainly I shall have to get through in five minutes.

The CHAIRMAN. There is a limit of 10 minutes, and several gentlemen are to speak. The gentleman from Illinois is recognized.

Mr. CANNON. Mr. Chairman, a gentleman for whom I have high respect in conversation with me touching buttermilk, for instance, and touching cider and grape juice, said that he believed if it were made in good faith the law would never be enforced in such cases. I said, "When would it be enforced?" "Well," said he, "if it is used as a beverage to evade the law, I think it ought to be and will be enforced." I said, "There is just perhaps one objection to that," and I do not make it as an objection. I agree with the gentleman who spoke to me that it will not be enforced if somebody gets buttermilk containing——

Mr. VOLSTEAD. Does not the gentleman know that buttermilk never contains alcohol?

Mr. CANNON. The chemists tell me it does. I am not an authority.

Mr. VOLSTEAD. I will say to the gentleman that buttermilk does not produce alcohol.

Mr. CANNON. Well, cider does, and milk does, when it ferments, and so on.

Now, I am not seeking to embarrass the enactment of proper legislation. I should have no objection if the law were enforced against a man who was a bootlegger, against a man who was hiding behind such a provision, in the event you write it in, because I suppose it ought to be enforced. But I tell you you

can not enact a law and enforce it that will punish a man when he makes a barrel of cider for his own use and puts it in his cellar and drinks it. [Applause.]

Mr. McPHERSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Chair will ask the gentleman if his amendment is an amendment to the pending amendment?

Mr. McPHERSON. No, sir. It relates to section 6.

The CHAIRMAN. If not, will the gentleman withhold a moment?

Mr. GARD. Is it not the usual practice, Mr. Chairman, to have the amendment reported? It will show for itself.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. McPHERSON: Page 12, line 8, strike out the words "or prescribe."

The CHAIRMAN. The gentleman from Missouri will withhold for a moment until we can dispose of the amendment first offered, as his amendment is not an amendment to that amendment.

Mr. McPHERSON. I understand, though, that the committee has decided to limit debate on all amendments to this section to 10 minutes.

The CHAIRMAN. The gentleman will withhold until we dispose of the other amendment. His amendment will then receive consideration.

Mr. McPHERSON. Mr. Chairman——

The CHAIRMAN. The gentleman from Missouri will be recognized to speak upon his amendment as soon as the amendment of the gentleman from Minnesota [Mr. VOLSTEAD] has been voted upon.

Mr. WALSH. Suppose somebody wanted to discuss the pending amendment after the gentleman from Missouri got through?

The CHAIRMAN. If there is anyone among the gentlemen who have been listed to speak in this 10 minutes who desires to speak on the amendment to the amendment, the Chair will be glad to recognize him at this time.

Mr. WALSH. The practice is, under circumstances of this kind, that the amendments are all voted on after the time has expired.

Mr. FITZGERALD. The gentleman from Minnesota allowed me two minutes.

The CHAIRMAN. The question is on the amendment of the gentleman from Minnesota [Mr. VOLSTEAD].

The amendment was agreed to.

Mr. VOLSTEAD. I have another amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 13, line 4, strike out the words "all permits" and insert in lieu thereof "every permit."

Mr. GARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from Ohio will state it.

Mr. GARD. Is it not the proper procedure to have all the amendments before the Chair, and then after the debate is exhausted to vote upon the amendments?

The CHAIRMAN. It does not appear material to the Chair——

Mr. WALSH. That is the way it has always been done.

The CHAIRMAN. The question is on the amendment of the gentleman from Minnesota.

The amendment was agreed to.

Mr. McPHERSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McPHERSON: On page 12, line 8, strike out the words "or prescribe."

The CHAIRMAN. The gentleman from Missouri is recognized for two and a half minutes.

Mr. McPHERSON. Mr. Chairman and gentleman of the committee, the eighteenth amendment to the Constitution gives us the only authority we have to pass an act to enforce prohibition, and that is the kind of prohibition that we can enforce and no other. This word "prescribe" as used here is a word that gives the Commissioner of Internal Revenue authority to go beyond and to exceed the power he has or that this Congress can give him under the eighteenth amendment. This is an attempt to regulate the practice of medicine. Congress has authority to prohibit the manufacture of intoxicating liquor as a beverage. It has the authority to prohibit its sale as a beverage. It has authority to prohibit its transportation as a beverage, and to prohibit its importation and exportation as a beverage, and no other authority. All these provisions that relate to the prohibition of the manufacture of extracts and medicines or the sale of extracts and the sale of medicines, unless they are manufactured or sold as a beverage, are beyond and outside of the authority of this Congress.

Mr. MONTAGUE. Will the gentleman permit me to ask him a question as to his interpretation?

Mr. McPHERSON. Certainly.

Mr. MONTAGUE. Do I understand the gentleman to construe this word "prescribe" as meaning that a doctor in Minnesota in order to give a single prescription must come to Washington and obtain a permit from the Commissioner of Internal Revenue?

Mr. McPHERSON. Yes; as to how he shall practice medicine. Other sections go further in the regulation of his practice.

Mr. MONTAGUE. Yes; but in order to issue a prescription in any given instance——

Mr. McPHERSON. He must have a permit.

Mr. MONTAGUE. To prescribe any liquor?

Mr. McPHERSON. He must have a permit. Here the Congress of the United States is taking charge of and regulating the practice of medicine. It is dictating to a scientific man whose authority to practice his profession is granted by the State——

Mr. VOLSTEAD. Is it not a fact that they have more trouble with doctors than with almost anybody else?

Mr. McPHERSON. That is absolutely true, but those States where they have that trouble have authority to regulate physicians. They have authority to regulate the practice of medicines, because they create those physicians, and this Congress has not that power, and it is not given in this amendment.

Mr. DAVIS of Tennessee. Mr. Chairman, I rise to oppose the amendment proposed by the gentleman from Missouri.

The CHAIRMAN. Unfortunately the time has been limited by an agreement, and the right to use the time has been restricted to certain gentlemen. The Chair will recognize the gentleman from Texas [Mr. SUMNERS] for two and one-half minutes.

Mr. SUMNERS of Texas. Mr. Chairman, I want to direct to the attention of the chairman of the committee having the bill in charge what seems to me to be a defect in the bill. I agree with the chairman of the committee that one of the points of greatest difficulty in enforcing this law will be in the control of the doctors. It seems to me that this bill ought to be amended at line 1, page 13, by striking out the words "duly licensed" and inserting "by a physician duly licensed under the laws of the State or Territory where the liquor is sold."

That will prevent a physician making a raid into some territory, if he is not licensed in that territory but in some other State, and issuing a lot of these prescriptions, which under the law druggists would be authorized to fill. There should also be a provision in this bill under which, when a physician is convicted of violating the provisions of the law, he shall not be permitted within a certain specified time to issue any more prescriptions. I am not going to offer amendments, but I direct the attention of the chairman of the committee to the necessity for these provisions.

Mr. FITZGERALD. Mr. Chairman, I have only two minutes and I shall speak very rapidly. The document from which I quoted is published by the United States Government, and my object in bringing it to the attention of the House was to emphasize the cleanliness of the great cities of the East. I think every Member in this House is proud of the wonderful record of the American Army. I took the case of those who had the best records and those who had the worst records, not for the purpose of bringing out any condition of immorality among the white population in the South—that was the farthest from my thoughts—but simply gave the facts as quoted in this report. One great city of the South shows 27.45 per cent of the men that enlisted in the second draft army as afflicted with venereal disease.

When I read that Mr. Dinwiddie and his associates are going to Europe to make it prohibition when the United States has accepted prohibition, I thought I would let him know, through these statistics, of rotten morals in prohibition communities, that there is work for him in this country.

I want to say to Mr. Dinwiddie that here is your job and not over in Europe, but here in this country where the disease is rampant and where it is being disseminated among our population.

That is where these men belong and not over in Europe trying to correct the morals of the people who need not be told how to deport themselves. If the people of Europe knew of these conditions, I think they would send Mr. Dinwiddie home by the next boat.

Mr. LANHAM. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. LANHAM. Does the gentleman know what proportion of these statistics represents white people and what proportion represents negroes?

Mr. FITZGERALD. I do not, except that the populations of Kansas, Iowa, and Nebraska, which are largely country districts, where the records show 200 and 300 per cent worse than New York. I presume they are white populations.

Mr. LANHAM. Does the gentleman know whether they were all computed according to the same system or standard?

Mr. FITZGERALD. I think so, because these are compiled by the United States authority.

Mr. LANHAM. The gentleman has spoken of Fort Worth, Tex. I have a friend who is captain of a company of Texas and Oklahoma boys, who went from there to the front, and the company was personally complimented by Gen. Pershing for not having had a case of venereal disease from the time it started until the time it was inspected for departure from France. I want to defend that section of the South and take exception to the report cited by the gentleman from Massachusetts. The morals of our white people are not surpassed anywhere. And I want to ask the gentleman if he thinks there could be any relation of cause and effect between prohibition and the reported increase in percentage of venereal diseases?

Mr. FITZGERALD. Except in this way: Congress is trying to correct the morals of the people who do not want prohibition; and I call attention to the fact that we are getting along pretty well in nonprohibition communities. As I have said before, I do not object to State prohibition. If Texas wants it, let it have it; if Kansas wants it, the people of that State should have it; but if we in Massachusetts are getting along pretty well, and do not wish prohibition, it should not be thrust down our throats.

That is the position I take; and if we let the principle of local self-government operate in this country everybody will be satisfied and this country will move along the same lines of progress that has characterized this country the past 100 years. I am the last person in the world to make an attack on the South. The part it played in the recent struggle is worthy of the greatest praise, and I glory in it as much as any Member of this body.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired. All time has expired.

Mr. BLANTON. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. All time has expired. The question is on agreeing to the amendment offered by the gentleman from Missouri [Mr. MCPHERSON].

The question was taken; and on a division (demanded by Mr. GARD) there were 16 ayes and 59 noes.

So the amendment was rejected.

Mr. GARD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. All time has expired.

Mr. GARD. Mr. Chairman, I offer an amendment to strike out of line 3, page 13, the word "actively."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 7. That no one but a physician duly licensed to practice medicine and actively engaged in the practice of such profession shall issue any prescription for liquor. Such physician shall at the time of prescribing personally make a careful physical examination of the person for whom the liquor is prescribed and shall only prescribe liquor when in good faith he believes that its use as a medicine by the one for whom he prescribes will afford relief to him from some ailment specified in the prescription. Not more than a pint of spirituous liquor shall be prescribed for use by the same person within any period of 10 days and no prescription shall be filed more than once. Any pharmacist filling a prescription shall at the time indorse upon it over his own signature the word "canceled," together with the date when the liquor was delivered, and then make the same a part of the record that he is required to keep as herein provided.

Every physician who issues a prescription for liquor shall keep a record, alphabetically arranged in a book prescribed by the commissioner, which shall show, among other things, date, amount prescribed, to whom issued, directions for use, stating the amount and frequency of dose, and the druggist to whom addressed.

Mr. VOLSTEAD. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 14, line 8, after the word "the," strike out the word "filed" and insert in lieu thereof the word "filled."

The question was taken, and the amendment was agreed to.

Mr. MILLER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 14, line 18, after the word "addressed," add a new section, known as section 7½, as follows:

Mr. JOHNSON of Kentucky. Mr. Chairman, before we leave this section I desire to offer an amendment. The gentleman's amendment is to add a new section.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. JOHNSON of Kentucky: On page 14, line 18, strike out the word "druggist" and insert in lieu thereof the word "pharmacist."

The question was being taken.

Mr. GARD. Does the chairman of the committee desire to accept that amendment?

Mr. VOLSTEAD. No.

Mr. GARD. Then, why do you not say so?

Mr. VOLSTEAD. I have had no opportunity.

Mr. GARD. The gentleman says that, as chairman of the committee, he has had no opportunity to oppose this amendment. I desire to oppose the amendment, if no one else does, but I would prefer to have the chairman of the committee do so.

The CHAIRMAN. The Chair will recognize the gentleman from Minnesota.

Mr. WALSH. But we have voted on it, have we not?

The CHAIRMAN. The question was being put.

Mr. VOLSTEAD. Mr. Chairman, I oppose it on the ground that a druggist may not always be a pharmacist in the acceptation of the term as used, and for that reason I think the word "druggist" should remain in there. We provide for the sale by a pharmacist.

Mr. GARD. And it is not true that a pharmacist may always be a druggist.

Mr. VOLSTEAD. That may be true.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. WALSH. I direct the gentleman's attention to the fact that in section 6 is used the word "pharmacist" in the following language:

No permit shall be issued to anyone to sell liquor at retail unless the sale is made by a pharmacist designated in the permit who is duly licensed under the laws of his State—

And so forth.

And now we find this language:

Every physician who issues a prescription for liquor shall keep a record * * * and the druggist to whom addressed.

Mr. VOLSTEAD. But the word "druggist," as used in this connection, is intended to cover a person running a drug store. He may have a number of persons engaged who are not pharmacists, and no one but the pharmacist can sell it.

Mr. WALSH. Then, you may address a permit to a druggist that does not have a pharmacist, and all the good that it would do would be to have the pleasure of addressing the druggist.

Mr. VOLSTEAD. Yes.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. TREADWAY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. TREADWAY: Page 14, line 4, after the word "relief," strike out the words "to him from some ailment specified in the prescription."

Mr. TREADWAY. Mr. Chairman, I do this in order to make an inquiry. I have not participated in the debate upon this bill, for I see there is not much use in doing so. Certain people seem to have decided that the bill shall pass practically as presented, and it seems to be going just about the way they have decided, so what is the use? We may as well accept it, but do not let us be any more ridiculous than we are obliged to be.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. The gentleman will pardon me, but I have only five minutes. This is a new kind of prescription, so far as my experience with physicians goes, where the prescription must describe what ails the person prescribed for. If it is the desire of the Congress to change the usual methods of physicians in writing prescriptions, all well and good. In such event I shall have no objection to the phraseology and will withdraw my amendment, but as it reads here in the bill you are absolutely requiring a physician to designate upon the prescription he sends to the druggist or to the pharmacist what ails the patient. That is not fair to either the doctor or the patient. The doctor may be mistaken, and the patient may be just as well off if he does not know what ails him. This compels the physician to designate on the prescription what ails the patient.

Mr. LONGWORTH. I suggest to the gentleman that the ailment might be thirst. Why should he not specify it?

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?
Mr. TREADWAY. Yes.
Mr. BARKLEY. If the gentleman's amendment be adopted, a doctor could offer a prescription for the relief of thirst.
Mr. TREADWAY. The gentleman from Ohio makes that suggestion also, but that is within the conscientious limits of the doctor's rights.
Mr. McPHERSON. Mr. Chairman, will the gentleman yield?
Mr. TREADWAY. Yes.
Mr. McPHERSON. Do not the laws of most of the States forbid physicians from giving the information that this bill seeks to have them disclose without the consent of the patient?
Mr. TREADWAY. That is what I have been trying to say, but the gentleman has put it in very much better form than I have been able to express it.
The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts.
The question was taken; and on a division (demanded by Mr. TREADWAY) there were—ayes 39, noes 62.
So the amendment was rejected.
Mr. TREADWAY. Mr. Chairman, I move another amendment. After the word "prescription" insert the words "if he knows."
The CHAIRMAN. The Clerk will report the amendment.
The Clerk read as follows:

Amendment offered by Mr. TREADWAY: Page 14, line 5, after the word "prescription," insert the words "if he knows."

Mr. TREADWAY. Mr. Chairman, I think that is a perfectly fair amendment. If we are going to require a physician to specify what ails a man for whom he has prescribed, we ought certainly to give him the right to state whether he knows what ails the man. I think it is perfectly proper. If we demand one thing, we should demand the other.
Mr. RUCKER. I want to say to the gentleman that if the doctor does not know what is the matter with his patient, he would better give him calomel instead of whisky.
Mr. HERSEY. And I would like to ask the gentleman from Massachusetts how a physician can prescribe for an ailment if he does not know anything about it?
Mr. TREADWAY. It is ridiculous to require a physician to say what ails a patient. He must, in order to prescribe liquor, know what ails him. Now, you ought at least to say on the prescription, giving the doctor a fair show of not knowing everything, to say, however, "that if he knows"——
Mr. YATES. If he does not know, the doctor ought to be chloroformed.
Mr. BAER. Suppose the doctor says a man has a certain trouble, and then he dies; if his wife can prove that he had something else, could not she bring a libel suit?
Mr. TREADWAY. It looks like the doctor would be in bad, and I do think the gentleman from Missouri covered the whole question here when he said that under the law in many States he can not say what ails him. You are making a new law of a very peculiar kind.
Mr. VOLSTEAD. Mr. Chairman, I move that all debate on this section and all amendments thereto close in 10 minutes.
The CHAIRMAN. The gentleman from Minnesota moves that all debate upon this section and all amendments thereto close in 10 minutes.
Mr. GARD. Mr. Chairman, I move to amend that by making it 20 minutes. I have a legitimate amendment myself to offer.
Mr. TREADWAY. Does the gentleman question my amendment as not being legitimate?
Mr. GARD. No; another legitimate amendment.
Mr. TREADWAY. I thank the gentleman.
The CHAIRMAN. The question is on the amendment of the gentleman from Ohio to the motion of the gentleman from Minnesota.
The question was taken, and the amendment to the motion was rejected.
Mr. GARD. Mr. Chairman, I move to amend by making it 15 minutes.
The question was taken, and the Chair announced the noes appeared to have it.
On a division (demanded by Mr. GARD) there were—ayes 49, noes 43.
So the amendment was agreed to.
Mr. FESS. Mr. Chairman——
Mr. BLANTON. Mr. Chairman, I ask for tellers.
Mr. FESS. Mr. Chairman, I move as a substitute for the amendment of the chairman that the debate now close.
Mr. BLANTON. Mr. Chairman, I have asked for tellers on the last vote.
The CHAIRMAN. The Chair has recognized the gentleman from Ohio.
Mr. BLANTON. I was trying to get the attention of the Chair.
The CHAIRMAN. The gentleman from Ohio moves as a substitute for the motion that the debate now close.
Mr. SABATH. Mr. Chairman, a parliamentary inquiry.
The CHAIRMAN. The gentleman will state it.
Mr. SABATH. Was not the motion of the gentleman from Minnesota carried as amended by the amendment of the gentleman from Ohio that debate should proceed for 15 minutes?
The CHAIRMAN. The Chair has not put the motion as amended. The Chair simply put the amendment limiting the time to 15 minutes. The question is on the amendment offered by the gentleman from Ohio.
The question was taken, and the Chair announced the Chair was in doubt.
The committee divided; and there were—ayes 48, noes 58.
So the amendment was rejected.
The CHAIRMAN. The question now recurs on the motion of the gentleman from Minnesota as amended.
The question was taken, and the motion as amended was agreed to.
The CHAIRMAN. Debate upon this section and all amendments thereto will close in 15 minutes. The Chair recognizes the gentleman from Illinois [Mr. MADDEN].
Mr. SIEGEL. Mr. Chairman.
The CHAIRMAN. For what purpose does the gentleman from New York rise?
Mr. SIEGEL. For a parliamentary inquiry.
The CHAIRMAN. The gentleman will state it.
Mr. SIEGEL. Has the amendment of the gentleman from Massachusetts been voted upon or is it still before the committee?
The CHAIRMAN. The pending amendment is the amendment offered by the gentleman from Massachusetts.
Mr. MADDEN. Mr. Chairman and gentlemen of the committee, I am not in accord with the terms of the bill so far as we have reached a conclusion upon it, but I do not believe we ought to make it ridiculous by offering frivolous amendments. I believe the time has come when this legislation ought to be enacted into law whether we agree to it or not. [Applause.] I do not expect to vote for the bill, but I do want the people of the country to understand that the Congress of the United States is sane and that it is going to act upon any measure that comes before it with sanity. Everybody knows that this bill is going to pass, that it is going to become a law, and whether we agree to it or not while it is pending every good American will agree to it after it has been enacted into law. Now, after we have been discussing this bill for more than a week, for more than 10 days, without reaching any conclusion upon it, let us begin to be serious, let us begin to conclude that we are going to pass the bill some time in the not distant future. We have other legislation pending waiting to come before the Congress. It is important. A great many people are looking forward to legislation relieving them of some of the taxes that are already imposed upon them. Such legislation will be presented for your consideration before many days. We have legislation which we expect to bring before the House to prevent the continuation of ships flying a foreign flag engaging in American coastwise trade. We have other important legislation which the people are looking forward to have enacted, and the only way we can reach that legislation is to enact this, for it has the right of way. Now, why delay? We know it is going to pass, and although I am opposed to the legislation I want it enacted without a moment's delay or without any frivolity. [Applause.]
Mr. GARD. Mr. Chairman, I offer the amendment which I send to the Clerk's desk and ask to have read.
The CHAIRMAN. There is an amendment pending. Does the gentleman offer it as a substitute?
Mr. GARD. Mr. Chairman, a parliamentary inquiry.
The CHAIRMAN. The gentleman will state it.
Mr. GARD. Does the Chair intend to dispose of the amendment offered by the gentleman from Massachusetts?
Mr. TREADWAY. Mr. Chairman, I ask unanimous consent to withdraw my amendment.
The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts? [After a pause.] The Chair hears none.
Mr. GARD. Mr. Chairman, I ask to have my amendment reported.
The CHAIRMAN. The Clerk will report the amendment.
The Clerk read as follows:

Amendment by Mr. GARD: Page 14, line 3, after the word "medicine," strike out the language in lines 3 and 4 and including the word "specified," in line 5, and insert in lieu thereof the words "is necessary," so that as amended the line will read: "And shall only prescribe liquor when in good faith he believes that its use as a medicine is necessary in the prescription."

Mr. GARD. Mr. Chairman, I offer this amendment in the interest of what must appear to everyone to be sensible in the phrasing of an amendment of this kind. It is hardly reasonable to write in the statute that a man should prescribe something which in his belief will afford relief to a person for some ailment specified in the prescription, and it is reasonable to say that the physician shall be required to state or to make the prescription only when he in good faith believes this is necessary for use in the medicine mentioned in the prescription.

Now, to continue this phrase, "will afford relief to him," will speedily make doctors the most popular people in the United States, because almost anyone can conjure up something from which he might be afforded relief, but if you write it in that it is necessary in that prescription to use this liquor after an examination is made, then you will have written a sensible law.

Mr. Chairman, I do not believe that the Congress should go so far as to say that a physician must obtain a permit every time he attempts to prescribe liquor for some one whom he says is in need of it. That imposes a burden which I want the country to understand, since it places upon the great healing and curative agencies of the country the necessity of applying for a permit every time they make any prescription containing alcohol. I do not think that is contemplated by the law. But we passed that. This committee has said that it is the law. So now I want to say that when a physician does write a prescription the law is that he must say that he believes its use as a medicine makes it necessary to be put in the prescription.

The CHAIRMAN. The question is on the amendment offered by the gentleman from——

Mr. VOLSTEAD. Mr. Chairman, I do not think either one of these amendments ought to be adopted. There is nothing in the contention that a doctor must have a permit for every prescription. He only has to get a permit once a year. That is what this provides. We who have lived in sections where attempts have been made to enforce prohibition laws have found this to be true: That doctors are among the most difficult of any class of our people to control. There will always be somebody here or there who will undertake to license the community by issuing prescriptions for alcoholic liquor. I do not mean to say that doctors are generally lawless, but there are black sheep among them.

Mr. GARD. Will the gentleman yield?

Mr. VOLSTEAD. I will.

Mr. GARD. Does the gentleman believe that the language of my amendment, making it necessary for him to afford relief, would do that?

Mr. VOLSTEAD. My understanding is you strike out of the prescription the necessity for specifying the ailment from which he is suffering.

Mr. GARD. I do not care about that. What I particularly object to is the language "will afford relief."

Mr. VOLSTEAD. It seems to me that shows the necessity, and we require him to show the necessity, by pointing out the ailment from which a patient is suffering. Now, we have this same provision in a number of statutes, and it is of great value in showing that the doctor is acting in good faith. Men who are entirely well will go to a doctor and pretend they are sick. If the doctor knows anything about medicine, he will know—and you can prove almost conclusively that he did know—that he was not prescribing in good faith, because he was not prescribing for an ailment. But if you leave it blank and say it is not necessary to specify the ailment, and without pinning him down to anything definite, he will be sure to issue the prescription, if he is reckless, and we have found in a great many instances that many are exceedingly reckless.

Mr. TREADWAY. Will the gentleman yield?

Mr. VOLSTEAD. I will.

Mr. TREADWAY. May I not ask the chairman if he does not think that the condition to which he refers could be taken care of by requiring that every physician should specify in the book which he is to keep, included in lines 13 to 18?

Mr. VOLSTEAD. That is a book that he keeps under his own control.

Mr. TREADWAY. Not necessarily. It is open for the commissioner and is prescribed by the commissioner.

Mr. VOLSTEAD. But the prescriptions go on file in the druggist's office, and the prosecutor can examine them there, and it is a good deal easier to make an investigation in that way, because you do not have to give the physician any notice. You simply go to the drug store and find the prescriptions, and from them you can determine, in connection with other facts, very largely whether a doctor has been honest or not. That is the object of this class of statute, and I think we ought to have the law in substantially the form it is in the bill.

Mr. TREADWAY. The idea of putting it on the prescription is to protect the public against unscrupulous physicians?

Mr. VOLSTEAD. Yes, sir.

Mr. TREADWAY. Now, they could also require a physician to keep a book that is open to the commissioner or his agent. There is the place to detect the dishonesty of a physician, is it not?

Mr. VOLSTEAD. That is a thing he can change almost to suit himself from time to time. But in the other way it can not easily be changed.

Mr. SIEGEL. Will the gentleman yield? Do I understand a physician will not be able to prescribe any wine for a patient?

Mr. VOLSTEAD. There is no prohibition against it. It depends on whether it is necessary for him to do so or not.

Mr. SIEGEL. You use the word "liquor" here.

Mr. VOLSTEAD. It includes intoxicating liquors, whether beer, wine, or anything else.

Mr. DAVIS of Tennessee. Mr. Chairman, I move as a substitute for the amendment of the gentleman from Ohio [Mr. GARD] to strike out the word "will," in line 4, page 14, and substitute in lieu thereof the words "is necessary to."

The CHAIRMAN. The gentleman from Tennessee offers an amendment as a substitute, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. DAVIS of Tennessee: Page 14, line 4, strike out the word "will" and insert in lieu thereof the words "is necessary to."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. GARD. Mr. Chairman, will the gentleman yield for a question?

Mr. DAVIS of Tennessee. Yes.

Mr. GARD. I think probably the gentleman is undertaking to accomplish the same purpose that I have in mind.

Mr. DAVIS of Tennessee. I will say to the gentleman from Ohio that the substitute amendment met the views of the gentleman from Ohio, and also the criticism of the gentleman from Minnesota, in that it left in there the provision with respect to specifying the ailment in the prescription and at the same time substituted the word "necessary" for the language as it stands.

Mr. GARD. If the gentleman will further yield, what I want is to make the physician find it necessary to use this intoxicating liquor in the medicine, to find that as a fact. If the gentleman's language is better than mine, I have no objection to it.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Tennessee. Yes.

Mr. BARKLEY. Under the gentleman's amendment will it not be much easier for the doctor to certify that a certain amount of liquor is necessary to relieve a man than it would be for him to say it will relieve him? Under the language now he has got to certify that in his belief it will relieve him.

Mr. DAVIS of Tennessee. I think that the word "necessary" strengthens it, because the use of intoxicants might afford relief in that it might intoxicate and thereby lessen the pain with which he might be suffering.

Mr. RAKER. Mr. Chairman, will the gentleman yield for a question?

Mr. DAVIS of Tennessee. Yes.

Mr. RAKER. The difference between the gentleman's amendment and that of the gentleman from Ohio is that the prescription must show that it is necessary to afford relief and also specify the ailment?

Mr. DAVIS of Tennessee. Yes.

Mr. RAKER. The gentleman from Ohio in his amendment leaves out the various ingredients necessary in this prescription, namely, the kind and character of ailment for which this prescription is given, which is in the prescription given to the druggist and also retained by the doctor in his records, so that you may find what the prescription is given for as specified in the document itself?

Mr. DAVIS of Tennessee. Yes. I am of the opinion that that provision ought to be retained.

Mr. RAKER. Surely.

Mr. DAVIS of Tennessee. And that is the reason why I offered the substitute for the amendment offered by the gentleman from Ohio.

Mr. GARD. I will agree to accept the gentleman's substitute.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee to the amendment offered by the gentleman from Ohio [Mr. GARD].

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question now is on agreeing to the substitute offered by the gentleman from Ohio.

The question was taken, and the substitute was rejected.

Mr. SUMMERS of Washington. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Washington is recognized for one minute.

Mr. SUMMERS of Washington. Mr. Chairman, many gentlemen on the floor of this House have very glibly discussed the medicinal properties of alcohol.

I believe the attitude of the medical profession of America toward this subject might be of interest at this time.

AMERICAN MEDICAL ASSOCIATION OPPOSES USE OF ALCOHOL.

Two years ago the American Medical Association adopted the following strong resolutions:

Whereas we believe that the use of alcohol as a beverage is detrimental to the human economy; and
Whereas its use in therapeutics as a tonic or stimulant or as a food has no scientific basis: Therefore be it

Resolved, That the American Medical Association opposes the use of alcohol as a beverage; and be it further

Resolved, That the use of alcohol as a therapeutic agent be discouraged.

Last year the retiring president, Dr. Arthur Dean Bevan, called upon the doctors of the country to take an active part in the propaganda in favor of prohibition as the greatest single factor they could control in the interest of the public health. These declarations of Dr. Bevan called forth hearty and virtually unanimous applause and approval by the association.

Let me say, further, the National Pharmacopœia is the official and recognized list of useful medicinal drugs and chemicals of the United States. It is the same to the medical profession that the decisions of the Supreme Court of the United States are to the legal profession. This United States Pharmacopœia has been rewritten by the highest medical, chemical, and pharmaceutical authorities in the United States every 10 years during the last 90 years. It has also been revised every 5 years, and in every case is finally approved by act of Congress.

The last Pharmacopœia, revised by the representatives of the scientific societies of every State in the Union in September, 1916, does not regard whisky, brandy, wine, or beer as of any value whatever in the treatment of any disease; hence they are all omitted, and alcohol is not mentioned as a drug but only as a chemical. We thus reduce all alcoholic liquors to the status of habit-producing narcotic poisons, and should deal with them accordingly.

The contention has been made on this floor that Congress has not the authority to specify the alcholic content of alcoholic beverage drinks. I believe my friends who made this contention have forgotten that alcohol, speaking scientifically, is a narcotic poison, and that a previous Congress enacted the Harrison antinarcotic law, which specifies that certain drugs are "narcotics," and specifies in what strength or in what dilutions they are injurious narcotics and in what dilutions they may and may not be sold without a physician's prescription.

If the Congress has the authority to so legislate in regard to one narcotic, then, undoubtedly, it has the authority to so legislate against another narcotic.

FIXING THE ALCOHOLIC CONTENT OF BEVERAGES.

The gentlemen who oppose this bill contend the country is not behind it, and on that ground objection has been raised because this bill fixes the alcoholic content of beverage drinks at not to exceed one-half of 1 per cent of alcohol; and yet I am informed that 33 dry States and 13 wet States have already enacted equally stringent stipulations. I contend that in enacting this legislation we only echo the overwhelming sentiment that has already been expressed by the great body of American people and rewrite a law their State legislatures have already written. [Applause.]

The Christian Science Monitor, in a timely and forceful editorial on "Enforcement of Prohibition," says:

The prohibition law in the United States must be vigorously and thoroughly enforced. That should go without saying, and it is not at all surprising, although it is reassuring, to find the Attorney General, A. Mitchell Palmer, saying, as he did the other day, that legislation by Congress defining the maximum alcoholic content of beverages is essential to the proper administration of the law. * * *

Evidently the Attorney General wants, and certainly he or whoever is to be in charge of the work ought to have, a law definite and in every way sufficient for the need. His opinion is evidently shared by Wayne B. Wheeler, general counsel for the Anti-Saloon League, who recently told the Senate Judiciary Subcommittee that the friends of prohibition did not want a law-enforcement code unless it defined intoxicating liquors. * * *

Mr. Palmer, it is satisfying to learn, says that the war-time prohibition law is, all things considered, being well enforced, and that in every jurisdiction where the Federal courts have not restrained the Department of Justice the sale of beer containing more than one-half of 1 per cent of alcohol has been stopped.

By all means the Department of Justice should be saved every unnecessary handicap, and should have all the help it needs from Congress in order to make prohibition enforcement effectual. There must be no failure in this work.

The contention has been made and the threat implied that a future wet Congress may repeal this law and enact a new law permitting the sale of 2¾ per cent beer and 11 per cent wine, but I say to you the voters of this country will see to it that no wet Congress, that will throttle and annul the will of the people, shall ever be elected.

THE VOTER CONDEMNS ALCOHOL.

The astounding statement was made in this House yesterday, and has been turned over and over as a sweet morsel by the tongues of those who oppose this enforcement prohibition, namely, that the people of the United States have not fairly expressed themselves on national prohibition.

Mr. Chairman and gentlemen, in yonder Hall of Fame stands the statue of but one woman. From all the States of this Union, in 140 years, Frances Willard is the only woman so highly honored. She had a conviction and a vision. She organized the Woman's Christian Temperance Union and gave her entire life to educating America against the liquor traffic. She it was who put into the textbooks of every State in this Union temperance chapters which revealed to all the people that alcohol is a narcotic poison whether taken in large quantities or small. Then came the great organizing efforts of the Anti-Saloon League, which gathered up the educated sentiment and by a clear majority of all the voters put 30 States dry. Thus more than 75,000,000 of free, liberty-loving Americans deprived themselves, if you please, of all the imaginary blessings and benefits of alcoholic beverages. Of 2,989 counties in the United States 2,374 of them voted out the saloon. Nobody compelled them to do it; they did it of their own free will.

In local-option and State-wide elections an ever-increasing dry sentiment has voted not only against the stronger alcoholic drinks but against wine and beer as well. And then after 8,000,000 of voters had petitioned the Congress and the Congress had debated the questions for years, pursuant to Article V of the Constitution of the United States, the eighteenth amendment was, by more than a two-thirds vote of both Houses of Congress, submitted to the legislatures of the various States for rejection or ratification.

The ratification by 36 State legislatures would have made the amendment a part of the basic law of our Nation, but the sentiment in favor of this amendment was so universal that 45 legislatures ratified it in an incredibly short time. Even Massachusetts, including the city of culture, baked beans, and booze, which has for years and years debauched the semi-civilized natives of Africa with strong drink, fell into line along with the home States of the great wet cities of New York, Philadelphia, St. Louis, Detroit, and Cincinnati, until to-day only the three small States of Connecticut, Rhode Island, and New Jersey have failed to ratify.

The first 10 amendments to the Constitution of the United States were ratified by 11 States, and three—Massachusetts, Connecticut, and Georgia—failed to ratify.

The eleventh and twelfth amendments were ratified by three-fourths of the States.

The thirteenth amendment was a prohibitory amendment, and specified in section 2 that Congress should have power to enforce that article by appropriate legislation. That is the kind of legislation and that is the precedent we are following to-day. That amendment was ratified by 27 of the 36 States.

Mr. Chairman and gentlemen, the fourteenth amendment, which provides for your seat and mine in the Halls of this Congress, was alternately approved and disapproved by many of the States, and never was approved by several of them, and yet I hear no complaint from any Member of this House against the fourteenth amendment.

The fifteenth amendment was ratified by 30 of the 37 States. The sixteenth amendment was ratified by 36 States, while 12 failed to ratify.

The seventeenth amendment was ratified by only 36 of our 48 States; but the eighteenth, or national prohibition amendment, was ratified by 45 States within 13 months after it was submitted, leaving only 3 States which have to this date failed to ratify.

Gentlemen, I submit to you that this eighteenth amendment, the enforcement of which we are now providing for, has been ratified by a larger number and a greater proportion of States than any other amendment that has ever been submitted, and yet gentlemen have the temerity to propose that it be nullified by lack of enforcement.

If we may believe the history of our land, no other constitutional amendment was ever backed by public sentiment as this one is.

It is too late for the foreign brewer, who would destroy our institutions, to cry out for help and sympathy. The country is

saloonless to-day. The people have spoken. The fate of John Barleycorn has been decreed; the death knell is sounding. There is no turning back.

The little woman who occupies a niche in our sacred Hall of Fame has done her work too well. She has educated the school children, the parents, and the citizenship of this fair land to the dangers of alcoholic beverages of whatever strength, and they in turn, through school, church, and home, are to-day demanding an enforcement law that will forever end the beverage liquor traffic in America. [Applause.]

Mr. MILLER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MILLER: Page 14, line 18, after the word "addressed," add a new section to be known as section 7½, as follows:

"SEC. 7½. No physician authorized to issue any prescription for liquor under this act shall have or keep his office or shall examine any persons with the purpose in view of prescribing liquor or issue any such prescription in any drug store, pharmacy, or place where liquor is sold under authority of this act in any room, apartment, or place immediately connected therewith, except that such physician shall have had his office in such drug store, pharmacy, or place for a period of at least one year immediately preceding and prior to the going into effect of this act."

The CHAIRMAN. All time has expired.

Mr. MILLER. This is a new section.

The CHAIRMAN. It is an amendment to a former section.

Mr. SAUNDERS of Virginia. But it is not offered as an amendment to the former section.

The CHAIRMAN. Yes; it is offered as an amendment to the former section.

Mr. RAKER. Mr. Chairman, I move to strike out the section.

Mr. DYER. The gentleman can not take the gentleman from Washington off his feet.

Mr. RAKER. The gentleman from Washington is through.

Mr. MILLER. I am not through, and you can not take me off my feet.

Mr. DYER. Mr. Chairman, he offered it as a new section and not as an amendment to the other section.

Mr. WALSH. Mr. Chairman, this is a new section. We have concluded the consideration of section 7. The gentleman from Washington offers an amendment to insert a new section, section 7½.

Mr. BARKLEY. Mr. Chairman, a parliamentary inquiry.

Mr. SAUNDERS of Virginia. Mr. Chairman, the Chair should sustain the right of the gentleman to offer his amendment as a new section, unquestionably; yet when other gentlemen are seeking recognition to perfect the existing section they ought to be recognized before a gentleman is recognized to offer a new section.

The CHAIRMAN. The gentleman is correct. However, the gentleman from Washington [Mr. MILLER], if entitled to recognition at all, has already been recognized.

Mr. GALLIVAN. Regular order, Mr. Chairman.

The CHAIRMAN. The regular order is that the House will be in order.

Mr. DYER. Mr. Chairman, I make the point of order that the gentleman from Washington has been recognized and has the floor, and can not be taken off.

Mr. SAUNDERS of Virginia. Mr. Chairman, a point of order. As to that, the Chairman recognized the gentleman who said he offered an amendment to the section. As that amendment could not be debated, what good would it do for the gentleman to undertake to maintain that recognition?

Mr. DYER. The gentleman has lost his recognition, so far as that is concerned.

Mr. SAUNDERS of Virginia. Not at all. Now, the gentleman offers it as a new section, and inasmuch as others are seeking recognition to offer amendments, I insist that he is entitled to recognition.

Mr. TREADWAY. Was not the time limited to 15 minutes, Mr. Chairman, on section 7 and all amendments thereto?

The CHAIRMAN. It was.

Mr. TREADWAY. Section 7 was completed.

The CHAIRMAN. The gentleman from Washington offered an amendment.

Mr. TREADWAY. I beg the Chair's pardon. He offered a new section.

The CHAIRMAN. The Chair will state the parliamentary situation. Time had been fixed for debate on section 7 and all amendments thereto to 15 minutes. That time has expired. Any amendment in the nature of a new section, under the former ruling of the Chair, has been held to be an amendment to that section, and therefore all debate on section 7 has been exhausted. The gentleman from Washington will be permitted to have his amendment put as an amendment, but it is still an amendment to section 7, and the debate on section 7 has been concluded.

Mr. MILLER. Mr. Chairman, I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to proceed for three minutes. Is there objection?

Mr. RAKER. Reserving the right to object——

Mr. WALSH. Regular order!

Mr. RAKER. Reserving the right to object——

The CHAIRMAN. The gentleman can not reserve the right to object when the regular order is demanded.

Mr. RAKER. It will save time. I want to know——

The CHAIRMAN. The gentleman will be recognized later. Is there objection to the request of the gentleman from Washington?

Mr. SAUNDERS of Virginia. Reserving the right to object, let me understand how this situation is. Is the gentleman offering an amendment to this section and asked unanimous consent to debate it for three minutes?

The CHAIRMAN. He is.

Mr. SAUNDERS of Virginia. I do not object to that.

Mr. DYER. I do not understand that the gentleman from Washington offered his amendment to the preceding section. He offered it as a new paragraph.

The CHAIRMAN. The only way it can be offered is as an amendment to the preceding section. It certainly can not be offered as an amendment to section 8, which has not been read.

Mr. DYER. He offers it as a new paragraph.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington [Mr. MILLER]?

There was no objection.

The CHAIRMAN. The gentleman from Washington is recognized for three minutes.

Mr. MILLER. Mr. Chairman, this section is leveled at the scalawag doctor. Every Member of this body who has had any practical experience as a prosecuting officer or, much more, has had experience in the executive department of a large city, knows that there are a certain number of scalawag doctors located in every city. The practical workings of the prohibition law in my State and in my city were in this wise: Some 800 or 1,000 saloons were put out of business. Eighty or a hundred new drug stores started up, authorized to sell liquor on a doctor's prescription.

Mr. GARD. Will the gentleman yield?

Mr. MILLER. No; I have only two minutes. These new drug stores were authorized to sell liquor under a statute similar to this. These drug stores would employ a doctor, whose office would be in the drug store. The doctor would receive his office rent free. He would prescribe liquor, and it would be sold in the drug store in which the physician had his office. It made a perfect farce of the law. These doctors could be dealt with only by the medical associations of the State—a long and tedious process, which often allowed the doctor to escape discipline for such miserable and scoundrelly conduct. I know that if you put this provision into this bill it will eradicate this kind of a doctor. It will put some teeth and some hobnails into this bill in that particular. My experience has been that this was one of the most troublesome points in an honest administration of a prohibitory law in the State of Washington, and I submit to this committee in all good faith that there is a necessity for some such a limitation as this upon the place where doctors shall keep their offices.

Mr. COADY. Will the gentleman yield?

Mr. MILLER. I do not. I have only a minute left. I provide in this bill for that class of country druggists who have been operating for one year prior to the going into effect of this act, where the proprietor is a physician living in the same building. If any proprietor of a drug store who is a practicing physician has had his office there for one year prior to the going into effect of this act, this law is inoperative as to him. I suggest the wisdom of some such provision as this. It likewise prohibits bootleggers from trafficking in drug stores, as they frequently do when State laws have similar provisions.

Mr. SABATH. How will this operate as to the thousands of physicians who are coming back from the other side and who have had no offices in the last year or two?

Mr. MILLER. Those men do not want to open their doctor's offices in drug stores where intoxicating liquors are sold.

Mr. SABATH. Their offices are mostly in drug stores.

Mr. MILLER. Oh, no; they are not. If there should be one in Chicago or anywhere else, he better get another place for an office besides a place where liquor is sold.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from Washington [Mr. MILLER].

The question being taken, on a division (demanded by Mr. MILLER) there were—ayes 68, noes 22.

Accordingly the amendment was agreed to.

Mr. BRIGGS. Mr. Chairman, I offer an amendment on page 14, line 4, after the word "prescribes," to insert the words "is necessary and."

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as fololws:

Amendment offered by Mr. BRIGGS: Page 14, line 4, after the word "prescribes," insert the words "is necessary and."

Mr. SIEGEL. I make the point of order that we have passed that section.

The CHAIRMAN. The point of order is overruled. The amendment offered by the gentleman from Washington [Mr. MILLER] was to section 7, and any germane amendment to section 7 is in order.

Mr. BRIGGS. Mr. Chairman, I only want to say that this amendment——

Mr. LONGWORTH. I make the point of order that there is no further debate.

Mr. VOLSTEAD. I accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question being taken, on a division (demanded by Mr. SABATH) there were—ayes 50, noes 10.

Accordingly the amendment was agreed to.

Mr. RAKER. Mr. Chairman, I had an amendment to strike out the section, but since the amendment of the gentleman from Washington [Mr. MILLER] was carried I withdraw my amendment.

The CHAIRMAN. The gentleman from California has no amendment pending.

The Clerk read as follows:

SEC. 8. That the commissioner shall cause to be printed forms of the prescriptions herein required, and he shall furnish the same, free of cost, to physicians. The prescriptions shall be printed in book form. Each shall be numbered with consecutive serial numbers from 1 to 100, and each book shall be given a number, and stubs in each book shall carry the same numbers as and be copies of the prescriptions. The books containing such stubs shall be returned to the commissioner when the prescriptions are used, or sooner, if directed by the commissioner. All unused, mutilated, or defaced blanks shall be returned with the book. No physician shall prescribe and no pharmacist fill any prescription for liquor except on blanks so provided.

Mr. WALSH. Mr. Chairman, my attention has been directed to line 22 on page 14, where it says:

Each shall be numbered with consecutive serial numbers from 1 to 100.

Does that apply to the books or to the prescription blanks? Does that mean that the book shall have a serial number or that the prescription shall have a consecutive number from 1 to 100.

Mr. TREADWAY. Read the next line.

Mr. GARD. These books shall have a number and the numbers in the book range from 1 to 100.

Mr. WALSH. I think instead of the word "each" we should say that the prescription blanks shall be numbered and then each book shall be given a number.

Mr. ALEXANDER. If the gentleman will yield, would it not make it clear to strike out the period and say that the prescriptions shall be printed in book form and shall be numbered in consecutive serial numbers?

Mr. WALSH. That would correct it.

Mr. ALEXANDER. Mr. Chairman, I move to amend after the word "form" line 22, page 14, strike out the period and strike out the word "each" and insert the word "the."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. ALEXANDER: Page 14, line 22, after the word "form" strike out the period and strike out the word "each" and insert in lieu thereof the word "and."

Mr. McPHERSON. Mr. Chairman, I move to strike out the last word. We are now considering the eighteenth amendment to the Constitution of the United States. I want to tell this committee that every representative in the house and every member of the senate in my State, most of whom were elected with my assistance, voted to make this amendment a part of the Constitution of the United States. One of the firmest purposes I have here, if I know myself, is to pass a sensible, reasonable law in good faith, to enforce the great benefits that that amendment will give to the people of this country.

Criticism has been made by some gentlemen that the defects in this bill are not pointed out. I would like to vote for this bill, because the people of my district, and I believe the people of the United States, want the saloons suppressed and the sale of liquor stopped in this country. But if this bill ever becomes a law in the state it is in now the prohibition cause will receive the greatest injury, and it will come from this senseless bill.

Mr. VOLSTEAD. Mr. Chairman, I make the point of order that the gentleman is not speaking to the amendment.

The CHAIRMAN. The gentleman must proceed in order.

Mr. McPHERSON. I am speaking to the motion to strike out the last word. Every time one of these provisions is called to the attention of the committee, objection is made.

Mr. VOLSTEAD. I again make the point of order that the gentleman is not speaking to his amendment.

The CHAIRMAN. The gentleman must confine himself to the amendment.

Mr. McPHERSON. I am doing so, because the proposition is to strike out the last word. Whenever a provision that will injure the cause of prohibition is sought to be amended or corrected the chairman has cited the fact that the States have a code and that these things are being done in the States.

Mr. VOLSTEAD. Mr. Chairman, I make the point that the gentleman is not speaking to the amendment.

The CHAIRMAN. The Chair is inclined to think that the gentleman is diverging somewhat from his amendment. The point of order is sustained, and the gentleman will proceed in order.

Mr. SABATH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SABATH. In what way is the gentleman out of order?

The CHAIRMAN. The gentleman is not confining himself to the amendment. The gentleman from Missouri will proceed in order.

Mr. McPHERSON. Mr. Chairman, the proposition in this clause which has just been read is to regulate the prescription blank, to regulate the practice of medicine, and the gentlemen who come forward and speak here say that the bill is designed to strike down the practice of an illegitimate physician. What authority has this Congress to regulate the practice of medicine?

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. McPHERSON. I must decline to yield. What right have we to put a ban on the sale, the manufacture, or the importation or exportation of drugs that are brought in for medicines, sold for medicine, manufactured for medicine, or extracts which are made for household use? Will some gentlemen who favors this senseless clause in this bill tell what clause it is in the Constitution that gives this Congress authority to regulate disreputable physicians? In the State of Iowa the laws against the sale of intoxicating liquor as a beverage have been held not to cover the sale of intoxicating liquors if sold for some legal purpose, sold for drugs, medicines, and in my own State, where I have been a prosecuting officer, and in most of the States, there are laws that license these physicians to practice, and the States have authority to regulate their practice and punish the granting of bogus prescriptions or prescriptions issued not in good faith.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. VOLSTEAD. Mr. Chairman, I move to close all debate on this section and all amendments thereto in five minutes.

The CHAIRMAN. The gentleman from Minnesota moves that all debate on this section and all amendments thereto close in five minutes.

Mr. GARD. I move to amend by making it 10 minutes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio to make it 10 minutes.

The question was taken; and on a division (demanded by Mr. SABATH) there were—ayes 59, noes 44.

The CHAIRMAN. The question now is on the motion of the gentleman from Minnesota, as amended by the gentleman from Ohio.

The motion as amended was agreed to.

Mr. CARAWAY. Mr. Chairman and gentlemen of the committee, I rise to oppose the amendment offered by the gentleman from Missouri [Mr. MCPHERSON]. This bill is to have one of two effects. It is to prohibit the manufacture and sale of intoxicating liquors or it is to accomplish nothing. Those who voted against the submission of the eighteenth amendment and who are opposed to prohibition in any form are the ones who tell us this law is too drastic. They assure us we are injuring prohibition by adopting it. I think this a safe rule. If we are trying to prohibit the manufacture and sale of intoxicating liquor, and the measure we offer meets the opposition of those who want no prohibition, we are driving pretty straight at the object we have in mind. [Applause.] There is no surer evidence that this bill is going to enforce the eighteenth amend-

ment and make the manufacture and sale of intoxicating liquors an impossibility than the fact that every gentleman here who is opposed to prohibition denounces the bill. Whenever you find yourself in agreement with your enemies, you know you are wrong. If this bill met the approval of those who are opposed to prohibition, it would be wise for us who want prohibition to amend it.

I am curious to know why the unlawful sale of intoxicating liquors should be authorized simply because some doctor should write a prescription prescribing it. If it is true that the laws of some States, as the gentleman from Missouri [Mr. McPHERSON] says, make it unlawful to sell intoxicating liquor as an intoxicating liquor, but if it be sold and called a medicine the sale is no violation, then you have no prohibition in those States. His statement leads to this absurdity: If I sell an intoxicating liquor in one of those States as an intoxicating liquor, I violate the law, but if I sell it as Jamaica ginger, though I am selling the same liquor for the same results, it is not a violation of law. This condition makes it all the more necessary that this act be written into law in order that we may protect the people in those States where they have that unfortunate interpretation of the law.

I am no fanatic on the subject of prohibition. I do know, however, that the eighteenth amendment to the Constitution has been ratified. I know it becomes operative on the 16th day of next January. I know we are charged by the mandate of the people to provide some means for its enforcement. If we are going to discharge that mandate honestly, we must provide a means for its enforcement that will enforce it. If the people, then, do not want it enforced, and these gentlemen who here tell us we are ruining prohibition by reason of writing so radical a bill are correct, the people can amend the Constitution again. But I venture this assertion: If these gentlemen who denounce this bill as being too radical, and thereby injuring the cause of prohibition, believe their own statements, every God-blessed one of them would vote for it. [Applause.] I know this, because it is apparent they do not want prohibition, and if they believe we are destroying prohibition they would bid us Godspeed.

Some gentlemen have sought to strike from this bill the definition of intoxicating liquor, and suggest that we should use the term "intoxicating liquor," and leave always open the question of fact, whether the liquor so offered for sale is intoxicating or not intoxicating. That plea comes from those who are the enemies of prohibition. If we are to have no further trafficking in liquor, why leave any question open to construction which can breed only confusion.

Honestly, are we to effectually enforce this amendment to the Constitution? If so, how can any law be too drastic? We aim at a complete prohibition. Any law that accomplishes that destroys the sale and manufacture of intoxicating liquor. Any law that does not do that does not enforce the eighteenth amendment and fails of what the people asked us to do. For myself I know what I aim to do. If I do not accomplish that, I fail.

I aim to write a law under which the manufacture and sale of intoxicating liquors for beverage purposes shall cease. I aim to write a law that will drive from this country the curse of drunkenness. Crime, ignorance, and poverty will go with its going. The world then will be a better world for those who now live and toil in it; and these, and those who come after them, will have occasion to bless this day's work of ours.

If we shall fail them, sometime, somewhere we shall have to answer to them, both those now living and those who shall live after them. I am trying not to fail them.

Mr. STEVENSON. Mr. Chairman, I have an amendment which I desire to offer.

The CHAIRMAN. There is an amendment pending. The question is on the amendment offered by the gentleman from Missouri [Mr. ALEXANDER].

The question was taken, and the amendment was agreed to.

Mr. STEVENSON. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. STEVENSON: Page 14, line 21, after the word "physicians," insert the words "who have obtained permits to issue prescriptions."

Mr. STEVENSON. Mr. Chairman, I certainly do not think that the committee would object to that. The provision as it is left makes it the duty of the commissioner to furnish these prescription forms to all physicians, and the jacklegs would get prescription blanks as well as legitimate physicians who have a permit. I think it ought to be limited to those who have permits. I do not think it is necessary to take up the time to discuss it further.

The CHAIRMAN. The question is on the amendment of the gentleman from South Carolina.

The question was taken, and the amendment was agreed to.

Mr. GARD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 14, line 19, strike out the language of section 8.

Mr. GARD. Mr. Chairman, I am led to offer this amendment because I think the law is complete in two provisions without this. It provides, beginning with line 8, that the pharmacist shall make an indorsement and cancel the prescription and make this a part of the record that he is to keep, and it provides that physicians who issue prescriptions for liquor shall keep a record, alphabetically arranged; and section 8 provides, what seems to me to be an unnecessary thing, a printed stock form of prescription. Now, it can not be defended unless one would say the stock forms of alcohol or liquor prescriptions are to be made popular, and if they are not to be made popular, then the other provisions which we have about prescriptions being filled and about their being canceled and about the record being made by the physicians are ample. All that section 8 does is to require the commissioner to print, at the public expense and to furnish free of cost to the physicians, a certain form of prescription, which shall be printed in book form, and slips to be numbered from 1 to 100, inclusive.

Mr. McPHERSON. Will the gentleman yield?

Mr. GARD. Certainly, sir.

Mr. McPHERSON. How will the enforcement of this provision interfere in any way with the jackleg physician? Will the commissioner have authority to deny permits to certain physicians and issue them to other physicians? Does not the gentleman think these men whom it is sought to regulate will secure permits because it is the only business they have?

Mr. GARD. Absolutely not. This will have one effect in my mind. Reference has been made to so-called scalawag physicians. There may be such; I do not know; but if there be such, the quickest way to make them popular is not to furnish them with a book numbered from 1 to 100. This provides them with a book by means of which they may issue 100 alcoholic contents prescriptions. It affords no protection to the public. It simply affects no purpose at all but advertisement.

Mr. VOLSTEAD. Will the gentleman yield?

Mr. GARD. I do.

Mr. VOLSTEAD. Does not the gentleman think it would be an advantage to know how much of these prescriptions they are issuing? This will put a check upon them and show whether or not they are issuing them in large quantities.

Mr. GARD. I submit to the chairman that the language in section 7 and in other portions of the bill provides in every way for a return by the pharmacists and a return by the physicians, and that constitutes a double record.

Mr. VOLSTEAD. But is not the gentleman aware——

Mr. GARD. One makes a return of his prescriptions and the other makes a return of the prescriptions as filled, and that makes the record.

Mr. VOLSTEAD. Is not the gentleman aware of the fact that in many instances druggists and doctors would be in a conspiracy together in reference to this matter?

Mr. GARD. Oh, no; I do not think so.

Mr. VOLSTEAD. That is the experience.

Mr. GARD. I do not think we can go so far as to say there is to be a very large conspiracy between druggists and physicians to violate the law in this respect.

Mr. GALLIVAN. Will the gentleman yield for one question?

Mr. GARD. Yes.

Mr. GALLIVAN. There is a good deal of curiosity here as to what is a jackleg physician. We do not have them in Boston, and a good many Members of the House would like to be informed as to what is a jackleg. I hope some one of these distinguished gentlemen from other parts of the country who have used the word "jackleg" physicians will advise us in the North as to what a jackleg is.

Mr. GARD. I do not speak advisedly of either jackleg or scalawag. I am simply using the words as some one else used them.

The CHAIRMAN. The time of the gentleman has expired; all time has expired on this paragraph and all amendments thereto.

Mr. DAVIS of Tennessee. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DAVIS of Tennessee. Will the action upon the motion of the gentleman from Ohio prevent other and perfecting amendments to this section?

The CHAIRMAN. If a perfecting amendment is to be offered, it must be offered at this time.

Mr. DAVIS of Tennessee. Mr. Chairman, I wish to offer an amendment to strike out the letter "s," at the end of the word "prescriptions," in line 21, page 14, and insert it after the word "form."

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

Mr. DAVIS of Tennessee. I understand it is agreeable to the chairman.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Tennessee: Page 14, line 21, strike out the letter "s" after the word "prescriptions."

Mr. WALSH. Mr. Chairman, you can not offer an amendment striking out letters from a word. You can strike out the word and put it in singly if you want to do so.

The CHAIRMAN. Does the gentleman from Tennessee want to modify his amendment?

Mr. DAVIS of Tennessee. With the consent of the committee, I will modify my amendment so as to strike out the word "prescriptions."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Tennessee: Page 14, line 21, strike out the word "prescriptions" and insert in lieu thereof the words "prescription forms."

Mr. MORGAN. Mr. Chairman, I offer an amendment to the amendment.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Strike out the word "forms," in line 22, and insert the word "blanks."

Mr. DAVIS of Tennessee. Mr. Chairman, I am simply using the same word that has been used before.

The CHAIRMAN. The Clerk will report the amendment to the amendment offered by the gentleman from Oklahoma [Mr. MORGAN].

The Clerk read as follows:

Amendment to the amendment: Page 14, line 21, strike out the word "forms" and insert in lieu thereof the word "blanks."

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Oklahoma [Mr. MORGAN].

The question was taken, and the Chair announced that the Chair was in doubt.

Mr. MORGAN. Division, Mr. Chairman.

The CHAIRMAN. The gentleman from Oklahoma demands a division.

Mr. MORGAN. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. The question now is on the amendment of the gentleman from Tennessee [Mr. DAVIS].

The question was taken, and the amendment was agreed to.

Mr. DAVIS of Tennessee. Now, Mr. Chairman, I wish to move to strike out the word "of," in line 20, page 14, and insert in lieu thereof the word "for."

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Tennessee: Page 14, line 20, strike out the word "of" after the word "forms" and insert in lieu thereof the word "for.'

Mr. SUMMERS of Washington. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SUMMERS of Washington. We are going to have the forms for the prescription blanks, which is not the intention, I believe.

The CHAIRMAN. That is not a parliamentary inquiry. The question is on the amendment offered by the gentleman from Tennessee [Mr. DAVIS].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. DAVIS of Tennessee. Division, Mr. Chairman.

The committee divided; and there were—yeas 37, noes 7.

So the amendment was agreed to.

Mr. SAUNDERS of Virginia. Mr. Chairman, I would like to suggest to the gentleman from Tennessee that his amendment having been adopted, it seems to me that on page 15, line 2, for the purpose of symmetry, the word "prescriptions" ought to be stricken out and the words "prescription forms" inserted.

Mr. DAVIS of Minnesota. Mr. Chairman, I offer an amendment, on line 2, page 15, that the word "prescriptions" be stricken out and the words "prescription forms" inserted in lieu thereof.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. DAVIS of Tennessee: Page 15, line 2, strike out the word "prescriptions" and insert in lieu thereof the words "prescription forms."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. SUMMERS of Washington. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SUMMERS of Washington: Page 15, line 4, strike out the word "blanks" and insert the word "forms."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Washington.

The amendment was agreed to.

Mr. SABATH. Mr. Chairman, there is a motion pending, the motion of the gentleman from Ohio [Mr. GARD], to strike out the section.

Mr. VOLSTEAD. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. VOLSTEAD. I move to strike out the word "blanks," in the last line of that section, and substitute the word "forms."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. VOLSTEAD: Page 15, line 6, strike out the word "blanks" and insert the word "forms."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Ohio [Mr. GARD] to strike out the paragraph.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 9. That if at any time there shall be filed with the commissioner a complaint under oath setting forth facts showing, or if the commissioner has reason to believe, that any person who has a permit is not in good faith conforming to the provisions of this act, or has violated the laws of any State relating to intoxicating liquor, the commissioner or his agent shall immediately issue an order citing such person to appear before him on a day named not more than 30 and not less than 15 days from the date of service upon such permittee of a copy of the citation and of the violation charged, at which time a hearing shall be had unless continued for cause. Such hearing shall be held within 50 miles of the place where the offense is alleged to have occurred. If it be found that such person has been guilty of willfully violating any such laws, or has not in good faith conformed to the provisions of this act, such permit shall be revoked, and no permit shall be granted to such person within one year thereafter.

Mr. GARD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. GARD: Page 15, line 18, after the word "held," strike out the language "within 50 miles of the place" and insert in lieu thereof the words "within the county."

Mr. GARD. Mr. Chairman and gentlemen of the committee, the only purpose I have in this is to substitute the ordinarily and usually accepted jurisdiction in all criminal cases of the jurisdiction of the county for this vague, elastic, intrastate, or interstate term of "50 miles."

Under this language the hearing as authorized by the commissioner may be held within 50 miles of the place where the offense is alleged to have occurred. It may be possible for the offense to have occurred in the State of Kentucky and for the man being required to go over into the State of Tennessee or into the State of Ohio or into the State of West Virginia or some place where it would be most inconvenient, if not absolutely impossible, for him to go.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. GARD. Certainly.

Mr. BARKLEY. There is no provision in this act for the appointment of a commissioner in the various counties. The jurisdiction of commissioners under the Federal courts extends over various counties. Under the gentleman's amendment would the gentleman want the commissioner to be compelled to travel around like a circuit rider from county to county to try these cases?

Mr. GARD. It is better for the commissioner to have to travel around than to compel people to be inconvenienced.

Mr. BARKLEY. They should be brought to the commissioner's office.

Mr. GARD. No. The commissioner can not have an office every 50 miles. He will have to travel about anyhow. He is not the resident United States commissioner.

Mr. BARKLEY. Not necessarily. It may not be more than 100 miles between the two points where the courts are held.

Mr. GARD. That would be unusual. The gentleman realizes that in his State, and every State that I know of, every criminal offense must be tried in the county where the offense is alleged to have occurred.

Mr. BARKLEY. Not in the case of State offenses.

Mr. GARD. I am not speaking of State offenses.

Mr. BARKLEY. This is an offense under the Federal law. The man is brought to the commissioner for trial, not to the county where the offense is committed. I do not see why an exception ought to be made in that rule in the violation of the liquor law as differentiated from other cases.

Mr. GARD. The exception is made for the difference of 50 miles. If that exception is made, why not make it a sensible and legal exception within the county?

Mr. SAUNDERS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. GARD. I yield to the gentleman from Texas.

Mr. BLACK. The "commissioner" here means the Commissioner of Internal Revenue or any of his agents or servants. It does not refer to the commissioner of the Federal court.

Mr. GARD. Yes. It refers to the Commissioner of Internal Revenue and his agents.

Mr. BLACK. You are not filing this complaint with the commissioner of the Federal court, but with the Commissioner of Internal Revenue, and I think that would make more reasonable the amendment which the gentleman from Ohio offers. There might be some good reason in the argument of the gentleman from Kentucky if it referred to the commissioner of the Federal court.

Mr. RAKER. Mr. Chairman, I want to speak on the amendment.

Mr. VOLSTEAD. Mr. Chairman, the provision regarding 50 miles was not intended to require the commissioner to go away as far as possible. It was intended to keep him within reach, so that a person who was tried would not have to go too far. In the State of Ohio, no doubt, the county would be more convenient than 50 miles in a certain direction. But out in our western country, where you have counties that are perhaps 100 or 200 miles long, you can readily see that if he were moved from one county to another it might be very much more than 50 miles. If the limitation of 50 miles is not fair, then the remedy is not to say that it should be inside the county, but the remedy is to make the number of miles less.

Mr. SAUNDERS of Virginia. Mr. Chairman, the purpose of this provision is that no person charged with this particular wrongdoing shall be tried more than 50 miles from the place at which the offense is alleged to have occurred.

Mr. VOLSTEAD. That is true.

Mr. SAUNDERS of Virginia. That does not mean that the Commissioner of Internal Revenue shall try these cases in person, for we find on page 8, that any act authorized to be done by the commissioner, may be performed by any assistant, or agent designated by him for that purpose. Under this provision the designated assistant, or agent of the commissioner will sit in these cases, and the defendant will have a trial not more than 50 miles from the place at which the offense is alleged to have occurred.

Mr. VOLSTEAD. Yes. That is the object of it.

Mr. LEHLBACH. Section 9 provides the manner of procedure when a man is charged with having violated the laws of any State in regard to liquor. Under this section is it not possible that a man charged with violating the laws of the State of Ohio may be summoned before the commissioner in the State of Kentucky, where he can not summon his witnesses to attend?

Mr. VOLSTEAD. He can not force his witnesses to attend anywhere, I suppose. This will be as convenient for him, I suppose, as any other. We want to keep it near the place where he lives.

Mr. BEE. Mr. Chairman, will the gentleman permit an inquiry?

Mr. VOLSTEAD. Yes.

Mr. BEE. I heard the inquiry of the gentleman from Ohio [Mr. GARD] in regard to a man having to go across the line from Ohio to Indiana or from Kentucky to Illinois. If this provision would enable a man to be taken 50 miles, would it enable the commissioner to take a man from one State into another? If not, why not?

Mr. JOHNSON of Kentucky. The Constitution of the United States prevents that.

Mr. BEE. The Constitution of the United States is amended in this instance.

Mr. CLARK of Missouri. I would like to ask the gentleman from Minnesota a question.

Mr. VOLSTEAD. Very well.

Mr. CLARK of Missouri. Are you fixing to try a man in one State for a crime committed in another State?

Mr. VOLSTEAD. We are not undertaking to try a man at all. It is simply to investigate his permit, the permit that has been given to him, and like all that class of proceedings, of course, it is informal. It is not a trial.

Mr. CLARK of Missouri. What I want to know is whether you are proposing in Illinois to try a man charged with an offense committed in Missouri?

Mr. VOLSTEAD. No. It is not a trial.

Mr. CLARK of Missouri. What is it?

Mr. GARD. It is a hearing to revoke his permit, and you can take him from Missouri to Illinois.

Mr. VOLSTEAD. Mr. Chairman, I move——

Mr. SUMNERS of Texas. Mr. Chairman, I hope the gentleman will not move to close debate now.

Mr. VOLSTEAD. Mr. Chairman, I move that all debate on this section and all amendments thereto be now closed.

Mr. RAKER. I hope the gentleman will not do that.

The CHAIRMAN. The gentleman from Minnesota moves that all debate on this section and all amendments thereto be now closed.

Mr. GARD. I move to amend by making the debate close in 10 minutes. I have two amendments which I desire to offer.

Mr. SUMNERS of Texas. Make it 20 minutes.

Mr. GARD. I only desire time to offer my amendments.

The CHAIRMAN. The gentleman from Ohio moves as an amendment that debate close in 10 minutes.

Mr. SUMNERS of Texas. I move as a substitute 20 minutes.

The CHAIRMAN. That amendment is not in order. It would be an amendment in the third degree. The question is on the amendment of the gentleman from Ohio [Mr. GARD].

The question being taken, the Chairman announced that he was in doubt, and ordered a division.

The committee divided; and there were—ayes 46, noes 38.

Accordingly the amendment was agreed to.

The CHAIRMAN. The question is on the motion of the gentleman from Minnesota [Mr. VOLSTEAD] as amended.

The motion was agreed to.

Mr. McKEOWN. I offer a substitute for the amendment of the gentleman from Ohio.

The CHAIRMAN. The gentleman from Oklahoma offers a substitute, which the Clerk will report.

The Clerk read as follows:

Mr. McKEOWN moves to strike out the words "in the county" and substitute the words "in the place of residence."

Mr. SABATH. I desire to be heard on that amendment.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. SABATH. Mr. Chairman, it seems to me that every time any amendment is offered there are some gentlemen here who start out with the idea that it is in the interest of bootleggers, crooks, and criminals. Now, we in the wet States have not had any such experience. We do not know what experience the gentleman from Minnesota has had or if everybody in his State is a crook and can not be trusted. [Laughter.] I believe this amendment that was offered by the gentleman from Ohio should prevail, because if the law remains as it is now many violators of this law, bootleggers and illicit-still owners, will escape prosecution, because there may be no place where they can be tried within 50 miles of the place where the offense is committed.

Mr. McKEOWN. As I understand, it is a civil procedure, a proceeding by which they may take away a man's license.

Mr. GARD. It is a hearing to revoke a permit.

Mr. McKEOWN. And the purpose is to give the man an opportunity to be heard without being dragged away an unusual or unnecessary distance, or too far, when he is charged with having violated the law.

Mr. SABATH. I thank the gentleman for the explanation, but I was under the impression and still believe that it was for the purpose——

Mr. RAKER. Will the gentleman yield?

Mr. SABATH. Not now—that it was for the purpose of giving these bootleggers and criminals of whom the gentleman speaks opportunity to get away from being tried, or at least that these fraudulent doctors might escape.

Mr. RAKER. The amendment of the gentleman from Ohio, instead of limiting it to 50 miles, where it would take a man from one State into another, would confine it to the county.

Mr. SABATH. To the county.

Mr. RAKER. Then he would know where the hearing would be held.

Mr. SABATH. He would know where the hearing would be held, and it is for that reason that I favor the gentleman's amendment, fearing that some of these bootleggers and criminals in these prohibition sections might escape punishment, and I desire that they be punished.

Mr. RAKER. Mr. Chairman, the amendment of the gentleman from Ohio simply clarifies what the framers of the bill undoubtedly intend, namely, that a man shall not be taken over 50 miles from his home; but the 50-mile limit would permit a man to be taken from one State into another. Undoubtedly the framers of the bill did not intend that; but if you confine it to the county, then the Commissioner of Internal Revenue would hear the application in the county where the respondent lived.

Mr. BARKLEY. Will the gentleman yield?

Mr. RAKER. I yield to the gentleman from Kentucky.

Mr. BARKLEY. Under the pure-food law men are required to come even as far as to the city of Washington to have a hearing as to whether a permit shall be revoked. Now, granting that in some cases——

Mr. RAKER. I can not yield for a long argument.

Mr. BARKLEY. Just a question. Granting that in some isolated case a man might have to go over a State line in order to appear before the commissioner or his agent upon a question that the commissioner would pass on, what harm would be done?

Mr. RAKER. The framers of the bill had something in their minds when they said 50 miles. It only clarifies it and makes it certain.

Mr. McKEOWN. The 50-mile limit was undoubtedly prescribed because they knew that in the Federal courts in civil cases you can summon witnesses to come 50 miles and not beyond that.

Mr. RAKER. If you pass this amendment, it will prevent trouble and hardship in the enforcement of the law. A man who has a permit to issue prescriptions under the law has a privilege that he ought to be permitted to exercise. Now, Tom, Dick, and Harry ought not to be permitted to file charges against that man without the right to be heard, and the locus should be fixed, namely, within the county.

Another thing that is not provided, but which should be: When a deputy commissioner hears a case and decides that a high-class physician is alleged to have violated the law, on charges preferred by somebody who is not worthy to be believed under oath, that physician ought to have the right of appeal to the Commissioner of Internal Revenue or some other tribunal, but here he is given no such right at all.

Mr. MORGAN. Suppose this amendment carries and a case arises in the District of Columbia. Where would that man be tried?

Mr. RAKER. The District of Columbia, of course.

Mr. SUMNERS of Texas. Mr. Chairman, I want to say that the last suggestion of the gentleman from California is an important thing. This commissioner is not a judge, and yet he has the power to destroy the reputation of a physician or a druggist. The druggist or the physician has no right of appeal.

Mr. RAKER. Certainly there will be complaints under the law, and any scalawag will have the power to ruin the druggist or the physician. He ought to have protection, and every safeguard ought to be thrown around the honest physician and allow him to have an opportunity to be heard if the deputy commissioner decides against him.

Mr. GARD. Mr. Chairman, I want to offer two amendments in the line of the remarks of the gentleman from California.

The CHAIRMAN. There are already two amendments pending.

Mr. GARD. I desire to have mine offered at the proper time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma to the amendment offered by the gentleman from Ohio.

Mr. SUMNERS of Texas. Mr. Chairman, has time for debate been exhausted?

The CHAIRMAN. Two minutes remain.

Mr. SUMNERS of Texas. Then I ask for recognition.

The CHAIRMAN. The Chair will recognize the gentleman.

Mr. SUMNERS of Texas. Mr. Chairman, I am in favor of this legislation, but I want to suggest to the chairman that this section puts it in the hands of a deputy commissioner to destroy the reputation and standing of any physician or any druggist in the United States. A man under investigation has no right or opportunity to defend in the ordinary sense. It is within the power of the man occupying the position of commissioner or of deputy to put a judgment of cancellation upon the permit, and the druggist or physician has no right, no opportunity, of appeal, and he has no right of trial. I want to appeal to the chairman of this committee and to the gentlemen on this committee that no such arbitrary power has ever been exercised in the history of government without oppression and corruption, and no such power ever will be exercised without oppression and corruption. A prejudiced or corrupt commissioner could place an order of cancellation of permit against a druggist or a physician which would practically destroy him, and such physician or druggist would have no right to a public trial of any sort. There must be given that right of appeal and of trial which experience has shown is essential to justice for the citizen, and which experience has shown contributes toward official probity.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. McKEOWN] to the amendment offered by the gentleman from Ohio [Mr. GARD].

The question was taken; and on a division (demanded by Mr. McKEOWN) there were 20 ayes and 56 noes.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Ohio [Mr. GARD].

The question was taken; and on a division (demanded by Mr. GARD) there were 40 ayes and 48 noes.

So the amendment was rejected.

Mr. GARD. Now, Mr. Chairman, I offer the two amendments that I send to the desk.

The Clerk read as follows:

Page 15, line 9, after the word "showing" strike out the words "or if the commissioner has reason to believe."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 15, line 24, after the word "thereafter" strike out the period and insert a colon and the following: "*Provided*, That such person may by a court of equity have the action of the commissioner reviewed, and the court may affirm, modify, or reverse the action of the commissioner in revoking such permit. During the pendency of such action the permit shall be temporarily revoked."

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 10. That no person shall manufacture, purchase for sale, sell, or transport any liquor without making at the time a permanent record thereof showing in such detail as may be required by regulation the amount and kind of liquor manufactured, purchased, sold, transported, used, or otherwise handled, together with the names and addresses of persons connected with each transaction and the time and place thereof. A verified report of facts required to be recorded shall be made to the commissioner for and at the end of every three months and within 10 days thereafter. The commissioner may prescribe the form of such record and report and designate where such record is to be kept and when and where the reports are to be filed.

Mr. BLACK. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 16, line 2, after the word "transport" insert "except for medicinal purposes upon the prescription of a duly licensed physician as provided in this act."

Mr. BLACK. Mr. Chairman, I realize that Members who are not on the Judiciary Committee have not had the opportunity to give this bill the thoughtful study that the members of that committee have, and it may be that I do not have in mind a correct interpretation of the section now under discussion. That is why I call the matter to the attention of the chairman of the committee.

In section 6 it is provided that no one shall manufacture, sell, purchase, transport, or prescribe any liquor without first obtaining a permit from the Commissioner of Internal Revenue. That is undoubtedly the purpose of the House, and I think is a proper provision; but an exception is made in the following language:

Except that a person may purchase and use liquor for medicinal purposes when prescribed by a physician as herein provided.

No exception is made, however, as to the matter of transportation, and it seems to me if a person goes to his physician, for example, in his home town, who has a permit from the Commissioner of Internal Revenue to prescribe liquor, and gets a prescription, but is unable to get that prescription filled in his own town—and there will be a great many instances of that kind—and he must go to an adjoining town and get that prescription filled—if he is compelled to do that, it seems to me that he ought to be able to bring the liquor back for medicinal purposes without laying himself open to arrest.

Under this law, if I understand it correctly, he would be absolutely prohibited from transporting it. That is to say, if he gets on the train and has a limited quantity of liquor which has been prescribed by his physician in his possession and transports it to his home town, he will be guilty of violating this law.

Mr. BANKHEAD. Suppose a member of his family was sick in the country, would not the same thing apply?

Mr. BLACK. It probably would, but I am using an illustration that is not so extreme as that. I do not know whether whisky is a useful medicine. I have heard some physicians say that it is and some say that it is not, but, to say the least, we are recognizing in this law the right of a citizen to have a prescription given by a licensed physician who has a permit from the Commissioner of Internal Revenue, and we ought to give reasonable opportunity for such use in proper cases. The eighteenth amendment to the Constitution permits the sale of liquor for medicinal purposes, and therefore Congress would not have the right to prohibit the transportation for such medicinal purposes. It may lawfully prescribe proper rules and regulations for such transportation, but not entirely prohibit it. The amendment that I have offered provides that no person shall manufacture, purchase for sale, sell, or transport, except for medicinal purposes upon the prescription of a duly licensed physician as provided in this act, without making at the time a permanent record thereof, and so forth.

Mr. VOLSTEAD. Mr. Chairman, I do not think there is any force in the contention, because I do not think the man would be held to be transporting liquor in the instance cited. If there is to be any exception, I think it should come at the end of the section. This does not cover prescriptions at all.

Mr. BLACK. I just want to get the correct state of facts. If a person purchases liquor and transports it under this section, even for medicinal purposes, he would have to file a report with the office of the Internal Revenue Commissioner every three months.

Mr. VOLSTEAD. If the commissioner required it. There is a possibility, but it seems to me that if we want to make any amendment at all, it would better come as an exception at the end of the section. We have used the word "transport" all the way through in connection with common carriers, and I do not think there is any necessity for this exception.

Mr. BLACK. Of course, if the word "transport" is limited to transportation by a common carrier, the contention of the gentleman from Minnesota would be correct, but I do not think the word has any such narrow interpretation.

Mr. VOLSTEAD. We have used the word "carrier" practically all through. I do not think the courts would construe it to include anything else. I do not think any court would ever say that simply because a man was carrying something from the store to his home he was transporting it.

Mr. BLACK. The gentleman knows now that under the Reed amendment if a man has liquor in his grip for his own personal use on a common carrier, he is transporting it. The Reed amendment, however, does not prohibit transportation of liquor for medicinal purposes, and neither do I think this act should do so.

Mr. FOSTER. Mr. Chairman, I call the attention of the gentleman to the wording that follows there:

As may be required by regulation.

Does not the gentleman think the proper authority can regulate the conditions arising? They may not have to make any report if the regulations do not require it. If it becomes a means of abuse, the regulations can call for a certain report. I think there is a give and take in there that will take care of the situation anticipated.

Mr. BLACK. I do not agree with the gentleman, because the language is specific:

A verified report of facts required to be reported shall be made to the commissioner for and at the end of every three months and within 10 days thereafter.

Evidently that is intended to cover a druggist and a pharmacist who are selling for medicinal purposes, and was not for the purpose of requiring such a report from a person who merely had a prescription filled according to law.

Mr. FOSTER. And why not the other fellow, if he goes into the business of bootlegging? Then he shall report as may be required.

Mr. BLACK. As I understand it, this provision is intended to cover the sale of liquor for a lawful purpose. Of course, bootleggers are amply taken care of by other provisions of this act.

Mr. FOSTER. I know; but it is intended to prevent the men from illegally abusing that privilege.

Mr. BLACK. But it is not intended to cause the man who purchases the liquor upon the prescription of a recognized physician to file all of these reports.

Mr. FOSTER. But the person who fits in between him and the bootlegger.

Mr. BLACK. Anyone would fit in, according to the apparent interpretation of the words.

Mr. IGOE. Mr. Chairman, I move to strike out the last word. Mr. Chairman, the point made by the gentleman from Texas [Mr. BLACK] illustrates one of the things in this bill which cause Members to wonder at some of the strange provisions which are in it. We are undertaking in this bill not only to regulate intoxicating liquors for beverage purposes but we are undertaking to regulate the business in liquors, whether intoxicating or not, and whether for beverage purposes or not, and we are endeavoring to regulate every possible activity in connection with beverages. I called attention to the fact that in this bill as it stands now you can not use liquors for other than beverage purposes unless you can find the authority for it in this act, and in many instances you can go through it and you can not find authority to do certain things that are proper in themselves. In some sections of the bill it is specifically provided that the authority must be found in the bill. Now, the gentleman from Virginia [Mr. SAUNDERS] challenged those who opposed this bill to state whether they would favor the manufacture of intoxicating liquor. I concede that question is not now before the Congress, because when we adopted the constitutional amendment we passed upon that and submitted it to the people and they adopted the amendment. It did prohibit the manufacture of intoxicating liquors for beverage purposes. I submit that they have not ratified an amendment which prohibits intoxicating liquors for anything other than beverage purposes, and that they have not adopted an amendment which prohibits the personal use or possession of intoxicating liquors which might be held at the time when it was not a violation of this amendment. I have prepared a bill which I think will enforce the eighteenth amendment. I am in favor of enforcing it, but I am opposed to the Federal Government going into the business of enforcing police regulations in every village and every county of the United States. I am opposed to the Federal Government taking over the business of the States to enforce their own laws and in some measure to enforce this constitutional amendment, as they have the right to do. I desire, Mr. Chairman, to have the Clerk read this bill in my time.

The CHAIRMAN. Without objection, the Clerk will read the bill of the gentleman.

There was no objection.

The Clerk read as follows:

A bill to provide for the enforcement of the eighteenth amendment to the Constitution of the United States.

SEC. 1. Whoever, on and after the date when the eighteenth amendment to the Constitution of the United States goes into effect, shall knowingly manufacture, sell, or transport within the United States, or import into the United States or export from the United States, any intoxicating liquor for beverage purposes shall be fined not more than $500 or imprisoned not more than one year, or both, and for a second or subsequent offense shall be fined not more than $5,000 or imprisoned not more than five years, or both.

SEC. 2. The Commissioner of Internal Revenue, his assistants, agents, and inspectors, shall investigate and report violations of this act to the United States attorney for the district in which committed, who is hereby charged with the duty of prosecuting the offenders, subject to the direction of the Attorney General, as in the case of other offenses against the laws of the United States; and the Commissioner of Internal Revenue, his assistants, agents, and inspectors may swear out warrants before the United States commissioners or other officers or courts authorized to issue the same for the apprehension of such offenders. Section 1014 of the Revised Statutes of the United States is hereby made applicable in the enforcement of this act.

SEC. 3. That the Commissioner of Internal Revenue and the Attorney General of the United States are hereby respectively authorized to appoint and employ such assistants, experts, clerks, and other employees as they may deem necessary for the enforcement of the provisions of this act, and there is hereby authorized to be appropriated such sums as may be required for the enforcement of this act.

Mr. IGOE. Now, Mr. Chairman, I think the bill just read can be enforced, and if the statements of the Attorney General are correct—and I am sure they are—as to the enforcement of war-time prohibition this can be enforced as well or better, and it will not take about $50,000,000 a year and an army of spies and agents, as will the bill submitted by the chairman of the Committee on the Judiciary.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VOLSTEAD. Mr. Chairman, I move that all debate on this section and all amendments thereto close.

The CHAIRMAN. The gentleman from Minnesota moves that all debate on this section and amendments thereto now close.

Mr. DYER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DYER. Will that prevent the offering of an amendment to the section?

The CHAIRMAN. It will not.

Mr. DYER. May I offer it now?

Mr. SAUNDERS of Virginia. Mr. Chairman, before the Chair puts that motion may I ask a question concerning this section?

Mr. VOLSTEAD. I withhold the motion.

Mr. SAUNDERS of Virginia. In line 10 ought not the word "and" to be the word "or"? Now, you propose that these reports shall be made at the end of every three months at the end of the month. Then you say "and within 10 days thereafter." Should it not be "or within 10 days thereafter"? The purpose is to give, in respect to these reports, some leeway, that they shall make it at the end of every three months and still have authority to make it within 10 days thereafter.

Mr. VOLSTEAD. It is intended to give them 10 days after the end of the month.

Mr. SAUNDERS of Virginia. But you use the word "and," which seems to contemplate they shall report at the end of the three months and then again within 10 days thereafter. I suggest the word "or" will relieve any question of any objection of that sort, if that is what is meant.

The CHAIRMAN. The question is on the motion of the gentleman from Minnesota that all debate on this section and all amendments thereto shall be now closed.

The question was taken, and the motion was agreed to.

The CHAIRMAN. There is an amendment pending.

Mr. BLACK. Mr. Chairman, I ask that the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection.

The amendment was again reported.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the Chair announced that the Chair was in doubt.

The committee again divided; and there were—ayes 39, noes 50.

So the amendment was rejected.

Mr. DYER, Mr. VOLSTEAD, and Mr. YOUNG of North Dakota rose.

The CHAIRMAN. The gentleman from Minnesota, the chairman of the committee, is recognized.

Mr. VOLSTEAD. Mr. Chairman, on page 16, line 10, I move to amend by striking out the word "and" and inserting the word "or."

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 16, line 10, strike out the word "and" and insert in lieu thereof the word "or."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The amendment was agreed to.

Mr. DYER. Mr. Chairman——

The CHAIRMAN. The gentleman from Missouri, a member of the committee, is recognized.

Mr. DYER. I offer an amendment on line 2, after the word "sale," to insert the word "import."

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DYER: Page 16, line 2, after the word "sale" insert the word "import."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. GARD. Mr. Chairman, I desire to amend by adding the words "and export."

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARD to the amendment offered by Mr. DYER: Page 16, line 2, after the word "sale," and after the word "import," offered in Mr. DYER's amendment, insert the words "and export."

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Ohio [Mr. GARD].

The amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Missouri [Mr. DYER].

The question was taken, and the Chair announced that the noes appeared to have it.

Mr. DYER. Mr. Chairman, this is to correct the language. It is absolutely necessary. I ask for a division.

The committee divided; and there were—ayes 11, noes 34.

So the amendment was rejected.

Mr. DYER. Mr. Chairman, I offer another amendment. This is to correct the language and make it intelligible. On line 5, after the word "purchased," insert the word "imported," so that it will read:

May be required by regulation the amount and kind of liquor manufactured, purchased, imported, sold, transported, used, or otherwise handled.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DYER: Page 16, line 5, after the word "purchased," insert the word "imported."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. YOUNG of North Dakota. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from North Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. YOUNG of North Dakota: Page 16, line 2, after the word "sale," insert "or for free distribution."

Mr. COOPER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COOPER. Has section 11 been read yet?

The CHAIRMAN. Section 11 has not been read. The Clerk will report the amendment offered by the gentleman from North Dakota.

The Clerk read as follows:

Page 16, line 2, after the word "sale," insert "or for free distribution"

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 11. That all manufacturers and wholesale or retail druggists shall keep as a part of the records required of them a copy of all permits to purchase on which a sale of any liquor is made, and no manufacturer or wholesale druggist shall sell or otherwise dispose of any liquor except at wholesale and only to persons having permits to purchase in such quantities.

Mr. RAKER. Mr. Chairman, I move to strike out the last word for the purpose of calling the chairman's attention to the word "druggists," on line 15. You will find on page 14, line 8, that it refers to a pharmacist who must keep a record. If you turn to page 15, you refer back to "druggist," and you use the words "druggist" and "pharmacist" without any discrimination at all, meaning at one time the same thing and at both times the same man. To make it clear, does not the chairman think we should put in "pharmacist" following "druggist"?

Mr. VOLSTEAD. No; I do not think it is necessary.

Mr. GARD. Is there any such thing as a wholesale pharmacist?

Mr. DYER. There may be in California, but I never heard of one.

Mr. RAKER. Oh, you can go down town and you will find them acting as pharmacists—wholesale and retail. You will find them both ways.

Mr. DYER. The gentleman evidently refers to "speakeasies." [Laughter.]

Mr. BARKLEY. If the gentleman will refer to page 19, line 12, he will find "druggists" referred to there.

Mr. RAKER. Yes. You say "druggists" and "pharmacists" just as the words strike you, when in fact you mean the same man. Let me read:

The books containing such stubs shall be returned to the commissioner when the prescriptions are used, or sooner if directed by the commissioner. All unused, mutilated, or defaced blanks shall be returned with the books. No physician shall prescribe and no pharmacist fill any prescription for liquor except on blanks so provided.

Now turn back to lines 13 to 18 on page 14. I read:

Every physician who issues a prescription for liquor shall keep a record, alphabetically arranged, in a book prescribed by the commissioner, which shall show, among other things, date, amount prescribed, to whom issued, directions for use, stating the amount and frequency of dose, and the druggist to whom addressed.

When as a matter of fact you direct your prescription to the pharmacist who fills your prescription.

Mr. BARKLEY. Oh, no. The pharmacist is authorized to fill a prescription, but the druggist may not be himself a pharmacist. He may be the man who owns the drug store and sells the drugs. He is not authorized to fill prescriptions. There you must use the word "pharmacist." The pharmacist may be the employee of the druggist.

Mr. RAKER. That is the reason why I ask the distinguished gentleman if he did not believe the word "pharmacist" should be inserted after the word "druggist" on line 18.

Mr. BARKLEY. He answered the question by saying he did not think so.

Mr. RAKER. If he does not think so, of course that ends my pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

SEC. 12. That all persons manufacturing liquor for sale shall securely and permanently attach to every container thereof, as the same is manufactured, a label stating name of manufacturer, kind and quantity of liquor contained therein, and the date of its manufacture, together with a copy of the permit authorizing the manufacture thereof; and all persons possessing such liquor in wholesale quantities shall securely keep and maintain such label thereon; and all wholesale druggists shall attach to every package of liquor, when sold, a label setting forth the kind of liquor contained therein, by whom manufactured, the date of sale, and the person to whom sold; which label shall likewise be kept and maintained thereon until the liquor is used for the purpose for which such sale was authorized.

Mr. CLARK of Missouri. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Missouri moves to strike out the last word.

Mr. CLARK of Missouri. I want to ask the chairman a question: Do you not think it is time to quit?

Mr. VOLSTEAD. I thought we might be able to finish this section.

Mr. CLARK of Missouri. It is Saturday night, and we want to get ready for church and lay in supplies for Sunday. [Laughter.]

Mr. CANNON. We are entitled to a half holiday on Saturday.

Mr. VOLSTEAD. Mr. Chairman, on page 17, line 4, I move to strike out "wholesale druggists" and insert "persons selling at wholesale."

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 17, line 4, strike out the words "wholesale druggists" and insert "persons selling at wholesale."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GARD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 16, line 21, after the word "sale" insert the words "under the provisions of this title."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. GARD. A division, Mr. Chairman. Is not that what the gentleman wants?

The CHAIRMAN. Does the gentleman from Ohio demand a division?

Mr. GARD. Yes; I suggested that.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 33, noes 0.

So the amendment was agreed to.

Mr. GARD. Did not some one vote against that?

The CHAIRMAN. The ayes are 33 and the noes are 0. The Clerk will read.

The Clerk read as follows:

SEC. 13. That it shall be the duty of every carrier that transports liquor to secure a permit therefor and make a record at the place of shipment of the receipt of any liquor transported, and he shall only deliver liquor to persons who present a verified copy of a permit to purchase and an affidavit to the carrier that such liquor will not be used in violation of law. The form of the affidavit shall be prescribed by the commissioner and shall contain such information as he deems necessary for the enforcement of this act. The copy of such permit and the affidavit presented to the carrier to obtain such delivery shall be made a part of the carrier's permanent record at the office from which delivery is made.

The agent of the common carrier is hereby authorized to administer the oath to the consignee, who, if not personally known to the agent, shall first be identified before the delivery of the liquor to him. The name and address of the person identifying the consignee shall be included in the record.

Mr. SABATH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. SABATH. I do so for the purpose of asking the chairman a question. The section provides for an affidavit declaring that such liquor will not be used in violation of the law. How could such carrier make such affidavit?

Mr. VOLSTEAD. The carrier does not make it. The consignee who comes there and asks to get it must make the affidavit. He has to file it with the carrier.

Mr. SABATH. That might be a wholesale druggist or a wholesaler. If he will sell to a retail druggist, how can he tell what use the retail druggist will make of it and make an affidavit that such retail druggist will not use it in violation of the law?

Mr. VOLSTEAD. He can make the affidavit that he will sell it for a certain purpose. He will only be required to make an affidavit such as the law requires.

Mr. BLAND of Missouri. I move to strike out the last word for the purpose of asking a question. Does the provision apply to deliveries made to city customers by wholesale druggists?

Mr. VOLSTEAD. It refers to anyone who gets any consignment from a common carrier.

Mr. BLAND of Missouri. But the wholesaler delivers by means of his own automobile or wagon. How do you provide for that?

Mr. VOLSTEAD. He would not be a common carrier.

The Clerk read as follows:

SEC. 15. That it shall be unlawful for any cosignee to accept or receive any package containing any liquor upon which appears a statement known to him to be false, or for any carrier or other person to consign, ship, transport, or deliver any such package, knowing such statement to be false.

Mr. GARD. I move to strike out the last word for the purpose of asking a question for information. I realize that we have passed section 14, but I wish to ask what is meant by the words "That it shall be unlawful for a person to induce any carrier"?

Mr. VOLSTEAD. I think that is common English.

Mr. GARD. I know, but what does it mean?

Mr. VOLSTEAD. It means just what it says.

Mr. GARD. Is that all the explanation I am offered on that?

Mr. VOLSTEAD. I think it is perfectly plain.

Mr. CLARK of Missouri. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Missouri moves that the committee do now rise.

The question was taken; and on a division (demanded by Mr. CLARK of Missouri) there were—ayes 62, noes 42.

Mr. VOLSTEAD. Tellers, Mr. Chairman.

Tellers were ordered, and the Chairman appointed Mr. CLARK of Missouri and Mr. VOLSTEAD.

The committee again divided; and the tellers reported—ayes 54, noes 61.

Accordingly the motion was rejected.

The Clerk read as follows:

SEC. 17. That it shall be unlawful to advertise liquor, or the manufacture, sale, keeping for sale or furnishing of the same, or where, how, from whom, or at what price the same may be obtained. No one shall permit any sign or billboard containing such advertisement to remain upon one's premises or circulate any price list, order blank, or other matter designed to induce or secure orders for intoxicating liquors. But nothing herein shall prohibit manufacturers and wholesale druggists holding permits to sell liquor from furnishing price lists, with description of liquor for sale, to persons permitted to sell liquor. The commissioner and other officers charged with the enforcement of this title are authorized to remove, paint over, or otherwise obliterate any such advertisement from any sign, billboard, or other place, and shall do so upon the demand of any citizen who has first requested the person in charge of such advertisements, or the owner of the property on which it is located, to remove the same.

That any advertisement or notice containing the picture of a brewery, distillery, bottle, keg, barrel, or box, or other receptacle represented as containing liquor, and designed to serve as an advertisement thereof, shall be within the inhibition of this section.

Mr. IGOE. Mr. Chairman, I should like to ask the chairman of the committee, should there be any exception after the first sentence in section 17? It seems to me that is a pretty broad prohibition, that it shall be unlawful to advertise liquor. It says nothing about the purpose for which it may be sold. Now, liquor is defined to include a great many things. The only exception is in the case of druggists. I just wondered if that was not too broad.

Mr. VOLSTEAD. It is impossible to make any exception without practically destroying the whole law.

Mr. SABATH. I move to strike out the last word, for the purpose of asking a question of the chairman of the committee. The chairman offered an amendment to one of the sections, amending the provision relating to manufacturers and wholesale druggists, substituting the words "and wholesale dealers." Is it not the intention also to amend this provision here so that it shall comply with the previous amendment which was offered and adopted?

Mr. VOLSTEAD. This covers both. Manufacturers and wholesale druggists are both enumerated here.

The Clerk read as follows:

SEC. 19. That it shall be unlawful for any person to permit any employee to procure liquor for or give direction or information by which liquor can be secured by any person, and no person shall solicit or receive from any person any order for liquor or give any information of how liquor may be obtained in violation of this act.

Mr. SMALL. Mr. Chairman, I offer an amendment on page 20, in line 9, to strike out "permit" and insert the words "give permission to."

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. SMALL: Page 20, line 9, strike out the word "permit" and insert in lieu thereof the words "give permission to."

Mr. SMALL. Mr. Chairman, the language employed in the section is ambiguous and doubtful of meaning and might be used in such a way as to perpetrate an injustice against the citizen. This section is intended to inhibit the employer from giving permission to any employee to give information as to where liquor may be secured. In using the words—

That it shall be unlawful for any person to permit any employee—

the language, as I say, is so uncertain and difficult of construction that it might involve an injustice. I think the language—

That it shall be unlawful for any person to "give permission to" any employee—

should be substituted. The chairman of the committee indicated by a question his opposition to the amendment. What is the meaning of the word "permit"? Is it an affirmative act, or will simple inaction be construed as permitting?

Mr. VOLSTEAD. It means suffering it to be done. It would be possible in very few instances to prove the affirmative giving of permission, but you might perhaps readily be able to prove that he suffered it to be done having knowledge of it, and that is permitting it. I think the language in the bill should be permitted to remain, and not the language proposed by the gentleman.

Mr. SMALL. In other words, Mr. Chairman, the position of the chairman of the committee is this: That the liberty of the citizen is to be jeopardized by the finding of an issue upon circumstantial evidence as to whether or not he suffered or permitted a thing to be done. Various circumstances may be offered in evidence, declarations made along analogous lines, various indirect actions may be testified to showing that the employer permitted a thing to be done. I submit that in drafting a criminal statute, under which a citizen may be punished, that language which simply says "if he permits a thing to be done" ought not to be used, but rather affirmative language, "if he gives permission." A person may give permission in various ways. It may be indirectly by language, the interpretation of which is to the effect that he has given permission. It may be contended that he gave permission in various indirect ways, and the evidence might be introduced to prove that he permitted and suffered a thing to be done. If you make unlawful the giving of permission to do a thing, that is something entirely different. I submit, in conclusion, that the liberty of a citizen ought not to be jeopardized; that a thing ought not to be made unlawful by language which says "if he permits" a thing to be done.

Mr. BLAND of Missouri. He may be almost guilty if he did not prevent it being done.

Mr. SMALL. Certainly. I think while we are legislating about a matter which does not involve the right of persons or property, but only about a matter which is called mala prohibita, we ought to use definite language for that purpose.

Mr. RAKER. Mr. Chairman——

Mr. DYER. Mr. Chairman, a parliamentary inquiry.

Mr. RAKER. Mr. Chairman, I decline to yield.

Mr. DYER. I make the point of order that the gentleman is not entitled to the floor unless he states that he is speaking in opposition to the amendment. Under the rule there is five minutes for and five minutes debate against the amendment.

Mr. RAKER. But I have been recognized.

The CHAIRMAN. The gentleman from California was recognized. No one opposing the amendment was asking for recognition, and the Chair had a right to suppose that those opposed to the amendment waived their right to recognition.

Mr. RAKER. Mr. Chairman and gentlemen of the committee, I again call this language to the attention of the chairman of the committee and the committee generally. It is clearly not what they intend, that it shall be unlawful for any person to permit any employee—whose employee? His own or some one else's. Not the employee of some one he does not know. If he passes by and sees the employee of another man procuring liquor, under this provision he is guilty of an offense by which he can be fined not less than $100 nor more than $5,000, or imprisoned for not less than so many days and not less than so many years. What the committee intended is, no doubt, that it shall be unlawful for any person to permit any of his employees to procure the liquor or give it away or furnish information where it is to be found.

Mr. VENABLE. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. VENABLE. What does the gentleman understand by the word "permit"?

Mr. RAKER. That is hazy and very indefinite, but I want to raise the other question, calling to the attention of the committee that this language is unquestionably not what the Committee on the Judiciary want. I am not going to offer an amendment, but I am calling it to the attention of the committee.

Mr. VENABLE. Assuming that it is so amended and to mean his own employee——

Mr. RAKER. Then it would mean something.

Mr. ALEXANDER. If the gentleman will yield, I assume that anybody who wants to be reasonable would not want to adopt this general language but would adopt the language in accordance with the suggestion of the gentleman from California—that it shall be unlawful for any employer to permit his employee, and so forth.

Mr. SABATH. That is not the intention of the chairman.

Mr. RAKER. Oh, yes, it is. The chairman wants to enact a law that will be operative and effective.

Mr. VOLSTEAD. Mr. Chairman, I am willing to accept the amendment suggested by the gentleman from Missouri.

Mr. ALEXANDER. I ask the gentleman from California to offer the amendment, as follows——

Mr. DYER. Mr. Chairman, I make the point of order against that.

Mr. RAKER. But I am yielding to the gentleman.

Mr. DYER. But the gentleman can not yield to him to offer an amendment.

Mr. ALEXANDER. I suppose I can address the gentleman and the Chair without the consent of the gentleman from Missouri [Mr. DYER].

Mr. DYER. I make the point of order against the gentleman from Missouri.

Mr. RAKER. I am yielding for a question.

Mr. ALEXANDER. I would ask the gentleman from California——

The CHAIRMAN. Does the gentleman from California yield to the gentleman from Missouri?

Mr. RAKER. I do.

Mr. ALEXANDER. The gentleman from Missouri is asking the gentleman from California——

The CHAIRMAN. The time of the gentleman from California has expired. All time has expired.

Mr. ALEXANDER. Mr. Chairman, I ask unanimous consent that the time be extended for five minutes. Half of the time has been consumed by the objections of the gentleman from Missouri [Mr. DYER].

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the time of the gentleman from California be extended for five minutes. Is there objection?

Mr. FESS. Mr. Chairman, I object.

Mr. DYER. Mr. Chairman, I object.

Mr. ALEXANDER. Then, Mr. Chairman, I ask for recognition in my own right to offer an amendment. I move to amend by striking out the words "any person," in line 10, page 20, and inserting the words "an employer knowingly," and in line 9 by striking out the word "any" and inserting in lieu thereof the word "his."

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. ALEXANDER: Page 20, line 8, strike out the words "any person" and insert in lieu thereof the words "an employer knowingly," and on page 20, line 9, strike out the word "any" and insert in lieu thereof the word "his."

Mr. VOLSTEAD. Mr. Chairman, I move to amend as a substitute by inserting after the word "person," in line 8, page 20, the word "knowingly," and in line 9 to strike out the word "any" and insert the word "his." I think the word "person" should remain there, because it is defined to include corporations, companies, and other associations.

Mr. ALEXANDER. Mr. Chairman, I would be glad to accept that amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. VOLSTEAD: Page 20, line 8, after the word "person," insert the word "knowingly," and on line 9 strike out the word "any" and insert the word "his."

The CHAIRMAN. The Chair would suggest that there are already two amendments pending.

Mr. SMALL. Mr. Chairman, in view of the amendment offered by the chairman of the committee, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

Mr. ALEXANDER. Mr. Chairman, with the consent of the committee, I accept the amendment offered by the gentleman from Minnesota in lieu of mine.

The CHAIRMAN. Is there objection to the gentleman from Missouri withdrawing his amendment?

There was no objection.

The CHAIRMAN. The question now is on the amendment of the gentleman from Minnesota.

The amendment was agreed to.

Mr. VOLSTEAD. Mr. Chairman, I have another amendment which I desire to offer. In line 10, on the same page, after the word "can," insert the word "unlawfully."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 20, line 10, after the word "can," insert the word "unlawfully."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

Mr. GARD. Mr. Chairman, I offer the following amendment, because the motion I had in mind is the same motion, or has the same effect, though I think it expresses it in better language.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Ohio.

The Clerk read as follows:

Amendment by Mr. GARD: Page 20, line 11, after the word "person" where it appears the first time in the line, insert the words "in violation of this act."

Mr. GARD. Mr. Chairman, that is the same language that appears at the end of section 19, and I assume you want to put it in after the word "person," so as to make it more harmonious.

Mr. VOLSTEAD. It reads better without a repetition in the section. The meaning is exactly the same.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio to the amendment offered by the gentleman from Minnesota.

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken, and the amendment was agreed to.

Mr. VENABLE. Mr. Chairman, I offer the following amendment. I move to amend the section as amended so that it shall read:

That it shall be unlawful for any person to procure liquor for or cause or give direction or information by which liquor can be secured by any person—

And so forth.

The CHAIRMAN. The Clerk will report the amendment.

Mr. WALSH. Better put it in writing.

Mr. DYER. Mr. Chairman, I ask unanimous consent that this section may be passed over temporarily.

Mr. RAKER. Mr. Chairman, I reserve the right to object——

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that this section may be passed over temporarily. Is there objection?

Mr. RAKER. Mr. Chairman, reserving the right to object, I think we ought to dispose of it while it is in our minds, and I object.

The CHAIRMAN. The gentleman from California objects.

Mr. SABATH. Mr. Chairman, I move that the committee take a recess for 30 minutes while the gentleman from Mississippi is preparing his amendment.

The CHAIRMAN. The motion to take a recess in the committee is not in order.

Mr. FIELDS. Mr. Chairman, I ask unanimous consent that the consideration of this section be deferred until section 20 is disposed of.

The CHAIRMAN. A similar request has been made and objection has been made.

Mr. RAKER. Let us dispose of it now; it will take but a minute.

Mr. FIELDS. I confine it to section 20 only.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that further consideration of this section be postponed until section 20 is disposed of. Is there objection?

Mr. RAKER. Mr. Chairman, reserving the right to object——

Mr. GARD. I object.

The CHAIRMAN. Objection is heard.

Mr. DYER. I ask for the regular order.

The CHAIRMAN. The regular order is the amendment of the gentleman from Mississippi.

Mr. DYER. I ask that the Clerk read it.

Mr. RUBEY. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. RUBEY. I was just wondering while the gentleman—a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RUBEY. That while the gentleman from Mississippi—I withdraw it.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Mississippi.

The Clerk read as follows:

Amendment offered by Mr. VENABLE: Page 20, line 8, amend the section as amended so as to read: "That it shall be unlawful for any person to procure liquor for, act as the agent of, procure liquor for, or give direction or information by which liquor can be secured by any person."

And so forth.

Mr. VENABLE. Mr. Chairman, the purpose of that amendment is this: What the section is evidently striking at is anyone acting as the agent of another in the procurement of intoxicating liquors. Now, the vice of the section as I understand it lies in this, "that it shall be unlawful for any person to permit an employee." Now, what does that mean? What is meant by "permitting an employee"? What can the employer do? What can he do to keep him from giving information? You have a host of questions that might arise in the trial of the case. The language is vague. Now, I submit that if you condemn anyone giving any information, anyone acting as an agent in the purchase and procurement of liquor, anyone, whether he be employer or employee, who takes any part in the procurement of whisky or takes any part in making the sale under the general principles of law, is guilty. Your statute is specific and clear. Otherwise no one knows what is meant by "permission." It condemns and punishes one for permitting another man to do a thing. What does that mean? Does that mean that the employer is to use physical force to prevent his employee?

Now, if he lets him go, knowing that he is going, is he guilty? How can he prevent it? If he lays his hands upon him, he is guilty of assault and battery and himself punishable. What in the world can he do? In other words, I submit to the committee that the language as drawn does not mean anything.

Mr. OLIVER. Will the gentleman permit an inquiry?

Mr. VENABLE. Yes, sir.

Mr. OLIVER. Evidently the first part of this paragraph was intended to punish the party who sought information as to where liquor could be obtained or who should suffer another to obtain liquor for him. The latter part of it is intended and does punish the agent who gives information or procures it for another. I think the first part is inaptly drawn, but that is evidently the purpose of it—to punish not only the man that procures it, but also the man who suffers or permits it to be obtained for another.

Mr. VENABLE. The purpose of it, as I understand it, is to make unlawful the giving of any information or taking part in any way in the sale of liquor; in other words, for acting in any wise as the agent of the purchaser. And if you denounce that plan generally you will not need to specify the employer, because if he takes part in the act in any way in any legal sense, he is liable as a principal anyhow under the general provisions of the law.

Mr. VOLSTEAD. Mr. Chairman, this section was designed to meet this situation: Quite often in hotels bell boys are very apt to know where liquor can be obtained. They are suffered to supply the guests of the hotel with it. Now, hotel men know all about it and are glad to have the bell boys do so, and profit by that business. To reach those people you must be able to show, and in most cases you could not, that direct authority was given. But there is no doubt that these hotels know and in almost every instance tacitly, if not expressly, give their consent to this nefarious traffic.

Mr. VENABLE. Suppose you had a hotel keeper who knew that a porter, for instance, was going out and securing liquor, and did not do anything to encourage the porter or prevent him from doing so?

Mr. VOLSTEAD. We are going to put that man out of business. If an employee is doing an illegal business in his employer's house, there is not a court anywhere that would make the employer suffer if he fired him.

Mr. VENABLE. I know; but you can not punish a man under the Constitution of the United States for mere passivity. You can not punish a man because he does not——

Mr. VOLSTEAD. I do not yield to the gentleman any further. There is no doubt in my mind that we can punish an employer for this kind of an act. Men may be declared guilty for suffering a wrong where they have the power to prevent it, and it is their duty to prevent it. If a man is running a hotel, for instance, we make it his duty to see that the law is not disobeyed by his employees where he has knowledge of the unlawful act.

Mr. Chairman, I move that all debate on this section and all amendments be now closed.

The CHAIRMAN. The gentleman from Minnesota moves that all debate on this section and all amendments thereto be now closed.

Mr. GALLIVAN. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. GALLIVAN. There is not a quorum present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and two persons are present, a quorum. The question is on the motion of the gentleman from Minnesota [Mr. VOLSTEAD] that the debate on this section and all amendments thereto be now closed.

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. SABATH. Division, Mr. Chairman.

The committee divided; and there were—ayes 66, noes 2.

Mr. GALLIVAN. A point of order, Mr. Chairman.

Mr. SABATH. A point of order, Mr. Chairman. The count discloses that there is not a quorum present.

Mr. GALLIVAN. Mr. Chairman, I make the point of order that the count discloses that there is not a quorum present.

Mr. DYER. That is not the rule.

The CHAIRMAN. The count does not necessarily establish that fact. The Chair has just counted.

Mr. SABATH. Mr. Chairman, I ask for tellers.

Mr. DYER. It is too late.

Mr. MADDEN. I make the point of order that the demand for tellers is not in order to verify the finding of the Chair on the question before the House.

Mr. SABATH. I am not asking for it for that reason.

The CHAIRMAN. The motion was to close debate. For that reason the Chair thinks the vote may be taken by tellers. Those who wish the vote to be taken by tellers will rise and stand until they are counted. [After counting.] Four gentlemen have risen, not a sufficient number. The question is on the motion of the gentleman from Mississippi [Mr. VENABLE] to insert new language. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. VENABLE: Page 20, line 8, amend the section so as to read: "That it shall be unlawful for any person to procure liquor for, act as the agent of, procure liquor for, or give direction or information by which liquor can be secured by any person," etc.

Mr. GARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GARD. Are the words in the amendment "act as agent for" and "procure for" separated by commas? That is manifestly an error.

Mr. VENABLE. That is an error. I think the term "procure liquor for" is used twice. I ask unanimous consent, Mr. Chairman, to strike out the superfluous words.

The CHAIRMAN. The gentleman will repeat his request for unanimous consent.

Mr. VENABLE. The words "procure liquor for" are used twice. I ask unanimous consent that one of them be stricken out.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that the words "procure liquor for" where they appear the second time in the amendment be stricken out of the amendment. Is there objection?

There was no objection.

Mr. GARD. Mr. Chairman, may we have it again reported as it is?

The CHAIRMAN. Without objection, the Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. VENABLE: Page 20, line 8, amend the section so as to read: "That it shall be unlawful for any person to procure liquor for, act as the agent of, or give direction or information by which liquor can be secured by any person," etc.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. VENABLE. Mr. Chairman, I ask for a division.

The CHAIRMAN. The gentleman from Mississippi asks for a division.

The committee divided; and there were—ayes 16, noes 71.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 20. That it shall be unlawful for any person to drink liquor in or upon any car, train, automobile, boat, or other public conveyance. Any conductor or person in charge of any car, train, autobomile, boat, or other public conveyance may arrest any person therefor who is being conveyed in or by such car, coach, automobile, or other public conveyance, and turn him over to the proper officer to be proceeded against according to law.

Mr. VOLSTED. Mr. Chairman, on line 19, page 20, I move to strike out the word "coach" and insert the word "train."

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 20, line 19, strike out the word "coach" and insert the word "train."

Mr. VOLSTEAD and Mr. FIELDS rose.

The CHAIRMAN. The Chair will recognize the gentleman from Kentucky.

Mr. VOLSTEAD. Mr. Chairman——

Mr. WALSH. Mr. Chairman, the chairman of the committee desires to be heard.

The CHAIRMAN. The gentleman from Minnesota [Mr. VOLSTEAD] will be recognized if he wants recognition.

Mr. VOLSTEAD. Yes; I do desire it. This change was made to correspond with the enumeration in line 15, and does not make any change, except that it applies the same language to the two sections. After the word "automobile," line 19, I offer to insert "both." That is another amendment. That is to make the two lines harmonize.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. STEVENSON. I would like to ask if you do not think it better to qualify the word "automobile" in the two places? That would mean a public as well as a private automobile. I have an automobile, for example, and if a friend of mine should take a drink in it, and it is not a public conveyance, I do not think I should be held responsible criminally.

Mr. VOLSTEAD. The words used are "or other public conveyance."

Mr. STEVENSON. That does not assume the term "automobile" to be a public conveyance. It says "any automobile."

Mr. VOLSTEAD. I have no objection to having that amended. I have not any objection if the gentleman sees fit to offer the amendment. My impression is, however, that this is sufficiently qualified, so that no one would think it meant anything else.

Mr. MONDELL. Will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. MONDELL. It strikes me that the language is clear. It says public conveyances, and they are enumerated. There are boats that are not public conveyances, there are cars that are not public conveyances, automobiles that are not public conveyances, but the trains, boats, and cars referred to are all public conveyances of that character.

Mr. FITZGERALD. What about airships?

Mr. SABATH. Will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. SABATH. What I desire to ask the chairman is this, the provision states that any conductor or person in charge of any car, and so forth—do not the words "any person in charge" include a porter of a Pullman or a Wagner car?

Mr. VOLSTEAD. He is not in charge of it.

Mr. SABATH. We have only one conductor on a train, perhaps, but the 8 or 10 cars have a porter on every one of those cars. Why not give the power also to the porters? You know the colored gentleman will watch the thing mighty close. I want to know whether that is included or not. Does that include the porters?

Mr. VOLSTEAD. I do not think so.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken, and the amendment was agreed to.

Mr. FIELDS. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. FIELDS: Page 20, line 16, after the word "conveyance," strike out the remainder of the section and insert the following language:

"It shall be the duty of any conductor or person in charge of any car, train, automobile, boat, or other public conveyance to report any violation of this section to the United States attorney of the district in which the offense is committed with the names of persons having knowledge of the offense."

Mr. VOLSTEAD. Does the gentleman think that would be very effective? This is for the purpose of protecting the passengers.

Mr. FIELDS. Mr. Chairman, this section says it shall be unlawful to take a drink of liquor.

Mr. CLARK of Missouri. Mr. Chairman, I move that the committee do now rise.

Mr. VOLSTEAD. Mr. Chairman, this is rather a strange contention. There is nothing new or revolutionary in this proposition. This is a provision intended to protect the people who are in these public conveyances. If a man drinks liquor in any such conveyance, anyone there can see that he is violating the law. The conductor or person in charge must, of course, satisfy himself that his passenger is violating the law. If he does, he may take that man out of the conveyance and turn him over to some officer. We have a similar statute in our State, and I know it is a common provision in a great many States. The provision suggested by the gentleman is ridiculous. Very little, if anything, would be gained by having the matter reported to the district attorney.

Mr. FIELDS. It would be the duty of the district attorney to have the witnesses summoned before the proper court.

Mr. VOLSTEAD. This is intended to help protect the passengers in public conveyances, and that is why this power is given. You can not always get an officer. It is in line with the statutes authorizing a person to arrest anyone who commits a crime in his presence. I venture to say that is the law in the gentleman's own State. It is the law almost everywhere, that when you see a man violating the law you have a right to arrest him. I move that all debate upon this amendment now close.

Mr. GARD. Mr. Chairman, I want to have some time on the amendment.

Mr. VOLSTEAD. Then I move that all debate close in five minutes.

The CHAIRMAN. The question is on the motion of the gentleman from Minnesota that all debate upon the amendment close in five minutes.

Mr. CLARK of Missouri. Mr. Chairman, I move that the committee do now rise.

The question was taken, and the Chair announced himself in doubt.

The committee again divided; and there were—ayes 54, noes 82.

So the motion was rejected.

The CHAIRMAN. The motion before the House is that of the gentleman from Minnesota, that debate upon this amendment close in five minutes.

Mr. GARD. I move to amend by making it 10 minutes.

The CHAIRMAN. The gentleman from Ohio moves to amend by making it 10 minutes.

Mr. BARKLEY. Mr. Chairman, a parliamentary inquiry. Was the gentleman's motion to apply only to this amendment or to the section?

Mr. VOLSTEAD. To the amendment.

The CHAIRMAN. The question is on the amendment of the gentleman from Ohio to the motion of the gentleman from Minnesota.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question is on the motion of the gentleman from Minnesota that debate close in five minutes.

The motion was agreed to.

The CHAIRMAN. No one wishing to debate the amendment, the question will be taken on the amendment of the gentleman from Kentucky [Mr. FIELDS].

The question was taken, and the amendment was rejected.

Mr. GARD. Mr. Chairman, I have two amendments which I desire to offer, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 20, line 14, after the word "to," at the end of the line, insert the word "publicly."

Mr. GARD. Mr. Chairman, I call the attention of the chairman of the Committee on the Judiciary to this amendment, since I suspect it is the object he has in mind. The amendment inserts the word "publicly" before the word "drink," so as to make the offense the drinking in public. I presume it is for the protection of the passengers on these boats and trains.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. GARD. Yes.

Mr. BAER. Mr. Chairman, will the gentleman yield?

Mr. GARD. Yes.

Mr. BAER. If there is only one person in the car, he would not be drinking it publicly.

Mr. GARD. In that event there would not be very much offense about it, but it would be public.

Mr. BARKLEY. There would be just as much danger to the passengers if a man went into a closet and drank the liquor and finally became drunk.

Mr. GARD. I think the object of this is to prevent the drinking of liquor in public.

Mr. BARKLEY. There is no danger in the mere drinking of it. It is in the drinking of it in public.

Mr. RAKER. Other people would want it if he drank it in public, and it might incite a riot.

Mr. BARKLEY. And if he came out of some secret place and people smelled his breath there might be a riot, too.

Mr. GARD. I am discussing this question seriously, and am desirous of asking the chairman of the Committee on the Judiciary, if I may—I do not desire to protract the argument—if this amendment does not meet the purposes of the gentleman to prohibit public drinking on trains, in cars, automobiles, and so forth?

Mr. MONDELL. May I inquire of the gentleman what he has in mind when he refers to "public drinking"?

Mr. GARD. Yes. If a man gets on a train where there are men, women, and children and stands in a car and drinks some intoxicating liquor out of a bottle or any other container he has.

Mr. MONDELL. And if he got under an umbrella I suppose it would not be public drinking?

Mr. GARD. No; I would not go to that extreme, but will say while he is in the coach.

Mr. VOLSTEAD. Mr. Chairman, I will say that I do not think that ought to go in, because one of the objects is to prohibit men from getting drunk in these public places. It seems to me, in view of the fact that if they can prove that he has been drinking in a car, then it was done publicly.

Mr. GARD. Suppose a man or woman is overcome by train sickness and they took a small drink, a glass of brandy or something of that kind, under this law they would be punished?

Mr. VOLSTEAD. Well, they have not any right to do it.

Mr. GARD. They have not any right? Why, it might save their lives. An occasion of that kind might arise. Brandy and whisky are prescribed for heart trouble. Gentlemen laugh, but nobody can dispute that.

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. GARD. If I have time.

Mr. SUMNERS of Texas. The National Pharmacopœia, which is the official recognized list of useful medicines and drugs, does not contain whisky, brandy, wine, or beer.

Mr. GARD. I am not finding any fault with the National Pharmacopœia.

Mr. SUMNERS of Texas. I am giving the gentleman the authority, the same as the decisions of United States courts are to attorneys.

Mr. FITZGERALD. And I say to the gentleman the best physicians in New York reported very recently that whisky and brandy were necessities in cases.

Mr. GARD. I submit it.

Mr. FITZGERALD. Absolutely that is true.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VOLSTEAD. I move that all debate close on this section——

Mr. GARD. I have another amendment.

Mr. FOSTER. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Minnesota makes the motion that all debate close on this section and all amendments thereto.

Mr. SAUNDERS of Virginia. Wait a moment, Mr. Chairman.

The CHAIRMAN. The gentleman from Minnesota moves that debate on this section and all amendments thereto now close.

Mr. SAUNDERS of Virginia. Just a moment.

Mr. GARD. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Ohio rise?

Mr. GARD. I want to amend the motion of the gentleman by moving that debate on this section and all amendments thereto close in 10 minutes. I desire to offer another proposition.

The CHAIRMAN. The gentleman from Ohio moves that debate on this section and all amendments thereto close in 10 minutes.

The question was taken, and the Chair announced the noes seemed to have it.

Mr. SABATH. Division, Mr. Chairman.

The committee divided; and there were—ayes 26, noes 64.

Mr. SABATH. Mr. Chairman, a point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Illinois makes the point of order of no quorum present. The Chair will count.

Mr. LONGWORTH. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Ohio moves that the committee do now rise.

The question was taken, and the Chair announced the noes seemed to have it.

Mr. SABATH. Division!

The committee again divided; and there were—ayes 37, noes 63.

So the motion was rejected.

Mr. BEGG. Mr. Chairman, I offer an amendment.

Mr. SAUNDERS of Virginia. Mr. Chairman, I want to ask the gentleman from Minnesota——

The CHAIRMAN. The point of no quorum was pending as the gentleman from Illinois [Mr. SABATH] asked for a division. Division has just been had upon another question, which reveals that a quorum is present, and I take it that it is not necessary to have another division.

Mr. SABATH. How many gentlemen were present?

The CHAIRMAN. One hundred.

Mr. SAUNDERS of Virginia. Mr. Chairman, I want to ask the gentleman from Minnesota, the chairman of the committee, if he will not accept an amendment to close the debate at the end of five minutes? I have been trying to get a few minutes on this section, which I think is an important one.

Mr. VOLSTEAD. I can not.

Mr. SAUNDERS of Virginia. Mr. Chairman, I move an amendment that the debate close in five minutes.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The question recurs on the motion as amended. The gentleman from Virginia [Mr. SAUNDERS] is recognized for five minutes.

Mr. SAUNDERS of Virginia. Mr. Chairman, I wish to call the attention of the gentleman from Minnesota to two features of this section which I think are worthy of serious attention. We have a like law in Virginia, and if we possess the authority to pass this section I heartily favor it with one necessary amendment.

I wish to call the attention of the gentleman from Minnesota [Mr. VOLSTEAD] to the fact that under this section as it is written a conductor is not limited, although the offense is a misdemeanor, to making arrests on view of the offense, but he is empowered to make arrest after the offense has taken place, on the suggestion that it has occurred. I do not think we should confer this power on the conductor.

Mr. GARD. Is it not also true as to this language, "turn him over to the proper officer to be proceeded against according to law," that there is no penalty for the crime?

Mr. SAUNDERS of Virginia. I understand that there is a general penalty provision in this bill.

Mr. BEGG. Is it not a fact that under this provision every taxicab driver in the United States has the power to arrest?

Mr. SAUNDERS of Virginia. I prefer not to take up that inquiry, but will give an illustration with respect to the operation of this section should it become a law as it is now written. Take for instance a train running from Alexandria, to Danville, Va. Suppose a man gets on at Alexandria and takes a drink, not however in the presence of the conductor. The train continues on its way, and in due course reaches Danville. At this point some one goes to the conductor and suggests to him that John Smith, who is in the act of getting off the train, took a drink at Alexandria, six hours earlier in the day. Under this bill as it now reads the conductor would have the right, although he never saw the offense, to arrest the party and turn him over to whatever authority is designated. No conductor upon the facts suggested should have the power of arrest without warrant.

Mr. LONGWORTH. Will the gentleman yield?

Mr. SAUNDERS of Virginia. I will.

Mr. LONGWORTH. The gentleman very ably argued in regard to this constitutional amendment and the fact that this was a lawful enforcement of the constitutional amendment. Does the gentleman find anything in the constitutional amendment as to this section?

Mr. SAUNDERS of Virginia. I do not.

Mr. LONGWORTH. Does the gentleman really think that this section is no part of the law?

Mr. SAUNDERS of Virginia. I am heartily in favor of this section with one amendment, but doubt our power to enact it. To take a drink, is to use spirits. The amendment does not forbid such use.

Mr. SABATH. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for another five minutes.

The CHAIRMAN. Is there objection?

Mr. VOLSTEAD. I object to that.

Mr. SAUNDERS of Virginia. Mr. Chairman, I ask for three minutes. My time has been taken up by questions. I wish to present to the chairman of the committee this constitutional question——

The CHAIRMAN. The gentleman asks unanimous consent that he may have three minutes.

Mr. SAUNDERS of Virginia. I am entirely in favor of the section if we have the authority to enact it.

The CHAIRMAN. The gentleman from Virginia asks for additional time?

Mr. SAUNDERS of Virginia. Yes. I ask for three minutes.

The CHAIRMAN. The gentleman from Virginia asks that his time be extended for three minutes. Is there objection?

There was no objection.

Mr. SAUNDERS of Virginia. Congress has no police power within the States. The terms of the amendment fix the limits of our authority. With respect to the sale, transportation, manufacture, exportation and importation, we enjoy concurrent authority with the State to pass a statute of enforcement making effective the inhibitions of the eighteenth amendment. But this is use. To drink on a train is use; and use is not forbidden by the constitutional amendment. What warrant of law therefore can be found for the contention that within the State lines, and in intrastate traffic exclusively, the Congress enjoys the authority to say that a citizen may not take a drink on a railway train? That query certainly merits full consideration by this body. If authority can be found in the Constitution to support this section, then I favor its enactment, with an amendment to the effect that the arrest must be made upon view of the offense.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio.

The question was taken, and the amendment was rejected.

Mr. SAUNDERS of Virginia. Now, Mr. Chairman, I will offer a perfecting amendment first, and that is in line 18, so that it will read "any conductor or person in charge may, in view of the offense," to make it conform to the general laws of the country.

Mr. VOLSTEAD. Mr. Chairman, I accept that.

Mr. SAUNDERS of Virginia. It comes in on line 18, after the word "may." Insert the words "in view of the offense."

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Virginia.

The Clerk read as follows:

Amendment offered by Mr. SAUNDERS of Virginia: Page 20, line 18, after the word "may," insert the words "in view of the offense."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. RUBEY. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 70, noes 10.

So the amendment was agreed to.

Mr. GOLDFOGLE. Mr. Chairman, I make the point that there is no quorum present.

The CHAIRMAN. The gentleman from New York makes the point that there is no quorum present. The Chair will count. [After counting.] One hundred and twelve Members are present, a quorum.

Mr. LONGWORTH. Mr. Chairman, I desire to offer an amendment.

Mr. VOLSTEAD. Mr. Chairman, I have an amendment, which I send to the desk.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: On line 15, page 20, after the word "liquor," insert the words "as a beverage or is drunk."

Mr. VOLSTEAD. Or is intoxicated.

The CHAIRMAN. The Clerk will report the amendment as modified.

Mr. VOLSTEAD. After the word "or," in the same line, insert the words "is intoxicated."

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Page 20, line 15, after the word "liquor," insert the words "as a beverage," and after the word "or," in the same line, "is intoxicated."

The CHAIRMAN. There are two "ors" in that line. Where does the gentleman from Minnesota desire it to come in?

Mr. VOLSTEAD. After the first "or."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the section. Is debate closed?

The CHAIRMAN. The gentleman from Ohio moves to strike out the section. The time for debate has not closed.

Mr. LONGWORTH. I do not desire to detain the committee, but I want to say that the title we are considering now is the title enforcing the national constitutional amendment, which prohibits the sale, transportation, importation, and exportation of intoxicating beverages.

Mr. COOPER. Was not all debate on this section closed after the gentleman from Virginia spoke?

The CHAIRMAN. The Chair was mistaken. All debate is exhausted.

Mr. LONGWORTH. Mr. Chairman, I ask unanimous consent for one minute more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. LONGWORTH. I was about to say, Mr. Chairman, that this is a proposition to enforce the eighteenth constitutional amendment. I can see nothing in this section which has anything whatever to do with the eighteenth amendment. If the chairman of this committee will show me what it has to do with the enforcement of the national amendment, I will withdraw my amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio.

Mr. LONGWORTH. I move to strike out the section.

Mr. RAKER. Mr. Chairman, I move an amendment, as follows: Strike out the period after "conveyance," on line 16 of page 20, and the word "any," before "conductor," in the same line, and add a comma and the words "and the." Then, on line 18, strike out the word "any," after the word "arrest," and substitute the word "the." On the same line and page strike out the word "therefor" and substitute the words "violating the provisions of this section," so that the section will read:

That it shall be unlawful for any person to drink liquor in or upon any car, train, automobile, boat, or other public conveyance, and the conductor or person in charge of any car, train, automobile, boat, or other public conveyance may arrest the person violating the provisions of this section who is being conveyed in or by such car, train, automobile, boat, or other public conveyance.

And so forth.

Mr. RUBEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RUBEY. Is the Reading Clerk a stenographer?

The CHAIRMAN. He has been compelled to be most of the day. The Clerk will report the amendment.

The Clerk read as follows:

Page 20, line 16, after the word "conveyance," strike out the period and insert a comma; strike out the word "any" and insert the words "and the." Page 20, line 18, strike out the word "any" and insert the word "the"; strike out the word "therefor" and insert the words "violating the provisions of this section," so that as amended the section will read:

"That it shall be unlawful for any person to drink liquor in or upon any car, train, automobile, boat, or other public conveyance, and the conductor or person in charge of any car, train, automobile, boat, or other public conveyance may arrest the person violating the provisions of this section who is being conveyed in or by such car, coach, automobile, or other public conveyance, and turn him over to the proper officer to be proceeded against according to law."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. SABATH. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment by Mr. SABATH: Insert after the word "car," in line 17, page 20, the words "or any porter of any car."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. VOLSTEAD. Mr. Chairman, in the last amendment, line 15, which I offered, there should be a modification.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification of amendment offered by Mr. VOLSTEAD: Page 20, line 15, after the word "or," insert the words "to be intoxicating."

The CHAIRMAN. The gentleman from Minnesota asks to modify his amendment in accordance with the statement. Is there objection?

There was no objection.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Ohio to strike out the section.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 21. That any person who shall be injured in person, property, means of support, or otherwise by any intoxicated person shall have, in addition to the right of action against the intoxicated person, a right of action against any person who shall, by unlawfully selling to or assisting in procuring liquor for such intoxicated person, have caused or contributed to such intoxication, and in any such action the "plaintiff" shall have a right to recover actual and exemplary damages. In case of the death of either party, the action or right of action given by this section shall survive to and against his or her executor or administrator, and the amount so recovered by either wife or child shall be his or her sole and separate property. Such action may be brought in any court of competent jurisdiction. In any case where parents shall be entitled to such damages, either the father or mother may sue alone therefor, but recovery by one of such parties shall be a bar to suit brought by the other.

Mr. VOLSTEAD. Mr. Chairman, I move to strike out the quotation marks, line 4, page 21.

The Clerk read as follows:

Page 21, line 4, strike out the quotation marks around the word "plaintiff."

The amendment was agreed to.

Mr. GARD. Mr. Chairman, I move to strike out the words "the plaintiff" in line 4, page 21, and insert the words "such person."

The Clerk read as follows:

Page 21, line 4, strike out the word "plaintiff" and insert the words "such person."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. SABATH. Mr. Chairman, I move to strike out the last word, and I do so for the purpose of asking the chairman of the committee a question. I observe that the right of action is reserved to all that in any way may suffer damages through intoxication, which I believe in. But I desire to know whether there is anything in this bill that protects the rights and property of thousands upon thousands of our citizens who in good faith invested large sums of money, in many cases all they possess, not only in paying for the merchandise which they had, but also in paying to the Government taxes——

Mr. CURRIE of Michigan. Mr. Chairman, I make the point of order that the gentleman is not speaking in order.

Mr. SABATH. I am propounding a question to the chairman. In addition to that, they had to pay large sums of money for merchandise——

Mr. CURRIE of Michigan. I make the point of order, Mr. Chairman, that the gentleman is not in order.

The CHAIRMAN. The Chair understands the situation, that the gentleman from Illinois propounded a question to the gentleman from Minnesota.

Mr. CURRIE of Michigan. That can not be; he is making a speech.

Mr. SABATH. I am propounding a question, and I will ask it in due time.

Mr. MORGAN. I call for the regular order.

Mr. VOLSTEAD. I make the point of order that the gentleman is not speaking to any amendment.

Mr. SABATH. Yes; I am.

The CHAIRMAN. The gentleman will confine himself to the question.

Mr. SABATH. I am.

Now these people have paid their hard-earned money for merchandise, and also have paid to the Government large sums of money in taxes. What I desire to know is whether there is any provision in this act whereby they are going to be reimbursed for the money which they have paid for the merchandise and for the money which they have paid our Government as a tax, especially in view of the fact that by the war-time prohibition we have taken away from them over six months' time within which they had the right to expect to dispose of these goods for which they paid, and on which they have paid the Government these large sums of money as a tax. Now that is my question, and I should like to know whether the gentleman has made any provision in this bill for the repayment of those sums of money; or whether, believing that he desires to be fair, as he says——

Mr. CRAMTON. I make the point of order that if the gentleman ever had the right to ask a question he could only ask it twice.

The CHAIRMAN. The point of order is sustained. The gentleman's remarks have nothing to do with the last word.

Mr. SABATH. I have not finished my remarks.

The CHAIRMAN. The gentleman must confine his remarks to his amendment, which is to strike out the last word.

Mr. SABATH. Does the Chair hold that I must confine my remarks to the last word?

The CHAIRMAN. If the point of order is made, the gentleman must confine his remarks to the question under discussion, and the question under discussion is the motion of the gentleman to strike out the last word.

Mr. SABATH. The last word is "other." The last two words are "the other." Now, what I want to know is whether "the other" people who are not directly mentioned in this bill are going to have the same rights and the same privileges in the protection of their property as those who are mentioned in the beginning of the section. And I want to know whether these other people are going to receive justice at the hands of the gentleman from Minnesota and the other side of this House.

Mr. YATES. I make the point of order——

The CHAIRMAN. The time of the gentleman has expired.

Mr. VOLSTEAD. I move that all debate on this section and all amendments thereto be now closed.

Mr. IGOE. I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Missouri makes the point of order that there is no quorum present. The Chair will count. [After counting.] Ninety-five Members present, not a quorum.

Mr. IGOE. I move that the committee do now rise.

SEVERAL MEMBERS. Ask for tellers.

Mr. CLARK of Missouri. Mr. Chairman, the gentleman has a perfect right to demand tellers on the count.

The CHAIRMAN. The Chair thinks it is not in order to demand tellers.

Mr. VOLSTEAD. I move a call of the House.

The CHAIRMAN. The gentleman can not move a call of the House in committee. Ninety-five Members are present, not a quorum. The Clerk will call the roll.

Mr. BAER. Mr. Chairman, I think there is a quorum present. Four more men have come in since the Chair counted.

Mr. IGOE. I have made a motion that the committee rise. Is that in order?

Mr. BLANTON. A roll call has been ordered.

The CHAIRMAN. The motion of the gentleman from Missouri is in order. The gentleman moves that the committee do now rise.

Mr. BARKLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BARKLEY. If the motion that the committee rise is voted down, will we then go back to the roll call? Will the automatic roll call come then?

The CHAIRMAN. It will.

Mr. CRAMTON. Mr. Chairman, if a quorum develops on this count, what becomes of the point of no quorum? It will do away with the necessity of calling the roll, will it not?

The CHAIRMAN. If upon this vote it should develop that a quorum is present, the committee will then proceed with its deliberations without calling the roll. The question is on the motion of the gentleman from Missouri [Mr. IGOE] that the committee do now rise.

The question being taken, the Chairman announced that the noes appeared to have it.

Mr. BAER. Division, Mr. Chairman.

The committee divided; and there were—ayes 30, noes 71.

Accordingly the motion was rejected.

The CHAIRMAN. A quorum is present. The committee refuses to rise. The Clerk will read.

The Clerk read as follows:

SEC. 23. That an action to enjoin any nuisance defined in this title may be brought in the name of the United States by the Attorney General of the United States or by any United States attorney or any prosecuting attorney of any State or any subdivision thereof or by the commissioner or his deputies or assistants. Such action shall be brought and tried as an action in equity and may be brought in any court having jurisdiction to hear and determine equity cases. If it is made to appear by affidavits or otherwise, to the satisfaction of the court, or judge in vacation, that such nuisance exists, a temporary writ of injunction shall forthwith issue restraining the defendant from conducting or permitting the continuance of such nuisance until the conclusion of the trial. Where a temporary injunction is prayed for, the court may issue an order restraining the defendant and all other persons from removing or in any way interfering with the liquor or fixtures, or other things used in connection with the violation of this act constituting such nuisance. No bond shall be required in instituting such proceedings. It shall not be necessary for the court to find the property involved was being unlawfully used as aforesaid at the time of the hearing, but on finding that the material allegations of the petition are true, the court shall order that no liquors shall be manufactured, sold, bartered, or stored in such room, house, building, boat, vehicle, structure, or place, or any part thereof. And upon judgment of the court ordering such nuisance to be abated, the court may order that the room, house, building, structure, boat, vehicle, or place shall not be occupied or used for one year; but the court may, in its discretion, permit it to be occupied or used if the owner, lessee, tenant, or occupant thereof shall give bond with sufficient surety, to be approved by the court making the order, in the penal and liquidated sum of not less than $500 nor more than $1,000, payable to the United States, and conditioned that intoxicating liquor will not thereafter be manufactured, sold, bartered, kept, or otherwise disposed of therein or thereon, and that he will pay all fines, costs, and damages that may be assessed for any violation of this title upon said property.

Mr. BOIES. Mr. Chairman, I have an amendment here, which I desire to offer as an independent section, which I send to the desk.

Mr. IGOE. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman makes the point of order that there is no quorum present. The Chair will count. [After counting.] Eighty-eight Members present, not a quorum.

Mr. BARKLEY. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The question is on the motion of the gentleman from Kentucky that the committee do now rise.

The question was taken.

Mr. BARKLEY. Mr. Chairman, I demand tellers.

Tellers were ordered; and Mr. VOLSTEAD and Mr. BARKLEY took their places as tellers.

The committee again divided; and there were—ayes 11, noes 72.

The CHAIRMAN. The vote as reported by the tellers discloses the lack of a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names.

Ackerman	Freeman	LaGuardia	Ramseyer
Anderson	French	Langley	Randall, Wis.
Andrews, Md.	Fuller, Ill.	Layton	Rayburn
Anthony	Fuller, Mass.	Lazaro	Reavis
Ashbrook	Gallivan	Lee, Ga.	Reber
Aswell	Gandy	Lever	Rhodes
Bacharach	Godwin, N. C.	Linthicum	Riddick
Bankhead	Goodall	Little	Riordan
Benson	Goodykoontz	Longworth	Rodenberg
Bland, Ind.	Gould	McAndrews	Rouse
Booher	Graham, Pa.	McArthur	Rowan
Bowers	Graham, Ill.	McClintic	Rowe
Brinson	Green, Iowa	McFadden	Sanford
Britten	Greene, Vt.	McGlennon	Schall
Brooks, Pa.	Griest	McKenzie	Scott
Browne	Griffin	McKeown	Scully
Browning	Hadley	McKinley	Sells
Buchanan	Hamill	MacCrate	Sherwood
Butler	Hamilton	MacGregor	Shreve
Byrnes, S. C.	Hardy, Tex.	Madden	Sims
Caldwell	Hayden	Maher	Sinclair
Campbell, Kans.	Hays	Mann	Sisson
Campbell, Pa.	Hersman	Martin	Slemp
Cantrill	Hicks	Mason	Small
Carew	Hill	Merritt	Smith, Ill.
Clark, Fla.	Houghton	Minahan, N. J.	Smith, N. Y.
Cleary	Howard	Monahan, Wis.	Snell
Copley	Huddleston	Montague	Snyder
Costello	Hull, Tenn.	Moore, Pa.	Stedman
Cullen	Humphreys	Moore, Va.	Steele
Dale	Husted	Morin	Steenerson
Davis, Minn.	Hutchinson	Mott	Stephens, Miss.
Dempsey	Ireland	Mudd	Stephens, Ohio
Denison	James	Murphy	Stiness
Dent	Jefferis	Neely	Sullivan
Dewalt	Johnson, Ky.	Nicholls, S. C.	Sweet
Donovan	Johnson, S. Dak.	Nichols, Mich.	Tilson
Dooling	Johnson, Wash.	Nolan	Tinkham
Doremus	Johnston, N. Y.	O'Connell	Towner
Dunn	Juul	O'Connor	Treadway
Dupré	Kahn	Oldfield	Vare
Eagle	Kearns	Olney	Vinson
Echols	Kelley, Mich.	Padgett	Walters
Edmonds	Kelly, Pa.	Paige	Ward
Esch	Kendall	Park	Watson, Pa.
Evans, Mont.	Kennedy, R. I.	Parker	Watson, Va.
Evans, Nev.	Kettner	Pell	Whaley
Fairfield	Kiess	Peters	Wheeler
Fess	King	Platt	Wilson, Ill.
Fisher	Kinkaid	Porter	Wilson, La.
Fitzgerald	Kitchin	Pou	Wilson, Pa.
Flood	Kleczka	Purnell	Woodyard
Fordney	Kraus	Radcliffe	
Frear	Kreider	Rainey, H. T.	

The committee rose; and the Speaker having resumed the chair, Mr. DOWELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 6810 and had found itself without a quorum, that he had directed the roll to be called, and that 214 Members answered to their names, a quorum, and he reported the names of the absentees to be printed under the rule.

The committee resumed its sitting.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Iowa [Mr. BOIES].

Mr. BOIES. Mr. Chairman, this is an amendment to section 23, as an independent paragraph, to be numbered 23½.

Mr. GARD. Mr. Chairman, would it not first be in order to correct the text of section 23?

The CHAIRMAN. The Chair thinks that the motion of the gentleman from Iowa is in order, as it perfects the text.

Mr. RAKER. Mr. Chairman, I have an amendment which I desire to offer to perfect the text.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Iowa.

The Clerk read as follows:

At the end of section 23 insert the following:

"SEC. 23½. That any person who shall, with intent to effect the sale of liquor by himself, his employee, servant, or agent, for himself or any person, company, or corporation, keep or carry around on his

person or in a vehicle or other conveyance whatever, or leave in a place for another to secure, any liquor, or who shall travel to solicit, or solicit, or take or accept orders for the sale, shipment, or delivery of liquor in violation of this title, is guilty of a nuisance and may be restrained by injunction, temporary and permanent, from doing or continuing to do any of said acts or things and from otherwise violating the provisions of this title. In such proceeding it shall not be necessary to show any intention on the part of the accused to continue such violations if the action is brought within 60 days following any such violation of the law."

Mr. BOIES. Mr. Chairman, I want to say to the gentlemen upon this floor that I have directed my remarks heretofore toward the gentleman who is known as the "bootlegger," yet I make a mistake by calling him a gentleman. I shall not detain you, due to the lateness of the hour, but a moment or two with any question or debate I may have in my mind on this amendment. I shall take it for granted that every man upon the floor of this House understands the nature and character and the attitude of a bootlegger as well as I do; that he is the man who goes into the back alleys, either in daylight or after dark, and hands out what they call "squirrel" whisky to the drunkard and the boys, and I believe that the fathers and brothers upon this floor are as much interested in the boys of this country as I am, and if there is any gentleman upon the floor of this House that favors a bootlegger, I have not time within the limit of the time given to convince him. This law makes it possible to enjoin the bootlegger. It is copied from the Iowa statute, and, from my experience upon the bench of that State, I found that it was a most efficacious law in preventing the bootlegger from exploiting the drunkard and the boys of the community. [Applause.]

Mr. WALSH. Mr. Chairman, this amendment which is proposed is rather an innovation in Federal legislation. The amendment of the gentleman from Iowa [Mr. BOIES], who has graced the bench of that great State, which boasts of its prohibition views, but which found it necessary in spite of the dryness of the atmosphere to enact legislation declaring a person a nuisance, seems to me ought not to commend itself to the Congress in writing a Federal statute. This proposition was considered by the committee, and it is not in the bill as it has been reported. I do not know how they abate a nuisance in that great State of Iowa, whether it is by suffocation or imprisonment.

Mr. STEVENSON. Will the gentleman yield?

Mr. WALSH. Certainly.

Mr. STEVENSON. I suggest that the gentleman look at section 31, and he will see how they propose to abate the man who can not give bond by putting him in jail.

Mr. WALSH. I was about to state in other provisions of the bill we have provided for punishment and for restraint in case of violation of the law, but you will find in other sections of the bill that these other persons, who probably may continue to attempt to evade the law by the method known as bootlegging, I submit, can be reached. This is one of the provisions I submit in all seriousness, which I believe it would be well not to enact into law in this statute, but to leave something for the gentlemen who seek to make this country at one fell swoop bone dry by ironclad legislation. It will leave something for their future consideration. Now, I confess to being a member of the committee which has reported out this legislation, but I felt somewhat like evading or denying the soft impeachment, in view of some of the provisions of this bill. I voted to report the measure out in the full expectation that the sound, sober sense of the House of Representatives would see to it that the measure was perfected and put in such shape that it might well go on the statute books of a great Nation. But it seems that these expectations have thus far not yet been realized. I want seriously to submit, as one of those who believe that the duty rests upon Congress to enact legislation to enforce the provisions of the eighteenth amendment to the Constitution, that we should write a statute that will enforce these provisions, and these provisions only, and that we are not justified in writing that statute in entering into other activities and phases of the law, in conferring rights of action, and interfering with the law of dissent and the recovery of damages which are not comprehended within the provisions of that amendment, and I trust that the amendment of the gentleman from Iowa will not be agreed to. [Applause.]

Mr. VOLSTEAD. Mr. Chairman, this provision, or substantially the same provision, was in the bill——

Mr. OLIVER. Somewhat general.

Mr. VOLSTEAD. Practically this provision was in the bill when originally introduced. As a general thing I would stand by the bill all through and not make any exception, but I said at the time it was voted out that I reserved the right to support this as an amendment upon the floor of this House. I felt that this was an important matter. Whenever this bill goes into effect the saloon will, I believe, disappear practically everywhere.

Then we will have this class of offenders to deal with, the bootleggers. It does seem to me that this kind of a remedy, which everybody acknowledges is an effective one, should be had. It seems to me it is a fair one. A court of equity can reach a man violating the law much more readily than through a criminal trial. It will be difficult to convict in this class of cases, as it always has been before a jury. And for that reason the legislatures have found it necessary to apply this particular remedy.

Now, I am not going to urge upon this House to do one thing or another, but I have felt that it is only fair that the House should understand my attitude in regard to it. Personally I believe it ought to go in.

Mr. GARD. Mr. Chairman, I desire to speak of what occurred before the Committee on the Judiciary, since I expect that the Committee of the Whole would like to be advised.

When this bill came to the Committee on the Judiciary it contained the amazing proposition that a man could be defined to be a nuisance. There never has been in any legislation that I ever heard of an attempt to define a man as a nuisance. Some of them may be nuisances, of course.

Mr. VOLSTEAD. The courts have held that a dog is a nuisance.

Mr. GARD. Surely the gentleman does not now descend to the cavalier response that a man is a dog.

What I have to say is in all seriousness. I do not object, and no honest man could object, to the theory that every community should be purged of that person who is called a bootlegger, because I have as little regard for him as the most radical gentlemen who are in favor of prohibition. I think the bootlegger should be swept out of existence, but we should realize the limitations of law. It is utterly impossible, I say, to define a human being as a nuisance.

Now, the amendment of the gentleman from Iowa [Mr. BOIES] may have qualified that, and, if so, I would like him to explain, because we are engaged in writing a law. He and I agree upon the subject that a bootlegger ought to be prohibited. We have in this law a very drastic prohibition against bootleggers and punishment for them.

Now, can we—and that is what I want to know—within the law provide that a man in addition to being punished may be denominated a nuisance, because that is in the bill? I confess I can not from the mere reading of the amendment offered from the Clerk's desk understand whether the gentleman has perfected his amendment so that it would be a proper legal amendment, because I am sure he would agree with me that you can not characterize a human being in a legislative enactment as a nuisance. I would appreciate a reply from the gentleman.

Mr. BOIES. Mr. Chairman, this amendment does not characterize the individual as a nuisance, but it does characterize the acts of the individual referred to, being in violation of law, as a nuisance. And there is no question but what it comes within the purview of the law and the power of Congress to enact this measure into law. It is the law of my State, and I have no doubt it is the law of many other States, and it has been tested; and it has not only been found to be legal but it has been found to be the best method of handling this man of whom the gentleman speaks.

Mr. GARD. May I ask the gentleman another question?

Mr. BOIES. Yes.

Mr. GARD. In this amendment as it is stated, and more particularly in this amendment, is it necessary to find that the man first must have been convicted?

Mr. BOIES. No, sir. He may be enjoined without being convicted, but he must be found, of course, in the injunction proceeding to have violated the law.

Mr. GARD. Is not that an invasion of the law through the processes of injunction? In other words, you do not seek to convict a man of committing a crime when you seek to enjoin him from committing a crime.

Mr. BOIES. We seek to enjoin him from violating the law after it shall have been proven to a court of equity to its satisfaction that he has once broken the law.

Mr. GARD. Can you enjoin a man from the commission of burglary?

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOIES. The question is not relevant.

The CHAIRMAN (Mr. DOWELL). The time of the gentleman from Iowa has expired.

Mr. GARD. Mr. Chairman, I do not think the amendment can be enacted into law.

Mr. SIEGEL. Mr. Chairman——

The CHAIRMAN. The gentleman from New York——

Mr. VOLSTEAD. Mr. Chairman, I move to close debate on this amendment.

Mr. SIEGEL. Mr. Chairman, I was recognized.

The CHAIRMAN. The gentleman from Minnesota [Mr. VOLSTEAD] moves that all debate on the amendment now close.

Mr. GARD. I amend that, Mr. Chairman, by providing that the debate on the amendment close in 10 minutes. Certain gentlemen desire to be heard. This is a most important innovation and we want to be heard on it.

Mr. VOLSTEAD. Mr. Chairman, may I substitute for my motion that of the gentleman from Ohio [Mr. GARD], that we close debate on this amendment and all amendments to it in 10 minutes?

Mr. GARD. I hope the gentleman will not do that. I have another amendment that I desire to offer.

Mr. VOLSTEAD. I move to close all debate on this section and all amendments thereto in 15 minutes.

The CHAIRMAN. The question is on the substitute amendment of the gentleman from Minnesota.

The question was taken, and the Chairman announced that the ayes appeared to have it.

Mr. GARD, Mr. GOLDFOGLE, and Mr. SABATH demanded a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 56, noes 23.

The CHAIRMAN. The substitute is agreed to.

Mr. SIEGEL. Mr. Chairman——

Mr. SEARS. Mr. Chairman, I make the point of no quorum.

Mr. OVERSTREET. I make the point of no quorum myself, Mr. Chairman.

The CHAIRMAN. The point of no quorum is made. The Chair will count. [After counting.] One hundred and twenty-seven Members are present, a quorum.

Mr. SIEGEL. Mr. Chairman——

Mr. OVERSTREET. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The question recurs on the amendment of the gentleman from Ohio.

Mr. GOLDFOGLE. Mr. Chairman, I make a point of order.

The CHAIRMAN. What is it?

Mr. GOLDFOGLE. I am entitled to be heard, sir, on a point of order when I make it.

The CHAIRMAN. What is the point of order?

Mr. GOLDFOGLE. The point of order is that a motion was made that the committee do now rise.

The CHAIRMAN. That motion has not been made, and the gentleman has not been recognized. The question is on agreeing to the amendment of the gentleman from Ohio [Mr. GARD].

The question was taken; and the Chairman announced that the ayes have it.

Mr. CANNON. Oh, Mr. Chairman, it is always in order to move that the committee rise.

The CHAIRMAN. I recognize that, but no one did get recognition.

Mr. CANNON. Oh, "recognize." You could put it two or three.

Mr. GOLDFOGLE. Mr. Chairman, I do insist on the Chair recognizing the rules of this House.

The CHAIRMAN. If the gentleman desires to move that the committee rise, the Chair will recognize the gentleman.

Mr. GOLDFOGLE. Mr. Chairman, the gentleman from Georgia [Mr. OVERSTREET] moved it. The Chair refused to hear it. I propose to raise the point of order, and I propose to be heard upon it.

The CHAIRMAN. Does the gentleman from Georgia desire to make that motion?

Mr. OVERSTREET. Yes, sir. I make the motion.

The CHAIRMAN. The motion is made to rise. The question is on agreeing to that motion.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. OVERSTREET. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 38, noes 77.

Mr. OVERSTREET. I demand tellers, Mr. Chairman.

The CHAIRMAN. Tellers are demanded. Those who favor taking the vote by tellers will rise and stand until they are counted. [After counting.] A sufficient number have risen. The gentleman from Minnesota [Mr. VOLSTEAD] and the gentleman from Georgia [Mr. OVERSTREET] will take their places as tellers. Those who favor the motion that the committee rise will pass between the tellers and be counted.

The committee again divided; and the tellers reported—ayes 38, noes 80.

So the motion was rejected, and the committee refused to rise.

The CHAIRMAN. The Chair will recognize the gentleman from New York [Mr. SIEGEL].

Mr. SIEGEL. Mr. Chairman, there comes a time when a man who is elected to the House of Representatives has to realize that he has taken a sworn oath in this body, one of the greatest legislative bodies on the face of the earth, and that it is an elementary proposition that in this body certain established rules have to be observed. Those rules will be observed in this House in the future if we are to remain a deliberate body. No man or set of men exceedingly anxious to pass an act in haste will be able to prevent Members of the House of Representatives from debating a part of a bill which is the most drastic measure that has ever been presented to the House of Representatives. It is exceedingly regrettable—and I am speaking now as the first Republican elected from the twentieth district of New York for three times in all its history—that the Republican Party, which has stood for and preached free speech, liberty, and equality in all these years, should have amongst it on this floor men who would attempt in every possible way to prevent a man from getting five minutes of time to discuss the most drastic amendment that has ever been offered to any piece of legislation on this floor. The issue is whether this is a deliberate body under the Constitution, prepared to calmly consider this bill, or simply a place where the opponents of a measure are to be stifled.

What does this amendment provide? It provides a restraining order to prevent the future commission of any crime that might be committed. In the State of New York and other States of the Union I do not know of any court that ever issued any injunction restraining an individual from committing what might or might not constitute a crime. The same gentlemen who are afraid of having a jury of peers to try any of these matters in the United States courts or elsewhere exert every effort and try in every possible way to shut off debate. I ask you to solemnly consider the kind of legislation you are trying to enact. When the constitutional amendment was adopted did people think or dream that you were going to try to force through this kind of legislation which, in many respects, is unconstitutional, the kind of legislation which public sentiment will never back up, no matter how many times you may try to pull it and jam it through? As one gentleman on the floor has said, you can jam legislation through, but you can not enforce the legislation unless there is public sentiment behind it. You can force this amendment through here, you can forget every sense of right and fair dealing, but you will never get any jury or any court that weighs things coolly, calmly, and soberly to say that it constitutes law. You can try in every possible way to do it, but judges on the bench fear no man when they have taken an oath, and I appeal to you gentlemen here now to soberly weigh in the balance and consider what this amendment means. We have passed lots of amendments here to-day without sober thought or reflection.

You make it a crime for a man to take a drink within any boat, cabin, or ship, even though he is sick and has obtained a doctor's prescription. You provide further in the bill that any man can be convicted and fined and, in addition, may be put under bond for $5,000 that he will not commit any future crime of the same kind inside of a year.

Now, perchance, a salesman of a reputable house, or of a wholesale druggist, might be carrying around a sample of liquor, brandy, or wine, and you say he shall be declared a nuisance, fined, and enjoined from committing any future crime.

I say to you, Mr. Chairman and gentlemen, the American people are not in the humor or mood at the present time for such legislation. The people are asking for legislation against the profiteer. You do nothing, but are sitting on a volcano that may burst at any time, and you will be partially responsible for it, for you neglect to act on that question but instead waste days on this bill. If we flinch from speaking plainly, then the people will properly be able to say that we lack the courage of our convictions.

Mr. BOISE. Mr. Chairman, I ask that the amendment be read again, because the gentleman from New York seems to misapprehend the first few lines of it.

The CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection; and the Clerk again read the amendment.

Mr. GARD. Mr. Chairman and gentlemen of the committee, I desire to call the attention of the author of the amendment to this fact. Surely the gentleman does not intend, as he says in

this amendment, to make, in this bootlegging violation, a man guilty of other offenses in this act, because that is what he does.

Mr. BOIES. Oh, the gentleman is mistaken.

Mr. GARD. I ask the Clerk to read again the last few lines of the amendment.

The Clerk read as follows:

Or accept orders for the sale, shipment, or delivery of liquors in violation of this title, is guilty of a nuisance, and be restrained by injunction, temporary or permanent, from doing or continuing to do any of said acts or things, and from otherwise violating the provisions of this title.

Mr. GARD. In other words you say in this act an injunction not alone restraining him from doing the things in the amendment, but for violating the other things in the title. There is no ground for the issuing of a legal judgment which would allow you to enjoin a man from doing one thing and convicting him of another. You might have a blanket injunction against all the laws on the statute books. Surely the gentleman does not intend that. I am sympathetic with the efforts to suppress bootlegging.

Mr. GOLDFOGLE. Does the gentleman believe that any court would ever enforce any such provision?

Mr. GARD. No. But, Mr. Chairman, what I rose particularly for is to offer an amendment in the time allotted to me. I desire to offer an amendment, in line 15, page 22, to strike out the words "affidavit or otherwise" and insert the words "competent evidence."

The Clerk read as follows:

Amendment by Mr. GARD: Page 22, line 15, strike out the words "affidavits or otherwise" and insert in lieu thereof the words "competent evidence."

Mr. GARD. In this bill as it now reads it provides that affidavits or otherwise may be the test of a man's guilt. "Otherwise" includes hearsay, rumor, and all the vague surmises that anybody may be subjected to. Now, we ought certainly to stop some place and consider things in calm reason. I know that when we reach a time like this, when men's minds are swayed by passion, they will not listen to anything, and we have now the spectacle in this House of Representatives of men under party lash and spur deliberately closing their ears to that which is nothing but the calmest and sanest reason. This spectacle in intolerance and abandonment of reason has not its parallel in the history of the House. To say, as you say here, that you can have a permanent injunction issued against a man on affidavits or otherwise to the satisfaction of the court is to open wide the door and nullify every statute of evidence that was ever enacted by a State or by a nation.

Mr. VOLSTEAD. This applies only to a temporary injunction, and it is the commonest kind of proceeding everywhere.

Mr. GARD. It is at least unsworn testimony.

Mr. VOLSTEAD. No; an affidavit is sworn testimony.

Mr. GARD. But what do you mean when you say "or otherwise"?

Mr. VOLSTEAD. The court will take evidence according to legal rules. The court will take competent testimony and not take hearsay.

Mr. GARD. Then adopt the amendment that I have offered, and make it by competent evidence. If the gentleman desires to be fair—and I am sure he does—let him at least adopt the amendment I have offered, which provides for that, and let those who follow him blindly vote for it.

Mr. VOLSTEAD. I never knew of a temporary injunction being based on the examination of witnesses in court. It is always on affidavits.

Mr. CANNON. Mr. Chairman, a question for my own information. Can a commercial traveler take samples of liquor into the State of Iowa to sell in good faith to druggists or for sacramental purposes?

Mr. BOIES. He can not do that to-day.

Mr. CANNON. So that this would enjoin him?

Mr. BOIES. The gentleman will notice that the whole section is governed by the words "with intent" to do the unlawful thing. When a man starts out with the intent to violate the law, he may be enjoined, but he must have that intent.

Mr. CANNON. I am curious to know whether a commercial traveler could take his samples and sell the article to a dealer, a druggist or otherwise, in the State of Iowa. As I understand, this is a copy of the Iowa law. Assuming that this should become the law, could a commercial traveler, not a bootlegger but a man engaged in legitimate business, in good faith, carry his samples into the State of Iowa, or would he be subject to be enjoined as a nuisance?

Mr. BOIES. I do not think he would.

Mr. VOLSTEAD. He could get a permit to sell. He could get a permit to carry it in under this provision. There is nothing to prevent anything of that kind, if he sells what he is legally permitted to sell under the act.

Mr. CANNON. But he must get a permit.

Mr. VOLSTEAD. Yes; that would be a permit that would run for a year.

Mr. McKINIRY. Mr. Chairman and gentlemen, this amendment providing for restraining by injunction, on the theory of a nuisance, anyone accused of "bootlegging" is typical of this bill.

Concealed in its phrases is a most revolutionary change that may not be appreciated by the ordinary citizen until he feels the weight of it personally. But anyone familiar with the courts and the law can see the utter disregard of many principles we have learned to hold dear.

No single judge should have the arbitrary power given by this amendment. You forget in talking of the bootlegger and the evils of bootlegging that this legal machinery can be and will be used against the man innocent of any crime. It would seem from the argument used in favor of this amendment that the prohibitionist presumes anyone charged with a violation of this law as already guilty.

I speak for the innocent man unjustly accused—for the poor man unable to hire learned counsel, and to take numberless appeals and to hire experts—who is friendless but yet innocent. Deep as is my respect for the courts, I deny that such a man under this section would always receive a fair trial. There have been and will be judges corrupt, ignorant, and prejudiced.

Now, you have stripped the defendant accused of a violation of this prohibition law of every one of those safeguards which have inured to defendants in such cases for centuries past. You have deprived him of trial by jury. You have shifted the burden of proof from the prosecution to the defendant. You have stripped him of the presumption of innocence, and now by this amendment, in what is virtually a criminal proceeding, you are taking away the final safeguard of requiring a man to be proven guilty beyond a reasonable doubt, because in an equity proceeding a judge will simply have to determine the case according to the rules of civil cases, and a mere preponderance of proof is sufficient; and thereafter, if the court issues its injunction and the defendant is restrained, and he then violates that injunction, he may be put in jail. Thus he is stripped of the final safeguard which has been given him, namely, the right to have his guilt proven beyond a reasonable doubt.

Even if I favored prohibition, I would be false to myself and to those whom I represent if I did not protest publicly against this wanton destruction of the rights of my fellow citizens—rights secured by centuries of struggle against oppression and autocratic government.

Ages of oppression and tyranny had taught our people that the safety of their lives and liberty depended on the law securing to any accused a fair trial before an impartial judge and jury. Bitter experience taught them that even with such a tribunal certain rights must be given the most humble citizen, no matter how atrocious the offense charged, and the people enacted those rights into the organic law, that they might endure for all time, and time has shown their wisdom to all, save to the reformer.

These rights are that anyone accused of crime should be presumed to be innocent until a jury of his fellow citizens had found him guilty beyond a reasonable doubt, and he should have the benefit of counsel and be confronted by and have the right to cross-examine the witnesses against him.

Who would dream that these simple fundamental rights should be destroyed in the name of reform?

If we really cherish the great principles of democracy, then we should fight to the bitter end against this return of autocracy—for what matters the name—be it king or prohibitionist—it is autocracy, which takes away the rights of the people. The fundamental maxims of a free government require that the rights of personal liberty and private property should be held sacred, and no power to violate them ought to be implied from any general expression of the will of the people. Between the humblest citizen and official oppression and injustice stands the shield of the jury of his fellow citizens. No real friend of the people would take away that shield.

With regard to this particular act, I am opposed to it and intend to vote against it not only by virtue of my own personal judgment but also as the representative of a district which is overwhelmingly opposed to such legislation and to the principle of prohibition.

In the first place, it is a breach of faith with the people to whom a promise was given, as expressed in the eighteenth amendment itself, of one year to all concerned in dealing in or in the possession of alcoholic liquors.

I do not believe that the honor of the American people will permit them to condone this betrayal, especially as the violation of that promise is made legal by a forced and technical construction of the war-time prohibition act. No representative of the people can justify in good faith his action in enforcing war-time prohibition at this time, when the common sense of the people proves to them that the war is over. This, however, does not touch the real fundamental principles of my opposition to this bill and prohibition, because I am opposed to both on their merits. I believe in temperance and that the real remedy for intemperance lies in proper moral education.

Everyone who has studied the subject is familiar with the statement that alcoholic beverages in and of themselves are neither moral nor immoral; the only question of morality involved is the use or the abuse of such drinks. The very statement of that principle proves its truth. If drinking of alcoholic beverages independent of the circumstances or of the quantity consumed is so immoral as prohibitionists claim, then one must conclude that the Almighty Himself forgot to complete the Ten Commandments and should have added another in the language of this bill, "Thou shalt not drink alcoholic beverages containing more than one-half of 1 per cent alcohol by volume."

My opposition to this act and to this amendment is based on the ruthless violation of the most fundamental and important rights secured to the plain people of this land by the blood of those who fought to establish it as a Republic.

Primarily, it violates the personal liberty and State rights proclaimed in the Declaration of Independence and in the Constitutions of the United States and of the several States. This violation of personal liberty has been brought home to the people and discussed thoroughly, but they little dream as yet of the further infringements on their long-established personal rights in the drastic provisions of this act. The people are not yet aware that government by injunction is further continued in this act, although only recently the laboring men of this country had a long struggle to abolish the vicious system of abuse of government by injunction. This act violates the confidential relation of physician and patient, a right secured and jealously guarded by the statutes of nearly every State, by compelling a physician prescribing liquor as a remedy to publish in a public record the ailment of his patient.

This act totally upsets the practice and procedure of criminal trials which were intended to secure a fair, honest, and impartial trial for the innocent man accused of crime by taking away the presumption of innocence which exists in behalf of every criminal and shifts the burden of proof by requiring a defendant under this act to prove his innocence.

It has destroyed property without compensation and will continue to destroy property without compensation and without a jury trial of the issues involved, and it further violates a constitutional protection by inflicting excessive fines and forfeitures.

One of the most dangerous and subtle provisions of this act is its interference with the exercise of his religious duties by a minister or priest of those great religions which have existed for centuries and which have been the bulwark of civilization. It places in the hands of a governmental official the control of the sacramental use of wine, and a violation of any technical provision of this act or of any State act, no matter how slight or no matter how lacking in criminal intent, can prevent such a priest or minister for the period of one year from exercising his right to celebrate the divine services required by his conscience and by his church.

Hence I must protest, even if in vain and in the knowledge that this act will probably become a law, so that the public may be informed as to the real and substantial danger and threats hidden under a cloak of reform. Those who have protested have met with the response that they do not desire to enforce the Constitution of this country, particularly this eighteenth amendment. They have been told that there must be "teeth" or "hobnails" put into this statute, and the word "hobnails" is typical of the source from which this legislation comes. The people of this country generally are waking up to the sharp line drawn between the dwellers in the city and in the country, as evidenced not only in this prohibition act but in the pending repeal of the daylight-saving law. It is very evident that the rural districts of this land intend to use their majorities in State and Federal legislatures to inflict their moral code, likes and dislikes, and to extend their influences and domination over the dwellers in the cities. For their own selfish interests they demanded the repeal of the daylight-saving law, despite the tremendous saving in the health and wealth of the country generally, because to them it was inconvenient; likewise they seem to take a malicious joy in inflicting this sumptuary prohibition legislation upon the great cities. It preserves their cider and destroys the city workers' beer.

I oppose and vote against this measure in the full confidence that I am representing the interests and wishes of my constituents, and, further, in the firm belief that before long this act and those responsible for it will meet with the full measure of condemnation of the people of the United States.

Mr. CURRIE of Michigan. Mr. Chairman, I desire to offer an amendment to the amendment of the gentleman from Iowa by striking out, after the word "things," in line 10, the words "and from otherwise violating the provisions of this title."

The CHAIRMAN. The gentleman from Michigan offers an amendment to the amendment of the gentleman from Iowa, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. CURRIE of Michigan to the amendment offered by Mr. BOIES: In line 10 of the amendment, after the word "things," strike out the words "and from otherwise violating the provisions of this title."

Mr. BOIES. I accept this amendment.

Mr. GARD. Does the gentleman accept that amendment? Just a moment ago he said he would not.

Mr. BOIES. Oh, the gentleman did not ask me to.

Mr. MOORES of Indiana. Mr. Chairman, is there any more time?

The CHAIRMAN. The time has expired on this paragraph and all amendments thereto.

Mr. MOORES of Indiana. I wanted to discuss a constitutional question, but if all time has expired I can not do it.

The CHAIRMAN. The question is on the amendment of the gentleman from Michigan to the amendment of the gentleman from Iowa.

The amendment to the amendment was agreed to.

The CHAIRMAN. The qustion now is on agreeing to the amendment of the gentleman from Iowa as amended.

The question was taken; and on a division (demanded by Mr. IGOE) there were—ayes 75, noes 44.

So the amendment as amended was agreed to.

Mr. GOLDFOGLE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

Mr. GARD. Mr. Chairman, I have an amendment at the desk, which I ask to have reported and acted upon.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Ohio [Mr. GARD].

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 22, line 15, strike out the words "affidavits or otherwise" and insert the words "competent evidence."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. VOLSTEAD) there were—ayes 53, noes 69.

So the amendment was rejected.

Mr. GOLDFOGLE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

At the end of line 20, on page 23, insert the following:

"But so much of this section which follows the words 'or any part thereof,' shall not apply to any room or apartment which has not been used or employed as a saloon, hotel, boarding house, or store, or as an annex or appurtenance thereto, the intent hereof being that no room or apartment used and occupied exclusively for dwelling purposes by the occupant and his family shall be deemed to come under or within the purview of that part of this section which follows the words 'or any part thereof.'"

Mr. GOLDFOGLE. Mr. Chairman, if the time has expired——

The CHAIRMAN. All time has expired.

Mr. GOLDFOGLE. I now desire to proffer a request for unanimous consent.

The CHAIRMAN. The gentleman asks unanimous consent——

Mr. GOLDFOGLE. If the Chair will kindly wait until I put my request—since the time has expired on the section, I ask unanimous consent, in view of the fact that this is very seriously offered, that I may proceed for five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. GOLDFOGLE. Mr. Chairman, you will observe that this amendment is not intended in any wise to disturb the provisions of the section that precedes the words—

And upon judgment of the court ordering such nuisance to be abated the court may order that the room, house, building, structure, etc., shall not be occupied or used for one year, but the court may in its discretion permit it to be occupied if the owner, lessee, or occupant give bond—

And so forth.

So that the right of injunction is by the amendment itself preserved. I appeal to this body not to permit an injunction to issue against some one whose room or apartment is occupied solely and exclusively by himself and his family, and where that dwelling is entirely dissociated from any saloon or hotel or boarding house or store, and to keep that dweller and his family from occupying such dwelling for a year unless he can furnish a bond for $1,000. Mr. Chairman, the Committee on the Judiciary has undertaken to report a bill under which it is possible for a man and his family to be, in addition to coming under the ban of injunction, driven from home and not allowed to return thereto for a year, unless he give security to pay all damages, fines, and costs, and not violate the law in any way again. In some cases, as, for instance, of the poor man, he could through such a drastic provision be rendered homeless and perhaps shelterless.

Now, I believe the gentleman from Tennessee [Mr. MOON], for whom we all have a great deal of respect and admiration, under general debate upon the bill treated of the vice that lies within this section of the bill. If you will carefully examine—and I appeal to the fairness of the other side—this provision and consider the danger that may result in driving men and their families from their homes, a home that has always been regarded, and I trust so long as the American Republic shall endure will be regarded, as his castle, you will, I hope, adopt this amendment. It merely safeguards the home of a family. Observe that the amendment carefully provides that the dwelling so to be safeguarded shall not be part of a saloon or hotel, or a boarding house, or an annex thereof. Under the bill as framed, the dweller, no matter whether rich or poor, high or humble, can be prevented from occupying that same home again unless he is fortunate enough to be able to secure a bond never again to violate the law on the premises and pay all penalties and costs. I regard that provision as vicious, as pernicious, and violative of the sanctity of the home. It constitutes an invasion of a man's dwelling and may operate disastrously upon many people who never intended to violate the provisions of this prohibition law.

Mr. VOLSTEAD. I am not able to understand what the gentleman's amendment says. I have been over it and I have read it two or three times and I can not make out what it means.

Mr. GOLDFOGLE. Does the gentleman desire it to be reported or wish an explanation from me?

Mr. VOLSTEAD. I can not make sense out of it.

Mr. GOLDFOGLE. If the gentleman will be good enough to look at page 23, in line 7, he will find that to the provision that follows the words "or any part thereof" my amendment is directed.

Mr. VOLSTEAD. Page 23, lines 6 and 7?

Mr. GOLDFOGLE. Yes, sir; line 7.

Mr. VOLSTEAD. In other words, if that goes in the rest of the section does not apply, and you take all the penalties out——

Mr. GOLDFOGLE. No.

Mr. VOLSTEAD. That is all I can make out of the proposition as I read it.

Mr. GOLDFOGLE. If the gentleman will pardon me for a moment, I intend that a man and his family occupying solely and exclusively a room or an apartment as a dwelling, and that room or apartment in no wise is used as a hotel, store, or saloon, or connected therewith, that then such room or apartment shall not be deemed to come under the operations of this part of the section, which, on line 7, begins with the words "and upon the judgment of the court," and so forth.

Mr. VOLSTEAD. That is not what the amendment says.

Mr. GOLDFOGLE. I beg the gentleman's pardon; I ask that it be again reported.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from New York asks unanimous consent that the amendment be again reported. Is there objection? [After a pause.] The Chair hears none.

The amendment was again reported.

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from New York [Mr. GOLDFOGLE].

The question was taken, and the amendment was rejected.

Mr. RAKER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. RAKER: Page 22, lines 11 and 12, after the word "thereof" in line 11 on page 22, strike out the words "or by the commissioner or his deputies or assistants."

Mr. RAKER. Mr. Chairman, I ask unanimous consent that I have two minutes to explain this amendment.

The CHAIRMAN. The gentleman from California asks unanimous consent that he may proceed two minutes. Is there objection?

Mr. VOLSTEAD. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard. The question recurs on the amendment offered by the gentleman from California.

The question was taken, and the amendment was rejected.

Mr. RAKER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. RAKER: Page 22, line 12, strike out the words "or assistants."

The question was taken, and the amendment was rejected.

Mr. RAKER. Mr. Chairman, I offer the following amendment. In lines 11 and 12, page 22, strike out the following words, "or his deputies or assistants."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. RAKER: Page 22, lines 11 and 12, after the word "commissioner" in line 11, strike out the words "or his deputies or assistants."

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 24. That when it appears in any criminal proceeding that any common nuisance as defined herein exists it shall be the duty of any officer authorized to enforce this act to proceed promptly in a court of equity to abate such nuisance, and in case the defendant is adjudged guilty in such criminal trial shall, unless reversed, be conclusive evidence against such defendant of the facts adjudged therein as to the existence of the nuisance. For removing and selling the property in enforcing this act the officer shall be entitled to charge and receive the same fee as the sheriff of the county would receive for levying upon and selling property on execution, and for closing the premises and keeping them closed a reasonable sum shall be allowed by the court.

Any violation of this title upon any leased premises by the lessee or occupant thereof shall, at the option of the lessor, work a forfeiture of the lease.

Mr. RAKER. I offer the following amendment.

Mr. VOLSTEAD. I offer an amendment, in line 25, page 23, to strike out the words "in case" and insert "the final conviction of."

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 23, line 25, strike out the words "in case" and insert "the final conviction of."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. GARD. Will the gentleman yield to me for a moment?

Mr. VOLSTEAD. For a question.

Mr. GARD. Does the gentleman intend to supplement this by putting in the words "such fact" on the other line?

Mr. VOLSTEAD. I intend to strike out the last three words of this line 25, the words "is adjudged guilty." Then on the next page, line 1, strike out "criminal" and strike out "unless reversed," so that the language will read "and the final conviction of the defendant in such trial will be." I offer that as an amendment.

The CHAIRMAN. Does the gentleman desire to modify the amendment?

Mr. VOLSTEAD. I desire to add that to it and modify it in that respect.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. VOLSTEAD: Page 23, line 25, after the word "and," strike out the words "in case" and insert the words "the final conviction of"; page 23, line 25, strike out the words "is adjudged guilty"; page 24, line 1, strike out the word "criminal," and in the same line strike out the words "unless reversed," so that as amended the lines will read:

"SEC. 24. That when it appears in any criminal proceeding that any common nuisance as defined herein exists it shall be the duty of any officer authorized to enforce this act to proceed promptly in a court of equity to abate such nuisance, and the final conviction of the defendant in such trial shall be conclusive evidence against such defendant of the facts adjudged therein as to the existence of the nuisance."

Mr. GARD. Is the gentleman's idea that if the defendant is found guilty of that, it makes it conclusive evidence?

Mr. VOLSTEAD. This is in a criminal trial. He may be found guilty of an act——

Mr. GARD. Does the gentleman mean to say that every criminal proceeding is a basis of proceeding in equity to abate a nuisance?

Mr. VOLSTEAD. No.

Mr. GARD. That is what you say here.

Mr. VOLSTEAD. When in a criminal trial certain facts have been established, then those facts will be introduced for the purpose of showing a nuisance. They may not be sufficient themselves to establish a nuisance, but to the extent the facts were found and determined in the criminal action they would be admissible.

Mr. GARD. I wish to respectfully suggest that I do not think the section has been properly perfected.

Mr. BEE. Will the gentleman from Minnesota yield?

Mr. VOLSTEAD. I will.

Mr. BEE. I notice you use the expression in line 7, page 24, "and for closing the premises and keeping them closed a reasonable sum shall be allowed by the court." Is that a reasonable sum fixed by the court to be paid to the sheriff for taking care of a man's property during the time he is in contempt of court?

Mr. VOLSTEAD. I presume so.

Mr. BEE. And no amount fixed by the law?

Mr. VOLSTEAD. No.

Mr. BEE. Then, if a man owns a piece of property worth $500, and he can not give a bond, and they close his house up, and he can not rent it, he has got to go ahead and have the house sold in order to take care of the cost?

Mr. VOLSTEAD. He ought not to violate the law.

Mr. McKEOWN. Will the gentleman from Minnesota yield?

Mr. VOLSTEAD. I will.

Mr. McKEOWN. Under the language as amended the only proof that would be required in a case in equity would be a certified copy by the judge as to conviction?

Mr. VOLSTEAD. No. In a great many of the criminal cases you would not be able to establish it was a nuisance unless you brought a criminal action for maintaining a nuisance.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McKEOWN. I ask unanimous consent, Mr. Chairman, that the time be extended for one minute.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. McKEOWN. The question of making the evidence conclusive in the trial in court by a legislative body—has the gentleman considered that? What does the gentleman think about the constitutionality of such a law?

Mr. VOLSTEAD. I do not think there is any question about that. This would be a civil action between the same parties as in the criminal action. The criminal action would require not only a prima facie case, but proof beyond a reasonable doubt. The defendant can not complain because the facts necessarily found to sustain the judgment are used as evidence in the civil suit; as to those he has had his day in court.

Mr. McKEOWN. The question I want to ask is this: Does the chairman of the committee think that Congress has the power——

Mr. VOLSTEAD. I have no doubt about it——

Mr. McKEOWN. To say to the court that certain evidence shall be conclusive in the case?

Mr. VOLSTEAD. Yes; without doubt.

Mr. WINGO. If it is a judgment.

Mr. McKEOWN. A final judgment?

Mr. WINGO. Yes; a final judgment.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. GARD. Mr. Chairman, I desire to ask the gentleman from Minnesota a question.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio.

Mr. GARD. I desire to ask the gentleman from Minnesota a question in order that we might have a correct understanding of this matter. But first I ask that the Clerk report this amendment as it now exists.

The CHAIRMAN. Without objection, the amendment will be again reported.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 23, line 25, strike out the words "in case" and insert the words "the final conviction of." Line 25, same page, strike out the words "is adjudged guilty." Page 24, line 1, strike out the word "criminal" and also strike out the words "unless reversed," so that as amended the section will read:

"SEC. 24. That when it appears in any criminal proceeding that any common nuisance as defined herein exists it shall be the duty of any officer authorized to enforce this act to proceed promptly in a court of equity to abate such nuisance, and the final conviction of the defendant in such trial shall be conclusive evidence against such defendant of the facts adjudged therein as to the existence of the nuisance."

Mr. GARD. The language that I desire to call to the attention of the chairman and members of the committee is this: Here is language which purports to try a man in a criminal case and then transfer an action to abate a nuisance to a court of equity, and in the court of equity you provide that a conviction in a criminal case shall be conclusive evidence against the defendant of the facts adjudged therein as to the existence of the nuisance.

In other words, in an equity case you establish here by positive legislation the fact that the conviction is conclusive evidence against the defendant, no matter what other evidence he may have in a court of equity, no matter what he may bring in to throw light in the court of equity on something that was not disclosed in the criminal case. Suppose new evidence develops. Suppose opportunity was denied in the criminal case for the man to produce witnesses, and he has witnesses in the court of equity. Still, under this act you say that although he may have new evidence, although he may have new witnesses, although he may be able to disprove the truth of the charge on which he was convicted, still because of the fact that he was convicted you make it conclusive in the court of equity. I go so far with the gentleman to say that this conviction may be evidence, but to say that it is conclusive evidence in a court of equity is to at once bar the door to any and all evidence that a man might submit in a court of equity.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. GARD. Yes.

Mr. CRAMTON. The gentleman will recall that the verdict in court on that proceeding was before a jury, and in the absence of a jury trial the gentleman would not object to an equity judge following the evidence given in the jury trial?

Mr. GARD. I know that every man charged with crime or with the commission of a felony is entitled to a trial by jury. What I do object to is the use of this word "conclusive" in a court of equity, because it throws aside all other evidence, and when you find one proposition there is no opportunity for submitting anything else to the court of equity.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. GARD. Therefore I move to amend by striking out the word "conclusive" and inserting the word "presumptive."

The CHAIRMAN. The gentleman from Ohio offers an amendment to the amendment of the gentleman from Minnesota, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. GARD: Page 24, line 1, strike out the word "conclusive" and insert the word "presumptive."

Mr. VOLSTEAD. Mr. Chairman, I want to say just a word or two on this amendment. It does not seem to me that there is any good reason why the defendant should not be bound by the trial in the criminal case as to the facts established in that case. It is only the facts that have been adjudged that are declared to be conclusive. Some of my good friends who have been so anxious for jury trials now apparently want to go back on a jury trial. In the criminal case he has a jury trial, he has the presumption of innocence in his favor, and the Government must prove him guilty beyond a reasonable doubt. After he has had all those safeguards gentlemen still object to having the judgment called conclusive as to the facts found—strange.

Mr. GARD. If a man is finally convicted, and that fact is shown in the court of equity, is not that under this law conclusive of the existence of the nuisance?

Mr. VOLSTEAD. Oh, no; it is conclusive of the facts adjudged against him.

Mr. GARD. You say in your bill that it is conclusive of the existence of a nuisance.

Mr. VOLSTEAD. It is conclusive in an action relating to nuisances, but it is only conclusive of the facts that have been adjudged. We could not go beyond that. It can only be evidence of the facts actually adjudged.

I move that all debate on this amendment and amendments thereto be now closed.

Mr. RAKER. I should like to be heard. I have had no opportunity to be heard.

The CHAIRMAN. The gentleman from Minnesota moves that all debate on this amendment and amendments thereto be now closed.

Mr. RAKER. I never saw anything like it in my life. It is the most absurd proposition ever presented——

The CHAIRMAN. The gentleman from Minnesota moves that all debate on this amendment and amendments thereto be now closed.

Mr. IGOE. I move to amend, that debate be closed in 10 minutes.

The CHAIRMAN. The gentleman from Missouri moves as an amendment that the debate close in 10 minutes. The question is on the amendment.

The question being taken, the amendment was rejected.

The CHAIRMAN. The question is on the motion of the gentleman from Minnesota that debate be now closed.

The motion was agreed to.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Minnesota [Mr. VOLSTEAD]——

Mr. GARD. No; the question comes on my amendment to strike out "conclusive" and insert "presumptive."

The CHAIRMAN. The gentleman is correct. The question is on the amendment of the gentleman from Ohio [Mr. GARD] to the amendment of the gentleman from Minnesota.

The question being taken, on a division (demanded by Mr. GARD) there were—ayes 46, noes 56.

Mr. GARD. I demand tellers.

Tellers were ordered; and the Chairman appointed Mr. GARD and Mr. VOLSTEAD.

The committee again divided; and the tellers reported—ayes 56, noes 70.

Accordingly the amendment of Mr. GARD was rejected.

The CHAIRMAN. The question now is on agreeing to the amendment offered by the gentleman from Minnesota [Mr. VOLSTEAD].

The amendment was agreed to.

Mr. RAKER. I offer an amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. RAKER: After the word "nuisance," in line 25, page 23, strike out the comma and the rest of the line, and all of lines 1 and 2, on page 24, down to and including the word "nuisance," in line 3 on page 24.

Mr. RAKER. Mr. Chairman, I ask unanimous consent that I may have 10 minutes.

The CHAIRMAN. The gentleman from California asks unanimous consent that he may proceed for 10 minutes. Is there objection?

Mr. VOLSTEAD. I object.

The CHAIRMAN. The gentleman from Minnesota objects. The question is on the amendment offered by the gentleman from California [Mr. RAKER].

The question being taken, the amendment was rejected.

The Clerk read as follows:

SEC. 25. That any person violating the terms of the injunction as provided for in this title shall be punished for contempt by a fine of not more than $1,000, and by imprisonment of not less than 30 days nor more than one year; and the court shall have the power to enforce such injunction by such measures and means as in the judgment of the court may be necessary.

Mr. GARD. Mr. Chairman, I offer an amendment by the authority of the Committee on the Judiciary.

The Clerk read as follows:

Page 24, line 15, strike out the word "and" and insert the word "or," and in line 17, after the word "year," insert the words "or both."

The CHAIRMAN. The question is on the amendment.

Mr. VOLSTEAD. Mr. Chairman, it is true that at a meeting of the Judiciary Committee as it was then constituted there was an authorization——

Mr. GARD. Mr. Chairman, have I not the floor?

The CHAIRMAN. The gentleman offered the amendment and the Chair was putting the question when the gentleman from Minnesota arose.

Mr. GARD. I wish to modify the amendment first by striking out of line 16 the words "not less than 30 days."

The CHAIRMAN. The gentleman asks unanimous consent to modify his amendment. Is there objection? The Chair hears none. The Clerk will report the modified amendment.

The Clerk read as follows:

Page 24, line 15, strike out the word "or," and in line 16, strike out the words "less than 30 days nor," and in line 17, after the word "year," insert the words "or both."

Mr. GARD. Mr. Chairman, this provision was authorized by the Committee on the Judiciary, and because there was a reservation on the part of the chairman, I believe I stated a moment ago that this amendment was an amendment offered by the Committee on the Judiciary. I state it again, and say that it was the policy of the Committee on the Judiciary, in determining what should be the penalty provided, that there should be no minimum penalty and no immediate association of fine and imprisonment.

Gentlemen of the committee, I say that this provides a punishment for contempt of a fine of not more than $1,000 and by imprisonment not less than 30 days nor more than 1 year. It was thought that it was the best policy in legislation by the Committee on the Judiciary that there should be a separation, and that it should be permitted, at the discretion of the court, under proper showing of the circumstances, either to imprison and fine, or to impose imprisonment penalty, or in a drastic and particular case to impose both fine and imprisonment. This was determined to be the policy of the committee, after we had considered the bill for some time, and it is in that sense that I now offer it to the members of this committee as the deliberate judgment of the members of the Committee on the Judiciary.

Mr. VOLSTEAD. Mr. Chairman, this is not the deliberate judgment of the whole Judiciary Committee. The bill was reported with minimum penalties in it. We did have a meeting to consider some amendments to the bill, and the members that were present adopted this amendment. When we reported this bill we put this minimum penalty in it, and we put it in in a number of other places, as will be observed by reading the bill.

Mr. IGOE. Then I understand the gentleman to say that because it was not in the bill as reported it was not the deliberate judgment of the committee. If you follow that out, every amendment that the gentleman has offered is not the deliberate judgment of the committee.

Mr. VOLSTEAD. The bill as printed was the bill reported. We had a meeting subsequently and we were not able to get a full attendance of the committee, and at that time there was an authorization to strike this out. I served notice on the membership of the committee at that time that I would not consent to it, but would oppose it on the floor.

Mr. IGOE. The gentleman thinks the bill is his bill, his private property, and resents any suggestion to change it in the least.

Mr. VOLSTEAD. Here is the situation. This injunction does not proceed against a single act. It proceeds against the man who deliberately violates the law by maintaining a saloon, and to say that a court ought not to impose a sentence of 30 days for a deliberate violation of the law is to make of enforcement a farce. We have had the experience in my State and you have had it in every State that when you put no minimum penalty in these cases there will be places where the law will never be enforced. There is a necessity for having the minimum penalty, and this penalty is very small. It does not compare with minimum penalties that you find in many statutes. I asked that the committee take the deliberate judgment of the Judiciary Committee when they were all there. It was eliminated when only a few were present. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. All time has expired on the amendment.

Mr. IGOE. Mr. Chairman, I move to strike out the last word. The chairman of the committee pursues the same policy that he has pursued in the committee. I am not going to discuss what took place in the committee, but he has brought the question up. There has been a feeling on the part of the chairman of the committee that anybody who suggests an amendment to this bill should not have it considered. As far as the deliberate judgment of the committee is concerned, at the very meeting when this amendment was agreed to some of the amendments that the gentleman offered here on the floor since the bill was brought in were agreed to. It is strange that there could be a very calm, deliberate judgment on the part of the Judiciary Committee as to the things that he stands for, but that the judgment of the committee when he is overruled is not calm or deliberate.

Mr. MORGAN. Mr. Chairman, will the gentleman yield for a question.

Mr. IGOE. Yes.

Mr. MORGAN. Is it not a fact that the other amendments which have been offered by the chairman were agreed to by unanimous consent?

Mr. WALSH. Mr. Chairman, I make the point of order that the gentleman may not discuss what took place in the meetings of the committee. I was not at the meeting, and I hate to hear what happened.

The CHAIRMAN. The point of order is sustained.

Mr. SAUNDERS of Virginia. Mr. Chairman, I wish to ask the chairman of the committee what is the meaning of the language in lines 17, 18 and 19. It is first provided that anybody violating the terms of the injunction shall be punished for contempt by fine of not more than $1,000 or by imprisonment of not less than 30 days. That is all right. Anybody who violates an order of the court ought to be dealt with severely, but the bill goes further, and provides that the court shall have the power to enforce such injunction by such measures and means as in the judgment of the court may be necessary.

What power does that give to the court? I never saw a provision like that in any statute of any State, or of the Nation.

Mr. VOLSTEAD. I was not responsible for it personally, but we have some provisions in here to which it might apply, as, for instance, the giving of a bond.

Mr. SAUNDERS of Virginia. But there is no limit to the power that this language would give a judge—

by such measures and means—

not such as the law has already empowered the judge to use, but—

as in the judgment of the court may be necessary.

Mr. VOLSTEAD. Personally, I am not very enthusiastic about the language. I do not claim much for it.

Mr. SAUNDERS of Virginia. I think if you say that the court shall have power to enforce such injunction, that is as far as it is necessary to go. That language would give him all the power that is provided by the general law.

Mr. VOLSTEAD. I think so.

Mr. SAUNDERS of Virginia. Then I move to strike out the language—

Mr. GARD. Mr. Chairman, I desire first to have the amendment disposed of that is at the desk.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. GARD) there were—ayes 38, noes 56.

So the amendment was rejected.

Mr. GARD. Mr. Chairman, I offer the following amendment which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. GARD: Page 24, line 17, after the word "court" strike out the balance of the section and insert: "May try the accused or, upon demand of the accused, the trial may be by jury, in which latter event the court may impanel a jury from the jurors then in attendance on the court, or a judge thereof in chambers may cause a sufficient number of jurors to be selected and summoned, as provided by law, to attend at the time and place of trial, at which time a jury shall be selected and impaneled as upon a trial for misdemeanor, and such trial shall conform as near as may be to the practice in criminal cases prosecuted by indictment or upon information."

Mr. VOLSTEAD. Mr. Chairman, I make the point of order that that is not germane to the section. This does not deal with the trial. It simply provides for a penalty. The section that dealt with that has been passed. That is section 23. This deals only with the enforcement of the penalty. It does not provide anything about the trial at all.

Mr. GARD. Mr. Chairman, this amendment is absolutely germane. We have here in section 25, page 24, this very remarkable language, and I desire to ask, if I may, some calm consideration of the members of this committee to this language:

And the court shall have the power to enforce such injunction by such measures and means as in the judgment of the court may be necessary.

If there ever has been an extension beyond anything which the law ever recognized this is an attempt to do it. When the gentleman from Virginia [Mr. SAUNDERS] asked the chairman of the Committee on the Judiciary what this means he said he does not know, that he himself is not individually responsible for it. It is apparent to anyone that there never should be conferred upon anyone the power to force its injunction by such measures and means as the judgment of the court might deem necessary. You are harking back to the days when a judge could say you could take a man out and cut his head off because of a violation of some technical injunction. You are conferring upon the most arbitrary man on the bench of a United States court the privilege of exerting his own will no matter how illegal, unlawful, arbitrary, and intolerant it may be. It can not be thought to mean anything in a legal sense except an absolute extension of the power of a judge to the degree which no court since the English language was invented has ever had. In the palmy days of the headsmen no court had the right to enforce an injunction by such measures and means as he might deem necessary.

Therefore, in discussing the point of order, Mr. Chairman, I contend, first, that by striking out this language it makes it in order. Then the insertion of that which was provided by the sane and calm and deliberate judgment of this Congress of the United States, which said that the power of the judiciary should not encroach upon the rights of the individual. That in labor cases and cases under the antitrust legislation, where there was an inclination even that courts were extending their own powers beyond the extent of the law, it was the deliberate judgment of this Congress that the powers of those courts should be stayed, and it provided that a man charged with a contempt by a court should be entitled upon his demand to a trial by jury. This is the modern development of all litigation, and it is the development of law, which is the science of reason and of fairness; and, therefore, Mr. Chairman, by reason of the fact that part of the amendment is in order, because it provides for a method of trial, a method of enforcing the injunction, I submit to the Chair that the entire amendment as proposed by me is in order.

The jury provision is one which is sacred to labor everywhere, and every laboring man will resent the denial to him or any other man of the right to trial by jury in an action for contempt of an injunction.

The CHAIRMAN. The Chair is ready to rule. Section 25 of the bill provides for a penalty. The amendment offered by the gentleman from Ohio [Mr. GARD] provides for a method of trial. It has been repeatedly held that where a provision in the bill provides for a penalty, it is not in order to offer an amendment simply providing for a method by which that penalty may be inflicted.

Mr. IGOE. Has the Chair considered the fact that the punishment here is for contempt, and that the amendment is for the finding of whether the defendant is guilty of that contempt or not? It is not merely a question of the sentence. The injunction is in another paragraph, and the violation of the injunction is construed here, and that is all that the amendment of the gentleman from Ohio seeks to give.

The CHAIRMAN. That would make it all the more out of order, and the Chair sustains the point of order.

Mr. SABATH. Will the Chair bear with me for a moment?

The CHAIRMAN. The Chair has ruled.

Mr. GARD. What was the ruling of the Chair?

The CHAIRMAN. The Chair sustained the point of order.

Mr. GARD. Mr. Chairman, I respectfully appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Ohio appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the decision of the committee?

The question was taken; and the Chair announced the ayes seemed to have it.

Upon a division (demanded by Mr. GARD) there were—ayes 72, noes 31.

Mr. GARD. I ask for tellers.

The CHAIRMAN. The gentleman demands tellers. Twenty-one gentlemen have arisen, a sufficient number, and tellers are ordered. The gentleman from Minnesota [Mr. VOLSTEAD] and the gentleman from Ohio [Mr. GARD] will take their places as tellers.

The committee divided; and the tellers reported—ayes 83, noes 27.

So the decision of the Chair stood as the judgment of the committee.

Mr. GARD. Mr. Chairman, I have another amendment.

The CHAIRMAN. The gentleman from Ohio offers another amendment, which the Clerk will report.

Mr. GARD. I move to strike out the semicolon in line 17 on page 24 and insert a period, and strike out the balance of the section.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. GARD: Page 24, line 17, after the word "year," strike out the semicolon, insert a period, and strike out the balance of the section.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

Mr. SAUNDERS of Virginia. Mr. Chairman, I move to amend the amendment of the gentleman from Ohio by striking out the words in line 18, "by such measures and means as in the judgment of the court may be necessary."

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment to the amendment, offered by Mr. SAUNDERS of Virginia: Page 24, line 18, after the word "injunction," strike out the remainder of the paragraph.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The amendment to the amendment was agreed to.

Mr. GARD. Mr. Chairman, I think that is a more satisfactory amendment than mine, and I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to withdraw his amendment. Is there objection? [After a pause.] The Chair hears none.

The Clerk will read.

Mr. WALSH. Mr. Chairman, where does that leave the amendment just adopted, being an amendment to the amendment that was just withdrawn?

Mr. SAUNDERS of Virginia. As I understand the situation the amendment of the gentleman from Ohio has been withdrawn. My amendment is to strike out the language beginning in line 18 and ending in line 19.

The CHAIRMAN. If there is any question as to the adoption of that amendment, the Chair will put it.

Mr. RAGSDALE. Has not the amendment been withdrawn? The gentleman from Virginia offered his amendment as an amendment to the amendment, and the amendment was withdrawn. Why should they not withdraw it all?

The CHAIRMAN. The Chair will put the question as to the amendment offered by the gentleman from Virginia as standing alone. The question is on the adoption of the amendment of the gentleman from Virginia.

The amendment was agreed to.

The Clerk read as follows:

SEC. 26. That it shall be unlawful to have or possess any liquor or property designed for the manufacture of liquor intended for use in violating this title or which has been so used, and no property rights shall exist in any such liquor or property. A search warrant may issue as provided in Title XI of public law No. 24 of the Sixty-fifth Congress, approved June 15, 1917, and such liquor and other property seized shall be subject to such disposition as the court may make thereof. If it is found that such liquor or property was so unlawfully held or possessed, or had been so unlawfully used, the liquor and all property designed for the unlawful manufacture of liquor shall be destroyed and the other property forfeited to the United States and disposed of in the manner provided for in section 27 in case of vehicles in which intoxicating liquor is being transported contrary to law. No search warrant shall issue to search any private dwelling occupied as such unless it is in part used for some business purpose such as a store, shop, saloon, restaurant, hotel, or boarding house. The property seized on any warrant shall not be taken from the officer seizing the same on any writ of replevin or other like process.

Mr. STRONG of Kansas, Mr. SAUNDERS of Virginia, Mr. BARKLEY, and Mr. VOLSTEAD rose.

The CHAIRMAN. The Chair will recognize the gentleman from Minnesota [Mr. VOLSTEAD].

Mr. VOLSTEAD. I offer to amend line 1, page 25, by, after the word "liquor," inserting "the containers thereof."

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. VOLSTEAD: Page 25, line 1, after the word "liquor" insert "the containers thereof."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

The amendment was agreed to.

Mr. MOORE of Pennsylvania. Mr. Chairman——

Mr. VOLSTEAD. Mr. Chairman, can not we agree on time, so far as this is concerned?

Mr. MOORE of Pennsylvania. Mr. Chairman, I desire to——

The CHAIRMAN. The gentleman from Minnesota has the floor.

Mr. MOORE of Pennsylvania. I want to move to strike out the paragraph.

The CHAIRMAN. A perfecting amendment will be in order, of course.

Mr. VOLSTEAD. Mr. Chairman, I want to agree as to time. I move that all debate on this section be closed in 20 minutes.

Mr. IGOE. Mr. Chairman, I make the point of order there has been no debate on the section.

Mr. BARKLEY. Mr. Chairman, I make the further point that there has been debate on the section.

The CHAIRMAN. The gentleman from Minnesota has the floor. If the gentleman yields the floor, the Chair will recognize the gentleman from Pennsylvania [Mr. MOORE].

Mr. SAUNDERS of Virginia. I have an amendment, I will say to the gentleman from Minnesota, and I would like five minutes of that time. I think the gentleman would accept the amendment, too.

Mr. BARKLEY. I have an amendment I desire to offer. I do not want over four minutes.

Mr. VOLSTEAD. Mr. Chairman, I ask unanimous consent to close debate on this section and all amendments thereto in 20 minutes.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to close debate on this section and all amendments thereto in 20 minutes.

Mr. CURRY of California. Mr. Chairman, reserving the right to object, I would like to know whether we are under general debate or under the five-minute rule?

The CHAIRMAN. The debate will be under the five-minute rule.

Mr. CURRY of California. I object.

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. Is it not the customary practice when reading a bill under the five-minute rule to have amendments and motions submitted before there is any agreement as to time of debate? What are we going to debate? I want to make a motion to strike out the paragraph. That would be debatable. Other Members may want to amend the paragraph, and that would be debatable. Before a motion or an amendment is offered, gentlemen want to make an agreement as to the limitation of time.

The CHAIRMAN. The Chair will recognize the gentleman from Pennsylvania to offer an amendment.

Mr. MOORE of Pennsylvania. I have an amendment to strike out paragraph 26.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Pennsylvania.

The Clerk read as follows:

Mr. MOORE of Pennsylvania offers an amendment to strike out all of section 26.

Mr. BARKLEY. Mr. Chairman, a moment ago the Chair held that it was not in order to move to close debate on the ground that there had been no debate on the section. I desire to call the attention of the Chair to the fact that the gentleman from Minnesota [Mr. VOLSTEAD] offered an amendment, and it was debated and agreed to. There has been debate on this section, so that the motion to close debate would have been in order, and is in order now.

Mr. WALSH. It would have been in order if there had been five minutes of debate. If the gentleman will examine the rule, he will see that that is so.

The CHAIRMAN. If the point had been made at the time, it would have been ruled on by the Chair.

Mr. MOORE of Pennsylvania. Mr. Chairman, this section has been called the "search and seizure" section of the bill. It involves the virtual or the practical confiscation of that which has heretofore been regarded as property and will be property until this bill shall have been passed. I am making the motion to strike it out in order that the issue may be joined and that those who desire to vote for the "search and seizure" clause may do so, and those who desire to vote against it may have the opportunity to vote against it.

I have no special argument to make on the subject. Every one here is familiar with the facts and with the arguments, and it seems to me unless some other gentlemen want to be heard on the question that we might as well come to a vote on it.

Mr. BLANTON. Mr. Chairman, will the gentleman yield for a question?

Mr. MOORE of Pennsylvania. Yes.

Mr. BLANTON. How does the gentleman from Pennsylvania stand on the search and seizure of gambling paraphernalia held in violation of the law?

Mr. MOORE of Pennsylvania. If such paraphernalia were held in violation of the law, I would stand for search and seizure.

Mr. BLANTON. Why should the gentleman make a distinction between gambling paraphernalia and the things forbidden to be held by this law?

Mr. MOORE of Pennsylvania. The gentleman is evidently attempting to put this law into effect before it is passed. [Laughter.] The gentleman is proceeding with undue haste. What it is proposed to seize here is property, and is property, I believe, even in the State of Texas.

Mr. BLANTON. And gambling paraphernalia used to be property in the State of Texas.

Mr. MOORE of Pennsylvania. So long as the gentleman wants to debate this question, I will say that after this law is passed it may be that security of this property will be maintained even in the State of Texas, and the Government may be put to a great expense to capture and seize property held down there in violation of law. I am merely suggesting that it might be well to secure property until the time when the law shall declare that there is no right of property.

Mr. BEE. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. BEE. I want to ask the gentleman to explain to the committee the meaning of line 13, "The property seized on any warrant shall not be taken from the officer seizing the same on any writ of replevin or other like process." Can the gentleman from Pennsylvania tell us whether in all the history of the English-speaking people in jurisprudence he ever heard of the denial of the right of replevin to the owner of property?

Mr. MOORE of Pennsylvania. I think there is a good deal in what the gentleman says.

Mr. VOLSTEAD. Does the gentleman imagine that he ought to return it if it is liquor or material used in making liquor illegally—to turn it over on a replevin?

Mr. BEE. It is more than the mere taking of a bottle of beer from somebody. It is a matter of fundamental law.

Mr. SABATH. The truth is that the gentleman from Minnesota can not see further than the particular object he may have in his mind's eye.

Mr. MOORE of Pennsylvania. The point is that there is a vast amount of property in this country that has not yet been

condemned. If this bill passes, it will be the duty of the officers to seize and destroy that property, except in certain cases. It seems to me that we might at least give the owner of that property this one chance and strike out this section from the bill.

Mr. VOLSTEAD. Mr. Chairman, I move to close debate in 15 minutes.

The motion was agreed to.

Mr. SAUNDERS of Virginia. Mr. Chairman, I move to strike out, in line 11, page 25, the words "unless it is in part" and to substitute therefor the words "except such part as may be."

Mr. MOORE of Pennsylvania. That should be offered as an amendment to the amendment, should it not? There is a motion pending to strike out the paragraph.

Mr. SAUNDERS of Virginia. I understand that, but this is a perfecting amendment.

Mr. SMALL. Let us have the amendment reported.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Virginia.

The Clerk read as follows:

Amendment by Mr. SAUNDERS of Virginia: Page 25, line 11, strike out the words "unless it is in part" and insert in lieu thereof the words "except such part as may be."

Mr. SAUNDERS of Virginia. Mr. Chairman, throughout this act we seek to preserve the sanctity of the home, and under this section a home as such can not be searched; but if a man conducts some business in his home, if for instance in a single room he chooses to run a greengrocer's business, or a tailor's shop, or some other like enterprise, then under this section the whole building can be searched. This right of search under the state of facts suggested, is clearly and plainly given. I do not think that is what many Members would care to do. I do not think that is what the committee would care to do. The effect of the words which I propose as an amendment is that if it is ascertained that a portion of the dwelling is being used contrary to the law, search may be made of that portion, but not of the other portion of the dwelling which is actually in use as a residence. The gentleman from New York [Mr. GOLDFOGLE] pointed out to-day, I think it was, very clearly and forcibly the great disparity that this would establish between the situation of the man of means, and the man of small resources in a great many homes in the large cities, where many owners of buildings are compelled to use them both for family and business purposes. The amendment I suggest is intended to prevent this disparity while at the same time giving full power to the authorities to deal with lawbreakers, and to search that portion of the building which is being used for improper and illegal purposes, in violation of the constitutional amendment and of this act.

Mr. HERSEY. Will the gentleman yield?

Mr. SAUNDERS of Virginia. I yield to the gentleman from Maine.

Mr. HERSEY. Take a case where a man has his store or his shop in one part of the building, and he has been using the shop or store part for illegally selling intoxicating liquors. He is about to be searched. He removes the liquor which he has for unlawful purposes into the dwelling house and allows the officers to search only the store or the shop. They search and find nothing. Under the gentleman's amendment they can not go back into the dwelling house and get the stuff. The officers leave the house. He moves his stock of unlawful liquor out of the private dwelling into the other part of the building and goes on doing business. It would make the law a failure.

Mr. SAUNDERS of Virginia. Not at all. I admit that the gentleman suggests a possibility, but that possibility of abuse is not to be set against the great principle that we have in mind here, namely, to preserve the home inviolate.

Mr. BLANTON. Will the gentleman yield for a question?

Mr. SAUNDERS of Virginia. Yes.

Mr. BLANTON. Take such a case as that mentioned by the gentleman from Maine. There have been many such instances, where the liquor has been kept in the house and carried through a door into the store for sale. Time and again cases have occurred where the bulk of the liquor has been kept in the house. Now, the gentleman does not want to prevent that kind of a case from being reached under this law?

Mr. SAUNDERS of Virginia. I wish to have that portion of the dwelling searched which is being illegally used—that is, that portion where the actual violation of law is in progress; but having in mind all that has been said about the sanctity of the home, I desire to see that sanctity preserved. I do not believe that the possibilities of abuse suggested by the gentleman from Texas [Mr. BLANTON] and the gentleman from Maine [Mr. HERSEY] are so great that this law will break down, by reason of the escape of a few offenders should my amendment be adopted.

Mr. BARKLEY. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. BARKLEY. Under the law at present a private dwelling may be searched for the purpose of ascertaining whether there may be counterfeit money or stolen property contained therein. That is not regarded as an invasion of the rights of the home. Now, does the gentleman think that where a man keeps liquor in his private dwelling for the purpose of selling it unlawfully his home should be entitled to any more protection than the home of the man who has stolen property or counterfeit money or other contraband property in it?

Mr. SAUNDERS of Virginia. But the gentleman suggests a case in which the home may be searched without reservation. This section undertakes to preserve the sanctity of the home in general against searches for spirits, because it expressly says that no private dwelling shall be searched. Thereby the law makes a distinction between the case of liquor in the home, and of counterfeit money in the home.

Mr. BARKLEY. I propose to offer an amendment which makes it possible to search a private dwelling if it is being used for the illegal sale of liquor.

Mr. SAUNDERS of Virginia. I think that amendment will show how far we are going, and how fast we are traveling. We are going fast and far, but there must be some stopping point, unless we propose to make this law so offensive in the eyes of the home-loving people of this country, that the authorities will be unable to enforce it.

Mr. BLANTON. We will not be dealing with honorable gentlemen, but with infamous bootleggers.

Mr. SAUNDERS of Virginia. How does the gentleman know that?

Mr. BLANTON. Because I have had experience with them for 20 years.

Mr. SAUNDERS of Virginia. You must have in mind that many of your searches will reveal liquor neither in the shop, or store, or in the home proper. You can not say in advance that every man undertaken to be searched, is an infamous bootlegger.

Mr. BARKLEY. Mr. Chairman, I have an amendment that I desire to offer.

The CHAIRMAN. There are two amendments pending, and the question is first on the amendment offered by the gentleman from Virginia [Mr. SAUNDERS] to perfect the section.

The question was taken; and on a division (demanded by Mr. SAUNDERS of Virginia) there were 64 ayes and 59 noes.

Mr. VOLSTEAD. Mr. Chairman, I ask for tellers.

Tellers were ordered; and the Chair appointed as tellers Mr. VOLSTEAD and Mr. SAUNDERS of Virginia.

The committee again divided; and the tellers reported that there were 70 ayes and 73 noes.

So the amendment was rejected.

Mr. BARKLEY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 25, line 11, after the word "such," insert the following: "unless it is being used for the unlawful sale of intoxicating liquor or."

Mr. BARKLEY. Mr. Chairman, the object of the amendment is to make it possible to issue a search warrant against a private dwelling not occupied as or connected with a store, saloon, restaurant, boarding house, or hotel, where liquor is being unlawfully sold in a dwelling house.

Under the language of the bill as it is framed a man may sell any quantity of liquor in his dwelling house and yet, unless it is attached to or connected with a store, saloon, restaurant, boarding house, or hotel, you can not search it. You can not get a search warrant against it. Under the law at present if a man has stolen property in a dwelling house you have a right to a search warrant, or if he has counterfeit money or gambling paraphernalia you can search the dwelling and it is not regarded as an invasion of the sanctity of the home. I do not see why, if a man is deliberately using a dwelling house for the unlawful sale of intoxicating liquors, there is any question of the invasion of the sanctity of a home in making the search.

Mr. ELSTON. Will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. ELSTON. The search warrant may be directed against more than intoxicating liquors; it may be directed against innocent property.

Mr. BARKLEY. No; it can not.

Mr. ELSTON. I understand nothing is said, but the search warrant is directed against any property designed to manufacture liquor, and that may be innocent property.

Mr. BARKLEY. No; there is no danger of innocent property suffering. The thing I am trying to do is, if some bootlegger stores liquor in his dwelling house and uses it not only for a dwelling but a place where you may go and purchase liquor, hav-

ing violated the sanctity of his own home, that we may have some law to search it. [Applause.] He has no right to plead the sanctity of his home against the law if he has no regard for its sanctity himself.

Mr. ELSTON. If the man——

Mr. BARKLEY. I can not yield further.

Mr. ELSTON. Well, I will take the opportunity to look into it, because I think it ought to be explained.

Mr. BARKLEY. If the gentleman will make his question brief, I will yield.

Mr. ELSTON. Line 21, page 24, provides that a search warrant can be directed to any property designed for the manufacture of liquor. Suppose there should be a box of grapes or a box of apples or several boxes of apples——

Mr. BARKLEY. Boxes of apples and grapes may not be said to be "designed" for the manufacture of liquor.

Mr. ELSTON. That is property and can come under this definition.

Mr. BARKLEY. If a man had a distillery or a barroom or a case of whisky or a dozen cases of whisky, that would be property coming under the terms of the search warrant. It certainly seems to me that we ought not to lose our heads over the sanctity of the dwelling house, where you can search them for any other violations of the law, and yet not provide a warrant where a dwelling house is to be used and where men resort for the unlawful sale and purchase of liquor. I hope this amendment will be adopted.

Mr. VOLSTEAD. Mr. Chairman, this question of a search warrant has been used as a bugaboo in the discussion of this bill. Everybody has held up their hands in holy horror because of this provision. Nobody appears to have even taken the pains to read it or give any reason for their views. If you take this bill and read it you will find that it provides the most innocuous remedy that ever was submitted under the name of a search warrant. The only thing that can be taken is the liquor and the instrumentalities for making the liquor. You can not do anything else, except that I have offered an amendment that permits you to take containers—the bottles and barrels—in which the liquor is contained. You can not take anything else under this proposed writ. This writ is issued under the strictest regulations that you can imagine. The power to issue this writ is under the espionage act. We purposely took out of the search-warrant provision of that act, except as against persons who might be disloyal, every tooth that we could, because we were opposed to the granting of any broad general power to search anybody, except they were disloyal. If anybody gets a warrant not in good faith, he is subject to severe punishment. If the officer executing it exceeds the power given in the warrant, he can also be punished. In every way it is sought to be guarded. No justice of the peace can issue it. No one but a court of record or a United States commissioner can grant one.

In every State I believe you can get a search warrant from a justice of the peace, and can get it by simply swearing to a complaint. You can not get anything of that kind under this bill. You have got to go before a court and subject yourself to an examination before a judge or the commissioner will give you a search warrant.

Mr. SAUNDERS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. There are any number of statutes that allow you to search without a warrant at all in case of liquor law violations.

Mr. SAUNDERS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. SAUNDERS of Virginia. I understood the gentleman to say that only the property that was used in connection with the whisky would be taken.

Mr. VOLSTEAD. Only the whisky or the liquor, and their containers, and property designed for the manufacture of liquor unlawfully.

Mr. SAUNDERS of Virginia. But the entire balance of that property is forfeited under this section.

Mr. VOLSTEAD. Oh, no.

Mr. SAUNDERS of Virginia. That is what it says.

Mr. VOLSTEAD. There is no other property that you can take.

Mr. SAUNDERS of Virginia. It says:

The liquor and all property designed for the unlawful manufacture of liquor shall be destroyed.

That covers everything in relation to the manufacture of liquor, the container of the liquor, and the other property shall be forfeited to the United States.

Mr. VOLSTEAD. The trouble with that is that no other property is authorized to be taken. The reason why the language referred to is in the bill is because there was a provision in the first part of it authorizing other property to be taken; that has been cut out, and as the bill now reads you have no power to take any property except liquor or property designed for the manufacture of liquor.

The CHAIRMAN. The time of the gentleman from Minnesota has expired. All time has expired.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The time for debate was limited on this section and all amendments thereto, and that time has expired.

Mr. BLANTON. It is not in order to move to strike out the last word?

The CHAIRMAN. Not when the time has been fixed by the committee.

Mr. BLANTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. Is it in order to move to strike out the paragraph?

The CHAIRMAN. A motion to strike out the section is already pending. A motion to perfect it is first in order.

Mr. BLANTON. Is it in order to strike it out at this time?

The CHAIRMAN. The Chair has already stated that there is a motion now pending to strike out the section, and that amendment is no longer debatable. Debate upon this section and all amendments thereto has been exhausted by order of the committee.

Mr. SABATH. Mr. Chairman, I ask unanimous consent that the gentleman from Texas may proceed for 10 minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Texas may proceed for 10 minutes. Is there objection?

Mr. KINCHELOE. I object.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that I may proceed for two minutes.

The CHAIRMAN. The gentleman asks unanimous consent to proceed for two minutes. Is there objection?

Mr. KINCHELOE and other Members. I object.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. BARKLEY].

The question was taken, and the Chair said he was in doubt.

The committee divided and there were—ayes 71, noes 51.

So the amendment was agreed to.

Mr. CRAGO. Tellers!

Mr. BEE. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BEE: Page 25, line 13, strike out all of line 13 after the word "house" and all of lines 14 and 15.

The question was taken, and the amendment was rejected.

Mr. SAUNDERS of Virginia. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. SAUNDERS of Virginia. For the purpose of offering an amendment. And that is, beginning in line 6, after the word "destroyed," my amendment is to put a period after the word "destroyed" and then the language "and the other property forfeited to the United States and disposed of in the manner provided for in section 27 in case of vehicles in which intoxicating liquor is being transported contrary to law," I move to strike out because if it stays in it forfeits the whole dwelling house, there is no question about that.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SAUNDERS: Page 25, line 6, after the word "destroyed," insert a period and strike out the balance of the sentence down to and including the word "law."

Mr. SAUNDERS of Virginia. Mr. Speaker, that amendment is accepted by the chairman of the committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The question was taken, and the amendment was agreed to.

Mr. STRONG of Kansas. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. STRONG of Kansas: Section 26, page 25, line 11, after the word "unless," insert "the owner or occupant thereof has been convicted of selling intoxicating liquors or," so that the sentence will read, "No search warrant shall issue to search any private dwelling occupied as such, unless the owner or occupant thereof has been guilty of selling intoxicating liquor or it is in part used for some business purpose, such as store, shop, saloon, restaurant, hotel, or boarding house."

Mr. BLANTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. What becomes of the Barkley amendment if this is adopted? The Barkley amendment was inserted after the word "unless."

The CHAIRMAN. The Chair will state that is not a parliamentary inquiry.

Mr. IGOE. Mr. Chairman——

Mr. STRONG of Kansas. Mr. Chairman, I ask to withdraw my amendment, in view of the fact that the Barkley amendment was adopted.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to withdraw his amendment. Is there objection?

Mr. SABATH. Mr. Chairman, I object.

The CHAIRMAN. The gentleman objects. The question is on the amendment offered by the gentleman from Kansas.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Pennsylvania [Mr. MOORE] to strike out the section.

The question was taken, and the amendment was rejected.

Mr. SAUNDERS of Virginia. Mr. Chairman, I wish to offer as a separate section, to be headed "Section 26½," the following.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SAUNDERS of Virginia: Add, at the end of section 26——

Mr. SAUNDERS of Virginia. No, the amendment is offered as a separate section, 26½.

The Clerk read as follows:

Insert a new section:

"SEC. 26½. Any State officer having power to make arrests for violating the laws of the United States under section 1014 of the Revised Statutes of the United States shall have power to issue search warrants under the power granted in title 2 mentioned herein."

Mr. SAUNDERS of Virginia. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. SAUNDERS of Virginia. I wish to discuss this.

The CHAIRMAN. Debate upon this section was fixed at 15 minutes.

Mr. SAUNDERS of Virginia. But this is a new section.

The CHAIRMAN. It is offered as an amendment.

Mr. SAUNDERS of Virginia. No; it is not offered as an amendment, it is offered as a new section.

The CHAIRMAN. Then it is not in order at all, it must be offered as an amendment to the bill.

Mr. SAUNDERS of Virginia. It is perfectly competent to offer an amendment to the bill in the shape of a new section, if it is germane to the bill.

The CHAIRMAN. But it can not be offered——

Mr. SAUNDERS of Virginia. It is an amendment to the bill as a whole.

The CHAIRMAN. Debate has been closed on section 26; and the Chair has already held in a previous ruling that an amendment offered as a new section was an amendment to the previous section, and where debate has been exhausted upon that section debate was also exhausted on the amendment offered as a new section.

Mr. SAUNDERS of Virginia. I do not desire to challenge the ruling of the Chair; but is this the ruling of the Chair, that a Member can not offer an independent section to the bill?

The CHAIRMAN. That is not the ruling. It can be offered as an amendment to the section that has been read.

Mr. SAUNDERS of Virginia. I am not offering it as an amendment but as an independent section. Is it the ruling of the Chair that I can not offer it as an independent section to the bill?

The CHAIRMAN. That is not the ruling of the Chair. When the debate has been closed on the section it can not be again opened by offering an amendment as a new section.

Mr. SAUNDERS of Virginia. If debate is closed on a section and all amendments thereto, that action does not apply any further than the limits of the motion to close debate and is applicable only to the section and amendments thereto.

The CHAIRMAN. Even though it is a new section——

Mr. SAUNDERS of Virginia. Suppose I had waited until the end of the bill, and offered this matter then, would it be argued that it would relate back to some previous section of the bill on which debate had been closed, and on that ground would be held to be not debatable?

The CHAIRMAN. The Chair will recognize the gentleman to offer the section at the end of section 20, which is the last section.

Mr. SAUNDERS of Virginia. I will do that. But it seems to me an independent section——

The CHAIRMAN. The question is on the amendment of the gentleman from Virginia.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 27. That when the commissioner, his assistants, inspectors, or any officer of the law shall discover any person in the act of transporting, in violation of the law, intoxicating liquors in any wagon, buggy, automobile, water or air craft, or other vehicle, it shall be his duty to seize any and all intoxicating liquors found therein being transported contrary to law. Whenever intoxicating liquors transported or possessed illegally shall be seized by an officer he shall take possession of the vehicle and team or automobile, boat, air or water craft, or any other conveyance, and shall arrest any person in charge thereof. Such officers shall at once proceed against the person arrested under the provisions of this title in any court having competent jurisdiction. The court upon conviction shall order the liquor destroyed, and unless good cause to the contrary is shown by the owner, such as ignorance of the purpose for which his team, vehicle, water or air craft, or automobile was being used, order a sale by public auction of the property seized, and the officer making the sale, after deducting the expenses of keeping the property, the fee for the seizure, and the cost of the sale, shall pay the proceeds into the Treasury of the United States as miscellaneous receipts. If, however, no one shall be found claiming the team, vehicle, water or air craft, or automobile, the taking of the same shall be advertised in some newspaper published in the city or county, or if there be no newspaper published in such city or county, in a newspaper having circulation in the county, once a week for two weeks and by handbills posted in three public places near the place of seizure, and if no claimant shall appear within 10 days after the last publication of the advertisement, the property shall be sold and the proceeds after deducting the expenses and costs and advertising shall be paid into the Treasury of the United States as miscellaneous receipts.

Mr. VENABLE and Mr. LANKFORD rose.

The CHAIRMAN. The gentleman from Georgia [Mr. LANKFORD] is recognized.

Mr. LANKFORD. Mr. Chairman, I have an amendment.

The CHAIRMAN. The gentleman from Georgia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LANKFORD, of Georgia: Page 26, line 11, after the word "pay," insert "all liens, according to their priorities, which are established by intervention or otherwise at said hearing or in other proceeding brought for said purpose as being bona fide and as having been created without the lien or having any notice that the carrying vehicle was being used or was to be used for illegal transportation of liquor, and shall pay the balance of."

And, on page 26, line 13, after the sentence ending with the word "receipts," insert the following: "It being provided that all liens against property sold under the provisions of this section shall be transferred from the property to the proceeds of the sale of the property."

Mr. LANKFORD. Mr. Chairman and gentleman of the committee, it will be observed that the pending national prohibition act provides that—

Whenever intoxicating liquors, transported or possessed illegally, shall be seized by an officer, he shall take possession of the vehicle and team or automobile, boat, air or water craft, or any other conveyance, and shall arrest any person in charge thereof.

The bill further provides that—

The court upon conviction shall order the liquor destroyed, and unless good cause to the contrary is shown by the owner, such as ignorance of the purpose for which his team, vehicle, water or air craft, or automobile was being used, order a sale by public auction of the property seized, and the officer making the sale, after deducting the expenses of keeping the property, the fee for the seizure, and the cost of the sale, shall pay the proceeds into the Treasury of the United States as miscellaneous receipts.

It will be readily seen that there is no provision for the payment of a bona fide lien, held by an innocent person, on the team, automobile, or other conveyance which is to be confiscated.

This is not right, and should be remedied.

My amendment seeks to perfect the bill in this particular by providing that in case of sale, after payment of all legitimate cost, the officer shall pay "all liens, according to their priorities, which are established, by intervention or otherwise, at said hearing or in other proceeding brought for said purpose, as being bona fide and as having been created without the lienee having any notice that the carrying vehicle was being used or was to be used for illegal transportation of liquor, and shall pay the balance of "the proceeds into the Treasury of the United States as miscellaneous receipts."

"It being provided that all liens against property sold under the provisions of this section shall be transferred from the property to the proceeds of the sale of the property."

It seems to me all must agree to the amendment. Why should an innocent party who holds a retention of title, mortgage, or other lien to property thus sold lose his rights and not receive the money to which he is justly entitled?

It may be that a lienee can not be deprived of his lien unless he is a party to the proceeding by which the property is confiscated. Even if this is true, then would the lien follow the property into the hands of the purchaser or must the lienee assert his rights against the proceeds in hands of the officer? If my amendment is not adopted, what will be the rights of a mortgagee or other lienee under the section of the bill just read?

Will he have any rights? How, when, and where can he assert them?

The rights of third and probably innocent parties will intervene. Endless and expensive litigation will arise.

The innocent holder of the mortgage or other lien on the property sold will either under the law lose absolutely his just claim or will be forced to spend a large part or all of it in useless expense and litigation.

Why not adopt my amendment and make clear, definite, and certain the rights of the lienee, the purchaser, and all concerned?

Why pass the bill in such form as to cause endless confusion and expense?

Mr. JUUL. Will the gentleman yield?

Mr. SABATH. Will the gentleman yield?

Mr. LANKFORD. Yes, sir.

Mr. SABATH. Does the gentleman believe there would be anything left when some of these gentlemen in Texas or in Kentucky or in Minnesota or in Iowa, in whom they had no confidence, would get through with selling and disposing of their property? Will there be anything left for the Government to secure?

Mr. LANKFORD. I do not know about that. My provision is to pay the liens that are bona fide which exist against the property.

Now, gentlemen of the committee, there is serious doubt about the proposition, whether or not these liens will be protected. It seems to me that the man who has a retention of title to personal property or who has a mortgage against personal property which is bona fide and which was obtained by him without any knowledge that the property was to be used for the illegal transportation of liquor should be protected.

Mr. VENABLE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Georgia yield to the gentleman from Mississippi?

Mr. LANKFORD. Yes.

Mr. VENABLE. Your purpose, I understand, is to save the rights of the lienee?

Mr. LANKFORD. Yes.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. VENABLE. Mr. Chairman, I have an amendment which I wish to offer.

Mr. LANKFORD. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to proceed for two minutes more. Is there objection?

There was no objection.

Mr. VENABLE. Will the gentleman again yield?

Mr. LANKFORD. Yes.

Mr. VENABLE. Of course, if the Government seizes this property and sells it, the person who buys it must take the property subject to any valid lien?

Mr. LANKFORD. He may or may not.

Mr. VENABLE. That is the law. Of course, the Government can not divest the lienee of any of his property. All that could be sold would be the interest of the man in the machine, and it would have no power to divest anybody else of its property, and whoever bought it at the sale would take it subject to any liens that were against the property. Otherwise, of course, you would be taking a man's property from him without due process of law.

Mr. LANKFORD. That is probably true. I had a case like that in Georgia, under the Georgia law, which is practically the same kind of law as proposed by this measure, and there are authorities which go to the extent of holding that the property is confiscated, and that the lien does not follow the property. But I think the gentleman's contention is probably true. But why not make it clear? Why not clear up all doubt about it? Why not fix it so that a man who buys the property will know that he gets the property clear of all lien and that his rights will be protected? Why not make definite the rights of the Government, the lienee, the lienor, the purchaser, and all concerned?

Mr. VENABLE. Suppose the lien was not due?

Mr. LANKFORD. If it were not due, it could be paid just the same out of the proceeds. I apprehend no creditor will refuse to accept his money under such circumstances.

Mr. VENABLE. It is only due at a certain time. The man who loaned the money has the right to his debt.

Mr. LANKFORD. That is correct; but when a creditor is liable to lose his entire claim, ordinarily he will accept payment, even before maturity.

In my section of Georgia, and, in fact, all over the country, hundreds of mules, horses, automobiles, and other carrying vehicles are sold either wholly or partly on a credit. Mortgages are taken by the people selling the property. These mortgages are handled by the banks, and thus a credit system is carried on to the benefit of all concerned.

I am anxious for these rights, whether retention of title, mortgage, or other lien, to be protected in case of sale of team, wagon, automobile, or other carrying vehicle. I want, and I believe we all want, the bona fide holder of a lien paid in full.

I want to protect the man who sells on a credit, so he will keep on selling on a credit, so that those who buy on a credit can continue to buy on a credit if necessary. If we make the man who sells mules, horses, or automobiles afraid to sell on a credit, we injure every man who desires to purchase those things on a credit.

By so doing we would injure a mighty multitude. I want to help the man, woman, or child who needs help. I want to help our credit system. It means bread and meat to so many folks.

Be a man ever so honest, he may become involved in litigation and lose, even though he is right. A lien on the most honest would not be absolutely safe if my amendment is lost. It certainly would not be safe in the ordinary daily transactions of business.

If we adopt my amendment, we will make certain and definite the rights of the lienee, purchaser, and all concerned.

My amendment is for the purpose of perfecting the bill, and I certainly hope it will be adopted.

Mr. GARD. Mr. Chairman, I desire to be heard on this matter.

Mr. VOLSTEAD. Mr. Chairman, I desire to arrange so that we can finish this section, and then I shall move to rise. I do not think there is much dispute in regard to it. I am willing to accept the amendment that has been offered. I think it is a proper amendment, so far as I can figure out at present. Can we arrange some understanding as to when the debate can be closed? Will 10 minutes be enough?

Mr. VENABLE. I wish five minutes on an amendment which I wish to offer.

Mr. SANDERS of Indiana. And I wish five minutes on an amendment which I wish to offer.

Mr. GARD. I wish five minutes in which to express myself.

Mr. VOLSTEAD. Suppose we make it 15 minutes?

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the debate on this paragraph and all amendments thereto close in 15 minutes. Is there objection?

Mr. BAER. Reserving the right to object, has not any one the right to speak in opposition to these amendments?

The CHAIRMAN. If he has the floor.

Mr. BAER. We do not know what these amendments are.

Mr. VOLSTEAD. I move, Mr. Chairman, that all debate on this paragraph and all amendments thereto close in 15 minutes.

The CHAIRMAN. The gentleman from Minnesota moves that all debate on this paragraph and all amendments thereto close in 15 minutes. The question is on agreeing to that motion.

The motion was agreed to.

The CHAIRMAN. The gentleman from Ohio [Mr. GARD] is recognized for five minutes.

Mr. SEARS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SEARS. What became of the motion of the gentleman from Georgia [Mr. LANKFORD]?

The CHAIRMAN. It is pending.

Mr. GARD. Mr. Chairman, I desire to say, first, that I think the amendment offered by the gentleman from Georgia [Mr. LANKFORD] is the most lucid amendment and expressed in the best legal phrasing of any amendment offered during the consideration of this bill. [Applause.] It should be adopted because it stands for justice, and stands for the right of a man having an honest interest in property to assert that lien in a court of competent jurisdiction wherever such property may be.

I rise to present a further amendment, in the following language:

On page 26, after the word "same," in line 15, insert the words "giving full description thereof."

The case which we have under this section as presented to us now is that if no one shall be found claiming the team, vehicle, and so forth, the taking of the same shall be advertised in some paper—merely the bare taking of the same shall be advertised, the fact that somebody has taken a team or a vehicle or a water craft or an aircraft. Now, that expresses

nothing. If you advertise any property for sale in any court in the United States, whether it is real estate or personal property, before you can sell it you have to state what the property is and why it is being sold. You can not say, in any place I ever heard of, that "a team belonging to John Smith has been found and we offer it for sale." Under this provision no evidence is given to the public, to those who may read a newspaper or those who may read handbills, as to what the property is, what it consists of, nothing at all about it, merely the bare advertisement of it having been seized. Now, this is not informative. It does not operate at all for the benefit of the man whose property is taken. It serves no right. It simply is a previous means of confiscation; because if we go so far as to make the bare advertisement of the seizure possible, without any description, then possibly the owner may never identify it. He may never have the means of recovering it. Such proceedings may be had that it will be sold to some one connected with the proceedings for a ridiculously low sum, and every possible idea of justice may be defeated.

Mr. BEE. May I suggest that even the name of the owner may not be given. It may be some person unknown. Then, the property should be described, and probably the owner may come and find it.

Mr. GARD. Oh, there is no reason why this amendment should not be adopted, and why there should not be a full description of the property.

Mr. VOLSTEAD. Will the gentleman accept a substitute for his amendment, "giving a description thereof" instead of giving an accurate description?

Mr. GARD. I said "giving full description thereof."

Mr. VOLSTEAD. This being a statutory proceeding, unless a very full description was given it might render the sale void. A fair description of it is all that we ought to require. The word "full" might be construed to require a description that would render the sale void.

Mr. GARD. If the gentleman, in the consideration of this bill, is afraid of the word "full," I will accept the word "fair." I will ask to modify my amendment by inserting the word "fair" instead of the word "full."

The CHAIRMAN. The gentleman asks unanimous consent to modify his amendment as stated by him. Is there objection?

There was no objection.

Mr. VENABLE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VENABLE: Page 26, line 4, after the word "jurisdiction," insert "but the said vehicle or conveyance shall be returned to the owner upon execution by him of a good and valid bond, with two or more sureties in a sum double the value of the property, which said bond shall be approved by said officer and conditioned to return said property to the custody of said officer on the day of trial, to abide the judgment of the court."

Mr. VENABLE. Gentlemen of the committee, this section of the bill gives an imperative command to the sheriff or officer to seize any conveyance in which liquor is transported or sold or in which a use of it is made contrary to law. I hope it will be amended. As it now reads a sheriff would be under the imperative duty to seize a transcontinental train, or a ship just sailing for Europe with a cargo worth millions of dollars and with thousands of passengers, and hold it until it was disposed or by the court; and there is no provision in the section by which the owner of the property may give a bond and get the property released. I hope an amendment will be offered and adopted exempting common carriers or public carriers from the provision, and I urge the adoption of this amendment for the convenience of those men whose vehicles are taken who happen to be innocent. We will some day get some men into court who are not guilty. Sometimes men's vehicles will be seized who are, as a matter of fact, innocent. As this provision now is, the sheriff must take the conveyance and must hold it until an adjudication is had upon that question. Now, if it be a correct fundamental legal proposition that the citizen must be treated as innocent until he is proved guilty, then the processes of the law preliminary to his conviction should be made as little onerous as possible.

Now, this amendment provides that when a vehicle is seized by the sheriff the owner may, by giving a bond, regain possession of his vehicle and use it pending the time of the institution of the proceeding and adjudication as to whether he is found guilty or not, conditioned that at the trial he shall have the vehicle there to abide the judgment of the court in the event he is guilty.

I believe it is sound to treat the citizen as innocent until he is proved guilty. This takes care of the vehicle and has it forthcoming at the trial. This gives the law the process in the event he is guilty and at the same time permits the innocent man to use his vehicle and not be inconvenienced pending the time he is adjudicated not guilty.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. VENABLE. Yes.

Mr. HUMPHREYS. The gentleman says he thinks the citizen should be treated as innocent until proved guilty. Under this section he is presumed to be guilty and the burden is on him to show good cause to the contrary. That is the presumption.

Mr. VENABLE. All of which I do not approve.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREYS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Without objection, the request will be granted.

There was no objection.

Mr. SANDERS of Indiana. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 25, line 23, after the last word "shall," strike out the language beginning with the word "take" to and including, on page 26, line 1, the word "shall"; also on page 26, line 5, after the word "destroy" strike out the remainder of the section and insert in lieu thereof the following: "and punish the person or persons so violating the law as provided therein."

Mr. SANDERS of Indiana. Mr. Chairman, the section as I propose to amend it will provide merely for the punishment of the defendant who is found transporting the liquor in violation of the law.

I think this section as it is drawn is most unwise. I think it proceeds upon an entirely erroneous theory. This is a criminal law which purports to punish men who commit crime. We have a definite procedure in this country of ours for the punishment of persons who commit crime. We punish them by fine; we punish them by imprisonment; we punish them by destroying property of an illegal nature, like liquor and counterfeit goods. Think of the extreme to which this law goes! A man's chauffeur, driving an automobile worth $4,000, carries a quart of liquor across the line to sell it. The owner may be perfectly innocent; he may be a man of the highest morality. That chauffeur is arrested. The officer has no discretion in the matter; he must take charge of that automobile and sell it, put the money in the Treasury of the United States, unless the owner of that vehicle, without any notice provided in the statute to the owner, unless that owner shall by some procedure not defined in this law appear before that tribunal and prove that he is innocent of the crime. There may be three or four owners and only one owner may have knowledge of the crime. The other three joint owners may have no knowledge of the crime committed. Yet because one owner has the knowledge the whole machine must be sold. The automobile is merely illustrative. It may be a steamship worth $100,000. It may be aircraft worth $20,000. It may have mortgages and liens upon it. These amendments propose to take care of that feature, but I do not think they do that very well. The owner of this property is adjudged, before you start in, as being guilty. The provision is that they shall arrest any person in charge of it, and they shall take charge of any automobile, boat, air or water craft, or any other conveyance.

Mr. VOLSTEAD. Vehicle.

Mr. SANDERS of Indiana. It says "conveyance." Was that changed to "vehicle" by amendment?

The CHAIRMAN. The time of the gentleman from Indiana has expired. All time has expired on this section and all amendments thereto. The question recurs on the amendment offered by the gentleman from Georgia [Mr. LANKFORD].

Mr. VOLSTEAD. Mr. Chairman, I have an amendment that I desire to offer to the amendment of the gentleman from Ohio [Mr. GARD].

The CHAIRMAN. The question first recurs on the amendment offered by the gentleman from Georgia [Mr. LANKFORD].

Mr. SABATH. Mr. Chairman, may we have that amendment reported again?

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection, and the Clerk again reported the Lankford amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Mississippi [Mr. VENABLE], which without objection the Clerk will report.

There was no objection, and the Clerk again reported the Venable amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. DAVIS of Tennessee rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. DAVIS of Tennessee. Mr. Chairman, I rise to offer an amendment to the amendment, to insert after the word "property" the words "in substantially as good condition as it was when replevined."

The CHAIRMAN. The Clerk will report the amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Tennessee to the amendment offered by the gentleman from Mississippi [Mr. VENABLE]: After the word "property" insert "in substantially as good condition as when replevined."

The CHAIRMAN. The question is on agreeing to the amendment to the amendment.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 31, noes 36.

Mr. BLANTON. Mr. Chairman, I demand tellers.

The CHAIRMAN. The gentleman from Texas demands tellers. As many as are in favor of ordering tellers will rise and stand until counted. [After counting.] Three Members have risen, not a sufficient number, and tellers are refused.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question now is on agreeing to the amendment offered by the gentleman from Mississippi [Mr. VENABLE].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Indiana [Mr. SANDERS].

Mr. GARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GARD. The amendment that I offered is not disposed of as yet.

The CHAIRMAN. It comes after the Sanders amendment. The question is on agreeing to the amendment offered by the gentleman from Indiana.

The amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Ohio [Mr. GARD], which has not yet been reported. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 26, line 15, after the word "same" insert the words "giving fair description thereof."

Mr. VOLSTEAD. Mr. Chairman, I move to amend the amendment by striking out the word "fair" and inserting the word "a."

The CHAIRMAN. The Clerk will report the amendment to the amendment offered by the gentleman from Minnesota [Mr. VOLSTEAD].

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD to the amendment offered by Mr. GARD: Strike out the word "fair" and insert "a."

Mr. GARD. Mr. Chairman——

The CHAIRMAN. The time is exhausted on this amendment.

Mr. GARD. I want to say the gentleman suggested fair——

The CHAIRMAN. Debate is closed. The question is on the amendment to the amendment.

The question was taken; and the Chair announced the ayes seemed to have it.

On a division (demanded by Mr. GARD) there were—ayes 56, noes 41.

So the amendment to the amendment was agreed to.

Mr. GARD. Mr. Chairman, I ask for tellers. It was once agreed to by the chairman of the Committee on the Judiciary.

Tellers were ordered.

The committee again divided; and there were—ayes 57, noes 41.

So the amendment to the amendment was agreed to.

The CHAIRMAN. The question recurs on the amendment of the gentleman from Ohio as amended by the amendment of the gentleman from Minnesota.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The gentleman from Iowa [Mr. BOIES] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BOIES: Page 26, line 19, strike out the word "handbills" and insert in lieu thereof the word "notices."

The question was taken, and the amendment was agreed to.

Mr. GARD. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Ohio rise?

Mr. GARD. I desire to inquire how long the chairman of the committee is going to keep us here.

Mr. VOLSTEAD. Let us read this section; it is a short section.

Mr. GARD. I thought the gentleman said a moment ago he would stop when we finished this section.

The Clerk read as follows:

SEC. 28. That in all cases in which intoxicating liquors may be subject to be destroyed under the provisions of this act the court shall have jurisdiction upon the application of the United States attorney to order them delivered to any department or agency of the United States Government for medicinal, mechanical, or scientific uses, or to order the same sold at private sale for such purposes to any person having a permit to purchase liquor, the proceeds to be covered into the Treasury of the United States to the credit of miscellaneous receipts, and all liquor heretofore seized in any suit or proceeding may likewise be so disposed of.

Mr. VOLSTEAD. Mr. Chairman, I move that the committee do now rise. [Applause.]

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GOOD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 6810, and had come to no resolution thereon.

LEAVE OF ABSENCE.

Mr. KETTNER (on request of Mr. OSBORNE) was granted leave of absence, being called away on Government business.

ORDER OF BUSINESS ON MONDAY.

Mr. WALSH. Mr. Speaker, I would like to ask the gentleman from Wyoming if we are going on with the Unanimous Consent Calendar on Monday, or is this bill to be in order?

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, this bill will be in order on Monday; at least, it will be taken up on Monday. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 30 minutes p. m.) the House adjourned to meet on Monday, July 21, 1919, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SELLS, from the Committee on Pensions, to which was referred the bill (H. R. 2) to pension soldiers of the War with Spain, the Philippine insurrection, and the China relief expedition, reported the same without amendment, accompanied by a report (No. 132), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GOOD, from the Committee on Appropriations, to which was referred House joint resolution (H. J. Res. 147) to ratify and confirm from and including July 1, 1919, obligations incurred pursuant to the terms of certain appropriations for the fiscal year 1920, reported the same without amendment, accompanied by a report (No. 133), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. PLATT, from the Committee on Banking and Currency, to which was referred the bill (S. 2395) amending section 25 of the act approved December 23, 1913, known as the Federal reserve act, as amended by the act approved September 7, 1916, reported the same with amendment, accompanied by a report (No. 134), which said bill and report were referred to the House Calendar.

Mr. SCOTT, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 7500) to protect the coastwise trade of the United States, and for other purposes, reported the same with amendment, accompanied by a report (No. 135), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 704) granting a pension to Jennie C. Rogers; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 711) granting a pension to Joseph Bauer; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 1975) granting a pension to Ida Weil; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3820) granting a pension to Abigail Butts; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5769) granting an increase of pension to Walter E. Richards; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6315) granting an increase of pension to Hannah Hasson; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7210) granting an increase of pension to Mary Plummer Hill; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7224) granting a pension to Benjamin Ratliff; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7315) granting an increase of pension to Alice L. Collins; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. TOWNER: A bill (H. R. 7576) authorizing the Secretary of War to donate to each of the cities and towns of Sidney, Hamburg, Creston, Shenandoah, Clarinda, Bedford, Corning, Afton, Garden Grove, Osceola, Chariton, Corydon, Seymour, Centerville, Mount Ayr, Lamoni, and Leon, all in the State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. OLDFIELD: A bill (H. R. 7583) donating a captured German cannon or field gun and carriage to the city of Heber Springs, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7584) donating a captured German cannon or field gun and carriage to the city of Newport, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7585) donating a captured German cannon or field gun and carriage to the city of Batesville, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7586) donating a captured German cannon or field gun and carriage to the city of Melbourne, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7587) donating a captured German cannon or field gun and carriage to the city of Searcy, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7588) donating a captured German cannon or field gun and carriage to the city of Mammoth Spring, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

By Mr. BRAND: A bill (H. R. 7589) authorizing the Secretary of the Treasury to ship currency, for the purpose of exchange, to or from any bank or banking institution in the United States making request therefor at the expense of the Government; to the Committee on Banking and Currency.

By Mr. ROMJUE: A bill (H. R. 7590) authorizing the acquisition of a site for a public building at Palmyra, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. FRENCH: A bill (H. R. 7591) to authorize advances to the reclamation fund and for the issue and disposal of certificates of indebtedness in reimbursement therefor, and for other purposes; to the Committee on Appropriations.

By Mr. HUDSPETH: A bill (H. R. 7592) authorizing and providing for the disinterring of the bodies of American soldiers buried in foreign soil and bringing the same back to this country to be buried in places designated by surviving relatives, and appropriating money therefor; to the Committee on Appropriations.

By Mr. IGOE: A bill (H. R. 7593) to provide for the enforcement of the eighteenth amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. KAHN: A bill (H. R. 7594) relating to the creation of the office of general of the armies of the United States; to the Committee on Military Affairs.

Also, a bill (H. R. 7595) relating to the creation of the office of general of the armies of the United States; to the Committee on Military Affairs.

Also, a bill (H. R. 7596) relating to the disposition of obsolete ordnance, etc., and authorizing the Secretary of War to give to or exchange with foreign Governments ordnance, etc., whether of new design or obsolete; to the Committee on Military Affairs.

By Mr. NOLAN: A bill (H. R. 7597) to encourage home ownership and to stimulate the buying and building of homes; to create a standard form of investment based on building-association mortgages; to create Government depositories and financial agents for the United States; to furnish a market for Government bonds, and for other purposes; to the Committee on Banking and Currency.

By Mr. FERRIS: A bill (H. R. 7598) to provide for the forfeiture of rights of way granted to railway companies across Indian lands; to the Committee on Indian Affairs.

By Mr. HUDDLESTON: Resolution (H. Res. 183) to appoint a committee to ascertain causes for decrease of coal production, increased coal prices, combinations affecting coal, and other matters relating to the production and sale of coal; to the Committee on Rules.

By Mr. HASKELL: Resolution (H. Res. 184) providing for certain employees and the payment of the expenses of the Committee on Expenditures in the Navy Department; to the Committee on Accounts.

By Mr. BLANTON: Resolution (H. Res. 185) requesting the Secretary of Labor to report to the House of Representatives certain information regarding John B. Densmore; to the Committee on Labor.

By Mr. MADDEN: Joint resolution (H. J. Res. 151) to provide additional compensation for employees of the Postal Service where extraordinary and unusual conditions prevail; to the Committee on the Post Office and Post Roads.

By Mr. BRITTEN: Joint resolution (H. J. Res. 152) favoring a conference of capital and labor; to the Committee on Labor.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Missouri: A bill (H. R. 7599) granting an increase of pension to John C. MacGregor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7600) granting an increase of pension to Edward A. Headley; to the Committee on Pensions.

Also, a bill (H. R. 7601) granting an increase of pension to Reuben T. Berry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7602) granting an increase of pension to Ella R. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7603) granting a pension to William D. Craft; to the Committee on Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 7604) granting an increase of pension to Thomas J. Reynolds; to the Committee on Pensions.

By Mr. BRINSON: A bill (H. R. 7605) for the relief of John Boone; to the Committee on Claims.

Also, a bill (H. R. 7606) for the relief of Diloa White Munford; to the Committee on Claims.

By Mr. BRITTEN: A bill (H. R. 7607) to appoint Gen. John J. Pershing, United States Army, as a permanent general in the Army; to the Committee on Military Affairs.

By Mr. BUTLER: A bill (H. R. 7608) for the relief of Richard P. McCullough; to the Committee on Naval Affairs.

By Mr. CAMPBELL of Kansas: A bill (H. R. 7609) to correct the military record of Rankin A. Hutsell; to the Committee on Military Affairs.

By Mr. FORDNEY: A bill (H. R. 7610) granting a pension to Laura Jane Handshy; to the Committee on Invalid Pensions.

By Mr. LONGWORTH: A bill (H. R. 7611) granting an increase of pension to Henry E. Hurford; to the Committee on Invalid Pensions.

By Mr. McKINLEY: A bill (H. R. 7612) granting a pension to Malinda J. Dotson; to the Committee on Pensions.

By Mr. PHELAN: A bill (H. R. 7613) granting a pension to Jennie B. Southwick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7614) granting a pension to James Percival; to the Committee on Invalid Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 7615) granting a pension to John Storms; to the Committee on Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 7616) granting a pension to Adam Roth; to the Committee on Pensions.

By Mr. STEELE: A bill (H. R. 7617) to reimburse the school district of the city of Bethlehem, Pa., for sums advanced on project of the United States Housing Corporation; to the Committee on Claims.

By Mr. TINCHER: A bill (H. R. 7618) granting a pension to Lizzie A. Logsdon; to the Committee on Pensions.

By Mr. WALSH: A bill (H. R. 7619) granting an increase of pension to John Edmundson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7620) granting a pension to Deborah B. Lincoln; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 7621) granting a pension to Martha J. Sutherland; to the Committee on Invalid Pensions.

By Mr. RODENBERG: Resolution (H. Res. 182) to provide for the compensation of W. Ray Loomis; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of sundry citizens of Florence, Mass., for the repeal of the so-called daylight-saving law; to the Committee on Agriculture.

By Mr. BABKA: Petition of citizens of Cleveland, Ohio, urging repeal of tax on candies, ice cream, and soda-fountain foods and drinks; to the Committee on Ways and Means.

By Mr. BEE: Petition by citizens of San Antonio, Tex., for the repeal of the luxury tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. CAREW: Petition of Central Bureau of Extension Table Manufacturers, by M. Wulpi, secretary, urging the retention of zone advances; to the Committee on the Post Office and Post Roads.

By Mr. EMERSON: Petition of sundry citizens of Cleveland, Ohio, asking repeal of tax on ice cream and soft drinks; to the Committee on Ways and Means.

Also, petition of the Brotherhood of Railroad Trainmen in favor of league of nations; to the Committee on Foreign Affairs.

By Mr. ESCH: Petition of the Chamber of Commerce of the city of Milwaukee, Wis., urging the passage of House bill 5516 for the transfer of United States Coast Guard from the Treasury Department to the Navy; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Carpenters' Union, No. 1143, of La Crosse, Wis., urging 2.75 per cent beer and protesting against war-time prohibition; to the Committee on the Judiciary.

Also, petition of the Central Bureau of Extension Table Manufacturers, of Chicago, Ill., for the retention of the zone advances; to the Committee on Ways and Means.

By Mr. FULLER of Illinois: Petition of Thompson & Taylor Spice Co., of Chicago, Ill., favoring provision in the prohibition-enforcement act to permit the legitimate manufacture of flavoring extracts for food purposes; to the Committee on the Judiciary.

By Mr. JAMES: Petition of sundry citizens of Crystal Falls, Mich., urging repeal of tax on sodas, ice cream, and soft drinks; to the Committee on Ways and Means.

By Mr. KENNEDY of Rhode Island: Resolution of Padriac Pearse Branch, Friends of Irish Freedom, of Woonsocket, R. I., requesting investigation of propaganda directed against and intended to undermine American institutions, to break down American policies, and to involve the United States in purely European affairs in which the United States has no interest; to the Committee on Rules.

By Mr. LUFKIN: Petition of the Barbers' Union, No. 375, of Gloucester, Mass., in favor of a league of nations; to the Committee on Foreign Affairs.

By Mr. MONAHAN of Wisconsin: Resolution adopted by the board of directors of Milwaukee (Wis.) Chamber of Commerce July 15, approving transfer of United States Coast Guard from the Treasury Department to the Navy, as proposed in House bill 5516; to the Committee on Interstate and Foreign Commerce.

By Mr. O'CONNELL: Petition of the New York Business Publishers' Association, of New York City, protesting against repeal of daylight-saving law; to the Committee on Agriculture.

By Mr. ROWAN: Petition of the Federal Employees' Union, No. 49, of Leavenworth, Kans., urging the passing of the Lehlbach retirement bill; to the Committee on Labor.

By Mr. SNELL: Petition of sundry citizens of Port Henry, N. Y., favoring the repeal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

Also, petition of sundry citizens of Newman, N. Y., protesting against the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

SENATE.

MONDAY, *July 21, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come reverently before Thee and take Thy name upon our lips with godly fear. Thou art the eternal, the uncreated God. Thou dost preside over the destinies of the world. Thou has revealed Thy law to men. We pray for wisdom that will enable us to see the force and truth and power of Thy law. We pray for grace that we may love Thy law and keep Thy commandments. Guide us, we pray Thee, this day by Thy spirit, ever present with us in the discharge of the duties of this office and in the fear of God. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CABLEGRAM FROM THE BRAZILIAN NATIONAL CONGRESS.

The VICE PRESIDENT. The Chair lays before the Senate a cablegram addressed to the President of the Senate, which will be read.

The cablegram was read and referred to the Committee on Foreign Relations, as follows:

[Telegram—Rio de Janeiro.]

PRESIDENT OF THE SENATE OF THE UNITED STATES OF AMERICA,
Washington, D. C.:

I have the honor to inform your excellency that the Brazilian National Congress at its session of the 10th instant resolved, by unanimous vote, to enter in its journal a vote of profound gratefulness to the Parliament, Government, and people of the United States of America for the honors with which they received and distinguished Senator Epitacio Passoa, Brazilian ambassador to the peace conference, on his recent visit to your great Republic, which honors the congress accepts as further and convincing proof of the good relations of friendship that bind the two sister Republics. I extend to your excellency my assurances of high consideration.

A. AZEREDO,
President of the National Congress.

CONSTRUCTION OF HIGHWAYS (S. DOC. NO. 55).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Acting Secretary of Agriculture, transmitting, in response to a resolution of the 1st instant, certain information relative to the quantity and description of war material, equipment, supplies, and so forth, which will be required for the use and improvement of highways. The communication will lie on the table for the present until the Senator from Utah [Mr. KING], who submitted the resolution of inquiry, states what action he wishes taken with regard to it.

Mr. KING subsequently said: Mr. President, I ask that the communication laid before the Senate this morning by the Chair and ordered to lie on the table be printed in the RECORD and also as a document.

The VICE PRESIDENT. Without objection, it is so ordered. The communication is as follows:

DEPARTMENT OF AGRICULTURE.

To the Senate:

Pursuant to Senate resolution 108 I have the honor to report as follows:

It is observed that the resolution directs the Secretary of Agriculture "to report to the Senate the quantity and description of war material, equipment, and supplies, particularly the number and description of cars, trucks, and tractors, which will be required for the use and improvement of highways, and which were authorized to be distributed among the highway departments of the several States to be used on the roads constructed in whole or in part by Federal aid as provided by section 7 of the act entitled 'An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes,' approved February 28, 1919."

Highway construction and improvement under the original Federal aid road act, approved July 11, 1916, as amended by the above-mentioned act, approved February 28, 1919, covers a period of several years, and this department does not know what the final requirements of each State highway department will be. The Senate is, of course, aware that during the war highway construction moved slowly on account of shortage in labor and the control of building material for war purposes. It has only been recently that the several State highway departments have been able to begin active operations on their respective new programs, which can not be compared in importance and size with the work which was done during any preceding year. The department regrets, therefore, that it can not state accurately what the final requirements of the respective State highway departments will be and can only report to you what is being done by the department pursuant to section 7 of the above-mentioned act approved February 28, 1919, which is as follows:

"SEC. 7. That the Secretary of War be, and he is hereby, authorized, in his discretion, to transfer to the Secretary of Agriculture all available war material, equipment, and supplies not needed for the purposes of the War Department but suitable for use in the improvement of highways, and that the same be distributed among the highway departments of the several States to be used on roads constructed in whole or in part by Federal aid, such distribution to be made upon a value basis of distribution the same as provided by the Federal aid road act approved July 11, 1916: *Provided*, That the Secretary of Agriculture, at

his discretion, may reserve from such distribution not to exceed 10 per cent of such material, equipment, and supplies for use in the construction of national forest roads or other roads constructed under his direct supervision."

At the time section 7 above mentioned was enacted into law it was impossible for the Secretary of War immediately to determine what war material, equipment, and supplies would not be needed for the purposes of the War Department. However, the urgent requirements of the several State highway departments in the matter of beginning active work on their enlarged programs made it necessary to distribute as soon as possible such of the material, equipment, and supplies as it became available.

CANVASS OF STATES.

Immediately following the approval of the Post Office appropriation act, section 7 of which is quoted above, this department ascertained from the War Department the general classes and character of the equipment and supplies "which might become" available for distribution to the States, following the determination by the War Department of the equipment and supplies no longer needed for the purposes of the War Department. In order to determine the amount of equipment and supplies that the States would need for the purposes of highway improvement the following letter was sent under date of March 12 to each of the State highway departments:

GENTLEMEN: Referring to our letter of the 11th instant there is inclosed a list of materials and equipment, some of which it may be possible to obtain from the War Department.

In making your requests it is advisable to have them in as much detail as possible. For example, should you request any steam shovels, motor trucks, tractors, trailers, dredges, concrete mixers, etc., please state such details as size, weight, capacity, etc.

LIST OF MATERIALS AND EQUIPMENT.

Machine tools, engineering and construction equipment: All metal and woodworking tools; steam shovels; hand tools; forging equipment; iron and structural workers' power tools and machinery; contractors' equipment, such as dredges, ditchers, concrete mixers; industrial railways, etc.

Building material: Water supply, fabricated steel, roofing, wall board, paints, hardware, cement, heating, electrical equipment, power plant, machinery.

Truck and motor equipment: Trucks; trailers; animal and hand-drawn vehicles.

General supplies: Tentage, paulins; harness, saddlery; saddlers' supplies; shelf and heavy hardware; tools, handles, tool chests, containers; mess, camp, and kitchen equipment; brooms and brushes; hemp and jute products.

Remount: Horses and mules.

Raw and scrap materials: Explosives.

Ordnance and ordnance stores: Tractors and trailers; caterpillars.

In response to this inquiry a number of the States submitted detailed statements and descriptions of the items they would need. Others took the position that they wish to receive their quota of any of the items contained in the above list which might be declared surplus by the War Department. In order to arrive at a more definite statement of the needs of the States a second canvass relative to various items was made under each of the following dates: April 24, May 7, and June 10. These two canvasses have been further supplemented by a large number of communications to and from the State highway departments, and by personal conferences with the executive officers of the State highway departments. Based on the information secured from these sources this department believes that the following lists, classified under the several headings, set forth the needs of the States as accurately as they can be determined at the present time. At different times, as the Secretary of War found that certain war materials, equipment, and supplies were not needed for the purposes of the War Department, he has made allotments to this department for the purpose of distribution, covering, in general, items appearing on the above list. Such lists are now being received from the Secretary of War from time to time.

MOTOR TRUCKS AND MOTOR CARS.

The Secretary of War has on four different occasions declared in the aggregate 24,000 motor trucks of all sizes and different makes to be available for distribution, and he has also declared 1,075 Ford touring cars and 550 used passenger cars of other makes likewise available. Of the 24,000 motor trucks, a total of 20,519 have been allotted among the several State highway departments as shown by the list hereinafter set out, and the entire number of Ford and other used cars have been allotted, as shown by said list. Definite shipping instructions have been given the War Department for more than 13,500 of these trucks and cars. The allotment as shown by the said list is final.

	Trucks.				Fords, first.	Other autos, first.
	First.	Second.	Third.	Fourth.		
1. Alabama	116	50	86	180	21	11
2. Arizona	76	33	56	117	14	6
3. Arkansas	92	39	69	143	17	8
4. California	165	72	124	261	30	15
5. Colorado	97	41	71	149	17	9
6. Connecticut	34	14	25	51	6	4
7. Delaware	9	4	7	14	2	1
8. Florida	63	28	46	99	11	6
9. Georgia	146	66	110	231	27	4
10. Idaho	68	30	49	104	12	6
11. Illinois	249	105	178	375	44	22
12. Indiana	149	66	110	231	27	14
13. Iowa	158	70	117	250	29	15
14. Kansas	157	70	117	249	29	15
15. Kentucky	107	47	79	167	19	10
16. Louisiana	71	33	56	117	14	7
17. Maine	52	23	38	83	10	5
18. Maryland	48	22	36	75	9	4
19. Massachusetts	81	35	61	126	15	7
20. Michigan	159	70	117	250	29	15
21. Minnesota	156	68	116	244	28	14
22. Mississippi	98	42	73	153	18	9
23. Missouri	185	82	138	291	34	17
24. Montana	110	48	82	173	20	10
25. Nebraska	117	51	87	185	21	11
26. Nevada	72	30	52	111	13	7
27. New Hampshire	22	10	16	35	4	2
28. New Jersey	65	29	49	102	12	6
29. New Mexico	80	39	65	138	16	8
30. New York	273	119	202	427	50	25
31. North Carolina	127	55	93	195	23	12
32. North Dakota	85	38	63	132	15	8
33. Ohio	203	89	151	318	37	19
34. Oklahoma	127	55	95	199	23	12
35. Oregon	88	38	64	138	16	8
36. Pennsylvania	252	109	187	394	46	23
37. Rhode Island	13	5	9	21	2	1
38. South Carolina	79	34	59	124	14	8
39. South Dakota	90	39	66	138	16	9
40. Tennessee	123	54	92	193	22	11
41. Texas	321	141	237	500	58	30
42. Utah	64	28	46	99	11	6
43. Vermont	25	11	19	40	5	3
44. Virginia	108	47	81	170	20	10
45. Washington	81	34	59	124	14	7
46. West Virginia	58	26	43	90	11	5
47. Wisconsin	140	60	104	217	25	13
48. Wyoming	69	30	49	104	12	
Forestry	28			92	32	
Public Roads	66	42	44	354	75	55
Total	5,428	2,371	3,949	8,771	1,075	550

CONSTRUCTION AND OPERATING EQUIPMENT.

A request for construction and operating equipment, based on the estimated needs of the several States, was sent to the War Department. The Secretary of War, in replying to the request, stated that the War Department would deliver to the Department of Agriculture out of the surplus in the United States or France a sufficient amount of equipment to meet the estimate, which is as follows:

400 road rollers, steam and gas driven.
700 concrete mixers.
600 road graders.
400 elevating graders.
200 sprinkling wagons.
200 road oilers.
125 derricks, 30 to 60 feet boom.
100 pile-driver outfits complete.
200 complete air-drill outfits.
250 steam pumps, up to 4 inches.
150 centrifugal pumps, up to 4 inches, with power.
75 diaphragm pumps, gasoline driven.
500 rock-crushing outfits complete, capacity 125 tons to 200 tons per day.
200 clamshell, orange peel, and bottom-dump buckets.
125 road scarifiers.
50 caterpillar and drag-line excavators.
700 road and railroad plows.
300 rooter plows.
160 automotive cranes.
3,600 trailers for tractors.
1,000 miles industrial railway track.
200 industrial railway locomotives.
3,500 industrial railway dump cars.
15,000 feet rubber hose.
5,000 feet steam hose.
40 portable asphalt plants.
200 steam shovels, capacity 1 yard or less.
6,500 dump wagons.
250 conveyors, gravity and power.
35 donkey, 200 hoisting, and 75 gasoline engines, 5 to 30 horsepower.
375 complete steam-drill outfits.
250 portable air-compressor outfits with power.
100 boilers, 15 to 40 horsepower.
275 electric motors, 2 to 50 horsepower.
1,300 pulley blocks.
6,000 drag scrapers.
2,000 Fresno scrapers.
6,000 wheel scrapers.
500 Maney 4-wheel scrapers.
300 stump pullers.
500 road drags.
4,000 wheelbarrows.
10 dredges.
10 ditching machines.
10 trenching machines.
6 back-filling machines.
200 screening plants.
100 wagon loaders.
400 blasting machines complete.
100,000 feet hoisting cable from ¼ to 1 inch in diameter.
10,000 feet air hose.
100,000 linear feet Manila rope, 1¼ to 2 inches in size.

It is thought that the final requirements of the several State highway departments will be in excess of this estimate.

CONSTRUCTION MATERIALS.

The following list of construction materials is based on the estimated needs of the several States, ascertained as hereinbefore described:

550,000 barrels of bituminous binders.
50,000 linear feet prepared joint filler.
2,110,000 bags Portland cement.
1,000,000 tons gravel.
1,000,000 tons crushed stone.
Brick, all available.
5,000,000 feet bridge, form, and building lumber.
40,000 linear feet steel forms for concrete road construction.
120 carloads corrugated metal culvert.

150 miles of steel or iron pipe from ⅛ to 3 inches in diameter, with fittings.
1,186 tons structural steel.
10,000 tons reinforcing steel.
16,000 tons sheet-metal roofing.
2,000 tons wire fencing.
674,000 industrial railroad ties.
10,000 gallons paint for wood and steel bridges, guard rails, etc.
50 tons nails.
35 tons spikes.
20 tons bolts.
10 tons nuts, threaded.
10 tons nuts, blanks.
56,025 linear feet cast-iron culvert pipe from 12 to 36 inches in diameter.
10,000,000 pounds T. N. T.
109,240 exploders.
2,000 miles telephone wire.
50 permanent wall telephone sets complete, with accessories.
100 portable telephone sets complete, with accessories.
1,000 sets single heavy work harness.
3,000 sets heavy double work harness.
600 concrete buggies.
4,404 high-speed trailers for trucks.

These materials are being allotted to the several State highway departments as different items appearing herein are declared by the Secretary of War to be available for distribution. Shipping directions have been given for the following amounts:

2,000 bags Portland cement.
3,942 industrial railroad ties.
12 kegs spikes.
37,921 linear feet cast-iron culvert pipe.
41,800 exploders.
72 concrete buggies.

FIELD AND OFFICE EQUIPMENT.

The following list of field and office equipment is based on the estimated needs of the several States, ascertained as hereinbefore described:

1,062 engineer's transits.
1,146 engineer's levels.
1,188 Abney levels.
3,055 steel tapes.
1,440 level rods.
50 range poles.
180 metallic tapes.
2 universal testing machines, capacity 200,000 pounds.
400 rolls drafting paper.
110 rolls tracing cloth.
130 rolls blue-print paper.
120 rolls cross-section paper.
2,000 engineer's notebooks.
88 calculating machines.
6 pantagraphs.
228 universal drafting machines.
592 planimeters.
366 adding machines.
63 comptometers.
507 typewriters.
10 blue-print machines.
283 office desks.
198 typewriter desks.
480 office tables.
326 drafting tables.
365 drafting stools.
315 field office desks.
299 revolving office chairs.
805 office chairs.
3,387 units filing cases.
100 sets drafting instruments.
100 sets assorted outfits, drafting supplies.
100 pocket compasses.
100 stadia hand transits.
100 hand levels.
30 pedometers.
30 odometers.
60 steel tape-mending outfits.
9 plane tables.
108 aneroid barometers.

These materials are being allotted to the several State highway departments as different items appearing herein are declared by the Secretary of War to be available for distribution. Shipping directions have been given for the following amounts:

258 engineer's transits.
284 engineer's levels.
128 Abney levels.
95 steel tapes.
165 level rods.
40 range poles.
365 drafting stools.
140 field office desks.
16 office chairs.
3 calculating machines.
28 universal drafting machines.
14 planimeters.
6 adding machines.
8 comptometers.
58 typewriters.
19 office desks.

CAMP MESS AND KITCHEN EQUIPMENT.

The following list of camp mess and kitchen equipment is based on the estimated needs of the several States, ascertained as hereinbefore described:

460 complete outfits of mess and kitchen equipment for units of various sizes averaging 40 men.
100 sets assorted kitchen utensils.
200 sets assorted dining room outfits.
23,000 galvanized iron buckets.
320 field ranges.
560 Sibley stoves.
120 heating stoves for tents.
140 medicine chests, complete.
17,000 tents from 10 by 10 to corral tents.
25,100 Army blankets.
316,000 square feet of tarpaulins, assorted sizes.

These materials are being allotted to the several State highway departments as different items appearing herein are declared by the Secretary of War to be available for distribution. Shipping directions have been given for the following amounts:

5,414 galvanized iron buckets.
17,563 tents.
25,087 Army blankets.

In the States where convict labor is largely employed camp mess and kitchen equipment is of great value in properly maintaining the necessary crews in the field, and in the States where great difficulty is being experienced in securing contractors to undertake road construction a considerable amount of work will have to be done by day labor forces. There will be many more road crews at work in the field this year than during any previous year, and this equipment will be of great advantage in getting such crews organized and operating.

GENERAL SUPPLIES.

The following list of general supplies is based on the estimated needs of the several States, ascertained as hereinbefore described:

100 sets shelf and heavy hardware, assorted supplies.
4,200 axes, with handles.
1,600 ax handles.
1,680 adzes.
1,200 brush hooks.
1,900 crowbars.
1,080 cant hooks.
300 grindstones.
240 carborundum grinders.
1,000 hammers, assorted sizes.
100 riveting hammers.
2,130 striking hammers.
5,265 hatchets.
574 B. P. machinist hammers.
2,100 shovel handles.
7,050 pick handles.
920 sledge handles.
13,300 picks.
28,866 mattocks.
950 drills.
650 drill bits.
63,000 shovels.
2,000 spades.
1,260 crosscut saws.
475 monkey wrenches.
475 masons' trowels.
475 saw-filing outfits.
12,677 lanterns.
100 acetylene camp lights.
600 paintbrushes.
120 wire brushes.
100 tons drill steel.
10 tons horseshoes.
10 tons mule shoes.
1 ton horseshoe nails.
10 tons solid drill steel, ⅞, ¾, and 1 inch in diameter.
10 tons hollow drill steel, ⅞, ¾, and 1 inch in diameter.
6,000 pounds axle steel, assorted sizes.
6,000 pounds tire steel, assorted sizes.
1,679 log chains.

These materials are being allotted to the several State highway departments, as different items appearing herein are declared by the Secretary of War to be available for distribution. Shipping directions have been given for the following amounts:

6 axes, with handles.
192 ax handles.
106 striking hammers.
514 B. P. machinist hammers.
850 hatchets.
50 shovel handles.
260 pick handles.
3 sledge handles.
3,030 picks.
28,866 mattocks.
51,578 shovels.
2,000 spades.
10,960 lanterns.
150 log chains.

It will be observed that a large portion of the foregoing list consists of hand tools that are used constantly in road construction, particularly in the doing of work involving the drilling and blasting of rock in building or widening roads where rock excavation is encountered.

MACHINE TOOLS, WOODWORKING TOOLS, AND MISCELLANEOUS OUTFITS.

The following list of machine tools, woodworking tools, and miscellaneous outfits is based on the estimated needs of the several States, ascertained as hereinbefore described:

15 complete machine-shop outfits, including lathes, drills, planers, fittings, etc.
3 swing engine lathes, 14 inches to 20 inches.
3 end milling machines.
3 planers.
4 power punches.
3 shapers.
4 power shears.
3 shop-screw presses, 25 tons capacity.
12 complete sets pipe dies, from 3 inches down.
12 complete sets tops and dies for bolts and nuts.
552 complete sets of blacksmith outfits, with forges, anvils, and accessories.
306 complete sets carpenter tools and chests.
11 complete woodworking outfits, including lathes, saws, planers, fittings, and accessories.
12 boring machines.
30 wheelwright outfits, complete.
10 tire setters.
10 farriers' outfits, complete.
6 diving outfits, complete, with pumps.

It is thought that the final requirements of the State highway departments as to a number of the above-mentioned articles will be in excess of this list, particularly blacksmith outfits, as they constitute a necessary adjunct to each well-equipped road crew.

ANIMALS.

The following list of animals is based on the estimated needs of the several States, ascertained as hereinbefore described:

2,050 heavy draft mules.
850 heavy draft horses.
10 saddle horses.

From a number of States we have had urgent requests to supply draft animals for use on trails in new territory, as in the forest areas, where the motor-truck equipment can not be used.

Respectfully,

C. F. MARVIN,
Acting Secretary.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 7413) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. FERNALD presented resolutions in the nature of a memorial adopted by Robert Emmet Branch, Friends of Irish Freedom, of Lewiston, Me., remonstrating against the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. CURTIS. I present a petition signed by sundry discharged soldiers, sailors, and marines, praying for the adoption of an amendment to the war-risk insurance act to provide for monthly payments or lump-sum payments of insurance to beneficiaries upon the death of the person insured. I move that the petition be referred to the Committee on Finance.

The motion was agreed to.

Mr. CURTIS presented a petition of sundry citizens of Goodland, Kans., and a petition of sundry citizens of Wathena, Kans., praying for the repeal of the luxury tax, which were referred to the Committee on Finance.

Mr. SUTHERLAND presented memorials of sundry citizens of Auburn, Pullman, Smithville, and Harrisville, all in the State of West Virginia, remonstrating against the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Fairmont, Mannington, and Richwood, all in the State of West Virginia, praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

Mr. KENYON presented a petition of sundry citizens of Monroe and Prairie City, in the State of Iowa, praying for the repeal of the stamp tax on medicines, toilet articles, clothing, etc., which was referred to the Committee on Finance.

Mr. KNOX presented memorials of Thomas Ashe Branch, Friends of Irish Freedom, of Wilmerding, Pa.; of the congregation of the St. Lawrence Catholic Church, of Houtzdale, Pa.; and of sundry citizens of Ottawa County, Okla., remonstrating against the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the monthly meeting of Friends, of Abington, Pa., favoring the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Merchant Tailors' Exchange, of Philadelphia, Pa., praying for the adoption of an amendment to immigration laws to permit the entrance into this country of skilled mechanics, etc., which was referred to the Committee on Immigration.

He also presented a memorial of sundry citizens of Ridley Park and Towanda, in the State of Pennsylvania, remonstrating against the repeal of war-time prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of Pioneer Lodge, No. 1429, United Brotherhood of Maintenance of Way Employees and Railway Shop Laborers, of Carbondale, Pa., praying for Government ownership and control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. HALE presented a memorial of sundry citizens of Lewiston, Me., remonstrating against the ratification of the proposed league of nations treaty unless some provision is made for recognition of the Irish republic, which was referred to the Committee on Foreign Relations.

He also presented a petition of the congregation of the Corliss Street Free Baptist Church, of Bath, Me., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. PHIPPS. I present a large number of letters in the form of memorials from citizens of Denver, Henderson, Idaho Springs, Trinidad, Gunnison, Golden, Pueblo, Elizabeth, Sterling, Iliff, Fort Morgan, Colorado Springs, Agate, and Ridgway, in the State of Colorado, remonstrating against the passage of the bills introduced by the Senator from Wyoming [Mr. KENDRICK] and the Senator from Iowa [Mr. KENYON] to stimulate the production, sale, and distribution of live stock and live-stock products. I move that the memorials be referred to the Committee on Agriculture and Forestry.

The motion was agreed to.

Mr. BECKHAM presented petitions of sundry citizens of Louisville, Ky., praying for the repeal of the so-called luxury tax, which were referred to the Committee on Finance.

Mr. NEWBERRY (for Mr. TOWNSEND) presented a memorial of sundry citizens of Detroit, Mich., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

He also (for Mr. TOWNSEND) presented a petition of sundry citizens of Saginaw, Mich., and a petition of Post Office Clerks, Branch No. 656, of Pueblo, Colo., praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

He also (for Mr. TOWNSEND) presented a petition of sundry citizens of Detroit, Mich., praying for the repeal of the so-called luxury tax, which was referred to the Committee on Finance.

He also (for Mr. TOWNSEND) presented a petition of sundry citizens of Eaton County, Mich., praying for the repeal of the stamp tax on medicines, toilet articles, clothing, etc., which was referred to the Committee on Finance.

Mr. WALSH of Massachusetts presented memorials of employees of Norman & Bennett; of the Armour Leather Co., of Boston; of the Colonial Manufacturing Co.; of the Coffin Valve Co., of Neponset; of the Chadwick-Boston Lead Co.; of the Boston Belting Corporation; of the Gifford-Wood Co.; of the Warren Leather Goods Co., of Worcester; of the Riverside Press; of the Massachusetts Chocolate Co.; of the Thomas Strahan Co.; of the Ira J. Webster Co.; of the Harwood & Quincy Machine Co.; of the L. L. Brown Paper Co., of Adams; of the Condit Electrical Manufacturing Co.; of Thomas P. Nichols & Son Co.; of the Atlantic Chemical Co., of Boston; of the Mason Regulator Co.; of Patterson, Teele & Dennis; of the L. J. Mutty Co.; of the Beckwith Elevator Co.; of the Rockport Granite Co.; of John P. Squire & Co., of Boston; of the Greylock Mills, of North Adams; of the North Adams Manufacturing Co.; of Dodge Bros., of Newburyport; of the A. E. Little Co., of Newburyport; of the Crocker-McElwain Co., of Holyoke; of the Holyoke Water Power Co.; of S. Slater & Sons (Inc.), of Webster; of the Ashton Valve Co., of Cambridge; of the Malden Knitting Mills (Inc.); of the Hunt-Spiller Manufacturing Co., of Boston; of the American Type Founders Co., of Boston; of Joseph Breck & Sons Corporation; of the Huckins & Temple Co., of Milford; of the C. H. Simonds Co., of Boston; of the George Close Co., of Cambridge; of the White & Bagley Co.; of the Griffith-Stillings Press; of the Barrett Co.; of the H. W. Johns-Manville Co., of Boston; and of F. M. Hoyt & Co., of Amesbury, all in the State of Massachusetts, remonstrating against the repeal of the daylight-saving law, which were referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES.

Mr. WARREN (for Mr. WADSWORTH), from the Committee on Military Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 2494) to transfer the tract of land known as the Lighthouse Reservation at North Point, Md., from the jurisdiction of the Department of Commerce to the jurisdiction of the War Department (Rept. No. 91);

A bill (S. 2495) transferring the tract of land known as Craney Island from the jurisdiction of the War Department to the jurisdiction of the Treasury Department and transferring the tract of land known as Fishermans Island from the jurisdiction of the Treasury Department to the jurisdiction of the War Department (Rept. No. 92); and

A bill (S. 2496) authorizing the retirement of members of the Army Nurse Corps (female) (Rept. No. 93).

Mr. OVERMAN, from the Committee on the Judiciary, to which was referred the bill (S. 2476) to amend the act establishing the eastern district of Kentucky, reported it with an amendment.

Mr. MYERS, from the Committee on Military Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 608) for the relief of Orion Mathews (Rept. No. 94);
A bill (S. 609) for the relief of James Duffy (Rept. No. 95); and
A bill (S. 610) for the relief of Henry J. Davis (Rept. No. 96).

Mr. LENROOT, from the Committee on Military Affairs, to which was referred the bill (S. 2447) for the relief of the Philippine Scouts, reported it with an amendment and submitted a report (Rept. No. 97) thereon.

ELLEN OGLESBY.

Mr. CURTIS. On the 20th of May I introduced the bill (S. 749) for the relief of Ellen Oglesby and it was inadvertently referred to the Committee on Pensions. I ask that the Committee on Pensions be discharged from the further consideration of the bill and that it be referred to the Committee on Military Affairs.

The VICE PRESIDENT. Without objection, that action will be taken.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. CHAMBERLAIN:

A bill (S. 2536) to encourage the development of the agricultural resources of the United States through Federal and State cooperation, giving preference in the matter of employment and the establishment of rural homes to those who have served with the military and naval forces; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. FRANCE:

A bill (S. 2537) to revive with amendments an act entitled "An act to incorporate the Medical Society of the District of Columbia"; to the Committee on the District of Columbia.

By Mr. LENROOT (by request):

A bill (S. 2538) to authorize the condemnation of flowage rights on lands in Lac Court Oreilles Indian Reservation; to the Committee on Indian Affairs.

By Mr. McNARY:

A bill (S. 2539) for the relief of Preston B. C. Lucas;
A bill (S. 2540) for the relief of W. R. Wells;
A bill (S. 2541) for the relief of William Mortensen; and
A bill (S. 2542) authorizing the Klamath Tribe of Indians to submit claims to the Court of Claims; to the Committee on Claims.
A bill (S. 2543) granting a pension to George W. Dunn;
A bill (S. 2544) granting an increase of pension to Lucy L. Whiteaker;
A bill (S. 2545) granting a pension to Harold A. Salisbury;
A bill (S. 2546) granting a pension to Louise Wamsley;
A bill (S. 2547) granting a pension to Samuel H. Holt; and
A bill (S. 2548) granting a pension to Robert P. Gill; to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 2549) providing for the admission of foreign language papers to the second-class mail privileges, and for other purposes; to the Committee on the Judiciary.
A bill (S. 2550) for the relief of John F. Niklaus; to the Committee on Claims.

By Mr. SPENCER:

A bill (S. 2551) granting an increase of pension to Fannie S. Grant; to the Committee on Pensions.

By Mr. SUTHERLAND:

A bill (S. 2552) for the relief of the heirs of Gen. Thomas M. Harris; to the Committee on Claims.
A bill (S. 2553) to provide for the purchase of a site and the erection of a public building thereon at Weston, in the State of West Virginia; to the Committee on Public Buildings and Grounds.

By Mr. HARDING:

A bill (S. 2554) for the relief of J. B. Waterman; to the Committee on Claims.
A bill (S. 2555) granting an increase of pension to William M. King; and
A bill (S. 2556) granting a pension to Mrs. S. E. Crumrine; to the Committee on Pensions.

By Mr. THOMAS:

A bill (S. 2557) granting a pension to William Maguire; to the Committee on Pensions.

By Mr. McCUMBER:

A bill (S. 2558) to establish the Killdeer Mountain National Park in the State of North Dakota, and for other purposes; to the Committee on Public Lands.

By Mr. NEWBERRY (for Mr. TOWNSEND):

A bill (S. 2559) for the relief of Mary E. Cook; to the Committee on Claims.

By Mr. NEWBERRY:

A bill (S. 2560) granting an increase of pension to Edward Newberry;
A bill (S. 2561) granting a pension to Laura Bell; and
A bill (S. 2562) granting an increase of pension to W. W. Waters; to the Committee on Pensions.

By Mr. PHELAN:

A bill (S. 2563) for the relief of Ellen B. Monahan; and
A bill (S. 2564) for the relief of Lieut. Commander Edward R. Wilson, Pay Corps, United States Navy; to the Committee on Claims.
A bill (S. 2565) granting an increase of pension to Mary Leahy; to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 2566) granting an increase of pension to Amanda F. Mahin;
A bill (S. 2567) granting an increase of pension to Thomas Johnson (with accompanying papers); and
A bill (S. 2568) granting an increase of pension to Salem Bruner (with accompanying papers); to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 2569) granting a pension to Emily J. Proctor (with accompanying papers);
A bill (S. 2570) granting an increase of pension to Robert A. Houston (with accompanying papers); and
A bill (S. 2571) granting an increase of pension to C. C. Colee (with accompanying papers); to the Committee on Pensions.

By Mr. WATSON:

A bill (S. 2572) granting an increase of pension to William F. Craig; and
A bill (S. 2573) granting a pension to Martha Robbins; to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 2574) to encourage bank deposits by nonresident foreign corporations and nonresident alien individuals; to the Committee on Finance.

By Mr. HARDING:

A joint resolution (S. J. Res. 73) providing for payment of compensation for services of members of local draft boards who served also as clerks of their respective boards; to the Committee on Military Affairs.

DISCHARGED SOLDIERS, SAILORS, AND MARINES.

Mr. CHAMBERLAIN. I introduce a bill to restore to the colors and granting amnesty to soldiers, sailors, and marines, and to certain other persons. I desire to make a brief statement of the purpose of the bill to the Senate and then I shall ask that it be read.

Mr. President, the latest information I have is that since America entered the war there have been over 320,000 court-martial cases in France and in the United States. I am not giving the exact figures, but the substance of the information which has come to me is that twenty-odd thousand of these court-martial cases were general court-martial cases, and the other, the greater proportion, were summary court-martial cases. The aggregate of the sentences imposed in all these cases amounted to something like 28,000 years. The iniquity of the whole system was called to the attention of the Senate by me on the 31st day of December last, and shortly thereafter some steps were taken to relieve the situation, so far as the injustices were concerned, which were perpetrated against the American Army. A clemency board was appointed by the Secretary of War, and this board has investigated a great many cases, but not all, with the result that recommendations for clemency have been made from time to time, reducing the total amount of sentences from 28,000 years to about 6,700 years.

Mr. President, that very reduction in the aggregate of sentences imposed upon the American youth shows that there were iniquities in the system, that there were injustices perpetrated, and that there ought to be some relief. It must be remembered that under the view taken by the Secretary of War the clemency board has no power to do more than to make recommendations, and there is no power anywhere in the military system to revise or reverse or modify these excessive penalties where the court had jurisdiction and the proceedings have been regular.

The purpose of the bill which I introduce is not only to reduce the sentences to an irreducible minimum, but practically to wipe them all out where the sentences involve less than a felony under the Federal statutes, and to restore to the colors and to duty these young men who have come back to us from France, so that they may then be automatically discharged, as though they had not been charged with crime. It further proposes to refund to these young men who have had forfeitures of pay and allowances the full amount that has been taken from

them; and this applies not only to the Army proper, but it applies to sailors and marines as well, and also to those in the military and naval service of the United States who were the subject of court-martial.

I call attention to it because I want the people to understand the terrors that have been inflicted upon these young men, not only in the sentences that have been imposed, but as well the cruelties that were perpetrated against them after they were committed to prison.

Mr. President, the Spanish Inquisition was not a marker to some of the cruelties that have been practiced against these soldiers in France. I am glad to say that after these soldiers get back to America the severity is somewhat mollified; but the fact that cruelties have been imposed upon these young men is shown by the fact that two, at least, of the officers who have come back from France, and who have been responsible for these cruelties, have been assailed and assaulted in the prison yard itself by the very men they had charge of. Wirz, at Andersonville, could not hold a candle to some of these men. The matter is being investigated by the House, and I propose to call to the attention of the Senate in due course cases which have come to me, which have been corroborated and verified, and which, I doubt not, never reached the public ear.

I ask that the bill may be read in order that the Senate may be advised as to its purpose. I prepared it myself, and worked at it yesterday, without the assistance of anyone, in order to meet the situation which has been presented to me from time to time. It may need amendment, and it will receive it in due course.

The bill (S. 2535) to restore to the colors and granting amnesty to soldiers, sailors, and marines, and to certain other persons, and for other purposes, was read the first time by its title, the second time at length, and referred to the Committee on Military Affairs, as follows:

Be it enacted, etc., That all soldiers, sailors, and marines who may have been prosecuted, convicted, and sentenced by a general, summary, or any court-martial shall be immediately restored to duty and to the colors by proclamation of the President, which proclamation shall be issued immediately upon the taking effect of this act: *Provided, however,* That this act shall not apply to those charged with and sentenced for the commission of a crime which would involve, if prosecuted in the Federal courts, the conviction and sentence as of a felony.

SEC. 2. That thereafter and immediately upon the restoration of such soldier, sailor, or marine to duty and to the colors they shall be, each and all of them, honorably discharged from the service upon their own application just as has been and is done in cases of other men honorably discharged from the service, and that upon such discharge there shall be paid them all forfeitures of pay and allowances imposed upon them by sentence of court-martial. That thereafter such soldier, sailor, or marine shall be held and considered to have been honorably discharged from the military or naval service of the United States, and shall thereafter be entitled to all the rights, privileges, and emoluments now or hereafter provided by law for persons honorably discharged from said service.

SEC. 3. That in all cases where the sentence of court-martial has deprived any soldier, sailor, or marine of any of the rights of citizenship, the discharge of such soldier, sailor, or marine shall restore such rights as though no conviction had been had or sentence imposed.

SEC. 4. All persons engaged in the military or naval service of the United States since the 6th day of April, 1917, except as hereinbefore provided, are hereby granted full amnesty, and in all cases where the rights of citizenship have been taken away from them by reason of conviction and sentence by court-martial such rights are hereby restored: *Provided, however,* That this amnesty shall not apply to any cases of those charged with and sentenced for the commission of a crime which would involve, if prosecuted in the Federal courts, the conviction and sentence as of a felony.

SEC. 5. That the President is hereby authorized, by and with the advice and consent of the Senate, to appoint a board of clemency and review, consisting of three persons versed in the law, two from civil life and one from the Army or Navy, the civilians to receive not to exceed $ per annum, and the military or naval appointee the salary provided by law for his rank, with full power, jurisdiction, and authority to review, revise, modify, reverse, or annul sentences imposed by courts-martial since April 6, 1917, of all persons engaged in the military or naval service of the United States when the crime charged, if prosecuted in the Federal courts, would involve a sentence as of a felony.

SEC. 6. That for the purpose of carrying out the provisions of this act there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $3,000,000, or so much thereof as may be necessary.

AMENDMENTS TO AGRICULTURAL APPROPRIATION BILL.

Mr. MYERS submitted an amendment proposing to appropriate $5,000,000 to prosecute further work on projects and units thereof, under the reclamation act, etc., intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

He also submitted an amendment proposing to appropriate $50,000,000 to resume and prosecute work on projects and units thereof, under the reclamation act, etc., intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

He also submitted an amendment proposing to appropriate $5,000,000 for the relief of impoverished and suffering homesteaders and other farmers in the drought-stricken regions of the United States, etc., intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

He also submitted an amendment providing that homesteaders, upon making affidavit to the effect of the failure of their crops on account of the serious drought conditions during the year 1919, shall file same with the register and receiver of the local land office and be absolved from residing for seven months or any period of time upon their homesteads, etc., intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

CONSULATE AT SAN JOSE, COSTA RICA.

Mr. EDGE submitted the following resolution (S. Res. 128), which was referred to the Committee on Foreign Relations:

Resolved, That the President be, and he is hereby, requested to inform the Senate, if not incompatible with the public interest, whether or not it is true that the American consul, Benjamin F. Chase, and the American consulate at San Jose, Costa Rica, were fired upon with guns or pistols by the police of that city, or that country, or its Government, on or about June 12 last, and what action, if any, has been taken to protect the American consul and the consulate and American citizens and their property in that city and country.

COMMITTEE CONSIDERATION OF PEACE TREATY.

Mr. JONES of New Mexico. I submit a resolution, and I ask that it may be read.

The Secretary read the resolution (S. Res. 129), as follows:

Resolved, That the Committee on Foreign Relations be, and is hereby, requested as follows:

(1) In the consideration of the proposed treaty with Germany submitted to the Senate by the President July 10, 1919, for ratification, to conduct all its hearings, discussions, and considerations in open session, unless the committee shall affirmatively decide that some specific matter, by reason of the public interest, should be considered in executive session.

(2) That no executive session of the committee be held from which any Senator shall be excluded.

(3) That the sessions of the committee in the consideration of said proposed treaty be held in a room sufficiently large and so equipped as to provide for the convenient attendance of the members of the committee, all the Members of the Senate, the representatives of the press, and, if feasible, the general public.

(4) That, so far as practicable, public notice of all future meetings of the committee for the purpose of considering said proposed treaty be given in the Senate.

Mr. JONES of New Mexico. Of course, I realize that under the rule the resolution should go over for at least a day. If anyone desires that its consideration shall go over of course I shall be glad to have it go over under the rule.

Mr. LODGE. Of course, I ask that it go over.

The VICE PRESIDENT. The resolution will lie over under the rule and be printed.

LEAGUE OF NATIONS.

Mr. JOHNSON of South Dakota. Mr. President, I wish to announce that to-morrow, after the close of the morning business, at the conclusion of the address of the Senator from Oregon [Mr. MCNARY], I shall submit a few remarks upon the subject of a league of nations.

Mr. LENROOT. Mr. President, I desire to announce that on Thursday next, after the conclusion of the morning business or as soon thereafter as there is an opportunity, I will address the Senate on the league of nations.

Mr. MOSES. Mr. President, following the addresses announced by the Senator from Oregon [Mr. MCNARY] and the Senator from South Dakota [Mr. JOHNSON], I shall to-morrow submit a few observations on the peace league.

AMENDMENT OF THE RULES.

Mr. MYERS submitted the following notice, which was read:

Notice is hereby given that under Rule XL of the Standing Rules of the Senate I shall to-morrow or on a subsequent day when the Senate may be considering the bill (H. R. 7413) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, move to suspend subdivisions 2 and 3 of Rule XVI of the Standing Rules of the Senate, prohibiting the adding of new items of appropriation and prohibiting the proposing of general legislation on any general appropriation bill, for the purpose of offering an amendment in the form of a new section to the said bill H. R. 7413, which said proposed amendment in the nature of a new section is as follows:

"To resume and prosecute work on projects, and units thereof, under the reclamation act, stopped during the war, and to begin and prosecute existing projects and units thereof which are practically ready for prosecution, to be immediately available and to be expended under the terms and conditions of the reclamation act, except that in the matter of employment a preference shall be given to discharged soldiers, sailors, and marines, $50,000,000."

Mr. MYERS submitted the following notice, which was read:

Notice is hereby given that under Rule XL of the Standing Rules of the Senate I shall to-morrow, or on a subsequent day when the Senate may be considering the bill (H. R. 7413) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, move to suspend subdivisions 2 and 3 of Rule XVI of

the Standing Rules of the Senate, prohibiting the adding of new items of appropriation and prohibiting the proposing of general legislation on any general appropriation bill, for the purpose of offering an amendment in the form of a new section to the said bill H. R. 7413, which said proposed amendment in the nature of a new section is as follows:

"To prosecute further work on projects and units thereof, under the reclamation act, now in course of construction and to begin and prosecute new projects and units thereof in drought-stricken regions of the United States, to be immediately available and to be expended under the terms and conditions of the reclamation act, except that in the matter of employment a preference shall be given to drought-stricken and suffering homesteaders, farmers, and ranchers, $5,000,000."

Mr. MYERS submitted the following notice, which was read:

Notice is hereby given that, under Rule XL of the Standing Rules of the Senate, I shall, to-morrow, or on a subsequent day when the Senate may be considering the bill (H. R. 7413) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, move to suspend subdivisions 2 and 3 of Rule XVI of the Standing Rules of the Senate, prohibiting the adding of new items of appropriation and prohibiting the proposing general legislation on any general appropriation bill, for the purpose of offering an amendment in the form of a new section to the said bill H. R. 7413, which said proposed amendment, in the nature of a new section, is as follows:

"That for the relief of impoverished and suffering homesteaders and other farmers in the drought-stricken western regions of the United States and for the purpose of furnishing to such of the aforesaid homesteaders and farmers as are without means or credit, and who are faced by starvation, food for themselves and their families and feed for their live stock and seed for another seeding, until another crop may be put in the ground, there is hereby appropriated, out of any moneys in the United States Treasury not otherwise appropriated, the sum of $5,000,000, or so much thereof as may be necessary, to be expended and disbursed under the direction and control of the Secretary of the Interior, under such rules and regulations as he may formulate, in conjunction with the governors of the various States affected and such boards, committees, and other instrumentalities as any such governor may offer and the Secretary of the Interior may see fit to accept; all such disbursements herein contemplated and provided for to be donations or loans, as the Secretary of the Interior may decide, and any such loans to be for such length of time and upon such terms and with or without security, as the Secretary of the Interior may order; and if upon security, upon such security as he may require."

Mr. MYERS submitted the following notice, which was read:

Notice is hereby given that, under Rule XL of the Standing Rules of the Senate, I shall, to-morrow, or on a subsequent day when the Senate may be considering the bill (H. R. 7413) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, move to suspend subdivisions 2 and 3 of Rule XVI of the Standing Rules of the Senate, prohibiting the adding of new items of appropriation and prohibiting the proposing general legislation on any general appropriation bill, for the purpose of offering an amendment in the form of a new section to the said bill H. R. 7413, which said proposed amendment, in the nature of a new section, is as follows:

"That during and for the calendar year of 1919 and for any homesteader's current year of homesteading which may fall principally in 1919 in sections of the country where great and serious drought conditions prevail homesteaders whose crops are almost or entire failures and who have no crop of any substantial value and who find it necessary to leave their homesteads and to hunt employment in order to live and obtain food for themselves, their families, and work stock, if any, shall, upon making affidavit to such facts and filing the same with the register and receiver of the local land office be absolved from residing for seven months or any period of time at all upon their homesteads; and as to such for the year 1919 or the current homestead year of all such homesteaders the law requiring residence upon homesteads is suspended; and the Secretary of the Interior is directed, upon compliance herewith by any homesteader, to waive all requirements of residence by such homesteader for such year and to permit final proof to be made, when offered to be made, without evidence of residence or cultivation during said year: *Provided*, That such affidavit be made and so filed, and in that event it shall be accepted in lieu of proof of seven months' residence for one year."

CLAIM OF THE GOVERNMENT OF FRANCE (H. DOC. NO. 156).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Appropriations and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Acting Secretary of State in relation to a claim presented by the Government of France against this Government on account of losses sustained by a French citizen in connection with the search for the body of Admiral John Paul Jones, which was undertaken by Gen. Horace Porter, formerly American ambassador to France; and, referring to my message of June 4, 1918, concerning this matter, I recommend that an appropriation be made to effect a settlement of this claim in accordance with the recommendation of the Acting Secretary of State.

WOODROW WILSON.

THE WHITE HOUSE,
21 July, 1919.

HOUSE BILL REFERRED.

H. R. 7413. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, was read twice by its title and referred to the Committee on Agriculture and Forestry.

THE POTASH INDUSTRY.

Mr. SMOOT. Mr. President, last Friday the senior Senator from New Jersey [Mr. FRELINGHUYSEN] had published in the RECORD an article with reference to potash—its price and its importation. I have a letter from Mr. Myron M. Parker, addressed to me to-day, in partial answer to the same, which he desires to have printed in the RECORD with other matters as an answer to the article. I ask that, without reading, it may be printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *July 21, 1919.*

Hon. REED SMOOT,
United States Senate, Washington, D. C.

DEAR SIR: As you are aware, Representative FORDNEY, on the 4th of June, introduced a bill—H. R. 4870—in the House to encourage and protect for a limited time the potash industry of this country. The Ways and Means Committee have concluded their hearings on the bill, and it is expected that it will be reported to the House at an early date.

Under the provisions of this bill domestic potash, when mixed with imported potash at $1.50 a unit, the present market price, would be sold to the farmers for the first 24 months at $1.83 a unit, for the next 12 months at $1.75, and for the next two years at $1.50 or less. The difference in price is so small that no hardship would be imposed on the farmers.

When the importation of German potash was stopped by reason of the war, the Department of the Interior and the War Industries Board urged upon our people the necessity of developing the domestic potash industry. Congress made an appropriation of $45,000 to aid in this effort. Dr. Gale, of the Geological Survey, and other experts of the Government, on investigation, found that in Searles Lake, Calif., there was potash enough to supply our domestic needs for 100 years. They discovered that in the Nebraska lakes there was even more potash than in Searles Lake.

In addition to these sources of supply, potash is now made from cement plants, from beet sugar, from lucite in Wyoming and alunite in Utah, from the green sands of New Jersey, and from many other sources. As a result, these plants which have recently reached completion, and which are now in operation, can produce 125,000 tons of potash a year, and if given protection for three years will more than supply all our domestic requirements, thereby preventing future foreign monopoly.

Over $40,000,000 have been expended in the development of the industry. So far as is known, only one plant has been able to amortize itself. Unless protection is given all these millions will be lost, and, what is of far greater importance, the American industry, an industry that was encouraged and fostered by the Government, will be killed.

In the magazine article "Victory," submitted to the Senate by Senator FRELINGHUYSEN on the 18th instant, many misstatements were made. One statement was to the effect that imported potash would cost only $50 a ton. The facts are the lowest price imported potash is now offered at is $1.50 a unit, which would be $150 a ton and not $50 a ton, as stated in the magazine article.

The article contained many other statements equally absurd.

The Department of Commerce reports that economic conditions are more changed in Germany and France than they are in the United States, so much so that potash will probably never be sold at less than $150 a ton, the price now asked.

State chemists—copy of their reports inclosed—of Alabama, Arkansas, Florida, Mississippi, Louisiana, Georgia, North Carolina, South Carolina, and Tennessee, in 1918, certified that domestic potash was equally as good as that which is imported.

Speaking for the American industry, may I express the hope that you will extend your valued influence in protecting our most-needed and most-important industry.

Very truly, yours,

MYRON M. PARKER,
Attorney for the United States Potash Producers' Association.

[Article published in the American Fertilizer, Apr. 13, 1919.]

AMERICAN-MADE POTASH.

(By J. C. Pridmore, agronomist, Southern Fertilizer Association.)

"Since the potash now used in commercial fertilizers of this country is American made, some farmers have shown a disposition to wonder if it is as good as the potash that formerly came from Germany. The State chemists of the South are all of one accord in declaring that the plants made use of potash irrespective of its source, and that American-made potash is as good as any other.

"Since the German supply has been cut off the fertilizer manufacturers have been forced to develop the American sources of this needed plant food. At present there are three important sources from which the fertilizer industry of this country gets potash. These are the by-products of cement

factories; a few small natural deposits, similar to those in Germany, found in Nebraska, Utah, and California; and kelp, little of which reaches the cotton belt.

"The chief potash salts exported from Germany were furnished in the form of muriate, as in muriate kainite; in the form of sulphate, as in high-grade sulphate and double-manure salts; in the form of mixed muriate and sulphate, as in manure salts. The water-soluble potash in these different materials ranged from 12 to 50 per cent.

"The potash produced in this country from the sources already mentioned, and used in mixed fertilizers, is being furnished in the same forms identically as those imported from Germany and, in addition, as a mixture of carbonate and sulphate. The water-soluble potash in these different materials ranges from 6 to 48 per cent.

"From the following statements it will be seen that the potash used in fertilizers to-day is like that which was imported from Germany, and that the composition, in terms of potash, may be approximately the same in the materials from both sources. That the consumers' minds may be set at rest the State chemists of the Southeastern States have been consulted on this matter, and their authoritative views are given in the following statements:

ALABAMA.

"In making a report upon the analysis of fertilizers we only report the potash which is soluble in water, and if the potash contained in the fertilizer is in a water-soluble form there is no reason why it should not give just as good results per unit as the German potash salts. Considerable amount of potash has been produced in the last year or two from deposits found in Nebraska and from kelp. Some is being supplied through the medium of cottonseed meal.

"All the above-mentioned forms of potash should give as good results when applied to crops that are in need of this constituent, and I see no reason for any apprehension as to the quality of potash as being supplied at the present time." (B. B. Ross, State chemist.)

ARKANSAS.

"Americans can make and are making just as good potash as ever left a German seaport. A fertilizer analyzing 2 per cent potash by the official methods is just as good as regards potash as any fertilizer ever manufactured. Anyone who persists in believing that the only satisfactory potash bears the label 'Made in Germany' is playing directly into the hands of the German Potash Trust." (J. B. Rather, State chemist.)

FLORIDA.

"There is no difference in the muriate of potash and the sulphate of potash as produced in American materials and the same materials from Germany.

"American-made potash: The American salts, however, are generally mixed salts and are seldom strictly muriates or sulphates. The American salts usually are largely carbonates, sulphates, and muriates mixed. I believe that goods made from American potash are as effective as those made from German potash, provided always that the percentage of potash guaranteed is found in the goods." (R. E. Rose, State chemist.)

LOUISIANA.

"To those who really need potash I wish to say that I have never had any indication from the three experiment stations where sources of potash have been under investigation that sulphate or muriate of potash manufactured in this country is inferior in any way to imported products, except as applied to tobacco. The form in which potash is applied does have some influence on the quality of tobacco, but for all other crops there is no reliable evidence known to me that the previously imported products have any superiority whatever over our homemade goods." (W. R. Dodson, director experiment station.)

MISSISSIPPI.

"Fertilizers are manufactured and sold under a definite guaranty, as heretofore. Materials entering into their composition are just as good as they have ever been in the history of the fertilizer industry. Of course, the general conditions make prices high, but there has certainly been no deterioration in quality.

"There is absolutely no ground for the statement that the soluble potash in American potash salts is not equivalent, pound for pound, to that in salts heretofore imported. Farmers need feel no hesitancy whatever in the purchase of their fertilizers this year. They are as good as they have ever been." (W. F. Hand, State chemist.)

GEORGIA.

"Potash is potash, no matter whether it originated in Germany or in this country. Our domestic sulphate of potash or muriate of potash is just as effective as plant food as others. It is absurd for anyone to state that the fertilizer made with domestic potash as a source of this element is not as effective as a similar goods of the same analysis made with German salts as the source of potash, and it is erroneous for anyone to believe or state that the locality from which the material was obtained has anything to do with the value or availability of the potash in the guano." (W. C. Dumas, State chemist.)

NORTH CAROLINA.

"The character or quality of potash being used in fertilizers this season is mainly carbonate and sulphate, and potash in organic materials, such as tobacco stems, cottonseed meal, etc. These are all good forms of potash, and will give good results in the growing of crops. The forms of potash from Germany were muriate and sulphate mainly. The forms of potash being obtained and used in our fertilizers are just as good and effective as the German kind of potash." (B. W. Kilgore, State chemist.)

SOUTH CAROLINA.

"Our fertilizer laws require the guarantee of water-soluble potash only. Every per cent of water-soluble potash in American potash is worth dollar for dollar to the farmer just as much as the water-soluble potash from Germany. The farmer may rest assured that 6 or 12 or 48 per cent of water-soluble potash furnished by American sources is of exactly the same value to him as 6 or 12 or 48 per cent of water-soluble potash furnished by German sources or by sources from any other country." (R. N. Brackett, State chemist.)

TENNESSEE.

"One lot of muriate of potash of a certain analysis is just as effective as other muriate of potash of the same analysis whether imported from Germany or produced in this country. The same is true of sulphate and carbonate of potash. It is true that the potash salts produced in this country are not so rich in potash as some of the salts which we formerly got from Germany, but the fertilizer manufacturers take this into account when making up their formulas and simply use more of the domestic salts than they formerly used of the German salts, and in this way produce a finished product of the same analysis and value to the farmer." (J. W. Sample, State chemist.)

"In view of the above statements, coming from such high officials as the State chemists in these various States, we are justified in drawing the conclusion that the water-soluble or available potash produced in America is as valuable for plant food, pound for pound, as that which we formerly imported from Germany, and that the farmer is safe in accepting the manufacturer's guaranty as to the potash content of fertilizers at the present time."

DUNWOODY INDUSTRIAL INSTITUTE.

Mr. KENYON. Mr. President, on account of charges made on the floor a few days ago as to the Dunwoody Industrial Institute and Dr. Prosser's connection therewith, I ask that a telegram I have received from the acting director of that institute be placed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

MINNEAPOLIS, MINN., *July 18, 1919.*

Senator W. S. KENYON,
United States Senate, Washington, D. C.:

Representative of Minneapolis Journal just called my attention to a charge made in the Senate which involved Dunwoody Institute. Dunwoody is an endowed school, offering free trade instruction to residents of State of Minnesota. We are training rehabilitation men who are residents of Minnesota free—30 in number. For nonresidents—10 in number—a tuition is charged sufficient to cover actual cost of instruction—ten to twenty dollars a month. Eighty try-out students, during special six weeks' summer session, are being trained at $15 a month.

H. W. KAVEL,
Acting Director Dunwoody Institute.

PROPAGANDA ON THE PACKING INDUSTRY.

Mr. KENYON. I have on my desk a number of sample telegrams which are being received by various Senators, this being the package of one Senator, in relation to the most tremendous propaganda that ever has been instituted in this country, namely, that of the packers to influence Congress with relation to the passage of the bill known as the bill to regulate the packing industry. Everywhere they can reach these telegrams are secured to be poured in on Congress—from bankers, merchants, farmers, and everyone else. It shows the tremendous power the packers exercise in this country and the far-reaching intertwining relationships.

I am not objecting at all, of course, to information being sent to Representatives and Senators, but I do think Senators ought to know the influences that are at work stirring up the letters and telegrams they are receiving in this tremendous propaganda.

While I did not rise to announce a speech at a definite day, and I realize that the time is to be taken up pretty much by speeches on the league of nations, yet at the first opportunity presented I am going to submit some remarks on the league of packers propaganda and show to Senators how the telegrams and letters they are receiving are in response to the circulars and letters sent out by the packers, and that every influence they can reach in this country is being put to work to stimulate this propaganda.

A CALL TO DUTY.

Mr. WILLIAMS. Mr. President, I hold in my hand an editorial from the New York World of July 11, which I ask be inserted in the RECORD.

Their being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A CALL TO DUTY.

"President Wilson's address, in presenting to the Senate the treaty of peace with the covenant of the league of nations, can not fail to make a profound impression on the mind and purpose of the American people. And it was the American people to whom the President was speaking.

"Mr. Wilson has never been more felicitous in any of his public utterances than he was yesterday when he explained the stupendous difficulties with which the Paris conference had been compelled to grapple in rebuilding the peace of the world and the reasons why it had been found imperative to make the league of nations the keystone of the structure.

"The President's address, in the main, was an appeal to the American people to finish their great work and make it secure. He put the issue of peace upon the same high plane that he put the issue of war, when the United States became the moral arbiter of the world. That moral leadership remains. It can not be sacrificed for the mean, sordid motives that actuate the

opposition to the league of nations without bringing civilization again to the verge of chaos, and if that comes there will be no security for the American people in a pretended isolation that events have made wholly fictitious.

"One of the President's senatorial critics complained yesterday that the address was "internationalism." It probably had never occurred to this eminent statesman that there is likely to be a great deal of internationalism in relations between nations, and that every pact between nations is an expression of internationalism in some form or another. What is the chief concern of the world to-day is the manner in which this internationalism is to express itself—whether it is to be the internationalism of Wilson and Lloyd-George and Clemenceau, or the internationalism of Lenin and Trotski and Bela Kun—whether it is to be the internationalism that subjects the nations to the reign of law or the internationalism that subjects them to the reign of anarchy.

"Senatorial partisanship and parochialism may try to obscure that issue, but they can not obscure the facts. Great powers have been conferred upon the Senate by the Constitution of the United States, but the power to turn back the clock of history is not one of them. Either the United States must assume this moral leadership to which the President refers or it must turn its back upon all the ideals for which it has been fighting, including even the safety and security of the Nation, for if the extremists of the Senate have their way we shall become the most distrusted country in the world for having run away from our responsibilities in the shameful fear that, in spite of all our wealth and resources and power, we might incur obligations in discharging those responsibilities.

"The President's address is more than a plea for the treaty and the league. It is a call to duty no less imperative than that which he made to Congress on April 2, 1917, when the United States was summoned to war 'for the things that we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their own government, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free.'

"It is no longer Germany, but a minority in the United States Senate that is the great obstacle to the fulfillment of this program to which the American people dedicated themselves two years ago. With German militarism overthrown, this Senate counsel of cowardice now interposes to blight the victory and cheat mankind of the fruits of its suffering and sacrifice. That is the issue, and the only issue in this contest, that has been created by a blind and insensate partisanship."

TREATY OF PEACE WITH GERMANY.

Mr. WILLIAMS. In addition to that, I hold in my hand a letter from Mr. Osmond, of 421 Boylston Street, Boston, Mass. The Senate will note that this comes from the very Hub itself. It incloses a resolution which was passed at Pilgrim Hall in Boston, Mass., in favor of the treaty of peace. Of course when a thing comes not only from Boston but from Pilgrim Hall, it ought to be very persuasive to the average American intellect. I ask that it be printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

421 BOYLSTON STREET,
Boston, Mass., July 11, 1919.

Hon. JOHN SHARP WILLIAMS,
United States Senate, Washington, D. C.

SIR: In accordance with the wishes of the meeting held at Pilgrim Hall, Boston, Wednesday, July 9, I am inclosing you a copy of a resolution passed.

Yours, very truly, M. T. OSMOND.

"We believe that the United States should enter the league of nations, which aims to promote international cooperation and to achieve international peace and security.

"We believe that the covenant of the league of nations can not be separated from the peace treaty, since the latter was founded on the assumption that the league of nations would be formed.

"We believe that delay on the part of the United States Senate to ratify the peace treaty will seriously jeopardize the peace of the world: Therefore

"We urge the United States Senate to ratify the treaty of peace, including the covenant, without reservation or amendment, as soon as it is submitted for ratification."

(The above resolution was adopted by a large majority at a public meeting held Wednesday, July 9, 1919, at Pilgrim Hall, 14 Beacon Street, Boston, Mass.)

Mr. WILLIAMS. I also hold in my hand an article by Moorfield Story, a very distinguished Massachusetts man, entitled "Why the treaty should be ratified."

I will say, in connection with Mr. Story's article, that in very many public affairs, although he belongs to a different school from me, I have found him to be a man of remarkable humanitarianism and remarkable clearness of intellect. I ask to have the article printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

WHY THE TREATY SHOULD BE RATIFIED.
(By Moorfield Story.)

"We are now face to face with a vital question whether the treaty of peace shall be ratified.

"The country wants peace and a league of nations, and the treaty secures both.

"Until we have peace the crushing expenses of war continue, and men can not return to their normal work. Until they do their idle hands are easily turned to mischief, and forces which tend to disorganize society threaten our civilization.

"The statesmen who met in Paris would not have been forgiven if, with the terrible experinces of the war fresh in our memories, they had made no effort to save the world from another such calamity. They were bound to respect the universal wish for some league of nations.

"After months of negotiation, their treaty is before us. No nation and no man made it or could make it. In all probability it satisfies no one, but it is the best result on which the nations could unite. Every negotiator, much against his will, has yielded something. Everyone can suggest changes which in his judgment would be improvements. Anyone can imagine disasters that may occur notwithstanding the treaty, or perhaps because of it, but it is not within the power of any man or any body of men to draw a treaty which no one can criticize, or which will insure perfect results in an imperfect world. The Senate of the United States can not make a new treaty, and if it refuses to ratify this one the only result must be new negotiations, sure to end in nothing that will satisfy everybody, and equally sure to be attended with ill feeling and suspicion which can hardly fail to leave behind them a dangerous international atmosphere.

"Men say that this treaty amends the Constitution because it limits our sovereignty. Any contract which either man or nation makes limits the maker's freedom of action since it binds the maker to do something which he was not bound to do before. In no other sense does this treaty limit our sovereignty. For more than a century this country has been bound by treaty not to build forts on our Canadian boundary or to mantain warships on the Great Lakes. This treaty, our arbitration treaties, and all our other treaties to a certain extent limit our sovereignty. None the less we must make treaties. The claim of those who oppose the treaty strikes at the treaty-making power itself.

"The present treaty with the right to withdraw and the requirement of unanimous consent to any important action by the league of nations is an experiment which guards us very carefully. Put into one scale the very worst that can happen to us, if the treaty is ratified, and in the other what is sure to happen, to say nothing of what we can imagine, if the treaty is not ratified, and can anyone doubt which scale tips the beam?

"If the world is left as the war found it, the preparation for war, the explosives, the poisonous gas, the forts, the guns and ships, the aeroplanes and submarines, the standing armies and the enormous fleets, in a word the competition in devising means of destruction involve an expense in money and life which is simply appalling. And what must be the position of this country before the world, this country which claims to have entered the war to realize high ideals and not for any selfish interest, if it refuses to unite with other civilized nations in taking the little step toward better things to which the treaty commits us. It would be a shameful betrayal of civilization at the greatest crisis in history.

"The treaty should be ratified as it stands. If its provisions need amendment these amendments can be made hereafter, and are far more likely to be made, if we have shown toward our Allies confidence and good will by agreeing to the compact which our representatives have made than if we exhibit suspicion of their honesty and selfish disregard of every interest but our own by refusing to unite with them.

"And let us hope that in the discussion of the treaty the Senators of the United States will not degrade their country by giving voice to racial jealousy or suspicion as to the motives and aims of nations which have stood side by side with us in the great contest for freedom and civilization, and thus destroy that harmony upon which the world's best hope rests to-day. Let them forget party and the chance of partisan advantage, and above

all let not their feeling about the President lead them to reject the treaty. He is the President of the United States upon whom devolved the duty of negotiating this treaty. The task was one of well-nigh insuperable difficulties. If there were those who felt that he should have taken counsel with the leaders of the Senate more freely than he did, let these leaders not justify his course in not doing so by exhibiting to their fellow countrymen their unfitness to deal with the problem before him. Let them rise above party and let their country have peace, a result which can only be attained by ratifying the treaty as signed. Any amendment makes a new treaty to which the other powers must agree, postpones peace, and in every way intensifies the dangers which now threaten the world."

THE LEAGUE OF NATIONS.

Mr. KNOX. Mr. President, I ask to have inserted in the RECORD an address by Hon. James M. Beck before the Union League of Philadelphia, Pa., on the league of nations.

The VICE PRESIDENT. Without objection, it is so ordered.

The address referred to is as follows:

THE LEAGUE OF NATIONS.

[Address by Hon. James M. Beck before the Union League of Philadelphia, May 8, 1919.]

"Hon. Edwin S. Stuart, president of the Union League, presided, and introduced Mr. Beck, as follows:

"'Gentlemen of the Union League, it has been the custom of the Union League since its organization to invite distinguished guests here to address us on important national matters, and tonight we have as our guest a native of Philadelphia. He was born here, and while he has not always lived within its borders for the last few years, his interest, his love, and his affection have always been for the city of his birth—Philadelphia. I introduce to you the distinguished guest of the evening, the honorable James M. Beck, who will address us on the important question of the league of nations.' [Applause.]

"Mr. Beck was heartily welcomed and responded as follows:

"'Mr. President and members of the league, your organization is called the Union League. It is a beautiful name. The word "Union" has more sacred memories than even the more formal title to our Nation, the United States, because the latter speaks for the Commonwealth as a political entity, while the Union means not only the aggregate of its living citizenship, and a total of its material assets, but suggests all the traditions, achievements, and institutions of the American Commonwealth. It was to save that Union that the Civil War was fought, and out of that epic struggle grew this great and efficient organization.

"'The perpetuity of the Union, as I have thus defined it, is vitally at stake by reason of that which has been done in the last five months in the name of America, for I believe that the league of nations, as now proposed to the American people, threatens the impairment of important constitutional principles of our Government as well as one of its noblest traditions, which, though not written in the Constitution textually, is as essential to the perpetuity and happiness of the United States as the letter of the Constitution itself. To that great theme I shall briefly address myself.

"'Preliminarily, we must consider not merely the text of the covenant of the league of nations but the method whereby it is sought to be forced upon the American people. This has given rise to a grave constitutional crisis, which, if the Senate ignored, a fatal precedent would be set, which, in my judgment, would change the form of our Government in the conduct of its foreign relations to our ultimate undoing.

"'One hundred and thirty-two years ago in this city of Philadelphia—and no city ought to have, by reason of its great traditions and intimate connection with the creation of the Constitution, a greater interest in the league of nations than this great historic city—there met an assemblage of 55 men, who attempted to construct a form of government which they regarded as necessary for the perpetuity of democratic institutions in the American Commonwealth. They were men of surpassing ability. While their personnel differed to some extent from that of the First and Second Continental Congresses, yet the framers of the Constitution, who met from May, 1787, until December 17, 1787, in Independence Hall, well merit the noble eulogium that the elder Pitt applied to the earlier convention when he said:

"'I must declare and avow that in all my reading and study—and I have read Thucydides and have studied and admired the master States of the world—that for solidity of reason, force of sagacity, and wisdom of conclusion, under such a complication of circumstances, no nation or body of men can stand in preference to the General Congress at Philadelphia.' [Applause.]

"'Such was the judgment of the founder of the modern British Empire.

"'Those 55 men in their deliberations took a wide survey of the whole history of mankind before they reported to the people of the Colonies the Constitution under which we are greatly privileged to live. In their final and deliberate judgment one of the most important features of this covenant was that our country should be distinguished from other nations in its refusal to concentrate in one man exclusive power over the foreign relations of the Government, and especially over the issues of peace and war.

"'Prior to that time it had been the policy of other Governments, whether in form republican or monarchical, to vest such plenary power over foreign relations in an executive ruler, whether king or president. The determination of foreign policies was not regarded as a legislative function.

"'The founders of this Republic, seeing that most of the wars that had followed with such quick succession from the very dawn of the Christian era until the time they were legislating were too often the result of the selfish ambition of one man, determined to take the war power out of the control of the Chief Magistrate of the Government that they were about to create, and they refused to give him exclusive power to determine finally the destinies of this country with respect to its foreign relations. To them that change in method marked the difference between a monarchy and a republic, and they intended to found a republic and a republic they did found, and a republic, please God, it shall remain.' [Applause.] 'Thus and therefore they resolved that while the President—because of Congress not being continuously in session—should have an initiative in the mere negotiation of a treaty, yet that no treaty should bind the people of the United States unless it was ratified "by and with the advice and consent of the Senate."

"'Bear in mind the words, for there is not a tautological word in all the Constitution. No document is of more admirable simplicity. If Gouverneur Morris could have drafted the treaty of peace or the league of nations, he would have set a very commendable example of simplicity and clarity to the draftsmen who have now given the world a peace treaty of 80,000 words. When our Constitution, where every word has its meaning, provided that the President should not put a treaty in force except with the "advice and consent of the Senate," these words meant more than the final act of the Senate in ratifying a treaty, negotiated by the Executive and to which the Senate, as some publicists have claimed, is morally committed by the Executive. If you will read President Wilson's History of Popular Government, you will there see recorded years ago as his deliberate conviction that in the practical working of our institutions, whenever the President or his representatives shall negotiate a treaty, thereafter the function of the Senate has virtually ceased and the Senate must ratify that to which it is morally committed by the negotiations of the Executive. That that view can not be right is best shown by the fact that it was not a mere majority of the representatives of the sovereign States which was to determine the foreign relations of the Government, but the concurrence of two-thirds was necessary before the United States could be committed to any treaty stipulations.

"'Thus a crisis now confronts this Nation. Deliberately and avowedly, for at least it can be granted that there has been no hypocritical pretense about it, the President has said that he would so interweave the league of nations with the peace treaty as to make its rejection exceedingly difficult, if not impossible. Such an unprecedented threat was fairly implied in the challenge he flung to the Senate in his speech in the Metropolitan Opera House, in New York City, before he last sailed for the new seat of government in Paris. The President did not disguise the fact that his reason for this interweaving of a very extraordinary proposition for supergovernment with a most complex treaty of peace was that the Senate would be under the duress of events to accept the treaty as a whole, inclusive of the league of nations, as to which more than one-third of the Senators had placed themselves on record as opposing it in its then proposed form.

"'This crisis is emphasized by facts that perhaps are not fully apprehended by all Americans. I was in England in the autumn of 1918, and discussed the matter of the league of nations with many prominent English publicists. At that time not 10 per cent favored the league, and, in any event, the great weight of educated public opinion in England was heartily opposed to any interweaving of a league of nations with the treaty of peace. They were in a state of stupor. They had been driven by the enormous weight and burdens of the war almost to their knees by financial exhaustion. What they wanted above all things was to make a speedy peace without the subject being in any manner intermingled with a league of nations, which they thought could more properly be made the subject of future de-

liberations when the world was in a more normal state. If that was the view of England, it is known that it was even more the view of France, for it is a matter of common knowledge that when the President first went to Paris and laid before the French Government his scheme of the league of nations, France, in the person of its great prime minister, Clemenceau, opposed it, and was so opposed to it that it finally required the reluctant cooperation of Great Britain to compel Clemenceau to withdraw his objection to the interweaving of the league of nations with the peace treaty. Moreover, when the President came home to this country for a very brief visit, and when, having come home, the 36 Senators, more than a third of the Senate, formally placed themselves on record as being opposed to the covenant of the league of nations as then proposed, the French and the British Governments then agreed to the necessity of making immediate peace, for it could not be safely longer postponed, and it is credibly reported that President Wilson was notified that it was their judgment, presumably in deference to the wishes of the Senate as the final treaty-making power in this country, that there should be an elimination of the league of nations from the proposed treaty of peace. It is certain that the French foreign minister, Pichon, made an official statement on behalf of his Government that France had taken that position, and yet on the same day the President issued a statement that the league of nations would be interwoven with the peace treaty, as he had said in his speech in the Metropolitan Opera House in New York, and again yielding to his insistence the league of nations was put back into the treaty, and was so interwoven that no one can be blind to the surpassing difficulty that now confronts the Senate in the discharge of its constitutional function of passing upon the league of nations to do so without prejudice to the interests of the world.

"'Thus without any real necessity for the course, against the wishes of our greatest allies, the league of nations was almost inextricably entangled with the most complex and difficult peace treaty that the world has ever known, and the Senate must now discuss the league of nations, not fairly and fully upon its merits as one of the most important proposals ever put before any legislative body but under the trying and almost impossible duress of knowing that if it rejects this treaty it may prolong the agony of an overtortured world for an indefinite period of time.

"'The Senate of the United States, acting through distinguished Senators, had given due notice, of which the other nations were bound to take account from a previous knowledge of the character of the credentials of the American peace commissioners, that this country would consider the proposed covenant to see how far it compromised the sovereignty of the United States and how far it destroyed the most sacred traditions of this country. Our allies, being so advised, have for reasons which commended themselves to them, refused to take the reasonable precaution of separating the peace treaty proper from the league of nations, and they have at the instance of President Wilson so interwoven them that they are like a tangled skein of silk. It would take infinite pains to take them apart.

"'In this manner, in a covert and insidious way, the great fundamental principle of the Constitution, that only "with the advice and consent of the Senate," freely expressed and freely given, should any foreign commitment be entered into, has been challenged by our own Chief Magistrate, who was sworn to defend and not destroy the Constitution of the fathers. When Cromwell entered the Commons and pointing to the mace, the symbol of its authority, said, "Take away that bauble," he did not treat the great council of the realm with more contempt than President Wilson in the last five months has treated the Senate of the United States. In thus attempting to defeat the coordinate power of the Senate President Wilson challenges the integrity of the Federal Constitution.' [Prolonged applause.]

"'We can not afford not to take up that challenge. If it were only a question of the living generation, we might say, "It matters not to us. We want peace as much as any other nation. We have had our burdens in this war, due to some necessary expenses and to many of unparalleled extravagance. Let us return as quickly as possible and at any sacrifice to normal ways. We will not stand upon any constitutional principle, however valuable it may be."

"'But we are trustees for posterity. Just as we took the torch of constitutional liberty from the hands of preceding generations, from the men who saved the Union in the great Civil War, we must pass that torch on to the succeeding generations. We owe this alike to the dead and the unborn. We must never let it become a precedent that the Senate, the great treaty-making power of this country, more broadly representative of the whole Nation than any single man, however estimable his character may be, shall abdicate its exalted office as the final judge of our foreign policy.' [Applause.] 'This is not a monarchy in which the king has sole control of our foreign relations. If it were, it would be disastrous for this country, because in the long run the wars of the world have resulted too often from the caprices or ambitions of single individuals.

"'The great Senate of the United States, representing 48 sovereign Commonwealths, speaking for a people of 100,000,000, should say to our representatives in Paris: "We will do as we have always done; we will not accept dictation from the Executive. We will consider this treaty and accept or reject it in whole or in part as the interests of America require. We propose to consider this question calmly, soberly, advisedly, and deliberately and in a spirit free from narrow partisanship. We will consider it not only in the light of all that is due to America, but in the light of the best interests of civilization. If there ever was a time in the history of the world that any nation could not afford to be selfish, it is this hour. The Senate will consider it in that spirit and having reached the conclusion of that which is fair to the United States and to the whole world the Senate will act not merely perfunctorily, but in accord with the great traditions and precedents of that august body."

"'There is much in this covenant for a league of nations that is admirable.

"'It can be divided into four classes: First, the declaratory, that seeks to announce new public policies for civilization, as, for example, that a war or even threat of war against one nation is the just concern of all. That declaration of the solidarity of mankind and the collective responsibility of all nations for the peace of the world is a noble utterance. The difficulty is, as any sensible man knows, that the world is still centuries behind it. We had the same declaration in The Hague Convention, only voiced with incomparably more moral authority than the league of nations can give it, and yet the moment the great cataclysmic clash came all recognition of collective responsibility vanished among all nations, including our own, except a few, who were left for three weary years to bear almost alone the brunt of the battle for civilization. For three years we remained neutral even when the ravages of war had reached our own lands and our own people. He, whose boast it was that he "kept us out of war," could profitably talk less of duty of humanity.' [Applause.]

"'Then there are the advisory provisions of the league, those in which the league simply meets in the spirit of friendly conference to consult for the good of the world. For the most part, they are admirable.

"'The third class may be called the judicial provisions, which provide for the adjustment of international controversies by arbitration or mediation. While containing little that is novel, yet they are wise in moving with due conservatism and a reasonable regard for the actualities of life. They, too, deserve the support of reasonable men of all nations.

"'The fourth and most important class may be called the "coercive" provisions, weak and anemic, but nevertheless in a rudimentary or foetal stage of development, representing an ambitious attempt to create a world State, to which all the constituent States of the league will contribute a portion of their sovereignty.

"'These coercive provisions, especially article 10, to which I shall especially ask your attention, present an issue of vital importance to this country, and that is whether, in the illimitable future, we shall adhere to the policy of George Washington, as declared in the immortal Farewell Address, and which was, in a fine and noble sense, to "mind our own business," or whether we will become (as a great leader of men, so recently taken from us—would to God he were here to-day to combat this heresy—said before his death) the "Meddlesome Mattie of Nations." Shall we implicate this Nation in all the intricate affairs of the world with the obvious penalties that will come to us as a Nation of great potential power or will we maintain the traditions taught by our fathers and accepted by all our public men of all parties until recent years?

"'We are at the parting of the ways. We will either inextricably entangle ourselves, not merely in European politics but in the more difficult problems of the Far East, or else pursue our own splendid way of independent self-development, minding our own business, but without in any manner ignoring our duty to civilization as one of the master States of the world. It is not a question of isolation—that is impossible—but of independence. We can profitably recall Washington's sound counsel given in a letter to Gouverneur Morris on December 22, 1795:

"'My policy has been and will continue to be * * * to maintain friendly terms with but to be independent of all the nations of the earth.

"'Let me illustrate by some recent occurrences. A few days ago it was announced in the authentic communiques that our peace commissioners in Paris—and that ought to be said in the singular number' [laughter and applause]—'had taken Fiume from Italy, had created Danzig into an independent free State, and had recognized the British protectorate over Egypt, with some reservation about the details of British control and with the hope that a larger measure of home rule would be given to the Egyptian people. When I read that I wondered if His Majesty King George V should suddenly state to-morrow that he had given the Philippines to Japan, created Hawaii into an independent State, and had recognized the American protectorate in Porto Rico, with the hope that the United States would grant a larger measure of autonomous government, how the people of the United States would take His Majesty's intervention in our affairs.' [Laughter and applause.]

"'In a dispatch dated April 17 to the New York Evening Post, one of the President's organs, we learn:

"'There was no meeting of the council of four to-day because of the extraordinary number of engagements made by the President, who, beginning at 11 o'clock, gave an average of 15 minutes each to delegations from America, Europe, the Near East, and the Far East, besides attending to routine matters put up to him by his secretaries. From 11 until 11.10 the President talked to a Chinese delegation, then listened 20 minutes to the French National Congress on the question of the Rhine as a frontier. Fifteen minutes went to the Assyrian-Chaldean national delegation, the same to the Slavic-Dalmatians, who presented the results of a plebiscite in the Dalmatian territory occupied by Italy. Ten minutes went to the chargé d'affaires for San Marino—

which, I believe, has 11,000 people—

"'Ten more to the Swiss minister of foreign affairs; 10 to Rose Schneiderman and Mary Anderson, representing the American Women's Trade Union League; 15 to a long-haired Greek patriarch from Constantinople, which is the seat of the orthodox eastern Christianity; 15 to Essad Pasha to present Albania's claims; and 15 minutes to the Greek minister from Rome. The President then went to lunch with Secretary of War Baker' [laughter], 'who informed him about American matters.

"'How grateful we should be that between the courses of a lunch our President was informed about matters of our Nation of great importance and undeniably in need of urgent action! Our satisfaction is, however, lessened by the fact that he received his information through Secretary Baker.' [Laughter.]

"'Beginning again at 4 o'clock, Herbert Hoover got a quarter of an hour of the President's time, and was followed by a Roumanian delegation. A member of the Portuguese Government was next, and he was succeeded by Boghos Nubar, the Armenian leader, who came to plead the cause of his country, which desires that America assume a mandate over it. Then came the venerable Serbian minister, Pashitch, and, finally, Frank Walsh, pleading for a free Ireland.' [Laughter.]

"'Let me in contrast with this dangerous policy of intermeddling now recall one of the most sacred traditions of our Nation. In September, 1796, the editor of a Philadelphia paper called the National Advertiser was asked to go to Sixth and Market Streets on a special mission. He entered the hall and was shown into the drawing room, and there, standing with his back to the fireplace, was, I think, the most Godlike man the world has ever known, 6 feet 2 in height, steel-gray eyes, prominent aquiline nose, firm set mouth, clad in black velvet, sword hanging by his side. When Mr. Claypole, the editor in question, entered, this man, who was none other than George Washington, said to him: "Mr. Claypole, I have a manuscript here that I am very anxious you should publish in the Advertiser, and I want you to publish it exactly as I have written it." Claypole said he would do it, and took it away.

"'Washington for five years had labored over that manuscript, first in 1792, toward the end of his first administration; then he laid it aside when he agreed to accept a second term. In 1796 he took it up again and submitted it to the keenest jurist of his time (unless I except James Wilson), namely, James Madison, sometimes called the "father of the Constitution." He then discussed it with his Cabinet, including the very acute brain of Thomas Jefferson. When their opinions were given, he submitted the draft to that "Admirable Crichton" of the period, Alexander Hamilton, and asked him to take all the suggestions that had been made and put the document into final shape. Hamilton did so, and when it was returned to Washington the latter again carefully revised it and then handed it to Claypole. Twice the printer's proofs were returned and twice Washington returned them, with all the laborious care that marked that supremely great man, and finally, one September day, the noblest political testament in the history of the world was published—the Farewell Address. It was not an official communication addressed to Congress. It was addressed to the people of the United States as citizens. It was not to his generation alone that he addressed it; but, knowing that he would soon be gathered into the "mansions of the departed," Washington desired, as among the last acts of his life, to give to future generations of the American people the result of his 45 years of experience in the Army and field, his matured and final views as to our Nation's destiny and true policy, as one method of preventing them from falling into some fathomless abyss like the league of nations; for such it is.' [Applause.]

"'Consider the spirit in which it was written. It is as a living voice that comes to us of this generation in a critical hour from that tomb on that little knoll at Mount Vernon:

"'A solicitude for your welfare, which can not end but with my life, and the apprehension of danger natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments, which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people.

"'Again he says:

"'In offering to you, my countrymen, these counsels of an old and affectionate friend—

"'and what a friend he was—

"'I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our Nation from running the course which has hitherto marked the destiny of nations. But, if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

"'Let me recall the exact wording of this most significant statement of our true foreign policy:

"'The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Europe has a set of primary interests which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations or collisions of her friendships or enmities.

"'It is a very significant fact that in Hamilton's proof the word "ordinary" appears only once, but Washington, when he revised Hamilton's draft repeated the word "ordinary" to make his meaning clearer. He says:

"'Taking care always to keep ourselves, by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

"'Dropping the cold words of a state document, Washington then continues with almost pathetic exhortation:

"'If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance. Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice? It is our true policy to steer clear of permanent alliances with any portion of the foreign world; so far, I mean, as we are now at liberty to do it.' [Applause.]

"'It may be suggested that this was only Washington's opinion. On the contrary it was the whole philosophy of America. Our forefathers had come to this virgin continent as pioneers. Our whole colonial history was marked by a consistent effort to be disentangled from the spider's web of European politics. It was the spirit of independence that led our fathers in the shadow of that ancient belfry in Independence Square to say that this Nation is and should be of right an "independent" State. It was that spirit that culminated in the Constitution of the United States, for in it is no provision for transferring our sovereignty. The Civil War was fought to preserve that sovereignty unimpaired, and in its final form it is the residuum of the liberty of the American people as individuals. There is no power given to the Federal Government to transfer that sovereignty to a voting trust.

"'This policy of Washington does not mean isolation. When one speaks of the traditional isolation of this country as Washington's policy, the Farewell Address is misinterpreted. Its doctrine is that of independence, not isolation. Isolation is such complete detachment from the world as would make us a hermit nation, but independence is freedom from entanglement by "artificial ties," which impair our freedom of action. It does not limit America from playing a great part in the world, but only forbids entangling alliances which attempt, like the proposed covenant of the league, for all future time to mortgage the judgment and commit the destinies of the American people not according to their will, but according to some superwill of an artificial alliance.

"'If Washington had been living in 1914, he would not have questioned the propriety of this country intervening in this war and sending its soldiers to Europe to defend the basic principles of civilization. Having returned to Mount Vernon, after he had declined a third term, when he felt that his country had been insulted by a European power, although then 60 years of age, he again was willing to leave the retirement of Mount Vernon and unsheath his sword and fight for America. Such a man,

if he had lived four years ago to-day, when the *Lusitania* was sunk, would not only have promptly given Count Johann Von Bernstorff his passports, but would have given to Germany an ultimatum of immediate war unless the *Lusitania* was disavowed.' [Applause.] 'He would not have spent a year in writing futile and ignominious notes.

"'Washington did not advise that America should not play its due part as one of the master States of the world; on the contrary isolation is not only opposed to his doctrine, but also to the destiny and traditional policies of the American people, for this potentially greatest Nation of the world is not unwilling to play its part in the stupendous drama of human events and to assume its share of responsibility. Washington did advise us that America should not subject its will in the unknown crises of the indefinite future, of which no one man can now know the precise nature, by purely artificial obligations, such as article 10 of the league, that it should not mortgage the treasure and blood of the United States to conditions which it can not know in advance and with which, when they arise, it may have no sympathy whatever.' [Applause.]

"'Article 10 says:

"'The members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league. In case of any such aggression, or in case of any threat or danger of such aggression, the council shall advise upon the means by which this obligation shall be fulfilled.

"'What are to be the means? Turn to article 16:

"'It shall be the duty of the council in such case to recommend to the several Governments concerned what effective military and naval forces the members of the league shall severally contribute to the armaments of forces to be used to protect the covenants of the league.

"'Thus we are asked to underwrite not only the territorial boundaries of the world, as they now are, but the future boundaries, as time develops them in future years, with or without our consent. We not only agree to preserve with the blood and treasure of our Nation these unknown territorial boundaries, but also the political independence of each member of the league, and possibly of every nation in the world. To safeguard the political independence we necessarily undertake to preserve their form of government, and we can not tell what form of government our partners in the league may in the future have. There may be a great reaction against democracy. If so, there may be a retrogression to absolute monarchy. Who can tell what is in the lap of the gods? Russia to-day is under the control of Lenin and Trotski. The league of nations even in its birth has confessed itself impotent to combat Bolshevism, and it might as well confess its impotence sooner or later for all purposes, unless Lenin and Trotski are dethroned from their arbitrary and cruel power, for the future of Russia is the crux of the peace problem. Thus by article 10 we might guarantee the political independence of Russia, governed by Trotski as another Cæsar. Moreover, the obligation is not confined to the present map of the world as it is developed by the peace conference, which it is vainly sought to stereotype, but article 10 is a continuous and indefinite obligation as to any future changes of the map of the world that may be made, and when made with the consent of the league they become part of our guarantee.

"'The dangers thus suggested are not fanciful. The dragons-teeth seeds of half a dozen wars have been shown by the peace conference, and if the harvest be averted it will only be because of the frightful character of modern armament and the consequences of war.

"'The league of nations will not stop these wars, of which a number are now in progress. By a recent act of the peace conference, and with a palpable violation of the rules of self-determination, a province of over 30,000,000 people belonging to one of our own allies is placed under the domination of Japan upon condition of its restoration as Japan, in its own time and at its own will, shall elect. Suppose China should suddenly awake to defend herself and with her teeming millions make war upon Japan, and the latter country, being one of the voting trust and therefore potential, would say, "We demand now the protection of the league under article 10." I may be lacking in enthusiasm, but I am not enthusiastic about our sending possibly a million of our men to Japan or China to defend Japan against China or China against Japan under the circumstances to which I have alluded.' [Applause.]

"'Or take the difficulty with reference to Fiume, a little town on the Adriatic with about 35,000 people. I shall not discuss the merits of the Fiume dispute, because, like most Americans, I doubt very much whether I had ever known or heard of Fiume a few years ago. Let us see how strong the league now is to enforce its decrees even against one power, Italy. The flatterers who surround President Wilson had told him that his power was such that if he raised his hand any Government in Europe would topple from its base. Our President, without any mandate from the American people whatever, demanded that Fiume should be given to Jugo-Slavia and taken from Italy, although the majority of the people in Fiume are Italians. Italy refused and left the peace conference. Italy is weak as compared with the great alliance, and if the coercive power of the league was as claimed by its proponents Italy would have yielded. She simply withdrew her representatives to Rome, and when they were invited to return to Paris it was not Italy that had retreated. The league can not overcome the pride of nationality. It is fortunate for the freedom of the world that it is so.

"'If Italy and Jugo-Slavia should become involved in war about Fiume, what would America do? We have in this country a great many citizens who are Slavs by race and many who are of Italian birth. If it was wise in Washington's day not to implicate ourselves in the local entanglements of Europe which are no concern of ours, then it is wiser to-day when we have given hostages to so many nations by immigration. Thus we can not intermingle in European quarrels without sowing the seeds of dissension and disunion within our own household. If Jugo-Slavia made war upon Italy and Italy appealed to the league to defend it from Jugo-Slavia, we would be called upon under article 10 to send our sons to engage in a bitter controversy with respect to a town that is not as large at Atlantic City. Again I am not enthusiastic about the prospect.' [Applause.]

"'If the experience of history counts for anything, these leagues dissolve in critical times like the soap bubble the child blows. It floats through the air with lovely iridescent colors, charms the eye for a fleeting moment, but when it touches the floor it bursts and all the colors disappear. If there is one thing that human nature and history teaches, it is that there has never been a league of nations that has stood the actual crash of conflict. We know what happened in 1914 to the best and most hopeful of all leagues, The Hague convention.

"'Such leagues were tried in Greece more than 2,000 years ago; they have been tried again and again through all the centuries, and always with the same dismal failure. The best evidence that the present league has failed to inspire confidence, even in the hour of its birth, is shown by France. One of the clearest and sanest of France's soldiers, Gen. Foch—the censor has not allowed his statement to come over—said that he would not advise signing the treaty in the form it is in, because it does not give adequate protection to France, and now we are advised that an arrangement has been made provisionally that the United States and Great Britain should defend France in the event of an unprovoked attack by Germany. Such is France's faith in the league.' [Applause.]

"'Why the proposed Anglo-French-American treaty if there be any confidence that article 10 of the league of nations will function as its projectors pretend to believe?

"'Suppose Russia and Germany, at present both ostracized by the league, should form an alliance and a world war should come again to the world, what would be left of the league? The United States might respect its obligation; it would depend very much upon the circumstances under which the quarrel arose; but what with respect to many other nations? What became of all the promises and assurances of The Hague convention? They burst like the soap bubbles with which a child amuses herself. And yet The Hague convention was formed under far better circumstances and had a greater acquiescence by all the world than the league of nations, that has been born in the spirit of dissension and turmoil.

"'Let America beware of the day that she pledges her solemn faith to underwrite the territorial integrity and political independence now and for all future time of possibly all the nations in the world.

"'It is said, however, that any member of the league can withdraw on two years' notice. Really when Senator BRANDEGEE spoke of Little Alice in Wonderland in connection with the famous dinner in the White House to discuss the league it was an apt analogy. The reasoning of the Mad Hatter is outdone by the suggestion that the difficulties of article 10 are met with the provision that any nation can withdraw on two years' notice, provided, in the opinion of the executive council, all its obligations have been fulfilled.' [Laughter.]

"'I was in Switzerland in the early days of July, 1914, and the world was apparently at peace. I was satisfied from the Austrian ultimatum that war was inevitable. I took the first train for Paris ahead of the storm which a great many people believed was not coming. I reached Paris on July 31 and sailed from England about August 26. Between July 31 and August 26 half the world was at war, millions were already in the field,

nearly all of Belgium was occupied by the Germans. The Battles of Mons, Charleroi, and Morhange had been fought, and the Germans were halfway to Paris. All in less than a month, and yet it is said if the clouds of war commence to gather in the future that we can escape responsibility by giving a two years' notice. Even if the war had not started but was threatened, the moment we gave notice that we were going to withdraw in two years steps would be taken to hasten the war to bring us within the two-year period. If our armies were in the trenches when our two years' notice ended it would not be very safe to withdraw in the face of modern artillery.

"'Even were this provision changed from the two-year period to an immediate right of withdrawal it would still be objectionable, because when the clouds of war gather it would be a point of honor for an honorable nation to remain, because if one nation agrees with another to safeguard a certain situation, but reserves the right to withdraw at any time and suddenly a crisis arises, the first nation would be wanting in chivalry if it exercised its right to withdraw before the crisis was past. America would not desert its allies in the hour of danger.

"'The league attempts to vest the control of the world in a voting trust of five nations. We can safely start with the assumption that we have never in the history of the world had a repository of power, especially if self-assumed and one which questions the equality of nations, which did not become a shining target to other nations. Moreover, such enormous power always invites division between the members of the alliance, as witness the two great triumvirates of Rome and that of France, which Bonaparte for a time shared with Sieyes and Ducos as consuls.

"'Suppose the five nations composing the voting trust—Great Britain, Japan, Italy, France, and the United States—at first were united, it would only take one of them to break the majority. We have already seen what the potential power of that one vote is in the matter of Shantung. Shantung, with practically the moral control of the Far East, was given to Japan. Why? Because if Japan left the five, the voting trust would be broken, and Great Britain, France, Italy, and the United States would be in a possible minority with respect to the control of the league, if the present minority of four wished to seize the controlling power by uniting with Japan. Would not the desire to do so be natural? Thus the voting trust is admirably adapted to subject Great Britain and the United States to the demands of Japan.

"'It is said that these objections are met by the rule of unanimity, but that rule takes from the league whatever assured value for effective action it might possess. Unanimity may exist in heaven among the angels but not elsewhere. Richard Brinsley Sheridan once said that "when on the stage they agreed upon any subject their unanimity is wonderful," but this is not true of the "wide and universal theater of man."

"'To allow any one nation to prevent any decision of the league is to condemn it to impotence. It is a delusion. All the anarchy of Poland in its past history was due to that which they called the liberum veto, a similar provision. As a result Poland was always in a chronic state of anarchy. Yet this league of nations is holding out to the world the sham promise of a peace, pretending to have coercive power, which it can not possess with the rule of unanimity, but imposing moral obligations, which to generous nations like France, Great Britain, or the United States would be an embarrassment, unanimity or no unanimity. The weak or unjust nations of the league could block any action by simply interposing a veto, whereas the just and noble nations would say, "We made a promise to safeguard the political independence of other nations, and therefore, even if one nation fails to act with us, we will not be false to our moral obligation, but will carry out not only the technical letter of our obligation but the spirit."

"'If it were true that the league of nations gave a reasonable assurance of a durable and just peace, America should, without respect to its own interests or traditions, make the supreme sacrifice and join in any plan to put an end to the greatest evil, with the exception of injustice, that of war; but what assurance is there that any man can gather from the past or the present that there will be any lasting peace as a result of this sham league? Far from bringing peace, the league will bring war. What is there in the past history of the world or the present that justifies the belief that a league of some nations, in which the control is arbitrarily vested in five, where the nations are all of different interests, races, and varying degrees of civilization and standards of justice, will remain united? Where is the assurance that the league will do that which even 2,000 years of Christianity have failed to do, namely, bring about peace with justice in the world?

"'The present tendency is to assume that whatever was true in the past is presumably untrue to-day, and it may be that which was Utopian yesterday may become the commonplace truth of to-morrow; but the only safe way in which men can reason, especially when they are reasoning on the grave matters of national destiny, is to give some weight to the uniform experience of history, for surely we can stand upon the fundamental premise that the league of nations has not and can not repeal human nature.

"'There never was a time in the history of the world that there was peace in the world except once, and then only in a nominal sense, and that was when Christ was born. All the power of the world was then concentrated in one State, and all the power of that State in one man, Augustus Cæsar, and as one man can not quarrel with himself, naturally during his reign and that of his three successors, who enjoyed a similar absolutism, there was peace in the world. But was our little world happier because it was subject to the will of one man? On the contrary, it never was so unspeakably wretched as it was in the century following the birth of Christ, because the dawn of a better day slowly came with Christianity and with Christianity a passionate sense of justice, which ended a false peace.

"'To insure peace by coercive measures, and that is the theory of the league of nations, it would be necessary to concentrate power in so few human beings that they would not quarrel, and to concentrate the power of the world in one nation.

"'Present events illustrate this. The peace conference started with 70 members. They found that that would not do as there were too many differences of opinion, so the number was reduced to 10; then it became 6, and then 5, and finally the 70 had become a new triumvirate, and as disunited as the classic examples of triumvirates.

"'A communique from Paris in to-day's paper says, "The council of three—Clemenceau, Wilson, and Lloyd-George—yesterday decided as to the disposition of the German colonies as follows": They "decided," not the nations. They divided over a million square miles of territory. The 24 nations did not decide it.

"'The plenary council of the 24 nations was given two hours to consider the whole peace treaty as formulated by three men, which is two hours more, I believe, than Mr. Widener gave the stockholders of the Metropolitan Traction Co. of New York on a famous occasion.' [Laughter and applause.] 'I believe the proposition was then, as it is now in Paris, "vote first and discuss afterwards."' [Laughter.] 'But the plenary council was given two hours to consider the whole peace treaty which could not be read in many hours, because it contained 80,000 words.

"'If the experience of history teaches us anything and if democracy amounts to anything, and if the recent example of Italy demonstrates anything, it is this: That it is philosophically true that you can not put the world into a voting trust. It declines thus to be put. Men are to enlightened, too proud, the human soul has been too well developed to permit of any group of men, any new triumvirate, to control lastingly the destinies of the world, and therefore, if the league of nations came into existence, dominated by five nations acting through 3 or 15 individuals, attempting to govern the destinies of this world, I venture the prediction that it would not last five years and that it would not survive the first real crisis.

"'Suppose on the day of the armistice and thereafter during the Paris conference President Wilson had taken George Washington's advice. Suppose that he had gone to Paris—and I am not one of those who criticize him for going. Upon the whole, I think the crisis was grave enough to warrant his going, but suppose that having arrived he had said to our allies: "Gentlemen, it is the traditional policy of my country that the local concerns of Europe are those in which we ought not to interfere. We did come into this World War because of the invasion of Belgium, which was a challenge to civilization itself. It was an 'extraordinary emergency.' It involved the bases of civilization. But you have many questions as to which America has no particular interest and in which it can have no sympathy. You are our allies. Solve your purely European questions as you think best and America, believing in your good faith, honor, and greater wisdom with respect to such internal questions, will gladly join with you in the treaty of peace, and accept such solutions of European and other questions foreign to America as in your joint judgment is fair for those directly concerned."' [Prolonged applause.]

"'What would have been the result? America would be to-day the best beloved Nation in the world. Our President might be the most loved and admired statesman of the present

heroic era, notwithstanding his fatal hesitancy in the critical years from 1914 to 1917.

"'Let us see what has happened by disregarding Washington's solemn warning. Our country in November, 1918, was popular as it had never been before in its history. Our neutrality was forgotten and submerged in the great and unselfish sacrifice we made in the last year of the war. The admiration for us was most generous, the gratitude deep beyond words. I can testify that in both England and France their publicists said with sincerity, although it was effusive generosity, that we had won the war, as though they had done nothing with their infinite sacrifices and far greater service in the common cause.

"'America to-day, in France, Great Britain, Italy, and other countries, has suffered a marked diminution in the generous estimate of men that no one can possibly measure. They believe we have marred their peace. They believe that by intermeddling we have not merely prolonged indefinitely the torture of their agony but have deprived them of the full fruits of their victory, and we will for years to come pay the penalty, and just such a penalty as Washington warned us against, a penalty for the curse of intermeddling, which breeds the ill-will of every nation against which our representatives decided, and has brought us not too much credit from the nations in whose favor they acted. Of this dissatisfaction we hear but little, as the censor has too successfully stifled truth in the last six months.

"'It is said that the Washington doctrine is only a tradition. But what is this tradition, which is now the subject of so much disapprobation and scorn?

"'I stood in 1916 in the Cathedral of Rheims. Its foundations were there, its great walls remained, but the high altar was gone. Its great rose windows were shattered into pieces. Those windows were not in a strictly utilitarian sense necessary to the church, and yet without the roseate splendor of the light of day shining through those beautiful pieces of glass the interior of that noble sanctuary was cold and depressing.

"'In this we can see a symbol of the shattered edifice of the Union. Its foundations and walls also endure, but its high altar and stained-glass windows are gone. The stained-glass windows are the great traditions of our country. Through them our past suffuses its great light; through them the wisdom of Franklin, Washington, Hamilton, and Jefferson, and all the great men of that great heroic period of our country, passes; through them suffuses the splendor of the Union with the glory of an epic past.

"'The rose window of America is the tradition which we owe to Washington, the tradition of a proud independence that has been shattered in the last five months in Paris and will be lastingly destroyed, unless the Senators of the United States, obedient to their oaths, and to the great destiny of the American people, shall say, before it is too late, "We will not permit the great and noble policy under which this country has lived for over a century and by which it has grown immensely strong in moral influence to be destroyed."

"'That stained-glass window of Washington's example must be restored, for it is through it that the influence of the great founder of this Republic inspires living men.

"'To carry my analogy one step further, what is the high altar of the Union which, like that of Rheims, has been overthrown and in part destroyed in a spirit of mad ambition? It is the Constitution, whose mighty principles, embracing the "whole law and the prophets" of free government, have been too often set at naught in recent years, especially in the present attempt to subvert the high prerogative of the Senate. Thank God, the Republican Party, which more than half a century ago saved the Union, has now again the great duty to save again the Union, which Washington founded and Lincoln saved.' [Prolonged applause and cheers.]

"Col. GRIBBEL. I beg leave, Mr. President, on behalf of the Union League of Philadelphia, to move that the thanks of this organization be tendered to the honorable James M. Beck for the magnificent address on this momentous question which he has delivered here to-night.

"(Seconded and unanimously carried.)

"Adjourned."

LUMBER AT CANTONMENTS.

Mr. SHERMAN. I present a letter from the Holm-Page Co., general contractors, of Rockford, Ill. I should like to have it printed at length. It is not an extensive letter. It is on the question why the Government is holding at the different cantonments vast quantities of lumber. There are some 15,000,000 feet of lumber at Rockford, Ill., that could be used in general construction work. It is suggested in the letter that there are certain lumber manufacturers who are trying to keep this off the market. I am in hopes that the publicity given the letter may loosen up the authorities here at the Capital or in the departments and do some good.

I should like to suggest to the Senator from Iowa [Mr. KENYON] that some of this propaganda comes from a number of other industries who fear they may be licensed likewise if the packers are. There are a good many industries in this country that are fairly successful, and if every successful enterprise is to be licensed, they think it is a good time to file the protest now. If you license the packers you can license agricultural implement manufacturers, boot and shoe manufacturers, and every variety of successful enterprise. The Senator will find that at the threshold of this undertaking the protests are made seasonably, so that the precedent that might be injurious may be not made on the pending legislation, of which the Senator from Iowa is one of the principal champions.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

ROCKFORD, ILL., *July 12, 1919.*

Hon. LAWRENCE Y. SHERMAN,
United States Senate, Washington, D. C.

MY DEAR SIR: We wish to call your attention to the large amount of surplus lumber the Government has at our back door—Camp Grant—nary a foot of which can the lumber dealers or building contractors buy.

When the armistice was signed there was approximately 14,500,000 feet of lumber at Camp Grant, and the inventory of February 8, 1919, showed exactly 14,178,000 feet. We know this to be a fact, because our Mr. McFarland helped to take that inventory and finally classified, extended, checked, and completed the inventory as it was forwarded to Washington. Since February there has been shipped to other camps and cantonments approximately 600,000 feet. The utilities department at Camp Grant has used another 300,000 feet and is now engaged, we are reliably informed, in hauling the remainder of this vast stock across the camp from the lumber yard to the utilities department, three-quarters of a mile distant, because they claim they can watch it better from the new location.

This lumber is not piled to keep, is not being properly piled in the new location, in fact is fast deteriorating and will not be in marketable condition one year from date. The lumber markets are mounting skyward, and undoubtedly prices have been put higher by the lumber manufacturers than even the big demand has warranted. We agree that labor at the mills is scarce, but why should the manufacturers put lumber prices up 40 to 60 per cent, when labor has advanced but 10 to 15 per cent?

There is no question in the minds of the retail lumber dealers, the contractors, or the consumers but that the representatives of the lumber manufacturers working in Washington as $1-per-year men have been largely responsible for keeping the lumber in the various cantonments off of the market. We ourselves have tried several times to purchase quantities of the Camp Grant lumber, only to have the Washington authorities write the constructing quartermaster at Camp Grant that the Government expected to use the lumber for their own construction plans. Good authorities tell us there was 350,000,000 feet of lumber in the different cantonments when the armistice was signed. Figuring on the same basis as to amounts that have been used at Camp Grant since November 11, 1918, it will take the Government 12 years to use up what stocks are on hand. You can readily understand how much we lumber users in Rockford chafe under these circumstances.

July 11 we had to go into the market to purchase 250,000 feet of lumber to complete a factory building for a local concern, and it cost us $45 per 1,000 feet f. o. b. cars Rockford, and some of it not as good a grade as the Camp Grant lumber stock. We are at present in the market for 80,000 feet of No. 1 common maple flooring and can not obtain even a nibble from either retailer or wholesaler on this item, yet in one of the warehouses at Camp Grant there are 450,000 feet of this grade of flooring that the writer knows cost the Government $25 per 1,000 feet less than the going price as quoted by the members of the Northern Hardwood Manufacturers' Association. The writer can also authoritively state that the lumber at Camp Grant cost the Government on an average of $22.50 per 1,000 feet, plus freight, which averages from $3.75 to $6 per 1,000 feet.

The question naturally arises, Why doesn't the surplus supply division release at least a part of this big stock of lumber, and thereby save the Government from a bad loss by disposing of stock that is going to soon lose its merchantable value by rotting? By disposing of it now they could actually make a profit for the Government, and also relieve a most unbearable market situation. Furthermore, they would bring a lot of profiteering lumber manufacturers to their senses. We venture the opinion

that 75 per cent of the building material at Camp Grant could be disposed of in Rockford and the remaining 25 per cent within 50 miles of the camp.

Can not some one in Washington wield a big enough stick on the desk lizards in the surplus supply division to make them see their way clear to loosen up, and not only sell some of the lumber at Camp Grant, but also the immense stock of roofing, millwork, and other building material for which there is such an insistent demand just now?

We trust you may find a way to take this matter to the proper authorities, and also lend what assistance you can to start something. We do not know how you feel about it, but it strikes a large number of the patriotic citizens of Rockford that a lot of this inefficiency and waste that exists at our very door emits a very bad odor and very perceptibly chills the loyalty of a people who gave so freely of their time and money when both were so badly needed. Isn't there some way in which the people can make their opinion felt in this trying situation?

Hoping that we may hear from you soon with a helpful suggestion concerning this matter, we beg to remain,

Yours, very truly,

THE HOLM-PAGE CO.
V. L. PAGE.

TESTIMONY OF HENRY FORD.

Mr. SHERMAN. I also wish to offer, Mr. President, from the paper, Saturday Night, of Detroit, Mich., of date July 19, 1919, an extract from the testimony, together with editorial comment on it, of Henry Ford in the suit pending in Mount Clemens, Mich. I ask to have it printed at length without reading. I think it is very luminous.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

MR. FORD ON THE WITNESS STAND.

Only because Henry Ford has aspired to be a mentor of thought in this country is his testimony in his million-dollar libel suit against the Chicago Tribune of first-rate importance. Private citizens may entertain all sorts of strange notions without attracting or requiring public attention; but whoever assumes a position of leadership in the affairs of a great nation must be understood as thoroughly as possible. That is an axiom of intelligent democracy. Neither adulation of his ideals nor irrepressible levity over his methods of approaching them can blind intelligent Americans to the effect of Mr. Ford's views as a political Crœsus on his city, his State, and his country. The output of his mind, so liberally backed betimes by the output of his enormous pocketbook, is a matter of national concern.

So it becomes significant that Mr. Ford on the witness stand repeats his indifference to all past history; that he knows Benedict Arnold only as a writer and not at all as a traitor; that he thinks the War of 1812 was a revolution; that professional soldiers are murderers; that war is not murder if waged as a war of defense; that he was against preparedness for any war; that he wanted the United States to disarm; that he didn't know very much about his own writings, because he hadn't written them at all; that he had hired a Mr. Delavigne to do most of the writing; that "if it is in the book," which Mr. Delavigne wrote, he would take responsibility for it, but that he thought Mr. Delavigne had put something over on him. By way of exhibiting the workings of Mr. Ford's mind we present a typical selection from the official record of Mr. Ford's cross-examination. The Tribune counsel begins by reading a sentence from one of Mr. Ford's pacifist pamphlets:

"Q. 'I have no other purpose than to save America from bloodshed, and its young men from conscription.' Is that Mr. Delavigne, too?—A. If it was in there, it went out. It was Mr. Delavigne.

"Q. It was not yours?—A. No; it was not mine.

"Q. It went out over your signature?—A. Yes.

"Q. Did you read it?—A. I don't think so.

"Q. Do you mean to tell this jury that you had set out to educate the people, with advertisements printed broadcast all over this country, and you did not know what was in them?—A. I sent out many statements to cause people to think.

"Q. That you didn't know what you were doing?—A. No; not that I didn't know what I was doing.

"Q. Do you understand the question?—A. Yes.

"Q. You said that you did not know that that statement was in there?—A. I have said that.

"Q. You mean to be understood as saying that you sent the thousands and hundreds of thousands of statements broadcast throughout the United States and did not know what was in them?—A. I did not know everything that was in them.

"Q. You did not?—A. No.

"Q. Is there anything more important in that than about the subject of conscription?—A. I don't know.

"Q. Do you know anything about it?—A. I don't know.

"Q. You were going to save the young men of this country from conscription; that was your great effort?—A. Whatever is in there I am responsible for.

"Q. You did not know that it was in there?—A. I don't think I knew that it was there.

"Q. Let me refresh your recollection.—A. I told you in the beginning that I was responsible for it. Mr. Delavigne wrote a great deal of it.

"Q. 'I have no other purpose than to save America from bloodshed, and its young men from conscription.' You are telling the public that there should be opposition to conscription?—A. To save them from conscription meant to save them from war.

"Q. You say that you are now in favor of conscription?—A. I say that it is the most equitable way to fight a war.

"Q. You didn't know it was in there or you would not have sent it out?—A. I will not say that."

It will be worth while, we think, for the voters of Michigan to look that selection over a second time, if only to congratulate themselves on having kept Mr. Ford out of the United States Senate. A man who plays with public opinion by proxy, who signs his name to public statements without knowing what he is being made to say, is likely to play with legislation in the same way. When Mr. Ford offered to admit that he was an "ignorant idealist" he did more honor to ignorance than idealism. A useful idealist knows what he is talking about.

Mr. BORAH. Mr. President, there seems to be a disposition to carry on the debate in reference to the league of nations from editorial articles expressing the views of different citizens of of the country, and I have in my hand an article by William J. McNally, the European correspondent of the Minneapolis Tribune, written from Berlin, entitled "Americans in Europe urge the veto of the league." I ask to have it inserted in the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

VETO LEAGUE, AMERICANS IN EUROPE URGE—OBSERVERS ABROAD SEE ONLY DISASTER IN PLAN, SAYS MCNALLY—ASSERT WILSON HAS LOST UNITED STATES DESTINY IN DIPLOMATIC POKER GAME.

(By William J. McNally, staff correspondent of the Minneapolis Tribune.)

"BERLIN (By mail).

"There is a small band of Americans now in Europe who alone, of all Americans, have had an opportunity to study the subject of shrouded Europe—and by shrouded Europe I mean northern Europe—at first hand. Their opinions present a singular and impressive unanimity. Their constant talk concentrates itself upon the Wilsonian adventure into world politics. And their conclusions, which because of their situation, should have an infinite value to Americans back home and denied their opportunity, have unhappily, but for obvious reasons, enjoyed not the faintest publicity.

"It happens that the only Americans now permitted to travel in northern Europe are newspaper men, magazine men, military men, Red Cross men, and Y. M. C. A. men. Magazine men and newspaper men can not express their views because journalistic custom forbids them to 'editorialize.' Military men can not, because Army orders prevent. Red Cross men can not, because organization rules prevent. Y. M. C. A. men can not, because of the same obstruction.

EAGER TO GIVE MESSAGE.

"Yet this band has a message and a burning message. They sit talking by the hours at night and exclaim, 'If only the people back home could see what we see! If they could only get the perspective on Europe that first-hand study gives! Then there would be no danger that America should make a fatal mistake by reversing its foreign policy.'

"What they feel upon the subject of the Wilsonian adventure they feel with a burning intensity that would amaze, perhaps, the people in the United States.

"They constitute a unit in declaring that Americans back home have a wholly distorted and inaccurate picture of northern Europe.

"Now, whether America knew thoroughly European politics and European conditions or whether it did not would normally be the most trifling and inconsequential of questions. But at the present moment it is attaining a supreme importance.

WALKS INTO DANGER BLINDLY.

"For within a few weeks America must make up her mind finally whether she will take the great step, separating herself irrevocably from her past, and embark upon the hitherto unsailed rapids of European politics. There never was a time in America's history when it was so essential that America possess the most complete, the most exhaustive, and the most unbiased view of European politics. And there never was a time in her history when her equipment was so imperfect, so grotesque, and so distorted as it is at present. This point is probably as difficult to grasp in America as it is difficult to avoid in Europe. The Americans over here are studying the steps of America with a concern that at moments approaches panic and alarm. The Americans over here, examining and exploring a quicksand, the treacheries of which they appreciate only too keenly, see their own country, blindfolded apparently, walking straight into the danger zone with a childlike confidence that it has at last the right direction.

"STAY OUT OF EUROPE."

"'Stay out of Europe. Oh, stay out of Europe.'

"That is the universal, imploring cry which echoes and reechoes in the comments of the thinking Americans now studying northern Europe. That cry I have encountered everywhere. I encountered it in Stockholm, I encountered it in Copenhagen, I encountered it in Berlin. I got it from men who had just come out of Poland, from men who had just come out of Russia, from men who had just come out of Czechoslovakia. I got it from men who had just come out of Hungary and Roumania, as well as from men who had just come out of Jugo-Slavia and Austria.

"'Keep out of Europe, America! You have not the faintest conception of the treacherous waters you are embarking upon. You have no notion of the real situation over here. You have inherited mostly propagandized information that does not give you the true picture. Do not permit yourself to get mired in this swamp which is a hundred times more sinister and more dangerous than you imagine.'

"This perhaps best summarizes the feeling that is most commonly voiced.

UNPREPARED FOR PEACE.

"More than half a year ago the war came to a close with a rather unexpected abruptness. Cessation of fighting caught America as unprepared for peace as she had been for war. Obviously, it was necessary that the President should sign a treaty of peace which would guarantee the fruits of the victory. That Mr. Wilson would do this everybody expected. But it soon became clear that Mr. Wilson had made up his mind to attempt something vastly more ambitious. It soon became clear that he had decided to revolutionize the entire structure of international relationship. Out of his own head he had evolved a grandiose and spectacular plan for abolishing future wars.

"The position of Mr. Wilson was on the whole rather anomalous. The American people had given him no instructions as to what to do. The American Congress had given him no mandate to create a league of nations. But he had himself hit upon this unprecedented idea and had decided to carry it into action. This astonishing man coolly departed from Washington, locking up the past, present, and future policy of America in his satchel, wrapped up the entire destiny of America, so to speak, like an apple, and took it over with him to Europe to do with it what he chose. The impudence of such an act was magnificent. An immense amount of feeling that would normally have been hostility was held in abeyance by the respect for the avowed good he had sought to establish. This goal was the abolition of war. Sentimentalists and humanitarians were inclined to believe that all criticism should be withheld until, at least, he had been given a fair chance.

"Of all the nations represented at Paris it was America that stood to gain the least and lose the most by the establishment of the league of nations. Mr. Wilson's individual desire for a league of nations, alone and unaided, would have been something quite unimportant and quite meaningless. But Mr. Wilson had a prize in his vest pocket which Europe had been craving with growing intensity year by year for more than half a century. That prize was America's independent foreign policy. It was America's traditional isolation. To get its fingers on that prize there was almost no price which Europe was unwilling to pay. What Mr. Wilson could not accomplish by argument, then, he might accomplish by barter. Europe, on the whole, cared not a fig about the league of nations, but it did want an alliance with America. Mr. Wilson did not want to push America into a European alliance, but he did want a league of nations. Here was a wide breach between Mr. Wilson and the Entente statesmen.

"So the conference began and the tables were set for a fascinating contest. The intellectual poker game known as diplomacy was soon in full swing. A victory for Mr. Wilson meant that the allied nations would be weaned away from an old-fashioned alliance into a new world league. A defeat for Mr. Wilson meant that America would be weaned away from her traditional isolation into a disadvantageous and dangerous alliance. The game was one fraught with infinite peril, for the destiny of America represented the stakes.

THE POINT OF THE GAME.

"The point on which the diplomatic struggle centered was this:

"Would the European alliance be a harmless and inutile decoration upon a true league of nations, or would the league of nations be a harmless and inutile decoration upon a true European alliance?

"In the event that the first contingency materialized, the world directly and America indirectly were much better as to position. In the event that the second contingency materialized, the Entente gained a prodigous asset for nothing, while America incurred a prodigous liability for nothing.

"The point really at issue was whether Mr. Wilson would swallow the Clemenceau potion of an alliance brew with a league of nations foam, or whether Clemenceau would swallow the Wilsonian potion of a league of nations brew with a mere alliance foam. That distinction spelled the difference between prosperity and calamity to America. It spelled the difference between permanent immunity and permanent insecurity. It spelled the difference between placing America at the service of an international ideal or placing America at the disposal of a combination of foreign powers.

"The publication of the covenant of the league of nations and subsequently the peace treaty made it unmistakably clear in the end which contestant had won out in the great intellectual poker game at Paris.

"Mr. Wilson was humiliatingly and utterly beaten.

"Americans here have practically all turned against Mr. Wilson, not because he was beaten but because he insists on maintaining the pitiful pretense that he was not. The tragedy is not to be found in the fact that he personally lost. It was hardly to be expected that he could win. The individual phase of it is an idle and superlatively unimportant matter. The tragedy is to be discovered in the fact that Mr. Wilson now, in order to uphold the threadbare pretense that he personally won, is willing to let that most precious of prizes, the American destiny, pass into the control of a European alliance. He is not only willing to do that, but he will work to achieve that end.

SEEN AS DEADLY ENEMY.

"To the Americans over here such an attitude places the American President in the melancholy rôle of a probably unconscious but none the less deadly enemy of the interests of his own Nation. His personal pride in his skill as a diplomatic player puts him in a position, apparently, where he would sacrifice America's future in order to maintain the fiction he held his own at Paris.

"The Americans over here differ from the Americans at home in that they see a little more realistically what a European alliance would mean to the United States. They know Europe as the Americans at home do not. And that is why they are infinitely exercised and alarmed over America's proposed entrance into these dangerous quicksands. Let no one imagine that the Americans over here were not in favor of a real league of nations. So far as I could see, the majority of them were. But they look upon the subject of an alliance with unconcealed horror, and they see in the league as it now exists nothing but a mask to cover an alliance. How Mr. Wilson could have been so completely victimized in Paris is a mystery that Americans here are at a loss to fathom.

"The American people had never given Mr. Wilson a command to take this priceless inheritance bequeathed them by Washington, had never ordered him to use it as the gambling stakes to help him win the world peace he had set himself upon.

"As soon as it became obvious he could not win, he should have risen from the table, put the jewel back in his vest pocket, quit the game cold, and returned to America. Of course, such a move would have damaged his own prestige. He would have to admit that he could not beat the European statesmen in his own game of diplomacy. He would have to agree with his multitudinous enemies who had declared his trip a blunder from the outset. But at least such a course would have saved the American destiny.

COULDN'T ADMIT FAILURE.

"But he lacked the courage to face the world with the humiliating confession that he could not win. He lacked the courage to go back and tell the American people he had failed. So he let that priceless heritage, the American policy of isolation, slip into the hands of the European alliance, and then went further and endeavored to camouflage the issue by declaring that instead he had placed it in the hands of an international directorate.

* * * * * * *

"The peace treaty accomplished two important results. It crushed Germany for a very long time to come, at least, as a military menace. And it also remade the map of Europe. In the first of these results America was directly interested. In the second she was not. America had entered the war to crush the military menace existing in Germany. But she had not entered the war to remake the map of Europe. That was a sphere quite alien to the United States. Such action on the part of our country represents nothing less than international meddling.

"It is here that Americans in Europe feel that they have a message for Americans back in the States. They all accept as indisputably accurate the following axiom:

"Remaking of the map of Europe has had no effect upon the world situation except to multiply infinitely the causes of war.

"They accept this as accurate because they are on the ground and they see. They can not mistake the signs and the symptoms. The overturning of the old boundary stones has set into motion a thousand buzzing and angry hornets. To break these rocks only brings into view a nest of national animosities, deadly as rattlesnakes, and everywhere one moves he finds the deadly rattle in his ears. Americans back home do not see these sights and do not hear these sounds but Americans over in this vicinity do. The matter of the boundaries alone makes a war calendar long enough to fill a home.

FEW NATIONS SATISFIED.

"It is safe to say that with the exception of France and the neutral countries there is practically no nation in Europe at present satisfied with its boundaries. In practically every nation there exists a burning sense of injustice, a smarting national grievance sometimes indescribable in its bitterness, an outraged sense that it has been cheated out of its natural rights upon its frontiers. In practically every nation there exists a fiery war party ready to jump into the fray to-morrow in order that its wrongs be redressed. These new republics of Europe are facing each other like quarreling dogs.

"Poland constitutes one of the most incomparable Balkan messes ever created. The Poles are fighting the Russian Bolshevists on one frontier and may be fighting Russian Pan-Slavists to-morrow. They are fighting the Germans on a different frontier. They are fighting the Ukrainians largely over the disputed city of Lemberg, and they may be fighting the Lithuanians any day over the disputed city of Vilna. Then they are willing to fight with the Czecho-Slovaks upon the disputed question of Teschen. Roumania and Hungary are ready to rush at each other's throats. Jugo-Slavia and Italy are ready to rush at each other's throats. Greece and Turkey are ready to rush at each other's throats. Holland and Belgium are looking upon each other in a very hostile light. And then even at the present moment the Finns are busy carrying on a war with the Russian Bolshevists, as are the Esthonians and the Letts. The Roumanians, besides, are fighting the Bolshevists on their own frontiers.

"Despite the stern mandates of the Paris powers, now at the very zenith of their military strength, half a dozen wars are going on blithesomely in Europe. This is not a particularly happy augury for the reign of universal peace.

SURE TO PROVOKE WARS.

"The Benat, Fiume, Danzig, the Saar, Teschen, Smyrna, and half a dozen other hotly contested points in Europe are sure to provoke future wars, no matter which way they are settled. To an American it looks as though Europe had really very little left in its future, as it is almost certain to burn itself up. Nationalistic hostilities were never so violent and so numerous as at present, and, if that were not sufficient, class war is pushing up to complicate matters more seriously.

"Both the horizontal nationalistic winds and the twisting tornado, like communistic winds, are blowing perfect gales over Europe, and mixing and intermixing in such a fashion as to create horrible confusion and to achieve every type of destruction. This may seem a bit exaggerated and a bit rhetorical, but any American here will bear me out on the assertion. And this is Europe! This is the territory we propose to enter and police! For an acceptance of the league of nations and the peace treaty as they now stand will actually put America in just that position.

"Who remade the map of Europe?

"It was done practically by four men—a Frenchman, an Englishman, an Italian, and an American. The Frenchman, the Englishman, and the Italian all had French, English, and Italian interests to watch out for and protect in this piece of geographical architecture, whereas the American had no American interests in the matter, though he did have some individual pet principles that he wished to see experimented with. What happened anybody could foretell. The American was outnumbered and outvoted, and consequently could not count decisively. When no French, English, or Italian interests were involved, no objection was shown toward permitting the American to bring his principles into play, but when they were involved the principles were promptly thrown into the discard. But because Mr. Wilson did sit on the council of four it is expected that America must assist with her men, her arms, and her money to maintain this new map. Because a dilettante social philosopher and international evangelist was accorded the privilege of ventilating his special theories and principles at the sittings of the triumvirate America must be ready to involve herself in every future struggle that takes place over the Saar, or over Teschen, or over the Banat, or over Silesia, or over Danzig, or over Smyrna, or over Fiume, or half a score other unpronounceable foreign names that Americans never heard of three years ago and which even now they could not positively locate on the right continent.

JUST TO DEFEND A MAP.

"Americans here find it totally incomprehensible to think that America would be willing to mortgage herself, not to one but to dozens and possibly scores, of wars for the sheer pleasure of defending a map just drawn up in the interests of France, England, and Italy. And anyone traveling about on the ground will unhesitatingly affirm that the map contains more wars in it than any document ever penned by man.

"As for the present league of nations, will that automatically prevent these wars? Such a thought is laughed at in Europe. It is treated as the silliest of dreams. The map can be defended and must be defended, if it is to defended at all, by the four main powers who created it—France, England, America, and Italy.

"Strip the situation of all purely decorative verbiage and it amounts to something like this: France and England and Italy—only it were better to say France and England, for Italy has not been coddled so very much—France and England, then, have remade the map of Europe in a manner most satisfactory to their respective interests, and expect America to assist them permanently in the bloody and horribly expensive business of maintaining that map. Now, all Americans may be quite willing to see France and England remake the map of Europe in a manner most satisfactory to their interests, but the Americans over here, at least, have no desire to see America serve out an indefinite sentence as a European policeman to hold down a Franco-Anglican map.

"Thinking Americans here hope with a hope that transcends description that America will have the saving sense to refuse its signature to the league of nations and the present peace treaty.

"The chief privilege America would win from the contemplated arrangement is that of adding 15 or 20 more Mexicos to its present perplexity across the Rio Grande. We should deal with these largely according to the instructions—not consciously, of course, but unconsciously—of the Franco-Anglican alliance, which created the new map and which thereby created also a certain inevitable policy which sheer consistency would force us to follow.

HOW VIEWS WERE CHANGED.

"'Stay out of Europe!'

"That is the cry which recurs eternally in the conversation of the Americans now engaged in traveling about this continent. It would be impossible to transmit and to print the emphasis which Americans here put upon it. Like many of these Americans I came over a convinced believer in the league of nations. On that point I was an enthusiastic Wilsonian. I mention it because I want to bring home the change that a sight of actual conditions effects. I had plenty of bright phrases to flash about. I could say as glibly as anybody: 'The time has come when America must revise her Washingtonian policy.' 'Her isolation is now no longer possible.' 'She must take her place at last as a world power.'

"Ah, how cheap and spurious those phrases appear after one has really studied the present Europe somewhat at first hand! Like a great many other Americans here, I came over a Wilsonian, but I will go back a Washingtonian. No figure in American history looms up to the American over here more impressive, more farseeing, and more prophetlike in wisdom than the first President of the young American Republic as he uttered those immortal farewell words to his brethren and his descendants: 'Avoid entangling foreign alliances.' More than 100 years have elapsed since those words were uttered, but the advice up to the present has proved extraordinarily good.

THEIR MESSAGE TO AMERICA.

"A message from Americans on this side of the water to Americans on the other would read very much as follows:

"'Don't leave your own safe vessel to board a burning ship. You will do yourself and nobody else any good by such an act, and you will find yourself seriously, if not fatally, scorched in the bargain. Remember the words of George Washington. They have ten times the validity now that they did when he spoke them. Close your ears to the last President and listen only to the first. The dead President even now sees Europe far more accurately and far more clearly than the living one. Refuse the league and the treaty and go back to your splendid post of isolation. Do not step into this tricky swamp. Keep clear of the treacherous traps. Pay no attention to appeals to your too generous and too credulous idealism, for they will merely betray and mislead you. Remain true to your traditions and fulfill that unique and inimitable destiny which only separation from Europe has made it possible for you to achieve in the past, and which only separation from Europe will make it possible for you to realize in the future.'"

PROVINCE OF SHANTUNG, CHINA.

Mr. WILLIAMS. Mr. President, there seems to have been some geographical and populational mistake made about Shantung, or rather about the part of it which was ceded to Japan by the late treaty, being the part which Germany possessed before. I wish to read a part of this and to insert the balance in the RECORD. It comes from a statistician, I suppose; at any rate, it is an editorial from the New York World.

The Province of Shantung has an area of 56,000 square miles—

I ask the attention of the Senator from Massachusetts [Mr. LODGE] to this, because if these figures are wrong I want to have them corrected.

The Province of Shantung has an area of 56,000 square miles, with a population of about 25,000,000. The leased territory of Kiaochow, surrendered by Germany to Japan, is a fragment of the Province of Shantung, with an area of 200 square miles and a native population of about 200,000. Shantung and Kiaochow have been used interchangeably in recent discussion, but it will do no harm, when the "rape" of Shantung and the "enslavement" of 40,000,000 Chinese are next brought up, to remember that the area primarily in question, Kiaochow, comprises about one-half of 1 per cent of the area of Shantung and less than 1 per cent of its population. There are involved, to be sure, the railway from Tsingtau, the port of Kiaochow, to Tsinaufu, the capital of Shantung, about 250 miles long; the cables from Tsingtau to Shanghai and Chifu; and mining concessions throughout the Province. The question of sovereignty, however, concerns the leased area only, and here Japan has given a pledge of its return to China, within a year, it is understood, retaining for herself harbor facilities near Tsingtau. Only by merging 200 square miles into 56,000 square miles, magnifying 200,000 people into 40,000,000, and assuming that Japan stands ready to break her word does the problem of Kiaochow attain the dimensions it holds in the imagination of HIRAM JOHNSON.

He says here "HIRAM JOHNSON." Of course, he means the Senator from California [Mr. JOHNSON].

The Johnson-Borah argument would be that since Japan has hitherto scrupulously held to her word she is bound to begin breaking it sometime.

Mr. President, I am not sure as to these population or square-miles statistics. Frankly, I have not looked thoroughly into the matter, but I suppose that whoever wrote this has looked into it, and I thought it well to read it for the consideration of the Senator from California [Mr. JOHNSON], the Senator from Idaho [Mr. BORAH], and the Senator from Massachusetts [Mr. LODGE], with a view of having them, if they made any such enormous mistake as this, correct it.

Upon the same subject—and I am always seeking in vain the attention of the Senator from Massachusetts—

A hideous state of affairs Senator JOHNSON has discovered in New England. Everywhere the league of nations was being rammed down the throats of a subjugated democracy by means of "propaganda, intellectual coercion, and political terrorism." Fortunately the Senator from California was on the spot in time. He said, "Let there be light," and immediately the gibbering shades of propaganda, intellectual coercion, and political terrorism fled back to the caves of primeval chaos, and the men of New England are once more free. It is the old story. When I conduct a campaign of education it is leadership; when you carry on a campaign of education it is propaganda. When public assemblies vote to support me it is public opinion rallying to the support of a sacred cause. When public meetings, religious conventions, federations of labor declare in favor of the league of nations it is political terrorism. When Senator JOHNSON takes 200 square miles of Kiaochow and turns it into 60,000 square miles of Shantung, or takes 200,000 natives of Kiaochow and expands them into 40,000,000 Chinese handed over to slavery, it is argument. But when reasons are advanced why the United States should share in the partnership of a reorganized world it is intellectual coercion. Against that final danger we can not be warned too strongly or too frequently. History is full of examples of intellectual coercion, such as the saddling by a conspiracy of scholars upon public opinion of the superstition that 2 and 2 makes 4, or that the earth revolves around the sun.

I do not think the last sentence is quite in keeping with the dignity and argument of the balance of it.

In this connection, sometime ago I discovered that the Senator from Idaho thought he had discovered that the money power in Wall Street was behind the league of nations, and that when these men wanted to reorganize the industries of Europe they were somehow representing a selfish financial autocracy, of just what sort I do not know.

Mr. President, I do not know of any higher service that America can perform to Europe than to bring its immense surplus capital into operation for the purpose of reestablishing the credit and the industries of that devastated country; and I do not know of any more natural thing in the world than for a man who is connected with big business of any description, especially big banking business, to be in favor of a world peace, because if he has any brains at all he knows that the progress, the financial progress, the commercial progress, and the industrial progress, of the world can not go on in a state of war and must find its reconstruction in a state of peace, if at all.

I have never been a slave of the money power, I believe, even in the opinion of the Senator from Idaho, or anybody else's opinion; but sometimes even the money power is right about things; and if the money power be in favor of world peace, the money power has become almost Christian. They are like Agrippa listening to Paul, "almost persuaded"; and if their motives are selfish, I thank God that even their selfish motives contribute to civilization and peace and the progress of the world. I am glad, for once, that they are on the right side.

Mr. President, again, I have never in the Senate been the slave of labor unions, but when I meet an attack upon the league of nations upon the ground that union-labor men want it because they have "a nigger in the woodpile" they are taking care of, I am glad to see that they are not merely once—because frequently they are right—but they are right in this case; and even if their motives be purely labor motives, I am glad they are accidentally or incidentally or otherwise on the right side.

My object in getting up was to read these statistics and to put the heads of the Senator from Idaho and the Senator from Massachusetts and the Senator from California to work upon them, so that if they are mistaken they may be corrected in the open session of the Senate by a statistician of senatorial dignity replying to a statistician of metropolitan newspaper dignity.

Mr. BORAH. Mr. President, if I may be indulged for a moment——

Mr. LODGE. If the Senator will allow me, I only want to say about the population of Shantung. I got my population figures from the Encyclopedia Britannica——

Mr. WILLIAMS. Yes; but Shantung was not transferred——

Mr. LODGE. I should like to be able to finish one sentence.

Mr. WILLIAMS. Oh, I beg the Senator's pardon; I did not mean to disturb him.

Mr. LODGE. I am trying to finish one sentence. The population figures I took from the Encyclopedia Britannica. They were of the last census, which was some years ago. The figures of the Encyclopedia Britannica were 37,000,000. I have no better authority than that.

Everyone knows, as I stated, that the cession of the territory to Germany included only Kiaochow, Tsintao, and the entrance to the port; but the German rights—railroad rights, mining rights, and concessions—run all through the Province. It gives control of the Province to hold the port of Kiaochow, and the Chinese are protesting because they consider that it takes the whole Province from them practically.

Mr. WILLIAMS. No; Mr. President——

The VICE PRESIDENT. The Senator from Idaho is entitled to the floor.

Mr. LODGE. The Senator from Idaho yielded to me.

Mr. WILLIAMS. I ask the Senator to yield to me. The Senator from Massachusetts confesses that he took the entire population and area of Shantung——

Mr. LODGE. I do not confess anything. I restated what I stated before, and the Senator did not hear me. I stated what I had stated here more than once.

Mr. WILLIAMS. I did not understand.

Mr. BORAH. Mr. President——

Mr. WILLIAMS. The Senator talks about Shantung as if the Shantung Province had been surrendered to Japan. He spoke of it as having a population of 37,000,000 or 40,000,000. He spoke of it as having a large area. The impression left upon the Senate was that 36,000,000 or 40,000,000 Chinamen had been turned over in slavery to Japan.

Mr. BORAH. Mr. President, let me have the floor.

The VICE PRESIDENT. The Senator from Idaho is entitled to the floor.

Mr. BORAH. Mr. President, I had read both these editorials or reviews before the Senator read them into the RECORD. They were sent to me and I looked them over. After looking them over and after hearing the Senator's statement I find nothing to correct in the statement which I have made here upon the floor.

The Province of Shantung has an area about the same as that of the State of Illinois, about 56,000 square miles, and about the same area as have England and Wales combined. It has a population estimated at from 38,000,000 to 40,000,000. I presume that no one knows definitely just what the population is, but it has a population ranging from 38,000,000 to 40,000,000, or perhaps, as some authorities declare, from 37,000,000 to 40,000,000. The close details of the matter are perhaps immaterial. Speaking with a distinguished Chinaman within the last two days lately from China, a man of some prominence in his country, he stated that the population was likely more nearly 40,000,000 than 38,000,000, but no one knows its precise population.

It is true, Mr. President, the political sovereignty of Shantung has not in technical terms been delivered over to Japan, but in practical effect both the economic and political sovereignty of Shantung have been delivered over to Japan. I have my first statement to read from any student of Far Eastern affairs, including those who have made years of study of it, such as Dr. Jinks and others, which does not state that in effect both the economic and political sovereignty of Shantung have been delivered over to Japan.

It is by reason of the fact that Japan has been given absolute control of the situation which enables her to dominate the entire Province of Shantung. It is, as this distinguished Chinaman said to me in the conversation, "If I have you by the throat, I

may not be in possession of your entire body, but I am in control of it if my grip is sufficient upon your throat to control your action." That is precisely the situation with reference to Shantung. Japan has been placed in control of Kiaochow, of the bay, of the port, of the surrounding territory, of the railroads leading throughout Shantung, which enables her to absolutely control the economic Province of Shantung and also the political Province of Shantung.

It is for that reason, Mr. President, that I say I have no modification to make of my statement, that it was correct. I call the Senator's attention to the fact that in the treaty itself it does not head it "Kiaochow." The heading of the subdivision which has reference to the disposition of this territory is "Shantung," and it is thoroughly understood that Japan does control and dominate Shantung by reason of those provisions.

Later I propose to go somewhat in detail into this matter and to substantiate the facts which I have heretofore given by evidence which I think will not be easily controverted; but in no sense have I made any misstatement of which I am conscious to the Senate in reference to these figures and these facts.

Another thing which I want to call the Senator's attention to is a fact which is as well established in Far Eastern affairs as any other fact could be, and that is that the economic control of a territory is always the political control of a territory, whether the terms of the transfer or the terms of its control be with reference to the political sovereignty or not.

Mr. WILLIAMS. Mr. President, of course the article in the treaty referring to this subject matter is headed "Shantung," because it not only contains the concession of the leased property which Germany had, but it contains also certain provisions about certain railroads and certain mines and other parts of the Shantung Peninsula. That is the reason of that. But the leased territory is the only thing that is transferred in sovereignty to Japan, and the balance of it consists of several mere commercial concessions to certain German companies and to the German Government, which are transferred to Japan. In so far as guarding the railroads is concerned, and in some other respects policing them, the Senator from Idaho is fair in his statement, as he generally is; but to confuse and keep confusing the entire Shantung Peninsula, with 56,000 square miles and some thirty-eight or thirty-nine or forty thousand population, with the 200 square miles of leased territory and 200,000 people—I believe that is the amount—that are transferred from Germany to Japan, is not a fair statement except by inference of argument made by the Senator; and the inference of argument made by him is a thing with which we are free to disagree if we do not think it is supported by the facts, and I for one do not, provided the facts are as stated.

As I said a moment ago, I do not know what the area of Kiaochow and the rest of the bay may be, and I do not know what the population of the leased territory—which is the only territory ceded—may be, and I do not know just exactly how far the railroad and mining concessions which are to be guarded by Japanese police may extend beyond the lines and railroads themselves; but I do submit that this writer in the New York World has shown up what seems to be an admitted territorial and population exaggeration.

Now, of course, in a certain sense the Senator from Idaho is right. It is true that everybody has had China by the throat. Germany took her by the throat. France took her by the throat down in Tonking. We are the only people that had a firm hold on her that ever let it loose. Russia was made to let hers loose by Japan, this "enemy of China" you are talking about. It is true, in a physiological sense, that when you have a man by his throat you also have him by his feet, but that was not the subject matter under discussion. You are holding the commissioners of peace at Paris responsible for "transferring fifty-odd millions of Chinese," and I believe the Senator from California finally got it up to sixty, into "Japanese slavery," and you are holding them responsible for transferring 56,000 square miles of area. Now, those do not happen to be the terms of the treaty.

Mr. BORAH. That is the exact fact.

Mr. POINDEXTER. Mr. President, how many Chinese were turned over to Japan under the terms of the treaty?

Mr. WILLIAMS. How many were there?

Mr. BORAH. About 26,000,000.

Mr. WILLIAMS. In the Shantung Peninsula there are somewhere between 26,000,000 and 56,000,000 people. The truth is, nobody knows. There are about 200,000 people in the Kiaochow reservation and the coast lines along the bay, and that is all Japan gets under the treaty.

Mr. POINDEXTER. That reminds me a good deal, Mr. President, of the charge that was made against a man down in a section of the country not far from where the Senator from Mississippi lives of stealing nine ballot boxes. He put in the defense that that was an infamous lie, that he did not steal nine ballot boxes; he only stole three. [Laughter.]

Mr. THOMAS. Mr. President, I call for the regular order.

Mr. WILLIAMS. Mr. President, there is a good deal in that, too; and from my standpoint, being dissatisfied with the whole provision about Kiaochow and the balance of it, I concede that there is not much difference in moral turpitude between grand larceny and petty larceny. But that does not interfere with my contention that Senators must not exaggerate, and that when Senators are representing things to the American people they must not make things ten times as great as they are.

Mr. BORAH. Mr. President——

Mr. THOMAS. I must insist upon the regular order.

Mr. BORAH. Will the Senator let me have just a word?

Mr. THOMAS. I certainly will, but then I must insist upon the regular order.

Mr. BORAH. I just want to say that if the Senator will take the RECORD, and call attention to a fact which I stated as a fact which he can substantiate to be incorrect, I shall be delighted to have it stricken from the RECORD and hereafter observe the observation which he has made with reference to exaggeration.

Mr. WILLIAMS. Mr. President——

Mr. THOMAS. I call for the regular order.

Mr. WILLIAMS. I knew beforehand that the Senator would call for it against me.

The VICE PRESIDENT. There is a call for the regular order. The presentation of petitions and memorials is in order.

Mr. WILLIAMS. Just one moment in reply to that. I knew beforehand——

The VICE PRESIDENT. The Chair has no option in the matter. The regular order is called for.

AFFAIRS IN MEXICO—PERSONAL PRIVILEGE.

Mr. FALL. Mr. President, on a question of personal privilege, I desire to read into the RECORD, in connection with remarks made by myself on the 18th instant, I think, the following telegram:

BODIES OF MEXICANS FOUND BY UNITED STATES MEN NOT CLOTHED IN CARRANZA UNIFORMS.

EL PASO, TEX., *July 19.*

No bodies of Mexicans clothed in the uniform of the Carranza government have been found by American troops of the El Paso military district, Brig. Gen. James B. Erwin announced, when shown Senator A. B. FALL'S statement from Washington, saying that American troops found bodies of Mexicans in the uniform of Carranza troops.

His command—

That is, that of Gen. Erwin, I presume—

includes the Big Bend subdistrict, where a number of raids have occurred since January 1.

Peter Catron, word of whose death at the hands of armed Mexicans at Valles, San Luis Potosi, was received to-day, formerly was employed here.

I made the statement here that within the last year various raids had occurred, and that upon various occasions our soldiers had gone across the line into Mexico, and that upon various occasions they had killed Mexicans and found them in the Carranza uniform. I referred specifically to the Big Bend district of Texas. I desire to correct the statement in this telegram, first, that Gen. Erwin is in command of the Big Bend district, that it is a subdistrict under his command. That is entirely an error. The subdistrict is commanded by Col. Langhorne, who is directly under the command of Gen. Cabell, at San Antonio. Gen. Erwin is also under his command, but Gen. Erwin's district ends below Fort Hancock, about 25 or 30 miles from El Paso.

This is the first correction which I desire to make. I desire to state further that Gen. Erwin has been in command at El Paso alone for three months past, taking the place of Col. S. H. Tompkins as commander at Fort Bliss.

In the next place, I desire to reiterate the statement which I made here that within the last several months—I will not undertake to limit the time exactly—upon either seven or eight occasions troopers of the Seventh Cavalry, United States Army, have pursued Mexicans across the Rio Grande into Mexico, and that upon either six or seven of those occasions they have recovered a large amount of the stolen property carried across by the raiding Mexicans. I desire further to reiterate the statement that Carranza soldiers and officers have been killed, not only in Mexico but on this side, by our regular American soldiers, troopers of the Seventh Cavalry.

I am not at liberty to give the name of the sender of this telegram. I will give it in confidence to any member of the Military Affairs Committee, who, I may say, will be thoroughly familiar with it, and I may say further that this telegram was not sent me at my request.

MARFA, TEX., *July 20, 1919.*

Following Carranzista officers and soldiers killed in raids on this side by American troops: Lieut. Flores killed near Haciendita on December 21, 1918; Capt. Antonio Avila killed at Brites ranch December 25, 1918. Chico Cano is now a captain Carranzista forces, raided cattle ranch on this side April 1, 1919. Following Carranzistas were killed: Felicio Hernandez, Rayes Callanes, Pedra Falas, Andres Rodriquez, Placido Zapata. Capt. Estrella, Carranzista, implicated in cattle stealing, this side, September 24, 1918. Capt. Eugenio Garcia raided Nunez ranch March 22, 1919. Carranzista Capt. Cecelia Estrea, Luis Munoz, Ramon Segura, and Carlos Rivera, all Carranzistas, have been killed during raids along river.

In raids upon this side bugles of the regular Carranzista forces have been left when the thieves were driven off by the American troops. I may say that an investigation will show that at least two sabers and accouterments of Carranzista officers killed on this side are now in the possession of Americans, one of them being in the possession of a Mr. Poole at Marfa, Tex.

I simply make this statement for the purpose of showing how absolutely unfair the news is as it comes from the Associated Press with reference to this, and I may say with reference to any other public matter to which my attention has been drawn.

Gen. Erwin undoubtedly did not state to the correspondent that he was in command of the subdistrict of the Big Bend. He certainly could not have made any such statement, and yet that is the inference, and the only inference, to be drawn. He knows nothing about the matters which I have referred to, because he has been there only a short time. Now, an investigation will prove or disprove the correctness of the statements which I have made; and I want to say further that if such an investigation is carried on, or any investigation whatsoever is made by the Military Affairs Committee, I should like to have them investigate the action of Gen. Erwin himself in going across the river to Juarez a few days since—not that I regret for one moment that he did go; not that I have anything but praise for him in going across the river. As to his actions when he got across the river, I should like to have them investigated, and I should like to know why it was apparent to everyone that the men whom he was seeking to punish and those whom he was killing were the Villistas and not the Carranzistas; and I should like to have the information upon which he acted when he made any character of statement that the bullets fired across the border were fired by Villistas and not by Carranzistas.

CALENDAR MONDAY DISPENSED WITH.

The VICE PRESIDENT. The morning business is closed.

Mr. ROBINSON. I ask unanimous consent, in order that the Senator from Ohio [Mr. POMERENE] may proceed with his remarks, that the call of the calendar be dispensed with under the rule.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Ohio will proceed.

THE PEACE TREATY AND LEAGUE OF NATIONS.

Mr. POMERENE. Mr. President, I have committed what I have to say to paper, and I would appreciate it if I be permitted to continue without interruption until I shall have concluded. At that time I shall be only too happy to attempt to answer any questions which it may be the desire of Senators to submit to me.

I realize fully that the purpose to organize the league of nations is the most solemn, the most far-reaching step ever contemplated by the United States of America. But this fact should neither appall nor make us hesitate. We are living and taking part in the greatest events of history. Extraordinary conditions require extraordinary remedies.

In common with our allies we measured swords with the greatest military power since recorded history began. With the help of a Divine Providence right has prevailed. Germany's imperial sword is broken. Seven million five hundred thousand soldiers, the flower of the world's manhood, lost their lives on the battle field. Twice as many more were wounded, and probably from ten to twenty millions became the victims of war's ravages, in many instances no less tragic than those who made the supreme sacrifice.

The cause of civilization is still in the balance. While Germany has lost the war, her people, as is evidenced by the utterances of some of her public men, and her public prints, are looking forward to the day when she can again resume war against her neighbors for the purpose of retrieving her lost fortunes.

The red flag of anarchy and Bolshevism still waves throughout eastern and central Europe. The peoples that for years had been ground down under the military heel of Germany, Austro-Hungary, Turkey, and Bulgaria, even though they are now enjoying independence and have resumed, or are about to resume, their places in the family of nations, have been bled white by the ravages of war, and lie trembling at the very feet of their recent masters. The United States with our Allies are their only hope of defense.

After the armistice was signed the peace commissioners from 14 different nations, representing 14 different civilizations, with 14 different political systems, of different races, different religions, and speaking different tongues, all of whom had been more or less the victims of the military power of Germany, met together about the conference table, and as a result of their deliberations the President presents to us a treaty of peace, which includes the terms of settlement of the war, and a plan looking to the security of the peace of the world for the future.

That it is not perfect all concede. That it would have been written differently if it had been drafted by the American Nation alone there can be no doubt. And, may I add, if it had been left to the handiwork of each of the United States Senators, there would have been 96 different treaties. It should not be surprising if there were not certain important provisions of this treaty which were strenuously objected to by the representatives of one or more of the nations involved.

When I consider the conflicting interests assembled and the discordant views which must have been voiced, to borrow a thought from Dr. Benjamin Franklin concerning the Constitution of the United States, I marvel not that it is imperfect but because it contains so many sound fundamental principles. And my belief is that, after having labored so long and so successfully, we should forget what differences of opinion we may have rather than to lose the fruits of their labors, not knowing when the nations could again reassemble to take up this work; and if they did reassemble, how soon any result could be expected from their labors.

If this treaty is rejected, what is to take its place? To quit now is as if, after the flames of a great conflagration had been checked, the fire department were to quit its work while burning embers were lying around in the vicinity of inflammable buildings, to be again fanned into fury by the first winds that blow.

Many of those who criticize the league have no remedy to propose. Many others present suggestions which to a greater or less degree would jeopardize the chances of ratification and postpone the day for the rehabilitation of the world.

In view of the unrest now prevailing and the immediate necessity for the preservation of the world's peace at all hazards, I believe it better to accept the treaty as it now stands and trust to the future to make such changes as experience may suggest.

I have been hoping ever since the armistice was signed that the discussion of the terms of settlement, whether in or out of the Senate, would be conducted along nonpartisan lines. The waging of the war was not a party question. The making of peace ought not to be a party question.

I do not agree with my friend the distinguished Senator from Idaho [Mr. BORAH] that it must be a partisan issue, and that if the Republicans do not make a declaration against the league of nations there will be a party which will make it an issue.

At the same time I fear that whatever may have been the purpose of the methods adopted by our Republican friends the effect of their course has been to make it a party question.

There are certain indisputable facts which, to say the least, look in that direction.

First. In the dying hours of the last session of the Senate the distinguished Senator from Massachusetts presented his "round robin," signed by 37 Republican Senators in support of a resolution which stated that while it was "their sincere desire that the nations of the world should unite to promote peace and general disarmament, the constitution of the league of nations in the form now proposed to the peace conference should not be accepted by the United States." This was presented out of order at a time when it could not receive the consideration of the Senate except by unanimous consent, and it was presented just as the President was about to embark for Paris to resume his laborious task at the peace table, and at the time it must have been known that it would embarrass the peace commissioners in the performance of their duties.

Did this seem to have the color of pure Americanism or of partisanship?

Second. Still later, when the new draft of the treaty was made public, the eminent leader and the distinguished whip of the Republican Party in the Senate sent their joint telegram to all the Republican Members of the Senate asking them not to commit themselves finally as to the new league, but to await the result of a conference of the Republican Members.

Did this look like the exercise of the spirit of Americanism or of Republicanism?

Third. On March 24, 1919, Mr. Will H. Hays wrote to ex-Senator Root, asking for his views on the subject of the league of nations. His letter is signed, not by "Will Hays," nor by "Will Hays, the American," but by "Will Hays, chairman." We only know him as the chairman of the Republican national committee. And the answer of Senator Root is not addressed to "Will Hays" or to "Will Hays as an American citizen," but to "Hon. Will H. Hays, chairman of the Republican national committee, 452 Fifth Avenue, New York City."

Did this look like an abiding interest in things American or in things Republican?

Fourth. Some days ago the public press announced that Hon. Will H. Hays, chairman of the Republican national committee, would come to Washington to confer with the Republican Senators as to what their attitude should be with respect to the league of nations and to harmonize their differences and to adopt plans; and, true to the information given in the public prints, the Hon. Will H. Hays, chairman of the Republican national committee, was here and held conferences, not with Republicans and Democrats but with Republican Senators.

Does this look as if his efforts were being made in the interest of an American peace or in the interest of a Republican program?

Fifth. On March 22, 1919, Mr. Will H. Hays, as chairman, issued a circular letter upon the letterheads of the Republican national committee calling attention to the fact that he wanted as many Republican speeches made in the next 18 months as possible, and stated that while all these speeches would not be under "direct Republican auspices," he urged them to use "Republican matter wherever consistent with proprieties and in whatever kind of speech they may be making." And then he significantly added:

> We all recognize the potentiality of the Chautauquas in this connection, and many Republicans are making connections with Chautauquas who heretofore declined this kind of work. I have felt that the national good is so great that we can all afford to rather strain a point, possibly, to help spread the doctrine of good government, and I think it is entirely within the proprieties for as many Republicans as possible to make speeches, Chautauqua and otherwise, all to that end.

Does this look like a real concern for America first, or for Republicanism first?

These facts speak for themselves; and while we recognize the protests on the floor of the Senate that the covenants for the league of nations are being considered only from an American viewpoint, the American people can not be blamed if they are somewhat disposed to believe that while it is the voice of an American Jacob they hear it is the hand of a Republican Esau they feel.

I fear some of our friends "protest too much."

There is one sense in which the league of nations is becoming a Republican Party issue. Indeed it has already developed as such to a degree which makes some Republican Senators both "believe and tremble." I refer to the perfectly well-known revolt within the Republican Party against the ideas and the acts of their leaders here. Republicans who have stood high in the past and who stand high now in their party councils are not heard in admiration, but in deprecation of the present attitude of their party associates here in the Senate.

The word of warning is not sounded alone by Democratic voices. It is heard strong and clear within the Republican ranks. The best thought among Republicans, as well as among Democrats, looks askance at the making of the league a party question.

But notwithstanding the course a part of the discussion on the league of nations has taken in the Senate, and the fine Italian hand that has been trying to make it a political issue, I still indulge the hope that the ratification of the pending treaty shall be decided only from the standpoint of Americanism without regard to its political effect; but if the same methods and same purposes prevail in the future that have characterized a part of the discussion in the past three months, I challenge, I defy, those who would make it a party issue to continue the fight. I make bold to assert that as a result of the war the overwhelming majority of the people of America can not be persuaded to take a stand against the league of nations, even though it may conflict more or less with the policies of the past. The men, the women, and the children who have suffered can not be longer convinced that the settlement of international disputes shall be by appeal to the sword. Hereafter they intend that such an appeal shall be only as a last resort.

I owe my allegiance to the Democratic Party. I believe in its principles and hope for its success, but I would rather have my party lose and the league of nations win than to have my party win and the league of nations lose.

SOME PROVISIONS OF THE COVENANTS FOR THE LEAGUE OF NATIONS PRIOR TO THEIR ENFORCEMENT.

Before proceeding with my discussion I desire to call special attention to the following controlling provisions of the covenants for the league of nations:

First, the purpose of the league is—

(a) To promote international cooperation; and

(b) To achieve international peace and security by the acceptance of obligations not to resort to war; by the prescription of open, just, and honorable relations between nations; by the firm establishment of the understandings of international law as the actual rule of conduct among governments; by the maintenance of justice and the scrupulous respect for all treaty obligations in the dealings of organized people with one another.

Second. The jurisdiction of the assembly and of the council relates only to international and not to intranational or domestic disputes, and, except where otherwise provided in this covenant or by the terms of this treaty, decisions at any meeting of the assembly or of the council shall require the agreement of all the members of the league represented at the meeting.

Third. Disputes (article 12) between the members of the league, which they recognize to be suitable for submission to arbitration, and which can not be satisfactorily settled by diplomacy, shall be submitted to arbitration. Among the disputes declared by the convention to be suitable for submission to arbitration, without attempting to enumerate all of them, are the interpretation of a treaty, questions of international law, the existence of any fact which if established would constitute a breach of an international obligation, and the extent and nature of the reparation to be made for any breach. Any award which may be made must in good faith be carried out.

Fourth. Any other dispute which is not submitted to arbitration shall be submitted for investigation to the council, whose duty it shall be to endeavor to effect a settlement, and if these efforts are successful, then a statement shall be made public giving such facts and explanations regarding the dispute and the terms of the settlement as the council may deem appropriate.

Fifth. If the dispute is not settled by the council, and after investigation it agrees upon a report unanimously, other than the representatives of one or more parties to the dispute, it shall be binding.

Sixth. If the council fails to reach a report which is unanimous, other than the representatives of one or more of the parties to the dispute, the members of the league reserve to themselves the right to take such action as they consider necessary for the maintenance of right and justice.

Seventh. If the dispute is claimed by one of the parties and found by the council to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the council shall so report without making any recommendation as to settlement.

Eighth. If the dispute has been submitted to arbitration, and an award is made, or if to an investigation and the report and recommendation of the council are unanimous, excepting the vote of those who may be parties to the dispute, then the award or the report and recommendation of the council shall be binding, and the league obligates itself not to go to war with the party that complies with the award or with the report of the investigation.

Ninth. The members of the league agree in no case to resort to war until three months after the award of the arbitrators or the report by the council. The award must be made within a reasonable time, and the report of the council within six months after the submission of the dispute.

Tenth. The council may in any case refer the dispute to the assembly, and it shall be so referred at the request of either party to the dispute, providing it shall be made within 14 days after the submission of the dispute. In the event that the dispute is thus referred to the assembly, then it shall take such action and exercise such powers as are given to the council, provided that the report by the assembly shall have the same force and effect as a report of the council if it is concurred in by the representatives of those members of the league represented on the council and of a majority of the other members of the league, exclusive in each case of the representatives of the parties to the dispute.

Eleventh. Provision is made for the fullest publicity of the facts of the dispute, with the recommendations which may be made either by the council or assembly or any member of the league.

If I may be permitted to condense these provisions of the covenants in so far as they define the procedure which may be taken up to the point where it may become necessary to en-

force the award of the arbitrators or the report and recommendations of the council or of the assembly, the members of the league agree to submit to arbitration and award all international disputes which they recognize to be a proper subject for arbitration, and all other international disputes to investigation, and they oblige themselves to accept these awards or recommendations without resorting to war.

I submit that thus far in the recital of the provisions of the covenants there is nothing either subversive of the Constitution, violative of sovereignty, or contravening wise national policy. If I am wrong, then all arbitration or peace treaties are subject to the same objection.

I submit, further, that the obligations thus entered into are mutual in character. No member of the league surrenders any right or privilege for which he does not receive a corresponding right or privilege from every other member of the league. And all of this is done in the interest of world peace.

PROVISIONS FOR ENFORCEMENT OF THE AWARD AND RECOMMENDATIONS.

Twelfth. The members of the league—article 14—agree to carry out in full good faith any award that may be made, and not to resort to war against a member of the league which complies therewith. If there is a failure to carry out such award the council shall propose what steps shall be taken to give effect thereto.

Thirteenth. If any member of the league resorts to war in violation of its covenants, it shall be deemed to have committed an act of war against all the other members of the league. But they do not obligate themselves to go to war, though the conduct of the delinquent member may be such, under the terms of the covenant, as to give cause to go to war.

Fourteenth. The members of the league undertake, in the event that an act of war has thus been committed by a delinquent nation, to subject it to the severance of trade and of financial relations, prohibit all intercourse between their nationals and the nationals of the covenant-breaking State, and prevent financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a member of the league or not. In other words, the delinquent nation is to be boycotted, and no nation, save perhaps the United States, could withstand this severance of intercourse with the other nations of the world for any great length of time. In this respect the United States would have a very decided advantage over any other nation which may or may not become a member of the league.

Fifteenth. In no case do the covenants legally compel a member of the league to declare war against a delinquent member. The war-making power of each nation, except as to the extent of its armament, continues as heretofore. Under the covenants of the league the council only recommends to the several Governments concerned what effective military or naval force the members of the league shall severally contribute to the armament of forces which may be necessary for the protection of the covenants of the league. Whether these military or naval forces are furnished or not is optional with each member, or at most, the obligation is moral and not legal.

Sixteenth. They do, however, agree to support one another in the "financial and economic measures" which may be undertaken in order to minimize the loss and inconvenience resulting from the above measures and mutually to support one another in resisting any special measures aimed at one of their number by the covenant-breaking State. They also agree to afford passage through their territory to the forces of any of the members of the league which are engaged in its protection.

Seventeenth. In stating these several propositions I do not overlook article 10, which provides "that the members of the league shall respect and preserve as against external aggression the territorial integrity and existing political independence of all its members," and "in case of any such aggression or in case of any threat or danger of such aggression the council shall advise the means upon which this obligation shall be fulfilled," but I shall make special reference to this article later in my discussion.

Eighteenth. Any member of the league, after two years' notice of its intention so to do, may withdraw from the league, provided all its international obligations and all its obligations under these covenants shall have been fulfilled at the time of withdrawal.

Nineteenth. Amendments to the covenant will take effect when ratified by the members of the league whose representatives compose the council and by a majority of the members of the league whose representatives compose the assembly; and no amendment shall be binding on any member of the league which signifies its dissent therefrom, but in that case it shall cease to be a member of the league.

Twentieth. The covenants also provide that if any member of the league has violated any of its covenants it may be expelled from membership by a vote of the council, concurred in by representatives of all the other members of the league represented thereon.

I submit with respect to these provisions for the enforcement of awards and recommendations, as I did with regard to the steps to be taken leading up to their making, that there is nothing contained in them which is violative of the Constitution or a surrender of our sovereignty when properly construed. And taking this view of the subject, I feel it would be a calamity not to approve the covenants.

GENERAL OBJECTIONS TO THE LEAGUE.

Most of the objections urged against the covenants for the league of nations are embraced in four classes. It is charged:

First. That they are unconstitutional;

Second. That they are a surrender of our national sovereignty;

Third. That they violate the Monroe doctrine; and

Fourth. That they constitute an entangling alliance with the other nations of the world, which we ought to avoid.

I shall consider them in the order named.

CONSTITUTIONALITY OF THE LEAGUE.

The Constitution of the United States, the laws made in pursuance thereof, and all treaties made or to be made under the authority of the United States, are declared by the Constitution itself to be the supreme law of the land.

Chief Justice Marshall, in Foster *v.* Neilson (2 Pet., 314), says:

> A treaty is in its nature a contract between two nations, not a legislative act. * * * In the United States a different principle is established. Our Constitution declares a treaty to be the law of the land. It is consequently to be regarded in courts of justice as equivalent to an act of the Legislature, whenever it operates of itself without the aid of any legislative provision, but when the terms of the stipulation import a contract, when either of the parties engages to perform a particular act, a treaty addresses itself to the political not the judicial department.

Mr. Justice Shiras, in Thomas *v.* Gay (169 U. S., 271), says:

> It need hardly be said that a treaty can not change the Constitution or be held valid if it be in violation of that instrument. This results from the nature and fundamental principles of our Government. The effect of treaties and acts of Congress when in conflict is not settled by the Constitution, but the question is not involved in any doubt as to its proper solution. A treaty may supersede a prior treaty.

Again, permit me to quote briefly from Mr. Justice Miller in the Head Money cases (112 U. S., 598). He says:

> A treaty is primarily a compact between independent nations. It depends upon the enforcement of its provisions on the interest and honor of the governments which are parties to it. If these fail, its infraction becomes the subject of international negotiations and reclamations so far as the injured party chooses to seek redress, which may in the end be enforced by actual war.

Without discussing the reasons for the rule I shall content myself by saying a treaty is not superior to an act of Congress, nor is an act of Congress superior to a treaty.

Mr. Justice Miller says (112 U. S., 599):

> So far as a treaty made by the United States with any foreign nation becomes the subject of judicial cognizance in the courts of this country, it is subject to such acts as Congress may pass for its enforcement, modification, or repeal.

This, in brief, is the state of our law.

The President, by and with the advice and consent of the Senate, has the power to make treaties, provided two-thirds of the Senators present concur.

This power of the President and the Senate thus stated is without any express limitation. Of course, it is conceded that they can not either by concurrence or independently of one another exercise any power which the Constitution has reserved to or conferred upon any other governmental agency.

To illustrate my thought:

The power to declare war is conferred upon Congress, but because the express power to declare war is conferred upon Congress it does not follow that the treaty-making power may not declare, within the provisions of the Constitution, what shall constitute an act of war or the terms and conditions upon which the United States would agree to go to war. If the Congress should pass a joint resolution declaring war against another nation for an act defined by a treaty, properly ratified, to be an act of war, clearly no one could say that the treaty was unconstitutional or that it was a usurpation of power or that the Congress had acted beyond its jurisdiction. So, on the other hand, if another nation should enter into a treaty with the United States whereby they had agreed that certain conduct should constitute an act of war and the Congress should refuse to declare war, it would not follow that the treaty was unconstitutional. It would simply be unenforceable, because the war-making power had refused to act. Or, if I

may express another shade of the same thought, this, the Sixty-sixth Congress, might be willing to declare war against a nation because of an act defined by the treaty to be an act of war, and the Sixty-seventh Congress under identically the same circumstances might refuse to do it. It could hardly be said that because the Sixty-sixth Congress acted in harmony with the treaty therefore the treaty-making power was acting constitutionally, and because the Sixty-seventh Congress refused to declare war therefore the treaty-making power was acting beyond the scope of its powers or unconstitutionally.

If any Congress refused to act in harmony with the treaty, the nation regarding itself aggrieved could simply say to the world that we had refused to keep our contract. Of course, every Senator expects this Government to keep faith with all foreign nations. We intend to carry out our treaty obligations, whatever they may be, assuming, of course, that the powers are acting in good faith; but even if a future Congress should refuse to comply with the terms of a treaty made by the treaty-making power of the United States, it must be borne in mind that the whole world, including the signatory powers, are cognizant of the fact, when the treaty is made, that a future Congress might refuse to carry out the provisions of the treaty. It could not, therefore, be said that we were not exercising good faith when we entered into the treaty or that we had acted in bad faith because in the eyes of another generation the Congress should either do or leave undone something which the treaty may obligate us to do or not to do. As stated before, it would be a breach of contract, not a breach of faith.

I prefer to assume that the signatory powers to the treaty, whatever its final form will be, will in all things be reasonable and just. I prefer to believe that with the restrictions placed upon the assembly and council as defined by the covenants of the league of nations all the signatory powers, including ourselves, will act in good faith. This position differs in no respect from the attitude we assume toward every nation when we enter into a solemn treaty obligation with it.

SURRENDER OF SOVEREIGNTY.

Much of the opposition to the treaty is based upon the assumption that if it is signed and finally ratified by the Senate it will be surrendering to the league of nations certain sovereign powers.

Every independent nation exercises sovereignty. It may have relation to either its domestic or international affairs, or both. The covenants of the league of nations relate only to international affairs.

If a nation saw fit to build a Chinese wall around its territory and cut itself off entirely from all intercourse with the nations of the world, it would be a sovereign nation, but no more sovereign than if it entered into treaties with other nations, regulating their commercial or political intercourse, and including therein the settlements of all international disputes arising out of those commercial or political relations. The fact that the United States in the past has entered into commercial or political treaties, prescribing certain rules of conduct, has never, so far as I know, been construed to be a surrender of sovereignty. Clearly this must be so unless we use the words in a very narrow and technical, not to say captious, sense. It may be that those rules, regulatory in character, place certain restraints upon us, just as the treaty places restraints upon the other signatory powers. If these treaties have placed any restrictions upon the exercise of any power, it is because we have received something in return.

It has not occurred to anyone to say because we entered into certain commercial treaties with Great Britain, or France, or Italy, or China, or Japan that we are a less sovereign people than we were before those treaties were signed and ratified. The making of treaties is an incident, an exercise of sovereignty, not a surrender of sovereignty.

In 1911 we denounced our treaty with Russia because of her discrimination against our Jewish citizens, and since that time we have had no treaty relation with Russia, though we continued until recently to have commercial relations with her.

Were we more a sovereign nation after this treaty was denounced than we were before and while it was binding upon both the nations?

We had treaties with Germany prior to April 6, 1917, defining certain mutual rights and obligations between the two Governments and their nationals. All of them were at least suspended, if not terminated, by the declaration of the state of war.

Are we any more a sovereign people now than we were before we entered into the war with Germany?

If this reasoning be sound, and I believe it is, can it be said because we are about to enter into certain covenants with other nations of the world, in the interest of world peace, wherein all of the signatory powers bind themselves to limit their armaments and to submit their international disputes to arbitration, or to investigation and report by the council or the assembly, that we are thereby surrendering our sovereignty? If so, then why did not some of the eminent Senators in this Chamber, who are now opposing this treaty, disclose to us the fact that they were inviting the United States to surrender its sovereignty when they asked us to enter into the arbitration treaties with Great Britain and France, which were negotiated by the distinguished Senator from Pennsylvania, and which were, with certain amendments, it is true, strongly championed by the learned chairman of the Foreign Relations Committee?

If these covenants of the league of nations be a surrender of sovereignty, why were we not so told at the time of the pendency of the so-called peace treaties, 29 in number, which were ratified by the Senate while Mr. Bryan was Secretary of State?

The covenants of these treaties were substantially the same. The treaty with Great Britain provided that—

> All disputes between them of every nature whatsoever, other than disputes the settlement of which is provided for and in fact achieved under existing agreements between the high contracting parties, shall, when diplomatic methods of adjustment have failed, be referred for investigation and report to a permanent international commission * * * and they agree not to declare war or begin hostilities during such investigation and before the report is submitted.

Under these treaties the United States was obligated to submit all disputes of any nature whatsoever to investigation.

The international commission for which they provide is required to report within one year after the date the investigation shall be declared to have begun, unless the high contracting parties shall limit or extend the time by mutual agreement. So it appears that each of the signatory powers to each of these treaties solemnly agreed to suspend its right to declare war or to begin hostilities for one year. These treaties were entered into in the reasonable exercise of our sovereign powers as a nation.

Did it occur to any of the distinguished Members of the Senate now opposing the ratification of the pending treaty to suggest that the United States by entering into those peace treaties had surrendered its sovereignty?

Was it either a surrender of sovereignty or an exercise of unconstitutional power when the United States, in 1903, entered into a treaty with the Republic of Panama, and agreed to guarantee and maintain the independence of the Republic of Panama? Does it differ in principle from article 10 of the league of nations, in which members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league?

Let me put the question to the Senate in another form.

Let us assume, for the sake of the argument, that to enter into these covenants is an unconstitutional act and a surrender or violation of our sovereignty. It certainly can not be a greater offense against the Constitution to enter into a treaty obligation agreeing to protect and defend the territorial integrity and the political independence of one of the newborn nations of Europe than it is under the Monroe doctrine to assume the same obligation with respect to the Republics of Central and South America. It can not be a greater violation of our Constitution to join in this league than it was to declare our intention to exercise a self-imposed obligation with respect to South and Central America.

What power is there under the Constitution which permits us to say that we, unpetitioned, shall assume a protectorate over the territorial integrity and political independence of the South and Central American countries? It can no more offend our sense of sovereignty by entering into an agreement affecting international relations in European countries than to attempt to exercise sovereignty over the nations of South and Central America.

Assuming, for the sake of the argument, without admitting it, that we are denying ourselves sovereignty when we enter into peace covenants with our allies for our mutual protection, is it a worse offense than to assume a sovereignty over American Republics when we do not have it and when some of them even resent it?

And let me say in passing that however much we may be enamored of the Monroe doctrine it is not altogether an unmixed blessing. Many of the people in South America resent our self-imposed guardianship over them under the Monroe doctrine, and they would, in my judgment, accept in a more gracious spirit any arrangement such as the league of nations, in which they are to be parties and which will give to both them and us the same protection that we now enjoy under the Monroe doctrine.

MONROE DOCTRINE.

One of the objections most strongly urged by the opponents of the league of nations is that in the first published draft it did not recognize the Monroe doctrine, and in the final draft it is not sufficiently defined.

If this were true it would present a serious problem, and particularly would this be so unless something better was offered.

Article 10 of the league of nations in both drafts is substantially the same. In its present form it reads:

The members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league. In case of any such aggression, or in case of any threat or danger of such aggression, the council shall advise upon the means by which this obligation shall be fulfilled.

This involves the principles of the Monroe doctrine extended to all the members of the league. However, out of the abundance of caution, and no doubt in answer to the criticisms made after the publication of the first draft, it was expressly provided in section 21 that—

Nothing in this covenant shall be deemed to affect the validity of * * * regional understandings like the Monroe doctrine for securing the maintenance of peace.

The Monroe doctrine has never been recognized as a principle of international law. It is not even a municipal law. It is, as former Secretary of State Olney said, "an American fiat." It is a policy of the United States, so declared as a principle of self-protection. The critics of the league say it is not "a regional understanding," and it may not be. The phrasing is not happily chosen. But does not every student of the subject know what was intended? The Monroe doctrine is designated by name. It is a misnomer to call it a regional understanding, but so long as the subject matter is described, what boots it if it has been misnamed?

James Monroe did not issue his message for its own sake, but because with him it was "safety first" for the Nation. An extract from his message reads:

The American Continents, by the free and independent condition which they have assumed and maintained, are henceforth not to be considered as subjects for future colonization by any European powers.

He further says:

In the wars of the European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy so to do. * * * The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective governments, and to the defense of our own which has been achieved by the loss of so much blood and treasure and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole Nation is devoted.

Again:

We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or independencies of any European power we have not interfered, and shall not interfere, but with the governments who have declared their independence and maintained it, and whose independence we have on great consideration and on just principles acknowledged, we could not view any interposition for the purpose of opposing them or controlling in any other manner their destiny by any other European power in any other light than as the manifestation of an unfriendly disposition toward the United States.

Our experience up to the time of this pronouncement taught us to be on our guard against European aggression, whether aimed at us directly or indirectly through encroachment on our neighboring peoples in America. In a word, the whole purpose of the Monroe doctrine was the "defense of our own." The extension of European systems to the American Continent was believed to be dangerous to our peace and our safety.

Later, when the dispute arose between Great Britain and Venezuela over the boundary line between Venezuela and British Guiana, Secretary Olney said, in part:

To-day the United States is practically sovereign on this continent and its fiat is law upon the subjects to which it confines its interposition. * * * There is, then, a doctrine of American public law, well founded in principle and abundantly secured by precedent, which entitles and requires the United States to treat as an injury to itself any forcible assumption by an European power of political control over an American State.

President Cleveland said in the same controversy:

The Monroe doctrine finds its recognition in those principles of international law which are based upon the theory that every nation shall have its rights protected and its just claims enforced.

Note now the following facts:

First. President Monroe, in announcing his famous doctrine, says:

In the wars of the European powers, in matters relating to themselves, we have never taken any part.

But conditions have changed since those words were written. The great World War has been fought, but its fruits have not yet been secured either to our allies or to ourselves. It first related only to Europe, but it spread until America, 3,000 miles away, was drawn into the maelstrom.

Second. President Cleveland told us in substance that the Monroe doctrine found its recognition in that principle of international law which declares "that every nation shall have its rights protected and its just claims enforced." Does not this principle apply to the unusual conditions in Europe to-day and to the consequent dangers likely to arise therefrom as well as to conditions in Venezuela at the time Cleveland wrote his famous message?

Third. The United States is now a world power. Its interests are world-wide. We are no longer confined to the American Continent. We possess the Philippines in the Far East, and a number of islands in the high seas. Our foreign commerce extends to the four corners of the earth. It totals more than $8,000,000,000 annually. Our responsibilities to the Philippines and to our possessions, wherever located, are greater than our self-assumed obligations under the Monroe doctrine to the Republics to the south of us.

When we entered the World War on April 6, 1917, we made common cause with our allies against our common enemy—the enemy of mankind. We were brothers in arms during the war. We encouraged the Czecho-Slavs, the Jugo-Slavs, the Poles, the Armenians to arise in revolution against their former masters, who were our enemies as well as theirs. Whether rightly or wrongly, we led them to believe that when success was perched upon our banners we would welcome them into the family of nations. They were justified in believing our promises then, and honor requires that we shall not permit them to lose faith in us now. What will history say of us if we leave these, our allies, in time of war to the merciless cruelties of the Hun and the Turk? Is it possible that our responsibilities to them are ended because the cannons have ceased to roar?

We did not enter this war with the intention of turning our backs upon our friends when it would suit some selfish purpose. We entered it to fight together, to win together, and, in my humble judgment, to keep the peace together.

Who does not know that we are nearer to Europe to-day than we were to Central and South America at the time the Monroe doctrine was announced? Who is not conscious of the fact that the dangers to the world peace and to our safety are in Europe to-day rather than in Central or South America? Why should we be so eager to assert our sovereignty over the Americas, from which no evil has come upon us, and at the same time blind ourselves to the dangers in Europe which well-nigh overcame the world? I want to preserve the Monroe doctrine in its entirety, but if I must choose between the preservation of the Monroe doctrine and the league of nations I shall prefer the latter. Sound statesmanship suggests our guarding against great dangers where they now exist and where they are likely to break out at any moment if we are not on our guard, rather than to limit our concern to the conditions in the Americas, present or future, from which even the most timid do not anticipate danger to the Republic. Fortunately we are not driven to choose between the two. We can have the protection of both the league of nations and the Monroe doctrine.

What nation during the last half-century at least has had any covetous designs on South or Central America save Germany? What nation is it that strikes terror into the hearts of devastated regions of Europe save Germany? What nation ever suffered such a humiliating defeat as Germany? And because she was not made to suffer by invading her territory and laying waste her cities and towns she still continues at heart the relentless foe of all mankind. No qualms of conscience torture her; no pang of regret, save that she did not win. Only a short while before the defeat of her armies and the surrender of her fleet her people in the interior were planning for the next great world war. It may be said that her masters did not even allow her people to know the straits to which she had been driven by the defenders of civilization.

What intelligent man or woman does not realize that the war must be fought over again if the Allies do not adopt some means whereby they will compel Germany to preserve the peace? We are not unmindful of the task. We realize fully that it may mean the expense of some treasure and possibly the contribution of some of our young men, for a time at least, to help preserve the peace of Europe. But who is the red-blooded American that wants his country to shirk its duty under those circumstances? America never shirked a responsibility in the past, and she must not now. I prefer that America shall do more than her duty rather than she shall do less. I prefer that in the preservation of the peace, if it becomes necessary, Uncle Sam shall be big brother to the world rather than that we should sit silently by, keeping to ourselves all the fruits of our vast heritage, and allow the pauper peoples of Europe to shoul-

der the burdens which may be incident to the protection of the world against ruthless Teutonic attacks.

I think so much of the Monroe doctrine that I would extend its principles to the world. The opponents of the league seem to think so little of it that they would confine it in its operations to America alone. If it is a good thing, let us extend it. If it is a bad thing, let us restrict it.

ENTANGLING ALLIANCES.

The opponents of the league of nations constantly quote George Washington's advice "to steer clear of permanent alliances with any power of the foreign world," but as a rule they overlook the very material qualification which immediately follows—"so far, I mean, as we are now at liberty to do it."

But this is not all. His advice to steer clear of all permanent alliances must be construed in connection with the context. It is based upon a recital of conditions which our friends overlook.

It follows his declaration that "Europe has a set of primary interests which to us have none or a very remote relation." And then he continues, "hence she must be engaged in frequent controversies the causes of which are essentially foreign to our concerns." And again he adds: "Our detached and distant situation invites and enables us to pursue a different course." And without attempting to quote all that he says in this behalf, he adds: "When belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel." His advice against permanent alliances is based upon the situation in Europe as he then saw it, and to which I have just called attention.

But how different are conditions in Europe now as compared with what they were in the day of Washington. Then we were a small nation of 13 colonies and 3,000,000 people, scattered along the Atlantic coast. Now we are 48 empire States, with 110,000,000 people, the greatest industrial and commercial nation of the world, with a foreign commerce totaling over $8,000,000,000 per year. It extends to the four corners of the earth.

Science has annihilated distance. The stranger nations of yesterday are the neighbors of to-day. No longer can we say that we have "none or a very remote relation" to the primary interests of Europe. We can no longer describe our location in the world as "detached" and "distant situation."

Washington in the greatest flights of his imagination never dreamed of the steamboat and the locomotive; of the telegraph, the telephone, or the wireless; of the submarine or the airship; or of the many countless engines of peace and war, with which every schoolboy to-day is familiar. He thought, to again quote his own words, of "belligerent nations under the impossibility of making acquisitions upon us," and in his judgment they "will not lightly hazard the giving us provocation." But while he believed that the belligerent nations would not lightly hazard giving us provocation, we know from experience that the Central Powers did not hesitate to make raids upon our commerce and wage a war against us of "schrecklichkeit"; to sink our men, women, and children to the bottom of the depths, and to drive our commerce from the seas. George Washington took counsel of facts as he saw them and advised accordingly. Were he living to-day, and had he the same knowledge of the defiant attitude of the German Government toward the civilized nations of the world, and were he cognizant of the fact that the only powers which stood between us and destruction were the armies and navies of France and Great Britain, can anyone conceive for a moment that George Washington would have said, "Make no alliance with either Great Britain or France; let them stand between us and destruction; let them bear the brunt of the battle while we stand aloof"? To assume that the Father of his Country would have taken such an anomalous attitude is to insult his memory.

But this is not all. He is very careful in the following paragraph of his Farewell Address to say, "Taking care always to keep ourselves, by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies."

That Germany has been a menace to the world is a demonstrated fact. That she is in as defiant mood to-day as she was in the early period of the war no one can deny. She is not sorry that she entered the war; she is only sorry because she did not win the war. Everyone who is conversant with the situation believes if she felt that by renewing hostilities she could overcome her enemies she would command her armies to advance. The danger is not yet over. The conflagration she began she was not able to quell. So long as the allied troops are in the field there may be no danger from the German armies. But there is an enemy looming up in the Far East and in the Central Powers which threatens to be even as destructive to the civilization of the world as the German forces. It is the spirit of lawlessness which prevails among the Bolsheviki in Russia and in Germany and in Austria, ever the common foe of all civilization, the common foe of all government, and it behooves the United States and her allies to take common counsel for the defense of humanity.

Washington says "Keep ourselves by suitable establishments on a respectable defensive posture." What does he mean by "suitable establishments" or a "respectable defensive posture," or "temporary alliance for extraordinary emergencies"? I assume, Senators, that he means such establishments, such defensive postures, and such alliances as are suggested by the wisdom of to-day and not by the wisdom of a century ago. I assume, Senators, that by this language he meant such arrangements as in the enlightened intelligence of the day would prove reasonably necessary for the civilized nations of the world in making common cause against the Hun and the Turk. I do not think, Senators, he intended that the enlightened statesman of the twentieth century should be restricted and hemmed in by conditions as he saw them on the 17th of September, 1796, when he published to the world his Farewell Address. The Constitution of the United States, which he helped to draft, was no more of an innovation in the political world of that day than the constitution of the league of nations is an advance over the political thought of this day. Let those who seem to take so much counsel from a part of the words of Washington read the spirit that pervades his Farewell Address.

One of the purposes of the league of nations is to take steps looking toward gradual disarmament of the nations of the world. When the war broke out we had a nucleus of a fair Navy for defensive purposes; but with that exception we had no armament worthy of the name. Germany, the enemy of mankind, had a greater armament than any other nation of the world, greater than was needed for any peace purposes. It could only have been intended for a war of aggression. The constitution of the league of nations provides for the reduction of this armament. And now let us see what George Washington says on this subject. In speaking of the union of the States, he says:

> They will avoid the necessity of those overgrown military establishments which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty.

I trust that the opponents of the pending treaty will be fair enough to commend its draftsmen in their good fortune in following these views of Washington on the subject of disarmament and not forget them in weighing the merits of the league of nations.

Again, while the opponents of the league are complaining that under the provisions of the constitution we pledge our support to the financial and economic measures which may be taken under article 16, that we may be compelled to sustain great financial loss, it may be well to bear in mind the wisdom of Washington, who said, in this same Farewell Address, that "timely disbursements to prepare for danger frequently prevented much larger disbursements to repel it."

But let us pause for a further thought. I know it is possible that the United States by entering into these covenants may subject itself to the risk of war. Let me say further, in answer to this suggestion, that prior to April 6, 1917, we had no alliance of any kind, either offensive or defensive, with any nation in the world, but it did not prevent our becoming involved in the greatest war of all time. So that if by any alliance—and it must be borne in mind this is an alliance for defensive purposes only and not for offensive purposes—we should get into another war we would only be repeating the experience which we had without any alliance whatsoever. Without alliances we did get into war. With alliances we may get into war. There is nothing absolutely certain in human affairs.

I concede if all the nations of the world were to join the league it would not be an absolute guaranty against all war. But I have an abiding faith that if not more than the 14 nations that originally sat about the peace table were to join the league, it would reduce to the minimum the chances of war not only among themselves, but the nations not in the league would hesitate before making an aggressive movement against those who were in the league. The 14 nations that drafted the covenants for the league of nations were comrades in time of war. Let them be companions in time of peace. We ought not to refuse to join them to preserve the peace when we joined them to establish the peace. I can not find it in my heart to cry out to these nations, our comrades in arms, "Unclean, unclean!" I prefer to have faith in the rectitude of their intentions. I would not insult them by withdrawing from the common cause which means so much for humanity.

Much has been said upon the floor of the Senate urging that covenants for a league of nations be kept separate and apart from the peace treaty. I can not accept this position. The

covenants for the league of nations constitute the machinery by which the terms of peace are to be carried out. We may argue as much as we choose about the wisdom or unwisdom of making two treaties, one stipulating the terms of peace and the other providing for the organization of the league, but at the same time the peace commissioners knew that whatever the terms of peace might be Germany would not comply with them unless we adopted some means to compel their performance. While the treaty was being signed by the German commissioners, many of the German public men were protesting that the terms could not be enforced.

Who does not know that if President Wilson and his associates had not come back here with some plan whereby to enforce the execution of the terms of peace they would have been criticized as having been derelict in their duty? All must believe that some arrangement to enforce the terms of peace was necessary. This can be called an association, an alliance, or whatnot; it is none the less a league, and if they had failed to take these necessary precautions against the renewal of hostilities, they would have failed the nations they represent and the cause of humanity.

SOME SPECIAL OBJECTIONS TO THE COVENANTS FOR THE LEAGUE OF NATIONS.

Let me now consider more in detail some of the special objections to the covenants for the league.

SENATOR KNOX AND THE LEAGUE.

When we come to deal with our international affairs I deem myself most happy when I can follow the leadership of the distinguished junior Senator from Pennsylvania [Mr. KNOX].

With that part of his speech which he delivered on March 1, 1919, criticizing the language and arrangement of the constitution, I find myself largely in accord. But the covenants in their final form are, in my judgment, no longer subject to the same exceptions.

In the same speech he asserts that "the league plans still regard war as legal and as possible." Then he points out seven particulars in which the covenants recognize the legality of a state of war, and three particulars in which "the parties must go to war." And this criticism is reiterated by the distinguished Senator in the speech he made later in the Senate in support of Senate resolution No. 76.

Let me observe in passing that no friend of the league has ever claimed that it would be a panacea against all future wars. What we do claim for it is that wars and threats of wars, whether immediately affecting any of the members of the league or not, are matters of concern to the whole league, aye, to the whole world. We have an abiding faith that when the nations of the world, leagued together, pledge themselves to suspend warfare in order that international disputes can be submitted either to arbitration or to investigation and the publicity incident thereto, it will materially reduce the chances of war. And the draftsmen of this treaty have not been so unmindful of human nature that they do not fully recognize the soundness of President Wilson's position when he made the statement that back of all the provisions of the constitution stood the force of the world, if it were necessary to invoke it against recalcitrant nations.

But let us examine a little more in detail the circumstances under which war, in the language of the learned Senator from Pennsylvania, is "legal" and "possible." He says, in substance:

First. If a dispute between two members of the league is submitted to arbitration and it is satisfactory to neither; or,

Second. If it is submitted to investigation by the council and the recommendation is satisfactory to neither, then the disputants, after three months from the date of the award or of the recommendation, may properly go to war.

My answer is, as applied to members of the league who may be disputants, the statement is not accurate, because under the terms of the league they obligate themselves to accept the award or the result of the investigation if unanimous, and therefore if they comply with the terms of the treaty there can be no war. But admitting, for the sake of the argument, that the disputants do ignore the findings of the arbitration or investigation and go to war, they are not exercising a right which is given to them under the covenants. They are only exercising such privilege as they had prior to their entering into the league. But by reason of these covenants the cause of peace has won to this extent, namely, that the sword remains sheathed until there can be an award or recommendation as a result of investigation, and that the public opinion of the world can have an opportunity to assert itself.

Third. If the dispute goes either to the executive council or body of delegates—in the redraft of the treaty respectively designated as the council or the assembly—and the decision is unanimous, and this decision is unacceptable, "then they may legally go to war," says my friend from Pennsylvania.

To this I answer that under the covenants of the league the disputants have bound themselves to accept the decision, and it is not accurate to say that they may legally go to war if the decision is unacceptable. If they go to war in defiance of its terms, they are only doing what they could do if there had been no league.

Fourth. The Senator asserts that if neither the council nor the body of delegates can reach a decision which is unanimous, then the parties may "legally go to war." To this I answer that, so far as the terms of the covenant are concerned, they may go to war; but it is no greater privilege than they could exercise without the league. It is a less privilege, in that they have suspended their right to go to war pending the investigation and the report. In other words, the parties to the dispute are just where they would have been without the formation of the league, except that the hand of war is stayed during the investigation and the final report.

Fifth. The learned Senator asserts "all conflicts between States not members of the league would—under the covenant—appear to be legal under the covenant, though the league declares its right and intention to interfere in them if it desires."

I submit, Senators, that it is not quite fair to say that under the circumstances designated the conflict would be legal. The covenants simply recognize the fact that a conflict may take place between nonmembers of the league. It does not attempt to say that the war is either legal or illegal. It recognizes only the fact that war may or may not take place, and that the league declares its right and intention to interfere if it so desires. How does this differ from the position the United States took in the earlier history of the controversy with Spain respecting Cuba? President McKinley said to the foreign diplomats, when they called upon him to intercede:

> The Government of the United States appreciates the humanitarian and disinterested character of the communication now made on behalf of the powers named, and for its part is confident that equal appreciation will be shown for its own earnest and unselfish endeavors to fulfill a duty to humanity by ending a situation the indefinite prolongation of which has become insufferable.

And so the league, in the interest of world peace, is authorized under the covenants to say to nations that are not members, "Conditions may arise whereby in the judgment of civilization it may become necessary or advisable that we intercede rather than that they shall attempt to settle their disputes by force of arms and thereby probably involve the peace of the entire world." Of course, under these circumstances it is possible that the members of the league may become involved in war, and we know only too well that the killing of a member of the royal house of Hapsburg in the small city of Sarajevo in far-distant Bosnia was the match that lighted a world conflagration, and it happened without any league whatsoever.

Sixth. The learned Senator makes serious objection to article 11, which provides, in substance, that any war or threat of war, whether immediately affecting any of the members of the league or not, is declared to be a matter of concern to the whole league, and it reserves the right to take any action it may deem wise and effectual to safeguard the peace of nations. Yes; war or threat of war may lead to war. Aye, more. The world knows only too well that the war declared by Austria against Serbia did lead to a world war that lasted for more than four years. And I submit that, in the opinion of the great suffering masses of humanity, it probably could have been prevented if the forces of civilization had been united in some plan of arbitration or investigation, in giving publicity to the causes of the dispute. Who is it that dares say now, in the light of recent experiences, that any war or threat of war is not a matter of concern not only to the league but to the whole world? And it will continue to be a matter of concern to the whole world, whether there is a league or not. And as individual nations have exercised the right to intercede in the past when war was threatened, so now under the terms of the covenant the league would not exercise any more power than the individual nations did before. The only difference in the political status is that under former conditions it was a matter of concern to each nation individually. Under the league it is declared to be a matter of interest to all of the individual nations as a league. The moral force of the nations united is more potent for good than the moral force of nations acting separately and independently.

And where in principle do the provisions of this article 11 differ from The Hague convention of 1899, under which the signatory powers, including the United States, agreed, among other things, that in a "serious disagreement or conflict, before an appeal to arms, they would have recourse, so far as circumstances allow, to the good offices or mediations of one or more friendly powers," and, independently of this recourse, they recommend that "one or more powers, strangers to the dispute, should on their own initiative, as far as circumstances may

allow, offer their good offices or mediation to the States at variance." More than this, The Hague convention provides that—

> Powers, strangers to the dispute, have the right to offer good offices or mediation even during the course of the hostilities, and that the exercise of this right can never be regarded by one or the other of the parties in conflict as an unfriendly act. (Convention for the Pacific Settlement of Disputes, Title II, articles 2 and 3.)

Seventh. It is true, as contended by the distinguished Senator, that—

> Disputes between States members of the league and States not members of the league may lead to legal war, either between two States themselves or between the disputants (one or both) and the league.

But, again, I submit that the charge that the covenant "may lead to legal wars," as just indicated, is misleading. That it may lead to war I concede. That it will increase the chances of war I deny. Neither he nor I can demonstrate mathematically that it will either lead to war or that it will not; but I assert that in view of the fact that intercession by disinterested nations in the past has brought about adjustments of many international disputes, so I believe that by concerted action in the future disputes which may hereafter arise can be settled without resort to force.

WAR MANDATORY.

But the distinguished Senator from Pennsylvania contends the covenants require the parties to go to war in three certain cases. Or, to use his own words, in these cases "war is mandatory." In substance he says:

First. The members of the league obligate themselves to preserve by force of arms, if necessary, the territorial integrity and political independence of all States members of the league;

Second. If any member of the league breaks or disregards its covenants, then we must fly to arms to protect them; and

Third. If any nonmember, either accepting or not accepting the obligations of membership for the purposes of the dispute, acts in such a way as to violate article 12, if the State were a member of the league, then we must go to war.

With all due respect, I submit that this does not fairly state the issue. I recognize fully that force is the ultimate fact back of the league, and that circumstances may arise which may compel its use; but I assert that the larger part, if not the most, of the international wars arise out of efforts to win territory or to interfere with the political integrity of nations. The aggressor only begins war when it feels strong enough at the outset to accomplish its purpose, and ordinarily it is by the stronger against the weaker nation. And now who shall say, assuming the world to be at peace, all nations, great and small, are not entitled to hold sacred their territory and their form of government? It is a common concern of all nations. If international disputes arise, does not the whole world thought concur in the belief that they may result either in the destruction of the territorial integrity or political independence of a nation, and that their differences should be adjusted? Under the league it is provided that when such disputes do arise they shall be submitted either to arbitration, if it is recognized as a proper subject for submission to arbitration, or to investigation and report.

If there shall be a failure to comply with either the award of the arbitrators or the recommendation of the investigators, then resort shall be had to the boycott. And only after all these methods shall have failed the duty is imposed upon the council in such cases to recommend to the several governments concerned what effective military or naval forces members of the league shall severally contribute to the armament of force to be used to protect the covenants of the league. The power to declare war by each of the members of the league rests where it does with the several members of the league, as if there were no league. True, the members of the league obligate themselves to mutually support one another in the financial or economic measures that are to be taken in order to minimize the loss or inconvenience resulting from the measures which may be taken and to mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State and to afford passage through their territory for the forces of the members of the league which are cooperating to protect its covenants. And hence I contend to construe the covenants so as to say that the member States are forced to go to war is wholly unwarranted. At the same time every friend of the league fully realizes the possibility of war. And if conditions should arise whereby they do go to war, it is the result of voluntary action by each nation. It is true that in the minds of some of the men, active supporters of the league, the duty to go to war should have been made compulsory, but I do not believe that the commissioners should have gone further in this behalf than they did. I think to have gone further would have been a fatal mistake, because in a great compact such as this we must to a certain extent feel our way step by step. I feel firmly convinced that when the great moral forces of the civilized nations of the world are coordinated and cooperate they will advance the cause of peace.

After pointing out that the covenants for a league of nations make war legal and possible in seven cases and mandatory in three cases, the distinguished Senator from Pennsylvania asks, "Can we not do something to avert the horror of war?" and he answers, "Yes; there are ways, some of them simple and well tried." He points out three remedies:

First. Compulsory arbitration for all disputes under such plan as that provided for in the international prize court; or,

Second. The unratified British-American or French-American arbitration treaties; or—and at this point I wish to remind Senators that those treaties were the Senator's own babies—or,

Third. The Olney-Pauncefote treaty of 1897, or a union of the best in all of them.

But I submit, with all due respect to the eminent Senator, that not one of these methods is a guaranty against war. If the covenants for a league of peace are subject to the criticism which the Senator made, and to which I have referred, then also are the methods he proposes subject to the same exceptions.

I shall not take time to discuss all of them, but I shall ask the indulgence of the Senate while I make a brief reference to the British-American and French-American treaties of 1911, which were drafted by the distinguished Senator.

ARBITRATION TREATIES WITH GREAT BRITAIN AND FRANCE.

On August 4, 1911, President Taft presented to the Senate of the United States for ratification these treaties. They had been negotiated by his great Secretary of State, the Hon. PHILANDER C. KNOX, now the junior Senator from Pennsylvania, whose ability and statesmanship illumines every subject he touches and for whose judgment every Senator has the profoundest respect, whether he agrees with him or not.

By these treaties it was stipulated that all differences arising between the high contracting parties which it has not been possible to adjust by diplomacy relating to international matters in which the high contracting parties are concerned by virtue of a claim of right made by one against the other, under treaty or otherwise, and which are justiciable in their nature by reason of being susceptible of decision by the application of the principles of law or equity, should be submitted to the permanent court of arbitration established at The Hague by the convention of October 18, 1907, or to some other arbitral tribunal, as may be decided in each case by special agreement, which special agreement shall provide for the organization of such tribunal if necessary, defining the scope of the powers of the arbitrators, the question or questions at issue, and setting the terms of reference and the procedure thereunder.

Article 2 of the treaty in substance provided for the institution of a joint high commission of inquiry, to which, upon the request of either party, shall be referred for impartial and conscientious investigation any controversy between the parties within the scope of article 1, before such controversy has been submitted to arbitration, and also any other controversy hereafter arising between them, even though they are not agreed that it falls within the scope of article 1, provided, however, that such reference may be postponed until the expiration of one year after the date of the formal request therefor, in order to afford an opportunity for diplomatic discussions and adjustment of the questions in controversy, if either party desire such postponement.

The treaty also provided that whenever a question or matter of difference is referred to the joint high commission of inquiry each party should designate three of its nationals to act as a commission of inquiry for the purpose of such reference, or the commission may be otherwise constituted in any particular case by the terms of reference, the membership of the commission and the terms of reference to be determined in each case by an exchange of notes.

Article 3 provided in substance that the joint high commission of inquiry is authorized to examine into and report upon the particular questions or matters referred to it for the purpose of facilitating the solution of disputes by elucidating the facts, and to define the issue presented by such questions; and also to include in its report such recommendations and conclusions as may be appropriate. These reports were not to be regarded as decisions of the questions or matters so submitted, either on the facts or on the law, and shall in no way have the character of an arbitral award.

It—article 3—also provided that, in cases in which the parties disagree as to whether or not a difference is subject to

arbitration under article 1 of this treaty, that question shall be submitted to the joint high commission of inquiry; "and if all or all but one of the members of the commission agree and report that such difference is within the scope of article 1 it shall be referred to arbitration, in accordance with the provisions of this treaty."

I may say in passing that the Senate struck from the treaty this last paragraph.

Certain amendments to this treaty were proposed by the United States Senate, and it was ratified, with certain reservations. There were, however, no exchanges of ratifications, and therefore the treaties lie dormant.

I take the liberty to refer to this treaty because it seems that when the able Secretary of State drew the treaty and President Taft submitted it to the Senate he was not disturbed by the fact that he was providing for the arbitration of all disputes which could not be settled by diplomacy relating to our international matters and which were justiciable in their nature "by reason of being susceptible of decision by the application of the principles of law or equity."

He did not seem to be averse to submitting disputes in which there was a disagreement as to whether or not they were subject to arbitration under article 1 to this joint high commission of inquiry, and if all its members, or all but one, agree and report that such difference was within the scope of article 1, that it should be then referred to arbitration in accordance with the provisions of the treaty.

Now, I submit in all candor that if the distinguished Senator, as Secretary of State, was willing to submit to arbitration all questions which it was agreed were justiciable and all questions in which there was a difference of opinion as to their justiciable character, but which the joint high commission of inquiry decided by unanimous vote, or by all but one, to be justiciable to arbitration, was he not then surrendering the right of sovereignty? Was he not suspending the right to resort to arms and compelling the United States to abide the decision of the court of arbitration or the arbitral tribunal, as the case might be?

In these respects I submit that his treaty was broader in scope than the covenants of the league. They provided only that such questions should be submitted to arbitration as were recognized by the disputants to be suitable for submission to arbitration, and all others were to be submitted to investigation. Under the treaties with Great Britain and France, drawn by the distinguished Secretary, the permanent court of arbitration or the arbitral tribunal were given jurisdiction to try and determine "all differences hereafter arising * * * which are justiciable in their nature by reason of being susceptible of decision by the application of the principles of law or equity." If there was any disagreement as to whether these differences were subject to arbitration or not, then it was referred to the joint high commission to decide, and if they decided that it was justiciable by a unanimous vote or by all but one, then the dispute had to be submitted to arbitration.

I submit that under these treaties war is just "as legal," just "as possible," and just "as inevitable"——

Mr. WILLIAMS. And just as mandatory.

Mr. POMERENE. And just as mandatory as under the league of nations in the following particulars:

First. If, notwithstanding the treaty, the high contracting parties should refuse to settle their differences by arbitration, then war must follow.

Second. If they should refuse to submit them to the permanent court of arbitration and fail to agree upon some other arbitral tribunal by special agreement, then war must follow.

Third. If a dispute should arise as to whether their differences were justiciable in their nature, as defined in the treaty, and they should refuse to submit this question to the decision of the high court of inquiry, then war must follow.

Fourth. Or if it were submitted to the high court of inquiry and they should decide that the controversy was justiciable and either party should refuse to acquiesce in their decision that it was justiciable, then war must follow.

Fifth. If an award should be made and either party should refuse to comply with its terms, then war must follow.

Certainly it is not very satisfactory to take the position that because the pending treaty may not be a remedy for all war that it should be rejected, nor is the charge that the pending treaty is a surrender of sovereignty very convincing when other mechanisms are suggested which are also a surrender of sovereignty, even though they may differ somewhat in degree.

Mr. WILLIAMS. A limitation of sovereignty.

Mr. POMERENE. Yes; that is all.

MR. ROOT'S OBJECTIONS.

In Mr. Root's response to Will H. Hays, chairman of the Republican national committee, under date of March 29, 1919, in speaking of the covenants of the league of nations, other than article 10, relating to the mutual guaranty of territory, articles 8 and 9, relating to the reduction of armaments, and article 19, to mandatories, he says.

And I commend this word to my friends who are opposing this treaty:

I think these provisions are well devised, and should be regarded as free from any just objection, so far as they relate to the settlement of the political questions at which they are really aimed. The provisions which, taken together, accomplish this result are of the highest value. They are developed naturally from the international practice of the past. They are a great step forward. They create an institution through which the public opinion of mankind, condemning unjust aggression and unnecessary war, may receive, effect and exert its power for the preservation of peace instead of being dissipated in fruitless protest or lamentation. The effect will be to make this sort of conference which Sir Edward Grey tried in vain to get for the purpose of averting this great war obligatory, inevitable, automatic. I think everybody ought to be in favor of that.

I repeat that this scheme for the settlement of political questions such as brought about the present war is of very great practical value, and it would be a sad thing if the opportunity for the establishment of such a safeguard against future wars should be lost.

If, now, according to Mr. Root, one of the greatest and at the same time, I am free to say, one of the fairest critics of the league, it has so much of good in it, ought we not to hesitate before attempting at this crucial period in world affairs to take any step which might in the least embarrass the signatory powers in bringing about the restoration of the normal conditions that ought to prevail in peace? Even if we have serious objections to some of the provisions of this treaty, is it not best now that we do not attach too much importance to them, but rather that we pass them over, reserving to ourselves the intention hereafter to engraft upon the treaty such amendments as may seem wise? I do not understand that Mr. Root has even to this day changed his view as to the necessity for the formation of a league of nations.

In the letter to which I have referred he proposed six amendments to the first draft of the treaty. The substance of most of them is to be found in the final draft. Let us review them.

First. He proposed to strike out article 13, which provided for the submission to arbitration of all disputes which the parties recognize to be suitable for submission to arbitration and which could not be settled by diplomacy, and to insert in its stead a provision requiring the contracting parties to refer to the permanent court of arbitration at The Hague, or some other court of arbitral justice, or other arbitral tribunal, all disputes, including those affecting honor and vital interests, which are of a justiciable character, and which the powers concerned have failed to settle by diplomatic methods, and to require them to accept and give effect to the award of the tribunal. And he then defined disputes of a justiciable character to be disputes "as to the interpretation of a treaty, as in any question of international law; as to the existence of any fact which, if established, would constitute a breach of any internation obligation; as to the nature and extent of the reparation to be made for any such breach."

It also required that any question which may arise as to whether a dispute is of a justiciable character should also be referred for decision to the court of arbitral justice when constituted, or until it is constituted to the existing permanent court of arbitration at The Hague.

Without stopping here to quote article 13 as contained in the covenant finally reported by the peace conference, I think all must agree that the suggested amendment by Mr. Root has in a large part been accepted. The principal difference lies in this:

Mr. Root would submit to arbitration "all disputes * * * (including those affecting honor and vital interests which are of a justiciable character and which the powers concerned have failed to settle by diplomatic methods)," and if any question should arise as to whether a "dispute is of a justiciable character" it is to be referred for decision to the court of arbitral justice when constituted, or until it is constituted to the existing court of arbitration at The Hague; while in the pending treaty only those disputes are to be arbitrated which the parties thereto "recognize to be suitable for submission to arbitration." All other disputes are to be submitted for investigation and report.

Second. His second amendment suggested adding to article 14 a provision requiring "the executive council to call a general conference of the powers to meet not less than two years or more than five years after the signing of this convention for the purpose of reviewing the condition of international law and of agreeing upon and stating in authoritative form the principles

and rules thereof"; thereafter regular conferences to be called and held at stated times.

While the substance of this amendment is not directly or specifically included in the redraft of the covenants, please observe the following facts: The assembly is authorized to meet at stated intervals and from time to time as occasion may require. It may deal with any matter within the sphere of action of the league or affecting the peace of the world.

The council also is authorized to meet from time to time as occasion may require, and at least once a year, and also to deal with any matter within the sphere of action of the league or affecting the peace of the world.

The first meeting of the assembly and the first meeting of the council shall be summoned by the President of the United States. Surely these provisions give ample opportunity to the league to review the condition of international law and to agree upon and state in authoritative form the principles and rules thereof as fully as if Mr. Root's second amendment had been adopted word for word. If anything further should be required, section 26 of the covenants provides the method of their amendment.

Third. His third amendment relates to the Monroe doctrine. It is not a protest against the league. It recognizes the necessity therefor; but it seems to make specific the fact that nothing contained in it "shall be construed to imply a relinquishment by the United States of America of its traditional attitude toward purely American questions or to require the submission of its policy regarding such questions (including therein the admission of immigrants) to the decision or recommendation of other powers." In other words, he seeks to protect the Monroe doctrine in so far as it concerns controversies relating to American countries.

Article 10 in the original draft, as well as in the covenant as finally reported, obligates the members of the league to undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all the members of the league. This was virtually extending the fundamental principles of the Monroe doctrine to all the members of the league, whether on the American Continent or in any other portion of the world. But for the purpose of clarity, and out of respect to the wishes of those who felt that the Monroe doctrine was not sufficiently recognized, the covenants in their final form specifically recognize it both in form and substance.

Fourth. In the fourth amendment Mr. Root suggests that to article 10 should be added a provision to the effect that after five years from the signing of the covenants any party might terminate its obligation under this article by giving one year's notice in writing to the secretary general of the league. Why it should be proposed that the signatory powers should be given the right to relieve themselves of the obligations of one of the articles and at the same time be obligated by the other articles of the treaty I do not understand. Why it might be wise, after a given number of years, to permit withdrawal entirely from the covenants, if that were deemed proper under certain limitations, I can understand. I think it would have been very unwise to adopt the suggestion made by Mr. Root, but, as I have pointed out, the amended draft does permit a member to withdraw from the league, provided its obligations have been complied with at the time of withdrawal, after two years' notice. But I shall discuss this article 10 a little later on and more fully.

Fifth. Evidently Mr. Root is in hearty accord with the purposes of the commissioners at the peace table in their efforts to secure the disarmament of the powers. In a word, both drafts of the treaty provide for the reduction of national armaments to the lowest point consistent with the national safety; that the council shall formulate plans for such reduction for the consideration and action of the several Governments; that such plans shall be subject to reconsideration and revision at least every 10 years; that after these plans shall have been adopted by the several Governments the limits of armament therein fixed shall not be exceeded without the concurrence of the council. They recognize that the manufacture by private enterprise of munitions and implements of war is open to grave objections. The council is to advise how the evil effects attendant upon the manufacture shall be prevented, and the members of the league undertake to exchange full and frank information as to the scale of their armaments and military and naval programs and the conditions of such of their industries as are adaptable to warlike purposes.

These provisions do not seem to Mr. Root to be sufficient, and he would add thereto a provision giving "full power of inspection and verification personally and by authorized agents as to all armament, equipment, ammunitions, and industries" referred to in article 8. Personally I have no objection to this amendment; but I can understand why exception might be taken to it, because, first, it questions the good faith of the signatory powers even before the treaty is signed. In the second place, some may have regarded it as too inquisitorial. But whatever the objections may have been, there is no sound reason why anyone should insist on this provision being put into the treaty. It is of minor importance. If any of the powers should attempt to evade the agreement with regard to armament, it is almost impossible to secrete from the eyes of the world any substantial preparations for war that may be made by any of the countries of the world. And it may be further added, if it should appear that one or more of the countries is likely to violate its agreement with reference to the limitation of armaments the treaty is open to amendment. Provision is made for the convening of both the council and the assembly, and they have the right to investigate these matters. And does anyone think if any nation, however secretly, attempts to increase its armament for the purpose of a war of aggression the knowledge would not soon become public? Imperial Germany was constantly adding to her armament during the last 40 years. She professed it was for peace purposes. Many observers felt confident it was for a war of conquest. But with all her powers of deception and intrigue, I do not know that she was able to keep secret either the fact or the extent of her military preparations. I do not think, therefore, looking at it from the standpoint of an American, that the proposed amendment is of such vital consequence that we need disturb ourselves whether it is in or out of the treaty.

Sixth. His sixth amendment requires that the council shall call a general conference of the members of the league, to meet not less than 5 nor more than 10 years after the signing of this covenant, for the revision thereof, and at that time, or at any time thereafter, upon one year's notice, any member may withdraw from the league. These suggestions, too, are substantially met by the final draft.

The final draft of the treaty permits any member of the league to withdraw at any time after two years' notice, provided all its international obligations and all its obligations under this covenant have been fulfilled at the time of withdrawal. In this respect the covenants of the treaty admit of freer action by the members of the league than does the Root amendment.

ARTICLE 10.

But I am at a considerable loss to understand the change which has been wrought in the mind of Mr. Root since he wrote his letter to Mr. Hays, chairman of the Republican national committee. In this letter he says:

> My first impression was that the whole article ought to be stricken out. If perpetual it would be an attempt to preserve for all time unchanged the distribution of powers and territory made in accordance with the views and exigencies of the Allies in this present juncture of affairs. It would be mischievous. Change and growth are the law of life, and no generation can impose its will in regard to the growth of nations and distribution of power upon succeeding generations. I think, however, that this article must be considered not merely with reference to the future but with reference to the present situation in Europe. Indeed, this whole agreement ought to be considered in that double aspect.

He then, with very great force, discusses the dismemberment of the Hohenzollerns, the Hapsburgs, and the Romanoffs, and calls attention to the turbulent masses without stable government in those territories "unaccustomed to self-control and fighting among themselves like children of the dragon's teeth." He recognizes that there can be no "settled peace until these masses are reduced to order." He is conscious of the fact "that Great Britain, France, Italy, and Belgium, with a population of less than 130,000,000, are confronted with the disorganized but vigorous and warlike population of Germany, German Austria, Hungary, Bulgaria, Turkey, and Russia, amounting approximately to 220,000,000, fast returning to barbarism and the lawless violence of barbarous races." eH knows that "order must be restored." The allied nations in their council must determine the lines of reconstruction. Their determinations must be enforced under these conditions. "Under these conditions," he says, and I agree with him, "the United States can not quit. It must go on to the performance of its duty, and the immediate aspect of article 10 is an agreement to do that. I think, therefore, that article 10 should be amended so that it shall hold a limited time, and thereafter any member may withdraw from it."

Those are not my words. Those were Mr. Root's words on March 29.

Such was the condition as he saw it on March 29, 1919.

But in his letter of June 19, 1919, to the chairman of our Foreign Relations Committee, Mr. Root says, as to article 10:

> It is not an essential or even an appropriate part of the provisions for a league of nations to preserve peace.

What change took place between these two dates? Why was article 10 so necessary in March and so objectionable in June?

Have our allied powers grown stronger? Have Germany, Austria, Bulgaria, Turkey, and Russia grown less turbulent? Do not the same conditions which suggested the wisdom of article 10 on March 29 obtain to-day? Countries do have a natural growth. They ought to have room, perhaps, for proper development. But they have no right by reason of increased population, or by any sort of development, to overrun the territories of other peoples against their will. Article 10 does not forbid one nation from getting, by annexation or peaceful means, additional territory for national purposes under this treaty, except in so far as that right may be limited under the Monroe doctrine. Article 10 requires the members of the league "to respect and preserve as against external aggression the territorial integrity and existing political independence of all States members of the league."

We must not forget that before we entered into the war our Allies encouraged the oppressed Poles, Jugo-Slavs, and Czecho-Slovaks to rise in revolt against their imperial masters. And when we entered the war we, too, gave them like encouragement, and held out to them the hope that they could soon take their places in the family of nations. They fought; they helped us win; and now, Senators, after they have helped the allied and associated powers, including the United States, to overcome the great imperial power of Germany and of Austria-Hungary and Turkey, are we, like the Arab of old, to "fold our tents and silently steal away"? Strike out article 10 and what is to become of these new-born nations? Are they to be left to the mercy of their former imperial masters? Is there not some obligation resting upon us to help them to preserve their national integrity? Oh, Senators, Mr. Root was right, eternally right, when he said that article 10 should be retained. And now, when he proposes to strike it out of the covenants he is wrong, eternally wrong.

I hope that it shall be recorded of the part we took in this great war, not only that we fought a good fight, and we won, but I want it likewise to be written that after the fight was over and the victory won we also kept the faith. I have heard a vast deal since the discussion of this subject began in the Senate from the lips of distinguished Senators who point out the obligations of treaties and covenants and fear that we may be involved in some entangling alliances which will require us to keep the covenants; that a condition may arise where Congress may refuse to carry out the stipulations of our treaty; and they say if we do not keep them literally we will be charged with a breach of faith. Aye, Senators, there is such a possibility, but it is only a possibility. I assume as we enter into this league that our associates are nations of honor, and that we shall only be required to do that which honor and justice shall dictate. I would not consent to enter into any covenant with any nation on earth unless I believed at the outset that both the signatory powers would be controlled by such sentiments. I am not going to discredit them in advance. But, Senators, on the other hand, if the signatory powers shall attempt to exact from us something which is not dictated by a sense of justice and of honor, I know of no code of ethics that requires any nation to perform their decrees.

But to those who are opposed to entering into this league in its present form because a situation may arise in the future where we must carry out certain decrees or be guilty of a breach of faith, I answer that if we do not enter into these covenants now and if we do not make it known to the world now that we will protect the territorial integrity and political independence of these new-born nations, we will be guilty of a breach of faith and dishonor the Government of which we are so proud. We ought not to strain at the gnat of future possible dishonor and swallow the camel of present actual dishonor, while our friends are crippled even unto death. We came to the rescue of a prostrate world. We can not desert it during its period of convalescence, particularly in the presence of an enemy that has no more of honor to-day than it had when it brought on this war for world conquest.

I desire to emphasize the fact that the primary purpose of the league of nations is to settle all international controversies either by arbitration or by mediation, or by investigation and report, without resort to war, save only when all other methods of adjustment have failed. It is for these purposes that the methods of procedure therein outlined have been set forth. It is to this end that the hand of the war is stayed until all other peaceable means have failed. Speaking, of course, in a very general way, this has been the policy of all arbitration treaties which have been entered into between this and other nations. The principal difference between the plan adopted in other arbitration treaties and this lies in the fact that arbitration treaties generally are made between two contracting nations, while the covenants for the league of nations apply to all nations which sign the covenants, and this grows out of the fact that the awful war through which we have just passed left its trail of death and destruction in nearly all the civilized nations of the world.

True, it is an advance over other methods of arbitration which have heretofore been adopted, but the advance became necessary because the evils of the war were more widespread than had heretofore been thought possible. It takes comprehensive measures to meet a world-wide evil.

VIEWS OF SENATOR LODGE.

One of my very great regrets is that the eminent Senator from Massachusetts, who has served his country so ably for so many years, is not taking the lead in insisting upon the ratification of this treaty, and it seems to me that his past record not only upon the subject of arbitration but the formation of a league of nations justifies this disappointment.

In the report which he submitted on August 15, 1911, on the general arbitration treaties with Great Britain and France he said:

> The history of the United States for a period of more than 70 years exhibits a record of arbitration treaties unequaled by that of any other nation on earth. Every one of those treaties has received the cordial assent of the Senate of the United States.

So earnestly has the distinguished Senator thought upon this subject and so deeply was he impressed by the great war waging that on June 9, 1915, in an address delivered at Union College, he said:

> We must bear constantly in mind that from the conflict which now convulses the world there may possibly come events which will force us to fight with all our strength to preserve our freedom, our democracy, and our national life. * * *

And, without quoting all he says, he asks this question:

> What can we do in a larger sense toward securing and maintaining the peace of the world?

He then proceeds to answer:

> This is a much more difficult question; but, turn it back and forth as we may, there is no escape from the proposition that the peace of the world can only be maintained, as the peace and order of a single community are maintained, as the peace of a single nation is maintained, by the force which united nations are willing to put behind the peace and order of the world.

And then follow these pregnant words:

> Nations must unite as men unite in order to preserve peace and order. The great nations must be so united as to be able to say to any single country, "You must not go to war." And they can only say that effectively when the country desiring war knows the force that the nations place behind peace is irresistible.

Following these forceful words, the distinguished Senator, in his Union College address, voiced the following conclusions:

> In differences between nations which go beyond the limited range of arbitrable questions peace can only be maintained by putting behind it the force of united nations determined to uphold it and to prevent war. No one is more conscious than I of the enormous difficulties which beset such a solution or such a scheme, but I am certain that it is in this direction alone that we can find hope for the maintenance of the world's peace and the avoidance of needless wars. Even if we could establish such a union of nations, there might be some wars which could not be avoided, but there are certainly many which might be prevented. * * * It may seem Utopian at this moment to suggest a union of civilized nations in order to put a controlling force behind the maintenance of peace and international order, but it is through the aspiration for perfection, through the search for Utopias, that the real advances have been made.

Later on he delivered a speech at the annual convention of the League to Enforce Peace, held on May 26 and 27, 1916, here in Washington, and in discussing the subject he said:

> This league certainly has the highest of all aims for the benefit of humanity, and because the pathway is sown with difficulties is no reason why we should turn from it. It is the vision of a perhaps impossible perfection that has led humanity across the centuries.

In the same speech, further along, he uses this language:

> The limit of voluntary arbitration has, I think, been reached. * * * I think the next step is that which this league proposes, and that is to put force behind international peace. We may not solve it in that way, but if we can not solve it in that way it can be solved in no other.

The treaty before the Senate does not go as far as the distinguished Senator from Massachusetts was willing to go in 1916. While the pending treaty obligates the members of the league to respect and preserve one another against external aggression, to comply with the awards of the arbitrators and the recommendation of the investigators, the only provision looking to war is that the council shall "recommend to the several Governments concerned what effective military or naval forces the members of the league shall severally contribute to the armament of forces" in order to protect the covenants of the league.

With all due respect, permit me to say that I prefer to be guided in my consideration of this subject by the views which were entertained by the distinguished Senator in 1915 and 1916 rather than to follow him in his opposition to the treaty now.

It may be, Senators, that this treaty is—to use his language—"the vision of a perhaps impossible perfection"; but imperfect though it may be, I feel that it is a step toward preserving the peace of the world, and even if it does not go so far in some directions as we would have it go, and too far in other directions, there is, in my judgment, nothing inconsistent with the fundamental principles which seem to have inspired the views of the distinguished Senator to which I have just referred.

Surely, if the treaty is ratified after the experience through which we have just passed it will help to keep our former enemies in the straight and narrow path until the present plan can be modified or improved so as to meet the requirements of our future experiences and our mature thoughts.

EXIGENCIES OF SITUATION DEMAND EARLY RATIFICATION OF TREATY.

I trust that it will not be regarded as presumptuous for me to suggest this thought to those Senators who are either opposing the ratification of the treaty as it now stands or who are insisting upon amendments or reservations:

During the war many of us voted for measures not because we would have approved them in time of peace but because we felt the exigencies of the situation required them. May we not pursue a similar course when it comes to the ratification of the peace treaty? All of us recognize how extremely abnormal present conditions are, particularly in Europe. We know the feeling of unrest prevailing everywhere. There can be no doubt about it. The spirit of revolution is running rife, not only in eastern Europe and within the Central Powers, but to some extent among the peoples of our Allies. Ought not our aim to be the restoration of peace and the adoption of such measures for its preservation and the protection of the new-born nations as shall seem to be sufficient in the present state of the public mind?

Who does not know that Germany, haughty, belligerent, with a spirit of defiance that knows no restraint of morals or of law, and only submitting to an overpowering force, is looking forward to the moment when she may resume her aggressions against her neighbors? Who does not know that the new Governments of Poland, Czechoslovakia, Jugoslavonia, and other smaller independent nations which have sprung up from the ruins of the old régime have not as yet been able to organize perfect and stabilized governments, and that they will need for some time in the future the active encouragement of the Allies and associated powers, as well as protection against their former masters?

Who is so blind that he does not understand that it is now necessary, and will be necessary for years, to aid in protecting the territorial integrity and political independence of those newly formed governments against external aggression by their former masters? And, further, who does not know that, for some years to come at least, it will be necessary to keep Germany, Austria, Bulgaria, and Turkey within the limitations of their own boundaries? Why, then, the intensity of opposition against section 10? Why do we not recognize this situation as it exists? Under the provisions of the treaty the United States has the power to withdraw from the league after two years' notice of her intention so to do, provided that she has fulfilled all her international obligations and all her obligations under the treaty. Are not the political and military conditions in Europe such as to convince any fair-minded man that our obligations as one of the belligerents will require us to be on guard for two years and more? Our immediate responsibilities are such that we can not now refuse to meet them.

Will not an unreasonable delay or a refusal to ratify the treaty lend encouragement to the present spirit of unrest? Will it not be a postponement of the day when reason will resume its sway in the world? Does it not follow, therefore, that the sooner the treaty is ratified the earlier we can serve notice to withdraw from the league, if in the light of intervening experiences that should become advisable?

I would not find serious fault with some of the proposed amendments or reservations if they did not mean delay and a consequent encouragement to revolutionary elements. Is it not going to be better, therefore, that we surrender some of our own convictions in the interest of immediate peace, rather than to insist upon changes which will require the pending treaty to be sent back to the associated powers?

Before and after the Constitution of the United States was submitted to the several States for ratification many very important amendments were proposed, among them the first 10 amendments, constituting the Bill of Rights. We would not now think of adopting a Constitution for the United States without including in it the Bill of Rights. But who now would assume to say that the Constitution of the United States should not have been ratified before incorporating therein the Bill of Rights? Had they delayed ratification until after the Bill of Rights were incorporated therein, it would have led, to use Milton's words, to "confusion worse confounded."

Applying the same process of reasoning to the covenants for the league of nations, does not wisdom now also suggest, in view of world conditions, that we shall ratify them as they now stand and later adopt such amendments or modifications as sound statesmanship may seem to require?

A war-sick world demands the early ratification of the treaty. That demand must not and can not be ignored.

Mr. THOMAS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ball	Hale	McKellar	Smith, Md.
Bankhead	Harding	McNary	Smith, S. C.
Beckham	Harris	Moses	Smoot
Borah	Harrison	New	Spencer
Calder	Henderson	Newberry	Thomas
Capper	Johnson, Calif.	Norris	Trammell
Cummins	Jones, N. Mex.	Nugent	Underwood
Curtis	Kenyon	Overman	Walsh, Mass.
Dial	Keyes	Page	Walsh, Mont.
Dillingham	King	Phipps	Warren
Edge	Kirby	Pomerene	Watson
Elkins	Knox	Ransdell	Williams
France	La Follette	Robinson	Wolcott
Gay	Lenroot	Shields	
Gerry	McCumber	Simmons	

Mr. GERRY. The Senator from Arizona [Mr. SMITH] is detained from the Senate by illness.

Mr. KING. The Senator from Oregon [Mr. CHAMBERLAIN] and the Senator from Wyoming [Mr. KENDRICK] are necessarily detained from the Senate.

Mr. ROBINSON. The Senator from Virginia [Mr. SWANSON] and the Senator from Nevada [Mr. PITTMAN] are detained on official business.

Mr. NEWBERRY. The Senator from North Dakota [Mr. GRONNA] has requested me to announce that he is detained in committee.

The PRESIDING OFFICER. Fifty-eight Senators have answered to their names. A quorum is present.

Mr. HARRISON. Mr. President, the Senator from Ohio [Mr. POMERENE] in closing his very able address referred to the Constitutional Convention.

It was not without very great difficulty, in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to themselves and their posterity, that our fathers in the Constitutional Convention were ever able to compromise their differences and adopt and obtain the ratification of the Federal Constitution. Mason, Randolph, and Gerry refused to sign it, and the eloquent Patrick Henry employed the great powers of his matchless genius in opposition to it. Its opponents picked out supposed flaws in it and predicted disaster to the new Republic should it be ratified.

The opposition was so persistent and so strong that that instrument—the bulwark of our liberties, the guaranty of our freedom—was ratified in the State of Massachusetts by a vote of only 187 to 168, in New York by a vote of only 30 to 27, and in Virginia by a vote of 87 to 79; but, sirs, in the passing years the alleged defects have disappeared. Its beauty and strength have become more impressive.

It is not surprising that Mr. Franklin, while the last members were signing that historic instrument, looking toward the President's chair, at the back of which a rising sun happened to be painted, observed to some of the members standing near him that painters had found it difficult to distinguish in their art a rising from a setting sun. "I have," said he, "in the course of this session and the vicissitudes of my hopes and fears as to its issue, often looked at that painting behind the President's chair without being able to tell whether it is rising or setting; but now, at length, I have the happiness to know that it is a rising and not a setting sun."

No doubt, Mr. President, often during the long deliberations of the Versailles conference President Wilson and the American delegates saw in their imagination a like painting, as adjustments of those great questions became so difficult, the failure of the conference growing perilously near, and thought the painting to be one of a setting sun. But to-day, as we approach the end of this long journey, may we with the civilized peoples of the world behold a rising sun.

Never before in the discussion of a great national question has deception been so lavishly practiced and misrepresentation so generously employed.

Every alluring piece of sophistry that oratory could command, every cunning device that politicians could conjure, has been advanced by the opponents of the league here, that in the country reason might be dethroned and prejudice aroused.

No argument has been too fallacious, no illustration too farfetched, for you to seize upon in your desperate efforts to becloud the issue.

Just criticism is always acceptable and sincere analysis ever desired. But when opposition to international policies, such as are contained in this treaty, policies that will conclude the most cruel war, return young men to their loved ones, restrain the hand of taxation, and make for the future peace and happiness of mankind, is founded on rank partisanship and personal dislike—aye, merely to shatter the popularity or retard the growing ascendency of a particular individual—then, sirs, it is worse than Bolshevism gone wild; worse than the scourge inflicted upon the bridegroom in the Ancient Mariner.

The treaty that is now before the Senate for ratification is here not because of you but in spite of you—I mean the Republican leadership in this body.

Long before the peace conference assembled at Versailles your voices were raised in protest against the President of the United States attending as one of our representatives. It was a very quick change upon your part, for when the President came to Congress on the 8th day of January, 1918, and delivered that historic message laying down the fourteen points upon which peace might come and war end, with practical unanimity and loud acclaim you commended it, and Republican leaders throughout the country indorsed it.

Representative CANNON, of Illinois, that sage of Republicanism, that splendid American whom—whether we agree with him or not—we all love for his sterling qualities, said:

I wish this address could be read to every woman and man and thoroughly explained in Germany and Russia.

Mr. FESS, the chairman of the National Republican congressional campaign committee, said:

I am wonderfully pleased with the message.

Here is what the leader of the Republican Party in the Senate [Mr. LODGE] said:

It is an able message and a concrete proposition. I hope it will have a good effect on Russia.

Here is what the Senator from West Virginia [Mr. SUTHERLAND] said:

That paper will stiffen up everybody in the United States and encourage the people of Great Britain, France, Belgium, Serbia, Montenegro, and all other countries.

The Senator from New York [Mr. WADSWORTH] said:

It was an excellent address, clear, forceful, and a good program.

Will you reflect with me on the conditions with which we were confronted at that time? It was the darkest period of the war. German hordes were pushing back the allied armies day by day. Belgium was prostrate. The English armies were fighting with their backs to the wall. French soldiers were retreating toward the gates of Paris. Cadorna and his brave followers were being pursued over the plains of Venetia. Despair hovered over the Allies' cause, and anxiety filled the breast of every allied country. Hope of success was fading, and Germany, it seemed, was becoming more firmly intrenched with each passing hour. It was at that time that the President of the United States delivered that message firing enthusiasm into our cause and placing the wedge that finally disintegrated the common enemy. The most optimistic did not believe it possible to obtain all the things for which our leader then contended. The most that we could do was to hope and pray.

But this apparent cooperation has long since been lost sight of. You became jealous of the growing ascendancy of this man. He was becoming too popular, too influential in world affairs. The fact that he was a great American, the spokesman of a great country, the Commander in Chief of an Army unsurpassed for discipline, unexcelled in courage, the fact that he was winning glory for our flag and adding brightness to our star in the firmament of nations, has now sunk into insignificance under the pressure of party necessity.

You did not object to the President going abroad as the head of our delegation in that great conference because of any doubt on your part of his ability to faithfully represent us. You knew, as the world knew, that he was at that time the most influential and commanding figure on earth, and that it was through his leadership that the war had been brought to an end. Your opposition arose simply and merely because he happened to be the spokesman and leader of another political party. I had never believed that partisanship would become so acute that jealous leaders would rather see the star of their country dimmed than to witness the ascendancy of one individual because he was of a different political faith. Why, sirs, even though you commended the fourteenth point of the President's speech to Congress in January of last year, when he suggested the association of a league of nations for the preservation of smaller nations and the peace of the world, no sooner had he begun preparations for his European trip—that the people of Europe might be aroused to the league of nations idea—than you tried by every possible means to embarrass him.

It was in face of your constant protests that he won the masses of foreign countries to his ideas and gained the cooperation and unanimous approval of the delegates from all the nations at Versailles. And let me suggest to you to-day that as he has been successful thus far the American people whom you represent will see to it that he is successful to the end.

No task was ever accomplished against such unfavorable odds. There in a foreign country, among the scores of foreign representatives, most of whom did not speak nor understand the English language, against a propaganda conceived by men in this Chamber, adequately financed and consistently prosecuted, that his influence might be destroyed and his plans defeated, he won.

And now, sirs, with the work finished and the signatures of these able statesmen of these allied countries attached to the instrument, you have organized the machinery of this body that their work might be undone. Bargaining has been indulged in and compromises effected that you might carry on your unfair schemes. This country still rings with echoes from the eloquence of the distinguished Senator from Idaho protesting his undying opposition to the elevation of the senior Senator from Pennsylvania to the chairmanship of the Finance Committee. And yet, still fresh in our minds is that scene on the 28th of May, when the erstwhile pretended progressives of the Republican Party buried all their differences and solidly voted for the Senators from Pennsylvania and Wyoming, on whose heads they have for almost a generation poured forth their maledictions, as chairmen, respectively, of the Finance and Appropriations Committees. And to some of us, while it appeared an awakening at the time, subsequent events and the deliberate, willful stacking of the Foreign Relations Committee against this treaty of peace, including the league of nations, explain everything.

Not content with leveling your mud batteries on the league of nations covenant in the treaty, when you had failed you continued to take issue with your representatives at Versailles on practically every important question.

When Italy contended for Fiume and her delegates threatened to withdraw from the council if their views did not prevail, and the united judgment of the conference was against their contention and so decided—when Premier Orlando unceremoniously left the conference at Versailles and returned home to make a report to his people and arouse sentiment in Italy against the united judgment of Lloyd-George, Clemenceau, and President Wilson—it was under these circumstances, and at that very critical period, that your leader took issue with the representatives of his Government and the united judgment of the representatives of France and England and sided with Orlando and Italy. The statement that I desire to read shows very clearly the cooperation he would lend the President in these stormy times. In a telegram to the Italian societies of Boston he said:

In the discussions of the terms of peace I have always declared that the region known as "Italia Irredenta" and all adjoining regions where Italian culture and Italian population are dominant should be returned to Italy, and that Italy should have military and naval control of the Adriatic not only for her own protection but as an essential barrier against any future attempt of Germany to attack the rest of the world as she did in the recent war. I have also said repeatedly that the Jugo-Slavs ought to have access to the Adriatic, which I regard as economically essential to their independence.

From information given me by an Italian deputation whom I saw last spring in Washington, I was assured that Italy was entirely willing to give portions of the Dalmatian coast containing good ports to the Slav population.

It is hardly conceivable that one who voiced such sentiments as these, under such circumstances, and when the issue was so clearly defined between his own country and a foreign country, that the same man could ever have uttered such noble sentiments as I hope to quote before I have finished, sentiments that were intentioned and expressed before his mind was beclouded by partisan prejudice and his heart moved by political expediency.

When China, stirred and influenced by expressions emanating from your leaders on this side of the water, refused to sign the peace treaty, they received the most sincere cooperation and sympathy from you.

When the representatives of America were doing everything within their power commensurate with right and justice to compromise our differences with Japan and maintain our friendly relations with her, your leaders fanned the fires of discontent

and did everything within their power to widen the breach. You are still doing it.

Before Germany signed the treaty, public opinion in that country was in a nebulous state, Germany not yet having come to a definite conclusion as to what she would do. And during those anxious days, as their representatives sat with pen in hand and decision hanging in the balance, your leaders in this Chamber, by eloquence that rung the changes and sounded to German ears, showed to them opposition that was sympathetic and akin.

Thirty-nine of your Senators signed and proclaimed the round robin; you conducted a filibuster in the closing hours of the last session; your Foreign Relations Committee reported out the Knox resolution; your chairman printed into the RECORD the amendments in the form of reservations that your side of the Chamber would stand for. Every movement has been started, every plan designed, nothing has been left undone by you, to have "failure" written over the conference door at Versailles. Your action is only comparable to the conduct of the never-ceasing hell hounds Milton stationed at the infernal gates.

I am quite aware that, with two or three exceptions, every opponent of the treaty voices his advocacy for a league of nations. But you are hard to please. You desire to write the treaty yourself, and talk of amending it as you would amend a public-building bill to have erected a post-office building in some little village in your State.

The distinguished Senator from Ohio [Mr. POMERENE] in his very excellent speech to-day incorporated some expressions showing the long formed and settled convictions of the senior Senator from Massachusetts. I shall not reiterate those quotations. However, on another occasion, some time after he voiced those sentiments, speaking on a commencement occasion at Union College, trying to mold the young minds of that institution along right paths, he very eloquently and wisely said:

> If a nation fulfills strictly all its international obligations and seeks no conquests and has no desire to wrong any other nation, great or small, the danger of war can come only through aggression of others, and that aggression will not be made if it is known that the peace-loving nation is able and ready to repel it. The first step, then, toward the maintenance of peace is for each nation to maintain its peace with the rest of the world by its own honorable and right conduct and by such organization and preparation as will enable it to defend its peace.
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> What can we do in the larger sense toward securing and maintaining the peace of the world? This is a much more difficult question, but turn it back and forth as we may there is no escape from the proposition that the peace of the world can only be maintained as the peace and order of a single community are maintained, as the peace of a single nation is maintained—by the force which united nations are willing to put behind the peace and order of the world. Nations must unite as men unite in order to preserve peace and order. The great nations must be so united as to be able to say to any single country, "You must not go to war"; and they can only say that effectively when the country desiring war knows that the force which the united nations place behind peace is irresistible. We have done something in advancing the settlement by arbitration of many minor questions which in former times led to wars and reprisals, although the points of difference were essentially insignificant, but as human nature is at present constituted and the world is at present managed there are certain questions which no nation would submit voluntarily to the arbitration of any tribunal, and the attempt to bring such questions within the jurisdiction of an arbitral tribunal not only fails in its purpose but discredits arbitration and the treatics by which the impossible is attempted. In differences between individuals the decision of the court is final, because in the last resort the entire force of the community is behind the court decision. In differences between nations which go beyond the limited range of arbitrable questions peace can only be maintained by putting behind it the force of united nations determined to uphold it and to prevent war. No one is more conscious than I of the enormous difficulties which beset such a solution or such a scheme, but I am certain that it is in this direction alone that we can find hope for the maintenance of the world's peace and the avoidance of needless wars. Even if we could establish such a union of nations, there might be some wars which could not be avoided, but there are certainly many which might be prevented.
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> It might be easily said that this idea, which is not a new one, is impracticable; but it is better than the idea that war can be stopped by language, by speechmaking, by vain agreements, which no one would carry out when the stress came, by denunciations of war and laudations of peace, in which all men agree, for these methods are not only impracticable but impossible and barren of all hope of real result. It may seem Utopian at this moment to suggest a union of civilized nations in order to put a controlling force behind the maintenance of peace and international order; but it is through the aspiration for perfection, through the search for Utopias, that the real advances have been made. At all events, it is along this path that we must travel if we are to attain in any measure to the end we all desire of peace upon earth. It is at least a great, a humane purpose to which, in these days of death and suffering, of misery, and sorrow among so large a portion of mankind, we might well dedicate ourselves. We must begin the work with the clear understanding that our efforts will fail if they are tainted with the thought of personal or political profit or with any idea of self-interest or self-glorification. We may not now succeed, but I believe that in the slow process of the years others who come after us will reach the goal. The effort and the sacrifice which we make will not be in vain when the end in sight is noble, when we are striving to help mankind and lift the heaviest of burdens from suffering humanity.

I have such high respect for the learning and ability and accomplishments of the distinguished Senator from Massachusetts that, for my part, I would rather accept as his views on this question the one expressed by him after long and deliberate study, unmoved by the exigencies of the hour, uninfluenced by political expediency—the one that he gave in those better days, when reason was supreme and the world was calm and placid and in joint, the one that he would desire to give the young men of this Nation just when they are molding ideals for their future—rather than the one expressed at this time, formed in such a hurry and under such peculiar and abnormal conditions.

Why, sirs, that speech should be taught in the public schools of America. It should be framed and placed on the wall of every educational institution in the land, for its wisdom, truth, and grace of expression. It should be an inspiration to the youth of to-day and should live in history as one of the truly great literary gems of the ages. It should be published, too, alongside of some of the most recent expressions of this distinguished author, that future generations might know that this was an era of political contortionists.

I have stated that the opponents of the league have made unfair arguments and thereby misrepresented and deceived the people touching the league of nations. Let us see. The opponents have said:

First. That Great Britain would dominate it.

Second. Then that the colored people might control it.

Third. Then that the Papacy might control it.

Fourth. That it destroyed our national sovereignty.

Fifth. That it took away our right to regulate our own domestic affairs.

Sixth. That it would abrogate the Monroe doctrine.

Seventh. That it would be impossible for us to withdraw from the league.

Eighth. That it would promote wars instead of peace.

Ninth. That it would compel us to fight Ireland should war come between England and Ireland.

Tenth. That it might affect the rights of labor.

Like the Cornish wreckers, who hung out false lights to allure and deceive the ill-fated mariners, so are these objections raised to allure and deceive the unsuspecting public. There is nothing ambiguous in this covenant. Its terms are plain and simple. Let me discuss briefly the questions raised by the opposition, and I shall do that in order.

THAT GREAT BRITAIN WOULD DOMINATE THE LEAGUE.

It is impossible for Great Britain to dominate the league, for the very reason that in the council—and that is the body that will control the league—she will have but one vote. Great Britain will have no greater power in the council than the United States or any of the other powers that have a voice in the council. The United States, Great Britain, France, Italy, and Japan, under the terms of the covenant, are at all times to have equal representation on the council, and the other four are to be selected by the assembly.

Great Britain can never dominate the council, because its representation shall never be larger than that of the United States, and in all cases, except matters of procedure and appointment, publishing facts, and making recommendations in a dispute where it can not make a report with any binding effect, the vote of the council must be unanimous.

While it is very true that in the assembly, composed of the representatives of 45 countries, the British colonies of Canada, Australia, New Zealand, and South Africa shall have a separate vote and separate representation, the assembly is extremely limited in its powers. The only function that it can perform is to regulate its own procedure and appoint its own committees. It is empowered to select the four smaller States to be represented on the council, to approve of enlargements of the council, to confirm the selection of the secretary general, to report upon disputes between nations referred to it by the council or by either of the disputants, to advise the reconsideration by members of the league of treaties that have become inapplicable and the consideration of international conditions endangering the peace of the world, and by a two-thirds vote to admit new members to the league. Except, therefore, for some definite powers relating to the organization and membership of the league, its authority in international affairs is confined to making a report in certain disputes and giving some advice to the members. Its action in all matters must be unanimous, and I am quite sure that with countries associated with us in the Pan American Union, whose interests are, in the main, confined to the Western Hemisphere, with their representatives in the assembly, even though the assembly had power, unanimous consent would be prevented from ever obtaining.

The plans for carrying out the objects of the league rest upon the nations composing the council. It is the council that has to formulate plans for reducing armaments, to give advice on restricting the private manufacture of arms and on the means of resisting aggression upon the integrity of a member of the

league, to propose steps to give effect to an arbitral award, to formulate plans for a permanent court of justice, to endeavor to effect the settlement of disputes between two members of the league, to conduct inquiries in such cases, to publish facts and recommendations if it fails to reach an effective decision of a dispute, to recommend military contingents in case of an attack upon a member of the league, to make recommendations to prevent hostilities between nonmembers, and finally to supervise the prohibition of trade in white slaves and opium and the administration of international bureaus.

Little reason can be advanced why Panama, with its 32,380 square miles in area and 450,000 population, should have a voice in the assembly, and Australia, with its 2,974,581 square miles and 5,000,000 population, should be excluded. Canada in area is one hundred and eleven times as large as Panama and in population is eighteen times as large. And so I might continue down the list.

And while the four British colonies will have no voice except through Great Britain in the council, why, may I ask, should they be denied a representation in the assembly? For four years and more the people of those colonies sacrificed in every way to win the war and preserve civilization. Unhesitatingly and unselfishly they gave to the cause their bravest and best, and no lessons of heroism are more numerous or inspiring than those that have come down to us from the splendid fighting forces of the British colonies.

While these colonies are still tied to the mother country by a tender thread, they levy their own taxes, raise their own armies, and fight their own battles.

In the league, while the opportunity will not come for them to align themselves on any racial question or question of national sovereignty, their long history would very conclusively show their entire sympathy with us.

But, not satisfied with arousing the prejudice of the people on this "will-o'-the-wisp" argument, they suddenly changed their front and held up as another great menace the possibility of the league being controlled by colored races.

The distinguished Senator from Missouri, in his very eloquent and ingenious speech, voiced with wild acclaim that—

> An examination of the membership of this league will first astonish and then arouse the indignation of every thoughtful man. It will come as a distinct shock that this is a colored league of nations.

Then he quotes at length from the Encyclopædia Britannica, from the World's Almanac, and other publications to show the population and the color and the illiteracy of Liberia, Haiti, Honduras, and scores of other countries in support of his contention. The Senator's design is plain. He desired to prejudice the mind of the people of the South against the league because of the negro population there.

We can not help that Liberia and Haiti and other countries are populated with the Negro race. That the sun has kissed and tanned the countenance of the population of Panama and Ecuador and Honduras is no fault of theirs.

It is beyond the province of man and governments to change the color of races. It was ordained and made possible by One beyond the reach of earthly hands. It was the will of God Almighty that the skins of these people should be dark. But, sirs, they are entitled to live. They know the blessings of peace as well as the arts of war. And if the peace of the world is to be maintained, they must be consulted and must be bound and restrained the same as are the white people of the world. The black man at no place and in no time in history where he and the white man sat at the same council table commanded and dominated. I represent in part a section where the colored people now live in peace and contentment. I come from a State the majority of the population of which is black, and we know the faults as well as the virtues of the negro. We have been able to survive his presence and regulate his actions.

If there be a State that could possibly have any misgivings as to the colored people dominating the league of nations, if it should be effected, it would be the State which, in part, I represent here, and I say to the distinguished gentleman from Missouri, notwithstanding his dread of the league falling under the domination of the colored races, the white people of my State are practically unanimous in their advocacy of this league, entertaining not the slightest fear of the alleged dangers that my distinguished friend has pointed out. But this very ingenious and unsound argument having been exhausted, the opponents have appealed to the religious prejudice of the people, saying that the papacy might control.

How great is your desire to sow the seeds of distrust and inflict the poisonous fangs of prejudice! One of the few things that our fathers in the formative period of this country unanimously agreed upon was that "Congress shall make no law respecting the establishment of religion or prohibiting the free exercise thereof."

If we should wait until the peoples of the world become united in religious faith and agreed on the best plan of salvation, the league of nations would be as far away as the sun. We must assume that enlightened people will worship God according to the dictates of their own consciences, and that as long as salvation is offered to the children of men various doctrines will be taught and different creeds practiced. We can not hope to legislate religion into peoples, nor should we withhold the succoring hand of relief from other peoples simply because either they have not advanced in civilization as far as we or affiliated with us in the same religious faith.

Mr. WILLIAMS. Before my colleague passes the last point will he yield to me?

Mr. HARRISON. I yield.

Mr. WILLIAMS. I want to ask my colleague a question. Has he learned that the negroes in Mississippi have found any way of making the Japanese and the Chinese and the colored races cooperate against the balance of us in the league of nations?

Mr. HARRISON. Not at all.

Mr. WILLIAMS. I thought maybe not.

Mr. HARRISON. And I never thought that in the United States the argument would ever be used along religious lines in order to arouse the prejudice of the people. One of the few things that our fathers unanimously agreed upon in the Constitutional Convention was that there should be no law enacted by Congress respecting the establishment of religion or prohibiting the free exercise thereof upon the part of our citizens.

In the recent war men of opposite faith measured lances upon the battle fields like men of the same faith, and at the peace conference at Versailles men of the same Christian faith differed with one another quite as often over great questions as with those of different religious faith. Thus it has been throughout time and will be as long as the rivers flow and the sun shines. But, sirs, this Government, our people, should be the last to invoke religious prejudice in the consideration of this great question. It was America, this young giant of the West, that in its early life opened up its rich prairies and wonderful forests and offered them as a playground for the religiously persecuted of every land.

Little did the Pilgrim Fathers think, when two and a half centuries ago, in their little tempest-tossed, weather-beaten bark, they escaped religious persecution and the jaws of the wild Atlantic, and landed at Plymouth Rock, to live in peace and worship God according to the dictates of their conscience, that in this land religious discrimination ever would be invoked. It was here the Hugenot came to find religious freedom. And it was this new land that gave William Penn sweet refuge, an asylum where he and his devoted followers might live in peace and brotherly love.

> Not as the conqueror comes,
> They, the true-hearted came;
> Not with the roll of the stirring drum,
> Nor the trumpet, that sings of fame;
> Nor as the flying come,
> In silence and in fear—
> They shook the depths of the desert gloom
> With their hymns of lofty cheer.

And in this connection it would seem not out of place to quote from a great Methodist, Bishop Frank M. Bristol, who, in a speech in Philadelphia 10 years ago, speaking of the qualities of this good man, said:

> Three hundred and twenty-five years ago William Penn proposed arbitration to the European nations as a substitute for cruel and un-Christian war in the settlement of international misunderstandings. The civilized world is only just catching up with this broad-minded statesman, this philanthropist of the seventeenth century. May that "holy experiment" which sprung from the vision and dream of William Penn, international arbitration, speedily make war as unpopular and as impossible as the good Quakers have always believed it to be un-Christian and inhuman.

Mr. President, I am a Protestant, every member of my family, so far as I know, belongs to the Protestant Church, but I denounce as unfair, unjust, and infamous such arguments against the league of nations.

They say it takes away from us the regulation of our own domestic affairs.

Why, sirs, neither in the first draft nor in the present draft was there anything that might be construed as taking away from us our right to control and regulate our own domestic affairs, and in discussing this assertion I want, at the same time, to draw to your attention the other charge which the opponents make, namely, that it would nullify the Monroe doctrine.

Both of these charges are doubtlessly made on their interpretation of articles 10 and 11. Article 10 reads:

The members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league. In case of any such aggression, or in case of any threat or danger of such aggression, the council shall advise upon the means by which this obligation shall be fulfilled.

What language is there that could possibly be construed to mean that the domestic affairs of this country or of the country of any member of the league might be interfered with? Why, sirs, the instrument itself obligates every member of the league to respect the territorial integrity and existing political independence of every other member of the league. If every member of the league respects our political independence and respects our territorial integrity and will live up to that respect by further obligating themselves to assist in preserving that territorial integrity and existing political independence against external aggression, it means that not only will they not interfere with the domestic affairs of other nations, members of the league, but that they stand united in seeing that the right to regulate our domestic affairs is not only respected but that they will all assist in preserving that right against any outside aggression.

Article 11 reads:

Any war or threat of war, whether immediately affecting any of the members of the league or not, is hereby declared a matter of concern to the whole league, and the league shall take any action that may be deemed wise and effectual to safeguard the peace of nations. In case any such emergency should arise, the secretary general shall, on the request of any member of the league, forthwith summon a meeting of the council.

Rather than for any excuse to be offered for opposing the league, that the language in either of these articles might be construed to take away from any of the members of the league their right to regulate their own domestic affairs, there was included in article 15 an amendment that is not found in the original draft of the covenant that reads as follows:

If the dispute between the parties is claimed by one of them and is found by the council to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the council shall so report and make no recommendation as to its settlement.

Now, the same interpretation that was placed upon article 11 by the opponents of the league as taking away from us the right to control our own domestic affairs was placed upon article 10 in annulling the Monroe doctrine.

Under no stretch of the imagination could article 10 affect the Monroe doctrine, for the Monroe doctrine is a settled policy of this country, providing that any attempt by a foreign nation to make territorial acquisitions or establish new strategic footholds in the Western Hemisphere, or to secure political advantage in the domestic affairs of American nations, will be looked upon with disfavor by this Government.

If, as under article 10, every nation belonging to the league obligates to respect and preserve the territorial integrity and political independence of every other nation, member of the league, as against external aggression, then the foreign nation that would attempt to obtain a foothold on this hemisphere or interfere in the domestic affairs of any nation on this hemisphere would then and there violate the specific terms of article 10.

Article 10, in the plainest language, preserves the Monroe doctrine and makes the Monroe doctrine apply not only to the Western Hemisphere but to every nation that belongs to the league.

But so anxious were our representatives to remove any excuse upon the part of anyone for opposing the league on the ground that it might interfere with the Monroe doctrine, there was included and is now contained in the covenant article 21, that refers exclusively to the Monroe doctrine.

Article 21 reads:

Nothing in this covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe doctrine, for securing the maintenance of peace.

But, sirs, it matters not what the covenant might contain, it would seem that it can never please the Senators from Pennsylvania and Massachusetts.

While both the Senators, distinguished leaders of the opposition, have been eloquent in their denunciation of the first draft because of the alleged ambiguous language as possibly affecting the Monroe doctrine, when article 21 is included, specifically excluding the Monroe doctrine and removing all doubt as to the effect on it, these Senators become very much aggrieved and apparently offended that this doctrine should become the world's doctrine. Why, only the other day the distinguished Senator from Massachusetts, in discussing the Monroe doctrine, employed this language:

It is ours, and it rested, in the first place, upon the broad principle of self-preservation. That is the bottom of the Monroe doctrine. It is all ours; and now it is carried into this league of nations. It is already interpreted by England, although it is wholly our affair, and it is to be determined in the future by the league of nations.

Mr. President, any question which arises in regard to the Monroe doctrine, in my judgment, should be decided by only one power, and that is the power that has declared, interpreted, and maintained it—the United States.

* * * * * * *

And a few days later the Senator from Pennsylvania said:

We, the United States, can not answer anyone else in respect of it. We use it when, as, and to the extent we need it. There can be no limitation upon it except our requirements, our will, and our force of arms. Whatever security we may need within its purview it must give if we ask it.

But if we embody this provision in the league, the Monroe doctrine will cease to be a policy, and it will become in truth a formal agreement.

The distinguished Senators are like the old woman's snake—

That winded in and winded out
And left the people all in doubt
Whether the snake that made the track
Was coming in or going back.

But it is said that the league will promote wars instead of peace.

Mr. WILLIAMS. Mr. President, before we leave the point the Senator has just discussed, will the Senator yield to me?

Mr. HARRISON. I yield.

Mr. WILLIAMS. I understand that the Senator from Massachusetts makes his chief objection on the ground of inaccurate definition of the Monroe doctrine. The treaty mentions the Monroe doctrine eo nomine; in other words, by express name, but it says "regional understandings like the Monroe doctrine." Suppose that I said that a bald-headed man like the Senator from Louisiana [Mr. RANSDELL] should have a right to live upon the shore; do you reckon anybody would quarrel about whether the definition was obscure or not, provided I mentioned the name of the Senator from Louisiana?

Mr. HARRISON. I do not think anyone except the Senator from Massachusetts or the Senator from Pennsylvania will raise the question.

Mr. WILLIAMS. Or perhaps his junior colleague; in other words, if I inaccurately described the Senator from Massachusetts as being bald-headed or the Representative from Alabama sitting near as not being bald-headed, if I name either one of them expressly and state that they are exempt from the operations of this treaty, I rather imagine that if the Senator and I should construe a private contract as lawyers or as individual Senators, we would agree that they were excluded, anyhow, whether the description was a misdescription or a right description.

Mr. HARRISON. I agree with the Senator thoroughly. But the Senator from Pennsylvania says that this will promote war. It would seem remarkably strange that the representatives from the very enlightened countries that met at Versailles, representatives chosen because of their peculiar fitness and their wisdom to do this work, should have patched up, after so long a time, something that would promote war rather than promote peace. It will not promote war. Everything possible has been done to prevent war and make for the peace of the world. Why, sirs, for the last decade the policy of the Senate has been to enter into treaties with nations when disputes arose, which would put off the settlement of them, give cooling time, an opportunity to come together, so that differences would not be settled in the heat of passion.

The distinguished Senator from Pennsylvania in his speech stated that the league will legalize wars. But, sirs, is it not remarkably strange that the representatives of these 23 countries, who for months worked so assiduously to perfect this plan, representing countries that were sick and tired and exhausted from wars, countries the people of which yearned and hoped and prayed for peace, a long and lasting peace, should have written and perfected this plan, that although the purposes of which, as expressed in the preamble, are—

In order to promote international cooperation and to secure international peace and security by the acceptance of obligations not to resort to war, by the prescription of open, just, and honorable relations between nations, by the firm establishment of the understandings of international law as the actual rule of conduct among governments, and by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized people with one another—

would do just the opposite and attempt to devise a plan that instead of doing these things would breed and promote wars?

Why, sirs, the representatives of those countries, while, perhaps, not as able and as well versed in statecraft as those of the opposition in this Chamber, were at least chosen by their respective governments because of their experience and ability and qualities of statesmanship.

No one can read the speech of the Senator from Pennsylvania without concluding that he intended to have the country

believe that this covenant of a league of nations really made wars more probable than less frequent. No one has ever contended that this plan will guarantee the peace of the world and absolutely prevent future wars. That is impossible, but the whole policy of this country in its international affairs for the last decade has been to arbitrate our differences and to fix a limit of time if these differences were not settled before a war can ensue. This country, within the last decade, entered into about 30 treaties, agreeing to arbitrate our differences and not to go to war against each other under any circumstances until at least one year had elapsed.

That policy was based on the very sensible view that if nations take time and be given an opportunity to deliberate over their differences, an amicable settlement is more likely than if in the heat and turmoil of the hour those differences are attempted to be settled.

If a similar policy could have been invoked and similar procedure followed when the Archduke of Austria was assassinated, this war might have been prevented; but, be that as it may, this we do know and know full well that if the civilized nations of the world agree, by solemn covenant, upon international law, and that they will respect the territorial integrity and political independence of every other nation against external aggression, and agree to join forces with every other nation to see that the territorial integrity and political independence of every other nation is preserved against external aggression, and those nations live up to that agreement, then the cancer of war has been removed.

But, if some difference should arise and, by the terms of the covenant, as it is written, this difference is either sent to the council for investigation and recommendation or to the court of arbitration for award, which delays the controversy and gives opportunity for a cooling period and rational reasoning, it will lessen wars. And when you, under the terms of the instrument, provide, as embodied in this instrument, that when these differences arise and the dispute has gone to the council for investigation or to the court of arbitration for award, that the disputant nation will not go to war until at least three months after the award or recommendation has been made, and not even then, as against that nation that agrees to the recommendation or to the award, you continue to lessen wars.

And, sirs, when that culprit nation that cares not for its obligations, desirous of disregarding the covenant, violates it, it will know that, then and there, the civilized nations of the world belonging to the league will inaugurate a common policy by inflicting a sure punishment on it, and it will think a long time before it takes the step.

In this day of close and intimate relationship, when oceans have been turned into fords and foreign countries made our near neighbors, when it is only a 16-hour hop across the Atlantic, when transportation has been revolutionized and nations can not exist without intercourse one with the other, they can not afford to be divorced from the rest of the world. There is hardly a country to-day that, if it were ostracized from every other nation, its people prohibited from every intercourse with the people of other countries, its trade and commerce stopped, all communication divorced, could live very long.

But, sirs, if these economic powers that are lodged in the covenant to be exercised by the members of the league if necessary do not bring about the desired result and sufficient punishment for the culprit nation, then, in the interest of civilization and humanity and peace, we should be willing, as the foremost nation to-day in the world, to contribute our quota in soldiers, in sailors, and in money toward punishing the culprit nation.

And with that situation staring a nation in the face, I care not how strong its desire may be to go to war and to violate its pledges, it will think a long time before it makes the leap.

It is, sirs, because of this united effort, this common policy, this great strength that would come from these united nations, that wars will be lessened and the peace of the world insured.

Whatever doubt may have been entertained with regard to the first draft of the covenant touching our right to withdraw at any time is removed by the express terms in the treaty. Article 1 gives to each member the right to withdraw after two years' notice, provided it has fulfilled its obligations; and it would seem to me that if the great dangers pointed out by the distinguished opponents of the league are really ominous, that rather than see this country again thrown into the caldron of war, rather than see our sons again torn away from the arms of their mothers, rather than see the hand of taxation again placed upon the stooped and burdened shoulders of the people, rather than see a period of unrest again taking hold of the world, they would vote for this treaty and at least give this league of nations a trial.

And, sirs, if you really desire to go before the people on the issue of whether or not there shall be a league of nations, and the United States shall meet its responsibility in maintaining the peace of the world, write into your next platform, commit your candidate for President on the proposition that if he and a Republican Congress are elected, they will, under the terms of the treaty, serve immediate notice upon the league of the intention of the United States to withdraw from it.

There is not a Republican leader here—there is not a candidate to-day for the Republican presidential nomination, who would now commit himself to such a course as that; and if you do, you will hear the voice of the people, Republican hopes will be forever shattered, and your party ignominiously defeated.

But that is not in keeping with what the Senator from New Hampshire said yesterday. He is a member of the Foreign Relations Committee. Let us see what he said. He wants to throw the whole treaty out of the window. Ah! He forgets the condition of the poverty-stricken people of Belgium. He forgets the conditions over the country in Europe. He forgets the just reparation and retribution that is offered, within the covers of that treaty, to those people. He just wants to throw the whole thing out of the window.

Mr. WILLIAMS. Which Senator from New Hampshire?

Mr. HARRISON. Mr. MOSES. I know the Senator is surprised. I was surprised when I read it.

Mr. WILLIAMS. No; I was not a bit surprised.

Mr. HARRISON. Ah, sirs, you have tried to arouse the Irish of the Nation into believing that if the league of nations is adopted Ireland's hope for self-determination is gone. You have tried to arouse their prejudice by going so far as to say that if the league is adopted and Ireland should become engaged in war with England, that we are bound to go to the rescue of England and fight Ireland. The same argument has been made touching Korea and Japan. Ah, sirs, we know that Ireland is a part of Great Britain, and that there is nothing in the covenant that binds its members to interfere in the domestic affairs of any member of the league. On the other hand, it specifically provides, as in article 15, that we shall not interfere. It is very true that under article 11 "any war or threat of war, whether immediately affecting any members of the league or not, is declared a matter of concern to the whole league, and the league shall take any action that may be deemed wise and effectual to safeguard the peace of the nation."

There is nothing in that language that could be construed as making it obligatory upon the United States to interfere in any war between Ireland and England. On the contrary, while such domestic trouble might be a matter of concern to the league, it can only take such action that might be deemed wise and effectual to make for peace or "safeguard the peace of nations." In other words, if there should come a war between Ireland and England, there is nothing in the covenant that would prevent the United States from bringing to bear every influence that might safeguard the peace of that nation. There is nothing in the terms of the treaty that says that we should side with England in that controversy; we could side with Ireland just as well and extend our good offices on the side of Ireland just the same as we could on the side of England.

But, it is expressly understood that, while we may tender our good offices to bring peace among these warring people, if a war should arise, we could not go to war in that event either on the side of Ireland or on the side of England. The same facts touching that illustration were applied to war between Korea and Japan. In that connection, may I take a case closer to our own doors?

The Philippine Islands are under our control, and there are many peoples in other countries who believe that the United States Government should grant to the Philippines her independence and allow her to set up a separate republic of her own. I am one of those in this country who share in that belief. But, sirs, under the terms of the covenant, if in the future the Filipino should rise and make war on the United States, neither England, under the terms of the covenant, nor Japan, nor any other member of the league, could come to the rescue of either the Philippines or the United States. It would be a war among ourselves, and the only concern that the league might feel about it and action they might take regarding it would be under article 11 wherein it is provided that "any war or threat of war, whether immediately affecting any members of the league or not, is a matter of concern to the whole league."

Of course, it is a matter of concern to the whole league and every member of the league, because the very purpose of it is to maintain peace throughout the world, but under its terms the only thing that the other members of the league could do under that article would be to offer their kind offices to effect

some settlement of our differences that might be pleasing to both the Filipino and our own people. Does it make for war or make for peace when we expressly state that any war or threat of war is a matter of concern to the league? Is it supposed that we are to sit idly by and when a war of any kind arises we are not to exert any influence to effect a peaceable settlement among the parties to the dispute?

By giving the matter some concern it does not mean that we are going to get into the war; it does not mean that any party to the dispute must accept our friendly advice or suggestions, but the purposes are good, and while they may not always bring about peace, they certainly can not make the matter worse and bring about war.

Ah, sirs, there is not an opponent of the league, there is not a true American in the United States to-day, who would be in favor of declaring war on England simply because Ireland and England have not been able to adjust their differences and England give to Ireland the right of self-determination. No Senator here feels a more kindly interest and sincere sympathy for Ireland in her fight and her persistence for self-determination than I. I am very much of the opinion that one of the blackest pages in the history of England is her treatment of Ireland, but, sirs, while that is my own individual view, and I am willing to vote for resolutions expressing the sympathy of the United States Senate and of the American people for Ireland, I am not willing for the United States to make a common war against England in order to obtain for Ireland self-determination. And he who to-day holds Ireland in higher respect and in greater esteem than his own blessed United States ought to move to Ireland and assist those good people to settle their problem rather than embroil us in their controversy.

It is said that the covenant "affects the rights of labor."

It is really amusing when we scan this debate to see who are the ones that advance that argument and who are the Senators so solicitous about the welfare of the laboring man.

I want to read from the junior Senator from Pennsylvania [Mr. KNOX].

> Read in the light of the provision of article 21, which requires that the high contracting parties shall make provision through the instrumentality of the league "to secure and maintain * * * equitable treatment for the commerce of all States members of the league," the question arises as to whether or not it is the intent of these provisions to put the labor of all countries upon an equality; and if this be the intent and purpose of the document, then the labor of this country may well consider, inasmuch as France has already given notice that it will be impossible for French labor to be put on an equality with American labor in hours of work, whether American is to be brought to the level of French labor in this regard, in order that there may be equitable treatment of the commerce of the two countries.

And now I read from the senior Senator from New Jersey [Mr. FRELINGHUYSEN]:

> The conditions of labor in this country are better, I believe, than in any other part of the world, and it may be possible that labor in this country will run the risk of an attempt to pull down the standards which prevail here.

I could go further and read from other distinguished Senators of the opposition. Suffice it to say that practically all of them base part at least of their opposition to the covenant of peace on its alleged inattention to and lack of sympathy for the welfare of the laboring man.

Ah, sirs, when did these distinguished Senators become so much interested in the welfare of labor? What is there in their public records to disclose to labor their interest in it or sympathy for its welfare?

Here is what the covenant says about labor, and labor throughout this country will not be misled by the seductive arguments of the opposition:

> The members of the league will endeavor to secure and maintain fair and humane conditions of labor for men, women, and children, both in their own countries and in all countries to which their commercial and industrial relations extend, and for that purpose will establish and maintain the necessary international organizations.

I wonder, sirs, if the distinguished Senator from Massachusetts or the Senator from Pennsylvania had been chairman of the American delegation at Versailles, either of them would have invited Samuel Gompers, the head of the American Federation of Labor, to attend and remain there for consultation as to the welfare of the working people? Does anyone imagine that if either of these distinguished gentlemen had been permitted to write the covenant that one word looking to the welfare of the working people of the country would have been incorporated in it? Ah, sirs, already has this seductive argument been exploded, because there is not a labor organization in the United States to-day that has not practically voted unanimously indorsing the league of nations and beseeching you to ratify this treaty. The laboring man of this country will no more be misled by your seductive arguments touching labor than will the white people of the South by the arguments touching the domination of the league by the colored man or the Protestant Christian people of the world by the alarmist assertions touching its domination by the papacy. They know that the arguments are employed merely to attract the unwary, the unsuspecting, and the innocent; that they are mere tubs thrown out upon the waters to attract the whale, so that the miserable and leaky canoe of opposition may float serenely and successfully to shore.

You may place your arguments wherever you will and with all the artistic and ingenious touch of a master, but, sirs, for the most part and in the most instances, your real opposition to this peace treaty arises out of two facts. One is that Woodrow Wilson had a part and a hand in making it; the other is because of articles 8 and 9 of the covenant.

The Republican Party has ever stood for protecting the special interests of America; its policy since its creation has been through a high protective and exorbitant tariff to enrich a few at the expense of the many. It has made no bones about it. It did it under the guise of helping labor, but the facts would not down, and it has been conclusively shown that the processes only robbed the many for the enriching of a few.

It was the high-handed methods of the leaders of the Republican Party in desiring to rob the people in that process to too great an extent that finally drove it from power and caused a breach even within its own ranks. Men who have stood by such a nefarious doctrine as that are very likely to regret very much to see industries in their States that have grown fat and prosperous through the manufacture of munitions of war suddenly thrown out of commission. Millions of dollars in the last decade have flowed into the pockets of the munition makers and manufacturers of armaments in Pennsylvania, Delaware, New Jersey, New York, Connecticut, and Massachusetts. I might name other States that have profited in less degree.

Article 8 says:

> The members of the league recognize that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations.

Further it says:

> The members of the league agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections.

And further:

> The members of the league undertake to interchange full and frank information as to the scale of their armaments, their military and naval programs, and the condition of such of their industries as are adapted to warlike purposes.

And while it is very true that the council shall formulate plans for the consideration and action of the several Governments touching the reduction of armaments, these plans must be reconsidered and revised at least every 10 years; and while there is nothing in the article that would destroy the right of Congress to raise armies and provide for them, it does limit the power of each nation to increase its armaments without the consent of the council when once the plans formulated by the council are adopted by the nation.

It is that article that is opposed by the munition makers and manufacturers of armaments throughout this country.

It is natural, therefore, that these men should bring to bear every influence possible upon their chosen representatives to see that these interests are protected. It was amusing to see the gallant fight of the distinguished Senator from Pennsylvania the other night when the Army bill was before the Senate for consideration. The distinguished Senator advocated an amendment to appropriate out of the Federal Treasury $1,600,000 for a munitions plant in his State, in order that the operation of the plant might continue. Do you think that those who owned that plant would be desirous of seeing article 8 incorporated into this treaty?

Let me read some excerpts from the speech that the junior Senator from Pennsylvania made on that occasion:

> It is one of the oldest establishments or instrumentalities in our national defense. It was founded more than 100 years ago and has been the nucleus from which all the arsenals of the country, both permanent and temporary, have sprung. There is a settlement of working men and women residing at Frankford whose fathers and grandfathers worked there before them and who have acquired their own homes. They are an institution.
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> * * * * * * *
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> I think, Mr. President, that we all recognize that these great institutions and instrumentalities of war are not profit-making concerns. We build battleships that never engage in naval conflict; we build great guns that never fire a shot at an enemy; we manufacture powder that deteriorates and is never utilized.

When I was a boy I became such an expert fisherman that I could not only, in watching the float on my line, tell when I had a bite, but from the way the fish nibbled and struck I could tell what species of fish had my hook.

Mr. THOMAS. Mr. President, apropos of the last statement of the Senator, it might not be inappropriate to refer to the last reported political letter or missive of the late Theodore Roosevelt to the chairman of the Republican national committee. I think this was about the time that the reported split in the Republican senatorial ranks was a matter of so much interest to Democrats. Mr. Roosevelt sent this letter—and I hold a lithographic autograph copy in my hands—which no doubt had something to do with the result to which the Senator from Mississippi has drawn attention. It is very short, but very significant:

Hays: See him. He must go to Washington for 10 days and see Senate and House. Prevent split on domestic policies.

Mr. HARRISON. Who was that that went down?

Mr. THOMAS. I do not know.

Mr. HARRISON. Mr. Hays, I suppose, they were talking about.

Mr. THOMAS. No; this is directed to Chairman Hays, to "see him."

Mr. HARRISON. Well, I will bet he saw him.

Mr. THOMAS. Who "him" is, is an unfolded mystery up to this time.

Mr. HARRISON. Sirs, these big munition makers—these men who have grown rich at the expense of the many; these men who desire to see competition among the nations of the world in the building of a gigantic Navy, in the maintenance of a large standing Army, in fortifying our every coast—can not be expected to advocate article 8. It is natural to suppose that they are against any plan that will prevent the competition among the nations of the world in their mad race for naval and military supremacy.

Mr. THOMAS. Mr. President——

Mr. HARRISON. I yield to the Senator from Colorado.

Mr. THOMAS. I am quite as much devoted to the cause of a liberal tariff as any other Democrat, and I heartily share in the Senator's sentiments on the general proposition of a protective tariff. But I am compelled, with regard to the instance to which he has just referred, to remind him that the subject under discussion was the Frankford Arsenal, which belongs to the Government of the United States and with which no munitions maker has had anything to do. The question which was presented by the Knox amendment there was one which related to the preservation of a very important Government institution which had around it a very valuable organization of skilled workmen, the dispersal of which would in all probability follow from the small appropriation which the House fixed. A delegation composed of representatives of heads of families and skilled workmen came before the Committee on Military Affairs to protest against the small appropriation appearing in the military appropriation bill, not because it might not be sufficient to supply the present needs of the Army but because it meant the disorganization of an integral community of skilled workmen the preservation of which seemed to the committee to be necessary. Personally, therefore, I supported it and voted, as well as the Senator from Pennsylvania, for the increased appropriation.

Mr. HARRISON. Yes; I recall. I happened to be one who voted against it. I voted against it because the War Department stated that there were 1,700,000,000 rounds of ammunition already on hand and that $150,000 was quite sufficient, and that they need only 1,700,000,000 rounds.

If I interpret correctly the wishes of the American people, they prefer, if these nations of the world continue to build battleships, increase the supply of their armaments and munitions, and enlarge their standing armies, to see that we maintain a reasonable increase with them, that we might protect ourselves in the event of possible war; but I very much believe that they very much prefer to see this competition removed, this heavy burden lifted from their shoulders, and some plan, such as is revealed in the league of nations, adopted, that this useless expenditure of money and wild competition may cease.

One of the greatest incentives to war is to clothe a nation with the implements of warfare. When soldiers are trained to fight, when the weapons of warfare are at hand, when every other war material is ready for use, war is most likely. It was the great German military machine, organized, equipped, ready, only waiting for the command to be given, and the great Krupps factory plants casting their shadows over Germany that encouraged and precipitated the war. Long ago every State in the American Union realized that the civilization and peace of society was threatened when individuals were allowed by law to carry weapons of death. Consequently to-day there is not a State in the Union where the carrying, in whole or in part, of concealed or dangerous weapons is not prohibited by law. If such laws against individuals upon the part of States be for the betterment of civilization and the peace of society, then why is it not in the interest of civilization and the peace of the world that nations be restrained in the manufacture and carrying of concealed weapons, in whole or in part, if you please, those dangerous weapons of warfare that defy peace and mean destruction?

Senators, you are leaders of a great and historic party. Men and women are enlisted under the folds of your banner who are as patriotic and as loyal as can be found in the world. You represent constituencies that have given their bravest and best in the cause of democracy and shed undying glory upon this Nation. Do not think yourselves wiser than your masters; do not think that the wisdom of the Republican Party is lodged in your membership. The thousands of men and women throughout this country who have never voted anything but the Republican ticket, who cherish its history and revere its principles, believe that this treaty should be ratified.

The country has read with approval and appreciation the utterances of ex-President Taft, Mr. Wickersham, and a host of other loyal and patriotic Republican leaders. They have been a great force in bringing to this Senate and giving to suffering people this ray of hope, this embodiment of good will and lasting peace among mankind. As a member of the other body, I heard, amid the applause of his colleagues and the approval of the country, a speech made by the then leader of your party in the House. He is a great American, a wise legislator, a safe counselor; and while a partisan Republican, he places country above party, the welfare of mankind above partisanship. Let me suggest for your consideration these words of Mr. MANN:

There seems to me to be quite a tendency on the part of many of my fellow Republicans, not only to criticize severely the President of the United States for his part in reference to a league of nations, but to criticize the idea that the United States shall enter into any arrangement which may tend to prevent war in the future.

We come out of this war owing many billions of dollars. We will leave that heritage to our children, very likely to our children's children and perhaps a generation further on. If the only heritage which this generation gives to those who come after it is an indebtedness of billions of dollars for them to pay at least the interest on, and part of the principal, without at the end of the war doing something to prevent future wars, we will not in the future receive the blessing of mankind, but its condemnation.

I am not undertaking to criticize any gentleman who has spoken upon this subject. I am only saying that in my judgment it is desirable, and I think essential, that something shall come out of the war which may tend to prevent future wars, and not merely leave us as the result of the war almost hopelessly in debt.

In these few words, Mr. President, this distinguished Republican voiced the sentiment of the rank and file of his party; he expressed the earnest wish of the American people.

This treaty, sirs, represents the settled thought of the leading statesmen of the world. It is the consummation of untiring labor and patriotic service.

To obtain it the rational thought of unselfish representatives had to combat the greed and avarice of the selfish.

It is the covenant of peace upon which the aspirations of a just, honest, and ambitious people may rest and within the bounds of which happiness and peace will dwell.

Sirs, if you are to defeat it, let me appeal to you to meet the issue in the open. Do not wait until your victim has passed along the broad highway while you lay along the roadside, ambushed, with your stiletto in hand to drive it in its back. Meet it face to face. Do not put yourselves in the attitude of voting reservations that are meaningless or ratify it with a string tied to it—such a string that will strangle it.

It is now a finished structure, the work of artists. Its strong columns bespeak stability, its symmetry and architectural beauty the understanding of nations. One block of stone removed from it might not only affect its beauty but impair its strength. That one may not destroy it, but as the storms of controversy play upon it its foundations may weaken, its strength may diminish and cause it to crumble into ruins.

Sirs, a crawfish has been known to work its way into the great levee system that holds in check the mad waters of the mighty Mississippi, until the river broke through, carrying destruction in its path. A leak no larger in the beginning than a pinhead can sink the mightiest steamer that ever plied the bosom of the deep.

My colleagues may not agree with me, and while I am hoping, sincerely hoping, that it will not come to pass, it is my deliberate judgment—and I base it in part on your actions and the utterances and actions of the chairman of the national Republican campaign committee—that you will be content to further deceive the people by exercising the power that you wield here in placing meaningless reservations upon this treaty. I do not believe that any reservation that you attach to it will amount to a thing. In your heart of hearts you know it would be dis-

astrous to this country and ruinous to your party's hopes to place such reservations in this treaty as would compel a reconsideration of it by all the signatory powers and destroy the hope of mankind for world's peace, but your adroit chairman only last Tuesday sounded the keynote of your campaign against the covenant when he, in an interview, outlined the Republican demand regarding the league.

But, sirs, my friend the Senator from Colorado [Mr. THOMAS] spoke of the chairman of the national Republican committee a moment ago, a Mr. Hays. Mr. Hays came down here the other day. He talked to the Senators of the opposition, evidently, and he gave out an interview.

In that interview Mr. Hays sets forth your party's position. He does not agree with the distinguished Senators from Idaho and Washington that the Republican Party should come out against any league of nations. On the contrary, if his utterances are to be accepted in their true meaning, he is in favor of a league, but with certain reservations. Let us see what kind of reservations Mr. Hays desires. He says first, "These reservations must safeguard the sovereignty of the United States in every particular."

Mr. Hays knows and every patriotic American knows that there is not an American to-day from the President of the United States down who favors the league of nations who would vote for a covenant that would affect the national sovereignty of the United States, and Mr. Hays knows that if a reservation declared that nothing in the treaty shall be understood to affect the national sovereignty of this country that it would be buncombe, pure and simple, changing the treaty not one iota, but merely in order to deceive the public and attempt to make the people believe that it was the Republican Party that saved the national sovereignty of the United States.

Secondly, he says reservations must be adopted that will "guarantee the Monroe doctrine beyond the shadow of a *doubt*." What use would there be for a reservation declaring that nothing in the treaty shall be understood as affecting the Monroe doctrine? Why, sirs, it is specifically stated in the covenant that "nothing in this covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe doctrine, for the securing and maintenance of peace."

Such an amendment would be puerile, and yet Mr. Hays would have the Republican majority here incorporate such a reservation that would not necessitate the treaty going back into conference and would only declare over again what has already been declared in the treaty. It would be another effort merely to deceive the public and have the unsuspecting believe that it was the Republican Party that saved the Monroe doctrine.

He says, further, that the reservations "must either eliminate article 10 entirely or"—get his language here. See how dexterous he is. See the care with which he selects the words in order to deceive the people and bring the Republican leadership into a more compromising position. "Or," says he, "so modify it that Congress shall be morally as well as legally free, after a specified period, to decide when and where and to what extent our soldiers shall be employed."

I have not heard a single opponent of the league since the final draft of the covenant came to us contest the proposition that the league left it to Congress to declare war and left it to Congress to furnish military, naval, and economic aid. So you will note that Mr. Hays does not say that article 10 should be eliminated, but he is willing that "it be modified to the extent that Congress shall be morally as well as legally free, after a specified period, to contest when and where and to what extent our soldiers shall be employed."

Mr. Hays is about the only one who is presumed to have read the covenant who contends that article 10 or any other article in the treaty will compel the United States, without an act of Congress, to say "when and where and to what extent our soldiers shall be employed."

He further says that reservations should be made that will "retain our full control of immigration, tariff, and all other purely domestic policies." What need would there be for such reservation when it is expressly provided in the covenant itself that the league has no power over domestic affairs? It deals only in international questions, and the immigration and the tariff, being purely domestic, are not brought within the scope of the league; and he says, further, that reservations must be made "that will provide full right to withdraw from the league at any time without hindrance or conditions of any kind, upon giving suitable notice."

Surely Mr. Hays has not read the last draft of the covenant or he would have seen that in article 1 it is expressly provided that "any member of the league may, after two years' notice of its intention so to do, withdraw from the league, provided that all its international obligations and all its obligations under this covenant shall have been fulfilled at the time of its withdrawal."

Now, if the distinguished chairman of the Republican committee would have his reservation made that the United States shall have the right to withdraw from the league even though it had broken some of the obligations that it had agreed to by joining the league as a member, he should say so and let the people know the hypocrisy of his position. But if that be his position, I am quite sure that no patriotic American belonging to the Republican Party shares the same views.

To read such strictures reminds one of the fly that perched once upon the dome of St. Paul's—observing some slight defect in the gilded covering of that magnificent structure, immediately flew away and commenced to pour into the ears of the neighboring flies its criticisms of the glorious work of Sir Christopher Wren.

Sirs, the treaty takes care of and provides against every danger embodied in the suggestions in that interview, and for the Congress to include a single one of them would be merely superfluous, a reiteration of what already appears in the treaty; but it is the same thing, a very crude piece of Republican camouflage, intended to create in the minds of the people of this country the impression that it is the Republican Party standing for the national sovereignty of this Nation, the regulation of its own domestic affairs, and for the continuation of the Monroe doctrine.

Sirs, if you exercise the power that you hold to support that suggestion and incorporate these reservations, then let me warn you now not to have the audacity to go before the people next year and claim it as a Republican achievement. But I am quite sure that is what you will do.

When we reflect on the sorrows and cost incident to this war and the sleeping hatred in the German breast, it behooves us to look to the future. If it is now within our power to prevent its recurrence, and we fail, our condemnation will be deserved. Remember that it was only a few years ago, sweeping up from the Caribbean Sea and through the Mexican Gulf, a terrible storm struck Galveston. You will recall how the mad waves ate away millions in property and engulfed hundreds of human lives. Great as was the havoc wrought, the good people of that thriving city to-day understand that it was but a notice to them that the same disaster might recur, even to a greater and more disastrous extent. They learned a lesson from their experience and laid their plans for future protection. To-day there is a high sea wall protecting that progressive city, insuring unto its industries protection and unto its citizens safety against the mad and angry waves that ofttimes sweep and beat relentlessly against it.

No cyclone ever visited a community, I care not how remote it might be from the busy life of the city, without influencing those whom it left behind to construct storm pits and other safe places for their future safety. Let us take lessons from the experience of the past and, having gone through this hellish war, hope that Isaiah's prophecy to the Israelites will come true when he said: "And He shall judge among the nations, and shall rebuke many people, and they shall beat their swords into plowshares and their spears into pruning hooks, and nation shall not lift up sword against nation, neither shall they learn war any more."

I appeal to you, sirs, to come out from that spell of partisanship. Help us ratify this treaty. Give to the people the peace that they desire. Let it not be said of this historic body that it is the cause of withholding from the poor and bleeding and prostrate people of Belgium, France, Serbia, and other countries the just retribution that is carried within its covers. Let it not be said that it was this body that sounded the bugle for the American forces to again be mobilized, to march again over the war-torn battle fields of Europe. Let it not be said that it was this body that granted postponement for the trial of the Kaiser and a stay of execution for his diabolical and cruel and inhuman acts.

Sirs, if you defeat this treaty the responsibility will be upon your shoulders. You will throw a pall of anxiety and spread a blanket of sadness over the world. You will by your action withhold the hand of succor that is ready to be extended to the poverty-stricken people of Europe. You will encourage Bolshevism and crush the poor struggling people of little nations who are making such gallant fights for stable and organized governments. You will fill the homes of this land with sorrow. You will "break the heart of the world."

Mr. BECKHAM. Mr. President, I had given notice that to-day I would address the Senate on the subject of the league of na-

tions; but the hour is late, Senators are fatigued, and I have decided to wait until to-morrow. At some convenient time to-morrow I shall address the Senate.

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

Mr. WILLIAMS. I wish to call the attention of some of the Senators on the floor——

The PRESIDING OFFICER (Mr. SWANSON in the chair). Does the Senator from Kansas yield to the Senator from Mississippi?

Mr. WILLIAMS. I ask the Senator to withhold his motion.

Mr. CURTIS. It is so late that if we are to have an executive session we must have it now.

Mr. WILLIAMS. Then I make the point of no quorum.

Mr. CURTIS. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, July 22, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *July 21, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father of good, right, truth, justice, liberty, righteousness, look with compassion, we beseech Thee, upon this weary, warring world, and lead us to peace and happiness.

Deliver us from race prejudice, hate, and strife, that Thy will may be done in all the world and righteousness become the leading passion of all men; that Thy kingdom may indeed come and bring to all good will. In the name of Christ, our Lord and Master. Amen.

The Journal of the proceedings of Saturday, July 19, 1919, was read and approved.

Mr. McARTHUR. Mr. Speaker, I make the point that there is no quorum present.

Mr. GOOD. Will the gentleman withhold that for a moment?

Mr. McARTHUR. I will.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States, by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had on July 19, 1919, approved joint resolution and bill of the following titles:

H. J. Res. 120. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Tao Hung Chang and Zeng Tze Wong, citizens of China; and

H. R. 7343. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

RATIFICATION AND CONFIRMATION OF APPROPRIATIONS.

Mr. GOOD. Mr. Speaker, I ask unanimous consent for the consideration of House joint resolution 147.

The SPEAKER. The gentleman from Iowa asks unanimous consent for the immediate consideration of a resolution, which the Clerk will report.

The Clerk read as follows:

House joint resolution 147——

Mr. CLARK of Missouri. Mr. Speaker, did not the gentleman from Oregon make the point of no quorum?

The SPEAKER. He withdrew the point of no quorum. The Clerk will report the resolution.

The Clerk read as follows:

Joint resolution (H. J. Res. 147) to ratify and confirm from and including July 1, 1919, obligations incurred pursuant to the terms of certain appropriations for the fiscal year 1920.

Resolved, etc., That appropriations for the service of the fiscal year 1920, contained in the Agricultural, Army, District of Columbia, Navy, and sundry civil appropriations acts, and the "third deficiency appropriation act, fiscal year 1919," shall be available from and including July 1, 1919, for the purposes respectively provided in the said appropriations for the service of the said fiscal year. And all obligations incurred pursuant to the terms of such appropriations in the aforesaid acts as approved are ratified and confirmed from and including July 1, 1919.

Mr. CLARK of Missouri. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman from Iowa the necessity for this resolution.

Mr. GOOD. The necessity for this resolution is this: The general deficiency bill was approved on July 11. It carries a great many items for the present fiscal year. The District of Columbia appropriation bill was approved on July 11; the Army bill was approved on July 11; the Navy bill was approved on July 11; and the sundry civil bill was approved on July 19. Now, under the ruling of the Controller of the Treasury an appropriation bill is not retroactive, and it is necessary to pass a resolution through both Houses of Congress that will provide that the obligations incurred, that are authorized in those various bills and incurred before they were approved, should be ratified, and the employment of clerks employed from June 30 to July 11, and to July 19 in the case of the sundry civil bill, should be ratified by resolution.

Mr. CLARK of Missouri. Does the gentleman agree with the opinion of the Comptroller? What is it you call him now, anyway?

Mr. GOOD. Controller of the Treasury, Judge Warwick.

Mr. CLARK of Missouri. "Controller," and not "Comptroller"?

Mr. GOOD. Yes, sir. I have not examined his opinion, but I only know it is creating a great deal of embarrassment in some of the departments. The pay of clerks in some cases, I am told, is being withheld, and that could be obviated by the passage of a resolution. So I have believed it my duty to introduce this resolution.

Mr. WALSH. Of course, as a matter of fact, the real reason for this resolution is that the President was not here to sign this bill before the 1st of July.

Mr. CLARK of Missouri. That is a great piece of news.

Mr. WALSH. That is the sum and substance of it, anyway.

Mr. CLARK of Missouri. That is a great piece of news you are giving here.

Mr. MADDEN. I would like to direct the attention of the House to what I think exists in regard to the Agricultural bill. I understand that the enrolling clerk of the House has a receipt from the White House for the Agricultural bill as it passed both Houses, dated July 1, at 10.50 in the morning; that the President did not veto that bill until the date of the 11th of July, and that the Constitution of the United States provides that he must either sign or return a bill with his veto within 10 days. I maintain that he had no power to veto the bill; that the bill became a law before the date that he vetoed it; and that it is now a law notwithstanding that we passed another bill. We are in the anomalous position of providing for a resolution to make a law in order that the President vetoed at a time when he had no right to veto it.

Mr. CLARK of Missouri. Mr. Speaker, still reserving the right to object, the 10 days' limit runs from the time the bill is presented to the President, and the remarks of the gentleman from Illinois are entirely out of order and not to the point.

Mr. BLANTON. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Massachusetts [Mr. WALSH] if he would have had the President here on July 1 when it was his duty and to the interest of the people of the United States for him to be somewhere else on that day?

Mr. WALSH. It seemed to be his duty to be on the high seas on that day.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I was not here when the resolution was read. Is it a continuation resolution?

Mr. GOOD. It is not. The effect of the resolution is to make the appropriations retroactive to the 1st day of July, so that the obligations incurred shall be legal obligations and the clerks employed in the interim shall be paid.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. GOOD. Mr. Speaker, I ask unanimous consent that the resolution may be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the resolution may be considered in the House as in the Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Joint resolution (H. J. Res. 147) to ratify and confirm from and including July 1, 1919, obligations incurred pursuant to the terms of certain appropriations for the fiscal year 1920.

Resolved, etc., That appropriations for the service of the fiscal year 1920 contained in the Agricultural, Army, District of Columbia, Navy, and sundry civil appropriation acts, and the "third deficiency appropriation act, fiscal year 1919," shall be available from and including July 1, 1919, for the purposes respectively provided in the said appropriations for the service of the said fiscal year. And all obligations incurred pursuant to the terms of such appropriations in the aforesaid acts as approved are ratified and confirmed from and including July 1, 1919.

Mr. GOOD. Mr. Speaker, I think I have explained already the real purposes of this resolution, but some Members have come in since that statement was made, and perhaps it would

not be out of order to again state the purposes of the resolution. The general deficiency bill, which carries a great many items for this fiscal year, was approved July 11, as was the District of Columbia appropriation bill, the Army appropriation bill, and the Navy appropriation bill. The sundry civil appropriation bill was approved on July 19. The Constitution provides that no money shall be paid out of the Treasury of the United States except in consequence of an act of Congress. These acts were not approved, four of them, until the 11th of July, and the sundry civil bill until the 19th day of July. Hence the obligations made between the 30th day of June and the 11th day of July, so far as they relate to the deficiency bill, the District of Columbia bill, and the Army and Navy bills, and between the 30th day of June and the 19th day of July, so far as they relate to the sundry civil bill, are without authority of law, and in order to permit the payment of clerk hire and the enforcement of these contracts it is necessary to adopt a resolution ratifying these acts. I therefore move the previous question on the resolution.

The SPEAKER. The gentleman from Iowa moves the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GOOD, a motion to reconsider the vote whereby the joint resolution was passed was laid on the table.

EXTENSION OF REMARKS.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent to insert in the RECORD a very short address made by Col. Frank Harris, a very distinguished citizen of my State, to the returning soldiers.

The SPEAKER. The gentleman from Florida asks unanimous consent to extend his remarks in the RECORD by inserting an address of Col. Harris, of his State, relative to the returning soldiers. Is there objection?

There was no objection.

Following is the address referred to:

MR. HARRIS'S WELCOME TO OCALA'S HOME-COMING SOLDIERS.

Brave soldier boys, as a veteran of the war between the States—and take it from me their deeds of fortitude and valor have rarely been equaled and never surpassed—speaking for them I wish to say to you on this occasion that there are no words in our language strong enough nor beautiful enough for me to express our gladness in having you return in safety to your homes, as there were no words adequate enough for the 100 per cent American to express his admiration of you when you donned a uniform and at the call of your country proudly responded, "Here!" and with handkerchiefs waving and bands playing patriotically and triumphantly marched away.

You have written the proudest and most enduring chapter in the history of the world and in the biggest and brightest letters.

Like the restless tides of the ocean years have come and gone and in their ceaseless march have buried cities of long ago beneath the dust of ages. The ascent has been ever upward, all struggling for a higher civilization.

Greece and Rome appeared upon the map in the world's resistless sweep and both did their part in efforts to make the world better and in doing so performed many brilliant and cheering deeds, but brave and brilliant as they were they do not compare with the heroic part you played because they were not animated nor actuated by the same motives nor inspired by ideals so exalted.

You did not enter upon the theater of war for territorial expansion and aggrandizement nor for world dominion, but for the sole and lofty purpose of making the world a safe place for human habitation and the home a hallowed sanctuary.

In the performance of that duty your splendid courage and your sublime sacrifices will live forever in song and story.

When we witnessed your going, saw you bid farewell to loved ones and friends; beheld your fathers, mothers, sisters, and sweethearts press you to their bosoms in a fond and affectionate embrace, in bidding you farewell we could not but behold the suppressed feelings that were tearing out their very heartstrings, yet bravely bade you go, saying to you: "Do or die." It was then that our whole being swelled with patriotic emotions and we reverently gave thanks that we were born under institutions that were capable of bearing such a priceless fruitage.

We watched you step by step; we heard your proud and martial tread; we saw you enter the training camps and finally saw you cross the treacherous seas; silently and with quivering hearts we saw you enter the dark and gloomy shadows of the Argonne Forest, and when your intrepid commander shouted back to his superior officer of the allied forces that the American khaki-clad soldier knew no such word as retreat; saw you unawed by the roar of cannon and face unflinchingly the deadly missiles of a hitherto victorious enemy, and with a mighty, unfaltering and overwhelming effort turn the tide of battle, we reverently gave thanks to high heaven for giving us boys with blood so rich and rare, nerves so like triple steel, and courage so dauntless.

You by your bravery have given the world a new meaning of liberty born of democracy, and in a baptism of blood you have added increased luster to the Stars and Stripes and have made it a thing of adoration to those everywhere who are yearning for the freedom it symbolizes.

And what shall we say of those who shall never come back—those who made the supreme sacrifice; those who laid down their young lives that you and I might live and enjoy the blessings of peace and live tranquilly and happily, undisturbed by the ambition of heartless rulers.

In the language of John Oxenham in "All's Well":

They died that we might live—
Hail! and farewell!
All honor give
To those who nobly striving, nobly fell,
That we might live!

That we might live they died;
Hail! and farewell!
Their courage tried
By every mean device of treacherous hate,
Like kings they died.

Eternal honor give—
Hail! and farewell
To those who died,
In that full splendor of heroic pride,
That we might live!

We know that a grave has been carved in the hearts of parents, kindred, and sweethearts that no amount of tears will fill nor length of time assauge.

In the language of Lincoln at Gettysburg, may we not ask: "Shall this Nation not resolve that they shall not have died in vain?"

If not so, the immortal supplication of Patrick Henry: "God forbid."

Unless a league of nations is formed and is made strong enough so that the gradual disarmament of nations shall follow, wars with their terrible toll of death and lamentations and mourning will continue.

Let every one of us firmly resolve in every way to give encouragement and aid to the President and those engaged with him in their momentous and arduous task.

Let us girt the heavens in glittering letters of light with the sweet benediction that was heralded from Gallilee: "Peace on earth; good will to men."

For the loved ones who have made the supreme sacrifice and for those who have waited in vain for their coming, we would imprint in the hearts of those who are to come after us the sublime lesson that they died to make the world blossom with flowers and fruitage of a higher civilization; we would make that page so golden that its incense and fragrance shall never wither away, but like the effulgence that reaches to us from Calvary shall bloom perennially through the ages.

We find Europe torn and bleeding; we must heal her wounds; we must minister to her needs. We must feed her hungry, clothe her naked, and restore her sick.

What is the picture she presents?

Where poppies bloom in Flanders field is told by a Belgian hospital worker after two years' service in France upon his revisiting his home:

"Holes and holes and mud. Since the soldiers have left even the birds have deserted the solitary fields. Silence, gloom, devastation, and abandonment show us death in the upturned ground; death in the turbid, yellowish flood and death in the broken stones themselves—so strange and tragical is their shape."

We shall not be worthy of our position as American citizens unless we shall feel a deeper love for the country and its institutions which they gave their lives to save and a greater responsibility for the trust imposed on us that we may make and keep our country and her benign institutions every worthy of their sacrifice.

For the youth they gave and the blood they gave,
We must render back the due;
For every marked or nameless grave
On the steel-torn Flanders way
We who are whole of body and soul
We have a debt to pay.

For the youth they gave and the blood they gave,
For the strength that was our stay,
For every marked or nameless grave
We must pay with a service true;
Till the scales stand straight with even weight
And the world is a world made new.

* * * * * * *

Out of the twilight of the past
We move to a diviner light,
For nothing that is wrong can last;
Nothing's immortal but right.

* * * * * * *

I feel that I can not better conclude these words of welcome than by reciting the following apostrophe entitled "The Return of Our Heroes," sent me by a lady friend in Texas and written for the Fort Worth Record by Miss Annie Taylor:

Here's to America's heroes
And here's to the flag they bear,
Our heart and hand to this stalwart band,
The bravest and best of any land,
And here's to the scars they wear.

Here's to the Nation who gave them
For the sake of a suffering world,
Her stainless name, her deathless fame,
Victory crowneth with loud acclaim,
As the tyrants to death she hurled.

Here's to the hearts who gave them
Life of their life are they,
Yet they bade them to go face the foe
To redeem the world from a cursed woe,
The price with their lives to pay.

And here's (oh, say it softly)
To that still and matchless throng,
Whose bodies sleep where the poppies bloom,
In a distant land, in a stranger's tomb,
Throughout the ages long.

Our flag will enfold them forever
Upheld by an angel guard,
For heaven will hold every heart of gold
That sleeps 'neath a foreign sward.

LEAVE TO ADDRESS THE HOUSE.

Mr. CLARK of Missouri. Mr. Speaker, I ask unanimous consent that on the first morning after the conclusion of this prohibition discussion, when it is disposed of, and after the reading of the Journal and the cleaning up of the business on the Speaker's table, the gentleman from Tennessee, Judge MOON, may have permission to address the House for 35 minutes on

The SPEAKER. The gentleman from Missouri asks unanimous consent that upon the conclusion of the consideration of the prohibition enforcement law the gentleman from Tennessee [Mr. MOON] may have permission to address the House for 35 minutes on postal matters. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, I doubt the wisdom of the practice of providing in advance for addresses in this way. I regret it very greatly, but I feel it my duty to object.

The SPEAKER. Objection is made.

PRESIDENT'S MESSAGE—CLAIM OF MADAME CIGNIER (H. DOC. NO. 156).

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying documents, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Acting Secretary of State in relation to a claim presented by the Government of France against this Government on account of losses sustained by a French citizen in connection with the search for the body of Admiral John Paul Jones, which was undertaken by Gen. Horace Porter, formerly American ambassador to France, and, referring to my message of June 4, 1918, concerning this matter, I recommend that an appropriation be made to effect a settlement of this claim in accordance with the recommendation of the Acting Secretary of State.

WOODROW WILSON.

THE WHITE HOUSE,
21 July, 1919.

CALL OF THE HOUSE.

Mr. McARTHUR. Mr. Speaker, I renew the point of no quorum.

The SPEAKER. The gentleman from Oregon makes the point that there is no quorum present. Obviously there is no quorum present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Edmonds	Kearns	Purnell
Ashbrook	Fairfield	Kettner	Ragsdale
Benson	Fitzgerald	King	Riordan
Britten	Focht	Kreider	Rouse
Browne	Fordney	LaGuardia	Rowan
Caldwell	Freeman	Lee, Ga.	Rowe
Carew	Godwin, N. C.	Lesher	Saunders, Va.
Cleary	Goodall	Lever	Scully
Costello	Gould	Linthicum	Sears
Dale	Greene, Vt.	McClintic	Slemp
Dewalt	Griest	Maher	Smith, N. Y.
Dooling	Hamill	Mason	Taylor, Ark.
Doremus	Hicks	Morin	Tilson
Dupré	Hull, Tenn.	Mudd	Venable
Eagan	Ireland	Neely	Welling
Echols	Jones, Pa.	Platt	

The SPEAKER. Three hundred and seventy Members have answered to their names. A quorum is present.

Mr. DYER. I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Missouri moves to dispense with further proceedings under the call. Without objection it will be so ordered. The Doorkeeper will open the doors.

CORRECTION.

Mr. GOLDFOGLE. Mr. Speaker, on page 2894 is printed an amendment which I offered, which should read as follows:

At the end of line 20, on page 23, insert the following:
"But so much of this section which follows the words 'or any part thereof' shall not apply to any room or apartment which is used and occupied as a dwelling and has not been used or employed as a saloon, hotel, boarding house, or store, or as an annex or appurtenance thereto, the intent hereof being that no room or apartment used and occupied exclusively for dwelling purposes by the occupant and his family shall be deemed to come under or within the purview of that part of this section which follows the words 'or any part thereof.'"

As printed in the RECORD the words "is used and occupied as a dwelling and" are omitted. I ask that the RECORD be corrected accordingly.

The SPEAKER. Without objection, the correction will be made.

Mr. MONDELL. Mr. Speaker, the amendment the gentleman refers to was sent to the desk in writing, was it not?

Mr. GOLDFOGLE. Yes. As I recall it, the words which I have indicated were contained in the amendment as sent to the desk. I have not the copy in my possession.

Mr. MONDELL. When a gentleman sends his amendment to the desk in writing, he ought to abide by it, and the RECORD should not be changed afterwards, at least without the change being presented in writing, so that we may all understand it. The amendment was offered in writing and was voted on. Now, if the gentleman did not present it in writing in the form in which he intended to present it, that is the gentleman's fault. The House voted on an amendment in writing as the gentleman himself sent it up. I do not think the RECORD should be changed by unanimous consent.

Mr. GOLDFOGLE. May not this have been a typographical error, which I think it was?

Mr. MONDELL. If the gentleman made that error——

Mr. GOLDFOGLE. I do not think I did; but, of course, I have not the copy of the amendment before me.

Mr. MONDELL. That side of the House the other day refused to allow the gentleman from Iowa [Mr. GOOD] to amend what was manifestly an inadvertence in offering an amendment. Now, the gentleman wants to change an amendment that was sent up in writing and voted on, and I do not think that change should be made by unanimous consent.

Mr. GOLDFOGLE. I apprehend the gentleman is mistaken as to the situation. A few words are left out of the amendment as it is printed in the RECORD. The gentleman speaks of my amendment being sent to the desk. I have stated that the error occurred in omitting these words, and I suppose it was in setting up the type in the Government Printing Office. That is the way I presume it came about. It is purely typographical.

Mr. MONDELL. Mr. Speaker, if the gentleman has his original amendment, and it is not printed in the RECORD as it was written by him, then it is entirely proper that the RECORD should correspond with the amendment, but the gentleman has not his original amendment.

Mr. GOLDFOGLE. Of course I have not the original with me now. The gentleman knows that.

Mr. MONDELL. The gentleman has not examined the original, as far as we know.

Mr. GOLDFOGLE. I have not, but I remember the words of it.

Mr. MONDELL. For the present I object.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. TAYLOR of Arkansas, indefinitely (at the request of Mr. WINGO).

PROHIBITION.

The SPEAKER. Under the rule, the House will resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the prohibition bill, H. R. 6810.

Mr. CLARK of Missouri. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Missouri. How does the Speaker get around the positive provision of the rule in section 732:

On days when it shall be in order to move to suspend the rules the Speaker shall, immediately after the approval of the Journal, direct the Clerk to call the bills which have been for three days upon the Calendar for Unanimous Consent.

The SPEAKER. The Chair thinks that the special rule under which the House has been working suspends all the regular days except Calendar Wednesday. The Chair has so ruled.

Mr. CLARK of Missouri. My only object in making the inquiry is that I do not want the House to get in the habit of dispensing with the Calendar for Unanimous Consent. I think that is one of the best rules ever adopted by the House.

The SPEAKER. The gentleman from Iowa [Mr. GOOD] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the prohibition bill, H. R. 6810, with Mr. GOOD in the chair.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. I desire to ask the chairman of the committee if he would have any objection to an amendment permitting the delivery of these liquors for medicinal and scientific purposes to officials of the several States. A great many States have independent chemical laboratories conducting experiments on the same line as that done by the department here in Washington.

Mr. VOLSTEAD. I think that will all be taken care of under Title III. I intend to offer an amendment to that title for that purpose, so as to permit the States or their agents to obtain the alcohol.

Mr. WALSH. Well, Mr. Chairman, I direct the gentleman's attention to the fact, which, of course, he appreciates, that upon application of the United States attorney the liquors are delivered to some department or agency of the United States Government free of cost. Is there any objection to permitting them to be delivered to some department or agency of the States free of cost, or must they purchase them the same as an individual?

Mr. VOLSTEAD. I think they should purchase them.

Mr. WALSH. Though the liquor is seized in the States?

Mr. VOLSTEAD. Yes. I think so, because these liquors are forfeited to the Federal Government and belong to it just as much as any other property. I think such a provision as that suggested would work more or less discrimination; some States would be favored while others would not.

Mr. GARD. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 27, line 5, after the word "Government," insert "or the several States or in the District of Columbia."

Mr. GARD. Mr. Chairman, section 28 was incorporated in the bill to carry out the provisions of an act of Congress heretofore passed providing that instead of stores of illegal liquors seized being destroyed or being mandatory to destroy it might be rerectified and converted into industrial alcohol and applied to some legal use. It seems to me that in the extension of this power to any department or the agency of the United States Government we might likewise under the proper care, with the approval of the United States attorney, give this liquor for mechanical, scientific uses to the laboratories and colleges in the States and in the District of Columbia.

My amendment has no other purpose except to extend to the laboratories of all educational institutions the right to procure at little or no cost this particular sort of merchandise that can be used to advantage in their researches in chemical development and laboratory work.

Mr. VOLSTEAD. This provision was drawn, as I am informed, by the Commissioner of Internal Revenue, with the exception of the last two lines. The provision which the gentleman seeks to insert will be taken care of in Title III. I have an amendment for that purpose that has likewise been drawn by the revenue department. It seems to me that we had better insert it there. This section is designed to get rid of liquor taken from persons arrested.

Mr. GARD. The gentleman says he has a similar amendment that he will offer in Title III. Does not the gentleman think this amendment should be included here so as to preserve the harmony of these two sections?

Mr. VOLSTEAD. No; because this has no proper relation to that subject. This gets rid of liquor that has been seized from some lawbreaker. It seems to me this should go to the Federal Government and should not be parceled out between the States, because that would give rise to discrimination and favoritism which we ought not to authorize. Under the bill as it reads I believe all the parties provided for in the amendment can get liquor tax free except the States. We will remedy that by putting in an amendment at the proper place that the Collector of Internal Revenue has suggested.

Mr. GARD. The gentleman will agree with me that State colleges should have the benefit of this supply of alcohol which might be used for scientific and mechanical purposes.

Mr. VOLSTEAD. The State colleges would not want it because this is not pure alcohol. This would be whisky, wine, and beer.

Mr. GARD. But if it can be used after rectification they ought to have the privilege.

Mr. VOLSTEAD. This is liquor that has been seized because it was being sold or to be sold in violation of law. It is not the alcohol that these institutions care for, it is whisky or other intoxicating beverages.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken, and the amendment was rejected.

Mr. HARRISON. Mr. Chairman, I move to strike out the last word. In the debate on this bill some criticism was made as to the enforcement of the law in the State of Virginia. The matter referred to in debate has been made the subject of official investigation, and I think it only fair to the State and the prohibition officers that their review of the matter should be made a part of the RECORD. I ask unanimous consent to extend my remarks in the RECORD by incorporating the statement of the prohibition commissioner and the evidence on which it is founded.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to extend his remarks in the RECORD by inserting the matter referred to.

Mr. HARRISON. It is merely an investigation made by the State of Virginia in respect to the alleged search of women's wardrobes and other things. Here is the official record, which I desire to place in the CONGRESSIONAL RECORD, in contradiction of statements made on the floor of the House.

The CHAIRMAN. Is there objection?

Mr. DYER. Mr. Chairman, reserving the right to object, will the gentleman state if he desires to insert it in the day's proceedings of the House or in the back of the RECORD?

Mr. HARRISON. I do not care where it is inserted, so long as it goes into the RECORD.

Mr. DYER. If the gentleman will make his request that it is to go into the back part of the RECORD in extension of remarks, I shall not object.

Mr. HARRISON. Yes.

Mr. DYER. So that it will not appear in the proceedings of the day.

Mr. WALSH. Mr. Chairman, I object. We can not have all these prohibition documents printed.

Mr. HARRISON. These are affidavits of the men in charge of the train, of the people whose baggage was alleged to have been searched, and the statement of the prohibition commissioner and of the railroad directors.

Mr. WALSH. They all deny the statements made?

Mr. HARRISON. They say they were not true, and they state what the facts are.

Mr. WALSH. I object.

The CHAIRMAN. Objection is heard, and the Clerk will read.

The Clerk read as follows:

SEC. 29. That the commissioner, his assistants, and all other officers of the United States whose duty it is to enforce criminal laws shall have all the power and protection in the enforcement of this act or any provisions thereof which is conferred by law for the enforcement of existing laws relating to the manufacture or sale of intoxicating liquors under the law of the United States.

Mr. SMALL. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman some questions. Section 29, which has just been read, uses the following language:

That the commissioner, his assistants, and all other officers of the United States whose duty it is to enforce criminal laws shall have all the power and protection in the enforcement of this act—

And so forth. The description of the kind of officers is embodied in the words "whose duty it is to enforce criminal laws." What is meant by that phrase? Does that refer to those who have judicial power alone, or to the process officers, or both, or neither? It seems to me that the language "whose duty it is to enforce criminal laws" is too general where it attempts to describe the class of officers to whom the power is given.

Mr. VOLSTEAD. I think not. I do not think it could possibly apply to the court.

That the commissioner, his assistants, and all other officers of the United States whose duty it is to enforce criminal laws—

would be the class enumerated.

Mr. SMALL. Will the chairman indicate what officers of the United States are included in that language?

Mr. VOLSTEAD. The United States attorneys, United States Attorney General, the assistants, the marshals, the deputy marshals.

Mr. SMALL. Then, in the opinion of the chairman, it includes the prosecuting and the process officers of the Department of Justice only?

Mr. VOLSTEAD. Certainly; that class of officers that has been enumerated, and no others have been enumerated.

Mr. GARD. Mr. Chairman, I offer to amend, on page 27, line 12, by inserting after the word "assistants" the words "agents and inspectors."

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 27, line 12, after the word "assistants," insert the words "agents and inspectors."

Mr. VOLSTEAD. Mr. Chairman, I accept that amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 30. That any person who manufactures intoxicating liquor, or any wholesale or retail druggist or pharmacist who sells liquor in violation of this title, shall for a first offense be fined not more than $1,000 or imprisoned not exceeding six months, and for a second or subsequent offense shall be fined not less than $200 nor more than $2,000 and be imprisoned in the penitentiary not less than one month and not more than five years.

Any person violating any of the provisions of this title, or the provisions of any permit, or making any false record, report, or affidavit for which a special penalty is not prescribed shall be fined for a first offense not more than $500; for a second offense not less than $100 nor more than $1,000, or be imprisoned not more than 90 days; for any subsequent offense he shall be fined not less than $500 and be imprisoned in the penitentiary not less than 3 months and not more than 2 years. It shall be the duty of the prosecuting officer to ascertain whether the defendant has been previously convicted and to plead the prior conviction in the affidavit, information, or indictment.

Mr. VOLSTEAD. Mr. Chairman, on page 27, line 22, I move to strike out the word "imprisonment" and insert the word "imprisoned."

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 27, line 22, after the word "or," strike out the word "imprisonment" and insert in lieu thereof the word "imprisoned."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. VOLSTEAD. And on page 28, line 11, strike out the words "and not" and insert the word "nor."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 28, line 11, strike out the words "and not" and insert in lieu thereof the word "nor."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WALSH. Does not the chairman desire to offer a similar amendment to line 2 on page 28?

Mr. VOLSTEAD. Mr. Chairman, I move to strike out the words "and not" in line 2 on page 28 and insert the word "nor."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 28, line 2, strike out the words "and not" and insert in lieu thereof the word "nor."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. RAKER. Mr. Chairman, I move to strike out the last word to call the attention of the committee to the words "wholesale or retail" in line 20. Should not that be stricken out, so that it will leave it "druggist or pharmacist who sells liquor," and so forth?

Mr. VOLSTEAD. We deal with the wholesaler and the retailer, but we specify that the retailer must sell through a pharmacist, and a license is issued to the retail druggist, but the license must specify that the pharmacist is authorized to sell.

Mr. RAKER. The gentleman thinks this would catch the one as well as the other?

Mr. VOLSTEAD. Yes.

Mr. RAKER. The druggist as well as the pharmacist.

Mr. VOLSTEAD. The permit governs that fact; it governs the sale, the method by which the druggist can sell.

Mr. RAKER. My only purpose was to be sure that the provision included the druggist retailer and the pharmacist as well.

Mr. VOLSTEAD. I think it does.

Mr. BLAND of Missouri. I want to ask the chairman a question in reference to section 30, line 21, after the words "who sells liquor." The term "liquor" in Title II is defined to be "any spirituous, vinous, malt, or fermented liquor, liquids and compounds, whether medicated, proprietary, patented or not, and by whatever name called, containing one-half of 1 per cent or more of alcohol by volume which are potable and capable of being used as a beverage." Now, should there not be inserted in fairness after the word "liquor" the words "as a beverage in violation of this title"?

Mr. VOLSTEAD. No. We expressly except certain industrial articles. We give power to make those and then say that if they are made in accordance with the descriptions and limitations which we specify they are not subject to the provisions of this bill. Consequently it is not necessary to insert those words. We prohibit the sale of all liquors except nonbeverage liquors and expressly provide that nonbeverage liquor may be sold.

Mr. BLAND of Missouri. The title provides that liquor shall not be sold containing one-half of 1 per cent of alcohol by volume. Now, if the retailer sells this, whether it is to be used as a beverage or not, would he not be guilty?

Mr. VOLSTEAD. No. If he sells it for beverage purposes he is guilty. But we provide the method by which he can obtain a permit either to manufacture or sell nonbeverage liquor legally. There is no necessity of inserting that at all, and it would simply tend to confusion.

Mr. GARD. Mr. Chairman, I desire to offer an amendment by inserting the word "intoxicating" before the word "liquor" in line 21, page 27.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. GARD: Page 27, line 21, before the word "liquor" and after the word "sells" insert "intoxicating."

The question was taken, and the amendment was rejected.

Mr. SAUNDERS of Virginia. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee a question. At the top of page 28 I see it is provided that upon conviction under circumstances recited in that connection they shall be imprisoned "in the penitentiary not less than one month." You do not want the words "in the penitentiary" there.

Mr. VOLSTEAD. No; I do not think they ought to be there.

Mr. SAUNDERS of Virginia. Mr. Chairman, I move to strike out in this connection the words "in the penitentiary," so that it will read: "Be imprisoned not less than one month," and so forth.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SAUNDERS of Virginia: Page 28, line 1, strike out "in the penitentiary."

The question was taken, and the amendment was agreed to.

Mr. SAUNDERS of Virginia. Now, Mr. Chairman, I offer a like amendment in line 10, which makes it symmetrical.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SAUNDERS of Virginia: Page 28, line 10, strike out the words "in the penitentiary."

The question was taken, and the amendment was agreed to.

Mr. GARD. Mr. Chairman, on page 28, line 2, I move to strike out the word "ascertain" and insert the words "seek information."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 28, line 2, strike out the word "ascertain" and insert in lieu thereof the words "seek information."

Mr. GARD. Mr. Chairman, this says that it shall be the duty of the prosecuting attorney to ascertain whether the defendant has been previously convicted. It seems to me it places a duty upon the prosecuting officer which may in fact be impossible. All that you can reasonably expect him to do is to seek information as to whether or not there has been a previous violation or a previous conviction.

Mr. BARKLEY. No; the thing is to have the information, and unless he ascertains that there were previous convictions how can he convict as charged in the indictment——

Mr. GARD. If he gets the information, let him put it in there. The word "ascertain" may require an impossibility.

Mr. BARKLEY. But he can not find out.

Mr. GARD. The word "ascertain" means to impose a duty which he may not be able to perform. If he seeks information and gets it, that is all we ought to require the prosecuting officer to do. In other words, down in your State if you say it is the duty of the prosecuting officer to ascertain if a man was convicted of burglary it may be impossible to ascertain that, but he might have been convicted, and if he had been convicted and it was not ascertained it might be held to be a breach of duty, whereas all we can reasonably expect a man to do is to seek information along that line and incorporate it in his legal pleading.

Mr. BARKLEY. No; this is supposed to be an indictment.

Mr. GARD. Well, an indictment is a legal pleading.

Mr. BARKLEY. But under the gentleman's amendment all he would have to do would be to "seek information," and whether he found or not he could plead he had been previously convicted?

Mr. GARD. No. My purpose is to get the information and put it in the indictment.

Mr. BARKLEY. Yes; and he has to put it in the indictment in order to be convicted by reason of this previous conviction and can restate it afterwards. Under this language as it is now he has to ascertain that fact. He can not charge a previous conviction unless he ascertains that there has been previous

conviction, and if the gentleman's amendment is agreed to he can seek information, and whether he finds it or not he can charge the man with being previously convicted.

Mr. GARD. Oh, no; I do not think you can fairly assume that a prosecuting officer would put something in the indictment that he could not prove.

Mr. BARKLEY. I do not think he would do it, but he could do it.

Mr. GARD. I do not think the gentleman's contention is reasonable. I think my amendment is eminently proper from a legal standpoint.

Mr. BEE. After the word "and," in line 13, are the words "to plead the prior conviction." In other words, I read it in this way, that if he ascertains he is to plead it.

Mr. GARD. That is in there once. I think it is already covered.

Mr. BOIES. Will the gentleman yield for a question?

Mr. GARD. Surely.

Mr. BOIES. It is the law in some States, I know, that you must plead a prior conviction in order to be able to introduce any testimony upon that allegation.

Mr. GARD. Yes; I think so.

Mr. BOIES. Now, the duty that is cast upon the man is the same as the duty that is cast upon a prosecuting officer to perform his duty. We certainly do not insure that he will do all the things that some other man did, but that he shall be faithful.

Mr. GARD. I am sure the gentleman will agree with me, since he is a very eminent lawyer and has long ornamented the bench in his State——

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from Ohio [Mr. GARD].

The question was taken, and the amendment was rejected.

Mr. VOLSTEAD. Mr. Chairman, I move that all debate on this section and all amendments thereto be now closed.

The CHAIRMAN. The gentleman from Minnesota moves that all debate on this section and amendments thereto be now closed.

The motion was agreed to.

Mr. LANKFORD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Georgia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LANKFORD: Page 28, line 13, after the word "convicted" insert "or has plead guilty"; and on page 28, line 13, after the word "conviction" insert "or plea of guilty."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. LANKFORD].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 31. That in addition to the penalties imposed by this act for the violation of any of its provisions the court may, in its discretion, after conviction, require the defendant to execute a bond with security approved by the court in a penal sum of not less than $500 nor more than $5,000, conditioned that he will not violate any of the provisions of this act for the term of one year. And if said bond shall not be given the defendant may be committed to jail until it is given or until he is discharged by the court, provided he shall not be confined for a longer period than six months.

Mr. JOHNSON of Kentucky and Mr. GARD rose.

The CHAIRMAN. The gentleman from Ohio [Mr. GARD] is recognized.

Mr. GARD. I move to strike out section 31.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARD: Strike out section 31.

Mr. GARD. Mr. Chairman, this section contains the very unique proceeding that after a man is convicted and after he has received the punishment for the conviction, that in the discretion of the court he may be required to enter upon a security which may not be more than $5,000, and if he can not give that bond he shall be committed to jail until it is given or until he is discharged by the court, provided he shall not be confined for a longer period than six months.

I have been trying so far as I can to call the attention of the members of this committee, and through the members of this committee the Members of the House, who are endeavoring to make a bill for the enforcement of war-time and constitutional prohibition, to what is contained in the bill. I do not think there has been a very general understanding of that which has been contained in the bill, nor do I think there has been afforded opportunity to discuss matters which are entirely new and which the membership of the committee and of the House should know. And I am sure, too, that nobody will ever advance the proposition in any State or in any country that after a man is convicted and you sentence him to six months in a prison, for illustration, if he happens to be poor and some arbitrary judge requires a bond of $5,000, that then you can keep him in jail for six months longer than his term of conviction.

Mr. Chairman and gentlemen of this committee——

Mr. BUTLER. Did not the gentleman help to frame this bill?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Pennsylvania?

Mr. GARD. I yield to the gentleman from Pennsylvania.

Mr. BUTLER. Thank you. What is the idea of this double punishment?

Mr. GARD. I have not the slightest idea what it is.

Mr. BUTLER. What was the argument in favor of it?

Mr. BLANTON. Will the gentleman from Ohio yield?

Mr. GARD. I desire to reply to the gentleman.

Mr. BLANTON. A good answer is that it is to enforce this law.

Mr. GARD. I will state to the gentleman from Pennsylvania I do not know whence this came, but I do say, in addition to what the gentleman from Pennsylvania has called the "double punishment," which is more than that, that it punishes a man not for violating the law, but it punishes him for being poor. In other words, if a man is rich and he commits a crime under this act, and the judge says, "You shall give a bond," the man can give a bond and be discharged, but if a man is poor and he can not give a bond for $5,000, the judge will say, "You go to jail. I have sentenced you to jail for six months or a year, and if you can not give this bond for $5,000 you are to stay in jail for six months longer."

Mr. McPHERSON. Will the gentleman yield?

Mr. GARD. I will.

Mr. McPHERSON. I will ask if the law has not another vicious provision, and that is that it delegates to the judges the power to legislate? That is, the additional penalty that is provided is not one that Congress provides shall obtain in every case, but it will be a part of the penalty provided that the judge can apply to the offender. And is it not vicious in that it delegates to the judicial department by Congress the power to add to the penalties provided in this act?

Mr. GARD. I do not object to the passing by Congress of laws affording wise discretion to the United States courts. I think the court should have abundant power to afford proper sentence, and I would in no way restrict their discretion. But what I am trying to get at is that this act is a double punishment and, in fact, punishes a man one time because he has committed the act, and you fine him and imprison him, and in the same breath you fine him and imprison him because he is poor and can not give a bond.

The bond required is not that the defendant do not repeat the act for which he was convicted but is a bond upon an order restraining him from any violation of this act. It would be impossible for any man, unless he be a rich malefactor, to give such bond.

Mr. FOSTER. As a matter of fact is not this what it does——

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. GARD. Mr. Chairman, inasmuch as the matter ought to be discussed, I ask that I have five additional minutes given to me for the purpose of answering questions.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. FOSTER. The question I wanted to ask was this, in view of the question propounded by the gentleman from Pennsylvania [Mr. BUTLER]: Instead of being a double penalty here, is not this what it is? When he is found guilty, the judge who finds him guilty, with all the facts before him, in his discretion may require him to give bond, and then if he fails to give bond he shall go to jail not exceeding six months. If that is the provision there are no two penalties imposed for the same offense. The judge in his discretion is to do this, and that may include consideration of the fact that he is poor and unable to give bond.

Mr. GARD. The gentleman does not read the first line in reference to the penalties proposed by this act.

Mr. FOSTER. Yes; I have read the first line.

Mr. GARD. He is first sent to jail, and under this bill he will get six months longer.

Mr. FOSTER. That is because he is liable to commit the offense again.

Mr. GARD. That is what I object to, giving such arbitrary discretion to any court.

Mr. FOSTER. The judge can consider the fact that the man is poor, and he therefore imposes imprisonment in lieu of a

bond. Last week the gentleman was against the imposition of a bond. Now the gentleman is against giving the court any discretion.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. GARD. Yes.

Mr. HUSTED. Is not the judge required to impose a penalty under section 30?

Mr. GARD. Yes.

Mr. HUSTED. Now, under section 31, in addition to the penalty he is compelled to impose under section 30, he has to impose these additional penalties, which may be 30 days' confinement in jail if he happens to be poor?

Mr. GARD. Yes. He imposes a fine of $5,000, and if the man is poor and can not give bond he must stay in jail in lieu thereof for a period not exceeding six months.

Mr. CURRIE of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Virginia. Mr. Chairman, will the gentleman yield to me?

Mr. GARD. I will yield first to the gentleman from Virginia.

Mr. MOORE of Virginia. I only wanted to point out to the gentleman from Ohio this fact, that the original conviction may carry a punishment of confinement for only one month.

Mr. GARD. Yes.

Mr. MOORE of Virginia. And when the judge comes to exercise his discretion, because of the man's failure to give bond, he may imprison him six times as long as the original sentence.

Mr. GARD. Yes. That is true.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. GARD. Yes.

Mr. WALSH. Does the gentleman think that anybody who will be punished under the provisions of section 30 has any rights that a court or anybody else is bound to respect?

Mr. GARD. Well, I am seeking to make this bill a proper bill so far as I can.

Mr. JEFFERIS. Mr. Chairman, will the gentleman yield?

Mr. GARD. Yes.

Mr. JEFFERIS. Would not this constitute a "cruel and unusual punishment," as defined by the Constitution, to permit people to be sentenced in that way in the discretion of the court?

Mr. GARD. It would be a most "unusual" punishment. Whether or not it would be "cruel" I would not undertake to say. But it is improper, at any rate, in that it penalizes a man not for doing an unlawful thing but for being poor.

Now, I will yield to the gentleman from Michigan [Mr. CURRIE], a member of the committee.

Mr. CURRIE of Michigan. The suggestion I wanted to make to the gentleman was this, that it may carry out the probationary idea; that the judge might desire to fine him a dollar or imprison him a single day. He puts him under bond that he will not violate the provisions of this title, or if he did——

Mr. GARD. There is no probation about it, because it provides that the court has to sentence him; that he may say on top of that, as the gentleman from Virginia [Mr. MOORE] well said, "I will sentence you to jail for 30 days, and require a bond for $5,000, and in default sentence you anew to imprisonment for six months."

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. RAKER. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more. I want to ask him a question.

The CHAIRMAN. The gentleman from California asks unanimous consent that the gentleman from Ohio [Mr. GARD] may proceed five minutes more. Is there objection?

Mr. VOLSTEAD. I object.

The CHAIRMAN. Objection is made. The gentleman from Minnesota is recognized.

Mr. VOLSTEAD. Mr. Chairman, this is rather a strange attitude for gentlemen to take. This provision is intended to give the court a chance to impose a light penalty. This bond can only be required at the time when sentence is imposed. It must be at that time, because after the man has been sentenced a court can not impose additional penalties; that is a familiar rule of law.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. No; I can not yield. In section 30, that contains most of the penalties, there are no minimum penalties for the first offense. If a man comes before the court for sentence for such an offense it can impose a fine of a dollar; if he did so the chances are that the man would go on and repeat the offense. But the court can say to him, "Here you pay a dollar and give this bond and go free; otherwise I will have to impose a heavier penalty." Instead of this being harsh and cruel treatment, as has been suggested, it enables the court to avoid anything harsh.

Mr. GOLDFOGLE. Mr. Chairman, will the gentleman yield for a question?

Mr. VOLSTEAD. Yes.

Mr. GOLDFOGLE. The gentleman said that the penalty, or rather the requirement of the bond, provided for in the section must be made at the time the sentence is imposed—the original sentence.

Mr. VOLSTEAD. Yes.

Mr. GOLDFOGLE. Now, may I call the attention of the gentleman from Minnesota, the chairman of the Committee on the Judiciary, to this: In the old case of Leidey against Benedict, as I recall, in the State of New York, the judge, after the sentence had been served and the man had undergone a long term of imprisonment, then sentenced him anew. It is true that in the action for false imprisonment the court held that the judge had no right to do that, but also held that the judicial cloak protected the judge from having done this very unlawful and improper act.

Mr. VOLSTEAD. Oh, I do not yield further. I did not yield to the gentleman for a speech but for a question.

Mr. GOLDFOGLE. I ask the gentleman, in view of that decision, does he still insist——

Mr. VOLSTEAD. I have only five minutes. The gentleman is making a speech in my time.

The CHAIRMAN. The gentleman declines to yield.

Mr. VOLSTEAD. I want the House to understand this provision. It is perfectly plain. It is not intended to have the effect that has been suggested. On the other hand, it will serve the opposite purpose. It will relieve the court from the necessity of imposing a heavy penalty.

Mr. BUTLER. Mr. Speaker, will the gentleman yield?

Mr. VOLSTEAD. I yield to the gentleman from Pennsylvania.

Mr. BUTLER. It would seem to me it would be a very good provision if, instead of the words "in addition to the penalties imposed by this act," it contained the words "instead of the penalties imposed by this act," so as to leave it in the discretion of the court either to send the man to jail or to put him under bond.

Mr. VOLSTEAD. In section 30, the section just preceding this, which covers most of the penalties for a first offense, there is no minimum penalty, and consequently the man might be fined a dollar and required to give a bond.

I move that all debate on this section and all amendments thereto be now closed.

Mr. SANDERS of Indiana. I move to amend the gentleman's motion by making it 10 minutes.

The CHAIRMAN. The gentleman from Indiana moves to amend the motion of the gentleman from Minnesota by making it 10 minutes. The question is on the amendment of the gentleman from Indiana.

The question being taken, on a division (demanded by Mr. SANDERS of Indiana) there were—ayes 58, noes 54.

Accordingly the amendment was agreed to.

The CHAIRMAN. The question is on the motion of the gentleman from Minnesota [Mr. VOLSTEAD] as amended.

The motion as amended was agreed to.

The CHAIRMAN. The gentleman from Indiana [Mr. SANDERS] is recognized for five minutes.

Mr. SANDERS of Indiana. Mr. Chairman, I am in favor of this motion to strike out this paragraph. I want this prohibition bill to be such a bill that a Member of this House who believes in prohibition, and at the same time believes in ordinary American justice, may in good faith vote for it. In the consideration of this bill many of the Members who believe in prohibition have been permitting sections to go by which contained provisions in which they did not believe, because they feared that their attitude might be construed as being opposed to drastic prohibition measures. I want to call the attention of this House to the fact that there is a difference between a drastic prohibition measure and a measure which does not safeguard the ordinary rights of an American citizen. Some sections which have already been adopted do not safeguard such rights. This provision reminds me somewhat of the Chinese Code, which contains this provision:

> Whoever is guilty of improper conduct and such as is contrary to the spirit of the law, though not a breach of any specific part of it, shall be punished with at least 40 blows, and when the impropriety is of a serious nature, with 80 blows.

I call the attention of the committee to the fact that this section is not limited to violations of the provisions of the former section, but it says:

> That in addition to the penalties imposed by this act for the violation of any of its provisions.

Think of it! In ordinary criminal jurisprudence the only time we require a defendant to give bond to prevent him from committing a crime is in the case where there is danger of a breach of the peace or something of that sort, and then only after trial; but in this case a man may be carrying some liquor in an automobile in violation of this law; he may be prosecuted and given the limit for that; his automobile may be taken from him and sold; he may be enjoined from further commission of crime under this act, and for some violations of that he may be tried and punished by a judge without a jury; and then, after that, in addition to the penalties therein provided, he may be sentenced under this section to imprisonment for the period of six months. And what is that based upon? Gentlemen, it is based upon this and nothing else: A is haled before the bar of justice, and the judge says, "I think you are going to continue to violate this law." B is haled into court under the same circumstances. A says, "Your honor, I can not give bond." B says, "I can give bond." A is sent to jail for six months, and B gives bond and goes free; not because A is guilty and B is not, but because, both being guilty, A can not give the bond that B can.

Mr. FOSTER. Will the gentleman yield for a question?

Mr. SANDERS of Indiana. No; I can not. The provision says:

And if said bond shall not be given, the defendant may be committed to jail until it is given or until he is discharged by the court.

Now, if A and B are both sent to jail, and A's friends get together and get him a bond, he is out in a week; but B, not having the standing to secure a bond, he must go on and serve six months in jail. Why? Not because the offense is different in the case of A and B, but because B is not able to get the bond.

Gentlemen, I think when provisions of the law do not give equal justice to the citizens of this Republic, notwithstanding any criticism that may be launched at us, notwithstanding any false claim that may be made that we are not in favor of drastic prohibition laws, we ought to stand up and oppose those unjust provisions [applause], not because we are opposing drastic prohibition, but because this Congress ought to stand for the liberties of the American people—not the liberty to get drunk, because I do not believe in it. I believe in punishing and preventing drunkenness; but this Congress ought to stand up for the ordinary right of the citizen to be tried before a jury, if it is a jury case, or in any event to have a trial and to have equal punishment, irrespective of poverty, meted out to those who are equally guilty. [Applause.]

Several Members addressed the Chair.

The CHAIRMAN. The gentleman from Missouri [Mr. DYER] was on his feet first, and the Chair recognizes him.

Mr. RAKER. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RAKER. Under the rule——

Mr. DYER. Mr. Chairman, I have the floor, and I refuse to yield.

The CHAIRMAN. The gentleman from California will state his parliamentary inquiry.

Mr. RAKER. Under the rules and under the practice the Chair always recognizes the members of the committee, and I think properly so. Now, the only way a Member can get recognition here is by moving for time beyond that which is limited when debate is closed.

Mr. DYER. I make the point of order that that is not a parliamentary inquiry.

The CHAIRMAN. The Chair sustains the point of order on the parliamentary inquiry. The gentleman from Missouri [Mr. DYER] is recognized.

Mr. DYER. Mr. Chairman, if it is agreeable, and there is no objection, I want to yield a part of my five minutes to two gentlemen who have asked to be heard.

The CHAIRMAN. Is there objection to the gentleman from Missouri yielding a part of his five minutes?

Mr. KEARNS. Mr. Chairman, is the time limited to five minutes?

The CHAIRMAN. The time is limited to 10 minutes, and 5 minutes have been occupied.

Mr. DYER. It has been limited, and I will yield a part of my five minutes to two gentlemen.

Mr. RAKER. Reserving the right to object, there can not be any yielding of a part of the five minutes unless I am given two and a half minutes.

The CHAIRMAN. The gentleman from California objects.

Mr. DYER. Mr. Chairman, I desire to speak in favor of the retention of this section. It is very important if we enact a law to enact one that will be effective. We are going to have our greatest difficulty when national prohibition becomes a law to prevent the commission of offenses under it. One of these crimes that we want to stop, if we are truly and sincerely in favor of making it effective, is bootlegging.

Mr. RAKER. Will the gentleman yield?

Mr. DYER. No; I will not. This section has for its purpose, and its only purpose, the punishment of those who violate the law in selling and manufacturing intoxicating liquors. That is bootlegginng; that is what is going on now in many of the so-called prohibition dry States. We do not want that in the States now which are in favor of liberalizing with reference to intoxicating drinks.

We in our State and in our city are going out of the wet business in good faith. [Applause.] We propose to see that the law is not violated in our State or in our city, as it has been all through the dry States for years. Bootlegging, the illicit manufacture and sale of the worst kind of whisky, is what is causing all the trouble. It is not light drinks, it is not beer, it is not wine, that is doing the harm; the harm in the dry States is the manufacture and retail of moonshine and the like, and the disposal of it illegally wherever they can sell it. Those engaged in that business deserve to be punished, and in order to stop it while the court proceedings are going on they should give bond, and in every way should give ample security that they will not defy the law.

If people want prohibition as strongly as claimed, let us have it in good faith and in spirit and in letter.

Personally I do not believe that they want prohibition, but we have voted for it in the legal manner. Under the Constitution we are to have prohibition, and whether right or wrong, Mr. Chairman, it is the law of the land, and we intend if we can in this Congress and in this country to see that laws are enacted that will prevent its violation.

I am, as everybody in this House knows, opposed to prohibition, but I am here to work as best I can to enact a law that will make it possible to enforce the law enacted under this prohibition amendment to the Constitution.

I feel that it is our bounden duty to stand by this provision. I do not want to see men prosecuted, but unless they are willing to obey this law in every respect they deserve to be punished.

Mr. VARE. Will the gentleman yield?

Mr. DYER. Yes.

Mr. VARE. Does not the gentleman feel that this law means one sort of punishment for the rich and another for the poor? Here you have two men before the bar, one is wealthy and the other poor, one is able to give a bond and the other is not able to give a bond.

Mr. DYER. No bond is required for a man who will obey the law. [Laughter.]

The CHAIRMAN. The time of the gentleman from Missouri has expired and all time has expired.

Mr. CURRIE of Michigan. Mr. Chairman, I have a perfecting amendment.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Page 28, line 18, strike out the word "security" and insert in lieu thereof the word "surety."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now recurs on the motion of the gentleman from Ohio to strike out the section.

The question was taken; and on a division (demanded by Mr. GARD) there were 73 ayes and 67 noes.

Mr. VOLSTEAD. I demand tellers, Mr. Chairman.

Tellers were ordered, and the Chair appointed as tellers Mr. VOLSTEAD and Mr. GARD.

The committee again divided; and the tellers reported that there were 83 ayes and 66 noes.

So the amendment was agreed to.

The Clerk read as follows:

SEC. 34. That in any affidavit, information, or indictment for the violation of this act, separate offenses may be united in separate counts and the defendant may be tried on all at one trial and the penalty for all offenses may be imposed. It shall not be necessary in any affidavit, information, or indictment to give the name of the purchaser or to include any defensive negative averments, but it shall be sufficient to state that the act complained of was then and there prohibited and unlawful.

Mr. GARD. Mr. Chairman, I desire to offer some amendments to section 34.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 29, line 25, after the word "trial," insert the words "unless he demands a severance."

Mr. GARD. Mr. Chairman, this section 34 provides for a new form of pleading in this class of cases which does not exist in any other sort of a case in any criminal statute of the United

States. It provides that separate offenses may be united in separate counts, and the defendant may be tried on all at one time.

It affords him no opportunity to demand a severance, no opportunity to have a separate trial upon any one charge, and it provides for a cumulative punishment. In other words, you try him for three different charges in one affidavit of information or indictment and find him guilty of all of them, and instead of imposing a punishment for one you impose a punishment for three. This particular section also provides that in this pleading, and it is a legal pleading, it shall not be necessary in the indictment to give the name of the purchaser or to include any defensive negative averments, but it shall be sufficient to state that the act complained of was then and there prohibited and unlawful, so that what we are endeavoring to do now is to so amend the criminal indictment procedure of the United States to say something like this:

United States of America.

A certain person represents and says that he complains against John Jones and says that a particular act was then and there prohibited and unlawful—

Without regard to the time, without regard to what it was, the particular nature of the charge, or anything which the Anglo-Saxon people have been proud to believe guaranteed their right against illegal persecution. In other words, we have heretofore said that no man shall be put upon trial for his liberty unless he be advised of the charge against him. That is a constitutional provision, at least it was until this particular act comes along, and now we attempt to say that instead of advising a man of what his offense is, it shall be sufficient to say that the act complained of was then and there unlawful and that these may be cumulative, you may add them together and pile them up on him, and not permit him to ask for a severance, or to require the prosecuting attorney to elect upon which of the charges he will proceed, or any of the things which we have so carefully safeguarded to every defendant down through the centuries since the English-speaking people have written law.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. VOLSTEAD. Mr. Chairman, I am surprised at the gentleman. He apparently has discovered something brand new. The fact of the matter is, the very thing he objects to is in the United States statutes to-day. It is a provision that has been in our statutes for many years. It is the constant practice in the United States courts to charge persons with different offenses in various counts contained in one indictment and cumulative punishments are imposed. As far as that feature of the bill is concerned there is nothing new in it at all. So far as this other matter is concerned, I may say that you need not always allege negative, defensive matters, it is a general rule in criminal pleading that you must, and it is often difficult to determine when it is necessary and when not. Take my own State, for instance. We allege sale without a license. It is not necessary to prove that the offender did not have a license. If he sees fit to raise the question, he must produce that proof himself. That is a common rule in practically every State in reference to this same class of statutes. It is applying to the pleading the common-law rule as to proof. If it is not necessary to make proof, why should we make negative averment in the indictment? There is nothing revolutionary in this. Not even new.

Mr. BEE. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. BEE. Do I understand the gentleman to assert that you may take under one indictment and set out in a separate count five or six separate and distinct offenses?

Mr. VOLSTEAD. Misdemeanors.

Mr. BEE. Misdemeanor offenses, and convict a man of all the separate offenses in one indictment?

Mr. VOLSTEAD. Yes.

Mr. BEE. And accumulate a punishment upon him?

Mr. VOLSTEAD. Yes; under our Federal statutes.

Mr. GARD. Where does the gentleman say it only applies to misdemeanors? It applies to any affidavit, information, or indictment.

Mr. VOLSTEAD. I am just told a man may be tried under existing laws for more than one felony in the same indictment.

Mr. BEE. That may be in the State of Kansas.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. McKENZIE. Is it not a fact that in all of the States where they have laws against the illegal sale of liquor, where a man has sold to perhaps 2 or 3 or 5 or 10 or 20 different people, all of those charges can be combined in one action?

Mr. VOLSTEAD. Certainly. You do not, as a rule, have to allege the name of the party to whom you sell nor specify each sale.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. BOIES. Mr. Chairman, I move to strike out the last word. I do not believe, Mr. Chairman and gentlemen, that it is possible for any man upon the floor of this House to camouflage his position upon this bill. He may ambush, but he can not camouflage. Now, with reference to the claim of the eminent attorney from Ohio that this section provides, in effect, that no time as to the commission of the offense is required to be stated in the information or indictment drafted under this law, the section itself deals with an affidavit, information, or indictment. A document that did not give the date or did not give the time and the place of the commission of the offense would not be an indictment, information, or an affidavit in a criminal proceeding, because the court would not know whether it had jurisdiction or not. So that every affidavit and every information and every indictment would be required to state under this law when and where the offense was committed in the first part of the instrument. It is well known, I think, by attorneys generally that in the enforcement of the liquor laws any number of offenses may be pleaded in one indictment, but in separate counts. If John Smith has sold whisky to 15 different men in one afternoon, why should this man, whom the gentleman undertakes to protect, have the privilege of casting upon the State or the United States the burden of trying him 15 times?

Mr. BEE. Will the gentleman yield for a question?

Mr. BOIES. Not now. Now, if he is charged 15 times the Government must prove him guilty beyond a reasonable doubt upon each count. It is in the discretion of the jury to say whether the Government has furnished sufficient testimony to satisfy the law on all the counts or not.

Mr. RAKER. Right there, will the gentleman yield for a question?

Mr. BOIES. Not now. The gentleman says it would prejudice the man. It would not prejudice the defendant unless the jury were satisfied that he was guilty under every count that they have introduced testimony upon. That is to say, if there were counts alleged which the jury did not believe had been sustained, beyond a reasonable doubt, they would not convict, and the defendant would not be prejudiced thereby. If he had violated the law in more than one particular he has prejudiced himself and should not be protected.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VOLSTEAD. Mr. Chairman, I move that all debate on this section and all amendments thereto now close.

Mr. CRAGO. Mr. Chairman, I move to amend that by making it five minutes.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment that debate close in five minutes.

The question was taken, and the amendment to the motion was agreed to.

The question was taken, and the motion of Mr. VOLSTEAD as amended was agreed to.

Mr. CRAGO. Mr. Chairman, I may be old-fashioned and out of touch with the prevailing sentiment of this country when I express the belief that if we enact into law the present bill we are considering we are breeding a discontent and disrespect for law in this country beyond anything we have ever witnessed before, and I will say to you frankly I hope I may be mistaken in that belief. I sincerely hope I may be mistaken in it.

Realizing the fact that, in accordance with the manner provided by the Constitution, our country has adopted a constitutional amendment "prohibiting the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof, for beverage purposes," and realizing that some legislation may be necessary in order to give this amendment force and effect, I had hoped that the Judiciary Committee in their wisdom might bring to us an enforcement bill which all right-minded persons, not blinded by prejudice nor awed by the political power of the Anti-Saloon League, might support. In this hope I have been disappointed, and the discussion of the bill presented has developed enough to show us that no self-respecting person holding my views, interested only in seeing justice done and the real spirit of the constitutional amendment enforced, can support the measure now under consideration.

Only a blind follower of those who look on the proper use of any intoxicants by others than themselves as a crime can honestly support such a measure as we have before us at this time.

Many influences, some of them absolutely honest, have brought about the possibility of this constitutional amendment, but if anyone believes the American people will sanction such a carnival of inquisition as this bill proposes and would inevitably bring about, he is, in my opinion, very much mistaken.

The abolition of the use of intoxicants is a matter of education and proper and sane laws enforcing the constitutional amendment would, in my opinion, make it easy for the next generation to adapt itself to a diminished use of alcoholic drinks; yet, on the other hand, a law such as we have before us will inevitably breed resentment and fail to accomplish the very purpose which the vast majority of our people had in mind when they advocated and made possible the adoption of the constitutional amendment.

It had not been my intention to say anything during the consideration of this bill, but lest my motives in opposing the bill should be misunderstood I want to say here and now that I can not in good conscience vote for a bill which is little better than, and is a strong reminder of, the witch and heretic legislation of our early New England Colonies, and it is my opinion that the descendants of men who now blindly bow to the decree "support this or run the risk of the displeasure of the Anti-Saloon League" will wonder how their ancestors could have been so narrow and so weak as to attempt to fasten on a free people the left-over legal specimens of an almost forgotten and entirely discredited period in our history.

So far as the legal verbiage of the bill is concerned, it would do discredit to a beginner in the study of the subject of law. As it is presented before us for consideration it shows how arbitrary men can be when obsessed with the fanatical desire to enforce their own narrow wishes and prejudices and placate a power in politics which they fear.

It is no longer an answer to anyone who opposes legislation of this kind to say, "You are dominated by the liquor interests." There are but few such interests to-day, and the much overestimated power of the so-called liquor interests in politics is to-day and, in my opinion, will for all time be a negligible force in our politics. But, regardless of where we may be classed, some of us can not see our way clear to join the procession of those who are always willing to be led by whatever fanaticism is uppermost in people's minds.

Some of the most apparent defects of the bill are the following:

First. It refuses the right of trial by jury guaranteed by the constitutions of the several States and the United States.

Second. It disregards property rights in attempting to fasten liens on property regardless of the manner provided by the laws of the several States and before judgment has been obtained.

Third. It extends the powers of the judiciary beyond anything ever attempted since the shameful days of Chief Justice Jeffreys in England.

Fourth. It sanctions the violation of the sacredness and sanctity of our homes and places our citizens at the mercy of any unscrupulous officer of the law or jealous neighbor, who for spite can invade any home without any reason and for any unlawful purpose.

Fifth. It makes crimes of the ordinary harmless housekeeping acts of nearly every family in our country.

These are only a few of the indictments I present against this measure. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr. Chairman, can we have the amendment again reported?

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again read.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. GARD. Division, Mr. Chairman.

The committee divided; and there were—ayes 56, noes 68.

So the amendment was rejected.

Mr. DEMPSEY and Mr. IGOE rose.

The CHAIRMAN. The gentleman from Missouri [Mr. IGOE], a member of the committee, offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. IGOE: Page 30, at the end of line 15, insert: "In any prosecution under this title for the unlawful manufacture, sale, transportation, importation, exportation, receipt, giving away, furnishing, possession, purchase, or use of liquor it shall be a complete defense, notwithstanding the definition of intoxicating liquor in section 1 of this title, if the defendant shall prove to the court, or to the jury in case of jury trial, that the liquor was not intoxicating in fact."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. VOLSTEAD. I raise the point of order that it is not germane to this section.

The CHAIRMAN. The gentleman from Minnesota makes the point of order that the amendment is not germane to the section. The Chair will hear the gentleman.

Mr. IGOE. All I have to say, Mr. Chairman, is that this section relates to the trial of offenses under this act, and that is all the amendment does.

Mr. VOLSTEAD. It does not deal with that matter. It deals with indictment and trial. There is nothing as to the evidence in here.

Mr. IGOE. This act does not deal with evidence to convict anybody.

The CHAIRMAN. The Chair is inclined to think the amendment is germane and overrules the point of order. The question is on the amendment of the gentleman from Missouri.

The question was taken; and the Chair announced that the noes seemed to have it.

On a division (demanded by Mr. IGOE) there were—ayes 36, noes 78.

So the amendment was rejected.

Mr. DEMPSEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

Mr. GARD. Mr. Chairman, I desire to offer an amendment, but I will be very glad to yield to the gentleman.

The Clerk will report the amendment of the gentleman from New York [Mr. DEMPSEY].

The Clerk read as follows:

Amendment by Mr. DEMPSEY: Page 30, line 5, after the word "unlawful," strike out the period and insert a comma, and then insert "but this provision shall not be construed to preclude the trial court from directing the furnishing to the defendant a bill of particulars when he deems it proper to so so."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. DEMPSEY].

The amendment was agreed to.

Mr. GARD. Mr. Chairman, in the interest of orderly procedure, I move to strike out, after the word "trial," the words "and the penalty for all offenses may be imposed."

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. GARD: Page 29, line 25, strike out, after the word "trial," the words "and the penalty for all offenses may be imposed."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. GARD. Mr. Chairman, I also move to strike out, beginning on line 1, page 30, and commencing with the word "it," all the remaining language in the section.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 30, line 1, after the word "imposed," strike out the remainder of the paragraph.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 35. That after 10 days after the date when this act has become operative the possession of liquors by any person not legally permitted under this title to possess liquor shall be prima facie evidence that such liquor is kept for the purpose of being sold, bartered, exchanged, given away, furnished, or otherwise disposed of in violation of the provisions of this title. Every person legally permitted under this title to have liquor shall report to the commissioner within 10 days after the passage of this act the kind and amount of intoxicating liquors in his possession. But it shall not be unlawful to possess liquors in one's private dwelling while the same is occupied and used by him only as his dwelling and such liquor need not be reported: *Provided*, The burden of proof shall be upon the possessor to prove that the liquor was lawfully acquired and possessed.

Mr. RAKER, Mr. RUBEY, Mr. WELTY, Mr. WALSH, and Mr. STEELE rose.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. STEELE] is recognized.

Mr. STEELE. Mr. Chairman, I offer an amendment.

Mr. VOLSTEAD. Mr. Chairman——

The CHAIRMAN. The gentleman from Minnesota [Mr. VOLSTEAD] was not on his feet, and the Chair recognized the gentleman from Pennsylvania [Mr. STEELE].

Mr. STEELE. I yield temporarily to the gentleman from Minnesota.

Mr. VOLSTEAD. Mr. Chairman, on line 6, page 30, strike out "10 days after the date when this," and on line 7 the word

"act has become operative," and insert in place of it "February 1, 1920."

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. VOLSTEAD: Page 30, line 6, strike out the words "10 days after the date when this act has become operative" and insert in lieu thereof the words "February 1, 1920."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. VOLSTEAD. Mr. Chairman, in line 14, page 30, strike out the words "the passage of this act" and insert in place of them "January 16, 1920."

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. VOLSTEAD: Page 30, line 14, strike out the words "the passage of this act" and insert in lieu thereof the words "January 16, 1920."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. STEELE. Mr. Chairman, may I ask that my amendment be reported?

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 30, line 18, strike out the colon and the word *"Provided,"* also lines 19 and 20, and insert the following: "nor shall the penalties provided in this bill against manufacturing liquor without a permit apply to a person for manufacturing nonintoxicating cider or fruit juices in his home for consumption by himself and his family, but such liquor, cider, and juices shall only be used for the personal consumption of the owner thereof and his family residing in such dwelling and of his bona fide personal guests when entertained by him therein, and the burden of proof shall be upon the possessor to prove that such liquor was lawfully acquired, possessed, and used."

Mr. WALSH. Mr. Chairman, I reserve a point of order on the amendment.

Mr. BLANTON. I make the point of order, Mr. Chairman. [Laughter.]

Mr. WALSH. I withdraw my reservation.

The CHAIRMAN. What is the point of order?

Mr. BLANTON. It is not germane to the legislation; that the legislation merely seeks to extend the constitutional provision, this legislation being merely to carry out the provisions of the Constitution, and this seeks to extend it.

Mr. STEELE. Mr. Chairman, may I call the attention of the chairman on that point of order to the fact that the purpose of this amendment is to carry out the constitutional provision?

The CHAIRMAN. The Chair will call the attention of the gentleman from Pennsylvania to the fact that there is nothing in the bill that he can find that refers to the manufacture of nonintoxicating cider or fruit juices.

Mr. STEELE. I will call the Chair's attention in that respect to section 1 of the bill, which, after defining the word "liquor" and the phrase "intoxicating liquor," proceeds, "and in addition thereto any spirituous, vinous, malt, or fermented liquor, liquids, and compounds."

The CHAIRMAN. That has reference to war-time prohibition.

Mr. STEELE. No. That is in reference to constitutional prohibition. You will find it on page 7.

Now, what this has reference to is liquor of that character. Cider has been judicially determined to be in the nature of vinous liquor, and the liquor referred to in this amendment has particular reference to fruit juices. That is the purpose of this bill, and it is directly to carry out the constitutional provisions with reference to nonintoxicating liquor. It restricts these manufactured products to nonintoxicating, but so far as the products are concerned they are all of a vinous or malt character, such as those mentioned in section 1 of this act. This very section here refers to the possession of liquor defined in section 1. It is not only germane to the bill but it is germane to this particular section. I wish to say to the Chair for a moment, too, that this matter has been a matter of serious discussion, so far as I myself am concerned, with the chairman of the Committee on the Judiciary. I do not think the chairman has any serious objection to the amendment as drawn. May I call the attention of the chairman [Mr. VOLSTEAD] to this point?

Mr. BLANTON. Mr. Chairman, that is out of order. The chairman is merely one Member here, although he is in charge of the bill.

The CHAIRMAN. Objection is heard. The Chair has examined the first section of Title II, and the beverages described in the gentleman's amendment are not referred to in that section. It only refers to certain liquors, and it specifies the per cent of alcohol by volume which those beverages may contain. The amendment offered by the gentleman from Pennsylvania specifically refers to nonintoxicating cider and fruit juices not described anywhere in Title II of the bill, and the point of order is therefore sustained.

Mr. RAKER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. RAKER offers the following amendment: Page 30, line 15, after the word "possession," strike out the remainder of the line and all of lines 16, 17, and 18, down to and including the word "reported."

Mr. RUBEY. Mr. Chairman, I rise to state that I have an amendment which affects the lines which the gentleman from California [Mr. RAKER] desires to strike out. I would like to offer my amendment before his amendment is put.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Missouri.

The Clerk read as follows:

Mr. RUBEY moves to amend, on page 30, line 18, after the word "reported," by inserting the words "unless the liquor possessed exceeds in value the sum of $50, in which event such liquor shall be reported."

Mr. RAKER. I will be permitted to speak on my motion to strike out after the gentleman has concluded on his amendment?

The CHAIRMAN. Yes.

Mr. RUBEY. Mr. Chairman, I desire to say that I am in favor of this bill. I do not find any fault with the fact that the bill is stringent in its regulations. You can not pass a law to regulate the liquor traffic and successfully enforce it and regulate that traffic unless you have a law that has got teeth in it. I am in favor of this bill and have supported every proposition to make it even more stringent.

Now, I desire to call the attention of the committee to lines 15, 16, 17, and 18:

But it shall not be unlawful to possess liquors in one's private dwelling while the same is occupied and used by him only as his dwelling, and such liquor need not be reported.

My amendment applies to the last part of that provision; it does not interfere with any person keeping or having liquor, rightfully acquired, in his home, but it does require that that liquor when it exceeds in value the sum of $50 shall be reported. Objection has been made to the fact that under this bill the wealthy men of this country, the men of means, have been able to store up in their wine cellars immense stores of liquor. Now, I propose that if the amount stored up in any of those wine cellars exceeds in value $50 it shall be reported. I believe in turning the sunlight of publicity on the stores of liquor that are put away all over this country. [Applause.] My amendment does not interfere with the ordinary man, the laboring man or the poor man, who may desire to put away a few bottles of liquor for his own use and for family use in the years to come. It does not prevent men of means having larger quantities, but it does provide that large stores of liquor shall be reported. All that I want is that large quantities of liquor shall be reported and be made a matter of record, and under the next section, if you will read it, you will find that record is open to the public and the people of the country will know who has it.

Mr. BANKHEAD. Will the gentleman yield?

Mr. RUBEY. I yield to the gentleman from Alabama.

Mr. BANKHEAD. As I understand it this report is to be made to the Commissioner of Internal Revenue.

Mr. RUBEY. Yes.

Mr. BANKHEAD. That would be a secret document, so to speak, filed down here in the Treasury Department. I wish to know what real benefit from the temperance standpoint would be accomplished by the gentleman's amendment?

Mr. RUBEY. If the gentleman will read the next section he will find out that this record of stocks of liquor reported is open to the public; and not only that, but it provides that if you wish you may secure a certified copy of that record and use it in any way you see fit.

Mr. BANKHEAD. That is just it. To what good use could you put your information?

Mr. RUBEY. Does not the gentleman believe it would be a good thing to give publicity to those people who have gotten together great quantities of liquor and have stored them away?

Mr. SABATH. Will the gentleman yield?

Mr. RUBEY. I yield to the gentleman from Chicago.

Mr. SABATH. Does not the gentleman fear that the publicity so given to these various stocks of good liquor which have been put away will have a tendency to increase the number of burglaries and cause the liquor to be stolen?

Mr. RUBEY. I do not care how soon it is stolen. The sooner it is gotten rid of the better.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUBEY. I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed for three minutes. Is there objection?

Mr. GRAHAM of Pennsylvania. I object.

Mr. LAZARO. Mr. Chairman, I move to strike out the last word. This bill to enforce national prohibition is entirely too drastic, and should be amended before it is finally enacted into law. All law-abiding citizens want to see the prohibition law enforced, but they do not want a measure so drastic that it would cause a law-abiding man to go to jail because he had a bottle of whisky in his home for use in case of sickness or because his wife happened to make some wine or cordial which contained one-half of 1 per cent of alcohol on the ground that it was an intoxicant.

The country, through its State legislatures, under its Constitution, ratified the national prohibition amendment, which is to go into effect on the 16th of January, 1920. Now, let us be sensible and practical and enact a law to enforce this prohibition amendment which will command the respect and obedience of the American people. I do not think we should be led astray by a few radical men who would enact a law that would cause our best people to lose all respect for their government. Gentlemen of the House, we should pause and think when men like Judge MOON, of Tennessee, and BEN HUMPHREYS, of Mississippi, old Members of this House and men of high character and ability, and who have always voted for prohibition, tell us positively that they will not support this bill unless it is amended.

It seems to me that the strong advocates of prohibition should understand that while a law that would be too lax would be of little good one that is cruel and unjust will do less good, for it will make the very cause they are advocating unpopular. Conservative and fair laws alone are worthy of a great and broad-minded and patriotic people. Is it possible that we can not reason with gentlemen on this floor and amend this bill by eliminating the unreasonable and unjust features that it contains and pass a sensible and effective statute that will be a credit to our sense of justice and right and not an evidence of fanaticism.

I believe that the time is coming when amendments to the Federal Constitution will be submitted to the States for ratification by the direct vote of the people. But I do not wish to discuss that at this time. My object in addressing you to-day is to appeal to the membership of this House to come to their senses and do what the American people want them to do—pass a sensible, practical, and effective law that will punish the offenders of the prohibition law and not destroy the liberty of the law-abiding citizens of the United States. [Applause.]

Mr. RAKER. Mr. Chairman and gentlemen of the committee, the motion of the gentleman from Missouri [Mr. RUBEY] strikes at the very amendment that I offered—to strike out the whole provision which authorizes a man to keep any quantity of liquor in his home without making a declaration as to the amount. The gentleman's [Mr. RUBEY] amendment allows him to retain $50 worth, but all above and beyond that he must declare. The $50 is inconsequential and infinitesimal, because under present prices $50 worth might mean a few gallons.

The very object and purpose of this legislation is to make the law effective. I am in favor of proper legislation to enforce this constitutional amendment. There are a number of provisions of this bill that are a little unreasonable and that ought to be stricken out, but as a matter of fact we should not therefore defeat the entire legislation.

Mr. IGOE. Will the gentleman yield?

Mr. RAKER. I can not yield for a moment. We should not defeat this entire bill because of those provisions, because we believe they will be corrected in the Senate; but I want to call the attention of the committee to the fact that this provision breaks down the very purpose and object of your legislation. Before this law became effective a man with a large amount of money could take five or six thousand dollars and fill his cellar full of liquor. A man just as much entitled to it, with just the same rights as an American citizen, working by the day, could not afford to expend more than $5.

Now, you propose to provide that a man, because he has a large amount of money, may lay away a supply, for what purpose? For the purpose of doing the very thing that you say should be prohibited to everybody in this land. We have enacted a constitutional amendment, and now we are trying to pass a law to carry out that amendment. By this provision you make a place for a man to violate the law in secrecy. Why do you not compel him to make a declaration and show the amount of liquor that he has, so that the officers may know where the speakeasy is, so that the officers may know that the man is taking his friends, Jones and Smith and Brown, to the place where he has his private stock of liquor, to give them liquor in violation of the law, simply because he had money enough to enable him to establish a saloon? That is all there is to it. You can not make it anything else, no difference if you call it a dwelling house. An American citizen intent on upholding and supporting the law will not place in his cellar a large quantity of liquor in violation of this law, and if he does it he does it for some evil purpose. There is no question on earth about that. Now, why make it possible for a man to violate the law with impunity and without giving the officers an opportunity to know it. If his declaration is filed and it shows that he has 100 gallons of whisky, or if he has a barrel of wine, when the officers see certain individuals wending their way to this man's place of residence they will know they are going there to get something to drink, and that he is giving it to them.

Mr. RUBEY. The gentleman is making a fine argument for my amendment. Will he support it?

Mr. RAKER. I am going to support the proposition to strike out this section. No man should have a privilege above anybody else simply because he has a large amount of money, to enable him to run a saloon against the law and because he can hide a stock of liquor in advance. Now, you say you do not want that man to make a declaration as to the amount of whisky or beer or wine that he may have on hand. He should be required to declare the truth. Then let the law take its course. Treat all alike.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Michigan. Mr. Chairman and gentlemen, I move to strike out the last word. I think we lose sight of one important fact, and that is that this is a bill to enforce prohibition and not a bill to regulate the liquor traffic. I call attention to the joint resolution proposing the amendment, the ratification thereof, and the proclamation of the Secretary of State:

Joint resolution proposing an amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution:

"ARTICLE —.

"SECTION 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

"SEC. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

And, further, that it appears from official documents on file in this department that the amendment to the Constitution of the United States proposed as aforesaid has been ratified by the Legislatures of the States of Alabama, Arizona, California, Colorado, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Montana, Nebraska, New Hampshire, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, South Carolina, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

And, further, that the States whose legislatures have so ratified the said proposed amendment constitute three-fourths of the whole number of States in the United States.

Now, therefore, be it known that I, Frank L. Polk, Acting Secretary of State of the United States, by virtue and in pursuance of section 205 of the Revised Statutes of the United States, do hereby certify that the amendment aforesaid has become valid to all intents and purposes as a part of the Constitution of the United States.

In testimony whereof I have hereunto set my hand and caused the seal of the Department of State to be affixed.

Done at the city of Washington this 29th day of January, A. D. 1919.

[SEAL.] FRANK L. POLK,
Acting Secretary of State.

Now, if a person lives up to the purpose of the bill and does not undertake to violate its provisions by furnishing, selling, or giving away intoxicating liquors or dealing in them in any way, he is complying with the wishes of the American people as expressed in this constitutional amendment. They have asked for prohibition. They have not asked us to regulate the traffic in intoxicating liquor by manufacturing, selling, or transporting it in any way.

We are told by eminent physicians that it is not necessary for the public health and welfare of humanity to use intoxicating liquor. But I took the floor more particularly for another purpose; that is, in relation to the quantity of alcohol some are asking to get into beer or light wine as a beverage. Lager beer frequently contains less than 2¾ per cent alcohol. That is prohibitive. Another thing: A good deal is said here about labor wanting a provision in the bill so they can use beer and

light wine. There is only a very small percentage of the people of the United States who are not laboring people; and the fact that three-fourths, and more, of the States of the Union have declared for prohibition by a referendum vote, including the laboring people, shows that the laboring people themselves are in favor of prohibition. [Applause.]

I want to say one thing further, as chairman of the Labor Committee: I do not think I have had a single petition from a labor organization in favor of 2¾ per cent beer or light wine, but I have received many protests from other organizations—civic societies, manufacturers, professional and business men—against the manufacture, sale, and use of beer and wine. Manufacturers and business men hate to see their men intoxicated. There is not a man of you who would not consider it a calamity to see one of his own family addicted to the use of intoxicating liquor.

Intoxicating liquor has no place in the make-up of the manhood of the country. I do not believe it serves any legitimate or good purpose in the complexion or make-up of our Republic. I think we will be a better Republic, that we will be better men and women, and that our children will grow up to be better men and women if we are temperate and do not use intoxicating liquors. Women are opposed to the use of liquor as a beverage. Good morals are opposed to it, and for these reasons I shall vote for the bill. [Applause.]

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Missouri [Mr. RUBEY].

Mr. VOLSTEAD. Mr. Chairman——

The CHAIRMAN. All time has expired on this amendment.

Mr. VOLSTEAD. I move to strike out the last word. This particular part of the section has given friends of prohibition a good deal of concern. Much of the abuse which this bill has received has grown out of what they consider a too strict limitation as to liquors now in the possession of various persons throughout the country. I have consulted with a great many in regard to this matter. The committee came to the conclusion, as I did, that for the time being we had better leave this provision in. If we find that it works badly I think within a reasonable time we can cut it out. I believe the friends of prohibition had better not give aid to those who are bitterly opposed to this bill by striking it out. To do so will help stir up feeling.

I realize that there is objection to this provision, and if I felt that the country would sustain it, if I felt that it would not do any harm to prohibition, I would gladly vote to strike it out. But in view of the situation I shall vote to have it remain in the bill as it is written and add a clause limiting use of this liquor so as to confine it to the home.

Mr. FESS. Will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. FESS. This section does not go further than the eighteenth amendment, does it?

Mr. VOLSTEAD. No; I do not think it conflicts with that amendment. The question has been raised whether we can destroy liquor kept in the home without being used unlawfully.

Mr. FESS. Under the spirit of the eighteenth amendment the objection that is made would not be valid, because, under the eighteenth amendment, it will be unlawful to keep intoxicating liquor in the home, but would not be if it is not intoxicating.

Mr. VOLSTEAD. The object of the eighteenth amendment is, no doubt, to prohibit the use of liquor, but there is no express provision against keeping it or drinking it. Consequently I do not think we are violating the amendment by allowing this provision to stay in the bill.

Mr. FESS. In other words, the objection made to the section is an objection made to the eighteenth amendment.

Mr. MANN was recognized. [Applause.]

Mr. MANN. Mr. Chairman, I understood the learned gentleman from Ohio, Dr. FESS, just now to say that under the eighteenth amendment it would of course be unlawful to keep in one's home intoxicating liquors, but not if it was not intoxicating. Is that the statement?

Mr. FESS. I think the gentleman did not make the statement as I made it. Liquors may be kept in the home but not for beverage uses.

Mr. MANN. The gentleman did not say anything about "beverage uses," but I am very glad that he makes that correction. I wondered when I heard the distinguished gentleman from Ohio make the suggestion—I wondered if the House had gone so far that one of its most learned Members was legislating upon a very important subject without having read the constitutional amendment and remembering what was in it. [Applause.]

It is perfectly clear that Congress in the constitutional amendment has power to prevent the manufacture, sale, or transportation of intoxicating liquor, and it is quite possible that the courts in construing what constitute intoxicating liquors may pay some attention to the expression of opinion of Congress, but we should not forget that if under the constitutional amendment we are able to do away with the manufacture of intoxicating liquors, that of itself is a wonderful thing, and perhaps may end, to a large extent at least, the use of that character of stimulant. But here is a section undertaking to say what a man shall do about a bottle of beer, defined to be intoxicating under this bill, which may happen to be in his house or in his barn. The bill would undertake to say that if it is in his house he may leave it there, but if it be in his barn he must report it, drink it, or pour it out.

After all, gentlemen, this House is legislating upon a great subject. We went a long way during the war in sending Government inspectors into private offices and private houses, with a feeling very bitter on the part of many people who were not German sympathizers that we were going far beyond our rights. If we can prevent the manufacture and sale and transportation of intoxicating liquor the world will have made a step of progress which is almost beyond belief, but why in the effort to do that should we make the people all over the country feel that the Government of the United States wants to invade their private homes? [Applause.] Let us enact legislation to carry out the provisions of the constitutional amendment, not undertake to say, as the proposed amendment now pending in the committee proposes to say, that if a man has liquor which somebody claims is worth $50 in his home he must report it, and under what penalty? A penalty that if he does not it shall be considered that he has it there for purposes of sale. This is a great question upon which we are legislating, and we ought to meet it in a great manner.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. UPSHAW. Mr. Chairman, I ask unanimous consent that the gentleman be allowed to speak for five minutes.

Mr. MANN. I will not take any more time.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the last two words. I was very glad to hear the distinguished chairman of the Committee on the Judiciary, the gentleman from Minnesota [Mr. VOLSTEAD], voice his opposition to the pending amendment, because it shows that there is still some sanity left among the active proponents of this measure. Of course, as the gentleman from Illinois [Mr. MANN] has just pointed out, this amendment has nothing whatever to do with the enforcement of the eighteenth constitutional amendment, because the eighteenth amendment says not a word about the possession of liquor lawfully acquired.

I sincerely regret that I have not the opportunity to vote for what I can regard as a reasonable measure to enforce the prohibition amendment. It is true that I voted against that amendment, but as it was duly enacted and made a part of the Consitution of the United States I think it was plainly the duty of Congress to provide the machinery for its enforcement.

If this bill stopped at that it might have been possible, though disagreeing with the fundamental principle of the amendment, for me to have given it my support, but this bill goes infinitely further. It is a hodge-podge of all sorts of liberty-crushing regulations in no way connected with the enforcement of the eighteenth amendment. In the first place it provides for the rigid enforcement of war-time prohibition when the necessity for it has been declared to have ceased by no less an authority than the President himself. While we are rejoicing at the final conclusion of the peace negotiations we are at the same time legislating as though we were in the direst stress of war. No one ever urged the original enactment for war-time prohibition except on the ground of the necessity for conserving the food supply and protecting the morale of our Army. Since the armistice was signed the necessity for food conservation has entirely ceased and our Army is being disbanded as fast as it is humanly possible to do it. Why, then, should we proceed as though the din of battle still resounded about the world? What we ought to do is to follow the President's advice and repeal the law; not at this late date to provide measures for its rigid enforcement.

Even in that portion of this bill which deals with the constitutional amendment we have gone far afield. We are defining and punishing as crimes acts which the eighteenth amendment does not prohibit, does not refer to in any way. We are vastly exceeding any instructions which could reasonably be construed as having been laid upon us by the American people. We are providing rules of conduct which will take an army of sleuths and millions of money to even attempt to enforce. I am sincerely afraid that this bill will not make for a temperate America. I fear that it will act as a stimulation to the business of the moonshiner and the drug peddler. I can not

bring myself to support this measure. I fear that we are sowing the wind and I only pray that we may not reap the whirlwind. [Applause.]

Mr. UPSHAW. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen of the committee, in all good humor I feel like asking the gentleman from Ohio [Mr. LONGWORTH] who has just taken his seat, and all who sympathize with his utterance praising the President's wisdom, why it is that he and others are unwilling to follow the President of the United States in so many things but are willing to follow him if they think he leads to a beer saloon or a liquor shop?

Mr. LONGWORTH. Mr. Chairman, I will say to the gentleman that the President has never issued such an invitation to me. [Laughter.]

Mr. UPSHAW. Mr. Chairman, I accept this authoritative statement that the President is a wise statesman. [Laughter.] Allow me to say very earnestly that I think it will be a wholesome contemplation at this stage of the debate for us to remember that we who have been seeking to pass the bill that is called drastic have simply been trying to faithfully interpret the spirit of the eighteenth amendment, which provides for stopping forevermore the manufacture and sale of intoxicating liquors, and, of course, we are hoping thus to stop the use of them if possible. While I would not leave in this bill any point that would make it legally vulnerable, I am in favor in all heartiness of making it so tight that beer or liquor will not leak through. I want to remind the gentlemen opposing these drastic measures that there is not one provision in this so-called drastic bill that will touch a single law-abiding citizen on the American continent. [Applause.] If these gentlemen who want this law enforced—and they say that the evils of drink are undenied—I want to ask why it is that they continually seek to make it easy for the man who proposes to violate this law, which has fought its way into the Constitution through the efforts of the God-fearing people of America for the last half century.

It is dangerous to our present and our future, dangerous to our national ideals and to the youth of America, and dangerous to our self-respect and safety at home and to our reputation abroad for the great lawmaking body of the first prohibition nation on earth by constitutional enactment to find itself making laws that are tinged with sympathy for the criminal instead of sympathy for humanity.

Let us make it so tight that nobody would ever say that the American Congress was powerful enough to put a law on the statute books but was not wise enough to make it strong enough to be enforced. Let me remind you of another thing. We have heard much talk during this debate about "the sanctity of the home." I want to ask any living man here if he has ever known either the legal or the illegal liquor sellers to care anything about the sanctity of the home when they were trying to line their pockets with money that was stained with human blood and human sorrow. [Applause.] There is no answer to that proposition. I remind you of another thing. If you allow "any old" amount that anybody wants to put in their homes kept there, we are going to do the very thing suggested by the gentleman from California—we are going to leave among the American people a source of drinking evil and an increasing sentiment of unrest that says that the rich man can fill his cellar with wine but the poor man can not have his own beer. Let us be consistent, gentlemen, and endeavor to carry out the law we are about to pass with sanity and an uncringing demand for sobriety and righteousness. Looseness in enforcing such a law will only intensify the influence of the statement made by the festive, genial gentleman from Massachusetts [Mr. GALLIVAN] only last week, where he called upon all Congressmen to stand up and tell how much liquor they had stored. All over the country, in plate matter in country papers, as well as the daily press, I am seeing the story where that misleading charge was made. It was made here in a spirit of festivity and good humor, perhaps, but we have to remember that it looks very different to people who read such charges in cold type—people at a distance who do not know the high character of this Congress, whether they live away out in California or down yonder in my Georgia district. Destroy the faith of the people in their lawmakers and the Nation is in danger of death and decay; destroy the faith of the people in the integrity and efficiency of our laws and the morale of our citizenship is fatally shattered. Again I urge that we pass a law and enforce a law that will prove our sympathy, not for the criminal who tramples our laws and desecrates our homes, but for humanity, that has suffered so long and that has come at last, thank God, to the day of its victorious emancipation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VOLSTEAD. Mr. Chairman, I move that all debate on this section and all amendments close in 10 minutes.

Mr. SABATH. Mr. Chairman——

The CHAIRMAN. The gentleman from Minnesota moves that all debate on this section and all amendments thereto close in 10 minutes.

Mr. IGOE. Mr. Chairman, I offer an amendment that all debate close in 40 minutes.

The CHAIRMAN. The gentleman from Missouri moves as an amendment that all debate close in 40 minutes.

The question was taken, and the amendment was rejected.

Mr. SABATH. Mr. Chairman, I offer an amendment to close in 25 minutes.

Mr. GARLAND. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois move that all debate close in 25 minutes.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. SABATH) there were—ayes 16, noes 67.

So the amendment was rejected.

Mr. UPSHAW. Mr. Chairman, I ask unanimous consent to be allowed to revise my remarks.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to revise his remarks. Is there objection?

Mr. GALLIVAN. Mr. Chairman, reserving the right to object, I read the speech that the gentleman got permission to extend——

Mr. DYER. Regular order!

Mr. GALLIVAN. I object.

The CHAIRMAN. Objection is heard. The question is on the amendment offered by the gentleman from Minnesota that all debate upon this section and all amendments thereto close in 10 minutes.

Mr. GOLDFOGLE. Mr. Chairman, I move to amend by making it 20 minutes. I think that is but fair.

The CHAIRMAN. The gentleman from New York moves that all debate close in 20 minutes.

The question was taken, and the amendment was rejected.

Mr. McARTHUR. Mr. Chairman, I move to amend by making it close now.

The CHAIRMAN. The gentleman from Oregon moves an amendment to the motion of the gentleman from Minnesota that all debate be now closed.

The question was taken, and the motion was agreed to.

The CHAIRMAN. The motion now recurs upon the motion made by the gentleman from Minnesota as amended.

The question was taken, and the motion as amended was agreed to.

The CHAIRMAN. Debate upon this section and all amendments thereto is now closed. The question now recurs on the amendment offered by the gentleman from Missouri [Mr. RUBEY].

Mr. RUBEY. Mr. Chairman, so much discussion has been had that I ask that the amendment be again reported.

The CHAIRMAN. Is there objection?

Mr. GRAHAM of Pennsylvania. Mr. Chairman, I object.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment of the gentleman from California [Mr. RAKER].

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. BLANTON) there were—ayes 2, noes 107.

So the amendment was rejected.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer a perfecting amendment, which I ask the Clerk to report.

The Clerk read as follows:

Amendment offered by Mr. NEWTON of Minnesota: Page 30, line 17, after the word "used," strike out the words "by him only as his" and insert in lieu thereof the following: "exclusively as his and," so that the sentence will read: "Used exclusively as his dwelling."

The question was taken, and the Chair announced the noes seemed to have it.

Mr. BLANTON. Mr. Chairman, division.

Mr. VOIGT. Mr. Chairman, may we have the amendment again read?

The CHAIRMAN. Without objection, the amendment will be again reported.

Mr. RUBEY and Mr. McARTHUR. Mr. Chairman, I object.

Mr. LAYTON. Mr. Chairman, we do not know what we are voting on.

The question was taken; and there were—ayes 31, noes 58.

Mr. BLANTON. Mr. Chairman, I ask for tellers on that vote.

Tellers were refused.

So the amendment was rejected.

Mr. WELTY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WELTY: Page 30, line 18, strike out all after the word "reported" and all of lines 19 and 20.

Mr. WELTY. I ask unanimous consent, Mr. Chairman, to proceed for five minutes. I think it is a very important——

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for five minutes. Is there objection?

Mr. DYER. I object.

The CHAIRMAN. Objection is heard. The question is on the amendment offered by the gentleman from Ohio [Mr. WELTY].

The question was taken, and the amendment was rejected.

Mr. STEELE. Mr. Chairman, I offer a correcting amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STEELE: On page 30, line 18, strike out the colon after the word "*Provided*," also lines 19 and 20, and insert the following: "But such liquors must be used for the personal consumption of the owner thereof and his family residing at such dwelling, and his bona fide guests when entertained by him therein, and the burden of proof shall be upon the possessor to prove that such liquor was lawfully acquired, possessed, and used."

Mr. BLANTON. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. What is the point of order?

Mr. BLANTON. That it is not germane to the purposes of this bill.

The CHAIRMAN. The point of order is overruled. The question is on agreeing to the amendment.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. STEELE. Division, Mr. Chairman.

The committee divided; and there were—ayes 74, noes 53.

So the amendment was agreed to.

Mr. VOIGT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOIGT: Page 30, line 16, after the word "in," strike out "one's private dwelling while the same is occupied and used by him only as his dwelling," and insert in lieu thereof the following: "a building which is in whole or in part used or kept by the possessor in good faith for dwelling purposes."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. SABATH. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SABATH: Page 30, strike out lines 6, 7, 8, 9, 10, and 11, and the words "of this title," in line 12.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. LANHAM. Mr. Chairman, I desire to offer a perfecting amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

Mr. LANHAM. Mr. Chairman, I move to amend by striking out, on page 30, line 17, the word "only" after the word "him" and insert on page 30, line 18, the word "only" after the word "dwelling," in order to make the word "only" refer to "dwelling" and not to "him."

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LANHAM: Page 30, line 17, after the word "him," strike out the word "only," and in line 18, after the word "dwelling," insert the word "only."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 36. That it shall be the duty of the commissioner to file the reports, statements, and information required by this title as a part of the file of the office in a permanent record alphabetically arranged, and to permit any and all persons desiring to do so to inspect the said statements at any time during office hours. It shall be the further duty of said commissioner to furnish certified copies of such statements to any persons requesting the same, upon payment of the reasonable fees therefor, and the said original statement or certified copies thereof shall be competent evidence in any suit or proceeding in which the same may be relevant. All records required by this act to be kept by any manufacturer, wholesale or retail druggist, physician, or transportation company shall be subject to inspection at any reasonable hours by any of the officers authorized to enforce this title, including the peace officers in the State where the record is kept.

Mr. VOLSTEAD. Mr. Chairman, I offer an amendment, on page 30, line 23, to strike out the word "file" and insert the word "files."

The CHAIRMAN. The gentleman from Minnesota offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 30, line 23, strike out the word "file" and insert the word "files."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. VOLSTEAD. Mr. Chairman, in the same line, on page 30, line 23, strike out the word "the" and insert "his," where the word occurs the second time in the line.

The CHAIRMAN. The gentleman from Minnesota offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 30, line 23, strike out the second word "the" and insert the word "his."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr VOLSTEAD. Mr. Chairman, I offer another amendment, which I have sent to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 30, line 24, after the word "arranged," insert "and indorse on each the date when filed."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. VOLSTEAD. Mr. Chairman, I offer a further amendment.

The CHAIRMAN. The gentleman from Minnesota offers a further amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 31, lines 3, 4, 5, 6, and 7, strike out: "statements to any persons requesting the same, upon payment of the reasonable fees therefor, and the said original statement or certified copies thereof shall be competent evidence in any suit or proceeding in which the same may be relevant," and insert in lieu thereof "reports, statements, information, and of his indorsement thereon of the date when filed to any person requesting the same, upon payment of the reasonable fees therefor, and such certified copy shall be competent evidence in any suit or proceeding in which said original report, statement, information, or indorsement would be competent."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. GARLAND, Mr. SABATH, and Mr. GARD rose.

The CHAIRMAN. The gentleman from Ohio [Mr. GARD] is recognized.

Mr. GARD. Mr. Chairman, on page 30, line 25, after the word "said," on the bottom line of that page, insert the word "reports"; and, after the word "statements," insert the words "and information."

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 30, line 25, after the word "said," insert "reports"; and after the word "statements" insert "and information."

Mr. GARD. Mr. Chairman, that was reported by the committee. I presume the gentleman from Minnesota [Mr. VOLSTEAD] is willing to adopt it.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

Mr. GARD. Mr. Chairman, on page 31, line 9, I move to strike out the words "transportation company" and insert the word "carrier."

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 31, line 9, strike out the words "transportation company" and insert in lieu thereof the word "carrier."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SABATH. Mr. Chairman, I move to strike out the last word.

Mr. VOLSTEAD. Mr. Chairman, will the gentleman yield for just a question?

Mr. SABATH. Yes.

Mr. VOLSTEAD. I would like to ask the gentleman from Ohio [Mr. GARD] whether in inserting this last amendment on page 31, line 9, the word "company" was stricken out or just "transportation"?

Mr. GARD. I proposed to strike out the words "transportation company" and insert the word "carrier."

The CHAIRMAN. The amendment adopted was to strike out the words "transportation company."

Mr. BANKHEAD. Mr. Chairman——

The CHAIRMAN. The gentleman from Illinois [Mr. SABATH] has the floor.

Mr. SABATH. Mr. Chairman, in support of my motion I desire to read in my time a statement by a great woman, Lady Somerset. What she has to say——

Mr. BLANTON. I object, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois [Mr. SABATH] asks unanimous consent to have the Clerk read the statement indicated.

Mr. BLANTON. I object, because we do not need any information from Lady Somerset.

Mr. SABATH. If the gentleman objects to the Clerk reading the statement in my place, notwithstanding my cold, I will read it myself, and I will point out why it is in order upon my amendment.

Mr. SMALL. Mr. Chairman, I hope the gentleman from Texas will withdraw his objection, in view of the gentleman's condition.

Mr. BLANTON. Mr. Chairman, I raise the point of order that the statement by Lady Somerset could not be in order on a motion to strike out the last word.

The CHAIRMAN. The Chair will decide.

Mr. SABATH. This section 36 provides the duties of the commissioner and also the reports showing how this law should be enforced. The statement that I desire to have read will tend to show that that is impossible of enforcement, and to prove that I desire that this statement be read in support of the contention I am making that this prohibition legislation is not possible of enforcement. Will the gentleman object to the Clerk reading it?

Mr. BLANTON. Mr. Chairman, I insist that the gentleman shall speak in order.

Mr. SABATH. I have made my statement as to why I believe it is in order, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the statement that he sends to the Clerk's desk be read by the Clerk.

Mr. BLANTON. I object. I insist on the gentleman speaking in order.

The CHAIRMAN. The time of the gentleman from Illinois has expired. The gentleman from Pennsylvania [Mr. GARLAND] is recognized.

Mr. GARLAND. Mr. Chairman, there is no doubt that there are many mistakes in this bill. This is evident from the discussion that has developed here from time to time. That it is too drastic there is no question. This bill provides means whereby anyone can be subject to suspicion of having liquor whereupon he may be arrested, and the onus of proof is on the arrested person. This bill would take property away from men and make half the men in the United States policemen, with power to arrest without warrant. In addition to that this bill has gone further and brought back into existence the abridgment of a man's right to a trial by jury, the principle which the working people of the country fought so long and hard to exterminate, that of arrest and trial for contempt. Whether this is done at the instance of the big trusts or not I know not, but you put in the old injunction plan again. You set loose the Huns of the law, the Pinkerton detectives, and the coal and iron police, and such blood hirelings, to make war upon the citizen. Instead of burning down buildings and blowing up mines as formerly, and charging it to the strikers, as has been proven was done in days of injunction, all they have to do is to plant a small phial of liquor on a man who is striking for living wage or against a great wrong and charge contempt. He goes to jail by the injunction route without trial by jury. He is hauled up with an injunction and you take him into the court, and you——

Mr. VOLSTEAD. Mr. Chairman, I rise to a point of order.

Mr. GARLAND. The gentleman is trying to shut me off.

The CHAIRMAN. What is the point of order?

Mr. VOLSTEAD. The point of order is that the gentleman from Pennsylvania is not speaking on anything that is before the House.

Mr. GARLAND. I am speaking of one of the things in this bill that the gentleman from Minnesota and others will have to answer for.

The CHAIRMAN. The gentleman will confine himself to a discussion of the striking out of the last word.

Mr. GARLAND. I am confining myself to the striking out of the last word.

I say this bill has arranged a means whereby the police can break up any strike in the United States. You set these Huns of the law loose to prey on men on strike. I warn you to be careful. You are nearing a great crisis. Congress is made up of about 90 per cent lawyers, and lawyers seem to have in this instance lost sight of the real issue and thought only of the lawyer. The gentleman from Ohio [Mr. FOSTER] urged that it was necessary to have an enactment of this bill for the reason that he could not get a conviction from a jury of 12 honest men. This statement confronts us with the fact that the belief of the lawyer is that the law must be so made that he can convict even against the judgment of 12 disinterested, honest men—a case of 1 man being right and 12 men being wrong. By this law conviction only is considered, without respect to right or to innocence. The gentleman from California [Mr. RAKER] said that these little differences, he hoped, will be fixed up over in the Senate. Is this the kind of legislation that this House is enacting? Do we legislate with the idea of having the Senate fix up our legislation? It looks like it. No wonder the people throughout the country sneer at the action of the House and say, "The Senate will have to correct those mistakes."

Mr. WINGO. The gentleman is speaking about the Senate dictating legislation?

Mr. GARLAND. No; about the Senate correcting our legislation.

Mr. WINGO. If rumor is correct, the Senate is dictating, and your party, in charge of the Senate, is responsible.

Mr. GARLAND. Oh, no. But I say, go on, if you will, drive into the gulf, if you want to; but, I say, have a care for the consequences.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. GARLAND. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. SMITH of Michigan. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FIELDS. Mr. Chairman, I make the same request.

The CHAIRMAN. The gentleman from Kentucky makes the same request. Is there objection?

Mr. GALLIVAN. Reserving the right to object, there has been plenty of opportunity offered to these gentlemen to give expression to their opinions, and I now object, and will object to every request hereafter to extend remarks.

Mr. RAKER. I ask unanimous consent to revise the remarks that I made a few moments ago upon this section, on page 30—only to revise, not to extend.

The CHAIRMAN. The gentleman asks unanimous consent to revise his remarks. Is there objection?

Mr. GALLIVAN. I have no objection to that, and I desire to withdraw my objection to the request of the gentleman from Kentucky [Mr. FIELDS], because I understand he spoke and simply asked permission to revise the remarks which he made. I have no objection to that.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky [Mr. FIELDS]?

There was no objection.

The CHAIRMAN. Is there objection to the request of the gentleman from California [Mr. RAKER]?

There was no objection.

Mr. BANKHEAD. Mr. Chairman——

The CHAIRMAN. The gentleman from Alabama——

Mr. SABATH. Mr. Chairman, I make the same request.

Mr. BLANTON. Reserving the right to object——

The CHAIRMAN. No request is pending. The Chair has recognized the gentleman from Alabama.

Mr. SABATH. I made the same request.

The CHAIRMAN. The Chair did not recognize the gentleman. The Chair recognized the gentleman from Alabama.

Mr. BANKHEAD. Mr. Chairman, I desire to offer an amendment in the interest of good construction of the language of the bill. I call the attention of the chairman of the committee [Mr. VOLSTEAD] to this amendment. In lines 24 and 25 I move to

strike out the words "and all persons" and to insert in lieu thereof the word "persons," so that it will read:

And to permit any persons desiring to do so—

because the word "persons" certainly includes all persons.

Mr. VOLSTEAD. I have no objection to the amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: In lines 24 and 25, on page 30, strike out the words "and all persons" and insert in lieu thereof the word "persons."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama.

The amendment was agreed to.

Mr. VOLSTEAD. I move that all debate on this section and all amendments thereto be now closed.

The CHAIRMAN. The gentleman from Minnesota moves that all debate on this section and all amendments thereto be now closed.

The motion was agreed to.

The Clerk read as follows:

SEC. 37. That all provisions of law that are inconsistent with this act are only repealed to the extent of such inconsistency and the regulations herein provided for the manufacture or traffic in intoxicating liquor shall be construed as in addition to existing laws. This act shall not relieve anyone from paying any taxes or other charges imposed upon the manufacture or traffic in such liquor. No liquor revenue stamps or tax receipts for any illegal manufacture or sale shall be issued in advance, but upon evidence of such illegal manufacture or sale such tax shall be assessed in double the amount now provided by law, with an additional penalty of $500 on retail dealers and $1,000 on manufacturers. The payment of such tax or penalty shall give no right to engage in the manufacture or sale of such liquor, or relieve anyone from criminal liability, nor shall this act relieve any person from any liability, civil or criminal, heretofore or hereafter incurred under existing laws.

The commissioner, with the approval of the Secretary of the Treasury, may compromise any civil cause arising under this title before bringing action in court; and with the approval of the Attorney General he may compromise any such cause after action thereon has been commenced.

Mr. CANDLER. Mr. Chairman, a great deal has been said in the course of this debate in reference to the "drastic provisions" of this measure. This is simply a culmination of what has been taking place in the United States for many years preceding this time. This is no sudden conclusion arrived at by the American people, because we can all remember when this question began to be considered many years ago, and the movement has grown in volume from then until the American people made up their minds that the manufacture and sale of intoxicating liquors shall cease. The result of that determination was the adoption of the eighteenth amendment for national prohibition, and this bill is intended to enact provisions of law to enforce that amendment which is now a part of the Constitution and thereby secure nation-wide prohibition.

This measure is not so much to "regulate" the liquor traffic as it is intended to "prohibit" it in accordance with the will of the American people as expressed in the eighteenth amendment which has been adopted, showing the sentiment existing among the people of the United States. Forty-five States out of the 48 in the Union promptly ratified this amendment in one-seventh of the time which was given within which ratification should take place. Mississippi was the first State to ratify the eighteenth amendment.

As a further evidence of the sentiment of the American peopeople, we have the expressions and votes of Members of Congress on this floor reflecting the desires of their constituents at home. Therefore, my friends, there is no question or doubt that the people of the United States desire a measure which shall be sufficient in force and strength to enforce this eighteenth amendment to such an extent as to prohibit the manufacture, sale, transportation, and dealing in intoxicating liquors throughout this country from one end of it to the other.

It is the purpose and object of this bill to accomplish that result, and if it is enacted into law I believe that result will follow, and when it does follow then the wishes of the American people will be carried out. For that reason I do not believe the criticisms which have been voiced upon the floor of this House so often, that it is too drastic and extreme, are well founded. On the contrary, its provisions are intended only for the purpose which I have indicated.

It is true that some of the provisions of the bill are drastic. It is true that they are in some respects extreme, but we who have observed in times past the means adopted by those engaged in the liquor traffic unlawfully, in order to accomplish their purposes, know that it is necessary that drastic measures should be enacted in order to bring about the desired result. The men engaged in the unlawful liquor traffic move in doubtful and devious and submarine ways in order to accomplish their purposes. Therefore, it is necessary to deal with them with an iron hand in order to thwart them and in order that the American people may have their way instead of the liquor-selling minority having their way.

I do not criticize the gentlemen upon the floor of this House who have furnished the opposition to this bill. I have no doubt they voice their own sentiments and the sentiments of the people whom they represent. Therefore they are performing their duty as they see it, and some amendments have been offered by some of these gentlemen at different places in this bill which have resulted in good legislation. Therefore I do not criticize them, and I have no unkind words for them. But when we do not criticize them, why should they so often criticize us who differ with them and who believe that this eighteenth amendment should be enforced by a law which has real enforcing power in it and which will bring about the result intended to be accomplished in the enactment of it and in the placing of it on the statute books. What the people want is prohibition, and that is what we intend to secure by the passage of this bill. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANDLER. I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to revise and extend his remarks. Is there objection?

Mr. GALLIVAN. I object.

Mr. VOLSTEAD. I move that all debate on this section and all amendments thereto be now closed.

Mr. HULINGS. I move to amend the motion.

Mr. SABATH. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. SABATH. The gentleman from Mississippi was recognized in favor of his motion and spoke five minutes. Am I not, or some other Member, entitled to five minutes to oppose his motion?

The CHAIRMAN. Unless the time for debate is limited by some action of the committee.

Mr. SABATH. The time was not limited and the gentleman was recognized in favor of the motion.

The CHAIRMAN. The gentleman from Mississippi made a pro forma amendment, and the gentleman from Minnesota moved that all debate on this section and all amendments thereto be now closed, and that motion is in order. The gentleman from Pennsylvania offers an amendment.

Mr. HULINGS. Mr. Chairman, I move to amend by fixing the time for debate at 10 minutes, and I want 5 minutes of it.

The CHAIRMAN. The question is on the amendment to the motion of the gentleman from Minnesota making the time 10 minutes.

The question was taken, and the amendment of the motion was rejected.

The CHAIRMAN. The question now recurs on the motion of the gentleman from Minnesota to close debate.

The motion was agreed to.

The Clerk read as follows:

SEC. 38. That if any provision of this act shall be held invalid it shall not be construed to invalidate other provisions of the act.

Mr. VOLSTEAD. Mr. Chairman, I do not think there is any occasion to discuss this section, and I move that all debate on the section and amendments thereto be now closed.

Mr. WALSH. That is not in order before there has been any debate.

The CHAIRMAN. The point of order is sustained.

Mr. CRAMTON. Mr. Chairman, a few days ago the gentleman from California [Mr. KAHN], whom the House so greatly honors and on many occasions has delighted to follow——

Mr. SABATH. Mr. Chairman, I make the point of order that the gentleman is not speaking in order.

Mr. CRAMTON. Does the gentleman think that speaking well of the gentleman from California is out of order?

Mr. SABATH. No; but the gentleman is out of order.

The CHAIRMAN. The gentleman will confine himself to the question before the House.

Mr. HULINGS. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. HULINGS. I would like to know how the gentleman from Michigan got his place on the floor.

The CHAIRMAN. The gentleman from Michigan was demanding recognition and no one on the floor asked for recognition and the Chair recognized him.

Mr. HULINGS. But the motion was to close debate.

The CHAIRMAN. A point of order was made and sustained, and therefore the Chair recognized the gentleman from Michigan.

Mr. SABATH. For what purpose was the gentleman from Michigan recognized?

Mr. CRAMTON. I move to strike out the section, Mr. Chairman. Section 38 provides that if any provision of this act shall be held invalid it shall not be construed to invalidate other provisions of the act.

A few days ago the gentleman from California [Mr. KAHN], speaking upon this floor, discussing the relation of prohibition to crime, stated it to be his opinion that prohibition legislation leads to lawlessness, and quoted certain figures with reference to conditions in the city of Washington, D. C.

It is not my desire now to discuss that question at length, further than to call the attention of the House to the fact that the statement of the gentleman from Ohio [Mr. COOPER] has well demonstrated that crime has not increased under prohibition in the city of Washington. But it seems to me that the inquiry of the gentleman from California ought to be carried forward, and in addition to considering Washington, where prohibition had been in effect before the 1st of July, to consider in the way of comparison——

Mr. SABATH. A parliamentary inquiry.

The CHAIRMAN. The gentleman from Michigan has the floor and the gentleman can not take him off the floor by a parliamentary inquiry.

Mr. SABATH. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. SABATH. I submit to the Chair whether the gentleman from Michigan is confining his remarks to the amendment striking out the section.

Mr. CRAMTON. Section 38 has a very important relation to the enforcement of this legislation and to its validity. But in connection with that it is to be considered whether legislation of this kind should be enacted that is valid and what its effect on the country will be. In connection with that I would like to call the attention of the House to the conditions of crime in a city similar to Washington where prohibition has not been in effect. A gentleman told me that he could not imagine three cities being dry—New York, New Orleans, and San Francisco. Therefore, I want to call attention to an article from the San Francisco Chronicle of July 12, the day the gentleman from California spoke in this House.

I do not want to weary the House with reading the article, but I will put it in the RECORD, if permitted. The article, in brief, shows that in San Francisco for the year ending June 30, 1919, there were 4,278 cases of burglary, while in 1918 there were 3,398, an increase of something like 30 per cent. That, in a wet city, with all the booze that anybody wanted. Attempted burglaries in 1919, 234, and in 1918, 138; robberies in 1919, 807, and in 1918, 578. Attempted robberies in 1919, 82; in 1918, 57; grand larcenies in 1919, 1,366, and in 1918, 1,132; embezzlements in 1919, 160, and in 1918, 157. Property loss by crime increased from $267,000 in 1918 to $357,000 in 1919.

I will not weary you with reading the rest of this, but in order to be fair I think the full statement should appear in the RECORD. But, gentlemen, I make this prophecy, that while prohibition was not to blame for that increase of crime during the last year, that in 1920 the city of San Francisco will show a decrease in crime due to prohibition. [Applause.]

Mr. VOLSTEAD. Mr. Chairman, I move that all debate upon this section and all amendments thereto be now closed.

The motion was agreed to.

The CHAIRMAN. The question now is on the motion of the gentleman from Michigan [Mr. CRAMTON] to strike out the paragraph.

Mr. CRAMTON. Mr. Chairman, I withdraw the motion.

Mr. WALSH. I object.

Mr. SABATH. I object.

Mr. GALLIVAN. I object.

The CHAIRMAN. The question is on agreeing to the motion to strike out.

The question was taken; and on a division (demanded by Mr. GALLIVAN) there were—ayes 4, noes 48.

Mr. SABATH. Mr. Chairman, the count indicates that there is no quorum present. I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Illinois makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and twenty-eight Members present, a quorum.

So the motion to strike out was rejected.

The Clerk read as follows:

SEC. 39. That nothing herein shall prevent the storage in United States bonded warehouses in the custody of a United States collector of internal revenue of all liquors manufactured prior to the taking effect of this act, or to prevent the transportation of such liquor for purposes not prohibited when the tax is paid.

A manufacturer of any beverage containing less than one-half of 1 per cent of alcohol by volume may, on making application and giving such bond as the commissioner shall prescribe, be given a permit to develop in the manufacture thereof a liquid containing more than one-half of 1 per cent of alcohol by volume, but before any such liquid is withdrawn from the factory or otherwise disposed of the alcoholic contents thereof shall under such rules and regulations as the commissioner may prescribe be reduced below such one-half of 1 per cent of alcohol. The alcohol removed from such liquid, if evaporated and not condensed and saved, shall pay no tax; if saved, shall be subject to the same law as other alcoholic liquors.

Mr. VOLSTEAD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. VOLSTEAD: After the word "liquor," in line 17, page 32, insert the words "to such warehouses or any wholesale druggist for sale to such druggist," and at the end of line 18, page 32, insert the words "and permits may be issued therefor."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. VOLSTEAD. Mr. Chairman, in line 16, page 32, I move to strike out the word "to" at the end of the line.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. VOLSTEAD: Page 32, line 16, strike out the word "to" at the end of the line.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. STEELE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. STEELE: Page 32, line 23, after the word "liquid," insert the following: "such as beer, ale, porter, or wine."

Mr. STEELE. Mr. Chairman, the object of this amendment is simply to clarify the provision which relates only to beverages on line 19, and to define the beverages that are intended by that section. This amendment meets with the approval of the chairman of the committee. I am authorized to state that.

Mr. VOLSTEAD. Mr. Chairman, there is no objection to that.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 32, noes 6.

So the amendment was agreed to.

Mr. STEELE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. STEELE: After the word "liquors" and the period, on page 33, line 6, insert the following: "The words 'beer, ale, porter, or wine' mentioned in section 1 of this title shall not be construed as included in the word 'liquor' or the phrase 'intoxicating liquor' where they contain less than one-half of 1 per cent of alcohol by volume, but none of the liquors mentioned in section 1 shall be sold for beverage purposes under the names therein mentioned, and the burden of truth shall be upon the one selling such beverage to show the same contains less than one-half of 1 per cent of alcohol by volume."

Mr. STEELE. Mr. Chairman, the object of this amendment is also to clarify this section, and also the first section. There was some doubt whether the absolute prohibitive words did not apply to those beverages that contain less than one-half of 1 per cent of alcohol, and this is intended to remove that doubt. This meets with the approval of the chairman of the committee.

Mr. VOLSTEAD. This is the same language——

Mr. STEELE. Identically the same agreed upon.

Mr. VOLSTEAD. Prohibits the sale under the name of beer, ale, and wine, and so forth.

Mr. STEELE. Yes.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 49, noes 1.

So the amendment was agreed to.

Mr. JOHNSON of Kentucky. Mr. Chairman, on page 32, lines 14 and 15, I move to strike out the words "in the custody of a United States collector of internal revenue."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. JOHNSON of Kentucky: Page 32, line 14, after the word "warehouses," strike out the words "in the custody of a United States collector of internal revenue."

Mr. JOHNSON of Kentucky. Mr. Chairman, there are two classes of United States bonded warehouses. One is for distilled spirits manufactured in this country and the other is for imported distilled spirits. Neither, however, is in the custody of a United States collector of internal revenue. The collector of internal revenue recommends to the Commissioner of Internal Revenue the assignment of a United States storekeeper and gauger, who shall have custody of a warehouse. As a matter of

fact, he does not have exclusive control of the warehouse. The control or right of entry to the warehouse is in the hands of both the United States and the owner of the warehouse. There is no such warehouse in existence as "a United States bonded warehouse in the custody of the United States collector of internal revenue." Therefore I move to strike out those words.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kentucky.

The amendment was agreed to.

Mr. JOHNSON of Kentucky. Mr. Chairman, I wish to offer another amendment. I desire to call the attention of the gentleman from Minnesota, who is in charge of this bill, to the last line and a half of the section, which is found on page 33 in lines 5 and 6. The language is as follows:

The alcohol removed from such liquid, if evaporated and not condensed and saved, shall pay no tax; if saved, shall be subject to the same law as other alcoholic liquors.

"Other alcoholic liquors," as mentioned in this bill and in existing laws, are divided into two parts, some that pay taxes and some that do not pay taxes. Therefore the language "and other alcoholic liquors" is not quite clear. I believe it would be clear, however, if the saved alcohol were taxed as distilled spirits are now taxed. "Alcoholic liquors" and "distilled spirits" under this plan are made to be two different things. Alcohol is distilled spirits, but all distilled spirits is not alcohol. I invite the attention of the gentleman from Minnesota to the language as it now is, to say that it is meaningless, that it may or may not be taxed, but it certainly should be taxed.

Mr. VOLSTEAD. Some might pay tax and some might not.

Mr. JOHNSON of Kentucky. That is the trouble. You say "and other alcoholic liquors," but if you were to say "as other alcoholic liquors are taxed," that might save it.

Mr. COOPER. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I will.

Mr. COOPER. Would not the words "subject to tax" after the word "liquors" cover that?

Mr. JOHNSON of Kentucky. I think it would.

Mr. WALSH. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I will.

Mr. WALSH. By putting in the words "subject to tax" there you certainly would not say——

Mr. JOHNSON of Kentucky. No; I do not think that would make it. I will say in answer to the gentleman that I now agree with the gentleman from Massachusetts. I do not think that would cure it.

Mr. VOLSTEAD. What I had in mind in drafting it—and I was somewhat responsible for this language, though I am not for all in this bill—was that it occurred to me that there are some liquors subject to tax and some that are not, and each depended upon the use. Now, we simply say it shall be subject to the same law as other alcoholic liquors.

Mr. JOHNSON of Kentucky. I believe if the gentleman would insert the word "taxable" between "other" and "alcoholic" that would cure it, "as other taxable alcoholic liquors."

Mr. VOLSTEAD. But may not be taxed. Suppose it is withdrawn to use for denaturing purposes?

Mr. JOHNSON of Kentucky. If it is "saved," it ought to be taxed.

Mr. VOLSTEAD. But it does not need to be taxed. Suppose it is used as denatured alcohol?

Mr. JOHNSON of Kentucky. Let me invite the gentleman's attention to the whole text of the paragraph.

The alcohol removed from such liquids, if evaporated and not condensed and saved, shall pay no tax.

Now, let me read the alternative.

"If saved, shall be subject to the same law as other alcoholic liquors.

I submit the proposition to the gentleman and he can do as he pleases.

Mr. VOLSTEAD. I think it is all right.

Mr. Chairman, in line 15, on page 32, I move to strike out the word "liquors" and insert the word "liquor." We have tried to preserve that all the way through, and there is a reason for it. We define "liquor" in the first part of the bill, but we do not define "liquors."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 32, line 15, at the end of the line strike out the word "liquors" and insert the word "liquor."

The question was taken, and the amendment was agreed to.

Mr. HULINGS. Mr. Chairman, I have listened to this debate going on here with exemplary patience during all these windy days. I have sought to obtain the floor many times to speak on matters that are now decided, and I feel a good deal like the man who went down to the pool of Siloam, who always found somebody else that preceded him. I do not, however, mean to say that this House is anything like the pool of Siloam, because the pool of Siloam was supposed to be a sacred place of healing. Mr. Chairman, I am in favor of a bill to abolish the alcoholic liquor traffic. The people of this country have decreed that this traffic shall be abolished. Complaint is made that this bill is too drastic. I confess there are some features in it I do not like. I do not like the provision that judges may summarily punish for contempt not committed in the presence of the court. I think the meanest and poorest citizen in the country, before being deprived of his liberty or his property, shall be entitled to the right of trial by jury. I do not like very much the idea that some men of means can stock up with these liquors and have the liquor in their homes protected while the poor fellow, by reason of circumstances can not do it, is obliged to go dry, and I tell you that that will create more prejudice against this bill than any other one thing in it; but, Mr. Chairman, 90 per cent of the people of this country are law-abiding citizens. They will obey the law whenever they know what it is. There is no trouble about that, but this legislation unfortunately must be directed against citizens of the United States who as a class are notorious lawbreakers, and your law must reach them or your legislation will be of no avail at all. If this bill should be too drastic, and I believe that it is in some particulars, the law-abiding people of this country can change it in a legal orderly way and in the meantime, unless you provide the agents of the law with rakes with teeth in them you never will catch these lawbreakers. There is no such thing as conscience in a bootlegger or the keeper of a blind tiger; you can not appeal to their patriotism or public spirit, and those are the people you have got to reach in this prohibitory legislation. The rest of the country is law-abiding and will submit to the law until it can be legally changed. You will have no trouble with them at all. Satisfied that unusual, even drastic, remedies must be provided yet, I have supported many of the amendments of the gentleman from Ohio [Mr. GARD] because I believed they were in the way of making a more reasonable bill for the enforcement of the constitutional amendment and less liable to prejudice. Those amendments for the most part have been thrown aside. The spirit of this House is not favorable, and therefore I have subordinated my own judgment as to many of the details because I am in favor of the real purpose of the House, and that is to pass an act that will prohibit. [Applause.]

I have never been a party Prohibitionist nor even claimed to be a total abstainer, but I have always been in favor of abolishing the traffic. Local option has been tried, State prohibition has been tried, and now the public sentiment of the whole country demands that the traffic be cut out, root and branch, and I believe this bill will do it.

Mr BLANTON. Mr. Chairman, I offer an amendment.

Mr. DYER. Mr. Chairman, I move that debate upon this section and all amendments thereto be closed in five minutes.

Mr. BLANTON. Ten minutes, Mr. Chairman.

The CHAIRMAN. The gentleman from Wisconsin, a member of the committee, wishes to offer an amendment.

Mr. CLASSON. Mr. Chairman, page 33, line 5, after the second word "saved," in that line, insert the word "it."

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CLASSON: Page 33, line 5, after the word "saved," where it occurs the second time, insert the word "it."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. DYER. Mr. Chairman, I move that debate upon this amendment and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Missouri moves that all debate upon this section and all amendments thereto close in five minutes.

Mr. BLANTON. Mr. Chairman, I offer to amend that by making it 10 minutes.

The CHAIRMAN. The gentleman offers an amendment to close debate in 10 minutes. The question is on agreeing to the amendment.

The question was taken, and the Chair announced that the noes semed to have it.

Mr. BLANTON. I ask for tellers.

Mr. DYER. I will give the gentleman three minutes.

Mr. BLANTON. I withdraw it, then, Mr. Chairman.

The CHAIRMAN. The question is on the motion of the gentleman from Missouri that debate close in five minutes.

The motion was agreed to.

Mr. SAUNDERS of Virginia and Mr. HUSTED rose.

The CHAIRMAN. The gentleman from New York [Mr. HUSTED], a member of the committee, is recognized.

Mr. HUSTED. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HUSTED: Page 33, line 5, after the word "shall," strike out the words "pay no" and insert the words "not be subject to."

Mr. HUSTED. The object of this amendment, Mr. Chairman, is simply to perfect the text and to make good English. The bill as it reads provides that the alcohol shall pay the tax.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was agreed to.

Mr. BLANTON. Mr. Chairman, I move to strike out——

Mr. WINGO. Mr. Chairman, a point of order.

The CHAIRMAN. For what purpose does the gentleman from Arkansas rise?

Mr. WINGO. To make a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. WINGO. The committee just closed debate on this amendment.

The CHAIRMAN. The committee closed debate in five minutes.

Mr. WINGO. But the gentleman from Texas did not——

Mr. DYER. I yielded to the gentleman from Texas [Mr. BLANTON].

Mr. WINGO. One gentleman must be recognized, and he is recognized for five minutes only.

The CHAIRMAN. The gentleman consumed but one minute.

All time has expired. The question is on agreeing to the amendment offered by the gentleman from Texas.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. BLANTON. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 6, noes 41.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 40. That the Commissioner of Internal Revenue and the Attorney General of the United States are hereby respectively authorized to appoint and employ such assistants, experts, clerks, and other employees as they may deem necessary for the enforcement of the provisions of this act, and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sum as may be required for the enforcement of this act.

Mr. GARD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 33, line 10, after the word "employees," insert "and to purchase such supplies and equipment."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. GARD. Mr. Chairman, I call the attention of the chairman of the committee to the fact that this amendment that I have offered carries out the intention of the chairman of the committee.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. GARD. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 64, noes 1.

So the amendment was agreed to.

Mr. SAUNDERS of Virginia and Mr. IGOE rose.

The CHAIRMAN. The gentleman from Missouri is recognized.

Mr. IGOE. I desire to offer an amendment as a new section. Does the gentleman from Virginia wish to speak to this present section?

Mr. SAUNDERS of Virginia. Yes.

Mr. IGOE. Then I will withhold.

The CHAIRMAN. The gentleman from Virginia is recognized.

Mr. SAUNDERS of Virginia. Mr. Chairman, on July 11, the gentleman from Massachusetts [Mr. FITZGERALD] while discussing the bill now under consideration, stated in substance that should this bill become a law, then under its authority policemen could come in "as they did in the State of Virginia, when they entered trains and ransacked the wardrobes of women." His exact language referring to the agents enforcing the prohibition law in Virginia was that "they entered trains, ransacked the wardrobes of women, and committed assaults which bordered on indecency."

I wish to say in this connection that the gentleman from Massachusetts is absolutely mistaken in this reference to conditions in my State. There have been no incidents in Virginia of policemen ransacking the wardrobes of lady passengers, or committing assaults that bordered on indecency. We have been engaged in vigorous efforts to enforce the law of our State against illegal shipment of intoxicating spirits partly from Boston and partly from Baltimore. In utter defiance of the law an organized band of conspirators has endeavored to smuggle whisky into Virginia. Some of it has come into Virginia by train, and automobile through Alexandria, and by the highways from Maryland into Virginia. Large consignments have also come into Norfolk and Richmond by water. I am glad to say in this connection that we have secured the arrest and punishment of many of the parties engaged in the unlawful traffic. But there have been in Virginia no assaults bordering on indecency as suggested by the gentleman from Massachusetts.

Mr. Chairman, inasmuch as the gentleman from Massachusetts [Mr. FITZGERALD] has given us at times very pathetic descriptions of the conditions that in his judgment will exist in his own and other States, as soon as national prohibition becomes effective, I think I will put into the RECORD a few extracts from the Christian Science Monitor, one of the most conservative, accurate, and reliable newspapers in the United States, and published I believe in Boston. These statements relate to the effect of war-time prohibition in Massachusetts, and particularly in Boston. The statement which I now read is very interesting, and is taken from the Monitor of yesterday:

The decline in arrests for drunkenness was the first effect of prohibition generally noticeable. In Boston, for example, the number of such arrests on a day just before prohibition became effective was 412. A week later, approximately, the city court, which had almost daily since July 1 set new low records for drunkenness cases, had only one such case.

It seems to me that that is a very satisfactory showing for prohibition, even in Boston. A further item that I will read in this connection is from Bridgewater, Mass. The headlines of this citation are: "Dry law reduces jail inmates; must hire help." I read:

BRIDGEWATER, MASS., *July 20.*

Prohibition is playing havoc with the State prison farm.

In the two weeks before prohibition went into effect 54 men were sentenced to "the farm" for drunkenness, while only 15 have been sent there since July 1. As a result the shortage in prisoners has cut down the laboring force, and it has been necessary to hire workers.

Does the gentleman from Boston object to a reduction in the number of the inmates at the prison farm of his State, even if that reduction is a by-product of prohibition?

Mr. COADY. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. COADY. Will the gentleman tell us how about the conditions in the District of Columbia?

Mr. SAUNDERS of Virginia. The gentleman is as cognizant of conditions in the District of Columbia as I am, and if he desires can put the facts as to those conditions in the RECORD. Indeed they have already been put into the RECORD very effectively. One more citation from the Christian Science Monitor:

The second noticeable effect has been, as mentioned, the decrease in crimes involving cruelty. In some cities a noticeable diminution of industrial and other accidents has been reported. It has been the rule that in the past many automobile accidents were due to intoxication on the part of the chauffeur or of a pedestrian. Recently, in this city, the statue of Edward Everett was badly damaged by an automobile the driver of which, it is alleged, was intoxicated.

FURTHER DECREASES EXPECTED.

Once prohibition becomes habitual, police officers believe, there will be a decrease in major as well as minor crimes. In Boston the pawnbrokers' business has fallen off, because men are not pawning goods for money with which to buy liquor and their wives are not forced to seek the pawnshop's aid after the husbands have squandered their pay on liquor. The effect generally, it is believed, will be to make the wage-earner's money go further, to stimulate thrift, to promote the purchase of useful articles, such as clothing and household furniture, and, by relieving economic stress and improper living conditions in many families, to remove incentives to crime.

Many merchants, for example, say that after the country has become adjusted to prohibition they expect a large increase in trade. A part of the money that once went over the bar will go over the store counter and the rest will go into the bank. Buffalo stores, in particular, are making extensive preparations for a deluge of trade within the next few months.

These positive and immediate effects of prohibition, testified to in such emphatic terms by a leading newspaper of Boston, should not, I submit, be regarded as other than desirable, even by the most ardent and enthusiastic antiprohibitionists. [Applause.]

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. BURKE. Mr. Chairman, I move to strike out section 40.

Mr. DYER. Mr. Chairman, there is a committee amendment pending.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. BURKE] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BURKE: Page 33, line 7, strike out all of section 40.

The CHAIRMAN. The gentleman from Pennsylvania is recognized.

Mr. BURKE. Mr. Chairman, I again go on record in opposition to this bill, because it goes to extremes and is too drastic in effect. A bill like this, with its search-and-seizure clause, its denial of the right to a trial by jury, is un-American. Instead of gaining support, it is losing ground, and the eyes of the Nation are watching Congress and its action on this measure. Advocates of prohibition are not for some of its features, because we are Americans first.

No one man or set of men has the right to thrust upon the people of this country a bill or law that violates every vestige of American freedom and outrages every sense of justice. We attempt with this bill to do things that are repugnant to every true-minded American. It has been said that you want to put teeth in the bill. Well, it has teeth, and its claws are pretty sharp, but it does not seem as though its creators had cut their wisdom teeth or were in very close touch with the sentiment of the American people.

A bill like this would be all right emanating under a government of tyranny, but it has no place and no right in a country which has a government of the people, by the people, and for the people.

It is laws like these that make for Bolshevism, and the men that would seek to thrust such laws upon the people of this country or any country are responsible for lawlessness. You take away from the people a cherished right given them by the Constitution of the United States, and you can not expect anything else but discontent and dissatisfaction. Even those opposed to drink are not in sympathy with the severe features of this bill.

America is looked upon as the guiding lamp of the world. She has been the haven of the oppressed and the dispenser of justice to all. Her light has shone with such a brilliancy that the name "America" stands for all that is great and glorious. The people of this great Nation believe her a divine institution. They will see that the things she stands for and represents will not be crushed; that laws will not be enacted that will make of her justice a mockery and of her brilliancy a faded light.

Let this Congress take heed of public sentiment; public sentiment is against making the name of American liberty and American justice a byword; it is against establishing fanatic rule for American rule; it is against taking away from men the inherent rights they possess under American laws—the right to be innocent until proven guilty, and the American right of an American trial by an American jury. [Applause.]

Mr. DYER. Mr. Chairman, I move that all debate on this section close in five minutes.

Mr. BURKE. Mr. Chairman, I desire to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. GALLIVAN. I object.

The CHAIRMAN. Objection is heard. The gentleman from Missouri moves that all debate on this paragraph and all amendments thereto close in five minutes.

Mr. SIEGEL. Mr. Chairman, I move to amend the gentleman's motion by making it 10 minutes. I have an amendment here that I want to have considered.

The CHAIRMAN. The gentleman from New York amends the motion of the gentleman from Missouri by substituting 10 minutes for 5 minutes. The question is on agreeing to the amendment of the gentleman from New York.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. SIEGEL. Mr. Chairman, I demand a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 42, noes 51.

Mr. SIEGEL. I ask for tellers.

Tellers were refused, five Members, not a sufficient number, seconding the demand.

Mr. SIEGEL. I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and twenty-nine Members present, a quorum. The question is on the motion of the gentleman from Missouri [Mr. DYER] that all debate on this paragraph and all amendments thereto close in five minutes.

The motion was agreed to.

Mr. ESCH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

Mr. SIEGEL. I have another amendment, which I desire to offer.

The CHAIRMAN. The gentleman from New York will be given an opportunity to offer his amendment. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Amendment offered by Mr. ESCH: Page 33, line 11, after the word "act," insert "but such clerks and other employees shall be appointed under the rules and regulations prescribed by the civil service act."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken; and on a division (demanded by Mr. BANKHEAD) there were—ayes 90, noes 17.

Accordingly the amendment was agreed to.

Mr. SIEGEL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SIEGEL: Page 33, line 11, after the word "act," insert *"Provided*, That the commissioner and Attorney General in making such appointments shall give preference to those who have served in the military or naval service in the recent war if otherwise qualified."

Mr. SIEGEL. Mr. Chairman, there are a number——

Mr. DYER. Mr. Chairman, the time was limited to five minutes.

The CHAIRMAN. There has been no debate since the time was fixed by the committee, and five minutes remain.

Mr. SIEGEL. Mr. Chairman and gentlemen, this amendment would simply give the boys who served in the recent war a preference in this employment if otherwise qualified.

Mr. BLANTON. Does not the gentleman want to include the marines?

Mr. SIEGEL. I do, and the words "naval service" are meant to include the marines.

Mr. BLANTON. Those words do not include them.

Mr. SIEGEL. Oh, yes. The words "naval service" have always been understood to include the marines. Under no conditions would I except them.

Mr. DYER. Will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. DYER. Recently at this session of Congress we adopted a provision, which is now the law, which provides that preference shall be given to these soldiers, sailors, and marines in all appointments in the Government service, either here in Washington or elsewhere.

Mr. SIEGEL. That will probably be held to apply to those acts passed previous to that one.

Mr. DYER. Oh, no; to all acts.

Mr. SIEGEL. If so, what objection is there to putting this provision in this act?

Mr. DYER. It is not necessary.

Mr. SIEGEL. The gentleman from Missouri is mistaken. Many of these boys have come back with arms and legs gone and otherwise disqualified to obtain employment. If we are going to have men to enforce this law certainly these men who have been in the military and naval service, if otherwise qualified, should be given a preference. That is the least Congress can do for them.

Mr. BANKHEAD. Does the gentleman believe what has been stated, that all these returned soldiers are against prohibition?

Mr. SIEGEL. Many, if not all, of them are against prohibition, but I am certain that regardless of whether they are for or against prohibition they will enforce the law as you put it on the statute books. [Applause.]

Mr. COADY. What is the probability of the gentleman's amendment eliminating very many of these Anti-Saloon League advocates?

Mr. SIEGEL. It may, but time will tell that story. [Laughter.]

Mr. WINGO. I rise to a point of order. Under the rules of the House, when operating under the 5-minute rule, if a Member is recognized for 5 minutes, even though debate has been limited to a particular time—5, 10, or 15 minutes—that Member can not yield any part of the 5 minutes. He can not reserve it, he can not transfer it. When the gentleman yields the floor, that time expires. I think if the Chair will consult the parliamentarian he will find that that has been decided time and again, and decided at this session of Congress.

The CHAIRMAN. This question was raised a short time ago in the consideration of this bill; and the Chair, without consulting the authorities, held that the five minutes could be consumed by any Member of the House; but upon making a more thorough investigation the Chair finds that a contrary ruling has been made at this session of Congress and therefore the

Chair sustains the point of order. The question recurs on the amendment offered by the gentleman from New York [Mr. SIEGEL].

The amendment was agreed to.

The CHAIRMAN. The question recurs on the motion of the gentleman from Pennsylvania [Mr. BURKE] to strike out the section.

The question was taken, and the amendment was rejected.

Mr. VOLSTEAD. Mr. Chairman, I ask unanimous consent to return to section 6 for this purpose: There has been some question as to what ought to be done in regard to the power to provide wine for sacramental purposes. Various parties have been consulted, and we have agreed on a provision that ought to be inserted if there is no objection.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to return to page 12, section 6, to offer an amendment.

Mr. GARNER. Reserving the right to object, why not get through with the bill first?

Mr. WALSH. This belongs in this title.

Mr. McDUFFIE. Reserving the right to object, if we go back to section 6 would it deprive one of the privilege of offering a new section under Title II as section 41?

The CHAIRMAN. The question is, Is there objection?

Mr. DYER. I object.

Mr. McDUFFIE. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 33, add a new section as section 41, as follows:
"That nothing in this title shall be construed to prohibit the making and keeping on one's own premises wine or cider or cordials made from apples, berries, or fruits for the use and personal consumption in the home, not to exceed 5 gallons at any one time."

Mr. BLANTON and Mr. BARKLEY made points of order.

The CHAIRMAN. What is the ground of the gentleman's point of order?

Mr. BLANTON. It is not germane and not in accordance with the purpose contained in the bill.

The CHAIRMAN. The Chair sustains the point of order.

Mr. IGOE. Mr. Chairman, I offer the following amendment as a new section.

The Clerk read as follows:

Nothing in this title shall be held to apply to the manufacture, sale, importation, possession, or distribution of wine for sacramental purposes, except sections 6 and 10 hereof and the sections of this act prescribing penalties for the violation of either of said sections. No person to whom a permit may be issued to manufacture, import, or sell wines for sacramental purposes shall sell, barter, exchange, or give any such to any person not a rabbi, minister of the gospel, or priest, nor to any such except upon an application duly subscribed by him and indorsed by an official specially designated for such purpose, by the head of the conference or diocese or other ecclesiastical jurisdiction in which he is officiating, which application shall be filed and preserved by the seller. The head of any conference or diocese or other ecclesiastical jurisdiction may designate any rabbi, minister, or priest to supervise the manufacture of wine to be used for sacramental purposes, and the person so designated shall be entitled to a permit, to be issued by the commissioner, authorizing him so to supervise such manufacture: *Provided, however,* That the foregoing provisions of this section shall not apply to any officer, minister, priest, or rabbi of any church or religious organization who is unwilling or unable to comply with the same, but such officer, minister, priest, or rabbi may manufacture, purchase, possess, and use wine for sacramental purposes under permits issued under and subject to the provisions of this title.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The question was taken, and the Chair announced that the ayes seemed to have it, and the ayes had it.

Mr. JOHNSON of Kentucky. Mr. Chairman, there was no negative vote, and the Chair said that the ayes seemed to have it.

The CHAIRMAN. There was a good deal of confusion in the House, and the Chair was not sure that there were no negative votes.

Mr. JOHNSON of Kentucky. I demand a division, Mr. Chairman.

The committee divided; and there were 98 ayes and no noes.

So the amendment was agreed to.

Mr. VENABLE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. VENABLE: Insert as a new section the following:
"That in all cases where the property of any citizen is proceeded against, or wherein a judgment affecting it might be rendered and the citizen is not the one who in person violated the provisions of the law, summons must be issued in due form and served personally if said person is to be found within the jurisdiction of the court."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. VENABLE) there were—ayes 26, noes 14.

So the amendment was agreed to.

Mr. SABATH. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD on this bill.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to revise and extend his remarks upon this bill. Is there objection?

Mr. POU. Mr. Chairman, I make the same request.

Mr. WALSH. Reserving the right to object, if he is going to insert any newspaper extracts about what Lady Somerset said, I shall object.

Mr. SABATH. I merely desire to straighten out the remarks that I made.

Mr. WALSH. I object if the gentleman does not care to answer the question.

The CHAIRMAN. Objection is made. Is there objection to the request of the gentleman from North Carolina [Mr. POU]. [After a pause.] The Chair hears none.

Mr. LEHLBACH. Mr. Chairman, I make the same request.

Mr. DYER. Mr. Chairman, I think all should be treated alike, and I suggest they take the matter up in the House instead of in the committee. I object to all such requests.

The CHAIRMAN. Objection is made.

Mr. FESS. Mr. Chairman, I move to strike out the last word to suggest that we have added two sections, and there ought to be authority given to renumber the sections.

Mr. DYER. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE III.

INDUSTRIAL ALCOHOL.

That when used in this title—
The term "alcohol" means that substance known as ethyl alcohol, hydrated oxide of ethyl, or spirit of wine, from whatever source or whatever processes produced.
The term "container" includes any receptacle, vessel, or form of package, tank, or conduit used or capable of use for holding, storing, transferring, or shipment of alcohol.

Mr. WALSH. Mr. Chairman, I move to amend by inserting, in line 17, before the word "that," the words "Section 1."

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. WALSH: Page 32, line 17, before the word "that," insert the words "Section 1."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

INDUSTRIAL-ALCOHOL PLANTS AND WAREHOUSES.

SEC. 2. That any person now producing alcohol shall, within 30 days after the passage of this act, make application for registration as proprietor of an industrial-alcohol plant, and as soon thereafter as practicable the premises shall be bonded and permit may issue for the operation of such plant, and any person hereafter establishing a plant for the production of alcohol shall likewise before operation make application, file bond, and receive permit, except that no manufacturer of vinegar under section 3282 of the Revised Statutes, as amended, shall be required to register as the proprietor of an industrial-alcohol plant.

Mr. VOLSTEAD. Mr. Chairman, I move to strike out, in lines 9, 10, 11, and 12, on page 34, the language commencing, in line 9, with the words "except that." This amendment was not put on by the committee. It was offered and pending, and by mistake the Clerk included it in the bill. There is another provision covering this matter.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 34, line 9, strike out the words "except that" and all of lines 10, 11, and 12.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. GARD. What did the gentleman say about that?

Mr. VOLSTEAD. This was never agreed to by the committee. By mistake it was put into the bill. There is another provision, on page 37, covering this subject.

Mr. GARD. This is a proper provision, is it not, as it exists?

Mr. VOLSTEAD. I do not know what the object is, and there is no necessity of putting it in. We never agreed to it.

Mr. GARD. My impression is that it was considered by the committee and put in, though I may be mistaken.

Mr. VOLSTEAD. It was not.

Mr. WALSH. It was put in by mistake.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. JOHNSON of Kentucky. Mr. Chairman, on page 34, line 4, before the words "for registration," I move to insert the words "to the Commissioner of Internal Revenue."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Kentucky: Page 34, line 4, after the word "application," insert the words "to the Commissioner of Internal Revenue."

Mr. WALSH. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I do.

Mr. WALSH. If the gentleman will note, on page 7, line 18, the word "commissioner" is defined to mean the Commissioner of Internal Revenue. I suggest if the gentleman will just insert the word "commissioner"——

Mr. JOHNSON of Kentucky. I accept the amendment. Strike out the words "of Internal Revenue," so that the amendment will read, "Make application to the commissioner for registration, and so forth."

The CHAIRMAN. Without objection, the Clerk will report the amendment as modified.

There was no objection.

The Clerk read as follows:

Page 34, line 4, after the word "application," insert "to the commissioner."

The question was taken, and the amendment was agreed to.

Mr. JOHNSON of Kentucky. Mr. Chairman, I wish to invite the attention of the chairman of the committee to the language used in section 2 and also in section 4. Section 2, which is now under consideration, reads:

That any person now producing alcohol shall, within 30 days after the passage of this act, make application to the commissioner for registration as proprietor of an industrial alcohol plant—

And so forth. Then down in section 4 I find this language:

That alcohol produced at any registered industrial alcohol plant,—

And so forth. By the language in section 2 the proprietor of an industrial plant is registered and not the plant itself, while in section 4, at the bottom of the page, the plant is registered and not the proprietor. It has been the rule throughout all legislation concerning this subject to have the plant registered, and I believe that the language in section 2 should be changed to conform with the language in section 4.

Mr. VOLSTEAD. This language was drawn by the office of the Commissioner of Internal Revenue—the whole of this title, with very few exceptions—and there is practically no change of the language at all.

Mr. JOHNSON of Kentucky. The Commissioner of Internal Revenue only recently took that office, and it has been physically impossible for him to acquaint himself with the law upon this subject, and I believe it has been impossible for him to have acquainted himself fully with the provisions of this bill. Now, it was drawn by somebody in the office who was not any better prepared to prepare a bill than the gentleman from Minnesota or myself.

Mr. DYER. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I do.

Mr. DYER. If the gentleman, I think, will move to strike out the words "as proprietor" in line 4 of section 2, that would meet the situation, and it ought to be done I am sure.

Mr. JOHNSON of Kentucky. Mr. Chairman, I move to strike out, line 4, section 2, the words "as proprietor."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Kentucky: Page 34, line 4, strike out the words "as proprietor."

The question was taken, and the amendment was agreed to.

Mr. DENISON. Mr. Chairman, I want to offer an amendment as a new section.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. DENISON: Page 33, line 15, insert a new section, section 41——

The CHAIRMAN. The Chair calls attention of the gentleman to the fact we have passed Title II and are now reading Title III of the bill.

Mr. DENISON. I did not know we had passed that, and I ask unanimous consent to return——

Mr. DYER. I will object, Mr. Chairman.

The CHAIRMAN. Objection is heard.

Mr. CURRIE of Michigan. Mr. Chairman, further to clarify the language of section 2 I move, on page 34, line 4, after the word "registration," to insert the words "of his plant."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CURRIE of Michigan: Page 34, line 4, after the word "registration," insert the words "of his plant."

Mr. GARD. Can not we have that amendment read. There seems to be some confusion.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Michigan will be again read.

There was no objection.

The amendment was again reported.

Mr. GARD. May we not have the language as it now exists read?

The Clerk read as follows:

So that it will read, "That any person now producing alcohol shall, within 30 days after the passage of this act, make application to the commissioner for registration of his plant, as proprietor of an industrial-alcohol plant——

Mr. RAKER. That is already stricken out by the motion of the gentleman from Kentucky.

Mr. CURRIE of Michigan. I want the word "as" to follow the word "plant," so the amendment will read——

Mr. GARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GARD. Would it not be better for these gentlemen, in order to avoid confusion, to put their amendments in writing?

The CHAIRMAN. The gentleman will send his amendment to the desk in writing.

Mr. WINGO. I suggest, Mr. Chairman, that we consider some other amendment while the gentleman is doing that.

Mr. CURRIE of Michigan. Mr. Chairman, with the consent of the gentleman from Ohio, I believe this language will be clear if in line 4, page 34, we strike out the word "an" and insert the word "his."

Mr. WINGO. Let me suggest to the gentleman that he change the word "of" to the word "as."

Mr. RAKER. Mr. Chairman, a parliamentary inquiry. Is the other amendment withdrawn?

The CHAIRMAN. The gentleman offers an amendment as a substitute for the amendment offered previously. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CURRIE of Michigan: Page 34, line 4, strike out the word "an" and insert the word "his."

Mr. GARD. May we have it reported as it is amended? It is impossible to follow the text.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CURRIE of Michigan: On page 34, line 4, after the word "of," strike out the word "an" and insert the word "his," so that the paragraph will read:

"That any person now producing alcohol shall, within 30 days after the passage of this act, make application to the commissioner for registration of his industrial-alcohol plant."

Mr. RAKER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RAKER. The amendment that was presented by the gentleman from Michigan was withdrawn?

Mr. DYER. It was modified as last reported.

Mr. RAKER. That is right.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Michigan [Mr. CURRIE].

The amendment was agreed to.

The Clerk read as follows:

SEC. 3. That warehouses for the storage and distribution of alcohol exclusively for other than beverage purposes may be established upon filing of application and bond, and issuance of permit at such places, either in connection with the manufacturing plant or elsewhere, as the commissioner may determine; and the entry and storage of alcohol therein and the withdrawals of alcohol therefrom shall be made in such containers and by such means as regulations may prescribe.

Mr. JOHNSON of Kentucky. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee what is meant by the expression "such means," in line 20?

Mr. VOLSTEAD. That may mean by a pipe line; it may mean by a trunk or almost anything. Under present regulations and under a good many of the statutory provisions, it is very difficult to transfer from one place to another, and almost impossible, and this is with a view of liberalizing it.

Mr. JOHNSON of Kentucky. In line 14, after the word "alcohol," does not the gentleman think the words "to be used" should be inserted, so that it will read: "That warehouses for the storage and distribution of alcohol to be used exclusively for other than beverage purposes," and so forth?

Mr. VOLSTEAD. I would not object to that.

Mr. JOHNSON of Kentucky. I offer the amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. JOHNSON of Kentucky: Page 34, line 14, after the word "alcohol," insert the words "to be used."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 4. That alcohol produced at any registered industrial-alcohol plant or stored in any bonded warehouse may be transferred under regulations to any other registered industrial-alcohol plant or bonded warehouse for any lawful purpose.

Mr. REED of West Virginia. Mr. Chairman——

The CHAIRMAN. The gentleman from West Virginia is recognized.

Mr. REED of West Virginia. I would like to ask the chairman a question. Alcohol has been described in the preceding section very minutely. Here it is simply "alcohol." Does the gentleman want any qualifying words such as "for beverage purposes"?

Mr. VOLSTEAD. The word "alcohol" is defined in the title.

Mr. REED of West Virginia. Section 3 carries those definitions.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 6. That any distilled spirits produced and fit for beverage purposes remaining in any bonded warehouse on or before January 16, 1920, may, under regulations, be withdrawn therefrom either for denaturation at any bonded denaturing plant or for deposit in a bonded warehouse established under this act; and when so withdrawn, if not suitable as to proof, purity, or quality for other than beverage purposes, such distilled spirits shall be redistilled, purified, and changed in proof so as to render such spirits suitable for other purposes, and having been so treated may thereafter be denatured or sold in accordance with the provisions of this act.

Mr. JOHNSON of Kentucky. Mr. Chairman, in line 16, after the word "therefrom," I move to insert the words "and transported."

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Kentucky: Page 35, line 16, after the word "therefrom," insert the words "and transported."

Mr. VOLSTEAD. I do not think we ought to insert those. There is no limitation upon the transportation of this. This is industrial alcohol, and I do not think we ought to mention it specially, because it ought to come under the general regulations.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. SABATH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. SABATH. I do so for the purpose of asking a question of the chairman of the committee. There is no provision that I see in the bill as to such alcohol after January 16, 1920. It says, "In any bonded warehouse on or before January 16, 1920."

Mr. VOLSTEAD. I do not know whether I correctly heard the gentleman's statement.

Mr. SABATH. This section provides what can be done with the alcohol remaining in the bonded warehouse on or before January 16, 1920, but there is no provision there that any alcohol or spirits that remain in the bonded warehouse after January 16, 1920, can be rectified or redistilled.

Mr. VOLSTEAD. There is a provision in here that it may be rectified or redistilled, but there is no more to be produced except for medical and medicinal purposes.

Mr. SABATH. But it says "on or before January 16, 1920," and there is nothing after that date.

Mr. DYER. There will not be any after that date, because the amendment goes into effect then.

Mr. SABATH. You still may have some spirits in the warehouse after that date.

Mr. DYER. It must be in the warehouse before that date. It can not be put in after January 16, 1920.

The CHAIRMAN (Mr. FESS). The pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

SEC. 9. That industrial alcohol plants and bonded warehouses established under the provisions of this title shall be exempt from the provisions of sections 3154, 3244, 3258, 3259, 3260, 3263, 3264, 3266, 3267, 3268, 3269, 3271, 3273, 3274, 3275, 3279, 3280, 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3293, 3294, 3295, 3302, 3303, 3307, 3308, 3309, 3310, 3311, 3312, 3313, 3314, and 3327 of the Revised Statutes; sections 48 to 60, inclusive, and sections 62 and 67 of the act of August 27, 1894 (28 Stats., 563–568).

Regulations may be made embodying any provision of the sections above enumerated.

Mr. FORDNEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FORDNEY: Page 36, line 23, strike out the period after the word "enumerated" and insert the following: "and from such other provisions of existing laws relating to distilleries and bonded warehouses as may by regulations be declared inapplicable to industrial alcohol plants and bonded warehouses established under this act."

Mr. WALSH. Mr. Chairman, I do not see that that makes any sense. Regulations may be made embodying any provision of the sections above enumerated, and then it goes on to say, "That upon the filing of application and bond," and so forth.

Mr. FORDNEY. The alcohol manufacturers requested me to introduce that amendment.

Mr. WALSH. I suggest to the gentleman that it makes no sense in the place where it is offered as the last part of section 9.

Mr. GARD. Does the gentleman offer it as a separate paragraph or separate section?

Mr. FORDNEY. No, sir. I offer it as an amendment to that section.

Mr. GARD. It does not follow the text.

Mr. DYER. I suggest to the gentleman that the proper place is at the end of line 21. That is where it should go.

Mr. FORDNEY. I do not object to having it put there. Mr. Chairman, I ask unanimous consent to have the amendment inserted at the end of line 21.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the amendment be inserted at the end of line 21. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again read, to be inserted at the end of line 21, page 36.

Mr. VOLSTEAD. Mr. Chairman, I do not believe we ought to put that in, because it seems to me that it delegates to the commissioner the power to repeal existing law. There is a general rule well recognized that allows Congress to delegate power to determine some fact upon the finding of which an enactment becomes operative. But we must make the law. We can not delegate the power to legislate. This, it seems to me, leaves to the commissioner the power to say what part of existing law shall remain in force and what not without laying down any rule from which it can be determined with any certainty what is law and what is not. There was a provision substantially of this kind in the bill that we struck out in the consideration of it in the committee.

Mr. DYER. Well, Mr. Chairman, if the gentleman will yield, we struck it out in the committee because the gentleman from Minnesota stated it was going into the jurisdiction of the Committee on Ways and Means; that it was their business to repeal statutes affecting the revenue. This does not repeal any statute at all. It only makes certain provisions of the Revised Statutes inapplicable to provisions of this law.

Mr. VOLSTEAD. No; that was not the reason at all. The committee discussed it, and the same objection that I am raising to it now was raised in the committee; that is, that it delegates to the commissioner power to legislate. As I view it, it does not come within the rules under which we may delegate power. We may delegate the finding of a fact and declare that upon such finding the law as we declare it shall become operative.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DYER. Mr. Chairman, this amendment ought to be adopted. There is nothing objectionable in it. It only makes it inapplicable to industrial alcohol, and I know every Member of this House is anxious to encourage that great industry which is now trying to get a foothold in America for the first time. Germany has had this industry for many years, while we in this country are but beginning to get started.

Mr. RAKER. Mr. Chairman, a point of order.

Mr. DYER. I refuse to yield to the gentleman to make a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. RAKER. The point of order is that the gentleman from Michigan offered his amendment, the Chair recognized him, and he has not been given an opportunity to present his amendment.

Mr. DYER. The gentleman from Michigan yielded the floor.

Mr. FORDNEY. I presented the amendment and yielded to the gentleman from Missouri.

Mr. DYER. Mr. Chairman, this industry is engaged in the manufacture of industrial alcohol for heat, for light, for power, and many other important uses. It is absolutely necessary in hospitals and chemical laboratories, and is used in the home in many ways. It is hampered by these antiquated laws passed

at various times since the beginning of this country's history. In those days we did not have any industrial alcohol, and the laws were passed with reference to alcohol used in beverages. Now that we have come to the point where we are making industrial alcohol, the amendment offered by the gentleman from Michigan is only to make inapplicable certain old sections and statutes that interfere with the manufacture of industrial alcohol, which should be repealed. I hope the amendment will be agreed to.

The CHAIRMAN. The question is on the amendment of the gentleman from Michigan [Mr. FORDNEY].

The question being taken, on a division (demanded by Mr. VOLSTEAD and Mr. GARD) there were—ayes 51, noes 32.

Mr. BLANTON. I ask for tellers, Mr. Chairman.

The CHAIRMAN. The gentleman from Texas asks for tellers.

Tellers were refused, three members, not a sufficient number, seconding the demand.

The Clerk read as follows:

SEC. 11. That alcohol produced at any industrial alcohol plant or stored in any bonded warehouse may, under regulations, be withdrawn tax free as provided by existing law from such plant or warehouse for transfer to any denaturing plant for denaturation, or may, under regulations, before or after denaturation, be removed from any such plant or warehouse for any lawful tax-free purpose.

But any person permitted to obtain alcohol tax free, except the United States and the several States, shall first apply for and secure a permit to purchase the same and give the bonds prescribed under title 1 of this act, but alcohol withdrawn for nonbeverage purposes for use of the United States and the several States may be purchased and withdrawn subject only to such regulations as may be prescribed.

Mr. VOLSTEAD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 37, line 18, add: "Spirits of less proof than 160 degrees may, under regulations, be deemed to be alcohol for the purpose of denaturation, under the provisions of this title."

Also, after line 18, page 37, insert a new paragraph to follow the above:

"That alcohol may be withdrawn, under regulations, from any industrial plant or bonded warehouse, tax free for use of the United States or any governmental agency thereof, for the several States and Territories, and the District of Columbia, and for the use of any scientific university or college of learning, any laboratory for use exclusively in scientific research, or any hospital not conducted for profit."

The CHAIRMAN. Does the gentleman from Minnesota yield the floor?

Mr. VOLSTEAD. Yes.

Mr. GARD. I desire to ask a question of the chairman of the committee. What has become of the gentleman's statement a while ago that he was going to take care of the proposition that no manufacturer of vinegar should be required to register as the proprietor of an industrial alcohol plant?

Mr. VOLSTEAD. On page 37 the gentleman will find the following provision:

Nothing in this act shall be construed to require manufacturers of distilled vinegar to raise the proof of any alcohol used in such manufacture or to denature the same.

It was claimed that in manufacturing vinegar a liquid containing only 28 per cent of alcohol was necessary, and consequently the law should not require a higher percentage. The change from alcohol to vinegar is in effect a denaturing process. In order to be denatured alcohol it must be 160 proof, as I understand. So we have adopted the amendment which has been voted on.

Mr. GARD. Does the gentleman think that covers the provision that was heretofore included, or not?

Mr. VOLSTEAD. Yes; it was presented by Mr. HUSTED, a member of the committee, and was accepted in the language in which he drew it. I am sure it is all right.

Mr. GARD. The gentleman says it was drawn by the attorney of the vinegar companies?

Mr. VOLSTEAD. Yes; who was there before the committee.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. GARD. Mr. Chairman, I offer to amend, on page 37, line 24, after the second word "States," by inserting the words "Territories and the District of Columbia."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 37, line 24, after the second word "States," insert the words "Territories and the District of Columbia."

Mr. AYRES. Does not the gentleman think it should go in also in line 20?

Mr. GARD. No; I think it is covered by the last provision.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 13. That the commissioner shall from time to time issue regulations respecting the establishment, bonding, and operations of industrial alcohol plants, denaturing plants, and bonded warehouses authorized herein, and the distribution, sale, export, and use of alcohol which may be necessary, advisable, or proper, to secure the revenue, to prevent diversion of the alcohol to illegal uses, and to place the nonbeverage alcohol industry and other industries using such alcohol as a chemical raw material or for other lawful purposes upon the highest possible plane of scientific and commercial efficiency consistent with the interests of the Government, and which shall insure an ample supply of such alcohol and promote its use in scientific research and the development of fuels, dyes, and other lawful products. All regulations so issued shall have the force and effect of law.

Mr. FORDNEY. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

After line 19, page 38, insert as section 13 a the following:

"SEC. 13 a. That whenever any alcohol is lost by evaporation or other shrinkage, leakage, casualty, or unavoidable cause during distillation, redistillation, denaturation, withdrawal, piping, shipment, warehousing, storage, packing, transfer, recovery, or use of any such alcohol the commissioner shall remit or refund any tax incurred under existing law upon such alcohol, provided he is satisfied that the alcohol has not been diverted to any illegal use: *Provided also*, That such allowance shall not be granted if the person claiming same is indemnified against such loss by a valid claim of insurance."

Mr. WALSH. Mr. Chairman, I make a point of order against that provision. That is merely an attempt to incorporate a tax provision into this legislation.

Mr. FORDNEY. Mr. Chairman, that matter was before the Committee on the Judiciary and was stricken from the bill because of the fact that the chairman and members of that committee thought that it rightfully belonged to the Committee on Ways and Means, as it affected the revenues of the Government. The chairman called my attention to the matter, and I took it up with the Committee on Ways and Means, and I have been authorized to offer it here as an amendment to this bill.

Mr. WALSH. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. WALSH. Did I understand the gentleman to say that this had been considered by the Committee on Ways and Means in connection with this legislation and that it had authorized him to offer it?

Mr. FORDNEY. Yes; I took it up with the committee and was authorized to offer this amendment, as I have.

Mr. WALSH. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 14. That whoever operates an industrial alcohol plant or a denaturing plant without complying with the provisions of this title and lawful regulations made thereunder, or whoever withdraws or attempts to withdraw or secure tax free any alcohol subject to tax, or whoever violates any of the provisions of this title or of regulations lawfully made thereunder shall be liable, for the first offense, to a penalty of not exceeding $1,000 or imprisonment not exceeding 30 days, or both, and for a second or cognate offense to a penalty of not less than $100 nor more than $10,000, and to imprisonment of not less than 30 days nor more than one year. It shall be lawful for the commissioner in all cases of second or cognate offense to refuse to issue for a period of one year permit for the manufacture or use of alcohol upon the premises of any person responsible in any degree for the violation.

Mr. JOHNSON of Kentucky. Mr. Chairman, I offer an amendment. On page 38, line 23, after the word "withdraw" insert "from bond."

Mr. WALSH. Does the gentleman understand that the term "withdraw" also applies to the withdrawal of liquor from the plant?

Mr. JOHNSON of Kentucky. The tax attaches to alcohol under the provisions of this bill just as soon as it is produced as such. There are no withdrawals contemplated in the law except withdrawals from bonded warehouses.

Mr. WALSH. This attempts to withdraw it from the plant, from the distillery.

The CHAIRMAN. The question is on the amendment by the gentleman from Kentucky.

The question was taken, and the amendment was rejected.

Mr. SAUNDERS of Virginia. Mr. Chairman, I would ask the chairman of the committee whether or not the word "a" in line 7 on page 39 should not be inserted after the word "year"?

Mr. VOLSTEAD. Yes.

Mr. SAUNDERS of Virginia. Then, Mr. Chairman, I move to insert the word "a" after the word "year" in line 7.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. SAUNDERS of Virginia: Page 29, line 7, after the word "year," insert the word "a."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 16. That where any property is seized for violation of this title it may be released to the claimant or to any intervening party, in the discretion of the commissioner, on a bond given and approved.

Mr. GOLDFOGLE. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

On line 15 of page 39, between the words "seized" and "for," insert "or a lien is claimed and has attached pending a suit," and on line 16 strike out the word "title" and in lieu thereof insert "act," so that as amended section 16 shall read as follows:

"SEC. 16. That where any property is seized, or a lien is claimed and has attached pending a suit, for violation of this act it may be released to the claimant or to any intervening party, in the discretion of the commissioner, on a bond given and approved."

Mr. GOLDFOGLE. Mr. Chairman, I would like to have the attention of the gentleman from Minnesota [Mr. VOLSTEAD]. I think the gentleman will accept the amendment that I have introduced. It allows the commissioner to accept a bond not only in the cases where property has been seized under this title, but also in cases where a lien is claimed and has attached under any provision of this act. In other words, I would have the commissioner invested with the right to take a bond where property has been seized under this act, not alone under this title but under any section of the law, and also take a bond and approve it in the case where a lien has attached pending suit, so that in the cases provided for in Title II, where for an alleged violation of some of the provisions a lien has attached, the commissioner may during the pendency of the suit release the property, provided proper security be given to the Government, and in cases where property has been seized, as, for instance, automobiles or cars or any kind of property under Title II, a bond may be accepted. As drawn in this bill the commissioner is restricted to taking a bond in the case of such seizures only as are provided for in Title III, and can not take bond in many of the cases where the law would impose a lien under Title II. Unless the commissioner be given such authority, which would by the way amply secure the Government, great injustice might often result to owners of property and property tied up during protracted litigation. I hope the chairman of the committee will accept the amendment I have offered.

Mr. VOLSTEAD. Mr. Chairman, I do not think it ought to be accepted. I do not think this ought to be changed.

Mr. McLAUGHLIN of Michigan. This would authorize the commissioner in cases with which he has nothing to do, in cases begun under Title II, in the case of seizure of property, to receive the bond. That ought not to exist and the amendment ought not to be here.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

The Clerk read as follows:

SEC. 20. That titles 1 and 3 and sections 1 and 40 of title 2 of this act shall take effect and be in force from and after the passage and approval of the act. The other sections of title 2 shall take effect and be in force on and after January 16, 1920.

Mr. VOLSTEAD. Mr. Chairman, I move to amend in line 3, on page 40, by inserting after the last figure "1" a comma and the figures "39."

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 40, line 3, after the second figure "1" insert a comma and the figures "39."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. VOLSTEAD. Mr. Chairman, I ask unanimous consent that the figures "1," "3," and "2" be changed to the Roman numerals "I," "III," and "II," where it refers to titles in lines 3, 4, and 6, page 40.

The CHAIRMAN. Will the gentleman restate his request for unanimous consent?

Mr. VOLSTEAD. That the numbers designating titles in lines 3, 4, and 6 be changed to Roman numerals.

The CHAIRMAN. The gentleman asks unanimous consent that the numbers in lines 3, 4, and 6 be changed to Roman numerals. Is there objection? [After a pause.] The Chair hears none.

Mr. WALSH. Mr. Chairman, has the chairman of the committee secured consent to have the Clerk renumber the sections and correct errors in spelling? I ask unanimous consent that the Clerk be authorized to renumber sections and to correct any misspelled words.

Mr. SABATH. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. WALSH. I make the motion, Mr. Chairman.

The CHAIRMAN. The gentleman from Massachusetts moves that the Clerk be authorized to correct any mistakes in spelling and be allowed to renumber the sections where they are not numbered.

Mr. SABATH. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. SABATH. Is that motion in order—to authorize the Clerk to revise and rewrite the bill?

Mr. WALSH. It is usually done by unanimous consent; but, of course, the gentleman from Chicago, who has been filibustering for the last three weeks on this bill, thought he would execute a smart maneuver at the final end of the bill and object to what has heretofore usually been granted by unanimous consent. I ask for a vote.

Mr. SABATH. I do not know what the gentleman is talking about——

The CHAIRMAN. The gentleman from Illinois makes the point of order that it is not in order to return to prior sections of the bill, and the Chair is inclined to think that the point of order is well taken.

Mr. WALSH. I am not asking to return to prior sections of the bill.

The CHAIRMAN. It would be an amendment to prior sections, of course, to renumber them, and the Chair sustains the point of order.

Mr. VOLSTEAD. Mr. Chairman, I ask unanimous consent to return to page 3, line 3, where a mistake occurred by inserting the word——

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to return to page 3, line 3, for the purpose of offering an amendment. Is there objection?

Mr. SABATH. Reserving the right to object——

Mr. WALSH. Regular order!

Mr. GARD. Let us have the amendment reported.

The CHAIRMAN. The regular order is demanded. Is there objection?

Mr. SABATH. Reserving the right to object——

SEVERAL MEMBERS. Regular order!

Mr. GARD. Let us have the amendment reported.

Mr. SABATH. I object.

Mr. GALLIVAN. The gentleman from Illinois objects.

Mr. VOLSTEAD. Mr. Chairman, I move that the committee do now rise and report the bill with amendments to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GOOD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 6810, had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. WALSH. Mr. Speaker, under the rule is the previous question now considered as ordered on the bill?

The SPEAKER. The Chair thinks it is. The first question is, Is a separate vote demanded on any amendment?

Mr. GARD. Mr. Speaker, I ask for a separate vote on what is called new section 26½ as it appears on page 2902 of the CONGRESSIONAL RECORD of July 19.

The SPEAKER. The gentleman from Ohio demands a separate vote on the amendment indicated. Is a separate vote demanded on any other amendment?

Mr. BLANTON. Mr. Speaker, I demand a separate vote on what is known as the Steele amendments to section 39.

Mr. IGOE. Mr. Speaker, I ask for a separate vote on the Barkley amendment to section 26, which provides for a search warrant to private dwellings to be used for sale, and so forth. I do not know what the exact language is.

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. FESS. Mr. Speaker, I ask for a separate vote on the amendment which struck out section 31—the bootlegging section.

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. VOLSTEAD. Mr. Speaker, I ask for a separate vote on the amendment inserting the word "hereafter" after the word "shall," in line 3, on page 2.

Mr. RAKER. Mr. Speaker, I desire a separate vote on the amendment to section 35.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them in gross.

The question was taken, and the amendments were agreed to.

The SPEAKER. The first separate vote is demanded on section 26½.

Mr. CANNON. Mr. Speaker, I desire unanimous consent for one minute to ask a question of the chairman of the committee.

The SPEAKER. The gentleman asks unanimous consent for one minute?

Mr. CANNON. Yes. It is nearly 6 o'clock, and the previous question has been ordered, and it seems to me, and I want to suggest it to the chairman, that it would be better to take the vote to-morrow.

Mr. VOLSTEAD. I suppose there will be a roll call on several amendments and on the bill itself. [Cries of "Vote!" "Vote!"]

Mr. CANNON. Well, we will know what the amendments are in the morning. I appeal to the gentleman that he consent that the vote on the amendments and the bill go over until morning, when we can have the amendments in the RECORD.

Mr. CURRIE of Michigan. Mr. Speaker, the regular order.

Mr. CANNON. Are you going to drive this through to-night?

Mr. VOLSTEAD. Yes.

Mr. CANNON. The gentleman says "yes." Mr. Speaker, I move that the House do now adjourn.

On a division (demanded by Mr. CANNON and Mr. MCARTHUR) there were—ayes 116, noes 107.

Mr. SAUNDERS of Virginia. Mr. Speaker, I ask for tellers.

The SPEAKER. The gentleman from Virginia demands tellers. Those in favor of taking the vote by tellers will stand and be counted. [After counting.] Sixty-five gentlemen have arisen.

Mr. WALSH. Mr. Speaker, I demand the other side.

Mr. SAUNDERS of Virginia. Mr. Speaker, you do not take any opposition vote on the call for tellers.

Mr. BRITTEN. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Illinois demands the yeas and nays.

The yeas and nays were ordered.

Mr. WALSH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WALSH. What is this vote on? Is it on one of the amendments?

The SPEAKER. On the motion to adjourn. The Clerk will call the roll.

The question was taken; and there were—yeas 150, nays 219, not voting 61, as follows:

YEAS—150.

Almon	Eagle	McDuffie	Rainey, J. W.
Anthony	Elliott	McGlennon	Ramsey
Aswell	Elston	McKeown	Randall, Wis.
Babka	Fitzgerald	McKinley	Reber
Bacharach	Flood	McKinley	Rhodes
Bee	Fordney	McLane	Riordan
Blackmon	Gallivan	McPherson	Robinson, N. C.
Bland, Mo.	Ganly	MacGregor	Rodenberg
Bland, Va.	Gard	Madden	Romjue
Bowers	Garner	Maher	Sabath
Brand	Garrett	Mansfield	Sanders, N. Y.
Brinson	Glynn	Martin	Sanford
Britten	Goldfogle	Mead	Sears
Browning	Greene, Vt.	Merritt	Sherwood
Buchanan	Griffin	Minahan, N. J.	Sims
Burdick	Hamill	Monahan, Wis.	Small
Burke	Hickey	Montague	Smith, Ill.
Butler	Hill	Mooney	Smith, N. Y.
Byrns, Tenn.	Holland	Moore, Va.	Snell
Campbell, Kans.	Huddleston	Moores, Ind.	Steagall
Cannon	Hull, Iowa	Morin	Steele
Cantrill	Humphreys	Mott	Stephens, Miss.
Carew	Husted	Mudd	Stephens, Ohio
Carter	Igoe	Nelson, Mo.	Sullivan
Casey	Johnston, N. Y.	Nolan	Tinkham
Chindblom	Juul	O'Connell	Venable
Clark, Mo.	Kearns	O'Connor	Vinson
Classon	Kennedy, R. I.	Oldfield	Voigt
Cleary	Kleczka	Oliver	Walters
Coady	LaGuardia	Overstreet	Ward
Crago	Lampert	Padgett	Wason
Cullen	Lazaro	Park	Wheeler
Davis, Tenn.	Lea, Calif.	Parker	Williams
Denison	Lehlbach	Pell	Wilson, La.
Dent	Linthicum	Phelan	Wilson, Pa.
Dooling	Longworth	Porter	Winslow
Dupré	McAndrews	Pou	
Eagan	McArthur	Radcliffe	

NAYS—219.

Ackerman	Briggs	Cramton	Dowell
Alexander	Brooks, Ill.	Crisp	Drane
Anderson	Brooks, Pa.	Crowther	Dunbar
Andrews, Nebr.	Brumbaugh	Currie, Mich.	Dunn
Ayres	Byrnes, S. C.	Curry, Calif.	Dyer
Baer	Campbell, Pa.	Dallinger	Ellsworth
Bankhead	Candler	Darrow	Emerson
Barbour	Caraway	Davey	Esch
Barkley	Christopherson	Davis, Minn.	Evans, Nebr.
Begg	Cole	Dempsey	Evans, Nev.
Bell	Collier	Dickinson, Mo.	Ferris
Benham	Connally	Dickinson, Iowa	Fess
Blanton	Cooper	Dominick	Fields
Boies	Copley	Donovan	Fisher
Box	Costello	Doughton	Foster
Frear	Kennedy, Iowa	Olney	Sumners, Tex.
French	Kiess	Osborne	Sweet
Fuller, Mass.	Kincheloe	Paige	Taylor, Colo.
Gallagher	Kinkaid	Parrish	Taylor, Tenn.
Gandy	Knutson	Peters	Temple
Garland	Kraus	Quin	Thomas
Good	Langley	Ragsdale	Thompson, Ohio
Goodwin, Ark.	Lanham	Rainey, H. T.	Thompson, Okla.
Gould	Lankford	Raker	Tillman
Graham, Pa.	Larsen	Ramseyer	Timberlake
Graham, Ill.	Layton	Randall, Calif.	Tincher
Green, Iowa	Lesher	Rayburn	Towner
Greene, Mass.	Little	Reavis	Treadway
Hadley	Lonergan	Reed, N. Y.	Upshaw
Hardy, Colo.	Luce	Reed, W. Va.	Vaile
Hardy, Tex.	Lufkin	Ricketts	Vare
Haskell	Luhring	Riddick	Vestal
Hastings	McCulloch	Robsion, Ky.	Volstead
Haugen	McFadden	Rogers	Walsh
Hawley	McKenzie	Rose	Watkins
Hayden	McLaughlin, Mich.	Rubey	Watson, Pa.
Hays	McLaughlin, Nebr.	Sanders, Ind.	Watson, Va.
Heflin	MacCrate	Sanders, La.	Weaver
Hernandez	Magee	Saunders, Va.	Webb
Hersey	Major	Schall	Webster
Hersman	Mapes	Scott	Welling
Hoch	Mays	Sells	Whaley
Houghton	Michener	Siegel	White, Kans.
Howard	Miller	Sinclair	White, Me.
Hudspeth	Mondell	Sinnott	Wingo
Hulings	Moon	Smith, Idaho	Wise
Jacoway	Moore, Ohio	Smith, Mich.	Wood, Ind.
James	Moore, Pa.	Smithwick	Woods, Va.
Johnson, Ky.	Morgan	Snyder	Woodyard
Johnson, S. Dak.	Murphy	Stedman	Wright
Johnson, Wash.	Nelson, Wis.	Steenerson	Yates
Jones, Tex.	Newton, Minn.	Stevenson	Young, N. Dak.
Kelley, Mich.	Newton, Mo.	Stiness	Young, Tex.
Kelly, Pa.	Nichols, Mich.	Strong, Pa.	Zihlman
Kendall	Ogden	Summers, Wash.	

NOT VOTING—61.

Andrews, Md.	Evans, Mont.	Johnson, Miss.	Rouse
Ashbrook	Fairfield	Jones, Pa.	Rowan
Benson	Focht	Kahn	Rowe
Black	Freeman	Kettner	Rucker
Bland, Ind.	Fuller, Ill.	King	Scully
Booher	Godwin, N. C.	Kitchin	Shreve
Browne	Goodall	Kreider	Sisson
Burroughs	Goodykoontz	Lee, Ga.	Slemp
Caldwell	Griest	Lever	Strong, Kans.
Carss	Hamilton	McClintic	Taylor, Ark.
Clark, Fla.	Harrison	Mann	Tilson
Dale	Hicks	Mason	Welty
Dewalt	Hull, Tenn.	Neely	Wilson, Ill.
Doremus	Hutchinson	Nicholls, S. C.	
Echols	Ireland	Platt	
Edmonds	Jefferis	Purnell	

So the motion was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. HICKS with Mr. HULL of Tennessee.

Mr. JONES of Pennsylvania with Mr. CLARK of Florida.

Mr. ANDREWS of Maryland with Mr. BENSON.

Mr. EDMONDS with Mr. BLACK.

Mr. IRELAND with Mr. DEWALT.

Mr. HAMILTON with Mr. BOOHER.

Mr. HUTCHINSON with Mr. EVANS of Montana.

Mr. KAHN with Mr. KETTNER.

Mr. GRIEST with Mr. NICHOLLS of South Carolina.

Mr. MANN with Mr. KITCHIN.

Mr. DALE with Mr. ROWAN.

Mr. FULLER of Illinois with Mr. RUCKER.

Mr. PLATT with Mr. SISSON.

Mr. SHREVE with Mr. CALDWELL.

Mr. BLAND of Indiana with Mr. TAYLOR of Arkansas.

Mr. BURROUGHS with Mr. DOREMUS.

Mr. FOCHT with Mr. WELTY.

Mr. KREIDER with Mr. GODWIN of North Carolina.

Mr. TILSON with Mr. LEVER.

Mr. WILSON of Illinois with Mr. JOHNSON of Mississippi.

Mr. MASON with Mr. LEE of Georgia.

Mr. GOODYKOONTZ with Mr. HARRISON.

Mr. PURNELL with Mr. MCCLINTIC.

Mr. FAIRFIELD with Mr. SCULLY.

Mr. TILSON with Mr. ASHBROOK.

Mr. KING with Mr. NEELY.

Mr. BLAND of Indiana. Mr. Speaker, I want to vote "present."

The SPEAKER. Was the gentleman in the Hall listening?

Mr. BLAND of Indiana. No; I was outside, here. I want to vote "present."

The SPEAKER. The gentleman does not qualify himself to vote.

The result of the vote was announced, as above recorded.

The SPEAKER. The House decides not to adjourn. The question is upon agreeing to section 26½ as a new section, which the Clerk will report.

Mr. GARD rose.

The SPEAKER. For what purpose does the gentleman from Ohio rise?

Mr. GARD. To make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARD. Mr. Speaker, the printed CONGRESSIONAL RECORD shows on page 2902 that an amendment offered by the gentleman from Virginia [Mr. SAUNDERS] was adopted. The record at the desk, so I am informed by those at the desk, shows that it was not adopted. My inquiry is whether it was or was not adopted?

The SPEAKER. The Chair finds in the RECORD and is informed at the desk that it was adopted.

Mr. CANNON. Mr. Speaker, I ask for the reading of the new section.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Page 25, line 15, after the word "process," insert a new section, section 26½, as follows:

"SEC. 26½. Any State officer having power to make arrests for violating the laws of the United States under section 1014 of the Revised Statutes of the United States shall have power to issue search warrants under the power granted in title 11 mentioned herein."

Mr. GARD. Mr. Speaker, on that I demand the yeas and nays.

Mr. SIMS. Mr. Speaker, if there are any amendments upon which no separate vote is asked, can not they be adopted?

The SPEAKER. They have been adopted.

Mr. SIMS. That is what I wanted to ask about.

The SPEAKER. The gentleman from Ohio [Mr. GARD] demands the yeas and nays. Those in favor of taking the vote by yeas and nays will rise and stand until they are counted. [After counting.] Seventy-two gentlemen have arisen. The Chair thinks that that is a sufficient number.

Mr. BLANTON. Mr. Speaker, I ask for the other side.

The SPEAKER. The Chair thinks that is a sufficient number. Does the gentleman demand the other side?

Mr. BLANTON. Yes; I ask for the other side.

The SPEAKER. Those opposed to taking the vote by yeas and nays will rise and stand until they are counted. [After counting.] On the other side there are 70.

The yeas and nays were ordered.

The SPEAKER. As many as favor striking out this amendment will, when their names are called, answer "aye"; those opposed will answer "no."

Mr. WALSH. No, Mr. Speaker, the vote is not on striking it out.

Mr. BARKLEY. The vote is on agreeing to the amendment.

The SPEAKER. The gentleman is correct. Those who favor the amendment will, when their names are called, answer "yea"; those opposed will answer "nay." The Clerk will call the roll.

The question was taken; and there were—yeas 73, nays 286, answered "present" 2, not voting 69, as follows:

YEAS—73.

Alexander	French	Kelly, Pa.	Sims
Andrews, Nebr.	Good	Luce	Sinclair
Barkley	Hadley	McKeown	Sinnott
Brumbaugh	Hardy, Colo.	Mapes	Smith, Idaho
Byrnes, S. C.	Hastings	Mays	Strong, Kans.
Carter	Hawley	Miller	Summers, Wash.
Christopherson	Hayden	Moore, Ohio	Thomas
Cole	Hernandez	Morgan	Thompson, Okla.
Cooper	Hersey	Mott	Tillman
Cramton	Hersman	Murphy	Tincher
Currie, Mich.	Hill	Nelson, Wis.	Watkins
Davis, Tenn.	Hoch	Oldfield	Webb
Dickinson, Iowa	Houghton	Quin	Webster
Dominick	Howard	Randall, Calif.	Welling
Dowell	Jacoway	Reed, N. Y.	Whaley
Emerson	James	Rubey	White, Kans.
Evans, Nev.	Johnson, Ky.	Saunders, Va.	
Fess	Johnson, Wash.	Scott	
Fields	Kelley, Mich.	Sells	

NAYS—286.

Ackerman	Briggs	Connally	Eagle
Almon	Brinson	Copley	Elliott
Anderson	Brooks, Ill.	Costello	Ellsworth
Anthony	Brooks, Pa.	Crago	Elston
Aswell	Browning	Crisp	Esch
Ayres	Buchanan	Crowther	Evans, Nebr.
Babka	Burdick	Cullen	Fisher
Bacharach	Burke	Curry, Calif.	Fitzgerald
Baer	Butler	Dallinger	Flood
Bankhead	Byrns, Tenn.	Darrow	Foster
Bee	Campbell, Kans.	Davey	Frear
Begg	Campbell, Pa.	Davis, Minn.	Fuller, Mass.
Bell	Candler	Dempsey	Gallagher
Benham	Cannon	Denison	Gallivan
Black	Cantrill	Dent	Gandy
Blackmon	Caraway	Dickinson, Mo.	Ganly
Bland, Ind.	Carew	Donovan	Gard
Bland, Mo.	Carss	Dooling	Garland
Bland, Va.	Casey	Doremus	Garner
Blanton	Chindblom	Drane	Garrett
Boies	Clark, Mo.	Dunbar	Glynn
Booher	Classon	Dunn	Goldfogle
Bowers	Cleary	Dupré	Goodwin, Ark.
Box	Coady	Dyer	Goodykoontz
Brand	Collier	Eagan	Gould
Graham, Pa.	Lufkin	Padgett	Stedman
Graham, Ill.	Luhring	Park	Steele
Green, Iowa	McAndrews	Parker	Steenerson
Greene, Mass.	McArthur	Parrish	Stephens, Miss.
Greene, Vt.	McCulloch	Pell	Stevenson
Griffin	McDuffie	Peters	Stiness
Hamill	McFadden	Phelan	Strong, Pa.
Haskell	McGlennon	Porter	Sullivan
Hays	McKenzie	Pou	Sumners, Tex.
Heflin	McKiniry	Radcliffe	Sweet
Hickey	McLane	Rainey, H. T.	Taylor, Tenn.
Holland	McLaughlin, Mich.	Rainey, J. W.	Temple
Huddleston	McLaughlin, Nebr.	Raker	Thompson, Ohio
Hudspeth	McPherson	Ramsey	Timberlake
Hulings	MacCrate	Ramseyer	Tinkham
Hull, Iowa	MacGregor	Randall, Wis.	Treadway
Humphreys	Madden	Rayburn	Upshaw
Husted	Magee	Reavis	Vaile
Igoe	Maher	Reber	Vare
Johnson, Miss.	Major	Reed, W. Va.	Venable
Johnson, S. Dak.	Mansfield	Rhodes	Vestal
Johnston, N. Y.	Martin	Ricketts	Vinson
Jones, Tex.	Mead	Riddick	Voigt
Juul	Merritt	Riordan	Volstead
Kearns	Michener	Robinson, N. C.	Walsh
Kennedy, Iowa	Minahan, N. J.	Robsion, Ky.	Walters
Kennedy, R. I.	Monahan, Wis.	Rodenberg	Ward
Kiess	Mondell	Rogers	Wason
Kincheloe	Montague	Romjue	Watson, Pa.
Kinkaid	Moon	Rose	Watson, Va.
Kitchin	Mooney	Rucker	Weaver
Kleczka	Moore, Pa.	Sabath	Wheeler
Knutson	Moore, Va.	Sanders, Ind.	White, Me.
Kraus	Moores, Ind.	Sanders, La.	Williams
LaGuardia	Morin	Sanders, N. Y.	Wilson, Ill.
Lampert	Mudd	Sanford	Wilson, La.
Langley	Nelson, Mo.	Sears	Wilson, Pa.
Lanham	Newton, Minn.	Sherwood	Wingo
Lankford	Newton, Mo.	Siegel	Winslow
Larsen	Nichols, Mich.	Small	Wood, Ind.
Layton	Nolan	Smith, Ill.	Woods, Pa.
Lazaro	O'Connell	Smith, Mich.	Woodyard
Lea, Calif.	Ogden	Smith, N. Y.	Young, N. Dak.
Lehlbach	Oliver	Smithwick	Young, Tex.
Linthicum	Olney	Snell	Zihlman
Lonergan	Osborne	Snyder	
Longworth	Overstreet	Steagall	

ANSWERED "PRESENT"—2.

Doughton Hardy, Tex.

NOT VOTING—69.

Andrews, Md.	Freeman	Kreider	Rowe
Ashbrook	Fuller, Ill.	Lee, Ga.	Schall
Barbour	Godwin, N. C.	Lesher	Scully
Benson	Goodall	Lever	Shreve
Britten	Gries	Little	Sisson
Browne	Hamilton	McClintic	Slemp
Burroughs	Harrison	McKinley	Stephens, Ohio
Caldwell	Haugen	Mann	Taylor, Ark.
Clark, Fla.	Hicks	Mason	Taylor, Colo.
Dale	Hull, Tenn.	Neely	Tilson
Dewalt	Hutchinson	Nicholls, S. C.	Towner
Echols	Ireland	O'Connor	Welty
Edmonds	Jefferis	Paige	Wise
Evans, Mont.	Jones, Pa.	Platt	Wright
Fairfield	Kahn	Purnell	Yates
Ferris	Kendall	Ragsdale	
Focht	Kettner	Rouse	
Fordney	King	Rowan	

So the amendment was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. MCKINLEY with Mr. FERRIS.

Mr. LITTLE with Mr. DOUGHTON.

Mr. BARBOUR with Mr. HARDY of Texas.

Mr. ROWE with Mr. O'CONNOR.

Mr. MERRITT with Mr. LESHER.

Mr. TOWNER with Mr. WISE.

Mr. STEPHENS of Ohio with Mr. TAYLOR of Colorado.

Mr. LITTLE. Mr. Speaker, I desire to vote "nay."

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. LITTLE. I was not.

The SPEAKER. The gentleman does not qualify.

The result of the vote was announced as above recorded.

The SPEAKER. The next amendment on which a separate vote is requested is on the Gard amendment to strike out section 31. The Clerk will report the amendment.

Mr. BARKLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARKLEY. Are we voting on these amendments according to their places in the bill or according to the order in which the requests were made?

The SPEAKER. According to the order in which the requests for separate votes were made. The Clerk will report the amendment.

The Clerk read as follows:

Page 28, lines 15 to 24, strike out all of section 31.

The question being taken, on a division (demanded by Mr. WALSH) there were—ayes 114, noes 110.

Mr. VOLSTEAD and Mr. FESS demanded the yeas and nays.

The yeas and nays were ordered.

Mr. HULINGS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HULINGS. I rise for the purpose of asking what we are voting on.

The SPEAKER. The amendment was reported. It is to strike out section 31.

The Clerk will call the roll.

The question was taken; and there were—yeas 218, nays 151, answered "present" 1, not voting 60, as follows:

YEAS—218.

Ackerman	Dunn	Longworth	Riordan
Alexander	Dupré	Luhring	Robinson, N. C.
Almon	Eagan	McAndrews	Rodenberg
Anthony	Eagle	McArthur	Rogers
Aswell	Elston	McDuffie	Rose
Babka	Evans, Nebr.	McGlennon	Rowan
Bacharach	Fitzgerald	McKinley	Rucker
Bankhead	Flood	McKinley	Sabath
Bee	Fordney	McLane	Sanders, Ind.
Begg	Gallagher	McLaughlin, Mich.	Sears
Bell	Gallivan	McPherson	Sherwood
Black	Ganly	MacCrate	Siegel
Blackmon	Gard	MacGregor	Small
Bland, Ind.	Garland	Madden	Smith, Ill.
Bland, Mo.	Garner	Magee	Smith, N. Y.
Bland, Va.	Glynn	Maher	Smithwick
Booher	Goldfogle	Major	Snyder
Brand	Gould	Mansfield	Steagall
Brooks, Pa.	Graham, Pa.	Martin	Stedman
Browning	Greene, Mass.	Mead	Steele
Buchanan	Greene, Vt.	Minahan, N. J.	Stephens, Miss.
Burdick	Griffin	Monahan, Wis.	Stephens, Ohio
Burke	Hamill	Mondell	Stevenson
Butler	Haskell	Montague	Stiness
Byrnes, S. C.	Hays	Moon	Strong, Pa.
Campbell, Pa.	Heflin	Mooney	Sullivan
Cannon	Hickey	Moore, Pa.	Sumners, Tex.
Cantrill	Holland	Moores, Ind.	Temple
Carew	Howard	Morin	Thompson, Ohio
Carss	Huddleston	Mudd	Tinkham
Casey	Hudspeth	Nelson, Mo.	Vare
Chindblom	Hulings	Newton, Mo.	Vestal
Clark, Mo.	Hull, Iowa	Nicholls, S. C.	Vinson
Classon	Humphreys	Nichols, Mich.	Voigt
Cleary	Husted	Nolan	Walsh
Coady	Igoe	O'Connell	Walters
Collier	Jefferis	Ogden	Ward
Connally	Johnson, Miss.	Olney	Watkins
Copley	Johnston, N. Y.	Overstreet	Watson, Pa.
Costello	Jones, Tex.	Park	Weaver
Crago	Juul	Parker	Welty
Crisp	Kennedy, R. I.	Pell	White, Me.
Cullen	Kincheloe	Peters	Williams
Curry, Calif.	Kitchin	Phelan	Wilson, Ill.
Darrow	Kleczka	Porter	Wilson, La.
Davis, Minn.	Knutson	Pou	Wilson, Pa.
Dempsey	LaGuardia	Radcliffe	Winslow
Denison	Lampert	Ragsdale	Wise
Dent	Lanham	Rainey, J. W.	Woods, Va.
Dominick	Larsen	Ramsey	Woodyard
Donovan	Lazaro	Randall, Wis.	Wright
Dooling	Lea, Calif.	Rayburn	Young, Tex.
Doremus	Lehlbach	Reavis	Zihlman
Drane	Linthicum	Reber	
Dunbar	Lonergan	Rhodes	

NAYS—151.

Anderson	Fess	Layton	Saunders, Va.
Andrews, Nebr.	Fields	Little	Scott
Ayres	Fisher	Luce	Sells
Baer	Foster	McCulloch	Sims
Barbour	Frear	McFadden	Sinclair
Barkley	French	McKenzie	Sinnott
Benham	Gandy	McKeown	Smith, Idaho
Blanton	Goodwin, Ark.	McLaughlin, Nebr.	Smith, Mich.
Boies	Goodykoontz	Mapes	Snell
Bowers	Graham, Ill.	Mays	Steenerson
Box	Green, Iowa	Michener	Strong, Kans.
Briggs	Hadley	Miller	Summers, Wash.
Brinson	Hardy, Colo.	Moore, Ohio	Sweet
Brumbaugh	Hastings	Moore, Va.	Taylor, Colo.
Byrns, Tenn.	Haugen	Morgan	Taylor, Tenn.
Campbell, Kans.	Hawley	Mott	Thomas
Candler	Hayden	Murphy	Thompson, Okla.
Caraway	Hernandez	Nelson, Wis.	Tillman
Carter	Hersey	Newton, Minn.	Timberlake
Christopherson	Hersman	Oldfield	Tincher
Cole	Hill	Oliver	Towner
Cooper	Hoch	Osborne	Upshaw
Cramton	Houghton	Padgett	Vaile
Crowther	Jacoway	Parrish	Venable
Currie, Mich.	James	Quin	Volstead
Dallinger	Johnson, Ky.	Rainey, H. T.	Wason
Davey	Johnson, S. Dak.	Raker	Watson, Va.
Davis, Tenn.	Johnson, Wash.	Ramseyer	Webb
Dickinson, Mo.	Kearns	Randall, Calif.	Webster
Dickinson, Iowa	Kelley, Mich.	Reed, N. Y.	Welling
Dowell	Kelly, Pa.	Reed, W. Va.	Whaley
Dyer	Kendall	Ricketts	Wheeler
Elliott	Kennedy, Iowa	Riddick	White, Kans.
Ellsworth	Kiess	Robsion, Ky.	Wingo
Emerson	Kinkaid	Romjue	Wood, Ind.
Esch	Kraus	Rubey	Yates
Evans, Nev.	Langley	Sanders, La.	Young, N. Dak.
Ferris	Lankford	Sanders, N. Y.	

ANSWERED "PRESENT"—1.

Doughton

NOT VOTING—60.

Andrews, Md.	Focht	Ireland	O'Connor
Ashbrook	Freeman	Jones, Pa.	Paige
Benson	Fuller, Ill.	Kahn	Platt
Britten	Fuller, Mass.	Kettner	Purnell
Brooks, Ill.	Garrett	King	Rouse
Browne	Godwin, N. C.	Kreider	Rowe
Burroughs	Good	Lee, Ga.	Sanford
Caldwell	Goodall	Lesher	Schall
Clark, Fla.	Griest	Lever	Scully
Dale	Hamilton	Lufkin	Shreve
Dewalt	Hardy, Tex.	McClintic	Sisson
Echols	Harrison	Mann	Slemp
Edmonds	Hicks	Mason	Taylor, Ark.
Evans, Mont.	Hull, Tenn.	Merritt	Tilson
Fairfield	Hutchinson	Neely	Treadway

So the amendment was agreed to.

The following additional pairs were announced:

Until further notice:

Mr. FULLER of Massachusetts with Mr. GARRETT.

Mr. SANFORD with Mr. TAYLOR of Arkansas.

On this vote:

Mr. DOUGHTON (for) with Mr. HARDY of Texas (against).

The result of the vote was then announced as above recorded.

The SPEAKER. The next amendment upon which a separate vote is demanded is the Steele amendment to section 39, which the Clerk will report.

The Clerk read as follows:

Page 33, line 6, after the word "liquors" insert the following: "The words 'beer,' 'ale,' 'porter,' or 'wine' mentioned in section 1 of this title shall not be construed as included in the word 'liquor' or the phrase 'intoxicating liquor' where they contain less than one-half of 1 per cent of alcohol by volume; but none of the liquors mentioned in section 1 shall be sold for beverage purposes under the names therein mentioned, and the burden of proof shall be upon the one selling such beverage to show that the same contains less than one-half of 1 per cent of alcohol by volume."

Mr. BLANTON. On that amendment I ask for the yeas and nays.

The SPEAKER. The gentleman from Texas asks for the yeas and nays.

The question of ordering the yeas and nays was taken, and 18 Members rose in the affirmative.

The SPEAKER. Not a sufficient number, and the yeas and nays are refused. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. BLANTON) there were 179 ayes and 32 noes.

Mr. BLANTON. I make the point of no quorum.

The SPEAKER. The gentleman from Texas makes the point of no quorum, and the Chair will count. [After counting.] Two hundred and twenty Members, a quorum, and the amendment is agreed to. The next amendment on which a separate vote is demanded is the Barkley amendment to section 26, which the Clerk will report.

The Clerk read as follows:

Page 25, line 11, after the word "such," insert the following: "Unless it is being used for the unlawful sale of intoxicating liquor or."

The SPEAKER. The question is on agreeing to the amendment.

The question was being taken, when Mr. IGOE demanded the yeas and nays.

The question of ordering the yeas and nays was taken, and 49 Members arose.

The SPEAKER. Forty-nine Members, not a sufficient number.

Mr. IGOE. I ask for the other side.

The other side was taken; 176 Members arose, and 49 being a sufficient number the yeas and nays were ordered.

The question was taken; and there were—yeas 208, nays 166; not voting 56, as follows:

YEAS—208.

Alexander	Campbell, Kans.	Dowell	Hawley
Anderson	Candler	Elliott	Hayden
Andrews, Nebr.	Cannon	Ellsworth	Hernandez
Anthony	Cantrill	Emerson	Hersey
Ayres	Caraway	Esch	Hersman
Baer	Carter	Evans, Nebr.	Hickey
Bankhead	Chindblom	Ferris	Hill
Barbour	Christopherson	Fess	Hoch
Barkley	Cole	Fields	Houghton
Begg	Connally	Fisher	Howard
Bell	Cooper	Fordney	Hudspeth
Black	Copley	Foster	Jacoway
Bland, Ind.	Costello	Frear	James
Blanton	Cramton	French	Johnson, Ky.
Boies	Crisp	Fuller, Mass.	Johnson, S. Dak.
Bowers	Crowther	Gandy	Johnson, Wash.
Box	Currie, Mich.	Good	Jones, Tex.
Brand	Dallinger	Goodwin, Ark.	Kearns
Briggs	Darrow	Graham, Ill.	Kelley, Mich.
Brinson	Davey	Green, Iowa	Kelly, Pa.
Brooks, Ill.	Davis, Minn.	Greene, Vt.	Kendall
Brumbaugh	Davis, Tenn.	Hadley	Kennedy, Iowa
Burroughs	Dempsey	Hardy, Colo.	Kiess
Butler	Dickinson, Mo.	Hastings	Kincheloe
Byrns, Tenn.	Dickinson, Iowa	Haugen	Kinkaid

Kitchin	Murphy	Rose	Tillman
Knutson	Nelson, Wis.	Rubey	Timberlake
Kreider	Newton, Minn.	Rucker	Tincher
Langley	Newton, Mo.	Sanders, Ind.	Towner
Lanham	Oldfield	Sanders, La.	Upshaw
Lankford	Oliver	Sanders, N. Y.	Vaile
Larsen	Osborne	Scott	Venable
Layton	Overstreet	Sells	Vestal
Little	Padgett	Sims	Vinson
Luce	Park	Sinnott	Volstead
Luhring	Parrish	Smith, Idaho	Walters
McCulloch	Peters	Smith, Ill.	Webb
McFadden	Quin	Smith, Mich.	Webster
McKenzie	Rainey, H. T.	Snell	Welling
McKeown	Raker	Steagall	Welty
McKinley	Ramseyer	Stedman	Whaley
McLaughlin, Mich.	Randall, Calif.	Steenerson	Wheeler
McLaughlin, Nebr.	Randall, Wis.	Strong, Kans.	White, Kans.
MacGregor	Rayburn	Strong, Pa.	White, Me.
Mapes	Reavis	Summers, Wash.	Williams
Mays	Reed, N. Y.	Sumners, Tex.	Wingo
Michener	Reed, W. Va.	Sweet	Wise
Miller	Ricketts	Taylor, Colo.	Wood, Ind.
Mondell	Riddick	Taylor, Tenn.	Woodyard
Moore, Ohio	Robinson, N. C.	Temple	Yates
Morgan	Robsion, Ky.	Thomas	Young, N. Dak.
Mott	Romjue	Thompson, Okla.	Young, Tex.

NAYS—166.

Ackerman	Evans, Nev.	Longworth	Rainey, J. W.
Almon	Fitzgerald	Lufkin	Ramsey
Aswell	Flood	McAndrews	Reber
Babka	Gallagher	McArthur	Rhodes
Bacharach	Gallivan	McDuffie	Riordan
Bee	Ganly	McGlennon	Rodenberg
Blackmon	Gard	McKinley.	Rogers
Bland, Mo.	Garland	McLane	Rowan
Bland, Va.	Garner	McPherson	Sabath
Booher	Garrett	MacCrate	Sanford
Britten	Glynn	Madden	Saunders, Va.
Brooks, Pa.	Goldfogle	Magee	Sears
Browning	Goodykoontz	Maher	Sherwood
Buchanan	Gould	Major	Siegel
Burdick	Graham, Pa.	Mansfield	Small
Burke	Griffin	Martin	Smith, N. Y.
Byrnes, S. C.	Hamill	Mead	Smithwick
Campbell, Pa.	Haskell	Merritt	Snyder
Carew	Hays	Minahan, N. J.	Stephens, Miss.
Carss	Heflin	Monahan, Wis.	Stephens, Ohio
Casey	Holland	Montague	Stevenson
Clark, Mo.	Huddleston	Moon	Stiness
Classon	Hulings	Mooney	Sullivan
Cleary	Hull, Iowa	Moore, Pa.	Thompson, Ohio
Coady	Humphreys	Moore, Va.	Tinkham
Collier	Husted	Moores, Ind.	Treadway
Crago	Igoe	Morin	Vare
Cullen	Jefferis	Mudd	Voigt
Curry, Calif.	Johnson, Miss.	Nelson, Mo.	Walsh
Denison	Johnston, N. Y.	Nichols, Mich.	Ward
Dent	Juul	Nolan	Watkins
Dominick	Kahn	O'Connell	Watson, Pa.
Donovan	Kennedy, R. I.	Ogden	Watson, Va.
Dooling	Kleczka	Olney	Weaver
Doremus	Kraus	Paige	Wilson, Ill.
Drane	LaGuardia	Parker	Wilson, La.
Dunbar	Lampert	Pell	Wilson, Pa.
Dunn	Lazaro	Phelan	Winslow
Dupré	Lea, Calif.	Porter	Woods, Va.
Dyer	Lehlbach	Pou	Zihlman
Eagan	Linthicum	Radcliffe	
Elston	Lonergan	Ragsdale	

NOT VOTING—56.

Andrews, Md.	Fairfield	Ireland	Purnell
Ashbrook	Focht	Jones, Pa.	Rouse
Benham	Freeman	Kettner	Rowe
Benson	Fuller, Ill.	King	Schall
Browne	Godwin, N. C.	Lee, Ga.	Scully
Caldwell	Goodall	Lesher	Shreve
Clark, Fla.	Greene, Mass.	Lever	Sinclair
Dale	Griest	McClintic	Sisson
Dewalt	Hamilton	Mann	Slemp
Doughton	Hardy, Tex.	Mason	Steele
Eagle	Harrison	Neely	Taylor, Ark.
Echols	Hicks	Nicholls, S. C.	Tilson
Edmonds	Hull, Tenn.	O'Connor	Wason
Evans, Mont.	Hutchinson	Platt	Wright

So the amendment was agreed to.

The Clerk announced the following additional pairs:

On the vote:

Mr. DOUGHTON (for) with Mr. HARDY of Texas (against).

Until further notice:

Mr. BENHAM with Mr. EAGLE.

Mr. GREENE of Massachusetts with Mr. HARRISON.

Mr. SINCLAIR with Mr. STEELE.

Mr. WASON with Mr. WRIGHT.

Mr. EAGLE. Mr. Speaker, I would like to vote "no."

The SPEAKER. Was the gentleman present when his name was called?

Mr. EAGLE. No.

The SPEAKER. The gentleman does not bring himself within the rule.

The result of the vote was announced as above recorded.

The SPEAKER. The next amendment upon which a separate vote was demanded is the amendment in line 3 on page 2 of the bill, which the Clerk will report. This is the amendment which the gentleman from Minnesota [Mr. VOLSTEAD] asked that there should be a separate vote upon. Will the gentleman be more specific, as there are two amendments at that point.

Mr. VOLSTEAD. It is the amendment after the word "shall."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. BENSON: Page 2, line 3, after the word "shall," insert the word "hereafter."

Mr. VOLSTEAD. There are two amendments meaning the same thing, and one of them ought to be stricken out.

The SPEAKER. The question is on agreeing to the amendment.

Mr. GARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARD. Is this just for the correction of the text, by striking out unnecessary words?

The SPEAKER. The Clerk will again report the amendment.

The Clerk again reported the amendment.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The SPEAKER. The next amendment on which a separate vote is demanded is to section 35, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. STEELE: Page 30, line 18, strike out the colon and the word "provided," also lines 19 and 20, and insert the following: "but such liquors must be used for the personal consumption of the owner thereof and his family residing in such dwelling, of his bona fide guests when entertained by him therein; and the burden of proof shall be upon the possessor to prove that such liquor was lawfully acquired and used."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

Mr. VOIGT. Mr. Speaker, I demand the reading of the engrossed bill.

The SPEAKER. The gentleman from Wisconsin demands the reading of the engrossed bill. Obviously that is impossible.

Mr. IGOE. Mr. Speaker, the engrossed bill not being here to be read at this time, it will not preclude the offering of a motion to recommit after it is read?

The SPEAKER. The motion to recommit will be in order after the reading of the engrossed bill.

Mr. VOLSTEAD. Mr. Speaker, would it be in order now to ask that the Clerk be authorized to renumber the sections?

The SPEAKER. The Chair thinks so.

Mr. VOLSTEAD. Then I ask unanimous consent that the Clerk be authorized to renumber the sections.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that the Clerk be authorized to renumber the sections. Is there objection?

Mr. SABATH. Mr. Speaker, I object.

Mr. IGOE. Mr. Speaker, I ask unanimous consent that the following motion to recommit, which I desire to present at the proper time, be printed in the RECORD at this point for the information of Members.

The SPEAKER. The gentleman from Missouri asks unanimous consent that he may have printed in the RECORD at this point a motion to recommit, which he intends to offer. Is there objection?

There was no objection.

The motion to recommit is as follows:

Mr. IGOE moves to recommit the bill H. R. 6810 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment: Strike out all after the enacting clause and insert in lieu thereof the following:

"That whoever, on or after the date when the eighteenth amendment to the Constitution of the United States goes into effect, shall knowingly manufacture, sell, or transport within the United States, or import into the United States or export from the United States, any intoxicating liquor for beverage purposes shall be fined not more than $500 or imprisoned not more than one year, or both, and for a second or subsequent offense shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"SEC. 2. That the Commissioner of Internal Revenue, his assistants, agents, and inspectors shall investigate and report violations of this act to the United States attorney for the district in which committed, who is hereby charged with the duty of prosecuting the offenders, subject to the direction of the Attorney General, as in the case of other offenses against the laws of the United States; and the Commissioner of Internal Revenue, his assistants, agents, and inspectors may swear out warrants before the United States commissioners or other officers or courts authorized to issue the same for the apprehension of such offenders. Section 1014 of the Revised Statutes of the United States is hereby made applicable in the enforcement of this act.

"SEC. 3. That the Commissioner of Internal Revenue and the Attorney General of the United States are hereby respectively authorized to appoint and employ such assistants, experts, clerks, and other employees as they may deem necessary for the enforcement of the provisions of this act, and there is hereby authorized to be appropriated such sums as may be required for the enforcement of this act."

EXTENSION OF REMARKS.

Mr. LEHLBACH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

Mr. GALLIVAN. Mr. Speaker, I object.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. DOUGHTON, for one week on account of sickness in family.

To Mr. SEARS, for to-day on account of important business.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 8 o'clock and 35 minutes p. m.) the House adjourned until to-morrow, Tuesday, July 22, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of Commerce submitting a proposed paragraph of legislation for inclusion in the next appropriation bill to be considered by Congress (H. Doc. No. 154); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of Commerce, transmitting a letter calling the attention of the House of Representatives to House Document No. 88, Sixty-sixth Congress, first session (H. Doc. No. 155); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SANDERS of Louisiana, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 1362) to authorize Hiram I. Sage, a citizen of Baldwin County, Ala., to construct and maintain a bridge across the Perdido River at or near Nunez Ferry, reported the same without amendment, accompanied by a report (No. 136), which said bill and report were referred to the House Calendar.

Mr. WATSON of Virginia, from the Committee on the Territories, to which was referred the bill (H. R. 546) to authorize the governor of the Territory of Hawaii to ratify the agreements of certain persons made with the commissioner of public lands of the Territory of Hawaii, and to issue land patents to those eligible under the terms of said agreements, reported the same without amendment, accompanied by a report (No. 138), which said bill and report were referred to the Committee of the Whole House on the State of the Union.

Mr. DOWELL, from the Committee on the Territories, to which was referred the bill (H. R. 3654) to authorize the governor of the Territory of Hawaii to acquire privately owned lands and rights of way within the boundaries of the Hawaii National Park, reported the same without amendment, accompanied by a report (No. 139), which said bill and report were referred to the Committee of the Whole House on the State of the Union.

Mr. SNYDER, from the Committee on Indian Affairs, to which was referred the bill (H. R. 5007), granting citizenship to certain Indians, reported the same with amendments, accompanied by a report (No. 140), which said bill and report were referred to the House Calendar.

Mr. STEENERSON, from the Committee on the Post Office and Post Roads, to which was referred the bill (H. R. 6951) authorizing the return to the sender or the forwarding of undeliverable second, third, and fourth class mail matter, reported the same without amendment, accompanied by a report (No. 142), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. KELLY of Pennsylvania, from the Committee on Claims, to which was referred the bill (H. R. 6377) for the relief of Faxon, Horton & Gallegher; Long Bros. Grocery Co.; A. Rieger; Rothenberg & Schloss; Riley, Wilson & Co.; and Van Noy News Co., reported the same without amendment, accompanied by a report (No. 137), which said bill and report were referred to the Private Calendar.

Mr. FULLER of Illinois, from the Committee on Invalid Pensions, to which was referred sundry bills of the House, reported in lieu thereof the bill (H. R. 7657) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and to certain widows and dependent children of soldiers and sailors of said war, accompanied by a report (No. 141), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FERRIS: A bill (H. R. 7622) providing for cooperation between the United States and State Governments in the acquirement of homes for soldiers, sailors, and marines, and for other purposes; to the Committee on the Public Lands.

By Mr. JOHNSON of Washington: A bill (H. R. 7623) providing for the protection of the national forests from the menace of fire, and for other purposes; to the Committee on Appropriations.

By Mr. KELLY of Pennsylvania: A bill (H. R. 7624) providing for the sale and distribution of the surplus merchandise, commodities, and foodstuffs in the possession of the War Department, or such merchandise, commodities, and foodstuffs as may hereafter be declared surplus by the War Department; to the Committee on Military Affairs.

By Mr. SMITH of Idaho: A bill (H. R. 7625) for the protection of timber on the public lands from forest fires; to the Committee on Appropriations.

By Mr. SWEET: A bill (H. R. 7626) to amend the war-risk insurance act; to the Committee on Interstate and Foreign Commerce.

By Mr. LITTLE: A bill (H. R. 7627) to authorize and direct the erection at the United States Naval Academy at Annapolis of a bronze tablet carrying the names of the graduates of the United States Naval Academy who were killed in battle or died of wounds received in battle during the recent European war; to the Committee on Naval Affairs.

Also, a bill (H. R. 7628) to authorize and direct the erection at the United States Military Academy at West Point of a bronze tablet carrying the names of the graduates of the United States Military Academy who were killed in battle or who died of wounds received in battle during the recent European war; to the Committee on Military Affairs.

By Mr. WALSH: A bill (H. R. 7629) to amend the penal laws of the United States; to the Committee on the Judiciary.

By Mr. DYER: A bill (H. R. 7630) to punish thefts of motor vehicles, and for other purposes; to the Committee on the Judiciary.

By Mr. KALANIANAOLE: A bill (H. R. 7631) to amend the act to provide a government for the Territory of Hawaii, approved April 30, 1900; to the Committee on the Territories.

Also, a bill (H. R. 7632) to amend section 2 of an act entitled "An act to ratify, approve, and confirm sections 1, 2, and 3 of an act duly enacted by the Legislature of the Territory of Hawaii relating to the board of harbor commissioners of the Territory, as herein amended, and amending the laws relating thereto"; to the Committee on the Territories.

Also, a bill (H. R. 7633) to amend section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended by an act approved April 2, 1908, and as further amended by an act approved May 27, 1910; to the Committee on the Territories.

By Mr. SMITH of Idaho: A bill (H. R. 7634) to encourage the development of the agricultural resources of the United States through Federal and State cooperation, giving preference in the matter of employment and establishment of rural homes to those who have served with the military and naval forces; to the Committee on the Public Lands.

By Mr. OSBORNE: A bill (H. R. 7635) to authorize exploration for and disposition of oil and gas; to the Committee on the Public Lands.

By Mr. OLDFIELD: A bill (H. R. 7636) donating a captured German cannon or field gun and carriage to the city of Salem, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7637) donating a captured German cannon or field gun and carriage to the city of Williford, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7638) donating a captured German cannon or field gun and carriage to the city of Imboden, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7639) donating a captured German cannon or field gun and carriage to the city of Walnut Ridge, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7640) donating a captured German cannon or field gun and carriage to the city of Black Rock, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7641) donating a captured German cannon or field gun and carriage to the city of Pocahontas, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7642) donating a captured German cannon or field gun and carriage to the city of Hardy, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7643) donating a captured German cannon or field gun and carriage to the city of Evening Shade, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7644) donating a captured German cannon or field gun and carriage to the city of Newark, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7645) donating a captured German cannon or field gun and carriage to the city of Tuckerman, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7646) donating a captured German cannon or field gun and carriage to the city of Quitman, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7647) donating a captured German cannon or field gun and carriage to the city of Calico Rock, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7648) donating a captured German cannon or field gun and carriage to the city of Mount View, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H R. 7649) donating a captured German cannon or field gun and carriage to the city of Hazen, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7650) donating a captured German cannon or field gun and carriage to the city of Des Arc, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7651) donating a captured German cannon or field gun and carriage to the city of Devall Bluff, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7652) donating a captured German cannon or field gun and carriage to the city of Clarendon, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 7653) donating a captured German cannon or field gun and carriage to the city of Brinkley, State of Arkansas, for decorative and patriotic purposes; to the Committee on Military Affairs.

By Mr. REED of New York: A bill (H. R. 7654) authorizing the Secretary of War to donate to the city of Fredonia, N. Y., two German cannons or fieldpieces, with accompaniments; to the Committee on Military Affairs.

By Mr. GARLAND: A bill (H. R. 7655) granting pensions to soldiers confined in so-called Confederate prisons; to the Committee on Invalid Pensions.

By Mr. CLARK of Florida: A bill (H. R. 7656) to repeal the act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918, and to repeal all acts and parts of acts amendatory thereof, and to provide for the disposition of all property acquired under and by virtue of the same; to the Committee on Public Buildings and Grounds.

By Mr. FULLER of Illinois: A bill (H. R. 7657) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee of the Whole House.

By Mr. RHODES: A bill (H. R. 7658) fixing a duty on crude barytes, barium sulphate, and barium compounds; to the Committee on Ways and Means.

Mr. WHITE of Maine: A bill (H. R. 7659) to amend an act entitled "An act to authorize the establishment of a bureau of war-risk insurance in the Treasury Department," approved September 2, 1914; to the Committee on Interstate and Foreign Commerce.

By Mr. HARDY of Texas: A bill (H. R. 7660) to protect the coastwise trade of the United States, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. LARSEN: A bill (H. R. 7700) making appropriation for combating and suppressing influenza and allied diseases in the United States of America and its possessions, and to conduct investigation and experimental work in such territory with a view of discovering the cause of, a cure for, prevention of, and mode of transmission of such diseases; to the Committee on Interstate and Foreign Commerce.

By Mr. MOTT: A bill (H. R. 7701) to amend section 902 of the revenue act of 1918; to the Committee on Ways and Means.

By Mr. BAER: A bill (H. R. 7702) to grant one year's extra pay to the members of the military and naval forces of the United States as partial compensation for their sacrifices and to assist them during the period of readjustment; to the Committee on Ways and Means.

By Mr. DYER: Resolution (H. Res. 186) requesting the Interstate Commerce Commission to make certain investigations regarding the present and future supply of tie timber; to the Committee on Interstate and Foreign Commerce.

By Mr. FITZGERALD: Resolution (H. Res. 187) requesting the Bureau of Chemistry to report to the House of Representatives certain information regarding the canned salmon condemned by the War Department; to the Committee on Agriculture.

By Mr. EMERSON: Joint resolution (H. J. Res. 153) directing the Railroad Administration to abrogate the rule against prepaid tickets; to the Committee on Interstate and Foreign Commerce.

By the SPEAKER: Memorial from the Legislature of the Territory of Hawaii requesting the Congress of the United States to increase the compensation of the members of the Legislature of Hawaii; to the Committee on the Territories.

By Mr. DENISON: Memorial from the Legislature of the State of Illinois favoring a later open season for shooting wild ducks and geese; to the Committee on Agriculture.

By Mr. KALANIANAOLE: Memorial from the Territory of Hawaii praying that Territorial lands be set aside as homes for people of Hawaiian blood; to the Committee on the Territories.

Also, memorial from the Legislature of the Territory of Hawaii asking Congress to increase the salaries of the Territorial judges; to the Committee on the Territories.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON: A bill (H. R. 7661) for the relief of Benjamin F. Dayton; to the Committee on Military Affairs.

Also, a bill (H. R. 7662) for the relief of Warren C. Isham; to the Committee on Naval Affairs.

Also, a bill (H. R. 7663) for the relief of George W. Bryant; to the Committee on Military Affairs.

Also, a bill (H. R. 7664) granting an increase of pension to Michael Fogarty; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7665) granting a pension to Rhoda A. Beatty; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7666) granting a pension to Horatio N. Carlton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7667) granting a pension to Feronka Dotzenrot; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7668) granting a pension to John Harold Henry; to the Committee on Pensions.

By Mr. BEGG: A bill (H. R. 7669) granting an increase of pension to Horace B. Scoville; to the Committee on Invalid Pensions.

By Mr. BROWNING: A bill (H. R. 7670) granting a pension to Henry Brooks; to the Committee on Invalid Pensions.

By Mr. DENISON: A bill (H. R. 7671) granting a pension to Martha A. Bell; to the Committee on Pensions.

By Mr. DUNBAR: A bill (H. R. 7672) granting an increase of pension to Agnes M. Sims; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 7673) for the relief of the Missouri Pants Manufacturing Co.; to the Committee on War Claims.

By Mr. FIELDS: A bill (H. R. 7674) for the relief of Charles T. Clayton; to the Committee on Claims.

By Mr. IGOE: A bill (H. R. 7675) granting an increase of pension to Elizabeth Voneky; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7676) granting a pension to Mary Michel and minor child, Helen Michel; to the Committee on Pensions.

By Mr. KIESS: A bill (H. R. 7677) granting an increase of pension to Daniel Robb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7678) granting a pension to John Yoder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7679) granting an increase of pension to Samuel Michael; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7680) granting an increase of pension to Jessie Byerly; to the Committee on Invalid Pensions.

By Mr. KRAUS: A bill (H. R. 7681) granting an increase of pension to John J. Riggs; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 7682) for the relief of the heirs of Michael Carling, assignee of Joseph R. Shannon, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7683) granting a pension to John H. Warren; to the Committee on Pensions.

By Mr. McPHERSON: A bill (H. R. 7684) granting a pension to James M. Robison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7685) granting an increase of pension to Constantine P. Berry; to the Committee on Invalid Pensions.

By Mr. MOON: A bill (H. R. 7686) for the relief of Eli Pettyjohn; to the Committee on Claims.

By Mr. OGDEN: A bill (H. R. 7687) granting a pension to John J. Tully; to the Committee on Pensions.

By Mr. RICKETTS: A bill (H. R. 7688) granting an increase of pension to Samuel Holderman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7689) granting a pension to Lillian May Evans; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7690) granting a pension to Susannah Cooper; to the Committee on Invalid Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 7691) granting a pension to George W. Peters and N. Ellen Peters; to the Committee on Pensions.

Also, a bill (H. R. 7692) granting a pension to Elizabeth Cravens; to the Committee on Pensions.

By Mr. SANDERS of Indiana: A bill (H. R. 7693) for the relief of Benjamin S. Bailey; to the Committee on Military Affairs.

Also, a bill (H. R. 7694) granting a pension to John H. Hayman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7695) granting a pension to Marinda E. Hays; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 7696) granting an increase of pension to Eva Shaw; to the Committee on Invalid Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 7697) granting an increase of pension to Mortimer L. Woodward; to the Committee on Invalid Pensions.

By Mr. SWEET: A bill (H. R. 7698) granting a pension to Mary A. Lavery; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 7699) granting an increase of pension to John Coombs; to the Committee on Invalid Pensions.

By Mr. WOOD of Indiana: Joint resolution (H. J. Res. 154) to provide amnesty for Charles A. McAnally, private in the United States Army and a member of the United States Engineers, restoring him to his pay and his position in the Army of the United States; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of Adam Mickiewicz Club, Polish Alma Mater, of the United States of North America, against Senate bill 2099, relating to newspapers, magazines, etc., printed in a foreign language; to the Committee on Printing.

Also, petition of National Council, World War Veterans, urging payment of the balance of $120 bonus to each soldier, sailor, and marine; to the Committee on Military Affairs.

By Mr. CANDLER: Petition of S. B. Street & Son and others and Johnston & Cains and others, of Columbus; J. A. Stovall and others, of Shannon; and F. W. Duckworth and others, of Booneville, all in the State of Mississippi, for repeal of luxury tax; to the Committee on Ways and Means.

By Mr. CANNON: Petition of Lithuanian Alliance of America, Lodge No. 29, and American citizens of Lithuanian descent, of Westville, Ill., requesting the United States Government to recognize the present Lithuanian Government and to render it moral and material assistance; to the Committee on Foreign Affairs.

By Mr. DENISON: Petition of sundry citizens of Ullin and Evansville, Ill., regarding taxes on candy, ice cream, and soda-fountain foods and drinks; to the Committee on Ways and Means.

By Mr. HUDSPETH: Petition of El Paso Chamber of Commerce indorsing National Association for the Protection of American Rights in Mexico; to the Committee on Foreign Affairs.

By Mr. JOHNSTON of New York: Petition of Federal Employees' Union of New York, 5,000 strong, protesting against the Good amendment to the Nolan minimum wage bill; to the Committee on Labor.

By Mr. LINTHICUM: Petition of Baltimore Chewing Gum Co., of Baltimore, Md., for the repeal of the tax on candy, etc.; to the Committee on Ways and Means.

Also, petition of Cephas M. Lewis & Sons of Baltimore, Md., protesting against the passage of Senate bill 2202 and Senate bill 2199; to the Committee on Interstate and Foreign Commerce.

Also, petition of Citizens' National Bank, the Thomas J. Kurdle Co., and the National Bank of Baltimore, all of Baltimore, Md., opposing Senate bill 2202; to the Committee on Agriculture.

Also, petition of Phil F. Wirlrot, Baltimore, Md., urging passage of a bill providing bonus of one year's pay for all service men; to the Committee on Military Affairs.

Also, petition of Monumental Lodge No. 567, Brotherhood of Railway Clerks, Baltimore, Md., urging exemption of 2¾ per cent beer; to the Committee on the Judiciary.

By Mr. LONERGAN: Petition of Polish Alma Mater of Chicago, Ill., and of the Polish Publishing Co., of Chicago, in opposition to Senate bill 2099; to the Committee on the Judiciary.

By Mr. McARTHUR: Petition of sundry citizens of Hillsboro, Oreg., for the repeal of tax on soft drinks, ice cream, and sodas, etc.; to the Committee on Ways and Means.

By Mr. MICHENER: Petition of Charles Preketes, C. E. Bird, and other citizens of Ann Harbor, Mich., urging repeal of tax on sodas, soft drinks, and ice cream and soda fountain foods and drinks; to the Committee on Ways and Means.

By Mr. NEWTON of Missouri: Petition of the Tenth Ward Improvement Association of St. Louis, Mo., protesting against enforcement of the Volstead prohibition bill; to the Committee on the Judiciary.

By Mr. O'CONNELL: Petition of Holy Name Society of our Lady of Good Counsel, of Brooklyn, N. Y., by William J. Kelly, opposing the Smith-Towner bill, or any similar bill; to the Committee on Education.

Also, petition of Polish Publishing Co., of Chicago, Ill., against Senate bill 2099, relating to newspapers, magazines, etc., printed in a foreign language; to the Committee on Printing.

Also, petition of C. D. Huyler, of New York, for the repeal of the tax on candy, sodas, soft drinks, and ice cream, etc.; to the Committee on Ways and Means.

By Mr. RANDALL of Wisconsin: Petition of the Lithuanian Society, Draugyste R. K. Po G. Sv. Petro, of Kenosha, Wis., requesting the United States Government to recognize the complete independence of the Lithuanian Republic; to the Committee on Foreign Affairs.

Also, petition of the common council of the city of Milwaukee, Wis., to amend the wireless ship act to include all seafaring vessels that carry passengers and crews above a certain limit; to the Committee on Naval Affairs.

Also, petition of A. W. Johnson, John J. Keane, and 96 other citizens of Janesville, Wis., for the repeal of tax on candy, ice cream, and soda-fountain foods and drinks; to the Committee on Ways and Means.

By Mr. ROWAN: Petition of Polish Alma Mater, of Chicago, Ill., and of the Polish Publishing Co., of Chicago, Ill., in opposition to Senate bill 2099; to the Committee on the Judiciary.

Also, petition of League of Foreign-Born Citizens, urging passage of Smith-Towner bill; to the Committee on Education.

By Mr. SNYDER: Communication from the Clinton, N. Y., Grange, protesting against the enactment of the so-called Lane reclamation plan; to the Committee on Agriculture.

Also, petition of various merchants and business men of Utica, N. Y., and vicinity, against the enactment of the so-called Kenyon-Kendrick license measures; to the Committee on Agriculture.

By Mr. STINESS: Petition of Padraic Pearse Branch, Friends of Irish Freedom, of Woonsocket, R. I., requesting investigation of propaganda directed against American institutions to break

down American policies and to involve United States in purely European affairs; to the Committee on Rules.

By Mr. WINSLOW: Petition of Quinsigamond Val Lodge, No. 1, International Order of Good Templars, in respect of enforcement of eighteenth amendment to the United States Constitution, etc.; to the Committee on the Judiciary.

By Mr. YATES: Petition of Gottfried Tinzmann, Chicago, Ill., containing protest against ratification of the league of nations; to the Committee on Foreign Affairs.

Also, petition of Social and Mutual Advancement Association of the Blind, urging the Congress and the President to make liberal appropriations for the American Printing House for the Blind; to the Committee on Appropriations.

Also, petition of Cincinnati Milling Machine Co., of Cincinnati, Ohio, by Dr. Otto P. Geier, secretary, urging appropriation of $1,500,000 for investigation of causes of influenza; to the Committee on Appropriations.

Also, petition of Mr. H. S. Jeffery, chairman advisory board Philadelphia and Camden Federations of Pennsylvania Systems Lines, Philadelphia, Pa., urging Congress to pass the Plum plan of ownership and operation of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petitions of L. W. Meckstroth, president Woodstock Typewriter Co., Chicago, Ill., and Mechanics Machine Co., Rockford, Ill., containing protests against House joint resolution 121 concerning conference regarding relations between capital and labor; to the Committee on Labor.

Also, petitions of H. C. Thom, W. C. Graham, and R. A. Stearns, all of Chicago, Ill., containing protests against the Kendrick bill (S. 2199) and the Kenyon bill (S. 2202) concerning the packing industry; to the Committee on Ways and Means.

Also, petition of National Pickle Packers' Association, Mr. F. A. Vickers, secretary, Chicago, Ill., urging retention of zone advances on advertising pages in periodicals; to the Committee on the Post Office and Post Roads.

Also, petition of the committee on legislation and facts of the Motion Picture Exhibitors of America (Inc.), by Louis F. Blumenthal, chairman, urging repeal of the admission of film rental and increased seat taxes; to the Committee on Ways and Means.

SENATE.

TUESDAY, *July 22, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee this morning ever dependent upon Thy guidance and Thy blessing. In the midst of the world's confusion, in the midst of the blood that runs high, in the midst of antagonisms of race and of peoples, we come to Thee. Thou art the God of order and of law. We pray that as Thou hast called us to this high and holy office we may follow the Divine commandments and work out the plans for the protection of the world in the interest of peace, and establish above all things a reign of righteousness among men. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 5726. An act to fix the compensation of certain employees of the United States;

H. R. 6810. An act to prohibit intoxicating beverages, and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries; and

H. J. Res. 147. Joint resolution to ratify and confirm from and including July 1, 1919, obligations incurred pursuant to the terms of certain appropriations for the fiscal year 1920.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT. The Chair presents a petition from the Legislature of the Territory of Hawaii, which will be printed in the RECORD and referred to the Committee on Pacific Islands and Porto Rico.

The petition is as follows:

EXECUTIVE CHAMBER,
Honolulu, Hawaii, July 7, 1919.

The honorable the PRESIDENT OF THE SENATE,
Washington, D. C.

SIR: I have the honor to transmit herewith, at the request of the Tenth Legislature of the Territory of Hawaii, senate concurrent resolution No. 32.

Very truly, yours,
C. J. MCCARTHY,
Governor of Hawaii.

Concurrent resolution.

Whereas a substantial increase in the compensation of the officers and employees of the Territory of Hawaii and its political subdivisions is warranted by the high cost of living which now exists and which will probably become much higher in the immediate future on account of the tremendous demand for foodstuffs, materials, and supplies of all descriptions; and

Whereas the Legislature of the Territory of Hawaii for the year 1919, fully appreciating the seriousness of the situation, has, by proper legislation, substantially increased the compensation of practically all such officers and employees; and

Whereas there are certain officers, namely, the members of the Legislature of the Territory of Hawaii, and the governor, whose compensation can only be fixed by the Congress of the United States, and who are entitled to have such compensation increased: Therefore, be it

Resolved by the Senate of the Legislature of the Territory of Hawaii (the House of Representatives concurring), That the Congress of the United States be, and it is hereby, respectfully requested to enact such legislation as shall increase the compensation of the members of the legislature from the sum of $600 to the sum of $1,000 for each regular session thereof, and as shall increase the compensation from the sum of $200 to the sum of $500 for each special session of the Legislature of the Territory of Hawaii, and as shall increase the compensation of the governor of Hawaii from the sum of $7,000 per annum to the sum of $10,000 per annum: Be it further

Resolved, That the governor of the Territory of Hawaii be, and he is hereby, respectfully requested to transmit copies of this resolution to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States of America and to the Secretary of the Interior of the United States, and to the Delegate from Hawaii.

THE SENATE OF THE TERRITORY OF HAWAII,
Honolulu, Hawaii, April 29, 1919.

We hereby certify that the foregoing resolution was adopted by the Senate of the Territory of Hawaii on April 29, A. D. 1919.

CHAS. F. CHILLINGWORTH,
President of the Senate.
O. P. SOARES,
Clerk of the Senate.

THE HOUSE OF REPRESENTATIVES OF THE TERRITORY OF HAWAII,
Honolulu, Hawaii, April 30, 1919.

We hereby certify that the foregoing resolution was adopted in the House of Representatives of the Territory of Hawaii on April 30, A. D. 1919.

H. L. HOLSTEIN,
Speaker House of Representatives.
EDWARD WOODWARD,
Clerk House of Representatives.

Mr. CURTIS. I present a couple of telegrams protesting against the schedule of discounts issued by the Grain Corporation. I ask that they be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the telegrams were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

BELLEVILLE, KANS., *July 21, 1919.*

Senator CHARLES CURTIS, *Washington, D. C.:*

Schedule of discounts issued by United States Grain Corporation is a hardship on wheat growers of Kansas. We pray that you will give this matter your consideration and that you will make recommendations that may result in a revision of these exorbitant discounts and assist the growers of Kansas in securing a reasonable price for their low-grade wheat.

R. B. WARD
(And 100 others).

HUTCHINSON, KANS.

Senator CHARLES CURTIS, *Washington, D. C.:*

Farmers of Reno County in mass convention assembled protest vigorously against action of Grain Corporation on cumulative and excessive discounts on lower grades of wheat; also against action of Grain Corporation in refusing licenses to competitive exporters. Grain Corporation's yield of Reno County wheat will not average over 10 bushels per acre and will not test over No. 3.

SHERIDAN PLOUGHE,
JOHN ROWLAND,
J. W. HAMILTON,
T. F. SMYTHE,
PETER DECK,
JOSEPH MCGUIRE,
Committee.
R. A. EDWARD,
President.

Mr. SHEPPARD. I present a resolution of the El Paso Chamber of Commerce indorsing the National Association for the Protection of American Rights in Mexico, which I ask to have printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Resolution indorsing National Association for the Protection of American Rights in Mexico.

Whereas for a period of eight years there has been nothing but chaos in the Republic of Mexico, nothing but an elemental civilization; during most of this period the only light that shone in the darkness was that which flashed from the cannon's mouth in the incendiary blaze of revolution and unrestricted banditry, which has had so disastrous an effect upon the lives and property of foreigners in that country, especially Americans; and

Whereas the people of Mexico themselves have been the chief sufferers from the chaotic conditions which have seriously menaced the moral and economic fabric of the entire Republic and caused untold loss of life and property; and

Whereas Americans and other foreigners have, in good faith, invested hundreds of millions in Mexico in the development of her resources, thereby adding to that nation's assets what would otherwise have remained a liability, and through the individual enterprise of Americans within her borders her financial, industrial, and commercial institutions have been established on a sound basis of credits and trade relations and employment afforded for thousands of her people; and

Whereas the future economic and commercial development is largely dependent upon American capital and enterprise, neither of which will be available unless the Mexican laws provide for, and the Mexican officials recognize, the rights of American citizens and actually afford adequate protection to their lives and property as well as other foreigners; and

Whereas certain sections of Mexico are infested with outlaws, revolutionists, and bandits, who spasmodically blow up trains and trackage, rob railroad cars, burn bridges, and convert themselves into "consignees" of any foreign merchandise obtainable, and thereby paralyzing commercial intercourse, which is the life blood of national existence; and

Whereas the Federal Government of Mexico being unable to maintain vigilance and guarantee any degree of safety to shipments of merchandise of any character in these sections, comprising some of the richest territory of the North American Continent; and

Whereas the Federal Government of Mexico being unable to afford protection to the industrial and commercial institutions owned and operated by Americans, thereby failing to perform the functions for which such a government ordinarily exists; and

Whereas through its President the Federal Government of Mexico has fostered, promoted, and caused to be enacted such anti-American legislation as contained in article 27 of Mexico's new constitution, which provides among other policies, radical in the extreme and as it is retroactive is confiscatory of the property rights of Americans, "among other things providing that—

"(a) No foreign corporation or individual can legally acquire or hold any mines, oil wells, land, or other real property in Mexico unless he renounces his citizenship.

"(b) The ownership to all minerals, solid, liquid, or gaseous is declared to be vested in the nation, regardless of existing rights based upon the old constitution"; and

Whereas the full textual contents of this constitution is significant of the Federal Government's anti-American policy being given expression through its President on many occasions; and

Whereas we know as a matter of fact that throughout all this period Americans have suffered gross injustices in Mexico, and no means have been tendered by the Federal Government of Mexico to prevent or suppress to any positive extent these crimes against our people, although some individual officials have done all that they could consistently do under authority of their President to offer means of protection; and

Whereas the American people of this great border district, extending 2,000 miles in length, have for the past eight years been forced to witness crimes against American citizens on the American side of the border, committed by Mexicans of all factions, and they are now seeking some means whereby this maelstrom of elements may be cleared, not only for the sake of our own people, but as much for the masses of Mexico who are bleeding from this unabated revolutionary and banditry reign, in order that they might throw away their armor and take the plow and open the furrows and plant the seed; and

Whereas the United States Government is spending over a million dollars a week to maintain an army on the Mexican border, intended for the purpose of protecting lives and property of Americans from raids by bandits, the necessity and wisdom of which is not questioned; and

Whereas bad faith has been shown in many ways by the Federal Government of Mexico in matters pertaining to rights of American citizens, and our people having failed to coordinate their efforts to prevent repetition of these same acts against the rights of Americans along the border and in Mexico; and

Whereas the inaccurate reports of conditions in Mexico have served to do injustice to the people of Mexico, who are working fearlessly for the readjustment of their country's affairs, and there are many of these people in Mexico; and

Whereas the ill-informed people of the United States have given expression to affairs of Mexico of which they know not, and have thereby caused undue agitation; and

Whereas it is now possible, through the National Association for the Protection of American Rights in Mexico, to organize and assemble data in the form of sworn affidavits affecting foreign industries and enterprises in Mexico, and to investigate all decrees, laws, and regulations and other general developments affecting American rights in Mexico; and

Whereas through this medium the individual American citizen, as well as the large companies with holdings and interests in Mexico, may expect to obtain relief from the present conditions by becoming affiliated with this national association; and

Whereas this association proposes to and is actually combining the mass efforts and intelligent force of the American people for the purpose of bringing a concerted action to bear upon our Government in pressing the importance of this problem and the necessity for its solution in a manner accruing honor unto ourselves and affording the relief for which every intelligent, unselfish, and patriotic citizen of Mexico is hoping for; and

Whereas this condition of stability and responsibility can only be accomplished by an unselfish desire to assist the people of Mexico to recognize their obligations toward American citizens; and

Whereas our Government in the past has rendered unselfish service to small nations of people, torn by oppression and revolution; and

Whereas it is plain enough how our rights as a free people and our honor as a sovereign Government and other Governments have been violated, notwithstanding the numerous pledges made that foreign rights in Mexico would be protected; and

Whereas a body of the most representative citizens of this country have instituted a plan to educate the general public of America as to the true conditions in Mexico, and is now combining the economic and moral forces of patriotism for the realization of this purpose: Be it therefore

Resolved, That the El Paso Chamber of Commerce, representing over a thousand of the leading men in El Paso, through its board of directors, in meeting assembled, declares its approval of the principle, and does unqualifiedly indorse the program of the National Association for Protection of American Rights in Mexico; and be it further

Resolved, That without bitterness or hate toward the Mexican people, but with an unselfish desire to assist them to end the reign of terror that is undermining her national life, we urge upon our Government the necessity of some definite corrective action; and be it further

Resolved, That a copy of this resolution be sent to each of our Representatives and Senators in Washington, our State senators, the governor of Texas, the United States Chamber of Commerce, the Texas Chamber of Commerce, and the various chambers of commerce through Texas, Arizona, and New Mexico, and that a copy of this resolution be placed upon the official records of the organizations named, requesting these organizations to pass resolutions of a similar nature.

CHARLES N. BASSETT, *President*.
W. S. CROMBIE, *First Vice President*.
GEO. B. RYAN, *Second Vice President*.
E. W. KAYSER, *Treasurer*.
O. J. BINFORD, *Director*.
H. E. CHRISTIE, *Director*.
G. A. MARTIN, *Director*.
A. SCHWARTZ, *Director*.
M. A. WARNER, *Director*.
JOS. A. WRIGHT, *Director*.

I hereby certify the above to be a true and correct copy of resolution as passed on the 2d day of July, 1919, by the board of directors of the El Paso Chamber of Commerce.

EARL M. ROBERTS, *General Manager*.

Mr. FLETCHER. I present resolutions of the American Federation of Labor, which I desire to have printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the resolutions were referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

AMERICAN FEDERATION OF LABOR,
Washington, D. C., July 18, 1919.

Hon. DUNCAN U. FLETCHER,
Committee on Commerce,
Senate Office Building, Washington, D. C.

SIR: I beg leave to call to your attention the following preambles and resolutions, which were considered and adopted at the recent session of the American Federation of Labor in Atlantic City, June 9–23, relating to an act approved March 4, 1915, known as the seamen's act:

"Whereas the purpose of the seamen's act, as stated by its promoters, was to equalize the wage cost of operating American and foreign vessels and to bring the American to sea; and

"Whereas the wages of foreign vessels leaving ports of the United States have since August 1, 1916, when the act became effective, followed the wages paid on American vessels from the same ports, like a cart following a horse to which it is hitched; and

"Whereas the wages paid in English ports is the same as paid in the port of New York, and the wages paid at Scandinavian ports in the overseas trade is within $3 of wages paid at the port of New York; and

"Whereas the wage paid from Italy has already risen to within $10 of that paid seamen in American ports; and

"Whereas the number of native Americans employed on American vessels sailing from the Pacific coast ports has risen from zero to about 24 per cent of the whole crew, and on the Atlantic coast from less than 10 per cent to about 30 per cent, since the seamen's act became operative: Therefore be it

"*Resolved*, That we denounce the bills introduced by Senator CALDER and Congressman GOULD to repeal the important clauses of the seamen's act as hostile to the national interests of the United States, as hostile to the development of American sea power, and as serving the interests of European and Asiatic shipowners, who under this act are gradually being compelled to meet the American shipowner in a fair competition on the high seas; and be it further

"*Resolved*, That this resolution be submitted to the Committee on the Merchant Marine and Fisheries, to the Committee on Commerce of the Senate, to the Shipping Board, the Department of Commerce, and, if necessary, to the President of the United States."

Your committee recommends the adoption of the resolution.

The report of the committee was adopted.

On behalf of the American Federation of Labor I urge you to oppose this bill, H. R. 491, and all other measures having for their purpose nullification of provisions of the seamen's act.

Respectfully, yours,

FRANK MORRISON,
Secretary American Federation of Labor.

Mr. FLETCHER presented a memorial of the Chamber of Commerce of Pensacola, Fla., remonstrating against the passage of the so-called Harrison bill relating to naval stores, etc., which was referred to the Committee on Agriculture and Forestry.

Mr. WARREN presented a memorial of Slovenic National Benefit Society No. 267, of Sublet, Wyo., remonstrating against the enactment of legislation prohibiting the admission to the mails of any matter printed in a foreign language, which was referred to the Committee on the Judiciary.

Mr. WILLIAMS presented a memorial of sundry citizens of Yazoo City, Miss., remonstrating against the proposed plan of the Secretary of the Interior to reclaim arid and swamp lands, etc., which was referred to the Committee on Public Lands.

RELIEF AND PROMOTION OF CERTAIN ARMY OFFICERS.

Mr. NEW, from the Committee on Military Affairs, to which was referred the bill (S. 2448) for the relief of certain officers of the United States Army, and for other purposes, reported it without amendment and submitted a report (No. 98) thereon.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. CALDER:

A bill (S. 2575) for the relief of Furness, Withy & Co. (Ltd.); to the Committee on Claims.

By Mr. HARRISON:

A bill (S. 2576) to require street railways carrying passengers in their cars within the District of Columbia to provide equal but separate accommodations for the white and colored races, and to prescribe punishments and penalties for violating its provisions; to the Committee on the District of Columbia.

By Mr. NEW:

A bill (S. 2577) granting a pension to Adelia Sullivan (with accompanying papers); to the Committee on Pensions.

By Mr. MOSES:

A bill (S. 2578) granting a pension to Rufus E. Bean (with accompanying papers); to the Committee on Pensions.

By Mr. NORRIS:

A bill (S. 2579) granting an increase of pension to Jerome Schamp; to the Committee on Pensions.

By Mr. FERNALD:

A bill (S. 2580) granting an increase of pension to Esli A. Bowen (with accompanying papers); to the Committee on Pensions.

By Mr. JOHNSON of California:

A bill (S. 2581) to fix the compensation of certain employees of the United States; to the Committee on Education and Labor.

By Mr. OWEN:

A bill (S. 2582) to amend the act approved December 23, 1913, known as the Federal reserve act, as amended by the acts of August 4, 1914, August 15, 1914, March 3, 1915, September 7, 1916, and June 21, 1917; to the Committee on Banking and Currency.

A bill (S. 2583) granting an increase of pension to William A. Karnes; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 2584) to regulate pawnbrokers and their business in the District of Columbia; to the Committee on the District of Columbia.

By Mr. ELKINS:

A bill (S. 2585) granting an increase of pension to William K. Brown;

A bill (S. 2586) granting a pension to John W. Gilpin;

A bill (S. 2587) granting an increase of pension to George W. Swiger;

A bill (S. 2588) granting an increase of pension to John P. Fetty; and

A bill (S. 2589) granting a pension to Annie Gilmore; to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 2590) to incorporate a foreign finance corporation to provide means of acquiring and selling public and private foreign securities, extending credits against the same and assisting in the development of the foreign trade of the United States, and for other purposes; to the Committee on Banking and Currency.

A bill (S. 2591) authorizing the sale of inherited and unpartitioned allotments for townsite purposes in the Quapaw Agency, Okla.; to the Committee on Indian Affairs.

By Mr. WILLIAMS (by request):

A bill (S. 2592) conferring jurisdiction upon the Court of Claims to hear, consider, and determine the claims of certain Choctaw Indians not heretofore finally enrolled to whom privileges were guaranteed under the treaty of 1830; to the Committee on Indian Affairs.

By Mr. HARDING:

A joint resolution (S. J. Res. 74) for the relief of the relatives of the officers and enlisted men of the Naval collier *Cyclops*; to the Committee on Finance.

By Mr. LODGE:

A joint resolution (S. J. Res. 75) authorizing the appointment of an ambassador to Belgium; to the Committee on Foreign Relations.

SUSAN F. BURDINE.

Mr. CALDER submitted the following resolution (S. Res. 130) which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to Susan F. Burdine, widow of William T. Burdine, late a private of the Capitol police force, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

PEACE TREATY AND LEAGUE OF NATIONS.

Mr. FLETCHER. Mr. President, I give notice that following the address of the Senator from Arkansas [Mr. ROBINSON] on Thursday I wish to submit some remarks on the treaty of peace particularly with reference to the league of nations.

Mr. THOMAS. Mr. President, much of the correspondence with me regarding the proposed league of nations is based upon the assumption that the adoption of the league will establish permanent peace in the world. On Tuesday the 29th after the remarks of the Senator from Louisiana [Mr. GAY] I give notice that I shall address the Senate upon that phase of the subject.

ADDRESS OF DR. SOUTHARD (S. DOC. NO. 56).

Mr. OWEN. Mr. President, I have here an address on the prevention, control, and cure of tuberculosis by Dr. Southard, of Fort Smith, Ark. It is a particularly able and valuable paper and I ask unanimous consent that it may be printed as a Senate document.

Mr. SMOOT. I did not catch the title of the address which the Senator from Arkansas desires printed as a document.

Mr. OWEN. It is on the prevention and cure of tuberculosis, and has been prepared by Dr. Southard, of Fort Smith, Ark. It is very short and, I think, is of value.

The PRESIDING OFFICER (Mr. CAPPER in the chair). Is there objection? The Chair hears none, and it is so ordered.

CONFIRMATION OF THOMAS H. TULLEY.

Mr. THOMAS. Mr. President, at the last executive session of the Senate the nomination of Thomas H. Tulley for collector of customs at Denver, Colo., was confirmed. The President was not notified of the confirmation because of the absence of my colleague [Mr. PHIPPS], who consents to his confirmation as in executive session. Therefore, as in executive session, I ask unanimous consent that the President may be notified.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the President will be notified of the confirmation of Thomas H. Tulley.

HOUSE BILLS AND JOINT RESOLUTION REFERRED.

H. R. 5726. An act to fix the compensation of certain employees of the United States was read twice by its title and referred to the Committee on Education and Labor.

H. R. 6810. An act to prohibit intoxicating beverages, and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research, and in the development of fuel, dye, and other lawful industries, was read twice by its title and referred to the Committee on the Judiciary.

H. J. Res. 147. Joint resolution to ratify and confirm from and including July 1, 1919, obligations incurred pursuant to the terms of certain appropriations for the fiscal year 1920 was read twice by its title and referred to the Committee on Appropriations.

CALLING OF THE ROLL.

The VICE PRESIDENT. The morning business is closed.

Mr. MCNARY obtained the floor.

Mr. SMOOT. If the Senator will yield to me, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ball	Gore	McCumber	Robinson
Bankhead	Gronna	McKellar	Sheppard
Beckham	Hale	McLean	Sherman
Calder	Harding	McNary	Simmons
Capper	Harris	Moses	Smith, Md.
Culberson	Harrison	Myers	Smith, S. C.
Cummins	Henderson	Nelson	Smoot
Curtis	Hitchcock	New	Stanley
Dial	Johnson, Calif.	Newberry	Sutherland
Dillingham	Johnson, S. Dak.	Norris	Swanson
Edge	Jones, N. Mex.	Nugent	Thomas
Elkins	Kellogg	Overman	Trammell
Fall	Kenyon	Owen	Underwood
Fernald	Keyes	Page	Warren
Fletcher	King	Phelan	Watson
France	Kirby	Phipps	Williams
Gay	Knox	Poindexter	Wolcott
Gerry	Lodge	Pomerene	

Mr. ROBINSON. The Senator from Arizona [Mr. SMITH] is detained from the Senate by illness.

Mr. GERRY. The Senator from Oregon [Mr. CHAMBERLAIN], the Senator from Wyoming [Mr. KENDRICK], and the Senator

from Massachusetts [Mr. WALSH] are necessarily detained from the Senate.

Mr. KING. The Senator from Georgia [Mr. SMITH] and the Senator from Montana [Mr. WALSH] are absent on official business.

The VICE PRESIDENT. Seventy-one Senators have answered to the roll call. There is a quorum present. The Senator from Oregon will proceed.

LEAGUE OF NATIONS.

Mr. McNARY. Mr. President, conformable to the practice of the Senate, I announced on Friday of last week that, following the morning business, on this day I would discuss the league of nations. I trust I shall not be asked to yield while I occupy the floor, as I would not like to have the continuity of my speech broken; but at its conclusion, if I am able, I shall be happy to answer any questions asked me.

Mr. President, I have repressed whatever desire I may have had to discuss the treaty of peace until through conventional channels this important document reached the Senate Chamber.

At this time I shall address myself to that all-absorbing portion of the terms of peace dealing with the character and defining the functions of the league of nations. I indulge the hope that I approach a discussion of this important subject free from partisan bias. The issue created by the movement to combine nations to insure peace rises far above political platforms or party expediency. The subject, therefore, should receive that calm and just consideration made possible only when partisanship is adjourned. The quicker we forget our party affiliations the sooner will we be able to reach the proper solution of this tremendous problem.

Mr. President, I am stoutly in favor of the principle embodied in any effort to insure the permanent peace of the world, and I am willing to accept the covenant of the league of nations contained in the peace treaty. The time is back of us for a discussion of this subject in general statements of the sublimity of peace, or indulging with owlish wisdom the ominous predictions of a disgraced and destroyed Republic. The people of America desire to know what the covenant contains of substance, and will go there to obtain their understanding.

I think it may be assumed that, aside from those who are opposed to this Nation becoming a member of any organization calculated to make wars more difficult of birth, the objectionable provisions are but few in number, though substantial and grievous to those who oppose the present covenant or who desire to effect material amendments.

Of the objections of this character I take it that article 10 is the most obnoxious and productive of the most controversy. The statement most generally made is that this article collides with our Constitution and runs across the path of our sacred traditions. This statement may well be challenged. Repeatedly the argument has been advanced that article 10 casts upon this Government an absolute obligation to go to war under any conditions, however bereft of justice. This indictment, in my opinion, is untenable.

Properly to analyze this provision of the covenant a distinction must be made between the first and second parts of the article defining our obligation in the event of the happening of the contingency for which it proposes to prescribe a rule of national conduct. For obvious reasons I shall consider the divisions of the subject in order of inversion.

> In case of any such aggression, or in case of any threat, or danger of such aggression, the council shall advise upon the means by which this obligation shall be fulfilled.

In this sentence no obligation, moral or legal, presses upon any country to adopt the method to repel aggression advised by the council. The adoption of the means is left to the election of the various nations, though in all human probability, if a situation would arise whereby concert of action was sought, the advice of the council as to the means would be followed if believed to be practicable and just. By the force of another article in the covenant the council, in arriving at a decision, will be governed by unanimous vote, the power of veto standing between this country and an unwise remedy. That part of the article about which the controversy wages is as follows:

> The members of the league undertake to respect and preserve, as against external aggression, the territorial integrity and existing political independence of all members of the league.

Indisputably this provision casts upon this country and every other nation a member of the league a joint and several undertaking to go to war to protect an associate of the league from invasion through external force, but this obligation is in no proper sense a legal one, but purely a moral obligation, entirely dependent upon the condition that the cause of the war and the war itself is violative of the moral conscience of the American people.

Having stated my premises, I shall proceed briefly to assign the reasons for my deductions:

> He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur. (Art. II, sec. 2.)
>
> This Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States shall be the supreme law of the land. (Art. VI.)

Thus it will appear that the architects of the Constitution were very generous in the quantity and the power conferred upon the Executive and the Senate in the matter of treaty making. However, the power is not unlimited, though conferred in general terms. Without doubt the two branches of the Government which have to do with the treaty making are not hedged about with restrictions like the law-making power which the Constitution carefully specifies may deal with certain enumerated subjects. The text writers, discussing this subject and the decisions of the Supreme Court, declare that whatever the Constitution positively forbids may not be done by a treaty any more than by any different means. In the case of Geofry *v.* Riggs (133 U. S., p. 267), the Supreme Court, speaking through Chief Justice Field, said:

> The treaty power, as expressed in the Constitution, is in terms unlimited except by those restraints which are found in that instrument against the action of the Government or of its departments, and those arising from the nature of the Government itself and of that of the States. It would not be contended that it extends so far as to authorize what the Constitution forbids, or a change in the character of the Government, or in that of one of the States, or a cession of any portion of the territory of the latter, without its consent.

When the court said that by treaty nothing could be done which is forbidden by the Constitution it gave implied expression to the rule that which the Constitution directs shall be done in a particular way may not be done through the medium of a treaty in a manner other than the one prescribed in the Constitution. The treaty-making power can not legally usurp any prerogative of the legislative branch of the Government conferred by the fundamental law, consequently when the supreme law of the land provides how and by what agency war shall be declared, that agency then works in an exclusive field and its right to function in this particular field can not be abrogated, lessened, or enlarged by the treaty-making power.

> The Congress shall have power to lay and collect taxes, * * * provide for the common defense and general welfare of the United States, * * * to declare war, * * * to raise and support armies, * * * to provide and maintain a Navy, and make rules for the government and regulation of the land and naval forces. (Art. I, sec. 8.)

In no sense, therefore, can the executive branch of the Government, aided by the Senate, cast any legal obligation upon this or any future Congress to pass a declaration of war upon any nation, however unjustly offending. The wisdom of our forefathers was never employed to better advantage than when this limitation by intendment was placed upon the power vested with the treaty-making body.

Viewing this subject as I do, it is not consistent with reason to argue that article 10 of the covenant lays a legal duty upon some future Congress to declare war against any nation that attempts by the use of force the invasion of the territory of a member of the league, nor the more unpleasant duty of requiring the Government to send our splendid soldiers to some foreign land to suppress "external aggression" defined in the covenant.

Over and above that, it must not be said that this interpretation would mislead any other member of the league of nations to its injury or operate to our dishonor, for the very solid reason that international law recognizes the constitutional limitations under which a nation makes its treaty. It is legally obligatory upon the signatories to the covenant of the league to observe and to respect these limitations. They must consider and be guided by the limit of power placed in the hands of the treaty-making agency. In close analogy is this doctrine to the one in the law of agency, that a principal is liable only for the acts of an agent within the real or apparent scope of his authority, and a person dealing with that instrumentality must inform himself of the extent of the power conferred. Nations can not be heard to say that they relied upon the provision of a treaty when that provision is outside of the treaty-making sphere.

In my opinion, the extent and nature of the obligation imposed by article 10 is not involved by any doubt as to its proper solution. This Nation is under a moral bond to fulfill its obligations and go to war, if need be, whensoever the fulfillment of the obligations is justified by the rules of morals.

If I have in part developed the thought that the article places upon the American people a moral duty to assist an associate nation to repel external aggression only when the doing of the act of assistance comes within the rule of proper

moral conduct, then much of the force of the argument used against the article is destroyed. While no one can predict with any considerable accuracy what the future course of Congress would be in the event that one nation would wantonly strike at another nation by forcible invasion, yet without a league it may be said in safety that in order to repel the assault the sentiment of this country would supply the momentum to persuade Congress to declare war, that the peace of the earth might be maintained. We would not stand by supinely and again see the world drenched by human blood, in the absence of the moral obligation assumed, nor does the assumption that the undertaking imposes a duty prevent this Nation from being the sole judge in deciding whether the contingency comes within the scope of our moral pledge.

As a Nation we have never faltered in the practice of virtue in endeavoring to secure peace by conflict, and I make bold to hazard a prediction that if the world was again menaced by a cruel, relentless foe the conscience of the American people would be so aroused as to exert its supreme power through constitutional channels to extinguish the madness by a declaration of war, enforced by our soldiery and armaments.

This moral force in the obligation imposed upon the nations of the world, in my opinion, will do much to chill the ambitious designs of nations that heretofore have been the cause of cruel wars, and for that reason I shall oppose by my vote any eradication of article 10 from the covenant. It is the pillar section of the association of nations contemplated under the league, and is the assurance of mutual support against any external aggression. It speaks the voice of freedom among the nations and guarantees to each its full share of sovereignty. It makes possible and encourages the reduction of armaments, as no nation will disarm unless assured that it will not be attacked by another nation. Nations which disarm or progressively deprive themselves of the weapons to repel an assault must protect themselves either by erecting a superstate, with an international armed force to guard them, or by entering into a compact to come to each other's aid when an outlaw nation threatens the use of force. This principle has been recognized by students of history from the time thought was first given to plans for the promotion of world peace. The late ex-President Theodore Roosevelt, discussing the prevention of war through arbitration treaties, in an address at Christiania, Norway, May 5, 1910, said:

> I believe that these treaties can cover almost all questions liable to arise between such nations, if they are drawn with the explicit agreement that each contracting party will respect the other's territory and its absolute sovereignty within that territory and the equally explicit agreement that (aside from very rare cases where the nation's honor is vitally concerned) all other possible subjects of controversy will be submitted to arbitration.

In a world league accompanied by an agreement for reduction of armament the necessity of a covenant containing the moral virility of article 10 is manifest.

Mr. President, a close dissection of the covenant justifies the statement that, in addition to supplying a great moral force augmented by actual force, if agreeable to the moral conscience of this Nation, article 10 defines a principle of conduct among the nations of the world that will be carried into execution by the other provisions of the covenant. It calls for no action until all other checks and remedies have failed to pacify a quarrelsome nation or in the event of extraordinary emergency, such as a sudden and unprovoked assault by an outlaw country.

It is not my purpose to open the covenant and analyze each article; that has been done by others. I only desire to observe that in articles 11 to 17, inclusive, provisions are made for the peaceful settlement of disputes through arbitration, by mediation, by the strength of universal boycott and economic pressure, and by covenants restraining war for a period of time.

Article 10 is devoid of any substance justifying members of the league to summon their strength to prevent any nation from making a change in its form of government, nor does it, nor the force it commands, prevent a nation from separating into distinct political units through the process of revolution. The article has nothing to do with internal uprisings that find their source in the genial soil from which springs the desire for self-determination.

Doubt has risen with regard to the understanding of certain contents of the covenant. From the opponents of the league comes a demand for amendments and reservations without proper regard for the results that will flow from such a course. An amendment would mean such a substantial change in some article of the covenant as to require the concurrence of the signatory nations thereto, and probably lead to delay and much controversy and possible rejection. Without doubt, by acquiescence, followed by an acceptance of some benefit under the treaty by a nation, the covenant would be limited by the amendments, so far as this country is concerned. An amendment is a change in substance, and requires ratification by all the other nations. In the discussion of this matter the term "reservation" is used to perform the same office as an amendment. We are not interested in the expression employed to perform the operation, but instead the thing that is done. This treaty, carrying the luggage of amendments or reservations, must of necessity go back to the original signatories and be accepted by them before it would be a binding contract.

Justice Brown, speaking for the Supreme Court in the Diamond Rings *v.* The United States (183 U. S., 167), says:

> Obviously the treaty must contain the whole contract between the parties, and the power of the Senate is limited to a ratification of such terms as have already been agreed upon between the President, acting for the United States, and the commissioners of the other contracting power. The Senate has no right to ratify the treaty and introduce new terms into it which shall be obligatory upon the other power, although it may refuse its ratification or make such ratification conditional upon the adoption of amendments to the treaty.

However, the Senate could without postponing the day of the ratification of the treaty or requiring its resubmission to the other nations by a resolution place its interpretation as to the meaning of articles in the league susceptible to one or more meanings. For example, article 21, which reads:

> Nothing in this covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe doctrine, for securing the maintenance of peace.

By many it is argued with much display of learning that the Monroe doctrine is in no sense a "regional understanding," and therefore it is not fully protected. Many others who have studied the covenant hold that this traditional policy is fully protected. Consequently without altering the terms of peace and with evident propriety the Senate could attach to the treaty a resolution stating its understanding of the article by again defining and declaring the doctrine of Monroe. Resolutions of this kind which in their purpose are not supposed to amend or alter, but only to interpret, the treaty do not operate to effect a change in the terms as to require ratification by other nations. If we should go further in this regard and attempt by an explanatory expression, whatever it may be called in name, to introduce a substantial change in an article, it would be in effect an amendment and would require resubmission to the other signatories.

To strike from the covenant article 10 would clearly be an amendment, such as to require ratification by the other parties to the treaty. To limit, alter, or modify the moral obligation would, in my opinion, operate as an amendment. We must not forget that if we attempt by general reservations or amendments to alter the splendid purposes of the covenant or weaken it so far as it affects our duties, it can not be expected that other nations will not follow our lead. Having demonstrated our altruism and unselfishness in this war and our overpowering strength and sublime heroism, is it not rather beneath our ideals to ask special privileges when the peace of the world and the welfare and happiness of mankind is involved?

That part of the covenant which refers to the exemption of domestic matters from consideration by the league says:

> If the dispute between the parties is claimed by one of them and is found by the council to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the council shall so report and shall make no recommendation as to its settlement. (Art. 15.)

Upon reading this provision of the covenant those opposed argue that the language does not place important matters of domestic concern, like immigration and tariff, out of the jurisdiction of the council or of the assembly. They propose reservations exempting the consideration of these matters from the league. This action I think unnecessary, for the reason that the highest tribunal in our land has decided that by the rules of international law subjects of this kind are absolutely and exclusively within the jurisdiction of this country, inherent as a right of sovereignty and therefore impossible of alienation by treaty.

Mr. Justice Gerry, speaking for the Supreme Court in the case of Nishimura Ekin *v.* The United States (142 U. S., 651), said:

> It is an accepted maxim of international law that every sovereign nation has the power as inherent in sovereignty and essential to self-preservation to forbid the entrance of foreigners within its dominions or to admit them only in such cases and upon such conditions as it may see fit to prescribe.

In the Chinese Exclusion case (130 U. S., 581) Chief Justice Field, of the Supreme Court, said:

> The power of government to exclude foreigners from the country whenever, in its judgment, the public interest requires such exclusion, has been asserted in repeated instances and never denied by the executive or legislative departments.

In the same case Chief Justice Field cites with approval a letter written by Mr. Marcy, Secretary of State under President Pierce, to our minister to Switzerland:

> Every society possesses the undoubted right to determine who shall compose its members and it is exercised by all nations, both in peace and in war. It may always be questioned whether a resort to this power is warranted by the circumstances or what department of the government is empowered to assert it, but there can be no doubt but that it is possessed by all nations and that each may decide for itself when the occasion arises demanding its exercise.

This same doctrine was enunciated by Mr. Evarts, Secretary of State under President Hayes, and later by Mr. Frelinghuysen, Secretary of State under President Arthur, who write:

> This Government can not contest the right of foreign governments to exclude * * * American citizens from their shores.

Sharing the belief that our Supreme Court has correctly stated the rule of international law as applied to a nation's internal affairs, I can find no serious complaint with a policy that shall annex a resolution to the treaty redefining an established doctrine of the law of nations. This action of the Senate, in my opinion, would not be an amendment nor change of treaty in substance requiring ratification. While a work of supererogation, if found comforting, it would have its own reward.

A stronger reason interposes its unyielding force, and that is that questions of a domestic character will never arise to embarrass this Nation for the reason that the other members of great white race, the dominant peoples of the league in the sense of civilization and power, are as jealous of their sovereign rights to adjust and decide all domestic questions as are we.

In fine, we have been told that our sovereignty has been dangerously diminished, the Monroe doctrine endangered; that we have surrendered our control over certain vital domestic matters; that we could be plunged into war without a declaration of Congress.

No one of these statements is believed by the advocates of the league to have a foundation in fact. Therefore, by the avenue of reservations in the form of interpretations, these questions could be placed beyond the pale of controversy. Action of this character would require no ratification by the other powers, as it would constitute only a restatement of that which already adheres in the covenant.

Mr. President, the world is so impoverished of substance and wasted of man power and economic force as to be incapable of a serious conflict of arms for decades beyond the life of any of the Members of this Senate who are to pass upon the terms of peace, and may we not with almost certain security of peace take time and give deliberations to necessary amendments and changes in the form and character of the constitution of the league? The constitution of the league is not the final and unalterable judge of the world's opinion; it is the present repository of a world desire to create a moral and economic force calculated to act as an insuperable barrier against future armed conflicts. The constitution contains nothing of the finality of the historical laws of the Medes and the Persians. It is simply an instrument for the execution of some of the terms imposed by the treaty of peace—the establishment of a moral force to bring on this earth a permanent peace. Time opens the way and presents opportunity for all needed amendments. The present is crying for mankind to introduce some institution to lessen the probabilities of future wars. Let us not fail to accept the opportunity to unite with other enlightened peoples to bring into existence this ideal that has ever yearned in the human heart and in the bosom of the heroic dead who have yielded their lives to the demands of brutal wars.

The constitution of the league should be the fundamental law of nations, similar in operation in a universal field to our own organic law. Necessarily such a document can only define general principles for the conduct of governments, leaving matters of procedure and administrative detail to rules to be promulgated by the council and general assembly.

Within this league will ripen a new code of international law and justice that will guide the nations of the world by the path that leads to peaceful settlements of all international disputes that will avoid controversies which result in war.

Mr. President, in a discussion of this great subject I have taken the position that all rational men hate war and love peace and would commit their lives to the perpetuation and establishment of any scheme in which they had utter confidence that would bring into existence universal peace and its sublime rewards, and therefore I have not attempted to paint the manifold blessings which will in my judgment come from a creation of this society of peace. But, on the contrary, I have been content to discuss some of the weaknesses and fallacies of the arguments of those who honestly differ with the advocates of the league of nations.

From this thought, born of the force that reflects the pains and burdens of a cruel war, will grow an international structure that shall protect humanity from the savagery of conflict so long as mankind and his institutions endure.

You say this is a hope founded on faith. Yes; so long as faith abides, the fruits of faith ripen and flourish. The peoples of the world are heartstricken with sorrow, and upon their energies rests the burden of a ponderous tax that will require many decades of patient toil to absorb. This occasion is too serious for anger and recrimination, too big for partisanship, too full of good for personal consideration. Let this country be committed to a step in the direction of everlasting peace, and it is my sincere belief that the league of nations is the greatest step the world has ever taken toward peace; therefore I shall support the league, as it is the hope of the world.

Mr. KNOX. Mr. President, I wish to inquire of the Senator from Oregon, who has just delivered to us a very thoughtful and excellent address, whether I am correct in understanding him that the proper way to write into, not the treaty, as I understand him, but to write into the record a particular understanding would be by interpretations instead of by reservations.

Before the Senator commits himself unreservedly to that proposition, I want to call his attention to an opinion by the Supreme Court of the United States, which I sent for some 10 or 15 minutes ago, but which has just arrived, and therefore I can not call his attention to the specific language; but it is the case of the New York Indians against The United States, where the Supreme Court laid down the rule that you could not do that thing for the reason that explanatory interpretations were the mere ex parte expressions of one of the parties to the contract and had no effect at all upon the contract, and that the contract would have to be construed according to its terms. [Reading:]

> It appears by the records of the proceedings of the Senate that several amendments were there made to said treaty, including a new article; that the ratification was made subject to a proviso, the text of which is stated in the opinion of the court; and that in the official publication of the treaty, and in the President's proclamation announcing it, all the amendments except said proviso were published as part of the treaty, and it was certified that "the treaty, as so amended, is word for word as follows," omitting the proviso. Held, that it is difficult to see how the proviso can be regarded as part of the treaty or as limiting at all the terms of the grant.

I do not know whether the Senator is familiar with this case or not. It is reported in One hundred and seventieth United States.

Mr. McNARY. Mr. President, I have some familiarity with that decision. I have very carefully looked through the digest of the Supreme Court cases as to treaties with the Indians, and there are a number in point. That opinion absolutely supports my contention. I think the Senator from Pennsylvania perhaps did not grasp my position. A proviso, an addition, an amendment, a reservation, or whatever it may be called, that enlarges the scope of a treaty or amends it in substance can not be made at all without resubmission to the parties; but an explanatory statement of anything already in a treaty is not an amendment or a reservation. That was the distinction I was trying to draw. As I say, Mr. President, I am one of those who contend that the Monroe doctrine is already preserved in the covenant, but I say it will be harmless to restate it; that it is already there, but it might find its reward in comforting some of the timid minds that oppose the covenant.

Mr. JOHNSON of South Dakota. Mr. President, the foremost question in the minds of the American people to-day is, "What can we do, if anything, to prevent future wars?" The question is pertinent and is now up for decision. Have we reached the time in the history of the world when mankind shall be ruled by law and order or by the sword?

The greatest question the Senate of the United States has been asked to consider since the formation of the Government itself is before us now, coupled with consideration of a treaty, the magnitude of which has never had an equal. They are presented to us to adopt or reject.

We are here to-day to study and discuss the plans worked out at the peace table at Versailles, unanimously presented to us by the representatives of the civilized nations of the world, who spent many months in its consideration. It is a question which will affect the welfare and happiness of more people in the United States in future years than any that has heretofore been considered.

They have presented us with this wonderful document—this league of nations plan—as their conclusions. How strange it has been in our imagination and how intricate our conceptions of its provisions until we have received it. But it has come at last, and we find on careful study that its obligations and requirements are reasonably plain and clear.

President Wilson said in his speech when presenting it to the commission constituted by the preliminary peace conference that the simplicity of the document "seems to be one of its

chief virtues." He further said that it was a "definite guaranty of peace. It is a definite guaranty by word against aggression. It is a definite guaranty against the things which have come near bringing the whole structure of civilization unto ruin."

And so, my friends, we are to-day face to face with what we are asked to do, and upon each of us rests a solemn, sacred duty; and we will do our duty as we see it.

The foundation idea of this league of nations, as I see it, is to force all treaties between nations out into the open so that the people of all nations may know what is going on between their government and other governments, and thereby give them an opportunity to have something to say in the settlement of any differences that may arise in the adjustment of the same, instead of having everything done by their rulers, which has caused most of the trouble in the world in past ages. This is a great step in the right direction and will no doubt make the people of all countries inclined to perform their obligations and agreements with other nations. If for any reason they do not live up to their promises, this league of nations, interwoven with the peace treaty, will surely encourage them to do so, because there will be force enough behind it to compel them if necessary.

I think we all realize to a great extent that fear of the law—publicity and punishment—is among the most powerful inducements for men or nations to obey the laws of the land. The real object of this covenant is to encourage nations, and, if necessary, compel them, to live up to their treaties and prevent future wars.

The entire world has been shaken to its foundations in the past four years by the greatest war in the history of mankind. The lands of Europe have been bathed in blood. On battle fields and in the seas sleep millions of its victims. Destruction and want cover Europe to-day, and famine and desolation reign everywhere. Fifty thousand of our boys are buried in that land and many thousands more lie under our own skies. A hundred billion dollars will be our price to pay when we are through, and we had made only a beginning when victory was won. Our country knows practically nothing of the horrors of it all. Can you reason that we gained anything by helping to conquer a people who sought to enslave the world if we still permit old conditions to exist, and thereby make it probable that the same great sacrifice will have to be made again?

Let me repeat what Maj. Louis W. Bicknell, of Webster, S. Dak., who has just returned from France, related to me this morning.

He tells me that on a trip the first of this month through the sector in which the Canadian and English troops operated in the Battle of the Somme in 1916 he learned that the men engaged in cleaning up the ground still find hidden in the woods and marshes the bodies of men who fell more than two years ago. The country, he says, presents a spectacle which can not be described. Not a single building stands in the city of Lens, once a prosperous mining center of 30,000 people. Even the old graves of the dead were burst open by shells and bombs. The village of Vimy does not exist. In Arras not a house is untouched. The cathedral is a wreck and ruin. The city of Albert is only a pile of rubbish. Going from Paris toward Arras the factories which once gave employment to the workers are all ruined. Conditions are thus briefly described by a reliable eyewitness.

Germany thus violated with fiendish ruthlessness all the rules of war which she was pledged to respect. Ought not civilization to league the nations against the perpetration of such atrocities?

The discussion of this proposed league of nations has been going on in this body and by the press and pulpit for months. Many misrepresentations have been made. The country has been bewildered and confused, and no wonder, because it has been attacked by its enemies everywhere. This body has been a sort of "resolution school," with resolutions introduced by the opponents of this measure, with the hope in their hearts, no doubt, that some of them might stumble on to a resting place and find some logical reason to present to the people why it should not be adopted. But I do not think anyone has been really deceived, except it be those whose prejudices make them willing to be deceived.

I recognize that there are those among us who conscientiously hold to the view that the policy of our Government should still be that of noninterference with foreign affairs. Those who hold this view are not necessarily critics of this particular document, but are opposed to a league of any kind. The opinions of all such, conscientiously held, are entitled to the highest respect and consideration.

Let me recall what must be evident to every observing Member of this body, that long before we had been asked to do any particular thing the fight against this covenant commenced. It began before it was framed, before the delegates had taken their seats around the table at Versailles, and it has increased with increasing fury since it began. But I believe it has been generally recognized by the people at all times that in its early stages it was more a fight against President Wilson than against the league of nations itself.

I desire especially to direct my remarks from the viewpoint of our moral and national duty, and would not forget our obligation to provide material safeguards for our Nation. My Bible tells me that as we sow so shall we reap. I am just old fashioned enough to believe it. I believe that principle applies also to nations as well as individuals. And I do not believe that any government not based on morality and justice can long endure. Our Nation has been sowing for many years past. Now we are beginning to reap what we have sown. Let us not think we can escape our responsibilities. Some day, some time, and in some way we have got to pay the price, and I sometimes think the day of settlement is nearer than we think.

We are told by some Members of Congress, and the opponents of this document, that now the war is closed European troubles are no concern of ours; that we should stand out and not become mixed up in their affairs; that we are the greatest Nation on earth, amply able to take care of ourselves; that we do not need them, but that they need us. Aside from the fact that we are the greatest Nation on earth, I am not able to subscribe to any such doctrine. We are great, of course we are, and that we are strong no one denies. Even Germany admits that; but it is true that no nation or man has ever been or ever will be strong enough to stand alone. That is the reasoning of a selfish man or nation, and its acceptance would bring upon us the just condemnation of all liberty-loving people. It is exactly the same line of argument that has been used among the nations in ages past. It destroys the morals of a people and encourages wars such as we just passed through. It is the basis of that reprehensible sentiment now prevalent in Germany and which makes her an unrepentant nation to-day.

We all know that we were drawn into this war by the attack of Germany upon our moral sentiment as well as the industries of our country through the treachery of foreign ambassadors, the destruction of our commerce, and the murder on the high seas of our women and children. And so, my friends, if we are opposed to an alliance with other great nations to prevent war—from the arguments referred to—if we have reached a time when we really believe that a war in Europe is no concern of ours, then we might as well at once prepare for another, for the actions logically to follow such a position will be the same as have always been taken in olden times, and will of necessity encourage future wars, for our position will be exactly the same as have caused most of the wars for the past 2,000 years.

History tells us that ancient empires swept away peoples with resistless force and little opposition. They also were strong, but they fell. So it has ever been and so it will continue to be if we follow the ancient policy of selfishness which is always the program of despotism.

Would any of you have us become a party to creating new States, new boundary lines, new small republics, as has been done in a number of instances, and then abandon the peoples and countries we have helped to make free? It does not seem possible that the opponents of this league, who expressed themselves on all occasions as favorable to the war to make the world a fit place in which to live, will not now be ready to help these people stand alone. Such arguments will not go far with the American people. This body must be consistent with its own principles and its own past, and I believe it will.

We have now reached a period in the development of inventions when the greatest cities in America and their people can be destroyed and strangled by poisonous gases and high explosives dropped from the air, without a chance to protect themselves. The ocean can be crossed in two days by squadrons of hydroplanes, which in the future will circle the earth and practically annihilate distance. The isolated position which nature gave to America can no longer be relied on to make us safe from attack by foreign foes. To sustain in any degree the argument that has been advanced about America standing alone, those who are interested are met by the credible information that even since the signing of the armistice the destructive power of the aeroplane has increased manyfold and that greater destructive powers are being accomplished every day.

The next war, should it come, will be fought almost entirely from the air and under the water. The old bravery of soldiers in open warfare will be no more. It will be so fierce, so destructive, so terrible in its consequences that the power of good government may cease to exist. We may help to destroy our own institutions, our own Government, and hate, power, brute force,

and anarchy may again rule the world. Then the destruction of the English-speaking race will be complete. It is time people became awakened to the situation as it exists to-day, and not allow themselves to be lulled to sleep in imaginary security.

Surely it can not be that with such knowledge in our possession we will not realize this great danger to our country, but stand here and oppose plans presented to us by the best intellects of the world as a remedy, or at least a partial remedy, after months of careful consideration and study, a plan to hold these awful consequences in check, and which if successful will end all this murderous warfare perhaps forever.

It does not seem to me there should be a single man in this body, knowing these facts, knowing that under the terms of this covenant any signatory nation may withdraw from it in two years if it so desires, who will favor sitting back in his dignity and independence on the theory that it is no part of our business to mix up with European affairs.

There may have been some, but very few wars have been fought that could not have been avoided by arbitration. And settlements of disputes which led to war had to be made after the war was over, just as is being done in this case.

Mr. President, I have always been a firm believer that the things that would keep us out of war would be agreements similar to this proposed covenant. I was in favor of the plan inaugurated by Mr. Bryan a few years ago when Secretary of State. I was friendly to the score or more treaties ratified between our country and various other countries for the advancement of general peace. And I am in favor of this plan for the league of nations, composed by representatives of the leading nations of the world, and I would be favorable to and vote for any plan given us by all the leading statesmen of the world after six months of deliberation.

We recognize that not everything in this document suits us. We would all probably make some changes if we could. I know that if I had the power the first thing I would do would be to eliminate Germany for the next 50 years or, at least, until she had shown some different feeling from what she has shown since the war closed. I would not permit her to be a partner in this league. She has covered the earth with blood, yet seems to have no sorrow for her crimes. She is not fit to become a member. Her word, her promises, her treaties, have all been false, and, if she were able, she would plunge the world into another war to-morrow if she believed she could emerge from it alive. I do not see how it would be possible for the civilized nations of the world to have any confidence in that people, either in the league or out of it.

According to published reports, some of their leading papers are now printing articles stating that this treaty will not be respected by the German people; that it will be regarded there merely as a "scrap of paper"; but, thank God, there will be force behind it which will change it into a stern reality, which force is the only thing which Germany recognizes as worth consideration.

There is another change in this plan which I would like to see made. I would like to have had an agreement to add to section 8, or to have had a new provision inserted, making it legally impossible for destructive inventions, such as deadly gases, high explosives, and destructive shells, to be ever again made for use in warfare. And that for the future all treacherous, death-dealing, and destructive inventions should be entirely withheld, making the penalty so heavy upon the inventor, the manufacturer, or the seller, as to constitute a complete barrier to all future output of such deadly weapons, because if something of the kind is not done the danger to good government is increased manyfold. If you will study this question, I do not believe you can reach any other conclusion. I would go still further. I would destroy all the war material of the world more destructive than the ordinary Winchester or Springfield rifle, because if we permit these inventions to continue and be used for war purposes the danger of world destruction through anarchy and lawlessness will be increased manyfold. But, Mr. President, these changes can not be made by us in good faith, because an amendment can not be made or anything eliminated without the necessity of ratification by other members of the league, which would complicate, delay, and entangle matters more than they are now.

My friends, history will repeat itself if something is not done to stay the awful craze that is running wild over the world to-day. You may say you can not see how this can be possible. Neither could we understand a few months ago how war which has destroyed the lives of 20,000,000 people and impoverished hundreds of millions more could come upon us almost over night. Neither could a million mothers understand why their sons were snatched from them and hurled into the trenches of disease and death to keep the world safe from the horrors and brutalities of the Hun, the consequence of which is that 50,000 of the flower of American youth sleep to-day in the blood-stained fields of Europe.

Wars have cursed the world since the beginning of history; and largely, in my opinion, because of the selfishness and ambitions of rulers and the ignorance of the people; and likewise for the further reason that the false idea has prevailed that war upon other countries was none of their business. Under the old order, with ideas then prevalent, it may be there could be no interference, and this false idea is just what I desire to help change by my vote. Fear of punishment is the one great influence, perhaps the greatest, operating to deter men and nations from unjust and criminal acts. I desire every civilized nation under the sun to be able to say to its neighbors that they shall not do an unjust act to a smaller nation. Under the former rule whenever a powerful nation subdued a smaller one it meant that the robber nation's power for evil was increased. It is my wish that whenever any nation proposes to aggrandize itself at the expense of a weaker one, we may have a league which will call a halt and, if necessary, destroy the offending nation's power for evil. That is what I want, and I especially want my vote on this league of nations to help put the shackles on Germany, Bulgaria, Turkey, and all the renegade despotisms of the Old World, and to have them brought to a realizing sense that it is their lot to wear them forever.

Do any of you believe that if England, France, Italy, Japan, and the United States had had power to say to Germany in 1914, with all the authority of a solemn league, "You shall not invade Belgium, and you shall respect the rights of man," that this war would have been begun? I do not, and I believe you are in agreement with me. But we did not have the right. England and France did not have the right. There was no league of nations, and that is the reason why the great World War was not prevented. What I wish now is that we may all have that right by international agreement with other civilized countries of the world, and see if by this means we may not prevent such catastrophes in the future. We owe it to our children to take the step. Let the allied nations disposed to justice decree that in the years to come no nation reveling in power shall usurp the rights of the weak.

We boast to-day of our advancement in all the things which make the world better, our great schools of learning and our religious institutions, all of which are legitimate objects of national pride. If we acknowledge anything of worth in the conclusions of philosophy and religion, why question the accepted fact that moral force exceeds the force of the brute? Is it true that our Nation in this twentieth century can not devise a plan to achieve justice without following the tactics of the Hun? Remember your obligations to generations unborn. If we fail the world here, I shall look upon it as the greatest national sin we have ever committed, and I shall likewise feel that we have been deliberately neglecting our material interests as well.

Have you ever considered the position of danger we would be in if the great commercial nations enter into this league and we remain aloof? Our commerce extends to the limits of the entire globe, and we desire that our merchant marine shall penetrate to all ports of the world. Suppose we refuse to enter this league, which has for its object the protection of the world from the aggressions of predatory nations. Why would we not be regarded with enmity and suspicion? Our great commercial interests, rich lands, our favored geographical position, would soon place us in the position of standing alone, with the other civilized nations combined against us. The time might come when there would be a vast combination against us to refill their treasuries and discharge their debts. To my mind, such an opportunity should not be given under any pretext, and this should be given careful consideration in determining our course regarding this alliance.

We have another reason for urging this compact. In the Far East at this time signs are increasing that Bolshevism with its reign of terror may yet without our help overrun Europe. The armies of France, England, and our allies are the only influence now stemming the tide. We entered this war in good faith for the purpose of making the world safe, not for lawlessness, but for democracy with its law and order. Will they believe we were acting in good faith as we claim if we abandon them now when, with the possible exception of time when we were at their side on the decisive battle field, they are at the most critical time in their life's history? And, Mr. President, if France is at a critical time from this cause, the crisis is also upon England and all the civilized countries, including our own. If France should be engulfed, the calamity is not her own alone. The danger of it hovers over us as well as them.

Paragraph 10 has been more largely commented upon and cited as a dangerous paragraph than anything else in the covenant. Let us see how it reads:

ARTICLE 10.

The members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league. In case of any such aggression, or in case of any threat or danger of such aggression, the council shall advise upon the means by which this obligation shall be fulfilled.

Mr. President, I am unable to see anything in this that is not perfectly plain and clear. Further, I am unable to see how it would be possible to have a covenant at all with any virtue or effect without the provisions which this paragraph embodies.

Opponents of the league have commented on Washington's views as expressed in his Farewell Address, advising against "entangling alliances" with foreign nations. This advice, Mr. President, was sound and wise for his time and the then existing circumstances, but conditions change as time goes on. Men change to meet those conditions. That which was best and wise over a hundred years ago is not necessarily best for us to-day. We love our country, we cherish its history, but that should not prevent us from seeing new conditions and duties which have been forced upon us. The truly progressive man permits no cloud to obscure his vision and knows that part of the past which is worth preserving and perceives that which is obsolete. Europe is calling for our help, and in helping her we help ourselves. Is it possible that the bloodiest war the world has ever seen has taught us nothing? Will not our Nation profit by the experiences just passed through? The world looks to America to-day for our answer as they look to no other nation on the globe. Will we answer them "yes" or "no"? The only hope that I can see is in this league of nations, to direct the world into the ways of peace. Have you who oppose this measure a better plan? If so, what is it? What do you propose to do for the millions of innocent, law-abiding men, women, and children of Europe? What is your plan to relieve them from conditions worse than death? Can you be a good citizen of America and not be a good citizen of the world?

So I say in conclusion we may say to the other nations of the earth, "We do not wish to get mixed up with your affairs. Your wars are no concern of ours. You go your way and we will go ours." But if we do, we will both inherit and deserve the hate of all the millions of honest, liberty-loving and God-fearing people of Europe, who look to America to save them and their countries from destruction.

I am going to vote for this league of nations on account of the protection of my family in future years. And when I vote for the good of my family, as I see it, I vote for the good of your family and for the good of every family in our great country. I shall vote for it because every German sympathizer in the world wishes it to fail; because every Bolshevik, every "I. W. W.," every man in the world who does not believe in law and order would vote against it, as they would vote against anything to compel them to obey the laws of God and man. Germany, Turkey, Bulgaria, and what is left of Austria-Hungary would like to see it fail. And I do not propose that my vote shall be registered with that group.

None of us can see further than to-day. The future is sealed to our vision. The good that this league may do for our country we do not know. But those of us who favor it hope and believe it will be great. And, seeing that way and believing that way, the finger of duty points only in one direction. And so in casting my vote on this proposed covenant of the world I shall cast it with a consciousness of having discharged my duty. We are under obligations to every citizen of our land to bring this peace about at the earliest possible moment. We owe this to every man who went to the defense of our country. We owe it to every mother in this great land who gave her sons for freedom. We promise it to every soldier living and every soldier dead, and I am ready to vote to redeem my promise.

PROPAGANDA ON PACKING INDUSTRY.

Mr. KENYON. Mr. President, the Senator from New Hampshire [Mr. MOSES] has given notice of a speech to be delivered at this time. I gave notice yesterday that I would try to address the Senate at some time when I could get the floor on the league of packers' propaganda. I do not want to take the time of the Senator from New Hampshire, except to put in a telegram or two about the matter. I realize that any speech I have to make on the subject will have to be made between speeches on the league of nations.

I said on yesterday that, in my judgment, the greatest propaganda that ever had been inaugurated in this country is now in full swing with reference to the bills which have been introduced by the Senator from Wyoming [Mr. KENDRICK] and by myself for some regulations of the packers. Telegrams have poured in to Senators and Representatives in Congress by the hundreds, and letters likewise, from people who know nothing about these bills, having been stimulated to do it by the active agents of the packers all over the United States. They have reached the banks now, and telegrams and letters are pouring in from the banks.

I say that the packers have agents in their employ traveling around the United States interviewing retail merchants, telling them that these bills will destroy them, borrowing letterheads from certain merchants to send in letters to Members of Congress, stimulating commercial bodies and banks to believe that these bills will simply destroy the Nation. This battle is going to become a battle to find out whether the packers with their combination and their monopoly are so strong that they can prevent practically the consideration of bills to regulate them.

I have interviews here with a manager of the packers in a certain city, one in which he virtually states that it is nonsense to believe that there can be any regulation of the packers; that they are just as large as the Government. They form the most powerful monopoly that we have ever had in this country.

I am not claiming any perfection for these bills. I am not claiming that the packers should not be heard. There will be extensive hearings. The bills are in the committee now, and the hearings will not commence for a month. I am simply anxious that when Senators receive such telegrams and letters they may know that they are inspired by these gentlemen who are trying to get a monopoly upon everything the people of the country have to eat.

I have trespassed enough upon the time of the Senator from New Hampshire, but I want to have this telegram read at the desk as illustrating the methods which are now in use, together with these two letters, one from New Mexico and the other from New Hampshire, illustrating other methods. As the debate on the league of nations proceeds, I shall try between speeches, every once in a while, to get something into the RECORD on this matter, in the hope that it may get before the American people, so that they may know the kind of propaganda that is going on to influence legislation and the inspiration of that propaganda, because the question will eventually come to the Congress whether there is power enough in the people of the country, the everyday people, who find themselves faced with a monopoly that is attempting to control everything they eat, to control that monopoly, and the battle line will be drawn, and men will take their places on one side or the other of it.

I ask that the telegram be read and that the two letters be printed in the RECORD.

The PRESIDING OFFICER (Mr. CAPPER in the chair). If there is no objection, the Secretary will read.

The Secretary read as follows:

CUMBERLAND, MD., *July 21, 1919.*

Senator W. S. KENYON,
Senate Office Building, Washington, D. C.:

Armour Co. representatives actively working this section among retail grocers influencing them write or telegraph Washington opposition to Kenyon bill (S. 2202) in Senate, introduced to prevent monopoly food products by Big Five Packers. If you are flooded with protests in their behalf you will know what pressure is being brought to bear by Big Five Packers. Just advised using same methods through the South. No doubt all over the country many retail grocers may be influenced. Communicate with you their behalf by smooth tongued trained representatives. One of Armour's representatives admitted all their salesmen were called into meeting. No doubt they will be instructed along this line as well as other distributors. Food products are beginning to feel pressure of control in canned goods. Rice, salmon, and many other lines other than meats. Unless Kenyon bill is passed we believe it will practically be but one source of supply. Food commodities competition is the life of trade and will be obliterated. We only ask to be placed on a competitive basis and that special privileges enjoyed by the Big Five Packers in transportation be discontinued.

THE KENNEWEG COMPANY WHOLESALE GROCERS,
JOHN G. LYNN, *President.*

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

ALBUQUERQUE, N. MEX., *July 16, 1919.*

Mr. ALFRED H. BECKMANN,
Secretary, National Wholesale Grocers' Association,
No. 6 Harrison Street, New York, N. Y.

DEAR SIR: The Armour Packing Co. is asking the retailers in the city to let them have the use of their letterheads for the purpose of preparing letters to our Senators and Congressmen for the retailers' signatures. These letters are intended as an indorsement of the packers' privileges in use of refrigerator or peddler cars. We doubt if they will be able to obtain many indorsements as our retailers' association is cautioning its members against signing the letters which the packers are preparing. At any rate, it will be advisable for the association to make the wholesalers in the country acquainted with above so they will put their customers on their guard.

Yours, very truly,

CHARLES ILFELD COMPANY,
MAX NARDHANS, *President.*

KEENE, N. H., *July 18, 1919.*

NATIONAL WHOLESALE GROCERS' ASSOCIATION,
New York City.

GENTLEMEN: We are inclosing with this letter a copy of letter which one of our banking friends received from one of the large packers in the West, and which is self-explanatory.

You will note that the opposition which they are trying to create to the passage of the Kenyon bill is of a somewhat subtle nature. We have been informed that one of the large packers intends to get petitions signed by a large number of retailers protesting against the passage of this bill.

We thought you might be interested in having this information, showing that the packers are not asleep by any means, but that they appear to be anxious in a quiet way to create a public sentiment in their favor, if possible.

Yours, truly,

THE HOLBROOK GROCERY CO.,
E. S. HOLBROOK, *President.*

LOUISVILLE, KY., *July 18, 1919.*

The NATIONAL WHOLESALE GROCERS' ASSOCIATION,
New York City, N. Y.

GENTLEMEN: We are informed by one of our salesmen that in Harlan County, Ky. (a district in which the packers operate extensively), Armour & Co. are trying to get the merchants to sign some kind of blanks to put up a rebuttal by the packers in complaint lodged by the wholesale grocers before the Interstate Commerce Commission.

We do not know the exact nature of this document, but we are trying to get further details from our salesman. As soon as we can find out anything further we will let you know.

We give you this information thinking that it may be of some value to you.

Yours, very truly, ALTSHEIER & CO.

Mr. KENYON. Mr. President, I simply wish to add that that is a sample of other telegrams which I am receiving. I desire further to say that the unanimity with which the minds of the people of the country have worked against this bill is perfectly marvelous. There are telegrams sent from Maine and from the State of Washington here to Congress on the same day and in the same language; and letters are written from various States on the same kind of paper, in the same typewriting, in the same language, and are sent on the same day. It is marvelous how the minds of the people have risen all over this country against this bill at one particular moment.

Mr. OVERMAN. Mr. President, I am receiving, and I presume every other Senator is receiving, telegrams and letters from merchants and retailers all over the country similar to those which have been received by the Senator from Iowa and which he has read. The packers, through their own agents, are getting up these letters and telegrams at their own expense and sending them here to Senators.

CALLING OF THE ROLL.

Mr. MOSES obtained the floor.

Mr. WATSON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Gerry	McKellar	Sheppard
Calder	Hale	Moses	Sherman
Capper	Harding	New	Shields
Curtis	Harris	Newberry	Smith, Md.
Dial	Henderson	Norris	Stanley
Dillingham	Johnson, S. Dak.	Nugent	Sutherland
Edge	Jones, N. Mex.	Overman	Swanson
Elkins	Kenyon	Page	Trammell
Fall	King	Phelan	Walsh, Mont.
France	Lenroot	Phipps	Watson
Gay	Lodge	Ransdell	Wolcott

Mr. KING. The Senator from Arizona [Mr. SMITH] is detained by illness.

Mr. GERRY. The senior Senator from Arkansas [Mr. ROBINSON], the Senator from Nevada [Mr. PITTMAN], and the junior Senator from Arkansas [Mr. KIRBY] are absent on official business.

Mr. SHEPPARD. I wish to announce that the Senator from Oregon [Mr. CHAMBERLAIN], the Senator from Wyoming [Mr. KENDRICK], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

The PRESIDING OFFICER. Forty-four Senators having answered to their names, there is not a quorum present. The Secretary will call the names of absent Senators.

The Secretary called the names of the absent Senators, and Mr. BANKHEAD, Mr. HARRISON, Mr. HITCHCOCK, Mr. SMITH of South Carolina, Mr. SMOOT, Mr. STERLING, and Mr. THOMAS answered to their names when called.

Mr. JOHNSON of California, Mr. MCNARY, Mr. CUMMINS, Mr. GRONNA, Mr. POINDEXTER, and Mr. KELLOGG entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-seven Senators having answered to their names, there is a quorum present.

TREATY OF PEACE WITH GERMANY.

Mr. MOSES. Mr. President, the treaty of peace with Germany was signed at Versailles June 28, but discussion of its provisions, as conjectured or known, began even before any of its negotiators had set out for Paris. The final day of the second session of the Sixty-fifth Congress was marked by a speech from the senior Senator from Missouri, who took then the strong position which he has since maintained toward the proposed league of nations; and from that day to this the currents of debate, here and elsewhere, have surged about this subject to the exclusion, almost complete, of any other of the stipulations which we are at length called to consider in their final form.

It may be, Mr. President, that this would have followed if the Senator from Missouri had not spoken as he did. It is probable that another voice, perhaps less robust, would have been raised to sound the alarm which the vigilant Senator then set up—and indeed, sir, it is almost certain that the very novelty of the proposal would, in any event, have made the proposed covenant the storm center of discussion which we now know it to be. Contributing to this result is the fact that the covenant of the league of nations was the first portion of the treaty to emerge into pitiless publicity from the diplomatic laboratory where the alchemists of modern world politics were engaged in arriving openly at open covenants in the white light which beat upon a conference table set in a locked and guarded room where wild men shrieked at the keyhole and stones were clattering upon the roof—as one of the conferees has described it; and the attention thus concentrated upon a single portion of the treaty—by no means the longest, the most complicated, or the most important as regards the main task of the conference—has never been even measurably interrupted. The published summary of the treaty as a whole failed to arouse or hold the public mind; and even when a full and well-authenticated text fell under the eye of some of us and finally into the hands of all—not as receivers of stolen goods probably obtained by bribery but as legitimately as any document wrongfully withheld could possibly come into the possession of its rightful custodians—even this failed to divert the ebb and flow of the tidal waves of criticism and defense which have poured across the weather-beaten topic of the league of nations.

The stream of comment has continued to flow in its chosen channel, Mr. President, with but a single ripple—even since the President brought back belatedly and laid before us the instrument he had negotiated, together with his report upon it. Except for the singling out of the sinister and shocking scandal of Shantung by the junior Senator from Nebraska and the clarion blast with which he startled the ears of all Christian citizens, the treaty itself has been only negligibly touched upon by any Senator; and the country has little reason to think that we are here to pass senatorial judgment upon anything of consequence apart from the league of nations.

This is not altogether surprising, Mr. President. The keynote of this debate was not struck in the widely advertised speech of the Senator from Virginia; it was sounded by the President himself four days before the gallant Virginia admiral sailed into the course and hoisted and lowered his flag within the period of a single and none too prolonged session of the Senate.

The President's address to us, on the 10th of July, like all of the addresses he has anywhere made upon the subject of the treaty, was devoted, in space and emphasis, most largely to the league of nations. Only 14 lines of its printed text were devoted to the treaty itself, and his comment upon it was equally vague and apologetic. In consequence, and in line with the trend of debate during the President's absence, the remarks made here during the past two weeks have not departed from the beaten path, except, as I have already pointed out, for the discussion aroused by the Senator from Nebraska, and we have continued to content ourselves with criticism and explanation of the league of nations.

It is therefore pardonable, Mr. President, if I approach another phase of the general topic, contenting myself for the moment with saying only that I am in full accord with the views which the opponents of the league of nations have expressed, that to my mind the proposed covenant presents features which endanger our rights of sovereignty, which shackle our freedom of judgment and action, and which bind us to perpetual observance of stipulations, uncertain and unknown, to be laid upon us by a foreign concert acting under the most sinister of all the powers ever exercised by the old order of diplomacy, which we have been told had passed away—the reservation of the unrestricted right to act which the members of the league take to themselves under the provisions of article 15.

Bad, Mr. President, as the covenant of the league of nations is, it is by no means the worst feature of the pact which is before us; and if there are those among us who still persist that the voice of the fathers is more articulate and alluring than the call of those voices which we are told infest the air, if there are those who continue to think that Washington's Farewell Address is a nobler document than any recently produced at Versailles, I counsel these to turn their attention to the body of the treaty itself, and to learn from its many and complicated stipulations the full extent of the duties it seeks to lay upon us, the difficulties it will try to make us solve, and the inextricable thicket of complications into which it will thrust us.

After all, Mr. President, it is the entire treaty which we must consider, and it is the entire treaty which we will find worthy of a far closer scrutiny than any of us yet have given to it. In the form in which it has come to the Committee on Foreign Relations the English text comprises 267 printed pages of census size, of which nearly 6 are devoted to a preamble, a recital of the powers signatory, and a list of their plenipotentiaries—this last beginning with our own chief negotiator, "acting in his own name and by his own proper authority," and ending with the German "Dr. Bell, Minister of the Empire," who, in the absence of further distinguishing title or prognomen, may have sought thus to prepare an alibi against the possible anger of his constituents. Its more than 80,000 words are divided into 15 parts, which contain 49 sections, 26 chapters, 15 annexes, 4 maps, 3 tables, and 440 articles.

In it are considerations of many things—of "shoes and ships and sealing wax, of cabbages and kings." The wide world has been combed to find objects of reparation with which to carry out the doctrine of no annexations and no indemnities, and neither schoolhouses in China, nor villas in Egypt, nor manuscripts from Medina, nor skulls from East Africa have been overlooked. In short, Mr. President, the most ardent of special agents of our own Treasury, seeking for additional items of taxation from a rich Republic, could not have been more diligent than the peace commissioners at Paris in digging out remote and ofttimes unrelated properties, rights, and privileges with which to swell the treasure chest of booty.

In the treaty, described in words and laid down upon its accompanying maps, are new boundaries for Germany, for France, for Belgium, for Luxemburg, for Switzerland, for Denmark, and for East Prussia—to name the nations which were before the war; and for Poland and Czechoslovakia—to name those which the treaty will contribute to set up. It creates a new free city; it optimistically looks forward to new Russian States; it roams the plains, sails the seas, delves into the earth, and soars into the sky; it opens prisons and it guards graves; submarine cables and wireless telegraphic plants are subject to its terms; dyestuffs and drugs, coal and chemicals, Huns, horses, and huntsmen alike come within its purview; books, boundaries, and bullets; contracts, cattle, cotton, and claims; deeds, debts, and duties; finance, fire insurance, and fortifications; guns, goats, guaranties, and governments; missions, mines, and mixed commissions; navies, negotiable instruments, and natural products; ports, prizes, and penalties; railroads, recruiting, and rivers; sheep, submarines, stock exchanges, and social insurance; tunnels, tonnage, and trials; vessels, victuals, and the Vistula; warships, waterways, woman suffrage, and Wilhelm II—in short, Mr. President, the alphabet and alliteration alike are agonized in an attempt to deal adequately with merely a topical index to this instrument which we are asked to ratify in haste lest we break the heart of the world.

The main task of the treaty is to impose the terms of peace on Germany—and this it does rigorously. From Germany is demanded the surrender of Alsace-Lorraine; of German-Poland; of her rights in Moresnet; of her title over the Kreise of Eupen and of Malmedy; of all her overseas possessions and concessionary rights; of all her suzerain or supervisory privileges in Luxemburg; of her administrative authority in, and probably the ultimate surrender of, the Saar Basin; the exploitation privileges of the ports of Strasburg and of Kehl; of all rights and titles to a considerable portion of Silesian territory; the surrender of sovereign rights in East Prussia; of complete right and title to the territory of Memel, the city of Danzig and territory adjacent thereto; the absolute surrender of rule in Northern Schleswig, and further surrender of titular grasp upon the rest of the ancient duchy, unless its inhabitants shall determine to continue under German authority; the destruction of all military works upon the islands of Heligoland and Dune, the complete renunciation of concessionary rights and titles in all overseas possessions; renunciation of all rights in conventions and agreements relating to equatorial Africa; the relinquishment of all claims for indemnity under the Boxer treaty; the relinquishment of real and personal property, arms and munitions, vessels and wharves, in Chinese territory; the return of astronomical instruments taken from China nearly 20 years ago; the abrogation of leases for German concessions in various Chinese cities; the waiving of all claims against China and other powers for the internment of German nationals; the relinquishment of all privileges under international arrangements regarding Liberia; the surrender of all rights, titles, and privileges procured in Morocco, together with all property and possessions in the Sherifian Empire; the transfer of German shares in the Moroccan State Bank; the recognition of the English protectorate in Egypt; the abrogation of all German privileges in that country and the surrender of all German property there; the relinquishment, in favor of Japan, of all German rights, titles, and privileges in Shantung; the reduction of military, naval, and air forces to a mere skeleton, with severe restrictions regarding the period of enlistment and service, the training of men, the manufacture or store of guns and munitions; the restriction of the means of military education; the surrender of the right of military, naval, or air missions to leave Germany; the destruction of all fortified works in a wide area to the east of the Rhine; the surrender of warships, auxiliaries, submarines, docks, and aircraft; the breaking up of warships now under construction, together with all their machinery and equipment; a restriction upon the quantity of naval arms, munitions, and raw materials, and its storing in designated places; the surrender of hydrographic information concerning the channels and waters between the Baltic and North Sea, and a renunciation of rights to install guns on maritime routes between these waters; limitation upon the use of high-power wireless; absolute restriction upon the employment of military and naval air forces, and proscription against the keeping of any military dirigible, together with the surrender of all military and naval aeronautic material, except a few machines to be used exclusively in the search for submarine mines.

In addition to the geographic, military, and naval renunciations which Germany is called upon to make, she also accepts, at the affirmation of the Allies, responsibility for loss and damage incurred during the war and undertakes the restoration of Belgium with a reimbursement of all sums which Belgium has borrowed from allied governments, each of such payments to be made in the form of bonds; she agrees to pay, in the near future, the equivalent of 20,000,000,000 gold marks, and as further guaranty for the carrying out of the reparation exacted agrees to a direct application of her economic resources; and to assure these reparations, under the specifications which the treaty lays down, she undertakes to enact and enforce any legislation, orders, or decrees which may be necessary.

Under the heading of compensation which may be exacted from the vanquished foe is included damage to persons and surviving dependents arising through personal injury, or to civilian victims through acts of cruelty, violence, or maltreatment to allied civilians, either in German territory or in that occupied by German forces, reparation for all injury and compensation in the nature of pensions.

And among the items of reparation which may be exacted is the reimbursement of all costs which may accrue from pensions or compensation systems established by the successful belligerents.

Germany is forced to recognize the right for replacement, ton for ton and class for class, of all merchant vessels lost or damaged by reason of the war, to make atonement by absolute cession of its property in German merchant ships yet afloat, and to build, as soon as may be, new tonnage in an amount which shall be specified. In this connection Germany waives all claims of any description in respect to detention, employment, loss, or damage to any German ships, except as provided by the armistice; and equally waives all claim to vessels or cargoes sunk in naval action and subsequently salved.

Reiterating her obligation to devote her economical resources to the physical restoration of the areas invaded by German forces, Germany is further required, to the extent which the devastated powers may determine, to make restoration, or restitution, for animals, machinery, tools, building material, furniture, heating apparatus, and the like; and also to deliver horses, cattle, sheep, and goats to France, and to Belgium, in a number which the treaty fixes definitely. Furthermore, Germany will be compelled to deliver to France 7,000,000 tons of coal per year for 10 years, to Belgium 8,000,000 tons of coal per year for an equal period, and a varying quantity of coal to Italy up to the year 1929—and the treaty fixes the price to be paid for the same. Benzol, coal tar, sulphate of ammonia, and other products of distillation in fixed quantities must also be delivered and paid for under the terms which the treaty sets forth; dyestuffs and chemical drugs are subject to the same provisions; and no less than 13 submarine cables

pass from the possession of the German Government and her nationals to the principal allied and associated powers. I have already spoken of the skull of the Sultan Mkwawa, which is to be handed over to King George of England; and in addition are the French flags and political papers taken from France in the war of 1870; the books, maps, and manuscripts from the University of Louvain; paintings from Ghent; and the copy of the Koran taken from Medina, which must now be placed in the keeping of that newest of potentates in a world made safe for democracy—his Majesty, the King of the Hedjaz. Besides this, Germany is obligated to pay the total cost of all armies in occupied German territory from the date of the armistice, including the general cost of all administrative and technical services connected therewith, and for the carrying out of all these reparations a carefully thought-out list of priority is made in the treaty.

There are many other items of reparation which the treaty contains, including the sum which the Reichsbank was to receive in behalf of the Ottoman public debt, the sums in gold transferred to the German Government as security for or in connection with loans made to Austria, and the restitution of benefits disclosed by the treaties of Bucharest and of Brest-Litovsk, and the German Government further obligates itself to possess itself of the rights of its nationals in any concession operating in Russia, China, Turkey, Austria-Hungary, and Bulgaria, to transfer them to the allied powers, and to accept credit for the accrued sum in the list of charges which the treaty imposes upon Germany. The powers also will take from Germany under the treaty any claim she may have for payment or repayment by the Governments of Austria-Hungary, Bulgaria, and Turkey, while to the Government of Brazil she guarantees the payment of a sum due for sales of coffee made in Germany before the war.

Germany is further forced to agree that products from allied Governments entering German territory shall be treated upon the most-favored-nation terms, and that no indirect means of customs regulations shall operate to change this. In addition, the products of Alsace and Lorraine for five years shall be admitted to Germany free of duty, while Alsace and Lorraine will receive from Germany free of all export duties certain yarns, tissues, textile materials, and other products desirable for the maintenance of the industries of Alsace and Lorraine. For 36 months Germany may not increase her customs duties over those of July 31, 1914, upon many of the products then subject to German tariff with the addition of wines, vegetable oils, and other products specialized in French manufacture.

During the period of occupation of any portion of German territory by allied troops this territory shall be subjected to a special customs régime established by the occupying forces.

Unfair competition is also regulated by the treaty, and specific safeguards are thrown about wines and spirits, to the presumable end that the product of French vineyards shall not be subject to German competition—and we, a Nation deliberately made dry, must help to maintain this sanctity of the French wine merchant.

The treaty further provides that Germany shall deliver up all securities and other documents of title held by its nationals and relating to property situated in the territory of any allied power, and all accounts, vouchers, records, and information which concern the investments of allied nationals in properties which have been subjected to exceptional war measures, or to transfer, in any German territory or any territory occupied by her.

In the financial clauses of the treaty all classes of insurance are dealt with, and it is provided that any allied power within a specified time may cancel all contracts of insurance between its nationals and any German insurance company, which latter is compelled to hand over to the power thus acting a proportion of its assets involved in this action. Industrial property forms another subject with which the treaty deals, and by its terms Germany and German nationals are estopped from any claim for rights in industrial, literary, or artistic property, its sale or the use of its products, and each of the allied powers is entitled to impose such limitations and restrictions as it chooses upon the rights of German industrial, literary, or artistic property within its territory.

Free and unrestricted transport of commercial products, without discrimination or preference and with the most-favored-nation treatment, is procured by the treaty for the benefit of the allied powers; and Germany may not refuse to enter into tariffs or combinations of tariffs designed to secure for any allied ports advantages which are similar to those which German ports enjoy. In this connection, the free zones of German ports, as existing prior to the war, must be maintained; and all harbor, lighthouse, or other port charges which shall be established for the benefit of any power shall immediately and unconditionally be granted to all the allied powers.

The Elbe, the Oder, the Niemen, and the Danube are internationalized under the treaty; and Germany is compelled to cede to the allied powers tugs, vessels, and other material of all kinds necessary for the utilization of these river systems. The Rhine, like the Danube, is placed under the control of an international commission established by prior convention; and Germany shall deliver to France the river tugs and vessels, docks, warehouses, and other facilities at the port of Rotterdam. To France also are given special rights for the building of weirs upon the right bank of the Rhine, and the like rights are guaranteed to Switzerland, if she shall demand them. In addition to the concessions above noted to be granted at Rotterdam to the French Government, the Czecho-Slovak State is to receive in the ports of Hamburg and Stettin free zones and other facilities upon terms to be fixed by an international commission.

German railroads are equally brought within the treaty's jurisdiction; and Germany binds herself to secure freedom of transit with most-favored-nation treatment, and to display special activity in the establishment of through-ticket service for passengers and their luggage; these activities are to apply equally to emigrants as to tourists; and German railway cars are to be fitted with facilities which shall enable their wide use in international commerce.

The Kiel Canal is internationalized under the terms of the treaty.

As guarantees for the execution of the terms of the treaty, provision is made for armies of occupation during a period of fifteen years, with provision for reoccupation in the event that the German undertakings are not completed within that period.

These, Mr. President, are only a part of the deservedly drastic terms imposed upon Germany by the treaty. They constitute a victor's peace; and with them I have no quarrel. "Vae victis" is the agonizing cry which has gone up from every battle field since the human race learned to fight; and my only criticism of the penalties which I have only in part enumerated is that they were not promptly and rigorously imposed upon a crushed and humiliated foe eight months ago, and that they are now presented to us with the argument that they square "as a whole with the principles agreed upon as a basis of peace."

These principles, Mr. President, have trod a thorny path. First promulgated, under this roof, on the eighth day of January, 1918, they were, we have lately been told, "readily acceded to as the principles to which honorable and enlightened minds everywhere had been bred." They spoke, we have been assured, "the conscience of the world as well as the conscience of America"; but it was with a happiness which the written result does not justify that there fell from the President's lips his "tribute of respect and gratitude" for the "constant effort" of his fellow negotiators "to accommodate the interests they represented to the principles" which all had agreed upon.

This agreement, Mr. President, was almost wholly suppositious, so far as the resultant provisions of the treaty are concerned. We look in vain through its 267 pages for the elusive fourteen points of peace. Open covenants long since took to hiding; the freedom of the seas was treated with scant courtesy at Paris; the establishment of equality-of-trade conditions among nations consenting to the peace is nowhere to be found in this instrument; the earlier doctrine of no annexations and no indemnities long since became a tragic joke; and there remains alone, so far as present negotiations have been reduced to written form, the general association of nations established by specific covenant.

Neither can we find here, Mr. President, any confirmation of the prediction that this treaty was to be written in disregard of the old order of the balance of power and with no element of national commercial greed. The balance of power expressed in geographic terms does not, it is true, appear; but all the elements of greed, national suspicion, and jealousy are only too evident in almost every article of the treaty. "The treaty," says an eminent English commentator, "is triple nonsense. It expects Germany to earn vast sums and to earn them without the right and facility to trade abroad. It expects some Government to impose this servitude on the German workers, yet denies to that Government the army which alone might hold them down in outward obedience. It robs 15,000,000 Germans of subsistence and omits to provide them with a field for emigration."

In short, Mr. President, the sun of commercial expansion in which Germany sought a place passes into total eclipse behind this treaty; and the shackles with which she is to be manacled in her obscurity have been forged with meticulous care by "the forward-looking men" with whom the President was privileged to cooperate at Paris, but whose cooperation was strictly limited to looking out for themselves, while not omitting to see to it

that the United States should be made a full partner in every phase of the enterprise designed for the benefit of the other members of the big five. No one could find fault with this, Mr. President, if it had been done in the open, or if it were now brought to us with no pretense that the deed squares "as a whole with the principles agreed upon as a basis of peace," and that the inevitable compromises "nowhere cut to the heart of any principle."

It naturally follows, Mr. President, that a treaty such as this can not be self-operative; and we have been assured that, if we examine it, we shall find that everywhere throughout its manifold provisions its framers have felt obliged to turn to the league of nations as the indispensable instrumentality for the maintenance of the new order which this instrument purposes to set up. Among the specific results to be secured by use of the indispensable instrumentality of the league have been enumerated to us the establishment of a free city like Danzig; properly safeguarded plebiscites by means of which certain populations at some future date shall choose their sovereignty; certain uniform arrangements for the settlement of anticipated difficulties of final decision for provisions in the treaty itself; the long-continued supervision of the task of reparation which Germany is to undertake; reconsideration and revision of administrative arrangements and restrictions which the treaty prescribes; the throwing of safeguards about the rights of national, racial, and religious minorities; opportunity to limit and regulate military establishments where they are most likely to be maintained; opportunity of effecting complete systematic internationalization of waters and railways necessary to the free economic life of more than one nation; and to clear many of the normal channels of commerce.

The evidence of the manner in which these great results are to be achieved through the indispensable instrumentality of the league of nations will be found best of all, Mr. President, in a study of the text of the treaty itself; and before taking up any detailed recital of treaty provisions, which may prove to be tedious, but which, nevertheless, it is our duty to scrutinize before we give our consent, I wish to call the attention of the Senate and the country to the manner in which the signatories to the instrument have separated themselves into two distinct groups—the first comprising the United States, the British Empire, France, Italy, and Japan, and everywhere throughout the treaty described as the "principal allied and associated powers"; and the second, all the other belligerents—with the exception of Costa Rica, whose absence from the peace table has not yet been explained—to the number of 22, and "constituting, with the principal powers mentioned above, the allied and associated powers." We find occasional mention in the treaty of another group, described as the "allied powers," presumably the former entente, and all three groups are found to perform vital functions in the treaty, stipulations for which natural thought would turn to the league of nations as the indispensable instrument.

For instance, in the delimitation of the new frontier line between Belgium and Germany, it is not the league of nations, but a commission of seven persons, five of whom will be appointed by the principal allied and associated powers, who will assume this task. Equally, in connection with the renunciation of the privileges conferred upon Germany with relation to the Grand Duchy of Luxemburg, it is not the league of nations who will procure for the Grand Duchy the most-favored-nation treatment which Germany provides for others, but the principal allied and associated powers.

In matters of controversy relating to the return of Alsace-Lorraine to French possession, it is not the league of nations which functions, but the Central Rhine commission—an organization set up years ago under the old order, and now made use of in the light of a new day.

In the establishment of the new Czecho-Slovak State, which was made the subject of special comment in our chief negotiator's report of his doings at Paris, it is not the league of nations which will determine its frontiers—even though it later must guarantee them—but it is the principal allied and associated powers, who, through a commission of seven members, five to be named by them, will trace the frontier line between Poland and Czechoslovakia; and in the proceedings necessary to protect the rights of the racial, linguistic, and religious minorities in Czechoslovakia, it is not to the league of nations that these oppressed people turn, but to the principal allied and associated powers.

Similarly with Poland, Mr. President. Where boundaries for the new Poland are not definitely laid down in the treaty, it is not the league of nations that will determine them, but the principal allied and associated powers, and a plebiscite there to be taken in respect of Upper Silesia is to be carried on not under the benign ægis of the league of nations but by a régime set up by four of the principal allied and associated powers; and it is to take place in a region which the troops of those powers will occupy. Moreover, Mr. President, in Upper Silesia this commission exercises full powers of sovereignty, without reference to the league of nations, for a period which may extend as long as 18 months, or even for an indefinite period, after the proposed plebiscite has been had; and it is not to the league of nations that the result of the vote will be communicated, but to the principal allied and associated powers, who also shall delimit the frontier and fix the time when the indigenous peoples shall take over the government of their own nation.

And for the protection of the racial, linguistic, and religious minorities in Poland, it is not the league of nations which will interpose the strong arm of defense, but the treaty which Poland agrees to make with the principal allied and associated powers.

So, too, with East Prussia. On the withdrawal of German troops and authorities from that area a commission of five members appointed by the principal allied and associated powers, with no reference to the league of nations, shall move in and take possession; they shall conduct plebiscites which they shall report not to the league of nations but to the principal allied and associated powers; and these powers will fix the frontier and determine what portion of the deficit in the budget shall be paid by the inhabitants of East Prussia.

Like provisions for the Kreise of Stuhm and Rosenberg are also contained in the treaty. Here it is not the league of nations but the principal allied and associated powers which will take possession of the territory, and what is even more significant shall, if occasion arises, be supplied with necessary military force. It is they and not the league of nations who will conduct a plebiscite, make return, and will give ultimate title to the area and perform all necessary intermediate functions.

The stipulations with regard to the territory of Memel are even more simple; for it is not in favor of the league of nations that Germany renounces all rights and titles to this area, or even to a commission, but to the principal allied and associated powers direct. Mr. President, if the treaty is ratified the United States of America will become possessed in fee simple of one undivided fifth part of the territory named, and then these powers will have full power to effect a settlement, particularly in so far as concerns the nationality of the inhabitants, which settlement Germany is bound to accept.

The free city of Danzig, the creation of which we have been assured could not have been brought about except through the indispensable instrumentality of the league of nations, constitutes an interesting subject in the stipulations of the treaty; and the significant language in the opening sentence of article 100 is that Germany renounces its rights and titles over Danzig and necessary environing area, not to the league of nations, but in favor of the principal allied and associated powers, who are to appoint a commission to delimit the frontier and to establish Danzig as a free city and then place it under the league of nations, whose only function will be to appoint a high commissioner for the free city; while it is the principal allied and associated powers who will negotiate the treaty with the Polish Government by which the latter shall "accept exceptional obligations with regard to the use of its port," and shall take over the conduct of the free city's foreign relations and the diplomatic protection of its citizens when abroad. And all property of the German Empire within the free city of Danzig passes, not to the league of nations under whose protection the free city stands, but to the principal allied and associated powers, who shall have complete liberty to distribute this property to the free city or to the Polish State as they may see fit.

So, too, with the redistribution of sovereignty over Schleswig. It is not the league of nations who will occupy the ancient duchy when German troops and the soviet councils have been withdrawn or dissolved, but a commission named by the principal allied and associated powers; and it is this commission which will conduct the inevitable plebiscite, reporting, not to the league of nations, but to the principal allied and associated powers. And it is these powers which shall delimit the frontier; it is to them that Germany definitely renounces her rights of sovereignty; and it is they who hand over to the Kingdom of Denmark the portion of Schleswig assigned to it.

The limitation of armaments has been presented to us, Mr. President, as one of the fundamental purposes of the league of nations, and it is natural to suppose that such limitation as the treaty provides in this respect would be confided to the wise heads and the active hands of the league. Yet, nowhere in the instrument does this appear to be the fact. Throughout the whole line of minutely detailed stipulations which reduce Germany to military impotence it is not the soothing agency of the

league of nations which essays the task, but the strong arm of the principal allied and associated powers.

We have been told, Mr. President, that the negotiators at Paris studied how best to put ill-governed colonies into the hands of governments which are to act as trustees for the people and not as their masters, and that there was to be some common authority among the nations made responsible in the execution of this trust. This common authority can refer to none other than our old friend the league of nations; and yet in that portion of the treaty which deals with the German colonies, the initial declaration is that Germany renounces in favor of the principal allied and associated powers and not to the league of nations all her rights and titles over her overseas possessions.

The President has spoken to us of the Turkish Empire, which he discloses as having fallen apart, and his plain implication was that here again the league of nations would be an indispensable instrumentality; yet the treaty provides that so far as Germano-Turkish relations are concerned, the sums in gold and silver had or supposed to be had in German possession with reference to the Ottoman debt and other Turkish fiscal transactions are to be paid not into the honest hands of the league of nations as trustees, but to the principal allied and associated powers. In like manner sums in gold held as pledge or as collateral in connection with German loans to the Austrian-Hungary Government, the benefits disclosed by the treaties of Bucharest and the Brest-Litovsk, and all monetary instruments, specie, securities, negotiable instruments or goods received under these treaties, pass into the possession of the principal allied and associated powers, and are to be disposed of in a manner which those powers shall hereafter determine.

I shall not dwell upon the shameful episode of Shantung, Mr. President, pausing only to say that it is not to the league of nations but to Japan that Germany renounces her rights, title, and privileges under the provision of the treaty.

The provisions for rendering Germany harmless in a military sense occupy many pages of the treaty, Mr. President; and, as I have said before, it would be natural to suppose that the league of nations would be the indispensable instrumentality for bringing this about—particularly since it is only with reference to Germany that any steps have been taken toward that delimitation of armament which is to be found, I assume, not in the immediate present, but somewhere beyond the spotlight which now shines on the pathway ahead. But, here again the word of promise is broken to the ear and hope alike; for it is a conference of military experts of the principal allied and associated powers, and not the league of nations, which will fix the reductions to be made in the number of German effectives, and it is to the principal allied and associated powers that Germany will report as to the limited stocks of munitions and guns, the armament, and the few fortified works which she will be allowed to retain. It is not the league of nations but the principal allied and associated powers who will approve the location and restrict the number of factories and works wherein Germany will be permitted to manufacture arms, munitions, and war materials. It is to the principal allied and associated powers, not to the league of nations, that Germany must surrender her surplus war material; and it is these powers, and not the league of nations, who will direct the manner in which this surrender will be effected. And when, Mr. President, the German Government shall disclose, as she must, the nature and mode of manufacture of all explosives, toxic substances, or other like chemical preparations used by her in the war or prepared for the purpose of being so used, is it to the league of nations, is it to Sir Eric Drummond that these lethal formulæ shall be turned over for deposit in the massive vaults which doubtless will form part of the equipment of the league of nations palace at Geneva? By no means; it is the principal allied and associated powers who will take over and assimilate this deadly knowledge.

The diminution of German forces upon the sea is likewise deemed by the treaty of too much importance to be turned over to the league of nations, and it is the principal allied and associated powers who will fix the number of mine-sweeping vessels which Germany may maintain, to whom will be turned over German warships now interned in neutral ports, who will receive the enumerated battleships which Germany must surrender, who will select the destroyers and torpedo boats which Germany must give up, who will supervise the breaking up of German warships now under construction, who will take possession of the submarines, their salvage vessels, and docks, including the tubular dock, which Germany must hand over, who will indicate the allied ports to which the surrendered submarines must be taken, and who will supervise the breaking up of submarines under construction, the demolishment of which Germany has promised. Moreover, Mr. President, it is the principal allied and associated powers, and not the league of nations, who will fix the quantity of arms, munitions, and war materials which German warships may have on board, who will take over the surplus of all naval war material in excess of that which Germany may maintain, who will designate the areas in the Baltic Sea which Germany must sweep and keep clear of mines, who will supervise the demolishment of and the removal of guns from German fortifications in the areas between the North Sea and the Baltic, and to whom Germany shall deliver all the hydrographic information which it possesses concerning the channels and waters in this area.

The indispensable instrumentality of the league of nations thus readily dispensed with on sea and land for the effective purpose of disarmament is as clearly negligible in the air, Mr. President, for it is the principal allied and associated powers and not the league of nations to whom Germany must deliver her surplus of aeronautic material, planes, dirigibles, shelters, gas plants, engines, armament, and equipment. And, Mr. President, in connection with all of these finely-developed minutia of detail for producing the military impotence of Germany, it is neither the league of nations nor any of its instrumentalities which will function, but an interallied commission appointed for the purpose by the principal allied and associated powers to whom Germany must render all facilities, to whom Germany must make its reports, and to whom Germany must turn over its surplus.

Even in the humanitarian and sentimental aims which the treaty purposes for the repatriation of prisoners of war and interned civilians, and for the protection of graves, it is not the agency of that embodiment of all humanitarianism and of sentiment, the league of nations, to whom the treaty turns, but special commissions composed of representatives of the allied and associated powers.

It will be noted, Mr. President, and it probably will be urged by the advocates of the league of nations, that these instances which I have adduced of apparent neglect of the league as an indispensable instrument in carrying out the new order which this treaty sets up, deal, after all, with considerations more or less temporary. In a limited sense this is true. However, if the league of nations is the perfect agency which it has been described to be there is no ample reason why it should not immediately begin its functions; and the failure of the negotiators at Paris to make use of it is clearly indicative of some distrust at least of its efficacy. This conclusion becomes more evident as we advance in the treaty and reach the provisions for reparation whereby the many obligations, restrictions, and penalties which are imposed upon Germany are to be carried into effect. The President himself adverted to this theme when he last spoke to us, for he enumerated, among other functions which the league of nations would assume, "the long-continued supervision of the task of reparation which Germany is to undertake to complete within the next generation" and which, he asserted, without the league "might entirely break down."

If it shall break down, Mr. President, the league of nations may be held blameless; because nowhere, in any essential particular, is the "long-continued supervision of the task of reparation" committed to the league. That duty will rest in the hands of an interallied commission to be called the reparation commission; and the terms of its establishment disclose the singular clarification of counsel which our fellow signatories at Paris held with reference to the league of nations. The provisions of the treaty in this respect, Mr. President, are unique. Delegates to this commission shall be nominated by seven nations—the United States, Great Britain, France, Italy, Japan, Belgium, and the Serb-Croat-Slovene State, each of whom will appoint one delegate and an assistant delegate to act in the illness or absence of his principal. Of the seven delegates thus comprising the commission on no occasion shall more than five have the right to take part in the proceedings of the commission and to record their votes. But the delegates of the United States, Great Britain, France, and Italy shall have this right on all occasions. The delegates of Belgium, Japan, and the Serb-Croat-Slovene State shall have this right when questions particularly concerning their interests are under consideration. So that the four above-named delegates with the perpetual right to vote will always constitute a majority of the seven who will comprise the commission and the United States must always take part in the proceedings.

This commission, Mr. President, has many and widespread powers. At the outset it will take over bonds of the German Government in the sum required to make reimbursement of the moneys borrowed by Belgium from its allied Governments, and shall give receipt thereof on behalf of Belgium to the exclusion of the sovereign rights of that power; and the commission is further empowered to determine the amount of compen-

sation to be afforded Belgium for the restoration of the damage done in that country by German forces during the war. And, in addition to its authority for making provisions under which Germany's total obligation of reparation shall be paid within a period of 30 years, it is empowered to extend the period of payment if its discretion shall so indicate. This commission shall fix, up to the 1st of May, 1921, the manner and the sums in which Germany shall pay the allied and associated powers the equivalent of 20,000,000,000 gold marks whether in gold, commodities, ships, securities, or otherwise; it shall lay down procedure for the return by Germany of cash taken away, seized, or sequestered, restitution of animals of every nature, and securities thus taken away or seized; and Germany agrees irrevocably to the possession and exercise by this commission of the great power and authority given to it under the terms of the present treaty.

In this day of open covenants openly arrived at, and in the new era where the light streams so brightly upon our path, it is interesting further, Mr. President, to note the absolute requirement in the treaty that all proceedings of this commission shall be private, unless for special reasons and on particular occasions the commission shall decide otherwise.

In addition, the commission shall "in general have wide liberty as to its handling and controlling of the whole restoration problem," and "shall have authority to interpret" the provisions of reparation which the treaty makes. It is recognized—shall we say in further affront to the league of nations—as "the exclusive agency" of the participating governments for "receiving, selling, holding, and distributing the reparation payments to be made by Germany" under the reparation sections of this treaty. And, in carrying out its extensive functions, it shall have authority to require Germany to cover such portions of approved claims as are not paid in gold or in the enumerated equivalents by the issue of bonds or other obligations. It is also empowered and directed to examine the German system of taxation and to satisfy itself that "in general the German scheme of taxation is fully as heavy proportionately as that of any of the powers represented on the commission."

The decisions of this commission may be rendered in two ways. On six classes of questions "unanimity is necessary," and these questions involve the sovereignty of any of the participating powers; the cancellation of the whole or any part of the German debt; the determination of the amount and conditions of German bonds; their issuance, selling, negotiation, or distribution; the postponement, total or partial, within certain limitations, of installments upon the reparation fund; and questions of the interpretation of the provisions of the treaty under which the commission shall act. In all other cases the action will be taken by majority vote, and its decision shall, without further proceedings, "forthwith become binding and be put into immediate execution." The commission further will issue to the interested powers its certification of the amount of German bonds which it holds for each of the beneficiaries; and certificates stating the amount of goods delivered on account of reparation debt and held by the commission for the account of any power; and these certifications when registered and upon notice to the commission may be transferred by indorsement, thus adding to the existing volume of bonds and other obligations of the allied governments a vast and unknown quantity of German warehouse certificates and notes of hand indorsed by powers of whom we shall be one.

I have indicated, Mr. President, that this commission runs until 1951; but it may run much longer in the event that Germany shall find herself unable to pay under the terms imposed, and, in consequence, the treaty provides that the commission shall be dismissed only "when all the amounts due from Germany and her allies under the present treaty" have been paid, or when "the decisions of the commission have been discharged and all sums received, or their equivalent, have been distributed to the powers interested." And in this connection, Mr. President, it may not be unworthy of notice that the press dispatches from Paris, thus far standing uncontradicted, say that our representative on this great commission, taking the responsibility for our participation in this prolonged and troublesome task, is Mr. Edward Dulles, who, being unknown either in business or in public life, is identified to the public mind mainly by the fact that he is a nephew or some other connection of the present Secretary of State.

This commission, Mr. President, will exercise control over the shipyards of Germany through its power to determine the amount of tonnage to be laid down for the account of reparation for shipping lost in the war. It will draw the specifications of the ships to be built, the conditions under which they are to be built and delivered, the price per ton at which they are to be accounted for, and all other questions relating to this matter. In other words, Mr. President, this commission, constituted as I have said, will enter upon the shipbuilding business in Germany; and it is to be hoped that the mistakes made by this country when embarking upon a like enterprise will not find repetition.

This commission will also receive and distribute the animals, machinery, equipment, tools, and like articles of a commercial character, the reconstruction materials, heating apparatus, furniture, and the like, which Germany must repay in kind. The commission will determine the value to be attributed to these and will undertake to deliver them as specified. The commission may require of Germany, as part of its reparation, the delivery of dyestuffs and chemical drugs, not exceeding 50 per cent of the total stock of each which was found in Germany or under German control at the date of coming into force of the treaty; and it shall fix the price of this material.

The powers of the commission react in one particular upon States other than Germany, inasmuch as the powers to whom German territory is ceded undertake to pay a portion of the debt of the German Empire as it stood prior to the war, to be collected on a basis fixed in the treaty subject to the judgment of the restoration commission, together with the portion of the debt of each German State in which such ceded territory stood before the war, the exact amount to be determined by the commission.

I have by no means exhausted the list of powers and duties which the reparation commission will assume, but I hope that I have made it clear that this agency, deriving its authority, not from the league of nations but from the principal allied and associated powers, is in fact the indispensable instrumentality which will furnish the long-continued supervision of Germany's bitter program of atonement.

Shall we turn now, Mr. President, to another question with which this encyclopedic treaty deals—the question of adjustment of debts between the nationals of enemy powers, their property rights and interests, their contracts, prescriptions, and judgments? These are always matters of delicate adjustment upon the conclusion of any war, and exceptionally so in the case of a war as widespread as this and involving so many nations of commercial activity. These questions particularly, Mr. President, would appear to fall within the beneficent diplomatic functions of an indispensable instrument like the league of nations, but instead you will find that the treaty commits them to a mixed arbitrable tribunal set up between Germany and each of the allied and associate powers.

I make no pretense, Mr. President, to have touched, within a wide margin, the total number of particularized references which the treaty makes, respectively, to the league of nations and the signatory powers as active agencies for carrying the treaty stipulations into effect, and I have made no effort to summarize the myriad manner in which the reparation commission is to function. But even this incomplete summary is sufficient, I think, to demonstrate that the negotiators of the treaty had no respect for the league of nations as an indispensable instrument such as the President has sought to make us believe. Numerically stated, Mr. President, the number of references to these respective agencies under the treaty to which I have referred may be summarized as follows:

The principal allied and associated powers figure 76 times; the allied and associated powers figure 45 times—a total of 121. Whereas the league of nations figures altogether only 57 times, and of these, 21 refer to its nebulous connection with the administration of the Saar Valley; 18 in connection with the labor clauses of which the league is supposed to be the special champion, and only 3 to Danzig, in relation to which we have been told the league is a prime necessity, leaving only 15 references to general activity for the league of nations in the entire 253 pages which constitute the treaty apart from the covenant of the league itself.

These figures, Mr. President, should be sufficient not only to refute the claim that the league of nations is an indispensable instrumentality in carrying out the provisions of this treaty; but they also serve as an effective denial of the defiant claim made in New York on the 4th of March, 1919, that the league of nations "if we could but form it, would be an invaluable instrument through which to secure the operation of the various parts of the treaty; and that when the treaty comes back, gentlemen on this side would find the covenant not only in it but so many threads of the treaty tied to the covenant that you can not dissect the covenant from the treaty without destroying the whole vital structure." It will be neither a delicate nor a difficult task of dissection, Mr. President, to remove from the treaty the 15 general provisions which it contains in regard to the league of nations; and I assume that France will be able to

assimilate the Saar Valley and that an international council of labor can be set up even if the league of nations shall never come into being.

I hope, moreover, Mr. President, that an examination of the treaty will convince others, as it has convinced me, that the instrument is infinitely worse for us than even the league of nations, bad as it is; for whatever may be said of the baleful consequences which will flow to the United States from the operation of the league of nations, they are, after all, in futuro; whereas the provisions of this treaty immediately and without recourse thrust us automatically and by authority into the endless snarls of attempting to set new boundaries for contentious races in Europe and impose upon us a share in the task of holding Germany in leash, of stifling her commercial and industrial development, and even of framing and applying the most essential of her internal statutes. Once drawn into these meshes of international complications, Mr. President, it will be difficult for us to extricate ourselves, and I would have the Senate and the country realize fully, before we set our seal of approval upon this instrument, that it means a complete departure from all the traditions and principles which have governed us from the foundation of the Republic; that it means our entrance into and our active participation in all of the numberless broils which now exist in troubled Europe and which the next few years will multiply; and I hope, Mr. President, that before any such irremediable course is decided upon both the Senate and the country will study carefully this treaty in all its bearings.

In this connection, Mr. President, it is worth noting that this is only the first of four similar instruments. The treaties with Austria-Hungary, our only remaining enemy; with Bulgaria, and with Turkey, against whom we have never declared war, but to which we shall be signatories, are yet to come. When we contemplate the number of entanglements presented by the present treaty I shudder to think of that which will be disclosed when we attempt to make ourselves party to the controversy over the remaining portions of Czechoslovakia; to the disposition of the Banat; to the tracing of the lines for Italia irredenta, Albania, Epirus, Greece, Bulgaria, Roumania, the Serb-Croat-Slovene State, Thrace, Bessarabia, Asia Minor, and the middle East.

Disraeli, returning from the Congress of Berlin, summed up his labors there in the laconic phrase, "Peace with honor." Yet neither peace nor honor flowed from the treaty of Berlin, certain conditions of which—unenforced and unenforceable—contained and disseminated the germ of the present war. It is to be hoped that none of the phrase makers of to-day will be permitted to repeat Disraeli's fatal error of word and deed; and it lies in our hands, Senators, to make sure that this shall not be done. This treaty of Versailles is as menacing to the peace of the world to-day as the treaty of Berlin was 40 years ago, and unless we can make in it changes which I deem primarily essential I shall not vote for its ratification.

Mr. LODGE. Mr. President, I should like to ask the Senator from New Hampshire a question, if he would not object. Is it not true that the reparation commission, in addition to the powers the Senator has enumerated, has the power to commit acts of war which Germany agrees not to regard as acts of war, such as the taking of territory?

Mr. MOSES. Without question, Mr. President, the reparation commission has the power to commit acts of warlike aggression which but for the exceptional terms of this treaty would be regarded as acts of war.

AGRICULTURAL APPROPRIATIONS.

Mr. BECKHAM obtained the floor.

Mr. GRONNA. With the consent of the Senator from Kentucky, I ask unanimous consent to submit a report.

Mr. BECKHAM. I yield for that purpose.

Mr. GRONNA. I am directed by the Committee on Agriculture and Forestry to report back favorably with an amendment the bill (H. R. 7413) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920.

I had hoped, Mr. President, on account of the pressing necessity of securing funds for the Agricultural Department, to have this bill passed to-day. I find, however, that the day has been set aside for the important purpose of discussing the peace treaty and the league of nations; and several Senators have also requested that the bill be printed. Therefore I shall content myself by asking that the bill be printed, and I give notive that to-morrow, at the earliest opportunity, I shall ask to have the bill taken up for discussion and final disposition.

Mr. President, if I may say another word, I request, if possible, that the bill may be taken up to-morrow, because it is highly important that it should be speedily disposed of. I am sure that almost all Senators here know that in the western section of the country forest fires are raging and the Agricultural Department is without funds with which to quench them. Something ought to be done speedily to give the much-needed relief.

The PRESIDING OFFICER. The bill will be placed on the calendar.

PEACE TREATY AND LEAGUE OF NATIONS.

Mr. BECKHAM. Mr. President, in the comparatively brief time which I shall occupy upon this subject it is not my purpose to enter into a full discussion of the details of the treaty or the covenant of the league of nations, but to confine my remarks principally to some general observations upon the whole subject. I am going to ask, in doing so, what other Senators have done on similar occasions, that in pursuing my line of argument I may be excused from any interruptions.

Mr. President, in approaching the discussion of the league of nations at this stage of its consideration one must realize that practically everything has been said about it, either for it or against it, that could be said, and in speaking upon it I can not indulge the hope of throwing any new light upon the subject or of producing any fact or argument that might change the opinion of anyone.

For many months it has absorbed the attention and the consideration of the people of the civilized world as the most important and far-reaching problem affecting the peace and welfare of every nation. Upon its proper disposition and settlement may depend, not only our own prosperity and happiness, but the prosperity and happiness of generations yet unborn. I do not exaggerate, I am sure, the situation when I say that it marks a most critical and fateful epoch in the world's history. It invites and it deserves the best thought and the profoundest consideration that our people can give any subject. We stand upon the threshold of a new era so big with its possibilities and its problems that we may well hesitate, take our bearings, study our course, and appeal to divine guidance that we may not make a false step.

The American Senate has upon it in the consideration of this matter a solemn and tremendous responsibility; and never before has its judgment and intellect been summoned to the consideration of a greater problem. As we pause in our national pilgrimage at this fork of the road, anxious to know which way we should proceed, duly alarmed at the grave consequences of a mistaken decision, and greatly confused by the clamor of conflicting advice, it is but natural that we, the Members of this body, now called upon to ratify the treaty, should exercise the highest degree of caution and prudence in making a choice so fraught with results of good or ill, not only to the people of our own Nation, but to the people of the rest of the world.

For these reasons, Mr. President, I have not been one of those who have been disposed to criticize or rebuke those who take a different view from mine on this question. If there ever was a time when a subject deserved the utmost liberality of thought and breadth of view in its discussion upon the part of those who differ in their opinions, that time is now. Political predilections or personal prejudices should not for a moment enter into the mind of any Senator in dealing with a subject like this. It is one that transcends all partisan or personal issues, and one which should receive the fairest and most impartial consideration that the mind of man can give. Woe unto that party or that person who would seek to bring it down to the level of a partisan or political issue. The temper of the American people will not tolerate such a degradation, and would be swift to visit upon the offender a just and proper rebuke.

While I have my views upon this question and intend to support the treaty, including the covenant for the league of nations, for reasons which it is my purpose in part to discuss, I have never for a moment in my mind doubted the sincerity and patriotism of those distinguished Senators who have different views from mine and who have on numerous occasions so ably and eloquently expressed their opposition to it. I recognize that they are just as good Americans as any of us. They are inspired, I am sure, by the same spirit of devotion to our country's welfare as any of us who advocate this league can claim. Beyond doubt they honestly believe in the apparent perils which their imaginations have conjured and their eloquence has so graphically pictured as the results to follow the adoption of such a league.

Neither, Mr. President, have I been inclined to believe that partisanship has exercised its malign influence in determining the attitude of Senators on this matter, either for it or against it, despite the color given to such a charge by the ill-starred and untimely "round robin" at the close of the last session of Congress presented only to Republican Senators and signed only by members of that party. In the hurry and confusion of the closing hours of the session it can be well understood that its

import and significance did not receive that thoughtful consideration upon the part of the signers as it deserved, and such as they would ordinarily give to any matter of importance. That celebrated document served no good purpose and had no effect other than it might have further embarrassed our representatives at Paris in the peace conference in the very difficult work in which they were engaged.

I can not believe that those in the Senate or out of it who will control and direct the policies of the Republican Party will commit the very serious mistake of undertaking to make this question or any feature of it a party issue. It is not the part of one upon this side of the Chamber to give advice to them upon any matter of party expediency, but I believe that I may take the liberty of delivering a warning to them, that if they go before the American people in the presidential and congressional elections next year with their hands bloodied with the mutiliation or defeat of this league of nations, then their party and its candidates will meet at the polls the most ignominious and overwhelming defeat in all of its history. Those leaders of that party who are flushed with abundant hope in the light of the congressional elections of last fall and think the Republican Party is marching on to a victorious triumph in the campaign and election in 1920 would do well, before they cast the fortunes of their party against this league, to study and take account of the mind of the American people on this subject.

As I have indicated before, I earnestly hope that this question will be kept above the level of an issue in partisan politics; but if it is made such an issue it will be made so by the leaders of the Republican Party and not by the Democratic Party. And if it should become such an issue it will, I firmly believe, redound beyond doubt to the advantage and success of the Democratic Party.

Why do I say this, Mr. President? It is because of my confident belief that the common sense of a vast majority of the American people see in the adoption and operation of this league of nations the best guaranty of the future peace of the world and the surest protection against wars it is possible for men to devise. That common sense which has nearly always directed the American people in times of great crises is a safer and more reliable guide for governmental action than the most learned and profound arguments of statesmen. Able and eminent Senators may make the most skillful and powerful arguments upon this floor or elsewhere against the league, calling attention to what they consider its imperfections or its technical defects, and no matter how sincere and eloquent they may be, their arguments must at last stand the test of this common sense, which in the end will determine the fate of this treaty, and whether or not our country shall become a member of the proposed league of nations.

I have listened carefully to some of the able addresses delivered by opponents of the league on this floor, and I have been in sympathy to some extent with the spirit which animated the Senators who delivered them. I have fully appreciated their strong sentiment of Americanism, their devotion to the teachings of the fathers of the Republic, and their aversion to any variance from the traditional foreign policies of our Government; and I for one would never censure them for their opposition to this measure, if they believe that its adoption would mean that our country would thereby sacrifice and abandon any of those great principles upon which it has grown and prospered to such a marvelous degree of power and strength. I confess that I am loath that we should take any step that might embroil our people needlessly in the quarrels and strifes of European countries or of any other countries.

When they speak of American isolation from foreign complications I wish with all of the fervor of my heart that we might possess that desired isolation, which, after all, is only a vain dream of their patriotic imagination. What an admirable situation it would be, Mr. President, and how stoutly should we maintain it, if it were true that we could look upon a European conflict with a spirit of benign indifference, and with no obligation upon our part to take a hand in it, except so far as we might see fit in a spirit of humanity and justice to interpose our good offices and our disinterested purposes to bring about peace and conciliation in those war-stricken lands. How much better it would be for us as a Nation on such occasions, if we need only to aid them by precept rather than by participation, and if we could only by our good example of governmental excellence show them how they, too, should live, rather than be compelled to send our armies and our Navy over there and by force teach them that they must not only keep peace among themselves, but that they must refrain from trespassing upon the inherent rights and privileges of American citizens.

But, alas, Mr. President, that boasted and unattainable isolation for us does not exist and never has existed since this Republic began its career. It exists less now than it did in the beginning. In each general European war since the beginning of our Government the wisest of our statesmen and the most peaceful of our administrators have been unable to keep us out, notwithstanding the supposed security of isolation.

In the wars following the French Revolution it required the supreme wisdom and patriotism of Washington and his advisers to keep this country out of direct participation in those conflicts. In the Napoleonic Wars, during the administrations of Jefferson and Madison, the statesmanship of those great Presidents was taxed to the utmost in their efforts to guide our Nation from the tempestuous seas of those struggles, and even then the provocations became so unbearable and humiliating that the peace-loving Madison could no longer hold back the inevitable issue, and in 1812 we became involved in that conflict in our war with England.

Those were days, too, when there seemed to be some reason, at least geographical reason, to rely upon the apparent advantage of isolation. An ocean 3,000 miles wide separated us, and at that time no steam-propelled ship had ever crossed its stormy paths; no cables nor wireless had flashed across it their instantaneous messages.

How different is the situation now, and to how little does that wide expanse of water amount! The broad ocean, by reason of the remarkable progress of science and invention, is little more than a narrow river separating the continents. Steam, electricity, and the wonders of modern science have annihilated those great distances, and, politically speaking, our Nation, its people, and its business are practically contiguous in their relations to the people of Europe. We may not like it, but we can not help it.

If we could not avoid a part in European conflicts of more than a century ago, how much less reason is there for us to hope to avoid it in these days under such vastly changed conditions? President Madison in the years preceding 1812 did not strive more earnestly and patriotically to keep this country out of that war than did President Wilson in the years preceding 1917 strive to keep it out of the awful European conflict which was so recently brought to a successful conclusion. We can all well see now how inevitable was our participation in that struggle from the time that Germany, in 1914, marched her murderous hordes through Belgium and northern France.

For nearly three years, with admirable patience and the wisest statecraft, our President bore with the provocations which challenged us to the conflict and endeavored to avail our country of the supposed advantage of isolation. So great were those provocations and insults, and so patient and earnest was our administration in its efforts to save us from the tremendous sacrifices of war, that there were many who charged it with cowardice and pacifism. At last the irresistible tide, against which the hand of no man nor set of men could stand, carried us into it, and with what results I need not now relate.

One of the lessons which we should learn as a result of this war, if we did not know it before, however unpleasant it may be to us, is that we need not ever again talk of isolation as an element in national safety. It is, therefore, surprising, Mr. President, that men of such distinguished ability as some of those who oppose this league should undertake to argue now on that line and seek to solace us with the shattered delusion that we can maintain isolation or separation from European quarrels, however odious and abominable they may seem to us.

In June, 1914, the shot fired from the pistol in the hand of a fanatical assassin at the Archduke Ferdinand at Sarajevo, a town so remote from us that scarcely any Americans had ever heard of it, lighted the fire which set the whole world in bloody conflagration and sent to their death tens of thousands of American boys upon foreign battle fields. How then can we hope for immunity or protection from those troubles in the future? If geographical distances and political ideals have not protected us in the past, how can we expect them to do so in the years to come? Let us banish forever that idle dream, however soothing it may have been to our sense of national security.

The American people, Mr. President, know these things, and it is their unfailing common sense which will set at naught the adroit and eloquent arguments of the opponents of the league. That common sense teaches them to ask these questions of the opponents: "Let us admit that there is some force in your criticism of various sections of the league, do you not think it is, on the whole, worth while trying? All other methods have failed in the past to keep the peace of the world. Triple alliances, entente cordiales, balances of power have all failed and broken down, and is it not well for us to try another plan, one which comes to us with the indorsement of the leading statesmen of all the nations who took part in the peace conference at Paris? Your arguments are plausible. We share that spirit

of Americanism which pervades them, but where do they lead us? You propose no other remedy. Your criticism is destructive and not constructive. Without this league of nations what have we as a protection against future wars? If your position is correct and the league should be abandoned, then you would put us back to the statu quo ante bellum. That would be intolerable, and we would never agree to such a determination. We would infinitely rather take this league as it is, admitting the imperfections which you describe, than to go back to the international chaos that made possible the horrible tragedy which bereaved the whole world, sent to slaughter nearly 8,000,000 of the strong and brave young men of the world, and left in its wake a train of sorrow and desolation never before equaled in all history."

That, Mr. President, seems to me to be the way in which the great common people of the country are looking at this question. They have seen with remarkable quickness and precision that flaw in the argument of the opposition which suggests no substitute, which proposes no plan, which offers no remedy to protect us in any way whatever from the hideous monster of war. They are not deluded with the hope that this league will be an absolutely certain and sure preventive of future wars. They realize that no instrument of this kind can be at once framed and promulgated without imperfections or defects; but they do believe that it is infinitely better than any plan hitherto followed by the nations of the earth, and that it does offer the best hope that we can find to secure peace in the future.

They are willing to try it, Mr. President. The great majority of our people, beyond any doubt in my mind, favor its trial. Their fears have not been excited to any great degree by the gloomy pictures in the arugments of the opponents of the league. They are unwilling to believe that in article 10, or in some of the other sections which have been so severely inveighed against, there are hidden instruments of mischief that may at some time in the future be used to our great injury and loss. They have read that much-abused article 10, which says:

> The high contracting parties undertake to respect and preserve, as against external aggression, the territorial integrity and existing political independence of all States members of the league. In case of any such aggression, or in case of any threat or danger of such aggression, the executive council shall advise upon the means by which the obligation shall be fulfilled.

The common-sense citizen in reading that article does not see in it the many snares and mares' nests and evil demons which have possessed and inflamed the lurid imaginations of some orators, who have attempted to describe it as a veritable Pandora's box of trouble and danger. His common sense quickly answers these prophets of disaster with the unalterable conviction that if article 10 had existed as a part of international law in the early summer of 1914 and had been recognized as an obligation upon the part of those nations which were afterwards engaged in the war with Germany, as they now propose to recognize and enforce it, then that war would never have occurred and its untold and incalculable sacrifices would never have had to be made. Instead of article 10 being an invitation to war, as some have described it, it will become the greatest insurance we can possibly secure against war in the future.

Let us compare, Mr. President, section 5 of the Knox resolution with this article 10 in the covenant. The Senator from Pennsylvania, who introduced that resolution, is one of the ablest and strongest opponents of the proposed league and has delivered in the Senate several speeches against it which received the most respectful and earnest attention. It is true that section 5 was stricken out of the resolution by the Committee on Foreign Relations, and it is understood that it was stricken out in order to secure enough votes to pass the other sections of the resolution. Section 5 reads as follows:

> That, finally, it shall be the declared policy of our Government, in order to meet fully and fairly our obligations to ourselves and to the world, that the freedom and peace of Europe being again threatened by any power or combination of powers, the United States will regard such a situation with grave concern as a menace to its own peace and freedom, will consult with other powers affected with a view to devising means for the removal of such menace, and will, the necessity arising in the future, carry out the same complete accord and cooperation with our chief cobelligerents for the defense of civilization.

Does article 10 go any further than that in principle? Does it obligate us any more to go to war than we would be obligated if section 5 of the Knox resolution was substituted in its place? Practically the only difference that I see between the two is that article 10 as a part of the league of nations will have all the machinery ready for operation when the danger or menace may arise, and section 5 of the Knox resolution does not contemplate such machinery, and before it could be provided war would be on, and the purpose of it would be defeated so far as the prevention of war might be concerned. It is true that article 10 seems to place upon us a more direct obligation, but that obligation of action on our part would not arise unless by a unanimous vote of the executive council in which this country would have its vote. Nor could article 10 operate to limit or annul the provision in our Federal Constitution which gives Congress alone the right to declare war and to provide money and means to carry on war. We therefore do not need any reservation upon that article, because we have under the league the protection contained in the requirement of a unanimous vote and the reservation which our Constitution provides as to the power of Congress to declare war.

I believe, Mr. President, that our constitutional provision alone is ample protection to us in that respect; for if at any time the executive council by unwise or unjust action should seek to involve us in a difficulty to which we should not properly be a party Congress could in such a case, without incurring a just charge of violation of our obligations under the treaty, use its discretion before declaring war or supplying the means with which to conduct it.

The Senator from North Dakota [Mr. McCUMBER], in a very able and exhaustive address delivered in the Senate one day last month in favor of the league of nations, called particular attention to this section 5 in the Knox resolution. After quoting that section, the Senator said:

> Mr. President, I would be satisfied if that section 5, without elimination or addition, should be the only compact between the great nations of the world. All I would ask would be that it be signed by the other members of the league of nations as their concurrent policy. That would, in my opinion, prevent unjust wars as effectively as the 26 articles of the proposed national league.

What the distinguished Senator says deserves the most earnest consideration, for he has given to this subject the deepest thought and the most careful treatment. No partisan bias, no personal prejudices have entered into his mind in urging a decision upon so momentous a subject, and he stands conspicuously upon his side of the Chamber as a champion of the principles of the league of nations, which for many years past have been advocated by distinguished leaders in both of the great political parties in this country.

Mr. President, this idea of a league of nations is not new, for it has been advocated for many years by distinguished leaders of thought, not only in this country but in other civilized countries. Even before the European war started, in August, 1914, the plan had begun to attract the attention of many men in every country, and numerous societies were organized to work for the cause of international peace and the adoption of some league of nations which would, as far as possible, guarantee the peace of the world. Unfortunately, when the matter reached the stage where President Wilson found the opportunity to aid in embodying in a definite and practical form this principle, many who in the past had favored the idea began to change their position and to find fault with the plan adopted by the peace conference in Paris. I shall not undertake to quote from the addresses and writings of those who once favored a league of nations, but who now pick flaws in the proposed league and withhold their support from it. We shall let that pass. I shall refer only to the position of two eminent Americans who have held the highest office within the gift of our people.

Former President Taft has been for many years, and is now, one of the ablest and most enthusiastic supporters of a league of nations. He has advocated this proposed league in a way that has won the admiration of most of his fellow countrymen. No President of our country, after he had gone out of that high office, has gained more in the hearts of his countrymen by his conduct and his service than Mr. Taft has done. There are many who believe that he is stronger to-day before the people than he has ever been, and while it might not be altogether to the taste and liking of some of the Republican leaders, it is not by any means unlikely that he may win the presidential nomination of his party next year. Those of our Republican friends who are not particularly fond of him and who would object strenuously to seeing him nominated for the Presidency, had well take warning in the rapidly growing strength of this eminent American.

Another distinguished leader of that party, the late Col. Roosevelt, was also an ardent advocate of a league of nations, and I am going to take the liberty of quoting two utterances of his on that subject, which should remove all doubt about his position. These two utterances were repeated in the able address delivered by the Senator from Montana [Mr. WALSH] some time ago in the Senate, but they are so much to the point that I believe it well to call attention to them again.

When he accepted the Nobel peace prize at Christiania, in 1910, he said in part:

> It would be a master stroke if those great powers honestly bent on peace would form a league of peace, not only to keep the peace among themselves, but to prevent, by force if necessary, its being broken by

others. The supreme difficulty in connection with developing the peace work of The Hague arises from the lack of any executive power, of any police power, to enforce the decrees of the courts.

Again, in a letter from him to the New York Times, October 18, 1914, he expressed his views on the subject:

The one permanent move for obtaining peace which has yet been suggested, with any reasonable chance of obtaining its object, is by an agreement among the great powers, in which each should pledge itself not only to abide by the decision of the common tribunal, but to back with force the decision of that common tribunal. The great civilized nations of the world which do possess force, actual or immediately potential, should combine by solemn agreement in a great world league for the peace of righteousness. * * *

They should, furthermore, not only agree to abide, each of them, by the decision of the court, but all of them to unite with their military forces to enforce the decree of the court as against any recalcitrant member. Under these circumstances it would be possible to agree on a limitation of armaments that would be real and effective.

I understand, Mr. President, that some of his close personal and political friends have stated that if Col. Roosevelt were living to-day he would be vigorously opposed to this league. In the light of what he said on the two occasions to which I have referred, it seems to me that these friends do an injustice to his memory when they say that he, if living, would repudiate the ideas and principles which he so well expressed on those occasions. Those ideas have been embodied in a practical form in this league, and I am unwilling to believe that the distinguished former President, if he were living to-day, would take such a position as some of his friends say he would.

I wish that it might be, Mr. President, when the time comes to pass upon this treaty in the Senate and the roll is called, when each Senator shall register his vote upon the record of this body, that no one inside or outside of this Chamber shall ever be able to point to the vote of a single Senator and have reason to say that his judgment upon this grave subject was influenced by prejudice, dwarfed by partisan bias, or misled by some lurking ill will toward the person of the distinguished President of the United States whose guiding genius had so much to do with the framing and character of this historic document. I know that the best of us are not always free from such influences, operating frequently in an unconscious way upon us in our deliberations upon many matters that come before us.

But surely, Mr. President, if there ever was a time that time is now, if there ever was a question that question is this, when each Senator should divest himself of every prejudice of any kind and rise to the plane of that broad Americanism and statesmanship, look at this great subject with unclouded vision, and with a heart and mind so free that only the real merit of the document will be considered and not the personality of anyone responsible for its production. Let us remember that it is the measure and not the man that we are considering. Let us be constantly reminded that we are dealing with a question of world-wide importance, a question touching the peace and welfare not only of our country but of the other nations of the earth, and let us not descend into the mire to play a miserable and disgraceful game for political advantage or personal pique.

It has developed, Mr. President, recently that the opponents of the league have seized upon the disposition of the Shantung Peninsula by the treaty as one of their strongest points of objection to the ratification of the treaty. We have heard it discussed lately a number of times upon the floor of the Senate and elsewhere in the country. Opponents of the league have directed some of their heaviest fire at this provision, and in some instances it has been given as a reason to justify the defeat of the treaty.

This, it seems to me, is one of the shallowest arguments yet advanced by the opposition. It is one, however, that appeals to sentiment and to the imagination, and the opponents of the league have not failed to play upon that feature of it and to exaggerate its importance in relation to the multitude of far more vital problems which this treaty undertakes to settle.

The Shantung Peninsula, with its ports, as we all know, was in the possession of Germany, and had been since 1898, when Germany siezed it by force from China. That seizure was wrong, as all admit, but it was acquiesced in by the other nations of the world. It is not for us at this time to enter into a discussion of that wrong. In the latter part of 1914, after Japan had entered the World War against Germany, she acquired this Province by force of arms from Germany and has held it since then. She has announced solemnly on several occasions that it is her purpose to restore the Province to China and has pledged her faith and honor as a nation to do so. I am one of those who believe that she will keep her promise, not only as an act of national good faith, but also in view of the fact that with so much attention drawn to this question her honor as a nation would be forever so tarnished in the eyes of the world if she failed to do so that she would suffer irreparable injury. It is, I believe, unfair, as it is certainly indiscreet, for Senators upon this floor to attack her good faith before she has broken it or has been given sufficient opportunity to fulfill her promise and obligation.

But it is not my purpose, Mr. President, to discuss all of the features of this question. I have referred to it and briefly recited some of the facts in regard to it in order to call particular attention to one view of the subject which I have not yet heard discussed upon the floor, but which it seems to me is one that deserves the most serious consideration in justice to Japan's position. Senators have criticized the peace conference, and particularly our representatives there, in not demanding that Japan should surrender that Province immediately and in not having put in this treaty a provision compelling her to do so. Have Senators thought what this meant to Japan, whose people are so sensitive, and who already felt aggrieved at the refusal of the conference to place in the treaty some provision on the race question?

Japan met her allies in that conference as an equal, as one who had taken part in the war with them, and as one of the five great powers which practically dictated and controlled the terms of peace. She had acquired territory from Germany by conquest; so had England; so had France; and Italy had acquired territory from Austria. Was there a reason why Japan alone of all the Allies should be singled out and compelled by the terms of peace to surrender immediately territory which she had acquired when her other allies were not asked to be subjected to such treaty stipulation? In effect, Mr. President, such an insistence by the other allies upon Japan to surrender Shantung Province by a provision in the treaty of peace would have meant this: "We, the representatives of the allied and associated Governments in this peace conference, although you have been one of our allies in the prosecution of the war, do not trust you; and notwithstanding that you have given your solemn word that it is your purpose in due time to surrender this Province to China, we demand that it be now stipulated in this treaty and definitely fixed as to terms and time."

If such had been done, Mr. President, it would have been the only case of the kind in this treaty. I for one do not believe that Japan, even if it might have been her intention and wish to surrender that Province to China the next day, could have agreed to such a provision without a sacrifice of her self-respect and an aspersion being cast upon her national honor. That was one of the most difficult problems before the peace conference, and one which, I believe, they treated in the only way possible for the present. We must in this case rely upon the future for its proper and honorable settlement.

The position of Japan on this question is well illustrated in a statement given out by Baron Makino, one of the Japanese peace delegates at Paris, on April 30, 1919, in which he said:

We are accused of intending to occupy Kiaochow permanently. That is inexact. We have agreed to restore it to China. Our agreements will hold—our agreements always hold. There is no example in history of Japan breaking her word. It is just because nobody has the right to doubt our honor that we ourselves should be allowed to arrange restitution and not be compelled in a way that would indicate unjust suspicion.

From now on international law and justice will stand upon a higher plane than ever before, especially if this league of nations is adopted. Many serious and grave issues which in the past were settled only by armed conflicts will be settled hereafter by a sense of fair dealing and right. A nation guilty of dishonor or of a broken promise will not be able in the future to stand before the rest of the world in the glare of its just condemnation. It is impossible that this treaty, the most comprehensive in all of the history of the world, should not have in it here and there some article or adjustment which does not square with the strict principles of equity and justice. No one can claim that it is perfect. But anyone makes a serious mistake if he seizes upon some imperfection in it as a reason to defeat the whole treaty. I think that under all of the circumstances the peace conference did the best it could in regard to the Shantung issue, and I can not believe that even if a mistake was made it is sufficient to justify a single vote against the ratification of the treaty. Let Japan be given the opportunity to make good her promise to right the wrong, originally committed by Germany, before we undertake this severe and improper criticism of her.

Mr. President, it has occasionally been observed since this discussion began some months ago that there was much in the opposition to the league of nations to recall to us the opposition to our Federal Constitution after it was adopted by the convention in 1787 and before its ratification by all of the States. I have myself from the beginning been greatly impressed by this parallel between the two events, and I have been frequently reminded by the arguments used against this league of how

similar in character and often in presentation are they to the arguments used in some of the State conventions that were held to ratify the Federal Constitution.

The adoption of that instrument was the greatest experiment in government ever tried by man. It is easy for us now, with our long perspective view, to see how futile, if not foolish, were some of the arguments used against its adoption. We naturally wonder that some of the eminent statesmen of that time could have offered such objections to it or could have hesitated to give it their enthusiastic approval. And yet I believe, Mr. President, that those men, many of them of great distinction and ability, had as much reason to fear disastrous results from the adoption of that Constitution as to-day the opponents of the league of nations have to fear from the adoption of this covenant.

Let us endeavor to carry ourselves back to that period in our history, unenlightened by any of the events subsequent to the adoption of the Constitution. Let us try to look into the future from that time as our forefathers did, and we can better appreciate the difficulties that confronted them. They realized what an experiment it would be. They dreaded lest the young country, with its thirteen independent States, might embark upon a sea of greater danger and peril than they had escaped from in severing their relations with the mother country.

Even Thomas Jefferson, whose political wisdom and foresight have never been excelled by any man in his or any other generation, said in a letter to John Adams of November 13, 1787, after the Philadelphia convention had framed the Constitution and submitted it to the States:

> How do you like our new Constitution? I confess that there are things in it which stagger all my disposition to subscribe to what such an assembly has proposed. The House of Federal Representatives will not be adequate to the management of affairs, either foreign or Federal. Their President seems to be a bad edition of a Polish king. He may be elected from four years to four years for life. * * *

And he goes on, calling attention to other objections to the document. In another letter to a friend, dated December 31, 1787, he said:

> As to the new Constitution, I find myself nearly a neutral. There is a great mass of good in it, in a very desirable form, but there is also, to me, a bitter pill or two. I have written somewhat lengthily to Mr. Madison upon this subject, and will take the liberty to refer you to that part of my letter to him.

Does not that, Mr. President, illustrate the position of many of the opponents of the league of nations?

But as time went on Mr. Jefferson began to change his attitude toward the Constitution and became one of the advocates of its adoption. On May 17, 1788, in a letter to a friend—and I commend this, Mr. President, most earnestly to the consideration of those who hesitate about changing a position when once taken and invite their attention to the intellectual operation of one of our country's greatest statesmen in advocating the adoption of an instrument which his caution at first led him to seriously doubt—he said:

> Your situation will doubtless be improved by the adoption of the new Constitution, which, I hope, will have taken place before you receive this. I see in this instrument a great deal of good. The consolidation of our Government, a just representation, an administration of some permanence, and other features of great value will be gained by it. There are, indeed, some faults, which revolted me a great deal in the first moment, but we must be contented to travel on toward perfection step by step. We must be contented with the ground which this Constitution will gain for us, and hope that a favorable moment will come for correcting what is amiss in it.

Ah, Mr. President, what wisdom there is in those few sentences from the sage of Monticello. How wonderfully appropriate are they to this occasion. How easily can we imagine that if he were here now taking a part in this debate he might say to us as he said then, and I take the liberty of repeating his impressive words:

> There are, indeed, some faults, which revolted me a great deal in the first moment, but we must be contented to travel on toward perfection step by step. We must be contented with the ground which this Constitution will gain for us, and hope that a favorable moment will come for correcting what is amiss in it.

I know of no better guide than that for us to follow. That was the position of the wisest and most far-sighted statesman this country has produced. He urged the adoption of the Constitution as it was and its improvement or amendment later. He did not favor the rejection of it in whole or in part, and thereby send it again into the chaos of another convention. He had some objections to it; but with his wonderful mind and his great patriotism he saw that the good in it outweighed what might be defective and that those defects could be removed by amendments subsequent to the adoption of the Constitution. As was generally the case with him, his vision was prophecy. He did not insist upon amendments before adoption, nor did he urge any "reservations," which would have delayed, if not defeated, the ratification of the Constitution.

But there were others, Mr. President—great men, too, but men who could not climb to the intellectual altitude of Jefferson—who preferred being consistent to being right and who would not avail themselves of that privilege which is usually exercised only by the very weak or the very great, and that is the privilege of changing one's opinion or position upon a subject in the light of wider information and of deeper thought. I do not wish to take up the time of the Senate by giving an account of many of these instances of distinguished opponents to the adoption of our Constitution. I shall therefore refer only to one or two others.

One of the most conspicuous and eloquent opponents was Patrick Henry, and his opposition to the ratification of the Constitution in the Virginia convention is historic and well known. No one for a moment would ever question the patriotism and courage of that man, whose thrilling oratory first hurled defiance at the British King and set afire the spirit of independence in the Colonies. And yet when the time came to make good that independence by the combination of the 13 States into a strong Federal Government no man fought more persistently or vigorously against it. He saw, as he thought, only danger and disaster if the Constitution should be adopted. With that power of speech for which he was famous, he described with burning words the evils which he thought would follow such a step.

In Wirt's Life of Patrick Henry he describes one occasion in the convention, and says:

> Mr. Henry rose next. * * * Instead of proceeding to answer Mr. Nicholas, he commenced by sounding an alarm calculated to produce a most powerful impression. The effect, however, will be entirely lost upon the reader unless he shall associate with the speech, which I am about to lay before him, that awful solemnity and look of fearful portent by which Mr. Henry could imply even more than he expressed, and that slow, distinct, emphatic enunciation by which he never failed to move the souls of his hearers.

Does not that remind us, Mr. President, of some of the stirring eloquence to which we have listened on this floor in some speeches against the league of nations?

Further on Mr. Wirt says of him on this occasion:

> The very tone of voice in which he would address the chairman when he felt the inspiration of his genius rising—"Mr. Chairman"—and the awful pause which followed this call fixed upon him at once every eye in the Assembly—

And so forth.

Let me give, Mr. President, a few extracts from some of Patrick Henry's speeches against the ratification of the Constitution. On one occasion he said:

> I conceive the Republic to be in extreme danger; if our situation be thus uneasy, whence has arisen this fearful jeopardy? It arises from this fatal system; it arises from a proposal to change our Government; a proposal that goes to the utter annihilation of the most solemn engagements of the States; a proposal of establishing nine States into a confederacy to the eventual exclusion of our States.

Again, he says:

> This proposal of altering our Federal Government is of a most alarming nature. Make the best of this new Government—say it is composed by anything but inspiration—you ought to be extremely cautious, watchful, jealous of your liberty; for instead of securing your rights you may lose them forever. If a wrong step be now made, the Republic may be lost forever. If this new Government will not come up to the expectation of the people, and they shall be disappointed, their liberty will be lost, and tyranny must and will arise. I repeat it again, and I beg gentlemen to consider, that a wrong step made now will plunge us into misery and our Republic will be lost.

But it is not necessary for me to give any further extracts from his speeches to show the very sincere and earnest alarm which he felt.

Another distinguished opponent of ratification in the Virginia convention said:

> The confederation has been deservedly reprobated for its inadequacy to promote the public welfare. But this change is, in my opinion, very dangerous. It contemplates objects with which a Federal Government ought never to interfere.

He goes on further to enumerate some of his objections to the Constitution, and to express his fear of what would happen if it should be adopted. That, Mr. President, was James Monroe, who many years afterwards became President of the United States under that same Constitution which he had so vigorously opposed.

I might be permitted, Mr. President, here to suggest that the experience of James Monroe in that respect may offer some measure of consolation or of hope to any of our distinguished colleagues in the Senate opposing this league, whose ability and amiability eminently qualify them as eligible in the coming search for a presidential candidate of the Republican Party, and who may after all find themselves not totally disqualified for such a distinction by reason of their having opposed the ratification of this treaty as it is. However, I might remind them in a spirit of affectionate concern that after James

Monroe opposed the ratification of the Constitution he had to wait nearly 30 years before the presidential lightning struck him.

The fears which those misguided leaders in those days so earnestly felt and so eloquently expressed were never realized. Their visions of danger and disaster proved to be rhetorical delusions. The great common sense of the people prevailed. The people spoke. The Constitution was adopted. They took it with its imperfections, and as time went on they remedied it with amendments. And under that Constitution, what a wonderful record has been made! Framed as it was for the government of 13 States and three or four millions of people, it has proven itself strong enough and broad enough to embrace within its enfolding provisions the greatest Nation on earth, with 48 proud States, and with more than a hundred millions of the freest and happiest people on earth. What a glorious achievement it has been, and all in the comparatively brief period of less than a century and a half. And what, Mr. President, would have happened if the solemn warnings and the fiery eloquence of those patriotic leaders who opposed the adoption of the Constitution had prevailed? But thanks to that Divine Providence which guided us then, as it has so often done in our periods of danger, and as it will do in this crisis, the common sense of the people asserted itself, and gave to us this inheritance, the most priceless boon ever enjoyed by any people on earth.

Shall we now listen to the prophets of evil? Shall we be frightened by the ominous picture of gloom which they paint so luridly before our eyes? Shall we be dismayed by the vehemence of their arguments and eloquence? No, Mr. President, I believe not. Their arguments, however subtle and plausible; their eloquence, however impassioned and persuasive, are matched against the common sense of the people of this land who can see through it all, and with the principle of Jefferson to guide and inspire them they will say, "Give us this covenant of the league of nations now. It is the best plan that has ever been offered us to preserve international peace. It is the work of some of the wisest statesmen in the world. We shall take it as it is without amendment or reservation now, but improve it where time and experience may show its imperfections." That was the Jeffersonian idea in regard to the Constitution of the United States. That idea is as good now as it was then, and it is the idea which is rallying to the support of this document the great majority of the people of this country.

The peace of the world may be involved in our action. No more solemn responsibility ever came upon the Senate of the United States. A world wearied and sickened with bloodshed, broken and disabled with the ruin and devastation of the most destructive war in all human history, looks to us to put the seal of our approval upon this work of the peace conference, and give to it the one and only means which it believes will serve as any reasonable guaranty against war in the future. No advocate of this document can proclaim it perfect. No idealist can safely promise that it beyond all doubt removes the possibility of war in the future. But it at least comes to us with a promise that if given a fair trial, if improved where improvements may be found necessary later on, and if supported by the civilized governments of the earth, it will certainly be a tremendous advance over all previous plans, and one that may in reality fulfill the dream of its most enthusiastic advocates, a world-wide and an enduring peace.

I have not undertaken, Mr. President, to enter into a discussion of all of the details of this proposed league of nations. Those features of the discussion have been well and ably presented by other Senators. In my opinion, the technical arguments which have been so forcibly urged against the various articles of the treaty have been successfully met by others who have spoken for it.

The President of the United States has done a great work for his country and for all the world. He has labored in all these months at the table of the peace conference with the earnest effort and the sublime hope that out of its work there might come peace, justice, and freedom to all the people of the earth. He has brought back to us in the document now before us the result of that work. It represents the judgment and wisdom of the best thought of the civilized nations. The obligation is now upon us. The eyes of the world are watching us. The keen gaze and scrutiny of the people of this country will not fail to see the motives and purposes that may actuate us in what we do. We should dedicate to this subject the best thought, the highest patriotism of which we are capable. Their hope at present is in us, and we dare not and should not disappoint them.

PROPAGANDA ON PACKING INDUSTRY.

Mr. KENYON. Mr. President, I had intended to submit some observations on the power of the propaganda of the packers to-day, but I note that there is only one speech scheduled for to-morrow on the league of nations and the treaty of peace. That being the case, I think I will postpone it until to-morrow. I give notice that at the conclusion of the remarks of the Senator from Tennessee [Mr. MCKELLAR] I shall offer some observations on the propaganda of the meat packers.

EXECUTIVE SESSION.

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session, the doors were reopened and (at 4 o'clock p. m.) the Senate adjourned until to-morrow, Wednesday, July 23, 1919, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate July 22, 1919.

UNITED STATES MARSHAL.

J. Parks Worley, of Bluff City, Tenn., to be United States marshal, eastern district of Tennessee, vice John R. Thompson, resigned.

APPOINTMENT IN THE REGULAR ARMY.

QUARTERMASTER CORPS.

To be brigadier generals with rank from July 15, 1919.

Col. Charles R. Krauthoff, Quartermaster Corps (brigadier general, United States Army, emergency).

Col. Herbert M. Lord, Quartermaster Corps (brigadier general, United States Army, emergency).

MEDICAL CORPS.

Capt. Charles Augustus Pfeffer (Medical Corps, United States Army, emergency), to be first lieutenant in the Medical Corps from July 15, 1919.

PROMOTION IN THE REGULAR ARMY.

INFANTRY.

To be lieutenant colonels.

Maj. Robert S. Offley, Infantry, from July 2, 1919 (subject to examination required by law).

Maj. Samuel P. Lyon, Infantry, from July 2, 1919.

Maj. Charles H. Paine, Infantry, from July 2, 1919.

Maj. Thomas W. Darrah, Infantry, from July 9, 1919.

Maj. Americus Mitchell, Infantry, from July 9, 1919.

PROMOTIONS IN THE NAVY.

The following-named temporary colonels to be lieutenant colonels in the Marine Corps, for temporary service, from the 1st day of July, 1918:

Harold C. Snyder and
Alexander S. Williams.

The following-named temporary majors to be captains in the Marine Corps, for temporary service, from the 23d day of May, 1917:

Charles A. Wynn,
Thad T. Taylor,
Glenn D. Miller,
Herbert Rosenzweig,
Thomas E. Watson,
Burwell H. Clarke,
Walter G. Sheard,
Paul Brown,
Roger W. Peard,
John D. Nevin,
Peter C. Geyer, jr.,
James E. Davis,
Lloyd L. Leech,
Charles P. Gilchrist,
Gustav Karow,
Joseph E. Brewster,
Raphael Griffin,
Karl I. Buse,
Harold S. Fassett,
Samuel A. Woods, jr.,
William C. Byrd,
George C. Hamner,
Arthur B. Jacques,
David H. Owen,
James M. Bain,
George B. Reynolds,

James T. Moore,
Horace C. Cooper,
John M. Arthur,
Gordon Watt,
Thomas P. Cheatham,
Louis W. Whaley,
William C. James,
Thomas E. Bourke,
James F. Jeffords,
Benjamin T. Cripps,
Jacob M. Pearce, jr.,
Daniel E. Campbell,
Maurice G. Holmes,
Charles C. Gill,
James E. Betts,
Norman S. Hinman,
George Faunce Adams,
Wethered Woodworth,
James W. Webb,
John M. Tildsley,
Le Roy P. Hunt,
Louis E. Woods,
Edward R. Rhodes,
Donald R. Fox,
William McN. Marshall,
George H. Scott,
Alexander Galt,
Paul R. Cowley,
Bailey M. Coffenberg,
Eugene F. C. Collier,
Evans O. Ames,
Stanley M. Muckleston, and
William H. Davis.

The following-named temporary captains to be first lieutenants in the Marine Corps, for temporary service, from the 1st day of July, 1918:

Victor A. Barraco,
Thomas O. Tate,
James G. Somerville,
Jack H. Tandy,
Eric A. Johnston,
William P. T. Hill,
Robert A. Bowen, jr.,
Philbrick W. Jackson,
William W. Carson,
Albert V. Williams,
Harold B. Hoskins,
Lucian H. Vandoren,
Thornton Wilson,
Daniel W. Bender,
Clyde N. Bates,
George H. Whisenhunt, jr.,
Carl D. Brorein,
Vincent J. Fitzgerald,
Anthony W. Durell, jr.,
William R. Brown,
James M. Wallace,
John G. Vowell,
Lewis R. Stickles,
William A. Eddy,
Oliver T. Francis,
Carlos H. McCullough,
Cornelius H. Reece,
Lemuel A. Haslup,
James P. Adams,
Edward A. Fellowes,
Haskin U. Deeley,
Sparling B. Anderson,
Henry W. Paret, jr.,
Louis F. Timmerman, jr.,
Gordon M. F. Chance,
George K. Campbell,
Henry R. Heebner,
Fred C. Eastin, jr.,
Robert C. Kilmartin, jr.,
Edward A. Craig,
James E. Hunter, jr.,
Julian P. Brown,
William E. Riley,
Albert G. Skelton,
Walter S. Fant, jr.,
Andrew L. W. Gordon,
Percival L. Wilson,
Bernard Dubel,
George C. Medary,
Charles C. Simmons, jr.,
Thomas G. Letchworth,
Earle M. Randall,
Leland S. Swindler,
John P. Manton,
Ernest H. Lowenthal,
Ray A. Robinson,
Howard N. Stent,
Kenneth B. Collings,
Basil Gordon,
Donald Spicer,
Ford O. Rogers,
Creswell M. Micou,
Walter G. Farrell,
Raymond T. Presnell,
Lloyd A. Houchin,
William L. Harding, jr.,
John B. Neill, jr.,
David Duncan,
Lyle C. DeVeaux,
Ralph R. Robinson,
Floyd W. Bennett,
Norman E. True,
Walter E. Bilisoly,
John K. Martenstein,
Francis J. Kelly, jr.,
Conrad S. Grove, 3d,
Charles M. Portis,
St. Julien R. Childs,
Hamilton M. H. Fleming,
Walter I. Greth,
Frederick E. Stack,
George C. Collar,
John F. Roy,
Edward S. Shaw,
Stanford H. Moses,
Edward L. Pollock, jr.,
Gardiner Hawkins,
Leland D. Breckinridge,
Merritt A. Edson,
Laurence T. Stallings, jr.,
Edgar A. Poe, jr.,
Edward O. Bogert,
John A. Tebbs,
John C. Wemple,
Curtis W. LeGette,
Cleghorn Foote,
Thomas B. McMartin,
Thomas H. Raymond,
David C. Levy,
Joseph H. Fellows,
Louis G. DeHaven,
John S. Tyler,
Luther W. Jones,
Chester R. Milham,
David P. Cowan,
Robert L. Montague,
Lester A. Dessez,
John R. Minter,
Robert B. Stuart,
James Wood,
Andrew R. Holderby, 3d,
Fillmore W. Eiker,
Timon J. Torkelson,
Merton A. Richal,
Robert A. Barnet, jr.,
Francis B. Reed,
Frank B. Wilbur,
Lester D. Johnson,
John Kaluf,
Judson H. Fitzgerald, and
Samuel A. Milliken.

The following-named temporary captains to be first lieutenants in the Marine Corps, for temporary service, from the 18th day of July, 1918:

Henry D. F. Long,
James Diskin,
Ross L. Iams,
Lee Carter,
George Nielsen,
Wyle J. Moore,
Charles D. Baylis,
Richard B. Dwyer,

William G. Kilgore,
Harry E. Leland,
Winfield S. Cranmer,
John F. Leslie,
David R. Nimmer,
Georges F. Kremm, and
Trevor G. Williams.

The following-named temporary captains to be first lieutenants in the Marine Corps, for temporary service, from the 14th day of August, 1918:

David L. Ford and
Josephus Daniels, jr.

The following-named temporary captains to be first lieutenants in the Marine Corps, for temporary service, from the 16th day of August, 1918:

Horace Talbot,
Edward B. Moore,
Frank W. Hemsoth,
Emil M. Northenscold,
David Kipness,
Robert K. Ryland,
William D. Wray,
Uley O. Stokes,
Charles P. Phelps,
Sherman L. Zea, and
Harold W. Whitney.

The following-named temporary first lieutenants to be second lieutenants in the Marine Corps, for temporary service, from the 15th day of August, 1918:

Kenneth R. Berkey,
Ogbourne A. Hill,
Joseph F. Verhelle,
Gerald K. Hemsing,
Melvin E. Fuller,
Howard Mayes,
Robert B. Jeffrey,
Vincent M. O'Donnell,
George E. Gardner,
Walter Roll,
Paul Jahn,
Holton Y. Ditto,
Frank M. Keller,
Robert L. Wadell,
Claude B. Taugher,
Eldred I. Rawles,
Richard V. H. Ridgely,
Phillips T. Lehmer,
William T. Howze,
Bruce C. Lubers,
Joseph A. Yeager,
Francis I. Fenton,
Joseph De Paiva,
Thomas R. Wert,
Joseph L. Doll,
John W. Cunningham,
Samuel K. Eaves,
Alvan E. Stoddard,
Charles M. Adams,
Lindley H. Pryor,
Earl F. Lucas,
Elmer W. Johnson,
Charles H. Hassenmiller,
Hugh A. McGann,
Herbert B. Renninger,
Alfred J. Wainman,
William K. MacNulty,
Carlton E. Edwards,
Kenneth M. Stead,
Edwin J. Davenport,
Ralph W. Luce,
Marshall Y. Chapman,
Richard Cornelius,
William English,
George W. Hopke,
Frederick Israel,
Carl J. Norstrand,
Cecil J. Widdifield,
Frank Neider,
Morris C. Richardson,
George Belmont,
George B. Batten,
John T. Foster,
Russell M. Frederick,
Edward E. Lindgren,
Bayard Vasey,
Jesse L. Crandall,
Edward F. Dunk,
Harry L. Smith,
Robert L. Young,
Terrence J. Callan,
Paul J. Ogden,
William W. Rogers,
George F. Stockes,
William J. Whaling, and
Curtis T. Beecher.

The following-named temporary first lieutenants to be second lieutenants in the Marine Corps, for temporary service, from the 1st day of January, 1919:

Walter Sweet,
Oliver D. Bernier,
Alfred Dickerson,
Rowan C. Pearce,
Axel Enholm,
Edward F. Bailey,
Stanley E. Ridderhof,
Willard R. Enk,
Eben C. Mann, 2d,
Elton C. Hersman,
Albert E. Gagnon,
Richard F. Cleveland,
Odilo N. Kass,
George L. Chumbley,
Wylie F. McKinnon, jr.,
Joseph Lubomski,
Samuel B. Witt,
Richard A. Cullum,
Charlton P. Lee,
Blaine G. Wiley,
Edwin G. Schwartzman,
George P. Buell,
Julian N. Frisbie,
Ervin R. Whitman,
Harry E. Leive,
William Scruggs,
Willard L. Peach,
Benjamin W. Atkinson, jr.,
Ralph C. Battin,
Gilbert C. Henderson,
Max D. Smith,
Anthony Rinkevich,
Carl J. Allenbaugh,
Minter L. Lowther,
Franklin H. Hayner,
Wilbur V. Styles,
Joseph Lacey,
George E. Ladd, jr.,
Herman Kingsnorth,
John A. Self,
Edward J. Moneypenny,
George S. Van Riper,
Alexander D. Shaw,
William L. McKittrick,
Gerald C. Thomas,
George Esau,
Philip W. Mohr,
Adolphus Cannon,
Albert L. Winner,
James T. Elliott,
Frank Saddler, jr.,
Howard B. Enyart,
William A. Keiter,
Herbert S. Keimling,
Ramie H. Dean,
Raymond P. James,
Fred J. Zinner,
Rueben E. Puphal,
Stephen Skoda,
Harold A. Strong,
James E. Foster,
Clarence L. Seward, jr.,
William A. Siefer,
Wilbur T. Love,
William S. Fellers,
Henning F. Adickes,
Roy W. Conkey,
Samuel H. Wood,
Merile H. Stevenson,
Augustus Paris,

Chester E. Orcutt,
Louis B. West,
Denzil R. Fowls,
Forest J. Ashwood,
George C. Buzby,
Augustus H. Fricke,
Edward M. Butler,
Thomas J. Caldwell,
Louis E. McDonald,
George H. Towner, jr.,
Robert A. Cobban,
Stephen E. St. George,
Louis Cukela,
Emmons J. Robb,
Allan S. Heaton,
Erwin F. Schaefer,
Daniel D. Thompson,
Wilbur Summerlin,
Charles F. Commings,
Walter W. Wensinger,
Robert O. Williams,
John T. Stanton,
Virgil P. Schuler,
Harry S. Davis,
Peter P. Wood,
Lawrence E. Westerdahl,
David N. Richeson,
Merle J. Van Housen,
James C. Leech,
Richard S. Ross,
Vinton H. Newell,
Emmit R. Wolfe,
Stephen A. Norwood,
Raymond A. O'Keefe,
Frank M. Cross,
George W. McHenry,
Gale T. Cummings,
Charles W. Holmes,
Samuel H. Woods,
Wilbur Eickelberg,
Robert A. Butcher,
Allen J. Burris, and
Earl M. Rees.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 22, 1919.

UNITED STATES DISTRICT JUDGE.

Henry H. Watkins to be United States district judge for the western district of South Carolina.

MEMBER OF THE FARM LOAN BOARD.

Asbury F. Lever to be a member of the Farm Loan Board.

COLLECTOR OF CUSTOMS.

Henry Holland to be collector of customs for customs collection district No. 7, with headquarters at Ogdensburg, N. Y.

CALIFORNIA DÉBRIS COMMISSION.

Col. E. Eveleth Winslow to be a member of the California Débris Commission.

UNITED STATES COAST AND GEODETIC SURVEY.

John Dalrymple Powell to be hydrographic and geodetic engineer in the United States Coast and Geodetic Survey.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE REGULAR ARMY.

CORPS OF ENGINEERS.

To be first lieutenants.

Second Lieut. Count Harvey.
Second Lieut. Roland Jens.
Second Lieut. William E. Thrasher.
Second Lieut. George W. Coffey.
Second Lieut. George O. Consoer.
Second Lieut. Theodore L. Welles, jr.
Second Lieut. Conrad P. Hardy.
Second Lieut. Ernest W. Dichman.
Second Lieut. John H. Chase.
Second Lieut. Edwin R. Harrall.
Second Lieut. Albert Haertlein.
Second Lieut. John C. Arrowsmith.
Second Lieut. Edgar Marburg, jr.
Second Lieut. Harry P. Hart.
Second Lieut. Samuel J. Callahan.
Second Lieut. John E. Wood.

HOUSE OF REPRESENTATIVES.

TUESDAY, *July 22, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Once more we have been called upon, our Heavenly Father, to witness a disgraceful riot in this peaceful city where laws are made and expected to be executed promptly and successfully.

Is it the effect of our public-school system, our churches and Sunday schools, or our home training? We do not know. Thou knowest all things. Point out to us, we pray Thee, clearly where the defects are and give us the grace to right them.

Take away from us the hateful thing we call race prejudice and help us to live in peace and harmony, law and order, justice and mercy. In the name of Him who taught us love and good will. Amen.

The Journal of the proceedings of yesterday was read and approved.

ABSENCE OF A QUORUM.

Mr. DUPRÉ. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. Clearly there is no quorum present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Goodall	Jones, Pa.	Morin
Ashbrook	Goodykoontz	Kahn	Neely
Browne	Greene, Vt.	Kearns	Newton, Mo.
Caldwell	Griest	Kettner	Olney
Doughton	Hamill	King	Purnell
Echols	Hamilton	LaGuardia	Ragsdale
Fairfield	Harrison	Lee, Ga.	Rouse
Fields	Hicks	Lesher	Sanford
Focht	Hull, Iowa	Lever	Scully
Fordney	Hull, Tenn.	McClintic	Sisson
Fuller, Mass.	Hutchinson	McCulloch	Slemp
Garland	Ireland	McKenzie	Tilson
Godwin, N. C.	James	Mason	Wise

The SPEAKER. Three hundred and eighty-two gentlemen have answered to their names; a quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors.

EXTENSION OF REMARKS.

Mr. REED of West Virginia. Mr. Speaker, I ask unanimous consent that my colleague, Mr. ECHOLS, of West Virginia, have the privilege of extending his remarks in the RECORD by inserting a patriotic address delivered by him in West Virginia on the 4th of July.

The SPEAKER. The gentleman from West Virginia asks unanimous consent that his colleague [Mr. ECHOLS] have the liberty of extending his remarks in the RECORD by inserting a Fourth of July address delivered in West Virginia. Is there objection?

Mr. CLARK of Missouri. What was the subject of that address?

Mr. REED of West Virginia. A patriotic address.

Mr. GALLIVAN. On what?

Mr. REED of West Virginia. I think there was some of the league of nations in it and other things——

Mr. GALLIVAN. Nothing about prohibition?

Mr. REED of West Virginia. No.

Mr. GALLIVAN. All right.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. VAILE. Mr. Speaker, I ask unanimous consent to address the House for two minutes on the subject of conditions in the District of Columbia.

The SPEAKER. The gentleman from Colorado asks unanimous consent to address the House for two minutes on the subject of conditions in the District of Columbia. Is there objection?

Mr. BARKLEY. Mr. Speaker, I object.

LEAVE OF ABSENCE.

Mr. LEVER, by unanimous consent, at the request of Mr. BYRNES of South Carolina, was granted leave of absence for 10 days on account of business.

NEAR EAST RELIEF.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I ask that the Speaker lay before the House the bill S. 180 in order that it may be placed on its passage in lieu of the bill H. R. 412, the latter being a similar bill and No. 36 on the House Calendar.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take up the bill S. 180. But it is not in order until the previous question now pending is disposed of, except by unanimous consent.

Mr. RUBEY. Mr. Speaker, I object.

PROHIBITION.

The SPEAKER. The Chair places before the House the bill H. R. 6810, the prohibition-enforcement bill, on which the previous question has been ordered and which has been ordered to be engrossed and read a third time. The question is on the third reading of the bill.

Mr. CLARK of Missouri. Mr. Speaker, did not some statesman over on that side demand the reading of the engrossed copy?

The SPEAKER. The demand was made last night.

Mr. CLARK of Misouri. I know it was, and it has never been complied with.

The SPEAKER. The Chair considers that the request is not now pending. Anybody can make the request now if he wishes to do so.

Mr. CLARK of Missouri. I do not wish to do so, but I wanted to know what became of that request.

The SPEAKER. The Chair thinks it died with the session, but anybody can make the demand now if he wishes to do so.

The question is on the third reading of the bill.

The bill was read a third time.

Mr. IGOE. Mr. Speaker, I offer a motion to recommit, and on that I move the previous question.

The SPEAKER. Is the gentleman from Missouri opposed to the bill?

Mr. IGOE. Yes, sir.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. IGOE moves to recommit the bill H. R. 6810 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment: Strike out all after the enacting clause and insert in lieu thereof the following:

"That whoever, on or after the date when the eighteenth amendment to the Constitution of the United States goes into effect, shall knowingly manufacture, sell, or transport within the United States, or import into the United States or export from the United States, any intoxicating liquor for beverage purposes shall be fined not more than $500 or imprisoned not more than one year, or both, and for a second or subsequent offense shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"SEC. 2. That the Commissioner of Internal Revenue, his assistants, agents, and inspectors, shall investigate and report violations of this act to the United States attorney for the district in which committed, who is hereby charged with the duty of prosecuting the offenders, subject to the direction of the Attorney General, as in the case of other offenses against the laws of the United States; and the Commissioner of Internal Revenue, his assistants, agents, and inspectors, may swear out warrants before the United States commissioners or other officers of courts authorized to issue the same for the apprehension of such offenders. Section 1014 of the Revised Statutes of the United States is hereby made applicable in the enforcement of this act.

"SEC. 3. That the Commissioner of Internal Revenue and the Attorney General of the United States are hereby respectively authorized to appoint and employ such assistants, experts, clerks, and other employees as they may deem necessary for the enforcement of the provisions of this act, and there is hereby authorized to be appropriated such sums as may be required for the enforcement of this act."

The SPEAKER. On the foregoing motion the gentleman moves the previous question.

The previous question was ordered.

Mr. IGOE. Mr. Speaker, I demand the yeas and nays on the motion to recommit.

The SPEAKER. The gentleman from Missouri demands the yeas and nays on the motion to recommit.

The yeas and nays were ordered.

The question was taken; and there were—yeas 137, nays 256, answered "present" 2, not voting 35, as follows:

YEAS—137.

Ackerman	Campbell, Pa.	Donovan	Gard
Babka	Cannon	Dooling	Garland
Bacharach	Carew	Doremus	Garner
Bee	Casey	Dupré	Glynn
Benson	Clark, Mo.	Dyer	Goldfogle
Blackmon	Classon	Eagan	Graham, Pa.
Bland, Mo.	Cleary	Eagle	Greene, Mass.
Booher	Coady	Edmonds	Greene, Vt.
Britten	Crago	Elston	Griffin
Brooks, Pa.	Cullen	Fitzgerald	Haskell
Browning	Curry, Calif.	Freeman	Hays
Buchanan	Denison	Gallagher	Hull, Iowa
Burdick	Dent	Gallivan	Humphreys
Burke	Dewalt	Ganly	Husted
Igoe	McLane	O'Connell	Sherwood
Jefferis	McPherson	O'Connor	Siegel
Johnston, N. Y.	MacCrate	Ogden	Small
Juul	MacGregor	Olney	Smith, N. Y.
Kahn	Madden	Paige	Snyder
Kennedy, R. I.	Magee	Pell	Steele
Kleczka	Maher	Phelan	Stephens, Ohio
LaGuardia	Mann	Platt	Sullivan
Lampert	Mansfield	Porter	Tinkham
Lazaro	Martin	Pou	Treadway
Lea, Calif.	Mead	Radcliffe	Vare
Lehlbach	Merritt	Rainey, J. W.	Voigt
Linthicum	Minahan, N. J.	Ramsey	Walsh
Lonergan	Moon	Randall, Wis.	Ward
Longworth	Mooney	Reber	Watson, Pa.
Lufkin	Moore, Pa.	Riordan	Welty
McAndrews	Morin	Rodenberg	Wilson, Pa.
McArthur	Mudd	Rogers	Winslow
McDuffie	Newton, Mo.	Rowan	
McGlennon	Nichols, Mich.	Sabath	
McKinlry	Nolan	Sanford	

NAYS—256.

Alexander	Emerson	Larsen	Scott
Almon	Esch	Layton	Sears
Anderson	Evans, Mont.	Little	Sells
Andrews, Md.	Evans, Nebr.	Luce	Shreve
Andrews, Nebr.	Evans, Nev.	Lubring	Sims
Anthony	Ferris	McCulloch	Sinclair
Aswell	Fess	McFadden	Sinnott
Ayres	Fields	McKenzie	Smith, Idaho
Baer	Fisher	McKeown	Smith, Ill.
Bankhead	Flood	McKinley	Smith, Mich.
Barbour	Fordney	McLaughlin, Mich.	Smithwick
Barkley	Foster	McLaughlin, Nebr.	Snell
Begg	Frear	Major	Steagall
Bell	French	Mapes	Stedman
Benham	Fuller, Ill.	Mays	Steenerson
Black	Fuller, Mass.	Michener	Stephens, Miss.
Bland, Ind.	Gandy	Miller	Stevenson
Bland, Va.	Garrett	Monahan, Wis.	Stiness
Blanton	Good	Mondell	Strong, Kans.
Boies	Goodwin, Ark.	Montague	Strong, Pa.
Bowers	Gould	Moore, Ohio	Summers, Wash.
Box	Graham, Ill.	Moore, Va.	Sumners, Tex.
Brand	Green, Iowa	Moores, Ind.	Sweet
Briggs	Hadley	Morgan	Taylor, Colo.
Brinson	Hardy, Colo.	Mott	Taylor, Tenn.
Brooks, Ill.	Hastings	Murphy	Temple
Brumbaugh	Haugen	Nelson, Mo.	Thomas
Burroughs	Hawley	Nelson, Wis.	Thompson, Ohio
Butler	Hayden	Newton, Minn.	Thompson, Okla.
Byrnes, S. C.	Heflin	Nicholls, S. C.	Tillman
Byrns, Tenn.	Hernandez	Oldfield	Timberlake
Campbell, Kans.	Hersey	Oliver	Tincher
Candler	Hersman	Osborne	Towner
Cantrill	Hickey	Overstreet	Upshaw
Caraway	Hill	Padgett	Valle
Carss	Hoch	Park	Venable
Carter	Holland	Parker	Vestal
Chindblom	Houghton	Parrish	Vinson
Christopherson	Howard	Peters	Volstead
Clark, Fla.	Huddleston	Quin	Walters
Cole	Hudspeth	Ragsdale	Wason
Collier	Hulings	Rainey, H. T.	Watkins
Connally	Jacoway	Raker	Watson, Va.
Cooper	James	Ramseyer	Weaver
Copley	Johnson, Ky.	Randall, Calif.	Webb
Crisp	Johnson, Miss.	Rayburn	Webster
Crowther	Johnson, S. Dak.	Reavis	Welling
Currie, Mich.	Johnson, Wash.	Reed, N. Y.	Whaley
Dale	Jones, Tex.	Reed, W. Va.	Wheeler
Dallinger	Kearns	Rhodes	White, Kans.
Darrow	Kelley, Mich.	Ricketts	White, Me.
Davey	Kelly, Pa.	Riddick	Williams
Davis, Minn.	Kendall	Robinson, N. C.	Wilson, Ill.
Davis, Tenn.	Kennedy, Iowa	Robsion, Ky.	Wilson, La.
Dempsey	Kiess	Romjue	Wingo
Dickinson, Mo.	Kincheloe	Rose	Wise
Dickinson, Iowa	Kinkaid	Rowe	Wood, Ind.
Dominick	Kitchin	Rubey	Woods, Va.
Dowell	Knutson	Rucker	Woodyard
Drane	Kraus	Sanders, Ind.	Wright
Dunbar	Kreider	Sanders, La.	Yates
Dunn	Langley	Sanders, N. Y.	Young, N. Dak.
Elliott	Lanham	Saunders, Va.	Young, Tex.
Ellsworth	Lankford	Schall	Zihlman

ANSWERED "PRESENT"—2.

Costello	Hardy, Tex.

NOT VOTING—35.

Ashbrook	Goodall	Ireland	Neely
Browne	Goodykoontz	Jones, Pa.	Purnell
Caldwell	Griest	Kettner	Rouse
Cramton	Hamill	King	Scully
Doughton	Hamilton	Lee, Ga.	Sisson
Echols	Harrison	Lesher	Slemp
Fairfield	Hicks	Lever	Taylor, Ark.
Focht	Hull, Tenn.	McClintic	Tilson
Godwin, N. C.	Hutchinson	Mason	

So the motion to recommit was rejected.

The Clerk announced the following additional pairs:

On the vote:

Mr. SCULLY (for) with Mr. HUTCHINSON (against).

Mr. CRAGO (for) with Mr. JONES of Pennsylvania (against).

Mr. HARDY of Texas (for) with Mr. DOUGHTON (against).

Mr. HAMILL (for) with Mr. IRELAND (against).

Mr. CALDWELL (for) with Mr. TAYLOR of Arkansas (against).
Until further notice:
Mr. MERRITT with Mr. ASHBROOK.
Mr. KING with Mr. NEELY.
Mr. PURNELL with Mr. MCCLINTIC.
Mr. HICKS with Mr. HULL of Tennessee.
Mr. FOCHT with Mr. GODWIN of North Carolina.
Mr. GRIEST with Mr. LESHER.
Mr. HAMILTON with Mr. LEE of Georgia.
Mr. MASON with Mr. KETNER.
Mr. TILSON with Mr. LEVER.
Mr. SLEMP with Mr. SISSON.

Mr. CRAMTON. Mr. Speaker, I would like to vote "no."

The SPEAKER. Was the gentleman in the Hall, listening?

Mr. CRAMTON. I was in the front row of seats, and did not hear my name called.

The SPEAKER. The Chair wishes the gentleman to answer that question.

Mr. CRAMTON. I can not say how particularly or how closely I was listening.

The SPEAKER. Was the gentleman listening?

Mr. CRAMTON. I could not say as to how closely I was listening.

The SPEAKER. The Chair must leave it to the gentleman to qualify himself.

Mr. CRAMTON. I was in the Hall, in the front row of seats, and failed to hear my name called.

The SPEAKER. Unless the gentleman can answer the question in the affirmative, he can not vote.

Mr. CRAGO. Mr. Speaker, I have a pair with my colleague from Pennsylvania, Mr. JONES. Mr. JONES is in favor of this bill and wanted to vote for it, but is unavoidably absent. I take it that he would have voted against the motion to recommit. Therefore I wish to change my vote from "aye" to "present" and have myself recorded as paired with Mr. JONES on this and following questions.

Mr. KNUTSON. Mr. Speaker, I wish to vote "nay."

The SPEAKER. Was the gentleman in the Hall, listening, when his name was called?

Mr. KNUTSON. I thought my name was called and started to answer and they had gone on beyond.

The SPEAKER. The rule is very clear. If the gentleman answers in the affirmative, he can vote.

Mr. KNUTSON. I would like to ask the Speaker under what provision of the Constitution my district is to be deprived of a vote?

The SPEAKER. That is not a proper question. Was the gentleman in the Hall, listening?

Mr. KNUTSON. I was.

The SPEAKER. Then the gentleman can vote.

The Clerk called the name of Mr. KNUTSON, and he voted in the negative.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. BLANTON. I ask for the yeas and nays.

The SPEAKER. The gentleman from Texas asks for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Those in favor of the passage of the bill will, when their names are called, answer "aye"; those opposed will answer "no."

The question was taken; and there were—yeas 287, nays 100, answered "present" 3, not voting 40, as follows:

YEAS—287.

Ackerman	Brooks, Ill.	Crowther	Ferris
Alexander	Browning	Currie, Mich.	Fess
Almon	Brumbaugh	Dale	Fields
Anderson	Burroughs	Dallinger	Fisher
Andrews, Md.	Butler	Darrow	Flood
Andrews, Nebr.	Byrnes, S. C.	Davey	Fordney
Anthony	Byrns, Tenn.	Davis, Minn.	Foster
Aswell	Campbell, Kans.	Davis, Tenn.	Frear
Ayres	Candler	Dempsey	French
Baer	Cannon	Denison	Fuller, Ill.
Bankhead	Cantrill	Dickinson, Mo.	Fuller, Mass.
Barbour	Caraway	Dickinson, Iowa	Gandy
Barkley	Carss	Dominick	Garner
Begg	Carter	Doremus	Garrett
Bell	Chindblom	Dowell	Good
Benham	Christopherson	Drane	Goodwin, Ark.
Benson	Clark, Fla.	Dunbar	Gould
Bland, Ind.	Clark, Mo.	Dunn	Graham, Ill.
Bland, Mo.	Classon	Eagle	Green, Iowa
Bland, Va.	Cole	Elliott	Greene, Mass.
Blanton	Collier	Ellsworth	Greene, Vt.
Boies	Connally	Elston	Hadley
Bowers	Cooper	Emerson	Hardy, Colo.
Box	Copley	Esch	Hastings
Brand	Costello	Evans, Mont.	Haugen
Briggs	Cramton	Evans, Nebr.	Hawley
Brinson	Crisp	Evans, Nev.	Hayden
Hays	McKenzie	Randall, Calif.	Taylor, Colo.
Heflin	McKeown	Randall, Wis.	Taylor, Tenn.
Hernandez	McKinley	Rayburn	Temple
Hersey	McLaughlin, Mich.	Reavis	Thomas
Hersman	McLaughlin, Nebr.	Reed, N. Y.	Thompson, Ohio
Hickey	McPherson	Reed, W. Va.	Thompson, Okla.
Hill	MacGregor	Rhodes	Tillman
Hoch	Magee	Ricketts	Timberlake
Holland	Major	Riddick	Tincher
Houghton	Mansfield	Robinson, N. C.	Towner
Howard	Mapes	Robsion, Ky.	Treadway
Huddleston	Mays	Rogers	Upshaw
Hudspeth	Michener	Romjue	Vaile
Hulings	Miller	Rose	Venable
Jacoway	Monahan, Wis.	Rowe	Vestal.
James	Mondell	Rubey	Vinson
Johnson, Ky.	Montague	Rucker	Volstead
Johnson, Miss.	Moore, Ohio	Sanders, Ind.	Walters
Johnson, S. Dak.	Moore, Va.	Sanders, La.	Wason
Johnson, Wash.	Moores, Ind.	Sanders, N. Y.	Watkins
Jones, Tex.	Morgan	Saunders, Va.	Watson, Va.
Kearns	Mott	Schall	Weaver
Kelley, Mich.	Murphy	Scott	Webb
Kelly, Pa.	Nelson, Mo.	Sears	Webster
Kendall	Nelson, Wis.	Sells	Welty
Kennedy, Iowa	Newton, Minn.	Shreve	Whaley
Kiess	Nicholls, S. C.	Sims	Wheeler
Kincheloe	Nichols, Mich.	Sinclair	White, Kans.
Kinkaid	Oldfield	Sinnott	White, Me.
Kitchin	Oliver	Smith, Idaho	Williams
Knutson	Olney	Smith, Ill.	Wilson, Ill.
Kraus	Osborne	Smith, Mich.	Wilson, La.
Kreider	Overstreet	Smithwick	Wilson, Pa.
Langley	Padgett	Snell	Wingo
Lanham	Paige	Steagall	Winslow
Lankford	Park	Stedman	Wise
Larsen	Parker	Steenerson	Wood, Ind.
Layton	Parrish	Stephens, Miss.	Woods, Va.
Little	Peters	Stevenson	Woodyard
Luce	Platt	Stiness	Wright
Lufkin	Quin	Strong, Kans.	Yates
Luhring	Ragsdale	Strong, Pa.	Young, N. Dak.
McCulloch	Rainey, H. T.	Summers, Wash.	Young, Tex.
McDuffie	Raker	Sumners, Tex.	Zihlman
McFadden	Ramseyer	Sweet	

NAYS—100.

Babka	Gallivan	Longworth	Porter
Bacharach	Ganly	McAndrews	Pou
Bee	Gard	McArthur	Radcliffe
Blackmon	Garland	McGlennon	Rainey, J. W.
Britten	Glynn	McKinley	Ramsey
Buchanan	Goldfogle	McLane	Reber
Burdick	Griffin	MacCrate	Riordan
Burke	Haskell	Madden	Rodenberg
Carew	Hull, Iowa	Maher	Rowan
Casey	Humphreys	Mann	Sabath
Cleary	Husted	Martin	Sanford
Coady	Igoe	Mead	Sherwood
Cullen	Jefferis	Merritt	Siegel
Curry, Calif.	Johnston, N. Y.	Minahan, N. J.	Small
Dent	Juul	Mooney	Smith, N. Y.
Dewalt	Kahn	Moore, Pa.	Snyder
Donovan	Kennedy, R. I.	Morin	Steele
Dooling	Kleczka	Mudd	Stephens, Ohio
Dupré	LaGuardia	Newton, Mo.	Sullivan
Dyer	Lampert	Nolan	Tinkham
Eagan	Lazaro	O'Connell	Vare
Edmonds	Lea, Calif.	O'Connor	Voigt
Fitzgerald	Lehlbach	Ogden	Walsh
Freeman	Linthicum	Pell	Ward
Gallagher	Lonergan	Phelan	Watson, Pa.

ANSWERED "PRESENT"—3.

Booher	Crago	Graham, Pa.

NOT VOTING—40.

Ashbrook	Godwin, N. C.	Hutchinson	Moon
Black	Goodall	Ireland	Neely
Brooks, Pa.	Goodykoontz	Jones, Pa.	Purnell
Browne	Griest	Kettner	Rouse
Caldwell	Hamill	King	Scully
Campbell, Pa.	Hamilton	Lee, Ga.	Sisson
Doughton	Hardy, Tex.	Lesher	Slemp
Echols	Harrison	Lever	Taylor, Ark.
Fairfield	Hicks	McClintic	Tilson
Focht	Hull, Tenn.	Mason	Welling

So the bill was passed.

The Clerk announced the following additional pairs:

Until further notice:

Mr. GRIEST with Mr. BOOHER.

Mr. FOCHT with Mr. LESHER.

Mr. BROWN with Mr. WELLING.

On this vote:

Mr. ASHBROOK (for) with Mr. MERRITT (against).

Mr. TAYLOR of Arkansas (for) with Mr. CALDWELL (against).

Mr. IRELAND (for) with Mr. HAMILL (against).

Mr. HUTCHINSON (for) with Mr. SCULLY (against).

Mr. JONES of Pennsylvania (for) with Mr. CRAGO (against).

Mr. DOUGHTON (for) with Mr. HARDY of Texas (against).

The result of the vote was announced as above recorded.

The announcement of the vote was received with applause.

On motion of Mr. VOLSTEAD, a motion to reconsider the vote by which the bill was passed was laid on the table.

REQUEST TO PRINT.

Mr. IGOE. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks in the RECORD on the prohibition bill just passed.

The SPEAKER. The gentleman from Missouri asks unanimous consent that all Members may have five legislative days in which to extend their remarks on the bill just passed. Is there objection?

Mr. GALLIVAN. I object.

LEAVE TO FILE MINORITY VIEWS.

Mr. HARDY of Texas. Mr. Speaker, I ask leave to file the views of the minority on H. R. 7500. It is agreed by the committee that that may be done.

The SPEAKER. The gentleman asks leave to file the views of the minority on H. R. 7500—from what committee?

Mr. HARDY of Texas. The Committee on the Merchant Marine and Fisheries.

The SPEAKER. Is there objection?

There was no objection.

MINIMUM COMPENSATION.

Mr. NOLAN. Mr. Speaker, I call up the minimum-compensation bill, H. R. 5726, and ask that it be placed on its final passage.

The SPEAKER. The business before the House is the minimum-wage bill, H. R. 5726, on which the previous question was ordered last Wednesday. The bill has been ordered to be engrossed and read a third time. The next thing in order is the third reading of the bill.

The bill was read a third time.

Mr. BLANTON. Mr. Speaker, I have a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BLANTON. I am opposed to it.

The SPEAKER. The gentleman from Texas offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. BLANTON moves to recommit the bill to the Committee on Labor with instructions to report the same back to the House forthwith with the following amendment: Add a new section properly numbered, as follows:

"Sec. —. It is specially provided that after a proclamation of peace is made by the President the bonus of $240 per annum shall be no longer paid to employees affected by this minimum-wage bill, but that $3 per day and $90 per month shall be the maximum received by said employees."

Mr. BLANTON. Mr. Speaker, upon that I move the previous question, and I ask for the yeas and nays on the vote.

The SPEAKER. The first question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Texas [Mr. BLANTON] to recommit.

Mr. BLANTON. On that I ask for the yeas and nays.

The yeas and nays were refused, one Member, not a sufficient number, seconding the demand.

The SPEAKER. The question is on the motion to recommit.

The question being taken, on a division (demanded by Mr. BLANTON) there were—ayes 1, noes 219.

Accordingly the motion was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. BLANTON. On that I ask for a division.

Mr. NOLAN. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 328, nays 48, not voting 54, as follows:

YEAS—328.

Ackerman	Brooks, Ill.	Costello	Elliott
Alexander	Brooks, Pa.	Crago	Ellsworth
Almon	Browning	Cramton	Elston
Anderson	Brumbaugh	Crowther	Emerson
Andrews, Md.	Burdick	Cullen	Esch
Andrews, Nebr.	Burke	Currie, Mich.	Evans, Mont.
Anthony	Burroughs	Curry, Calif.	Evans, Nebr.
Ayres	Butler	Dale	Evans, Nev.
Babka	Byrns, Tenn.	Dallinger	Ferris
Bacharach	Campbell, Kans.	Darrow	Fess
Bankhead	Campbell, Pa.	Davey	Fields
Barbour	Cannon	Davis, Minn.	Fisher
Barkley	Cantrill	Dempsey	Fitzgerald
Bee	Caraway	Dewalt	Fordney
Begg	Carew	Dickinson, Iowa	Foster
Benham	Carss	Donovan	Frear
Benson	Carter	Dooling	Freeman
Blackmon	Casey	Doremus	French
Bland, Ind.	Chindblom	Dowell	Fuller, Ill.
Bland, Mo.	Christopherson	Drane	Fuller, Mass.
Bland, Va.	Clark, Mo.	Dunbar	Gallagher
Boies	Classon	Dunn	Gallivan
Bowers	Cleary	Dupré	Gandy
Box	Coady	Dyer	Ganly
Briggs	Cole	Eagan	Gard
Brinson	Cooper	Eagle	Garland
Britten	Copley	Edmonds	Glynn
Goldfogle	Lea, Calif.	O'Connor	Smith, N. Y.
Good	Lehlbach	Oldfield	Snell
Goodwin, Ark.	Linthicum	Olney	Snyder
Gould	Little	Osborne	Stedman
Graham, Pa.	Lonergan	Overstreet	Steenerson
Graham, Ill.	Luce	Padgett	Stephens, Ohio
Green, Iowa	Lufkin	Paige	Stiness
Greene, Mass.	Luring	Parker	Strong, Kans.
Greene, Vt.	McAndrews	Parrish	Strong, Pa.
Hadley	McArthur	Pell	Sullivan
Hardy, Colo.	McCulloch	Peters	Summers, Wash.
Haskell	McDuffie	Phelan	Sumners, Tex.
Hastings	McFadden	Platt	Sweet
Haugen	McGlennon	Porter	Taylor, Colo.
Hawley	McKenzie	Pou	Taylor, Tenn.
Hayden	McKeown	Radcliffe	Temple
Hays	McKinlry	Rainey, H. T.	Thompson, Ohio
Hernandez	McLane	Rainey, J. W.	Thompson, Okla.
Hersey	McLaughlin, Mich.	Raker	Tillman
Hersman	McLaughlin, Nebr.	Ramsey	Timberlake
Hickey	MacCrate	Ramseyer	Tincher
Hill	MacGregor	Randall, Calif.	Tinkham
Hoch	Madden	Randall, Wis.	Towner
Houghton	Magee	Reavis	Treadway
Hudspeth	Maher	Reed, N. Y.	Upshaw
Hulings	Major	Reed, W. Va.	Vaile
Hull, Iowa	Mann	Rhodes	Vare
Husted	Mapes	Ricketts	Vestal
Igoe	Martin	Riddick	Voigt
Jacoway	Mays	Riordan	Volstead
James	Mead	Robsion, Ky.	Walsh
Jefferis	Merritt	Rodenberg	Walters
Johnson, S. Dak.	Michener	Rogers	Ward
Johnson, Wash.	Miller	Romjue	Wason
Johnston, N. Y.	Minahan, N. J.	Rose	Watkins
Jones, Tex.	Monahan, Wis.	Rowan	Watson, Pa.
Juul	Mondell	Rowe	Watson, Va.
Kahn	Montague	Sabath	Weaver
Kearns	Moon	Sanders, Ind.	Webster
Kelly, Pa.	Mooney	Sanders, La.	Welling
Kendall	Moore, Ohio	Sanders, N. Y.	Welty
Kennedy, Iowa	Moore, Pa.	Sanford	Whaley
Kennedy, R. I.	Moore, Va.	Schall	Wheeler
Kiess	Moores, Ind.	Scott	White, Kans.
Kinkaid	Morgan	Sears	White, Me.
Kleczka	Morin	Sells	Williams
Kraus	Mudd	Sherwood	Wilson, Ill.
Kreider	Murphy	Shreve	Wilson, Pa.
LaGuardia	Nelson, Mo.	Siegel	Wingo
Lampert	Nelson, Wis.	Sims	Winslow
Langley	Newton, Minn.	Sinclair	Wood, Ind.
Lanham	Newton, Mo.	Sinnott	Woodyard
Lankford	Nichols, Mich.	Smith, Idaho	Yates
Layton	Nolan	Smith, Ill.	Young, N. Dak.
Lazaro	O'Connell	Smith, Mich.	Zihlman

NAYS—48.

Aswell	Davis, Tenn.	Kitchin	Saunders, Va.
Bell	Dent	Larsen	Small
Black	Dickinson, Mo.	Mansfield	Steagall
Blanton	Dominick	Nicholls, S. C.	Stephens, Miss.
Booher	Flood	Oliver	Stevenson
Brand	Garner	Park	Thomas
Buchanan	Garrett	Quin	Venable
Byrnes, S. C.	Hardy, Tex.	Ragsdale	Vinson
Candler	Heflin	Rayburn	Wilson, La.
Clark, Fla.	Holland	Robinson, N. C.	Woods, Va.
Collier	Humphreys	Rubey	Wright
Connally	Kincheloe	Rucker	Young, Tex.

NOT VOTING—54.

Ashbrook	Griffin	Kettner	Purnell
Baer	Hamill	King	Reber
Browne	Hamilton	Knutson	Rouse
Caldwell	Harrison	Lee, Ga.	Scully
Crisp	Hicks	Lesher	Sisson
Denison	Howard	Lever	Slemp
Doughton	Huddleston	Longworth	Smithwick
Echols	Hull, Tenn.	McClintic	Steele
Fairfield	Hutchinson	McKinley	Taylor, Ark.
Focht	Ireland	McPherson	Tilson
Godwin, N. C.	Johnson, Ky.	Mason	Webb
Goodall	Johnson, Miss.	Mott	Wise
Goodykoontz	Jones, Pa.	Neely	
Griest	Kelley, Mich.	Ogden	

So the bill was passed.

The following additional pairs were announced:

Until further notice:

Mr. MCPHERSON with Mr. SMITHWICK.

Mr. MOTT with Mr. TAYLOR of Arkansas.

Mr. NELSON of Wisconsin with Mr. WISE.

Mr. LONGWORTH with Mr. STEELE.

Mr. BROWNE with Mr. CALDWELL.

Mr. DENISON with Mr. GRIFFIN.

Mr. JONES of Pennsylvania with Mr. DOUGHTON.

Mr. KELLEY of Michigan with Mr. HOWARD.

Mr. KNUTSON with Mr. JOHNSON of Mississippi.

Mr. MCKINLEY with Mr. WEBB.

Mr. IRELAND with Mr. HAMILL.

On this vote:

Mr. HUTCHINSON (for the bill) with Mr. CRISP (against).

The result of the vote was then announced as above recorded.

On motion of Mr. NOLAN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. REED of West Virginia. Mr. Speaker, my colleague, Mr. GOODYKOONTZ, is fulfilling the promise he made some time

ago to address the West Virginia Bar Association. If he had been present, he would have voted for the prohibition bill and also for the minimum-wage bill.

Mr. SMALL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

Mr. CRAMTON. Upon what subject?

Mr. SMALL. On prohibition.

Mr. CRAMTON. Reserving the right to object, I do not see the gentleman from Massachusetts present.

Mr. GALLIVAN. I am here; just came in.

The SPEAKER. Is there objection?

Mr. GALLIVAN. I object.

Mr. SMALL. Mr. Speaker, there must be some mistake; I do not think the gentleman from Massachusetts intended to object to my request.

The SPEAKER. The gentleman from Massachusetts did object.

Mr. SMALL. I renew my request.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to extend his remarks in the RECORD on the subject of prohibition. Is there objection?

Mr. CRAMTON. Reserving the right to object, it occurs to me that such a permission should be granted to gentlemen on both sides alike.

Mr. HEFLIN. That is so, and I would like to extend my remarks in the RECORD.

Mr. WALSH. Well, Mr. Speaker, I object.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Cravens, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 183. An act providing additional time for the payment of purchase money under homestead entries of lands within the former Fort Peck Indian Reservation, Mont.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 183. An act providing additional time for the payment of purchase money under homestead entries of lands within the former Fort Peck Indian Reservation, Mont.; to the Committee on the Public Lands.

NEAR EAST RELIEF.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I ask the Chair to lay before the House the bill S. 180, a similar bill being on the House Calendar.

The SPEAKER. The Chair lays before the House the bill S. 180, a similar bill having been reported from the Committee on the Judiciary of the House.

Mr. MADDEN. Mr. Speaker, before that is done I desire to make a parliamentary inquiry.

Mr. CRAMTON. Mr. Speaker, I desire to make a point of order. I am willing to reserve the point of order.

Mr. GRAHAM of Pennsylvania. I would like to have the gentleman state his point of order.

Mr. CRAMTON. I also reserve the right to object.

The SPEAKER. The gentleman from Pennsylvania is not asking unanimous consent.

Mr. CRAMTON. I did not hear the gentleman's request then.

Mr. GRAHAM of Pennsylvania. It is a Senate bill on the Speaker's table, and a similar bill being on the House Calendar I ask that the Senate bill be laid before the House and put upon its passage.

Mr. CRAMTON. The point I desire to make is that the request of the gentleman from Pennsylvania is based on the rule which provides that this procedure may obtain where a similar bill has first been reported from the House committee, which was not true in this case.

The SPEAKER. The Chair has made inquiry and is informed that that is the fact, that it was reported and by the parliamentary clerk referred to the calendar before the Senate bill came over.

Mr. GRAHAM of Pennsylvania. That is the fact.

Mr. CRAMTON. The bill which I have in my hand, and upon which I have depended, shows that the House bill was referred to the House Calendar on July 15. That appears in the print of H. R. 412, which I have in my hand.

Mr. CLARK of Missouri. When was the Senate bill brought over?

Mr. WALSH. On the same day.

Mr. GARD. Mr. Speaker, will the gentleman yield? Is it not true that the House bill came from the Committee on the Judiciary and was received at the Speaker's desk before the Senate bill was passed?

Mr. CRAMTON. That is a question of fact on which I will yield to the statement——

Mr. GARD. My information is that it was.

The SPEAKER. The Chair is informed that the Senate bill came over on July 15 and that before the Senate bill came over this bill was referred to the House Calendar.

Mr. MADDEN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. MADDEN. Is it within the rule of the House for a gentleman to rise in his place any day in the week on a matter that is not privileged and ask that a certain bill on the Speaker's table be placed before the House for consideration? Does it not require unanimous consent?

The SPEAKER. It does not require unanimous consent.

Mr. MADDEN. The Chair rules that the mere fact that the bill comes from the Senate gives it a privilege without respect to whether we are calling committees or not, a privilege that the House bill does not enjoy.

The SPEAKER. It has this privilege, that when the House committee has reported a similar bill the Senate bill is privileged, the theory being that it is to expedite business; that the Senate having passed the bill and the House committee having reported the bill, the bill is privileged.

Mr. MOORE of Pennsylvania. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. MOORE of Pennsylvania. This bill is on the House Calendar as reported from the Committee on the Judiciary. Is that the bill that is now called up for consideration?

The SPEAKER. The rule requires that it be substantially the same bill. The Chair has not examined it.

Mr. GRAHAM of Pennsylvania. The bills are identical, the House bill and the Senate bill.

Mr. MADDEN. A further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MADDEN. If there was no Senate bill, and the House bill was on the calendar, would it be privileged to call up the House bill at this time?

The SPEAKER. It would not.

Mr. MADDEN. What is there in the Senate bill which gives it a privilege which the House bill does not enjoy?

The SPEAKER. Section 2 of Rule XXIV gives the bill that privilege.

Mr. CRAMTON. Mr. Speaker, if this bill is to come up, what provision is there for debate and amendment?

The SPEAKER. It will be considered under the regular rules of the House. The gentleman from Pennsylvania [Mr. GRAHAM], having charge of the bill, will have an hour, and unless he moves the previous question within the hour the bill would be before the House as any other bill.

Mr. CRAMTON. Will the gentleman from Pennsylvania yield to state what his purpose is in respect to debate? Does he intend to move the previous question after he has used his hour?

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I had no idea that there would be any opposition to this bill, which is very simple in its character and which does not affect any public question. It is a bill reported from the Committee on the Judiciary to incorporate a charity that is doing a great work, that can not be done by anyone else, in the Near East.

Mr. CRAMTON. In its present form I shall be obliged to oppose the bill, and would like some time.

Mr. GRAHAM of Pennsylvania. I simply ask for fair play in the consideration of the bill, and it is not my purpose to shut off anyone who wants to legitimately debate the bill.

Mr. MADDEN. But who is going to decide whether the debate is legitimate? The gentleman from Pennsylvania?

Mr. GRAHAM of Pennsylvania. To some extent.

Mr. MADDEN. I do not think that is a fair statement of the case.

Mr. MOORE of Pennsylvania. Mr. Speaker, is not the question of consideration now in order?

The SPEAKER. The Chair thinks it is.

Mr. MOORE of Pennsylvania. Then I raise the question of consideration.

The SPEAKER. The gentleman from Pennsylvania raises the question of consideration. The question is, Shall the House now consider the bill?

The question was taken; and on a division (demanded by Mr. MOORE of Pennsylvania) there were—ayes 87, noes 19.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. BLANTON. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The question is on the motion of the gentleman from Texas, that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 16, noes 110.

So the motion to adjourn was rejected.

The SPEAKER. The gentleman from Pennsylvania makes the point of order that there is no quorum present. Obviously there is not. The Doorkeeper will close the doors; the Sergeant at Arms will notify absentees. The question is, Shall the House consider the bill? Those in favor will, as their names are called, answer "aye"; those opposed, "no." The Clerk will call the roll.

The Clerk called the roll; and there were—yeas 276, nays 75, answered "present" 3, not voting 76, as follows:

YEAS—276.

Ackerman	Dyer	Lankford	Riddick
Alexander	Eagan	Larsen	Riordan
Anderson	Eagle	Lazaro	Robinson, N. C.
Andrews, Md.	Edmonds	Lehlbach	Robsion, Ky.
Andrews, Nebr.	Elliott	Linthicum	Rogers
Anthony	Ellsworth	Lonergan	Romjue
Babka	Elston	Luce	Rose
Bacharach	Emerson	Lufkin	Rowe
Bankhead	Esch	Luhring	Rubey
Barbour	Evans, Mont.	McAndrews	Sabath
Barkley	Evans, Nebr.	McArthur	Sanders, Ind.
Bee	Evans, Nev.	McGlennon	Sanders, La.
Begg	Fess	McKiniry	Sanders, N. Y.
Bell	Fields	McKinley	Sanford
Benson	Fisher	McLane	Saunders, Va.
Black	Fitzgerald	McPherson	Scott
Bland, Mo.	Fordney	MacCrate	Siegel
Bland, Va.	Foster	Magee	Sinclair
Blanton	Freeman	Maher	Sinnott
Boies	French	Mann	Small
Booher	Fuller, Ill.	Mansfield	Smith, Idaho
Bowers	Fuller, Mass.	Mapes	Smith, Ill.
Box	Gallagher	Martin	Snyder
Brand	Gallivan	Mays	Stedman
Briggs	Gandy	Mead	Steele
Brinson	Ganly	Merritt	Steenerson
Britten	Gard	Miller	Stiness
Brooks, Ill.	Garland	Minahan, N. J.	Strong, Pa.
Brooks, Pa.	Goldfogle	Monahan, Wis.	Summers, Wash.
Browning	Good	Mondell	Sumners, Tex.
Brumbaugh	Goodwin, Ark.	Montague	Taylor, Colo.
Buchanan	Gould	Moon	Taylor, Tenn.
Burdick	Graham, Pa.	Mooney	Temple
Burke	Green, Iowa	Moore, Ohio	Thompson, Okla.
Burroughs	Griest	Moore, Va.	Tillman
Byrnes, S. C.	Griffin	Morgan	Timberlake
Byrns, Tenn.	Hadley	Morin	Tincher
Campbell, Pa.	Hardy, Colo.	Mudd	Tinkham
Candler	Hardy, Tex.	Murphy	Towner
Caraway	Haskell	Nelson, Mo.	Treadway
Carss	Hawley	Nelson, Wis.	Upshaw
Carter	Hayden	Newton, Minn.	Vaile
Casey	Hernandez	Nicholls, S. C.	Vare
Chindblom	Hickey	Nolan	Vestal
Christopherson	Hill	O'Connell	Vinson
Clark, Mo.	Hoch	O'Connor	Voigt
Cleary	Holland	Ogden	Volstead
Coady	Houghton	Oldfield	Walters
Cole	Howard	Osborne	Ward
Collier	Hudspeth	Overstreet	Wason
Connally	Hulings	Padgett	Watkins
Cooper	Hull, Iowa	Paige	Watson, Pa.
Copley	Humphreys	Park	Watson, Va.
Costello	Husted	Parker	Weaver
Crowther	Igoe	Parrish	Webster
Cullen	Jacoway	Pell	Welty
Currie, Mich.	Johnson, Wash.	Peters	Whaley
Dallinger	Johnston, N. Y.	Phelan	Wheeler
Darrow	Jones, Tex.	Platt	White, Me.
Davey	Juul	Pou	Wilson, La.
Davis, Tenn.	Kahn	Quin	Winslow
Dempsey	Kelly, Pa.	Ragsdale	Wise
Dewalt	Kendall	Rainey, H. T.	Wood, Ind.
Dominick	Kleczka	Rainey, J. W.	Woods, Va.
Donovan	Knutson	Ramsey	Wright
Drane	Kraus	Ramseyer	Yates
Dunbar	Kreider	Randall, Wis.	Young, N. Dak.
Dunn	LaGuardia	Rayburn	Young, Tex.
Dupré	Lanham	Reed, W. Va.	Zihlman

NAYS—75.

Aswell	Garrett	McKenzie	Shreve
Ayres	Glynn	McKeown	Smith, Mich.
Baer	Graham, Ill.	McLaughlin, Mich.	Snell
Blackmon	Greene, Mass.	McLaughlin, Nebr.	Steagall
Bland, Ind.	Greene, Vt.	Madden	Stephens, Miss.
Cannon	Heflin	Michener	Stephens, Ohio
Carew	Hersey	Moore, Pa.	Strong, Kans.
Clark, Fla.	Huddleston	Moores, Ind.	Sweet
Classon	James	Newton, Mo.	Thomas
Crago	Jefferis	Porter	Thompson, Ohio
Cramton	Johnson, S. Dak.	Radcliffe	Venable
Crisp	Kearns	Raker	Walsh
Curry, Calif.	Kiess	Reavis	Welling
Dale	Kincheloe	Rhodes	White, Kans.
Denison	Lampert	Ricketts	Williams
Dent	Langley	Rodenberg	Wilson, Ill.
Dickinson, Mo.	Layton	Schall	Wingo
Dickinson, Iowa	McCulloch	Sears	Woodyard
Garner	McDuffie	Sells	

ANSWERED "PRESENT"—3.

Kinkaid	Lea, Calif.	Little

NOT VOTING—76.

Almon	Godwin, N. C.	Kennedy, R. I.	Randall, Calif.
Ashbrook	Goodall	Kettner	Reber
Benham	Goodykoontz	King	Reed, N. Y.
Browne	Hamill	Kitchin	Rouse
Butler	Hamilton	Lee, Ga.	Rowan
Caldwell	Harrison	Lesher	Rucker
Campbell, Kans.	Hastings	Lever	Scully
Cantrill	Haugen	Longworth	Sherwood
Davis, Minn.	Hays	McClintic	Sims
Dooling	Hersman	McFadden	Sisson
Doremus	Hicks	MacGregor	Slemp
Doughton	Hull, Tenn.	Major	Smith, N. Y.
Dowell	Hutchinson	Mason	Smithwick
Echols	Ireland	Mott	Stevenson
Fairfield	Johnson, Ky.	Neely	Sullivan
Ferris	Johnson, Miss.	Nichols, Mich.	Taylor, Ark.
Flood	Jones, Pa.	Oliver	Tilson
Focht	Kelley, Mich.	Olney	Webb
Frear	Kennedy, Iowa	Purnell	Wilson, Pa.

So the House decided to consider the bill.

The Clerk announced the following additional pairs:

Until further notice:

Mr. DOWELL with Mr. ALMON.

Mr. HAUGEN with Mr. CANTRILL.

Mr. HAYS with Mr. FERRIS.

Mr. DAVIS of Minnesota with Mr. HASTINGS.

Mr. FREAR with Mr. DOOLING.

Mr. KENNEDY of Rhode Island with Mr. MAJOR.

Mr. BENHAM with Mr. FLOOD.

Mr. MCFADDEN with Mr. DOREMUS.

Mr. MACGREGOR with Mr. OLNEY.

Mr. REED of New York with Mr. OLIVER.

Mr. BUTLER with Mr. RANDALL of California.

Mr. TILSON with Mr. SHERWOOD.

Mr. BROWNE with Mr. ROWAN.

Mr. CAMPBELL of Kansas with Mr. SIMS.

Mr. ECHOLS with Mr. RUCKER.

Mr. FAIRFIELD with Mr. SMITH of New York.

Mr. GOODALL with Mr. SMITHWICK.

Mr. KENNEDY of Iowa with Mr. SULLIVAN.

Mr. KINKAID with Mr. TAYLOR of Arkansas.

Mr. REBER with Mr. CALDWELL.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 180) to incorporate Near East Relief.

Be it enacted, etc., That the following persons, namely, James L. Barton, Cleveland H. Dodge, Henry Morgenthau, Edwin M. Bulkley, Alexander J. Hemphill, Charles R. Crane, William Howard Taft, Charles Evans Hughes, Elihu Root, Abram I. Elkus, Charles W. Eliot, Harry Pratt Judson, Charles E. Beury, Arthur J. Brown, John B. Calvert, William I. Chamberlain, Robert J. Cuddihy, Cleveland E. Dodge, William T. Ellis, James Cardinal Gibbons, David H. Greer, Harold A. Hatch, William I. Haven, Myron T. Herrick, Hamilton Holt, Frank W. Jackson, Arthur Curtiss James, Frederick Lynch, Vance C. McCormick, Charles S. Macfarland, Henry B. F. Macfarland, William B. Millar, John R. Mott, Frank Mason North, George A. Plimpton, Philip Rhinelander, William Jay Schieffelin, George T. Scott, Albert Shaw, William Sloane, Edward Lincoln Smith, Robert Eliot Speer, James M. Speers, Oscar S. Straus, Charles V. Vickrey, Harry A. Wheeler, Stanley White, Ray Lyman Wilbur, Talcott Williams, and Stephen S. Wise, their associates and successors duly chosen, are hereby incorporated and declared to be a body corporate of the District of Columbia by the name of Near East Relief and by that name shall be known and have perpetual succession, with the powers, limitations, and restrictions herein contained.

SEC. 2. That the object for which said corporation is incorporated shall be to provide relief and to assist in the repatriation, rehabilitation, and reestablishment of suffering and dependent people of the Near East and adjacent areas; to provide for the care of orphans and widows and to promote the social, economic, and industrial welfare of those who have been rendered destitute, or dependent directly or indirectly, by the vicissitudes of war, the cruelties of men, or other causes beyond their control.

SEC. 3. That the direction and management of the affairs of the corporation, and the control of its property and funds, shall be vested in a board of trustees, to be composed of the following individuals: James L. Barton, Cleveland H. Dodge, Henry Morgenthau, Edwin M. Bulkley, Alexander J. Hemphill, Charles R. Crane, William Howard Taft, Charles Evans Hughes, Elihu Root, Abram I. Elkus, Charles W. Eliot, Harry Pratt Judson, Charles E. Beury, Arthur J. Brown, John B. Calvert, William I. Chamberlain, Robert J. Cuddihy, Cleveland E. Dodge, William T. Ellis, James Cardinal Gibbons, David H. Greer, Harold A. Hatch, William I. Haven, Myron T. Herrick, Hamilton Holt, Frank W. Jackson, Arthur Curtiss James, Frederick Lynch, Vance C. McCormick, Charles S. Macfarland, Henry B. F. Macfarland, William B. Millar, John R. Mott, Frank Mason North, George A. Plimpton, Philip Rhinelander, William Jay Schieffelin, George T. Scott, Albert Shaw, William Sloane, Edward Lincoln Smith, Robert Eliot Speer, James M. Speers, Oscar S. Straus, Charles V. Vickrey, Harry A. Wheeler, Stanley White, Ray Lyman Wilbur, Talcott Williams, and Stephen S. Wise, who shall constitute the first board of trustees and constitute the members of the corporation. Vacancies occurring by death, resignation, or otherwise shall be filled by the remaining trustees in such manner as the by-laws shall prescribe, and the persons so elected shall thereupon become trustees and also members of the corporation.

SEC. 4. That the principal office of the corporation shall be located in the District of Columbia, but offices may be maintained and meetings

of the corporation or of the trustees and committees may be held in other places, such as the by-laws may from time to time fix.

SEC. 5. That the said trustees shall be entitled to take, hold, and administer any securities, funds, or property which may be transferred to them for the purposes and objects hereinbefore enumerated by the existing and unincorporated American Committee for Armenian and Syrian Relief, and such other funds or property as may at any time be given, devised, or bequeathed to them or to such corporation, for the purposes of the trust; with full power from time to time to adopt a common seal, to appoint officers, whether members of the board of trustees or otherwise, and such employees as may be deemed necessary for carrying on the business of the corporation, and at such salaries or with such remuneration as they may think proper; and full power to adopt by-laws and such rules or regulations as may be necessary to secure the safe and convenient transaction of the business of the corporation.

SEC. 6. That as soon as may be possible after the passage of this act a meeting of the trustees hereinbefore named shall be called by Cleveland H. Dodge, Henry Morgenthau, Abram I. Elkus, Edwin M. Bulkley, Alexander J. Hemphill, Williar B. Millar, George T. Scott, James L. Barton, and Charles V. Vickrey, or any six of them, at the borough of Manhattan, in the city of New York, by notice served in person or by mail, addressed to each trustee at his place of residence; and the said trustees named herein, or a majority thereof, being assembled, shall organize and proceed to adopt by-laws, to elect officers, and generally to organize the said corporation.

SEC. 7. That a meeting of the incorporators, their associates, or successors shall be held once in every year after the year of incorporation at such time and place as shall be prescribed in the by-laws, when the annual reports of the officers and executive boards shall be presented and members of the executive board elected for the ensuing year. Special meetings of the corporation may be called upon such notice as may be prescribed.

SEC. 8. That a copy of the constitution and by-laws and of all amendments thereto shall be filed with the Congress when adopted, and on or before the 1st day of April each year said corporation shall make and transmit to the Congress a report of its proceedings for the year ending December 31 preceding, including in such report the names and residences of its officers, and a full and itemized account of all receipts and expenditures.

SEC. 9. That the corporation shall have no power to issue certificates of stock or declare or pay any dividends, or otherwise distribute to its members any of its property, or the proceeds therefrom, or from its operations. On dissolution of the corporation otherwise than by act of Congress the property shall escheat to the United States.

SEC. 10. That all members and officers of the corporation and of its governing body may reside in or be citizens of any place within the United States.

SEC. 11. That the franchise herein granted shall terminate at the expiration of 25 years from the date of the approval of the act; and that Congress reserves the right to repeal, alter, or amend this act at any time.

Mr. GRAHAM of Pennsylvania. Mr. Speaker——

The SPEAKER. The gentleman from Pennsylvania.

Mr. CANNON. Mr. Speaker, I want to make a point of order. This is a very important bill, in my judgment, and there ought to be a quorum of the House present.

The SPEAKER. The gentleman from Illinois makes the point of order there is no quorum present, and obviously no quorum is present.

Mr. MANN. Mr. Speaker, I move a call of the House.

The question was taken, and the Speaker announced the ayes seemed to have it.

Mr. MONTAGUE. Division, Mr. Speaker.

The House again divided; and there were—ayes 59, noes none.

So the call was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Freeman	Kennedy, Iowa	Purnell
Ashbrook	Ganly	Kennedy, R. I.	Ragsdale
Ayres	Godwin, N. C.	Kettner	Reavis
Babka	Goldfogle	King	Reed, N. Y.
Benson	Goodall	Lampert	Riddick
Britten	Goodykoontz	Layton	Riordan
Browne	Gould	Lee, Ga.	Rouse
Brumbaugh	Graham, Ill.	Lesher	Rowan
Burdick	Hamill	Lever	Rucker
Butler	Hamilton	McAndrews	Scully
Caldwell	Harrison	McArthur	Sims
Cantrill	Haskell	McClintic	Sisson
Dallinger	Hersman	McCulloch	Slemp
Dempsey	Hicks	McKinley	Smith, N. Y.
Donovan	Hill	MacGregor	Steele
Dooling	Hudspeth	Major	Sullivan
Doremus	Hull, Iowa	Mason	Taylor, Ark.
Doughton	Hull, Tenn.	Merritt	Tilson
Dunn	Husted	Monahan, Wis.	Vare
Eagle	Hutchinson	Mooney	Webb
Echols	Ireland	Mott	Wilson, Ill.
Evans, Nev.	Jefferis	Neely	Wilson, Pa.
Fairfield	Johnson, Wash.	Nicholls, S. C.	
Focht	Jones, Pa.	Olney	
Frear	Kelley, Mich.	Paige	

The SPEAKER. Three hundred and thirty-five Members have answered to their names; a quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. The gentleman from Pennsylvania is recognized.

Mr. GRAHAM of Pennsylvania. Mr. Speaker and gentlemen of the House, I am going to consume 10 minutes——

The SPEAKER. The gentleman has one hour.

Mr. GRAHAM of Pennsylvania. I understand, but I am going to stop at the end of 10 minutes.

Mr. Speaker, Senate bill No. 180, which is before the House on its passage, is exactly identical with the bill H. R. 412. The bill H. R. 412 was reported favorably from the Committee on the Judiciary of this House recommending its passage without any amendment made to it in the committee. The reason for that I may explain to my colleagues is this: In the last House a bill exactly similar to this, I mean a bill for the same object as this, was presented and referred to the Committee on the Judiciary. That committee, which, may I say, is opposed generally to a United States incorporation and never recommends them unless there are some special reasons to commend such a course—that committee pruned and amended the bill as it was introduced at great length, and then with those amendments the bill was reported back to the House, and my colleague, the gentleman from Ohio [Mr. GARD], was placed in charge of it, but it was not reached. Now, before this House the present bill, H. R. 412, was presented by the gentleman from Virginia [Mr. MONTAGUE], and it contains every one of the amendments which the Committee on the Judiciary said ought to be put in this bill. Therefore when it was before our committee for consideration at this time it had no need to be amended, for the new bill contains every one of the amendments which had been proposed by the Committee on the Judiciary to the last House. It was not reached in the last House, because of pressure of other business and the Judiciary Committee not having an opportunity to be heard. Now, what is this bill, gentlemen? A very simple proposition. It is a proposition to incorporate the gentlemen whose names have been read, who at present constitute the American Relief Committee that is dispensing charity in the Near East—in Armenia, in Syria, and in those portions of the East that were under the dominion of Turkey, and I wish to say to the House that it was satisfactorily shown to our committee that there was no other instrumentality working in that district. The Red Cross, as the report shows, was operating through this American Relief Committee, and distributed through that source probably $2,000,000. I need not say to the House that the cry that comes up from that country is a most pathetic and distressing one. I need not say to the House that any man who is imbued with the slightest feeling of humanity ought to be interested in helping to promote and care for those people who in that territory have suffered the tortures of the damned. Millions of them have been destroyed, and millions more are living in absolute destitution.

This bill is asked to be passed solely and only for the purpose of putting this committee on a higher plane in administering this charity in those countries where the people know nothing of our divisions of States and districts, but look only to the idea of the United States of America, and with the imprimatur of Congress on them as a corporation it gives them a recognition that otherwise they would not possess. They do not dispense only the alms or the charity that is provided for in this country, but they get contributions from those who have already felt the tortures there. Out of the sympathy coming from their hearts for their fellow creatures around them these poor people out there contribute money to the American Relief Committee for the purpose of having it distributed properly among the needy, the destitute, and the suffering.

I can not imagine why there should be objection to the passage of this bill. As our committee said in its report:

> The Committee on the Judiciary has been disposed to favor the granting of the incorporation for the purposes enumerated in the bill herein reported on for the reason that the Near East Relief has been doing a magnificent work among destitute peoples and are now actually upon the ground affording relief of the most direct and important kind, and, inasmuch as there are many matters to be taken up with the peoples they are seeking to help, it is apparent that the corporation extending relief having the dignity of approval by an act of Congress would be more easily and readily understood and given proper credit than if the incorporation had limited or State approval.
>
> Recognizing the true principle to be that the granting and approval of articles of incorporation by Congress should be very infrequently granted, the committee is of opinion that this is one case where a great good may be accomplished thereby to suffering peoples.

Mr. CLARK of Missouri. Mr. Speaker——

Mr. GRAHAM of Pennsylvania. By request of the chairman of the committee, I was asked to take charge of this measure before the House, and I am simply performing my duty as a member of the Judiciary Committee.

Mr. CLARK of Missouri. Will the gentleman yield?

Mr. GRAHAM of Pennsylvania. Yes; with pleasure.

Mr. CLARK of Missouri. Does this bill take any money out of the United States Treasury at all?

Mr. GRAHAM of Pennsylvania. None at all.

Mr. CLARK of Missouri. Does it grant these people the franking privilege?

Mr. GRAHAM of Pennsylvania. It does not. And furthermore it provides that all the expenses of running this charity must be paid out of the pockets of the people who are incorporated, and not one penny of the money contributed to charity can be used for the payment of the expenses of the corporation.

Mr. CLARK of Missouri. Is there anything in this bill to give this corporation trading privileges?

Mr. GRAHAM of Pennsylvania. We thought there was in the first bill, and carefully excluded it, and there is nothing in this bill that would enable them to indulge in any sort of trading operations.

Mr. BEE. Will the gentleman yield for a question?

Mr. GRAHAM of Pennsylvania. Yes.

Mr. BEE. Is there anything in this bill that would authorize this corporation to use the congressional action as a means for "drives" and collections of money under this proposition?

Mr. GRAHAM of Pennsylvania. Nothing except the fact that it has that dignity and status that would make its credit with these people both for receiving alms or charity which they might contribute and which they would be entitled to receive.

The SPEAKER. The gentleman has consumed 10½ minutes.

Mr. GRAHAM of Pennsylvania. I will take another half minute to answer the gentleman's question.

Mr. BEE. I would like to ask this question: Why, in section 11, do you provide that the life of the franchise shall terminate in 25 years? What will be the necessity, in other words, for the continuance of the charity to these unfortunate people beyond a year or so?

Mr. GRAHAM of Pennsylvania. The idea was to put in a limit, so that it should not be a perpetual charter, and that was all. And we made the limit large enough to cover. When the work stops, of course, this corporation will terminate and wind up its affairs. It must report every year to Congress, and it must pay over to Congress every dollar of money already appropriated which it has in its possession at the time.

Mr. BEE. I just wanted to ask one more question, and I will not pursue the inquiry further. Would this terminate by congressional action or by voluntary action on the part of the corporation?

Mr. GRAHAM of Pennsylvania. I presume by voluntary action.

Mr. BEE. Any not by congressional action.

Mr. CRAMTON. Will the gentleman suggest the section in the bill which places the restriction on the expenditure of the funds to the corporation to which the gentleman has referred?

Mr. GRAHAM of Pennsylvania. I will not at this time, but——

Mr. CRAMTON. I will be glad to have you do it at any time.

Mr. WALSH. Will the gentleman yield?

Mr. GRAHAM of Pennsylvania. My time has expired.

Mr. WALSH. I would like my colleague on the committee to give his interpretation of the phrase "to promote the industrial welfare of those who have been rendered destitute." Does that mean engage in business over there?

Mr. GRAHAM of Pennsylvania. Not at all. By enabling people to become self-supporting over there, which is perfectly legitimate, and not a corporation engaging in trade.

Mr. MILLER. Will the gentleman yield?

Mr. GRAHAM of Pennsylvania. Yes.

Mr. MILLER. For the purpose of information I would like to ask the gentleman from Pennsylvania the procedure of the winding up of the corporation incorporated under the laws of Congress under such congressional action as this corporation. Suppose at the expiration of 25 years it shall have half a million dollars in its treasury, to whom is the accounting made in winding up the corporation?

Mr. GRAHAM of Pennsylvania. To Congress. The money goes to the United States. That is in the bill.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. GRAHAM of Pennsylvania. Yes; certainly.

Mr. MADDEN. I understood the gentleman from Pennsylvania to say that this incorporation or the gentlemen who were to be incorporated under this bill were not permitted to spend any part of the money received as contributions for the management of the affairs of the corporation. I do not see any such language as that in the bill. On the contrary, it does say, in section 5, that they are permitted, in carrying on the business of the incorporation, to pay such salaries or remunerations and employ such people as they may think proper. And I assume that is to be paid out of the contributions.

Mr. GRAHAM of Pennsylvania. That is the same question that another gentleman asked.

Mr. MADDEN. The gentleman has not answered it, however. The gentleman makes the statement, however, to the House——

Mr. GRAHAM of Pennsylvania. Listen and I will answer your questions. Wait until I have finished and then address me if you want to know something else. I did make that statement. Before our committee it was made perfectly clear that that was the course pursued by this American committee. Now, I will refer to the bill itself and be glad to make any further statement on this subject.

Mr. MADDEN. I would like to know in what part of the bill the provision is made that the gentleman refers to.

Mr. GRAHAM of Pennsylvania. Now, Mr. Speaker, I do not yield the floor. I am going to yield five minutes of time to the gentleman from Michigan [Mr. CRAMTON], who is in opposition to the bill.

The SPEAKER. The gentleman from Michigan is recognized for five minutes.

Mr. CRAMTON. Mr. Speaker, can I have that time extended if it should be necessary?

Mr. GRAHAM of Pennsylvania. If I have the time, I shall be glad to.

Mr. CANNON. Let me say—and I hope it will not come out of the gentleman's time—after you consume the hour I think those who wish to discuss it further should have time. It seems to me this bill is of enough importance to receive two hours' consideration.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that there be on this bill two hours of general debate, including the time already consumed, one hour of which shall be controlled by the gentleman from Pennsylvania [Mr. GRAHAM] and the other hour by any member of the Committee on the Judiciary who is opposed to the bill, if there be any; and, if not, by the gentleman from Pennsylvania [Mr. MOORE].

Mr. BANKHEAD. Reserving the right to object, Mr. Speaker——

The SPEAKER. The gentleman from Michigan asks unanimous consent that there shall be two hours of general debate, one hour to be controlled by the gentleman from Pennsylvania [Mr. GRAHAM] and the other by some member of the Committee on the Judiciary who is opposed to the bill or, if not, by the gentleman from Pennsylvania [Mr. MOORE]. Is there objection?

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. The time for debate not being limited under the rule, if this unanimous consent is agreed to would the time for debate on this bill then be limited to two hours?

The SPEAKER. The Chair thinks that would be a fair interpretation of it.

Mr. MANN. At the end of two hours it would be the same as if the previous question were ordered?

The SPEAKER. The Chair did not suggest that. The Chair thinks that ought to be included.

Mr. MOORE of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOORE of Pennsylvania. If that is to be coupled with the request, I shall object to the unanimous consent.

Mr. CRAMTON. The yielding of the gentleman from Pennsylvania [Mr. GRAHAM], unless it were extended somewhat, would not appear to me to be a very liberal allotment of time.

Mr. GRAHAM of Pennsylvania. I have one hour.

The SPEAKER. The gentleman from Pennsylvania [Mr. GRAHAM] has one hour, and after that, unless the previous question is moved, anyone obtaining the floor could address the House.

Mr. CANNON. There is to be one hour to a side, and then the previous question is to be ordered?

Mr. CRAMTON. I understand the gentleman from Pennsylvania will move the previous question at the end of his hour.

Mr. CLARK of Missouri. Mr. Speaker, I suggest to the gentleman from Illinois that somebody might want to offer an amendment to this bill.

Mr. CRAMTON. I understand there is to be no such opportunity.

Mr. MANN. There is no such thing as general debate on this bill apart from any other debate.

Mr. CLARK of Missouri. I know; but if you order the previous question at the end of two hours, it shuts out the opportunity for amendment.

Mr. MANN. It would offer the opportunity for amendment during the two hours to anybody who got the floor by right.

Mr. CLARK of Missouri. Suppose one gentleman gets the floor and holds it for an hour and then another gentleman gets the floor and holds it for another hour?

Mr. MANN. Then nobody would get it.

Mr. CLARK of Missouri. If that is the case, I shall have to object.

Mr. BANKHEAD. Regular order!

The SPEAKER. Does the gentleman from Missouri object?

Mr. CLARK of Missouri. I do.

The SPEAKER. The gentleman from Michigan is recognized for five minutes.

Mr. GRAHAM of Pennsylvania. I extend the gentleman's time to 10 minutes.

The SPEAKER. The gentleman from Pennsylvania extends the time of the gentleman from Michigan [Mr. CRAMTON] to 10 minutes.

Mr. CANNON. One further question: Does the gentleman propose to move the previous question at the end of the hour?

Mr. GRAHAM of Pennsylvania. I shall feel justified in moving the previous question at the end of the hour, for the reason that the consideration of this bill has been met by every technical objection you gentlemen could devise.

Mr. CANNON. When you say "You gentlemen "——

Mr. GRAHAM of Pennsylvania. When it has been sufficiently discussed, so that you gentlemen will know exactly what it is, I shall move the previous question.

Mr. CANNON. Then we will antagonize the previous question. I have read this bill to-day for the first time.

Mr. MANN. My colleague should have read it in the previous Congress. It has been pending here since the last Congress.

Mr. CANNON. It should be read in the Committee of the Whole. It makes a charge on the Public Treasury.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Pennsylvania makes the point of no quorum.

Mr. WALSH. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Massachusetts moves that the House do now adjourn. The question is on agreeing to that motion.

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. MANN. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Illinois asks for the yeas and nays. Those who favor taking the vote by yeas and nays will rise and stand until they are counted. [After counting.] Thirty-two gentlemen have risen—a sufficient number—and the yeas and nays are ordered.

Mr. WALSH. I ask for the other side.

The SPEAKER. It is not necessary. There is a fifth of those present.

Mr. MONTAGUE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MONTAGUE. What right had the Member from Massachusetts [Mr. WALSH] to make the motion unless the gentleman from Michigan [Mr. CRAMTON] yielded the floor? The Chair had recognized the gentleman from Michigan, and he was then upon the floor.

Mr. WALSH. A point of no quorum was made.

The SPEAKER. Yes; a point of no quorum was made.

Mr. MONTAGUE. But that was not the motion to adjourn. I am asking about the motion to adjourn.

The SPEAKER. The yeas and nays have been ordered.

Mr. GRAHAM of Pennsylvania. I make the point of order, Mr. Speaker, that the motion to adjourn is not in order when the gentleman from Michigan was on the floor and recognized.

The SPEAKER. The gentleman was taken from the floor by the point of no quorum, and while that was pending the gentleman from Massachusetts [Mr. WALSH] moved to adjourn.

Mr. BANKHEAD. I demanded the regular order, and thereupon the Speaker recognized the gentleman from Michigan.

The SPEAKER. And thereupon the point of no quorum was made. Those who favor the motion to adjourn will answer "aye" when their names are called; those opposed will answer "no." The Clerk will call the roll.

The question was taken; and there were—yeas 98, nays 220, answered "present" 1, not voting 111, as follows:

YEAS—98.

Bacharach	Buchanan	Dale	Garrett
Baer	Burdick	Davis, Minn.	Glynn
Barbour	Campbell, Kans.	Dickinson, Iowa	Graham, Ill.
Begg	Cannon	Drane	Greene, Mass.
Blackmon	Carew	Eagle	Greene, Vt.
Bowers	Crisp	Fordney	Hardy, Colo.
Brinson	Curry, Calif.	Freeman	Hastings
Haugen	Lampert	Parker	Strong, Kans.
Hersey	Langley	Radcliffe	Thompson, Ohio
Hickey	Layton	Raker	Tillman
Hoch	Lehlbach	Ramseyer	Tincher
Howard	Little	Rayburn	Tinkham
Huddleston	McDuffie	Reber	Vinson
Hudspeth	McLaughlin, Nebr.	Rhodes	Walsh
James	Madden	Rodenberg	Walters
Jefferis	Major	Sears	Wheeler
Johnson, S. Dak.	Moore, Ohio	Sims	Williams
Jones, Tex.	Moore, Pa.	Sinclair	Wilson, Ill.
Kearns	Mudd	Small	Wilson, La.
Kendall	Murphy	Smith, Ill.	Wingo
Kiess	Newton, Mo.	Snell	Wood, Ind.
Kincheloe	Nicholls, S. C.	Steagall	Yates
Kleczka	O'Connor	Stephens, Miss.	Young, N. Dak.
Kraus	Ogden	Stephens, Ohio	
LaGuardia	Overstreet	Stevenson	

NAYS—220

Ackerman	Dupré	Lanham	Ramsey
Alexander	Dyer	Lankford	Randall, Wis.
Almon	Eagan	Larsen	Reed, W. Va.
Anderson	Edmonds	Lea, Calif.	Ricketts
Andrews, Md.	Elliott	Lonergan	Robinson, N. C.
Andrews, Nebr.	Ellsworth	Longworth	Robsion, Ky.
Anthony	Elston	Luce	Rogers
Aswell	Emerson	Lufkin	Romjue
Ayres	Esch	Luhring	Rose
Babka	Evans, Mont.	McAndrews	Rowe
Bankhead	Evans, Nebr.	McFadden	Rubey
Bee	Evans, Nev.	McGlennon	Rucker
Bell	Fess	McKeown	Sanders, Ind.
Black	Fields	McLane	Sanders, La.
Bland, Mo.	Fisher	McLaughlin, Mich.	Saunders, Va.
Bland, Va.	Fitzgerald	McPherson	Schall
Blanton	Flood	MacCrate	Sells
Boies	Foster	Magee	Sherwood
Booher	French	Maher	Shreve
Box	Fuller, Ill.	Mann	Siegel
Brand	Gallagher	Mansfield	Sinnott
Briggs	Gallivan	Mapes	Smith, Idaho
Brooks, Pa.	Gandy	Martin	Smithwick
Browning	Gard	Mead	Steenerson
Burke	Garland	Michener	Stiness
Burroughs	Garner	Miller	Strong, Pa.
Byrnes, S. C.	Goldfogle	Minahan, N. J.	Summers, Wash.
Bryns, Tenn.	Good	Mondell	Sumners, Tex.
Campbell, Pa.	Goodwin, Ark.	Montague	Sweet
Candler	Graham, Pa.	Moon	Temple
Caraway	Green, Iowa	Mooney	Thompson, Okla.
Carss	Griest	Moore, Va.	Towner
Carter	Griffin	Moores, Ind.	Treadway
Casey	Hadley	Morgan	Upshaw
Chindblom	Hardy, Tex.	Morin	Vaile
Christopherson	Hawley	Nelson, Mo.	Vare
Clark, Mo.	Hayden	Nelson, Wis.	Venable
Classon	Hays	Newton, Minn.	Vestal
Cleary	Heflin	Nolan	Volstead
Condy	Hernandez	O'Connell	Wason
Cole	Hersman	Oldfield	Watkins
Collier	Hill	Oliver	Watson, Pa.
Connally	Houghton	Osborne	Watson, Va.
Costello	Hulings	Padgett	Weaver
Cramton	Husted	Park	Webster
Cullen	Igoe	Parrish	Welling
Currie, Mich.	Jacoway	Pell	Welty
Dallinger	Johnson, Miss.	Peters	White, Kans.
Darrow	Johnston, N. Y.	Phelan	White, Me.
Davis, Tenn.	Juul	Platt	Winslow
Dewalt	Kelly, Pa.	Porter	Wise
Dickinson, Mo.	Kennedy, R. I.	Pou	Woods, Va.
Dominick	Kinkaid	Quin	Wright
Dowell	Knutson	Rainey, H. T.	Young, Tex.
Dunbar	Kreider	Rainey, J. W.	Zihlman

ANSWERED "PRESENT"—1.

Butler

NOT VOTING—111.

Ashbrook	Focht	Lazaro	Rouse
Barkley	Frear	Lee, Ga.	Rowan
Benham	Fuller, Mass.	Lesher	Sabath
Benson	Ganly	Lever	Sanders, N. Y.
Bland, Ind.	Godwin, N. C.	Linthicum	Sanford
Britten	Goodall	McArthur	Scott
Brooks, Ill.	Goodykoontz	McClintic	Scully
Browne	Gould	McCulloch	Sisson
Brumbaugh	Hamill	McKenzie	Slemp
Caldwell	Hamilton	McKinley	Smith, Mich.
Cantrill	Harrison	McKinley	Smith, N. Y.
Clark, Fla.	Haskell	MacGregor	Snyder
Cooper	Hicks	Mason	Stedman
Copley	Holland	Mays	Steele
Crago	Hull, Iowa	Merritt	Sullivan
Crowther	Hull, Tenn.	Monahan, Wis.	Taylor, Ark.
Davey	Humphreys	Mott	Taylor, Colo.
Dempsey	Hutchinson	Neely	Taylor, Tenn.
Denison	Ireland	Nichols, Mich.	Thomas
Dent	Johnson, Ky.	Olney	Tilson
Donovan	Johnson, Wash.	Paige	Timberlake
Dooling	Jones, Pa.	Purnell	Voigt
Doremus	Kahn	Ragsdale	Ward
Doughton	Kelley, Mich.	Randall, Calif.	Webb
Dunn	Kennedy, Iowa	Reavis	Whaley
Echols	Kettner	Reed, N. Y.	Wilson, Pa.
Fairfield	King	Riddick	Woodyard
Ferris	Kitchin	Riordan	

So the motion to adjourn was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BUTLER with Mr. STEELE.

Mr. SNYDER with Mr. SMITH of New York.

Mr. KAHN with Mr. DENT.
Mr. COOPER with Mr. BARKLEY.
Mr. DENISON with Mr. CLARK of Florida.
Mr. BLAND of Indiana with Mr. BENSON.
Mr. GOULD with Mr. DAVEY.
Mr. HASKELL with Mr. BRUMBAUGH.
Mr. JOHNSON of Washington with Mr. DOUGHTON.
Mr. MCARTHUR with Mr. GANLEY.
Mr. MCKENZIE with Mr. HOLLAND.
Mr. MONAHAN of Wisconsin with Mr. TAYLOR of Arkansas.
Mr. PAIGE with Mr. DONOVAN.
Mr. PLATT with Mr. RAGSDALE.
Mr. REAVIS with Mr. MAYS.
Mr. SANDERS of New York with Mr. RIORDAN.
Mr. SCOTT with Mr. SABATH.
Mr. SANFORD with Mr. TAYLOR of Colorado.
Mr. SMITH of Michigan with Mr. STEDMAN.
Mr. TIMBERLAKE with Mr. THOMAS.
Mr. VOIGT with Mr. WHALEY.
Mr. WARD with Mr. WILSON of Pennsylvania.
Mr. WOODYARD with Mr. LINTHICUM.

The result of the vote was announced as above recorded.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, may I inquire how much time I have used?

The SPEAKER. The gentleman has used 15 minutes. The gentleman from Michigan [Mr. CRAMTON] will proceed.

Mr. CRAMTON. Mr. Speaker, the bill before us is at least ostensibly a bill to incorporate for Near East relief. As such I am sure the bill must be a popular one with Members of Congress, because it purports to be for charity and for charity a long way from home. Hence it will be peculiarly appealing to us. But, gentlemen, the question of charity might very quickly be dismissed from our minds, for the reason that in order to accomplish every charitable purpose that any of these gentlemen desire they could months ago when they started their campaign have secured an incorporation in practically any State in the Union. But the reason they do not choose to do that should be the reason why this Congress will refuse to give them the special Federal charter they seek. Special charters of incorporation have been frowned upon by States and the Federal Government for many years, because of their unpleasant experience of the danger from special acts of incorporation, the danger that very able men, knowing just what they want, frame a bill that may not have the real purpose upon its surface, but may have it concealed in some vague language that would not be noted by the lawmaking body.

I would not presume to venture an opinion as to the constitutionality of this act or venture to attack its constitutionality, coming from the Committee on the Judiciary and having been framed in behalf of an organization that has in its membership so many eminent corporation lawyers as does this bill. But I may at least suggest for your consideration that under the Constitution the Congress of the United States has the power to grant an act of incorporation only for the purposes specified; that is, it is only to assist in carrying into effect powers expressly granted by the Constitution to Congress that there has been inferred the authority to grant a charter of incorporation.

The one most common is a corporation to engage in interstate commerce, which is inferred from the interstate-commerce clause, but it has been expressly stated that the purpose of this corporation is not for industrial purposes or to engage in commerce. This corporation act if sustained at all must be sustained in connection with the power of Congress to govern the District of Columbia. All this bill has to do with the District of Columbia is in section 4, where it provides that the principal office of this corporation shall be in the District. It does not provide that the only office shall be in the District, it does not provide that any single officer or employee shall live in the District, it does not provide that any officer shall actually be in the principal office, it does not provide that the meetings shall be in the District. It is only a subterfuge.

That eminent gentleman, Mr. Roland Carlisle Heisler, connected with the University of Pennsylvania, says in his work on Federal Incorporation, pages 25 and 26:

> But if Congress should abuse this power * * * the remedy would lie in the hands of the Supreme Court. That tribunal will not question the motives of Congress when an act is a clear exercise of an express power, but the purpose or end of the legislation in question will be investigated to determine if it is actually within the express power. The mere fact that Congress declares that the end is within an express power will not prevent the court from questioning this, and if the real purpose is to reach subjects which are beyond the power of Congress the act will be declared unconstitutional.

But, anyway, if it may be sustained as within the letter of the Constitution, it is not within the spirit. There is no reason for incorporating this organization in the District of Columba, no good reason that should appeal to Congress.

Now, in the very brief time that I have, and I am sorry that debate is to be so brief, let me call to your attention some of the provisions of this special charter; and I am willing to confess to the House that I am not a constitutional expert nor am I a corporation lawyer. I can not claim to point out all the real weaknesses inside the bill drawn for a corporation to be made up of gentlemen like Elihu Root and Charles Evans Hughes and other distinguished lawyers.

It is said to be in order to let certain philanthropic gentlemen in this country organize for the benefit of charity to be administered in the Near East—that is, an east that is very far from here. Section 2 states:

> The object for which said incorporation is incorporated shall be to provide relief and to assist in the repatriation, rehabilitation, and reestablishment of suffering—

And so forth.

And then, after that, comes language which has no connection whatever with the Near East, but is as broad as language can make it—these gentleman can administer charity the world over.

Mr. GRAHAM of Pennsylvania. Will the gentleman yield?

Mr. CRAMTON. I will yield to the gentleman, for the gentleman can give me additional time.

Mr. GRAHAM of Pennsylvania. Does not section 2 say the suffering dependents in the Near East?

Mr. CRAMTON. I did not read all that, but I will admit that the first part relates to the Near East, but the other part has no connection whatever with the Near East.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. CRAMTON. I will.

Mr. MOORE of Pennsylvania. Referring to section 2, does it not provide the object——

Mr. CRAMTON. It consists in the repatriation, the rehabilitation, and reestablishment of suffering——

Mr. MOORE of Pennsylvania. And repatriation means——

Mr. CRAMTON. The taking of the Armenians back to Armenia.

Mr. MOORE of Pennsylvania. It is indulging in repatriation in foreign countries.

Mr. CRAMTON. Note how broad this language is. It has no connection with the first part of the paragraph. It says:

> To provide for the care of orphans and widows and to promote the social, economic, and industrial welfare of those who have been rendered destitute, or dependent, directly or indirectly, by the vicissitudes of war, the cruelties of men, or other causes beyond their control.

There is no limitation to the Near East. Every man or woman or child who has been rendered helpless from "causes beyond their control" is within the ken of the charity of Mr. Root and Mr. Hughes and these other distinguished philanthropists. Furthermore, we form this organization of distinguished gentlemen, and it becomes perpetual, self-continuing. Vacancies are filled by appointment by the trustees. We may be interested in charity in the Near East, we may be interested in charity the world over, as section 2 provides——

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. CRAMTON. I will ask the gentleman from Pennsylvania to yield me five minutes more.

Mr. GRAHAM of Pennsylvania. I yield the gentleman five minutes.

Mr. CRAMTON. We should be interested in determining whether some gentlemen are securing here a charter that even if they execute properly in years to come may grow to be a gigantic corporation, with millions of wealth in its hands, which might be used for sinister purposes in this country. We have refused this privilege to Carnegie and to Rockefeller, and why should we give it to any men in such broad and unguarded language? Let me call your attention further to the provisions of the bill. Let us take the matter of the annual report, which, apparently, might not be important. Section 8 authorizes them to file their report with Congress, and I am advised by the best authorities about this House that this carries with it the privilege of having the report printed by the Government, and then it goes under the franking privilege. Section 10 provides—

> That all members and officers of the corporation and of its governing body may reside in or be citizens of any place within the United States.

They do not have to be residents of the United States. These gentlemen do not have to be citizens of the United States. These gentlemen may, any or all, in the time to come in the future be citizens of any foreign country, but the Congress of the United States will have given to them a Federal charter under which they may engage upon such visionary schemes as section 2 provides for.

I appeal to this House not to be carried away by their natural feelings of sympathy for charity, their natural desire to promote it; but, instead, they should look at this as a hard business propo-

sition, realizing that these men can get a charter anywhere, but that for some reason known to themselves they desire to come to Congress and get a special act.

It will be noticed that there is no Armenian on this list of directors. And could it be possible that some organization might be formed of distinguished men, philanthropists though they may be, but who are also incidentally corporation lawyers and great corporation leaders, captains of industry, seeking commercial advantages in the Far East or in the Near East, and giving out in connection with the Federal incorporation an idea to the people of that section of the world that they represent in some way the Government of the United States, who in the bestowal of their relief might acquire for themselves a standing and a prestige that would result in some way to their own pecuniary advantage or the advantage of their corporation, the securing of concessions? I thank the gentleman for his extension of time, and yield back the remainder of my time. [Applause.]

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I yield 10 minutes to the gentleman from Virginia [Mr. MONTAGUE].

Mr. MONTAGUE. Mr. Speaker, the gentleman from Michigan [Mr. CRAMTON] has asked this House not to be carried away by appeals to sympathy and charity. I retort by asking that the gentlemen of the House be not carried away by appeals inciting prejudice to the individual incorporators of this institution. I think it is obvious that some of the opposition to this bill, and I am not attributing it to the gentleman from Michigan, is based upon unconscious dislike of some of the incorporators of this charter. I submit to the House that this is a very narrow view and one in no way pertinent in determining our vote.

The gentleman says that this is a perpetual charter. On the face of the bill it is limited to 25 years. And in the character of the enterprise it can hardly last more than a few years, for the charity, by the very nature of its undertaking, must end in a brief period. The gentleman says it is not charitable, because no charter has been heretofore applied for from any of the States. I submit that this is a non sequitur. The reason for this charter is very simple. Conditions and not theories, to use an old expression, now confront us. We are dealing with a temperament of the peoples of that eastern country, and not only temperaments, but their lack of knowledge of the affairs of this country. To go before these people in administering this great charity with a charter from New York, Pennsylvania, or Ohio would convey little significance or impression, but if it has the sanction of the Congress of the United States such a charter at once facilitates their negotiations, both in governmental and business relations. If its agents go to a bank or to a government official in relation to this charity, and do not have a national charter, they would have to have in all probability additional and elaborate credentials, and with the eastern mind full of doubts and misgivings, in the absence of such supporting documents, the whole business negotiations might be delayed or nullified.

Therefore the charter is simply to better administer this charity. And it is charity, gentlemen. I make no disguise about it. It would never have enlisted my support for an instant if it were not a charity, a clean charity in origin and purpose and object. [Applause.]

Mr. BEGG. Will the gentleman yield for a question?

Mr. MONTAGUE. I will.

Mr. BEGG. On page 2, line 18, would the gentleman be willing to incorporate the word "charity," following the word "provide," and cut out, beginning after the word "widows," all down to the word "welfare"?

Mr. MONTAGUE. I personally would be willing to accept any amendment that would confine it beyond question to charity.

Mr. BEGG. Then, do I understand we will have an opportunity to introduce amendments?

Mr. MONTAGUE. But the status of this bill is such that if you delay the bill now and do not take the Senate bill you need not act at all. Time is now a vital thing.

Mr. BEGG. Will the gentleman yield for one further question? Will that delay it by introducing amendments?

Mr. MONTAGUE. I think so, because the bill would have to go back to the Senate, and unless this bill can be passed within the next 24 hours I understand it is of no need.

Mr. BEGG. Is the gentleman asking this Congress to swallow it whole, without any opportunity of debate or discussion or of safeguarding it in any way? Does the gentleman think that is the thing to do?

Mr. MONTAGUE. I am not asking Congress to do any such thing, and the gentleman ought to be quite well aware that I am not doing it.

Mr. BEGG. Well——

Mr. MONTAGUE. Let me answer the gentleman. I am asking the Congress to take a bill that has been reported by two committees of this House at the last session, namely, the Committee on the District of Columbia and the Committee on the Judiciary.

Mr. BEGG. But there is no opportunity——

Mr. MONTAGUE. Wait a minute. The same bill is again reported by the Committee on the Judiciary of this House, and this same bill has been reported unanimously by the Committee on the Judiciary of the Senate and passed unanimously by the Senate. Am I trying to ram a bill down anybody's throat that comes to this House with such an imprimatur and such considered action? [Applause.]

Mr. BEGG. Will the gentleman permit one more question?

Mr. MONTAGUE. I will.

Mr. BEGG. The gentleman appreciates there are about 60 of us here who never heard that debate and have had no opportunity of hearing anything of this debate, only by the advocates of this bill.

Mr. MONTAGUE. I appreciate that.

Mr. BEGG. We appreciate it, too.

Mr. MONTAGUE. And I am very sorry to see gentlemen in that attitude; but if the circumstances are such as to limit their knowledge upon this question, it is no reason that this charity should be withheld from millions of starving and suffering people. [Applause.]

Mr. CRAMTON. Will the gentleman yield for a brief question?

Mr. MONTAGUE. I will.

Mr. CRAMTON. I would like to ask the gentleman the reason why this bill, which has been pending now for a year or two, must pass within 24 hours or be of no use?

Mr. MONTAGUE. Because the gentlemen are to sail.

Mr. CRAMTON. I beg the gentleman's pardon, I did not understand him.

Mr. MONTAGUE. I say the gentlemen who are to take this charter abroad are to sail in the next day or two, and they wish to carry the charter.

Mr. CRAMTON. Sail on an act of Congress?

Mr. MONTAGUE. Oh, no; but they wish to have the Congress facilitate them, otherwise they will be deprived of a great advantage.

Mr. CRAMTON. Could they not have gotten a State charter six months ago in many of the States?

Mr. MONTAGUE. I am opposed, as a general proposition, to national incorporations. There is not a man in this House who is more opposed than I am to cluttering up the proceedings of this Congress with national incorporations, but I am not so narrow that I can not see exceptions to the general rule. I submit that in the history of this world there never has been among the same number of people so much misery, so much suffering, so much sorrow, and so much starvation as there has been in Syria, Armenia, and contiguous territory. Why, the gentleman from Pennsylvania [Mr. MOORE] spoke of repatriation as if that should exclude consideration of this bill. What is meant by repatriation? Simply to bring these widows and children back to their own homes from the contiguous and other territory into which they have been so ruthlessly driven. Repatriation is not sinister; it is holy.

Mr. BLACKMON. Will the gentleman yield?

Mr. MONTAGUE. I yield to the gentleman from Alabama.

Mr. BLACKMON. Does not my friend think that charity should begin at home, and that before granting these Federal corporations in a foreign sense we should look after the immense suffering in this country?

Mr. MONTAGUE. I will say to the gentleman that I do believe in charity beginning at home, but if the gentleman's argument is right he would blot out every foreign missionary society in the world. Two lights will not put out each other. The more light for these suffering people the more for home and for mankind. [Applause.]

Mr. FOSTER. Will the gentleman yield?

Mr. MONTAGUE. I will.

Mr. FOSTER. I am one of these freshmen. I would like to know why this charity can not be exercised under the American Red Cross, that I thought had an international reputation?

Mr. MONTAGUE. There is no advocate of this incorporation more sympathetic than the American Red Cross.

Mr. FOSTER. That does not answer my question. Why should we incorporate this rather than to put it through the Red Cross?

Mr. MONTAGUE. It now has more than it can do, and it favors this incorporation.

Mr. GRAHAM of Pennsylvania. I will answer the gentleman from Ohio. The reason is this: That the Red Cross has no agencies through that territory, and the Red Cross has given its money to this agency to distribute in that area.

Mr. FOSTER. This is the only case that did not come to the Red Cross, as I happen to know as an official of it, in the last two years.

Mr. GRAHAM of Pennsylvania. You are not well informed.

Mr. FOSTER. I think I am better informed on that proposition than the gentleman thinks I am.

Mr. MADDEN. Mr. Speaker, I make the point of no quorum.

Mr. MONTAGUE. Let me answer this question before you make it.

Mr. DEWALT. Let me repeat——

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] makes the point that no quorum is present. It is clear that no quorum is present.

Mr. GRAHAM of Pennsylvania. I move a call of the House.

Mr. CLARK of Missouri. Mr. Speaker, had the Speaker announced that there was no quorum present?

The SPEAKER. The Speaker had so announced. The vote is on the call of the House.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. MADDEN. Division, Mr. Speaker.

The House divided; and there were—ayes 69, noes 26.

So the motion was agreed to.

The SPEAKER. A call of the House is ordered. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Anthony	Evans, Mont.	Langley	Rouse
Ashbrook	Fairfield	Lazaro	Rowan
Baer	Ferris	Lee, Ga.	Rowe
Barkley	Focht	Lesher	Rucker
Benson	Fuller, Mass.	Lever	Sabath
Bland, Ind.	Ganly	Linthicum	Sanders, N. Y.
Booher	Godwin, N. C.	Luhring	Sanford
Britten	Goodall	McArthur	Scully
Browne	Goodykoontz	McClintic	Sells
Brumbaugh	Gould	McCulloch	Sims
Burdick	Hamill	McKinley	Sisson
Burroughs	Hamilton	McKinley	Slemp
Byrnes, S. C.	Harrison	Mason	Small
Caldwell	Haskell	Merritt	Smith, N. Y.
Cantrill	Hernandez	Monahan, Wis.	Snyder
Clark, Fla.	Hicks	Neely	Steele
Classon	Holland	Nicholls, S. C.	Stephens, Miss.
Copley	Hull, Iowa	Nolan	Sullivan
Costello	Hull, Tenn.	O'Connor	Taylor, Ark.
Davis, Minn.	Hutchinson	Oldfield	Taylor, Colo.
Dempsey	Ireland	Olney	Thompson, Okla.
Denison	Johnson, Ky.	Padgett	Tilson
Dent	Johnson, Miss.	Paige	Ward
Dickinson, Mo.	Johnson, Wash.	Parker	Webb
Donovan	Jones, Pa.	Purnell	Whaley
Dooling	Jones, Tex.	Rainey, H. T.	White, Me.
Doremus	Kelley, Mich.	Randall, Calif.	Wilson, Pa.
Doughton	Kelly, Pa.	Reavis	Wise
Dyer	Kendall	Reed, N. Y.	Woodyard
Echols	Kennedy, Iowa	Riddick	Wright
Edmonds	Kettner	Riordan	
Ellsworth	King	Rodenberg	

The SPEAKER. Three hundred and two gentlemen have answered to their names.

Mr. MONDELL. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The motion was agreed to.

ADJOURNMENT.

Mr. JOHNSON of South Dakota. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from South Dakota moves that the House do now adjourn. The question is on agreeing to that motion.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. GRAHAM of Pennsylvania. A division, Mr. Speaker.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 105, noes 88.

Mr. SAUNDERS of Virginia. Yeas and nays, Mr. Speaker.

Mr. GRAHAM of Pennsylvania. I ask for the yeas and nays.

The SPEAKER. The gentleman from Pennsylvania asks for the yeas and nays. Those in favor of taking the vote by the yeas and nays will rise and stand until they are counted. [After counting.] Forty-six gentlemen—a sufficient number—have risen.

The yeas and nays were ordered.

The SPEAKER. Those in favor of the motion to adjourn will, when their names are called, answer "aye"; those opposed will answer "no." The Clerk will call the roll.

The question was taken; and there were—yeas 147, nays 138, answered "present" 1, not voting 144, as follows:

YEAS—147.

Anderson	Bacharach	Barkley	Blackmon
Aswell	Baer	Begg	Bowers
Babka	Barbour	Bell	Brinson
Brooks, Ill.	Glynn	McKenzie	Shreve
Buchanan	Graham, Ill.	McKeown	Sinclair
Byrnes, S. C.	Greene, Mass.	McLaughlin, Mich.	Smith, Ill.
Byrns, Tenn.	Greene, Vt.	McLaughlin, Nebr.	Smithwick
Campbell, Kans.	Hardy, Colo.	Major	Snell
Cannon	Hastings	Martin	Steagall
Caraway	Hawley	Mays	Stedman
Carew	Hays	Mead	Strong, Kans.
Carter	Hernandez	Michener	Sumners, Tex.
Chindblom	Hersey	Moon	Sweet
Christopherson	Hoch	Mooney	Taylor, Colo.
Clark, Mo.	Houghton	Moore, Ohio	Taylor, Tenn.
Cleary	Howard	Moore, Pa.	Thomas
Cole	Huddleston	Mudd	Tillman
Crago	James	Murphy	Tincher
Cramton	Jefferis	Nelson, Mo.	Treadway
Crisp	Johnson, S. Dak.	Newton, Mo.	Venable
Currie, Mich.	Juul	Nicholls, S. C.	Voigt
Curry, Calif.	Kearns	Ogden	Walsh
Dale	Kendall	Overstreet	Walters
Davis, Tenn.	Kincheloe	Porter	Wason
Denison	Kleczka	Quin	Watkins
Dickinson, Iowa	Kraus	Radcliffe	Welling
Dominick	LaGuardia	Raker	Welty
Dowell	Lampert	Rayburn	Wheeler
Dunbar	Langley	Reber	White, Kans.
Elliott	Larsen	Rhodes	Williams
Evans, Nebr.	Layton	Ricketts	Wilson, La.
Foster	Lea, Calif.	Robsion, Ky.	Wilson, Pa.
Freeman	Lehlbach	Rodenberg	Wingo
Fuller, Ill.	Little	Sanders, Ind.	Wood, Ind.
Gandy	Lonergan	Sanders, N. Y.	Young, N. Dak.
Garner	McAndrews	Sears	Young, Tex.
Garrett	McDuffie	Sherwood	

NAYS—138.

Ackerman	Elston	Knutson	Rainey, J. W.
Alexander	Emerson	Kreider	Ramsey
Almon	Fess	Lanham	Randall, Wis.
Andrews, Md.	Fields	Lankford	Reed, W. Va.
Andrews, Nebr.	Fisher	Luce	Robinson, N. C.
Ayres	Fitzgerald	McGlennon	Rogers
Bankhead	Flood	McLane	Romjue
Bee	Fordney	McPherson	Rose
Benham	French	MacCrate	Rubey
Black	Gallivan	MacGregor	Sanders, La.
Bland, Mo.	Gard	Magee	Saunders, Va.
Bland, Va.	Goldfogle	Maher	Scott
Boies	Good	Mann	Siegel
Box	Goodwin, Ark.	Mansfield	Smith, Mich.
Brand	Gould	Mapes	Steenerson
Briggs	Graham, Pa.	Miller	Stevenson
Browning	Green, Iowa	Minahan, N. J.	Stiness
Burke	Griffin	Mondell	Strong, Pa.
Campbell, Pa.	Hadley	Montague	Temple
Casey	Hardy, Tex.	Moore, Va.	Timberlake
Classon	Hayden	Moores, Ind.	Tinkham
Coady	Hersman	Morgan	Towner
Collier	Hickey	Morin	Upshaw
Connally	Hill	Nelson, Wis.	Vaile
Cooper	Hudspeth	Nichols, Mich.	Vestal
Crowther	Hulings	O'Connell	Volstead
Cullen	Humphreys	Oliver	Watson, Pa.
Dallinger	Husted	Osborne	Watson, Va.
Darrow	Igoe	Park	Weaver
Davey	Jacoway	Parrish	Webster
Dewalt	Johnston, N. Y.	Pell	Winslow
Drane	Kahn	Peters	Woods, Va.
Dunn	Kiess	Phelan	Wright
Dupré	Kinkaid	Platt	
Eagan	Kitchin	Ragsdale	

ANSWERED "PRESENT"—1.

Schall

NOT VOTING—144.

Anthony	Fairfield	Lee, Ga.	Rouse
Ashbrook	Ferris	Lesher	Rowan
Benson	Focht	Lever	Rowe
Bland, Ind.	Frear	Linthicum	Rucker
Blanton	Fuller, Mass.	Longworth	Sabath
Booher	Gallagher	Lufkin	Sanford
Britten	Ganly	Luhring	Scully
Brooks, Pa.	Garland	McArthur	Sells
Browne	Godwin, N. C.	McClintic	Sims
Brumbaugh	Goodall	McCulloch	Sinnott
Burdick	Goodykoontz	McFadden	Sisson
Burroughs	Griest	McKinley	Slemp
Butler	Hamill	McKinley	Small
Caldwell	Hamilton	Madden	Smith, Idaho
Candler	Harrison	Mason	Smith, N. Y.
Cantrill	Haskell	Merritt	Snyder
Carss	Haugen	Monahan, Wis.	Steele
Clark, Fla.	Heflin	Mott	Stephens, Miss.
Copley	Hicks	Neely	Stephens, Ohio
Costello	Holland	Newton, Minn.	Sullivan
Davis, Minn.	Hull, Iowa	Nolan	Summers, Wash.
Dempsey	Hull, Tenn.	O'Connor	Taylor, Ark.
Dent	Hutchinson	Oldfield	Thompson, Ohio
Dickinson, Mo.	Ireland	Olney	Thompson, Okla.
Donovan	Johnson, Ky.	Padgett	Tilson
Dooling	Johnson, Miss.	Paige	Vare
Doremus	Johnson, Wash.	Parker	Vinson
Doughton	Jones, Pa.	Pou	Ward
Dyer	Jones, Tex.	Purnell	Webb
Eagle	Kelley, Mich.	Rainey, H. T.	Whaley
Echols	Kelly, Pa.	Ramseyer	White, Me.
Edmonds	Kennedy, Iowa	Randall, Calif.	Wilson, Ill.
Ellsworth	Kennedy, R. I.	Reavis	Wise
Esch	Kettner	Reed, N. Y.	Woodyard
Evans, Mont.	King	Riddick	Yates
Evans, Nev.	Lazaro	Riordan	Zihlman

So the motion to adjourn was agreed to.

Before the announcement of the vote,

Mr. WATKINS. Mr. Speaker, in view of the unsettled condition of affairs in the city, and the anxiety of some Members to be at home with their families, I change my vote from "nay" to "yea."

The SPEAKER. The gentleman must not debate it.

Mr. BLANTON. Mr. Speaker, I desire to be recorded "present."

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. BLANTON. I was not in the Hall, but I should like to be recorded "present" under the precedent in the last Congress.

The SPEAKER. The Chair has no authority to do that.

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman can not make a parliamentary inquiry during a roll call.

Mr. BLANTON. May I make a point of order?

The SPEAKER. No; not during a roll call.

The result of the vote was announced as above recorded.

Accordingly (at 5 o'clock and 40 minutes p. m.) the House adjourned until Wednesday, July 23, 1919, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. JOHNSON of Washington, from the Committee on Immigration and Naturalization, to which was referred the bill (H. R. 6750) to deport certain undersirable aliens and to deny readmission to those deported, reported the same with amendment, accompanied by a report (No. 143), which said bill and report were referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MEAD: A bill (H. R. 7703) to amend section 4438 of the Revised Statutes of the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. HILL: A bill (H. R. 7704) to control by license the possession and sale of firearms and other dangerous weapons in the District of Columbia and for other purposes; to the Committee on the District of Columbia.

By Mr. GREEN of Iowa: A bill (H. R. 7705) to amend section 339 of the tariff act of October 3, 1913, in respect to the tariff on buttons of shell and pearl; to the Committee on Ways and Means.

By Mr. JACOWAY: A bill (H. R. 7706) to extend the time for the construction of the Broadway Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 7707) to extend the time for the construction of the Main Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.; to the Committee on Interstate and Foreign Commerce.

By Mr. LEHLBACH: A bill (H. R. 7708) providing for the purchase or condemnation of a site for a target range at or near Great Piece Meadows, in the State of New Jersey; to the Committee on Military Affairs.

By Mr. GRIGSBY: A bill (H. R. 7709) to authorize the incorporated town of Petersburg, Alaska, to issue bonds in any sum not exceeding $75,000 for the purpose of constructing and installing a municipal electric light and power plant and for the construction of a public-school building; to the Committee on the Territories.

By Mr. HASTINGS: A bill (H. R. 7710) to provide homes for soldiers, sailors, and marines, and for other purposes; to the Committee on the Public Lands.

By Mr. CLARK of Florida: Resolution (H. Res. 188) for appointment of a special committee to investigate reign of crime in the District of Columbia; to the Committee on Rules.

By Mr. HASTINGS: Resolution (H. Res. 189) to request the Committee on Expenditures in the Interior Department to investigate certain claims in connection with the Five Civilized Tribes of Oklahoma filed since July 1, 1918; to the Committee on Expenditures in the Interior Department.

By Mr. LaGUARDIA: Resolution (H. Res. 190) directing the Secretary of War to furnish the House of Representatives certain information; to the Committee on Military Affairs.

By Mr. MEAD: Resolution (H. Res. 191) requesting information from the Director General of Railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. EMERSON: Joint resolution (H. J. Res. 155) to authorize the President to use the military forces to preserve order in Washington; to the Committee on the District of Columbia.

By Mr. CLARK of Florida: Joint resolution (H. J. Res. 156) providing for a survey for a ship canal across the State of Florida, connecting the Atlantic Ocean with the Gulf of Mexico; to the Committee on Railways and Canals.

By Mr. VAILE: Concurrent resolution (H. Con. Res. 22) requesting the President to declare a state of martial law in the District of Columbia; to the Committee on the District of Columbia.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARKLEY: A bill (H. R. 7711) granting a pension to Christie Jones and Goldfish Jones; to the Committee on Pensions.

By Mr. BENSON: A bill (H. R. 7712) granting a pension to Henrietta W. Carlisle; to the Committee on Invalid Pensions.

By Mr. CANTRILL: A bill (H. R. 7713) granting a pension to Arabella G. Walker; to the Committee on Pensions.

By Mr. DENISON: A bill (H. R. 7714) for the relief of Logan Collins; to the Committee on Military Affairs.

By Mr. EAGLE: A bill (H. R. 7715) granting an increase of pension to Nathan Lang; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 7716) granting an increase of pension to Mary A. Slack; to the Committee on Invalid Pensions.

By Mr. HARDY of Colorado: A bill (H. R. 7717) granting an increase of pension to John Weed; to the Committee on Invalid Pensions.

By Mr. HASTINGS: A bill (H. R. 7718) for the relief of Ella Lillard; to the Committee on Claims.

By Mr. KEARNS: A bill (H. R. 7719) granting an increase of pension to James C. Boyd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7720) granting a pension to Mary Boner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7721) granting an increase of pension to John C. Rhinehart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7722) granting an increase of pension to Samuel M. Skelton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7723) granting a pension to Rowena Fisher; to the Committee on Pensions.

By Mr. KENDALL: A bill (H. R. 7724) granting an increase of pension to Peter Shoemaker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7725) granting a pension to Matilda Wilson; to the Committee on Pensions.

By Mr. KRAUS: A bill (H. R. 7726) granting an increase of pension to Harrison Welch; to the Committee on Invalid Pensions.

By Mr. McKEOWN: A bill (H. R. 7727) for the relief of H. P. Warfield; to the Committee on Claims.

By Mr. MAPES: A bill (H. R. 7728) granting a pension to Charles W. Streeter; to the Committee on Pensions.

By Mr. PLATT: A bill (H. R. 7729) for the relief of Charles D. Shay; to the Committee on Claims.

By Mr. REED of West Virginia: A bill (H. R. 7730) granting a pension to William Constable; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7731) granting a pension to Martin K. Wright; to the Committee on Pensions.

By Mr. SMALL: A bill (H. R. 7732) granting a pension to Joseph R. Owens; to the Committee on Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 7733) for the relief of Jabez Lumbert; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 7734) granting a pension to Diantha Barnes; to the Committee on Invalid Pensions.

By Mr. WELTY: A bill (H. R. 7735) granting an increase of pension to Robert H. Calkins; to the Committee on Invalid Pensions.

By Mr. WHITE of Kansas: A bill (H. R. 7736) granting a pension to Elizabeth Freeman; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DEWALT: Petition of sundry citizens of Reading and Berks County, Pa., urging the Government to retain operation and ownership of railroads and public utilities; to the Committee on Interstate and Foreign Commerce.

By Mr. ELSTON: Petition of board of supervisors of Alameda County, Calif., favoring the establishment of a United States naval academy on the Pacific coast; to the Committee on Naval Affairs.

By Mr. FULLER of Illinois: Petition of William Hoesfoll Post, No. 90, Department of New York, Grand Army of the Republic, favoring bill to increase pensions of all Civil War soldiers to $50 per month; to the Committee on Invalid Pensions.

By Mr. GALLAGHER: Petition of Polish Alma Mater, Chicago, Ill., and the Polish Publishing Co., Chicago, Ill., opposing Senate bill 2099; to the Committee on the Judiciary.

By Mr. HUDDLESTON: Petition of Arthur C. Davis and many other former soldiers, of Mobile, Ala., for an increase in bonus to soldiers and sailors; to the Committee on Appropriations.

By Mr. KREIDER: Petition of citizens of Carlisle, Pa., to repeal the tax on sodas, etc.; to the Committee on Ways and Means.

By Mr. LINTHICUM: Petition of Fox's Meat Market, George R. Plater & Co., and the American Credit & Collection Co., of Baltimore, and E. G. Wheeler & Son, of Glyndon, all in the State of Maryland, opposing the passage of Senate bill 2202, known as the Kenyon bill; to the Committee on Agriculture.

Also, petition of James F. McDonald, C. Augustus Bauer, Benjamin F. Sillers, Harry D. Delcher, Walter M. Gees, all of the Journeymen Bookbinders' Union, Washington, D. C., and Arthur Scofield, William W. Wallace, Sylvester F. Carman, John B. Ranch, Montford L. Ellis, Harry B. Rohrbaugh, Frank B. Helm, William H. Hagner, all of the Printing Pressmen's Union, Washington, D. C., urging support of House bill 5418; to the Committee on Printing.

Also, petition of one citizen of Maryland, urging support of Mason resolution providing for appropriation for a diplomatic representative to Ireland; to the Committee on Foreign Affairs.

Also, petition of A. J. Pattie, Baltimore, Md., protesting against wording of prohibition bills regarding flavoring extracts; to the Committee on the Judiciary.

By Mr. LONERGAN: Petition of Common Council of the city of Bridgeport, Conn., for the recognition of the Irish republic; to the Committee on Foreign Affairs.

By Mr. McARTHUR: Petition of sundry citizens of Oregon, protesting against tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. MAHER: Petition of New York Commandery of the Military Order of the Loyal Legion of the United States, asking that the flagship *Hartford* be associated always with the achievements of the Nation's great admiral, Farragut; to the Committee on Naval Affairs.

By Mr. MERRITT: Petition of sundry citizens of Bridgeport, Conn., protesting against the passage of Senate bill 2202; to the Committee on Agriculture.

By Mr. MOON: Papers to accompany House bill 7686, claim of Eli Pettijohn; to the Committee on Claims.

By Mr. MOORES of Indiana: Petition of Ed. H. Beeswick and 99 other other residents of Indianapolis, Ind., praying for the repeal of the war tax on candy, ice cream, and soda fountain foods and drinks; to the Committee on Ways and Means.

By Mr. O'CONNELL: Petition of B. T. Bush, of New York, against the Kenyon bill (S. 2202); to the Committee on Agriculture.

By Mr. RAKER: Petition of the International Federation of Draftsmen's Union, San Francisco, Calif., indorsing a suitable civil-service retirement law; also a statement of principles as advanced by the National Council of American Patriots, Boston, Mass.; to the Committee on Reform in the Civil Service.

Also, petition of American Federation of Labor in opposition to mob rule and lynching; National Federation of Federal Employees protesting against Representative Good's amendment to the Nolan minimum-wage bill for Government employees; Milk Producers' Association, Modesto, Calif., and California Associated Raisin Co., indorsing Senator Capper's amendment to the antitrust law; and the Visalia Commercial Club, Visalia, Calif., requesting the rescinding of the luxury tax; to the Committee on Ways and Means.

By Mr. ROWAN: Petition of B. T. Bush, of New York, opposing the Kenyon bill (S. 2202); to the Committee on Agriculture.

By Mr. SANDERS of New York: Petition of Rochester Branch, No. 210, National Association of Letter Carriers, and Local 215, National Federation of Post Office Clerks, asking immediate increase in salary effective July 1, 1919, of at least 50 per cent over and above present temporary wage scale, to continue in effect until report of the committee on the readjustment of salaries of post-office employees is received; to the Committee on the Post Office and Post Roads.

SENATE.

WEDNESDAY, *July 23, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee as representatives of this great Nation pledged to justice and peace. We deplore the expression of bitterness and hate that has disgraced the streets of our National Capital in the last few days. We thank Thee that this is the exhibition of but the smallest fraction of the great multitude of Thy people in this country of ours, who love justice and right. We pray that Thou wilt strengthen the arm of the law, that Thou wilt give the hand of justice to those who deal with lawbreakers, that Thou wilt guide and protect those who defend the rights and liberties of the people. Do Thou bring out of these expressions that arise a deeper sense of our dependence upon God and of our league with Thee for the establishment of peace in all the earth. We ask it for Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

FOREST FIRES IN IDAHO.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of the Interior, which will be read.

The communication was read and referred to the Committee on Appropriations, as follows:

THE SECRETARY OF THE INTERIOR,
Washington, July 22, 1919.

DEAR MR. PRESIDENT: Forest fires of unusual intensity and extent prevail in Idaho. Some of these are on the unreserved public lands, while some are on forest reserves and some on private lands. I have authorized Mr. Tallman, the Commissioner of Public Lands, to draw upon the moneys appropriated for the field service in the Land Office for funds with which to fight these fires. This is a matter of the gravest emergency, and already we have specifically alloted $40,000 for this work; but this will be quite insufficient. It seems to me a matter of such vital importance that I take the liberty of suggesting that a joint resolution should be passed through both Houses authorizing an expenditure up to the amount of $500,000, which should contain an authorization for the reimbursement of the field-service fund, which was not intended by Congress for any such purpose except perhaps in some very minor amount. The latest word from our agents in Idaho is that all that can be done is to keep the fires from spreading over a much wider territory and that they can not be extinguished save by a heavy rain, of which there is no immediate prospect.

Cordially, yours, FRANKLIN K. LANE.

The PRESIDENT OF THE SENATE.

ISSUANCE OF RAILROAD PASSES (S. DOC. NO. 57).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Director General of Railroads, transmitting, in response to a resolution of the 8th instant, information relative to the issuance of annual all-line railroad sleeping-car, parlor-car, and dining-car passes issued during the period of Federal control, which will be printed and referred to the Committee on Interstate Commerce.

Mr. NEWBERRY. The communication just laid before the Senate by the Chair is in response to a resolution offered by myself, and I ask that it be printed in the RECORD.

The communication is as follows:

UNITED STATES RAILROAD ADMINISTRATION,
Washington, July 22, 1919.

The PRESIDENT OF THE SENATE,
Washington, D. C.

DEAR SIR: With regard to the resolution adopted by the Senate on July 8, calling upon the Director General of Railroads to report certain facts in connection with annual all-line railroad sleeping-car, parlor-car, and dining-car passes issued during the period of Federal control, preparation of facts desired was begun immediately upon receipt of the resolution. In view of the detailed nature of the information requested, the facts can not be presented immediately, but pending a complete report, I thought I should submit to the Senate the facts along general lines.

No passes are issued for free dining-car service.

In issuing passes good on railroads under Federal operation and good for sleeping-car and parlor-car accommodations, the Railroad Administration has been guided by the established practices which had been adopted under private control in conformity with the provisions adopted by Congress in the interstate commerce act and in amendments thereto, governing the matter of free passes.

Under private control, it was the general practice for the principal railroad officers to have annual passes on their own railroads and in addition to obtain exchange passes from practically all other railroads in the country, so far as they might be applied for. The result was that each of these general railroad officers had a large number of annual passes covering most of the important mileage in the country. In addition the chief managing officers very frequently had annual Pullman passes good on all Pullman lines in the United States. The officers who had annual passes for themselves on the railroads generally also had annual railroad and Pullman passes for the dependent members of their families, or could and did obtain trip passes as a matter of course upon request.

The general policy of the Railroad Administration was to take these established practices as its standard and on that basis to give passes good on all lines only on account of representatives of the central administration and on account of such railroad officers as had customarily had available to them annual passes good on practically all mileage under Federal control.

Annual passes good over all lines have been issued broadly to the following classes of persons:

Officials of the central administration which, of course, has jurisdiction over all lines.

The seven regional directors and the principal members of their staffs.

The Federal managers of the various railroads and other officials who under private control had at their disposal passes on any line desired, such officers under private control having, generally speaking, held exchange passes over practically all railroads in the United States, or over all such railroads might be included in their request for passes.

The chief executives of the railroad corporations (including the chief officers of the Association of Railroad Executives and the secretary of the American Railroad Association), such chief executives having had under private control passes over all railroads, or over such railroads as they might include in their requests therefor.

Dependent members of the families of the foregoing persons.

The chief officers of the American Short Line Association, Western Railroad Association, Railway Accounting Officers' Association, Association of Transportation and Car Accounting Officers, and Association of Western Railroads.

Nearly 98 per cent of the all-line passes issued by the Railroad Administration are restricted so as not to be good on certain specified limited trains.

Pullman passes good on all lines have been issued, broadly, to many members of the same classes mentioned above.

All-line railroad passes have been issued by the Railroad Administration to 4,114 persons during the period of Federal control, of which 119 have been canceled in the regular order of business, leaving 3,995 outstanding on July 1, 1919; all-line Pullman passes have been issued to 2,418 persons by the Railroad Administration during Federal control, of which 515 have been canceled, leaving 1,903 outstanding on July 1, 1919. All of these passes have been issued in accordance with the foregoing standards.

Sincerely, yours,

WALKER D. HINES,
Director General of Railroads.

GENERAL STAFF CORPS—MEDALS OF HONOR (S. DOC. NO. 58).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War transmitting, in response to a resolution of the 14th instant, copies of all reports, memoranda, etc., on file or of record in Washington, D. C., under the control of the War Department and relate to the interpretation and execution of the provisions of section 5 and of section 122 of the national-defense act, approved June 3, 1916, which, with the accompanying papers, was referred to the Committee on Military Affairs and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. MOSES presented a petition of Mechanic Lodge, No. 23, International Order of Good Templars, of East Weare, N. H., praying for the enactment of legislation providing for the enforcement of war-time and national prohibition, which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Milan, Madbury, Hollis, Chichester, Strafford, and New Durham, all in the State of New Hampshire, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. SPENCER. I present two telegrams, one from the Grand Lodge, Knights of Pythias, of Missouri, and the other from the St. Louis Branch, National Association for the Advancement of Colored People, in regard to the mob riots in this city. I ask that they be printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

ST. LOUIS, MO., *July 22, 1919.*

Hon. SELDEN P. SPENCER,
United States Senate, Washington, D. C.:

The Grand Lodge, Knights of Pythias, of Missouri, in convention assembled, representing 15,000 members, citizens from all parts of Missouri, protests against the shameful and lawless actions by mobs of civilians and soldiers, disgracing the Capital of the Nation by the slaughter of negro citizens. We urge you as a representative of the people of Missouri, in the name of humanity, justice, freedom, and security, to invoke the power of the Government to stop this lawlessness and establish and maintain the rule and supremacy of law.

A. W. LLOYD, *Grand Chancellor.*

—

ST. LOUIS, MO., *July 23, 1919.*

Hon. SELDEN P. SPENCER,
United States Senate, Washington, D. C.:

The St. Louis Branch, National Association for the Advancement of Colored People, is horrified at the shameful actions of the mobs of civilians and soldiers which are disgracing the Nation by the wanton slaughter of negro citizens. We urge you to use every effort to have the Government put an end to this mob murder and to establish law and order.

GEO. L. VAUGHN,
Chairman Executive Committee.

Mr. LENROOT presented a petition of sundry citizens of Wauwatosa, Wis., praying for the enactment of legislation providing for the enforcement of war-time and national prohibition, which was referred to the Committee on the Judiciary.

Mr. WALSH of Massachusetts. I present the petitions of Mrs. Curtis Guild, Elinor Blanchard, Margaret F. Motley, Amy Gray, Harriet S. Motley, Maria P. Trumbull, and 68 other residents of Nahant; of Mary Brandegee, Eleanor M. Sears, and Pauline Danielson, of Boston; of Ruth A. Wendell and Bayard Tuckerman, of Ipswich; of Edith C. Ames, of North Easton; of Gertrude H. Whitwell, of Milton; of Beatrice Bill Talbot, of Wianno; of J. H. Hunnewell, of Wellesley; of Gertrude Adamowski, of West Manchester; and E. T. Coolidge, of Prides Crossing, all in the State of Massachusetts, praying that in the enactment of legislation restricting immigration into the United States domestic female servants be allowed entrance. I move that the petitions be referred to the Committee on Immigration.

The motion was agreed to.

Mr. WALSH of Massachusetts presented memorials of 919 employees of the Crompton & Knowles Loom Works, of Worcester; also of employees of the A. E. Little Co. and of the Reed & Prince Manufacturing Co., of Worcester; of the Bay State Saw & Tool Manufacturing Co., of Worcester; of E. W. Burt & Co. (Inc.), of Lynn; of the Chaffee Bros. Co., of Oxford; of the Hampden Toy Co., of Westfield; of the A. Burlingame Co., of Worcester; of John D. Young & Sons Co., of Boston; of Ashworth Bros. (Inc.), of Fall River; of the Palmer Carpet Mill, of the J. E. Torrey Razor Co., of Worcester; of the Parks-Cramer Co., of Fitchburg; of the Walker Vehicle Co., of R. Blackinton & Co., of North Attleboro; of the G. W. Bent Co., of Boston; of the Standard Thermometer Co., of Boston; of the Millers Falls Tool Co., of the F. H. Thomas Co., of Boston; of Myrton O. Hill & Co., of the Russia Cement Co., of Gloucester; of the Winthrop Cotton Yarn Co., of Taunton; of the Thompson-Crooker Shoe Co., of the New England Pressed Steel Co., of Natick; of the Jewett Piano Co., of Leominster; of the Van Tassel Tanning Co., of Stoneham; of the Northampton Silk Co., of Florence; of Fairclough & Gold (Inc.), of the Woodward & Powell Planer Co., of Worcester; of the Henry W. Breed Co., of Lynn; of the Lowe Bros. Co., of Boston; and of the Boston & Lockport Block Co., of East Boston, all in the State of Massachusetts, remonstrating against the repeal of the so-called daylight-saving law, which were referred to the Committee on Interstate Commerce.

Mr. CAPPER presented a petition of Local Union No. 511, International Brotherhood of Electrical Workers, of Topeka, Kans., praying for Government ownership and control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. KENYON presented a petition of the commissioner of education of Porto Rico, praying for the enactment of legislation to aid in the public education of the children of Porto Rico, which was referred to the Committee on Education and Labor.

Mr. SMITH of Maryland presented a petition of sundry teacher students of the Maryland State Normal School, Towson, Md., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. PHELAN presented a petition of Local Grange No. 380, Patrons of Husbandry, of Gazelle, Calif., and a petition of Local Union No. 155, Printing Pressmen and Assistants' Union, of Pasadena, Calif., praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. HARRISON presented resolutions adopted at a meeting of sundry citizens of Philadelphia, Miss., relative to the death of James D. McDonald, a volunteer member of the Expeditionary Forces in France, who lost his life in the service of his country, which were ordered to lie on the table.

He also presented a petition of sundry citizens of Natchez, Miss., praying for the enactment of legislation creating a civil-service engineer corps with a military status to be under the direction and orders of the Chief of Engineers, which was referred to the Committee on Commerce.

REPORTS OF COMMITTEES.

Mr. STERLING. I am directed by the Committee on Civil Service and Retrenchment, to which was referred the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes, to report it with amendments, and I submit a report (No. 99) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. McLEAN, from the Committee on Banking and Currency, to which was referred the bill (S. 170) to amend section 25 of the act of December 23, 1913, known as the Federal reserve act, as amended by the act of September 7, 1916, reported it with an amendment and submitted a report (No. 100) thereon.

AMBASSADOR TO BELGIUM.

Mr. LODGE. From the Committee on Foreign Relations I report back favorably without amendment the joint resolution (S. J. Res. 75) authorizing the appointment of an ambassador to Belgium, and I ask unanimous consent for its present consideration.

There being no objection, the Senate as in Committee of the Whole proceeded to consider the joint resolution, which was read, as follows:

Resolved, etc., That the President be, and he is hereby, authorized to appoint, as the representative of the United States, an ambassador to the Kingdom of Belgium, who shall receive as compensation the sum of $17,500 per annum.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF THE RULES.

Mr. KNOX. From the Committee on Rules I submit a report to which I call the attention of the senior Senator from Massachusetts [Mr. LODGE].

Mr. LODGE. Mr. President, I gave the necessary notice when I submitted the resolution for an amendment of the Standing Rules of the Senate. Therefore I ask for the present consideration of the resolution.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That Rule XVI of the Standing Rules of the Senate be, and is hereby, amended as follows:

After the words "to the Committee on Military Affairs" insert "to the Diplomatic and Consular Service bill to the Committee on Foreign Relations."

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KIRBY:

A bill (S. 2594) to extend the time for the construction of the Broadway Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.; and

A bill (S. 2595) to extend the time for the construction of the Main Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.; to the Committee on Commerce.

By Mr. GRONNA:

A bill (S. 2596) to promote the efficiency of the permanent Military Establishment, and for other purposes; to the Committee on Military Affairs.

By Mr. KING:

A bill (S. 2597) to prevent the artificial stimulation of the export of immigrants' savings through propaganda, foreign subsidies, and the agencies of foreign Governments; to the Committee on Banking and Currency.

By Mr. CALDER:

A bill (S. 2598) to carry into effect findings of the Court of Claims made in favor of Isabella G. Francis, administratrix of the estate of Roger A. Francis, deceased; and

A bill (S. 2599) for the relief of Charles D. Shay; to the Committee on Claims.

By Mr. SUTHERLAND:

A bill (S. 2600) for the relief of John Lyons; to the Committee on Military Affairs.

A bill (S. 2601) granting an increase of pension to Sarah A. Bryan; to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 2602) to increase the salary of the United States district attorney for the southern district of Florida; to the Committee on the Judiciary.

By Mr. HALE:

A bill (S. 2603) granting a pension to Mary L. Bryant; to the Committee on Pensions.

REGULATION OF AERIAL NAVIGATION.

Mr. SHERMAN. I introduce a bill, which I send to the desk, to regulate the navigation of the air.

The bill (S. 2593) to regulate the navigation of the air was read twice by its title.

Mr. SHERMAN. Mr. President, I ask unanimous consent for a couple of minutes to present on this subject the reasons why I have introduced the bill. It is a subject which has heretofore not been covered by any legislation.

On July 21, 1919, 10 persons were killed and more than 25 seriously injured, some fatally, when a large dirigible balloon in a flight above the city of Chicago fell 500 feet, with its heavy motors and filled gasoline tanks crashing through the glass roof of the Illinois Trust & Savings Bank at the corner of La Salle Street and Jackson Boulevard. Most of the dead and injured were employees of the bank, who were trapped and burned to death in a resulting fire from the explosion of the balloon's gasoline tanks as they struck the floor of the bank rotunda, where more than 200 bookkeepers and clerks, nearly all girls, were working. A flame of gasoline enveloped the workers, some of whom were literally burned to death and charred beyond recognition when their bodies were recovered. Last week an airplane in another State fell in a field or orchard, killing members of a farmer's family. Accidents of the foregoing character are multiplying rapidly throughout the country. It is evident an emergency is rapidly approaching in the navigation of aircraft requiring proper regulations. To that end I have prepared the bill offered this morning as a basis for action. I do not submit it as a perfected measure. It is only the foundation for the Senate and House to concentrate their opinion upon and mature it into a workable measure as speedily as may be consistent with the due course of legislation.

The VICE PRESIDENT. The bill will be referred to the Committee on Military Affairs.

PROHIBITION OF INTOXICATING BEVERAGES.

Mr. PHELAN submitted two amendments intended to be proposed by him to the bill (H. R. 6810) to prohibit intoxicating beverages, and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries, which were referred to the Committee on the Judiciary and ordered to be printed.

WITHDRAWAL OF PAPERS—H. F. HARRINGTON.

On motion of Mr. WALSH of Montana, it was

Ordered, That the papers accompanying the bill S. 815, Fifty-eighth Congress, first session, granting a pension to H. F. Harrington, be withdrawn from the files of the Senate, no adverse report having been made thereon.

TREATY OF PEACE WITH GERMANY.

Mr. GRONNA. Mr. President, I have a short editorial taken from the American, of Grand Forks, N. Dak., a nonpartisan paper. I ask that it be printed in the RECORD without reading.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE PRESIDENT'S MESSAGE.

"Those followers of the President who, irrespective of party affiliation, have looked upon him as the leading liberal force of the world can have been only supremely disappointed in his message yesterday to Congress, in which he was to render an accounting of his activities in making the peace.

"America asked for facts and obtained fine phrases.

"America asked for straightforwardness and obtained indirection and hypocrisy.

"They were the words of a man who has been up against the system and came out somewhat raveled.

"Now, it is furthest from the thought of all true Americans to be unfair or to take advantage of the President while he is defending, in a partisan political fight, the peace which he has brought back with him from Paris.

"It is unfortunate that this fight is forced upon Mr. Wilson in the way that it has been. We can have no sympathy with those battling old reactionaries who are leading the attack in the Senate upon the peace.

"America has entered into international politics. America has responsibilities in that way to-day which it can not dodge. The vague generalities of Mr. Wilson will do us no good. What we want to do is to look the facts directly in the eye and appraise them for what they are.

"We can not blame Mr. Wilson for failing in Paris. We do blame him for denying that failure. And we should know where to place that blame. We should be acquainted with the forces which brought about this condition by which America is robbed of the fruits of a war which it fought with all the valor of its gallant manhood and for ideals higher than any nation ever battled for.

"We can not subscribe to the half confession in Mr. Wilson's message that ideals are impossible of realization. For in that way lies destruction and despair.

"Mr. Wilson is a tired man. He has battled hard, no doubt. But we believe the people of the United States have balance enough to accept and pass judgment with the spirit of whole justice, and all that they want is an opportunity to be permitted access to the facts. Mr. Wilson in his message withheld all facts. And that was where his message was a failure and a confession that his mission was a failure.

"The country now is confronted with two courses. One is to reject the treaty, and the other is to accept it, in the hope

that it may prove the basis, through public opinion, of attaining the ideals of the war at some future date.

"Mr. Wilson's wisest course would have been open confession that such was the one hope of the peace. His error is in contending that it is a success as it stands, for the people will not believe it.

"Mr. Wilson's assertion that the treaty squares with his principles is a challenge to the intelligence of the country. Of course he qualifies that statement by saying 'so far as possible' under the 'existing' international situations.

"The terms of the armistice specified the Allies were willing to make peace with Germany on the basis of President Wilson's address of January 8, 1918 (the 14 points), and 'subsequent addresses.'

"On September 27, 1918, the President said: 'The impartial justice meted out must involve no discrimination between those to whom we wish to be just and those to whom we do not wish to be just.'

"Mr. Wilson can hardly successfully maintain that this peace squares with that principle. And again he said:

"'There can be no special, selfish economic combinations within the league and no employment of any form of economic boycott or exclusion except as the power of economic penalty by exclusion from the markets of the world may be vested in the league of nations as a means of discipline and control.'

"Now, under this treaty, which Mr. Wilson so naively contends squares with his principles, the most rigid, iron-clad economic boycott of Germany is perpetuated, its execution is in the hands, practically speaking, of French and English bankers and manufacturers, through the one-sided prohibition against German tariff walls, the control of the German railway and sea transport system, and the device of no limit on reparations, which makes the reparations commission the real governing power of Germany for the next generation.

"Thus, in fact, the peace congress has played the rôle of conquest, behind its fine and disguised pretensions, with all the vigor and effectiveness of another kaiser.

"Arguments that the peace is justified because it is the kind of peace that Germany would have made are the refuge of the dishonest. We fought the war to end that kind of peace, and promised otherwise to a revolutionary Germany.

"Mr. Wilson points out in his address that Paris had to contend with the system of international politics, which aroused many difficulties.

"And there is the crux of the situation.

"The duty of Mr. Wilson and the conferees at Paris was to wipe out the old order.

"Good will and the courage to stand against imperialists at home as the soldiers stood against the imperialists in the field of battle were lacking, we read between the lines in the message. It is not the kind of peace that America would have made, Mr. Wilson declares. Isn't that a confession of failure?

"The armistice was based on the President's 14 points and his 'subsequent addresses.' Mr. Wilson was the voice and the executive of America. In other words, didn't the 'necessary' compromises of which Mr. Wilson speaks emasculate the ideals which Mr. Wilson so eloquently portrayed, and which were the force that drove the Allies to victory?

"Mr. Wilson, as usual, spoke in generalities. He confined his address to a résumé of the task that confronted the American delegates before they sailed for Paris. In giving an accounting of his stewardship it would have been better, had it been possible, to have been more specific regarding the fruits of those parleys which he contends were the best to be obtained.

"And we would like to know how Mr. Wilson squares the following with his principles:

"Is this a treaty of peace 'openly arrived at'?

"'Private international understandings,' were to be wiped out; yet the President comes back from Paris with a proposal that France and America enter into one.

"And how about the private understanding by which Japan assumes control over 40,000,000 inhabitants of Shantung in China, a country that was not an enemy power, but was in the war on the side of the Allies?

"And how about 'the removal of economic barriers and the establishment of an equality of trade conditions'?

"Is not Germany one of the nations 'consenting to the peace and associating themselves for its maintenance'? Then, why is Germany excluded from the league?

"Did not the fourteenth point define the proposed league of nations as 'a general association of nations,' not as the allied alliance which it is? The league could not be formed during the war, the President declared in his last address before the armistice, because it would be 'merely a new alliance confined to the nations associated against a common enemy.' Is the war still in progress?

"'Adequate guaranties' were demanded on the subject of armaments. Where have those guaranties been applied? Not even wisely to the enemy powers. Germany is permitted to maintain conscription because France fears the effect of such a precedent!

"And we have yet to hear of any guaranty on armaments to be applied to America or any other allied power that might be termed 'adequate.' Yet Mr. Wilson now says this clause was to apply only to 'mischievous nations.' Would we consider Japan a mischievous nation? How does it apply there? And is not the practice of conscription enough to make any nation 'mischievous'? Does not it still make Germany mischievous?

"There were to be no annexations. The effective annexation of the Saar by the French, despite the hypocritical denials that such is the effect, is a very evident violation of that principle if we look no further.

"'What we seek is the reign of law, based on the consent of the governed and sustained by the organized opinion of mankind,' said the President on July 4, 1918.

"Do the settlements regarding the Saar, the splicing of millions of Germans in Bohemia and Austria on Czechoslovakia, and others in Silesia, West Prussia, and Posen on Poland, and those others who go to Italy, contribute to 'a reign of law based on the consent of the governed'?

"Does Mr. Wilson contend that we have not 'discriminated between those to whom we wish to be just and those to whom we do not wish to be just'?

"America can not see in these arrangements the 'minor compromises' which Mr. Wilson mentions. It is these 'minor' compromises which have bred war throughout history.

"This was to be a peace that was to end war. America will not swallow Mr. Wilson's pretense that it is a success."

REPEAL OF DAYLIGHT-SAVING LAW.

Mr. KING. Mr. President, various phases of the daylight-saving law have been considered by this and the other legislative body. I have received the following communication presenting another angle to the discussion. I should like to have it inserted in the RECORD. I ask unanimous consent that it be read.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The Secretary read as follows:

1327 NINTH STREET EAST,
Salt Lake City, Utah, July 14, 1919.

Senator WILLIAM H. KING,
Washington, D. C.

DEAR SIR: In the matter of the repeal of the daylight-saving bill, I wonder if anyone has presented the view of the mother with small children to get off to school. I have four, and at an early time in the season I must begin getting them up almost before daylight to get them off to school on time. They are so rushed and hurried they will seldom eat their breakfast properly, and almost every day report a large number of tardy pupils in their rooms.

I have talked with a great many mothers and teachers on the subject, and almost without exception they have felt that the daylight-saving plan was a burden, intolerable, except for the fact that it was a war measure.

If you could get them (the children) to bed an hour earlier, it might be different, but you can not arbitrarily change a child's bedtime, and a little later it is too light and warm for them to go to bed at the proper time by the clock. After the children are rushed off helter-skelter by 8 o'clock, "Heaven's time," the mother has all the little chores to do herself which might have been done by them in another hour.

If it would really help some "poor, down-trodden, laboring man," it would be different, but none of them work more than eight or nine hours a day, and shops are not kept open late at night as they were in Benjamin Franklin's time. There isn't a laboring man in the country who puts in as many hours a day as a mother with small children.

I sincerely hope the repeal will be passed over President Wilson's veto—and I voted for him, too.

Respectfully,
ETHEL R. CARLQUIST.

Mr. SHERMAN. May I make an inquiry of the Senator from Utah? I fear that the writer of this letter does not see how the repeal of the daylight-saving law will interfere with afternoon golf playing. It takes an act of Congress to get a golf player out of bed an hour earlier in the morning. I beg the Senate will consider that.

The VICE PRESIDENT. The communication will be referred to the Committee on Interstate Commerce.

PROPAGANDA ON PACKING INDUSTRY.

Mr. KING. Mr. President, I have here a number of letters protesting against the passage of the Kenyon-Kendrick bill in the Senate and the Anderson bill, so called, in the House; one by the Hon. Joseph S. Peery, one of the leading citizens of my State; one by Mr. George Prentice; one by Mr. Parsons; and one by Mr. Kerr. I ask that the letter from Mr. Peery and the

one from Mr. Parsons be printed in the RECORD, and that all be referred to the Committee on Agriculture and Forestry.

There being no objection, the letters were referred to the Committee on Agriculture and Forestry, and the two indicated were ordered to be printed in the RECORD, as follows:

SALT LAKE CITY, UTAH, *July 16, 1919.*

Hon. WILLIAM H. KING,
United States Senate, Washington, D. C.

DEAR SIR: I have been in the sheep business in Utah for the last 20 years and am not connected, directly or indirectly, with any packing house, stockyards, or live-stock commission business.

Believing that the Kenyon and Kendrick bills of the Senate and the Anderson bill of the House will be body blows against the live-stock business, I hereby protest against those bills and petition you to use your influence against their passage.

I believe this is the opinion of the sheepmen generally of the intermountain States.

Yours, respectfully, JOSEPH S. PEERY.

SALT LAKE CITY, UTAH, *July 16, 1919.*

Hon. WILLIAM H. KING,
United States Senate, Washington, D. C.

DEAR SENATOR: I feel that I would be neglecting my duty to the stock growers of the West if I failed to do what little I could to call the attention of Congress through you and others to the danger which is to be found in two bills which have been introduced in the Senate and referred to the Committee on Agriculture and Forestry, one known as the Kenyon bill, introduced June 23, 1919 (S. 2202, 66th Cong., 1st sess.), and the other as the Kendrick bill, introduced the same day (S. 2199), both entitled "A bill to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes." A similar bill to the Kenyon bill, and known as the Anderson bill, was introduced in the House of Representatives and referred to the Committee on Interstate and Foreign Commerce.

After reading the bills carefully I consider the titles misleading, or it may be that the two words "other purposes" may be the better title, which means the tearing down of a great industry which it has taken 50 years or more to build, without any possible chance of bettering the condition of the business, and if carried out to finality it would mean higher costs to the consumer, inferior production and service, besides tremendous waste of finished product.

The Kenyon bill is by far the most radical, and it seems to me that it is simply vicious in its terms. Both bills are vicious, radical, and absolutely socialistic in their effect.

I feel that the Kenyon bill is the result of the crusade of Francis J. Heney against the packing-house industry, in which he, as usual, conducted an unfair, sensational examination unsupported by the facts, but supported by newspaper propaganda.

I do not want to tire you with going over ground with which you are undoubtedly familiar, but why should the Government seek to tear down and control one of the greatest industries of this country which it has taken more than half a century to build up to its present efficient standard? If it is right and lawful in this case, why not in every other branch of private business? If it can be defended in one, it can in every other trade, business, or profession.

It seems to me that instead of being progressive measures they are decidedly the reverse, and, as before stated, socialistic in the extreme. They seem to want to divorce the packing houses from all other interests of any nature, such as cold-storage plants, ownership of refrigerator cars and ownership of stockyards' stock, and many other lines which are the direct outgrowth of the packing industry.

I want you to understand that I am not defending the packers. There may be instances where they have injured the public through the power in their hands, but it is my candid opinion that they are better serving the public to-day than it would be possible for that same public to be served through the channels indicated in these measures. Take the matter of refrigerator cars: Why should they be deprived of ownership of this equipment, which is more a part of the economical handling and distribution than any other part of the machinery of their organization? What would these gentlemen say if it were proposed to take the ownership of the Pullman cars from that company and say that the railroad companies must own and operate their own cars in that branch of their service? I doubt very much whether it would be possible for this great industry to carry on their business if the ownership of these cars were taken away from them. They certainly could never give the same service.

If either of these bills passed and the control of the packing houses and stockyards should be turned over to the incompetent handling that would follow through the inexperienced hands of Government clerks and red tape of bureau administration, would it stimulate production, sale, or distribution of live-stock products? The principle is wrong in its inception, and all the regulating that can be brought to bear would not make it right.

I hope and believe that you will look into this matter very carefully and do whatever you can to prevent the passage of either of the bills, and especially the Kenyon bill.

Yours, very truly,

M. K. PARSONS.

Mr. THOMAS. Mr. President, I did not object to the request of the Senator from Utah, but I hope it will not be used as a precedent. If all the protests by telegram, by letter, and by petition, which are now being sent to Washington by the packers and through their propaganda are to be placed in the RECORD our need for paper will come very nearly exhausting the contingent expense appropriation of the Senate.

Mr. KING. I hope the Senator from Colorado does not mean to intimate by anything he just said that the gentlemen whose names I have mentioned are representatives of the packers, because they are not.

Mr. THOMAS. I do not mean to intimate anything of the sort, but I do mean to say that thousands of the best-meaning men and women in the country are being persuaded to write telegrams and letters to Senators and Representatives protesting against the Kenyon bill. I have letters and telegrams by the score every day from men and women of the best intentions, good citizens, most of whom, I am satisfied, know no more about what is in the Kenyon bill than I do about the signs of the Mexican zodiac.

Mr. KING. The gentlemen to whom I have referred are men who are engaged in the live-stock industry and have been, some of them, for 35 years. They know what the live-stock industry is and they know what the packers' industry is. They know what the so-called Kenyon, Kendrick, and Anderson bills are. They are opposed to them, and they are not influenced by any packers or by any representations made by the packers.

Mr. THOMAS. Then they are an honorable exception to the rule.

Mr. KING. I do not agree with the Senator at all.

Mr. SMOOT. Mr. President, I hope this practice will not continue, but I wish to say that the names mentioned by my colleague [Mr. KING] are among the very best citizens of my State. I do know that they are interested in the cattle and sheep business. This seems to be a propaganda between the packers and the National Wholesale Grocers' Association, one upon one side and the other upon the other. I think myself we have published in the RECORD about as many of such letters as ought to be published.

Mr. KENYON. I should like to ask the Senator from Utah if he claims that the National Wholesale Grocers' Association, as he calls it, is carrying on this kind of a propaganda. All I have seen that they have been doing is to try to thwart what the packers are doing.

Mr. SMOOT. The Senator has not seen all that this organization has been doing.

Mr. KENYON. No; I have not.

Mr. SMOOT. This organization is generally very active in propaganda for any legislation that they desire, or are opposed to, the same as the packers are. They have injected themselves into legislation on other occasions by the most widespread propaganda. I think the Senator introduced in the RECORD yesterday a number of telegrams received by him from that organization in relation to the propaganda of the packers.

Mr. KENYON. Yes.

Mr. SMOOT. It is a fight of the National Wholesale Grocers' Association, and they are at present endeavoring to bring in the retail grocers' association against the packers of the United States. That is what the fight means.

Mr. KENYON. I suppose the Senator from Utah stating that ends the controversy; but there is no such fight at all. The Wholesale Grocers' Association may be fighting for their lives against the packers. I expect they are; but that is not the fight. The fight is between the people who have to have things to eat and those who are controlling their food prices, whether it be the packers or the wholesale grocers' organization, or whatever it may be.

Mr. SMOOT. I wish to say if the wholesale grocery companies made no more profit upon the overturn than the packers of the country do, and the retail grocery concerns of the country made ten times the profits the packers do in their overturn, the high cost of living would be greatly reduced in every part of the United States.

Mr. SHERMAN. Mr. President, I will state to the Senator from Iowa that the wholesale grocer is engaged in a holy crusade. He can commit no wrong. I know what the wholesale grocer has done in politics in the Mississippi Valley. When they start on a crusade or begin a propaganda they are just as persistent, just as solicitous of their own selfish interests, as any occupation I know of in this country.

I have some acquaintance with the wholesale grocers' associations and some of the retail grocers' associations in the various States. As the Senator from Utah has said, if they would confine themselves to the very small proportion of the profits realized by the packers, both large and small, the high cost of living in the country would be greatly reduced. But it is entirely sanctified when the wholesale grocers start a crusade. Anything they present is in deference to the holy right of petition secured by the Constitution and the blood of the fathers; but when it is presented by anybody else it is a vile propaganda, to be frowned upon and editorialized in the newspapers.

I should like to have the Senator from Iowa take some of his own medicine.

Mr. KENYON. I realize that whenever any reference is made to the packers there are gentlemen who come immediately to their defense, and this talk as to a campaign by the wholesale grocers is, of course, a favorite weapon for them to use.

I have no defense of the wholesale grocers, or their overcharges, that the Senator has referred to. I realize, and everybody might as well realize, that those who always place a halo in this Chamber and other places around the packers are going

to make the reason why the bill now sought to regulate the packers should be defeated is that it is a fight between the wholesale grocers and the packers. If the wholesale grocers are doing this, let us get some way to remedy it. So far as the bills are concerned, introduced by the Senator from Wyoming and myself, the wholesale grocers of the country have had absolutely nothing to do with them, and you can not camouflage this issue to the country by putting up that kind of a smoke screen.

SEVERAL SENATORS. Regular order!

Mr. GRONNA. Mr. President, I ask unanimous consent to proceed for a few minutes, to make a statement with reference to this matter. I simply want to state that I have received, I think, several thousand telegrams and many hundreds of letters upon this question. I have not presented any of them to the Senate because they are coming to my office every day as chairman of the Committee on Agriculture and Forestry.

I also want to make it clear that, so far as I am concerned, I consider the bills introduced by the Senator from Iowa [Mr. KENYON] and the bills introduced by the Senator from Wyoming [Mr. KENDRICK] upon this question are of the highest importance. I believe that the committee will sustain me in my position that hearings ought to be held on these bills, and that no drastic legislation should be enacted until the parties in interest have been heard.

These petitions come from business men and from farmers and, of course, from all parts of the United States. I believe they have a right to send these petitions to us. I do not wish to deny the right to anyone in our country to petition Congress.

It is possibly true that a propaganda is carried on and that some one is responsible for it, but I want to make it perfectly plain that neither the Government—and when I say the "Government" I mean the Federal Trade Commission—nor the packers will control the action of the chairman of the Committee on Agriculture and Forestry how to proceed. My course will be pursued in accordance with my own belief and understanding, and I shall direct my efforts to do what is for the best interest of the public.

Mr. HARRIS. Mr. President, I was a member of the Federal Trade Commission when the Borland resolution was introduced to investigate the meat packers of the country. I personally know that one of the greatest lobbies that has ever been before Congress tried to defeat the Borland resolution. After the Borland resolution was passed and the Federal Trade Commission began investigating the packers, the packers had a great lobby here trying to prevent the investigation from being thorough in going into the high cost of living.

While a member of the Trade Commission we investigated the Standard Oil Co., and other great trusts, and I think if you will read the report of the Federal Trade Commission you will find that the packing interests of the country are equally as dangerous to the consuming public. They affect the cost of living of every man, woman, and child in the country.

I know that these people have influenced some of the very best men in my State and had them telegraph me here to oppose these measures which they would not have done had they understood the provisions of this bill.

Mr. SMOOT. As the Senator from Georgia [Mr. HARRIS] assumes to speak as a former member of the Federal Trade Commission, now a Senator of the United States, I think it no more than just to have placed in the RECORD a statement by Mr. Swift concerning the report of the Federal Trade Commission of July 11, 1919, so that both sides of the question may be brought to the attention of those who may read the RECORD.

Mr. KENYON. What is the date?

Mr. SMOOT. July 11, 1919.

Mr. KENYON. If the report of the commission to the President has not been placed in the RECORD I am going to ask during the day that it be printed in the RECORD.

Mr. SMOOT. I do not know whether it has been printed in the RECORD or not. I will place the statement of Mr. Swift in the RECORD now, if there is no objection, and the Senator can place the report in the RECORD if he so desires.

There being no objection, the matter referred to was ordered to be printed in the RECORD as follows:

STATEMENT BY MR. LOUIS F. SWIFT CONCERNING REPORT OF FEDERAL TRADE COMMISSION ISSUED JULY 11, 1919.

"CHICAGO, *July 11.*

"Louis F. Swift, president of Swift & Co., to-day declared that the latest report of the Federal Trade Commission contained no new facts and was an evident effort to influence at this time proposed radical legislation.

"Mr. Swift said:

"'This latest report of the Federal Trade Commission is merely an attack upon large and successful business organizations, and should be resented by all Americans who are proud of the industrial progress of the Nation. It contains nothing new, and it is an outgrowth of the former discredited Heney ex parte investigation.

"'This report, so far as I am informed, contains absolutely no evidence of collusion among the five largest packers; and I say for Swift & Co., as I have said many times, that we have no agreement of any kind with any other packer to affect the prices of live stock or meats.

"'The manner in which the Trade Commission juggles figures and resorts to sensationalism betrays the insincerity of the commission. We are living up to both the spirit and the letter of the law and want to cooperate with the Government in every helpful and constructive way, but we must protest against the methods used by this important branch of the Government.

"'I say that the large packers and their individual businesses are a public benefit and a decided factor in keeping down the spread between live stock and meat prices.

"'This report is put out now as a part of the propaganda in which the Trade Commission, with others, is engaged, seeking to subject the packing industry and other lines of business to the arbitrary control of subordinate Government officials, through a license system.

"'It is to be regretted that in these days, when the public feels keenly the pressure of high prices, a Government body does not give out facts respecting prices and profits. This has never been done fairly by the Federal Trade Commission as regards the packing industry, although the commission has constantly had the most complete information in its possession.

"'No one disputes that out of the total receipts of the packers derived from the products of animals about 85 per cent is paid out for the live animals themselves. About 13 per cent is paid out for wages, transportation, and other such expenses. About 2 per cent on this turnover is earned by the packer as net profit. And no one disputes that this amount is but a small fraction of a cent per pound, and that it is so negligible as not in any event to affect the price which the consumer pays for meats.

"'The report just issued by the Trade Commission and its discussion of the number of subsidiary companies and its calculation of percentages of the classes of business handled by the packers are not only erroneous, but are entirely immaterial to the real question in which the public is interested, namely, why are prices high?

"'I do not believe that the findings of such a prejudiced and unfair report should be used to influence public opinion or as a basis for the radical legislation that has been introduced at Washington.'"

AGRICULTURAL APPROPRIATIONS.

The VICE PRESIDENT. Morning business is closed.

Mr. GRONNA. I move that the Senate proceed to the consideration of the bill (H. R. 7413) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with an amendment.

Mr. McKELLAR. Mr. President, will the Senator from North Dakota yield to me?

Mr. GRONNA. I yield.

Mr. DIAL. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hale	McKellar	Shields
Ball	Harding	McLean	Simmons
Bankhead	Harris	McNary	Smith, Ga.
Beckham	Harrison	Moses	Smith, S. C.
Calder	Henderson	Myers	Smoot
Capper	Hitchcock	Nelson	Spencer
Culberson	Johnson, Calif.	New	Sterling
Cummins	Johnson, S. Dak.	Newberry	Sutherland
Curtis	Jones, N. Mex.	Norris	Swanson
Dial	Kellogg	Nugent	Thomas
Dillingham	Kenyon	Overman	Trammell
Edge	Keyes	Page	Walsh, Mass.
Elkins	King	Phipps	Walsh, Mont.
Fall	Kirby	Poindexter	Warren
Fletcher	Knox	Pomerene	Williams
France	La Follette	Ransdell	Wolcott
Gay	Lenroot	Robinson	
Gerry	Lodge	Sheppard	
Gronna	McCumber	Sherman	

Mr. GERRY. The Senator from Maryland [Mr. SMITH], the Senator from California [Mr. PHELAN], and the Senator from Nevada [Mr. PITTMAN] are detained on official business.

Mr. KIRBY. The Senator from Oregon [Mr. CHAMBERLAIN] and the Senator from Wyoming [Mr. KENDRICK] are necessarily absent.

Mr. McKELLAR. The Senator from Arizona [Mr. SMITH] is absent on account of illness.

The VICE PRESIDENT. Seventy-three Senators have answered to their names. There is a quorum present.

PEACE TREATY AND LEAGUE OF NATIONS.

Mr. McKELLAR. Mr. President, in the course of some remarks by the distinguished and very learned Senator from Massachusetts [Mr. LODGE] some time ago he made the statement that of course everybody agreed that peace was desirable and that war was undesirable, and certainly we all do agree to that; but it seems to me that there are other fundamental facts in connection with this most important matter that we can all agree upon. It seems to me that if no firm and binding agreement is made in this treaty to secure an enduring peace for the world in the future, then, of course, the world will lapse into that position where it was previously—namely, that the strong nations will continue to prey upon the weak; that the powerful nation will continue to take territory from its less powerful neighbor; that the great nations of the earth will continue to build up greater armies and greater navies at tremendous cost and expense, jeopardizing constantly the peace of the world; and that secret treaties will continue to be entered into, constantly menacing the peace of the world. It seems to me that any fair-minded honest man will agree that this will be true if no general agreement is had at this time to preserve the peace of the world. I believe even the distinguished Senator from Massachusetts [Mr. LODGE] and the able Senator from Missouri [Mr. REED] will agree to these propositions. I believe they will also agree that if an agreement can be made making war impossible, or even greatly lessening the possibility of war, it would be the greatest one event that has happened in the history of the world for ages.

It is this step that the American Government under the leadership of Mr. Wilson has undertaken to take in this treaty before us to-day. If the effort is successful, it will mean more for the advancement, progress, peace, and prosperity of this country and all other countries than any one step that has ever been taken in our history, or, for that matter, that has ever been taken in the history of the world in 2,000 years.

Mr. President, there have been running through our entire history two lines of political thought. Most frequently those lines of thought have followed political lines, but not always. As we all know, they followed for the most part, first, Whig and Tory; later on, Federalist and Republican; later, Republican and Whig; and, later still, Democratic and Republican. I do not believe that any of these terms exactly express the idea that I wish to impress to-day. The true line of demarcation, as it seems to me, is better expressed in the more modern terms, "reactionaries" and "progressives."

There have ever been in this country from the beginning of our Government reactionaries who said that certain things could not be done; there have ever been progressives in our history who have said that things governmentally progressive could be done, and they have been done. It will be remembered that when our forefathers undertook to declare their independence from Great Britain there were Tories who said that it could not be done; and when it was undertaken later to establish a government, a republic, the reactionaries of that date said, just as they are saying now, "Oh, it can not be done; republics have always been failures. We ourselves have failed. The Continental Congress has been a failure; the Confederation has been a failure; and if you establish this Republic under the Constitution, it will be a failure."

That has been the cry of reactionaries throughout the entire history of this Republic. The line of thought has been defined perfectly in every age. It is defined to-day, Mr. President. When we come to consider this great contemplated step in our country's history, there are reactionaries who say that it can not be done, and there are other great progressive spirits who say that it can be done, and it is going to be done. There is not the slightest doubt that this league will be ratified, and this great forward-looking step taken by our Government and all the rest.

I wish to recall for a few moments to the minds of Senators here certain well-known facts in our history. You will recall that when our Government was first established we had only a little tier of territory along the Atlantic seaboard, running from Georgia on the south to Maine on the north, altogether not much larger than the State of Texas, if any larger. In every step of our growth since the reactionaries have interposed objections and endeavored to prevent the physical as well as the governmental and moral growth and power of our country. Why, when Mr. Washington announced the doctrine of "no entangling alliances," he was denounced as a reactionary. No man who ever held the presidential chair was abused by so large a proportion of the people of this country as Mr. Washington was abused for the part that he took in the great progressive steps that attended the beginning of our Government. He became so unpopular that he was even called in derision the "stepfather of his country." Yet he took them, and we all realize now that under the conditions that then existed they were the very steps that should have been taken, and they made our country greater and stronger and better than ever before.

In 1803 Mr. Jefferson, the strictest constructionist of them all, the father of the Democratic Party, undertook to buy from Napoleon Bonaparte ,who was then first consul of France and who was hard up for money, what is known as the Louisiana Purchase, a great empire in itself, stretching from the Mississippi River to the Rocky Mountains and from Canada to the Gulf of Mexico. Immediately the reactionaries in this country, in the Senate and out of the Senate, took up the hue and cry against Mr. Jefferson. They said that he was doing an unconstitutional act in attempting to buy that great territory. They said that he was false to his own oath of office; they said he was untrue to his country; they said that as a matter of policy it was wrong, and no good could ever come of it. Yet we know that Mr. Jefferson pursued the even tenor of his way, notwithstanding his reactionary enemies, and made the purchase, which was duly ratified by the Senate; and who is there to-day who for a moment would think that Mr. Jefferson was wrong in the great progressive step that he took on that occasion? Yet he was abused just as much as the President of the United States to-day is being abused on account of the league of nations for taking that great progressive step.

A few years later, in 1817 and 1818, when Andrew Jackson had pressed the Indians and the Spaniards into the wilds of Florida and Alabama and Mississippi, and a treaty was proposed with Spain by which we obtained Florida and Alabama and Mississippi, and annexed that great territory to our country, the reactionaries in and out of the Senate condemned it as being unconstitutional and wrong, and yet it was done; and who is there to-day who will say it ought not to have been done?

Later on, in 1845, when a distinguished Tennesseean was President of this Republic, when it was proposed to enter into a war with Mexico, when it was proposed to annex Texas, and when all that great territory of the West was taken in, Mr. Polk was abused and vilified just exactly in the same way that reactionaries have vilified and abused the President whenever a great step of this kind was taken.

In 1863—and I want to be fair about the matter—when Abraham Lincoln issued his proclamation freeing the slaves in this country, his act at that time was denounced as unconstitutional by men all over the land; and yet it was done, and who is there to-day that would say that it was wrong to have taken it?

When we bought Alaska in 1867, that was denounced as an unconstitutional and an injudicious act.

In 1898, and before that, when, under Mr. Cleveland and Mr. McKinley, Hawaii came in, that step was denounced in the same way.

In 1898, when Mr. McKinley was at the head of the Government, and the Philippines and Porto Rico were taken in, the distinguished colleague of the present senior Senator from Massachusetts on the floor of the Senate led the fight of the reactionaries, and abused the Government and the President of the Republic for leading this Government into taking the Philippines and Porto Rico.

So a few years later, when Mr. Roosevelt was President, in 1903, and Mr. Roosevelt overnight, as it were, entered into an agreement with the seceding State of Panama, and agreed to uphold the sovereignty of Panama as an independent nation in return for the right to dig the Panama Canal, we all know that the reactionaries in the Senate and out of it abused and maligned President Roosevelt, just as they are abusing and maligning President Wilson to-day for the great step that he wishes this country to take.

Think of those facts of history—great outstanding facts, each one of them, that we all now admit add to the greatness and the glory and the strength of this Nation, and yet every one of them was fought, fought to the bitter end in every instance, perhaps with the exception of Alaska—fought by the reactionaries!

What are the lessons to be learned from these well-known facts in our history—and I could refer to others—these facts that show that our country has grown from a little territory along the Atlantic seaboard into the greatest Nation in the world. Why, these facts show that this is no new proposition

that our reactionary friends are presenting to the Nation to-day. This is no new question. It is just the same old fight, renewed every time that a proposal is made to make our country richer and happier and more peaceful and more blessed than it was before. These are the lessons.

Senators, look to the pages of your country's history. What names do you find there? Do you find the names of the men who said that these great steps should be taken, or do you find the names of the reactionaries who said: "Oh, no; do not let us take them"? You find the names of Washington and of Jefferson and of Madison and of Hamilton, who fought to make this Government in its beginning. You find the names of Monroe, of Jackson, and of Polk, and of Lincoln, and of McKinley, and of Roosevelt, who have helped to build it up. But I should like to know if, with the exception of Senator Hoar, of Massachusetts, any gentleman in this Senate, by drawing on all his learning and ability, can remember the names of those reactionary Senators who abused our former Presidents for taking these steps?

Oh, no, Senators. If you look to your country's history, you will find there emblazoned, in letters that will never be erased, the names of the men, the progressive men, who were willing to take these forward-looking and nation-building steps.

Mr. President, they were not backward-looking men. They were forward-looking men. They were not men who looked only to the past for precedents. They looked to the past for example, but forward to the future for action.

Mr. President, I next come to a statement that was made some time ago by one of my best friends in the Senate, a man whom I love very much personally, a great debater, one of the greatest in this or any other country, perhaps the greatest in the Senate or out of it. I refer to the advice given to us southern Senators in regard to voting for or being in favor of this peace treaty by the distinguished senior Senator from Missouri [Mr. REED].

Well, I do not know; whenever a race question comes up I believe I will trust the southern Senators with being able to find out whether there is such a question arising. They usually know one when they see it. I doubt if we have to go elsewhere for advice on that subject. But the distinguished senior Senator from Missouri said to us that we were voting to put this Republic in the hands of the black and yellow and red races of the world, and principally in the hands of the black races, when we voted for this league. This is no new idea on the part of the distinguished senior Senator from Missouri. I happened to look over some of the pages of our country's history in this connection, and I found a very strange statement that I wish to acquaint the Senate with for just a moment. I found, in going over the congressional debates of 1803, when it was a question of upholding President Jefferson in taking over the Louisiana Purchase, the same arguments made at that time by the reactionary Senators in this body that are being made now. I want to read from a current writing that was inserted in the RECORD at that time. Listen to this:

When we read the treaty—

That is, the treaty with Napoleon—

When we read the treaty we find that it involves our honor; it involves also our most essential interests. It takes out of the country almost a score of millions, enough to fit and equip such a fleet as would have rendered this treaty unnecessary. It changes the identity of our Nation. The United States are no longer the same.

Listen to this, now:

We are soon to look for our rulers to the red, yellow, and black brethren beyond the Mississippi.

The State of Missouri is a part of the Louisiana Purchase; and here, a little over 100 years ago, the argument was being made that if they took Missouri into the Union, or if it became American territory, we were going to turn our Republic over to the yellow, black, and red races across the Mississippi River, because at that time it was largely inhabited by those races.

Why, if you strike out "across the Mississippi River," that language is as much like the language of the senior Senator from Missouri on the league of nations as it is possible to make it; and I am curious to know if some ancestor of the senior Senator from Missouri did not write that speech.

But that is not all. The senior Senator from Missouri points to our turning our country over to the yellow and black and red races; and listen to what was said in the same debate:

The puny heads of our theorists—

He was talking about Jefferson then—

The puny heads of our theorists could not sustain so vast a machine as the government of the whole empire, supposing it should all be open to colonization and settlement.

He is talking about Mr. REED's State now:

And if they should adopt the more rational policy of keeping it an untrodden waste for owls to hoot and wolves to howl in, the realm of alligators and catamounts, they have not the vigor, and they dare not use the means, to prevent the "squatting" of hosts of renegades and outlaws and fugitives who would laugh at our laws, and when they become numerous would defy our force and proclaim independence.

Why, it is almost parallel language to the speech of the senior Senator from Missouri on what is going to happen to us if we southern Senators permit this treaty to be ratified.

Ah, Mr. President, my gifted friend, my eloquent friend, my splendid friend, is wrong. He is wrong in his idea that because some of the black republics are made a part of this league it is going to hurt it. It is wrong in principle and can be proven to be wrong right here and now.

If the Senator from Missouri is right, the first thing that he ought to do is to prepare a law that will expel the States of South Carolina and Mississippi from this Union, because the States of South Carolina and Mississippi are black by an overwhelming majority. I think the States of South Carolina and Mississippi are very well represented in this body. I do not think the two Senators from each of those States should be expelled because a majority of their constituents are black.

It seems to me the Senators from Mississippi [Mr. WILLIAMS and Mr. HARRISON] and the Senators from South Carolina [Mr. SMITH and Mr. DIAL] have amply looked after the interests of those States with black majorities, and the country is none the worse off by the presence of those States or by the presence of such splendid representatives in this body. And yet if we follow the reasoning of the senior Senator from Missouri [Mr. REED]—God save the mark—we can not keep these States in the Union. I think this argument is wholly unworthy of the great ability of the senior Senator from Missouri. It can not be accounted for except upon one ground, that he unwittingly permitted his prejudice against one man to interfere with his usual good judgment.

Mr. President, I next come to the proposition as stated by the distinguished and very learned senior Senator from Massachusetts [Mr. LODGE]. Last December he made a speech on this peace treaty, but I am not going to read it; I am going to ask permission to put it in the RECORD. I am merely going to say this about it: In a part of that speech he made a statement as to what the United States should insist should go into the treaty. He virtually stated the terms that he thought should go into the peace treaty. A better statement could not be made by any man in America or outside. He stated as clearly and as accurately as any man could possibly state what should be included in the peace treaty.

[From the CONGRESSIONAL RECORD, Dec. 21, 1918, p. 725.]

Physical guaranties which when taken would make signatures to treaties negligible can alone assure a durable peace with Germany. I do not need to rehearse what those physical guaranties should be, for I have stated my views upon them more than once to the Senate, and I think there is a general agreement among them not only in the Senate, but among the American people. They include the restoration of Belgium, the return of Alsace-Lorraine to France, of the Italian Irredenta to Italy, the establishment of the Jugo-Slav State, and of an independent State formed by the Czecho-Slovaks. They include also the security of Greece, the settlement of Albania and Montenegro, the restoration of Roumania, the consolidation of all the Roumanian people under one government, as well as the neutralization of the straits, the putting of Constantinople under international protection, with Greece perhaps the mandatory of the powers to administer the affairs of the city, the independence of Armenia, the return of those portions of Asia Minor where Greeks are predominant to Greece, the protection of Syria and Palestine from the Turks, a large, powerful, and independent Polish State, the independence of Russia's Baltic Provinces, the return of Danish Slesvig to the Danes, and the neutralization of the Kiel Canal. These physical guaranties which I have thus far suggested all have one object, and that is so to hem Germany in that she can not attempt conquest in Russia or in the East, and that the Slavic populations, which she has mercilessly used in her wars, can never be used by her again. In addition to these guaranties there must be heavy indemnities paid by Germany for the ruin she has wrought in Belgium and northern France and in Italy, and for her destruction of vessels, both neutral and belligerent, through the use of submarines. In those indemnities the United States must have its proper and proportional share, not only direct indemnity for its ships destroyed by submarines and its people murdered on the *Lusitania* and other vessels, but a suitable restitution, in part, at least, of the vast expenses forced upon us by Germany.

It will be for the peace conference to determine what disposition should be made of the German colonies, but one thing is essential, and that is that they should not be returned to the tyrannical misgovernment of Germany, and that she should be deprived of those means for extending her commerce and building up military outposts in all parts of the world. The payment of the indemnities will be a work of time, and it will be necessary to take and hold ample security for the extinction of these debts. It is the duty of the Allies and the United States to meet and determine what terms they will impose upon Germany, and then, and not until then, call in the representatives of Germany and impose the terms upon them. When this is done the first great step will be taken toward the establishment of the world's peace. If we eliminate Germany from the opportunity to make war, the only source from which war is likely to come would be closed for generations. Such, in outline, are the necessary steps demanded by exact justice, upon which, I think, the United States and the Allies are substantially agreed, in order to make a lasting peace with Germany. By making peace by imposing the terms which we think proper upon Germany is only half the work which at this moment must be done. The peace must not only be made and agreed to, but it must be effective, and to render the peace effective there is much more to do than can be done by ink and paper. The first thing needful is to face the situation and look facts in the face. Nothing can be accomplished unless we work in complete harmony with those who

are associated with us in the war against the Central Powers. I know very well that technically we had no treaty of alliance with the Allies by whose side we fought, but technicalities are of no consequence in the presence of facts. No treaty of alliance could have caused a greater unity of action than was established between us and the nations with whom we joined in the war against Germany. Binding arrangements were made for common action in regard to food supplies, in regard to fuel, in regard to munitions of war, for the building of railroads and docks and everything concerning supplies of the armies in France. Our Navy worked in close alliance with the navies of Great Britain, France, and Italy. Our troops served under the command of a French marshal. All these things were vitally necessary, and these relations must be continued if we are not to lose at the peace table what we won in the field. To attempt in any way to separate us from our Allies now or to prevent perfect unity of action is as harmful as such efforts were when we were fighting in Northern France and on the plains of Flanders. To encourage or even to permit any serious differences to arise between the United States and Great Britain, or with France, or Italy, or Belgium, would be a world calamity of the worst kind. Any serious difference among English-speaking people would be deplorable in the highest degree. Any thought of war among them would be as abominable as it is inconceivable. To differ greatly with France, bound to us by so many ties of faith and affection, or with Italy, or with Belgium, is unthinkable.

Do not forget, however, that German propaganda with this object in view is as active and poisonous to-day as it has ever been.

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We took up arms against Germany because we were determined not only to protect our own safety and independence against her attacks but because the people of the United States believed that if the world was to be a possible place for free, law-abiding people to live in, the autocratic system and the organized barbarism of Germany must once for all be eliminated from among the nations. We went to war to save civilization. For this mighty purpose we have sacrificed thousands of American lives and spent billions of American treasure. We can not, therefore, leave the work half done. We are as much bound, not merely by interest and every consideration for a safe future but by honor and self-respect, to see that the terms of peace are carried out, as we were to fulfill our great determination that the armies of Germany should be defeated in the field. We can not halt or turn back now. We must do our share to carry out the peace as we have done our share to win the war, of which the peace is an integral part. We must do our share in the occupation of German territory which will be held as security for the indemnities to be paid by Germany. We can not escape doing our part in aiding the peoples to whom we have helped to give freedom and independence in establishing themselves with ordered governments, for in no other way can we erect the barriers which are essential to prevent another outbreak by Germany upon the world. We can not leave the Jugo-Slavs, the Czecho-Slovaks, and the Poles, the Lithuanians, and the other states which we hope to see formed and marching upon the path of progress and development unaided and alone.

A little later the Senator from Massachusetts [Mr. LODGE] made another statement on another occasion in which he deprecated that differences had arisen between President Wilson and his colleagues on the peace commission and our Allies over there. Senators will remember that it was stated in the public prints that Mr. Wilson wanted to insert in the peace treaty the league of nations and that our Allies wanted to postpone it. Senators will remember that the reactionary Senators at once brought in resolutions to postpone the league of nations, and said that the President was not getting along very well with the other peace commissioners.

In that situation here is what the senior Senator from Massachusetts said. He wanted them to get along. I do not think he cared so much about the President of the United States, but he wanted to let it be known that the reactionary element of the Senate stood with these other gentlemen representing our Allies in opposing the President on the league of nations, and this is what the Senator gave out to the public at that time. It is impossible to improve upon the language. Here is what he said:

To attempt in any way to separate us from our Allies now or to prevent perfect unity of action is as harmful as such efforts were when we were fighting in northern France and on the plains of Flanders. To encourage or even to permit any serious differences to arise between the United States and Great Britain, or with France, or Italy, or Belgium, would be a world calamity of the worst kind. Any serious difference among English-speaking people would be deplorable in the highest degree. Any thought of war among them would be as abominable as it is inconceivable. To differ greatly with France, bound to us by so many ties of faith and affection, or with Italy or Belgium, is unthinkable.

Do not forget, however, that German propaganda with this object in view is as active and poisonous to-day as it has ever been. The people here and in the allied countries who would favor Germany are again busy in the effort to part the Allies and the United States from each other.

Mr. President, what has come over the Senator from Massachusetts and his associates? What has brought about the marvelous change in him? Mr. President, President Wilson and his associates at the peace council are absolutely at one with all of the representatives of the other great nations associated with us in this war. They have gotten along with the utmost friendliness in performing the great tasks that have been assigned to them. There is no substantial difference of opinion between all of the great allied nations. There is no substantial difference of opinion between the English-speaking peoples in that conference. The utmost harmony prevails. Apparently they are united in doing just what Senator LODGE said they ought to do.

The only discordant note, the only criticism, the only objection, the only fight, comes from Senator LODGE and his associates. The only attempt to break up the cordial relations existing between the representatives of this Government and the representatives of the allied Governments comes from Senator LODGE and his associates in the Senate. No other nation, or faction, except possibly a faction in China, is making any trouble. No other nation is protesting. Our own people are not protesting. The only protest that comes comes from Senator LODGE and his associates.

Why this change? If it was a good thing, in the words of Senator LODGE, that the Allies and ourselves should work in perfect harmony, and that every action should be unified action last December, why is not it a good thing now? If it was a bad thing to encourage and permit serious differences last December, why is it a good thing for Senator LODGE and his associates to encourage differences now? If it was a bad thing last December for anyone to encourage serious differences among English-speaking peoples, why is it a good thing for Senator LODGE and his associates to encourage differences between English-speaking peoples now?

Senator LODGE even said that if any such differences were encouraged, it was due to the German propaganda. It can't be possible that this great change that has come over Senator LODGE and his associates is due to German propaganda. I know the Senator too well to believe that. We all know and believe in his patriotism and admire his Americanism.

Oh, Mr. President, it seems to me that Senator LODGE owes an explanation to the country as to why this great change has come about in the matter of encouraging differences. He should tell the country why it is that he is now trying to drive a wedge between the American Government and the American people and our allied Governments and our allied peoples, who are striving with one accord to obtain a peace treaty that will do just what Senator LODGE demanded should be done by a peace treaty.

We must remember we are still in a state of war with Germany. It is just as necessary to present a solid front to the enemy as ever.

Mr. President, in the beginning of my speech I said that all people approved Senator LODGE's statement that peace was desirable and that war was undesirable. An apparent exception to that rule is the distinguished junior Senator from Pennsylvania. Most of the Senators opposing the league of nations claim they want to bring about an enduring peace. Not so with Senator KNOX.

He has announced a doctrine and offered a resolution on it that would most likely bring about perpetual war. His proposal is the only proposal that has been made in lieu of the league of nations. It is not a peace proposal at all. It is a war proposal. Of all the remarkable utterances ever made on the question of peace, probably the utterance of Senator KNOX is quite the most remarkable.

His first modest proposal was made on December 18 last, and read, as follow. Listen to this:

Can we not perceive emerging from these facts—

The facts of this war—

a new American doctrine? I will state this great new doctrine in these words: If a situation should arise in which any power or combination of powers should directly or indirectly menace the freedom and peace of Europe, the United States would regard such situation with grave concern as a menace to its own freedom and peace, and would consult with other powers affected with a view to concerted action for the removal of such menace.

Again, on March 1 he said:

Meanwhile our cobelligerents need have no anxiety, for so surely as the sun rises, if the Hun flood again threatens to engulf the world, we shall again be found fighting with the same complete accord, with the cooperation as in the past, all for the defense of civilization.

A few days ago he followed it with a resolution, the last section of which reads as follows:

That, finally, it shall be the declared policy of our Government, in order to meet fully and fairly our obligations to ourselves and to the world, that the freedom and peace of Europe being again threatened by any power or combination of powers, the United States will regard such a situation with grave concern as a menace to its own peace and freedom, will consult with other powers affected with a view to devising means for the removal of such menace, and will, the necessity arising in the future, carry out the same complete accord and cooperation with our chief cobelligerents for the defense of civilization.

This is the plan proposed in lieu of the league of nations by the junior Senator from Pennsylvania. What does that plan mean? Is there any attempt to settle wars in a peaceful way? Is there any attempt to arbitrate differences? Is there any attempt to adjust and compromise and settle international disturbances and disputes? None whatever. The doctrine announced by the junior Senator from Pennsylvania is just a rehash and a restatement of the Monroe doctrine, applying it to Europe. If it were carried out, if that announced doctrine were carried out, we would become simply the chief of police of

Europe, mind you, not with agreements that war should not be made, but with an agreement that Europe can stir up all the wars she wants and we will be the policeman and we will stop the wars. Why, if that solution of the junior Senator from Pennsylvania should become the law of the land it would take 5,000,000 American soldiers on guard in Europe all the time to preserve the peace; it would take the largest navy in the world, a larger navy than all the other navies in the world, to preserve the peace of Europe if that resolution should be passed.

No wonder that a reactionary committee, if I may call it that, unanimously turned down this resolution; if not unanimously, then very overwhelmingly. I do not recall. Of course, I am not a member of the committee. The Senator from Nebraska [Mr. HITCHCOCK] shakes his head. I imagine by that he means it was a majority, but it was, according to the papers, a very considerable majority that turned it down. No wonder they turned it down, because it would involve us in war. It provides no agreement to keep us out of war. Instead of being a peace treaty, it would be a war treaty, a treaty to incite, to produce, war throughout the world. The remarkable thing about it is that the junior Senator from Pennsylvania, after introducing a resolution like that, is against extending the Monroe doctrine to the world. If we extend the Monroe doctrine to Europe, it seems to me, everybody would say that it might as well be extended to the world, as it is in this peace treaty.

Mr. KING. Will it interrupt the Senator if I offer a suggestion?

Mr. McKELLAR. Not at all; but I hope the Senator will be very brief, because I have in my mind a line of thought which I wish to carry out.

Mr. KING. I think the attitude of the Senator respecting the position of the eminent Senator from Pennsylvania is correct. The Senator might, with equal propriety, have continued and stated that such a policy as that suggested by the junior Senator from Pennsylvania would have prevented the protection of the new governments that will be established—the Polish Government, the Czecho-Slovak and Jugo-Slav nations—and the war would have to be fought over again, or some other war following quickly, unless those Governments are protected and placed upon their feet and put in such a position that they may continue as independent Governments in the family of States of the world.

Mr. McKELLAR. I thank the Senator for his excellent contribution. I am coming to that in just a few moments. I am going to discuss that a little later in what I have to say.

I now come to the league itself, and I am going to be very brief about it, because it has been gone over by men who are better judges of it perhaps than I am.

The purposes of this league, as set forth in the preamble, are to bring about international cooperation, to bring about international peace, to bring about a better state of feeling, and of dealing one nation with the other to uphold international law and to uphold the inviolability of peace. That is not the wording of it, but that is the substance of it. I read its exact words:

> To promote international cooperation and to secure international peace and security by the acceptance of obligations not to resort to war; by prescription of open, just, and honorable relations between nations; by the firm establishment of the understandings of international law as the actual rule of conduct among Governments; and by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealing of organized peoples with one another.

I wish now to discuss for a moment the components of the league, about which much has been said. In the original number of States that belong to the league there are 32, while 13 others have been invited to come in, nations from all over the world.

The proposed league will include in the beginning 32 members—the United States, Great Britain, France, Italy, Japan, Bolivia, Brazil, Canada, Cuba, Ecuador, Guatemala, Haiti, Honduras, Nicaragua, Panama, Peru, Uruguay, Belgium, Czechoslovakia, Greece, Poland, Portugal, Roumania, Serbia, Australia, New Zealand, India, China, Hedjaz, Siam, South Africa, and Liberia.

The States that have been invited to join the league are Argentina, Chile, Colombia, Denmark, Netherlands, Norway, Paraguay, Persia, Salvador, Spain, Sweden, Switzerland, and Venezuela, making 45 in all.

In the first members of the league America has 13 independent States as members, Europe has 10 independent States as members, Asia has 6, Africa 2, and Australia 1. When the 45 come in the division will be 19 American States, 16 European States, 7 Asiatic States, 2 African States, and 1 Australian State. What has America to be afraid of from that kind of a situation? We are on terms of very intimate friendship with all our South American and Central American neighbors. We have nothing to fear from them. Besides, every international league action must be unanimous, as I shall point out a little more accurately in a few moments. Under these circumstances it seems to me that America certainly has not very much to be afraid of. Europe naturally might desire a plurality, but as it is America has the plurality.

The jurisdiction of the league is partly set forth in article 2 as follows:

> Any war or threat of war, whether immediately affecting any of the members of the league or not, is hereby declared a matter of concern to the whole league, and the league shall take any action that may be deemed wise and effectual to safeguard the peace of nations.

In sections 3 and 4 the assembly and the council are given the power to "deal with any matter within the sphere of action of the league or affecting the peace of the world." These two statements constitute the general scope of the league's jurisdiction.

However, the league is given jurisdiction over the following specific matters:

First. The effective settlement of international disputes which may lead to war, as I shall hereinafter more specifically point out.

Second. It is given, in article 17, jurisdiction over international disputes between a member of the league and a State which is not a member of the league, or between States not members of the league. The league is given jurisdiction to invite the settlement of disputes between such nations upon the same terms upon which members of the league might settle their international disputes. If these nations do not accept such invitation and do not arbitrate or adjust their differences as provided for in the constitution of the league, then the council is authorized to make such recommendations as will prevent hostilities and will result in the settlement of the dispute.

Third. In article 10 the council is given jurisdiction to take such steps as will prevent external aggression upon the territorial integrity and political independence of all members of the league.

Fourth. It is given jurisdiction over those colonies and territories which, as a consequence of the late war, have ceased to be under the sovereignty of the Central Powers, which colonies are required to be governed by mandatories reporting to the league.

Fifth. It is given juisdiction over secret treaties in that no treaty is to be held valid or binding until registered with the secretariat and thereafter duly published to the world.

These are the general powers given to the league. It has also some advisory powers, which are as follows:

First. The council is given the power to formulate plans for the reduction of armaments and for the control of the manufacture of munitions and implements of war. When the council has prepared these plans it submits them to the several Governments and when adopted by the several Governments it becomes operative.

Second. Under article 23 the league is given advisory powers over the following subjects:

(a) Fair and humane conditions of labor for men, women, and children everywhere.

(b) Just treatment of native inhabitants under control of the league.

(c) A supervision over traffic in women and children and traffic in opium and other dangerous drugs.

(d) General supervision over trade in arms and munitions.

(e) Freedom of communication and transit and equitable treatment of commerce everywhere.

(f) Advisory powers over the prevention and control of disease.

In addition to the foregoing specific grant of powers the following statement is found in article 15:

> If the dispute between the parties is claimed by one of them, and is found by the council to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the council shall make no recommendation as to its settlement.

It will thus be seen that the league of nations has no jurisdiction over any matter that is not international in its nature and over no matter that does not involve a dispute that might lead to war. It has no jurisdiction over any domestic matter or any matter which is declared to be domestic by international law.

Indeed, the peace conference put in the most admirable definition of the kind of disputes the league will settle, made by a distinguished ex-Senator, the Hon. Elihu Root, of New York. This is found in article 13 of the treaty:

> Disputes as to the interpretation of a treaty, as to any question of international law, as to the existence of any fact which, if established, would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach, are declared to be among those which are generally suitable for submission to arbitration.

No internal policy of a nation is in any wise affected. There is no interference with nationalism. There is no interference with any internal affairs or concerns of any nation. The whole jurisdiction committed to the league of nations is over matters that are naturally the subject of treaty.

It is true that an advisory jurisdiction is given over questions of labor, questions of traffic in women and children, questions of public health and harmful drugs and the like, but this is specifically limited to an advisory jurisdiction and is subject to the treaties already entered into and which may be entered into in the future by the several nations composing the league.

That is the whole jurisdiction of this league, the actual and advisory jurisdiction. The actual jurisdiction is over international matters purely. This advisory jurisdiction is rested purely upon treaties between the nations already made and that will be made hereafter, and for that reason this jurisdiction can not hurt this country but will aid it in every way possible, will add to its trade and commerce, and spread its principles of freedom and good government.

We all know how the league acts if a controversy is brought to its attention, but I should have first described the council and the assembly.

The council is composed of nine members, five of them permanent and four of them temporary. The five permanent members are representatives of the United States, England, Italy, France, and Japan; the four others are selected by the assembly, but the first members were elected by the peace council. They are Brazil, Spain, Greece, and Belgium. This council has to act unanimously.

The assembly is composed of representatives of all the nations of the world who are members of the league or who may become members of the league. Each nation has one vote, but may have three representatives. There are a number of questions within the jurisdiction of the council, as I have said, in connection with which either of the parties may appeal to the assembly, and, usually by a majority vote, the assembly either confirms or does not confirm the action of the council.

When an international question comes up, what is the course of action? It may be settled in various ways under the terms of this league. It may be settled in the usual diplomatic way; and if it can be settled through the usual channels of diplomacy, it is done in that way and that ends it. If nations have treaties that provide for courts of arbitration or commissions of arbitration, the nations may submit the controversy to such courts or commissions, and the controversy may be settled by arbitration. If the controversy is not so settled, there is a court of international justice which is established by the league, and international difficulties may be settled in that way. If, however, all these measures fail, nations can carry the controversy to the council. When they carry it to the council, the council must take it up. Briefs may be filed; arguments may be made; the council hears the case and must decide it within a reasonable time—within six months—and no nation can make war until three months after the controversy shall have been decided.

Every fair-minded person must believe—and I do not see how any man can escape the conclusion—that that is a perfectly splendid plan to prevent war. If we had had that plan in 1914 there never would have been this great World War, in which ten millions of young men lost their lives and countless billions of property were destroyed. That is the plain, everyday, carefully worked out method by which these disputes may be settled.

How are the decisions to be enforced? The matter of enforcement is just as simple. As to any member of the league or nonmember of the league, under the conditions which are stated in the league constitution, if a controversy is submitted to the league and unanimously decided by the council against a nation, then that nation, if it is dissatisfied with the decision, may appeal to the assembly. If a majority of the assembly uphold the council, the decision is final and binding, and all members of the league are required to uphold the decision of the council and of the assembly.

The decision is upheld in this way: Trade embargoes, commercial embargoes, and financial embargoes may be instituted against the nation that will not abide by the decree of the league. In my judgment, a trade embargo, a financial embargo, or a commercial embargo will be absolutely effective every time to effectuate the carrying out of the decree of the league, for no nation is going to undertake a trade war or a financial war against the entire world. If, however, that method of enforcement is not effective, then the league has the right to advise what military forces each nation shall produce to uphold the league's decree. Each nation is compelled to furnish such force, and when it is furnished that force is obliged to settle the question. Our Nation, which is the greatest and the strongest and the richest Nation in the world, is not going to undertake to fight either in a trade war or a war of arms with all the world. It is perfectly idle to think that we would do it. We are not going to do it.

For that reason, when the league is established it is going to mean that in the future we are not going to have war. It is going to be effective. It is going to be just exactly like the Constitution of the United States. In 1787, when the Constitution of the United States was framed, men denounced it and said it would not work. They denounced it up to the very time that the number of States necessary to its ratification came into the Union, and in most of the States of the Union the vote as to whether or not the Constitution of the United States should be established was very close. Two, I believe, did not ratify it at all. That was largely because it was said by its opponents that the Constitution would not work. But it has worked, to the betterment of the world and to the peace and happiness and prosperity of the people of this country through all the years. If it is adopted, this league will do the same thing.

What are the objections which have been urged to the league? Our reactionary friends have raised a great many objections to it. Senators will remember that last November and December, before President Wilson left this country, after it was announced that he was going abroad as a member of the peace council, this happened: The reactionaries in the Senate and outside of the Senate, in the newspapers, in the magazines, everywhere they could get an audience, stated that President Wilson was going over there to the peace council for ulterior purposes; that he was going there to establish a superrepublic; that the republic that he expected to establish was going to be over and above all the nations of the world; that he was tired of presiding over a little country like the United States of America; that he wanted a world republic; that he wanted to be the president of it; that this world republic was going to have the power to tax; that it was going to have the only army in the world; and that it was going to have the only navy in the world. How idle were all these assertions—Senators will find the RECORD full of them—which were made by reactionary Senators last fall. Everywhere it was stated that the ulterior purpose of the President in going to Europe as a member of the peace council was that he could set up a world republic.

Was a single prediction fulfilled? Not one. When the draft of the league of nations came in and it was understood what it was, it was discovered that the league did not have any power to tax; it does not have any army; it does not have any navy; and a president is not even provided for, yet those were the criticisms made by the reactionaries who opposed this league before they knew what it was.

After they found out what it was, in a general way, what happened? It seemed to me, after the situation became known, after these objections were proven to be no longer well founded, that its opponents would have withdrawn their objections to the league, but they did not do so. They at once proceeded to urge many new objections to it. The principal objections, as I remember them, were these: That we did not have a right to withdraw under it; that the Monroe doctrine was not taken care of under it; that we would be compelled to be a mandatory, whether we wanted to or not; that we did not have a right to amend it; that the league's action would be by majority vote; that justiciable questions were not stated in it; that domestic questions were not excepted. There were also a number of other more or less important objections to it.

The peace council took up those objections and provided for every one of them. The right to amend was recognized; we have a right to withdraw from the league; the Monroe doctrine is specifically named; justiciable questions are set out; all votes except immaterial ones must be unanimous; no domestic questions can be considered by the league; we can not be required to be a mandatory; all those matters are specifically provided for. Surely, it looked as if there ought not to be any objection to the league after all these amendments to it were adopted, but our reactionary friends were not willing to stop the fight. Every conceivable objection to the league was presented. It is true, they all differed about it themselves, and Mr. Root was sent for to advise leaders. He came to Washington, and, to use a favorite expression of the Secretary of War, Mr. Baker, he began to coordinate and function the objections to the league, as stated by the reactionaries in the Senate, and brought them all down to three. Here are those three, namely, the Monroe doctrine, the right to withdraw, and article 10. The objection as to domestic questions had already been met, so that the three I have named, in substance, are the objections that Mr. Root

has stated, and they are the only objections which an effort is going to be made to meet by way of reservations. I wish to discuss those objections for just a moment.

The ones I have named are the only real objections that are now urged. Many have been urged; many have been abandoned; several have been accepted, until now they have sifted down to three. One is as to the right of withdrawal as provided for in article 1; the other is the effect of article 10; and the last is in regard to the Monroe doctrine. I will proceed now to discuss the first objection, namely, that relating to withdrawal. The words, as I remember, are substantially, if not actually, as follows: "Any member of the league may withdraw upon giving two years' notice of its purpose so to do, provided that all of its international obligations and all of its obligations under this covenant are fulfilled at the time of withdrawal."

I heard the speech of the distinguished senior Senator from Virginia [Mr. SWANSON] on the subject several days ago. As I recall his position, he stated that the right to withdraw was absolute, and that the withdrawing nation had the absolute right to determine whether or not its international obligations or its obligations under the covenant had been discharged. I am sorry that I can not agree with the Senator from Virginia on that subject. I do not think that is the real interpretation of that language. I believe that any member of the league has the right to withdraw—there is no question about that—upon giving notice; but as to whether it has performed all of its international obligations or its obligations under the league covenant manifestly the other parties to the contract have a right to say. My proposition is that it is perfectly right that they should have the power to say as to that. We can not be hurt by it. If this Government wishes to withdraw and has entered into an international obligation or an obligation under the league covenant, it ought to fulfill that obligation before it asks to withdraw, and the league naturally would have jurisdiction over that question. If some member of the league should raise the question as to whether the United States in a given case had performed its obligations under the covenant or under international law, there would have to be a unanimous opinion of the body, except for the representatives of the two nations interested in the controversy, and then either side can appeal to the assembly. Surely that is right and fair, and I do not object to that provision of the article. I think that it aids and helps the article.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER (Mr. NEW in the chair). Does the Senator from Tennessee yield to the Senator from Iowa?

Mr. McKELLAR. I yield to the Senator.

Mr. KENYON. I am glad to hear the Senator discuss that question, because to me it is one of the most troublesome in the covenant. As I understand, the Senator takes the position that we can not determine whether or not our obligations have been fulfilled; that that must be determined by the council or by the assembly?

Mr. McKELLAR. I think so.

Mr. KENYON. I agree with the Senator. Say that we have served notice to go out, and when the two years have expired some other nation takes the position that there are international obligations unfulfilled on our part. We say there are not. There would be a dispute then that might lead to a rupture, and consequently that question must go either to arbitration or to the council.

Mr. McKELLAR. Under the rules of the league.

Mr. KENYON. Yes. If we do not submit it to arbitration it goes to the council. I wish to ask the Senator this question: Suppose the council decides that we have not fulfilled our obligations and can not withdraw, what then? I have never heard any exposition of that. It seems to me that from there on the pathway is perfectly dark; there is no light shining on it.

Mr. McKELLAR. I hope that I may give the Senator what I think of that, and I hope that my view will be satisfactory to him.

Mr. KENYON. Of course we could go out by force, but we would break a moral obligation.

Mr. McKELLAR. Of course. On that subject I will say to the Senator that if this Government enters into an international obligation or an obligation under the league covenant, it is its duty to keep it absolutely. I am not talking about the morality of it. I say it is an absolute agreement that ought to be kept, and if the representatives of seven nations that sit on the council unanimously decide that we have broken our covenant or our international agreement, we ought to fulfill it, just as we ought to fulfill any other obligation whether we want to do so or not. I believe in the validity of obligations between individuals, between organizations, and between Governments, and they ought to be fulfilled absolutely.

Mr. KENYON. Mr. President——

Mr. McKELLAR. I yield to the Senator.

Mr. KENYON. I think it must be true that the United States would not seek to go out unless it had fulfilled all its international obligations.

Mr. McKELLAR. I think that is true.

Mr. KENYON. Suppose this country feels that way about it—and there may be a Congress elected on that issue—but other nations that may not have that high sense of honor that we believe the United States has say "You have not fulfilled these obligations," and we say "We have; we are going out," and we go out. Now, what then? Can anybody keep us in?

Mr. McKELLAR. I think we can go out.

Mr. KENYON. Would that, then, be an act of war?

Mr. McKELLAR. No; I think not. I think it could only be an act of war when the unanimous opinion of the council held that we had not fulfilled our obligations. I believe that in any dispute that might arise surely we could trust the unanimous verdict of the representatives of the great nations that sit upon this council. If we can not, we ought not to deal with them at all.

Mr. KENYON. Should not they be willing to trust us also that we would not seek to go out unless we had fulfilled our obligations?

Mr. McKELLAR. I think it takes away the strength of the clause, because exactly the same rule that would apply to the United States would apply to Great Britain if she violates it, or to France, or to Italy, or to any other member of the league. Every one of them have to be placed in exactly the same condition that the United States is in about it. I want to say that I for one as an American am perfectly willing to trust this council. We are trusting them in every other international matter. Why can we not trust them in this matter?

Mr. KENYON. Will the Senator pursue just a little further the question that I asked before? Suppose they decide against us and we have a Congress elected on the issue of going out. We feel that our obligations are all fulfilled. We go out. Now, what then?

Mr. McKELLAR. Just exactly the same then that I expect to come to in a few moments.

Mr. KENYON. I will not ask the Senator to anticipate.

Mr. McKELLAR. No; I will come to it right now. It is a good illustration.

The legislative and judicial departments of this Government are equal in power, and under our laws certain of our citizens under certain circumstances have the right to sue the United States before our Federal courts. Let us assume that the Senator is a citizen of the United States, and has a just claim against the Government, and sues the Government for a million dollars, and the courts give him a judgment for it, and the case is appealed to the Supreme Court, and a final judgment is entered in his behalf for a million dollars. Suppose it is a great domestic question that the Senator has raised by his suit, and an adverse Congress, unfavorabe to the Senator's claim, has been elected. How is the Senator going to get his money under those circumstances? He can not get it. The Supreme Court has perfect authority to render a judgment against the United States, and whenever the Supreme Court renders a judgment against the United States it is a subsisting and valid obligation of this Government to pay, but it can not be paid until the Congress comes forward and appropriates the money directed to be paid. So the Senator would be in exactly the same position; and that constantly happens. It has occurred in the past that Congress has been exceedingly slow about paying some of these obligations, and it may be in the future that some such cases may arise; but I say to him that under our system of government it is the obligation of Congress to carry out the agreements that are made by the international branch of the Government, if I may so call it—the diplomatic branch of the Government. We constantly speak of our Government being divided into three great branches—the legislative, the judicial, and the executive. As a matter of fact, there are four—the legislative, the judicial, the executive, and the diplomatic; because, as we all know, when the President and the Senate, acting together, make a treaty, it is the supreme law of the land, just as much as any act of Congress, and can be set aside only by the President and the Senate, acting together in that regard, or by a repealing act of Congress.

Now, those things constantly happen. We can not predict them beforehand and say what Congress will do; but whenever a valid agreement is made by the United States Government—I do not care on what issues a Congress has been elected—I believe it will do its duty and perform the obligation that the treaty-making power put upon it when it made the contract.

Mr. KENYON. Mr. President, will the Senator yield again?

Mr. McKELLAR. I yield.

Mr. KENYON. As I understand the Senator's position, then, if the council decided that we could not go out of the league, even if a Congress had been elected by the American people on the issue that we should go out of the league, we could not go?

Mr. McKELLAR. Oh, I think the right to go out of the league is absolute; but the league can make us perform whatever obligations we have agreed to before we go out.

Mr. KENYON. How can it make us perform them? By war?

Mr. McKELLAR. If it is necessary, by war, or by furnishing the necessary troops.

Mr. KENYON. So that if we go out of the league, then, the Senator feels that all of the nations within the league are under some kind of an obligation to make war against us?

Mr. McKELLAR. Not necessarily at all. It depends entirely upon the facts of the given case. I will illustrate to the Senator again about that matter, because this goes to the constitutionality of this provision of the league.

Mr. KENYON. That is what is troubling me.

Mr. McKELLAR. Perhaps I can help the Senator out by another illustration.

The Senator recalls that in 1903, I believe it was, when Mr. Roosevelt was President, the State of Panama seceded from the United States of Colombia, I believe it is called, and, in the ordinary parlance of the papers, one night, or over night, the United States Government entered into a treaty with Panama by which the United States agreed to uphold the territorial integrity of Panama as an independent State, provided that Panama would permit, for a consideration, the building of the Panama Canal. That is familiar to us all. Now, mind you—and this comes more particularly in connection with article 10 than it does with this, but I am trying to answer the Senator's question and relieve him of that trouble if I can—the very statement of the obligation in that case guarantees the absolute independence of Panama. We all know that if it had not been for the statement of that obligation in that treaty, Colombia would have come in the next morning, perhaps, and recovered her lost province; but the very statement of the obligation that the United States would make war on any nation, Colombia or any other nation, that interfered with the sovereignty of Panama stopped any war by Colombia. That does not mean that Mr. Roosevelt and the United States Senate, acting together, as they had the unquestioned power to do, had done an unconstitutional act. That did not mean that the diplomatic branch of our Government, if I may so term it, had guaranteed or had made war in advance—not at all. The President and the Senate had simply agreed that if certain conditions existed the United States would make war.

Now, to answer the Senator's question, we have entered into this obligation, have we not? We have entered into this obligation to uphold Panama. By the way, the Senator will recall that it was a burning question before the American people for a while. You remember that it was attacked on the floor of the Senate as being an unconstitutional act of the President and the Senate, and that it was unconstitutional in that it took away the right of Congress to declare war, and said that this treaty had declared it beforehand. Now, suppose it became a burning issue, and a Congress was elected on that issue, and that issue was that if Panama got into trouble we would not make war. We have the obligation there to make war. If anybody makes war on Panama, we have to go to her assistance. In my humble judgment, whenever that obligation is presented to Congress, Congress is going to carry it out, it does not make any difference what issue was before the people when that Congress was elected.

Mr. KENYON. Mr. President, I do not like to keep interrupting the Senator, and this is the last time I will do it; but if the Senator from Tennessee is correct, then the Senator from Virginia [Mr. SWANSON] is wrong.

Mr. McKELLAR. I think so.

Mr. KENYON. That shows how great minds differ about the questions involved in this league of nations. Now, we less conspicuous Members have to look and do look to the leaders for wisdom. Here is the Senator from Virginia [Mr. SWANSON], who, in the absence of the Senator from Nebraska [Mr. HITCHCOCK] at his summer home now and then, acts as the leader in this fight. He says here very frankly in a statement—and I have studied and meditated over that statement a good deal—that we can go out whenever we choose, after two years, of course; that it is up to this Nation to decide. Now, the Senator from Tennessee says otherwise. Would it not be well to have a question of that supreme importance, that is fraught with trouble for the future, made clear, whichever way is right? If the Senator is right, let us write in that the league of nations is to determine the question of whether we have fulfilled our international obligations; but if the Senator from Virginia is right—and I want to believe he is right, but I fear he is not right—then let us write in that foreign nations shall have nothing to say about when we go out. That would simplify this debate and discussion a good deal.

Mr. McKELLAR. Mr. President, I will say to the Senator that if the Senator from Iowa and every other expert in this Senate should get together——

Mr. KENYON. I am not an expert.

Mr. McKELLAR. One moment.

Mr. KENYON. Well, I will not let that statement go unchallenged.

Mr. McKELLAR. I meant that in a proper sense. I think the Senator from Iowa is an expert on any matter that he undertakes to deal with or talk about. He is a man of unusual ability. I believe that if every one in this Senate agreed that this expression used in this part of the treaty was absolutely beyond cavil, the chances would be that in the future it would come up for construction. Every single provision of our Constitution, almost every word in our Constitution, every phrase in our Constitution, every sentence in our Constitution, has had to be construed in the 130 years that have passed since it was made. We can not say in advance what effect this provision or that provision is going to have. If it is wrong we can amend it, just like we have amended our own Constitution. We have amended it eighteen or nineteen times. There are more articles in the amendments to our Constitution than there are in the original Constitution itself. Amendments are provided for in this league of nations covenant. It would be easier to let us try it and work it out, and after we have it worked out, if it needs amending, then let us amend it, as provided in the Constitution.

Mr. President, that brings me to the next proposition, the Monroe doctrine.

Mr. SIMMONS. Mr. President——

Mr. McKELLAR. I yield to the Senator.

Mr. SIMMONS. I understand the Senator's position to be that if he is correct and the Senator from Virginia [Mr. SWANSON] is incorrect about that matter, then we could only be prevented from going out by the unanimous decision of the league that we had not fulfilled our engagements.

Mr. McKELLAR. That is true.

Mr. SIMMONS. The Senator, by the use of the words "unanimous decision," includes, I suppose, the representatives of the United States of America?

Mr. McKELLAR. The league covenant provides that if two members of the council are disputants, those two can not take part in the decision.

Mr. SIMMONS. That is with reference to a matter that is to be decided by arbitration or by submission to the council. In my judgment, that does not apply to this provision of the treaty. It applies only to those provisions where that is made an express condition. My own construction of that would be—and it is an offhand construction; I am not quite sure that I am correct about it—that the unanimous decision required in this case, to the effect that we had not complied with our international engagements, would include, of course, the vote of the member representing the United States. I want to ask the Senator if that is his view about that?

Mr. McKELLAR. The only way that question could arise is this, that some other member of the council or the league would say, "Here is an obligation that the United States has not fulfilled," and the United States would say, "Why, we have fulfilled it," and they would have to submit it to the council and to the league, just as any other question is submitted, in my judgment; and in that case the prosecuting member and the United States would not take part in the deliberations. But my position is that that is right; it ought to be that way.

Mr. SIMMONS. I understand that that is the Senator's position.

Mr. McKELLAR. It makes it stronger. I would rather have it that way than to have it so that any nation could withdraw at will, because if any nation can withdraw from this league at will upon giving two years' notice, we have not got any league.

Mr. SIMMONS. I do not disagree with the Senator in those conclusions, but I think the Senator is wrong when he assumes that this would create a controversy such as is referred to in article 12 and the other articles requiring, where there is a dispute likely to lead to a rupture, that it shall be submitted to arbitration, and so forth.

Mr. McKELLAR. It may be so.

Mr. SIMMONS. The reason why I think that grows out of the very language of those provisions. The language of those several provisions is about the same. Therefore I need only to read from article 12, which is the first article in which it occurs:

> The members of the league agree that if there should arise between them any dispute likely to lead to a rupture—

And so forth.

I wish to ask the Senator if those words, "if there should arise between them any dispute likely to lead to a rupture," do not refer to a dispute between different nationalities raising such a question as the league would have jurisdiction of with reference to international affairs? Is not that meant there, and not a controversy between a member and the league, as an entity?

Mr. McKELLAR. I am giving the views that I have with a great deal of diffidence, because I can not say that I am correct. The Senator may be entirely correct. I differ with him, and I am trying to be perfectly frank. I think it is a better provision just as it is. That is the only restriction that is in it now. If you can go in and make the obligation and then violate it at will, do you think that is right? I do not think any obligation ought to be violated in that way. I may be wrong about it. The Senator from North Carolina may be right in his view; the Senator from Virginia may be right in his view; but I think it weakens the strength of this agreement to take the view of either the Senator from North Carolina or the Senator from Virginia. I am satisfied with the language as it is. I am more satisfied with the restrictions that I believe are in it, because it treats all nations fairly and justly alike, and it gives us some common forum in which all international matters can be settled.

Mr. SIMMONS and Mr. SMOOT addressed the Chair.

Mr. McKELLAR. I hope Senators will not interrupt for just a few moments. I shall be very glad to go into this just a little later.

Mr. SIMMONS. Just a moment, if the Senator pleases. I think the question that has been raised is important from the standpoint of the view which the Senator has presented. I agree with him in the view he has presented, but the Senator from Iowa [Mr. KENYON] has raised the question if a majority of the league should vote that we have not performed our international obligations and we should in defiance of that verdict withdraw anyhow, would it not create a cause of war? If the Senator from Tennessee is correct in his assumption that that would raise one of the questions agreed in article 12 to submit to arbitration, then he has admitted the contention of the Senator from Iowa that it would be a cause of war. I do not think it is a cause of war.

Mr. McKELLAR. Senators may differ about it, but I have that view and I want to submit it to the Senate for what it is worth.

Mr. SIMMONS. I think it refers only to disputes that arise between nations with reference to their relations to each other, not to disputes that arise between a member and the league itself.

Mr. KENYON. Suppose it were something that——

Mr. SIMMONS. Will the Senator pardon me? If that contention be correct, then of course if the United States should withdraw without having fulfilled its obligations it would be guilty of a breach of good faith. I can not conceive that it would ever do that, but I do not think it would be a cause of war. That is the only question that I have raised, and I am not clear about it at all. It just occurred to me to raise it. I was really making the interruption for the purpose of getting advice and information from the Senator who is so ably addressing the Senate at this time.

Mr. McKELLAR. I thank the Senator.

Mr. SMOOT. Mr. President, if the Senator's position is correct, then it would be impossible for us to get out of the league of nations. I wish to say in this connection that the position of the Senator from Tennessee, I believe, is exactly the same as the position of the President of the United States and absolutely contrary to the position taken by the Senator from Virginia [Mr. SWANSON]. I base that on the telegram which the President sent on May 10, 1919, to Secretary Tumulty for publication, which was published in all the papers of the United States. Among other things in that telegram appeared this language:

> Happily, there is no mystery or privacy about what I have promised the Government here. I have promised to propose to the Senate a supplement in which we shall agree, subject to the approval of the council of the league of nations, to come immediately to the assistance of France in case of unprovoked attack by Germany, thus merely hastening the action to which we should be bound by the covenant of the league of nations.

That was the President's position.

Mr. McKELLAR. Mr. President, I now recall the telegram which the Senator has placed in the RECORD, and I am rather inclined to think that the telegram does uphold the position I take about the meaning of those words.

Mr. SIMMONS. Will the Senator permit me just one other word to clarify my position? I am not asserting the position I present as a mature judgment. My own judgment, however, is that that is not one of the questions which we have agreed to submit to arbitration, but if it is one of the questions we have agreed to submit to arbitration and there should be a disagreement about it, of course we would either have to let it go to arbitration or we would have to go to war.

I wish to say to the Senator, in addition, that I have not regarded this provision, even with his construction of it, as a provision of which the United States Government should complain. I think it is in our interest. We will never have a representative upon that board who will violate it; we will never seek ourselves to get out; and we do not want to get out unless we have performed our international obligations; but it is of great importance to the United States that every other civilized nation in the world a member of the league should be bound, before it can go out, to perform its international obligations. If it may result in a little inconvenience at some time to the United States, the resulting benefit in making it necessary for every other nation in the world that is a member of the league to comply with its conditions before it can get out is full compensation to the United States.

Mr. McKELLAR. I agree with the last statement of the Senator from North Carolina, that that will be its effect. That is directly in line with what I believe about it.

I next come to the question of the Monroe doctrine, which has been so often discussed. Article 21 of the league has this to say about the Monroe doctrine:

> Nothing in this covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe doctrine, for securing the maintenance of peace.

How any reasonable mind after reading that language can come to the conclusion that the Monroe doctrine is not taken care of I can not understand. The Monroe doctrine is simply the expression of the President of the United States in 1823 that we would view with great concern the efforts of any European nation to implant its system upon any territory in this hemisphere. In other words, we simply guarantee by that doctrine the territorial integrity of every nation in this hemisphere. We have held on to that doctrine for nearly 100 years. It has done more to uphold the peace and preserve the territory and the liberty of the various nations of this hemisphere than any other doctrine that was ever announced. This league covenant in terms ratifies it. As a matter of fact, in the first draft the Monroe doctrine was not ratified in terms, though it was ratified in substance; but this later draft does ratify it. At all events, the league applies the Monroe doctrine to all the nations of the world, and it is fitting that that should be so applied.

Article 10, by which it is done and to which I now come, is the keystone of the arch. Without it this league would not have its proper force. Let me state why. We guarantee the territorial integrity of all the nations, and what does that mean? It removes the chief incentive to all war.

Mr. President, as I recall history, and I am speaking very generally now, every international war of any consequence that ever was fought was fought over territory, perhaps with the exception of the famous war between the Greeks and the Trojans, which, as we understand it, was fought over a red-headed woman, Helen of Troy. All other international wars have been fought about territory, and when you remove the power of a great nation to obtain the territory of a weaker nation, when you remove that principal reason for war, you preserve thereby the peace of the world. We have an illustration here now. How easy it would be for this country to overrun Mexico and take it but for the doctrine of Mr. Monroe and of the territorial integrity of the nations of the world.

This article is the keystone of the arch, and that brings me to an interpretation of the article, on which I differ with some other gentlemen. I call attention especially of the senior Senator from Montana [Mr. WALSH] to the observations I am about to make on this subject.

Article 10 is composed of two sentences, and I want to read them. They are very short. Article 10 of the league reads as follows:

> The members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league.

That is the first sentence, and here is the second:

In case of any such aggression or in case of any threat or danger of such aggression, the council shall advise upon the means by which this obligation shall be fulfilled.

I suppose there is not a greater lawyer in this body, and probably not a greater lawyer in the whole country, than the distinguished Senator from Montana [Mr. WALSH]. His fame is nation-wide. His ability is known of all men as a great constitutional lawyer and any other kind of a lawyer. I approach the proposition of differing with him with the greatest diffidence. As I understood his position the other day, it was that when, in the second sentence of this clause, the council was given authority to advise what means were to be used to carry out or fulfill the obligations of this article, that it only gave a moral obligation to the council to advise; that the council had no authority to enforce the fulfillment of that provision.

I can not agree with that interpretation of these words. I think that interpretation of the words destroys in part the force and effect of the article. I believe that under those words, when the obligation has been created, if the territorial integrity of a nation has been threatened or interfered with, the council has the right to prevent that aggression in such a way as it may direct, and the word "advise" is used for this purpose. The council may say, of course, that the article has been violated, for instance, in the case of Mexico, and we announce that it has been violated. The council makes the statement that they believe all that it is necessary to do is to declare a trade war on the nation that has violated it. They advise that it is not necessary to use military force. Under those circumstances this Government is obligated to enter into a trade war against the nation that has violated the territorial integrity of Mexico. But it may be that the council, upon a careful examination, will find that armed naval forces should be used, and thereupon it would direct that the Governments of the world enforce that article by the use of armed naval forces, or it may be it would require armed land forces or naval forces and land forces; but whenever it advises what the requirement is, it is the duty of this Government to uphold and carry out the requirements of the league. To have any other construction destroys the force and strength of this article.

When we guarantee by treaty the territorial integrity of any nation and provide that armed and naval forces may be used, if necessary, to uphold the determination of the league, that is constitutional. Precisely the same provision is in the Panama Canal treaty with Panama. It is not a moral obligation; it is an absolute obligation; and the Congress, if it does its duty to the American people, must enforce it upon the advice of the league that armed and naval forces are necessary.

That brings me to the next proposition, that the league is neither unconstitutional nor un-American.

Mr. WALSH of Montana. Mr. President——

Mr. McKELLAR. I yield to the Senator from Montana.

Mr. WALSH of Montana. Before the Senator passes from the subject which he has just been considering, I inquire of him whether the last clause of article 10 would have any different significance if it read:

In case of any threat or danger of such aggression the council shall direct by what means this obligation shall be fulfilled.

Mr. McKELLAR. Substantially it would be the same, but it would not as clearly express the intent of those who created the article——

Mr. WALSH of Montana. I quite agree with the Senator.

Mr. McKELLAR. For the reason that there are several methods of enforcing this article placed before the league; that is, by financial embargo, by commercial embargo, by trade embargo, and then by armed naval forces or armed land forces. When the word "advise" is used, it is in my judgment used advisedly, because it at once becomes the duty of the council to determine what kind of force—whether financial force or trade force or commercial force or force of arms, either army or navy or air—shall be used for the purpose of carrying out the purposes of the league. Of course, the word "direct" would have in a sense the same effect, but the word "advise" more nearly expresses it.

Mr. President, the objections which have been raised to the league, in my judgment, are frivolous, with the exception of the one against article 10, but article 10 goes to the very life of the league. It is the great rock upon which the league is builded. It is the great power which will keep us out of war, which will preserve the peace of the world. Without it what would become of the nations that we have erected over in Europe? If we do away with article 10, the lust for territory will continue as heretofore, the great nations will oppress the weak, the strong nations will oppress and take territory from their neighbors from whom they think they can take it, just as of old. This article gives great strength and power to the league, and, in my judgment, it is the strongest article in it for the prevention of future wars. We ought to agree to it just as it is, with all the power and authority therein contained. The interpretation given it by the distinguished Senator from Montana [Mr. WALSH] and, as I understand, concurred in by the Senator from Nevada [Mr. PITTMAN], the Senator from Arkansas [Mr. ROBINSON], and other Senators, all great lawyers, would vastly weaken the power that ought to be had in the league to determine what kind of force shall be used in order to carry out the terms of this article, and with power in the league to direct the use of such means as it advises.

Mr. KING. Will the Senator permit an inquiry?

Mr. McKELLAR. Certainly.

Mr. KING. As I understand the Senator's contention, it is that the article which he is now discussing not only imposes a moral obligation upon every member of the league to adhere to and observe the advice of the council, but also a legal obligation, a legal obligation so strong and imperative in command as to be a compulsion. I did not hear all the Senator's argument.

Mr. McKELLAR. I tried to discuss that in connection with another matter. I doubt if the Senator's distinction between moral obligation and legal obligation is entirely correct. I tried to figure it out on that basis myself and came to the conclusion that it was not sound. For instance, if the Supreme Court of the United States renders a judgment in favor of a citizen for $1,000,000, the Supreme Court has no power to carry it out. The Supreme Court can not furnish the money, the Supreme Court can not appropriate money to pay the citizen, but it makes what? A moral obligation, if you please; a legal obligation, if you please; a governmental obligation, if you please; but whatever it may be called, it is a binding obligation, and Congress is in duty bound to appropriate the money to pay the obligation. So it is with the obligation of article 10. This branch of the Government, the President and the Senate, could not together enforce this league; it is the bounden duty of Congress to carry it out. Whether you call it moral obligation, a legal obligation, or a governmental obligation, or whatever kind of obligation you call it, it is the duty of Congress, of the succeeding Congress or the existing Congress, to carry out that obligation to the very letter, whether it is a declaration of war, a trade embargo, or whatever it is.

Mr. KING. Will the Senator permit an inquiry?

Mr. McKELLAR. I yield.

Mr. KING. The Senator's position, then, would lead, as I apprehend him, this far, that all future Congresses would be compelled whenever the council rendered advice to declare war, if that advice called for the exercise of military or naval force, and therefore it would abrogate that provision of the Constitution which says that Congress shall have the power to declare war.

Mr. McKELLAR. Not at all. The Senator is totally wrong and wholly misconceives my argument. There is nothing unconstitutional about it. The provision, for instance, in the Panama treaty obligates the United States to make war on any nation in the world that makes war on Panama. As we all know, it obligates this Congress or any other Congress to make war against the war-waging enemies of Panama, if there are such. But it is not unconstitutional. Why? Because it is the act of a coordinate branch of the Government, and each Congress passes upon it. All I can say to the Senator is that whenever that obligation is presented to Congress, my faith in the American people, in their uprightness, in their integrity, in their honesty, is such that I believe they will inviolately carry out the obligations of this Government.

Mr. President, having these views, I regard amendments by way of reservations, with the exception of article 10, as frivolous. They mean nothing. The question of article 10 is material, but I think article 10 should be left just exactly as it is. It is the most important article in the treaty for the preservation of peace. I would not want to vote for a league that did not provide for guaranteeing the territorial integrity of every nation. I would not want to vote for a league that did not provide for effectually carrying this provision out. We ought to carry it out in good faith and in honor, and we will do so.

Now for a moment I am going to discuss proposed amendments. I am against any amendment, and I will tell you why I am against any amendment to this league. Of course, every lawyer knows that one of the parties to a contract can not change its terms and preserve the contract. This league has been entered into by all the nations of the world, and whenever we put an amendment in it it destroys the agreement and it has to go back to all the nations that signed it, and unless all sign again there is no agreement. I do not think we ought to

do that. If a reservation is put there, if it means anything at all, it means precisely the same thing. Any reservation that has any substance to it will have to go back to the signatory powers and be signed all over again. I am not willing to do that. This league has been made as the result of compromise, of concessions. The great powers of the world—those that saved the world and its civilization in the late war—gathered together in Paris with their best representatives and prepared this league. They yielded and conceded to each other. They have brought forth an admirable instrument. It has been not only signed but it has been approved by the English-speaking peoples concerning whom the Senator from Massachusetts [Mr. LODGE] was so solicitous only a short time ago. It has been indorsed by them. It is going to be indorsed by every civilized nation whose representatives have signed it, and all the peoples of the world are going to indorse it except two factions, and I am not sure that there will be two. The only two factions in all the world to-day that are against this league are a faction in China and a faction in the United States Senate of America. Those are the only two making a combined effort to defeat it. Is it possible that we are going to line up with a faction in China against all the rest of the civilized world? I do not think so.

The only method by which we can secure the world against such an awful sacrifice as has been made in the last five year, as we all know, is the present treaty. It is our duty to ratify it, to uphold it, to stand by it, and defend it.

Now, I want to give the reasons by which I am influenced. There are three incontestable reasons, Mr. President, why this league ought to be established and ought to be ratified by the Senate at the earliest moment possible.

The first of the reasons I am going to state is a financial one. That appeals to most men; I can not say that it ever appealed much to me; but that reason surely should have some weight, and I believe it will. What has been the cost in dollars and cents of the five years of war in which the world has been indulging? It is estimated that there are $800,000,000,000 of wealth in all the world—carry those figures in your mind—$800,000,000,000 of wealth of every kind, nature, and description in all the world. How much of it has been destroyed in the last five years of war which we have had? Two hundred billion dollars of wealth has been destroyed in the last five years; one-fourth of all the wealth in the world has been swept away by the war; and yet reactionaries in the Senate, backward-looking men in the Senate, contend here day after day that we should take no step to avert such an awful sacrifice of property in the future.

A gentleman from Memphis, where I live, Mr. Dorsey H. White, made this illustration to me the other day of the cost of the war to America alone. He is a man of wealth; he has one child, that child being about grown. He said that he had figured out that one-eighth of all his income had been mortgaged to pay the expenses of this war in America in the last two years; that one-eighth of all of his income had been mortgaged for the life of himself and of his child, and if that child lived to be threescore and ten years of age, and then 25 years longer, he estimated it would take one-eighth of his income to pay his proportion of the expenses of the war for the last two years. It also means one-eighth of the income of every man, woman, and child in this country who has an income and pays an income tax will be required to pay the cost of this war. Yet there are Senators here who want to go right along and let nations have all the wars they desire. If this war has taken off an eighth, and we have a war five or six years hence which will take off another eighth, and a war 10 or 12 years hence which will take off a quarter, the first thing we know the American people will not have any income. Therefore I say if we look solely to what it has cost the nations of the world we ought to enter into this league to prevent a repetition of war. If the league does not guarantee that, we ought to do the best we can to help guarantee the world against future wars of this kind.

It has been estimated that this war, without regard to indemnities, has cost Germany thirty-seven and one-half billion dollars; it has cost Great Britain $36,000,000,000; it has cost France in the neighborhood of $30,000,000,000; it has cost the United States in the neighborhood of $30,000,000,000; it has cost Turkey $23,000,000,000; it has cost Italy $10,000,000,000; it has cost Russia $20,000,000,000; it has cost Austria $20,000,000,000; $200,000,000,000 have been swept away; and yet reactionary Senators quibble over what the meaning of words is. Let us quit quibbling; let us do something for the good of humanity; let us stand by the prosperity of the world, and especially of our own people. Let us protect the boys of our great land.

Senators talk about what effect this treaty is going to have in China. Why, Mr. President, in all frankness, I have nothing but the kindest feelings for China, kinder, perhaps, than I have for Japan; but as for me, I think more of the lives of any one of the 60,000 American boys who lie sleeping in Europe forever and of their eternal sacrifice than I do of all the people of China. Let us look at it from an American standpoint, for the defense of American property and of American sons.

That brings me to the second incontestable reason. Mr. President, ten millions of young men have offered up their lives as a sacrifice to the awful monster of war in the last five years; ten millions of young men as full of life and enthusiasm as are any other young men have been cut off before their time, mown down by the ambition of a man like the Kaiser, who was willing to bring about this awful sacrifice of human life in order to get the territory of his neighbors which he desired. When you think of the sacrifice of those ten millions of lives of young men—60,000 of them American boys—do you wonder that I am willing to favor this league, whether it exactly suits China or not? I am not concerned so much about other nations, but I am concerned about the men and women of this country. The 60,000 families of the young men in this country mourning for their sons who have gone forever, the ten millions of families of the young men throughout all the world, are to be considered in this affair. We are here quibbling, we are here disputing, about the effect of a clause of this section and of that section, when we can not say what effect it is going to have or how it is going to be construed in the future, whatever we may say about it. We are, however, here quibbling about it. Do you think that the fathers and the mothers of these 60,000 young men think that way about it? Do you not think that they believe we ought to insert into this league some binding agreement which will prevent war in the future? They want wars stopped. They did not rear their boys to become gun fodder. That is why I am in favor of article 10, because when article 10 is adopted and is established firmly, with the power to carry it out, I do not believe any human monster like Wilhelm of Germany will ever plunge the world into war to gain more territory. The only purpose and object he had was to secure Alsace and Lorraine, or perhaps all of France and Belgium. When you take away from the rulers of the nations the right to make war in order to get territory, you will have done away with war in the world. It is for that reason that I believe that this league should be ratified and adopted without amendment and without reservation.

Now I come to the third reason. The distinguished Senator from Massachusetts [Mr. LODGE] last December, when he stated the objects of the peace council, stated that he believed that a new State should be created in Austria to be known as Czechoslovakia; that Poland should be newly created out of a part of Austria and a part of Germany and a part of Russia; that Alsace-Lorraine should be reestablished as a part of France. The peace council have done those things. They have restored a part of Austria to Italy; they have reestablished Poland; and they have taken away Turkish territory and made a new State. Are we reasonable men? Are we thinking about what we are doing at all? Is it possible, is it conceivable, that any fair-minded men on earth would be willing solemnly to come together or to have their nations come together in a council and solemnly rearrange the map and arrange a new Czechoslovakia and a new Poland and yet provide no power to protect those newly created countries in the future? No more awful crime could be committed against the inhabitants of a new Poland or of a new Czechoslovakia or of a new Hedjaz or against the people of Alsace-Lorraine than to mark out their territory, as it is proposed by this treaty to mark it out, and then to turn them over to the tender mercies of ambitious neighboring rulers who want to invade their territory. If we do not enter into this league, and if we do not adopt article 10 of this league, it will not be three months before Poland will be invaded. The only way to safeguard and uphold the new States we have created is to have an agreement among all the nations to protect them.

Mr. President, for these three incontestable reasons I am in favor of this league without reservation and without amendment, for I believe the sooner it is ratified the better.

I next come to a question that I want to discuss very briefly. The newspapers have discussed at considerable extent the question that those who favor our entering this league are not simon-pure, 100 per cent Americans. I do not know how they obtained that idea. No American sovereignty will be violated by becoming a member of this league. It is purely a treaty, just as any other treaty made for the peace of the world or a part of it; and the United States has been making this kind of

peace treaties ever since we began as a nation. How there can be involved a contention against the pure Americanism of such action I can not imagine.

I wish to say that if there is a question of Americanism I am willing to submit the Americanism of the present administration and to compare it with the Americanism of any other administration that ever existed in this country. I desire to call attention to what has been done on behalf of America in the last six years.

Mr. President, in the last six years we have won one of the greatest wars that was ever fought among men. That is some accomplishment. Whether reactionaries or progressives, whether Democrats or Republicans, we all take pride in that Americanism; that our boys have won for us the greatest military victory of all the ages.

Less than six years ago the present administration instituted the greatest financial and banking system that has ever been known; a financial system that has made this country free; a financial system under which we have not only been able to finance ourselves but have been able to finance the world in the last five years of this war. Is not that Americanism? In the last five years under this banking system the United States from being the greatest debtor Nation in the world has become the greatest creditor Nation in the world. All men, I think, will agree that that is a great accomplishment.

What has been the next accomplishment? In the last six years we have restored to the seas the American flag which had been absent from them for 50 years. We have the second largest merchant marine in the world to-day. Flags on American ships fly in every port, on every sea; that is a great accomplishment. It seems to me that all fair-minded men will approve the Americanism which has thus been shown in building up our country. More than that, Mr. President, we have not only established the greatest financial system and built up the greatest merchant marine, but the United States has produced more and has had a greater commerce in the last six years than ever before in its history.

More than that, the American people have never been one-half as prosperous as they have been in the last six years. They have enjoyed a prosperity such as not only our Nation has never known before, but there never was such prosperity in any nation under the shining sun. Yet they accuse us of not being 100 per cent American.

Not only that, but while other Governments are trembling in the balance, the American Government to-day is stronger, better, firmer, and more stable than it ever was before in its history. More than that, there never was a day in our history when America was more respected abroad and more honored at home than the America of to-day. Yet they say we are not 100 per cent simon-pure Americans. We have done nothing except to help build up.

Oh, Senators, you can not vote against the proposed league covenant on any such excuse as that it is not American. It is one of the great steps, the last and the greatest of them all, in building up the greatest Nation in the world. Our days of isolation have gone; we can not isolate ourselves from the world any more; we do not want to isolate ourselves from the world any more. Our Nation is at the very forefront of all the nations. We must keep the lead that we have won.

There is then but one last objection—and, by the way, that is the only objection with the exception of the objections voiced by the four Senators whom I named awhile ago, Senators BORAH, BRANDEGEE, POINDEXTER, and REED, who have been against this treaty all the time—and I am going to tell the truth about it right now. I say to you that that objection is the hatred you reactionary Senators have in your hearts for Woodrow Wilson, the President of the United States. Those of you who are opposing it, those of you who are asking for reservations, those of you who are asking for amendments, search down into the bottom of your hearts, look into them fairly and squarely, and you will find that it is your opposition to the President of the United States that causes you not to be for it. Nine-tenths of you were loud in your demands for a league of nations until you found that Wilson was really going to secure one, and to-day in your home States you contend you are in favor of a league, and you just want to amend this.

The President of the United States has taken the leading part in creating it; he has been at the forefront of the fight; he has done his full duty; he has brought about the best instrument possible; he is the leading figure in the world to-day, and some men are jealous of him, and they do not want to uphold him or to ratify this league because he made it. I say to you that, in my judgment, the President of the United States has his faults, as all men have, but he has done a wonderful work for this country. Under his administration this country has prospered as it never prospered before; it is more honored abroad—I do not care what some may say about it—and more respected and prosperous at home than it ever was in any 25 years together of its history in the past. There is prejudice against him, yes; but his work has been a wonderful work, and it seems to me that any American citizen with the red blood of this country running in his veins must know that the President has been actuated by no selfish purpose, but has been looking alone to the good of his country and to the good of humanity and to the effective securing of the peace of the world. He has worked it out. It is the result of compromise. It ought not to be amended, and there ought not to be any reservations made to it.

Reactionary Republicans or reactionary Democrats who are opposing this league, let me appeal to you—do not let your hatred of any one man warp and set aside your judgment on this most far-reaching agreement of all the ages.

Under Mr. Wilson's administration we have progressed as never before in our history; we have prospered as never before in our history. We have become a world power faster than in any other like period in our history. He has led in every progressive undertaking; he has led in the recommendation of more remedial and progressive laws than have ever been enacted by the Congress in the same period of time in our history. He has upheld our institutions at home and upheld our honor abroad, and to-day the name of America is respected, admired, and esteemed by liberty-loving men and women and by fair-minded men and women all over the world. All of his work has been for America; all of his work has been practical as well as ideal, and the crowning work of his career is this peace treaty, which, in my humble judgment, should be unanimously approved by this body. Let not America, which has given this great peace covenant to the world, be the only one to repudiate it.

I thank the Senate.

PROPAGANDA ON PACKING INDUSTRY.

Mr. KENYON. Mr. President, I would not feel justified in taking the time of the Senate were it not that the country ought to know, if it is possible to get anything into the newspapers now concerning the packers, as to the propaganda they have instituted against certain bills now pending in Congress. I am not going to speak upon the league of nations, but I am going to speak upon this subject.

I believe the people of the United States are as interested in the question of the high cost of living as they are in the question of the league of nations, and possibly more so. I believe they are looking to the American Congress to take some action on that question. Senators are troubled as to what they can do, and so are Members of the House of Representatives. It is not an easy question. I have very serious doubt about our being able to do much, if anything. The only propositions within my knowledge pending in the American Congress looking to some action along this line are two bills, one introduced by the Senator from Wyoming [Mr. KENDRICK] and one by myself. I regret that the Senator from Wyoming is not present.

A feeling of unrest among the American people due to the high cost of living is, or ought to be, a matter of concern to Congress. It is quite apparent that the pathway of the two bills referred to will have a few rocks in it and a good many thorns along the edges. If you ever wish to mass mighty forces in this country, just undertake to introduce bills of the character of those I have in mind. Those bills have not as yet been considered by the committee and will not be considered by the committee for at least a month; but I have telegrams here finding fault with Congress for permitting such bills even to be introduced.

A propaganda has been started, as I have heretofore stated on this floor, the like of which has never been seen in this country. The same situation arises as when Congress undertook to act on the railroad question. At that time men stood back and said: "Congress can not interfere with private business; that is our concern"; but that battle was fought out at that time. The telegrams and letters now coming in indicate that the packers and those whom they can control are in the same condition of mind, for they have become as powerful in this country as the railroads were at the time the fight to control the railroads was inaugurated. I know that in those days anybody who said the railroads ought to be controlled was called a "railroad baiter," and now the men who feel that the packers have reached a position in this country where they absolutely menace independent business are called "packer baiters"; they are met with sneers and slurs, while the cajolery and flattery of the sycophants of the big business interests of this country surround other men and lead them to believe that we had better be very careful in what we do with the big interests of this country, and the statement is made that we are

undertaking to war on great business. Not at all. Nobody wants to hurt legitimate business in this country.

Many of the telegrams and letters that come to me state: "We have had enough of Government ownership of business in the case of the railroads." That is one of the issues that is raised. The bills to which I have referred, however, are not bills for Government ownership of the packers; they are bills for Government control and regulation. No business yet has gotten so powerful in this country that it can stand up and say to the people: "How we conduct our business is none of your affair." When any concerns in this country have become so powerful that they are going into lines of unrelated business and practically controlling everything the people have to buy to live, they can not stand up and say: "It is none of your affair how we run our business."

What was the reason for the introduction of these bills? The Federal Trade Commission, a somewhat unpopular institution in certain quarters in this Chamber, so unpopular that a fight had to be made to preserve its appropriation, made an investigation of the packers. I do not know whether that investigation was made at the request of the President, although I am inclined to think it was, but, in any event, they made the investigation. They submitted two reports; one is of recent date, being of July 3, 1918. I am going to put this report into the RECORD. The Senator from Utah has placed in the RECORD to-day the answer of Mr. Swift, one of the packers, to this report. In their letter to the President some of the things set forth and some of the reasons given for proper governmental control are these:

It appears that five great packing concerns of the country—Swift, Armour, Morris, Cudahy, and Wilson—have attained such a dominant position that they control at will the market in which they buy their supplies, the market in which they sell their products, and hold the fortunes of their competitors in their hands.

Not only is the business of gathering, preparing, and selling meat products in their control, but an almost countless number of by-product industries are similarly dominated; and, not content with reaching out for mastery as to commodities which substitute for meat and its by-products, they have invaded allied industries and even unrelated ones.

Again further in that report they say:

The producer of live stock is at the mercy of these five companies, because they control the market and the marketing facilities, and to some extent the rolling stock which transports the product to market.

The competitors of these five concerns are at their mercy because of the control of the market places, storage facilities, and the refrigerator cars for distribution.

The consumer of meat products is at the mercy of these five because both producer and competitor are helpless to bring relief.

That is what the commission said to the President of the United States after months of investigation; but the only way this is ever met on the floor or anywhere else is to try to discredit the membership and the personnel of the Federal Trade Commission. The American people, however, have as much confidence in the Federal Trade Commission as they have in the Senate of the United States, and the effort to discredit them will not succeed.

Again they say:

Out of the mass of information in our hands one fact stands out with all possible emphasis. The small dominant group of American meat packers are now international in their activities, while remaining American in identity. Blame which now attaches to them for their practices abroad as well as at home inevitably will attach to our country if the practices continue. The purely domestic problems in their increasing magnitude, their monopolization of markets, their manipulations and control, grave as those problems are, are not more serious than those presented by the added aspect of international activity. This urgently argues for a solution which will increase and not diminish the high regard in which this people is held in international comity.

Again:

The commission, through Mr. Heney, had to meet deliberate falsification of returns properly required under legal authority; we had to meet schools for witnesses where employees were coached in anticipation of their being called to testify in an investigation ordered by you and by the Congress of the United States.

So the investigation was ordered by the President.

We had to meet a situation created by the destruction of letters and documents vital to this investigation; we had to meet a conspiracy in the preparation of answers to the lawful inquiries of the commission.

In the report to which I have referred, of which the letter to the President is a part, they point out that the five great packers jointly or separately wield controlling interest in 574 companies, minority interest in 95 others, and undetermined interest in 93, a total of 762 companies, and that they produce or deal in some 775 commodities, largely food products.

In addition to meat foods, they produce or deal in such divers commodities as fresh tomatoes and banjo strings, leather and cottonseed oil, breakfast foods, vin fizz—

Whatever that is—

curled hair, pepsin, and washing powders. Their branch houses are not only stations for the distribution of meat and poultry, but take on the character of wholesale grocery stores, dealers in various kinds of produce, and jobbers to special lines of trade.

Again, as to financial power, the report in part says:

The packer has drawn to a marked degree upon the banks of the country for liquid funds * * * he could not operate on the scale he does without the very large loans furnished by the banks. To assure himself loans ample to his purpose, the big packer has secured affiliation through stock ownership, representation on directorates, and in other ways with numerous banks and trust companies. Mr. Armour, Mr. Swift, Mr. Morris, and Mr. Wilson are directors in banks affiliated closely with those who are strong at the sources of credit in the United States. Being thus allied with the powerful interests at the sources of credit, the packers' power is great, not only for financing their own national and international operations, but for affecting, for good or for ill, the credit of cattle producers and of competitors or customers in any line.

Again, and I am still reading from the same document:

The reason why the packers are seeking control of the substitutes for meat—the foods that compete with meats—are obvious. If the prices of substitutes for meats are once brought under packer control, the consumer will have little to gain in turning to them for relief from excessive meat prices.

Again:

Judged conservatively by trade estimates, the Big Five handle at least half of the poultry, eggs, and cheese in the main channels of interstate commerce. Most estimates place the total production in dressed poultry and eggs controlled by the packers at a higher percentage.

And so it goes. They are in canned fruits, vegetables, groceries, wool, rice, banks, peddler car routes, refrigerator transportation, control of stockyards; and so they have grown on, as this report shows, into an institution of tremendous and far-reaching power.

The Committee on Agriculture and Forestry, in considering the Kendrick bill at the last session, had very illuminating hearings. I suppose few Senators have ever read them; but these facts being apparent to certain men, not wholesale grocers—for I never talked to one of them in my life about this bill, and I am sure the Senator from Wyoming did not—we introduced these bills to meet, as we thought they would meet, the situations that are presented in these documents that I have read and in the hearings before the Committee on Agriculture and Forestry—more in the hearings than in these documents.

Now, what happened? Those bills were introduced on the 23d day of June. I am not going to enter into any minute discussion of the bills. There are perfectly legitimate objections to those bills, of course, in the minds of men who have no connection with the packers. Men who believe that the Government has nothing to do with private business, of course, object to them; men who honestly may object to the license system—and if they have any better method of handling the matter, let them bring it forward. So I have not any quarrel with those who are objecting to the methods of these bills and I have no quarrel with those who wire Members of Congress or work up propaganda to send in here to Members of Congress; but it is fair and right that Congress should know that what they are getting is so worked up.

Now, immediately they commenced to reach out to these various lines of industry, where they are powerful, the Thomas E. Wilson Co., on July 14, sent out a circular letter to their stockholders. I will place this in the RECORD. I do not want to encumber the RECORD with a mass of things, but I will try to pick out a few and put them in. They inclose a synopsis of this bill, and they wind up by saying:

As an investor, we believe you are interested in this proposed legislation, and it would seem to us that it might be helpful to your Senator and Congressman to have the benefit of your views upon this important subject.

That goes to the stockholders of Wilson & Co. on July 14. Bear in mind the date.

Swift & Co., on July 12, sent out a similar notice to their shareholders—I am not objecting to this, but we ought to know it—in which they urge them to write to their individual Congressmen and Senators and urge them to make a complete and thorough investigation before legislating upon this subject, and urge them to oppose the pending ill-advised and destructive legislation. That goes to all the Swift stockholders, 25,000 of them in the country. They also write to the banks. I have here a letter written on July 12 by the Cudahy Packing Co. to a Michigan bank urging them to get busy on this question; and they also say:

You may wish also to give your views to the local chamber of commerce and to the editors of your local newspapers.

There never has been such a campaign of attempt to debauch the American press—advertisements running into enormous sums, letters to the "Dear Folks" about how cheap and how fine the Wilson brands are. I hesitate to say what the evidence disclosed before the Agricultural Committee as to the amount of money being spent by the packers in advertisements, many of

them for no purpose but to sway editorial opinion; and you will not find in the great mass of newspapers in this country much discussion of these packer bills, or anything said about them. Thank God, there are some papers that can not be influenced by advertisements.

That was the letter that the Cudahy people sent out to the banks, to "get busy in the chambers of commerce" and get their support.

Then Morris & Co., on July 12, sent out a letter along the same line. These letters and circulars, as will be observed, all went out within a space of two or three days. Then the flood of telegrams and letters commenced to pour in on Congress, just about the time these letters and these circulars got out around the country.

That was not all. They called in their employees at certain places just about this time and sent them out to the retail merchants with petitions and prepared letters to send in to Members of Congress, and telegrams, at their expense. Not only that, but they had some orators connected with their organization; and I am tracing now just the sources of inspiration for these telegrams.

I have here the Stamford Advocate, of Stamford, Conn., Thursday, July 17, 1919; and Senators will discover probably that after this speech at Stamford they received a large and choice assortment of telegrams.

DENOUNCES KENYON BILL—MR. GRIFFITH INTERPRETS PENDING MEASURE FOR KIWANIS CLUB.

The Kiwanis Club had lunch to-day at noon in the Davenport. The Rome Furniture Co. provided souvenirs in the form of clothes brushes. John C. Lee provided a box of Darby and Joan perfectoes, and the club had an attendance prize in the form of a box of cigars, which was won by E. W. Lockwood, who at once opened the box and treated the club.

The speaker of the day was H. M. Griffith, of the New York office of Armour & Co., who said in part:

"I thank you, gentlemen, for the opportunity of appearing here and bringing to your attention a most vicious bit of Federal legislation. I refer to the bill now known as the Kenyon bill. I shall endeavor to give a brief résumé of this remarkable bill, and regret that the time does not permit of a more exhaustive analysis.

Then he goes ahead to analyze it, and he ends with these words:

"Men of this club, the packing industry is the most regulated industry in the world. Stripped of all camouflage, this bill of Senator KENYON is a bill for Government ownership.

He deceived the Kiwanis Club in that respect.

"It is a bill for inefficiency. The Government as administered by Washington, Adams—

I should not have referred to that.

"Monroe, Lincoln, and McKinley is good enough for me!

That is the kind of a Government we are trying to keep; this, and not a Government of the packers. I realize that references to Washington may be somewhat out of place.

"Look deeper—

He said, in this magnificent peroration—

"Look deeper and you will see that this bill is an attempt to substitute the red flag of socialism for the American flag. Bolshevism is spewing its vermin into the minds of the American people.

"I say that the Government of Lincoln is good enough. How about you, gentlemen?"

On motion of Mr. Morehouse it was voted that the club telegraph both the Senators and the Congressmen that it is opposed to the Kenyon bill. The motion was carried without a dissenting vote.

A quick response from Congress:

Mr. Morehouse then read a letter from Congressman SCHUYLER MERRITT, informing the club that he would vote against the bill.

The next lunch of the club will be held at the home of the Stamford Yacht Club next Thursday.

Somebody is going to have something to say in this country about controlling prices besides the members of the Kiwanis Club and the Stamford Yacht Club. But this reference to anarchy and socialism so stirred up the community that telegrams poured in here protesting against the bill, one of them from a policeman, who feared what it was going to do in the way of bringing about anarchy.

Mr. BORAH. Where is the Kiwanis Club located?

Mr. KENYON. In Connecticut. This is from Stamford, Conn., and there are a large number of telegrams that were sent in from Stamford, Conn.

Then they also sent out a blank affair through their salesmen and branch houses asking questions. I place one in the RECORD:

Branch house _____ Salesman _____
Name _____ Address _____
Business _____

Question 1: Are you in favor of Government ownership and control of basic industries, such as railroads, telegraph and telephone companies, packing houses, etc., which, of course, would restrict competition, as outlined in the Kenyon-Kendrick bill, which is now before the United States Senate?

Answer: _____

Question 2: Do you prefer to purchase your supplies from the Government owned and operated packing plant or from competitive individual companies?

Answer: Yes _____ No _____ Neutral _____
Why? _____

Question 3: This is the first step toward complete Government ownership. If you do not advise your Senator and Representative at Washington, how can he act?

Being opposed to this unfair legislation, would you be willing to write your Congressman and Senator to this effect?

Answer: _____

Question 4: Has the letter been written? If so, when? _____

Write your letter to:

Hon. A. J. GRONNA, chairman Committee on Agriculture and Forestry, Washington, D. C.

Mr. President, I should like to put in the RECORD the letter from Thomas E. Wilson to the stockholders of Wilson & Co.; the letter from the Cudahy Packing Co. to the bond and note holders of the Cudahy Packing Co.; the letter from Swift & Co., through their secretary, to their stockholders; and the letter to the banks. I will hand them to the reporter.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

CHICAGO, U. S. A., *July 14, 1919.*

To the stockholders of Wilson & Co.:

As a stockholder of Wilson & Co. you have a voice in its management and a share in its earnings, therefore I feel you are entitled to know that pending legislation in Congress, if enacted into law, will be of considerable interest to you and to American business generally.

We are inclosing herewith for your consideration a synopsis of bill S. 2202, introduced last month by Senator W. S. KENYON, of Iowa. This bill is a fair example of others now pending in Congress. The Kenyon bill proposes to license the packers and places autocratic power over the industry.

Should this bill become a law it must be apparent that the Department of Agriculture will be given powers heretofore unheard of in American industry, practically placing our business in the hands of subordinates of that department. If this is brought about, there can be no doubt that the efficiency of the meat-packing industry will be impaired, resulting only in increased costs to the ultimate consumer.

These bills also provide that the packers shall be deprived of their ownership of refrigerator cars and of their interests in stockyards, and further limits their operations, which can result in nothing but reduced efficiency and an increased cost and difficulty in the distribution of our products.

This control is given by the establishment of a dangerous licensing system which in the course of time may become applicable to any other business.

As an investor we believe you are interested in this proposed legislation, and it would seem to us that it might be helpful to your Senator and Congressman to have the benefit of your views upon this important subject.

Very truly, yours,

THOS. E. WILSON,
President.

—

CHICAGO, *July 11, 1919.*

To our bond and note holders:

We inclose for your consideration a synopsis of bill S. 2202, introduced last month by Senator KENYON.

This bill is a fair example of other bills now pending in Congress. It proposes to license the packers and place autocratic power over the industry in the hands of the Secretary of Agriculture. It would deprive the packers of the control of their refrigerator cars, force them to dispose of their stockyards interests, and also aims to preclude them from engaging in any other business or in the sale or manufacture of any food product other than live-stock products.

Probably no industry is operated to-day more efficiently than the packing-house industry, or on so small a margin of profit on the turnover.

Should this bill become a law, the powers conferred on the Department of Agriculture would virtually place the industry in the hands of subordinates in the Agricultural Department; the efficiency of the industry would be impaired, and the final result would be unsatisfactory service and increased cost to the consumer.

We consider Government interference in private business, to the extent contemplated in this bill, unwarranted, and feel assured that if the packing industry comes under license it will only be a question of time before all large industries are similarly handicapped—something which would undoubtedly lead to industrial disorder and national disaster.

We think it highly desirable, in your own interest as a security holder, therefore, that you take the matter up, either personally or by letter, with your Representative and Senators in Congress, protesting against this bill; also against bill S. 2199, introduced by Senator KENDRICK, and against all other similar measures.

Kindly give this your early attention, as prompt action is necessary.

Respectfully,

THE CUDAHY PACKING CO.

—

CHICAGO, ILL., *July 12, 1919.*

To the shareholders of Swift & Co.:

We believe that it is the duty of every shareholder of Swift & Co. to pay attention to the present situation with regard to the proposed legislation affecting the packing industry.

There are pending in the United States Senate two bills—one the Kendrick bill, introduced on June 23, known as S. 2199, and the other the Kenyon bill, introduced on the same day, and known as S. 2202. We are inclosing a summary of the Kenyon bill, which typifies the proposed legislation.

These bills are revolutionary, in that they propose to place legitimate business under a Federal license which may be arbitrarily revoked at any time, and they vest the blanket powers of directing and controlling all our operations in the hands of a Government agent who may know nothing about the business.

One of these bills specifically gives the Government the extraordinary power to say what commodities a licensee may or may not sell; the other bill probably gives the same power under its general license provisions.

These bills also provide that the packers shall be deprived of the control of their refrigerator cars and of their interests in stockyards. This will result in reduced efficiency and an increased cost and difficulty in the distribution of our products.

If these bills are passed, no business will be free from the menace of autocratic, irresponsible, bureaucratic control. They should be opposed

by every investor in every industrial enterprise, and by everyone who believes that the public interests are best served by industries under private rather than Government management.

We are confident that if given an opportunity this industry can readily prove that the proposed legislation is vicious. It is for this reason that we believe it to be your duty to interview or write your individual Congressman and your Senators to urge them to make a complete and thorough investigation before legislating upon this subject, and to urge them to oppose the pending ill-advised and destructive legislation.

Yours, truly,

SWIFT & CO.,
By F. S. HAYWARD,
Secretary.

If anyone wishes to read the complete bill, copy will be furnished on request.

—

CHICAGO, *July 12, 1919.*

DEAR SIR: We are inclosing a summary of a bill introduced in the United States Senate, which, we believe, would set a precedent for licensing and restricting all sorts of businesses.

The inclosed summary indicates the adverse effects of this legislation on the packing industry, including live-stock commission men, packers, interstate dealers in meat products, and others. You will notice that the measure proposes an elaborate licensing system and places the issuance and revocation of licenses almost wholly within the discretion of the Secretary of Agriculture.

If an employee or agent, without his principal's knowledge, fails in a single instance to comply with any of the complex regulations, the license may be forfeited.

Restrictions embodied in the bill limit the products which may be handled to a single sort. These provisions threaten economies and efficiency evolved from long experience.

May we ask that you consider the measure earnestly, then if you agree with us that it would be harmful to American industry and American business, will you not personally communicate your opinion to your Senators or Representatives in Congress, in order that they may realize how business men look upon the legislation now proposed? You may wish also to give your views to the local chamber of commerce and to the editors of your local newspapers.

You may find it convenient to mention the Kenyon bill as bill S. 2202. It is quite similar to the bill which Senator KENDRICK has introduced, S. 2199, and to Representative LEVER'S bill, H. R. 5310.

Yours, very truly,

THE CUDAHY PACKING CO.,
JNO. E. WAGNER, *Treasurer.*

Mr. KENYON. I also wish to insert in the RECORD another statement they send out on this legislation.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

CHICAGO, *July 12, 1919.*

We are sending you with this letter an outline of a bill which, in our opinion, threatens the independence, enterprise, and efficiency of American commerce and industry. It does this by setting a precedent of laws licensing and restricting all sorts of businesses.

The bill we have summarized provides that members of a large American industry, famous for its efficiency under its present organization, shall operate under a Federal license. Under this bill the power to issue or withdraw license would be placed almost entirely within the judgment of the Secretary of Agriculture.

Furthermore, this bill, which was introduced by Senator KENYON, of Iowa, limits the companies affected to one kind of product. These restrictions would lower efficiency. While it is true that the Kenyon bill specified only the packing industry, yet the principle involved is applicable to every business. It is essentially a barrier to business enterprise and is opposed to the spirit by which American institutions have been developed.

We would appreciate your consideration of the proposed legislation and in all of its aspects. If you conclude that it embodies a dangerous principle, we hope that you will say so at once to your Senators and Representatives at Congress. Your views would gain even more force if they were communicated also to the newspapers of your city, to your business associates, and to your local trade organization.

The proposed laws are embodied in three bills—the Kenyon bill, S. 2202; the Kendrick bill, S. 2199; and the Lever bill, H. R. 5310.

Yours, truly,

C. M. MACFARLAND,
Vice President and Treasurer.

Mr. KENYON. Mr. Buckingham, the manager of the Union Stock Yards Co., at Omaha, which is controlled by these gentlemen, gave out an interview in the Omaha Bee:

Mr. Buckingham ridiculed the recent efforts of Senator KENDRICK, of Wyoming, and Senator KENYON, of Iowa, in presenting bills in Congress calling for Federal control of the packing industry, describing the bills as "fads," "ideas," and "theories" of day-dreaming politicians.

"The packing business is the largest single business in the world."

Then he is inquired of concerning these bills.

"If the change comes"—

Referring to divorcing the packing houses from the stockyards—

"what will be the effect?" Mr. Buckingham was asked.

Now, listen:

"There won't be any change," Mr. Buckingham replied. "The stockyards and packing houses will operate just the same as usual. The yards company can be 100 miles away from the packing center, so far as we are concerned, and the industry would progress as usual. The packing business is as large as the Government itself, and it is foolish for a lot of grandstanders to theorize on how it shall be conducted."

That is the question. Maybe he is right. Maybe this arrogance of power is such that they can be as brazen about the proposition now as they desire. Maybe, with all of this control, reaching into banks and industries and railroads everywhere in this country, they are as strong and powerful as the Government of the United States. Maybe, with the Senators who rush to their defense whenever there is anything said about them, their power may be even greater than we dream of. That is the question that the American people are going to determine. It is a good deal like the general manager of the International Harvester Co., who is reported to have said the other day, when there was a strike and he refused to open up—so the papers reported it; I hope it may not be true—"You wanted a closed shop. You have got a closed shop now, and it will stay closed until you come to our terms," or substantially that.

Gentlemen had better have a little vision in this country, Mr. President. They had better hear some of the voices in the air in this country, as well as through the world; and these gentlemen who believe that they can grow so powerful in monopolizing the things that the people of this country may have, and that Congress dare not say a word to them to control them, had better beware.

Then there came a deluge of telegrams, just like a mighty telepathic wave. All over this country it was discovered that the Kendrick bill was going to ruin the stockmen of the country. There is not a greater stockman in this country, nor a more honorable man, nor one who understands this business better, than the Senator from Wyoming [Mr. KENDRICK]. He is out there now, attending to his great stock interests. Telegrams come from Utah, saying that this is going to ruin the stock business. There is not any business on earth, according to these telegrams, that is not going to be ruined by the Kendrick bill, if it is passed.

Here is a telegram from Savannah, Ga.; and I say now that you can take the map of these different States, and you can pick out one town and the telegrams and letters that come in from that town on a certain day, and then you can figure out just about the distance a man would travel the next day, and then you will find them coming in from that town, if you just follow the map through Kentucky and Tennessee and other States. These telegrams are to the distinguished chairman of the committee, who has kindly permitted me to use them.

Mr. THOMAS. Mr. President, may I ask the Senator if he has any information as to who pays for this enormous mass of telegraphic matter?

Mr. KENYON. I have.

Mr. THOMAS. Is the Senator prepared to inform the Senate?

Mr. KENYON. I am, just as soon as I can reach it, and show the Senator the absolute forms that were prepared, with the Senator's name, and even what should be said to him.

Mr. THOMAS. The forms of the telegrams I have received are nearly all identical.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. KENYON. Yes.

Mr. McKELLAR. I have received a great many telegrams, apparently for the most part alike. One day I will get 40 or 50 from Memphis, and another day 40 or 50 from Chattanooga, or maybe 100; more from Chattanooga than anywhere else. Again, Nashville will have a day, and I will get a great many from Nashville. Has the Senator any information in reference to how it happens that a peculiar propaganda is started in that way, and upon whom it operates?

Mr. KENYON. The Senator surely does not think it could be a propaganda. Of course, it is merely the spontaneous outburst of the minds of all of the American people against this throttling of their business, and it happens on almost the same day. It is the most wonderful psychological event that ever has been exhibited to the world.

Here is a telegram from Savannah, Ga., protesting against the Kenyon and Kendrick bills as being un-American. That is dated the 18th, just about time for these circulars to reach there.

From the same place, and on the same date, a telegram protesting against the Kendrick and Kenyon bills as unconstitutional. Another protesting against the Kendrick and Kenyon bills as being detrimental to retail merchants.

Here is a telegram from Gladstone, Mich., saying:

We protest against the Kenyon bill. This is no time to experiment with Government operation. From our experience in the meat business, we do not want Government control.

I will not read the signatures. They are here if any Senators want to examine them.

Another:

We protest against the Kenyon bill. This is no time to experiment with Government operation. From our experience in the meat business, we do not want Government control.

There are two minds there that work out in absolutely the same way, and use the same language.

Another one:

We protest against the Kenyon bill. This is no time to experiment with Government operation. From our experience in the meat business, we do not want Government control.

And another one just exactly like it from another place—the same language from different places. What humbug, to try and influence Members of Congress by that.

Seattle, Wash., seems to have become tremendously excited over this matter; and on the 18th, just about time for the circulars to get out there, telegrams of this kind commenced to pour in on the chairman of the committee:

Opposed Kenyon bill licensing packers. Legislation this character fosters unrest and Bolshevism. Am willing come Washington testify connection Kenyon bill.

Again, from Seattle:

The proposed Kenyon bill, if passed, would be very unsatisfactory to myself, as it should also be in the eyes of any intelligent American citizen who wishes to make his home in a free country among liberty-loving people.

Rainier Packing Co.—I do not know anything about it, but I will gamble that that is a concern controlled by some of the five big packers.

Here is another telegram from Seattle:

Kenyon bill licensing packers unfair, un-American. Kill it.

Another one wires from Seattle:

I am opposed to Kenyon bill, regulating the meat industry of the country. It is the most dastardly thing ever perpetrated on the American people

Here is another one from Seattle:

Am opposed to Kenyon bill. Absolutely unconstitutional.

Why, these people, bless their souls, never saw the bill, never looked into it, and do not know anything that is in it.

Here is a telegram from another gentleman in Seattle:

Absolutely against proposed bill licensing packers. Since when have American people lost the right to conduct their own business as they see fit?

That is the point; they have lost it. When any business becomes such a monopoly that it threatens the very life of the people of the country, they have lost that right. That doctrine has gone, and it is not Bolshevism to say so, either.

Another reads:

I am not in favor of Kenyon-Kendrick bill, which I think jeopardizes American liberty, and certainly hope the committee will not be influenced by such socialistic ideas.

These telegrams are all along about the 16th to the 18th, three and four days after the circular letters to which I have referred were sent out.

Again:

If measures such as Kenyon bill be allowed to pass, where are our much talked of rights as American citizens?

Where are they? That is the question.

To say I am opposed to it is putting it much too mildly.

Here is a Stamford telegram. After the wonderful speech at the Kiwanis Club and before the Stamford Yacht Club, then we will be getting more telegrams. Here is a telegram from a judge in Stamford. He signs it "Judge." I have always been suspicious of the legal ability of a man who signs his personal letters as judge, but that should receive great weight with you.

Hope you can use your efforts to defeat Kenyon-Kendrick bill now before United States Senate. We do not want such action in this glorious country.

Another one, this from Seattle again:

I am opposed to the Kenyon bill in regard to Government licensing industry. Let it alone.

Ah, that is it.

Here is a very amiable man from Seattle, who says—and it costs money to send these dispatches from Seattle:

I can not conceive why such a measure as proposed Kenyon bill has been allowed to be introduced. Am unalterably opposed to it.

That is by Charles Gearhart, coffee restaurant. There is an aroma of strength about that telegram. [Laughter.] This gentleman can not understand why such a measure should be allowed to be introduced in the American Congress. Charlie had better keep to his coffee business and let the packers pay for his telegrams.

Here is another one from Seattle:

I am opposed to passage or even consideration of Kenyon bill licensing packers, an infringement upon American liberty.

So much for Seattle.

Here is West Virginia, having caught this same spirit:

Somebody having a little stock has gone to this gentleman named Gum and told him to stick to this thing and send in a dispatch; so Mr. Gum sends this dispatch from Ronceverte, W. Va., July 15:

Kenyon and Kendrick bills regulating packers should be dismissed.

He thinks this is a court action.

Mr. THOMAS. The gentleman may regard your bill as a bill in equity.

Mr. KENYON. He has gummed it up a good deal.

From Clifton Forge, Va., see this bunch of telegrams:

Kenyon and Kendrick bill relative to meat should not be passed.

That was July 14. Here is another one:

Kendrick and Kenyon bill—

They change it just a little—

relative to meat should not be passed.

July 14, another one:

Kendrick and Kenyon meat bill should not be passed.

Another one from Clifton Forge:

Kenyon and Kendrick meat bill should not be passed.

It is wonderful how these people all agree down there in Virginia. Here is another one. Notice the difference:

Kenyon and Kendrick meat bill should not be passed.

Here is another one from the same place, July 14. Note that:

Kendrick—

Not Kenyon and Kendrick, but—

Kendrick and Kenyon bills relative to meat should not be passed.

You can not fool these boys. They know how to do this. They will change a few words and then nobody in Congress will ever suspect them. They are wise boys.

Then another one:

Kendrick and Kenyon bills relative to meat should not be passed.

I dislike to keep reading these, but they are interesting.

Here is another one from the same place, of the same date:

Kendrick and Kenyon bills relative to meat should not be passed.

Mr. THOMAS. That sounds like an anthem.

Mr. KENYON. One feels like singing it. Here is another one, the same thing, July 14, Clifton Forge. Let me read one in full:

Hon. A. J. GRONNA,
Chairman Agricultural Committee, Washington, D. C.:
Kendrick and Kenyon bills relative to meat should not be passed.
SELMA MYER CO.

CLIFTON FORGE, VA.

Hon. A. J. GRONNA,
Chairman Agricultural Committee.
Kendrick and Kenyon bills relative to meat should not be passed.

This thing is pretty nearly unanimous down at Clifton Forge. Again:

CLIFTON FORGE, VA., *July 14.*

Hon. A. J. GRONNA:
Kendrick and Kenyon bills relative to meat should not be passed.

We will pass from Clifton Forge to something else. Here is one from Pekin, Ill., dated July 18:

I protest against Senate bill 2202—

These representatives tell them to write and refer to the bill as 2202—

as unfair to the packers and their customers. It is too autocratic and un-American in character for any American soldier to approve. Wish you would use your influence to stop this bill.
JOHN ZIMMERMAN.

Here is one from Trinity Cotton Oil Co., of Texas. They are vitally interested, they say, as they are the largest consumers of our production of the cottonseed oil.

Here is an attorney from Stamford. I do not know whether he is a member of the Kiwanis Club or the yacht club:

I have read provisions of the Kenyon bill which seem to be vicious and disastrous to business. Hope it will not pass.

He signs it as "attorney," same as the judge.

SPRINGFIELD.

We oppose the Kenyon bill. Believe it is un-American.

This is from Illinois. It will please the Senator from Illinois [Mr. SHERMAN].

Believe it is un-American and will harm larger concerns who have helped all retail concerns in profiteering.

I think that must be a mistake, but I will have to let it go as it is. Far be it from me to accuse the packers of any profiteering.

BRIDGEPORT, CONN., *July 18.*

At a meeting of retail butchers and grocers, of which I am a member, a meeting was held and all decided that the Kendrick bill ought to be killed.

Another one from Bridgeport:

Kendrick bill would be against best interests of public. Packers are giving us food cheaper than could get it any other way. I protest against its passage.

This gentleman labors under the belief that he is getting his food cheaper; that by virtue of the packers it is cheaper than it would be otherwise. Of course, if that is true probably nothing ought to be done.

Another gentleman, from Rochester, N. Y.:

Defeat Kenyon-Kendrick bill, which is now before the United States Senate. Government control of packing industry would be an impossibility.

Another from Bridgeport, Conn.:

Butchers and grocers held meeting in Bridgeport and talked over bill introduced by Mr. KENDRICK and decided that this bill would be against our interest, and I hope the bill will be killed.

Here is another one from Bridgeport:

I am opposed to Kendrick bill. Kill it.

H. COHEN.

Here is another one from Bridgeport:

I am opposed to Kendrick bill. It is ridiculous. Kill it.

There is a sanguinary lot of people living around Bridgeport apparently.

Here is a more reasonable gentleman:

I protest against Kendrick bill. If passed, it would be against best interests of my business. Hope to see it has fair consideration and finally killed.

Like the justice of the peace who took the case under advisement, with the statement that he would decide for the plaintiff in three days. [Laughter.]

MOUNT VERNON, N. Y.

We, the members of Mount Vernon Business Men's Association, Mount Vernon, at a meeting held Thursday, July 17, adopted the following resolution:

"Resolved, That we regard the Kenyon bill as un-American and wish to register our formal protest against passage of same.

"MOUNT VERNON BUSINESS MEN'S ASSOCIATION."

Does anybody on the face of the earth even believe that the Mount Vernon Business Men's Association ever considered this bill or knew anything that is in it except as may have been told them by some representative of the packers?

It may be well that the Senator from Wyoming [Mr. KENDRICK] is in the far West, where he is perfectly safe, because from the tenor of some of these telegrams it would seem as if the Senator from Wyoming and the Senator from Iowa, even for introducing bills and asking any consideration of them, ought to be taken out and shot at sunrise.

Here is a gentleman from Virginia who telegraphs:

Down with the Kenyon bill.

Another one from Albany, Oreg., July 15:

As a man interested in welfare of country, I beg you to use your influence to defeat Kenyon bill.

Here is another one wired from Moscow, Idaho, protesting and saying it would—

Disrupt not only meat business, but the entire business structure of this country.

Here is a gentleman from Washington, an interesting one:

Senator ASLE J. GRONNA,
Chairman Committee on Agriculture and Forestry:

Opposed to Kenyon bill licensing packers. Should receive no consideration.

A. ABRAHAM.

If I had received that telegram before introducing the bill, I should have been constrained not to do it.

Here are others from Bremerton, Wash. Here is a very interesting dispatch from Florida:

Opposed to Kenyon bill. High cost of living reduced by competition. No reason to cut it off.

A man who can understand that the high cost of living has been reduced ought to have his head X-rayed, so that the picture may be given to the rest of the Nation to understand how a man can think that way. So this gentleman does not want anything done about these bills, because the high cost of living has been reduced by competition between the packers.

Here is another man from West Virginia, who wires:

Kenyon and Kendrick bill relative packers should be stopped. Kill them, stop them, end them in some way.

Here is another from Florida, who wires:

If this Kenyon bill passes, I can see my finish as a butcher.

NATHAN ABRAHAMSON.

[Laughter.]

Here is another one from Seattle:

I am opposed to Kenyon bill regulating packing industry of this country. Contrary to rights of free thinking people.

Here is a postmaster down in Cape Charles, Va. I wonder how he got into this thing. He wires the chairman:

I oppose Kenyon bill, Senate 2202, very much.

W. B. BULL, *Postmaster.*

Mr. President, here is a bunch of one-half the telegrams that a certain Senator has received. They run along in this same way. I am not going to take the time of the Senate to go over them. I think I have connected up pretty well these telegrams and the telegrams the Senators have been receiving with circulars that have gone out from the packers.

Now, what about the letters? You have received stacks upon stacks of letters. I have some of them here that I have authority to use as showing the similarity, but I think I will not take the time to go over them. But here are a number that I want to refer to. Here is a large number of letters from Nashville, Tenn. In many instances they are written on a typewriter evidently by people who were not the signers of the letters. Others were even written in longhand and then signed by a person whose signature is entirely different from the body of the letter. There are others that are exactly alike and the wording exactly alike, signed, some of them, by people down at the bottom of the page, evidently not the person constructing the letter, and others in different places on the page. The typewriting, the paper, the words are all alike. Here is a very large assortment from Nashville. Here is another assortment almost identical from Rahway, N. J., paper alike, typewriting alike, evidently all prepared, and then signed by people sometimes down at the bottom of the page. These are interesting to look at if anybody cares to do it. I am not going to spend time upon them.

From Denver, Colo., there are a large number exactly alike, sent in on July 14, just at the proper time to hear from those circulars. Then I have some without any towns on at all. Here is a large number from Cedar Rapids, in my State, practically alike, prepared evidently by some one with the same sized paper for each one, the same typewriter, and signed by various people of Cedar Rapids, where, by the way, they have a packing house controlled by one of the large packers.

Here are different places through New Jersey, showing how the campaign is on; through Massachusetts; through Kentucky, a large number from Ansonia, Ky., all alike; others from Derby, Conn., same typewriting, same paper, almost the same language, signed up by people whom they have called upon and asked to do it; some from Vermont, Arkansas, and Massachusetts. Here are some from North Adams, Mass. They seem to have had a very prosperous day at North Adams. Some from New Bedford, Mass.; Westfield, Mass.; Chrome, N. J.; some from Denver, Colo.; Muskogee, Okla.; Adams, Mass. I am not going to weary you with these things, but I want to refer now to some things that have come in showing how the job has been done that the Senator from Colorado [Mr. THOMAS] asked me about.

I do not know whether I ought to use this man's name. Here is the statement by a certain employee:

Mr. Lee Armour, manager, told me that if Government took over packing industry there would be no more deliveries.

Statement by another Armour employee at Stamford, Conn.:

I was told if the Government took over packing houses they would centralize plants and a lot of us would lose our jobs.

Statement by another one:

I was told that if Government supervises packers they would also take over retailers who did business of a certain amount, and we would have a Government employee in our establishment; also that everything would have to be paid for in cash, as there would be no more credit.

Here is a gentleman who writes to me as to their procedure at Hartford, Conn.:

Senator KENYON, *Washington, D. C.*

DEAR SIR: A special representative of Swift & Co. called here on me at my store to-day. In one hand was a copy of the Kenyon bill and in the other a petition for me to sign. Here follows the conversation:

Swift's man: "Here is a law that Congress proposes to enact, and if it passes you are driven out of business, for the prices of all packing-house products will immediately rise to such a point that none but the very wealthy will be able to buy these products, and you have not got any of this class of trade. The packers are your friends, and we want you to sign this petition as a protest against this bill. We will see that you lose nothing by doing it."

Here is this merchant's answer:

I have been handling packing-house products since 1904, having retailed last year $212,000 worth of them. Up to January 1 last I was just $1,800 richer than in 1904. There is absolutely no escape for me, being compelled to buy every slaughtered animal, together with every piece, part, or trimming thereof that enters into my store from Swift & Co., Armour & Co., Cudahy & Co., Morris & Co., and Wilson & Co., they being all one and the same, with the result that I am obliged to pay any price they see fit to ask, and these prices are always identically the same. For years I have been obliged to daily rob every customer that buys bacon, ham, pork loins, etc., by making them pay from 38 cents to 50 cents per pound for extra heavy paper, burlap, string, etc., which these packers willfully place so abundantly around about these goods, as I am obliged to pay you for all of this stuff. I am obliged to sell you back at whatever price you see fit to pay, all my bones, tallow, scrap, etc., as you positively own the only rendering collecting agency in this city for these goods. Not satisfied with what you have, you have been and still are carrying on a systematic, fiendish, and devilish crusade against every wholesale distributor of butter, cheese, eggs, and poultry, maliciously underselling these legitimate distributors in your decision to swiftly eliminate them and gain the same control over production and outletting as you now have on packing-house products, and if you lose a few million dollars in killing off these people a twist of 2 or 3 cents a pound on packing-house products for a few days will more than make up.

You have the farmers that produce live stock all over the world now by the throat, and you are now after the product of this live stock while it is alive, namely, milk. You have near control over milk condenseries, and as soon as you control the cheese and butter business you will be in control of the entire milk production. Further, if I do not buy these lines from you I am virtually put out of the beef and allied lines. You now come to me with nearly a demand to eliminate all my wholesale grocery friends of years standing and buy from you canned goods of every description, coffee, cereals, produce, and, in fact, nearly everything sold in a grocery store. Just take your petition and yourself out of my presence, for you are a perfect bane to my existence.

I leave out a personal reference. Then he continues:

If this monopoly, unspeakable and unparalleled in the history of the world, is not squelched absolute riotous anarchy will result.

That language is probably too strong. I do not mean to indorse any such language, but it shows how people can be worked up by the possibility of the destruction of their business.

Every fool that runs knows well that these five corporations have the packing-house business in all its ramifications tied up beyond description, and as a result of this monopoly the enormous profits which they are making permits them to slaughter every human being, firm, or corporation engaged in any other line of business that they see fit and set out to devour, and they are engaged in this operation from dawn to dawn every day.

Being a retailer and at the mercy of these wolves, I regret that I can not make known my name to you, for if I did, and they knew I wrote this letter, I am doomed.

I have a letter from the director of the Southern Wholesale Grocers' Association. The Senator from Utah [Mr. SMOOT] in his usual positive way stated that this is a fight between the packers and the wholesale grocers. It is not, so far as I am concerned.

Mr. SMOOT. The propaganda is.

Mr. KENYON. Where is the wholesale-grocery propaganda? Will the Senator from Utah produce a single letter sent out by the Southern Wholesale Grocers' Association or any other asking for support of this bill?

Mr. SMOOT. I am not here to defend the packers, nor am I here to criticize the National Wholesale Grocers' Association.

Mr. KENYON. The Senator was very quick to say that it is a fight between the wholesale grocers and the packers.

Mr. SMOOT. The Senator put in the RECORD only yesterday——

Mr. KENYON. Against the propaganda of the packers.

Mr. SMOOT. Certainly; and that is what the Senator from Utah stated.

Mr. KENYON. All right. I have not any doubt the wholesale grocers are going to get behind the legislation to control the packers. I hope they will. I hope we will have their help, as well as the help of the ordinary folks around the country. We will get a few of those, but if the Senator believes that they have anything to do with the introduction of these bills, he is entirely mistaken.

Mr. SMOOT. The Senator from Utah does not believe any such thing. The Senator does not believe they had anything to do with the propaganda of the packers. That propaganda started with the packers just the same as propaganda by the farmers started for the repeal of the daylight-saving law. There is no difference at all. What the Senator from Utah complains of is that with reference to every piece of legislation which comes to Congress there is a propaganda started either for it or against it. The Senator from Iowa knows that.

Mr. KENYON. I am inclined to agree with the Senator.

Mr. SMOOT. What I objected to was filling the RECORD with that sort of stuff, for I call it "stuff." What effect do all the telegrams and letters to which the Senator has been referring have upon the Senate? These letters and telegrams came to the chairman of the committee and I have not any doubt at all if I had received them I would have paid no more attention to them than I would to that much trash. That is the position of the Senator from Utah.

Mr. KENYON. Does the Senator think when he gets dispatches from his State from reputable men, they are trash?

Mr. SMOOT. When a number of telegrams come to me in exactly the same words from people in my State who I know are not interested in the business, then I pay no attention to them whatever, I will say frankly to the Senator.

Mr. KENYON. I think that is perfectly true of the Senator. I hope they do not have any effect.

Mr. SMOOT. I want to say to the Senator that whenever a petition comes to me and I know the parties from my State from whom it comes and I know they know what they are talking about, and know they are interested in the legislation as affecting the country rather than an individual or a business, I am interested in it, but otherwise I pay no attention to it.

Mr. KENYON. Of course, it is getting so Senators can not answer their mail. Every question that comes up, along comes some tremendous propaganda.

Mr. SMOOT. I will say to the Senator that so far as the Senator from Utah is concerned, I do answer them, but I have a form of a letter and I run it off in just the same number as the letters that I receive, as well as the number of petitions.

Mr. KENYON. We are straight on that now.

This letter from Mr. Heney, director of the Southern Wholesale Grocers' Association, submits evidence showing the method being used by the meat packers to secure names for petitions and telegrams. He sends copies of the telegrams such as already referred to when the Senator from Colorado asked me the question. He sends copies of telegrams to the different retail dealers to send in to the Senate and to the House. Here is a form address, all prepared, for Hon. LEE OVERMAN, United States Senator, Washington, D. C.:

Am opposed to Kenyon bill.

This goes ahead, "Charge account message to dated, number of words," and so forth. He writes that these telegrams were furnished and paid for by the packers.

Mr. SMOOT. In this connection, will the Senator permit me to interrupt him for a moment?

Mr. KENYON. Certainly.

Mr. SMOOT. With reference to the number of letters the Senator has referred to to-day and the telegrams, I have not any doubt but what most of them have been paid for by the packers. I called attention only day before yesterday, I think it was, to a propaganda that was started here by one of the departments. The Joint Committee on Printing held hearings a week ago last Monday in relation to continuing or discontinuing certain governmental publications. Immediately a propaganda was started, before any action was taken by the committee.

I think I have received as many telegrams and as many letters upon the question of the Reclamation Record as the Senator from Iowa has presented here to the Senate to-day, and that propaganda came from the department. What I object to is that kind of propaganda, and I would like the country to understand that that kind of propaganda or the propaganda that is referred to by the Senator to-day cuts no figure, and it might as well be considered to be a waste of money.

Mr. KENYON. I am glad of that, and I think it will be a good thing to get that idea before the country. I hope the Senator will in his forceful way blow up that propaganda, as I am trying to do this one.

The Reynolds-Davis Grocery Co. wired me from Fort Smith, Ark., from whence I produce a number of telegrams:

FORT SMITH, ARK., *July 17, 1919.*

Hon. WILLIAM S. KENYON,
Washington, D. C.:

The packers have their salesmen working this week on retail merchants, trying to get them to wire and write their Congressmen and Senators to oppose your bill. They are telling merchants your bill is against public good, and using every other argument they can to try and defeat it.

REYNOLDS-DAVIS GROCERY CO.

—

JACKSONVILLE, FLA., *July 17, 1919.*

Senator WILLIAM S. KENYON,
United States Senate, Washington, D. C.:

Present packers' campaign of misrepresentation and insidious influence to induce flood of letters and wires to Congress against Kenyon bill should be exposed by you.

LEWIS H. HANEY.

—

HUNTSVILLE, ALA., *July 19, 1919.*

Senator KENYON,
Washington, D. C.:

Investigation shows the protests against Kenyon bill coming from merchants in this vicinity were solicited and written by representatives of the packers, senders not being required to pay for messages. It also appears some of the senders do not know what they are protesting against.

That is certainly true. This telegram is signed by W. L. Halsey Grocery Co., Huntsville Grocery Co., Alabama Grocery Co., Gudenrath & Hall, Lyle & Lyle.

Here is a letter from Connecticut, which is as follows:

NEW HAVEN, CONN., *July 16, 1919.*

GENTLEMEN: I am inclosing you what the Big Four packers are requesting the retail grocer to sign and using all kinds of arguments to induce said retailer to sign in opposition to the Kenyon-Kendrick bill (S. 2202).

One of our salesmen was handed the inclosed by a customer and asked what he should do with it. Our salesman told him to say, "No; I am not opposed to the bill." Continuing the conversation, he said: "I guess I won't do anything about it. The packers are bigger than the Congress of the United States and will get what they want."

This is the general feeling in our section. New Haven is a city of 175,000, and has in it more than 800 retail grocers struggling to get a living. Forty-five per cent of them could not live if it were not for the wholesale grocer.

It does seem to us that the packers are going beyond their limit in trying to control all food products, and their methods in the past do not show that any benefit has resulted to the general public or to anyone except the packers themselves.

They ask the question, "Are you familiar with the proposed legislation, which would restrict competition in the wholesale grocery business and prevent concerns such as the Chicago packers from selling grocery products?" and trying to show by this that the wholesale grocery does not want competition. I have been in the wholesale grocery business more than 40 years, and I have never seen competition so strong among the wholesale grocers as it is to-day—that is, among themselves.

It is a grave question: Should the meat packers of the country absorb and control the distribution of food products?

That is the question presented by the bill I have introduced. I have other letters showing how this propaganda has been carried on throughout the country. I think I shall not take the time, however, to refer to them. This contest is not going to be all one sided. I am glad these gentlemen have stirred the thing up, because the people of the country are going to begin to see what this measure is, just how it is going to affect the packers, and just what the packers are doing. They are going to begin to study the report of the Federal Trade Commission—I hope we may have extra copies of it printed—and also the letter of the Federal Trade Commission to the President. The people are realizing, even if Congress is not, that the packers are reaching out into all of these lines of industry. I have referred to these letters merely to show the sources from which these telegrams came.

I will discuss the bill at some later time. There will undoubtedly be many amendments to the bill in committee; it may never be reported out; entirely new bills may be reported out. There will be absolutely no hurry; it is too important a question to the packers, to business, and to the people of this country to have any ill-considered legislation; but the activities of these gentlemen now are extending into fertilizer, eggs, cheese, butter, rice, breakfast foods, canned vegetables, soda-fountain supplies, and many other lines. Some of them are the owners of grain-elevator companies. Some are in the American International Corporation, with its shipping interests, and some of their subsidiaries grow tropical fruits in Hawaii; others are reaching into the salmon fisheries of Alaska; others are canning shrimps taken from the waters of the Gulf of Mexico. They have gotten into the wool business and the rice business. Perhaps it may go on, and anyone who says a word about this or tries to do anything in an humble way to stop it is playing politics and is a general all-around nuisance. Perhaps that is so; perhaps the people of this country do not care if monopolization is established in everything that they have to eat; perhaps they do not; but I have an idea that they do; that they are going to be heard from; and that the propaganda, if it may so be called, will not be all upon one side.

The city council of Quincy, Ill., passed some very interesting resolutions on last Monday evening, July 14, which were proposed by Alderman Hyatt. They are very short; I do not indorse the language of the resolutions; but I do not think they will shock anybody very much. They show, however, that some of the everyday folk are waking up to the situation and that the packers' propaganda has aroused others. I ask that the resolutions be read at the desk, Mr. President, if there is no objection.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

Whereas Congress, Senate and House, have year after year, from time to time, sent out committees to investigate the octopus, commonly called the "Packing Trust"; and

Whereas year after year these committees have returned reports adverse to the combine, then went to sleep or camouflaged the issue by allowing these big packers to combine and control the markets in which they buy, as well as control the markets in which they sell, and rob the masses; and

Whereas a majority of the House and Senate have kept one eye shut, ever and always helping this band of insane money grabbers to throttle competition and substitute one of the most gigantic monopolies ever instituted by men; and

Whereas Senator WILLIAM S. KENYON, of Iowa, has a bill now before the Senate in favor of controlling this damnable trust, forcing them to lower the price of food to the masses, take the Government out of their greedy clutches, and follow the Constitution of the United States instead of the stolen constitution they have been following for years, with the motto, "The public be damned": Therefore be it

Resolved, That this body, selected to safeguard and fight the battles of 40,000 constituents, instruct the city clerk to forward to Senator KENYON a copy of this resolution with the thanks of the Quincy city council for his efforts to put these two-legged profit hogs under license and regulate them and compel them to work under the time-honored principle of supply and demand in order to save this grand Government from revolution; be it further

Resolved, That our Representatives and Senators vote for the people in their districts instead of for the packing trust, that, if not checked, will become a menace to liberty and civilization, and in this resolution we warn our congressional representatives that this council's hand will show in this district, and that therefore we advise that Senator KENYON'S bill be adopted as drafted and that it must not be cut to pieces by cunningly worded amendments and loaded down with technicalities.

Mr. KENYON. I think, perhaps, I ought not to have had those resolutions read in the Senate. The language is too strong. I do not indorse that language at all, and I am rather surprised that the city council of Quincy should have adopted such strong language.

Mr. THOMAS. It sounds a little like some of the arguments on the league of nations.

Mr. KENYON. Well, I think we never get anywhere by abusive language.

Here is a dispatch I have received from Butte, Mont., which reads:

BUTTE, MONT., *July 22, 1919.*

Senator KENYON,
The Capitol, Washington, D. C.:

Butte Central Labor Council, Butte, representing about 12,000 members, indorses Senate bill 2202 and has instructed affiliated locals to take similar action.

JOHN GREEN, *Secretary.*

So this fight is not going to be an absolutely one-sided affair.

Mr. President, I have said about all I am going to say, and I did not really want to say anything, but felt it my duty to show how this propaganda is being carried on. I think that Senators and the great business interests ought to read an article in the Journal of Commerce of July 14. The Journal of Commerce of New York certainly can not be accused of being a Bolshevik organ or an exceedingly radical organ. I understand it is an ultraconservative organ and has often been accused of being a spokesman of the great interests. I want to read briefly from it. The language is worthy of thought. The article is headed "Offense of the packers" and reads:

Such response as the "Big Five," who are trying to monopolize the food trade of the country, make to the charges of the Federal Trade Commission consists mainly of a claim that what they have done and are doing is for the benefit of the country and its people. That is the familiar claim of all autocratic power, however it may be constituted and whatever its purpose. The preliminary report of the commission to the President covers a wide field and deals with a variety of activities, besides the slaughter of cattle and sheep and the control of markets and of foreign trade in beef and mutton. That is a familiar story. There is a claim that they are not combined and have no agreement as to quantities dealt in or prices charged, and consequently commit no violation of the antimonopoly policy of the Government. It is a well-known and undeniable fact that there was a combination and a close cooperation in building up the vast control that has been established. While that has been nominally abandoned, and there is no formal agreement such as the law forbids, there is in fact a mutual understanding and cooperation on a common basis that makes the maintenance of effective competition impossible.

One of the chief claims is that this vast combination is the effect of adjusting the food supply to the demand in a way to make the cost economical and the price moderate, with only a small percentage of profit for the huge corporations, and figures are given out to convince of this. But the expanded capital has been largely worked out of past profits turned into forms of investment in the business, and whether prices are higher or lower than they would otherwise be can not be calculated from the figures presented. The huge control through the several centers for collecting material and distributing products determines the price of the animals at the yards and of the meat and other products in the markets. This powerful control extends in no small measure to those who raise the sheep and cattle and, to a less extent, the hogs and leaves them no freedom in the markets. It extends also to the agencies for distributing the products of slaughterhouses to the markets for food not only by wholesale but by retail through cities and towns. It does not apply to meat alone, for skins, horns, hoofs, and bones have been utilized and made profitable. This is claimed as a merit and a benefit to the public; and so it is in effect, but it is not necessary to constitute and maintain a monopoly to attain such results. When that is done it greatly enriches the few and hampers the competitive efforts of the many.

But this monopolizing and profiting process on a great scale has by no means been confined to stock farms, butcher shops, and meat markets. It has been extended to many other articles of food, dairy products, grain, and fruit, and even to building material in no small measure, because in collecting, transporting, and distributing on such an immense scale all these things can be worked in with the rest at reduced cost and with increased profit, crowding out or restricting competition on any effective scale. The advantage of this has come largely from means of storage, transportation, and distribution from central market places the country over. The companies have built up and maintained extensive packing places and adapted them to a variety of storage purposes, reducing the cost per unit and monopolizing their use. This has been carried on on no small scale into railroad transportation and delivery. The National Wholesale Grocers' Association submitted a complaint to the Interstate Commerce Commission only a short time ago of discrimination granted to these packing combinations by railroads in the cost of carrying their commodities. The packers, not only of meat but of many other things, have yards of their own with cars and tracks and means of loading and unloading and cars for transportation to distant markets for their own exclusive use. They also have special contracts with railroad companies, according to this charge of the grocers, which discriminates on a generous scale in their favor and to their advantage and profit in distributing commodities.

It is easy to claim for this kind of monopolizing a public benefit and a diminution in the cost of living. This might be the case if it were carried on in an ideal and unselfish manner for the common welfare. That is, it might be made a benefit in a pecuniary sense, assuming that it was conducted with such high motives; but even then it would be the opposite of the benefit in its effect upon public and personal interests and rights. It would deaden competition and rivalry in all the productive activities and restrain ambition for success in life. This would be a degenerating and corrupting evil, to the ruin of national character and of real enterprise, lowering the morale of the whole Nation. Anything more inconsistent with the principle and spirit of genuine Americanism is hardly conceivable, and it is of the utmost consequence that it be stopped, and that the ways be open and free for the energies of American life in a normal state of health and activity.

If all the claims of the packers were conceded, the fact would remain that they still control the meat supply of the United States; that they dominate numerous related industries; and that they are extending their activities in so many other directions as to openly threaten the natural freedom of trade.

No matter how plausible the answers of the packers may seem, they have acquired a power over highly important lines of industry which, if not curbed, will assuredly lead to a fresh outbreak of monopoly, with all its attendant social and economic dangers. Such power, however carefully exercised when under suspicion, is sure to be abused at the first opportunity, for history proves that few man can resist the temptations of unrestrained power, and, rightly or wrongly, the man in the street will grow jealous of this power over his food supply, affording the wily politician a fruitful opportunity to flay the wicked packer.

Judging by their recent propaganda—

Remember, this is from a friendly organ—

the packers must have already read the handwriting on the wall, and presumably they recognize that if their present monopolistic tendencies continue they must prepare to accept one of two alternatives, either Government regulation or Government ownership. Surely they do not intend to precipitate the latter by defiance of public opinion; and it is hardly to be supposed they will seriously oppose the former. If the people should have to choose—

And it would be well to remember this—

between exploitation by the food barons or socialization by the Government, it is easy to see where their choice will fall. That some curb upon the overgrasping monopolistic tendencies of the packers will be applied is practically certain.

The bill concerning which there has been so much talk is not a Government-ownership bill. I am not in favor of and would not introduce a bill for Government ownership of the packing industry. It is merely a bill seeking to regulate the packers—stringent, yes; radical, yes; but the things we now think are radical in five years we may not think are radical through a licensing system, concerning which there may be very valid objection; but it seems to be the only method in sight now; through a divorcement of the stockyards from the ownership of the packers, a divorcement of private cars from their control, and the power to keep them out of unrelated businesses. I grant that presents a radical field, far-reaching in its consequences, one which ought to have the most serious consideration of the committee and Congress, and it will have. Public opinion ought not to be swayed by manufactured propaganda on either side.

Mr. WALSH of Montana. Mr. President, I apprehend that very likely some Senators will desire to respond to the address of the Senator from Iowa or, perhaps, to discuss further the subject he has presented to the Senate, but I am going to appeal to Senators who may feel so disposed to defer until some other time anything they may care to present upon that subject, which is not before the Senate in the bill under consideration. The bill under consideration is the Agricultural appropriation bill. It carries the usual appropriations for the Forestry Service. My State is burning up; there are furious fires raging in practically all of the national forests in the State; the Forestry Service has a force of 2,500 men in the field to-day, without a dollar to pay them, the appropriation, of course, having expired on the 30th day of last June. They are really conducting the work at this time practically in defiance of law, for, as I have said, they have not a dollar to pay the men who are employed. I trust, therefore, that we may look to Senators to defer further discussion of this particular subject.

Mr. POMERENE. Mr. President, I had expected to follow up what has been said by the Senator from Iowa [Mr. KENYON] with a short discussion as to the extent of the business controlled by the packers in this country as well as in Argentina and Great Britain, but, out of deference to the request made by the Senator from Montana, and he is well justified in making the request, I shall defer what I desire to say on the subject until a more opportune time.

Mr. WALSH of Montana. I thank the Senator very much indeed.

AGRICULTURAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7413) making appropriations for the department of Agriculture for the fiscal year ending June 30, 1920.

The VICE PRESIDENT. The Secretary will state the amendment reported by the committee.

The SECRETARY. On page 102, after line 3, it is proposed to insert:

That any homestead settler or entryman who, during the calendar year 1919, finds it necessary to leave his homestead to seek employment in order to obtain food and other necessaries of life for himself, family, and work stock, because of great and serious drought conditions, causing total or partial failures of crops, may, upon filing with the register and receiver proof of such conditions in the form of a corroborated affidavit, be excused from residence upon his homestead during all or part of the calendar year 1919, or the current year of such homestead which may fall principally in the year 1919, and in the making of final proof upon such an entry absence granted under this act shall be counted and construed as constructive residence by said homesteader.

Mr. GRONNA. Mr. President, I wish to join the Senator from Montana [Mr. WALSH] in requesting Senators to allow this bill to pass. The Agricultural Department is without funds, although not only in the State of Montana but in other sections in the western portion of the country fires are raging and timber is burning up. This bill is exactly in the form as passed by the House, with the exception of the amendment just read at the desk. The daylight-saving provision has been eliminated. The amendment reported by the committee simply provides that entrymen who have taken homesteads may be permitted to leave their homesteads during the year 1919 to enable them to go to work and in that way make a living. I do not think any Senator or any Member of the House of Representatives can possibly have any objection to that amendment. It does not carry a single cent of appropriation. The labor is needed. In my State, in the State of Minnesota, and in all of the grain States we will be glad to get this labor, and certainly the entrymen ought to be permitted to leave their homesteads and go out and make a living for themselves and their families.

Mr. SIMMONS. Mr. President, do I understand that this bill is the same, with the exception of the elimination of the daylight-saving provision and the amendment of which the Senator now speaks, as the bill passed by the Senate at this session and vetoed by the President?

Mr. GRONNA. Exactly; and it is in the same form as it was passed by the House, with the exception of the amendment referred to.

Mr. SMOOT. Mr. President, a bill embodying the amendment reported by the committee is before the Public Lands Committee of the Senate in exactly the words of the provision found in this bill. It is true that a point of order could be made against the amendment, but I sincerely hope that no Senator will make such a point. All that has been said in relation to the necessity of the amendment is proper and right, and I will add that so far as the Public Lands Committee of the Senate is concerned they have already authorized a favorable report upon the measure which has been referred to them, and if in conference the Senate committee amendment is not agreed to by the House, a report from the Public Lands Committee on the measure referred to will be made at once, with a request for unanimous consent for the consideration of the bill, so that we may secure the legislation in that way.

Mr. MYERS. Mr. President, I am very glad that this amendment has the hearty approval of the chairman of the committee, and I am glad to hear him give the reasons for it. He has done so in a very clear and concise manner. The amendment is designed to meet the most terrible calamity that has ever visited the Northwestern States, and I hope it will be adopted without objection.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

Mr. SMOOT. Mr. President, on page 101, beginning with line 20, I move to strike out down to and including the word "sale," on page 102. The provision which I move to strike out reads as follows:

That the word "package," where it occurs the second and last time in the act entitled "An act to amend section 8 of an act entitled 'An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes,'" approved March 3, 1913, shall include and shall be construed to include wrapped meats inclosed in papers or other materials as prepared by the manufacturers thereof for sale.

I wish to take a few moments to state the reasons why I move the amendment. I take it for granted that no Senator wishes by the adoption of this provision to impose upon the consumer an expense beyond question of between $5,000,000 and $6,000,000 and perhaps of from $10,000,000 to $20,000,000 or even more than that. I wish to say now that, in my mind, without a question, if the provision becomes a law, the consuming public, paying the extremely high prices they are already paying for bacon and for ham, will be assessed many, many million dollars more. The adoption of this provision for branding the weight on every ham and package of bacon will result in an added cost of nearly 4 cents per ham or package of bacon. There are on the average about 150,000,000 hams packed each year. An average added expense of 4 cents each would involve an amount of between five and six million dollars, which will necessarily be incurred without the consumer receiving one penny of benefit.

Mr. POMERENE. Mr. President——

Mr. SMOOT. If the Senator will allow me, I wish to explain in detail the reason for my position. There are no two hams that weigh exactly the same. It is held by every court, as well as by the Agricultural Department, that the wrapping of hams

and bacon in paper, or whatever the container may be, is for the purpose of keeping them clean and for the preservation of the weight of the package, and therefore that practice is not held within the purview of the pure-food law.

If Congress wishes to take this action and impose this added burden upon the consuming public, well and good. I wish it distinctly understood that I am not here speaking for the packers; I am speaking for the consumers of meat who already have to pay such enormous prices for hams and bacon.

It is not only the cost of 4 cents a ham that will be added, but if there is marked upon a ham its weight at the time it is cured and covered, say 12 pounds, all the courts and the Agricultural Department recognize the fact that this implies that the weight shall remain the same, although the ham may shrink from 4 ounces to 16 ounces. If that ham is marked upon the cover as weighing 12 pounds, and the retailer buys it from the packer or the wholesaler, he buys it at the actual weight; but when he comes to sell it, if it is branded as a 12-pound ham, he is going to sell it, more than likely, as a 12-pound ham, whether it weighs 11 pounds 4 ounces, 11 pounds 8 ounces, or only 11 pounds, and the consumer will have to pay for the 12 pounds. As it is now, if the packer puts up hams, and they remain in his possession two weeks, or one month, or two months, whatever shrinkage may occur the packer loses, because he sells them to the wholesaler at actual weight. If the wholesaler holds the ham a month, and it shrinks 4 ounces or 8 ounces, the retailer pays for the ham at its weight at the time he buys it from the wholesaler; and to-day when the retailer sells it he sells it at whatever the weight is when the ham is sold, and the retailer has to absorb whatever the shrinkage is.

So far as the wrappers are concerned, the cost of wrapping the ham and the preparation of it for market are taken into account to-day, as everybody knows. If the Congress wishes to impose the additional labor of marking the weight upon the ham at the time it is put up, well and good; but I wish the Senate to know that it will mean additional millions of dollars to the consumers of these articles.

The Senator from North Dakota tells me that he desires the passage of this bill to-night. I do not wish to say anything more about the subject at this time. I have given a plain statement of facts; and I predict now, Mr. President, if this provision becomes a law, the consuming public will pay millions of dollars which otherwise they would not pay. On that statement, I simply ask for a vote upon the amendment before the bill passes.

Mr. SHERMAN. Mr. President, I very much wish to accommodate the Senator from North Dakota in regard to having a vote taken upon the bill to-night, and that can be done, as far as I am concerned.

The Senator from Utah has called attention to the fact that this provision will not decrease the cost of living, but on the contrary it will increase it by somewhere from five to seven million dollars. That is literally true. With 150,000,000 pieces of side bacon and hams, which constitute the total output of the packing industry, large and small, in the country, this will require the separate weighing and handling of that 150,000,000 packages. The last business year there were that many pieces handled by the entire packing industry in the United States. Not only will this additional cost be put upon the consumer but it will furnish to the retail people a very convenient process for exacting from the purchaser, the ultimate consumer, an additional charge.

Let me give an illustration.

There are certain proprietary medicines or compounds that are in common use—antiseptics, deodorizers, milk of magnesia, and so forth. Magnesia in the common form in which it was used in the household years ago used to be in the form of a brick, or a solid mass, or something similar to cream cheese. Of late years it has been reduced to a milk of magnesia, and sold, one very well-known brand which is the common specific for superacidity, at 50 cents a bottle. When there was a revenue charge imposed in the internal-revenue act, in order to raise more money, of 2 cents on the 50-cent bottle, we would naturally suppose that it would be sold at 52 cents; but the very thrifty druggists in most parts of the country, or in many parts of the country, immediately not only added the 2 cents but they added an additional nickel for pasting on the revenue stamp. It took that much additional help. So the bottle, immediately following that, cost 57 cents instead of 50 cents.

In this particular instance, the average small ham weighs something like 12 pounds. It is now wrapped in paper or cloth, unweighed, and goes from the packer into the hands of the meat-market man or the grocer. The grocer sells it to the consumer in an entire ham by actual weight. It is put upon the scales and weighed, and I pay him by the pound so much for smoked ham, so much for salted side meat or bacon. In every instance I pay by the pound by actual weight in the grocery shop. I do not pay for a pound more than I receive in the actual consumable commodity. Now, the whole 150,000,000 pieces not only will go through the process mentioned by the Senator from Utah but it will go to the retail dealer, the grocer, or the meat-market man with the weight stamped upon it. It will be a 12-pound piece of smoked ham, to illustrate. Smoked ham, from the time it leaves the hands of the packer, through the various stages of commercial activity until it reaches the kitchen, is subject to diminution in weight exceeding any known commodity of ordinary use in the kitchen, with the exception of sugar. Sugar has a very large moisture content, and it is subject to a most remarkable shrinkage, and that must be covered in the retail trade. Ham and bacon shrink very appreciably. Ham will shrink more than salted bacon. That is shrunk in the salting process, so that it is not so noticeable. But a 12-pound ham, to illustrate, is weighed, and stamped by the packer "12 pounds." It passes through the various hands, until when I buy it at retail it is marked "12 pounds." Now, whatever the retail grocer may pay for it, whether on a 12-pound basis or on the basis of its shrinkage, paying for it by actual pounds, I do not know what he will do, but I know the excuse that is made. It will be marked "12 pounds in weight," and the grocer will sell it to me for 12 pounds. It will be like other package commodities. Every package commodity is sold at the marked contents, branded on the outside of the package. Whether there is that much in it or not, nobody knows. A package of rice never contains the amount that is branded on the outside of the package. Not a single cereal package of any kind contains the amount that is supposed to be in it, or the amount that is branded on the outside, the quantity that is so branded, either in weight or measure, whatever it may be.

This gives to the retail dealer an excuse and a very plausible pretext for selling to me a 12-pound ham after the shrinkage is taken out. The shrinkage is gone. It is not a weight. I pay for it, and never get it. I pay on a 12-pound basis and get 11 pounds, or 10 pounds and a half. At least, I get short my 16 ounces to the pound, because it is estimated by actual observation that an average 12-pound ham will shrink from 10 to 14 ounces in passing from the packing house until it reaches the grocer, and by the time it reaches my kitchen it will have shrunk at least that much.

Now, I very much question whether the dealer sells his ham, branded on the outside "12 pounds" under Government inspection and by such an amendment as this, for what it actually contains. I will pay for it on the 12-pound basis, but I will doubt very much whether I will get the 12 pounds. I will get the 12 pounds less the shrinkage, but I will pay for it on the 12-pound basis. That happens every time these changes are made.

I could go further, but I do not wish to take the time of the Senate, because I think this bill ought to be passed to-night, for the reasons stated by the chairman of the committee. In every one of these cases—and I have followed them up for the last five years in groceries, in drug stores, in notion stores, in dry goods, in clothing, in everything that is sold by the piece or brand or trade-mark, whatever it may be—if it is sold by measure or weight, in every instance these changes are made the pretext for piling on the consumer additional retail charges. I have watched the steps by which, gradually, these small items have been added; and it is the most surprising thing in the retail trade to take some article of package food—prepared food, manufactured—and watch the gradual process of adding charges; or to take some well-established proprietary compound like I mentioned and watch its gradual increase from the old price before the war, adding on with each revenue charge an additional charge by the retail dealer, so that not only is the internal-revenue charge covered but an additional charge made the excuse for taking from the consumer an added 5 cents on the package or bottle. This is another excuse; and I have no doubt whatever that it will inure finally to the burden of the ultimate consumer who comes to buy the meat.

I will not engage in discussing the matters discussed by the Senator from Iowa [Mr. KENYON]. At the proper time, Mr. President, I wish to go into those matters. Some of the large packers are constituents of mine, and I believe they have a right to be heard here. I think I ought to present some such matters as would at least fairly give some of the views that would make a hearing on both sides of this subject. I shall not do so now, because in proper time we will be before the Senate on the bill introduced by the junior Senator from Iowa, but at that time I shall go into the matter.

I think there is very much that the Senator from Iowa has said that is based upon misinformation; there is much of it that is based upon prejudice; and there is still more of it that is based upon ignorance. If the amount of merchandise handled by the National Wholesale Grocers' Association alone were considered—four billion dollars' worth of it every year, four billion dollars' worth of merchandise handled by this occupation alone, and there are 4,000 of them—if they charged the same rate of profit that the packers get out of their business, both large and small, whether it is Mr. Kingan, that firm over in Des Moines, Iowa, a small packer, but nevertheless a good one—if the National Wholesale Grocers, and they comprise practically all of them, would take for their profit what the packers, large and small, take for their profit, and the reduction were carried along to the retail grocer, and by him carried along again to the consumer on the sales he makes, there would be such a drop in the actual cost of living as to be matter of surprise to every consumer in the country.

When that bill is reached, Mr. President, I shall wish to take it up at some length; but I yield now for the passage of the appropriation bill.

Mr. POMERENE. Mr. President, I am a good deal surprised at the statement that has been made to the effect that it will cost 4 cents to brand or stamp each piece of meat. Of course, I have no expert knowledge on that subject, but it strikes me that there will be a pretty large per cent of profit in it. I know that some of the ways of dealers are dark and devious, and I know that from my own State came a number of inspectors, when this legislation was pending, and insisted upon this amendment in the form that it now is, and at least one of them detailed to me the large amount of loss to the consumer by having the consumer pay for all of this moist and bloody paper, and so forth, that is used in wrapping up this meat.

It may be that if we pass this bill in its present form, some other means of skinning the public will be devised; but the argument which has just been made, when reduced to its final analysis, means this, that if certain prominent firms of the country that put up this meat can not be permitted to skin the public in one way, another way will be devised whereby they will do it. That is the logic of the situation. We can camouflage it as we please, but that is the fact.

I am willing to vote to retain this provision in the bill as it now is; and if that does not meet the situation, then I am ready to adopt some further legislation, such as experience may seem to approve.

Mr. KENYON. Mr. President, just a word. As I introduced this amendment in the committee, I want to say just a word against its assassination at this time by the Senator from Utah and the Senator from Illinois.

It developed at the hearings that a very large fee was paid by the packers to have the former solicitor of the Department of Agriculture come down and get this ruling out of the Agricultural Department. Now, the proposition is rather a simple one, I believe. It may work out badly, as these two Senators have suggested. Probably the price will be put up instead of being put down. That is probably so, no matter what we do; but, now, what is this proposition?

There are about 45,000,000 wrapped hams and pieces of bacon that receive Government inspection yearly. The average weight of the wrappings of each of these packages is 6 ounces, or three-eighths of a pound. With the paper costing 8 cents a pound, the wrapping of each of these packages costs the packer 3 cents. When they sell it, and sell this paper at bacon prices and ham prices, as they have been doing and can do under this ruling, the average selling price for the paper at the price per pound of the meat in it is 16 cents, or a gain of practically 13 cents a package.

Now, take the figures:

The cost to the packers of the paper for 45,000,000 packages at 3 cents is $1,350,000.

The packers' selling price of the same paper at 16 cents is $7,200,000.

Or a gross gain to the packers of $5,850,000.

From that deduct wrapping expense, freight, and overhead, about $450,000, leaving a net gain of $5,400,000. That is about 400 per cent on the paper, and that is passed on to the consumer.

Now, this may be passed on to the consumer. I suppose it will be; but we have not tried the plan that is now proposed under this amendment, and we might try it.

Then, on the pork-loin paper, in which the pork loins are wrapped, there will be another profit of something like a million dollars.

All those who believe in paying bacon prices and ham prices for the paper and string around their bundles ought to vote for the motion of the Senator from Utah.

Mr. SMOOT. Mr. President, I simply want to say, in answer to the Senator, that I hardly think it is fair to say that the former solicitor of the Department of Agriculture came down here and got that ruling. I want to call the Senator's attention to the fact that the Supreme Courts of Washington, Minnesota, and Nebraska have held the same way. There have been numerous decisons in the lower courts, and the attorney generals of California, Montana, Pennsylvania, Ohio, and West Virginia gave opinions to the same effect; and when the decision of the department was appealed to the Attorney General, Mr. Gregory, he upheld the decision of the department.

Mr. KENYON. Mr. President, will the Senator allow me to interrupt him?

Mr. SMOOT. Certainly.

Mr. KENYON. Perhaps it ought not to be stated in that way. He was employed as counsel, and his services were so eminently satisfactory to the packers that in the correspondence, which was before the committee, it appeared that they increased the fee that they had proposed to give him because of his very successful work.

Mr. SMOOT. Well, he only took the position that most of the courts of the United States—all of them where the question has been brought before them—have taken.

Now, Mr. President, I want to say in relation to the selling of strings and paper on hams that the Senator knows very well that whatever wrappings are put upon any article, I do not care whether it is rice or whether it is a patent medicine or whether it is woolen goods or what not, whenever the article itself is put either in a can or a paper box or wrapped in paper and tied with strings, they are all taken into account in the cost of the production of the articles themselves. So it is with ham; so it is with bacon. It is a straight business proposition; and all the appealing in the world to the prejudices against the packers will never change the business principles.

I want to say further, Mr. President, I know that if this provision becomes a law the consuming public in this country will pay more than it has paid in the past.

Mr. GRONNA. Mr. President, will the Senator yield to me?

Mr. SMOOT. Yes, sir.

Mr. GRONNA. I want to say to the Senator from Utah that the representative of one of the packers appeared before the committee, and was allowed to make his statement with reference to this provision in the bill, and the committee considered the matter very thoroughly. I think I might state that the committee were practically unanimous in reporting out the bill with this provision in it. Now, at this time, after the bill has passed both Houses three times—it is the third time, now, that the House has passed practically the same bill—why should we at this time strike out any of these provisions which have been agreed to when we have been in conference for weeks? I ask the Senator from Utah that question.

Mr. SMOOT. Mr. President, I will answer that by saying that it makes no difference when legislation is disagreed to, either in the House or in the Senate, if it is bad; and I say that this legislation is bad.

Mr. GRONNA. Does the Senator believe that the committee of conference will agree to striking this out?

Mr. SMOOT. I can not say; but that is not for us to decide. That is for the conferees to decide. I want to say, Mr. President, that it is our duty to do what we think is right; and it is the Senate's duty, if they think this is going to throw a burden upon the consumers of the United States, to strike it out, and then if the conferees do not agree, that is another question.

Mr. GRONNA. I do not want to engage in any controversy with the Senator from Utah as to the probability of the packers increasing their price to the consumer. Mr. McCabe did state that it would cost $4,500,000 a year to do this work; but if you figure out what it costs the consumer for wrapping paper, and not only wrapping paper and string but many other things which are wrapped up with meats, you will find that on a small piece of meat, 5 or 6 pounds, the wrapper weighs at least a half pound. At the rate of 40 cents, and in some cases 60 cents, a pound, that means at least half a pound.

Mr. SMOOT. I wish to say to the Senator that I do not want to repeat my argument upon this question. I know that there are about 6 ounces of paper and string around a 12-pound ham. Everybody knows it; but it is taken into account in the cost of the article, and the cost of the article regulates the price at which it is sold. It is just the same as if I had a bolt of cloth, and I put a paper wrapper around it, and fastened

the wrapper with twine, and I had the yardage marked upon it. Every particle of labor and all the material used is figured in the cost per yard of the bolt of cloth which is so wrapped.

Mr. GRONNA. I believe I am safe in making the statement that the public is willing to pay for this work.

Mr. SIMMONS. Mr. President, I should like to ask the Senator from Utah one question.

Mr. SMOOT. Yes; I shall be glad to have the Senator do so.

Mr. SIMMONS. The Senator says—and I think he says very correctly—that in all goods that are sold in packages or in containers the cost of the package or the cost of the container is added to the cost of the article. That, however, does not answer the statement made by the Senator from Iowa.

Mr. SMOOT. No; Mr. President——

Mr. SIMMONS. The Senator from Iowa says that in the case of hams and bacon the price at which the paper in which they were wrapped was sold was 300 per cent more than the cost of the paper.

Mr. KENYON. Four hundred per cent.

Mr. SIMMONS. Now, is that true? If that statement is true, the Senator has not answered the argument at all.

Mr. SMOOT. I did not think it was necessary, because the Senator knows that, for instance, the lacquered boxes in which tea is put up cost a great many times more than all the tea that is in them, and if he will permit——

Mr. SIMMONS. The Senator does not mean to say that in adding that to the cost of the tea they do not add more than the cost of the container. The point of the Senator from Iowa is that in this case they add three or four hundred per cent more than the cost.

Mr. SMOOT. The Senator loses sight of the fact that the cost of whatever paper or string used in wrapping the ham becomes a part of the cost of the ham itself; and whatever the cost is, that is the basis of the price it is sold for. It makes no difference, then, as to what it weighs. Even if the paper were a greater part of the weight of the ham, it would be taken into consideration as to the cost of the meat itself. The Senator knows it, and everybody else knows it; and it is the same with everything that is put up wrapped in paper. Whether you wear it or whether you eat it makes no difference. It is a part of the cost of the article that is wrapped, and so it is with the ham.

Mr. POMERENE. Mr. President, if the position of the Senator from Utah is correct, then it must follow that the packers would be tempted to put 10 pounds of paper around an 8-pound ham.

Mr. SMOOT. Not at all.

Mr. POMERENE. And that kind of a temptation ought not to be placed before them.

Mr. SMOOT. Mr. President, that is perfectly ridiculous. That shows just exactly the mind of the Senator from Ohio.

Mr. POMERENE. Of course it is ridiculous, but it is the only legitimate conclusion that one can reach from the Senator's logic.

Mr. SMOOT. If the Senator will just bear with me a moment, I will conclude. I want to say, Mr. President, that there is no need of discussing a question of this kind with a Senator who would make such a statement. It is building up a straw man and then throwing dough at him. There is nothing to it.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Utah [Mr. SMOOT].

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time. The bill was read the third time and passed.

THE LEAGUE OF NATIONS.

Mr. WILLIAMS. Mr. President, it was my good fortune this morning to read an article appearing in the Los Angeles (Calif.) Times of July 14, entitled "An unanswerable argument," referring to the President's statement that a league of nations for the purpose of continuing to enforce the terms of the treaty of peace is absolutely necessary and inseparable from the treaty itself. I do not want to take up the time of the Senate by reading it. I ask that it may be inserted in the RECORD.

The VICE PRESIDENT. Is there any objection?

Mr. SMOOT. Mr. President, I am not going to object. I am not going to object to these requests until the Senate itself wants to do it. I think the proper thing to do, every day that the Senator from Mississippi comes into this Chamber and puts in the RECORD a long string of editorials and opinions from Tom, Dick, and Harry, is that somebody ought to put in something on the other side to assist——

Mr. WILLIAMS. I have not yielded the floor yet.

Mr. SMOOT. I presume the Senator wants to ask for more insertion, and I am not going to object if he desires to put others in; but I want to say this to the Senate, the other day it cost the Government over $1,000 for editorials and stuff that were put into the RECORD by one Senator——

Mr. WILLIAMS. It was not this Senator.

Mr. SMOOT. And I do not believe it is worth it.

Mr. WILLIAMS. Mr. President, I did not yield to the Senator. I submit that request.

Mr. SMOOT. The Senator already had submitted it.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

The matter referred to is as follows:

AN UNANSWERABLE ARGUMENT.

When President Wilson informed the Senate that it would be impossible to establish permanent peace without making provision for a continuing cooperative alliance to enforce the terms of the treaty he advanced an argument in support of a league of nations that is unanswerable. There are so many continuing contracts, obligations, bargains, and agreements that a continuing association with the duty of seeing that they are carried out is indispensable. Otherwise, who should determine whether the obligations had been met, the bargains kept, the contracts fulfilled in the years to come?

If there were no other argument for a league of nations, this one presentation of imperative needs would be conclusive.

Germany signed the peace treaty under protest. She would break it to-morrow if she dared. To Germany the one supreme law is force; her people will obey no other. If she were left to face France alone, she would probably go to war to-morrow to retain the Saar Basin. She would take chances against any single one of her late antagonists before she would make the necessary territorial renunciations to reconstitute ancient Poland.

Treaties mean nothing when dealing with such peoples unless there is a compelling force behind them. Any breaking of the alliance that triumphed over German despotism would be a signal for loosing anew the barbarian hordes beyond the Rhine. There are millions of them left, and the peace which they signed through compulsion has not made of them different beings from what they were in 1918.

There is no gainsaying that a league of free nations is a practical necessity. If such a league were not formed, the association of powers that broke the German military machine would have been dissolved when the treaty was signed. What, then, about the German reparations made to continue over a series of years? What prospect would there be for Belgium to enforce her treaty rights against Germany if there were not the same association of powers back of her that made Germany admit those rights? How could mandatory powers be intrusted to certain nations if there were no association of nations to see that those powers were not abused? Who would decide whether Germany was keeping her treaty obligations? Many of the settlements attempted by the conference are admitted by the commissioners to be experimental. If they do not work well, the league of nations provides the machinery to make the necessary revisions.

To dissolve the peace conference without providing an association of powers to enforce the decrees of the peace treaty would be to leave the world in a state of anarchy. The thought of such a thing is inconceivable. The President never spoke truer words than when he said:

That there should be a league of nations to steady the counsels and maintain the peaceful understanding of the world, to make not treaties alone, but the accepted principles of international law as well, the actual rule of conduct among the Governments of the world had been one of the agreements accepted from the first as the basis of peace with the Central Powers.

That the affairs of the world have reached a condition where international cooperation is necessary to avoid anarchy is indisputable. If the peace conference were to adjourn sine die without forming a continuing association of powers to act in concert on international questions it would have to reassemble within six months. And Senators who are so mentally blind as not to recognize this self-evident truth are sorry representatives of a great people.

One has but to peruse the covenant of the league of nations to discover that the association so formed is inevitable. The most cogent criticism to be aimed at the covenant is that the bonds which unite the nations are too loose, not too binding. To what does America pledge itself in joining the league? Simply that she will assist, for the present at least, in enforcing the terms of the peace treaty. It is not an indissoluble association, such as is formed by the American Constitution. Any nation can withdraw by giving two years' notice of her intention so to do. It does not, and could not, compel this country to take part in any European war if our people were not so minded; for the Constitution of our country places the declaration of war in the hands of Congress, and one Congress can not bind its successor to any course of action. President Wilson reminded the Senate that this condition was discussed at length in the peace conference.

President Wilson is said to have told Senators in the anteroom of the Senate Chamber that the American commissioners were disappointed in the Shantung provision, and that they would have preferred to name at once the amount of money reparation Germany would be required to make. But it must be remembered that the peace conference had been in session for six months and that the nerves of the people of the world were getting on edge. A treaty was necessary. If wholly satisfactory settlements could not be agreed upon in the midst of the confusion and the passions of Europe, the single alternative was to form a tribunal that could reconsider and revise some of the decrees after order had been restored among the nations. To insist upon everything at this time was to get nothing. Practical solutions were obligatory.

To attempt to dissociate the league of nations from the peace treaty would be to nullify the treaty in its enactment. If the league were not formed from choice it would have to be established from necessity. The men who continue in the opposition are simply impossible as national representatives.

Mr. WILLIAMS. Mr. President, I hold in my hand a short article by Henry W. Williams, the great historian and publicist, in answer to Mr. Root's suggestions, showing that they are perfectly mischievous. I ask that it be inserted in the RECORD.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

The matter referred to is as follows:

[Extract from "The Evening Sun" Tuesday, July 1, 1919.]

MR. ROOT'S SUGGESTIONS ARE MISCHIEVOUS.

(By Henry W. Williams.)

As the Senate appears to have fallen back on the suggestions of Mr. Root, it would seem to be well to consider the situation which will result if such suggestions be followed. Mr. Root in his letter to Senator Lodge recommends that the Senate should act upon the treaty of peace as follows:

"The Senate of the United States advises and consents to the ratification of the said treaty with the following reservations and understandings to be made a part of the instrument of ratification."

And then suggests three reservations or amendments:

1. That the tenth article of the covenant for the league of nations should be excluded from the treaty.

2. That article 1 of the covenant for the league of nations should be amended so as to modify the terms of withdrawal from the league.

3. In effect, that a new clause should be added to the covenant for the league of nations setting forth:

"That nothing therein contained shall be construed to imply relinquishment by the United States of America of its traditional attitude toward purely American questions, or to require the submission of its policy regarding questions which it deems to be purely American questions to the decision or recommendations of other powers (whatever this may mean)."

The powers of the Senate of the United States with reference to treaties are well set forth by Mr. Justice Brown in his concurring opinion in "The Diamond Rings," 183 U. S., 182. Referring to the resolution of the Senate purporting to construe the treaty between Spain and the United States, made upon the conclusion of the Spanish-American War, Mr. Justice Brown says:

"To be efficacious such resolution must be considered either (1) as an amendment to the treaty, or (2) as a legislative act qualifying or modifying the treaty. It is neither.

"It can not be regarded as part of the treaty, since it received neither the approval of the President nor the consent of the other contracting power.

"A treaty in its legal sense is defined by Bouvier as a 'compact between two or more independent nations with a view to the public welfare' (2 Law Dict., 1136), and by Webster as 'an agreement, league or contract between two or more nations or sovereigns, formally signed by commissioners properly authorized, and solemnly ratified by the several sovereigns or the supreme power of each State.'

"In its essence it is a contract. It differs from an ordinary contract only in being an agreement between independent States instead of private parties. Foster *v.* Neilson, 2 Pet. 253, 314, 7 L. ed., 415, 435; Head Money Cases, 112 U. S., 580, sub nom. Edye *v.* Robertson, 28 L. ed., 798, 5 Sup. Ct. Rep., 247. By the Constitution (Art. 2, par. 2), the President 'shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

"Obviously the treaty must contain the whole contract between the parties, and the power of the Senate is limited to a ratification of such terms as have already been agreed upon between the President, acting for the United States, and the commissioners of the other contracting power.

"The Senate has no right to ratify the treaty and introduce new terms into it which shall be obligatory upon the other power, although it may refuse its ratification, or make such ratification conditional upon the adoption of amendments to the treaty. If, for instance, the treaty with Spain had contained a provision instating the inhabitants of the Philippines as citizens of the United States, the Senate might have refused to ratify it until this provision was stricken out. But it could not, in my opinion, ratify the treaty and then adopt a resolution declaring it not to be its intention to admit the inhabitants of the Philippine Islands to the privileges of citizenship of the United States. Such resolution would be inoperative as an amendment to the treaty, since it had not received the assent of the President or the Spanish commissioners."

Mr. Justice Brown proceeds further to point out that such resolution can not be considered a legislative act modifying the treaty, because it never was passed by the House of Representatives or received the signature of the President.

It has also been determined by Chief Justice Taney in the case of Doe *v.* Braden (16 How., 636) that treaties can be amended by stipulations included in the ratification thereof by the parties thereto; but in that case, as Chief Justice Taney points out, such stipulation was formally written in by Spain and the treaty again ratified with the stipulation in it by the Senate of the United States and the President.

If, therefore, the suggestions of Mr. Root should be adopted and the reservations and understandings suggested by him should be made a part of the instrument of ratification, they would become a part of the treaty, provided the treaty as thereby amended was ratified by the other parties thereto. Failing such ratification, however, by the other parties thereto the ratification by the Senate would never take effect, the result being the same as if the Senate had rejected the treaty.

Mr. Root, apparently realizing that the law might be as above stated, suggests that the consent of the four great powers, to wit, Great Britain, France, Japan, and Italy, should be obtained. For various reasons, however, they might refuse to concur—France, possibly, on the ground that the first amendment weakened its protection against Germany; Japan, to obtain further concessions on its own behalf; Italy, to reopen the Fiume question. And it might well be that even if the four great powers did concur, objection might be raised by some of the South American Republics to the third reservation or amendment.

But, more important than all, under the law laid down by the Supreme Court of the United States the treaty could not take effect as to the United States until the proposed amendments had been concurred in by Germany, and what reason is there to believe that Germany would concur? Its interests would apparently lie to the contrary. By nonconcurring it would either compel the United States to withdraw from the league of nations altogether and to establish a separate negotiated and not dictated peace, or it would force upon the United States the humiliation of withdrawing its proposals.

By the time these amendments were proposed the treaty would probably have been ratified by Germany and three of the great powers, and by its terms would have taken effect, and Germany could not be compelled to concur.

The adoption of Mr. Root's suggestions, therefore, would apparently put the United States in a false and humiliating position, with the ultimate result that it would either have to recede from its proposed amendments or reject the treaty.

Mr. WILLIAMS. Mr. President, I hold in my hand certain resolutions of certain citizens of the State of Maryland in favor of the adoption of the league of nations, and ask that it be inserted in the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The matter referred to is as follows:

Resolutions passed at conference of Maryland Branch League to Enforce Peace, Belvedere Hotel, Baltimore, Md., July 16, 1919.

Whereas the treaty of peace with Germany is before the Senate of the United States, and the welfare of the United States and the world requires that this treaty be ratified; and

Whereas said treaty has been ratified by Germany and when ratified by three of the great powers will take effect, and thereupon can not be amended without the consent of all of the parties thereto; and

Whereas when said treaty has taken effect no party thereto has any legal right either to demand or enforce the consent of the other parties thereto to any amendment; and

Whereas it is believed that reservations incorporated in the instrument of ratification would constitute amendments, which would amount to a rejection of the treaty unless consented to by the other high contracting parties: Now, therefore, be it

Resolved, That the Maryland Branch of the League to Enforce Peace respectfully requests the Senate of the United States to ratify this treaty without amendments and without reservations which are to be incorporated in the instrument of ratification.

Judge HENRY D. HARLAN, *Chairman*,
Judge WM. H. ADKINS, Easton, Md.,
Dr. THOMAS FELL, Annapolis, Md.,
Mr. RENO S. HARP, Frederick, Md.,
Judge OSCAR LESER, Baltimore, Md.,
Committee on Resolutions.

Mr. WILLIAMS. Mr. President, I hold in my hand certain resolutions passed at a meeting held in commemoration of Mississippi's dead soldiers by certain citizens of Mississippi, asking the Senate to ratify the treaty of peace, together with the league of nations.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

COMMEMORATIVE OF JAMES D. M'DONALD—A PATRIOTIC STATEMENT BY ARMY BOYS.

A memorial service in honor of one of our Army boys took place in the largest church in Philadelphia, Miss. The people filled the auditorium, which was beautifully decorated by the women of the Red Cross with flowers, ferns, and United States flags. The singing was inspiring. The splendid address by Hon. J. M. Wadsworth and the excellent sermon by Rev. C. P. Thrailkill were very appropriate, forceful, and patriotic. At the close of the commemorative service three military men, two of whom had rendered service in France, came to the rostrum and submitted to the large audience the following statement, which was adopted unanimously, except one man:

"We, citizens of Philadelphia, Miss., and all others attending this memorial service held July 13, 1919, in loving memory of James D., son of Rev. and Mrs. J. F. McDonald, who was a volunteer member of the Expeditionary Forces in France, are glad to know that when the summons came, calling him to a higher life and service in the citizenship of heaven, he was at his post faithfully serving his country as postal clerk at Brest, France, and that he joyfully obeyed the summons. By his death he has won the highest and most significant decoration. That decoration is not a medal. Medals only adorn the uniform. The distinguished decoration which he has won is the wooden cross which stands above his grave in Lambezellec Cemetery, 3 miles from Brest.

"Since Christ spoiled the powers of evil, triumphing over them in His cross, the cross is no longer a symbol of sorrow and shame, but of victory and triumph. Sixteen hundred white crosses adorn the graves of our American boys in Lambezellec Cemetery. Each is a silent reminder that the World War was a stupendous contest between Bethlehem and Berlin, between Christ and the powers of evil, and the cause of righteousness has gained the victory.

"Autocracy has been hurled from its throne. The Old World order, which made it possible for a few men to plunge the nations of earth into war, has been overthrown. A new international world order to safeguard the world against anarchy and the recurrence of war is to be built up. The purpose of the league of nations covenant is to establish such an order, an order which shall make it impossible for a few men to thrust war upon the world, slaughter millions of men, outrage womanhood, crucify childhood, and martyr old age. Such an order is what we desire to get out of the war for the good of universal humanity and for the sake of all our Army boys, those who gave up their lives to vindicate the cause of an outraged humanity and a menaced liberty, and those who helped to vindicate the same cause and still survive. For such an international order we stand and will ever stand.

"(Signed) "HOMER TURNER, *Philadelphia, Miss.*
"KEETON ARNETT, *Philadelphia, Miss.*
"ROY SPIVEY, *Philadelphia, Miss.*
"Committee."

Mr. Turner was a sergeant, Medical Department.
Mr. Arnett was a first lieutenant, Field Artillery.
Mr. Spivey was a corporal in the Infantry.

REV. J. F. MCDONALD,
Minister in the Presbyterian Church
in the United States of America,
Philadelphia, Miss.

Mr. SMOOT. Mr. President, I am not objecting to that; but I hope that this outrageous practice will stop at some time or other. I have some regard, at least, for the Treasury of the United States. I may be wrong in it, Mr. President; it may be a waste of time; but I want to say that at some time or other the American people will demand that we insist upon the expenditure of public money in the proper way.

Mr. WILLIAMS. Mr. President——

Mr. SMOOT. I have not yielded the floor.

Mr. WILLIAMS. I thought the Senator had.

Mr. SMOOT. Now, Mr. President, so that this will not be all one-sided, I have here an article by a professor of political science of Johns Hopkins University, Dr. W. W. Willoughby. It is upon the question of the Shantung robbery. I ask that this article be printed in the RECORD without reading.

The VICE PRESIDENT. Is there any objection?

Mr. KENYON. Mr. President, may I ask the Senator from Utah a question?

Mr. SMOOT. I yield to the Senator.

Mr. KENYON. Would it not be a good idea to stop this practice, and to compel the Senators to read all the articles they put in?

Mr. SMOOT. Mr. President, I have thought many times of doing that. There were about a dozen Senators only yesterday discussing this question, and I said: "What is the use of it, unless the Senate will stand by me in it?" They said they would do it, and if I thought there was a majority of the Senators who would do it, no more articles would go into the RECORD unless Senators stood upon the floor and read them into the RECORD. I think that is what will have to come before the practice is stopped, but I do not want to do it until in the Senate there is a sentiment sufficient to justify it.

The VICE PRESIDENT. If there is no objection, the article submitted by the Senator from Utah will be inserted in the RECORD.

The matter referred to is as follows:

CHINA, JAPAN, AND THE WESTERN POWERS—DEMOCRACY AND THE EASTERN QUESTION.

(By Thomas F. Millard. New York: The Century Co.)

This is a work with a single purpose—to point out the significance of the recent acts of Japan, especially with regard to China, and to indicate what should be the policies of the western powers in the light of these acts. It is not unlikely that most of its readers, without any special knowledge of conditions in the Far East, will close the volume with the impression that it is a piece of highly colored special pleading and that its recommendations are to be accordingly discounted. And yet the volume gives an accurate account of the part that Japan has played during the last few years in the Far East. The writer of this review has spent a good part of the last four years in the Orient and has made every possible effort to obtain a knowledge and understanding of the political situation there presented and has thus been able to check up most of Mr. Millard's statements, and has found them correct.

It is not too strong a statement to say that Japan's record with regard to China has been uniformly, since 1906, an oppressive and immoral one, glossed over by repeated assertions of friendliness, but controlled by the determination to demoralize China and thus provide an opportunity, as well as an excuse, to increase Japan's political influence and control in that country. Japan can point to no single act on her part that has been affirmatively and disinterestedly helpful to China. On the contrary, in South Manchuria and Shantung, where her control has been predominant, she has permitted extensive smuggling in fraud of the Chinese revenues and to the prejudice of fair competition with the other powers trading with China; she has allowed the importation and sale of morphia in large quantities, in many cases with the open aid of her consuls, from which large profits have accrued to herself and infinite injury to the Chinese people; she has exported from China, contrary to Chinese law, enormous quantities of copper "cash"; she is the one nation that has arbitrarily refused to allow the Chinese customs authorities to examine postal parcels sent into China from Japan through the post offices which she maintains in China; she alone, during the war, prevented China from taking steps similar to those taken by the other nations of the world to conserve her supply of silver; in the tariff-revision commission which was recently held at Shanghai to revalue goods for customs purposes it was her representatives who made it especially difficult to secure for China the effective 5 per cent ad valorem duties which under treaties she is entitled to levy; in many well-established cases in Shantung, through her control of the railways and railway zones, she checked the efforts of the Chinese authorities to suppress the brigandage that is prevalent in that Province; and through the importation of arms and munitions and the many loans which her bankers have made during the last three years she has knowingly made possible the continuance of the civil strife that has devastated so many of the Provinces and made impossible the institution of administrative and financial reforms in China. It is true that these loans have not been made directly by the Government of Japan, but in her own official reports she has described the manner in which she has given to her banks additional powers in order that they might negotiate and float these loans, and by the issue of belated restraining orders she has shown that there never was any lack of legal power to put an end to such deliberate financial debauchery of the Chinese politicians.

Earlier in the war Japan vetoed the proposition that China should come into the war upon the side of the Allies and, after her consent to this step was finally purchased and China had become a belligerent, she entered into agreements with the military leaders in China, whom she was able to control, whereby it was made practically impossible for China to take any military steps without her consent. These military conventions, the exact terms of which Japan insisted should be kept secret even from her own allies, provided for joint consultation and action on the part of the two countries upon the northern border of China, but, in fact, when action was finally taken China's voice played absolutely no part. Indeed, through her control of the South Manchurian railways, Japan prevented, in a very large measure, the transportation of those troops to the Siberian border which China was anxious to send. Of events in Siberia the reviewer has no personal knowledge, but all his information is to the effect that many acts of the Japanese officials there tended to keep alive the contests among the several factions and thus to render more difficult for the Allies the solution of the political and military problem. The contest between China, Japan, and the Allies with regard to the status and operation of the Chinese Eastern Railway running through the north of Manchuria constitutes an interesting story in itself. Certain it is that, after coming to an understanding with the United States and the Allies as to the number of troops she was to send to Siberia, Japan at once passed ten times that number into that country and North Manchuria.

The whole record of Japan in Manchuria since 1906 has been one of continual violation of those sovereign rights of China which Japan has repeatedly undertaken to respect and a disregard of the substance, if not the letter, of the open-door doctrine.

In the forefront of Japan's offenses in China are her actions in Shantung. This part of the story is now becoming more or less known in the western world, but, in view of the provisions of the treaty of peace that bear upon this point, it is important that the essential facts should be again stated. From the beginning to end the Shantung story reflects discredit upon all the parties concerned, with the exception of China, which has at all times been the helpless victim. In 1898 Germany forced from China the lease of the Bay of Kiaochow and the surrounding territory, including the city of Tsingtau, together with valuable railway and mining rights in the Province, the only excuse for this act of aggression being the fact that two German Jesuit priests had been killed by bandits. Thus was inaugurated a series of demands on the part of the other powers for leases to spheres of interest in China which, by provoking a legitimate antiforeign feeling upon the part of the Chinese, did much to bring about the Boxer outbreak of 1900.

At the outbreak of the Great War in 1914 Japan at once entered as a belligerent, moved to this action, most of her statesmen have asserted, by her obligations under the Anglo-Japanese alliance. This obligation has, however, been denied by Ambassador Ishii. An ultimatum was sent to Germany to evacuate Kiachow and to surrender possession to the Japanese, with a view to the eventual return of the territory to China. Official statements were made to the world by the Japanese that they had in view no territorial or other advantages that would be in derogation of the rights of the Chinese or of the western powers. From the beginning, however, it was evident that more than military considerations were to control. Japanese troops were landed on the coast of neutral China a hundred miles from Tsingtau and military occupation of the railways was pushed westward to Tsinanfau, the capital of the Province, more than 250 miles distant from the ostensible object of the military expedition. Not content with military occupation extending to the very heart of this great Province, which in size and population practically equals Great Britain, the Japanese openly disregarded the territorial sovereignty of China and instituted civil governments at various points along the railway line, and even at Tsinanfau itself.

In the spring of 1915 came, like a bolt out of the blue, the 21 demands presented by Japan to China, one group of which related to Shantung. There is not space here to review the scope of these demands, but certain of their general characteristics and of the circumstances attending their presentation can not be too often emphasized.

1. In the first place the demands were presented directly to Yuan Shih-Kai, the President of the Republic, and not through the Ministry of Foreign Affairs, as ordinary diplomatic usage would have required. Yuan was told that he must not divulge the fact that demands had been presented to him, and he was given to understand that if he acceded to them he might be assured of Japanese aid in the promotion of his own ambitions, but that if he did not accede the Japanese Government would not hold itself responsible for acts that might be taken against him by disaffected parties who, as he knew, were to be found in both China and Japan.

2. These demands, if they had been fully granted by China, would have made of China virtually a dependency of Japan, and have been in flagrant violation of the treaty rights of other powers in China. Especially was this true of the now famous "fifth group," into which the demands of a general and comprehensive character were gathered. So strong in the end became foreign pressure that Japan consented, not to abandon, but to postpone this fifth group of demands for future discussion—a status which they still retain.

3. The 21 demands were, for the most part, not in settlement of previously pending controversies between China and Japan, and they were not advanced on the ground that Japan had suffered wrongs from China for which compensation was due; nor were there any treaty or other promises obligating China to surrender the important rights that were demanded. The only justification put forward at the time by Japan was that the arrangement proposed would promote peace and good will between the two countries. In short, the demands were nothing more than a list of Japan's wants presented at a time when China was helpless and the other treaty powers not in a position effectively to object.

4. When, notwithstanding the injunction of secrecy, it became rumored that certain demands upon China had been made by Japan, the Japanese diplomatic officials denied the fact. When it became no longer possible to maintain this mendacious denial, the Japanese Government officially supplied the other treaty powers with what purported to be a list of the demands—a list which it presently appeared omitted some of the most important and drastic features.

5. Finally, Japan, after somewhat revising her demands and postponing, as has been said, the fifth group for future discussion, issued an ultimatum, couched in the most unequivocal terms, and at the same time took steps to strengthen her military forces in China. "It is hereby declared," the ultimatum ran, "that if no satisfactory reply is received before or at the specified time, the Imperial Government will take such steps as they may deem necessary." China was thus given no option; she had to yield; and, as a result, treaties were drawn up and signed embodying the demands that had been made. And it is upon these treaties that Japan has chiefly relied before the Paris peace conference in support of her claims to rights in the Province of Shantung.

Under one of these treaties the Chinese Government agreed "to give full assent to all matters upon which the Japanese Government may hereafter agree with the German Government relating to the disposition of all rights, interests, and concessions which Germany, by virtue of treaties or otherwise, possesses in relation to the Province of Shantung." In an accompanyng exchange of notes the Japanese ambassador to China promised in the name of his Government that the leased territory of Kiaochow would be restored to China, but only upon the conditions that the whole of Kiaochow Bay should be opened as a commercial port; that there should be "a concession under the exclusive jurisdiction of Japan, to be established at a place designated by the Japanese Government," and that there should be also an "international concession" if the other powers should so desire. In anticipation of the second of the conditions the Japanese have already marked out for themselves an area in the city of Tsingtau which includes the entire

water front suitable for commercial purposes and the railway approaches and the site of the railway station. Thus, if the time comes when Tsingtau is handed back to China, it will be only the empty shell that will be returned. The former German railway and mining rights in Shantung are to remain permanently in Japanese possession, and, as regards those rights, it is to be observed that already Japan has claimed and is exercising under them privileges which Germany some time before the war had formally returned to China. In addition to the rights claimed under the treaties of 1915, Japan has since obtained additional special privileges in Shantung under secret agreements with certain of the Chinese officials.

One more important fact has to be mentioned before we come to the action upon the Shantung situation taken by the powers at Paris. It now transpires, according to secret documents that have been published, that in 1917, when, at the instance of the United States, China was again urged to enter the war upon the side of the Allies, Japan, as a condition precedent to giving her consent to the proposal, required of Russia, France, Great Britain, and Italy that they should promise that, at the end of the war, they would support Japan's claims to the German rights in Shantung as well as to possession of the German islands in the Pacific and north of the Equator, a promise which these powers then gave.

On the face of the diplomatic correspondence that has been published the consideration moving the powers to make this promise was, as has been said, that Japan should give her assent to China's coming into the war; but it is a strain upon one's intelligence to be asked to believe that the powers expected to receive from China's entrance aid sufficient in amount, not only to balance the considerable concessions which they themselves had to make to China but to compensate for sanctioning the lodgment of Japan in Shantung and the possession by her of the Pacific Islands, which would inevitably be strongly objected to by the Australians. Furthermore, Japan had not herself made such sacrifices in the war as to merit substantial payments. Indeed, from the standpoint of trade, shipping, and industry she had profited enormously by the war. One can, therefore, only speculate as to the existence upon the part of the Allies of a feeling in 1917 that they would be well advised to keep Japan as well satisfied as possible—a feeling which may conceivably have played a part in inducing the United States to consent, in the Ishii-Lansing notes, to recognize the "special interests" of Japan in China.

After all, however, the most reprehensible feature of the promises exacted and made in 1917 remains to be pointed out. At the very time that the Allies were inviting China to enter the war as their coally and pointing out to her the advantages of so doing, they were secretly agreeing among themselves to reward one of their number with spoils to be taken from China. It is impossible to imagine an act of worse faith than this, and that the statesmen of the European allied powers should have been induced to be guilty of it gives further weight to the argument that there was some reason, which it has not been deemed wise to avow, why, at the time, it was deemed imperative that Japan's wishes should be met. The United States, too, was not fairly treated, having been kept in ignorance of the fact that these engagements had been entered into.

Here in outline is the Shantung situation, with injustice, deceit, brutal force, and unfair dealing characterizing every step of its development, and yet upon it has been set the seal of approval or at least of confirmation by the powers at Paris. It is understandable that Great Britain, France, and Italy should have felt themselves bound by their promises of 1917, but why should the United States have consented to a proposition which was in flagrant contradiction of the fundamental principles of political justice and right which, through President Wilson, had been so emphatically declared? Why should America have been willing to violate the rights of a great and friendly people struggling to maintain democratic institutions for the benefit of a people whose political philosophy and practices have been strikingly similar to those of that damnable country.

The treaty of peace thus leaves politics in the Far East in a very unsatisfactory situation. It is to be hoped that the league of nations will prove an instrumentality by means of which a better condition of affairs may be secured.

W. W. WILLOUGHBY.

Mr. WILLIAMS. Mr. President, I wish to say something in reply to the Senator from Utah, but I do not want to take up much time of the Senate at this hour.

The object of the discussion of great questions before this body is twofold. It is partially to inform Members of the Senate themselves and partially to inform the opinion of the country. If things are said outside of this body that are philosophically more sound, logically more accurate, and really more eloquent than things which are said upon the floor, then it is just as right to send them out to the people as to send out what is said upon the floor. In fact, the body at the other end of the Capitol has a good practice which it would be well for the Senate to adopt. Over there when a man gets ready to read a long written speech he asks permission to print, and it is printed, and he does not stand there and read his own manuscript to the House.

For the same reason, when I see something that is an absolute clinching argument upon some phase or another of this great question, it would be a waste of time to force me or anyone else to read it when it can reach the people whom I wish it to reach just as well by being inserted in the RECORD, and having been inserted in the RECORD it can reach the people by being copied by the newspapers throughout the country.

The object of our existence here is not simply to listen to one another talk. We are part of the American parliament, it is true, whose business it is to parley or talk, but we talk for the purpose of informing the human intellect and for the purpose of persuading the human will; and a man like Henry W. Williams can say things so much better than the Senator from Utah or I either one can say them, and in a much shorter form, that I can reach the object of informing the human judgment and persuading the human will much more quickly and at much less expense to the public than by standing here an hour or so upon my feet and saying in an inferior way what he has said in a superior way and in a more concise way, and can therefore get it before the people in a proper way.

One of these things I inserted was from a paper which, I think, if I am not mistaken, is a Republican paper; but it is a magnificent editorial; it excels anything as an argument that I have heard in this body, with the possible exception of the first argument made by the Senator from Pennsylvania [Mr. KNOX].

Every time we want to inform popular opinion upon this subject the Senator from Utah [Mr. SMOOT] jumps to his feet, and thinks he is funny because the things we put in the RECORD to go to the American intellect are not the words of Senators. Yesterday a Senator informed me that he thanked God he was original, and whenever anything went from him into the RECORD it came out of his own mind. I am of the opinion that there are many things that do not come out of my own mind or from the tip of my own tongue that are superior to a great many things that have come from the tip of my own tongue.

I say the Senate had better go to the other extreme and do as the House does, and when a man gets up with not a speech to make but a long document to read, if he desires to print it, let him print it, and it will save the time of the Senate.

Mr. SMOOT. Mr. President, in this connection I want to say that I do not think that little doggerel the Senator put in the RECORD the other day, entitled "Now I lay me down to sleep"——

Mr. WILLIAMS. That was read.

Mr. SMOOT. The Senator put it in all the same.

Mr. WILLIAMS. I did not think that was worth inserting. I thought I had better read it.

Mr. SMOOT. Somebody else's remarks that sprang from some man's mind that had an intellect oh! so much greater than the Senators of the United States. I read it over this morning to be sure to see whether I understood it correctly or not. I also wanted to see if the Senator really let it be printed in the RECORD. It is preserved in the RECORD, but I do not think it is a credit to the Senator or the author.

Mr. WILLIAMS. I did not expect that delicate piece of irony and humor to be appreciated by my friend, the Senator from Utah, who, whatever may be his merits, has thus far not earned any reputation as an appreciator of delicate humor.

Mr. SMOOT. No; I never intend to be, if the Senator calls that rubbish delicate humor.

Mr. WILLIAMS. His abilities lie in another direction. He is hard working and has sound judgment, but I think he is a little like Samuel Johnson said about a Scotchman, that, as a rule, if you want to get a joke into a Scotchman's head your only safe and reliable way of doing it would be to split his head open with a hatchet and insert it bodily. [Laughter.]

Mr. SMOOT. I want to remain that way, Mr. President.

Mr. SHERMAN. Mr. President, I ask unanimous consent to insert in the RECORD four editorials from the National Republican. They are written by George B. Lockwood. I consider him one of the best editorial writers on political subjects in the country.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The editorials referred to are as follows:

LET THE WORLD CONSTITUTION BE CONSTITUTIONALLY WRITTEN.

"This paper protests again against the thoroughly undemocratic and unrepublican methods employed to put over on the people of this country a world constitution and a world parliament. These objections apply with equal force whether the constitution proposed be the mere beginning of a superstate or whether it be the fully panoplied world autocracy outlined in the Cecil-Wilson covenant, with legislative, executive, and judicial powers combined in one world parliament, in which this country was to have but a feeble minority voice.

"The suspicion persists that there is an Ethiopian in the woodpile in any hand-me-down, made-in-Europe plan for a league of nations in which the American people are not given the right of original suggestion, which represents in the making the usurpation of legislative powers by the executive branch of this and other governments without giving to the people of this country, supposed to be a representative republic, any voice whatever in framing a world constitution, the most important document ever presented for their consideration.

"The people of this country have been accustomed to bearing a hand in the framing of the laws which bind them. Their Constitution was not handed down to them from on high; it was written by the representatives of the States duly chosen for

that particular purpose and then referred for ratification to the representatives of the people in the several States. This hand-me-down method of writing constitutions and laws exemplified in the procedure of the Paris conference is familiar enough in Europe, where governments and not the people are the sources of authority, but it is an absolutely new experience here. That such a procedure is defended by anybody in the United States is evidence that "the wiles of foreign influence" and the seduction of alien ideals are at work in America to the possible undoing of the Republic.

"Why is it seriously proposed that the question of whether the people of this country shall underwrite the political and financial and commercial solvency of the rest of the world and bind themselves to duties and responsibilities and burdens and possible sacrifices and dangers vaguely defined shall be decided in a military council assembled for the purpose of formulating terms of peace after a great war, a body totally unrepresentative in a legislative way?

"Would it not be the natural and the legal procedure for this body to settle the issues of the war, leaving the establishment of a world constitutional convention and the election of the members thereof to the various governments of the world in accordance with their usual procedure in such matters? For instance, should not the legislative representatives of the United States in such a body be chosen by the Congress of the United States rather than by the Executive merely? Is it not an act of the most supreme assurance, the most flagrant usurpation, for this peace conference to dodge all the problems properly falling within its jurisdiction and turn instead to the task, never committed to it, of writing a constitution for a world government, throwing over on this proposed world government the vast and perilous unsettled business the Paris peace conference does not seem to have the courage or capacity to finish?

"We say this question of usurpation of authority to write a world constitution and give the people of this Republic no initiative in its formulation; this organized effort so apparent throughout the country to hush criticism, prevent discussion, and hurry action; this manifest determination to deprive even the United States Senate of its constitutional part in the framing of treaties; this feverish, wholesale, strongly organized, and heavily financed propaganda against deliberation and in favor of implicit consent to anything suggested by authority—all this ought to arouse in every American the firm determination that with so much at stake the people and the Congress of the United States must have something to say in the framing of this document, rather than be content with the poor satisfaction of humbly suggesting minor amendments.

"The Paris peace conference should long ago have settled the problems arising out of the war. It should have settled them many weeks ago. It would have settled them long ago except for the stubborn persistence of certain men, acting entirely in a personal capacity, in neglecting the real work of the conference in order to take up a clearly usurped function of framing a world constitution. By this course the whole fabric of civilization, at least in Europe, has been endangered.

"It is not too late to remedy this frightful error, originating in the spirit of autocracy, that spirit this war was fought to overthrow. Let the peace conference settle the war problems. Let the allied peoples and Governments, which have won the right to leadership in this work of building bulwarks for the defense of world peace, elect through their representative legislative bodies real representatives of the popular sentiment of these several nations. Let these men deliberately and intelligently debate and decide, with due deference to American public opinion, upon a proposed plan for the permanent preservation of the world's peace; whether or not they want an international court, interpreting a comprehensive code of international law, or a world legislature. Let discussion of this vitally important project be encouraged rather than discouraged. This is democracy. This is republicanism. Any other course is autocracy, not to be accepted by any free people whose sense of responsibility has not been blunted by the aggressions of tyrannical usurpation.

"There is a right way and a wrong way of going about this matter. We want no world constitution, full of vague generalities, advocated on the ground of good intentions on the idiotic theory that contracts should be signed first and considered afterwards. We want no patchwork world constitution, with an amendment stuck on here and there to hide the blemishes and allay the suspicions of the people. We want an 'open covenant, openly arrived at' in the old-fashioned American way, in which the people, through their duly chosen representatives, exercise initiative in formulating the proposed world constitution.

"This, it seems to us, is the most fundamental issue involved in this whole matter. It is a question of representative government as against autocratic usurpation. It is a question of bringing to bear upon this question the power of deliberate public opinion in a country which has become accustomed to this method of settling questions vitally affecting the destiny of the American people, as this one does so peculiarly.

"Let the 39 Senators who signed the new Declaration of Independence and the other Senators in sympathy with their position take their stand here.

"Get peace quickly; get a world constitution deliberately and in the democratic-republican way.

"If we are true to the traditions of this Republic and of free government in general, there is no other road for us as Americans to travel."

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What Washington fought to achieve
And Lincoln died to maintain,
No successor can make us believe
They won for their country in vain.

AN HOUR FOR PLACING PATRIOTISM ABOVE POLITICS.

"It is unfortunate that President Wilson and the Democratic Senators who serve only as phonographic records of their party master's voice continue to persist in playing politics with the league of nations issue.

"Of course, if it had been the desire of President Wilson or his party henchmen in the Senate to bring about the creation of a satisfactory league of nations, they would have accorded some consideration to the views of the majority Members of the United States Senate, as anticipated by the national Constitution, knowing as they did that ratification of the treaty by a two-thirds vote of the Senate was vital to the very creation of the league.

"Instead of this they have taken just the position that would be expected of politicians not primarily anxious for the adoption of a league of nations, but to force the political opposition into what they believe would be a 'hole,' by attempting to make the public believe that the Republican Senators oppose any arrangement for forming a world organization to prevent war in so far as this may be accomplished by international action.

"The President and his political organs and creatures in public life have been studiously insulting in their attitude toward all opposition to any feature of the proposals brought home from Paris. They have substituted abuse for argument and have gone deliberately to work to infuriate the opposition by personal attack and imputation against the integrity of their motives. This, of course, is not the natural policy of men anxious to secure approval of the league plan in a form consistent with American traditions and institutions.

"The meaning of the insistence of the administration that the Paris covenant must be accepted just as written or not at all is that it is not half so much interested in the adoption of a league of nations plan as in manipulating the situation to its own immediate political advantage. This is the meaning of the position taken by President Wilson that the treaty must be ratified without the slightest change or rejected in its entirety. It is accompanied by the assertion that if it be changed President Wilson will run for a third term on the issue which he has thus created.

The Democratic national politicians evidently overlook the fact that the people of this country will be able to locate the responsibility if through the unreasonable and implacable course of President Wilson and his shadows in the Capitol the country is refused the alternative of making amendments and reservations in the interests of this Nation. The course pursued of saying to the Senate, 'You must take this world constitution just as it is, without change, reservation, or amendment, or reject the whole scheme," is, of course, thoroughly un-American, thoroughly autocratic, entirely out of harmony with the spirit of American institutions. It represents an effort to substitute the fiat of one stubborn officeholder, party leader, and candidate for reelection to office, for the constitutional determination of the most important foreign question which has ever come before the American people for settlement.

"By this attitude President Wilson makes himself and his methods an issue of transcendent importance. Has the time come when we are ready in this country for a Government by one man, with every other department of Government reduced to that same pitiable servility which characterizes the present position of the Democratic Members of the Senate, who, in the interests of party, have surrendered their right of independent judgment to the will of the leader who now owns and controls the political organization to which they give their first allegiance?

"It might be well for the Democratic bosses, from the highest to the lowest, to make a little more thorough examination of the state of public sentiment in this country before they carry

to its conclusion their present policy of considering this matter of the foreign relations of the United States from the viewpoint only of personal and partisan advantage. That the propaganda is practically all one way is true. Some people mistake propaganda for public sentiment; the Democratic politicians made that mistake last fall when they agreed upon President Wilson's campaign letter saying a Republican victory would amount to a repudiation of his leadership. The utter insincerity of that plea has, of course, been demonstrated by the course of President Wilson in continuing to proclaim to Europe and the world in general that he is the sole representative of the American people and the one and only interpreter of their thoughts.

"There was a time when the signet ring of an autocrat was sufficient to the validation of a treaty binding a people. Long ago, however, we emerged in this country from the atmosphere of the treaty of Vienna. European nations may suppose that President Wilson's signet ring is the official representation of the will of the American people, but on this side of the Atlantic it is fully understood that this is a representative Republic and not an unlimited monarchy that may fairly be considered the personal asset of a reigning house. The Senate of the United States, therefore, despite the vicious abuse that administration claquers continue to heap upon it because of its disposition to do the sworn duty of an American Senate, will consider this arrangement entered into at Paris, without the participation or even the knowledge of the American people, upon its merits.

"Possibly it might be good party strategy for Republican Members of the Senate to counter the move of the Democratic leaders by letting the covenant go through as it stands and thus permit the country to pass a judgment everybody knows has already been made up, upon the party in power, on domestic issues at the next election. That might be good politics, but it would be poor patriotism. This is no time for partisan maneuvering. It is a time for undivided and undiluted Americanism, and fortunate it is that despite the effort to intimidate the Senate through vast and powerful agencies of propaganda or to bribe the Senate majority by the promise of personal or party advantage through acquiescence in the sacrifice of American sovereignty and independence upon the altar of socialistic and imperialistic internationalism, the men in the Senate who are thinking of this whole problem only from the standpoint of the rights and interests of their country can not be scared or bribed to subordinate these to the supposed exigencies of politics."

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IT'S TIME TO MAKE JUNK OF AMERICAN JUNKERISM.

"Through the New York World, Democratic Party organ, the administration launches its movement to gain control of the Senate, in the face of the administration's repudiation at the polls in November last, by unseating Senator NEWBERRY, who defeated the administration candidate, Henry Ford, of the *Oskar II*.

"It may be well for Congress to go back of the returns in the Michigan case. But when that is done, if there is anything more than thin gruel in the veins of Republicans and Americans generally in Congress, the whole question of majority rule in elections will be taken up; majority rule not only in Michigan, but in Mississippi, in South Carolina, in all the rotten-borough States through whose flagrant and notorious violations of the spirit and letter of the American Constitution the Democratic majority in the electoral college which put the present national administration in power was created.

"The hypocrisy of the outcry of the administration politicians in favor of free and fair and honest elections becomes apparent when it is recalled that there is not a State in the Union under Republican control in which majority rule is not possible under the laws and practices of the State, whereas there is not a State in the Union under Democratic domination where the laws and practices established by Democratic junkerism do not make majority rule difficult, if not impossible.

"More votes were cast in the single Republican State of Illinois in the last election than in all the States of the solid Democratic South—the old slave States, plus Oklahoma, another Commonwealth dominated by slave-State Democracy. In the State of Virginia, upon whose green fields President Wilson may look from his study windows as he writes his soulful periods about 'the rule of the people,' five-sixths of the men conscripted to fight to save the world for democracy are politically disinherited under a State constitution Mr. Wilson's Secretary of the Treasury, Mr. Glass, helped to frame, and which, in violation of promise, was foisted upon the people of Patrick Henry's State by proclamation, without giving them a chance to vote upon it. Out of a total population of two and a third millions there are only 150,000 Virginians eligible to vote under the sway of a party which has put the 'mock' in democracy wherever it has been given complete control. At the election of 1918 only 50,000 votes were cast in Virginia. This condition is typical of that prevailing in all the old slave States dominated by that faction of the so-called Democratic Party now in power. In a number of the Southern States the conditions are more damnable than they are in Virginia, and it is by reason of these conditions that the present administration, in full sympathy with them, is in power. This paper has printed many columns of facts and figures on this subject. President Wilson has recently nominated as United States district attorney the Democratic State chairman in Josephus Daniels's State, under whose direction the election of 1918 was made a travesty in North Carolina, and who even issued a letter through his county chairmen to the partisan registrars whose right to control the privileges of voters in the State has been judicially decided to be absolute, directing them to violate the law by voting sick voters, although at home, under an absent voters' statute, but admonishing them not to let the Republicans know about their intentions. The question of how many United States Senators want to indicate their indorsement of such methods, and even put law-enforcement machinery in the hands of such politicians, will soon be up for public decision in the vote taken upon the confirmation of this administration nominee.

"The Federal Constitution contains a mandatory provision for the reduction of representation in Congress and the electoral college of any State which limits the number of persons privileged to vote. Notoriously the States of the solid South have reduced their voting population 70 per cent. In so doing they have disfranchised twice as many white men as black. They not only deny the ballot to a majority of the national citizenship of these States but add insult to injury by demanding the right to have this decitizenized population fully represented in the House of Representatives and the electoral college. The title of the present national administration to authority is based upon this fraudulent system, for it determined the election result of 1916.

"Upon the census of 1920 a reapportionment of Members of the House of Representatives and presidential electors will be made. It is the duty of the present Congress to determine officially the extent to which there has been suppression of the electorate in the several States of the Union. Without violation of their oaths of office Members of the next Congress can not avoid applying the penalty prescribed by the Constitution for the denial of suffrage rights to male citizens 21 years of age and over. The political leadership which says that a man is not a citizen because of his color or because of his failure to possess certain ancestral qualifications is guilty of political embezzlement when it seeks and exercises determinative political power based upon the political inheritance of which that man has been robbed. The failure of Congress to remedy this situation is a disgrace to the legislative branch of Government and to the Republican Party. It has been prevented by a combination of southern political junkers and northern political doughfaces, including Democrats, who have always been, in the North, slaves to their southern masters, and Republicans who have been deterred by alleged arguments based upon the strategy of cowardice from doing what is very clear has long been their duty as believers in free government and as sworn officials of that government.

"Again, unless the cause of free government is longer to be betrayed in the States where the dominant faction of the Democratic Party is in control, there must be Federal supervision of elections where Federal officials are chosen. Organs of the administration which favor any fraud that will help a deserving Democrat will cry "force bill," as the New York World did under the Harrison administration when an effort was made to insure a free ballot and a fair count everywhere throughout the country at national elections. At the last general election in the State of Josephus Daniels one of the 39 kinds of fraud detailed in a statement issued by a Republican State conference held at Greensboro on February 15 was that the registrar of a Republican precinct went hunting on election day, carrying the records with him, and thus prevented an election. Under a Federal election law men who pull stunts of that kind would be brought to the bar of justice instead of being awarded the local post office or appointed to United States district attorneyships by an administration which is busily engaged in supplying the export demand for "democracy."

"Yes; throw the Michigan election open in order that we may know how the poor but honest Henry Ford was deprived of a seat to which he was appointed by President Wilson, and to which he is therefore entitled by divine right. But at the same time throw open to the public gaze this whole system of rotten-

borough representation, of political intolerance, tyranny, fraud, proscription, persecution, theft, and skulduggery in the States which for years have given to the Democratic Party its only hope of serious consideration as a factor in national politics. Reveal through this exposure the nauseating hypocrisy of the administration's pretense to any interest whatever in 'democracy' among the peons of Mexico and the peasants of Europe. Emancipate the old slave States from the new political slavery which puts them to the forefront in illiteracy, poverty, backward industrial development, inadequate banking facilities, bad roads, and run-down farms, and relegates them to the tail end of the national procession in almost everything that stands for human progress and the amelioration of social and industrial conditions. Restore free speech and a free press, independent thought and action, in that section which has been dominated for years by a sort of home-grown political Prussianism, and has finally introduced the people of the Nation generally to bureaucratic autocracy of a type with which Americans outside the solid-south States had hitherto been unfamiliar, thus teaching us that we can not safely be indifferent to the lynching of democracy anywhere within the borders of the Republic.

"Whether or not such a policy would immediately benefit the Republican Party is not the question. The question is whether this country is going to endure longer half slave and half free politically. The question is whether politicians are going to be permitted to pose as apostles of democracy before the world and be known as perpetrators of autocracy in their own Commonwealths. The question is whether these junkers and their official organs shall be permitted to focus the attention of the country upon the 'wrongs' against majority rule in Michigan, where free government has always prevailed, and thus divert it from the States they dominate, where by force, fraud, and legal trickery free government has been overthrown. Unless this situation be faced and attacked the emblem of Republicanism should be changed from the elephant to the rabbit."

WHY RESERVE DEMOCRACY FOR THE EXPORT TRADE.

"In his cabled message to Congress President Wilson writes:

"How are the men and women who do the daily labor of the world to obtain progressive improvement in the conditions of their labor to be made happier and to be served better by the communities which their labor sustains and advances? How are they to be given their right advantage as citizens and human beings? We can not go any farther in our present direction. We have already gone too far.

"These are questions which, before taking up with Congress, we advise President Wilson to sit down and talk over with 22 Democratic Senators from the old slave States, the leaders in public life with whom he is in closest touch and sympathy. With his intimate friends and advisers, Senators JOHN SHARP WILLIAMS and PAT HARRISON, of Mississippi, for instance, he might talk over the problem of how the men and women who 'do' most of the manual 'labor' undertaken in that State are to be 'served better' than by a vigilance committee whenever they undertake to proceed upon the theories so soulfully expressed by the President; how they are to be 'given their right advantage as citizens and human beings.' Out of a population of 1,797,014 there are 1,009,487 black 'human beings' in Mississippi, 'citizens' under the National Constitution. In his appeals to the 'proletariat,' though they may be intended entirely for Northern States politically doubtful, Mr. Wilson should not overlook their application to the States where his political associates are in control of affairs and have seen to it that 'the men and women who do the daily work' are 'kept in their places,' and from having any more hand in running their Government than the Russian serfs under the eighteenth century czars.

"After getting Mississippi lined up for the ideals President Wilson so soulfully writes about, he might call in Senators SMITH and DIAL, of South Carolina, of whose 1,515,400 people 835,843 are black 'human beings' and 'citizens' under the terms of the American Constitution; they do most of 'the daily labor' in that State. Here is a fertile field for President Wilson's endeavors, the beauty of it all being that all he will have to do to bring about his high object is to convince his own close political partners that he means what he says. Notoriously these 835,843 negro proletarians—the only real proletarians we have in the United States, by the way—are denied a look-in at the elections which provide for them a Government, and while they are counted as citizens when it comes to reckoning seats in Congress and votes in the electoral college, they are counted nowhere else. A distinguished leader of President Wilson's own party said on the floor of the Senate that when any of these negro proletarians attempted to vote 'we shot 'em, we killed 'em, and we buried 'em in the sand.' It is well known that this would happen again if any of these negro 'human beings and citizens' who 'do the work' in South Carolina attempted to exercise even that most fundamental right of citizenship—the right to vote. There is every reason to believe that President Wilson is in full sympathy with the policy of preventing these proletarians from any hand in political self-determination. If, since going to Paris, he has had a change of heart, as his message to Congress would indicate, why not prove his sincerity by cleaning his own political house, where he is absolute master of the situation, before coming to a divided Congress to press further reform in those portions of the Nation in which such denial of the 'rights' of the 'human beings and citizens' who 'do the work' is entirely unknown?

"When President Wilson has given evidence that he is talking in good faith and not merely exuding political bunk by starting to clean his own political stable in South Carolina and Mississippi there will still be plenty of work of the same kind to do in nine other old slave States, and the State of Oklahoma, dominated by the old slave-State democracy, where laws and practices are an expression of political autocracy rather than of even the most retrograde variety of democracy. Besides the black proletarians in these States who have been politically disinherited are the white 'workers' of the same States in even larger number, for the political junkers who constitute the bone and sinew of President Wilson's personally conducted party have denied the most fundamental citizenship rights of more white men than black in the State they dominate. These white men are for the most part of the laboring 'class.' Like the negro workers of the South, they seem to excite no enthusiasm among those who think of the uplift only in terms of votes that will give them personal or political advantage. Even Mr. Gompers doesn't know they are alive; at any rate, he has never uttered a word of protest against disfranchisement of 80 per cent of the wage earners of the solid Democratic States.

"Included in the dozen millions of 'human beings' and 'citizens' who have for generations been 'doing the work' of President Wilson's particular section of the country, but who are excluded from that passion for human rights President Wilson uses so liberally in supplying the northern and export trade, are hundreds of thousands of men called to the military service of their country in the war to 'save the world for democracy.' 'How are they to be given their right advantage as citizens and human beings?' For, as President Wilson says, 'we can not go any further in our present direction. We have already gone too far.'

"Yes, indeed. What is Mr. Wilson going to do about it? What are his partners in Democratic leadership who have put the 'mock' in 'democracy' and lynched majority rule through the States they dominate, in so doing, in the name of 'nigger domination,' politically disinherited more white men than black; what are they going to do about it? Southern demagogues have for years been preaching, outside of Dixie, the right of the down-trodden proletariat to rule. They have been preaching this doctrine in territory normally under Republican rule, and therefore where the 'human beings' and national 'citizens' who 'do the work' are permitted to freely and fully exercise the rights of citizenship. What's the matter with pushing this appeal south of the Ohio? If appeals to class hatred, to envy, to the prejudice against property and enterprise, to ignorance and the sense of wrong, is good in the Republican States of the Union, why not in the States dominated by the Democratic politicians and where the basis for such an appeal really exists among the 'proletariat'?

"At any rate, let the Democratic leadership of this country turn to the job of sweeping the débris from its own doorstep before unloading upon the country hypocritical gibberish about the vindication of the rights of the social and economic underdogs. Congress should demand to know of Mr. Wilson what his views are as to the rights of the southern proletariat in that portion of the country dominated by his own political machine, and where existing conditions give the lie to every profession of passion for social and economic and political equality such as he is preaching to the rest of this country and to the world. And as for Republican leadership, why does it overlook the opportunity, in view of the vivid contrast between Democratic theory and Democratic practice in the fundamentals of democracy, to slay the Democratic party with the jawbone of its own ass?"

DEATH OF REPRESENTATIVE J. WILLARD RAGSDALE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, communicated to the Senate the intelligence of the death of Hon. J. WILLARD RAGSDALE, late a Representative from the State of South Carolina, and transmitted resolutions of the House thereon.

The VICE PRESIDENT. The Chair lays before the Senate resolutions of the House of Representatives, which will be read.

The Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES,
July 23, 1919.

Resolved, That the House has heard with profound sorrow of the death of Hon. J. Willard Ragsdale, a Representative from the State of South Carolina.

Resolved, That a committee of 15 Members of the House, with such members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect, this House do now adjourn.

Mr. SMITH of South Carolina. Mr. President, I ask for the immediate consideration of the resolutions which I send to the desk. I should like to state before the reading of the resolutions that at the proper time I shall have something further to say in reference to the death of my friend Mr. RAGSDALE. We were all shocked to hear of his sudden and untimely death at noon to-day. I ask unanimous consent for the immediate consideration of the resolutions.

The resolutions (S. Res. 131) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. J. WILLARD RAGSDALE, late a Representative from the State of South Carolina.

Resolved, That a committee of 10 Senators be appointed by the Vice President to join a committee appointed on the part of the House of Representatives to take order for superintending the funeral of the deceased.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

The VICE PRESIDENT. The Chair appoints the senior Senator from South Carolina [Mr. SMITH], the Senator from Arizona [Mr. ASHURST], the Senator from Kentucky [Mr. BECKHAM], the Senator from Mississippi [Mr. HARRISON], the Senator from Maine [Mr. FERNALD], the Senator from Oregon [Mr. MCNARY], the Senator from Missouri [Mr. SPENCER], the Senator from West Virginia [Mr. SUTHERLAND], the Senator from South Dakota [Mr. STERLING], and the junior Senator from South Carolina [Mr. DIAL] as the committee on the part of the Senate to attend the funeral.

Mr. SMITH of South Carolina. Mr. President, as a further mark of respect to the memory of the deceased Representative, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Thursday, July 24, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *July 23, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord God, our Heavenly Father, whose life is our life, whose spirit is our spirit, whose wisdom is our wisdom, whose love is our love—all these precious gifts are ours if we shall put ourselves in harmony with Thee—let Thy blessing be upon these Thy servants; keep them in health and strength; and let Thy healing touch be upon those who are sick and afflicted, that they may come back to do the work they have been called to do. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

Mr. NELSON of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 30 seconds.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to address the House for 30 seconds. Is there objection?

There was no objection.

Mr. NELSON of Wisconsin. Mr. Speaker, I was unavoidably absent yesterday when the vote was taken on H. R. 5276, the Nolan minimum-wage bill. I simply wish to state that if I had been present I would have voted "aye."

ABSENCE OF A QUORUM.

Mr. CLARK of Missouri. Mr. Speaker, I think we ought to have a quorum to transact the public business.

The SPEAKER. Does the gentleman from Missouri make the point of no quorum?

Mr. CLARK of Missouri. I do.

The SPEAKER. Evidently there is not a quorum present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Wyoming moves a call of the House.

The question was taken, and a call of the House was ordered.

The Doorkeeper was ordered to close the doors and the Clerk to call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Dyer	Kahn	Reed, W. Va.
Ashbrook	Eagan	Kelley, Mich.	Riordan
Barkley	Echols	Kennedy, Iowa	Robinson, N. C.
Benson	Ellsworth	Kennedy, R. I.	Rouse
Briggs	Fairfield	Kettner	Rowan
Britten	Flood	Kincheloe	Scully
Browne	Fordney	King	Siegel
Brumbaugh	Frear	Lee, Ga.	Slemp
Burdick	Gandy	Lever	Smith, N. Y.
Burke	Ganly	Little	Snyder
Caldwell	Garland	McClintic	Steagall
Campbell, Pa.	Godwin, N. C.	McCulloch	Steele
Candler	Goldfogle	McGlennon	Sullivan
Cantrill	Goodall	McKiniry	Taylor, Ark.
Coady	Goodykoontz	McKinley	Thompson, Okla.
Cooper	Gould	Mason	Tilson
Copley	Graham, Pa.	Miller	Vare
Costello	Hamill	Neely	Volstead
Crago	Hamilton	Paige	Ward
Currie, Mich.	Haskell	Parker	Wilson, Pa.
Davis, Minn.	Hicks	Porter	Wingo
Dempsey	Hull, Tenn.	Purnell	Woodyard
Donovan	Husted	Ragsdale	
Dooling	Jones, Pa.	Randall, Calif.	
Doughton	Jones, Tex.	Reed, N. Y.	

The SPEAKER. On this call 333 Members have answered to their names—a quorum.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

REFERENCE OF A BILL—H. R. 4380.

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to change the reference of the bill H. R. 4380, relative to the compensation and insurance of soldiers, from the Committee on Military Affairs to the Committee on Interstate and Foreign Commerce.

The SPEAKER. The Chair will suggest that that does not come up properly to-day. The gentleman should bring that up to-morrow.

Mr. STEVENSON. I am asking unanimous consent, Mr. Speaker.

The SPEAKER. Is there objection?

Mr. RAYBURN. Mr. Speaker, what is the request?

Mr. STEVENSON. It is to refer to the gentleman's Committee on Interstate and Foreign Commerce a bill relating to compensation in insurance. I saw the gentleman from Illinois [Mr. MCKENZIE], a member of the Committee on Military Affairs, as the gentleman from California [Mr. KAHN] was not present, but I have a letter from the gentleman from California [Mr. KAHN] stating that the bill went to the wrong committee.

The SPEAKER. Is there objection to the change of reference?

There was no objection, and it was so ordered.

EXTENSION OF REMARKS.

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD for the purpose of inserting in the RECORD the proceedings in the awarding of a congressional medal to a soldier in my district, who was killed on the 8th of October, it being the second medal awarded in that town of 1,500 inhabitants.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BEE, indefinitely, on account of illness.

To Mr. COOPER, indefinitely, on account of illness.

To Mr. THOMPSON of Oklahoma, indefinitely, on account of sickness in family.

To Mr. DONOVAN, for 10 days, on account of illness in family.

To Mr. CANDLER, for one week, on account of attending Sovereign Camp of Woodmen of the World in Chicago as a delegate from Mississippi.

To Mr. WINGO, for five days, on account of sickness in his family.

To Mr. MILLER, for to-day (at the request of Mr. JOHNSON of Washington), on account of illness.

CALENDAR WEDNESDAY.

The SPEAKER. To-day is Calendar Wednesday, and the Clerk will call the roll of committees.

The Clerk called the Committee on Patents.

AMENDING THE COPYRIGHT ACT.

Mr. NOLAN. Mr. Speaker, I call up the bill H. R. 3754, to amend sections 8 and 21 of the copyright act, approved March 4, 1909, the unfinished Calendar Wednesday.

Mr. CLARK of Missouri. Mr. Speaker, no one seems to have charge of the time in opposition to this bill, and, pro forma, I shall take the hour myself, if there is no objection, and yield 35 minutes to the gentleman from Tennessee [Mr. MOON].

Mr. NOLAN. Mr. Speaker, can we not have some understanding with respect to the matter? I understand that the gentleman from Tennessee [Mr. MOON] desires to speak on a subject outside of the bill.

Mr. CLARK of Missouri. He wants to speak on postal matters.

Mr. NOLAN. The gentleman from Minnesota [Mr. NEWTON] would like to have 20 minutes to speak on a subject outside of the bill.

Mr. CLARK of Missouri. There is no objection to the gentleman having 20 minutes if he will not make a political speech. I have no objection to political speeches, but I want to know when they are going to come.

Mr. NEWTON of Minnesota. I want to speak on conscientious objectors.

Mr. CLARK of Missouri. That is all right.

Mr. MONDELL. Mr. Speaker, if we are going to have speeches contrary to the rule, exceptions should not be made in one case and not in another. My understanding is that there is no objection to the gentleman from Missouri granting the gentleman from Tennessee 35 minutes and the gentleman from Minnesota 20 minutes, contrary to rule and not on the bill.

Mr. CLARK of Missouri. I shall not make any exception.

Mr. MONDELL. Then I do not think that the gentleman should insist that he shall visé the speeches.

The SPEAKER. The Chair suggests that it might be wise to ask unanimous consent that gentlemen speak on a subject different from the bill, because the rule requires that on Calendar Wednesday debate shall be on the bill.

Mr. CLARK of Missouri. Mr. Speaker, what I want is to get 35 minutes for Judge MOON, and I do not care three hoots what is done with the other 25 minutes, so long as they do not make political speeches.

Mr. MONDELL. The gentleman is controlling part of the time that can be yielded.

Mr. CLARK of Missouri. I will yield 20 minutes to the gentleman, but he must not make a political speech.

Mr. MONDELL. But the speech the gentleman wants to make is a political speech, so we can not very well avoid that feature of it. It may be a political speech that will please the gentleman from Missouri.

Mr. CLARK of Missouri. I doubt it very much.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that it may be in order to recognize in the time of the gentleman from Missouri the gentleman from Tennessee [Mr. MOON] for 35 minutes and in the time of the gentleman from California the gentleman from Minnesota [Mr. NEWTON] for 20 minutes to speak not pertinent to the bill.

Mr. CLARK of Missouri. I am perfectly willing.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that in the hour in the control of the gentleman from Missouri the gentleman from Tennessee [Mr. MOON] may speak for 35 minutes out of order and that the gentleman from Minnesota [Mr. NEWTON] may speak for 20 minutes, not on the bill. Is there objection? [After a pause.] The Chair hears none.

Mr. NOLAN. Does the gentleman from Tennessee wish to use the time now?

Mr. CLARK of Missouri. The gentleman from Tennessee [Mr. MOON] will address the House for 35 minutes. [Applause.]

Mr. MOON. Mr. Speaker, it is not my purpose to make a partisan speech, but having been for eight years the chairman of the Committee on the Post Office and Post Roads I felt it was not only proper but somewhat my duty to make a purely business speech to this House on that question. It will be impossible for me in the course of 35 minutes or in an hour and 35 minutes to present all the facts, figures, statements, memoranda, and detail necessary to explain the general remarks in part which I shall make, and therefore I ask unanimous consent that these papers may be made a part of my remarks as exhibits A, B, C, and so forth.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD by incorporating the papers referred to. Is there objection? [After a pause.] The Chair hears none.

Mr. MOON. Mr. Speaker, every civilized nation in the world has a postal system. The authority to establish one, of course, must arise from the organic law or the supreme power of the State. Article I, section 8, of the Constitution of the United States has provided that Congress shall have power to establish post offices and post roads. In the same article it is directed that Congress shall have power to pass the necessary and proper legislation to carry into effect the provisions of the Constitution. Of course you are all aware of the rule of construction that every power that may be fairly and justly implied from the express power may be exercised for the enforcement of that expressed power. The words "to establish post offices and post roads" have not only a legislative but a judicial construction. They import vastly more than they would seem to by the mere statement of the words. You are not limited to the establishment of post offices where mail may be delivered and sent out, but you can construct roads for the carrying of the mail. You may use all manner of vehicles, wagons, horses, motor cars, steamboats, railroads, ships; you may employ all the means that are necessary. That power is implied, and it carries with it, therefore, the power, if it be necessary to do so, to build and construct all of these instrumentalities. So the power of Congress is not limited in furnishing the means by which the post offices of the United States may be conducted. Furthermore, it is judicially held that it is a constitutional monopoly of all the means of communicating intelligence which the Government desires to assume under this provision of the Constitution. Therefore you can, if you desire it and think it wise, own the telegraphs and the telephones as an adjunct to the Post Office Department.

If you are unable to obtain or even desire to do so by the legislative discretion you have you can own the material of which to build boats and ships to carry your mails, you may own the forests and manufacture it, or you can take the coal mines for the purpose of making the steam necessary to carry the mails. The power is not only extensive, but it is complete and plenary in every way. It is exclusively a Federal power and you can do any and everything necessary to carry the mails and deliver them to the people of the country. You can force the railroads to do so and tax the price, provided that it is not confiscatory. But I must not dwell upon the power of Congress along that line; it is well known. I want to speak for a moment of the organization of this department. Under the Continental Congress before the Government of the United States was established there was a postal system at the head of which there was one of the greatest and best of American statesmen, Benjamin Franklin. He laid the foundation of the Postal System. He was allowed the sum of $7,500 to conduct the Postal Service for one year when the population was less than four millions of people. Mr. Franklin was congratulated upon the fact that the receipts exceeded the expenditures by about $50, and the people at that time were well satisfied with that service. But later on under the act of 1794 the present Post Office Department was established. That was in the time of Mr. Pickering, of Pennsylvania, who was Postmaster General, I believe, and was immediately followed by Mr. Habersham, of Georgia. There were at that time—1794—in the United States 450 post offices. In 1795 there were just three more. In 1901 there were 76,945 post offices in the United States, which was the highest number obtained. The number now is 54,345 on account of post offices being dispensed with by rural routes. In 1794 the gross revenue was $128,947. The gross expenditures of the department were $89,792. The gross revenues of the department in 1918 were $388,974,962. The gross expenditures were $324,383,728. In 1789 there was paid as compensation to postmasters $1,657. In 1918 there was paid as compensation to postmasters $31,421,536. Of course, I would not undertake to state the status during the 140 years of the Government's history. In the papers which I have obtained the consent of the House to add as an appendix I give year by year not only that information but other information in connection with this matter. The Postmaster General began the service with one assistant. Now he has four. The power of the department is not only derived from the Constitution but the laws passed in pursuance of it, Executive orders and administrative orders having the force and effect of law.

Under these orders the power has been extended over the personnel of the department. The power exists in pursuance of law to cover these employees of certain classes under the civil

service and to fix the tenure of office. The tendency all along in the growth, progress, and development of this great department has been to retain as far as possible those who are efficient in the service. And it may be that, in your wisdom, before a great while other steps along that line will have to be taken as to employment and retirement of postal employees, of which there are now more than 265,000.

Let me speak for a few moments about some of the laws and facts that are involved in the administration of the department. I can not enter into a discussion of all of them, of course, and I am going to make no invidious distinctions or comparisons upon these great business propositions between the political parties. Years ago, as those who were here 15 or 20 years ago know, the Congress of the United States relieved the Government from the bondage under which it existed to the railroad companies for the payment for special facilities and of exorbitant rates of transportation. Again the rate was reduced, and then came the recent measure that substituted a space basis for the weight basis in computing pay. Under the old basis you could not come within $15,000,000 of the legitimate cost of the transportation of the mail. Under the space basis you can now make a settlement with the railroads every month or quarter, in exact figures, if you desire to do it. The result of the adoption of this law has been to make steady and stable the compensation, increasing only as the mail increases, and it has produced a revenue or has saved more than $12,000,000 per annum in expenses. Of course, I can not go into the details of a discussion as to how that happened. We adopted the parcel post, and by the use of a distinctive stamp and other methods by which we could segregate the revenues it was ascertained under the parcel-post system that the Government of the United States had earned about $11,800,000 in 1916. The conditions since that time have been such that we are unable to tell what the earnings were; but they were greater.

You established a postal savings bank. My judgment at the time it was done was that it was a mistake; that it had better not be done. But time has demonstrated that I was mistaken on that question. It has been a wonderful instrumentality of the Government in the savings of the people. The revenues from that source alone last year were $1,900,000.

You all understand that the great portion of your revenues are derived from first-class mail. Second-class mail does not pay. It costs you as an individual under the present law 32 cents a pound to carry your mail across the continent, or from one point to another outside the place of mailing. It costs the magazines and newspapers only 1 cent a pound, plus a slight amount under the recent revenue act for advertisements with the application of the zone system. It is hardly consistent to say that the newspapers and magazines should pay only 1 cent or 2 cents when you pay 32 cents. It is proper that the Government of the United States give some concession to them by reason of the fact that they disseminate knowledge and information, and I would be willing to see them have concessions, even less than the cost of carriage, but that difference—32 to 1—is wrong. You have to remedy that, particularly as to these great magazines. I refer now to one magazine in the medium class, a publication that pays $5,000 revenue to the Government in stamps, and costs the Government $49,000 a year to carry it, when its profits are more than $150,000 per annum. But I pass over that question with the simple statement that the cost of the carrying of this class of mail in the last fiscal year was about $70,000,000 more than the Government received. Now, this Government ought not to submit to such a subsidy to the press or to any other power in the country. Great and powerful as the corporations of the country were—the transportation companies—you wrested from them subsidies under which they had increased their compensation in 30 years from $7,000,000 to $64,000,000. You have to wrest that power from the senders of mail matter of the second class. There is no man more friendly to the press and who has stood for it more in this House than I have; no one is more willing to make concessions than I am; but it must not demand a loss of $70,000,000 to the American people to carry their mail, mostly commercial and profit making.

There is another question, which is a rather delicate one, that I want to talk to you about.

Mr. ALEXANDER. Will the gentleman yield to a question at that point?

Mr. MOON. Yes.

Mr. ALEXANDER. How can we vote for a 1-cent postage on first-class mail matter unless other classes of mail matter come more nearly paying the cost of transportation?

Mr. MOON. That is one of the policies I want to discuss when I get some other facts before the House.

A delicate question for the Congressman, and particularly the country Congressman, is the question of rural mails. What is the situation to-day as to rural mails? The last fiscal year shows that when you charge properly the cost to that service at the initial point and terminal point, and the overhead charges that belong to it separately in the segregation of the mail, you lose $58,300,000 per annum. In other words, it took that much of money more than the receipts from that source to meet the demands of that service.

The Postal Service of the United States is a unit. Some of it may raise great revenue, some of it may produce a great deficit, but you must maintain it all. You have to serve all of the American people and give them the best possible service. I want to suggest to you, for your thought in the future, that you must find a remedy by which we can give to the country people the service that they are entitled to, which is the best, and at the same time reduce this cost. It is a matter for your thoughtful consideration. The country people are reasonable and just. They want the best service at the least cost to their country. While, of course, we all favor the proper care of and the payment of proper salaries to carriers of the mail, it is the people, at last, whose rights must be protected. If you can remedy this situation and still give an efficient and proper service, which I hope you can, and remedy the situation as to second-class mail, then the American people upon the face of the figures can have 1-cent letter postage with still a surplus of $25,000,000 in the National Treasury. [Applause.]

Now, Mr. Speaker, all of the laws which we have passed that made it possible to produce a surplus instead of a deficit were not enacted previous to 1912. One of those laws was enacted at that time. Another, that enabled us to go to this position, was enacted previous to that time. Two of these laws were enacted under two administrations, one wholly Republican and another partly Republican. The others have all been enacted since the Democratic administration began. Now, it would be hardly fair, perhaps, to make comparisons, except to demonstrate the system of operation under the laws between any periods of time in these services performed under different laws and conditions, the hardest conditions having been in the last 6 or 8 years. The Postal System grows, its needs appear year by year, and the remedies to correct errors that have come into it or may come must be devised. Constructive legislation must continue to come if this great department must at last accomplish the good of which it is capable for the people. But, as showing a development of the service under valuable laws and what may be expected of other laws and better conditions which we may yet establish, it appears from the record that during the administration of President Roosevelt there was a deficit in this service of about $47,000,000, covering the last four years of that period. That was not the fault of the administration any more than it is the fault of this administration that now and then letters go wild or that the service in some places is not as good as it should be. It is the necessary result of conditions and the law controlling the department and, of course, in part as to administration. There was a loss, I say, during that period of about $47,000,000, in round figures.

During the administration of President Taft there was a loss of about $25,000,000. During the administration of President Wilson, under Mr. Burleson as Postmaster General, all of these losses have been overcome and a large surplus gained in revenues. The postal bill has gone to the enormous figure of $600,000,000, $200,000,000 of which, however, was for good roads. Yet the official figures show that these losses during that period have been overcome and that the service has been extended to 15,000,000 more of people daily than we had before; that it has been expanded and greatly enlarged; that salaries have been increased; and yet those six years, overcoming that deficit, show a surplus of about $32,500,000—not a paper profit, not a bookkeeping proposition, but actual cash turned over on the check of the Postmaster General to the Treasurer of the United States of nearly $33,000,000. [Applause on the Democratic side.]

But some have said that that is due to the increased expense of postage during the war. Ah, you are mistaken. Under that law that revenue was segregated from the other, and the Post Office Department collected about $44,500,000 war revenue under the 3-cent postage act and paid that into the Treasury, and it is no part of the general profits of $32,000,000 that have been referred to.

The record shows that during the eight-year period preceding the present administration, covering the last administration of President Roosevelt and the administration of President Taft,

the deficiencies in revenues as shown by the audited reports of the Postal Service were as follows:

1905 audited deficiency	$14,594,387.12	
1906 audited deficiency	10,542,941.76	
1907 audited deficiency	6,692,031.47	
1908 audited deficiency	16,910,278.99	
Total deficiency		$48,739,639.34
1909 audited deficiency	$17,479,770.47	
1910 audited deficiency	5,881,481.95	
1911 surplus, alleged and disputed	219,118.12	
1912 audited deficiency	1,785,523.10	
Total deficiency		24,927,657.40
Deficiency for the eight-year period		73,667,296.74

Audited statement for year 1911 shows surplus accounts subsequently settled reduced the surplus to a deficiency of $732,301.90.

The postal revenue as audited shows a surplus in all succeeding years, except 1915, in which the receipts of the Postal Service suffered a temporary setback after the outbreak of the war in Europe.

A statement of surpluses and deficiencies follows:

Audited surpluses by years:	
1913	$4,510,650.91
1914	4,376,463.05
1916	5,829,236.07
1917	9,836,211.90
1918 (excluding $44,500,000 excess postage as war revenue)	19,626,774.08
Total surpluses	44,179,336.01
Audited deficiency 1915 (declining receipts following outbreak of war in Europe)	11,333,308.97
Net surplus for six-year period	32,846,027.04

Mr. Speaker, as stated, I can only speak at this time in a general way. There have been, perhaps, just complaints; there have been many unjust complaints against the department. You must recollect the period through which we have passed, the circumstances that might bring about these conditions, the existence of war and all of its evils and demoralization; and yet I have to assert that there have been no more mistakes made in the Post Office Department during the last few years than were ever made during any other similar number of years of its existence. [Applause on the Democratic side.]

The words of envy and malice and of unjust criticism that have been uttered against the Postmaster General will be forgotten—forgotten quickly in the face of his magnificent administration, distinguished as it is for ability, honor, courage, and unsurpassed, if not matchless, loyalty to public duty. [Applause on the Democratic side.]

I want to speak a word for the extension of this great department. It has already lengthened its cords and strengthened its stakes until it is reaching the four quarters of the earth. It works for you by day and by night, on land, on sea, and in mid-air, and wherever the flag of the Union floats there may be found the mails of the Republic. It gives greater benefit to the people than all other agencies of Government. Far beyond the confines of the United States, by conventions with the peoples of the earth, your mails are carried to the soldier on the battle fronts, to the sailor on the mighty deep, to the marts of commerce, to the halls of legislation, to the seats of learning, to the home, the factory, and the field, to men under every condition.

This great department may drop a missive on the sands of Arabia, on the snows of Iceland, on the Alps, at the foot of the Pyramids, on the banks of the Nile, where Leonidas fought and the Spartans fell, where the beautiful gondolas of war proudly rode the waves of the Aegian Sea, where Virgil and Homer sang, where Babylon and Ninevah were but are not, to bear the tidings of the love, the hope, and the aspirations of kindred spirits far away. [Applause.]

Strike down this means of communicating knowledge and information among the people, and the flickering light of modern civilization will fade forever beneath the coming shadows and darkness of advancing barbarism. Let me appeal to you to broaden and extend this great service, that it may aid in holding up the standard of human liberty wherever man loves freedom. Above all, let me appeal to you to encourage and care for that splendid army of intelligent men and women who so magnificently administer the Postal System. [Applause.]

Papers and exhibits referred to by Mr. MOON:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., July 14, 1919.

Hon. JOHN A. MOON,
House of Representatives, Washington, D. C.

MY DEAR JUDGE MOON: In reply to your letter of the 8th instant requesting certain information, you are advised as follows:

The number of clerks and officials in the Post Office Department at Washington: Clerks, 997; officials, 59.

The number of first, second, third, and fourth class postmasters in the United States: First class, 628; second class, 2,372; third class, 7,823; fourth class, 42,261.

The number of rural routes and carriers: Rural routes, 43,211; rural carriers, 43,109.

The number of city carriers: Regular carriers, 35,200; substitute carriers, 8,755.

The number of post-office clerks: Regular clerks, 46,707; substitute clerks, 11,676.

The number of railway postal clerks: 19,968.

The number of post-office inspectors: 418.

The approximate number of laborers connected with the Post Office Department: Post Office Department proper, 96; Postal Service, 2,280.

The total number of postal employees in the United States: Postal Service, 262,294; department proper, 1,374; total, 263,668.

The countries with which we have postal conventions and the rates of postage: See attached memorandum marked "Exhibit A."

The approximate cost of handling and transporting the second-class mails: See attached letter dated July 10, 1919, marked "Exhibit B."

The amount of money saved by the adoption of the space basis as against the weight basis, $11,470,708 per annum.

The approximate number of pounds of second-class mail matter in the last fiscal year, and the loss to the Government on same. See Exhibit B, hereto attached.

Profits in postal savings banks. See attached memorandum marked Exhibit C.

Statement of the receipts from the Postal Service and the expenditures from the beginning of the service to date, together with the deficiencies or surpluses, by years. See page 2 of Exhibit D attached, columns 5 and 6 of which show, respectively, the gross revenues of the department and the gross expenditures of the department from the year 1789 to the year 1918, inclusive.

List of the Postmasters General and the periods of their service. See page 1 of Exhibit D.

The increase in employees and salaries: The bases for the figures here presented are June 30, 1913, the close of the fiscal year on the 4th of March of which this administration began, and July 1, 1919, the beginning of the current fiscal year.

On June 30, 1913, there were 235,409 employees in the Postal Service, with annual salaries aggregating $176,591,358. On July 1, 1919, there were 262,294 employees, with annual salaries aggregating $274,911,832. The percentage of increase in employees during the period was 11.42, and the per centage of increase in the aggregate compensation paid was 55.67.

In the department proper there were on June 30, 1913, 1,237 employees, with annual salaries aggregating $1,440,240. On July 1, 1919, there were 1,374 employees, with annual salaries aggregating $2,040,548. The percentage of increase in employees during the period was 11.07, and the percentage of increase in the aggregate compensation paid was 41.67.

The above figures for July 1, 1919, include bonuses allowed by Congress.

In the contract service—that is, clerks at contract stations, mail messengers, screen-wagon contractors, steamboat and Alaska star service, and star routes—on July 1, 1913, there were 25,445 employees, with an annual rate of compensation aggregating $12,232,140. On July 1, 1919, the number in such contract service was 25,124, with an annual rate of compensation aggregating $18,064,780. The percentage of decrease in the number of contractors was 1.26 and the percentage of increase in the aggregate rate of compensation was 32.3.

Increase in number of people served with daily mail during this administration: It is estimated that since March 4, 1913, daily delivery service has been extended to 7,372,800 persons by city carriers, 4,986,079 persons by rural carriers, and 1,278,000 persons by village delivery carriers, or a total of 13,636,879 persons, who prior to that time were not receiving a delivery service.

With reference to your inquiry as to the approximate profits on parcel post, I beg to advise that on account of the many additional functions and duties placed upon the Postal Establishment incident to the war and the immense amount of work required to be performed by the Postal Service, and also because of the scarcity of help, the department did not have the facilities with which nor the time in which to gather statistics on this subject, consequently the last estimate made by the department was in 1916, when the figures compiled indicated a profit in round numbers of $10,600,000 annually.

Concerning the loss on Rural Mail Delivery Service it is estimated that the cost of operating the service exceeds the revenues received therefrom in round numbers by $53,800,000, after making due allowances to other branches of the service for handling mails which pass over rural routes and deducting overhead charges.

Sincerely, yours,

A. S. BURLESON,
Postmaster General.

Average salaries June 30, 1913, and July 1, 1919, and percentages of increase.

Class of employees.	June 30, 1913.	July 1, 1919.	Per cent increase.
DEPARTMENT PROPER.			
All employees	$1,185.73	$1,486.32	27.1
POSTAL SERVICE.			
Post-office inspectors	1,804.45	2,043.30	13.23
Clerks, division headquarters, P. O. I.	1,247.23	1,682.16	34.87
Clerks in post offices	1,064.66	1,401.46	31.63
City-delivery carriers	1,059.68	1,397.72	31.90
Railway postal clerks	1,239.00	1,649.00	33.09
Rural carriers	1,062.37	1,528.05	43.83
Postmasters [1]	502.38	679.82	35.31
Assistant postmasters	1,222.83	1,463.41	19.67

[1] The low average salary of postmasters is explained by the fact that the salaries of all postmasters (including those at offices of the third and fourth classes, where the salaries are quite low in a number of instances) are included in the computations.

EXHIBIT A.

CONVENTIONS PROVIDING FOR APPLICATION OF DOMESTIC RATES AND CONDITIONS.

Canada, Cuba, Mexico, and Panama.

CONVENTIONS PROVIDING FOR APPLICATION OF DOMESTIC RATE TO LETTERS ONLY.

Bahamas, Barbados, British Guiana, British Honduras, Dominican Republic, Dutch West Indies, England, Ireland, Scotland, Wales, Leeward Islands, Newfoundland, New Zealand, Trinidad (including Tobago), and Windward Islands (including Grenada, St. Vincent, The Grenadines, and St. Lucia).

PARCEL-POST CONVENTIONS (RATE GENERALLY 12 CENTS A POUND).

Argentina, Algeria, Alsace and Lorraine, Australia (including Tasmania), Bahamas, Barbados, Bermuda, Bolivia, Brazil, British Guiana, British India, Bulgaria, Chile, China, Colombia, Corsica, Costa Rica, Curacao (including Aruba, Bonaire, Saba, St. Eustatius, and the Dutch part of St. Martinus), Denmark, Dominican Republic, Ecuador, Egypt, Dutch Guigana, France (excluding Algeria and Corsica), French Guiana, Gibraltar, Great Britain and Ireland, Greece, Guatemala, Guadeloupe (including Marie Galante, Deseade, Les Saints, St. Bartholomew, and the French portion of St. Martins), Haiti, Honduras (British), Honduras (Republic of), Hongkong, Iceland, Italy (including Republic of San Marino, etc.), Jamaica (including the Turks Caicos Islands and Cayman Islands), Japan (including Formosa, Karafuto (Japanese Saghalien), and Korea), Leeward Islands (Antigua with Barbuda and Redonda, St. Kitts, Nevis with Anguilla, Dominica, Montserrat, and the Virgin Islands, British), Liberia, Luxembourg, Madeira Islands, Martinique, Mesopotamia, Mexico, Netherlands, Netherlands East Indies, Newfoundland, New Zealand (including Fanning Island), Nicaragua, Norway, Palestine, Panama, Paraguay, Peru, Portugal, Roumania, Salvador, Siam, Society Islands, Sweden, Trinidad (including Tobago), Tunis, Union of South Africa, Uruguay, Venezuela, and Windward Islands (Greneda, St. Vincent, the Grenadines, and St. Lucia).

Special agreement with Great Britain providing for reduced rates on printed matter for the blind.

S. M. WEBER,
Acting Superintendent.

JULY 9, 1919.

EXHIBIT B.

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., July 10, 1919.

Hon. JOHN A. MOON,
House of Representatives, Washington, D. C.

MY DEAR JUDGE MOON: In response to your request with respect to the loss incident to handling and transporting mail matter of the second class, I have to say that the figures pertaining to the mailings of such matter for the fiscal year ended June 30, 1919, are not yet available. I am, therefore, furnishing you the data with regard to the mailings for the fiscal year ended June 30, 1918, at the rates in effect prior to July 1, 1918.

The Hughes Commission, created in 1911 under a joint resolution of Congress to investigate the subject, found that the cost of handling and transporting second-class matter in the case of matter mailed at the cent-a-pound rate was approximately 5½ cents a pound, exclusive of certain expenses, principally for services in post offices, which, because of the limited information regarding them, the commission did not assign. The department's estimate of the cost of handling and transporting this matter, including the expenses which the commission did not assign, was approximately 8.27 cents a pound. On the basis of the department's estimate at that time, which includes the unassigned expenses, the loss incident to handling and transporting second-class matter during the fiscal year 1918 would be as follows:

Pounds mailed at cent-a-pound rate and free in county	1,229,709,355
Estimated expense of handling and transporting	$101,696,963
Amount of postage received	$11,712,068
Estimated loss in handling and transporting	$89,984,895

Since the cost of transporting free-in-county matter is somewhat less than the cost of transporting matter mailed at pound rates, and also on account of economies and improvements in the service, etc., the estimated loss as above shown may be reduced $15,000,000, thus making the estimated loss in handling and transporting second-class matter during the fiscal year 1918, $74,984,895.

Yours, very truly,

A. S. BURLESON.

EXHIBIT C.

The postal-savings law provides that interest and profit accruing from the deposit and investment of postal-savings funds shall be applied to the payment of interest due to postal-savings depositors, as provided therein, and the excess covered into the Treasury of the United States as a part of the postal revenue. Pursuant to this direction there has been covered, or there is in process of being covered, into the Treasury the following amounts:

Net interest income accruing in the fiscal year.

1914	$431,179.43
1915	584,176.89
1916	712,728.99
1917	1,121,901.30
1918 (estimated)	1,300,000.00
1919 (estimated)	1,600,000.00
Total	5,749,986.61

It will be observed that each year shows a substantial increase in the net interest income.

EXHIBIT D.

Post Office Department.

Years.	Presidents.	Officials of the United States Post Office Department—1775 to 1918. Postmasters General.	First Assistant Postmasters General.	Second Assistant Postmasters General.	Third Assistant Postmasters General.	Fourth Assistant Postmasters General.
1775	Continental Congress	Benjamin Franklin, July 26, 1775.				
1776		Richard Bache, Pa., Nov. 7				
1782		Ebenezer Hazard, N. Y., Jan. 28.	James Bryson, Jan. 28.			
1789	George Washington, Va., Apr. 30.	Samuel Osgood, Mass., Sept. 26.	Jonathan Burrall.			
1791		Timothy Pickering, Pa., Aug. 12.	Charles Burrall.			
1793	George Washington, Va., Mar. 4.					
1795		Joseph Habersham, Ga., Feb. 25.				
1797	John Adams, Mass., Mar. 4.					
1800			Abraham Bradley, jr., Conn.			
1801	Thomas Jefferson, Va., Mar. 4.	Gideon Granger, Conn., Nov. 28.				
1805	Thomas Jefferson, Va., Mar. 4.					
1809	James Madison, Va., Mar. 4.					
1810				Seth Pease, Conn.[1]		
1813	James Madison, Va., Mar. 4.					
1814		Return J. Meigs, jr., Ohio, Apr. 11.				
1817	James Monroe, Va., Mar. 4.					
1818				Phineas Bradley, Conn.		
1821	James Monroe, Va., Mar. 5.					
1823		John McLean, Ohio, July 1				
1825	John Q. Adams, Mass., Mar. 4.					
1829	Andrew Jackson, Tenn., Mar. 4.	William T. Barry, Ky., Apr. 6.	Selah R. Hobbie, N. Y.	Charles K. Gardner, N. J.		
1833	Andrew Jackson, Tenn., Mar. 4.					
1835		Amos Kendall, Ky., May 1				
1836				Robt. Johnstone	Daniel Coleman, N. C.[2]	
1837	Martin Van Buren, N. Y., Mar. 4.					
1840		John M. Niles, Conn., May 26.				
1841	William Henry Harrison, Ohio, Mar. 4. / John Tyler, Va., Apr. 6.	Francis Granger, N. Y., Mar. 8. / Charles A. Wickliffe, Ky., Oct. 13.		Philo C. Fuller, N. Y.		
1842					John S. Skinner, Md.	
1843				J. W. Tyson.		
1844				N. M. Miller, Va.		
1845	James K. Polk, Tenn., Mar. 4.	Cave Johnson, Tenn., Mar. 7.		W. Medill, Ohio, and Wm. J. Brown, Ind.	N. M. Miller, Va.	
1846					John Marron, Ga.	

[1] Office of Second Assistant Postmaster General created by act of Apr. 30, 1810. [2] Office of Third Assistant Postmaster General created by act of July 2, 1836.

Post Office Department—Continued.

Years.	Presidents.	Officials of the United States Post Office Department—1775 to 1918.				
		Postmasters General.	First Assistant Postmasters General.	Second Assistant Postmasters General.	Third Assistant Postmasters General.	Fourth Assistant Postmasters General.
1849	Zachary Taylor, Va., Mar. 5.	Jacob Collamer, Vt., Mar. 8.		Fitz Henry Warren, Iowa.		
1850	Millard Fillmore, N. Y., July 9.	Nathan K. Hall, N. Y., July 23.				
1851			S. D. Jacobs, Tenn.			
1852		Samuel D. Hubbard, Conn., Sept. 14.		W. H. Dundas, Va.		
1853	Franklin Pierce, N. H., Mar. 4.	James Campbell, Pa., Mar. 8.	Selah R. Hobbie.			
1854			Horatio King, Me.			
1857	James Buchanan, Pa., Mar. 4.	Aaron V. Brown, Tenn., Mar. 7.				
1859		Joseph Holt, Ky., Mar. 14.			A. N. Zevely, N. C.	
1861	Abraham Lincoln, Ill., Mar. 4.	Horatio King, Me., Feb. 12. Montgomery Blair, D. C., Mar. 9.	John A. Kasson, Iowa.	Geo. W. McLellan, Mass.		
1863			Alexander W. Randall, Wis.			
1864		William Dennison, Ohio, Oct. 1.				
1865	Abraham Lincoln, Ill., Mar. 4. Andrew Johnson, Tenn., Apr. 15.					
1866		Alexander W. Randall, Wis., July 25.	St. John B. L. Skinner, N. Y.			
1869	Ulysses S. Grant, Ill., Mar. 4.	John A. J. Creswell, Md., Mar. 6.	Geo. Earle, Md.; Jas. W. Marshall, N. J.	Giles A. Smith, Ill.	W. H. H. Terrell, Ind.	
1871				John L. Routt, Ill.		
1873	Ulysses S. Grant, Ill. Mar. 4.				E. W. Barber, Mich.	
1874		Jas. W. Marshall, N. J., July 7. Marshall Jewell, Conn., Sept. 1.	Jas. H. Marr, Md. Jas. W. Marshall, N. J.			
1875				James N. Tyner, Ind.		
1876		James N. Tyner, Ind., July 13.		Thos. J. Brady, Ind.		
1877	Rutherford B. Hayes, Ohio, Mar. 5.	David McK. Key, Tenn., Mar. 13.	James N. Tyner, Ind.		Abraham D. Hazen, Pa.	
1880		Horace Maynard, Tenn., Aug. 25.				
1881	James A. Garfield, Ohio, Mar. 4. Chester A. Arthur, N. Y., Sept. 20.	Thomas L. James, N. Y., Mar. 8.	Frank Hatton, Iowa, Oct. 29.	Richard A. Elmer, N. Y.		
1882		Timothy O. Howe, Wis., Jan. 5.				
1883		Walter Q. Gresham, Ind., Apr. 11.		Henry D. Lyman, N. Y.		
1884		Frank Hatton, Iowa, Oct. 14.		W. B. Thompson, Mich.		
1885	Grover Cleveland, N. Y., Mar. 4.	Wm. F. Vilas, Wis., Mar. 7.	John Schuyler Crosby, N. Y. Milton Hay, Pa.	A. Leo Knott, Md.		
1886			A. E. Stevenson, Ill.			
1887					Henry R. Harris, Ga., Apr. 1.	
1888		Don M. Dickinson, Mich., Jan. 17.				
1889	Benjamin Harrison, Ind., Mar. 4.	John Wanamaker, Pa., Mar. 6.	J. S. Clarkson, Iowa, Mar. 14.	S. A. Whitfield, Ohio, Mar. 18.	A. D. Hazen, Pa., Mar. 18.	
1890			S. A. Whitfield, Ohio, Sept. 29.	J. Lowrie Bell, Pa., Sept. 29.		
1891						E. G. Rathbone, Ohio.[1]
1893	Grover Cleveland, N. Y., Mar. 4.	Wilson S. Bissell, N. Y., Mar. 7.	H. Clay Evans, Tenn., Jan. 7. Frank H. Jones, Ill., May 10.		Kerr Craige, N. C., May 19.	R. A. Maxwell, N. Y. Mar. 22.
1894				Chas. Neilson, Md., June 4.		
1895		William L. Wilson, W. Va., Apr. 4.				
1897	William McKinley, Ohio, Mar. 5.	James A. Gary, Md., Mar. 6.	Perry S. Heath, Ind., Mar. 17.	W. S. Shallenberger, Pa., Apr. 5.	John A. Merritt, N. Y., Apr. 29.	J. L. Bristow, Kans., Apr. 1.
1898		Charles Emory Smith, Pa., Apr. 22.				
1899					Edwin C. Madden, Mich., July 1.	
1900			William M. Johnson, N. J., Aug. 23.			
1901	William McKinley, Ohio, Mar. 4. Theodore Roosevelt, N. Y., Sept. 14.					
1902		Henry C. Payne, Wis., Jan. 15.	Robert J. Wynne, Pa., Apr. 17.			
1904		Robert J. Wynne, Pa., Oct. 10.				
1905	Theodore Roosevelt, N. Y., Mar. 4.	Geo. B. Cortelyou, N. Y., Mar. 7.	Frank H. Hitchcock, Mass., Mar. 16.			P. V. DeGraw, Pa., Mar. 20.
1907		Geo. von L. Meyer, Mass., Mar. 4.		Jas. T. McCleary, Minn., Mar. 29.	Abraham L. Lawshe, Ind., Mar. 22.	
1908			Chas. P. Grandfield, Mo., Feb. 29.	Jos. Stewart, Mo., Sept. 29.		
1909	William H. Taft, Ohio, Mar. 4.	Frank H. Hitchcock, Mass., Mar. 6.				
1910					James J. Britt, N. C., Dec. 1.	
1911						
1913	Woodrow Wilson, N. J., Mar. 4.	Albert S. Burleson, Tex., Mar. 5.	Daniel C. Roper, S. C., Mar. 14.		Alexander M. Dockery, Mo., Mar. 17.	James I. Blakslee, Pa., Mar. 17.
1915				Otto Praeger, Tex., Sept. 1.		

[1] Office of Fourth Assistant Postmaster General created by act of Mar. 3, 1891.

Postal statistics of the United States—From 1789 to 1918 by fiscal years.

Years.	Number of post offices.	Extent of post routes, in miles.	Miles of mail service performed.	Gross revenue of department.	Gross expenditure of department.	Paid as compensation of postmasters.	Ordinary postage stamps issued.	Stamped envelopes and wrappers issued.
1789	75	.....	.....	[1]$7,510	[1]$7,560	[1]$1,657	.....	.....
1790	75	1,875	.....	37,935	32,140	8,198	.....	.....
1791	89	1,905	.....	46,294	36,697	10,312	.....	.....
1792	195	5,642	.....	67,443	54,530	16,517	.....	.....
1793	209	5,642	845,468	104,746	72,039	21,645	.....	.....
1794	450	11,984	.....	128,947	89,972	27,155	.....	.....
1795	453	13,207	.....	160,620	117,893	30,272	.....	.....
1796	468	13,207	.....	195,066	131,571	35,729	.....	.....
1797	554	16,180	1,799,720	213,998	150,114	47,109	.....	.....
1798	639	16,180	.....	232,977	179,084	56,035	.....	.....
1799	677	16,180	1,909,000	264,846	188,037	63,957	.....	.....
1800	903	20,817	.....	280,804	213,994	69,242	.....	.....
1801	1,025	22,309	3,057,964	320,442	255,151	79,337	.....	.....
1802	1,114	25,315	.....	327,044	281,916	85,586	.....	.....
1803	1,258	25,315	3,504,800	351,822	322,364	93,169	.....	.....
1804	1,405	29,556	.....	389,449	337,502	107,715	.....	.....
1805	1,558	31,076	.....	421,373	377,367	111,551	.....	.....
1806	1,710	33,431	.....	446,105	417,233	119,784	.....	.....
1807	1,848	33,755	4,449,456	478,762	453,885	129,041	.....	.....
1808	1,944	34,035	.....	460,564	462,828	128,653	.....	.....
1809	2,012	34,035	.....	506,633	498,012	141,579	.....	.....
1810	2,300	36,406	5,592,652	551,684	495,969	149,438	.....	.....
1811	2,403	36,406	.....	587,246	499,098	159,244	.....	.....
1812	2,610	39,378	.....	649,203	540,165	177,422	.....	.....
1813	2,708	39,540	.....	703,154	681,011	221,848	.....	.....
1814	2,670	41,736	.....	730,370	727,126	234,354	.....	.....
1815	3,000	43,966	7,569,224	1,043,065	748,121	241,901	.....	.....
1816	3,260	48,976	.....	951,782	801,022	265,544	.....	.....
1817	3,459	51,600	.....	1,002,973	916,515	303,916	.....	.....
1818	3,618	59,473	.....	1,130,235	1,035,832	346,429	.....	.....
1819	4,000	67,586	.....	1,204,737	1,117,861	375,828	.....	.....
1820	4,500	72,492	.....	1,111,927	1,160,926	352,295	.....	.....
1821	4,650	78,808	.....	1,059,087	1,165,481	337,599	.....	.....
1822	4,709	82,763	.....	1,117,490	1,167,572	355,299	.....	.....
1823	4,043	84,860	10,109,240	1,130,115	1,158,935	360,462	.....	.....
1824	5,182	84,896	10,595,358	1,197,758	1,188,019	383,801	.....	.....
1825	5,677	91,052	11,629,031	1,303,525	1,222,043	411,183	.....	.....
1826	6,150	94,052	11,957,535	1,447,703	1,385,712	447,727	.....	.....
1827	7,300	105,336	12,872,831	1,521,633	1,469,959	485,411	.....	.....
1828	7,530	105,335	13,703,089	1,659,915	1,689,945	548,049	.....	.....
1829	8,004	115,000	13,700,000	1,707,418	1,782,132	559,237	.....	.....
1830	8,450	115,176	14,500,000	1,850,583	1,932,708	595,234	.....	.....
1831	8,686	115,486	15,468,692	1,997,811	1,936,122	635,028	.....	.....
1832	9,205	101,466	23,625,021	2,258,570	2,236,171	715,481	.....	.....
1833	10,127	119,916	23,854,485	2,617,011	2,930,414	823,283	.....	.....
1834	10,693	119,916	25,503,000	2,823,749	2,910,605	897,317	.....	.....
1835	10,770	112,774	25,859,485	2,993,556	2,757,350	945,418	.....	.....
1836	11,091	118,264	27,578,620	3,408,323	2,841,766	812,803	.....	.....
1837	11,767	141,242	32,597,006	4,945,668	3,288,319	891,352	.....	.....
1838	12,519	134,818	34,582,202	4,238,733	4,430,662	933,948	.....	.....
1839	12,780	133,999	34,496,878	4,484,657	4,636,536	980,000	.....	.....
1840	13,468	155,739	35,370,776	4,543,522	4,718,236	1,028,925	.....	.....
1841	13,778	155,025	34,996,525	4,407,723	4,499,528	1,018,654	.....	.....
1842	13,733	149,732	34,835,991	4,546,849	5,674,752	1,147,256	.....	.....
1843	13,814	142,295	35,252,805	4,296,225	4,374,754	1,426,394	.....	.....
1844	14,103	144,687	35,409,624	4,237,288	4,296,513	1,358,316	.....	.....
1845	14,183	143,940	35,634,269	4,289,841	4,320,732	1,409,875	.....	.....
1846	14,601	152,865	37,398,414	3,487,199	4,076,036	1,042,070	.....	.....
1847	15,146	153,818	38,887,899	3,880,309	3,979,542	1,060,228	.....	.....
1848	16,159	163,208	41,012,579	4,555,211	4,326,850	1,254,345	[2]860,380	.....
1849	16,749	167,703	42,544,089	4,705,176	4,479,049	1,320,921	955,727	.....
1850	18,417	178,672	46,541,423	5,499,984	5,212,953	1,549,376	1,540,545	.....
1851	19,796	196,290	53,465,724	6,410,604	6,278,402	1,781,686	1,246,548	.....
1852	20,901	214,284	58,985,728	5,184,526	7,108,450	1,296,765	54,136,319	.....
1853	22,320	217,743	61,892,542	5,240,725	7,982,757	1,406,477	56,344,006	[3]5,000,000
1854	23,548	219,935	63,387,005	6,255,586	8,577,424	1,707,708	56,330,000	21,384,100
1855	24,410	227,908	67,401,166	6,642,136	9,968,342	2,135,335	72,977,300	23,451,725
1856	25,565	239,642	71,307,807	6,920,822	10,405,286	2,102,891	126,045,210	33,764,050
1857	26,586	242,601	74,906,067	7,353,951	11,508,058	2,285,610	154,729,465	33,033,400
1858	27,977	260,603	78,765,491	7,486,793	12,722,479	2,355,016	176,761,835	30,971,375
1859	28,539	260,052	82,308,402	7,968,484	11,458,083	2,453,901	192,201,920	30,280,300
1860	28,498	240,594	74,724,776	8,518,067	19,170,610	2,552,868	216,370,660	29,280,025
1861	28,586	140,399	54,455,454	8,349,296	13,606,759	2,514,157	211,788,518	26,027,300
1862	28,875	134,013	53,432,525	8,299,821	11,125,364	2,340,767	251,307,105	27,234,150
1863	29,047	139,598	56,226,015	11,163,790	11,314,207	2,876,983	338,340,385	25,548,750
1864	28,878	139,172	56,315,357	12,438,254	12,644,786	3,174,326	334,054,610	28,218,800
1865	20,550	142,340	57,993,494	14,556,159	13,694,728	3,383,382	387,419,455	[4]26,206,175
1866	23,828	180,921	71,837,914	14,436,986	15,352,079	3,454,677	347,734,325	39,094,725
1867	25,163	203,215	78,982,789	15,297,027	19,235,483	4,033,728	371,599,605	63,086,650
1868	26,481	216,928	84,221,325	16,292,601	22,730,593	4,255,311	383,470,500	73,364,650
1869	27,106	223,731	90,723,403	18,344,511	23,698,131	4,546,958	421,047,460	81,675,100
1870	28,492	231,232	97,024,996	19,772,221	23,998,837	4,673,466	468,118,445	86,289,500
1871	30,045	238,359	107,572,794	20,037,045	24,390,104	5,028,381	498,126,175	104,675,275
1872	31,863	251,398	114,984,322	21,915,426	26,658,192	5,121,665	541,445,070	113,925,750
1873	33,244	256,210	119,903,650	22,996,742	29,084,946	5,725,468	601,931,520	131,172,600
1874	34,294	269,037	128,627,476	26,471,072	32,126,415	5,818,472	632,733,420	136,418,500
1875	35,547	277,873	133,822,216	26,791,360	33,611,309	7,049,936	682,342,470	149,766,400
1876	36,383	281,798	136,269,708	28,644,198	33,263,488	7,381,460	698,799,090	165,520,250
1877	37,345	292,820	147,353,251	27,531,585	33,486,322	7,284,283	689,580,670	170,651,459
1878	38,253	301,966	158,185,375	29,277,517	34,165,084	7,966,921	742,461,940	183,560,350
1879	40,588	316,711	167,432,805	30,041,983	33,449,899	7,182,239	774,358,780	177,561,950
1880	42,989	343,888	178,236,996	33,315,479	36,542,804	7,703,407	875,681,970	207,137,000
1881	44,512	344,006	188,125,032	35,785,398	39,592,566	8,298,743	954,128,450	227,067,050
1882	46,231	343,618	194,901,703	41,876,410	40,482,021	8,964,676	1,114,560,330	256,565,450
1883	46,820	353,166	211,260,301	45,508,693	43,282,944	10,315,394	1,202,743,800	259,266,450
1884	48,434	359,539	227,532,732	43,325,959	47,224,560	11,283,830	1,459,768,460	322,232,050
1885	51,252	365,251	238,478,773	42,560,844	50,046,235	11,243,848	1,465,122,935	322,751,400
1886	53,614	368,669	252,044,705	43,948,423	51,004,744	11,348,178	1,620,784,100	354,008,100
1887	55,157	392,874	270,173,065	48,837,609	53,006,194	11,929,481	1,746,985,520	381,611,300
1888	57,376	403,976	287,251,055	52,695,176	56,468,315	12,589,768	1,867,173,140	433,635,750
1889	58,999	416,159	310,901,884	56,175,611	62,317,119	13,168,991	1,961,980,840	451,864,300
1890	62,401	427,993	327,409,493	60,882,098	66,259,548	13,753,096	2,219,737,060	513,832,950

[1] For 3 months only.
[2] Postage stamps first issued under act of Mar. 3, 1847, and placed on sale at New York, N. Y., July 1, 1847.
[3] Stamped envelopes first issued June, 1853, under act of Aug. 30, 1852.
[4] Newspaper wrappers first issued under act of Feb. 27, 1861.
[5] Special-request envelopes first issued in 1865.

Postal statistics of the United States—From 1789 to 1918 by fiscal years—Continued.

Years.	Number of post offices.	Extent of post routes, in miles.	Miles of mail service performed.	Gross revenue of department.	Gross expenditure of department.	Paid as compensation of postmasters.	Ordinary postage stamps issued.	Stamped envelopes and wrappers issued.
1891	64,329	439,027	346,266,445	$65,931,786	$73,059,519	$14,527,000	2,397,403,340	556,226,250
1892	67,119	447,591	363,087,695	70,930,475	76,980,846	15,249,565	2,543,270,210	593,684,700
1893	68,403	453,833	381,499,086	75,896,993	81,581,681	15,863,622	2,750,293,090	636,279,436
1894	69,805	454,746	396,809,866	75,080,479	84,994,112	15,899,709	2,602,278,355	571,475,218
1895	70,064	456,026	402,606,059	76,983,128	87,179,551	16,079,508	2,795,424,808	598,848,900
1896	70,360	463,313	409,388,424	82,479,208	90,932,669	16,531,181	3,025,481,497	616,049,250
1897	71,922	471,032	421,853,479	82,665,482	94,077,242	16,908,384	3,093,633,885	585,032,000
1898	73,579	483,461	434,332,691	89,012,418	98,033,523	17,453,433	3,418,458,360	606,447,000
1899	75,900	493,948	445,744,845	95,021,384	101,632,160	18,223,503	3,692,775,815	628,455,000
1900	76,688	500,089	452,205,773	102,354,579	107,740,217	19,112,097	3,998,544,584	707,555,000
1901	76,945	511,808	466,146,059	111,631,193	115,554,921	19,949,515	4,239,273,696	772,839,000
1902	75,924	507,540	474,234,687	121,848,047	124,785,697	20,783,919	4,621,285,723	853,128,000
1903	74,169	503,268	493,193,359	134,224,443	138,784,487	21,631,724	5,270,549,115	948,654,000
1904	71,131	496,818	505,585,526	143,582,624	152,362,116	22,273,343	5,330,886,845	1,020,255,250
1905	68,131	486,805	510,693,514	152,826,585	167,399,169	22,743,342	5,751,017,915	1,074,918,000
1906	65,600	478,711	515,185,591	167,932,782	178,449,778	23,544,585	6,284,450,495	1,230,287,750
1907	62,659	463,406	524,725,747	183,585,005	190,238,288	24,575,696	7,061,036,615	1,418,840,250
1908	60,704	459,738	538,438,722	191,478,663	208,351,886	25,599,397	7,651,400,405	1,266,002,559
1909	60,144	448,618	542,151,121	203,562,383	221,004,102	26,599,892	8,731,875,303	1,509,626,246
1910	59,589	447,998	553,312,998	224,108,457	229,977,224	27,521,013	9,067,164,888	1,508,861,593
1911	59,237	435,488	569,077,849	237,879,893	237,648,926	28,282,450	10,046,068,778	1,690,775,385
1912	58,729	436,469	578,165,266	246,744,015	248,575,450	28,647,726	9,929,173,748	1,684,624,161
1913	58,020	436,293	590,178,461	266,619,575	262,047,541	29,126,662	10,812,507,736	1,724,730,140
1914	53,810	435,597	600,100,663	287,934,585	283,543,769	29,968,515	11,112,254,281	1,884,713,929
1915	53,380	433,334	616,460,121	287,248,165	298,546,026	29,143,127	11,226,383,415	1,793,764,296
1916	55,034	425,950	617,745,353	312,057,689	303,204,033	31,135,234	11,671,842,200	1,853,791,461
1917	55,413	454,835	668,930,441	329,726,116	319,838,718	31,945,104	12,451,522,177	2,161,108,013
1918	54,345	465,371	624,731,638	388,975,932	324,833,728	31,420,536	13,035,784,852	1,819,307,148

Years.	Postal cards issued.	Registered and insured mail (pieces).	Dead letters received.	Amount received from dead letters.	Number of money-order offices in operation.	Amount of domestic money orders issued.	Amount of international money orders issued.	Number of pieces of matter of all kinds handled (estimated).
1789								
1790								
1791								
1792								
1793								
1794								
1795								
1796								
1797								
1798								
1799								
1800								
1801								
1802								
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1818								
1819								
1820								
1821								
1822								
1823								
1824								
1825								
1826								
1827								
1828								
1829								
1830			[1] 380,000					
1831			[1] 500,000					
1832								
1833								
1834								
1835								
1836								
1837			900,000					
1838				[2] $12,060				
1839								
1840								
1841								
1842								
1843				2,668				
1844				20				
1845				1,192				
1846				1,824				
1847			1,800,000	187				124,173,480
1848				1,296				
1849			2,100,000	99				
1850				1,748				
1851			2,750,000	1,675				
1852				8,255				
1853				1,384				
1854				4,346				
1855				4,976				
1856		[3] 629,332		8,383				

[1] Letters returned to writers.

[2] Aggregate accumulation from 1789 to 1838.

[3] Letters first registered July 1, 1855, under act of Mar. 3, 1855.

Postal statistics of the United States—From 1789 to 1918 by fiscal years—Continued.

Years.	Postal cards issued.	Registered and insured mail (pieces).	Dead letters received.	Amount received from dead letters.	Number of money-order offices in operation.	Amount of domestic money orders issued.	Amount of international money orders issued.	Number of pieces of matter of all kinds handled (estimated).
1857		717,537		$6,756				
1858		562,903		3,410				
1859		501,059	2,500,000	3,134				
1860		500,774	2,000,000	3,803				
1861		386,113	2,550,000					
1862		302,987	2,282,018	1,052				
1863		372,893	2,550,416					
1864		259,798	3,508,825					
1865		282,533	4,368,087	5,222	419	[1] $1,360,122		
1866		275,103	5,198,605	18,393	766	3,977,259		
1867		249,075	4,306,508	17,485	1,224	9,229,327		
1868			4,162,144	30,502	1,468	16,197,858		
1869			3,952,862	8,818	1,466	24,848,058		
1870			4,152,460	8,023	1,694	34,054,184	[2] $22,189	
1871			4,194,748	10,596	2,076	42,164,118	38,489	
1872			4,241,374	7,299	2,452	48,515,532	833,006	
1873	[3] 31,094,000		4,402,348	6,208	2,775	57,516,216	1,863,512	
1874	91,079,000		4,601,773	8,721	3,069	74,424,854	2,265,242	
1875	107,616,000		3,628,808	9,180	3,404	77,431,251	1,964,574	
1876	150,815,000	4,007,817	3,542,494	9,889	3,401	77,035,972	2,068,668	
1877	170,015,500	4,348,127	3,288,290	4,945	3,697	72,820,509	1,844,053	
1878	200,630,000	4,898,804	3,186,805	8,937	4,143	81,442,364	2,047,696	
1879	221,797,000	5,429,022	2,998,513	3,323	4,512	88,254,641	2,240,454	
1880	272,550,500	6,996,513	3,057,141	6,506	4,829	100,352,818	3,463,892	
1881	308,536,500	8,338,918	3,323,621	6,584	5,163	105,075,769	4,683,926	
1882	351,498,000	9,627,922	4,160,554	7,657	5,491	113,400,118	6,536,514	
1883	379,516,750	10,594,716	4,379,398	12,279	5,927	117,329,406	7,717,832	
1884	362,876,750	11,246,545	4,564,451	9,619	6,310	122,121,261	7,688,776	
1885	339,416,500	11,043,256	4,710,240	12,097	7,056	117,858,921	6,840,358	
1886	355,648,000	11,648,227	4,791,698	8,858	7,357	113,819,521	7,178,786	3,474,000,000
1887	356,939,250	12,524,421	5,335,363	10,976	7,853	117,462,660	9,035,530	3,495,100,000
1888	381,797,500	13,677,169	6,217,876	10,535	8,241	119,649,064	11,293,870	3,576,100,000
1889	386,808,500	14,061,856	6,206,893	12,103	8,727	115,081,845	12,280,516	3,860,200,000
1890	429,515,350	14,947,081	6,517,556	12,050	9,382	114,362,757	13,230,135	4,005,408,206
1891	424,216,750	15,047,602	6,829,460	13,860	10,070	119,122,236	14,443,667	4,369,900,352
1892	511,433,500	15,260,094	6,780,980	15,929	12,089	120,066,801	15,120,271	4,776,575,076
1893	530,505,600	15,561,410	7,131,027	13,895	18,434	127,576,433	16,341,838	5,021,841,056
1894	468,499,750	15,050,554	7,101,044	14,940	19,264	138,793,579	13,792,455	4,919,090,000
1895	492,305,550	14,428,081	6,319,873	12,219	19,691	156,709,089	12,906,485	5,134,281,200
1896	524,820,150	15,108,336	6,253,363	11,957	20,802	172,100,649	13,852,615	5,693,719,192
1897	523,608,250	14,559,083	5,976,960	11,454	21,082	174,482,676	13,588,379	5,781,002,143
1898	556,380,650	15,600,220	6,295,853	10,527	23,421	191,354,121	13,239,769	6,214,447,000
1899	573,634,150	16,088,022	6,855,983	13,115	26,784	211,213,592	13,744,770	6,576,310,000
1900	587,815,250	18,422,649	7,536,158	14,465	29,649	238,921,009	16,749,018	7,129,990,202
1901	659,614,800	20,814,501	8,507,257	15,605	30,529	274,546,067	20,072,614	7,424,390,329
1902	547,204,090	22,831,400	9,300,351	18,459	31,680	313,551,279	22,974,473	8,085,446,853
1903	770,657,950	25,951,178	10,153,528	20,961	34,547	353,627,648	35,237,935	8,887,467,048
1904	702,907,450	28,213,870	10,923,239	22,210	35,094	378,778,488	42,550,150	9,502,459,535
1905	728,285,100	30,200,177	10,973,361	23,787	36,832	396,903,433	47,516,027	10,187,505,889
1906	798,917,850	34,165,484	11,663,377	24,090	37,444	444,515,790	63,047,863	11,361,090,610
1907	805,568,700	38,255,649	13,005,255	26,056	37,572	479,650,342	84,080,711	12,255,666,367
1908	809,426,750	40,151,797	13,145,172	36,644	43,313	498,699,637	88,972,388	13,364,068,923
1909	926,478,900	40,539,545	11,997,325	28,913	50,043	491,074,844	76,754,802	14,004,577,271
1910	726,441,000	42,053,574	12,545,133	30,785	51,791	547,993,641	99,742,686	14,850,102,559
1911	975,138,748	42,766,459	13,614,416	32,854	51,809	578,111,005	109,604,639	16,900,552,138
1912	909,411,045	42,235,000	13,268,199	33,122	52,815	583,337,003	97,660,024	17,588,658,941
1913	946,861,679	[4] 43,489,172	13,214,346	31,143	54,594	624,489,096	102,668,288	18,567,445,160
1914	962,072,326	56,397,194	12,082,342	39,077	55,055	667,231,064	101,963,428	
1915	975,542,228	60,042,590	10,781,927	38,514	55,670	654,139,134	60,772,073	
1916	1,047,894,800	70,473,197	10,839,890	45,856	56,026	719,364,950	46,357,386	
1917	1,112,337,760	84,117,774	13,614,927	57,938	56,079	813,318,927	41,644,878	
1918	707,111,300	109,070,762	14,451,953	71,709	55,668	914,575,255	25,938,964	

[1] From Nov. 1, 1864, to June 30, 1865. Money-order system went into operation Nov. 1, 1864, under act of Congress of May 17, 1864.
[2] From Sept. 1, 1869, to June 30, 1870. International money orders first issued under convention of Oct. 12, 1867.
[3] Postal cards first issued May 1, 1873, under act of June 8, 1872.
[4] Insurance service inaugurated Jan. 1, 1913, under act of Congress Aug. 24, 1912.

Years.	City Delivery Service.[1]			Rural Delivery Service.[2]			Special Delivery Service.[3]
	Number of city delivery offices.	Number of carriers.	Annual cost of service.	Carriers.	Mileage.	Annual cost.	Number of pieces delivered.
1864	66	685	$317,063				
1865	45	757	448,664				
1866	46	863	589,236				
1867	47	943	699,934				
1868	48	1,198	995,934				
1869	48	1,246	1,183,915				
1870	51	1,362	1,230,079				
1871	52	1,419	1,353,923				
1872	52	1,443	1,385,965				
1873	52	1,498	1,422,495				
1874	87	2,049	1,832,695				
1875	87	2,195	1,880,041				
1876	87	2,269	1,981,183				
1877	87	2,265	1,893,619				
1878	87	2,275	1,824,166				
1879	88	2,359	1,947,703				
1880	104	2,628	2,363,693				
1881	109	2,861	2,499,911				
1882	112	3,115	2,623,262				

[1] Free City Delivery Service authorized by act of Mar. 3, 1863. Established July 1, 1863.
[2] The first experimental Rural Delivery Service was established on Oct. 1, 1896, simultaneously on three routes, from Charlestown, Uvilla, and Halltown, W. Va.
[3] Special Delivery Service authorized by act of Mar. 3, 1885. Established Oct. 1, 1885. Service restricted to delivery of letters at any free-delivery office or in any town of 4,000 or more inhabitants. Aug. 4, 1888, extended to provide for the immediate delivery of mail matter at all free-delivery offices and within 1 mile of every other office.

Postal statistics of the United States—From 1789 to 1918 by fiscal years—Continued.

Year.	City Delivery Service.[1]			Rural Delivery Service.[2]			Special Delivery Service.[3]
	Number of city delivery offices.	Number of carriers.	Annual cost of service.	Carriers.	Mileage.	Annual cost.	Number of pieces delivered.
1883	154	3,680	$3,173,336				
1884	159	3,890	3,504,295				
1885	178	4,358	3,985,952				
1886	181	4,841	4,312,393				[1] 895,334
1887	189	5,310	4,618,692				1,024,557
1888	358	6,346	5,422,356				1,220,237
1889	401	8,257	6,957,941				1,378,647
1890	454	9,063	7,976,292				1,613,567
1891	519	10,139	9,072,160				1,972,193
1892	568	10,737	9,966,892				2,393,684
1893	610	11,625	10,683,575				2,889,370
1894	610	11,736	11,229,433				2,889,900
1895	604	12,714	12,135,544				3,081,055
1896	627	12,834	12,713,861				3,475,377
1897	629	12,931	12,827,396	[4] 83	1,843	$14,810	3,629,851
1898	688	13,696	13,337,596	148	2,960	50,241	4,062,675
1899	735	14,256	13,905,890	391	8,929	150,012	4,551,672
1900	796	15,322	14,512,190	1,276	28,685	420,433	5,191,594
1901	865	16,389	15,752,600	4,301	100,299	1,750,321	5,873,517
1902	933	17,787	17,123,310	8,463	186,252	4,089,011	6,785,221
1903	1,032	19,542	19,337,993	15,119	332,618	8,051,599	8,959,598
1904	1,100	20,758	20,561,238	24,565	552,725	12,645,275	9,888,457
1905	1,144	21,778	20,919,078	32,055	721,237	20,864,835	10,593,655
1906	1,184	22,965	21,980,632	35,663	820,318	25,011,625	11,682,383
1907	1,240	24,577	23,170,233	37,582	883,117	26,661,555	12,895,319
1908	1,330	26,352	25,258,039	39,143	931,087	34,371,939	13,731,514
1909	1,440	27,620	29,738,123	40,499	979,624	35,661,031	13,911,108
1910	1,492	28,715	31,683,591	40,937	993,068	36,914,769	15,440,033
1911	1,541	29,168	32,973,451	41,539	1,007,772	37,125,812	16,756,499
1912	1,621	29,962	34,152,517	42,081	1,021,492	41,582,422	18,366,377
1913	1,675	30,923	36,600,544	42,685	1,038,076	45,655,533	20,811,564
1914	1,759	32,292	40,338,621	43,534	1,060,679	47,377,070	22,834,192
1915	1,808	32,902	42,038,876	43,718	1,073,099	49,825,000	23,483,265
1916	1,846	34,114	43,136,818	42,766	1,037,259	51,952,328	27,530,268
1917	1,948	34,592	48,047,712	43,338	1,112,563	52,423,000	33,913,650
1918	1,992	34,593	49,995,450	43,338	1,127,110	52,135,848	46,987,375

[1] Free City Delivery Service authorized by act of Mar. 3, 1863. Established July 1, 1863.
[2] The first experimental Rural Delivery Service was established on Oct. 1, 1896, simultaneously on three routes, from Charlestown, Uvilla, and Halltown, W. Va.
[3] Special Delivery Service authorized by act of Mar. 3, 1885. Established Oct. 1, 1885. Service restricted to delivery of letters at any free-delivery office or in any town of 4,000 or more inhabitants. Aug. 2, 1886, extended to provide for the immediate delivery of mail matter at all free-delivery offices and within 1 mile of every other office.
[4] For 9 months only.

Postal savings system.[1]

Years	Total depositories.	Number of depositors.	Amount to credit of depositors.
1911 [2]	400	11,918	$677,145
1912	10,170	243,801	20,237,084
1913	12,820	331,006	33,818,870
1914	10,347	388,511	43,444,271
1915	9,546	525,414	65,684,708
1916	8,421	602,937	86,019,885
1917	7,161	674,728	131,954,696
1918	6,678	612,188	148,471,499

[1] Postal savings system inaugurated Jan. 3, 1911, under act of June 25, 1910.
[2] For 6 months only.

IMPROVEMENTS AND EXTENSIONS IN THE POSTAL SERVICE SINCE MARCH 4, 1913.

JUNE 30, 1919.

May 7, 1913: Order promulgating regulations requiring all postmasters of the fourth class to qualify for office through civil-service examinations.

July 1, 1913: Inauguration of C. O. D. feature of parcel-post mail.

July 1, 1913: At the inauguration January 1, 1913, of the service providing for the indemnification of shippers of fourth-class domestic mail a flat fee of 10 cents was charged, which insured an article against loss for its actual value not exceeding $50 in any case. Effective July 1, 1913, another rate was introduced which provided for the insurance of an article against loss for its actual value, not exceeding $25 in any case, upon payment of a fee of 5 cents.

July 1, 1913: Distinctive parcel-post stamp discontinued.

1913: During the year provision was made whereby sender of a parcel may attach a communication to it on condition that necessary stamps for first-class rate of postage were affixed. This permits simultaneous delivery of communication and parcel.

October 1, 1914: Inauguration of Government-owned motor-vehicle service in the large cities, superseding the contract and screen-wagon service in cities.

1914: Reorganization and standardization of post-office methods and reorganization of large offices so as to operate on a two-division plan—finances and handling of mail—permitting a flexible and compact force and increasing the efficiency of the service.

July 1, 1915: Advancement of fourth-class post offices to presidential grade where compensation if $1,000 for the year, eliminating the requirement that it must be $250 each quarter.

July 28, 1916: Compensatory time for holiday service to be given on one of the following 30 days. (Amended to include laborers, special clerks, etc.)

August 8, 1916: Regulations promulgated providing for the payment of indemnity for injury to insured mail, in accordance with the provisions of the Postal Service appropriation. Act approved July 28, 1916.

August 8, 1916: Regulations promulgated providing for a minimum 3-cent fee for insurance in an amount not exceeding $5 valuation. The popularity of this feature is evidenced by the fact that 58 per cent of all packages insured are at this rate.

August 8, 1916: Regulations promulgated providing for the maximum amount of $100 insurance on the payment of a fee of 25 cents.

March 31, 1917: Reappointment of postmasters at presidential post offices based solely on their record, and where the record of the incumbent in office requires a new appointment the creation of an eligible register through civil-service examination.

1917: Establishment of military branch post offices.

June 30, 1918: Discontinuance of pneumatic-tube service.

July 1, 1918: Discontinuance of insurance tag.

July 2, 1918: Reinstatement provided by law for all who enter military service to the salary to which they would have been automatically promoted had they remained in the Postal Service.

July 2, 1918: Modification of postal-savings law to permit deposits up to $2,500.

July 2, 1918: Compensation in lieu of compensatory time for employees.

July 1, 1918: The postal appropriation act approved February 28, 1919, provides that hereafter all days, other than holidays enumerated in the act of July 28, 1916, making an appropriation for the Postal Service for the fiscal year ending June 30, 1917, set aside by the President of the United States as holidays to be observed by other departments of the Government throughout the United States shall be construed as applicable to the Postal Service in the same manner and to the same extent as the executive departments.

PARCEL POST CHANGES.

August 15, 1913: The limit of weight was increased from 11 to 20 pounds and material reductions made in the rates for the first and second zones, as follows:

Pounds.	First zone.			Second zone.		
	Old rate.	New rate.	Reduction.	Old rate.	New rate.	Reduction.
1	0.05	0.05	.....	0.06	0.05	0.01
2	.08	.06	0.02	.10	.06	.04
3	.11	.07	.04	.14	.07	.07
4	.14	.08	.06	.18	.08	.10
5	.17	.09	.08	.22	.09	.13
6	.20	.10	.10	.26	.10	.16
7	.23	.11	.12	.30	.11	.19
8	.26	.12	.14	.34	.12	.22
9	.29	.13	.16	.38	.13	.25
10	.32	.14	.18	.42	.14	.28
11	.35	.15	.20	.46	.15	.31

January 1, 1914: The limit of weight was increased from 20 to 50 pounds and material reductions made in the rates for the third, fourth, fifth, and sixth zones, as follows:

Pounds.	Third zone.			Fourth zone.		
	Old rate.	New rate.	Reduction.	Old rate.	New rate.	Reduction.
1	0.07	0.06	0.01	0.08	0.07	0.01
2	.12	.08	.04	.14	.11	.03
3	.17	.10	.07	.20	.15	.05
4	.22	.12	.10	.26	.19	.07
5	.27	.14	.13	.32	.23	.09
6	.32	.16	.16	.38	.27	.11
7	.37	.18	.19	.44	.31	.13
8	.42	.20	.22	.50	.35	.15
9	.47	.22	.25	.56	.39	.17
10	.52	.24	.28	.62	.43	.19
11	.57	.26	.31	.68	.47	.21

Pounds.	Fifth zone.			Sixth zone.		
	Old rate.	New rate.	Reduction.	Old rate.	New rate.	Reduction.
1	0.09	0.08	0.01	0.10	0.09	0.01
2	.16	.14	.02	.19	.17	.02
3	.23	.20	.03	.28	.25	.03
4	.30	.26	.04	.37	.33	.04
5	.37	.32	.05	.46	.41	.05
6	.44	.38	.06	.55	.49	.06
7	.51	.44	.07	.64	.57	.07
8	.58	.50	.08	.73	.65	.08
9	.65	.56	.09	.82	.73	.09
10	.72	.62	.10	.91	.81	.10
11	.79	.68	.11	1.00	.89	.11

March 16, 1914: Books weighing in excess of 8 ounces given parcel-post zone rates. Previous to this the rate was 1 cent for each 2 ounces up to 4 pounds.

April 24, 1914: Seeds, scions, bulbs, cuttings, etc., in excess of 8-ounce packages given parcel-post zone rates.

July 10, 1915: Size of parcel-post packages increased from 72 to 84 inches.

March 15, 1918: Limit of weight increased from 50 to 70 pounds in first, second, and third zones, and from 20 to 50 pounds in remaining zones.

Number of parcels mailed at all post offices.

June 30, 1913	331,394,800
June 30, 1914	570,444,815
June 30, 1915	948,637,896
June 30, 1916	1,001,021,616
June 30, 1917	1,024,362,744
June 30, 1918	1,500,000,000
June 30, 1919	2,250,000,000

Extensions of service.

POST OFFICES HAVING CITY DELIVERY SERVICE.

1913	1,675
1919	2,041

POST OFFICE CLERKS.

1913	35,846
1919	44,707

CITY LETTER CARRIERS.

1913	30,923
1919	35,013

During the past six years close cooperation has developed between this department and the Treasury Department in the plan of arrangement and facilities provided in new Federal buildings. As a result each office is now provided with the same relative amount of floor space, based on the estimated number of postal employees 10 years hence; several standard types of screen-line arrangement are in vogue to meet the varying needs of the Postal Service at offices of different sizes; a standard plan of providing vault and toilet facilities has been adopted; and the progress in standardization has so far advanced that at the present time it is possible to use the one set of drawings, with minor modifications, for several buildings.

PNEUMATIC TUBES.

The act of July 13, 1892, making appropriations for the service of the Post Office Department, authorized the Postmaster General "to examine into the subject of a more rapid dispatch of mail matter between large cities and post-office stations, and transportation terminals located in large cities by means of pneumatic tubes or other systems."

Acting under this authority Postmaster General John Wanamaker, under date of July 26, 1892, issued an advertisement inviting interested parties to submit descriptions of pneumatic tubes "and an offer to submit test." The first pneumatic tube for the transmission of mail was used in Philadelphia in 1893 in an experimental way.

March 1, 1894, the service was formally recognized and paid for by the Post Office Department. Investigation shows that pneumatic tubes had not been a success for commercial purposes. A line of 10-inch tubes about 4¾ miles long were laid in Boston for commercial uses, but was not a success, and were subsequently leased to the Post Office Department on November 1, 1906, for the transmission of mail, at a rental of $17,000 per mile per annum, for a period of 10 years.

From 1897 to 1918, excepting 1902, when Congress failed to appropriate, a total of $11,752,567.16 had been expended for the use of pneumatic tubes.

In the early days of the pneumatic tubes Hon. W. H. Moody, then a Member of Congress, referred to previous appropriations as "ill begotten," and stated:

"* * * The first appropriation was made when Mr. Neilson was Second Assistant Postmaster General."

* * * * * * *

"Within six weeks, at the outside, after he left the office, he was given $1,000 in cash and $10,000 in stock for his services at Washington during the succeeding year. What they were I do not know. What they could properly be I could not guess, but he was given this stock. * * *

"But that is not all, Mr. Chairman; there was other testimony before the commission. I shall mention no names, and I regret extremely to have to speak upon this subject. But we found that the pneumatic-tube system in New York was constructed by contractors who took their pay in stock and bonds; that the only value which that stock and those bonds had was the contract with the Government. It was certainly unfortunate—I think nothing else, believe nothing else, but unfortunate—it was certainly unfortunate that a holder of the bonds and one of the contractors was a Member of this House and a member of the Committee on Appropriations.

* * * "As showing the methods employed by the New York company, I will state that a large block of the stock of this company, as New Year's present, was sent to a near relative of an important and influential Member of the House. I am glad to say that the return mail was not allowed to depart from Washington without carrying back that dishonoring and dishonorable gift."

The Congress fully recognized the value of the judgment of experienced postal officials in this matter and would not even trust the Postmaster General to pass on the value of the pneumatic-tube service, because he might lack expert and scientific postal knowledge, but required by the act of April 21, 1902—

"That no advertisement shall issue until after a careful investigation shall have been made as to the needs and practicability of such service, and until a favorable report, in writing, shall have been submitted to the Postmaster General by a commission of not less than three expert postal officials to be named by him."

ZONE RATES ON SECOND-CLASS MATTER.

Zone rates on second-class matter were effective July 1, 1918. Based on the amount of mail handled in 1912, it was estimated that the increased revenue in postage under this new law would be substantially as follows:

First year	$4,900,000
Second year	9,800,000
Third year	15,000,000
Fourth year	20,000,000

Prior to the enactment of this law it was estimated that at least $72,000,000 annually was lost in the handling of second-class matter.

The following have indorsed the zone rates on second-class matter and are in favor of the retention of the present law: National Editorial Association, Missouri Editorial Association, Northwestern Editorial Association, Kansas Editorial Association, and Texas Press Association.

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POST OFFICE DEPARTMENT,
SECOND ASSISTANT POSTMASTER GENERAL,
Washington, June 28, 1919.

The space method of payment of railroad companies for carrying the mails, with certain variations, had been approved by every commission which had studied the matter from the Hubbard Commission in 1878 to the Bourne Commission in 1913. The railroad companies, however, had been able to prevent any change from the weight basis. On August 12, 1911, Postmaster General Hitchcock transmitted to Congress a plan of payment based on space and urged its adoption. No action was taken on his recommendation.

On February 12, 1914, Postmaster General Burleson transmitted a complete scheme of payment based on space and actively championed it before the Congress. He succeeded in having it embraced in the pending Post Office appropriation bill in the spring of 1915. The organized opposition of the railroad companies was able to prevent passage of the bill prior to adjournment of Congress on March 4 of that year, so that for the first time in its history the entire Postal Service was compelled to operate for the ensuing year under the handicap of a joint resolution extending the previous year's appropriations.

The space bill was finally passed on July 28, 1916, and has been in operation since November 1, 1916. It is a scientific and businesslike method of railway mail pay and enables the department to pay for what it receives and the railroads to receive what they earn, which was not possible under the old system of average weights taken once in four years.

The annual saving to the Government under the space system is approximately $11,470,788. This large saving has resulted mainly from a more intensive loading of the mails on trains, at the same time remitting to the carriers considerable equipment to be employed in other transportation. This saving in car space amounted in the aggregate to the equivalent of 14 trains of 10 cars each daily between New York and Chicago.

The Postal Service during the trying war period was undoubtedly subject to the severest test it has ever undergone. The freight and express services were literally swamped with business, and were obliged to place embargoes on their traffic. The result was that enormous quantities of goods and products of all kinds were thrown into the parcel post, which was not subject to such restrictions. Notwithstanding the immense volume of this new traffic the parcel-post service was conducted without interruption and with dependability and dispatch.

The development of the aeroplane in warfare inspired the belief that it could be made to serve the uses of peaceful transportation, and on May 15, 1918, an aeroplane mail route on a regular schedule was established between New York and Washington. The service operates in about one-half the time required by train between the two cities and is performed with a regularity and a certainty which up to this time has not been equaled anywhere in the world.

An additional aeroplane route has recently been inaugurated between New York and Chicago which by reason of the connections made advances certain eastern mail for the West 24 hours or more. This mail leaves New York at 5 a. m. and arrives in Chicago at 1 p. m. in time for afternoon carrier delivery.

The personnel of the Railway Mail Service has been completely reorganized upon a more efficient basis and at a higher rate of pay. During the fiscal year ended June 30, 1913, 12,653,856,360 pieces of mail matter were distributed, of which 99.98 per cent were distributed correctly. During the year ended June 30, 1918, 14,134,736,744 pieces of mail matter were distributed and the percentage correct was 99.99.

On March 4, 1913, there were 17,095 employees in the Railway Mail Service. On June 15, 1919, there were 20,360 such employees, an increase of 3,265.

On June 30, 1913, the average salary of a railway postal clerk was $1,239. On May 31, 1919, it was $1,565—an increase of $326.

The travel allowance has been increased from $1 to $2 per day. Vacation allowances have been increased and working conditions and equipment and construction of cars have steadily improved.

The system of terminal distribution of mail has been developed to take care of the steadily expanding parcel-post traffic and of certain other classes of mail (circulars, etc.), which it is not necessary to distribute on trains. This service is now so efficient that almost daily appeals are made for admission to the mails of certain articles not admissible under the present postal regulations. These appeals are usually explained by the statement that the freight and express services can no longer be depended upon to handle such business.

All of these things have been accomplished during the period of the World War and despite the fact that the Postal Service has lost to the Army and Navy many of its experienced employees and has had to employ many inexperienced ones.

The war, of course, greatly interfered with the foreign mail service. Nevertheless many improvements have been effected. A fuller utilization of contract steamers for the dispatch of mails has effected large economies as well as improvements in the service.

The railroad haul of transit mails across the Isthmus of Panama has been eliminated, reducing costs and also damage from handling.

Mails for China have been routed so as to make more extensive use of the United States postal agency at Shanghai, resulting in better service.

Arrangements have been made with the Shipping Board for the cooperation of its branches at New York, New Orleans, San Francisco, and Seattle in dispatching mails on vessels under control of the board.

The efforts made to extend our foreign trade through the medium of the International Parcel Post have had remarkable results, notwithstanding the disruption of mail routes and the withdrawal of service to many countries occasioned by the war.

On March 4, 1913, when this administration assumed charge of the Post Office Department we had parcel-post conventions with 44 countries. Since then we have extended the service to 18 additional countries, making at present a total of 62 countries. Negotiations with most of these nations and colonies had been in progress for years previous without success.

Provisions of already existing conventions have been enlarged and extended to embrace larger sizes and weights and many articles theretofore barred, and through negotiation many restrictions which had handicapped us have been removed.

For the fiscal year ended June 30, 1913, the total weight of parcel post dispatched to all countries was 2,831,512 pounds. During the year ended June 30, 1918, 13,840,266 pounds were dispatched, an increase under the present administration of 389 per cent. The increase for five years preceding June 30, 1913, was only 1,694,822 pounds.

Simplification in methods of accounting and improvement in packing and preparation of parcel-post packages have been brought about. For the first time a provision for the registration of parcels with indemnity in case of loss has been introduced into the International Parcel Post Service.

It was found that under former administrations a one-sided interpretation had been given to the parcel-post convention concluded with Great Britain, which opened up to that country and its possessions the markets of the United States and its possessions, but restricted our manufacturers and exporters to the markets of the British Isles. This matter has been taken up, and the barrier has already been removed between our country and British India, Union of South Africa, Egypt, Palestine, and Mesopotamia, while it is expected that negotiations will open up the markets of the other possessions of Great Britain to our parcel-post exporters in the near future.

Negotiations are being pushed for the extension of Parcel Post Service to additional countries, and it is confidently believed that, for the first time in the history of our Postal Service, we shall soon have such facilities with every important country in the world, as well as nearly all small countries, colonies, and protectorates.

The department has made a new departure in the close cooperation which it has inaugurated with manufacturers, exporters, and representatives of foreign trade bodies. These organizations have established a permanent committee on international parcel post, with offices in New York and Washington, for the purpose of availing themselves of the information and data obtainable from the department.

For the further extension of communication and commerce proposals for a reciprocal domestic letter rate of postage have been made to a number of countries in the Western Hemisphere, and nine such countries and colonies have concluded such conventions with us.

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POST OFFICE DEPARTMENT,
THIRD ASSISTANT POSTMASTER GENERAL,
Washington, June 25, 1919.

I transmit herewith statement of the superintendent of the Division of Stamps, showing the amount of war-savings and thrift stamps sold from the beginning of the sales period to December 31, 1918, to have been $832,279,373.63.

The statement also shows that $8,570,663.21 war-revenue stamps were sold by the Post Office Department during the same period.

The statement further discloses the fact that of the $1,015,067,470.80 war-savings and thrift stamps sold by the Post Office and Treasury Departments, 82 per cent of the total was sold by the Postal Service.

A. M. DOCKERY,
Third Assistant.

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POST OFFICE DEPARTMENT,
THIRD ASSISTANT POSTMASTER GENERAL,
Washington, June 24, 1919.

War-savings and war-revenue stamps sold from the beginning to Dec. 31, 1918.

War-savings	$826,043,647.63
Thrift	99,830,611.00
Total sales	925,874,258.63
Thrift stamps exchanged	93,594,885.00
Net revenue received from sales of war-savings and thrift stamps	832,279,373.63
War-revenue	8,570,663.21

The total net revenue received from the sales of war-savings and thrift stamps by the Post Office Department from the beginning to December 31, 1918, was 82 per cent of the total net revenue of $1,015,067,470.80, which includes the net sales reported by the Treasury Department.

FITCH,
Superintendent Division of Stamps.

JUNE 26, 1919.

The progress and development of the Postal Savings System under this administration is worthy of special remark. The following is a summary of the principal facts concerning the operations of the system.

INCREASE IN DEPOSITS.

On June 30, 1913, at the close of the fiscal year 1913 and substantially three months after this administration assumed office, the deposits amounted to $33,818,870. The following is a statement of the amount on deposit at the close of each succeeding fiscal year and the increase in deposits during each year:

Date.	Amount on deposit.	Increase during year.
June 30, 1914	$43,444,271	$9,625,401
June 30, 1915	65,684,708	22,240,437
June 30, 1916	86,019,885	20,335,177
June 30, 1917	131,954,696	45,934,811
June 30, 1918	148,471,499	16,516,803
June 30, 1919	[1] 168,500,000	[1] 20,000,000

[1] Estimated.

On May 18, 1916, the Congress, on your urgent recommendation, amended the original postal-savings law by removing altogether the monthly limit on deposits of $100 and increased the amount that a depositor may have to his credit from $500 to $1,000. The beneficial effects of this liberalizing legislation are shown in the large increase in deposits in the fiscal year 1917 compared with the increase in the previous fiscal year. The increase in deposits in the fiscal year 1918, while substantial, was considerably less than in other years, but it will be recalled that two great Liberty loan campaigns were conducted during that year, offering investments bearing higher interest rates.

On July 2, 1919, the Congress, also on your urgent recommendation, again amended the postal-savings act by further increasing the amount that a depositor may have to his credit from $1,000 to $2,500. Very large gains in deposits followed this legislation, and while the withdrawals recently have been heavy, due to the Government loans and the return of foreign-born depositors to their homes abroad, nevertheless the increase in deposits in the current year is substantial and much greater than in the preceding year.

INCOME FROM DEPOSIT AND INVESTMENT OF FUNDS.

The postal-savings law provides that interest and profit accruing from the deposit and investment of postal savings funds shall be applied to the payment of interest due to postal savings depositors, as provided therein, and the excess covered into the Treasury of the United States as a part of the postal revenue. Pursuant to this direction there has been covered, or there is in process of being covered, into the Treasury the following amounts:

Net interest income accruing in the fiscal year:

1914	$431,179.43
1915	584,176.89
1916	712,728.99
1917	1,121,901.30
1918 (estimated)	1,300,000.00
1919 (estimated)	1,600,000.00
Total	5,749,986.61

It will be observed that each year shows a substantial increase in the net interest income.

EXPENSE OF ADMINISTERING THE SYSTEM.

The postal-savings law also requires that the board of trustees of the system shall report annually to Congress "the amount of extra expense of the Post Office Department and the Postal Service incident to the operation of the postal savings depository system." The expense of administration for the fiscal years 1914 to 1919, inclusive (the amount for 1919 being estimated), aggregates $2,323,856.22. On this basis the profit derived from the administration of the system during the six years named is $3,426,130.39. It is worthy of note that while the deposits of the system have almost quintupled during this six-year period, the expense of administration for the fiscal year 1919 will amount to only $425,000, as compared with $336,000 in the fiscal year 1914. The officers of the system have been untiring in their efforts to work out and install the most improved methods of conducting business and have effected economies wherever it was possible to do so without impairing the service or letting down any safeguard. As a result of their efforts the system has been strengthened; direct and simple methods have been substituted for cumbersome, time-consuming, and vexatious procedure. The business of the system is now efficiently and expeditiously conducted and is giving satisfaction to its patrons. The effect of the improved methods is well exemplified by a statement of the reduction in the staff at the central office of the system in Washington. On May 1, 1913, there were 176 employees in the Division of Postal Savings, and the pay roll for the fiscal year 1914 amounted to $205,528.32. On June 1, 1919, notwithstanding the fact that the deposits of the system have almost quintupled in the meantime, there were only 79 employees, at annual salaries aggregating $113,380.

Third Assistant Postmaster General.

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JUNE 25, 1919.

You will find below, in tabular form, statistics showing the amount of domestic money orders issued and paid, the fees received for the issue of orders, and the yearly increase of each item for the fiscal years 1913 to 1918, inclusive:

Years.	Domestic money orders issued and paid.	Increase over preceding year.	Receipts from domestic money-order fees.	Increase over preceding year.
1913	$1,248,613,517.59	$80,918,480.69	$5,383,156.76	$415,403.92
1914	1,332,511,422.31	83,897,904.72	6,051,992.53	668,835.77
1915	1,308,925,604.45	[1] 23,585,817.86	6,054,003.32	2,010.79
1916	1,439,949,670.04	131,024,065.59	6,718,550.45	664,547.13
1917	1,628,140,977.31	188,191,307.27	7,427,716.26	709,165.81
1918	1,804,048,147.00	175,907,169.69	7,593,452.75	165,736.49

[1] Decrease.

It will be noted that there was a decrease in the amount of money-order business transacted during the fiscal year 1915, caused by conditions incident to the war, but the transactions for the succeeding years show the usual normal increase.

Among the more important of the improvements in the Postal Money Order System during the past six years is the provision for making postal money orders payable at any money-order post office within 30 days after the date of issue. The necessary congressional authority for this innovation was given in the statute approved February 6, 1914, entitled "An act to regulate the payment of postal money orders," and made effective on July 1, 1914, by your order No. 8014.

The privilege thus granted has added much to the elasticity of the postal money order, and the number of instances in which advantage is taken of it demonstrates clearly that the modification has been of great value to patrons of the service, particularly the traveling public.

A. M. DOCKERY, *Third Assistant.*

JULY 2, 1919.

During the eight-year period preceding the present administration, covering the administrations of Roosevelt and Taft, the deficiencies in revenues as shown by the audited reports were as follows:

1905, audited deficiency	$14,594,387.12	
1906, audited deficiency	10,542,941.76	
1907, audited deficiency	6,692,031.47	
1908, audited deficiency	16,910,278.99	
Total deficiency		$48,739,639.34
1909, audited deficiency	17,479,770.47	
1910, audited deficiency	5,881,481.95	
1911, audited surplus (audited statement for year shows surplus; accounts subsequently settled reduced the surplus to a deficiency of $732,301.90)	219,118.12	
1912, audited deficiency	1,785,523.10	
Total deficiency		24,927,657.40
Deficiency for eight-year period		73,667,296.74

The postal revenues, as audited, show surpluses in each succeeding year, except 1915, in which the receipts of the Postal Service suffered a temporary setback after the outbreak of war in Europe. A statement of surpluses and deficiency follows:

Audited surpluses by years:		
1913		$4,510,650.91
1914		4,376,463.05
1916		5,829,236.07
1917		9,836,211.90
1918 (excluding $44,500,000 excess postage as war revenue)		19,626,774.08
Total surpluses		44,179,336.01
Audited deficiency, 1915 (declining receipts following outbreak of war in Europe)		11,333,308.97
Net surpluses for six-year period		32,846,027.04

Respectfully submitted.

A. M. DOCKERY,
Third Assistant Postmaster General.

POST OFFICE DEPARTMENT,
FOURTH ASSISTANT POSTMASTER GENERAL,
Washington, June 28, 1919.

In March, 1913, the Bureau of the Fourth Assistant Postmaster General included the Division of Rural Mails, the Division of Supplies, and the Division of Dead Letters.

In cooperation with the Efficiency Commission, a complete survey of the activities of the Division of Dead Letters was inaugurated, which resulted in the immediate improvement of the sanitary conditions incident to the treatment of undelivered mail in the department. Tons of undelivered matter were disposed of forthwith. Thousands of communications received daily, upon which treatment was necessarily delayed, because of the inefficient methods involved in the examination and manipulation thereof, were more promptly acted upon, so that no letter mail remained on hand more than 24 hours. Thousands of pieces of merchandise, mailed as parcel post and lost in transit, were given immediate attention, instead of treatment after days and sometimes weeks of delay. All of this improvement was due to the use of modern mechanical devices, such as lightning letter openers and the introduction of modern office practice.

While under the supervision of the Fourth Assistant, the cost of handling undelivered mail had been reduced approximately $100,000 per annum, although a vast additional amount of fourth-class or parcel-post mail appeared for treatment.

After the preliminary improved methods had been adopted it was apparent that this function was coincident with the treatment of mailable matter in post offices, and the division, in its improved condition, was transferred to the Bureau of the First Assistant.

At about the same time the Division of Equipment, including the mail-bag repair shops and the mail-lock shops—then under the supervision of the Bureau of the Second Assistant Postmaster General—was transferred to this bureau, because it was recognized that its functions included mechanical operations and the distribution of the product thereof, a character of work similar to the receipt and distribution of supplies, as performed in the Division of Supplies.

Here, again, deplorable sanitary conditions prevailed in the workshops, concerning which health authorities had complained for years. The mail-lock shops were consolidated with the mail-bag repair shops in a building unfitted for mechanical operations, but, nevertheless, the best that could be had under the circumstances, the Government being under contract to continue the rental of the building in which the mail-bag repair shops were located at an exorbitant figure—$32,000 per annum. In this building the working conditions were such that the employees engaged in the repair of mail bags were compelled to wear dust-protecting devices, and there was continual complaint of the effect of filth and dust upon the health of the working personnel. Forthwith, such improvement as was possible in a poorly designed structure was made. Cleaning devices were installed, so that every mail container sent to the workroom for repairs had as much of the dirt and dust removed therefrom as was possible. Ventilators and fans were provided to remove whatever dust and impure air accumulated.

Nevertheless, the efficiency of operation and the continued care and precaution required to prevent disease were so burdensome that this department was compelled to call upon the office of the Supervising Architect of the Treasury Department for an estimate for the construction of a modern shop building, which when received indicated that the building alone would cost in the neighborhood of $400,000. Whereupon the Postmaster General sought relief from the Congress, and an appropriation of $200,000 was provided with which to purchase the land and erect thereon a factory building, and to-day at the corner of Fifth and W Streets NE. there has been erected a steel and concrete manufacturing establishment second to none in the city of Washington—fireproof and sanitary, thoroughly lighted and ventilated, in which, on two shifts of eight hours each, the Post Office Department is manufacturing and repairing almost all of the mail-bag and mail-lock equipment, and also many other items of equipment, used in the Postal Service, and doing so at less cost than it had been possible to produce the same through contract with individuals, firms, or corporations, although the department operates, according to congressional enactment, strictly within an eight-hour day, usual holidays and disability leave, and no child labor, which features are not incident and therefore not expensive to the cost of operation in commercial enterprises.

The improved efficiency of the employees has warranted an increase in salary from 25 to 50 per cent since 1913, and nevertheless the cost of manufacturing and repairing sacks and pouches during the present year is less than it was during 1914.

In that year 88,184 sacks were repaired per month at a unit cost of 7.7 cents, as compared with 232,642 sacks repaired in a single month now at a unit cost of 7.4 cents. While 19,994 pouches were repaired per month in 1914 at an average unit cost of 13.4 cents, there are now approximately 14,184 pouches repaired at a unit cost of 11.2 cents, and this notwithstanding the fact that on July 1, 1919, not a single employee of the equipment section of the Division of Equipment and Supplies will receive less than $3 per day minimum wage, it being understood that this applies to the employee who has had at least one year's experience on the duties to which such employee may be assigned.

It is worthy of mention that during the year 1918, when the department was unable to secure a reasonable proposal for the manufacture of mail bags on account of conditions incident to the war, that 472,350 No. 1, class A, mail sacks were completed, at a unit cost of 18.9 cents for labor, material, and all overhead expenses, as compared with the lowest proposal tentatively submitted by a manufacturer for making this style of sack at 33.9 cents, or a saving of 15 cents per sack to the Government, an aggregate of $70,852.50 on this one small lot of mail containers alone.

Naturally, the character of mail matter has been changed, to a larger extent than is apparent to the casual observer, for with the introduction of parcel post two or three pieces of mail will fill an ordinary mail container, whereas formerly thousands of pieces of letter mail could be carried in a single mail sack. It is, therefore, obvious that a vast increase in the number of pieces of mail equipment is necessary. Through the careful selection of lighter canvas it was possible for the department to bring about large savings of money, with no loss to the serviceability of the mail-bag equipment. An instance which is typical or representative of this saving can be given with reference to the 472,350 mail sacks, mention of which is made above. These mail sacks were constructed of light-weight canvas, at a cost of $712,922.97. For the same number of sacks made out of heavy canvas it would have cost the department an additional sum of $174,769.50.

Furthermore, it was quite apparent that a vast number of mail containers are used only during the holiday season, a period of about six weeks in the months of November and December each year, and not used during the remaining 10½ months of the year. Under such conditions it was evident that a light-weight, medium-priced mail bag would be equally as servicable as the heavier, more expensive equipment. And upon this assumption thousands and thousands of dollars have been saved to the taxpayer.

While interested in the improvement in production and concerned with the increased necessity for the distribution of larger number of mail containers and the safety devices used thereon, at the same time the Postal Service was using approximately 2,400 canceling machines, which devices were designed to impress a date and cancel the postage stamps attached to mailable matter. Of this number 1,960 were rented from two or three producers who held patents upon various parts of the machines, and the rental amounted to $300,000 per annum. Proposals were submitted to the owners of these devices to purchase the same, and in accordance therewith prices for the highest grade product, ranging from $575 to $1,100, were received. Upon the expiration of the lease or rental agreements of the machines the appropriation provided for such lease or rental was used for the purchase of the machines, and to-day there is not a single canceling machine in the Postal Service leased or rented, and the cost of operation of the same number of units as were formerly in the service, at over $300,000 per annum, does not exceed $50,000, a net saving of $250,000 per year. With this sum the department is now extending the introduction of these devices to hundreds of offices that have heretofore been compelled to use the slow and inefficient hand-canceling method, and it is anticipated that in the near future every postal establishment above the fourth class will be provided with a mechanical canceling device that will improve the efficiency of operation in such offices and will be operated at an expense not to exceed $100,000 per year.

The cost system introduced since 1913 as a part of the modern shop practice in effect in the equipment branch is as accurate and complete as that in use by any enterprise anywhere, and careful inspection and criticism of the same is invited by anyone at any time.

In this division many new mechanical and labor-saving devices have been approved and perfected. A uniform rural letter box was designed. It is interesting to note that patrons of the Rural Delivery Service have expended in the neighborhood of $50,000,000 for letter boxes, and realizing that many of these devices were sold and distributed at exorbitant prices, the department designed a uniform type, and those that are now distributed to the rural patrons are all subject to the approval of the department, such approval including in addition to the material used in the same the cost or the price at which it is sold to the public. Thus, in a small way, the department endeavors to protect the patron in the quality of instrument purchased and in the reasonable cost to him of the same. Nearly 1,000,000 mail locks, lighter in weight, smaller in size, and far more efficient in service, have been designed and placed in use. Where formerly possibly more than 40,000 locks were returned annually, less than 2,000 now appear. The cost of repairs has been reduced to a nominal figure, while the cost of manufacture of each lock has been reduced from 18 cents to less than 8 cents. At the same time, to provide greater security in the transportation of mail matter, a lock cord fastener is now being experimented with which will still further reduce the cost of the construction of cord fasteners, and provide greater safety to the mailable matter within the container to which they are attached.

In 1910 the Postal Service used 84 carloads, or 2,520,000 pounds, of twine. To-day, with more than double the amount of mailable matter, including the vast increase due to the parcel post, the Postal Service consumed but 70 carloads of twine, or about 2,100,000 pounds, a net reduction in the quantity of twine consumed of nearly one-half million pounds per annum. This conservation in the use of twine followed an intensive campaign to impress upon postal employees the necessity for careful saving and reuse of every possible pound thereof.

Notwithstanding the distribution of 2,000,000 pounds of twine, as well as vastly increased quantities of necessary supplies and equipment essential to the successful operation of the Postal Service, there has been no substantial increase in the cost of such distribution, owing to the establishment of specified distributing offices where supplies and equipment are shipped in large case and freight lots, and thence distributed on short hauls to postal establishments dependent upon the central supply offices for their requirements. The economy in such a system must be apparent to everybody. The system is now in effect in 37 States and Territories and is rapidly being extended to the remaining States.

These improvements in method and increased efficiency in the detail of operation are only minor when compared with the larger field of activity in which this bureau has endeavored to serve the public on the principle that the postal administration should provide the maximum of service to the people at the minimum of expense to the taxpayer.

Since the year 1914, 4,986,079 additional patrons in rural territory who had never had adequate mail facilities are now supplied therewith, at an additional expense of but $500,000 appropriated in the year 1914, and not one single dollar since. At the same time the appropriation for increased compensation of the employees engaged in the collection and delivery of mail on rural routes has increased from $47,000,000 to $68,800,000. The number of pieces of mail handled annually has increased from 3,093,350,334 in 1913 to 3,870,068,064 in 1919, or an increase of 776,717,730 pieces. The average length of the rural routes on March 4, 1913, was 24.22 miles, while to-day they are but 25.82, or 1.6 miles longer. This is true, notwithstanding the fact that 833 routes, known as motor rural routes of 50 miles or greater in length, have been established where the use of a motor vehicle, with reasonable regularity throughout the year, is assured.

On March 4, 1913, over 2,600 petitions for the establishment and extension of rural routes had been pending for several years in the department. Nevertheless, before July 1, 1913, this number had been reduced to 834 and to-day the total number of petitions for establishment or extension of service pending in this department does not exceed 368, and not one of them has been here a period of one year.

A careful survey, based upon a report of the Bureau of the Census for 1910, disclosed that the rural population of the United States was about 52,000,000, and that, of this number, approximately 28,200,000 are domiciled on or adjacent to rural routes, 2,000,000 reside in the vicinity of star contract mail routes, and that about 13,000,000 are provided with mail facilities at third and fourth class post offices. Consequently, there are approximately 1,000,000 families in rural territory who are not provided with adequate mail service.

It has been and will continue to be the desire of this department to extend mail facilities to these pioneers of national development at reasonable cost. It is but natural that such extension would be far more expensive than the average cost of prevailing service, for in 1913 the cost of Rural Delivery Service per person was $1.97, and, notwithstanding the increase of $20,000,000 in compensation to carriers employed in this service, or approximately 50 per cent, the cost per patron had been reduced to $1.913 in 1918. However, it is certain that a vast improvement in the extension of mail facilities to a large proportion of the rural population not now provided with the same could be accomplished through the improvement of the highways and the efficient use of the same in the transportation of largely increased quantities of mailable matter.

It is evident that the successful, profitable operation of rural delivery is dependent upon the character of the highway over which the operation is performed, and this department is deeply concerned in the construction and improvement of the highways, not only because of the possible financial return and economy of operation that would be apparent, but also because it would permit the extension of mail service to all possible postal patrons. This will explain the activity and interest of the department in the improvement of the highways, for in 1913 there was available in the postal appropriation $500,000 to be expended in cooperation with the several States for experiments in the construction and improvement of highways, and through the application of this small appropriation and the further activity and interest of this department there is to-day available for the next three years the sum of $200,000,000, which will aid very materially, when a similar sum has been provided by the States for this purpose, in the extension and improvement of new and additional mail facilities to the farmer producer, who may then overcome the difference in the amount of parcel post mail matter which averages six pieces per route per day delivered into rural territory, as over against one piece per route per day transported from country to city patrons. Furthermore, through such improvement of the highways and the use thereof in the transportation of foodstuffs it would be possible to convey over good roads an average of not less than 1,800 pounds per day, as compared with the present 24 pounds conveyed per route per day, and thus the highways, the efficient use thereof, and the Postal Service may become a tremendous factor in the substantial reduction of the cost of living.

The transportation of mail in bulk from supply offices located on rail or water transportation to offices in the interior has vastly increased in the last six years, and new methods of operation were necessary to accommodate the great quantity of parcel post that appeared for conveyance. At Vernal, Utah, a bank building was wholly constructed from materials transported by parcel post. Everywhere in the West great quantities of material appeared for mailing because the postal means of communication were all that were available in the development of tremendous areas. Consequently the department organized the plan to advertise for the carriage of first and second class mail and perishable parcel post at a flat rate per annum on a fast schedule and the conveyance of third-class and ordinary parcel-post mail on a slower schedule at pound rates. This plan enabled the department to secure reasonable proposals for the service required, and effected the saving of $500,000 during the fiscal year 1915 for the Government.

During the year 1917 the department was authorized to advertise for contracts that would require the exclusive use of motor vehicles in the transportation of mail on star routes. This marked one of the most progressive advances in postal activity, for mail is not only delivered earlier than would otherwise be possible to a large number of post offices located on branch railroad lines but to offices from which rural routes emanated, and thus the mail from cities is delivered 24 to 48 hours earlier than formerly, with corresponding advantages in the dispatch of outgoing mail.

Within the last few years many advertisements for service on star routes required the contractor to make box delivery and collection service, sell stamps, and provide money-order and registry facilities to patrons domiciled on the roads covered by the routes. These additional facilities have been provided at no substantial increased expense, and have resulted in convenience to thousands of patrons, almost all of whom are remote from other postal conveniences.

A new function known as village delivery has been authorized since 1913, and at the close of that year 101 post offices had been supplied with this apparently desirable service. A total of 126 carriers were employed at an average annual compensation of $625 each. On July 1, 1919, the service will be in operation at 570 offices, with 832 carriers employed at an average annual compensation of $783 each. The entire departmental office force used to establish and conduct this service consists of one clerk and a stenographer.

This bureau believes that its record for accomplishment warrants the privilege of administrative discretion in the establishment of rural routes from 36 miles in length to 50 miles in length where at present it is impossible, on account of legislative restrictions, to provide routes of that length. The motor vehicle has revolutionized the means of conveyance everywhere, and its value should not be curtailed in its application to problems of transportation in the Postal Service any more than it is in its usefulness in the commercial world.

JAS. I. BLAKSLEE, *Fourth Assistant.*

The SPEAKER. The Chair recognizes the gentleman from Minnesota [Mr. NEWTON] for 20 minutes.

Mr. NEWTON of Minnesota. Mr. Speaker, immediately following the adjournment of Congress I spent several weeks in France, Belgium, and Germany going over the war-swept areas of France and Belgium. It was my privilege to visit the battle fields, including the area around Chateau-Thierry, including a little wood near there known as Belleau Wood, made forever famous by the valiant fighting of the Fifth and Sixth Marine Regiments. I followed the pathway of the glorious Rainbow Division, representing, as it did, 26 of the States of our Union, including a Minnesota regiment—the One hundred and fifty-first Field Artillery. I saw where it pounded its way through the German lines into the St. Mihiel salient. Then I traveled through the scene of the great Meuse-Argonne conflict, the greatest of American battles, where over 26,000 American soldiers paid the last supreme measure of devotion and countless other thousands added new luster to American arms.

Among these valiant men in these various conflicts were many young men from my own city—the city of Minneapolis. Early in the spring of 1917 the high schools and the State University in my city furnished 600 of their young men, eager to be the "first to fight." They joined the Marine Corps. Others joined our efficient National Guard regiments or went into the Regular Army, while still more, accepting their country's call, went in to swell the ranks of the great National Army. Here and there I visited the battle-field cemeteries where rested the fallen.

On my return, in speaking before the Marine Fathers' Association of Minneapolis, telling them somewhat of my experiences, at the close of my talk I was asked, as a Member of Congress, to use my best efforts to find out who was responsible for the consideration, sympathy, and undue favor shown to so-called conscientious objectors. The one making the request had a son in the service. He voiced the sentiments of not only every father and mother there present but of every parent whose son had willingly responded to the call of country. He also voiced the sentiments of numerous men in the service who could not understand the policy of the Government toward the man who would not fight.

From the fall of 1917 until the present time everyone has known that numerous conscienceless objectors, consisting of pro-Germans, I. W. W., political Socialists, and cowardly slackers, were being exempted from all military service; that they were being shown special consideration in the camps, and were not being held to obey military law or to submit to military discipline. These were not mere idle rumors, for practically everyone with friends in the various camps knew these conditions to be true. There was in the minds of many a pressing inquiry as to who was responsible. Was it Congress? No; it was not Congress. The selective-service law, passed on May 18, 1917, contained this provision:

(i) Any person who is found by such local board to be a member of any well-recognized religious sect or organization organized and existing May 18, 1917, and whose then existing creed or principles forbid its members to participate in war in any form, and whose religious convictions are against war or participation therein in accordance with the creed or principles of said religious organization.—Any such person upon presentation to such local board at any time within 10 days after the filing of a claim for discharge by or in respect of such person, of an affidavit made by such person stating that he is a member in good faith and in good standing of a well-recognized religious sect or organization (giving the name thereof) organized and existing May 18, 1917, and whose then existing creed or principles forbid its members to participate in war in any form, and that his religious convictions are against war or participation therein in accordance with the creed or principles of said religious organization. And upon the presentation to such local board of an affidavit made by the clerk or minister of the well-recognized religious sect or organiza-

tion to which such person claiming exemption is a member, stating that said person is a member of said religious sect or organization, which was well recognized and was organized and existing May 18, 1917, and that the then existing creed or principles of said religious sect or organization forbid its members to participate in war in any form; and upon presentation by affidavits of such other evidence as may be required in the opinion of the local board to substantiate the claim of any such person.

Said act of Congress provides, section 3:

But no person so exempted shall be exempted from service in any capacity that the President shall declare to be noncombatant.

In case any such person substantiates, in the opinion of the local board, his claim, such local board shall issue a certificate stating that such person shall not be required or compelled to serve in any capacity except in some capacity declared by the President to be noncombatant.

Note, to be exempt from combatant service he must personally have religious convictions against war. Those convictions must be in accordance with the then existing creed of a religious organization and of which he must have been a member. Failing in any one of these particulars, exemption could not be given. The individual with mere conscientious scruples against war was not exempt. The individual with conscientious religious scruples against war must serve. The only exemption was to a member of a religious organization with an existing creed against war which he believed in and subscribed to, and even in that event persons were exempt from combatant service only. Congress in that way tried to prevent the law from exempting only those who by long religious training and association had conscientious convictions against war.

This remained the law throughout the war. The exemption proviso framed by Congress did not include the pro-German, the I. W. W., the political Socialist, or cowardly slacker. This was the expression of Congress upon the subject.

Congress, then, was not responsible. Was it the draft boards? No.

The selective-service regulations further safeguarded the law by providing for the filing of affidavits with the draft board and the issuance by the board of a certificate exempting the person certified thereon from combatant service only. The draftee had to report at the camp and await his assignment by military authorities to noncombatant service. On the whole, the draft boards conscientiously carried out the law and the regulations to the very letter. In my district and, as I am advised, throughout the country they were made up of patriotic, high-grade men, who performed their duties well.

My investigation disclosed that the responsiblity was not with Congress nor with the draft boards, but rested entirely upon the War Department. I propose now to demonstrate this by documentary evidence of the department itself.

First. The Secretary of War issued his order setting aside the selective-draft act relating to conscientious objectors and enlarging the exemption clause, thereby permitting the I. W. W., the pro-German, the political Socialist, and cowardly slacker to evade military service, both combatant and noncombatant.

Second. The War Department, through the Secretary, supplied information to and cooperated with an organization formed to enable men to evade the draft.

Third. It issued orders to the various cantonment commanders kindly, considerately, and specially to treat and deal with the so-called conscientious objectors, going so far as to engage sympathetic men to travel about the country at the expense of the Government to see to it that such treatment was in fact accorded.

Fourth. These orders were issued covertly, accompanied by instructions enjoining secrecy.

As to the first proposition: On December 10, 1917, the Secretary issued his order directing "that personal scruples against war" should be considered as constituting "conscientious objections."

Note carefully the language of the order given:

[Confidential.]

DECEMBER 19, 1917.

From: The Adjutant General of the Army.
To: The commanding generals of all National Army and National Guard camps except Camp Grant.
Subject: Conscientious objectors.

1. The Secretary of War directs that until further instructions on the subject are issued "personal scruples against war" should be considered as constituting "conscientious objections" and such persons should be treated in the same manner as other "conscientious objectors" under the instructions contained in confidential letter from this office dated October 10, 1917.

2. Under no circumstances should these instructions be communicated to the newspapers.

H. G. LEARNARD,
Adjutant General.

Here was a deliberate change and enlargement of the exemption proviso in palpable violation of law and by the exercise of authority which the Secretary did not possess. What right had the Secretary of War to legislate? What power did he possess to amend an act of Congress? Under the term "personal scruples" the I. W. W., pro-German, political Socialist, and cowardly slacker sought and obtained exemption. The I. W. W. could qualify thereunder, for he had scruples against war and certainly they were personal. The pro-German could qualify, for personally he loved Germany better than America, and he had scruples against waging war against Germany. His reasons were personal. The same would apply to certain political Socialists and slackers seeking exemption. Their reasons also were "personal" and they "scrupled" against making war on behalf of any country, many of them despising the institutions of their own country. This change was made advisedly. I call attention to the memorandum of the Secretary of War to the General Staff bearing date December 8, 1918:

The so-called conscientious objectors present a novel problem in military administration. To some extent the novelty and difficulty of this problem was recognized by the Congress, which made express provision for a part of the general class. However, when the law came to be administered it was found that only certain varieties of religious experience had been adequately provided for, and that other varieties of religious obligation and the whole class of conscientious objection based upon ethical considerations and not directly associated with formal religious beliefs was unprovided for. The President, as Commander in Chief of the Army, thereupon laid down a definite policy for the administration of the law, and the discipline of those called to the service who were affected by any of these forms of conscientious objection not specifically included within the limits of the statute.

This order constitutes a perversion of the Federal statute. Congress did not make provision for a part only of a general class, but in accurate and certain terms defined the class of persons to be considered conscientious objectors. And by careful reservations and restrictions eliminated the very persons included in the Secretary's order. In other words, the Secretary of War, as the administrative officer, did not confine himself to an application of the act of Congress, but treated the act as an elastic thing to be stretched by him to cover such persons as in his judgment should have been included by the Congress.

One variety of conscientious objector was not enough for the Secretary of War. He would add thereto; he would change and amend the act of Congress so as to include Heinz's 57 varieties of conscientious objectors. Thus what was made certain by law was made uncertain by executive mandate. The observation of the Secretary that Congress did not make "provision for" is literally accurate, but it did make provision against the hypocritical slacker who sought to evade military service.

As to the substantiation of the charge that the War Department supplied information to and cooperated with the enemies of the selective-service law, I quote from the letter of May 19, 1918, of the Third Assistant Secretary of War, Mr. Keppel, to the director of the Civil Liberties Bureau, the material portion of which is as follows:

I have had a talk with the Secretary of War with reference to the question which you raised, and I have also consulted some of his military associates, and we have all come to the conclusion that under the circumstances it would not be in the public interest for us to continue to supply information pursuant to your request or otherwise to cooperate in any way with the Civil Liberties Bureau.

In other words, the War Department admits "cooperating with" and having supplied "information to" a bureau whose leader was later convicted of attempting to get others to evade the draft. They admit supplying this information. [Applause.] They admit cooperating with this bureau. The Military Intelligence Division of their own department had knowledge of this information, with which knowledge the entire department must be charged.

Mr. HAYDEN. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Minnesota yield to the gentleman from Arizona?

Mr. NEWTON of Minnesota. I do.

Mr. HAYDEN. The gentleman has just read a quotation from Assistant Secretary Keppel. I wish he would read the rest of the statement, which I have before me.

Mr. NEWTON of Minnesota. I have only a part of the letter. I have no objection to adding the other part. I was going to cover it in another portion of my address.

Mr. HAYDEN. He says:

At the present time the activities of this bureau——

Mr. NEWTON of Minnesota. Mr. Speaker, I prefer not to yield for more than a question. I will read the balance of the statement, as follows:

I have before me a memorandum from the Military Intelligence Bureau which gives in detail evidence of the activities of the bureau which seem to justify this decision and of which I had not previously known.

A Roger Baldwin was one of the leading spirits in this so-called liberty bureau. Mr. Baldwin is now serving time for obstructing the draft. He was a so-called conscientious objector and espoused the cause of all so-called conscientious objectors, and for his conduct in so doing he was tried, convicted, and sentenced to a year in prison, and while in

prison he so badly conducted himself that he had to be transferred to another place and must serve the full length of his sentence without any deduction for good behavior. And yet our Secretary of War "cooperated" with this man and the bureau with which he was identified and supplied Baldwin and the bureau with information, and that information was such that finally out of deference to public sentiment they were compelled to discontinue it.

It will not do to offer as an excuse that the department withdrew its cooperation when it ascertained the character of the organization. It was its imperative duty not to disclose valuable military information or to give assistance to any organization until it did know and know definitely that it was worthy of such aid and assistance.

Mr. BEE. Will the gentleman yield?

Mr. NEWTON of Minnesota. How much time have I remaining, Mr. Speaker?

The SPEAKER. Five minutes.

Mr. NEWTON of Minnesota. I am afraid I can not yield.

Mr. BEE. I want to ask the gentleman one question in that connection.

Mr. NEWTON of Minnesota. I may have time at the close of my remarks, and if so I will be very glad to yield.

As to the third proposition, I quote from the following order of the Secretary of War commanding that kindly and special consideration be given these men:

[Confidential.]

EXHIBIT G.

OCTOBER 10, 1917.

From: The Adjutant General of the Army.
To: The commanding generals of all National Army and National Guard division camps.
Subject: Conscientious objectors.

1. The Secretary of War directs that you be instructed to segregate the conscientious objectors in their divisions and to place them under supervision of instructors who shall be specially selected with a view of insuring that these men will be handled with tact and consideration and that their questions will be answered fully and frankly.

2. With reference to their attitude of objecting to military service these men are not to be treated as violating military laws, thereby subjecting themselves to the penalties of the Articles of War, but their attitude in this respect will be quietly ignored and they will be treated with kindly consideration. Attention in this connection is invited to a case where a number of conscientious objectors in one of our divisions, when treated in this manner, renounced their original objections to military service and voluntarily offered to give their best efforts to the service of the United States as soldiers.

3. It is desired that after the procedure above indicated shall have been followed for a sufficient length of time to afford opportunity to judge of the results derived from it, a report of the action taken and the results obtained under these instructions be submitted to the War Department by each division commander. As a result of the consideration of all these reports further instructions will be issued by the Secretary of War as to the policy to be observed in future in the case of conscientious objectors.

4. Under no circumstances are the instructions contained in the foregoing to be given to the newspapers.

H. G. LEARNARD,
Adjutant General.

This order needs no comment.

I quote further from the letter of the Secretary of War bearing date of June 1, 1918:

If, however, any drafted man, upon his arrival at camp, either through the presentation of a certificate from his local board or by written statement addressed by himself to the commanding officer, shall record himself as a conscientious objector, he shall not, against his will, be required to wear a uniform or to bear arms; nor if, pending the final decision as to his status, he shall decline to perform, under military direction, duties which he states to be contrary to the dictates of his conscience, shall he receive punitive treatment for such conduct.

Is it not extending undue consideration, is it not disgusting coddling, to permit a soldier to fix his status in the Army by an unsworn statement that "I object"?

Even this was insufficient for this zealous and sympathetic friend of the so-called conscientious objector. Following the issuance of these orders a special board, consisting of a military officer and two civilians, was appointed to visit the camps and to see that this special consideration was being uniformly given these men. Moreover, in violation of the letter and spirit of the law, men who refused noncombatant service were furloughed to work on the farm; and for fear that the farmer would mistreat this citizen, additional help was employed for the purpose of protecting this governmental favorite against the farmer's exploitation. I quote from a letter of the Third Assistant Secretary of War to the Secretary of War, bearing date June 13, 1919:

In placing men that enjoy the cooperation of the Department of Agriculture we engage a special commissioner to look after the details of their assignment and to see, on the one hand, that they perform their duty efficiently, and, on the other hand, that they are not exploited.

Would that the department had shown one part of the consideration for the fighting men who unwittingly transgressed military laws and regulations that they did for the so-called conscientious objector! [Applause.]

Would an unsworn statement bearing upon punishment proposed to be inflicted upon a real soldier—a fighting man—have established a controlling fact to his advantage? If recent disclosures as to the administration of military justice are to be believed, his sworn statement received only too scant and too meager consideration.

As to the fourth proposition, that of secrecy, you will note that the letters concluded with this significant language:

Under no circumstances should these instructions be given to the newspapers.

I wonder if this injunction against letting the people know what was transpiring was prompted by fear of public condemnation and disapproval.

What was the result of this course of catering and coddling? Maj. Frank S. White, jr., camp judge advocate at Camp Funston, a resident of Birmingham, Ala., in a public interview, said:

Camp Funston was selected as a dumping ground for the segregation of a large number of these so-called conscientious objectors. The military authorities had no trouble whatever in dealing with those having religious scruples against engaging in combatant service. They all readily accepted such noncombatant service as was assigned to them.

There was, however, a large number of alleged conscientious objectors, who, when selected under the draft act, made no claim that they had religious scruples against fighting, but pretended to have conscientious objections based upon the view of the obligations which they owed to the country.

MOSTLY FOREIGN RADICALS.

They were composed in the main of German, Austrian, Russian Socialists, and I. W. W., who openly denied the right of the United States to induct them into the military service, some of whom had endeavored to get commissions in the Army and after having failed to do so, when drafted, conveniently found themselves opposed to engaging in military service, and then, when ordered to perform noncombatant duty, openly declared that they owed this country no duty, refused to obey any order from a military source, thereby defying the military arm of the Government.

These men had conspired together and refused to obey the lawful commands of a superior officer to wear the uniform of the United States Army or to take a rake and rake up hay and load it on a wagon; or to police up around their own quarters. Charges had been preferred against them for violation of the sixty-fourth article of war, and they were in confinement in the provost guardhouse awaiting trial or result of trial by general court-martial.

DID NOT BELIEVE IN DEITY.

The selective-service law exempted from combatant service all persons who because of religious belief claimed exemption from military service, but no person so exempted from combatant service was exempted from noncombatant service. These men did not come within the purview of the act affording exemption from military service to sincere, religious objectors. They were admittedly Socialists and proven to be pro-Germans, who did not believe in Deity, and whose aim was to spread insidious and treasonable propaganda throughout this country, and were actually caught in disseminating it in this military camp, which was subversive of all discipline and destructive of the morale of our Army.

The act referred to was never intended, as the War Department interpreted it, to extend exemption to men such as those, who were nothing less than slackers and cowards or pro-Germans. If men of this character were not dealt with promptly and vigorously the whole principle of universal service would fall to the ground. These simulated objectors were confined with a large number of general prisoners and with these other prisoners, under military custom, were required to police their quarters and around their premises. This they openly and defiantly refused to do, throwing their share of the work upon the other prisoners, dissatisfying them, and setting before these other prisoners this example of disobedience and defiance of authority.

ENCOURAGED FROM OUTSIDE.

They would even refuse to march in orderly formation to and from their mess, but would straggle along as they saw fit, and when being ordered out to mess or exercise they would stand in the doorway and block it so that the guards or other persons could not pass, defying the guards and officers to move them; they refused to take exercise, baths, and keep their bodies and belongings clean and in a sanitary condition; they refused to be vaccinated or inoculated in order to safeguard themselves as well as their fellow soldiers from sickness and disease. In fact, they refused to obey and apparently took pleasure in letting it be known that they would take no part under the Military Establishment nor obey any military command whatever. In their attitude they repeatedly let it be known that they were receiving encouragement from outside sources and claiming they would be protected in their attitude by the War Department.

To illustrate their recalcitrant attitude, if the meals which were provided for them and other prisoners did not suit them they would engage in throwing the dishes, camp stools, and their mess kits around the mess hall, acting in the most mutinous and disorderly manner. When ordered to stand at attention by officers engaged in inspection duty, they would refuse to assume a proper position; in order to provoke these officers they would defiantly put their feet as far apart as possible and make grimaces at them, asking them what they were going to do about it.

In brief, Maj. White claims that as a result of the law as amended by the Secretary of War the camps were infested with I. W. W., German sympathizers, and craven cowards—men who would not fight nor even obey mere police and health regulations of the camp.

The above attitude and the acts connected therewith were the acts of the Secretary of War; but, in addition to that, by reason of the position he occupied and the fact that his attitude in this matter was known to the President, they were also the acts of the President of the United States. For in a

letter to the President bearing date July 2, 1918, the Secretary of War informed the Commander in Chief that—

We are now doing all that public opinion will stand in the interest of conscientious objectors and others whose views do not happen to coincide with those of the vast majority of their fellow countrymen.

Yes, indeed; they were doing far more than public opinion would have stood for.

Is it any wonder that the camp officers were warned not to disclose the situation to the newspapers?

Further in a letter of March 23, 1918, the President——

Mr. AYRES. Will the gentleman yield? What letter of the President does the gentleman refer to?

Mr. NEWTON of Minnesota. I refer to an Executive order.

Mr. AYRES. Has the gentleman that order?

Mr. NEWTON of Minnesota. I have. [Applause.]

Mr. AYRES. Very well. Let us hear it.

Mr. NEWTON of Minnesota. I now quote from an Executive order of the President issued on March 23, 1918:

2. Persons ordered to report for military service under the above act who have (*a*) been certified by their local boards to be members of a religious sect or organization as defined in section 4 of said act; or (*b*) who object to participating in war because of conscientious scruples but have failed to receive certificates as members of a religious sect or organization from their local board, will be assigned to noncombatant military service as defined in paragraph 1 to the extent that such persons are able to accept service as aforesaid without violation of the religious or other conscientious scruples by them in good faith entertained. Upon the promulgation of this order it shall be the duty of each division, camp, or post commander, through a tactful and considerate officer, to present to all such persons the provisions hereof with adequate explanation of the character of noncombatant service herein defined, and upon such explanations to secure acceptances of assignment to the several kinds of noncombatant service above enumerated; and whenever any person is assigned to noncombatant service by reason of his religious or other conscientious scruples, he shall be given a certificate stating the assignment and reason therefor, and such certificate shall thereafter be respected as preventing the transfer of such persons from such noncombatant to combatant service by any division, camp, post, or other commander under whom said person may thereafter be called to serve, but such certificate shall not prevent the assignment of such person to some other form of noncombatant service with his own consent. So far as may be found feasible by each division, camp, or post commander, future assignments of such persons to noncombatant military service will be restricted to the several detachments and units of the medical department in the absence of a request for assignment to some other branch of noncombatant service as defined in paragraph 1 hereof.

[Applause.]

Mr. AYRES. Will the gentleman yield?

The SPEAKER. The time of the gentleman has expired.

Mr. AYRES. Is not that the law that Congress passed?

Mr. NEWTON of Minnesota. It is not. May I have five minutes more, Mr. Speaker?

The SPEAKER. The time is in the control of the gentleman from California [Mr. NOLAN] and the gentleman from Missouri [Mr. CLARK].

Mr. NOLAN. My time has been parceled out.

The SPEAKER. The gentleman from Missouri [Mr. CLARK] has 10 minutes remaining and the gentleman from California [Mr. NOLAN] has 25 minutes remaining.

Mr. UPSHAW. May I ask the gentleman a question?

Mr. NEWTON of Minnesota. I have no time left, unless I am granted more time.

Mr. NOLAN. I have 35 minutes, Mr. Speaker, and I have no time to grant.

Mr. KITCHIN. I will yield the 10 minutes on this side to the gentleman from Arizona [Mr. HAYDEN].

Mr. HAYDEN. I shall yield three minutes to the gentleman if he will answer my questions.

Mr. NEWTON of Minnesota. That will depend on the questions.

Mr. HAYDEN. I shall yield to the gentleman three minutes of my time or I will take the floor in my own time and ask the gentleman a few questions.

The SPEAKER. The Chair assumes that the gentleman from North Carolina [Mr. KITCHIN] asks unanimous consent that the gentleman may proceed, not upon the bill before the House. Is there objection?

There was no objection.

Mr. NEWTON of Minnesota. I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. NEWTON of Minnesota. In conclusion, Mr. Speaker, it will be noted that the President after the congressional definition of conscientious objector inserts the following:

Or who objects to participating in war because of conscientious scruples.

And later on uses the expression "religious or other conscientious scruples."

The only change from the words of his Secretary is that the President uses the term "conscientious scruples" whereas the Secretary uses the term "personal scruples." Both refer to other than religious conscientious objectors. By this Executive order an act of Congress was deliberately amended and enlarged, not in furtherance of the legislative will but in direct conflict therewith. Under the proviso as changed by the Secretary of War and by the President anyone religious or atheistic, believer in a creed or disbeliever, organizationist or individual, a person with convictions against war in existence when war broke out or a person who had conceived these convictions while on his way to the draft board, were brought within this peculiar exemption.

Under the Constitution it is the duty of Congress to raise armies. In raising the Army to wage war against Germany they laid down the principle that in a country where there was equality of opportunity there was a corresponding duty upon our citizens to serve that country and to defend it against enemies, both foreign and domestic, but recognizing that there were a few individuals belonging to certain religious organizations who had subscribed to certain creeds in good faith and had conscientious convictions against shooting their fellow men even in time of war. In deference to such individuals they were exempted from service as combatants, but were expressly directed that notwithstanding these convictions they must serve in a noncombatant capacity.

Congress had determined what constituted a conscientious objector and by implication what did not. Yet the Secretary of War and the President assumed the authority to make addition to the terms "personal scruples" and "conscientious scruples" and to apply perhaps the rule of self-determination and to permit the individual to decide for himself whether or not he would serve his country. In that connection I quote from the letter of the Third Assistant Secretary of War, bearing date September 28, 1918:

To the COMMITTEE ON PUBLIC INFORMATION:

It has been the liberal American policy of according a measure of self-determination to the few who in all sincerity have not been able to adjust their minds to the needs of this sudden and desperate emergency.

There can be but one answer to the oft-repeated question as to responsibility for the policy pursued in reference to the conscientious objector. That responsibility rests upon the Secretary of War and the President of the United States. [Applause.]

Mr. HAYDEN. I desire to ask the gentleman from Minnesota if he has carefully read the statement concerning the treatment of conscientious objectors in the Army, issued by the War Department on June 18, 1919?

Mr. NEWTON of Minnesota. I have.

Mr. HAYDEN. In that statement, from which the gentleman quoted a part relative to the relations between the Third Assistant Secretary of War, Mr. Keppel, and the so-called Civil Liberties Bureau, is a letter in which the statement is made that the War Department would have nothing further to do with that bureau.

Mr. NEWTON of Minnesota. Yes.

Mr. HAYDEN. The reason for that statement was, as I am reliably informed, that at the beginning of the activities of this self-constituted Civil Liberties Bureau the War Department was not aware of the character of the work that the men who controlled it were carrying on. After having discovered the pernicious nature of their activities, as exposed by the Military Intelligence Service, under date of September 11, 1918, this letter was written by the Third Assistant Secretary of War to the chairman and directors of the Civil Liberties Bureau:

You and Baldwin—

That is the same Baldwin to whom the gentleman from Minnesota referred—

are aware of the position of the department with reference to dealing with the National Civil Liberties Bureau. When you two and Mr. Codman called upon the Secretary and were referred to me you called as individuals and were assured that the matters to which you referred would have careful attention. They have had, and are having such attention. I can only repeat to you personally what I told you then, that *in my judgment the activities of the Civil Liberties Bureau as such at the present time are a distinct hindrance and in no way a help in carrying these matters to a satisfactory conclusion.*

This is the letter, printed on the same page of the statement of the War Department from which the gentleman from Minnesota obtained the first reference to the Civil Liberties Bureau which he read, but which he did not see fit to also read to the House.

And it was for the reasons given in Mr. Keppel's letter that the War Department refused to have anything further to do with the Civil Liberties Bureau. [Applause.]

Mr. NEWTON of Minnesota. Will the gentleman deny, then, that they did furnish information to this bureau and that they did cooperate with this bureau?

Mr. HAYDEN. Just as the War Department would deal with any other individual in the United States who asked for information, and the department did so until the Secretary of War ascertained the harmful character of their work. Then he promptly and properly declined to furnish them any further information.

Mr. NEWTON of Minnesota. Will the gentleman affirm that it was not the business of the War Department first to find out what this bureau was about before they furnished them information and cooperated with them? [Applause.]

Mr. HAYDEN. It was not the province of the War Department to presume that any group of American citizens were disloyal until some proof was presented to that effect. When the Military Intelligence Service submitted evidence that the Civil Liberties Bureau was obstructing the operations of the draft law the Secretary of War at once acted to prevent the officers of that bureau from obtaining any further information from his department. The letter that the gentleman has read and the letter that I have read both demonstrate the truth of what I have said.

When complaint was made to the War Department that conscientious objectors were not receiving proper consideration in the camps, when the charge was made that they were receiving brutal treatment, when such complaints and charges, whether true or not, were brought to the attention of the War Department, it was the duty of the Secretary, of course, to find out the facts and advise the party complaining of the result of the investigations. This so-called Civil Liberties Bureau organized itself for that purpose; its ostensible object was to see that no citizen was unlawfully deprived of his civil rights. At the beginning those who formed this organization seemed to be acting on the square and not attempting to interfere with the draft law. The department at first cooperated with them; but as soon as the Secretary discovered the real nature of their efforts this relation at once ceased.

The gentleman from Minnesota also pointed out the fact that a certain order of the War Department directed the various camp commanders not to give newspaper publicity to the instructions contained therein that conscientious objectors should be segregated and treated with tact and consideration. The Secretary of War then had in mind the appointment of a commission whose duty it would be to visit all of the Army camps in the United States and to investigate the sincerity of the claims of all conscientious objectors. The reason for that injunction against publicity was not to protect the objectors but to protect the Army.

If the War Department had widely advertised the order directing the segregation of conscientious objectors and their humane treatment and had publicly announced that a commission was to be appointed to visit the various camps and ascertain whether such objectors were sincere, the result would have been that many drafted men who were seeking an excuse to evade military service would have claimed exemption on the ground of conscientious objection to war. It would have been nothing more than an invitation to slackers and cowards to declare themselves. In order to avoid that very thing, to keep that information from those who had no stomach for the war, the Secretary directed that no newspaper publicity be given. [Applause.] That was but common sense. Such secrecy could be of no possible advantage to the conscientious objectors. Why the War Department should be criticized for so wise a policy is beyond my understanding.

Mr. TINCHER. Will the gentleman yield?

Mr. HAYDEN. Yes.

Mr. TINCHER. Does the gentleman contend that the Secretary of War did not go beyond the act of Congress in extending the meaning of the words "conscientious objector"?

Mr. HAYDEN. The President of the United States as the Commander in Chief had an undoubted right to say what should be done with any soldier in the Army. If any drafted individual claimed exemption on the ground that he did not believe in war, that it was against his concept of religion, the President, acting through the Secretary of War, had the right to deal with him in a just and humane manner. In carrying out the policy of testing the sincerity of individual conscientious objectors who were not members of any well-recognized religious sect the Secretary of War acted clearly within the authority granted him by law.

Mr. TINCHER. Then what was the use of defining a conscientious objector in the law?

Mr. CONNALLY. Is it not a fact that the question was whether a conscientious objector was absolutely exempt from the draft, whereas the regulation made by the Secretary of War was not an exemption from the draft but to determine the character of the service?

Mr. HAYDEN. No; under the selective-draft law it was a question whether he was a member of a well-recognized religious sect whose creed forbid its members to participate in war; and if so, he could not be compelled to do combatant service. Actual experience demonstrated that there were a number of sincerely religious men who were not members of a recognized church and yet were undoubtedly conscientious in their opposition to war. If the religious convictions of such a man who claimed his spiritual authority from the divine command "Thou shalt not kill" were found to be honest and sincere, why should he not receive the same treatment as the member of a recognized sect? In my opinion the Secretary of War did right by giving such religious fanatics the same treatment as was granted to other conscientious objectors.

In this report which I hold in my hand, submitted by the Secretary of War on June 18, 1919, the whole question of the treatment of conscientious objectors is discussed in great detail. Every law, every order, every regulation, everything that was done, all the statistics relating to conscientious objectors are to be found in this report. The report shows that there were 64,693 claims for noncombatant classification, of which 56,830 were recognized as valid by the local boards. Of the last number, 20,873 were actually inducted into service, every one of whom went to the cantonments with a certificate in his pocket that he should be recognized as a sincere conscientious objector and not compelled to do any actual fighting. But when these men arrived in camp and learned what the war was about, learned what patriotism really meant, when they saw thousands of others cheerfully preparing themselves to perform their highest duty, four-fifths of them forgot their religious or other fanatical notions and became willing soldiers ready for any service. The actual figures are that but 3,989, or less than one out of every five, made any claim in camp for exemption from any form of military service.

The board of inquiry appointed by the Secretary of War to investigate the sincerity of conscientious objectors, therefore, had a little less than 4,000 cases to consider. That board consisted of Maj. Richard C. Stoddard, of the Judge Advocate General's office, Julian W. Mack, a Federal judge, and H. F. Stone, dean of the Columbia University Law School. This board of inquiry gave every conscientious objector that appeared before it a fair hearing, with the result that many of them changed their minds and accepted service. The final result was that but 504 men had to be court-martialed, so that the martyr crop was small.

It is a remarkable fact that without any direct knowledge of what the other country was doing both England and the United States finally evolved practically the same method of dealing with conscientious objectors. England drafted a larger number of men into her army than did the United States, and there were 6,135 conscientious objectors in that country who refused to perform combatant service. The British military authorities promptly tried 5,596 of these by court-martial, many tales of severe and brutual treatment were told, with the result that Parliament appointed a committee, headed by Mr. Brice, undersecretary of the Home Office, to investigate conditions. This committee proceeded to test out the sincerity of the objectors. Four thousand six hundred and forty-six were found to be sincere in their convictions, leaving but 950, who were punished by confinement in prison as recalcitrants.

But little blame can attach to a patriotic soldier when he sees another man who has been called to the colors deliberately refuse to perform his full duty as a soldier. Resentment was bound to arise which would not take time to ask questions or discuss religious beliefs. His first instinct was to compel obedience by force. Wisdom therefore directed that wherever conscientious objectors were found to be sincere in their convictions the military duty which such persons should be required to perform should be determined by a civilian tribunal and not by the military authorities. England and the United States each reached the same conclusion in this matter, and both countries solved the problem in the same way.

Mr. CARTER. Will the gentleman yield?

Mr. HAYDEN. I yield to my good friend from Oklahoma.

Mr. CARTER. I have not much sympathy with the conscientious objectors.

Mr. HAYDEN. Neither have I; particularly with the anarchists, socialists, I. W. W.'s, and pro-Germans who were against this war.

Mr. CARTER. But was not one of the greatest soldiers, one of the greatest fighters that we had in the war, a conscientious objector?

Mr. HAYDEN. The gentleman refers to Sergt. Alvin York, who was given a certificate by his local board that he was a member of a church whose tenets were opposed to war. Sergt. York never presented that certificate to the military authorities, but went into the Army without objection and made a magnificent fighting record.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. HAYDEN. With pleasure.

Mr. NEWTON of Minnesota. Do I understand the gentleman and that side of the House to defend the position of the Secretary of War and the President of the United States in reference to the policy pursued toward the so-called conscientious objectors?

Mr. HAYDEN. I certainly do. The War Department acted wisely and well in handling a most difficult problem, which was unprecedented in this country, because our Government had never before attempted to draft into service nearly 3,000,000 men, many of them against their will. If brutal treatment had been handed out to these individual conscientious objectors, if they had been turned over to the military authorities and forced to do combatant service when they had a firm religious conviction against it, the Secretary of War would have made martyrs by the hundreds. Such a policy would have created popular sympathy for these objectors, there would have been a reaction in their favor, and Congress would have been compelled to take action in their behalf, just as the British Parliament did when the Brice committee was appointed.

Mr. LAGUARDIA. Was not Sergt. York a really red-blooded American and not in the class of these yellow slackers the gentleman has referred to?

Mr. HAYDEN. I classify Sergt. York with thousands of other good men who went away from their local boards with certificates of conscientious objection, but who soon saw that if America was to live Germany must be defeated.

Mr. LAGUARDIA. At least Sergt. York fought while these other fellows shirked.

Mr. HAYDEN. He and a great many other men who possessed certificates that they were entitled to exemption from combatant service went to Europe and fought the Hun to the finish.

Mr. LAGUARDIA. And I take off my hat to Sergt. York.

Mr. HAYDEN. And so do I; he has justly earned the high respect of every true American.

Mr. LAGUARDIA. The gentleman ought not to classify him with these other fellows.

Mr. HAYDEN. I do not. In conclusion, Mr. Speaker, let me express the hope that the special committee now investigating the conduct of the war against Germany will take early opportunity to thoroughly and impartially examine into the facts relative to the treatment of conscientious objectors in the Army. The American people are entitled to know the truth, and when the whole truth is made known I am satisfied that the verdict will be that the President of the United States and the Secretary of War do not deserve the censure of those who do not know, or do not want to know, the truth. [Applause.]

The SPEAKER. The time of the gentleman from Arizona has expired.

By unanimous consent Mr. HAYDEN was granted leave to revise and extend his remarks in the RECORD.

Mr. NOLAN. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. LAGUARDIA], and I ask unanimous consent that he may be permitted to speak out of order.

The SPEAKER. The gentleman from California yields 10 minutes to the gentleman from New York [Mr. LAGUARDIA], and asks unanimous consent that he may be permitted to speak out of order. Is there objection?

There was no objection.

Mr. GRIFFIN. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter that I have written to a constituent upon his appeal for clemency in behalf of conscientious objectors. I believe it to be relevant to the subject matter.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The letter referred to is as follows:

Owing to the number of letters which he has received urging his cooperation in securing the release of conscientious objectors now in confinement in the United States, Congressman ANTHONY J. GRIFFIN is of the opinion that a systematically planned propaganda is in progress.

To the letter of Mr. William L. Palmer, 453 East One hundred and sixtieth Street, which is a fair sample of the letters received, the Congressman has sent the following reply:

"DEAR SIR: Your favor of the 1st instant, expressing your solicitude for the 'immediate release of conscientious objectors' duly received. I can not join you in your anxiety, nor can I agree with you that 'it is reasonable to assume that if everyone took the position these men have taken there could be no more war.' Such a hypothesis is preposterous.

"It is utterly unthinkable that 'everyone' is likely to take the position of hostility to war. Such a possibility is only realizable in the millenium, which is still quite far distant.

BURDEN ON OTHER MAN SELFISH.

"In our present age even the most peaceably inclined must recognize the necessity for self-defense so long as powerful nations persist in huge armaments and gigantic preparations for possible aggressions upon their weaker neighbors. For any man to take the stand that the defense of his home and country should fall upon the shoulders of others, while he is permitted to pursue his usual vocation without contributing his share to the common welfare, is the most dastardly and dangerous form of egotism and selfishness.

"Such men are a menace to the land they live in, and to discharge them now, with bouquets and compliments, after 4,000,000 of the loyal and patriotic sons of America have faithfully performed their duty—200,000 of them offering up their lives—would be an unforgivable injustice.

"Your statement that 'these men have committed no crime, for it has never been established that refusing to take life is a crime,' is a quaint but nevertheless dangerous combination of sophistry and moral blindness. On the contrary, these men committed the greatest crime in the whole category of human offenses. They refused to defend their country. The latter part of your statement, that 'it has never been established that refusing to take life is a crime,' conceals the most dangerous sophistry in that it flies to the Ten Commandments for the defense of cowardice, and outvies the devil in quoting Scripture. Even the most pious and loyal of devotees of the Scriptures have never claimed that the moral law was broken by taking life to defend life. The law of self-defense is well established. No one but a coward or a crank can justly claim that he shows his devotion to religion by refusing to help prevent the destruction of his fellow citizens by a foreign power or the impairment of his country's rights and liberties.

"Yours, very truly, "ANTHONY J. GRIFFIN."

Mr. LAGUARDIA. Mr. Speaker, I want to call the attention of the House to certain remarks made in the Senate on Friday last. I refer to pages 2811 and 2814. There was a discussion in the Senate, and the result would indicate they sought to blame the House of Representatives for the present condition of the Air Service. After complaining of the present condition in the Air Service, the distinguished chairman of the Committee on Military Affairs in the Senate, when Senator FALL remarked that the department was not to be blamed for the conditions in the Air Service, said:

I interject the observation that it can hardly be said that it is the fault of the Senate.

Whereupon the papers throughout the country in editorials blamed the House of Representatives for the condition in the Air Service, owing to the cut in the appropriation. With all due respect to the distinguished chairman of the Committee on Military Affairs of the Senate, I am sure that if he blames the House Appropriations Committee for the present condition——

Mr. JOHNSON of Washington. Mr. Speaker, I rise to a point of order. The gentleman from New York in proceeding to criticize another body is out of order.

Mr. LAGUARDIA. I am not criticizing another body. I am justifying the judgment of the House.

The SPEAKER pro tempore (Mr. CAMPBELL of Kansas). The gentleman will proceed without reference to the action taken in another body.

Mr. LAGUARDIA. I wish to point out that the House appropriated $25,000,000 for the Air Service for the year 1919–20 and $25,000,000 for the Air Service of the Navy. That makes $50,000,000 in all. First, according to the estimates submitted by the Navy in respect to the way they intended spending the money, it is not possible for the Navy to spend $25,000,000 during the present fiscal year. Some of the projects for which they ask this money can not be performed within the present fiscal year. The Army has not fixed any definite program, and that is why we cut down to $25,000,000 the amount they asked—$83,000,000. They intend building a dirigible and certain planes, and the specifications and the drawings for them do not yet exist. The $25,000,000 which we appropriated for them under present existing conditions can not possibly be spent during the present fiscal year. We did cut about fourteen or fifteen million dollars that the Army wanted, with which to buy land, and that is why certain gentlemen perhaps are peeved at this time. They wanted $3,000,000 to buy a field at Dayton, Ohio. I will give you the details of that land grab in a minute. In order to sugar that they put in $980,000 to buy some land in Buffalo and $3,000,000 more to buy land in New Jersey. There is about $9,000,000 they want for land alone, and it would take $10,000,000 to put the buildings on that land. This has nothing to do with the condition of the Air Service. The land they wanted to buy in New Jersey would take at least a year before it would be in condition to be used as an aviation field or as a field for dirigibles.

Then the distinguished Senator, and I am not criticizing but merely want to point out what was said, remarked that there was some comment on the sale of $22,000,000 worth of airplanes to the Curtiss people for $2,000,000. It seems an effort is made to justify this sale, and he says the planes were no good, "that they did not want to sell them to individuals, because they would crash," and then he said the Curtiss Co.——

Mr. BANKHEAD. To what Senator does the gentleman refer?

Mr. LAGUARDIA. To the distinguished gentleman, the chairman of the Committee on Military Affairs.

Mr. CLARK of Florida. Mr. Speaker, I think the gentleman is out of order.

The SPEAKER pro tempore. The gentleman will proceed without discussing the attitude of Senators.

Mr. LAGUARDIA. I am not discussing the attitude of Senators, but I am reading from the RECORD. The RECORD shows that "the Curtiss Co. agreed to take a certain number, just as they run, and to get them out of the country," and as it appears from the RECORD of the Senate, "to let somebody else do the crashing." That statement perhaps was meant to be funny, but it is as unsportsmanlike and as unsoldierly as it is incorrect. We want to develop our aircraft industry. Surely that is no way to commence advertising our export trade.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. MONDELL. Is it not a fact that the size of the personnel of the Air Service is not affected one way or the other by the size of the special appropriation for the Air Service to which the gentleman has been referring?

Mr. LAGUARDIA. Absolutely not.

Mr. MONDELL. And that, therefore, any statement to the effect that it has been necessary to reduce the personnel of the Air Service because this particular appropriation was reduced is not correct?

Mr. LAGUARDIA. The gentleman states it exactly. I will come to that in a minute. As to the question of these planes being sent out of the country, that is not the fact, because the Curtiss people are selling a large number of these planes in this country. As to their saying it is all junk, that is not correct, because I was informed to-day they are flying those planes off the field. As to saying that somebody else could do the crashing, if it were true that somebody else was going to do the crashing we should not sell them abroad. This country's industries put a guaranty on its exports. If the planes were junk for us they would be junk for anyone else. If they would crash here they could not be sold anywhere. Even if they were they would still bring more than 10 per cent of the cost price of $22,000,000. That simply goes to show how accurate were the statements of this particular discussion.

Mr. HULINGS. Will the gentleman yield?

Mr. LAGUARDIA. Not just now. Now, as to the personnel, the Secretary testified before the committee yesterday, as did the Chief of Staff, that it is possible to transfer officers to the Air Service, to take fliers who desire to remain in the service and attach them to the Infantry and detail them to the Air Service. They have vacancies in the Infantry even if under the present ratio allowed Air Service, which is purely arbitrary, too small an allotment has been made. I hold in my hand, and which I shall insert in the RECORD, a letter under date of July 2, which shows there were 10 men in the Air Service promoted to be colonels and lieutenant colonels, only one of whom is a flying officer, and he has seen no service overseas during the war. If you are going to fill up the Air Service with favorites and relatives, regardless of the need of the service, you can not expect the best blood of this country, for such were our young fliers, to remain in the service. I charge that none of the men promoted has any special technical qualifications to carry out the work of that service, and so places are filled with high ranking officers and the technical work will necessarily have to be done by junior officers who ought to be on flying duty.

Mr. HULINGS. Will the gentleman allow me?

Mr. LAGUARDIA. Certainly.

Mr. HULINGS. I desire to ask the gentleman if he knows of any Regular Army officer who flew as a pilot?

Mr. LAGUARDIA. Oh, yes. What the gentleman wants to ask is how many Regular Army officers flew over the lines?

Mr. HULINGS. Yes.

Mr. LAGUARDIA. Gen Mitchell, who has a splendid record, and three or four others.

Mr. HULINGS. Three or four. I saw a statement that gave the appropriations made, and it stated that there was no flying force at all and only 232 officers in the service and that all of those were needed for administrative purposes. If we have no flying department, what is the need of administrative officers?

Mr. LAGUARDIA. The administrative work is the easiest of all. Anybody can do that. The technical and flying branches require special trained and picked men. If they had 232 real fliers, that would take care of several squadrons needed at this time. Now, I introduced a resolution calling upon the Air Service to render a commercial inventory of what they had. They do not know what they have got. They can not tell us how many motors they have or about how many hours those motors have been used or how much material they have on hand. At the time they sold those $22,000,000 worth of planes they did not know whether they were old or junk. That is how the sale must have gone through; they apparently did not know the condition of those planes. Somebody is responsible, and I hope to locate the responsibility.

Now, going back to the land, the Aviation Service has a field at Dayton, Ohio, known as McCook's Field. This field was owned or controlled by certain gentlemen who were in the Air Service. They leased it to the city of Dayton, which in turn leased it to the Air Service. The Government spent millions of dollars on this ground improving it, and now these same gentlemen are anxious to have the city of Dayton rescind this lease, so that the property may revert to them greatly enhanced in value. I want to call the House's attention to the fact that the lease from the city of Dayton to the Government does not expire until the 5th day of January, 1927. The property which we were urged to purchase in Dayton, Ohio, is owned by the Moraine Development Co., and my information is that the same gentlemen who own the other tract of land are trying to sell the new land to the Government. The average assessed value of this land is $85 an acre. The price offered to the Government is away in excess of this. I will have more details in a few days and will inform the House. Anyone can see through this deal, and certainly had we spent $3,000,000 to please these gentlemen we would not have increased the Aviation Service with a single plane or done anything to develop the industry in this country. The tract of land in New Jersey is absolutely undeveloped; $3,000,000 was asked for it. It would take over a year to get that into condition, and that would in no way improve the present conditions in the Air Service. Nine hundred and eighty thousand dollars was asked for the land in Buffalo. The only argument I heard for this land was that it was adjacent to buildings in which the Government had put in several million dollars, and these buildings are now used to store motor trucks. Again, I ask the House if there is anything in this that would improve our Air Service? The House saw through this and, judiciously in its policy of economy, cut down the appropriation.

I want to take this opportunity to point out that I have found my committee and the membership of this House eager, anxious, and willing to do everything within reason to develop a great Air Service and aeronautical industry in this country.

The trouble with the Air Service is, as I have stated so many times on the floor of this House, it has had so much money in the past, that it has squandered and wasted so much, so many favorites have grown rich, that all about the air has been forgotten and now that they have squandered a billion of dollars and have to admit that they have not even planes for duty in certain places where they may be required, of course, it is sought to blame the House for lack of appropriation. Why, if we had appropriated another $640,000,000 the Air Service would be no better off than it is.

We must give American industry a chance to develop, and certainly there is no chance to develop as long as money is wasted on land projects or spent for machines in Europe. As an immediate remedy for present deplorable conditions in the Army Air Service I recommend that as many of the reserve pilots who were engaged in flying in Europe and in this country should desire to remain in the service, either permanently or temporarily, be given commissions and assigned to the Air Service until such time as an independent service is created and a sufficient number of men and officers provided for it. That all purchases of land be stopped and a definite program be adopted for the purchase of machines made in America. This is the way to develop American aeronautical industry. That proper, competent officers who have had experience in aviation and who have made good as flying officers in the war be placed in charge of the Army Air Service. [Applause.]

WAR DEPARTMENT, AIR SERVICE,
OFFICE OF THE DIRECTOR,
Washington, D. C., July 2, 1919.

MY DEAR MR. LAGUARDIA: Replying to your letter of June 26, in which you ask that you be furnished name, rank, prior service, and record in the Air Service of all officers above the rank of captain in the Air Service who have been promoted within the last 90 days, the information you desire follows.

Delay in replying to your communication has been occasioned by obtaining the complete records of the officers concerned:

Promoted to major.

CAPT. JOHN W. SWANN.

Military record before entering Air Service: One and four-twelfths years Company M, Twenty-third United States Infantry, and 15 years Philippine Constabulary.

Military record after entering Air Service: Commissioned captain, Aviation Section, Signal Reserve Corps, August 22, 1917.

CAPT. JAMES J. NEWMAN.

Military record before entering Air Service: None.

Military record after entering Air Service: Commissioned captain, Signal Corps, from civil life, October 27, 1917.

CAPT. ALVIN C. REIS.

Military record before entering Air Service: None.

Military record after entering Air Service: Commissioned first lieutenant, Aviation Section, Signal Reserve Corps, from candidates reserve officers' training camp, November 17, 1917. Promoted to captain, Air Service, November 1, 1918.

CAPT. HENRY J. WHITEHOUSE.

Military record before entering Air Service: Appointed Plattsburg Training Camp summers of 1915 and 1916.

Military record after entering Air Service: Commissioned captain, Aviation Section, Signal Reserve Corps, from reserve officers' training camp, Plattsburg Barracks, November, 1917.

Promoted to lieutenant colonel.

MAJ. JAMES E. CHANEY.

Military record before entering Air Service: Cadet, United States Military Academy, 1904–1908; second lieutenant, Infantry, October 14, 1908; first lieutenant, Infantry, June 20, 1914; captain, Infantry, March 22, 1917.

Military record after entering Air Service: Appointed major, Signal Corps, September 22, 1917; executive officer, Chanute Field, Rantoul, Ill., November 5, 1917; commanding officer school of military aeronautics, University of Ohio, Columbus, Ohio, November 10, 1917, to January 6, 1918; executive officer, Operations Division, Division of Military Aeronautics, January 7, 1918, to August 8, 1918; overseas since September 3, 1918.

MAJ. HORACE M. HICKAM.

Military record before entering Air Service: Cadet, United States Military Academy, 1904–1908; second lieutenant, Cavalry, February 14, 1908; first lieutenant, Cavalry, December 8, 1914; captain, Cavalry, May 15, 1917.

Military record after entering Air Service: Major, Signal Corps, August 5, 1917; executive officer, aviation concentration depot, Garden City, N. Y., to May 8, 1918; flying instructor and athletic supervisor, Rockwell Field, San Diego, Calif., May 17, 1918, to September 12, 1918; executive officer and commanding officer Carlstrom Field, Arcadia, Fla., September 18, 1918, to January, 1919; chief, information group, since January, 1919.

Promoted to colonel.

LIEUT. COL. JAMES A. MARS.

Military record before entering Air Service: Cadet, United States Military Academy, 1899–1903; first lieutenant, Cavalry, March 11, 1911; captain, Cavalry, July 1, 1916.

Military record after entering Air Service: Appointed major, Signal Corps, November 28, 1917; on duty with Personnel Division, Division of Military Aeronautics, to January 1, 1918; commanding officer aviation general supply depot, Fairfield, Ohio, January 3, 1918, to November 12, 1918; promoted to lieutenant colonel February 26, 1918; officer in charge of demobilization of Air Service troops, November 14, 1918, to December 12, 1918; appointed Director Bureau of Aircraft Production December 19, 1919; on duty as such since that date.

LIEUT. COL. WILLIAM F. PEARSON.

Military record before entering Air Service: Private, corporal, sergeant, Twenty-eighth Battery, Field Artillery, 1902–1904; second lieutenant, Infantry, October 5, 1904; first lieutenant, Infantry, March 11, 1911; captain, Infantry, July 1, 1916.

Military record after entering Air Service: Appointed major, Signal Corps, August 5, 1917; commanded United States School of Military Aeronautics, Champaign, Ill., to May 8, 1918; promoted to lieutenant colonel February 26, 1918; executive officer Washington branch, Air Service Production Center, American Expeditionary Forces, May 8, 1918, to August 22, 1918; commanding officer aviation general supply depot, San Antonio, Tex., August 25, 1918, to December 17, 1918; chief, Finance Division, Air Service, December 19, 1918, to January 10, 1919; administrative executive, Air Service, since January 10, 1919.

LIEUT. COLONEL OSCAR WESTOVER.

Military record before entering Air Service: Private, Company K, United States Engineers, 1901–1902; cadet, United States Military Academy, 1902–1906; second lieutenant, Infantry, January 12, 1906; first lieutenant, Infantry, April 13, 1911; captain, Infantry, July 1, 1916.

Military record after entering Air Service: Detailed in Signal Corps, September 12, 1917; promoted to major, November 20, 1917; promoted to lieutenant colonel August 14, 1918; on duty as signal officer, port of embarkation, Hoboken, N. J., September 26, 1917, to March 19, 1918; officer in charge supply depots, Washington, D. C., March 19, 1918, to May 10, 1918; chief of storage and traffic department, Bureau Aircraft Production, and officer in charge of acceptance parks, also assistant executive, Procurement Division, General Staff, January 10, 1918, to November 18, 1918; assistant to Acting Director of Aircraft Production, November 19, 1918, to January 2, 1919; assistant executive, Air Service, January 2, 1919, to January 30, 1919.

Very truly, yours,

CHAS. T. MENOHER,
Major General, United States Army,
Director of Air Service.

Hon. F. H. LAGUARDIA,
United States House of Representatives,
Washington, D. C.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent to extend and revise my remarks.

The SPEAKER pro tempore. The gentleman asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. NOLAN. Mr. Speaker, I yield 15 minutes to the gentleman from Tennessee [Mr. DAVIS], a member of the committee. [Applause.]

Mr. DAVIS of Tennessee. Mr. Speaker and gentlemen of the House, on last Wednesday, when bill No. 3754, to amend the copyright act, was called up by the chairman of the Committee on Patents, he made a very able statement in regard to the bill, but in view of the fact that there are many present to-day who were not here at that time, and also in view of the fact that considerable interest and desire for information was manifested by the number of questions propounded by Members of the House, the chairman has suggested that I make a statement in regard to the provisions and purposes of this bill. In the first place, I will say that the occasion for the need of this legislation grows out of war conditions.

Mr. BLANTON. Mr. Speaker, I make the point of order. I think we ought to have more than 50 men in the House in the consideration of a bill as important as this, and I make the point of order of no quorum.

The SPEAKER pro tempore. The gentleman from Texas makes the point of order that there is no quorum, and evidently there is not.

Mr. NOLAN. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ashbrook	Evans, Nev.	Kettner	Sabath
Barkley	Fairfield	Kincheloe	Sanders, La.
Bee	Ferris	King	Sanders, N. Y.
Benson	Flood	Kinkaid	Sanford
Bland, Ind.	Frear	Lee, Ga.	Scully
Britten	Ganly	Lever	Sells
Brooks, Ill.	Godwin, N. C.	Linthicum	Siegel
Browne	Goldfogle	McAndrews	Sims
Burdick	Goodall	McClintic	Slemp
Burke	Goodykoontz	McCulloch	Small
Butler	Gould	McKinley	Smith, N. Y.
Caldwell	Graham, Pa.	Mason	Snyder
Campbell, Pa.	Graham, Ill.	Merritt	Steagall
Candler	Green, Iowa	Miller	Steele
Clark, Fla.	Greene, Vt.	Neely	Stevenson
Classon	Griest	Newton, Mo.	Sullivan
Cooper	Hamill	O'Connor	Taylor, Ark.
Copley	Hamilton	Oldfield	Taylor, Colo.
Crago	Haskell	Olney	Thompson, Okla.
Crisp	Haugen	Paige	Tillman
Currie, Mich.	Hersman	Parker	Tilson
Dale	Hicks	Porter	Towner
Davis, Minn.	Houghton	Purnell	Vare
Dempsey	Howard	Ragsdale	Venable
Denison	Huddleston	Rainey, H. T.	Webb
Dickinson, Mo.	Hull, Tenn.	Reavis	Whaley
Donovan	Husted	Reed, N. Y.	Wheeler
Doughton	Johnson, Miss.	Reed, W. Va.	Wilson, Pa.
Dupré	Jones, Pa.	Riordan	Wingo
Dyer	Jones, Tex.	Robinson, N. C.	Winslow
Echols	Kahn	Robsion, Ky.	Woodyard
Ellsworth	Kelley, Mich.	Rouse	
Esch	Kennedy, R. I.	Rowan	

The SPEAKER pro tempore. On this roll call 291 Members have answered present. The Sergeant at Arms will open the doors.

Mr. NOLAN. Mr. Speaker, I move to dispense with further proceedings under the call. Now that everybody else is here except the gentleman from Texas [Mr. BLANTON], who made the point of no quorum, I think we can proceed.

The motion was agreed to.

Mr. DAVIS of Tennessee. Mr. Speaker, when I was interrupted I had just explained that the necessity for this law grew out of war conditions, because of the fact that the facilities for transportation of books between the United States and foreign countries and the almost impossibility of publishing books during the war in countries other than those in which the authors resided amounted to a practical suspension of American authors obtaining copyright protection in England and other foreign countries, and it had the same result with respect to foreign authors obtaining copyrights in the United States. Diplomatic correspondence between our Government and the British Government resulted in a proposal from the British Government that the United States Congress enact a law amending the copyright law along the lines embodied in this proposed bill, and they promised a British order in council granting similar privileges and protection to American authors in return.

The Committee on Patents held hearings on this bill and undertook to very carefully consider it from every viewpoint, and the

chairman of the committee received a letter from the Acting Secretary of State, in which he not only indorsed the bill but urged its passage. Furthermore, the secretary of the Authors' League of America, who also represented the Incorporated Society of Authors, Playwrights, and Composers, containing about 3,600 members, and the American Publishers' Copyright League, appeared before the committee and urged the passage of this bill. Furthermore, Mr. Solberg, the register of copyrights of the Library of Congress, appeared before the committee and urged the passage of the bill. We were further advised that the bill had been submitted to representatives of organized labor, and that they have likewise given it their sanction, because this law does not change the present provision requiring that foreign books shall be published in the United States before they are entitled to copyright protection.

We knew of no opposition from any source. We could learn of none on the committee, and all the members of the Committee on Patents who were present voted that the bill be favorably reported for passage.

Now, I shall undertake to briefly explain the provisions of the bill. It proposes to amend sections 8 and 21 of the copyright act approved March 4, 1909. All of section 1, beginning on line 1, page 1, and continuing to the word "*Provided,*" on line 18, page 2, is simply a recitation of the language contained in the original copyright act. The amendatory provision begins at the word "*Provided,*" on line 18, and reads:

Provided, however, That all works made the subject of copyright by the laws of the United States first produced or published abroad after August 1, 1914, and before the date of the President's proclamation of peace, of which the authors or proprietors are citizens or subjects of any foreign State or nation granting similar protection for works by citizens of the United States, the existence of which shall be determined by a copyright proclamation issued by the President of the United States, shall be entitled to the protection conferred by the copyright laws of the United States from and after the accomplishment, before the expiration of 15 months after the date of the President's proclamation of peace, of the conditions and formalities prescribed with respect to such works by the copyright laws of the United States: *Provided further,* That nothing herein contained shall be construed to deprive any person of any right which he may have acquired by the republication of such foreign work in the United States prior to the approval of this act.

The preceding provisions of that section, and other sections in the original copyright act, provide the manner in which works by foreign authors may be copyrighted in this country; and the only change which is made by this proposed amendment is to protect works which were published in foreign countries during the war—that is, from August 1, 1914—and for 15 months after the proclamation of peace, and permitting them at any time within that period to come in and have their books copyrighted by complying with the regular provisions with respect to obtaining such copyright. In other words, it gives them no additional privileges, but simply extends the time within which foreign publications may be copyrighted so as to cover the period during which conditions have been so greatly disturbed and are still disturbed by war conditions.

Now, the purpose of our Government in desiring to grant this privilege is in order to procure a like privilege from foreign countries. And the Government of Great Britain has already promised to have an order in council made granting the same reciprocal rights to citizens of the United States upon the enactment of such a law by Congress, it not being necessary in England for same to be done by legislative enactment. When that is done by the privy council of Great Britain it will automatically result, as I am advised, that the protection of American books in all other countries will likewise be procured by the action of the Berne International Copyright Union, which includes Belgium, Denmark, France, Holland, Italy, Norway, Sweden, Spain, and Switzerland.

The Assistant Secretary of State——

Mr. CONNALLY. Before you get to that point, will you yield to a question?

Mr. DAVIS of Tennessee. I will.

Mr. CONNALLY. Does the language in line 24, "the existence of which shall be determined by a copyright proclamation issued by the President of the United States," mean those countries that afford the same rights to American authors that we afford to their authors, or that fact shall be determined?

Mr. DAVIS of Tennessee. Yes, sir. This law we are proposing to enact will not become effective in favor of foreign authors until the President of the United States shall have made proclamation that such right has been accorded by such foreign countries.

Mr. CONNALLY. And naming the countries?

Mr. DAVIS of Tennessee. Yes, sir.

In addition, and in further response to the question of the gentleman from Texas, I wish to read briefly from a letter written by the Acting Secretary of State, Frank L. Polk, under date of June 24, to the chairman of the Committee on Patents. After referring to this bill and some preliminary matters, he adds this:

As of possible interest to you, it may be stated that the British Government has proposed to this Government an arrangement for such reciprocal protection for works of American and British authors published during the war.

It appears that under the proposed arrangement greater benefits will result to citizens of this country than will be obtained by British subjects, due to the fact that during the war the British Government was obliged to impose an embargo against importation of books, and, owing to other war causes, it was extremely difficult for American authors to obtain publication of their works in Great Britain within 14 days after publication in this country, as required by the British copyright law.

The existing law in England provides that before a copyright can be obtained by an American or other foreign author in England the book must be published in Great Britain within 14 days after its publication in this country or other foreign country, as the case may be. This, you will note, extends it for 15 months after the proclamation of peace. Now, in that connection I wish to explain to the Members of the House that before a copyright is granted by our Government to a citizen or subject of a foreign country our law requires that the foreign book must be actually printed in this country, within the confines of the United States, for sale and distribution, whereas the British law does not require that an American book shall be published in the sense of being printed in England or in Great Britain before it is entitled to the right of copyright. It simply requires that it shall be published in the sense of being placed on sale. However, the American authors and publishers say that it is frequently physically impossible to get American books to England and place them actually on sale within two weeks after their publication in the United States; and there is another amendment curing that defect, to which I shall later refer if my time does not expire.

Now, continuing the reading of the letter from the Assistant Secretary of State, he further states:

As the proposed amendment is intended to provide protection for American citizens who otherwise would forfeit valuable property rights as a result of the interference with transportation and communication, due to the war, it is believed that enactment of the measure will be advantageous to American citizens and will materially assist in the promotion of cordial and friendly relations with the various foreign Governments concerned.

So far as the protection of American interests abroad and the international relations of the United States are concerned, the pending bill has the sanction of this department.

In this connection, gentlemen, I wish to call your attention to the fact that the trading-with-the-enemy act suspended during the period of the war the requirement that works from our enemies—Germany, Austria, and so forth—must be presented within the time provided by the regular act. In other words, they have the right under the trading-with-the-enemy act to come in after the proclamation of peace and have all of their works which were published during the war given the copyright protection under our law. This bill is simply to extend to the countries of our Allies and their citizens the privilege which already exists by law with respect to our alien enemies. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Tennessee has expired.

Mr. NOLAN. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. MACCRATE].

The SPEAKER pro tempore. The gentleman from New York is recognized for 10 minutes.

Mr. MACCRATE. Mr. Speaker and gentlemen of the committee, in order that you may have some idea of the actual number of books published in America on which copyrights have not been obtainable because of war conditions I asked the register of copyrights in the Congressional Library to give me some figures. In 1914 there were 29,704 American books copyrighted, and from that time until the present time the number has been annually increasing, so that in 1918 and 1919 the total number of American books copyrighted was 36,615, making a grand total for the five years from 1914 to 1919 of 162,739 American books which have been copyrighted. During the war copyrights in foreign countries practically ceased, and the purpose of this bill, although it appears to give foreign authors the right of copyright in America, is actually intended to give American authors the right of copyright in foreign lands.

Now, with reference to books of foreign authors copyrighted during the war period I would say that from 1914 to 1919 there has been a total of 6,963 foreign books copyrighted in this country, as against a total of 12,589 books in the period from 1909 to 1914. That is, during the war foreign copyrights have fallen off about 40 per cent. This bill simply extends 15 months of grace whereby an author on the other side will have time in which to copyright his book on this side. It does not, however, interfere with any right which an American has gained by republishing those copyrighted works before this bill passes.

There is a proviso expressly excluding from the operation of the law those books that have been published in America during the period of the war.

The history of copyright legislation is very interesting, especially so far as the manufacturing clause is concerned. In section 21, which we also amend by this act, we provide for an extension of from 30 to 60 days, the ad interim protection, and an extension of 30 days to 4 months in which a man can republish his work in America. There were 100,000 books published in England from the time of the enactment of our law in 1909, and yet only 1 per cent of all these English books was actually reprinted in America, and the reason given for this small percentage of reprinting and republishing of English-language books in America was the fact that we did not allow sufficient time in which the English author could have his work reprinted and rebound to gain American copyright.

Mr. McKEOWN. Mr. Speaker, will the gentleman yield?

Mr. MacCRATE. Yes.

Mr. McKEOWN. I wanted to ask the gentleman whether Russia was to be included in this legislation, and whether it had in view the admission of Russian books?

Mr. MacCRATE. As I understand, Russia was not a member of the Berne conference held in 1885.

Mr. McKEOWN. Is there anything in our copyright laws relative to the nature and character of the books that may be copyrighted here?

Mr. MacCRATE. The gentleman suggests something that ran through the minds of certain other Members of this House. The copyright law, while it does specify that certain documents may be copyrighted, in no wise goes to the thing that the gentleman probably refers to, namely, Bolshevism and other books inculcating similar ideas, any more than it does to American books of similar purport.

Mr. McKEOWN. That is what I wondered about, whether or not under this bill more freedom would be given to writers whose works we have had occasion to wish were not published in this country.

Mr. MacCRATE. While that may be legislation that is desirable under the copyright law, I am afraid it would not be possible. It would require a force and corps of censors which we could not afford and which, I believe, the spirit of America would not tolerate.

Mr. DAVIS of Tennessee. If the gentleman will permit, I may say that this right of copyright does not entitle a book to circulation unless it is otherwise entitled to circulation.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. MacCRATE. Yes.

Mr. BLANTON. Does not the gentleman think it is time in America for Congress to make provision in such a law as this for placing some kind of restriction on the publication of books which tend to promote anarchy in this country?

Mr. O'CONNELL. Is that a function of the Committee on Patents, or does it go to a higher authority?

Mr. BLANTON. It is the function of copyright.

Mr. MacCRATE. I would say, in answer to the question of the gentleman from Texas [Mr. BLANTON], that we need have no fear of the contamination of the American mind by the publication of books, and I believe that if American authorities will provide funds in the cities and in the States for the proper compensation of the teachers of America, who instruct the youth of America, we need have no fear of a Russian Bolsheviki propaganda or any other propaganda.

Mr. BLANTON. I think the reason why we have this anarchistic propaganda in this country is that we can not keep enough men here to get through the legislation that we ought to pass. I think we ought to have at least 50 men present, and I make the point of no quorum.

The SPEAKER pro tempore. The gentleman from Texas makes the point of no quorum.

Mr. MacCRATE. Will the gentleman reserve that right for a moment?

Mr. O'CONNELL. Will the gentleman reserve his point of order until the gentleman from New York has finished his remarks?

Mr. BLANTON. I will reserve my point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from New York will proceed.

Mr. MacCRATE. Gentlemen, with reference to copyright books, there are 162,000 American books published since the war began, most of which have not been copyrighted in foreign countries. In 1837 American authors first sought to have an international copyright law enacted in America. Henry Clay introduced the resolution in the House. Since then authors have always contended that there should be a republic of letters, and that, with a suitable international copyright law, American authors could interpret America to Europe. It may truly be said that American authors have done much to give other lands a proper understanding of this Nation, and with these 162,000 volumes they may do more; but may I suggest to you that the interpretation of American ideals no longer depends on the authors of America. Our boys, 2,000,000 strong, not by books in any copyright office in Europe, but as living epistles on the fields of France, have interpreted forever the real spirit of America. Seventy thousand sealed volumes of American youth, each of hardly 25 yearly pages, laid away on the earthy shelves of foreign soil, are the silent witnesses to the world that America has a soul. [Applause.] And may I further say that while some foreign books come here which perhaps ought not to be copyrighted, in the district from which I come and the great city of which we are a part we have a population made in large part of men who have come from foreign countries, whose sons have gone with native sons to the other side carrying the arms and under the flag of America, and have interpreted real Americanism better than some American-born Bolsheviki ever will do it, no matter what books they publish. [Applause.] In my district, comprising only 7 square miles, we have 17 languages spoken; yet when the draft law was enacted in one local board only one man claimed to be a conscientious objector. We sent for him as members of the board and inquired what he objected to conscientiously. His name did not suggest a conscientious objector, and he said, jokingly, "I have been hearing about conscientious objectors, but the only conscientious objection I have is to being shot." [Laughter.]

Of 3,700 young men whose names were listed in the first draft in that board, 2,000 were born outside of the United States, and only 1,700 were born in the United States. The fifth man on that list was a lad named Sylvestre Cucciari, an Italian without citizenship papers. We said to him, "Sylvestre, do you want to claim exemption?" He said, "No; I am going back to Italy to show them how much I love America." Sylvestre Cucciari went to the other side. He is now numbered with the 70,000 the books of whose lives were marked "Finis" on Flanders fields, and on him and them, native and foreign born, America has stamped forever her "Copyright."

The SPEAKER. The time of the gentleman has expired. All time has expired. The question is on the engrossment and third reading of the bill.

Mr. NOLAN. Mr. Speaker, I offer the following amendment.

The SPEAKER. The gentleman from California offers an amendment, which the Clerk will report.

Mr. BLANTON. Mr. Speaker, if we are going to consider the bill I think we ought to have a quorum. I make the point of order that there is no quorum present.

The SPEAKER. The gentleman makes the point of order that there is no quorum present. Obviously no quorum is present.

Mr. NOLAN. I move a call of the House. In the meantime I suggest to the gentleman from Texas who makes the point of no quorum that he stay here.

Mr. BLANTON. I have been here all day and every day this session, I will say to the gentleman from California.

The SPEAKER. No debate is in order. The question is on ordering a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk proceeded to call the roll, when the following Members failed to answer to their names:

Ashbrook	Crago	Ganly	Johnson, S. Dak.
Ayres	Crisp	Gard	Jones, Pa.
Bacharach	Currie, Mich.	Godwin, N. C.	Jones, Tex.
Barkley	Davey	Goldfogle	Kearns
Bee	Davis, Minn.	Goodall	Kelley, Mich.
Benham	Dempsey	Goodykoontz	Kelly, Pa.
Benson	Denison	Gould	Kendall
Bland, Ind.	Dickinson, Mo.	Graham, Pa.	Kennedy, Iowa
Booher	Donovan	Green, Iowa	Kennedy, R. I.
Bowers	Doremus	Griest	Kettner
Britten	Doughton	Hadley	Kincheloe
Brooks, Ill.	Dunn	Hamill	King
Browne	Dyer	Hamilton	Lampert
Browning	Echols	Haskell	Larsen
Brumbaugh	Ellsworth	Hawley	Lee, Ga.
Burdick	Elston	Hays	Lehlbach
Burke	Esch	Hicks	Lever
Caldwell	Evans, Mont.	Hill	Longworth
Candler	Evans, Nev.	Hulings	Luhring
Carew	Fairfield	Hull, Iowa	McArthur
Casey	Ferris	Hull, Tenn.	McClintic
Coady	Fields	Humphreys	McCulloch
Cole	Focht	Husted	McKenzie
Cooper	Fordney	Ireland	McKinley
Copley	Frear	Johnson, Ky.	McKinley
Costello	Gallagher	Johnson, Miss.	Maher

Major	Ragsdale	Small	Towner
Mason	Reavis	Smith, N. Y.	Treadway
Merritt	Reed, N. Y.	Snell	Vare
Miller	Reed, W. Va.	Snyder	Venable
Montague	Riordan	Steagall	Voigt
Mott	Robinson, N. C.	Steele	Ward
Mudd	Robsion, Ky.	Stephens, Miss.	Watson, Pa.
Neely	Rouse	Stephens, Ohio	Webb
Nelson, Wis.	Rowan	Stevenson	Wheeler
Newton, Mo.	Rucker	Stiness	Wilson, Ill.
O'Connor	Sabath	Sullivan	Wilson, Pa.
Olney	Sanders, Ind.	Sweet	Wingo
Paige	Sanders, La.	Taylor, Ark.	Winslow
Parker	Scully	Taylor, Tenn.	Woodyard
Porter	Siegel	Thompson, Ohio	Young, N. Dak.
Pou	Sims	Thompson, Okla.	
Purnell	Sinnott	Tilson	
Radcliffe	Slemp	Timberlake	

The SPEAKER. On this roll call 257 Members have answered to their names, a quorum.

Mr. NOLAN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from California [Mr. NOLAN].

The Clerk read as follows:

Page 3, line 12, insert after the word "book" the word "first."

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. NOLAN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

DEATH OF REPRESENTATIVE RAGSDALE.

Mr. BYRNES of South Carolina. Mr. Speaker, I desire to offer the following resolutions.

The Clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. J. WILLARD RAGSDALE, a Representative from the State of South Carolina.

Resolved, That a committee of 15 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary to carry out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolutions were agreed to.

The Clerk read the following further resolution:

Resolved, That as a further mark of respect this House do now adjourn.

The resolution was agreed to.

ADJOURNMENT.

Accordingly (at 3 o'clock and 17 minutes p. m.) the House adjourned until to-morrow, Thursday, July 24, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of Labor, transmitting information relative to the connection of certain of the department's employees with the case of Thomas J. Mooney (H. Doc. No. 157); to the Committee on Labor and ordered to be printed.

2. A letter from the Secretary of the Interior, requesting the authorizing of an expenditure up to the amount of $500,000 to fight forest fires in Idaho (H. Doc. No. 158); to the Committee on the Public Lands and ordered to be printed.

3. A letter from the Secretary of the Navy, transmitting a proposed bill authorizing the use of radio stations under the control of the Navy Department for commercial purpose (H. Doc. No. 159); to the Committee on Naval Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. CARTER, from the Committee on Indian Affairs, to which was referred the bill (H. R. 288) for the purpose of conferring citizenship upon Indians, segregation of Indian tribal property, and for other purposes, reported the same with amendment, accompanied by a report (No. 144), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FESS, from the Committee on Education, to which was referred the bill (H. R. 4438) to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment, reported the same with amendment, accompanied by a report (No. 145), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SELLS, from the Committee on Pensions, to which was referred sundry bills of the House, reported in lieu thereof the bill (H. R. 7775) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and to certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, accompanied by a report (No. 146), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolution, and memorials were introduced and severally referred as follows:

By Mr. OSBORNE: A bill (H. R. 7737) to amend an act approved October 3, 1913, entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes"; to the Committee on Ways and Means.

By Mr. RAKER: A bill (H. R. 7738) to authorize the Supreme Court to prescribe forms and rules and generally to regulate pleadings, procedure, and practice on the common-law side of the Federal courts; to the Committee on the Judiciary.

By Mr. EAGAN: A bill (H. R. 7739) authorizing the Secretary of War to donate to the city of Jersey City, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7740) authorizing the Secretary of War to donate to the city of Hoboken, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7741) authorizing the Secretary of War to donate to the township of Weehawken, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7742) authorizing the Secretary of War to donate to the township of North Bergen, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7743) authorizing the Secretary of War to donate to the town of Secaucus, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7744) authorizing the Secretary of War to donate to the town of Guttenberg, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7745) authorizing the Secretary of War to donate to the town of West New York, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7746) authorizing the Secretary of War to donate to the town of West Hoboken, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7747) authorizing the Secretary of War to donate to the town of Union, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CARAWAY: A bill (H. R. 7748) to prevent discrimination on the part of life insurance companies against their policyholders who have entered or shall enter the military or naval services of the United States; to the Committee on the Judiciary.

By Mr. JOHNSON of Kentucky (by request): A bill (H. R. 7749) for the retirement of officers holding National Army commissions; to the Committee on Military Affairs.

By Mr. KNUTSON: A bill (H. R. 7750) to amend section 110, first session Sixty-fourth Congress, United States Statutes at Large, act approved June 3, 1916; to the Committee on Military Affairs.

By Mr. HOWARD: A bill (H. R. 7751) authorizing the sale of inherited and unpartitioned allotments for town-site purposes in the Quapaw Agency, Okla.; to the Committee on Indian Affairs.

By Mr. KAHN: A bill (H. R. 7752) relating to detached service of officers of the Regular Army; to the Committee on Military Affairs.

By Mr. SMITH of Michigan: A bill (H. R. 7753) to repeal an act entitled "An act to promote reciprocal trade relations with the Dominion of Canada, and for other purposes," approved July 26, 1911; to the Committee on Ways and Means.

By Mr. RIDDICK: A bill (H. R. 7754) providing for advances to the reclamation fund; to the Committee on Ways and Means.

By Mr. HULINGS: Resolution (H. Res. 192) requesting the United States Food Administration to inform the House of Representatives whether the limitation of sale of sugar is necessary at this time, etc.; to the Committee on Agriculture.

By Mr. FITZGERALD: Resolution (H. Res. 193) requesting the Food Director to furnish the House of Representatives with certain information in regard to the wheat purchased by the Food Administration, and other information connected therewith; to the Committee on Agriculture.

By Mr. EDMONDS: Resolution (H. Res. 194) that the Judiciary Committee be directed to report to the House whether the President, by and with the advice and consent of the United States Senate, can negotiate treaties with foreign governments, which by the Constitution of the United States is vested solely in Congress; to the Committee on Rules.

By Mr. CARSS: Resolution (H. Res. 195) authorizing the Speaker to appoint a committee of five to investigate the losses and the advisability of extending aid to the district which was devastated by the forest fires of October 12, 1918, in northern Minnesota; to the Committee on Rules.

By Mr. GOOD: Resolution (H. Res. 196) to amend Rule XXI; to the Committee on Rules.

By Mr. WHALEY: Joint resolution (H. J. Res. 158) authorizing the Secretary of Labor to lease the Charleston immigration station and dock connected therewith; to the Committee on Immigration and Naturalization.

By Mr. EDMONDS: Concurrent resolution (H. Con. Res. 23) appointing a special commission to arrange a price for the sale of the ships owned by the United States Shipping Board or its subsidiaries; to the Committee on Rules.

By Mr. BRIGGS: Memorial of the Legislature of Texas, regarding title to Mexican bancos or cut-offs situated on and adjacent to the Texas side of the Rio Grande and assuming and claiming jurisdiction over the same under treaty of 1907 between the United States and Mexico; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CROWTHER: A bill (H. R. 7755) granting an increase of pension to Jane L. Hewitt; to the Committee on Invalid Pensions.

By Mr. EVANS of Nebraska: A bill (H. R. 7756) granting an increase of pension to George P. Mayes; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 7757) granting an increase of pension to Harry C. Price; to the Committee on Pensions.

Also, a bill (H. R. 7758) to correct the military record of George S. Smith; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: A bill (H. R. 7759) granting an increase of pension to Martha Timoney; to the Committee on Invalid Pensions.

By Mr. GLYNN: A bill (H. R. 7760) granting an increase of pension to Bridget Mulcahy; to the Committee on Pensions.

By Mr. HARDY of Colorado: A bill (H. R. 7761) granting a pension to John C. McDowell; to the Committee on Pensions.

Also, a bill (H. R. 7762) granting an increase of pension to James N. Seip; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7763) granting an increase of pension to Charles Apple; to the Committee on Invalid Pensions.

By Mr. LONERGAN: A bill (H. R. 7764) granting an increase of pension to Lewis Holley; to the Committee on Invalid Pensions.

By Mr. McKEOWN: A bill (H. R. 7765) granting an increase of pension to Martha J. Morrow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7766) granting an increase of pension to Isabella Kennedy; to the Committee on Invalid Pensions.

By Mr. PETERS: A bill (H. R. 7767) to appoint Admiral William S. Benson, United States Navy, and Rear Admiral William S. Sims, United States Navy, as permanent admirals in the Navy; to the Committee on Naval Affairs.

By Mr. RIORDAN: A bill (H. R. 7768) authorizing the President to appoint Col. Orin B. Mitcham a brigadier general on the retired list of the Army; to the Committee on Military Affairs.

By Mr. ROMJUE: A bill (H. R. 7769) granting a pension to Virgil M. Wolf; to the Committee on Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 7770) granting an increase of pension to Mary J. Weddel; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 7771) granting a pension to George W. Bratcher; to the Committee on Pensions.

Also, a bill (H. R. 7772) granting a pension to John Nicholas Sharp; to the Committee on Pensions.

By Mr. WHITE of Maine: A bill (H. R. 7773) granting a pension to Edward L. Hayes; to the Committee on Pensions.

By Mr. WILSON of Illinois: A bill (H. R. 7774) granting an increase of pension to John W. Houtze; to the Committee on Invalid Pensions.

By Mr. WOOD of Indiana: Joint resolution (H. J. Res. 157) to grant amnesty to Charles A. McAnally, private in the United States Army and a member of the United States Engineers, restoring him to his pay and his position in the Army of the United States; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BABKA: Petition of Polish Alma Mater and the Polish Publishing Co., both of Chicago, Ill., opposing Senate bill 2099; to the Committee on the Judiciary.

Also, petition of Slovenic National Benefit Society, No. 178, opposing bill prohibiting admission to the mails of the United States publications printed in foreign languages; to the Committee on Foreign Affairs.

By Mr. COLE: Petition of Auburn Grange, No. 956, of Crawford County, Ohio, protesting against the Mondell bill or the Lane reclamation bill (H. R. 487); to the Committee on the Public Lands.

By Mr. CROWTHER: Petition of numerous residents of the city of Schenectady, N. Y., favoring the continuance of the daylight-saving plan; to the Committee on Agriculture.

By Mr. EMERSON: Petition of citizens of Columbus, Ohio, on behalf of Korea; to the Committee on Foreign Affairs.

Also, petition of industrial medicine and surgery section of the American Medical Association, recommending an appropriation by Congress to investigate the cause of influenza; to the Committee on Appropriations.

By Mr. ESCH: Petition of R. N. Sims, secretary-treasurer National Association of Supervisors of State Banks, for the repeal of the office of the Comptroller of the Currency; to the Committee on Banking and Currency.

Also, petition of National Council World War Veterans, of Aurora, Ill., for granting naturalization papers to the foreign born who took up arms in the defense of this country and protecting its flag; to the Committee on Immigration and Naturalization.

Also, petition of Anti-Tuberculosis Committee of Minneapolis favoring Senate bill 1660 and House bill 3855 and urging a favorable consideration by the committee; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Petition of sundry citizens of Rockford, Ill., urging immediate return of the Twenty-seventh and Thirty-first United States Infantry from Siberia; to the Committee on Military Affairs.

By Mr. HUDSPETH: Petition of El Paso Chamber of Commerce protesting bill entitled "An act to define profiteering, to prescribe penalties for violation thereof, and to provide for enforcement of act," by Representative John Davis, Texas State Legislature; to the Committee on the Judiciary.

By Mr. JAMES: Petition of sundry citizens of Iron Mountain, Mich., for the repeal of the tax on candy, ice cream, and soda-fountain foods and drinks, etc.; to the Committee on Ways and Means.

Also, petition of Slovenic National Benefit Society, No. 323, of Ironwood, Mich., against the Byers bill relating to newspapers and magazines, etc., printed in foreign language; to the Committee on Printing.

By Mr. MERRITT: Petition of sundry citizens of the State of Connecticut asking for the repeal of section 904 of the revenue law of 1918; to the Committee on Ways and Means.

By Mr. O'CONNELL: Petition of Military Order of the Loyal Legion of New York, urging that the flagship *Hartford* be associated always with the genius and achievements of the Nation's great admiral, Farragut, and with the valor and devotion of his comrades in the important naval operations during the war for the preservation of the Union; to the Committee on Naval Affairs.

By Mr. ROWAN: Petition of Military Order of the Loyal Legion, urging that the flagship *Hartford* be associated always with the genius and achievements of the Nation's great admiral, Farragut, and with the valor and devotion of his comrades in the important naval operations during the war for the preservation of the Union; to the Committee on Naval Affairs.

By Mr. SMITH of Michigan: Petition of Battle Creek Local, No. 235, N. F. P. E., urging increase in pay for postal clerks; to the Committee on the Post Office and Post Roads.

Also, petition of 62 citizens of Michigan to repeal tax on patent and proprietary medicines; to the Committee on Ways and Means.

By Mr. SUMMERS of Washington: Petition of Charles E. Hicks, of Endicott, Wash., and others, asking repeal of the "stamp act" as it particularly affects the sale of drugs, medicines, toilet preparations, etc.; to the Committee on Ways and Means.

By Mr. WINSLOW: Petition of citizens of Worcester, Mass., in re passage of House bill 6810, a bill to prohibit intoxicating beverages, etc.; to the Committee on the Judiciary.

SENATE.

THURSDAY, *July 24, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee for coming more and more out of the shadow into the glorious light and life of the new day. The motives that Thou dost appeal to are the strength of life. The influences of Thy grace constitute life's glory. The revelations of Thy will are the deep and abiding purpose of the living. Grant us this day the influence of Thy spirit that we may discharge as men of God the duties that are upon us. For Christ's sake. Amen.

On request of Mr. BRANDEGEE, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

RECLAMATION PROJECTS.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of the Interior, which will be read.

The Secretary read as follows:

DEPARTMENT OF THE INTERIOR,
Washington, July 23, 1919.

To the Senate:

Through your Secretary, under date of July 17, I am in receipt of copy of a resolution, S. Res. 123.

The resolution calls for a large amount of information regarding details of the work of the Reclamation Service which will take some weeks to secure.

The matter will be taken in hand at once, and report made as requested as soon as possible.

Cordially, yours, FRANKLIN K. LANE,
Secretary.

UNITED STATES SENATE,
Washington, D. C.

CURRENCY IN CIRCULATION (S. DOC. NO. 59).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of the Treasury, which will be read.

The Secretary read as follows:

TREASURY DEPARTMENT,
Washington, July 22, 1919.

The PRESIDENT OF THE UNITED STATES SENATE,
Washington, D. C.

SIR: In compliance with a resolution of the Senate of the United States of July 8, 1919, transmitted to me by the Secretary of the Senate under date of July 9, I submit the following:

Under the act approved May 30, 1908, commonly known as the Aldrich-Vreeland Act, as amended, additional or emergency currency was issued, beginning on August 4, 1914, in amount $382,502,645. All of this additional circulation was retired before the close of the calendar year 1915. Authority for the issue of such additional or emergency currency expired by limitation on June 30, 1915.

No emergency currency has been issued by the Federal reserve banks. However, such banks have issued Federal reserve bank notes and Federal reserve notes in accordance with the provisions of law and under the general supervision of the Federal Reserve Board. None were outstanding August 1, 1914. The amounts of such notes in circulation on July 1, 1919, were:

Federal reserve bank notes	$163,682,696
Federal reserve notes	2,493,992,462

The Treasury Department has no intention, nor, indeed, the power, to retire or withdraw from circulation any thereof, nor, as I am advised, has the Federal Reserve Board. The Federal Reserve System was devised to create an elastic currency which would expand and contract automatically in accordance with the requirements of business. Any reduction in the amounts of Federal reserve notes outstanding will be in accordance therewith. Federal reserve bank notes, for the most part, have been issued to replace silver certificates canceled and retired in accordance with the provisions of the act of April 23, 1918.

I transmit herewith a copy of the Treasury Department Circulation Statement for August 1, 1914, and July 1, 1919, showing the amount of money of the United States in circulation on the respective dates. Data are not available in the department with respect to the amount of money in circulation in the Territories and possessions of the United States.

Respectfully, CARTER GLASS,
Secretary of the Treasury.

The VICE PRESIDENT. The communication and accompanying paper will lie on the table for the present and be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the amendments of the Senate to the bill (H. R. 7413) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920.

The message also announced that the House agrees to the concurrent resolution of the Senate to print 50,000 copies of the treaty with Germany in the English text alone, and without maps, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a bill (H. R. 3754) to amend sections 8 and 21 of the copyright act, approved March 4, 1909, in which is requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 7413) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, and it was thereupon signed by the Vice President.

CALLING OF THE ROLL.

Mr. BRANDEGEE obtained the floor.

Mr. SMOOT. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	France	Lenroot	Sheppard
Ball	Gay	Lodge	Smith, Ariz.
Bankhead	Gronna	McCormick	Smith, Ga.
Beckham	Hale	McCumber	Smith, S. C.
Brandegee	Harding	McKellar	Smoot
Capper	Harris	Moses	Spencer
Chamberlain	Harrison	Nelson	Stanley
Culberson	Henderson	New	Sterling
Cummins	Hitchcock	Newberry	Sutherland
Curtis	Johnson, Calif.	Norris	Swanson
Dial	Jones, N. Mex.	Nugent	Thomas
Dillingham	Kellogg	Overman	Trammell
Edge	Kenyon	Page	Underwood
Elkins	King	Phipps	Walsh, Mont.
Fall	Kirby	Poindexter	Warren
Fernald	Knox	Pomerene	Watson
Fletcher	La Follette	Robinson	Williams

Mr. SHEPPARD. The Senator from Wyoming [Mr. KENDRICK] is necessarily detained from the Senate.

Mr. KING. I wish to announce that the Senator from Maryland [Mr. SMITH], the Senator from South Dakota [Mr. JOHNSON], and the Senator from Massachusetts [Mr. WALSH] are detained on official business.

The VICE PRESIDENT. Sixty-eight Senators have responded. There is a quorum present.

TREATY WITH FRANCE.

Mr. BRANDEGEE. Mr. President, as a member of the Committee on Foreign Relations, I ask the indulgence of the Senate for about 10 minutes to make a statement regarding a matter that I think is of considerable importance in relation to the pending treaty, if I may have the consent of the Senate to do so.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Senator from Connecticut will proceed.

Mr. BRANDEGEE. Mr. President, on July 10 the President appeared before the Senate and made the following statement. I read from page 2339 of the CONGRESSIONAL RECORD. He said:

I shall presently have occasion to lay before you a special treaty with France whose object is the temporary protection of France from unprovoked aggression by the power with whom this treaty of peace has been negotiated. Its terms link it with this treaty. I take the liberty, however, of reserving it, because of its importance, for special explication on another occasion.

I received this morning through the mail a publication entitled Harvey's Weekly. There is an article on the first page of that publication entitled "President Wilson violates his own treaty." I will read it:

"Does President Wilson regard the Franco-American treaty as a mere scrap of paper? If not, why did he deliberately violate one of its most important provisions within a fortnight after he, as 'President of the United States,' and Mr. Lansing, as 'Secretary of State of the United States,' attached their official signatures to the agreement?

"That he did that very thing there can be no question. Article 4 of the treaty reads:

"The present treaty will be submitted to the Senate of the United States at the same time as the treaty of Versailles is submitted to the Senate for its advice and consent to ratification.

"Submitted by whom? By the President himself, of course, who alone is empowered to submit treaties, who alone with the Secretary of State has a right to sign them, and who with the Secretary of State did sign this one. And it was as 'President of the United States of America' that he entered into this engagement with the duly authorized representatives of the

French Republic and gave in writing, under the great seal of this honorable Nation, that solemn pledge.

"Did he keep it? He did not. This is what he said and all he said respecting the treaty on July 10, when he submitted the treaty of Versailles to the Senate:

"I shall presently have occasion to lay before you a special treaty with France, whose object is the temporary protection of France from unprovoked aggression by the power with whom this treaty of peace has been negotiated. Its terms link it with this treaty. I take the liberty, however, of reserving it for special explication on another occasion.

"He did not submit the treaty; he did not divulge its terms; he did not even summarize it; he simply 'took the liberty' of violating it.

"Why? There must have been some reason for the incorporation of that particular provision in the Franco-American treaty. There is none such in the Franco-British treaty, wherein article 4 provides merely that 'the present treaty shall before ratification by His Majesty be submitted to Parliament for approval,' not coincidently with the submission of the treaty of Versailles nor at any other specified time.

"How can this marked difference be accounted for? We can only conjecture, of course, but it is surely a fair presumption that the provision was not inserted at the instigation of the President, who would hardly have gone out of his way to bind himself unnecessarily to do a certain thing upon a certain day. Seemingly, then, the idea must have originated in the French Government.

"But why should M. Clemenceau have desired so particularly that the two treaties should be placed before the Senate simultaneously? Again we can only guess, but is it not reasonable to surmise that he, being aware of the coequal treaty-making powers of the Senate, felt that all interests, especially those of France, would best be served by presenting to that body both agreements as embodied in the two treaties at one and the same time, and thus enable it to consider and act upon each with full knowledge of what the other contained?

"Such procedure would possess at least the merit of frankness and open dealing and could not fail to impress the Senate favorably. It seems strange that the premier should not have taken for granted that the President would take this natural course, but being old and wise and prudent he apparently preferred to take no chances; so he put it in black and white, and the President signed the commitment.

"Why he subsequently broke his pledge is a matter of speculation. Perhaps he feared that one of the treaties might run crosswise to the other, or that the Senate might think that if one were ratified the other need not be. Then there was the question of the need of a special pact if the league were anything more than a shell. Discussion, involving close analyses and striking contrasts, at any rate would better be averted if possible; so all of M. Clemenceau's painstaking caution went for naught, and the presentation of full information to the Senate which he thought was assured was not made after all.

"Or it may be that there were things in the separate treaty itself which the President thought would better not be revealed at the moment. In any case, to the best of our knowledge, it has not yet been published in this country, which seems strange, if we are correctly informed that it has appeared in England, in view of the enterprise of our great newspapers in promptly presenting to their readers the texts of documents of such obvious importance, unless, of course, prevented by the censor.

"Anyhow, here it is:

"Whereas the United States of America and the French Republic are equally animated by the desire to maintain the peace of the world so happily restored by the treaty of peace signed at Versailles the 28th day of June, 1919, putting an end to the war begun by the aggression of the German Empire and ended by the defeat of that power; and

"Whereas the United States of America and the French Republic are fully persuaded that an unprovoked movement of aggression by Germany against France would not only violate both the letter and the spirit of the treaty of Versailles to which the United States of America and the French Republic are parties, thus exposing France anew to the intolerable burdens of an unprovoked war, but that such aggression on the part of Germany would be and is so regarded by the treaty of Versailles as a hostile act against all the powers signatory to that treaty and as calculated to disturb the peace of the world by involving inevitably and directly the States of Europe and indirectly, as experience has amply and unfortunately demonstrated, the world at large; and

"Whereas the United States of America and the French Republic fear that the stipulations relating to the left bank of the Rhine contained in the said treaty of Versailles may not at first provide adequate security and protection to France, on the one hand, and the United States of America, as one of the signatories of the treaty of Versailles, on the other: Therefore

"The United States of America and the French Republic having decided to conclude a treaty to effect these necessary purposes, Woodrow Wilson, President of the United States of America, and Robert Lansing, Secretary of State of the United States, specially authorized thereto by the President of the United States, and Georges Clemenceau, president of the council, minister of war, and Stéphen Pichon, minister of foreign affairs, specially authorized thereto by Raymond Poincaré, President of the French Republic, have agreed upon the following articles:

"ARTICLE 1.

"In case the following stipulations relating to the left bank of the Rhine contained in the treaty of peace with Germany signed at Versailles the 28th day of June, 1919, by the British Empire, the French Republic, and the United States of America among other powers:

"'ART. 42. Germany is forbidden to maintain or construct any fortifications either on the left bank of the Rhine or on the right bank to the west of a line drawn 50 kilometers to the east of the Rhine.

"'ART. 43. In the area defined above the maintenance and assembly of armed forces, either permanently or temporarily, and military maneuvers of any kind, as well as the upkeep of all permanent works for mobilization, are in the same way forbidden.

"'ART. 44. In case Germany violates in any manner whatever the provisions of articles 42 and 43, she shall be regarded as committing a hostile act against the powers signatory of the present treaty and as calculated to disturb the peace of the world'—

"may not at first provide adequate security and protection to France, the United States of America shall be bound to come immediately to her assistance in the event of any unprovoked movement of aggression against her being made by Germany.

"ARTICLE 2.

"The present treaty, in similar terms with the treaty of even date for the same purpose concluded between the French Republic and Great Britain, a copy of which treaty is annexed hereto, will only come into force when the latter is ratified.

"ARTICLE 3.

"The present treaty must be submitted to the council of the league of nations and must be recognized by the council, acting, if need be, by a majority, as an engagement which is consistent with the covenant of the league; it will continue in force until, on the application of one of the parties to it, the council, acting, if need be, by a majority, agrees that the league itself affords sufficient protection.

"ARTICLE 4.

"The present treaty will be submitted to the Senate of the United States at the same time as the treaty of Versailles is submitted to the Senate for its advice and consent to ratification. It will be submitted before ratification to the French Chamber of Deputies for approval. The ratifications thereof will be exchanged on the deposit of ratifications of the treaty of Versailles at Paris, or as soon thereafter as shall be possible.

"The Franco-British treaty is substantially identical, with the exception that, instead of being 'bound to come immediately' to the assistance of France, like the United States, she merely 'agrees to come immediately.' Great Britain exempts all of her dominions from any obligation 'unless it is approved by the parliament of the dominion concerned,' and makes it a condition of her agreement 'that a similar obligation is entered into by the United States of America,' whereas the Franco-American treaty contains no such proviso as to the participation of Great Britain.

"We take pleasure in affording the Senate of the United States an opportunity to inspect this transcript of the Franco-American treaty, pending the arrival of the original, and we can not deny to it the additional privilege of meditating upon its amazingly quick violation by the President of the United States, who negotiated and executed it."

During the reading of the French treaty by Mr. BRANDEGEE,

Mr. HITCHCOCK. Mr. President——

Mr. BRANDEGEE. I prefer not to be interrupted.

Mr. HITCHCOCK. Will the Senator merely answer a question?

Mr. BRANDEGEE. Provided it does not go into the RECORD. I do not want the reading of the treaty to be interrupted. I will answer the Senator at any other time. I will answer him now if he does not want it to go into the RECORD.

Mr. HITCHCOCK. I wish to know where the Senator got his copy of the treaty and whether it is an authentic copy. I hold in my hand an authentic copy, and it does not seem to conform with what the Senator is reading.

Mr. BRANDEGEE. Of course I am not vouching for this copy. I am reading from an article which appeared in the public press. If it is false, it ought to be denied. If the man has lied about it, he ought to be punished. If it is true, some other course ought to be taken.

Also before the conclusion of the reading by Mr. BRANDEGEE, a message was received from the President of the United States, by Mr. Sharkey, one of his secretaries.

Mr. BRANDEGEE. Probably that is the authentic copy.

The VICE PRESIDENT. The Chair will state to the Senator that it is.

Mr. BRANDEGEE. I see that it is sealed, while what I am reading is not; it is open.

After concluding the reading,

Mr. BRANDEGEE. Mr. President, the Committee on Foreign Relations and the Senate itself have passed several resolutions asking for information during the pendency of the peace treaty. No response whatever has been made to any of those requests. The President said to us that the Franco-American treaty and the peace treaty were linked together. If that is so, they ought to have been considered together.

The VICE PRESIDENT. The Chair deems it but just to state to the Senator from Connecticut that the Chair was mistaken about the nature of the treaty.

Mr. BRANDEGEE. Is it a matter of executive business?

The VICE PRESIDENT. It is a matter of executive business, but it is not the treaty.

Mr. BRANDEGEE. Then, of course, I will not inquire what it is. It appears, however, that I have not performed a work of supererogation entirely.

Mr. HITCHCOCK. Mr. President, may I make an inquiry of the Chair?

Mr. BRANDEGEE. Now I yield to the Senator from Nebraska.

Mr. HITCHCOCK. I did not understand the statement of the Chair.

The VICE PRESIDENT. The Chair stated that the message of the President was not with reference to this matter.

Mr. HITCHCOCK. It is not as to this treaty?

The VICE PRESIDENT. It is not as to this treaty.

Mr. BRANDEGEE. Mr. President, I hope the Senator from Nebraska will put in the authentic copy later on. I have no doubt he has it.

When the President returned to this country last February he was kind enough to entertain the Committee on Foreign Relations at the White House. I had the pleasure of enjoying his hospitality and spent a very pleasant evening. During the course of that interview he stated that there had been four plans for a league of nations before the peace commission—a French plan; an Italian plan, which was, as he said, not so much in detail, but a mere skeleton plan; an American plan; and a British plan. Upon invitation, I took the liberty of asking him what became of the American plan, and he stated that it was laid aside. I asked him what plan was adopted, and he said the British plan; or perhaps he said, "Well, when I say the British plan, there was a plan proposed by Gen. Smuts, which was before the commission, and that was the substance of the plan we adopted, with some modifications."

I want to be perfectly fair about this statement. I do not think because it was a British plan that necessarily it was a bad plan at all; it may be the best that could have been devised, but I am stating what the President said. There was nothing confidential about it. I asked him if the American plan, which he had proposed to the commission, had been made public. He said it had not. I asked him if he saw any objection to having it printed and made public. He said he saw no objection. I then said I hoped that that would be done.

Well, in two or three days the President went back to Europe again. The Secretary of State also was in Europe. So I wrote to Mr. Frank L. Polk, who is a dear friend of mine and a splendid official, and I asked him if he would send me a copy of the so-called American plan to which the President had referred. Mr. Polk was away, being overworked, as most of us have been, by duties imposed upon us by the war and the attempt to make peace. After about 10 days I received this letter from him:

THE COUNSELOR FOR THE DEPARTMENT OF STATE,
Washington, April 18, 1919.

MY DEAR SENATOR BRANDEGEE: In my absence Mr. Phillips acknowledged your letter to me of April 3, reporting your conversation with the President on February 27 and requesting that a copy of the American plan of the league of nations be furnished to you, so that you may know what our representatives at the peace conference had recommended and that the plan may be made public.

A cablegram was sent to the mission on this subject, explaining that the department had not yet received a copy of the American plan to which you referred. I have to-day received a reply from the American mission stating that copies of the American plan will be brought back at the time of the return of the President and the mission to the United States.

The department has no copies of this plan, as the files of the peace mission are being kept together in Paris until the conclusion of the conference, and in the meantime the department is not receiving the draft proposals presented to the various committees and subcommittees.

Yours, sincerely,

FRANK L. POLK.

The Hon. FRANK B. BRANDEGEE,
United States Senate, Washington, D. C.

That is a perfectly straightforward and sufficient answer to me, so far as the State Department is concerned; but since the President has returned the Senate has passed a resolution asking for the American plan. We get no attention paid to it whatever; no response has been made to any request either of the Committee on Foreign Relations or of the Senate for information.

The President, having exercised his perfectly constitutional function of negotiating a treaty, appeared here and presented it to the Senate, his partner in the treaty-making power of this Nation. He made his argument in favor of it. He has performed his constitutional function, in my opinion. If he has anything more to say, he can appear before the Senate at any time and will always be courteously received. He can, of course, appear either in person or by his representatives before any committee of either or both branches of Congress, and will always be politely and courteously and gladly received; but, having tried his case before the jury, before the Senate, as his equal copartner in the treaty-making power, now he sends for the individual jurymen and wants to argue with each one of them separately. It is the Senate of the United States that is the partner of the Executive in the treaty-making power; and if there is any information further than what he conveyed I think he ought to come before the Senate and advise the Senate of it, or, at least, before the Committee on Foreign Relations, if he desires so to do. I think the country is entitled to this information; I think, before it can properly give consideration to this great treaty, which has been called "the establishment of new world orders," that the Senate and the people of America are entitled to more information than the mere ipse dixit of the President of the United States.

Mr. President, as I have said, this treaty has been published in London and Paris; it has been laid before the French Chamber of Deputies with article 4 in it, a part of the consideration upon which the French Government signed the treaty with us that it should be presented to the Senate at the same time the treaty of Versailles was presented.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Massachusetts?

Mr. BRANDEGEE. I do.

Mr. LODGE. Would it interrupt the Senator if I should make a brief statement?

Mr. BRANDEGEE. Not at all.

Mr. LODGE. When the Senator from Connecticut showed me this article before the assembling of the Senate, it seemed to me inconceivable that the fourth article should be there. I presumed the editor, Col. Harvey, was very accurate and careful, but it seemed to me simply inconceivable. I saw a copy of the London Times, which contains the fourth article as it appeared in the White Book, which was laid before the House of Commons, but I could not get a copy from private hands. However, at the club I found a copy of the French paper Le Figaro.

Mr. BRANDEGEE. A Paris paper?

Mr. LODGE. A Paris paper, Le Figaro, of July 3, and on the front page appears an article headed "Guarantee of the peace." It says:

Yesterday there was laid upon the table of the chamber the text of the pact or treaty of guaranty between France, the United States, and Great Britain, signed on the 28th of last June. It is as follows—

The date of the paper is the 3d of July, and the treaty was laid before the Chamber of Deputies on the 2d day of July. The paper then gives the two treaties in full. I find the fourth article as follows—I will read it in French, so that there can be no mistake, and then I will read it in English:

ART. 4. Le présent traité sera, avant ratification, soumis aux Chambres françaises pour approbation. Il sera soumis au Sénat des Etats-Unis en même temps que le Traité de Versailles sera soumis au Sénat pour avis et assentiment à la ratification.

The present treaty will be before ratification submitted to the French Chambers for approval. It will be submitted to the Senate of the United States at the same time the treaty of Versailles will be submitted to the Senate for its advice and consent to ratification.

The French language is extremely exact, and there is no question as to the terms of that treaty as submitted to the French Chamber and as submitted to the House of Commons.

There may be good reasons for paying no attention to the provisions of article 4, but as it was evident that it was put in by the French prime minister and M. Pichon, secretary of state for foreign affairs, with a very considerate feeling toward the Senate of the United States, I can not but regret that it was not laid before us at the same time as the treaty of Versailles, as the signed instrument required.

Mr. BRANDEGEE. Mr. President, I am not very familiar with diplomatic methods or with treaty making, but article 4 seems to me to be a rather unusual provision to be incorporated in any treaty. Ordinarily the commissioners, I should say, who would negotiate with each other would have a personal understanding about such a thing, but to embed it in an article in the treaty itself, which makes it a part of the consideration for the signing of the international contract, which is now signed so far as the executives of these great powers can attend to it, strikes me as rather an unusual proceeding. They can not

change it or alter its conditions. Of course, they may violate them, but the only way they can get article 4 out of the treaty, if it is in there—and I know nothing about it, except what I have seen in the newspapers and magazines; I am not permitted to know—is to reassemble the peace conference, reconsider their action, and make a new contract.

Here is article 4. I do not know whether or not it has been scratched out with a pen by somebody in this country. That would not take it out of the treaty or get it out of the contract. You can not get a hook out of your jaw in that way.

Mr. President, I do not read French, and so I could not understand what the Senator from Massachusetts read until he interpreted it, but I can read English. Here is the London Times, another copy of which you will find it very difficult to get in this country. The London Times office here has not got one. The Metropolitan Club, which has always subscribed for it, can not get a copy of the issue of July 4, although it should have been here on July 11 at the latest, seven days for the steamship passage being a good record now. Here is the "Thunderer," the London Times, of July 4:

The triple pact—

And the whole covenant is here; every Britisher knows about our treaty with France as well as their own, but we do not know about it, and can not.

The triple pact—Anglo-American promise to France—Terms of the treaties.

All the treaties are printed on page 16 of the London Times of July 4, which has not arrived in this country yet, except this one copy which I have. I secured it in a perfectly honorable and legitimate way, but one can not go down town and get a copy for love nor money. Here is article 4 exactly as the Senator from Massachusetts read it from the Figaro, of Paris:

The present treaty will be submitted to the Senate of the United States at the same time as the treaty of Versailles is submitted to the Senate for its advice and consent to ratification. It will be submitted before ratification to the French Chamber of Deputies for approval. The ratifications thereof will be exchanged on the deposit of ratifications of the treaty of Versailles at Paris or as soon thereafter as shall be possible.

That is an exact duplicate of what I read from Harvey's Weekly and of what the Senator from Massachusetts has read. Now, all the world knows about this treaty except we who are to be bound by it, and furnish the goods, and be the pack horse, and carry out the terms of it.

I ask, Mr. President, that as a part of my remarks the article to which I have referred, headed "The triple pact," be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

"THE TRIPLE PACT—ANGLO-AMERICAN PROMISE TO FRANCE—TERMS OF THE TREATIES.

"The text of the Franco-British and Franco-American treaties signed at Versailles on the day when the peace treaty was signed (June 28) is issued as a White Paper (Cmd. 221). These treaties are interdependent, and come into force only when both have been ratified by the legislatures concerned. The following is the text of the treaty between Great Britain and France 'respecting assistance to France in the event of unprovoked aggression by Germany':

"Whereas there is a danger that the stipulations relating to the left bank of the Rhine contained in the treaty of peace signed this day at Versailles may not at first provide adequate security and protection to the French Republic; and

"Whereas His Britannic Majesty is willing, subject to the consent of his Parliament, and provided that a similar obligation is entered into by the United States of America, to undertake to support the French Government in the case of an unprovoked movement of aggression being made against France by Germany; and

"Whereas His Britannic Majesty and the President of the French Republic have determined to conclude a treaty to that effect, and have named as their plenipotentiaries for the purpose; that is to say:

"His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the seas, Emperor of India;

"The Right Hon. David Lloyd-George, M. P., first lord of his treasury and prime minister; the Right Hon. Arthur James Balfour, O. M., M. P., his secretary of state for foreign affairs.

"The President of the French Republic;

"Mr. Georges Clemenceau, president of the council, minister of war; Mr. Stephen Pichon, minister of foreign affairs;

"Who, having communicated their full powers, found in good and due form, have agreed as follows:

"ARTICLE 1.

"In case the following stipulations relating to the left bank of the Rhine contained in the treaty of peace with Germany, signed at Versailles the 28th day of June, 1919, by the British Empire, the French Republic, and the United States of America, among other powers:

"ART. 42. Germany is forbidden to maintain or construct any fortifications, either on the left bank of the Rhine or on the right bank to the west of a line drawn 50 kilometers to the east of the Rhine.

"ART. 43. In the area defined above the maintenance and assembly of armed forces, either permanently or temporarily, and military maneuvers of any kind, as well as the upkeep of all permanent works for mobilization, are in the same way forbidden.

"ART. 44. In case Germany violates in any manner whatever the provisions of articles 42 and 43, she shall be regarded as committing a hostile act against the powers signatory of the present treaty and as calculated to disturb the peace of the world.

"may not at first provide adequate security and protection to France, Great Britain agrees to come immediately to her assistance in the event of any unprovoked movement of aggression against her being made by Germany.

"ARTICLE 2.

"The present treaty, in similar terms with the treaty of even date for the same purpose concluded between the French Republic and the United States of America, a copy of which treaty is annexed hereto, will only come into force when the latter is ratified.

"ARTICLE 3.

"The present treaty must be submitted to the council of the league of nations, and must be recognized by the council, acting, if need be, by a majority, as an engagement which is consistent with the covenant of the league; it will continue in force until, on the application of one of the parties to it, the council, acting, if need be, by a majority, agrees that the league itself affords sufficient protection.

"ARTICLE 4.

"The present treaty shall before ratification by His Majesty be submitted to Parliament for approval.

"It shall before ratification by the President of the French Republic be submitted to the French Chambers for approval.

"ARTICLE 5.

"The present treaty shall impose no obligation upon any of the Dominions of the British Empire unless and until it is approved by the Parliament of the Dominion concerned.

"The present treaty shall be ratified, and shall, subject to articles 2 and 4, come into force at the same time as the treaty of peace with Germany of even date comes into force for the British Empire and the French Republic.

"In faith whereof the above-named plenipotentiaries have signed the present treaty, drawn up in the English and French languages.

"Done in duplicate at Versailles, on the 28th day of June, 1919.

[SEAL.]	"D. LLOYD-GEORGE.
[SEAL.]	"ARTHUR JAMES BALFOUR.
[SEAL.]	"G. CLEMENCEAU.
[SEAL.]	"S. PICHON."

"THE TREATY WITH THE UNITED STATES.

"The Franco-American treaty opens as follows:

"Whereas the United States of America and the French Republic are equally animated by the desire to maintain the peace of the world, so happily restored by the treaty of peace signed at Versailles the 28th day of June, 1919, putting an end to the war begun by the aggression of the German Empire and ended by the defeat of that power; and

"Whereas the United States of America and the French Republic are fully persuaded that an unprovoked movement of aggression by Germany against France would not only violate both the letter and the spirit of the treaty of Versailles, to which the United States of America and the French Republic are parties, thus exposing France anew to the intolerable burdens of an unprovoked war, but that such aggression on the part of Germany would be and is so regarded by the treaty of Versailles as a hostile act against all the powers signatory to that treaty and as calculated to disturb the peace of the world by involving inevitably and directly the States of Europe and indirectly, as experience has amply and unfortunately demonstrated, the world at large; and

"Whereas the United States of America and the French Republic fear that the stipulations relating to the left bank of the

Rhine contained in the said treaty of Versailles may not at first provide adequate security and protection to France on the one hand and the United States of America, as one of the signatories of the treaty of Versailles, on the other;

"Therefore the United States of America and the French Republic having decided to conclude a treaty to effect these necessary purposes, Woodrow Wilson, President of the United States of America, and Robert Lansing, Secretary of State of the United States, especially authorized thereto by the President of the United States, and Georges Clemenceau, President of the Council, Minister of War, and Stephen Pichon, Minister of Foreign Affairs, specially authorized thereto by Raymond Poincare, President of the French Republic, have agreed upon the following articles.

"Four articles similar to those of the Franco-British treaty follow. For the first article the words 'The United States of America shall be bound to come immediately to her assistance' take the place of the equivalent sentence in the Franco-British treaty. With the substitution of the words 'Great Britain' for 'United States of America' article 2 is identical. The wording of article 3 is the same as in the other treaty. Article 4 reads:

"'The present treaty will be submitted to the Senate of the United States at the same time as the treaty of Versailles is submitted to the Senate for its advice and consent to ratification. It will be submitted before ratification to the French Chamber of Deputies for approval. The ratifications thereof will be exchanged on the deposit of ratifications of the treaty of Versailles at Paris or as soon thereafter as shall be possible.'"

Mr. BRANDEGEE. Mr. President, I thank the Senate for its indulgence, and beg its pardon for having trespassed so much upon its time. I am very much obliged.

Mr. HITCHCOCK. Mr. President, if I may have permission also for a few moments, I should like to make some comments on what the Senator from Connecticut has said.

In the first place, it seems to me like a tempest in a teapot to make such a hullabaloo over the discovery, apparently just made, of a treaty that has been in print for weeks, and which I have seen published in the United States. Many American newspapers published it three weeks ago. Millions of American people read it then and will smile at the Senator's discovery of it now.

In the second place, it seems to me, Mr. President, that some protest ought to be made here in the Senate against what seems to be a settled purpose on the part of a few Senators to criticize and discredit the President on all possible occasions, however trifling the subject of criticism may be.

Mr. President, what were the facts in this case?

When the President of the United States came before the Senate to lay before us the great treaty which must necessarily occupy the time and the attention of the Senate for weeks to come, he took occasion, in the midst of his address, to use this language:

> I shall presently have occasion to lay before you a special treaty with France, whose object is the temporary protection of France from unprovoked aggression by the power with whom this treaty of peace has been negotiated. Its terms link it with this treaty. I take the liberty, however, for reserving it for special explication on another occasion.

Mr. President, is there any ground for charging a serious offense against the President of the United States? He made no concealment of facts. He stated in a few words what this treaty is; and the treaty may be read a hundred times, and no different analysis of the treaty can be made than the President makes in this paragraph.

Mr. BRANDEGEE. Mr. President——

Mr. HITCHCOCK. He submitted to the Senate in writing the great treaty which will be the subject of long discussion and great study—the treaty which is now before the Committee on Foreign Relations, and which necessarily must take up the chief time not only of the committee but of the Senate.

Mr. BRANDEGEE. Mr. President——

Mr. HITCHCOCK. I yield.

Mr. BRANDEGEE. I knew the Senator would, because I yielded to the Senator, and I knew he would return the courtesy.

The question is not whether the President made a summary of this treaty. Article 4 of the proposed treaty, unless the documents I have submitted are false, provides that he contracted with France to lay that treaty before the Senate at the same time he laid the treaty of Versailles before the Senate. Did he do it?

Mr. HITCHCOCK. Mr. President, the gist of the article to which the Senator refers is that the two matters shall be before the Senate at the same time.

Mr. BRANDEGEE. Is this the time? Are they here now?

Mr. HITCHCOCK. They will be here at the same time.

Mr. BRANDEGEE. Oh, in the limit, yes.

Mr. HITCHCOCK. We have the President's word that presently he will do this thing.

Mr. BRANDEGEE. When does "presently" arrive?

Mr. HITCHCOCK. It is not for me to say nor for the Senator to say. The President has made no promise to the Senate. He entered into an arrangement with France, and if there is any ground for complaint France and not the Senator from Connecticut has the right to complain.

Mr. BRANDEGEE. I am not complaining. I am calling attention to these articles. If there is any complaint about it, the American Nation and France, I guess, will make the complaint. It is immaterial to me what the Senator from Nebraska thinks about it.

Mr. HITCHCOCK. The Senator may not be complaining; perhaps not. What he is doing is carrying out a settled purpose to attack and criticize the President on every occasion, however slight.

Mr. BRANDEGEE. What I am doing is to try to get the President to treat the Senate as he wants to be treated himself.

Mr. HITCHCOCK. The Senator and his close associates for months have adopted a settled policy of nagging and discrediting the President of the United States while he was engaged in the stupendous work of negotiating this treaty; and, Mr. President, I want to call to the attention of Senators what has been one of the results of this settled purpose of a few Senators—and I am not charging all Senators on that side with this offense, because I know they are free from it.

What has been one of the outstanding effects of this attempt, this settled purpose to nag and discredit the representative of the United States in Paris? It has been to weaken his influence there; and when his influence has been weakened, when his power there has been affected by this systematic discrediting in the United States, and when he has been forced to give way to contentions on the other side, contentions of other countries, then the same Senators rise in their places here and condemn the President because he yielded.

Mr. MOSES. Mr. President, will the Senator yield to me for a question?

Mr. HITCHCOCK. I yield.

Mr. MOSES. Does the Senator from Nebraska think that if a different policy had been pursued in this country the President would have had sufficient force at Paris to withstand the Japanese and to prevent the shame of Shantung?

Mr. HITCHCOCK. Mr. President, I do not know what would have been the effect in relation to Shantung. I know, and the whole world knows, that the President of the United States stood over there single-handed and alone contending for ideals, contending for justice, contending for the things that the public opinion of the world justifies, contending for them against the material demands of the interested nations; and I know he would have been stronger if it had been known that the coordinate branch of the Government of the United States was behind him in his position. I know that the attempts made here to discredit him undoubtedly embarrassed him; and I say it comes with poor grace from Senators who thus sought to hamstring him and stab him in the back to stand upon the floor of the Senate now and criticize him because he was forced to yield at times and could not carry out all of the great purposes which he had in mind.

But, Mr. President, that is not all. The President is criticized because he has not at once and simultaneously laid these two treaties before the Senate. He is criticized because he did not make two speeches at once, at one and the same time, because he elected after giving due notice to present them on separate occasions, while they should both still be before the Senate of the United States.

But that is not all. Now the Senator from Connecticut rises in his place and condemns the President of the United States because he has sought personal interviews with Members of the Senate of the United States——

Mr. BRANDEGEE. No.

Mr. HITCHCOCK. And the President's act is likened to a man tampering with members of a jury charged with the solemn duty of trying a case.

Mr. BRANDEGEE. I do not think he could tamper with any of you.

Mr. HITCHCOCK. The Senator used that language.

Mr. BRANDEGEE. I did not.

Mr. HITCHCOCK. He used the language that the President was appealing to the individual members of a jury——

Mr. BRANDEGEE. I repeat it.

Mr. HITCHCOCK. A thing that is discreditable and, as the Senator knows, contrary to the law.

Mr. BRANDEGEE. I know that the President has sent for individual Senators after he has stated his case before the Senate, and he has done so for a purpose. If he is satisfied with it, I do not complain about it. He has not sent for me. If he does at any time, I will go always to consult with the President; but I have my own views about things. I do not object to his sending for you Senators or for anybody he wants to. It would seem to me that if he wanted to get his treaty through, and thought he had any information that would contribute to that purpose, he would send for the committee that has jurisdiction of it, and not for those who are not on the committee. Still, that is none of my business.

Mr. HITCHCOCK. Mr. President, one would think from the attitude taken by the Senator from Connecticut that Senators had never been sent for before. One would think that it is a disgraceful thing for the President to ask a Senator to come to meet him at the White House and discuss this treaty with him. Why should he not do it? Does he not do it on other occasions? Has not the very charge been brought against the President of the United States by the selfsame Senators who now criticize him that he neglected to consult the Members of the Senate?

Mr. BRANDEGEE. Not by me.

Mr. HITCHCOCK. That he failed to discuss matters with them?

Mr. BRANDEGEE. Not by me.

Mr. HITCHCOCK. That he kept them in the dark and refused to reveal to them the secrets of diplomacy?

Mr. BRANDEGEE. The criticism is that he keeps the Senate and the country in the dark; not the Senators, but the Senate.

Mr. HITCHCOCK. Well, that is a new charge. The Senator has heretofore criticized the President because he has withheld from Members of the Senate information which they were entitled to receive; and the Senator himself, while he was upon the floor, criticized the President because the President had not delivered to him personally something that he had asked for when he was enjoying the hospitality of the President at the White House.

Mr. BRANDEGEE. I did not. I stated that Mr. Polk said he did not have it. I do not know where it is. It may be over in Paris or somewhere else. I hope it is not lost, but I have my doubts.

Mr. HITCHCOCK. Well, I am authorized to say to the Senator that it will appear in due time——

Mr. BRANDEGEE. "Presently."

Mr. HITCHCOCK. And some of the vain imaginings which the Senator has indulged in as to this being a British league of nations will be dispelled if he takes the opportunity to read the articles in the league.

Mr. BRANDEGEE. I have disavowed the belief that it is a British league of nations. I simply accept the Senator's statement that the plan proposed by Gen. Smuts was the basis of the plan that was finally adopted. It was modified, I have no doubt. I do not claim that it is a British league of nations.

Mr. HITCHCOCK. Mr. President, I have about finished.

Mr. BRANDEGEE. I simply do not want the Senator to misrepresent me; that is all.

Mr. HITCHCOCK. I certainly would not care to misrepresent any Senator. I simply rise to protest against this continuation of the nagging policy, and to condemn the systematic effort being made to discredit and criticize the President of the United States on all occasions. At this time, it is true, it can not do the harm that it could heretofore. It defeats itself. He is here to take care of himself, and he will do it. He is now in the United States, and is, I think, doing the right thing when he is appealing to the individual Members of the Senate on both sides to support this treaty. He has the right to do it, and individual Senators have the right to talk to him; and the Senator from Connecticut is criticizing an individual Senator who goes to the White House as much as he is criticizing the President himself when he condemns that method of negotiation.

Mr. BRANDEGEE. Mr. President, I have just as good a right to criticize the Senator as the Senator has to criticize me; and I do not think either one of the criticisms will seriously affect the health of the person criticized.

Mr. HITCHCOCK subsequently said: A short time ago the Senator from Connecticut [Mr. BRANDEGEE] read into the RECORD a purported copy of the proposed treaty between the United States and France. He gave the impression to the Senate that it had not been given publicity in this country until it appeared in Harvey's Weekly which he held in his hand. I stated at the time that it was my impression that I had seen the full publication in American newspapers. I have since verified that impression, and I ask leave now to incorporate in my remarks made at that time the statement that the treaty read to-day by the Senator from Connecticut as a great discovery of himself and Harvey's Weekly was brought to the United States through the agency of the Associated Press and was published broadcast in all of the leading papers in the United States. I hold in my hands a copy of the Evening Star of Washington, of July 3, containing a verbatim report on that date, several weeks ago, of the identical treaty which the Senator from Connecticut read here this morning as a great discovery. This is merely an illustration of the preposterous character of the mare's-nests which the enemies of the President discover from time to time.

Mr. MOSES. The Senate will be glad to know, Mr. President, that the columns of the newspapers replace adequately the official sources of information to which the Senate should have a proper recourse.

Mr. HITCHCOCK. Yes, Mr. President; but the charge was made here and the implication was conveyed that only the London Times carried this publication on July 3, and that a copy of the London Times was almost impossible to secure in this country; yet millions of intelligent people in the United States have read word for word what the Senator from Connecticut thus designated as impossible to secure.

Mr. SMOOT. I merely wish to ask the Senator from Nebraska if he now thinks that the treaty as read by the Senator from Connecticut is the same as the official treaty? The Senator said that he had a copy of the official treaty, and while the Senator from Connecticut was reading I understood the Senator from Nebraska to say that the official copy was not in conformity with the treaty which was being read by the Senator from Connecticut.

Mr. HITCHCOCK. I made no direct statement to that effect; but there are differences in phraseology between the copy which I secured from the State Department and the copy which the Senator from Connecticut read out of the newspaper this morning. The statement read by the Senator from Connecticut, however, was identical with what had been published by the Associated Press three weeks ago as a cablegram from Paris.

Mr. WILLIAMS. Mr. President, there is a great deal in old Æsop's fable about the wolf that wanted to quarrel with the lamb. The wolf first undertook to quarrel with the lamb because it muddied the water in the stream where both were drinking, and then when the lamb established the fact that it had crossed the stream below where the wolf was, and that the water from which the wolf drank had gone by, there was still no peace made by the lamb with the wolf. There are legislative wolves, some of them partisan or personal enemies of the President, as well as wolves of the real sort.

Mr. BRANDEGEE. Also lambs.

Mr. WILLIAMS. Yes; also folks subject to the malice visited on that lamb. The Senator seems to take a little exception to the word "nagging," so perhaps we had better say "scolding." He says he is not complaining——

Mr. BRANDEGEE. I am not complaining.

Mr. WILLIAMS. He says he is not complaining and criticizing, so he seems to be principally scolding; and he goes about it in a very shrewd way, characteristic of my friend from Connecticut. He compares the Senate to a jury hearing a case. Of course, he knows that the Senate is no jury. What was his object in using that phrase, and then saying that the President was talking to "the individual members of the jury" after the case had been heard? He knew that the assumption that the Senate is a jury is unfounded in fact. His object was simply to leave an impression or to insinuate an impression that the President had been guilty of doing something highly improper and sinister, as would have been the case with a lawyer who argued a case before a jury and then had gone into the jury room or somewhere else and talked to individual jurors about the case. A lawyer who would have done that ought to have been disbarred.

While the Senator made no such assertion and did not say that the President was guilty of any improper act, he is one of the smartest men I have ever known in my life, and he weighed fully why he should use that analogy; and he could not have used it for any purpose except what I have stated. A man in the habit of blundering into things—in the habit of blundering and stumbling—might have done so, but there is no man in this body who knows better whither he wants to go and how he wants to get thither and why he wants to get there than does the Senator from Connecticut.

Let us take up some of these lesser things he said. The Constitution uses the words that the President shall do certain things "with the advice and consent of the Senate" in connec-

tion with two subjects matter. One is appointments to office and the other is the making of treaties. The Senator accuses, by statement or innuendo, the President of doing something wrong because he consults with a part of the Senate—individual Senators—and "advises and consults" with them as a part of the Senate, and says that his duty is to consult with none of them except when he consults with the whole Senate, and lays down the proposition that that is the constitutional duty of the President. In addition to the fact that if his statement were true every President of the United States would have been guilty of violating the Constitution, it is not a logical and correct conclusion. I remember, and the Senator himself will remember, that President McKinley sent for Senator after Senator and talked to them when the Spanish-American treaty was hanging in the balance in this body, and he did exactly right. He had a right to act "with the advice and consent" of the Members of the Senate constituting the Senate. When it comes to a matter of appointment Senators do not take the view of "advice and consent" announced by the Senator. When it comes to "the advice and consent of the Senate" with regard to treaties they say the President must come here to this whole body every time, that he can not use any argument to one that he would not use to another. And yet when it comes to appointments for office there is no Senator who is not perfectly willing to go to the White House upon his own motion and "advise and consult" with the President about the appointment, making his own argument in his own way without any resolution of the Senate as "a constitutional body." Why does he not carry the whole Senate with him to the White House every time he goes? Simply because it would be absurd and ridiculous and because nobody believes that there is any foundation for any sort of a position like that.

The Senator in another insinuation says the President in sending for these Senators "must be doing it for a purpose." Of course he is doing it for a purpose. Thomas Jefferson was doing it for a purpose when he sent for Randolph and others to consult with them about the treaty with France for the acquisition of Louisiana. McKinley was doing it for a purpose when he sent for them to obtain ratification by the Senate of the Spanish-American treaty annexing the Philippines and hanging in the balance, as I said a moment ago, with a difference of one or two votes at the time. Did any of us accuse him of doing an improper thing? What was the purpose? A foul purpose, an unworthy purpose? No; it was the purpose of consulting with the other "partner," as the Senator calls it, in the treaty-making power.

The only difference is that McKinley saw them in the interest of the accomplishment of a selfish national purpose of riveting to us and keeping a conquest, and Wilson has been seeing them in the interest of a broad world purpose of self-determination of the peoples and keeping that "peace on earth" which God blessed.

Mr. President, that is part of the duty of the President of the United States, and he is the sole judge of the manner in which he shall "consult and advise" with the Senate, whether in whole or part, because the Senate is nothing but a body of men made out of individual Senators.

At the beginning of this controversy some Senators were holding up the President to criticism, if not to obloquy, upon the ground that he would not and did not consult with Senators, that he went his way and paid no attention to the Senate, and not only did not appoint two or three self-denominated leading Senators as commissioners, so they could go to Paris and act under the limelight upon the great international arena, which was a fault, of course, but that he did not see them beforehand when he did things, and now they are criticizing him because he is seeing them after things have been done, not by him alone but by the five great leading powers and some score of other lesser powers.

Mr. President, I do not think that the President could any more satisfy five or six Senators in this body than that poor helpless lamb of Æsop's fable could have satisfied that other wolf. There is nothing the lamb could have said that would have satisfied the wolf, because what the wolf really wanted to do was to eat the lamb, and there is nothing the President could say to these Senators that would satisfy them, because their real purpose is to "eat him up," as the wolf said to Red Riding Hood; I mean politically, of course, because I do not charge them with being cannibals. But while they are "eating him up" they are eating up a part of their own country's honor, a part of their own country's prestige, and a part of their own country's weight in the councils of the nations of the earth.

Then the Senator says that because article 4 of this French-American treaty provides that these two treaties are to be submitted to the Senate for their consideration at the same time, therefore the President must in the same moment submit the two as indissolubly connected with one another and as virtually one instrument. He could not have done that if he wanted to. He would have had to submit one a few moments ahead of the other, anyhow, even if he was going to bring up both in the same speech. It is like saying that I do not give the Senate the benefit of my opinion because I started a speech this afternoon and the Senate takes a recess and I finish it on a different topic or subtopic to-morrow. These are not the same instrument. The agreement was not to submit them as the same instrument, but it was to submit them to the judgment and the sense of the Senate *so that the Senate might at the same time have both of them under consideration.* If the President submitted one last week and submits another one next week, all of us know that even if he shall do that the Senate will have both of them at the same time before it and under its consideration, considering one while not finished with consideration of the other. That is the common sense and the meaning of the obligation of the treaty in article 4. There is no other sense to be given to it unless it be from the standpoint of a narrow legalist.

Mr. FALL. Will the Senator yield for a question?

Mr. WILLIAMS. Certainly.

Mr. FALL. The Senator, of course, knows that the two treaties could have been laid before the Senate at the same time and that it need not have required five minutes more of the time of the President or any more of the time of the President to lay them before the Senate at the same time. Why was it not laid before the Senate? There must be some reason for it aside from the fact that the President wanted to make a long speech on the second treaty. What, in the opinion of the Senator, is the reason for it?

Mr. WILLIAMS. Mr. President, the President might have laid the two treaties before the Senate on the same day. He could not have done it at the same time. He might have laid them before the Senate during the same week. He might lay them before the Senate in the same month; but provided the Senate has both of them at the same time before it for its consideration, the meaning of article 4 has been complied with. The Senator asks me to tell him why the President did what he did.

Mr. FALL. Yes; that is it.

Mr. WILLIAMS. I can no more tell him why the President did this or that or the other than he can tell me, but I can venture a guess about it, which I imagine will be correct.

Mr. FALL. May I have the same privilege after the Senator concludes?

Mr. WILLIAMS. Of course; after I conclude you may have the floor.

Mr. FALL. I thank you.

Mr. ROBINSON. Mr. President——

Mr WILLIAMS. Wait until I answer this question.

Mr. President, the only way you can judge other people is to judge them by yourself if in their place. If I had been President and had this to do I will tell you what would have led me to the course he pursued. I would have wanted time enough to explain this great league of nations and impress upon the Senate the importance of its adoption as a part of the great treaty of peace and to explain the treaty of peace itself, affecting the whole world, and I would not have wanted to take up so very long a time as would have tired and bored the Senate in a speech so long that the country would not have read it. I would, therefore, have taken up that question first; I would have put it before the Senate, and later, the next day or the next week or the next month, before that had been disposed of by the Senate and while it was still being considered by the Senate, I would have taken up the other and addressed myself to that in another short address, so that I would again not have run the risk of boring and exhausting the patience of the United States Senate and missing the concentrated attention of the people on the second subject matter.

And another reason: I would have wanted the country to receive the full impress of my reasons for advocating the ratification of the one treaty separately from the confusion that might have come about from presenting both issues at the same time. They are not parts of the same instrument, but are two separate instruments.

That is my answer to the Senator; but I can not tell him, of course, what actuated the President. I can only tell him what would have actuated me, just as he could tell the Senate what would have actuated him.

Mr. President, I will yield the floor.

Mr. ROBINSON. Mr. President, some days ago I gave notice that at the conclusion of the morning business to-day I would submit to the Senate some remarks touching the provisions in the treaty of peace relating to what is called Shantung. I did

not anticipate then that the morning business would be deferred for the discussion of general topics and for the discussion of a treaty of peace that is not before the Senate and that has not been submitted to the Senate by the President. I desire to say now that I will object to the transaction of any further business than the business which is regularly in order and that I will ask the indulgence of the Senate to proceed with my remarks as soon as the morning business has been concluded.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a communication from the National Women's Trade Union League of America, transmitting resolutions adopted in convention at Philadelphia, Pa., favoring the passage of the so-called civil-service retirement bill, the reclassification of salaries of Government employees, the system of savings by war-savings certificates and thrift stamps, the repeal of the law granting preference to discharged soldiers, sailors, and marines in the matter of Federal employment, and the passage of the proposed minimum-wage bill, which was referred to the Committee on Education and Labor.

He also presented a resolution adopted by the Supreme Council of the Mystic Order of Veiled Prophets of the Enchanted Realm, of Hamilton, N. Y., pledging their loyalty and allegiance to our flag and country, and favoring the enactment of legislation prohibiting the display of any flag not subservient to the Stars and Stripes, which was referred to the Committee on the Judiciary.

He also presented a resolution adopted by the National Temperance Society and commission on temperance of the Federal Council of the Churches of Christ in America, favoring the enactment of legislation providing for the enforcement of war-time and national prohibition, which was referred to the Committee on the Judiciary.

He also presented the petition of Nathaniel Bacon, of Santee, Calif, praying that the Senate have printed and circulated the speech made by Daniel Webster in the House of Representatives on January 19, 1824, and also praying that the Senate consider and vote upon separately and severally each and every article of the proposed peace treaty with Germany, which was referred to the Committee on Foreign Relations.

Mr. EDGE. I present a resolution adopted by the Burlington County (N. J.) Board of Agriculture and Farm Bureau, emphatically protesting against the appropriation of $500,000,000 to reclaim swamps, deserts, and cut-over lands. I move that the resolution be referred to the Committee on Public Lands.

The motion was agreed to.

Mr. MOSES presented a memorial of the Polish Alma Mater Society and of the Polish Publishing Co., of Chicago, Ill., remonstrating against the enactment of legislation to prohibit the admission to the mails of any matter printed in a foreign language, which were referred to the Committee on the Judiciary.

Mr. PHELAN presented a petiton of Colombo Circle No. 256, C. O. F., of San Jose, Calif., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a petition of Angelus Lodge No. 2004, Brotherhood of Railway Clerks, of Los Angeles, Calif., praying for Government ownership and control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. McLEAN presented a memorial of Thomas F. Meagher Branch Friends of Irish Freedom, of Bridgeport, Conn., remonstrating aginst the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the Common Council of Bridgeport, Conn., favoring the recognition of the Irish Republic, which was referred to the Committee on Foreign Relations.

Mr. NEWBERRY (for Mr. TOWNSEND) presented a petition of Local Union No. 235, National Federation of Postal Employees, of Battle Creek, Mich., and a petition of sundry postal employees of Port Huron, Mich., praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

He also (for Mr. TOWNSEND) presented petitions of sundry citizens of Michigan, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

He also (for Mr. TOWNSEND) presented petitions of sundry citizens of Charlotte, Lapeer, and Flint, all in the State of Michigan, praying for the repeal of the so-called "luxury" tax, which were referred to the Committee on Finance.

He also (for Mr. TOWNSEND) presented a memorial of the Ministers' Conference of Grand Rapids, Mich., remonstrating against the repeal of war-time and national prohibition, which was referred to the Committee on the Judiciary.

He also (for Mr. TOWNSEND) presented a petition of Local Union No. 10, Bricklayers, Masons, and Plasterers' International Union, of Albion, Mich., and a petition of Local Union No. 22, Cigarmakers' International Union of America, of Detroit, Mich., praying for the exemption from prohibition of 2¾ per cent beer, which were referred to the Committee on the Judiciary.

Mr. PAGE presented a memorial of sundry citizens of St. Johnsbury, Vt., and a memorial of sundry citizens of Pittsford, Vt., remonstrating against the establishment of a Department of Education, which were referred to the Committee on Education and Labor.

Mr. WALSH of Massachusetts presented memorials of employees of the Lincoln Twist Drill Co., of Taunton; of the Paris Paper Co., of the Lydia E. Pinkham Medicine Co., of the Lamson Co., of Boston; of Dodd & Williams, of Boston; of the Mountain Mill Paper Co., of Lee; of the Plimpton Press, of Norwood; of the Durable Wire Rope Co., of the Royal Curtain Manufacturing Co., of the Brown-Wales Co., of Ginn & Co., of Boston; of the Northeastern Leather Co., of the Cronkhite Co., of H. C. Whitcomb & Co., of Hilliard Merrill (Inc.), of Lynn; of Frank H. Davis, of the Puffer Manufacturing Co., of Winchester; of the Burgess Co., of Marblehead; of the Ewing Paper Mills, of Brown's Beach Jacket Co., of Worcester; of the Spencer Wire Co., of Walden-Worcester (Inc.), of Worcester; of Armour's Pattern Shop, of Worcester; of the Camel Mills, of Fall River; of the Valley Press, of Albert Russell & Sons Co., of Newburyport; of Bacheller & Spence, of Lynn; of the Columbian Rope Co., of Millar & Wolfer, of Chelsea; of the Conant Ball Co., of the Worcester Wind Motor Co., of the Pratt & Forrest Co., of the Richardson & Boynton Co., of the Paper Makers' Chemical Co., of Holyoke; of the Saeger Cut Sole Co., of Boston; of the Milton Bradley Co., of Springfield; of the Page Paper Box Co., of Chicopee Falls; of the Thomas D. Gotshall Shoe Co., of the A. H. Rice Co., of Pittsfield; of the Selden Worsted Mill, of Lawrence; of the Wottoquottoc Worsted Co., of Hudson; of the Thomas H. Logan Co., of Hudson; of the Maxf Grinding Wheel Corporation, of Chester; of the Superior Corundum Wheel Co., of Waltham; of the H. P. Cummings Construction Co., of Ware; of the Wilkins Paper Box Co., and of the Esleeck Manufacturing Co., of Turners Falls, all in the State of Massachusetts, remonstrating against the repeal of the so-called daylight-saving law, which were referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES.

Mr. SMOOT, from the Committee on Public Lands, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 420) providing for the extension of time for the reclamation of certain lands in the State of Wyoming under the Carey Act (Rept. No. 103);

A bill (S. 428) for the relief of Thomas Sevy (Rept. No. 101);

A bill (S. 577) for the relief of the Southern States Lumber Co. (Rept. No. 102);

A bill (S. 578) providing for the survey of public lands remaining unsurveyed in the State of Florida, with a view of satisfying the grant in aid of schools made to said State under the act of March 3, 1845, and other acts amendatory thereof (Rept. No. 105); and

A bill (S. 2378) to authorize the issuance of patent to John Albert Thompson, and for other purposes (Rept. No. 104).

Mr. KENYON, from the Committee on Education and Labor, to which was referred the bill (S. 168) to create a commission to investigate and report to Congress a plan on the questions involved in the financing of house construction and home ownership and Federal aid therefor, reported it with amendments.

He also, from the same committee, to which was referred the bill (H. R. 2847) providing additional aid for the American Printing House for the Blind, reported it without amendment and submitted a report (No. 106) thereon.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CAPPER:

A bill (S. 2605) for the permanent appointment as commissioned officers of certain former noncommissioned officers who were called to active service under temporary commissions be-

tween the dates of April 6, 1917, and November 11, 1918; to the Committee on Military Affairs.

A bill (S. 2606) to regulate pawnbrokers and their business in the District of Columbia; to the Committee on the District of Columbia.

By Mr HALE:

A bill (S. 2607) to provide for the purchase of a site for and the construction of a public building at York, Me. (with accompanying papers); to the Committee on Public Buildings and Grounds.

A bill (S. 2608) granting an increase of pension to George W. Brawn (with accompanying papers); to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 2609) to authorize the incorporated town of Petersburg, Alaska, to issue bonds in any sum not exceeding $75,000 for the purpose of constructing and installing a municipal electric light and power plant and for the construction of a public-school building; to the Committee on Territories.

By Mr. SMITH of Arizona:

A bill (S. 2610) to provide for the disposal of certain waste and drainage water from the Yuma project, Arizona; to the Committee on Public Lands.

By Mr. SHERMAN:

A bill (S. 2611) granting an increase of pension to William Green; and

A bill (S. 2612) granting an increase of pension to Robert Wilson McClaughry; to the Committee on Pensions.

By Mr. WALSH of Massachusetts:

A bill (S. 2613) for the relief of the owner of the steam tug *Eureka;* to the Committee on Claims.

A bill (S. 2614) for the relief of Francis M. Atherton (with accompanying papers); to the Committee on Military Affairs.

By Mr. GRONNA:

A bill (S. 2615) to grant one year's extra pay to the members of the military and naval forces of the United States as partial compensation for their sacrifices and to assist them during the period of readjustment; to the Committee on Military Affairs.

By Mr. FRANCE:

A bill (S. 2616) to repeal and reenact certain sections of "An act to provide for the Fourteenth and subsequent decennial censuses"; to the Committee on the Census.

By Mr. McKELLAR:

A bill (S. 2617) for the relief of the legal representative of Enoch Ensley, deceased; to the Committee on Claims.

By Mr. LENROOT:

A bill (S. 2618) to provide for the disposal of nonmetalliferous mineral deposits owned by the United States separate from the surface of the lands wherein they lie, and for other purposes;

A bill (S. 2619) to provide for the leasing of sodium and deposits of phosphates by the United States; and

A bill (S. 2620) to provide for the leasing of coal deposits owned by the United States outside of Alaska; to the Committee on Public Lands.

By Mr. HARDING:

A joint resolution (S. J. Res. 76) for the investigation of influenza and allied diseases, in order to determine their cause and methods of prevention; to the Committee on Public Health and National Quarantine.

By Mr. OWEN:

A joint resolution (S. J. Res. 77) to amend section 18 of the Indian appropriation act approved June 30, 1919; to the Committee on Indian Affairs.

PERIODICALS NOT PRINTED IN ENGLISH.

Mr. SMITH of Georgia. I introduce a bill and I ask that it be read at length.

The bill (S. 2604) to prohibit the use of the mails by periodicals and newspapers not printed in English, and for other purposes, was read the first time by its title and the second time at length and referred to the Committee on the Judiciary, as follows:

Be it enacted, etc., That from and after October 1, 1919, it shall be unlawful to send through the mails any periodical or newspaper or publication in the shape of a pamphlet or circular printed in a foreign language which does not contain a translation into English, column for column and page for page, of such publication.

SEC. 2. That from and after January 1, 1925, it shall be unlawful to send through the mails any periodical or newspaper or publication in the shape of a pamphlet or circular which is printed in any language other than English.

SEC. 3. That it shall be the duty of the post-office officials to seize any publication sought to be sent through the mails in violation of the provisions of this act, and any person convicted of delivering any such publication to be sent in violation of the provisions of this act shall on conviction be punished with fine not to exceed $1,000 or with imprisonment not to exceed one year, one or both, in the discretion of the judge hearing the case.

SEC. 4. That all laws or parts of laws in conflict with this act are hereby repealed.

TREATY WITH FRANCE.

Mr. LODGE. I offer the following resolution and ask for its present consideration.

The resolution (S. Res. 132) was read, as follows:

Whereas the President of the United States, in his address in the United States Senate on July 10, 1919, stated, as it appears on page 2339 of the CONGRESSIONAL RECORD:

"I shall presently have occasion to lay before you a special treaty with France, whose object is the temporary protection of France from unprovoked aggression by the power with whom this treaty of peace has been negotiated. Its terms link it with this treaty. I take the liberty, however, of reserving it, because of its importance, for special explication on another occasion;" and

Whereas said proposed treaty with France has been submitted to the Chamber of Deputies of the French Republic; and

Whereas a purported transcript of said treaty has been printed in a public journal in this country and appears in this day's RECORD of the proceedings of the Senate; and

Whereas article 4 of said treaty provides that "the present treaty will be submitted to the Senate of the United States at the same time as the treaty of Versailles is submitted to the Senate for its advice and consent to ratification:" Now, therefore, be it

Resolved, That the President is hereby respectfully requested, if not incompatible with the public interest, to transmit to the Senate the said proposed treaty with France, to the end that the Senate may consider said treaty in connection with the treaty of peace with Germany.

The VICE PRESIDENT. Is there any objection?

Mr. ROBINSON. I object to the present consideration of the resolution.

The VICE PRESIDENT. It goes over.

THE MEAT-PACKING INDUSTRY.

Mr. KENYON submitted the following resolution (S. Res. 134), which was read and referred to the Committee on Printing:

Resolved, That there be printed 7,000 copies of the Report of the Federal Trade Commission on the Meat-Packing Industry Summary, and Part I, Extent and Growth of Power of the Five Packers in Meat and Other Industries, 2,000 to be delivered to the Senate, 3,000 to the House of Representatives, and 2,000 to the Federal Trade Commission.

PRICES OF CATTLE AND SWINE.

Mr. HARRIS. I submit a resolution and ask that it be read and lie over under the rule.

The Secretary read the resolution (S. Res. 133), as follows:

Resolved, That the Federal Trade Commission be, and it is hereby, directed to make an immediate investigation of the methods of purchase and prices paid for cattle and swine by persons and corporations engaged in the meat-packing industry, with particular reference to the discriminations, if any, operating to the disadvantage of live-stock producers in the Southern States, and to report as soon as practicable to the Senate the results of such investigation.

The VICE PRESIDENT. The resolution will lie over and be printed.

OFFICIAL REPORTERS OF DEBATES.

Mr. SMOOT submitted the following resolution (S. Res. 135), which was read and referred to the Committee on Printing:

Resolved, That Theodore F. Shuey and James W. Murphy are hereby appointed official reporters for reporting the proceedings and debates of the Senate until further order of the Senate, subject to all the duties and obligations of the contract made with D. F. Murphy, deceased, late reporter of the Senate, and to the supervision and control of the Committee on Printing on behalf of the Senate in all respects therein provided, and to receive payment for such service according to law.

HOUSE BILL REFERRED.

H. R. 3754. An act to amend sections 8 and 21 of the copyright act approved March 4, 1909, was read twice by its title and referred to the Committee on Patents.

PEACE AND THE LEAGUE.

Mr. GRONNA. Mr. President, I have here a brief editorial from the Twin City Reporter, an independent paper of wide circulation, which I ask may be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PEACE AND THE LEAGUE.

"Peace has come!

"The league of nations is born!

"Hail the league!

"And look out for squalls.

"China, the yellow giant of the East, refused point-blank to sign the treaty. Discord No. 1.

"If the United States Congress refuses to sanction our entrance into the league, there will be discord No. 2.

"If it does, there will be discord No. 3.

"It's pretty much a case of 'be damned if you do and be damned if you don't.'

"The empty platitudes that have been wafted over the cables and over the wires anent the new-born freedom, the self-determination of races and peoples, will fall far short of bringing such peace to the world as the world desires.

"Ireland isn't feeling at all peaceful. Korea is far from being in a mood to pamper the pigeon of peace. China, with its 400,000,000 population, isn't clapping hands for joy. India, groaning under the weight of famine and war taxes, can't see the spot where we are told all eyes should focus. And so it is all over the world.

"The trouble lies not with the peace that has been made—not that it has been made—but in the manner of making it.

"The people—the citizenry—of no country have been consulted. The world was at war with Germany. Instead of making a peace with our enemy, we have embroiled the world in a league of nations. Instead of making peace with Germany, we have made enemies of half the world. Instead of one enemy, we will have a score. Instead of having one army of occupation, we will have to have a half dozen armies ready to become armies of occupation. And they tell us that the league of nations will bring a lasting peace to the world!

"The world wanted peace. We wanted peace. The world didn't want a league of nations. We didn't want it.

"The world had nothing to say about it. We will have nothing to say about it.

"A few old men met last winter in Paris, France. For months they argued and wrangled. The 'pitiless publicity' and 'open diplomacy' so valiantly promised failed to materialize. The 'home folks' were graciously permitted to guess at what was being done—they were never told.

"A league of nations plan was proposed by and agreed to among the old men. The 'home folks' weren't consulted. They were told just what the old men wanted to tell them, which wasn't much.

"But, among other things, they were told that the league of nations plan would make future wars impossible. Did the old men believe this? They did not.

"And because they did not, they agreed to enter into agreements among themselves.

"The world doesn't know to-day how many of these agreements were entered into. The world will not know until another war threatens. It will plod along under the obsession that the league of nations will prevent all wars. And then some day it will wake up to find that one of the private agreements entered into by the old men will supersede the league of nations plan. And there will be war and—an end to the league.

"The man in whose brain the idea of the league was formed signed the treaty under protest. Smuts, the Boer, protested but signed. It was his mind that first mapped out the present league plan. But at that the plan wasn't original. It has been tried out times innumerable and with always the same result—

"Failure!

"The old men whose hands held the power to bring forth the league knew the league would not, could not, prevent wars, so they endeavored to protect themselves by entering into other agreements. If the league were capable of protecting the human race from the red wave of war there would have been no need of these secret agreements.

"The ones who are so staunch in their support of the league of nations plan have evidently overlooked this fact.

"We have entered into an agreement to protect France from attack—from an 'unprovoked' attack by Germany—and Germany bled white and torn by internal strife, bankrupt, and impotent to govern herself!

"If there was anything in the league of nations plan that would prevent war, why was it necessary to enter into a separate agreement to protect France?

"If the nations of the world were to have 'self-determination'—the right to choose their own form of government, the right to enjoy national liberty—then why deny Ireland, Egypt, Korea, India, and the scores of other small nations and races that right?

"'What is sauce for the goose is sauce for the gander.' If the right of self-government—the right of self-determination—is the right of one nation, one race, one people, it is the right of all!

"If we turn the picture of Ireland with its 'face toward the wall,' if we throw up our hands when Korea pleads for national independence, if we roll our eyes in horror when India pleads for the right of self-government, what right have we to prattle of a self-determination for any race or people?

"If we enter into an agreement that Japan shall have and hold a part of the Chinese Empire-Republic's territory, what right have we to babble of a world freedom or a world democracy?

"But we have peace. The treaty has been signed. War with Germany has officially ended.

"With the coming of peace cometh the league of nations.

"Hail the league!

"And look out for squalls."

DEPARTMENT OF EDUCATION.

Mr. SMITH of Georgia. Mr. President, I desire to give notice that on Monday next, if an opportunity is afforded, I will address the Senate in reply to certain charges that have been made against Senate bill 1017, and especially to certain charges made in the baccalaureate address delivered on the 15th of June last at Georgetown University.

Mr. NORRIS. What is the bill?

Mr. SMITH of Georgia. It is the bill to create a department of education.

The VICE PRESIDENT. The morning business is closed.

JAPANESE INTERESTS IN CHINA.

Mr. ROBINSON. Mr. President, the treaty of peace which has been submitted to the Senate by the President and is now under consideration by the Committee on Foreign Relations is perhaps the most voluminous document of its character that has ever been written. It is not surprising that a number of provisions in this treaty should have been the subject of serious criticism. No question connected with the peace treaty has occasioned more discussion in the Senate and in the press than those which relate to what we know, somewhat inaccurately, as "Shantung."

The provisions in the treaty of peace respecting Japanese claims in Kiaochow have been the subject of serious criticism. Undoubtedly the controversy is associated with difficulties and confusion sufficient to justify differences of opinion among those who are disposed to give fair consideration to its terms and its effect. These provisions, however, have been repeatedly misinterpreted in the debates in the Senate and are, I believe, quite generally misunderstood. It is my purpose in addressing the Senate to-day to set forth what I believe to be the facts pertinent to a fair understanding of this controversy, and to relieve it from uncertainties and confusion resulting from erroneous and exaggerated statements calculated to arouse prejudice in the Senate and in the country.

MUTUAL CONFIDENCE THE BASIS OF AMITY BETWEEN NATIONS.

The discussion by the Senate of the peace treaty in open executive session meets with general approval. Reciprocal courtesy and confidence are the basis of amicable relations between nations. The history of the Japanese claims in Shantung does not justify the violent attacks on Japan which have occurred in the course of the debate in this body. I shall assume that good faith underlies the motives of all nations associated with this Government in the conduct of the war and shall refrain from intemperate criticisms of the policy or purposes of other nations.

The language in the treaty germane to the subject is contained in articles 156 to 158, inclusive. Germany renounces in favor of Japan all rights, titles, and privileges, including leased territory, railways, mines, and submarine cables in the Kiaochow region. The language of the treaty is as follows:

SECTION VIII.

SHANTUNG.

Article 156.

Germany renounces, in favor of Japan, all her rights, title, and privileges—particularly those concerning the territory of Kiaochow, railways, mines, and submarine cables—which she acquired in virtue of the treaty concluded by her with China on March 6, 1898, and of all other arrangements relative to the Province of Shantung.

All German rights in the Tsingtao-Tsinanfu Railway, including its branch lines, together with its subsidiary property of all kinds, stations, shops, fixed and rolling stock, mines, plant, and material for the exploitation of the mines, are and remain acquired by Japan, together with all rights and privileges attaching thereto.

The German State submarine cables from Tsingtao to Shanghai and from Tsingtao to Chefoo, with all the rights, privileges, and properties attaching thereto, are similarly acquired by Japan free and clear of all charges and encumbrances.

Article 157.

The movable and immovable property owned by the German State in the territory of Kiaochow, as well as all the rights which Germany might claim in consequence of the works or improvements made or of the expenses incurred by her, directly or indirectly, in connection with this territory, are and remain acquired by Japan free and clear of all charges and encumbrances.

Article 158.

Germany shall hand over to Japan within three months from the coming into force of the present treaty the archives, registers, plans, title deeds, and documents of every kind, wherever they may be, relating to the administration, whether civil, military, financial, judicial, or other, of the territory of Kiaochow.

Within the same period Germany shall give particulars to Japan of all treaties, arrangements, or agreements relating to the rights, title, or privileges referred to in the two preceding articles.

It is apparent that, in so far as the treaty is concerned, Japan's rights in Kiaochow are limited to only such territory, properties, and privileges as Germany possessed there.

ORIGIN OF GERMANY'S CLAIMS.

Little dispute arises as to the origin of Germany's claims.

Mr. OWEN. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Oklahoma?

Mr. ROBINSON. I yield to the Senator from Oklahoma.

Mr. OWEN. Mr. President, the statement which the Senator from Arkansas is making is one that has very great importance to the Senate itself and it ought to be understood. I think I am justified in making a point of no quorum, because the Shantung matter ought to be thoroughly understood by the Senate. Therefore I make the point of no quorum.

The VICE PRESIDENT. Does the Senator from Arkansas yield for the purpose?

Mr. ROBINSON. I yield.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harrison	Moses	Shields
Ball	Henderson	Myers	Simmons
Bankhead	Hitchcock	New	Smith, Ariz.
Capper	Johnson, S. Dak.	Newberry	Smith, S. C.
Chamberlain	Jones, N. Mex.	Norris	Smoot
Curtis	Kellogg	Overman	Spencer
Dial	Kenyon	Owen	Sterling
Edge	King	Page	Sutherland
Fletcher	Kirby	Phelan	Thomas
Gay	La Follette	Phipps	Trammell
Gerry	Lenroot	Pittman	Walsh, Mass.
Hale	Lodge	Pomerene	Walsh, Mont.
Harding	McKellar	Robinson	Warren
Harris	McNary	Sheppard	

The VICE PRESIDENT. Fifty-five Senators have answered to the roll call. There is a quorum present.

Mr. ROBINSON. Mr. President, before the call of the Senate was ordered I had stated somewhat in detail that among the many provisions contained in the treaty of peace now under consideration by the Foreign Relations Committee of the Senate none had been the occasion of more discussion and of greater misunderstanding than the effect of the treaty respecting Japan's relations to Kiaochow. I had also stated that it is my object in the remarks which I shall submit to the Senate to attempt to state the true facts regarding the matter.

The years 1897 and 1898 marked an epoch in Chinese history. The great powers—Great Britain, France, Russia, and Japan—were seeking concessions from the Chinese Government and threatening aggression in Chinese territory. This combined pressure for concessions aroused strong antiforeign sentiment throughout China and culminated in the Boxer rebellion of 1900 and the promulgation by the United States, with the approval of Great Britain, of the "open-door policy."

OPEN-DOOR POLICY DEFINED.

The "open-door policy" asserted the right of all nations to equal commercial rights in China and the preservation of Chinese territory from aggression by any power.

The Boxer rebellion manifested the antiforeign sentiment of China by attacks on the legations of the various powers. The rebellion was suppressed by the combined efforts of France, Great Britain, Germany, Russia, Japan, and the United States. The "open-door policy" was concurred in by the various nations. China became suspicious of the good faith of all governments seeking concessions.

As a part of the movement of the nations mentioned to secure concessions in China, Germany in 1896 undertook negotiations for rights and privileges in the Kiaochow region. These negotiations were unsuccessful. In the following year, 1897, justifying her action as a punitive measure against China for the murder of two missionaries by residents of Shantung, Germany dispatched a naval fleet to the Bay of Kiaochow and took possession of its port, Tsingtau.

SOVEREIGN RIGHTS SECURED TO GERMANY BY TREATY OF MARCH 6, 1898.

March 6, 1898, Germany concluded a treaty with China by which she acquired a lease for 99 years of both sides of the entrance to the Bay of Kiaochow. There is some confusion as to the area of this leased territory. The representative of the National Geographic Society declares that it consists of only 123 square miles, whereas other authorities assert that the total land and water area leased is approximately 400 square miles.

A zone of 50 kilometers (a little more than 30 miles in width) surrounding the Bay of Kiaochow, designated by many writers as a neutral zone, was also created. China reserved the rights of sovereignty over this zone, but granted free passage through it to German troops and also extended other privileges in the zone to the German Government. China expressly agreed to abstain from the exercise of any sovereign rights in the ceded territory and agreed to the exercise of the same by Germany.

It has been stated by more than one Senator that by the treaty Shantung with its 40,000,000 inhabitants is wrested from China and presented to Japan. Shantung is a little larger than either Iowa or Wisconsin. It has a total area of 55,984 square miles and a population estimated at 40,000,000.

The territory involved in this controversy is limited to a small land area of approximately 200 square miles and an equal water area. The population of Tsingtau in 1914 was estimated at 34,000. The total population of the leased area is approximately 200,000. This is one illustration of the inexcusable misrepresentations which have characterized the discussion of the subject.

Only a small portion of Shantung, embracing but 200,000 inhabitants, is involved, and yet critics of the treaty declare that the whole of Shantung, with its 40,000,000 people, is taken from China and given to Japan.

The confusion respecting the rights of sovereignty as defined by the treaty between China and Germany arises from a failure to distinguish between the neutral zone and the ceded territory, which embraced, according to what I believe the best authorities, a land area of 208 square miles and a water area consisting of the entire Bay of Kiaochow, of approximately 200 square miles more.

China agreed that Germany might construct two railways and operate mines within about 10 miles of the lines, one of which was to extend from Tsingtau to Tsinganfu, a distance of 250 miles.

Let me call attention now to the terms of the treaty, which make clear the distinction between the ceded territory and the neutral zone, and which also define or throw light upon the rights of sovereignty as expressed in the treaty:

ARTICLE 1. His Majesty the Emperor of China, guided by the intention to strengthen the friendly relations between China and Germany, and at the same time to increase the military readiness of the Chinese Empire, engages, while reserving to himself all rights of sovereignty in a zone of 50 kilometers (100 Chinese li) surrounding the Bay of Kiaochow at high water, to permit the free passage of German troops within this zone at any time, as also to abstain from taking any measures or issuing any ordinances therein without the previous consent of the German Government, and especially to place no obstacle in the way of any regulation of the watercourses which may prove to be necessary.

Thus you will see that while by article 1 China reserved the rights of sovereignty in the zone, she agreed that as to the zone she would not exercise that right in the making of ordinances except with the consent of the German Government. That relates solely to the status of the zone.

His Majesty the Emperor of China at the same time reserves to himself the right to station troops within that zone, in agreement with the German Government, and to take other military measures.

Thus by article 1 the zone already mentioned was created, and as to this zone China reserved the rights of sovereignty, but granted to Germany free passage of troops and the regulation of watercourses.

ART. 2. With the intention of meeting the legitimate desire of His Majesty the German Emperor that Germany, like other powers, should hold a place on the Chinese coast for the repair and equipment of her ships, for the storage of provisions and materials for the same, and for other arrangements connected therewith, His Majesty the Emperor of China cedes to Germany on lease provisionally for 99 years both sides of the entrance of the Bay of Kiaochow. Germany engages to construct, at a suitable moment, on the territory thus ceded, fortifications for the protection of the buildings to be constructed there and of the entrance to the harbor.

By article 3 China agrees to abstain from exercising rights of sovereignty in the ceded territory and leaves the exercise of the same to Germany. The language is as follows:

ARTICLE 3.

In order to avoid the possibility of conflicts, the Imperial Chinese Government will abstain from exercising rights of sovereignty in the ceded territory during the term of the lease and leaves the exercise of the same to Germany within the following limits:

1. On the northern side of the entrance to the bay:

The peninsular bounded to the northeast by a line drawn from the northeastern corner of Potato Island to Loshan Harbor.

2. On the southern side of the entrance to the bay:

The peninsular bounded to the southwest of a line drawn from the southwesternmost point of the bay lying to the south-southwest of Chiposan Island in the direction of Tolosan Island.

3. The island of Chiposan and Potato Island.

4. The whole water area of the bay up to the highest watermark at present known.

5. All islands lying seaward from Kiaochow Bay which may be of importance for its defense, such as Tolosan, Chalienchow, etc.

The high contracting parties reserve to themselves to delimitate more accurately, in accord with local traditions, the boundaries of the territory leased to Germany and of the 50-kilometer zone around the bay, by means of commissioners to be appointed by both sides.

Pursuant to that last clause, the territory leased was delimitated. I have had made the best map that is obtainable respecting the subject. The exterior boundary of the leased territory, as finally delimitated, is a somewhat irregular line, the greater portion of the land area being to the right of the bay

entering it. The city of Tsingtau is embraced within the leased territory. Outside of the leased territory, and as distinct from it as two subjects can be, is the so-called neutral zone, approximately 30 miles in width. The interior boundary of the neutral zone is more or less irregular, being the exterior boundary of the ceded territory.

Thus it appears that as to the zone qualified sovereignty was reserved in China, subject to certain German rights and privileges, while as to the ceded territory China expressly agrees to abstain from exercising rights of sovereignty and leaves the exercise of the same to Germany.

The right of Germany to exercise sovereignty in the ceded territory is made obligatory by the provision:

The Chinese population dwelling in the ceded territory shall at all times enjoy the protection of the German Government.

And so forth.

That sovereignty over the water area of the bay was vested in Germany is conclusively shown by the language:

Chinese ships in the bay shall not be subject to any restrictions other than those which the Imperial German Government, in virtue of the rights of sovereignty over the whole of the water area of the bay transferred to Germany, may at any time find it necessary to impose with regard to ships of other nations.

What clearer proof of sovereign rights in Germany could appear than these express provisions recognizing absolute rights of sovereignty in the ceded territory, including both the land and the water areas?

The language:

As regards the establishment of Chinese custom stations which formerly existed outside the ceded territory but within the 50-kilometer zone, the Imperial German Government intends to come to an agreement with the Chinese Government—

and so forth, shows the plain distinction between sovereignty in the zone and sovereignty in the ceded territory.

The declaration made during debates in the Senate that no sovereign rights passed from China to Germany by the treaty and the statement also made in the Senate and elsewhere that all sovereign rights were reserved by China is contradicted by the express language and plain implications of the treaty itself.

LEGAL EFFECT OF THE TREATY.

It is asserted by critics of the treaty that the compact between Germany and China is of such a nature that the declaration of war against Germany by China had the effect of abrogating its provisions and restoring to China all rights which she had granted to Germany. Passing over for later consideration the agreement of China to any arrangement which Japan might make with Germany respecting these rights, which agreement with Japan was made before China declared war, let us consider whether even in the absence of any such agreement with Japan the declaration of war by China would have terminated German rights.

No exact precedent can be cited for the reason that the convention of March 6, 1898, in which China leased Kiaochow to Germany and granted her sovereign rights within the leased territory is the first instance in which the effect of such a treaty has arisen.

An examination of the provisions of the treaty shows that while the lease is for 99 years Germany is vested with the exclusive right of government during that period, both as to the water area and the land area leased. Germany, without doubt, had the power and the right to establish a military and a naval base in the leased territory. She would probably have done this and she would have conducted military and naval operations from Tsingtau if Japan had not rendered this impossible by driving the Germans out.

While the outbreak of war canceled political treaties of a temporary nature between the belligerents it would seem that such a treaty as that between China and Germany, in which China agreed to accept the status of other nations with which Germany was at peace, in so far as the leased territory is concerned, would not be abrogated ipso facto by the outbreak of war between China and Germany. At least, it may be asserted that the status of the leased territory was such that Germany actually anticipated attack there by the Allies while China remained neutral.

JAPAN'S CLAIMS.

That Germany regarded her rights in Shantung as subject to seizure by the allied nations at war with her is disclosed by her efforts to anticipate their occupation of the leased territory. Prior to the attack by Japan, Germany made frantic efforts to effect a temporary transfer of the leased territory and the railways to some neutral power other than China. This attempt on the part of Germany to preserve her rights in Kiaochow was closely followed by the action of Japan, with the knowledge and approval of France and England, in sending to Germany the ultimatum of August 15, 1917, demanding that Germany relinquish the leased territory and abandon all claims in China. Undoubtedly Japan acted from the beginning in concert with the enemies of Germany.

When Germany refused the ultimatum, Japan, on August 23, declared war on Germany, and immediately blockaded Tsingtau. Having seized the railway line and established a base at Laushan, on the border of the leased territory, Japan laid siege to the garrison of 4,600 German troops with an army of 20,000, and after two months' hostilities received the surrender of Tsingtau. She has remained in possession of the leased territory and of the German property from the fall of Tsingtau, November 7, 1914, until the present.

When Japan attacked Germany in Kiaochow, China created a war zone embracing the area of actual hostilities. Some months after the surrender of the Germans to Japan, China announced that this war zone would be abolished. Japan thereupon submitted to China the 21 demands, some of which related to Kiaochow, and after protracted negotiations the Chinese Government agreed to recognize any settlement which Japan might make with Germany upon the restoration of peace respecting the rights, interests, and concessions possessed by Germany in the Province of Shantung.

The treaty concluded May 25, 1915, in so far as it relates to the subject under discussion, is as follows:

TREATY RESPECTING THE PROVINCE OF SHANTUNG.

(Signed at Peking May 25, 1915.)

His Majesty the Emperor of Japan and His Excellency the President of the Republic of China, being desirous to maintain the general peace of the Far East and to further strengthen the relations of amity and good neighborhood existing between the two countries, have resolved to conclude a treaty for that purpose, and to that end have named their plenipotentiaries; that is to say:

His Majesty the Emperor of Japan, Mr. Eki Hioki, Jushii, second class of the Imperial Order of the Sacred Treasure; His Majesty's envoy extraordinary and minister plenipotentiary to the Republic of China, Mr. Lu Cheng-Hsiang, Chung-Ching, first class of the Order of Chia-Ho,

Who, after having communicated to each other their respective full powers, which were found to be in good and due form, have agreed upon the following articles:

ART. 1. The Chinese Government engage to recognize all matters that may be agreed upon between the Japanese Government and the German Government respecting the disposition of all the rights, interests, and concessions which, in virtue of treaties or otherwise, Germany possesses vis-à-vis China in relation to the Province of Shantung.

ART. 2. The Chinese Government engage that, in case they undertake the construction of a railway connecting Chefoo or Lungkow with the Kiaochow-Tsinan Railway, they shall, in the event of Germany's surrendering her right of providing capital for the Chefoo-Weihsien railway line, enter into negotiations with Japanese capitalists for the purpose of financing the said undertaking.

ART. 3. The Chinese Government engage to open of their own accord, as early as possible, suitable cities and towns in the Province of Shantung for the residence and trade of foreigners.

ART. 4. The present treaty shall take effect on the day of its signature.

The present treaty shall be ratified by His Majesty the Emperor of Japan and by His Excellency the President of the Republic of China, and the ratifications thereof shall be exchanged at Tokyo as soon as possible.

In witness whereof the respective plenipotentiaries have signed this treaty, made in duplicate in Japanese and in Chinese, and have hereunto affixed their seals.

Done at Peking the 25th day of the fifth month of the fourth year of Taisho, corresponding to the 25th day of the fifth month of the fourth year of the inauguration of the Republic of China.

[SEAL.] (Signed) EKI HIOKI,
Etc., Etc., Etc.

[SEAL.] (Signed) LU CHENG-HSIANG,
Etc., Etc., Etc.

Concurrently with the execution of the treaty a note was issued by the Japanese minister at Peking by which Japan agreed, if given at the close of the war free disposal of the leased territory at Kiaochow Bay, to return the leased territory upon four conditions. This note is as follows:

PEKING, *May 25, 1915.*

MONSIEUR LE MINISTRE: In the name of the Imperial Government I have the honor to make the following declaration to your excellency's Government:

If upon the conclusion of the present war the Japanese Government should be given an absolutely free disposal of the leased territory of Kiaochow Bay, they will return the said leased territory to China subject to the following conditions:

1. Opening of the whole of Kiaochow as commercial port.
2. Establishment of a Japanese settlement in the locality to be designated by the Japanese Government.
3. Establishment, if desired by the powers, of an international settlement.
4. Arrangements to be made before the return of the said territory is effected between the Japanese and Chinese Governments with respect to the disposal of German public establishments and properties and with regard to the other conditions and procedures.

I avail, etc.,

(Signed) EKI HIOKI,
Japanese Minister at Peking.

His excellency Mr. LU CHENG-HSIANG,
Chinese Minister for Foreign Affairs.

(Mr. Lu Cheng-Hsiang is now head of Chinese delegation at Paris.)

Thus is appears that Japan first obtained possession of the ceded territory and of the German properties by act of war,

and while in possession of the same secured the agreement of China to recognize any settlement which she might make with Germany upon the restoration of peace.

Subsequent events establish the fact that Japan, having wrested by force from Germany the rights and properties of whatever nature Germany acquired from China by the treaty of March, 1898, and having secured China's agreement to recognize a cession of these rights and properties from Germany, Japan negotiated with her allies, England, France, and Russia, to secure their promise to support her claims to German rights in Shantung.

JAPAN WILL RESTORE TERRITORY TO CHINA.

The United States, through the Lansing-Ishii notes, agreed that Japan, by reason of her proximity to China, has special interests there. By the Lansing-Ishii agreement Japan unqualifiedly recognizes the right of China to territorial integrity. Japanese statesmen have repeatedly reaffirmed the purpose to return the ceded territory to China as soon as it can be accomplished in accordance with the provisions of the agreement between China and Japan. There can be no doubt that Japan is bound by every consideration of honor and by executory obligations of unmistakable import to return this territory to China.

Viscount Uchidi, Japanese minister of foreign affairs, in an address on January 21, 1919, stated that Kiaochow would be returned to China in accordance with the terms of the agreement on May 25, 1915.

Baron S. Goto, former minister of foreign affairs for Japan, made the same statement in New York May 6, 1919.

The Associated Press reports from Paris, April 30, 1919, are to the same effect.

Baron Makino, one of the Japanese peace delegates, confirmed this purpose on the part of Japan to restore the ceded territory in an interview on April 30, 1919.

The Japanese ambassador issued the following statement:

[From the New York World, May 16, 1919.]

ISHII SAYS JAPAN FAVORS OPEN CHINA—AMBASSADOR ALSO DECLARES HIS NATION AND UNITED STATES HAVE NO CONFLICT IN INTERESTS, DESPITE TONE OF PRESS.

WASHINGTON, *May 15.*

"I am an optimist about the relations between Japan and the United States, whatever may be the tone of the press, because there is no real conflict of interest."

This statement was authorized to-day by Viscount Ishii, the Japanese ambassador. The ambassador said Japan is in hearty accord with America on the principle of the open door and equal opportunity, not only in China but in Siberia also.

Discussing the relations between Japan and the United States, Viscount Ishii said:

"The only important question now is especially in regard to the so-called Shantung question. The best way to treat this question is to expose before the American public the true facts of the case, as the facts explain themselves.

EXPLANATION OF SHANTUNG.

"In 1898 China granted to Germany a 99-year leasehold on Kiaochow, in the Province of Shantung. The lease included the Bay of Kiaochow and its surrounding district, together with mining concessions along the Tsingtau-Tsinan Railway, which railway also was granted to Germany. Thus Germany acquired from China two kinds of concessions: First, the territorial leasehold, and, second, some concessions of an economic character.

"After Japan had driven the Germans from the Shantung Peninsula, following a two months' siege, Japan took the initiative and offered to surrender to China the German leasehold upon the transfer to Japan by right of conquest of the said leased territory being consented to by Germany in the peace conference. Japan's voluntary offer to restore it to China, was, of course, of the greatest advantage to China, as China was entirely powerless to recover by her own means her territorial sovereignty in Shantung for 75 years more.

WAS MOST ADVANTAGEOUS.

"The treaty of 1915 placed China in a position to recover this important advantage without sacrificing either blood or treasure. Therefore, the treaty of 1915 was not an unfair transaction, but was exceptionally advantageous from China's point of view. So far as the territorial integrity of China is concerned, it is for these reasons entirely in favor of China.

"There remains a second kind of concession, the economic concession, which Japan was to retain in her hands as in the days of German occupation. Here again Japan's good will toward China went so far as to offer to withdraw her civil and military administration from the railway zone by withdrawing troops and police forces and making the Tsingtau-Tsinan Railway a joint enterprise of Japan and China instead of an absolutely foreign administration, as it was under German occupation.

"When Japan took possession of Kiaochow by force of arms in 1914, China remained neutral. Japan's action in Shantung even met with protest from China. Since November, 1914, Japan has occupied Kiaochow and the railway zone from that port to Tsinan, the capital of the Province, by right of conquest. Three years afterwards—namely, in 1917—China declared war against Germany. But the declaration of war remained on paper only, there being no German forces in China then, and China having sent none of her forces abroad. China's declaration of war could not possibly change the state of things which has existed since 1914."

Mr. POMERENE. May I interrupt the Senator?

Mr. ROBINSON. Certainly.

Mr. POMERENE. The Senator from Arkansas has referred to the proposition which was made by the Japanese Government to the Chinese Government, I think, in 1915.

Mr. ROBINSON. Yes, sir.

Mr. POMERENE. He has also referred to promises which have been made since that time not only by Japanese statesmen publicly but to a statement which was made by the Japanese commissioners to the other peace commissioners whereby they promised the return of this territory under the terms and conditions to which the Senator has referred.

Mr. WILLIAMS. The treaty of 1915.

Mr. POMERENE. I say that preliminary to asking the question: Has any peace commission ever made any statement to the contrary or has any Japanese statesman ever made any statement to the contrary or is there any information to the effect that Japan does not intend to carry out these pledges which she has made?

Mr. ROBINSON. It would be impossible, Mr. President, for me to say that no statement has ever been made by any Japanese statesman contrary to the statement which I have read. Okuma is reputed to have made a statement at one time relating to the rights which Japan claimed by virtue of having taken this territory and property from Germany, in which it was asserted that he had denied there was any obligation upon the part of Japan to return the territory. I have not that statement. That related solely to the claim of Japan independent of the treaty and based on conquest.

If China insists upon breaching the treaty herself—the treaty under which she has a right to the return of the property—Japan will be compelled either to abandon her claims there or to rely upon her alleged conquest. If China breaches the treaty by which Japan voluntarily agreed to return the leased territory, China, of course, can not insist upon a return of the territory under the treaty which she herself breaches.

I will now continue the statements made by Japanese statesmen touching the purpose of Japan to carry out the obligations of the treaty of 1915, if permitted to do so.

The Marquis Kimmochi Saionji, in an interview published in the Outlook in 1919, said:

Japan has solemnly promised to give back the leased territory of Kiaochow and to restore Shantung to China in full sovereignty, except a little land at Tsingtao for establishing a Japanese settlement, and Japan will keep her word. I do not need to defend that word from any innuendo. Japan has always kept her international agreements and her honor is above reproach.

The statement by Mr. Debuchi, chargé d'affaires, published with comments by Mr. Oliver Owen Kuhn in a recent issue of the Washington Evening Star, is fairly illustrative of the Japanese viewpoint concerning this subject:

CHINA RESTORATION WITHIN SIX MONTHS HOPE OF JAPANESE—SHANTUNG SETTLEMENT CERTAINLY NOT LATER THAN YEAR, SAYS KATSUJI DEBUCHI—NIPPON SEEKS TO WORK WITH UNITED STATES IN FAR EAST—CHARGÉ D'AFFAIRES OF WASHINGTON EMBASSY DISCUSSES POSITION AND DESIRES OF HIS COUNTRY IN SHANTUNG.

(By Oliver Owen Kuhn.)

That Japan, if not within a period of six months, will be able perhaps within one year to comply with the treaty provision with China and restore Kiaochow and all heretofore German-controlled territory in Shantung to China, is the opinion of Katsuji Debuchi, chargé d'affaires of the Japanese Embassy in Washington.

In elaboration of Japan's position in Shantung, Mr. Debuchi, who has been carrying the burden of embassy affairs since the departure of Ambassador Ishii, made it clear that he has no desire to enter denials of charges made by the Chinese for the mere sake of waging propaganda in the interest of Japan, because some of his best friends are Chinese statesmen of note. Neither did he wish to be placed in position of replying directly to the charges which have been made by certain Members of the Senate in regard to far eastern affairs. He simply desired to make the truth of the Shantung situation known to the American people, for, with the truth known, much of the criticism now directed against Japan might disappear. Mr. Debuchi was for a long period connected with the Chinese division of the Japanese foreign office and served in high official position at the Japanese legation in Peking. He is thoroughly conversant with the cross tides of Chinese political affairs and the international complications that have arisen in far eastern events, particularly as they bear upon the relations of Japan and China.

WANTS ONLY GOOD RELATIONS.

"There is a will of providence," he said, "in the relations between the United States, Japan, and China, all washed by the same waters of the Pacific. Japan desires nothing more than perpetuation of the good relationships between our country and the United States. We desire not to antagonize but only strive to work hand in hand with the United States in the development of China. Japan's special interest in China has been recognized. Japan can not alone ever expect to develop China. If China is developed as we would wish, it must be by the combined effort and capital of the United States and Japan, who are in best position to carry on this work. Japan only desires cooperation with the United States in the bringing forward the wonderful resources of China, a development which will react to the best interest of China and the world at large."

That Japan has made some mistakes in negotiations which have gone on between Japan and China in the past is admitted by Mr. Debuchi, just as it has been admitted by Baron Makino and others of the Japanese peace delegation in Paris. Mr. Debuchi cites the fact that the broadest and most liberal viewpoints of Japanese and world development along democratic lines now are held by the Government in power in Tokyo. In this regard he said:

WILL NOT TRAMPLE IDEALS.

"It is absurd to believe that Japan is an autocratic and militaristic country which will ruthlessly trample down the ideals now set for world civilization. Liberal and progressive movements are gaining in power

in Japan—the present cabinet is organized by the first commoner, Mr. Hara, who formerly was a diplomat and chief editor of an influential newspaper in Japan. The liberal policy already followed and that which is about to be placed into effect in regard to China and Korea is well known by everyone who has knowledge of affairs in the Far East.

"In regard to Shantung: Our Government, by treaty with China and by declarations subsequent to its signing in 1915, will return the things we have promised. And remember always—there has been much confusion in the American mind—the real issues center about Kiaochow, and when we speak of the Kiaochow we do not speak of Shantung.

"Kiaochow has an area of but 208 square miles and a population of some 200,000. Shantung Province, which is about the size of the State of Illinois, has 55,984 square miles and a population of 30,000,000.

"Kiaochow, with Tsingtau, during the period of German occupation was fortified by the Germans and public works were erected for permanent tenure. The port, by virtue of fortification, was constantly the subject of annoyance to all nations who wished to use it. It never, in the accepted sense, was a free port. The Germans completely dominated that territory. Civil and legal, as well as jurisdictional, rights were kept strictly in German hands. The rights of the Chinese were ill considered. Chinese ever were trampled upon.

ONLY WANTS AN OUTLET.

"As against this condition here is what Japan intends to do—all that she desires to do in Kiaochow and Shantung:

"Japan wants the railways of Shantung opened, that the products which will be developed by joint international interests may find free outlet through Tsingtau, the capital of Kiaochow. Japan seeks nothing more.

"In the treaty negotiations between China and Japan, which pact was signed at Peking May 25, 1915, the Japanese minister to China, Eki Hioki, in a letter transmitted to Lu Cheng-hsiang, the then minister of foreign affairs of the Republic of China, said:

"'In the name of the Imperial Government I have the honor to make the following declaration to your excellency's Government.

"'If upon the conclusion of the present war the Japanese Government should be given absolutely free disposal of the leased territory of Kiaochow Bay they will return the said leased territory to China, subject to the following conditions:

"'Opening of the whole of Kiaochow as a commercial port.

"'Establishment of a Japanese settlement in the locality to be designated by the Japanese Government.

"'Establishment, if desired by the powers, of an international settlement.

"'Arrangements to be made before the return of said territory is effected between the Japanese and Chinese Governments with respect to the disposal of German public establishments and properties and with other conventions and procedure.'

"As I have stated," continued Mr. Debuchi, "we desire the opening of Kiaochow as a commercial port for reasons which became plainly apparent during the period of German abuse.

QUESTION OF SETTLEMENT.

"In regard to the establishment of a Japanese settlement, we ask nothing that is not granted by China to all other nationals. The word 'settlement' may be misunderstood. In fact, it means nothing more than the setting aside of a certain section for the homes of Japanese nationals, and also for foreign nationals, such, for instance, as is held by the French at Shanghai. In these settlements the rights of Chinese are always respected and in addition China always retains jurisdictional powers. For instance, should arrests for crimes be made within a French, Japanese, or British settlement, the malefactors are turned over to Chinese authorities for punishment under Chinese laws. While asking for such a settlement, which Japan probably would desire to be located in Tsingtau, Japan is ready also that there be an international settlement here or elsewhere, where all nationals might find haven and homes under occidental conditions like in Shanghai."

When asked as to whether or not such settlement could not be the base for Japanese infiltration through the whole Province of Shantung with consequent control of Chinese and their institutions, Mr. Debuchi replied:

"No. This is impossible. First of all because of the preponderant Chinese population. Furthermore, we have no desire to go further than facilitate the commercial outlets through Shantung to the sea."

CONTROL OF RAILROADS.

In reference to Japanese control of the Tsingtau-Tsinan-fu Railroad, Mr. Debuchi declared:

"This line of communication, connecting with the British-German line running from Peking to Nanking, was completely under the domination of Germany during Teuton tenure in Shantung. Under the new order Japan will not seek to retain exclusive privileges and control over this railway, but the Chinese will share proportionately in its direction and management. This line is only important to us in that it affords communication to the interior and a safe outlet for the developed products of China, which we, in cooperation with other nations, hope for in the general process of rehabilitating the Chinese nation.

AMERICANS JOIN WITH JAPANESE.

"In connection with this I would like to point out one feature which seems to have been forgotten. As I stated, the railway line from Peking to Nanking is controlled by British and German capital. Running in close proximity to this railway is the Tientsin-Nanking Grand Canal, costing millions of dollars, which is a joint concern between American and Japanese investors. A great section of this waterway goes through Shantung.

"And now as to the return of Kiaochow and Shantung to the Chinese. I wish to state emphatically that Japan will carry out her pledges at the earliest possible moment. The treaty signed in Paris states specifically:

"'Germany shall hand over to Japan within three months from the coming into force of the present treaty the archives, registers, plans, title deeds, and documents of every kind wherever they may be relating to the administration, whether civil, military, financial, judicial, or other, of the territory of Kiaochow. Within the same period Germany shall give particulars to Japan of all treaties, arrangements, or agreements relating to the rights, title, or privileges referred to in the preceding articles.'

"As you see, until Japan can make sure of the records of Kiaochow and be sure of the eradication of all German influence, until she ascertains positively the true conditions pertaining to property rights in Kiaochow, Japan can not proceed with her negotiations with China in a businesslike way. These negotiations may last another three months, and perhaps one year, but the American people may rest assured that Chinese rights will be restored completely within that period."

This is fairly illustrative of the Japanese viewpoint. This statement reaffirms the declaration of other Japanese statesmen that Japan intends to return the leased territory to China under the terms of the treaty of 1915 and points out the fact that it is impossible for her to return the leased territory immediately, there being a provision in the treaty that certain conditions shall be conformed to; one of them is that Germany shall hand over to Japan all evidences of title and a statement of all property in the territory involved.

ROOT-TAKAHIRA AGREEMENT.

The Root-Takahira "gentlemen's agreement" of November 30, 1908, bound the United States and Japan mutually to respect the Pacific Ocean region possessions of the other and to maintain the principle of equal opportunity for all nations in the commerce of China.

The Lansing-Ishii agreement commits the United States to a recognition of Japan's special interests in China arising from the close proximity of the two countries, and establishes the immunity of China from territorial aggression by any nation.

The significant provision is as follows:

The territorial sovereignty of China nevertheless remains unimpaired, and the Government of the United States has every confidence in the repeated assurances of the Imperial Japanese Government that, while geographical position gives Japan such special interests, they have no desire to discriminate against the trade of other nations or to disregard the commercial rights heretofore granted by China in treaties with other powers.

The Governments of the United States and Japan deny that they have any purpose to infringe in any way the independence or territorial integrity of China, and they declare, furthermore, that they always adhere to the principle of the so-called "open door" or equal opportunity for commerce and industry in China.

Moreover, they mutually declare that they are opposed to the acquisition by any Government of any special rights or privileges that would affect the independence or territorial integrity of China, or that would deny to the subjects or citizens of any country the full enjoyment of equal opportunity in the commerce and industry of China.

Oral assurances that Japan will execute its treaty with China and restore the territory in Kiaochow to China were repeatedly given the peace conference by the Japanese delegates.

Thus by the so-called Lansing-Ishii agreement Japan and the United States are both bound to the obligation to respect and to safeguard the territorial integrity of China.

Japan is thus unalterably committed to the obligation to restore the leased territory to China. No beneficial effect can result if we assume, as some have seemed to do, that Japan is acting in bad faith and that she intends to break her treaty and her promises to restore the territory to China. China can better afford to rely on her treaty rights for a return of the territory than to herself breach that treaty and thus provoke Japan to insist upon her claim acquired from Germany through conquest, for that involves no obligation to restore the territory before the expiration of the lease.

JAPAN'S SPECIAL INTERESTS IN CHINA.

The declaration in the Lansing-Ishii agreement that Japan has special interests in China is supported by well-known circumstances—her proximity to China and the probability that hostile nations like Germany would secure military and naval bases; the fact that Japan's largest external investments are in China; that she is excluded from other hemispheres and has no other field than China for expansion; that her trade and enterprise have greatly increased China's exports and imports; all these facts considered in connection with Japan's small area, a little less than 170,000 square miles, and her enormous population, establish conclusively Japan's right to engage in Chinese commerce. Her national existence is dependent upon certain Chinese products, including coal and iron. These facts illustrate the importance to Japan of the commercial rights which she will enjoy under the treaty with China after the return of the leased territory to China.

SHOULD SUCH DURESS AS ENTERED INTO THE TREATY BETWEEN CHINA AND JAPAN INVALIDATE THE TREATY?

It is said that China is a pacific and Japan a warlike nation and that China was induced by fear of war with Japan to enter into the treaty of 1915 agreeing to whatever arrangements Japan might make with Germany concerning the property and rights in Kiaochow. It is also claimed that it is not only the duty of the United States to refuse to recognize this treaty but that we should treat it as utterly void because made under duress.

This position seems inconsistent and indefensible. Every commercial treaty of importance now in force between China and European nations is the result of war or some other form of duress.

For centuries prior to 1842 China had existed in sublime isolation, keeping closed to other nations every gateway to her commerce. The English through the East India Co. had striven to secure commercial opportunities in China, but these efforts had met in large part with failure.

It was only after a successful war against China that Great Britain compelled a treaty ceding to her the island of Hongkong and opening to British trade five Chinese ports. (Hornbeck Contemporary Politics in the Far East, p. 216.)

In 1854 Great Britain insisted upon access to the whole of the Chinese Empire, and the American and French envoys were instructed by their Governments to cooperate with the British. It became necessary for the French and the British to resort to force, and new treaties were executed in 1858 and 1860. Great Britain, France, and the United States proceeded somewhat upon the theory afterwards set forth in the "open-door policy," but Russia made a separate treaty, obtaining special concessions and privileges in Chinese territory contiguous to Siberia. (Ib., pages 217 and 218.) Through all the years that followed until the outbreak of the Boxer rebellion increasing pressure from the outside was the means by which China was at last compelled to yield other nations the opportunity to carry on commerce with her. It is our just boast that the United States, while supporting a policy of inducing China to yield to the demands of other nations for commercial opportunities with her people, have never sought special rights or privileges and have contended for equal opportunities for all nations in the commerce of China.

This principle underlies the "open-door policy" and the Root-Takahira agreement. The Lansing-Ishii agreement, as already stated, recognizes that Japan has special interest in China, but it expressly reaffirms the right of China to territorial integrity.

In view of the fact that the commercial relations of nearly all nations with China are based on duress in some form, and in contemplation of the further fact that the most important treaties now in force between the various nations are the outcome of wars—which, of course, are the supreme manifestations of duress—why should the claim that China was induced to make the treaty with Japan through fear of war invalidate that treaty, and all other treaties with China, many of which she was compelled by war to execute, be left in force?

If we go back into history and invalidate every treaty into which duress has entered, chaos in international relations will result.

Shall we assert that treaties tainted with duress in which Japan is interested must be invalidated and at the same time recognize English, French, and Russian compacts with the Chinese Government—compacts, for the most part, extorted through wars engaged in for the express purpose of compelling China to yield? Shall we attempt to make one rule for Japan and a totally different rule for other nations?

To ask the question is to answer it.

The treaty of 1915, under which Japan asserts that China is estopped from claiming that German rights in Kiaochow reverted when China declared war on Germany, can not be invalidated through any arbitrary limitations of time we may assert because of alleged duress and other treaties similarly induced be left in force. The United States alone can not create and put into effect an international statute of limitations.

WHAT IS THE EFFECT OF AGREEMENTS DURING THE WAR TO RECOGNIZE THE RIGHTS OF JAPAN TO OBTAIN CESSION FROM GERMANY?

Senators have expressed indignation at the agreement of Great Britain and France during the war to support Japan in her demands at the peace conference for the cession from Germany of rights in Kiaochow. Perhaps the same criticisms apply equally to the action of the United States following these agreements in recognizing the special interests of Japan in China. It is said that they were all made primarily to encourage Japan to increased activities in the war. If it be true that these agreements were entered into as war measures, the obligation to carry out the agreements can not honorably be escaped, even though some Senators may now believe that the agreements should never have been made. If the nations controlling the peace conference, to induce Japan to greater activity in the war agreed to support her in demanding that Germany in the treaty of peace should cede all rights in Kiaochow, that fact becomes of controlling importance and the nations making such agreement must keep faith. They can not break it without classifying themselves as unreliable.

Let me ask the Senators who have characterized this transaction as the most treacherous incident in history to view the subject from the standpoint of the Allies at the time the agreements were made.

China had already made a treaty with Japan as to Kiaochow which is far more beneficial to China than the German treaty relating to rights in Kiaochow, for under the Japanese treaty China is to recover back all territory leased as speedily as arrangements to that end can be effected, while under the treaty with Germany the lease must continue until the end of 99 years from March, 1898.

Japan was prompted to approach France, England, Russia, and the United States because of their interest in maintaining equality of rights for all nations in Chinese commerce and the preservation of Chinese territorial integrity. Each of these nations had an interest in the subject matter, an interest which in general terms is expressed in the "open-door policy" and in the more specific terms of the various treaties and concessions in which some of them had established commercial relations with China. In view of the fact that China had already agreed with Japan concerning the subject, there could be no treachery involved in the agreements by which the allied nations signified in advance their readiness to assent to the arrangement which Japan had made with China.

In passing judgment on the subject now we must not forget the actual conditions which existed when the agreements characterized by some Senators as treacherous were made. The crisis in the war was approaching, if not at hand. The Allies were straining every resource to beat back the ever-advancing forces of the enemy. There were battle lines 500 miles in length. Millions of allied soldiers were lurking in the trenches. Millions were dying in the smoke and the thunder. Millions more were staggering back from the battle fronts wounded and hopeless. Belgium's man power had been exhausted. France was calling to the colors her boys and old men. Great Britain was looking forward to the time when her reserves must be exhausted.

Japan, whose only direct interest in the war was the danger of German aggressions in China, had been offered every inducement by the central empires to cast her lot with them and join in war against the Allies. Germany had tried to make an alliance with Japan that the latter might make war on the United States. Japan realized that she would be doomed by any settlement of the war which left Germany in possession of Kiaochow, because of its proximity to Japan's own territory. As Secretary Lansing said at the time the Lansing-Ishii agreement was made:

> The removal of doubts and suspicions and the mutual declaration of the new doctrine as to the Far East would be enough to make the visit of the Japanese mission to the United States historic and memorable, but it accomplished a further purpose which is of special interest to the world at this time, in expressing Japan's earnest desire to cooperate with this country in waging war against the German Government. The discussions, which cover the military, naval, and economical activities to be employed, with due regard to relative resources and ability, show the same spirit of sincerity and candor which characterize the negotiations resulting in the exchange of notes.

Japan's policy and the course of this Government in recognizing the special interests of Japan in China, while at the same time expressly safeguarding Chinese territory against aggression, were not criticized at the time. They were almost universally approved by the people of the United States as wise and effective. The arrangement marked the doom of the hopes of Germany for a separate peace with Japan and through the latter's influence to secure cooperation from China. It is not just or fair, now that the war has ended and we are enjoying the results of the transaction, to criticize it as an act of treachery.

When the fate of civilization was trembling in the balance, when Germany was using every power she possessed to induce Japan to make a secret treaty with her, a separate treaty of peace, a policy was pursued by Great Britain, France, and the United States which cemented Japan to the cause of the Allies. I believed then and I still think that this policy was just, wise, and necessary. Let Senators who made no protest at the time remain silent now, instead of using their power and prestige in the circulation of propaganda calculated to delay or prevent the ratification of the treaty, and recognize the obligation to treat both China and Japan with fairness. Let them remember that Japan has given her pledge to carry out her treaty with China and restore the ceded territory. If they will but perform this act of simple justice they can not characterize as treacherous the arrangement between the powers by which the Kiaochow territory was taken by Japan in the early stages of the war from Germany and which will be voluntarily returned to China by the Japanese Government.

In the press to-day I have read statements to the effect that the Japanese Government may shortly issue another statement regarding its purpose to return the ceded territory. Whether an additional statement is made or not, Japan is bound by her solemn treaty with China of May 25, 1915, to restore the ceded territory. Senators who take every opportunity to denounce Japan should remember that Japan has never indicated a purpose or desire to breach that treaty. She has always declared it is her purpose to carry it out.

The influences now at work to cause China to hold out in repudiating her treaty with Japan and to create prejudice throughout the United States against Japan do not appear calculated to result in benefit to either China or this country.

Mr. WILLIAMS. Mr. President, before the Senator from Arkansas sits down, I wish to ask that he indicate to the Senate and to the country, if he can, the enormous difference which must exist between our not having found it disgraceful to let Germany take all of these benefits and a little bit more in payment of the mob assassination of a couple of missionaries, while later on we find it perfectly treacherous and dishonorable to let Japan recover from China, after having spent money and sacrificed soldiers' lives, a part of what we tamely permitted Germany to take from China.

Mr. ROBINSON. We not only submitted to it but we actually approved it.

The then Secretary of State, Mr. Hay, actually expressed his gratification at the assurance that the German acquisition of rights, privileges, and territory in Kiaochow would not interfere with American rights in China.

The Senator from Nebraska [Mr. HITCHCOCK] has already called attention to that document.

Mr. WILLIAMS. I want to ask the Senator from Arkansas whether he remembers or not if the senior Senator from Massachusetts [Mr. LODGE] was then a member of the Senate and was on the Foreign Relations Committee; whether he remembers or not if the Senator from Connecticut [Mr. BRANDEGEE] was then a Member of the Senate; if he remembers whether the Senator from Nebraska [Mr. NORRIS] was then a Member of the House of Representatives; and if he remembers or not whether either one of these ever raised his voice against the rape of Shantung Peninsula or part of it from China by Germany?

Mr. ROBINSON. Mr. President, it is true that the Senator from Massachusetts was a Member of the Senate and a member of the Foreign Relations Committee at the time Germany made her treaty with China and acquired rights in Shantung on March 6, 1898. I never heard of his making any protest.

Mr. WILLIAMS. And those rights were equal to those acquired by Japan now, if not greater.

Mr. ROBINSON. Certainly. As to whether the Senator from Connecticut had entered the Senate at that time I am not certain. I think, however, he was still a Member of the House of Representatives, as were the Senator from Nebraska [Mr. NORRIS] and I; also the Senator from Mississippi.

Mr. WILLIAMS. I wish to ask the Senator from Arkansas one more question, and then he can answer all of my questions together. Does the Senator reckon it is possible that the senatorial wolves who are now after the Wilson lamb were rather afraid to raise an issue with Germany which they are now not afraid to raise with the President of the United States? Does the Senator reckon that that could have been possible?

Mr. ROBINSON. Oh, no.

Mr. WILLIAMS. No; I thought not.

Mr. ROBINSON. Mr. President, in further answer to the inquiry of the Senator from Mississippi, I want to refer somewhat in detail to a document issued by the State Department, Washington, September 6, 1899, just following the treaty by which Germany had acquired her alleged rights in Kiaochow. The United States Government raised no protest either in China's behalf. Japan's behalf, or in behalf of the open-door policy——

Mr. WILLIAMS. Or of civilization and humanity.

Mr. ROBINSON. Or of civilization and humanity. When Germany took possession of Tsingtau and compelled the execution of the treaty by China which I have mentioned, the Government of the United States, through the then Secretary of State, John Hay, in a document dated Washington, September 6, 1899, said:

> At the time when the Government of the United States was informed by that of Germany that it had leased from His Majesty, the Emperor of China, the port of Kiaochow and the adjacent territory in the Province of Shantung, assurances were given to the ambassador of the United States at Berlin by the Imperial German Minister for Foreign Affairs that the rights and privileges insured by treaties with China to citizens of the United States would not thereby suffer or be in anywise impaired within the area over which Germany had thus obtained control.

The document is quite lengthy. Let me read one more paragraph:

> The liberal policy pursued by His Imperial German Majesty in declaring Kiaochow a free port and in aiding the Chinese Government in the establishment there of a customhouse are so clearly in line with the proposition which this Government is anxious to see recognized that it entertains the strongest hope that Germany will give its acceptance and hearty support.

Mr. WILLIAMS. One more question, and then I shall worry the Senator from Arkansas no longer.

Mr. ROBINSON. The Senator from Mississippi is not worrying me; he is instructive and entertaining.

Mr. WILLIAMS. Does the Senator know whether Woodrow Wilson instructed John Hay to write that note?

Mr. ROBINSON. Of course, every Senator knows who was then President of the United States.

Mr. WILLIAMS. I ask the question for this reason: Some Senators seem to think that Woodrow Wilson has been guilty of everything that has occurred in China in the way of the rape of the Shantung Peninsula, and I wanted the people outside of the Senate to know that he did not instruct John Hay to write that note, unless he did.

Mr. ROBINSON. Mr. President, I thank Senators for the very courteous attention with which they have followed me during the course of this discussion. I felt, after a somewhat careful investigation of the question, that it was clouded with confusion and misrepresentation. If my remarks have contributed in any degree to relieve the subject from those embarrassing influences I am highly compensated for my effort.

CALLING OF THE ROLL.

Mr. CURTIS. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. JOHNSON of California in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ball	Jones, N. Mex.	Nugent	Smith, S. C.
Capper	Kellogg	Page	Smoot
Chamberlain	King	Phelan	Spencer
Cummins	Kirby	Phipps	Sutherland
Curtis	La Follette	Pittman	Swanson
Dial	Lenroot	Pomerene	Thomas
Fletcher	McCumber	Robinson	Walsh, Mass.
Gay	McKellar	Sheppard	Walsh, Mont.
Harrison	Moses	Shields	Warren
Henderson	New	Simmons	Williams
Hitchcock	Newberry	Smith, Ariz.	
Johnson, Calif.	Norris	Smith, Ga.	

Mr. SHEPPARD. The Senator from Florida [Mr. TRAMMELL], the Senator from Delaware [Mr. WOLCOTT], the Senator from Maryland [Mr. SMITH], the Senator from Arizona [Mr. ASHURST], and the Senator from Kentucky [Mr. STANLEY] are necessarily detained on official business.

The PRESIDING OFFICER. Forty-six Senators have answered to their names. There is not a quorum present. The Secretary will call the names of absent Senators.

The Secretary called the names of the absent Senators, and Mr. RANSDELL responded to his name when called.

Mr. OWEN, Mr. HALE, Mr. FERNALD, Mr. ELKINS, Mr. MCNARY, Mr. FRANCE, and Mr. KNOX entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-four Senators have answered to their names. There is a quorum present.

LEAGUE OF NATIONS.

Mr. LENROOT. Mr. President, it is very unfortunate that there is not a clear understanding throughout the country of what the real issue is in the Senate upon the league of nations. The country ought to know that with very few exceptions the Members of this body, irrespective of party, are in favor of a league of nations, and the country ought to know that with very few exceptions the Republican Members of the Senate are in favor of the league now proposed, provided reservations are made protecting the rights and interests of the United States. The subject matter of these reservations I shall discuss before I conclude.

I sincerely hope that the Committee on Foreign Relations, to whom the treaty has been referred, will make a report to the Senate very soon. It is very desirable that the country should know as soon as possible what the issues are in the controversy. I am satisfied that when that report is made the country will see that the issue in the Senate is not whether we shall join a league of nations, and that the only question is to what extent in joining such a league the United States shall surrender its rights and independence of action with relation to refraining from war in the future.

That a league or concert of nations following this World War is desirable seems so clear as not to permit of argument. Anything that we can do to prevent future wars and at the same time preserve our own liberties and independence should be done. With those who argue that the day of isolation and indifference to foreign affairs by the United States is past, I agree. Never again, league or no league, alliance or no alliance, will the United States sit by and watch a world war raging with its President advocating that our people be "neutral in thought as well as in name," nor at such a time will his chief claim for reelection be that "He kept us out of war." We know now that no nation can through war set out to dominate the world without our being directly concerned. We know now that from August, 1914,

our own independence and our own liberties were at stake and that it was necessary for us to enter the war with Germany to preserve them.

In this connection I must take occasion to say that President Wilson's statement, in presenting the treaty to the Senate, as to the cause of our entering the war is exactly contrary to the fact. This is his language:

> The United States entered the war upon a different footing from every other nation, except our associates on this side of the sea. We entered it not because our material interests were directly threatened or because any special treaty or obligations to which we were parties had been violated.

As against this statement I quote the words of the President himself immediately preceding and immediately following our entrance into the war.

On February 3, 1917, two months before our war declaration, in his address to Congress, he said:

> We do not desire any hostile conflict with the Imperial German Government. We are the sincere friends of the German people and earnestly desire to remain at peace with the Government which speaks for them. We shall not believe that they are hostile to us unless and until we are obliged to believe it, and we purpose nothing more than the reasonable defense of the undoubted rights of our people.

On April 2 in his war message he said:

> With a profound sense of the solemn and even tragical character of the step I am taking and of the grave responsibilities which it involves, but in unhesitating obedience to what I deem my constitutional duty, I advise that the Congress declare that the recent course of the Imperial German Government to be in fact nothing less than war against the Government and the people of the United States.

One more quotation from President Wilson upon the subject of whether our material interests were directly threatened. On June 14, 1917, a little more than two months after we entered the war, in his Flag Day address, he said:

> It is plain enough how we were forced into the war. The extraordinary insults and aggressions of the Imperial German Government left us no self-respecting choice but to take up arms in defense of our rights as a free people and of our honor as a sovereign Government. The military masters of Germany denied us the right to be neutral. They filled our unsuspecting communities with vicious spies and conspirators and sought to corrupt the opinion of our people in their own behalf.
>
> When they found they could not do that, their agents diligently spread sedition amongst us and sought to draw our own citizens from their allegiance, and some of these agents were connected with the official embassy of the German Government itself here in our own Capital. They sought by violence to destroy our industries and arrest our commerce. They tried to incite Mexico to take up arms against us and to draw Japan into a hostile alliance with her, and that not by indirection but by direct suggestion from the foreign office in Berlin. They impudently denied us the use of the high seas, and repeatedly executed their threat that they would send to their death any of our people who ventured to approach the coasts of Europe.

And yet in the face of these statements, true statements made by President Wilson when we entered the war, he now says that it was not because our material interests were directly threatened. The fact is exactly the contrary, and it was primarily because they were directly threatened that he asked Congress to declare the existence of a state of war with Germany, and Congress complied.

No man in public life or in private life, except President Wilson, will declare that our war declaration would have been made in April, 1917, if our material interests had not been threatened by Germany. We entered the World War primarily to save the liberties and the independence of the United States of America, threatened by Germany, and any statement to the contrary by whomsoever made is not correct. It is a fact, also, that special treaty obligations had been violated by Germany. Our treaty of 1828 with Germany had been so grossly violated by her that on March 20, 1917, before we entered the war, Secretary Lansing wrote the minister of Switzerland, in charge of German affairs, a note, the concluding paragraph of which is as follows:

> I feel constrained, in view the circumstances, to add that this Government is seriously considering whether or not the treaty of 1828 and the revived articles of the treaties of 1785 and 1799 have not been in effect abrogated by the German Government's flagrant violation of their provisions, for it would be manifestly unjust and inequitable to require one party to an agreement to observe its stipulations and permit the other party to disregard them. It would appear that the mutuality of the undertaking has been destroyed by the German authorities.

Mr. President, I have thus referred to the cause of our entering the war solely because of its bearing upon the obligations which we should assume in the league of nations.

President Wilson lays great stress upon the expectations that had been created in the minds of our associates by our entry into the war. If we had gone in with no special grievance of our own, if, as the President now contends, it was not because our material interests were directly threatened, if we had gone in primarily to help other peoples and not to protect ourselves, then the President's argument that a continuing obligation rests upon us to protect all of the peoples engaged for all time to come with all our resources and all our man power has force, but if on the other hand we went in to protect America primarily, but in so doing rendered a service to all mankind, then we are free to determine for ourselves to what extent we shall obligate ourselves to further protect and assist our associates in the World War.

I assert that all of our associates well knew that we went to war primarily to protect our own interests. They knew that the President of the United States and the Congress had persistently refused to become involved unless it became necessary to protect America. They well knew that President Wilson had secured his reelection in November, 1916—when the European war had been raging for more than two years—upon the slogan "He kept us out of war."

Mr. President, I voted for war because I believed it necessary to save America. I would have had no right to vote for war for any other reason, after the Democratic victory in November, 1916. It is clearer now than it was then that we were right in the action then taken, and we all rejoice with President Wilson that our armies have not only saved America but have been instrumental in bringing liberty to millions of oppressed peoples who for centuries had longed for freedom but had all but abandoned hope of securing it.

The eloquent tribute of President Wilson to the American soldier finds a response in every American heart, but, Mr. President, our boys fought and died for America, for home and native land, to preserve here in America the liberty and independence won for them from Bunker Hill down through the years upon many battle fields, and so, Mr. President, in the consideration of this treaty we have the right, nay, not only the right but it is our duty, to consider America first, for it was for America first that our soldiers went across the sea to fight and to die.

In passing I will call one more witness to prove that we did go to war with Germany because our material interests were directly threatened, a gentleman who has suddenly become a great authority in some quarters. I refer to ex-President Taft. Last December he said "We were forced in to defend our rights on the seas. That is what we went in for."

As I have said, Mr. President, I have referred to this only to show that in considering the interests of America first we are not violating any obligation to our associates in the war, and we are absolutely free to consider first the interests of the United States. But we rejoice in the fact that in preserving our own liberties we have assisted in bringing liberty to other peoples. We should continue to help and to protect them from injustice, but whatever we do in this regard should be understood as voluntarily undertaken upon our part and not because of any obligation to do so, and this distinction is very important in considering the league of nations.

THE 14 POINTS.

I next wish to consider briefly the 14 points, and for the same reason that I have discussed the causes of our entry into the war. If the 14 points have been the guiding stars in this peace treaty, if we have indeed a peace of justice, then we can and should go further in entering a league of nations to preserve that peace than we should if the 14 points have been violated. No one will, I think, contend that we should agree to perpetually protect with the lives of our boys and with our resources a peace any part of which is unjust and wrong, and I shall assume, as President Wilson has done, that the 14 points marked the line of a just peace so plain that all could follow.

I now propose to take up each one of these 14 points and apply them to the treaty which we have before us. But before doing so permit me to say that I am not criticizing President Wilson for not succeeding in securing a treaty in accord in all respects with his 14 points. I think I recognize as fully as anyone the difficult task of President Wilson at Paris. I believe he went there determined to do his utmost to secure a league of nations and the application of his 14 points to the terms of peace. That he failed is not surprising, for the fact is that of all the principal nations around the peace table at Paris there was but one that had no selfish aims, that sought no material advantage for itself, and that nation was the United States.

Indeed, if President Wilson is to be criticized at all it is because while other nations were striving to secure material advantages for themselves President Wilson was striving to place obligations upon the United States for the benefit of other nations. As has been said elsewhere, while other nations were striving to secure assets for themselves President Wilson was striving to secure liabilities for the United States. But in seeking no material advantages for ourselves, he truly represented the people of the Nation. We desire neither territory nor indemnity out of this war. Our only desire is peace and security

for ourselves and peace and security for free, liberty-loving peoples all over the world.

Is, then, this peace treaty in accord with the 14 points of President Wilson? In his Christmas address to the soldiers in France he said:

> It happened that it was the privilege of America to present the chart for peace, and now the process of settlement has been rendered comparatively simple by the fact that all the nations concerned have accepted that chart and the application of the principles laid down there will be their application.

If the nations, Mr. President, did accept this chart, that acceptance abrogated all secret treaties—the Japanese-English treaty, the Italian-English treaty, and the provisions of all other treaties in conflict with this chart of peace.

Mr. President, I listened with great interest this afternoon to the defense made by the Senator from Arkansas [Mr. ROBINSON] of the rape of Shantung. He placed practically his whole defense upon the ground that the Allies—England and France—had made a treaty with Japan that Japan should have Shantung, and they could not therefore in honor decline to carry out that treaty. But, Mr. President, if these 14 points mean anything, if they were accepted by all of these other nations, including Japan, as President Wilson says they were accepted, the acceptance of them abrogated the treaty between Japan and England and France. There can be no question about it.

The Senator also pointed to the fact that the United States had recognized the German lease of Shantung and Kiaochow; but I want to call the attention of Senators upon the other side to the fact that although China has been despoiled by others than Japan, as stated by the Senator from Arkansas, up to this good hour the United States never has guaranteed, as it proposes to do in this league of nations, to defend by all the man power in the United States any of those treaties.

The first of the 14 points is: "Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view."

That this point has been flagrantly violated in the peace conference and in the provision of the treaty is too plain for argument. Secret diplomacy is nowhere prohibited, and it is not even required that the sessions of the league of nations, in either assembly or executive council, shall be open to the public. The only part of this point that finds any place in the treaty is the requirement that all international engagements thereafter made shall be made public. This is a great gain if adhered to by the nations, but secret diplomacy, intrigue, and plotting in international relations is nowhere forbidden.

The second point reads: "Absolute freedom of navigation upon the seas, outside territorial waters alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants."

This point was wholly abandoned at the peace conference. As to its importance I quote President Wilson in his address to the Senate on January 22, 1917:

> And the paths of the sea must alike, in law and in fact, be free. The freedom of the seas is the sine qua non of peace, equality, and cooperation. No doubt a somewhat radical reconsideration of many of the rules of international practice hitherto thought to be established may be necessary in order to make the seas free and common in practically all circumstances for the use of mankind, but the motive for such changes is convincing and compelling. There can be no trust or intimacy between the peoples of the world without them. The free, constant, unthreatened intercourse of nations is an essential part of the process of peace and of development. It need not be difficult either to define or to secure the freedom of the seas if the governments of the world sincerely desire to come to an agreement concerning it.

Thus President Wilson, on January 22, 1917, stated the paramount importance to a durable peace of the freedom of the seas, and yet, on the demand of Great Britain, this point was wholly abandoned at the peace conference. I do not doubt that it was abandoned with the greatest reluctance by President Wilson. I think the fact is that Great Britain absolutely refused to consider it in the peace conference. President Wilson is reported to have said that this point was a joke upon him; that he had not considered that with a league of nations there would be no neutrals to whom the freedom of the seas could apply in time of war. The President must have been misquoted upon this, because the league of nations does clearly contemplate neutrals in time of war, for under its terms if two nations submit a dispute to the executive council, and that council does not come to a unanimous decision, the nations involved are at liberty to go to war three months after the action of the council, and surely the other nations not parties to the dispute will be neutrals to whom the freedom of the seas would apply if it had not been abandoned, if political independence or territorial integrity is not involved.

The third point is: "The removal, as far as possible, of all economic barriers and the establishment of an equality of trade conditions among all the nations consenting to the peace, and associating themselves for its maintenance."

This point is very vague, and the President, as far as I know, has never explained what he had in mind in proposing it. It may be said, however, that article 23 of the league of nations covers this point except as to Germany.

The fourth point is: "Adequate guaranties given and taken that national armaments will be reduced to the lowest possible point consistent with domestic safety."

This point is clearly violated in the peace treaty. The only guaranties required are from enemy countries and nations to be invited to join the league. But as to the nations forming the league there are no guaranties whatever. There is merely a declaration that armaments should be so reduced, and the council shall formulate plans for such disarmament, which each nation is free to accept or reject, as it may choose.

Mr. KING. Mr. President, will the Senator submit to an interrogation?

Mr. LENROOT. I yield for a question.

Mr. KING. As I understand the Senator, his position is that the league, with respect to the point just discussed, is not sufficiently drastic; that it ought to have compelled the nations signatory to the agreement to have disarmed or to have reduced their armament to a limit therein stated?

Mr. LENROOT. I think there should have been an agreement.

The fifth point reads: "A free, open-minded, and absolutely impartial adjustment of all colonial claims, based upon a strict observance of the principle that in determining all such questions of sovereignty the interests of the populations concerned must have equal weight with the equitable claims of the Government whose title is to be determined."

This point, all must concede, is flagrantly violated in the peace treaty. In the case of Shantung the treaty expressly confirms the title of Japan as a receiver of stolen property; and since listening to the defense of the Senator from Arkansas I find no occasion to change that statement in the slightest degree.

In addition, as the treaty now stands, the United States is to become the owner of an undivided one-fifth of all of Germany's former colonies. Upon my first reading of the treaty I did not realize this, but upon my attention being called to it by the Senator from New Mexico [Mr. FALL] I have reexamined it, and there can be no doubt that this is the fact. In other words, Germany renounces in favor of the United States, Great Britain, France, Italy, and Japan all of her right, title, and interest to all her colonies. I shall not upon this occasion discuss this at length. I refer to it now only for the purpose of showing that this point has clearly been violated.

The sixth point demands the evacuation of Russian territory and makes declaration of a Russian policy. If the evacuation demanded refers to enemy troops alone, the peace treaty complies with this point; otherwise not. However, the situation in Russia is and has been so chaotic that it is fair to say that it has not been possible to apply the principles of this point to the treaty.

The seventh point relates to Belgium, and the peace treaty is wholly in accord with this point. The same is true of the eighth point, which refers to French territory and Alsace and Lorraine.

The ninth point reads: "A readjustment of the frontiers of Italy should be effected along clearly recognizable lines of nationality."

The application of this point is still undetermined, for the treaty now before us does not attempt to fix the frontiers of Italy. This will come to us in the treaty with Austria and other treaties, but there is grave danger that when made they will not be in compliance with this point.

The same observations should be made of the tenth point, relating to Austria-Hungary; the eleventh point, relating to the Balkan States; and the twelfth point, relating to the Turkish Empire.

The thirteenth point relates to the independence of Poland, and the treaty before us is, I believe, in the main in compliance with this point.

The fourteenth point reads: "A general association of nations must be formed under specific covenants for the purpose of affording mutual guaranties of political independence and territorial integrity to great and small States alike."

The league of nations is the response to this point, which I shall now discuss.

I have thus, Mr. President, referred to the 14 points and their application to the present treaty. We find that of the 14, 4 have been clearly violated in the treaty, 6 have been complied with, and 4 are not included at all, because they relate to matters not covered by this treaty.

Therefore, at this time, of the 14 points only 6 have been complied with, leaving 8 either violated or undetermined.

Mr. President, I have examined these 14 points in this connection for the same purpose that I discussed the causes of our entry into the war, namely, to ascertain to what extent we were obligated to sacrifice our own liberty of action in a league of nations. If these 14 points had been fully complied with, inasmuch as they were proposed by President Wilson and accepted by all the other nations engaged in the war, I concede that if they had been faithfully carried out we would be under some obligation at least to guarantee a peace made in accord with their principles. But if they have not been carried into the treaty in good faith—and I have shown that they have not—then we are under no obligations to perpetually guarantee the observance of the peace that has been made. Whatever we do in this respect must be regarded as a voluntary act upon our part, and we are entirely free to give first consideration to the interests of the United States.

I wish to state again that, with the exception of the disposition of Shantung, I do not believe that President Wilson should be criticized for the failure to secure the application of his 14 points. Most of our associates in the war were not actuated by the high ideals set forth in the 14 points. They seemed rather to follow—

> The good old plan
> That they shall take who have the power,
> And they shall keep who can.

Nor should we too severely condemn our associates for the course they have pursued. Human nature is still selfish. Great Britain, France, and Italy had suffered terribly by the war, and it was perhaps too much to expect of them that they would willingly make great sacrifices of power or advantage for the sake of an experimental world peace. The distinguished diplomats around the peace table were very practical men; that is, with the exception of those representing the United States.

We have no reason to believe that upon the creation of the league of nations there will be a sudden revolution in the ideals of these associates, and that in itself furnishes one of the strongest reasons why we should be very careful in entering into a partnership with them and should scrutinize very carefully what obligations we shall assume.

I have said nothing concerning whether the terms imposed upon Germany are in accord with the 14 points. It is a hard peace for them, a terrible price for them to pay for their attempt to conquer the world, but evidently the peace conference believed hard terms were necessary to protect the world from future aggression by Germany. Whether the terms imposed are more liable to provoke war in the future than insure peace, I shall not discuss to-day.

THE LEAGUE OF NATIONS.

I now come to the consideration of the covenants of the league of nations, and I approach it from the standpoint which I have tried to establish that we should consider them freed from any obligations to other nations, and are at liberty to determine our action with respect to them solely in accord with what we deem to be the best interests of the United States and the welfare of all mankind. Whatever obligations we assume with regard to other peoples we will assume voluntarily and unselfishly, not because there is any preexisting obligation to assume them.

On February 28 last I addressed the Senate upon the league of nations as it was then proposed. I then discussed at length six principal objections to the proposed constitution:

1. Inequality in voting power.
2. The obligations of article 10.
3. The ambiguity as to whether a unanimous vote was required to make an award in a dispute between members of the league.
4. Compulsory mandatories.
5. The jurisdiction of the league over domestic questions.
6. Absence of any right of withdrawal.

The amendments subsequently made at Paris removed the third and fourth objections and greatly lessened the fifth and sixth objections. I shall discuss these as I proceed.

I stated then, and I am convinced now, that we should enter a league of nations to help preserve the peace of the world, and that the plan proposed is a great forward step in this direction.

I shall not take the time to discuss the plan of the organization of the league, for it is familiar to us all and to the country. The inequality in voting power still remains and is objectionable; but since it has been made clear that unanimous action is required in all cases of disputes between nations, and, indeed, in nearly all of the transactions of the council and the assembly, I do not think the inequality in voting power should be an objection to ratification.

I believe the United States can and should be protected by proper reservations, and with such reservations the league may be of great value in preventing future wars and securing a better understanding between nations.

To my mind the greatest value of the league will be in the covenants not to go to war before submitting a dispute over international questions to arbitration or the league, and not until three months after the award of the arbitrators or the recommendation of the executive council or the assembly. With this covenant there can be no war suddenly arising over an honest dispute. The nations will have time to cool off, to deliberate, and there will be opportunity for the friendly offices of other nations.

Of course, if any nation or group of nations determine upon wars of conquest and believe they are strong enough to succeed, this covenant will not deter them. To them the entire league of nations would be regarded as a scrap of paper. But in such case the world would immediately be put upon notice of the menace to its peace, and in such case the United States, irrespective of whether it had joined a league of nations or not, would not sit by for a period of nearly three years, as we did in the present war. Had our people known in the beginning Germany's designs, had our people realized the menace to us—and by our people I mean all of us, including the President and Congress—we would not have waited until April, 1917, as we did.

Any nation member of this league who starts a war in violation of article 12 will be considered an outlaw by all the civilized nations of the earth.

I do not expect, Mr. President, that there will be many unanimous decisions of the council or the assembly settling disputes. This league is not a judicial body, it is a political body, and whenever a dispute is submitted we must expect intrigue and secret diplomacy that will prevent unanimous decisions. It is unfortunate that the covenant does not provide for open sessions of all the meetings of the executive council and the assembly, which would, to some extent at least, tend to prevent secret understandings in the league.

The next most beneficial article in the league, in my judgment, is article 11, which reads as follows:

> Any war or threat of war, whether immediately affecting any of the members of the league or not, is hereby declared a matter of concern to the whole league, and the league shall take any action that may be deemed wise and effectual to safeguard the peace of nations.

This will result in consideration and deliberation by the members of the league of any war or threat of war, wherever it may arise. I do not agree with those who contend that this article deprives any member nation of its freedom of action. Nowhere is the league of nations given power to declare war, nowhere is any force provided to carry out its decisions, nowhere is it given power to command action by any member of the league. Its powers in regard to declaring war are advisory only, and nowhere can be found any mandate to league members to follow the advice. The obligations to engage in war are independent covenants in the document, as are the obligations to refrain from war except after following the procedure prescribed.

While no real power is vested in the league in this article, nevertheless it will have a strong influence in preventing war. I do not believe this would have prevented Germany from starting the present war, but I think it might have prevented the Russian-Japanese War and the Japanese-Chinese War; and now that the old balance of power is destroyed in Europe, which in itself prevented war many times in the last half century, we may confidently hope that a league of nations with article 11 will have a very beneficial influence in this direction.

These two provisions, Mr. President, fully warrant our joining the league, provided our rights and obligations in other respects are fully protected.

With regard to disarmament, while the 14 points have not been complied with and the provisions as drawn will, in my opinion, be worthless in accomplishing any beneficial results, there can be no objection to it, for while it will, in my judgment, do no good it can do no harm. It is, however, unfortunate that this provision of the league has been so misrepresented to the country. Even ex-President Taft has asserted that this disarmament provision is of very great importance, when he, of all men, must know that it is of no value. The only obligation imposed is the recognition that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations.

While the council is required to formulate a plan for such disarmament, each Government is at liberty to reject the plan, and, of course, so long as there is one strong power, either within or without the league, that does not accept it, no other nation will do so. It will be observed that the fourth of the 14 points used the words "domestic safety," which have been

changed in the covenant to "national safety." There never was a time when militaristic Germany would concede that her armies were greater than was consistent with her "national safety." There never was a time when Great Britain would concede that her navy was greater than was consistent with her "national safety." So the obligation is worthless.

We must look to the future for disarmament, possibly through meetings of the league of nations; but if the nations could not agree upon disarmament now, at the end of this terrible war, with its awful consequences before the eyes of the peace conference, there is very little hope that it will be done in the future. No guaranties have been given and taken, as required by the 14 points, except in the case of Germany, and those guaranties have nothing to do with the league of nations portion of the treaty.

However, as I have already said, while those of us who believe that disarmament is the best guaranty of future peace are deeply disappointed over the violation of the "accepted chart of peace" in this regard, it does not furnish any reason for opposing the league, for presumably President Wilson could not secure its incorporation in the league, and, like the freedom of the seas, it has been abandoned because impossible of accomplishment.

THE AMENDMENTS MADE AT PARIS.

I now come to the amendments to the league proposal made at Paris subsequent to the first draft adopted.

The ambiguity as to whether a majority or unanimous vote was required in disputes submitted to the council or assembly has been removed so as to clearly require a unanimous vote in such cases. As I have already said, this removes one great objection to the original draft and greatly lessens the objection to the inequality in voting power between Great Britain and the United States.

Another very serious objection which has been removed is the compulsory mandatories. As the original draft stood, it is very clear that at least in the case of Turkey every member of the league obligated itself to accept the mandate of the league. If the league selected the United States to become the mandatory of peoples lately belonging to the Turkish Empire, we would agree by the adoption of the league to accept it. I discussed this question at great length in the Senate last February and will not take further time upon it now, for there has been inserted a clause which removes this objection, the clause being that the mandate shall be imposed only upon those "who are willing to accept it."

Inasmuch, therefore, as Congress will be entirely free to reject a mandate proposed, I see no objection to this article as it stands, although I think it would be wise to give notice to the other members of the league, by accompanying resolution, but as no part of the ratification, that Congress alone will exercise this discretion and that the Executive has no power to do so.

JURISDICTION OVER DOMESTIC QUESTIONS.

Serious objection was raised over granting the league jurisdiction over purely domestic questions upon which disputes may arise with other nations.

An amendment has been made, intended, no doubt, to remove this objection, but, in my judgment, it only partially does so. The amendment found in article 15 reads as follows:

If the dispute between the parties is claimed by one of them, and is found by the council to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the council shall so report and shall make no recommendation as to its settlement.

While this is an improvement over the original draft, it is still open to objection, for as I construe it it grants to the council jurisdiction to determine what are domestic questions. If this council were a judicial body, this to my mind would constitute no great objection; but it is not. The council is a political body. Each member of the council will be seeking advantage for his own Government, except the representative of the United States, and this council will never acquire the judicial attitude of a court. If it should be to the advantage at any time of the other Governments members of the council to take jurisdiction of a domestic question in the United States, it is not at all improbable that they would do so. But those who urge the ratification of the treaty without reservations contend that no jurisdiction is given the league over domestic questions. Then why not by reservation say so in plain language, so that it will be clear that the decision of the council shall not be binding upon a nation claiming that the dispute is wholly one within the domestic jurisdiction of that nation?

RIGHT OF WITHDRAWAL.

There are many of us, Mr. President, who felt that we could vote for no league of nations whose constitution did not provide for the right of withdrawal. We felt that to enter into obligations perpetual in their nature, obligations that might result in the destruction of our Republic, would be an act of despotism inconsistent with the right of any free people. For one man, the Executive, and 96 Senators to fix obligations for unborn generations to the end of the world without opportunity to ever be relieved of them would be the greatest crime in history, a crime greater than the autocracy of the Kaiser, whom we have defeated. Autocracy can be destroyed by revolution, and it is the right of a people to change their government as they see fit. We in the United States have provided an orderly, peaceable way of doing so; but the right of revolution, either by the ballot or with the sword, carries no right to violate solemn obligations duly made with other nations, and the original constitution of the league carried a perpetual obligation. The provision for amendment offered no protection, for other nations could prevent amendment.

I am aware, Mr. President, that some Senators sought to defend this un-American and undemocratic obligation, which leads me to remark that partisanship is being charged against Republicans in the consideration of this treaty, a charge which I know—at least as to the overwhelming majority of Republican Senators—is utterly without foundation. But I do say, Mr. President, that if Senators across the aisle would only forget that President Wilson is the leader of the Democratic Party, and remember that this is an American question so crucial, so important to our country, so fateful to its future that consideration of political advantage should not have the weight of a feather in our deliberations—if this could be done, Mr. President, I am confident that we could come to an almost unanimous agreement as to reservations for the protection of the United States.

When I digressed I had stated that some Senators prior to the amendments made at Paris sought to defend the perpetual obligation imposed. Those Senators will in due time answer to their constituents for the position then taken. But, fortunately, that is no longer an issue, for the amendments made provide for withdrawal upon two years' notice, provided that all of the international obligations of the withdrawing member have been fulfilled at the time of withdrawal.

This, in my judgment, sufficiently protects the right of withdrawal, provided the interpretation is given that the withdrawing member shall itself determine whether its obligations have been fulfilled to give it that right. It is contended by some that the council will determine that fact, and that, therefore, no right of withdrawal exists without the permission of the council. It is my opinion that no such jurisdiction is vested in the council or the league. If a dispute arises between the league and a member on this question, each stands upon an equal footing. It is exactly as if two parties to a contract disagreed as to its terms and there was no judicial or other determining body created by law to settle the dispute. Each party could put his own construction upon it. One could refuse to perform, and the other could only compel him to perform if he was the stronger of the two. The only determining factor in such a case would be "might makes right." But the league of nations is given no authority to enforce its decisions, and inasmuch as we have made no agreement to be bound by its decision upon the question of withdrawal we would be free to act. Remember, this would be a dispute between ourselves and the league, not between us and individual members of the league, and it is clear to me that to bind us there would have to be a clear grant of power to the council or the league to decide the dispute, and no such grant is found in the covenant.

The distinguished Senator from Virginia [Mr. SWANSON] takes this position, but there are other Senators upon both sides of the aisle who do not agree to this construction. In these circumstances there should not be the slightest objection to a reservation giving our construction of this provision, and, of course, the Senator from Virginia [Mr. SWANSON] will be glad to support such a reservation, which is wholly in accord with his own views.

THE MONROE DOCTRINE.

Very similar observations can be made with regard to the Monroe doctrine. It is insisted by all of the supporters of the covenant in the form now proposed, without reservations, that the Monroe doctrine is fully protected, while other equally eminent statesmen and lawyers express grave doubt upon the subject.

No one attempts to defend the phraseology purporting to safeguard the Monroe doctrine. Its defenders admit the provision is awkwardly expressed. It reads: "Nothing in this covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe doctrine, for securing the maintenance of peace." Even Henry W. Taft, brother of the ex-

President, in the volume entitled "The Covenanter," says "it need not be denied that this descriptive phrase was not the best that could have been selected," and he proposed a reservation upon it which I quote:

> But if the Senate is of the opinion that the use of the words "regional understandings" creates any doubt as to the meaning of article 21, it can in ratifying the treaty make a declaration that its action is taken under the reservation that the covenant is to be so construed as to leave the Monroe doctrine unaffected. In view of the general purposes and effect of the league referred to above, such a reservation would not be regarded as a substantial amendment of the covenant.

Mr. President, aside from the indorsement thus given to a reservation upon the Monroe doctrine, I commend this opinion to those Senators who contend that any reservations made will jeopardize the entire treaty. But I have no doubt that at the proper time the Senate will readily agree to a reservation upon the Monroe doctrine.

There is another reservation that I think there would be no difficulty in agreeing upon, and that is in relation to disarmament should any nation adopt the recommendation of the council in that regard. It will be remembered that when the plan formulated is once adopted, armament can not thereafter be increased without the consent of the council.

Gen. William Crozier, whose article upon the league of nations I placed in the RECORD a few days ago, called attention that this should apply only to peace armaments, and this is very obvious. When we consider that the league assents to war under certain conditions, it is plain that nations actually engaged in war with such assent should not have the limitation applied to them while so engaged; otherwise a nation having a stronger military or naval force than its opponent would have it at its mercy.

ARTICLE 10.

This brings me to a discussion of article 10, around which centers the principal contest over the ratification of the covenant in its present form. By its terms the United States would guarantee the existing political independence and territorial integrity of every other member of the league against external aggression.

Mr. President, I had supposed that there was at least one policy settled by the American people for all time, and that is that the United States would never engage in an unjust war; that the United States would never fight upon the side of an oppressor; that it would never fight upon the side of autocracy against liberty; that the blood of our boys would never be poured out to preserve despotism anywhere upon the face of the earth. Until a short time ago anyone who would have proposed otherwise would have been looked upon as a traitor to the ideals upon which this Republic was founded.

Mr. President, it would be bad enough to obligate future generations to fight for any cause, but it would be monstrous to obligate them to fight for an unjust cause, and that is exactly what article 10 in its present form does. Under this article, if any member of the league should undertake to do for an oppressed people what France did for us in the Revolutionary War, what we did for Cuba in the Spanish War, we would be compelled to fight that nation.

President Wilson has declared time and time again that the application of his 14 points was absolutely necessary to insure a just and durable peace. I have demonstrated how those principles have been violated in the treaty before us. If President Wilson was right upon his 14 points, then he is wrong now in demanding that we underwrite to the extent of all our man power and all our resources a peace not in accord with those 14 points.

Let me give two concrete examples of our obligations under this article:

In case China should engage in war for the recovery of Shantung, of which she has been robbed, we engage to fight upon the side of Japan to help her retain her stolen property.

In the case of the Saar Basin it is provided that at the end of 15 years a plebiscite shall be taken upon three questions—1, maintenance of the régime established by the treaty; 2, union with France; and 3, union with Germany. But even though the vote is in favor of Germany at the end of these 15 years, the league is empowered by a majority vote to turn the inhabitants over to the sovereignty of France. What a mockery of the right of self-determination! Assuming that, notwithstanding the wishes of the people affected, the league turns them over to France and the people rebel, if Germany should ever assist them under article 10 we would be compelled to fight, not to resist unprovoked aggression by Germany upon territory that she is in right and equity entitled to, but on the part of France to enable her to retain under her sovereignty an unwilling people.

Mr. President, it was with special reference to article 10 that I examined at so much length the application of the President's 14 points to this peace treaty, and particularly in view of the treaty's violation of them. I assert that neither President Wilson nor the Senate of the United States has any moral right to obligate the United States to go to war to preserve the territorial integrity and existing political independence of members of the league.

If article 10 be assented to in its present form, then future generations will not be permitted to consider the justice of declaring war to fulfill this obligation. If they are called upon to declare war to preserve an existing injustice, to protect despotism, they must choose between fighting in an unjust cause or regarding a solemn treaty as a scrap of paper.

We should all agree that never shall we be placed in Germany's class regarding the obligation of treaties. Therefore, with this article in its present form, whenever the occasion may arise the people of the United States will not be permitted to determine the justice of a war in which they may be called upon to engage, but they are told by this article—

> Theirs not to make reply,
> Theirs not to reason why,
> Theirs but to do and die.

I have spoken thus far of our engagements to preserve the territorial integrity of boundaries as fixed in this treaty. In addition, there are other boundaries of which we know nothing as yet that are also guaranteed by article 10.

Peace treaties between Austria-Hungary, Turkey, and Bulgaria have not yet been completed. What form they will take we do not know, but we have sufficient information to have just grounds for fearing that these boundaries will not be in accord with the 14 points. We know something of the bitterness existing between Italy and the Jugo-Slavs. Our mail is daily filled with propaganda by both sides. If we should ratify this treaty now with no reservation as to article 10 we would guarantee territorial boundaries which are not now in existence and concerning which peoples are to-day actually engaged in war.

Can it be possible, Mr. President, that there is a Democrat so partisan that he does not see the necessity of a reservation as to article 10 relieving us of the obligation of declaring war in an unjust cause? I am profoundly convinced that if partisanship be forgotten and only Americanism remembered we can agree upon a reservation to this article, now so dangerous to the cause of true liberty, so destructive of American ideals and principles. I care not in what form the reservation is made so long as it does not obligate us to engage in war irrespective of the justice of the cause. It may take the form of a reservation that inasmuch as Congress alone under the Constitution has the power to declare war the ratification is made with the reservation that nothing in the treaty shall obligate the Congress to declare war against its will. It may take the form of undertaking for ourselves only to respect the territorial integrity and existing political independence of members of the league, without requiring us to compel others to do so. Other forms of reservations would be acceptable so long as they accomplish the one object of leaving to the people of the United States freedom of action to refrain from engaging in war against their will.

This does not mean that the United States will not concern itself in external aggressions against any people. It does not mean that we will not in any particular case agree to make war against an offending member; it means only that when that time may come the boys and the fathers and mothers of the boys who would do the fighting shall have a voice, through the Representatives they have chosen, in the determination of that question.

With the reservations I have referred to I believe the league of nations should be agreed to, for I believe that then there will be no surrender of those liberties for which the fathers fought and died and for whose preservation thousands of American boys lie sleeping under the sod of France.

I believe America is the hope of the world. Let us not destroy that hope by making any engagements not in keeping with eternal principles of liberty and justice, but rather let us cooperate in a league of nations for their promotion, reserving to ourselves the right to determine the justice of a cause for which we are asked to fight.

Let us declare that this great people stand ready to fight in any war which may again menace the peace of the world, but that we will fight only upon the side of liberty and justice, and will enter into no obligations to do otherwise.

Mr. POMERENE. Mr. President, if I may, I desire to ask the Senator from Wisconsin a question before he takes his seat. A few moments ago, while discussing the subject of the German colonies, the Senator referred to that paragraph in the treaty which reads as follows:

> Germany renounces in favor of the principal allied and associated powers all her rights and titles over her overseas possessions.

Thereafter he made the statement, if I understood him correctly, that that gave to us an undivided one-fifth interest in those German colonies.

Mr. LENROOT. I did.

Mr. POMERENE. The Senator did not understand, I assume, that it gave to us an undivided one-fifth sovereignty over these colonies in perpetuity?

Mr. LENROOT. I do, so far as the cession from Germany is concerned. The only limitation upon it is the mandatories of the league of nations.

Mr. POMERENE. That is just what I expected to refer the Senator to. That article, being article 22 of the covenant, reads, in part, as follows:

> To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them, and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilization and that securities for the performance of this trust should be embodied in this covenant.

Then it continues:

> The best method of giving practical effect to this principle is that the tutelage of such peoples should be intrusted to advanced nations who by reason of their resources, their experience, or their geographical position can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as mandatories on behalf of the league.

I desire to call the Senator's attention to the further language to the effect that these colonies are believed to be divisible into certain classes, and reference is made to the colonies of Turkey. I will read the first sentence referring to the Turkish Empire:

> Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the mandatory.

I refer to these provisions as indicating what is clearly the intention of the powers—that these colonies shall be given their independence so soon as they may be regarded as capable of exercising it. I do not believe that any other construction can be fairly placed upon that language.

Mr. LENROOT. Does the Senator deny that the cession of Germany does grant all of the title of her colonies to the five powers?

Mr. POMERENE. There is no doubt about that at all.

Mr. LENROOT. So far as the mandatory is concerned, it is merely the managing agent. The "Big Five" control the league. So far as these declarations are concerned, as the Senator well knows, it is exactly the policy that Great Britain has set forth to the world as her reason and her excuse for enlarging her empire from time to time.

Mr. POMERENE. Oh, no; with all due respect, these provisions of the treaty must be construed as a whole; and it seems to me that, if one bears in mind the trust powers which are conferred upon the mandatory through the league, the ultimate result will be that as quickly as these nations arrive at a point where they can govern themselves they will be given that right.

Mr. LENROOT. There is not a word or syllable in the treaty from beginning to end that will be binding on any of the five powers to do that thing any more than there is in the treaty with reference to compelling Japan to release the sovereignty of Shantung to China.

The Senator argues that this is a trust to the five principal allied powers. I will ask the Senator why the distinction was made in the case of the Saar Basin, where there was a cession, not to the five powers but to the league of nations in trust? Why, if the Senator is correct, was there not a cession to the league of nations in trust for the colonies of which he speaks?

Mr. POMERENE. Oh, Mr. President——

Mr. LENROOT. I beg pardon. It is very evident that the powers, including the United States, look upon the entire league of nations as an experiment, and we must all consider the possibility of the league of nations going the way that other leagues have gone in the past. When it does, the United States will have an undivided one-fifth sovereign interest in every one of these German colonies to do with them as it will.

Mr. POMERENE. Mr. President, I, of course, do not know what the reasons were which prompted the peace commissioners to make the distinction, though I think I can understand. The Saar Basin was a part of the German Empire and a part of Germany's territory. The interest which the Allies took in that basin was for a period of 15 years. It was a leasehold, in other words, with certain possible rights to mature or to be perfected thereafter. That was one thing; but it was certainly clearly the intention of the peace commissioners entirely and forever to separate the German colonies from Germany. So in dealing with the subject they saw fit first to take the entire title to those properties over to themselves and then, under the covenant of the league of nations, they provide the method for their tutelage. There is certainly a very clear distinction between the two.

PEACE TREATY AND THE LEAGUE OF NATIONS.

Mr. FLETCHER. Mr. President, with reference to the observations of the Senator from Wisconsin [Mr. LENROOT], I desire to say that it seems to me perfectly clear that the five powers do not take each an undivided one-fifth interest in all the territories or colonies in the way and in the respect that the Senator from Wisconsin seems to have in mind. That provision of the treaty found on page 63 of Senate document No. 49, being article 199, that "Germany renounces in favor of the principal allied and associated powers all her rights and titles over her overseas possessions," is simply a kind of a transfer or assignment or quitclaim of all her right, title, and interest in all her overseas possessions. It is followed by article 257, which is found on page 114 of this document, in which it is provided that—

> In the case of the former German territories, including colonies, protectorates, or dependencies, administered by a mandatory under article 22 of Part I (league of nations) of the present treaty, neither the territory nor the mandatory power shall be charged with any portion of the debt of the German Empire or States.
>
> All property and possessions belonging to the German Empire or to the German States situated in such territories shall be transferred with the territories to the mandatory power in its capacity as such, and no payment shall be made nor any credit given to those Governments in consideration of this transfer.

That relates back to article 119 and to the transfer to which the Senator referred, and shows the relation also between the treaty and the league of nations; the one fits in with the other, because this very article 257 refers specifically to article 22 of the league of nations, to which the Senator from Ohio [Mr. POMERENE] has alluded. The three articles are in that way tied together so as to make it perfectly clear that, whereas Germany relinquishes all her right, title, and interest in these colonies to the powers mentioned, they are to be held in trust for the benefit of the colonies themselves; and the mandatories selected and agreed upon and accepting that trust shall be vested immediately with the control of the properties so far as may be necessary in order to effect the tutelage, development, progress, and growth of those colonies.

That is the purpose of the whole plan. The purpose is not that the United States shall have any undivided interest in these colonies as such. The United States, merely as a party to this agreement, proposes to recognize the principle of a trust relation between the mandatory and the colonies themselves as created by the covenant, the idea being that a relation somewhat like that of guardian and ward will be established between the mandatory and the colony in each instance.

The Senator from Wisconsin alluded to another feature which he said was something of a disappointment to him, regarding this treaty, and that was that it did not absolutely do away with secret diplomacy. Of course, there is no way to prevent secret communications, secret conferences, and secret transactions between diplomats or representatives of governments. The only thing that can be done is to prevent secret contracts in the shape of treaties, and that is accomplished by the provisions of article 18 of the league of nations covenant, which requires that—

> Every treaty or international engagement entered into hereafter by any member of the league shall be forthwith registered with the secretariat and as soon as possible be published by it. No such treaty or international engagement shall be binding until so registered.

Other points discussed by the Senator from Wisconsin I will attempt to deal with as I reach them.

Mr. President, speaking generally with reference to the treaty and the league of nations, so much has been spoken and written on this subject that I must doubt if I shall be able to offer a new thought. It is a case of "Say what you will, you may find it all in Plato."

It is a matter of such momentous and vast importance to the country and, indeed, to the world, however, that I feel under a burden of duty to indicate the views with which I am impressed and which will control my action respecting the treaty.

The duty of passing judgment on this treaty involves the duty of studying it and reaching conclusions about it, and the responsibility of recording that conclusion would seem to involve the obligation to express the reasons therefor.

The treaty is now before us. It must be ratified or rejected in whole or in part. Accepting it upon conditions or with certain reservations is the same thing as refusal to ratify it as presented. Such a course proposes changes and modifications, which must be submitted to the other parties to the treaty. If they agree to such changes or modifications, the treaty will take that amended form. If they disagree, the treaty fails. The

President has the sole authority and responsibility under the Constitution to negotiate the treaty. As completed in the process of that negotiation he must then lay it before the Senate for its "advice and consent."

The Senate, of course, may differ with the President and refuse its consent and may advise that certain changes be made or certain reservations or conditions may be required or imposed.

In that case the President may drop the matter or he may present the Senate's action to the reassembled conference for its acceptance or rejection.

If the latter happens, there is no treaty, so far as we are concerned.

There must be a meeting of the minds of all the parties on all the provisions as they appear, as in the case of every contract; otherwise there is no contract.

Mr. Justice Brown said, in One hundred and eighty-third United States, pages 176 to 183:

Obviously the treaty must contain the whole contract between the parties, and the power of the Senate is limited to a ratification of such terms as have already been agreed upon between the President, acting for the United States, and the commissioners of the other contracting power. The Senate has no right to ratify the treaty and introduce new terms into it which shall be obligatory upon the other power, although it may refuse its ratification or make such ratification conditional upon the adoption of amendments to the treaty.

It is most deplorable that at the end of the four years' war, the most terrible and gigantic in history, in which the cause of democracy and freedom was victorious, and after some five months of discussion of the terms the winning nations should impose on the defeated foes, and the final settlement of those terms, which has been with infinite labor, patience, and care reached, we are now confronted with differences here which go to the very root of that settlement.

It is most unfortunate that we can not unite, as did those around the peace table, and give our unanimous indorsement to what they did. Doubtless each one of them would have written something different if their views and wishes, respectively, had been singly and alone consulted. They gave and took for the general good; put to one side selfish demands; yielded individual preferences to the common cause; adopted a broad view of conditions; and in a generous, patriotic spirit endeavored to safeguard the future while taking care of the present.

When we entered the war our undertaking was to resist and overcome the deadly assaults made on the democracy of the world and to secure both a righteous and a permanent peace. With this pledge in mind, after victory was attained, the President, who had outlined the issues and set forth the general principles of settlement, which were accepted by our associates, personally took part in the negotiations and assisted in framing the treaty which was finally agreed upon and which he has laid before this body for its appropriate action.

The principal objection urged is with respect to the provision for a league of nations.

By this provision it was intended "to promote international cooperation and to achieve international peace and security by the acceptance of obligations not to resort to war; by the prescription of open, just, and honorable relations between nations; by the firm establishment of the understandings of international law as the actual rule of conduct among governments; and by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another."

Such a purpose surely commends itself to the intelligence and conscience of mankind everywhere.

If there be any provision in conflict with the high objects declared, we may well examine it and criticize it, and even endeavor to correct it.

There is no provision inconsistent with the intentions set forth. They are not only in harmony with those aims but they are essential to their effectual accomplishment.

It is difficult to suggest any improvement of thought or language to that end.

There has been no successful effort of that sort.

It is even more difficult to point out a way of effecting the purposes mentioned by any less emphatic or less binding covenants.

It would seem unnecessary to add to or take from the terms of the covenant.

OBJECTIONS TO ANY LEAGUE WHATEVER.

Some of those who raise objections to the league of nations covenants do so on the ground that we should refrain from any alliance whatever with other nations respecting peace or war; that the United States should not enter into any international agreement or form any league or associate themselves with any nations in the form of covenants imposing any obligations or limiting in any degree perfect freedom of action in any and all circumstances.

They not only oppose the league of nations plan now before us but they are opposed to any kind of a plan.

It is not worth while to discuss the details of the plan submitted, so far as they are concerned.

It could not be made satisfactory to them. No amendment, no reservation, no separate construction, no condition, could be framed that would cause it to meet with their favor.

They argue that any covenant with other nations, any alliance, would mean a certain relinquishment of our sovereignty, a sacrifice in some degree of our independence, and they are unwilling to allow either.

I am utterly unable to see any such danger or to find any grounds for such objections in the terms of the covenants submitted. There would be, of course, some right of free and independent action surrendered just as there is under any contract any individual may make. The consideration received is a fair exchange in the one case as in the other. The covenants of all the other nations, the relinquishments and yielding of arbitrary, unrestrained action on their part is an important consideration. The concessions, which are mutual, in favor of a council and an assembly, in which we all take part, for certain definite and fixed objects, is shared by all for the good of all. The return of what is given up balances the giving. The consideration is the securing of the peace of the world. The prevention of such bloody performance as we have experienced the past four years surely is of some value. If we have a conscientious and certainly to some extent an efficacious scheme to prevent war, avoid anarchy, and make impossible chaos, surely it would be advisable to invest a modicum of sovereignty and independence in it.

If by surrendering something ourselves, valuable though it be, we can help establish a reign of international law and international morality, we may well make the contribution. We save and reserve and hold all the sovereignty and all the independence we can use or can ever need when we part with enough to furnish our share of what may lead mankind away from force and oppression to the high plane of peace and law and justice. We have done this thing we are now warned against, given up something of sovereignty and something of independence, in every treaty we have made, and we have been wisely and without regret making them for over a hundred years.

ISOLATION IDEA.

The argument that we ought to attend to our own affairs and withdraw all concern about the affairs of others is not persuasive. Robbed of its obvious selfish character it is founded on the wrong hypothesis. It is founded on the notion of an isolated America. It presupposes that this country stands quo ad the world just where it was a hundred years ago. It takes no cognizance of the progress made in the sciences and arts. It ignores the increase in population here and elsewhere and the development and expansion which has brought all the peoples of the earth into elbow touch. It takes not into account the means of communication, the facilities for transportation, which serve the interest as well as the wants of people in the most remote regions, and which emphasize the dependence of each and the interdependence of all.

When the much-quoted advice about avoiding entangling alliances was given in September, 1796, conditions at home and abroad were altogether different from what they are now. Indeed, human foresight could not have pictured the changes which have taken place. The imagination could not have grasped them. Patrick Henry rode up to the home of his friend George Washington at Mount Vernon one evening on his way to the First Continental Congress. They spent the evening no doubt discussing the work ahead of them. Next morning they, the first Virginia Delegates, proceeded by the shortest route and the fastest means—on horseback—to Philadelphia. They arrived at the end of the third day. In as many hours by three different ways that journey can be made to-day—by railroad train, automobile, and aeroplane. Those gentlemen would not have believed such a thing possible.

In the time it required Andrew Jackson to journey from the Hermitage to Washington to take the oath of office you can encircle the globe. There is not a spot on earth a battle could be fought after peace was declared without knowing the war was over, as was done at New Orleans.

In those days the Atlantic was crossed in wooden vessels of a few hundred tons, requiring a month for the trip. The minds of men could not conceive the possibility of liners of 50,000 tons, requiring six days, and carrying 10,000 people.

Communication by small boats and by couriers overland in those days was quite a different thing from the telegraph, telephones, railroads, and steamships of to-day, which make the oceans but small lakes and the very air a whispering gallery.

Wireless messages flashing 8,000 miles annihilate time and space.

When the Secretary of the Navy can sit at his desk and talk to an aviator flying 90 miles an hour, 150 miles away, it ought to convince us that America has not stood still during the passing, pulsing years.

The same is true of other countries in varying degrees.

A proposition to ransom American captives in Algiers and pay tribute to the Berber Government, such as Washington urged in 1792, would scarcely meet with favor to-day. When one talks about departure from the policy of Washington, as announced in September, 1796, it may be in order to say the President would not to-day negotiate a treaty and the Senate advise and consent to its binding the United States to pay a "Barbary pirate $40,000 to ransom 35 captives, and $25,000 bonus, and $25,000 annually for exemption from depredations." We would deal with that situation in quite a different way.

It may be conceded that some peoples have made little progress, but generally it would be found in their cases the laws of evolution have not had full play. By reason of oppression, lack of freedom, constant wars, no incentive or encouragement to progress, no opportunities such as obtain where every man is set free to be his best and do his best, they have been held back. They ought to be given a chance. If we can be of service in that direction, can we justify a selfish determination to turn a deaf ear to their call?

It must be considered, too, that, whether we like it or not, we are to some extent involved in their fate. The earth has been compressed. We are next door to people we only knew in a historical way in our early days. We trade with them. We are producing things they want, and they are producing things we want, and we have the means of conveying those things back and forth. Their social life and customs, particularly their health, concern us. An epidemic of some fatal disease may spread to our borders from foreign lands. Our people travel and invest everywhere. Other people do the same. A financial disturbance in almost any country has its reaction or consequences of some kind here. An earthquake or volcanic eruption occurring anywhere on the earth is known within a few hours, and relief measures are at once instituted where they can avail.

The war just ended demonstrates conclusively we can not escape any similar outbreak and calamity begun anywhere. Experience ought to have taught us that we are no longer isolated, and the possibilities of isolation grow less and less as time passes. The movement is the other way, as certain and as irresistible as the tides.

As the heaped waves of the Atlantic follow the moon, the currents of world activities and world experiences follow the laws of progress. Man is not lost or condemned; he is imperfect, and his destiny is toward perfection. The same is true of peoples and nations. Society is not a piece of mechanism, like a house, which may be destroyed totally. Human society is an organism composed of living cells capable of unlimited growth. So with nations. If the large and powerful may cooperate, they can be of immense advantage without material burden to themselves, and that cooperation may extend to the small and weak, so they may live their own lives and develop without interruption. No civilized nation can be indifferent or "careless of mankind." Certain responsibilities to civilization, to mankind, rest on all enlightened people and their government. One of these is to, if possible, prevent the slaughter of human beings and the wanton destruction of treasure to gratify the greed and ambition of some unscrupulous oppressor.

Individuals, through passion or a kind of insanity, harm the innocent and outrage society. Nations lose their self-control. Some superior authority must restrain the one, and there ought to be some power to protect against the ravages of the other. The good of society requires the one and the good and happiness of the world calls for the other. The heavy burden of duty rests upon all men in position to aid in bringing about that condition of order and stability.

OTHER OBJECTIONS.

Before the league of nations was formulated there were those who were sneering at it, criticizing the idea, and raising objections to it. After the first draft was prepared they were loud in their denunciation. One can not escape the impression that many of these were prompted by personal animosity toward the President and others by partisan bitterness, and both these groups by a desire to paralyze his leadership at whatever cost, and that at a time of a commanding world crisis. They were plainly actuated by the ignoble motive to handicap and hinder, and they offered no assistance or constructive suggestions.

Others doubted because they lacked vision; withheld approval because they did not grasp the subject. Others, since they could not lead themselves, were disposed to criticize all efforts and thwart all accomplishment.

They demanded they should be consulted, even though the Constitution vested the authority to conduct negotiations exclusively in the Executive.

They continued their attacks while the negotiations were in progress, when they knew the only effect would be to embarrass those having the matter in hand.

They discussed "leaks" which amounted to nothing, but which they endeavored vainly to magnify into a public scandal. They offered resolutions and had them cabled to the peace conference—and then let them rest.

Finally the time came to specify, and the burden of complaint was directed to article 10. That article is short and reads as follows:

> The members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league. In case of any such aggression, or in case of any threat or danger of such aggression, the council shall advise upon the means by which this obligation shall be fulfilled.

This article clearly and expressly refers to *external aggression*. Only in case of *such aggression*—that is, an attack by one State on another, an invasion from the outside by one nation of another, or the threat or danger of such attack or invasion—will the league have any jurisdiction.

Then the action must be unanimous, excluding the parties in interest. The action is limited to *advising* "upon the means by which this obligation is to be fulfilled."

Under article 12 the members of the league agree to submit any dispute which may arise between them either to arbitration or to inquiry by the council, composed of nine members, and they further agree not to resort to war until three months after the award by the arbitrators or the report of the council. The award of the arbitrators, if the matter is submitted to them, must be made within a reasonable time, and the report of the council must be made within six months after submission, if the dispute goes to them.

Upon 14 days' notice either party may have the controversy go to the assembly. The action there must be by unanimous vote of all members of the council and a majority of the assembly.

Under article 13 the members agree to submit matters recognized as suitable, and which can not be settled by diplomacy, to arbitration. For instance:

> Disputes as to the interpretation of a treaty, as to any question of international law, as to the existence of any fact which if established would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach are declared to be among those which are generally suitable for submission to arbitration.
>
> For the consideration of any such dispute the court of arbitration to which the case is referred shall be the court agreed on by the parties to the dispute or stipulated in any convention existing between them.
>
> The members of the league agree that they will carry out in full good faith any award that may be rendered, and that they will not resort to war against a member of the league which complies therewith. In the event of any failure to carry out such an award, the council shall propose what steps should be taken to give effect thereto.

Article 14 authorizes the council to formulate and submit to the members of the league plans for the establishment of a permanent court of international justice.

Article 15 provides that disputes not submitted to arbitration the members agree to submit to the council, and the council will endeavor to effect a settlement.

> If the dispute between the parties is claimed by one of them, and is found by the council to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the council shall so report, and shall make no recommendation as to its settlement.
>
> The council may in any case under this article refer the dispute to the assembly. The dispute shall be so referred at the request of either party to the dispute, provided that such request be made within 14 days after the submission of the dispute to the council.

Article 16 provides for the steps to be taken in case of disregard of covenants under articles 12, 13, or 15 toward the offending nation. It is to be subjected to the "severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nations of the covenant-breaking State, and the prevention of all financial, commercial, or personal intercourse."

The council must *recommend* to the several Governments concerned what effective military, naval, or air force the members of the league shall severally contribute to the armed forces to to be used to protect the covenants of the league.

The members covenant to mutually support one another in the financial and economic measures which are taken.

These are the vital, working articles of the league. The plan would be ineffectual without either of them. It would amount to a mere expression of purpose and a sort of interchange of sympathy and good will. These articles make the plan workable, practical, and efficacious. They are necessary just as the

league is a necessary part of the treaty if we are to have reasonable assurances of peace lasting overnight. Without them, the league is a hollow shell, a pretense, and a sham.

In almost every case resort to economic pressure as provided in section 16 will afford ample remedy for any violation of the covenants by any member or any breach of peace attempted by any nonmember State. No State can live for any considerable time cut off from the rest of the world. America can come nearer doing it and can continue longer than any other because we produce a surplus of the prime necessities of life under existing conditions. If our markets are done away with, however, that situation would be changed. If other nations should refuse to take our surplus, need it though they would, production would soon diminish.

I venture the prediction that in all the years to come, in actual practice, military force will not be found necessary to restrain any law-breaking nation and prevent it from disturbing the peace of the world. The cooperation of all other nations to completely isolate such a nation, refuse all intercourse or communication with it, will be sufficient.

Under article 22 mandatories, willing to accept their responsibilities, are provided to serve the colonies and territories. This is a very wise disposition of what might be a troublesome problem without it.

COST OF THE LEAGUE.

It will be necessary for the members to contribute to the expenses of the league. This should constitute no objection. If the league accomplishes anything approaching expectations, the amount expended in its maintenance and for carrying on its work will be a nominal sum in proportion to the benefits. When we consider the enormous cost of maintaining the military establishments of the various countries at the beginning of the war just ended, and the fact that they were increasing year by year, a large portion of which may be dispensed with and saved to the taxpayers if this league is agreed to, we will have no hesitation in appropriating our proportion. Our Regular Army grew from 1,200 in 1790 to 100,000 in 1914, and our Navy from nothing to the third largest in the world. Already the Secretary of the Navy has reduced his program by some 10 battleships and 7 cruisers in contemplation of such a league. The cost of one cruiser would more than cover our share of annual league expense. Before entering the war we were spending some $281,000,000 on our Army and Navy Establishments annually. France was paying out about $344,000,000, Great Britain about $386,000,000, and Germany about $443,000,000. No return in the shape of earnings or revenue were derived from these annual outlays. The money came from the taxpayers and none of it went back. It was an investment of the people's money in that protection, a large portion of which, at least, will be guaranteed by the covenants of this league of nations—this agreement with the other Governments for their common benefit. To be more exact, the following are the figures:

Prewar annual war expenditures.
(Not including pensions.)

GREAT BRITAIN.

Year ending March 31, 1914:	
Army	$142,000,000
Navy	244,000,000
Total	386,000,000

FRANCE.
(Budget.)

Year ending December 31, 1914:	
Army	$241,000,000
Navy	103,000,000
Total	344,000,000

ITALY.
(Budget.)

Year ending December 31, 1913:	
Army	86,000,000
Navy	40,000,000
Total	126,000,000

UNITED STATES.

Year ending June 30, 1916:	
Army	$125,000,000
Navy	156,000,000
Total	281,000,000

GERMANY.

Year ending March 31, 1914:	
Army	323,000,000
Navy	120,000,000
Total	443,000,000

Total for these five countries, annually, $1,480,000,000. This is in part only of the material side of the question. The association in binding contract with the other nations, whereby the lives of the bravest and best of all lands shall be saved, suffering and sacrifice avoided, is the really important consideration.

American interests and American independence are adequately safeguarded.

If for any unforeseen reason the league should prove disappointing, article 1 provides:

> Any member of the league may, after two years' notice of its intention so to do, withdraw from the league, provided that all its international obligations and all its obligations under this covenant shall have been fulfilled at the time of its withdrawal.

OTHER OBJECTIONS.

The objection that America has only one vote while small countries have the same is not well taken. It is not reasonable to assume that those countries would be unfriendly to us. The requirement in important matters of a unanimous vote should suffice to insure against combinations and prejudice. For practical, crude illustration, suppose some country should undertake to raise a quarrel with us because of our immigration laws. We would contend the question of immigration is a domestic one and the league is without jurisdiction. The matter is taken up by the council. Let us assume, for argument, that the council is composed of weak or worse members, and they unanimously decided against us. We would decline to be bound by their recommendation. Suppose the complaining State would declare war against us. We would be in no worse position than we would be if we had never entered the league of nations. It is true we could obtain no assistance from the other members of the league. We would be obliged to defend ourselves alone, but we would expect to do that, league or no league. On the contrary, we are not justified in indulging in so violent a presumption, and beyond question the council would hold in accordance with our contention that immigration is purely a domestic question as to which the league has no jurisdiction. The same is true of any other matter "solely within the domestic jurisdiction" of any party, as provided in article 15.

In general, then, this proposed league provides a method for the peaceful settlement of international disputes. The essential covenant permits delay for arbitration, or inquiry, before any hostilities begin.

By such inquiry and delay war was averted between France and Germany over Morocco differences in 1905.

By this means the Balkan difficulties were adjusted in 1912.

We can well conceive that if there had occurred delay and conference in July, 1914, Austria might not have declared war on Serbia and set the world on fire.

The covenants of the league compel that course which will in all human probability prevent war.

In 1914 to 1916 the President negotiated and the Senate consented to some 20 treaties with as many governments, which provided for arbitration and delay.

We regarded the idea a sound one then; it is just as wise to-day. It was necessary to provide for the enforcement of the covenants, which is done. The evils of competitive armament are recognized and a plan for reduction is set forth. Experience has shown that it is most important to eliminate secret treaties and intrigues, and that is taken care of.

The doctrine that backward peoples constitute a sacred trust of civilization is truly expressed and the machinery is set forth for discharging that trust.

America has responsibilities which extend beyond her borders. It must be considered that it is not enough for a nation that it live to itself and have no enemies. It is necessary that a State should have some friends. Cooperation and good will are desirable. One receives only as he gives. "Generosity makes friends—grateful and enduring friends."

IF THE LEAGUE FAILS.

If this league of nations is rejected, or if it is amended, or if reservations or conditions inconsistent with its terms are made, which would destroy it—and that would be the purpose—there will be stricken down the finest thing for the future that it was possible to get out of the most extensive and cruel war of all time. If this treaty with the league of nations in it is rejected, it means the peoples of the earth will be told war is inevitable—get ready for the next one, soon to come. "Lay burdens on your taxpayers in order to maintain and increase your standing armies and your navies!" They will be further told human nature is so weak, ignorance is so dense, hearts are so cold, the advance of the race so meager that there is no escape from the Rob Roy plan:

> Let him take who has the power,
> Let him keep who can.

I do not agree to such conclusions. I believe it is possible, in very large measure, if not absolutely, to prevent any serious war involving any considerable number of people, or seriously

affecting the peace of the world, by a plan of cooperation such as is contemplated in the proposed league of nations. I feel quite certain it is feasible, and now is the time to reduce armaments throughout the world and devote the money heretofore required in that connection to better uses.

Those who have experienced the agonies of this war are prepared to enter into covenants pledging their good offices and their good faith to do the necessary things, when occasion arises, to prevent anarchy, to uphold obligations, to maintain international law and order, and give a chance for mankind to make progress.

If we share, or even sacrifice, some right to independent action, and in exchange gain support to our fundamental policies and essential principles, we in no wise modify our form of government or surrender any established rights.

I believe this proposed alliance will accomplish the enlightened purposes indicated and prove a blessing to all the members of the league.

Two men threw a detested representative of the Crown out of a window of the Sprague Palace. Followed the 30 years' religious war which came to an end by the treaty of Westphalia, in 1648. There has been no religious war since. A conflagration started by an incident like that mentioned should be controlled and stopped in the beginning.

June 28, 1914, one man was assassinated in a Bosnian town. Followed the most disastrous war in history, the terms of peace being agreed upon just five years to the hour thereafter. I believe the world can be spared the horrors of such a war. If not, the next one will likely mean the extermination of the race. We were forced into it, and pledged to protect our country from the domination of the military power instigating it, pledged to win, we also pledged to secure both a righteous and permanent peace. The President of the United States outlined its issues, commanded our forces, and laid down the basis of settlement. His leadership was accepted by our associates; his vision, counsel, and statesmanship recognized. He saw the war would have been fought in large measure in vain if he came from the peace table after conference with the brightest minds of the age, obliged to say to the people everywhere, there can be no permanent peace this side of the grave.

After 40 years of wandering from Egyptian bondage Moses was at last able to say to the children of Israel, as he directed their attention, "Behold! the Lord thy God hath set the land before thee, go up and possess it." So the President has pointed the way of hope for humanity and assurance for the world. Shall this Senate turn its back and refuse its advice and consent?

It is due the 8,000 gallant American marines who fought at Chateau-Thierry, leaving all but 1,800 on the field, with the result that Paris, France, the world, were saved; it is due the 500,000 heroic Americans on the firing line at the finish, and the 45,000 slain in the Argonne; it is due the 2,000,000 brave American soldiers in France, eager for the combat, the 2,000,000 equally eager in camps here, the 13,000,000 more registered and ready to go; it is due the 286,330 American casualties, and the dead of the Army and Navy, 122,500, their widows and mothers; it is due the 7,450,200 who suffered death in battle in all armies, and the 18,000,000 maimed and crippled, that the enlightened nations of the earth should see to it, on the final settlement of terms, that provision be made whereby never again should any autocrat or military clique be able—

> To pour the sweet milk of concord into hell,
> Uproar the universal peace,
> And confound all unity on earth.

We might afford to spend a million dollars an hour again, but no nation can afford to sacrifice its best and bravest young men.

The crosses that speak of heroism and sacrifice, extending from the English Channel to the Swiss border, reach out their arms in mute appeal to the representatives of civilized peoples to see to it that such slaughter, destruction, and barbarity shall never again blight the earth.

With the security this league will give, peoples great and small, weak and powerful, poor and rich, all alike, without fear because without danger, will be able to work out their own destinies, encouraged and stimulated, and to proceed up the incline of progress with the promise and hope that in due time they may reach that high plane "where shines unobstructed the light of the justice of God."

There was serious and determined opposition to the Constitution of the United States when it was first submitted. Similar arguments were urged against it to those now pressed against the league of nations and the treaty now before us. Dangerous consequences were pictured. None of these undesirable things ever happened. The Constitution has been the model and strength for struggling republics the world over and the rock upon which America has builded.

We must appreciate that civilization has received a terrible wrench. The aftermath of this latest and most destructive of all wars is yet threatening chaos. We should not forget that the world has three times, after reaching a high state of civilization, been plunged into darkness.

There have never been let loose upon the earth so many powers of evil. Not comprehending it would be the worst possible thing that could happen to all, these reckless and maddened forces seem willing to sink the human race into the mediæval night of the tenth century.

United action of nations in support of orderly government against threatened anarchy is now a paramount necessity.

I appeal to the Senate to consent to this treaty as it is presented, and to do so promptly.

TREATY WITH GERMANY.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair) laid before the Senate the amendments of the House of Representatives to the concurrent resolution (S. Con. Res. 5) to print 50,000 copies of the treaty with Germany in the English text alone, and without maps, etc., which were, in line 2, to strike out "fifty" and insert "sixty" and, in line 4, to strike out "ten" and insert "twenty."

Mr. SMOOT. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

PEACE TREATY AND LEAGUE OF NATIONS.

Mr. THOMAS. Mr. President, the Senator from Arizona [Mr. SMITH] has requested me to give notice that to-morrow, at the conclusion of the remarks of the Senator from Nevada [Mr. PITTMAN], he would address the Senate upon the topic of the present discussion.

ADJOURNMENT.

Mr. LODGE. Mr. President, as it is now nearly 5 o'clock, I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Friday, July 25, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *July 24, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We lift up our hearts in gratitude to Thee our Father in Heaven, for that subtle and mysterious quality Thou hast woven into the soul of man we call love, which in times of great crises lifts man out of himself and makes him a hero.

When the Government and its sacred principles are threatened by an insidious foe, it makes him a patriot.

It forms the home and makes it the dearest spot on earth. Through it friendships are formed which never die—hence the congressional family has been stirred to its depths by the passing away of one of its Members.

It is the foundation of the immortality of the soul which brings comfort and solace to those who are stirred by the passing of a loved one. So we look up to Thee with faith and confidence in this hour of sorrow. Be with the friends of the deceased. Comfort the stricken widow and children with the blessed hope that sometime, somewhere, they shall feel the touch of his hand, hear his voice, and rejoice in his presence.

Hear us, we pray Thee, and so comfort and guide us on our way to the blessed reunion with our friends and loved ones; and all glory and praise shall be Thine through Him who died and lives, thus proving that life is stronger than death. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. WELTY. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill H. R. 6810, the prohibition-enforcement law.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD on the prohibition-enforcement law. Is there objection?

There was no objection.

Mr. PARRISH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including an address of Assistant Secretary of Agriculture Ousley on the question of meat prices.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD by inserting therein an address of the Assistant Secretary of Agriculture. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, one of its clerks, announced that the Senate had passed with amendment the bill (H. R. 7413) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. J. WILLARD RAGSDALE, late a Representative from the State of South Carolina.

Resolved, That a committee of 10 Senators be appointed by the Vice President to join a committee appointed on the part of the House of Representatives to take order for superintending the funeral of the deceased.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

The message also announced that the Senate had passed the following resolution, in which the concurrence of the House of Representatives was requested:

S. J. Res. 75. Joint resolution authorizing the appointment of an ambassador to Belgium.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. J. Res. 75. Joint resolution authorizing the appointment of an ambassador to Belgium; to the Committee on Foreign Affairs.

LEAVE TO ADDRESS THE HOUSE.

Mr. HULINGS. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. Is there objection?

Mr. CLARK of Missouri. On what subject?

Mr. HULINGS. The purpose of my address will be to call the attention of the House and of the country to a resolution which I introduced yesterday asking the Food Commission whether they have advised or directed the retail sugar dealers of the United States——

Mr. CLARK of Missouri. Mr. Speaker, I have no objection if the gentleman will only speak. His explanation is longer than the speech. [Laughter.]

The SPEAKER. Is there objection?

There was no objection.

Mr. HULINGS. Mr. Speaker, it was precisely the information that I was giving the gentleman from Missouri that I desire to bring to the attention of the House. The retail sugar dealers in this town and throughout the country are refusing to sell more than 2 pounds of sugar to customers at one time, when we are just at the opening of the canning season. They are doing this sort of thing, and I am advised that there is no occasion for a scanty use of sugar; that there is no shortage in the United States, although there may be in other countries throughout the world; that the Government has bought the entire production of Cuba until the 1st of January, and the whole scheme seems to be just a part of the profiteering scheme of the sugar refiners to increase the price of sugar, to make the people believe that there is a great shortage of sugar. I think, too, it is just part of a scheme by which for some reason or other they keep in the warehouses of the United States Government great quantities of meat and other foods that are not allowed to be put on the market for fear that it will reduce the market price of meat.

Mr. BLACK. Mr. Speaker, will the gentleman yield?

Mr. HULINGS. Yes.

Mr. BLACK. Is it not a fact that the War Department has now invited all of the municipalities of the country to make bids on all these canned goods and all these canned meat products to sell them to the consumers at cost?

Mr. HULINGS. No; not to the consumers, but to the municipalities, if they will buy a carload at a time. I do not want a carload in my house at a time.

Nobody can buy surplus Government automobiles, except automobile manufacturers; surplus Government lumber rots because the Government will not sell for fear it will interfere with the lumber barons; the sugar refiners are fixing it up now to raise the price of sugar a little later. There is no scarcity of sugar in this country now nor at any time heretofore. There is not now nor heretofore any need for stringent limitations in its use. When the people were led to believe that many such limitations were necessary to success in the war they stood for it patiently, but when there is no further demand, except the greed and rapacity of profiteers, they are plenty good and tired of it all.

COMMITTEE TO ATTEND FUNERAL OF LATE REPRESENTATIVE RAGSDALE.

The SPEAKER appointed the following committee to attend the funeral of the late Representative RAGSDALE:

Mr. LEVER, Mr. BYRNES of South Carolina, Mr. WHALEY, Mr. NICHOLLS of South Carolina, Mr. DOMINICK, Mr. STEVENSON, Mr. CLARK of Missouri, Mr. FLOOD, Mr. MCKEOWN, Mr. ROBINSON of North Carolina, Mr. PHELAN, Mr. ROGERS, Mr. FOCHT, Mr. LONGWORTH, and Mr. BROWNE.

PRINTING OF THE TREATY OF PEACE.

Mr. KIESS. Mr. Speaker, I call up concurrent resolution No. 5, which I send to the desk and ask to have printed.

The Clerk read as follows:

Senate concurrent resolution 5.

Resolved by the Senate (the House of Representatives concurring), That there be printed 50,000 copies of the treaty with Germany in the English text alone and without maps, 10,000 of which shall be for the use of the House of Representatives and 40,000 for the use of the Senate.

With the following committee amendments: Line 2, strike out "fifty" and insert "sixty" and in line 4 strike out "ten" and insert "twenty."

Mr. CLARK of Missouri. Mr. Speaker, does the resolution provide how these shall be distributed?

Mr. KIESS. No.

Mr. CLARK of Missouri. I think they ought to go to the folding room.

Mr. KIESS. They go to the folding room.

Mr. EMERSON. Does the gentleman think that is enough? I have a great many demands, so many that it would take my quota now to fill them. They are coming in every day.

Mr. KIESS. This gives a Member 45 in addition to the 18 that he now has.

Mr. EMERSON. My 18 are gone already.

Mr. KIESS. The gentleman will get 45 in addition to his 18.

The SPEAKER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

ASSIGNMENTS OF MAJORITY MEMBERS TO STANDING COMMITTEES.

Mr. MONDELL. Mr. Speaker, I sent to the Clerk's desk a list of nominations to standing committees and a resolution the adoption of which I move.

The SPEAKER. The gentleman from Wyoming offers a resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That the following-named Members be, and they are hereby, elected members of the standing committees of the House, as follows:

Agriculture: J. Kuhio Kalanianaole, of Hawaii.
Coinage, Weights, and Measures: J. Kuhio Kalanianaole, of Hawaii.
District of Columbia: Thomas S. Williams, of Illinois.
Expenditures in the Department of Agriculture: Nathan L. Strong, of Pennsylvania; Caleb R. Layton, of Delaware.
Expenditures in the Department of Commerce: Ernest R. Ackerman, of New Jersey.
Expenditures in the Interior Department: S. Wallace Dempsey, of New York.
Expenditures in the Department of Justice: Andrew J. Hickey, of Indiana; Earl C. Michener, of Michigan.
Expenditures in the Department of Labor: L. J. Dickinson, of Iowa; Hays B. White, of Kansas.
Expenditures in the Navy Department: Walter H. Newton, of Minnesota; Amos H. Radcliffe, of New Jersey.
Expenditures in the Post Office Department: Frank L. Smith, of Illinois.
Expenditures on Public Buildings: Israel M. Foster, of Ohio.
Expenditures in the State Department: Henry W. Temple, of Pennsylvania.
Expenditures in the Treasury Department: James T. Begg, of Ohio.
Invalid Pensions: Edward S. Brooks, of Pennsylvania.
Labor: Robert E. Evans, of Nebraska.
Military Affairs: J. Kuhio Kalanianaole, of Hawaii.
The Territories: James G. Monahan, of Wisconsin; J. Kuhio Kalanianaole, of Hawaii.
War Claims: John C. Kleczka, of Wisconsin.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

CLERKS TO COMMITTEES.

Mr. IRELAND. Mr. Speaker, I ask consideration for the following privileged resolution, which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 133.

Resolved, That there shall be paid out of the contingent fund of the House of Representatives compensation at the rate of $6 per diem during the sessions of the Sixty-sixth Congress for services of one clerk to each of the following-named committees: Committee on Expenditures in the Department of State, Committee on Expenditures in the Department of Commerce, Committee on Expenditures in the Post Office Department, Committee on Expenditures in the Department of Labor, Committee on Expenditures in the Department of Agriculture, Committee on Expenditures in the Treasury Department, and Committee on Reform in the Civil Service; said compensation to commence from the time such clerk entered upon the discharge of his duties, such time to be ascertained and evidenced by a certificate signed by the chairman of the said committee.

The committee amendments were read, as follows:

Line 3, strike out the words "$6 per diem" and insert in lieu thereof the words "$150 per month." Line 3, after the word "the," strike out the word "sessions" and insert in lieu thereof the words "first session."

Mr. CLARK of Missouri. Mr. Speaker, I would like to ask the gentleman when these appropriations begin to run, the 19th of May or subsequently?

Mr. IRELAND. It might have been on the 19th of May; I can not give the accurate days of the several committees, but many of them have been at work for some time. Some have not, some only just a short time.

Mr. CLARK of Missouri. Does the resolution fix any condition with reference to when the appropriations shall begin to run?

Mr. IRELAND. Yes, sir; from the date of the employment of the clerk, as evidenced by the certificate of the chairman of the committee to that effect.

Mr. GARNER. Will the gentleman yield?

Mr. IRELAND. I will.

Mr. GARNER. Was there any testimony before the committee showing that these various committees intend to perform the functions for which they were appointed?

Mr. IRELAND. Yes; seven committees are provided with clerks in this resolution. The chairman of each committee, save two, appeared before the Committee on Accounts personally, and I have interviewed those other two chairmen several times or the members of their committees.

Mr. GARNER. They are going to make the investigation such as is contemplated by this resolution?

Mr. IRELAND. Without exception, they so assured us.

The SPEAKER. The question is on the committee amendments.

The question was taken, and the committee amendments were agreed to.

The resolution as amended was agreed to.

AGRICULTURAL APPROPRIATION BILL.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 7413, the Agricultural appropriation bill.

The SPEAKER. The gentleman from Iowa asks unanimous consent to take from the Speaker's table the Agricultural appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

H. R. 7413. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920.

The SPEAKER. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

Mr. HAUGEN. Mr. Speaker, I ask that the amendment to the bill be reported.

The SPEAKER. The gentleman asks that the Senate amendment to the bill be reported. The Clerk will report the amendment.

The Clerk read as follows:

Page 102, after line 7, insert:

"That any homestead settler or entryman who, during the calendar year 1919, finds it necessary to leave his homestead to seek employment in order to obtain food and other necessaries of life for himself, family, and work stock, because of great and serious drought conditions, causing total or partial failures of crops, may, upon filing with the register and receiver proof of such conditions in the form of a corroborated affidavit, be excused from residence upon his homestead during all or part of the calendar year 1919, or the current year of such homestead which may fall principally in the year 1919, and in the making of final proof upon such an entry absence granted under this act shall be counted and construed as constructive residence by said homesteader."

Mr. HAUGEN. Mr. Speaker, the amendment read is self-explanatory, and in order to expedite the passage of the bill——

Mr. WALSH. Will the gentleman yield?

Mr. HAUGEN. I do.

Mr. WALSH. Will the gentleman explain what the language "during the current year any part of which falls within the calendar year of 1919" means? What does the current year mean in that connection?

Mr. HAUGEN. Well, the calendar year 1919.

Mr. WALSH. It says during the current year any part of which falls within the calendar year of 1919. That may mean the current fiscal year and may bring it over into 1920.

Mr. HAUGEN. I think this is intended for 1919.

Mr. WALSH. I would like the gentleman to explain the amendment where it says "current year."

Mr. MANN. Unfortunately the men who go on a homestead do not always go the 1st of January. Length of residence on a homestead is by year, and the current year would be the year in which this absence occurs, based upon the time the homesteader claims he resided upon his homestead. This provision with reference to residence for the current year means provided most of the current year lies within the year 1919, as I understand it. The current year might commence May 1.

Mr. WALSH. Of this year?

Mr. MANN. Several years ago. It may have commenced several years ago. The current year with the homesteader is the year beginning with the date which is the anniversary of the date when he claims he went on the homestead.

Mr. WALSH. Will the gentleman yield?

Mr. MANN. Yes.

Mr. WALSH. Then the language "or the current year of such homestead which may fall principally in the year 1919," in the gentleman's opinion, would not extend it beyond December 31, 1919?

Mr. MANN. I do not know whether it would extend it the balance of the current year or not. The amendment, as I understand it——

Mr. MONDELL. It might have that effect if the current year began at a date which carried it beyond January.

Mr. MANN. And, of course, it usually does.

Mr. MONDELL. But the bulk of the year must come within the year 1919.

Mr. CLARK of Missouri. Mr. Speaker, I would like to ask the gentleman from Iowa [Mr. HAUGEN] a question. How did the Agricultural Committee ever get hold of this proposition?

Mr. HAUGEN. The committee reported the bill back to the Senate with this amendment. The Senate agreed to the amendment, and the bill is here.

Mr. CLARK of Missouri. What bill?

Mr. HAUGEN. The Agricultural bill.

Mr. MONDELL. Will the gentleman from Iowa [Mr. HAUGEN] yield to me a moment?

Mr. HAUGEN. Certainly.

Mr. MONDELL. Mr. Speaker, a condition of unprecedented drought extends over all of the northern portion of the Rocky Mountain States. It is most trying in the State of Montana. The so-called "dry farms"—and most of the homesteaders have farms of that character—have produced but very little. Widely extended regions have produced little or nothing in the way of crops this year. There is a very serious condition existing there and one that demands, in my opinion, the relief sought by this amendment to the Agricultural bill.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. SMITH of Michigan. About how many people are affected by this amendment?

Mr. MONDELL. Many thousands.

Mr. SMITH of Michigan. What change is proposed by this?

Mr. MONDELL. Owing to drought conditions under which the farmer can not live upon the land, because he is unable to make a living on it, he is excused from residence upon it for this year.

Mr. SMITH of Michigan. Does it affect any other industry than farming?

Mr. MONDELL. None but the homesteader.

Mr. CRAMTON. Will the gentleman yield for another question?

Mr. MONDELL. Yes.

Mr. CRAMTON. The situation being one of such clear merit, does the gentleman think there would have been any difficulty in securing consideration of such a proposition from the committee of the House having jurisdiction of the subject and having some familiarity with the land laws?

Mr. MONDELL. None at all, I think.

Mr. CRAMTON. And I take it, therefore, that the gentleman's remarks are directed to the approval of the proposition itself, rather than to its being attached to an appropriation bill as a rider, where it has no business whatever?

Mr. MONDELL. That is entirely true.

Mr. SMITH of Michigan. Is there a considerable exodus of the people on account of this condition?

Mr. MONDELL. It is absolutely necessary for the homesteaders in very considerable areas to seek employment elsewhere.

Mr. SMITH of Michigan. Do they leave the State?

Mr. MONDELL. Not always. In some cases they do.

Mr. HAUGEN. Mr. Speaker, I yield three minutes to the gentleman from Oklahoma [Mr. FERRIS].

Mr. FERRIS. Mr. Speaker, ordinarily I would not be in favor of any amendment dealing purely with a public-land matter being attached to an Agricultural bill. Of course, the Committee on Agriculture does not have jurisdiction of this subject, and of course under ordinary circumstances they would be apt to make a mistake in dealing with it, and ordinarily it would be a dangerous thing for them to do. But this amendment shows on its face clearly what it is. It is not hard to understand; it is not long; it is not difficult; it is not technical. It merely grants, as I understand it—and I have just had a conference with the chairman of the Committee on Public Lands—temporary leaves of absence to homesteaders who are in a drought-stricken condition on these homesteads. It only applies during this calendar year. It does not go beyond that. No harm can come from it. It ought to be done. They are struggling to secure a home; this will help them. Now, the worst that could possibly happen would be that they would be given the right to get away until January 1, 1920, and have an opportunity to earn something for themselves. Their crops have failed; the drought is most severe. They deserve this and more.

Mr. CRAMTON. Will the gentleman yield?

Mr. FERRIS. Yes.

Mr. CRAMTON. Would the Committee on Public Lands, of which the gentleman was long chairman and is now a prominent member, have any hesitation about giving consideration to the same kind of a measure?

Mr. FERRIS. That is true, and I am sure the chairman of the committee would be glad to do it now. But there are times when drought conditions are acute, and this is one of the times. Northern Montana is experiencing now what my section experienced last year. In the Northwest they are suffering seriously now, and I have no doubt that the Public Lands Committee could and would pass a joint resolution like that, and no doubt it would go to the Senate and pass there and finally become a law. But this is an instance of an amendment that shows on its face precisely what it is, and we can do what we would not do ordinarily and take a short cut in order to give immediate relief. I hope the House will concur in the amendment.

Mr. MORGAN. Will the gentleman yield?

Mr. FERRIS. Yes.

Mr. MORGAN. Under the general law, would not the homesteader get a leave of absence?

Mr. FERRIS. Only for six months at a time and with considerable red tape. It is also true he would not get credit while he was away under existing law.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Is there a motion pending?

The SPEAKER. The gentleman from Iowa has not yet made a motion.

Mr. HAUGEN. Mr. Speaker, I was about to make it, but I was taken off my feet.

Mr. Speaker, in order to expedite the passage of the bill, and in order that we may have an expression from the House, I move that the House concur in the Senate amendment.

The SPEAKER. The gentleman from Iowa moves that the House concur in the Senate amendment. The gentleman from Kansas [Mr. LITTLE] is recognized for three minutes.

Mr. HAUGEN. Yes; I yield three minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Speaker, the explanation made by the gentleman from Oklahoma [Mr. FERRIS] is very much to the point. This is a matter that ought to be favorably considered by the House. But he did not go far enough in explaining one feature of it, and that is how long a man may be gone. The gentleman from Illinois brought that out, the meaning of the current year as applied to a homestead.

I want to call attention to just the length of time a man is allowed to be away, and extend the explanation a trifle. The expression "or current year of such homestead" seems to puzzle some Members. For instance, suppose I took a homestead three years ago on the 1st of May. The "current year" of that homestead would be from the 1st of May of that year to the 1st of May of the next year, and the current year of that homestead the next year would be from the 1st of May of the second year to the 1st of May of the third year. Now, when the homesteader began with the 1st of May of this year, his current year would extend to the 1st of May, 1920.

This provision says he may be excused from residence on his homestead during all of the calendar year 1919 "or the current year of such homestead which may fall principally in the year 1919." He can be excused during the current homestead year, which begins May 1, 1919, and ends May 1, 1920. He is allowed to get back any time within that current year, providing that the principal part of his current year falls within this year. If he started out on the 2d day of July, the principal part of it would not fall in this year. Therefore it would not work. But if, prior to the 1st of July, he finds it necessary on account of drought to leave his homestead, he may be excused if necessary for the "current year," and that means up to June 30 of the following year, which is 1920.

I speak of this because there was a little confusion on that point. I hope the provision will pass. These people need the relief.

Mr. HAUGEN. Mr. Speaker, I yield two minutes to the gentleman from Michigan [Mr. CRAMTON].

The SPEAKER. The gentleman from Michigan is recognized for two minutes.

Mr. CRAMTON. Mr. Speaker, the bill before us, the Agricultural appropriation bill, was prepared and reported to this House by the Committee on Agriculture. It was passed before the 1st of July, although we did not receive the veto of it until about the 12th of July. It is not now a law, and that has resulted in suffering by the department on account of the delay.

Now, in that state of things there comes back to the House this bill with an amendment tacked on to it dealing with a subject over which the Committee on Agriculture has no jurisdiction whatever and with which it has no familiarity; and still under this state of pressure, when we realize the necessity of disposing of the bill without further delay, we are confronted with this amendment that has never been considered by any committee of Congress having any familiarity with the subject. It is an important amendment that may serve as an important precedent hereafter for action. I want to protest, although I know protest will be ineffectual because of the apparent wisdom of the amendment on its face and the desire for quick progress.

Mr. SMITH of Michigan. Mr. Speaker, will the gentleman yield for a brief question?

Mr. CRAMTON. I will yield for a brief question.

Mr. SMITH of Michigan. The gentleman says the amendment has not been considered by any committee of Congress.

Mr. CRAMTON. Having jurisdiction of the subject.

Mr. SMITH of Michigan. Did not the Senate committee consider it?

Mr. CRAMTON. No committee having jurisdiction of this subject of public lands and homesteads has dealt with it.

Now, Mr. Speaker, it is my purpose to make a motion, not with any alluring hope that it will be adopted, but to voice my protest against what seems to me to be the growing habit of attaching riders that are not germane to appropriation bills and letting them go through Congress without consideration by any committee familiar with the subject or having any jurisdiction of it. Therefore I shall move—I do not know that the chairman yielded to me at this time for that purpose—but at the proper time I shall move to refer the bill with this amendment to the Committee on the Public Lands.

Mr. HAUGEN. Mr. Speaker, I yield two minutes to the gentleman from Oklahoma [Mr. MORGAN].

The SPEAKER. The gentleman from Oklahoma is recognized for two minutes.

Mr. MORGAN. Mr. Speaker, I am in favor of this amendment, but as a matter of fact homesteaders under the general law can secure leaves of absence on account of failure of crops. However, there is one feature that has not been brought out wherein this changes the general homestead law.

Under the general homestead law where a man secures a leave of absence he does not get credit for the time of absence at time of making final proof. This amendment changes the principle that runs throughout the public-land laws, that if a man secures a leave of absence for six months or a year he does not have credit for that time in his final proof. In view of the distressed conditon of these homesteaders an emergency exists and the amendment of the Senate should be adopted.

Mr. HAUGEN. Mr. Speaker, I yield two minutes to the gentleman from Montana [Mr. EVANS].

The SPEAKER. The gentleman from Montana is recognized for two minutes.

Mr. EVANS of Montana. Mr. Speaker, I sincerely hope that this amendment will carry. The conditions in all that northwestern country, including Montana and parts of Wyoming, Idaho, western Washington, and northern Utah and part of Colorado, are simply deplorable. The drought has struck us there for two or three years. There has been a great immigration in there for the past five or six years, and a lot of people

have taken homesteads on what are called dry lands. Those people are absolutely incapable of making a livelihood on their land.

Mr. SUMNERS of Texas. Mr. Speaker, will the gentleman yield?

Mr. EVANS of Montana. Yes. Certainly.

Mr. SUMNERS of Texas. I would like the gentleman to explain, what is unexplained thus far, why it is that you propose to excuse these homesteaders from residence by reason of this drought and do not deduct the time that they are excused from the length of time they are required to live on their homesteads under the general law.

Mr. EVANS of Montana. I think it would be manifestly unfair, when the drought has stricken that country so that people can not live there for the next six months, to compel them, when they come back, to make up the time which they have lost on that account. You ought to allow them to go away and come back and go on as though nothing had happened. Last year we relieved the miners of America from doing their assessment work for the period of a year. So during the panic years of 1893–4 they were relieved from doing their assessment work, and when they came back you did not make them do the extra $100 worth of work.

Conditions are so deplorable out in this country that the railroads have granted people reduced fares to enable them to get out of the State, to find employment temporarily, and have granted them reduced freight rates in order to enable them to get their stock into some place where it can be fed. The streams have gone dry, there is no water in the wells, and they can not live there. So evidently they ought to be allowed to go away to some place where they can make a living. [Applause.]

This amendment does not carry a dollar of appropriation and it will not cost the Government a cent. We recently appropriated millions to feed starving Europe; surely we can not do less than lighten the rigors of the homestead laws in this emergency and allow these people to leave their holdings for a few months to earn a livelihood for themselves and families. [Applause.]

Mr. DENISON. Is this the region of country where Secretary Lane wants the returned soldiers to take up homestead claims?

Mr. EVANS of Montana. I think perhaps part of this country is; and if Secretary Lane can reclaim the waters that run unimpeded to the sea and put them on the land, there is no finer or more productive country in the world. I hope you will grant him money to reclaim these lands. [Applause.] But this year the clouds were cruel and did not let the water down, and the poor devils out there are starving, and Congress ought to take a hand and give them leave of absence and not sit here and talk. [Applause.]

Mr. DENISON. Does not the gentleman think we ought to get the water onto the land before we send the soldiers out there?

Mr. EVANS of Montana. I think so; yes.

Mr. SUMNERS of Texas. Will the gentleman yield for a question?

Mr. EVANS of Montana. Yes.

Mr. SUMNERS of Texas. This is a matter that I do not know anything about and that a great many other Members do not know anything about. I am merely trying to have explained that feature of this bill which I understand is contrary to the provisions of the general law. My question does not indicate antagonism to this proposition; I wish to know why it is that if under ordinary conditions people have to make up the time that they are away from their claims those in this drought-stricken district should not do it now? Do I understand that under the general law, in the case of a drought, if a man leaves by reason of the drought he has to make up that time? I so understand from the statement of the gentleman from Oklahoma [Mr. MORGAN].

Mr. EVANS of Montana. There is no general law that I know of which covers the case. He could get leave of absence for five months, and now we extend that leave of absence for the rest of this year, and he does not have to make up the time of his leave of absence. Under the circumstances I hope the motion will be carried.

Mr. HAUGEN. I yield three minutes to the gentleman from Montana [Mr. RIDDICK].

Mr. RIDDICK. Mr. Speaker, there should be no confusion about this, because it is a very simple proposition. Under our homestead law a man who goes onto a homestead claim has to live there and develop his land for a certain period of time. If he absents himself, that time is charged against him, and very properly. The purpose of this amendment is to give temporary relief because of a peculiar and serious situation. A very severe drought prevails in the Western States and many of these homesteaders can not remain upon their land. There is no crop to harvest. There is no hay or grass for the cattle and horses. There is no water in the wells. These people must leave their homesteads for a period of time and seek work elsewhere in order to live. This amendment merely provides that the time that they are absent because of these cruel conditions shall not be charged against them while they are away, but that they shall be credited with constructive residence. An amendment was prepared by a Senator covering this matter. Then a substitute was prepared by Secretary Lane, and that substitute was adopted by the Senate, and is the amendment we are now considering. I mention that so we may all know the amendment has been considered and is favored by the Interior Department. I have word from the secretary of Secretary Houston of the Agricultural Department this morning, saying that he is thoroughly familiar with this matter and is in favor of it. So we have the Senate in favor of it, the Interior Department in favor of it, and the Agricultural Department in favor of it.

The people out West are suffering great privations, and this is an effort to mitigate their sufferings so far as we can. It is an emergency proposition. I am aware that the procedure is somewhat unusual, if not irregular. But at this time, when we are willing to break all precedents to feed the hungry and alleviate the sufferings of peoples of foreign lands, even to the giving of hundreds of millions of dollars, I am sure none of us will permit a mere matter of irregular procedure to stand in the way of giving this small relief to our own people in the drought-stricken sections of our Northwestern States.

Mr. YOUNG of North Dakota. Will the gentleman yield?

Mr. RIDDICK. I yield to the gentleman from North Dakota.

Mr. YOUNG of North Dakota. I have just received a message from Hon. Thomas Hall, secretary of state of North Dakota, which confirms all that the gentleman has said about the failure of the crops in sections of the Northwest, including portions of North Dakota.

Mr. RIDDICK. I have received literally hundreds of letters and telegrams from farmers, merchants, and bankers, all saying the condition is most serious and unusual. One old-time resident of Montana, a well-known man, writes me that in the 52 years that he has lived in that section of the country he has never known conditions to be so bad as they are now. These homesteaders merely desire to remove from their homesteads temporarily to places where they can get work to support themselves and to better improve their homesteads. They will go back as soon as they can, and the only thing this amendment does is to permit them to leave temporarily and at the same time maintain constructive residence. I earnestly hope the amendment will pass. [Applause.]

Mr. HAUGEN. Mr. Speaker, I move the previous question.

Mr. RUBEY. Will the gentleman yield to me?

Mr. HAUGEN. I yield two minutes to the gentleman from Missouri.

Mr. RUBEY. Mr. Speaker, I understand a motion has been made to concur in the Senate amendment. I hope that motion will prevail. We are confronted with the fact that the Agricultural Department is waiting for its money, and it is important that we pass this bill and send it to the President at the earliest possible moment. The amendment put on by the Senate is an important one, and the only possible objection that can be made to it is that it is not germane to the Agricultural bill. Yet we are confronted with a very serious condition in the drought-stricken area of the Northwest that Congress ought to meet, and I hope we will concur in the Senate amendment and pass the bill at once.

Mr. HAUGEN. Mr. Speaker, as stated by the gentleman from Montana, because of drought conditions causing a failure of crops, there are thousands of people in the western section of the country who are destitute, without food and without feed for their stock this year, the amendment simply giving them an opportunity, upon proof of such conditions existing, to leave their homestead in order to obtain work elsewhere to provide their families with food and their stock with feed.

I move the previous question.

The SPEAKER. The question is on ordering the previous question.

The previous question was ordered.

Mr. CRAMTON. Mr. Speaker, I move that the bill be referred to the Committee on the Public Lands with the Senate amendment. That is a preferential motion.

The SPEAKER. The gentleman from Michigan moves that the bill and amendment be referred to the Committee on the Public Lands.

The question being taken, the motion was rejected.

The SPEAKER. The question is on concurring in the Senate amendment.

The Senate amendment was concurred in.

On motion of Mr. HAUGEN, a motion to reconsider the vote by which the Senate amendment was concurred in was laid on the table.

UNITED STATES SHIPPING BOARD.

Mr. SNELL. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER. The gentleman from New York submits a privileged resolution from the Committee on Rules, which the Clerk will report.

The Clerk read as follows:

House resolution 171.

Resolved, That the Speaker appoint a select committee of six Members of the House, and that such committee be authorized and directed to inquire into the operations of the United States Shipping Board and the United States Emergency Fleet Corporation, or any agency, branch, or subsidiary of either; said inquiry shall include an investigation of contracts, leases, expenditures, receipts, and any and all transactions of the said United States Shipping Board, the Emergency Fleet Corporation, and any other corporations, firms, individuals, or agency in any way associated with or controlled or regulated by the said board or Emergency Fleet Corporation. For the purpose of said inquiry the committee shall have power to send for persons and papers, administer oaths and affirmations, take testimony, to sit during the sessions of the House or during any recess of the House, and may hold its sessions at such places as the committee may determine.

Said committee shall have the right at any time to report to the House in one or more reports the result of its inquiry, with such recommendations as it may deem advisable.

The Speaker is hereby empowered to issue subpœnas to witnesses upon the request of the chairman of said committee at any time, including any recess of the House, during the inquiry of the committee; and the Sergeant at Arms is hereby empowered and directed to serve all subpœnas and other processes transmitted to him by the said committee.

Mr. SNELL. Mr. Speaker, I would like to see if we can not make an agreement as to time for debate on the rule.

Mr. CRAMTON. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. CLARK of Missouri. I wish the gentleman could withhold that until I can ask the gentleman from New York a question.

Mr. CRAMTON. I will withhold it.

Mr. CLARK of Missouri. Would not the gentleman be willing to accept an amendment to the resolution making the committee consist of seven members, four Republicans and three Democrats?

Mr. SNELL. No, sir; I would not.

Mr. CLARK of Missouri. Does not the gentleman think that would be fair?

Mr. SNELL. I do not know why.

Mr. CLARK of Missouri. Because four and three makes a better committee than four and two.

Mr. CRAMTON. Mr. Speaker, I think this is an important discussion, and I shall have to insist on my point of no quorum.

The SPEAKER. The gentleman from Michigan makes the point of no quorum, and obviously there is no quorum present.

Mr. SNELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The doors were closed, and the Sergeant at Arms was directed to notify absent Members.

The Clerk called the roll, and the following Members failed to answer to their names:

Ashbrook	Fairfield	Kennedy, R. I.	Platt
Barbour	Fitzgerald	Kettner	Porter
Barkley	Gallivan	Kincheloe	Purnell
Bee	Ganly	King	Randall, Calif.
Benson	Godwin, N. C.	Kreider	Reavis
Bland, Ind.	Goldfogle	LaGuardia	Reed, N. Y.
Bowers	Good	Langley	Riordan
Britten	Goodall	Lee, Ga.	Rouse
Browne	Goodwin, Ark.	Lever	Rowan
Burdick	Goodykoontz	Linthicum	Sanford
Burke	Gould	Lonergan	Schall
Caldwell	Griest	Longworth	Scott
Campbell, Kans.	Griffin	McClintic	Scully
Candler	Hamill	McCulloch	Siegel
Carew	Hamilton	McGlennon	Sinnott
Clark, Fla.	Harrison	McKinley	Slemp
Cooper	Haskell	MacCrate	Smith, N. Y.
Copley	Heflin	Maher	Snyder
Costello	Hersman	Mason	Steele
Crowther	Hicks	Mead	Stephens, Miss.
Currie, Mich.	Holland	Miller	Sullivan
Davis, Minn.	Hull, Tenn.	Minahan, N. J.	Taylor, Ark.
Dempsey	Humphreys	Mudd	Thompson, Okla.
Dickinson, Mo.	Husted	Neely	Tilson
Donovan	Igoe	Nicholls, S. C.	Tinkham
Dooling	Johnson, Ky.	Nichols, Mich.	Vare
Doughton	Johnson, S. Dak.	O'Connor	Wilson, Pa.
Dyer	Jones, Pa.	Olney	Wingo
Echols	Jones, Tex.	Paige	Winslow
Ellsworth	Kelley, Mich.	Parker	Wood, Ind.

The SPEAKER. Three hundred and nine Members have answered to their names, a quorum.

Mr. SNELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. SNELL. Mr. Speaker, I want to see if we can not agree on some time for debate on the resolution.

Mr. POU. I would suggest to the gentleman that we have 30 minutes on a side.

Mr. SNELL. Mr. Speaker, I ask unanimous consent that debate on this resolution be limited to 30 minutes on a side, 30 minutes to be controlled by the gentleman from North Carolina [Mr. POU] and 30 minutes by myself.

The SPEAKER. The gentleman from New York asks unanimous consent that the time for debate on the rule be limited to 1 hour, 30 minutes to be controlled by himself and 30 minutes by the gentleman from North Carolina. Is there objection?

There was no objection.

Mr. SNELL. Mr. Speaker, House resolution 171, if adopted by the House, provides for the appointment of a committee of six members. That committee is directed to inquire into the operation of the Shipping Board, the United States Emergency Fleet Corporation, or any agency, branch, or subsidiary of either; said inquiry to include the investigation of contracts, leases, expenditures, receipts, and any and all transactions of the Shipping Board and the Emergency Fleet Corporation. The resolution itself sets forth fully its object, and needs no further explanation from me.

The Emergency Fleet Corporation was the largest individual governmental activity during the war. This organization will spend, by the time this program is completed, three and a quarter billions of dollars, practically one-tenth of the entire cost of the war. We will have a plant investment of machinery and other equipment worth $225,000,000, and when the total program is completed we will have 2,349 ships, with a total dead-weight tonnage of 13,900,000 tons. And on account of this enormous expenditure of money and the variety of its work, if this resolution is adopted, it is intended to make a complete, businesslike, and systematic congressional audit and investigation of all these activities and inform the people just what we have to show for it; and, as far as I am able to learn, there is no opposition to this investigation on either side of the aisle.

A question has arisen as to why a further investigation of the Shipping Board is needed at this time, when there have been two different investigations already authorized and carried on, one by the Senate and one by the House. The investigation by the Senate was simply for the purpose of trying to expedite the building of ships, and the investigation stopped nearly a year ago, and the greater part of the activity of this board is since then. There was an investigation ordered by the House a few days ago, to be carried on by the Committee on the Merchant Marine and Fisheries, but this was solely for the purpose of getting proper facts and information in order to formulate legislation properly to protect our merchant marine. There has been a great interest in this merchant marine throughout all parts of the country. We have spent a great deal of money in building these ships, and, if I am credibly informed, when this program is completed we will have more tonnage on the ocean than any other nation. And if the Committee on the Merchant Marine and Fisheries does well the work it now has mapped out for it it will have all the work that it can possibly do during the present summer; and we must get information necessary in order to pass proper laws to protect our sea-carrying commerce.

Mr. GREEN of Iowa. Mr. Speaker, will the gentleman yield?

Mr. SNELL. Yes.

Mr. GREEN of Iowa. Do we know now where we stand, with reference to the operation of the Shipping Board—how much our loss is?

Mr. SNELL. No; we do not at this time, but that is one of the purposes of this investigation. There has been considerable criticism of this organization from all sources. It has probably had more headlines in the newspapers, more publicity, than any other activity of the Government. Perhaps on account of this publicity there is a general interest on the part of all our people throughout the land to know what has become of this enormous amount of money, and whether it was wisely and judiciously expended, and it is simply intended by this resolution to make a straightforward, businesslike investigation so that the people of the whole country may know what we have to show for the expenditure of three and a quarter billions of the people's money. I desire now to place before you some definite evidence why this investigation should be made now and should be a most careful one.

There has been a great deal of criticism in regard to the establishment of various shipbuilding plants, not only the selection of them but the prices that were paid for them. And in this connection I want to direct your attention to one or two specific cases that have been brought to the attention of the committee why the investigation should take place at this time. Information has come to us in regard to the Hog Island proposition, which is not entirely new to this House. We now have an investment there of $66,000,000. We are credibly informed that the original land for the Hog Island shipyards was offered to the Shipping Board by men who controlled the option for a price of $800,000. Three or four months later this same land was purchased by the Shipping Board at a price of $1,700,000.

Mr. ALEXANDER. Mr. Speaker, will the gentleman yield?

Mr. SNELL. For a question.

Mr. ALEXANDER. That land does not belong to the Shipping Board. It belongs to the International Corporation, and the Government has an option to purchase at $1,750,000.

Mr. SNELL. The Government furnished the money, as I understand it, to purchase the land.

Mr. ALEXANDER. The Government does not own it.

Mr. SNELL. It does not make any difference. The money came from this Government. They have spent our money on this land and everybody knows we will have to take it over, and the people of the United States are entitled to know why four months later they bought 60 acres less land for $900,000 more than it was offered to them for earlier in the season, and this investigation will develop that fact.

There has been criticism in regard to the awarding of contracts, and I had a personal experience with the Shipping Board in this matter, and I know there is ground for these complaints. The engineer of a small shipbuilding company near Baltimore came to me and said that they were in a position to build wooden ships; that they had the ways standing idle and they had the ship carpenters; that they had the lumber and other material on hand to build the ships. They knew the business, were willing to build at Government price, had money and everything else to do it with, and the only thing they lacked was an order from the Shipping Board. This gentleman told me that he had been trying to get a contract for several weeks and was unable to get any satisfaction. I went to the Shipping Board for him.

The young man that I was shunted up against said that they did not want any more wooden ships, that they had all the ships contracted for that they wanted. The next morning an interview with Mr. Hurley appeared in the newspaper in which he was quoted as saying that they wanted more ships, and they were exerting every effort to get them. That day I obtained unanimous consent to proceed for five minutes, and I called the attention of the House to the statement of Mr. Hurley and also my experience with the Shipping Board of the day before. A few days afterwards I saw another interview. I again called the attention of the House to the matter, and a few days after the second interview a man came to see me and asked me who was the shipbuilding concern that I referred to. I told him, and a short time afterwards these people were called to the office of the Shipping Board and received a contract, but whether they received it in time to build anything or whether it was canceled I am unable to state at the present time.

There has been severe criticism in regard to the commandeering of ships. There has been a definite statement made along this line by Edgard Luckenbach, who is at the head of the Luckenbach Steamship Co. This company was engaged in coastwise trade and also shipping to Australia. Mr. Luckenbach states that his ships were commandeered by the Shipping Board at the beginning of the war. The understanding was with him that they would return them to him if not needed by the Government. Instead of their being returned to him, however, they were turned over to a rival corporation, and the vice president of this rival corporation was the chairman of chartering committee of the United States Shipping Board. These boats instead of being used by the Government were turned over to this rival corporation and engaged in Australian trade during the time of the war, and Mr. Luckenbach, who owned the ships, was not able to carry on his business, and the rival concern occupied and obtained all of the trade. This certainly needs some explanation.

There has been considerable criticism with regard to the disposition of boats. I have information I desire to give to the committee along that line, and this information comes direct from Mr. Hurley in a letter with his signature, and I take it to be correct. The steamship *Redcloud* was delivered to the Shipping Board at Jacksonville, Fla., on August 28. This boat arrived in New York Harbor on October 30. The repairs to the vessel are estimated to have cost in the neighborhood of $50,000. The boilers are reported as unsatisfactory on account of their poor design and workmanship, and the division of operations recommended that it was not practical to operate the ship. Another steamer that was built by same company, same place, and in the same way was on the ocean only four days when it needed $50,000 worth of repairs, and was then sold for $200,000.

These ships originally cost the United States Government practically $700,000, and a ship that cost $700,000, on the ocean four days, that needs $50,000 repairs and then sells for $200,000 is certainly a thing about which the people are entitled to have some explanation as to why such things could happen. There was some screw loose in the management somewhere. I also have here an exhaustive report of certified public accountants examining into the cost of two ships. I will not take the time to read that report, but I will call the attention of the House to some of the items that have gone into making up the cost of the ships, as is shown by this report. For instance, there is charged up in the cost of ship, as this report shows, the money paid for band concerts, glee clubs, athletic expenses, house dues—charges at various clubs of a social nature by individual members of the organization, police ball tickets, football tickets, expenses at Army and Navy football game——

Mr. WHITE of Maine. Will the gentleman yield?

Mr. SNELL. I will.

Mr. WHITE of Maine. Are these ships built on the cost-plus basis to which the gentleman refers?

Mr. SNELL. They are built on the cost-plus basis, and not only met this charge, but they added 10 per cent profit. Contributions to various organizations, such as chambers of commerce, and so forth, membership dues, assessments, campaign for merchant marine, subscriptions to the Elks' convention, subscriptions to St. John's Church, and so forth, and, mind you, gentlemen, they charge 10 per cent profit on each one of these subscriptions and contributions. They not only made themselves a good fellow at the Government's expense, but they made a profit on it.

Mr. McFADDEN. Will the gentleman yield?

Mr. SNELL. I yield.

Mr. McFADDEN. Do these figures show how much per ship is recommended to be charged off?

Mr. SNELL. If I remember correctly, on these ships about a million dollars was to be charged off; the people buying them would not stand for that much of the expenses charged up against the ships by the Government. I simply want to show to the House, after the generosity of Congress in appropriating money for the purpose of building ships, after the generosity and patriotism of our people in subscribing to bonds and furnishing money to pay these appropriations, if there has been such carelessness and waste as these items indicate it is certain the American people are entitled to know, and we propose to bring it out in this investigation and perhaps get some of this money back into the Treasury. Mr. Speaker, I reserve the remainder of my time.

Mr. HARDY of Texas. Will the gentleman yield for a question?

Mr. SNELL. For a question.

Mr. HARDY of Texas. In this matter of what was charged back, a million dollars——

Mr. SNELL. I understand the people who were buying the ships from the Government refused to stand for about a million dollars of expenses the Government had charged up to these two ships.

Mr. HARDY of Texas. Was the Government reimbursed for any of that charged back? I want to understand what the gentleman means by "being charged back."

Mr. SNELL. The people, a firm in New York that intended to buy those two ships from the Government——

Mr. HARDY of Texas. At cost?

Mr. SNELL. At cost. Were allowed to put expert accountants to look over the figures which went to make up the cost of those ships, and this is the report of those accountants of the various things that they refused to stand for in the cost of the ships.

Mr. HARDY of Texas. As elements of the cost?

Mr. SNELL. As elements of the cost.

Mr. HARDY of Texas. I am seeking information.

Mr. SNELL. Yes, sir.

Mr. HARDY of Texas. When they refused to stand for it they were allowed to buy the ships for cost less those items?

Mr. SNELL. That has not been decided, I understand, up to this time.

Mr. HARDY of Texas. At any rate did the Government ever receive any credit from these wrongfully charged items in its trade with the contractors who built the ships?

Mr. SNELL. Not that I know of up to the present time.

Mr. HARDY of Texas. Does the gentleman know the final outcome?

Mr. SNELL. I think that is still under discussion and not settled. Mr. Speaker, I reserve the remainder of my time, and desire to ask how much time I have remaining?

The SPEAKER pro tempore. The gentleman has consumed 18 minutes of time and reserves the balance. [Applause.]

Mr. POU. Mr. Speaker, it is not surprising that the steering committee of the majority party in this house has decided to investigate the activities of the United States Shipping Board and also the Emergency Fleet Corporation. If anyone supposed for a moment that this resolution comes as a surprise, such person is mistaken.

I believe it is not very difficult to predict just what this investigation will disclose. You will probably find certain expenditures of money which at this time may not appear to have been necessary; but while that money was being spent we were in a great war, and one reason the great war was brought to an end at so early a date was due to the great expenditure of money the people of this country were willing to make in order to win. The State Department knows that German spies were constantly reporting these great expenditures to their Government. They reported that there appeared to be no end to the amount of money this Nation was willing to spend. Therefore the expenditures were in no sense a waste of money.

The party to which I belong was in power during the time these expenditures were being made. We invite you to make this investigation; we have known all the time that every activity of the administration would be investigated if you were invested with power. Your investigation will only demonstrate the power and efficiency of the Wilson administration during the greatest crisis in the Nation's history. [Applause on the Democratic side.] Your motives, of course, are political. You will hardly deny that. You fear the President, and therefore wish to discredit him. He has done nothing to deserve your malignant ill will, but you have left no stone unturned to embarrass him wherever it was possible to gain a little political advantage. While the war was on you were constantly finding fault with the great measures presented to enable the President to carry on the war. You quarreled and grumbled and found fault on all occasions, but you voted for every one of these measures and then went back to your people and bragged about it. Some have resorted to the meanest sort of criticism of President Wilson. You criticized him because he went to Paris to take part in the framing of the most important treaty ever written by mortal man. This country was vitally interested in that treaty, and yet some of the leaders of the Republican Party in this Chamber publicly criticized the President because he felt it his duty to personally take charge in Paris. Some of you are still indulging in this cheap practice. Time and again you have slurringly referred to his absence from Washington. One of your leaders has gone so far as to introduce a bill forbidding the President to leave the United States during his term of office. Yet many of you went to Europe yourselves—some while Congress was in session—and that was all right. You had no business over there. It was no part of your duties to go to Europe. You went as sightseers or out of mere curiosity or to gain information, and that was all right; but when President Wilson goes to represent the interests of this great Nation he must be criticized, he has neglected his duties, he should have sent some one else. The trouble was, down deep in your hearts you feared the results of his trip to Europe. You feared he would win a great national triumph, and because he is a Democrat some of you, at least, preferred he should fail.

The former Speaker of the House, the distinguished gentleman from Missouri [Mr. CLARK], said the other day that the Republican Party in this Chamber was afflicted with a grouch. In his usual terse way the former Speaker touched the sore spot. This also is the everlasting truth.

When this war broke upon the world the Democratic Party was in power in the United States; we had the flag, not you. The Republican Party will never get over that misfortune. The result is you can not treat President Wilson in a halfway fair manner; you must find fault with everything he does. You even go so far as to dig up the old sectional differences and appeal to the old sectional prejudices in order that you may win. If a cantonment is put in the South you find fault—it ought to have been put somewhere else. It so happened that a number of southern men had had long legislative experience when the Wilson Administration came into power and because of that experience became heads of most of the great committees of the House. You grasped upon that and charged that the South was in the saddle, that other sections were not treated fairly. No sectional legislation was passed, no sectional legislation was at any time even presented, no sectional legislation was even thought of, but you constantly reiterated that the South was in the saddle. You voted for all the great measures reported from the committees headed by these southern men; you bragged about it; you pointed to these votes in telling your constituents how you placed country above power, but some of you take the meanest sort of advantage in trying to dig up the old sectional differences. In that I think you will not succeed. The South has paid the penalty for any error she may have committed in the past. Gladly her sons offered themselves while they were permitted to volunteer, gladly they responded to the provisions of the selective service draft act, thousands of them died and were buried with the Stars and Stripes wrapped about them. They did their best, they could do no more. You will find that the men who served in this war, the men who suffered and fought and saw their comrades die will not permit you to resurrect the bloody shirt in order to gain a mean political advantage. And you do yourselves no credit when you make the attempt.

Now go to it with your investigations. It matters not if this resolution humiliates the distinguished gentleman from Massachusetts [Mr. GREENE] the chairman of the Committee on Merchant Marine and Fisheries, whose committee is already partially invested with power to investigate the United States Shipping Board and Emergency Fleet Corporation. Just why you were willing to slap him in the face is hard to understand. Go to it with your investigations, go to the very bottom; if there has been any crookedness President Wilson, above all men, wants to know it. You thought you were going to compromise a Cabinet officer when the leak investigation was ordered. You even cherished a secret hope that you might compromise some one higher up. Some of the members of that "leak committee" were constantly throwing out suggestions that thus and so might happen if the probe went too deep, but the Secretary of the Treasury, Mr. McAdoo, defied you to do your worst. We all know the result—a complete vindication of every official concerned.

All this, Mr. Speaker, is part of a system of political propaganda. You are hoping to lay the foundation for political success in the 1920 election. You talk about a congressional audit; what you are digging for is political material, and everybody knows it. All this makes one wonder if there is such a thing as generosity and fair dealing in a contest between political parties. President Wilson has made an honest effort to serve well his country and mankind. Unless something is done to prevent future wars then all the sacrifice of this war is in vain. We stand at the parting of the ways. We must pursue one of two policies; we must continue the contest for military and naval preparedness with other nations or we must come to a common agreement with those nations that we will not go to war, but settle our differences by arbitration. President Wilson is the one man who had the courage to make the attempt to bring civilized nations together in a common agreement. He may have failed; God forbid. He has at least done what he could to safeguard civilization against future wars; to lift from the shoulders of the struggling masses the burden of taxation necessary in military and naval preparedness. This burden is already so great that Bolshevism and anarchy are flourishing as never before. Standing at the parting of the ways, President Wilson said "we will at least make the attempt"; but we find the Republican majority in this Chamber and another Chamber doing what they can to embarrass this great man in this great work. No matter what he does he must be criticized. He is charged with extravagance because of the help he felt it his duty to take along with him. If he plays a game of golf or goes to the theater he is criticized.

I conclude with this prediction: When your investigating committees have finished their work, when you have spent millions more of the people's money in examining the record of the administration, all fair-minded men will agree, first, that the war was won fully a year sooner than anybody expected it to be won; second, that the efficiency of the Navy in placing an Army of more than 2,000,000 men in Europe within a year is without parallel in the annals of mankind [applause on the Democratic side]; third, that never in all history, from the dawn of time down to this good hour, has so great an undertaking ever been handled with so little suggestion of corruption, so little suggestion of dishonesty; and whatever you of the majority in this Chamber may think of President Wilson the generations to come after will link his name with the names of about five of the Nation's greatest Presidents. [Applause on the Democratic side.]

Mr. SNELL. Mr. Speaker, I understand I have 12 minutes left.

The SPEAKER pro tempore. Yes.

Mr. SNELL. I yield five minutes to the gentleman from Massachusetts [Mr. WALSH].

Mr. WALSH. Mr. Speaker, if the brilliant results prophesied by the distinguished gentleman from North Carolina [Mr. POU] are inevitable, I doubt if he would seriously object to having a select committee of the House controlled by the majority party investigate and secure those results. But the gentleman knows, and the country knows, that in conducting many of our so-called war activities—and some of them antedated our entrance into the war—there has been inefficiency and extravagance. There have been differences of opinion as to policy which seriously interfered with the operations of the various activities of the Government, and the Shipping Board is one of the most glaring instances of that. You all recall the differences between Mr. Denman and Gen. Goethals. You recall the various resignations that took place from time to time in this particular department. Now, I think the country is agreed that there should be an investigation to find out how these enormous sums of money have been expended, and whether it has been wastefully expended, and whether or not Government money has been paid to any parties whatever, whether favorites of the administration or aligned with the opposite political party, which, under the law, should be returned to the United States Treasury.

Now, I desire to say that in introducing this resolution I was not prompted in any way by a desire to infringe upon the province of the Committee on the Merchant Marine and Fisheries, for we all have too high a regard for its personnel to encroach upon its jurisdiction, but we all know that we have authorized them to undertake very important work, namely, legislation to promote and advance the merchant marine of this country. That is one of the most important problems confronting the Congress, and it will take the best thought of that committee in order to properly shape legislation, and it was because it would relieve that committee and its chairman of a burden which otherwise they could properly assume that I was disposed to introduce the resolution now before the House. The distinguished gentleman, my colleague from Massachusetts [Mr. GREENE], who is the only Member of the House who was chairman of a committee when the Republicans were formerly in control, who has resumed his chairmanship, and who has been on that committee, I think, longer than any other member of it, and his colleague, Judge ALEXANDER, of Missouri, the former chairman and now the ranking minority member, will find as they proceed with that work that that committee will have to give it their constant thought and attention in order to properly outline and frame legislation that will be required. The task of the chairman, my colleague Mr. GREENE, will require much time and constant research, with extensive hearings. My colleague from Massachusetts [Mr. GREENE] will undoubtedly be devoting his entire attention to that problem. His long experience upon that committee, extending, I believe, over a period of 20 years, his wisdom in shaping and assisting to draft legislation relating to the merchant marine of the country, has to a great degree made him an expert upon merchant-marine legislation. But I submit that it would hardly be wise to have the Committee on the Merchant Marine and Fisheries, and especially its able chairman, immersed in an investigation of receipts and expenditures that will last for many, many weeks, inasmuch as they will have a task before them, in drafting most important legislation, that will require careful consideration of many problems having no intimate relation to expenditures and contracts made as a result of the war emergency. That committee must recommend legislation for the future along peace-time conditions.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. WALSH. I will.

Mr. MOORE of Pennsylvania. Does the gentleman know of any more important work that the Congress has to do now than to revise the navigation laws of the country?

Mr. WALSH. I stated previously in my remarks that that is one of the most important matters that is pending before this country, and it will require a great deal of study and effort in order to properly shape and draft legislation covering that subject.

Mr. MOORE of Pennsylvania. If the gentleman will permit, I would like to say, as one coming from along the Atlantic coast, that I know of nothing that the people are so much interested in at the present time as the revision of the navigation laws, looking to the reconstruction of our merchant-marine program.

Mr. WALSH. I think if the Committee on the Merchant Marine and Fisheries is left to that task under the direction of the gentleman from Massachusetts [Mr. GREENE], that there will be reported to this House in the future legislation which will permit the restoration of our ships to the seas and advance and promote in all its varied phases the merchant marine of the United States.

May I not repeat, Mr. Speaker, that I share in every respect the esteem in which the able chairman, Mr. GREENE, is held not only by his colleagues from Massachusetts, not only by the Members of the majority, but by the entire membership of the House. I venture the prediction that he and his committee will bring to the House legislation which will lead to the results so sorely needed, and I know in shaping that legislation my colleague's experience and familiarity with the needs of our shipping will have great weight and be of signal benefit to the committee and the country.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. GARRETT. Mr. Speaker, it would be interesting, to some of us at least, to really know whether the gentleman from Massachusetts [Mr. GREENE] agress in toto with his colleague who has just addressed the House upon this matter. I do not see the gentleman from Massachusetts [Mr. GREENE] present, however. Perhaps he might not care to express himself if he were present. What the people of this country really want is legislation, and it occurred to me, and has all along, that in this particular matter an investigation, at least in part, of expenditures and receipts on the part of the Shipping Board was essential, absolutely essential, in the proper formulation of legislation. And for that reason I confess I have been unable to understand why it was that the majority party persisted in taking away authority from that committee, many of whose members have grown up here with this merchant-marine legislation and are more familiar than the Members of the House generally with the activities of this Shipping Board and Emergency Fleet Corporation, and conferring it upon a special committee that will have to start in de novo to learn about these propositions. However, that is the responsibility of the majority. We who recognize the chairman of that committee as the greatest living authority in the Republican Party on merchant-marine legislation do not feel that we should sit idly by, however, and not file our protests against what we conceive to be this humiliation which you are placing upon the gentleman from Massachusetts [Mr. GREENE].

Now, there is another phase of the matter, and that is that the same principle of unfairness is contained in this resolution that was contained in your investigating resolution as to the expenditures of the War Department, and on the part of the minority I do protest again against this party injustice. This committee is to consist of six members, four of the majority and two of the minority, a 2-to-1 committee, just as your committee on investigation of expenditures in the War Department was made up. I called your attention then to the fact that when the present minority party constituted the majority party in this House we never indulged, in our investigations, in such unfair methods.

Mr. SNELL. Mr. Speaker, will the gentleman yield for a question?

Mr. GARRETT. I will.

Mr. SNELL. What did the Democratic Party, or the majority party, do in the Sixty-third Congress when they made up the committees on expenditures in the various departments?

Mr. GARRETT. The gentleman speaks of the standing committees of the House. They divided all the standing committees of the House in proportion to the membership of the House as nearly as it was humanly possible to do it, and that is what your party has done this time in the appointment of the standing committees of this House.

Mr. SNELL. I am asking you in regard to the standing committees on expenditures. I am asking you—and if I am not right the gentleman will correct me—whether it is not true that the majority party then said they intended to make up those committees in such a way that if the minority members were not present they could not break a quorum; that they were going to expedite the public business; and that that was the reason why they made up those committees in that proportion. If that policy was right then, why is it not right now?

Mr. GARRETT. The standing committees on expenditures had two minority members then.

Mr. SNELL. Two and five.

Mr. GARRETT. Now, in that Congress does the gentleman recall what the Democratic majority was? It was 143, was it not?

Mr. SNELL. Somewhat near that.

Mr. GARRETT. Now, then, in this Congress your standing committees on expenditures consist of 5 and 2, and your majority is 43.

Mr. SNELL. Mr. Speaker, will the gentleman yield for one more question?

Mr. GARRETT. Surely.

Mr. SNELL. The reason given at that time for making that division of committees was to expedite public business. If that reason was good then, it is good now.

Mr. GARRETT. The gentleman here is proposing to create a special committee. I am not complaining about the standing committees of the House. I think the majority party dealt with reasonable fairness as to that. But I say now in these matters involving party questions, political in character, what is the use in trying to deceive ourselves on these propositions? They were conceived in politics. The purpose is to perform partisan political functions. We never, when we were in the majority, treated a minority with any such unfairness. I pointed out, when I was discussing that other resolution, that the last time that that was done was back when the Republicans were in power before, and you then created a partisan committee, a joint committee, on the so-called Ballinger-Pinchot investigation, which consisted of 2 to 1, and upon these special committees you seem to have gone back again to that old principle which you then followed, without any reference to the proportion of the membership on the respective sides of the House.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. GARRETT. I do.

Mr. LONGWORTH. What would the gentleman suggest?

Mr. GARRETT. I would suggest that this investigation be conducted by the Committee on the Merchant Marine and Fisheries.

Mr. LONGWORTH. That is not the point the gentleman is talking about.

Mr. GARRETT. If that is not done, I would suggest a committee of four and three—that is the proportion we gave—or five and four.

Mr. LONGWORTH. Does the gentleman think that the three Members of his side would give a more comprehensive report on this investigation than two?

Mr. GARRETT. Three men can do more work than two. Does the gentleman think it will require four on his side rather than three? Why not make the committee three and two?

Mr. LONGWORTH. I do not think that any four men will have a harder job than will the four that are selected.

Mr. GARRETT. How about the two Democrats? Are they not going to have anything to do?

Mr. LONGWORTH. Oh, yes.

Mr. GARRETT. It seems to me the committee should be made up in the proportions that have been followed heretofore. Of course, as pointed out by the gentleman from North Carolina [Mr. POU], it is not the policy of the minority to in any way undertake to interfere with all the investigations you want. I should not be surprised, however, if you are not going to find a little bit later on, if I might make a friendly prophecy, a lot of business men whose contracts are being held up, largely on account of some of these investigations that you are instituting, who are going to begin to get tired of it when you do not even claim that you expect to find anything that smacks of corruption or fraud on the part of the department.

Mr. HASTINGS. Mr. Speaker, will the gentleman yield?

Mr. GARRETT. I will.

Mr. HASTINGS. Referring to the suggestion that these committees are largely political, I saw it stated in the public press a few days ago that this special committee to investigate war conditions had a representative of the National Republican Committee or the National Republican Congressional Committee before it. What does the gentleman know about it?

Mr. GARRETT. I am a member of that committee, and——

Mr. HASTINGS. I saw such a statement in the papers the other day.

Mr. DOREMUS. If the gentleman will yield——

Mr. GARRETT. I yield to the gentleman——

Mr. DOREMUS. I will answer the question propounded by the gentleman from Oklahoma [Mr. HASTINGS] that at a meeting of the subcommittee, of which I am a member, one George G. Hill, a newspaper man, who has been following the committee hearings very closely, admitted that he was on the pay roll of the Republican national committee. [Applause on the Democratic side.]

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. GARRETT. For a question.

Mr. MONDELL. The gentleman has suggested that the settlement of certain contracts was being held up on account of certain investigations that are being made. If the contracts are in proper form and a proper settlement is contemplated, why should the settlement be held up because the Congress is investigating the situation?

Mr. GARRETT. Well, I think I can tell the gentleman why. Efforts are being made, you may say, that amount to this, if I understand the situation correctly, to show that, particularly in the War Department, the authorities there surrounded themselves with men who are not charged with being corrupt, but with men who are so weak that they permitted great Republican manufacturers to defraud the country by putting one over on them [applause on the Democratic side], and I have an idea that it is causing those gentlemen to feel that they are being under attack and under suspicion, and they are not moving altogether with the speed in the settlement of these contracts that might be desired.

Mr. MONDELL. Will the gentleman yield?

Mr. GARRETT. I will.

Mr. MONDELL. Are all manufacturers Republicans, or did the Democratic administration do business with Republican manufacturers only?

Mr. GARRETT. Oh, the Democratic administration did business with all, but I have never heard any suspicion that any Democratic manufacturer was ever thought to have tried to put one over on the Government. [Laughter.]

Mr. LONGWORTH. What about the Eagle boats of that great idealist, Mr. Ford?

Mr. GARRETT. I think the testimony is very clear that Mr. Ford certainly was quite patriotic and did not profit out of his Government in any way.

I reserve the remainder of my time.

Mr. SNELL. Will the gentleman from Tennessee use some more of his time?

Mr. GARRETT. I yield to the gentleman from North Carolina [Mr. SMALL].

The SPEAKER. The gentleman has 10 minutes remaining.

Mr. SMALL. Mr. Speaker, I shall not discuss the merits of this resolution. On its face it is quite apparent that it is intended to discredit the Democratic administration; but one thought occurs to me which has been alluded to only incidentally. One of the most important problems connected with peace reconstruction is the establishment of a merchant marine sailing under the American flag, under American registry, officered by American citizens, and as far as possible manned by Americans. In that is involved the question of our overseas or foreign trade. The majority party, instead of engaging in partisan investigations, should interest themselves in constructive work which will tend to meet the expectations of the American people in the establishment of an American merchant marine. We have built a great merchant marine, and when the program of the Shipping Board shall have been completed it will be greatly augmented. What is now the majority party assisted in the legislation and in the appropriations for the construction of those ships. What shall we do with them? Shall they be dissipated and go under foreign flags? Shall we revert to the condition which existed prior to the World War, when less than 10 per cent of our foreign trade was carried in American ships, or shall we utilize this great opportunity by appropriate legislation so as to make these ships permanently American ships under the American flag and American registry?

It is no answer to the question to anticipate what the Committee on the Merchant Marine may do. I have seen in the press no statement of any action by your steering committee, no expression of concrete intention to legislate upon this subject. This is the first legislation which is brought in, a proposition to investigate for partisan purposes the operations of the Shipping Board and the Emergency Fleet Corporation, created under legislation of a prior Congress.

Mr. EDMONDS. Will the gentleman yield?

Mr. SMALL. Yes.

Mr. EDMONDS. I will say to the gentleman that the Committee on the Merchant Marine and Fisheries have been working now for six weeks on legislation which has been authorized by the House, and we have been very actively engaged.

Mr. SMALL. Well, that news is very gratifying, and I regret exceedingly that it is marred by the legislation involved in this resolution, which proposes an investigation in the hope of eliciting some information which may be used for partisan purposes to the discredt of the administration.

Mr. KNUTSON. Will the gentleman from North Carolina yield for a question?

Mr. SMALL. Certainly.

Mr. KNUTSON. The gentleman from North Carolina was a Member of the House in 1911, was he not, and voted for all the resolutions passed by the Democratic majority providing for

investigations of Republican administrations, going back I do not know how many years, for partisan purposes, did he not?

Mr. SMALL. I do not vote for everything that is proposed.

Mr. FERRIS. The Republican side needed investigation very much worse than our side does. [Laughter.]

Mr. EDMONDS. I have a great deal of respect for my friend from North Carolina. I am sure he wants to be fair.

Mr. SMALL. My time is limited.

Mr. EDMONDS. I will say to my friend that the Committee on the Merchant Marine and Fisheries have their work fairly well under way, and apart from what is proposed to have this special committee do the Merchant Marine Committee are investigating the Division of Operations, the Division of Port Facilities, and the Division of Manning and Recruiting, with the idea of producing legislation. Insurance and every other phase of the activities of the merchant marine is being investigated. We had two hearings to-day in the Committee on the Merchant Marine and Fisheries.

Mr. SMALL. The gentleman has given very interesting information. May I ask for one more piece of information?

Mr. EDMONDS. Yes.

Mr. SMALL. Whether the majority members of the Committee on the Merchant Marine and Fisheries approve of appointing an independent committee for this investigation instead of having it conducted by that committee which is familiar with the subject?

Mr. EDMONDS. I would like to state that several members of the majority of the Merchant Marine Committee, in talking the matter over, concluded that it would be a detriment to have an investigation of this kind in connection with the reconstruction legislation. Understand, I do not mean that the committee in itself disapproved of this investigation, but they did not think the Committee on the Merchant Marine should conduct it.

Mr. SMALL. Perhaps a good Republican would not actively disapprove of this resolution, but the gentleman, just before the last sentence, expressed what I have no doubt is the opinion of the majority members of the Committee on the Merchant Marine and Fisheries and, I am sure, the opinion of the minority members of that committee.

Mr. EDMONDS. The gentleman is putting the wrong interpretation on my statement. If it had not been for the enormous volume of work confronting the Committee on the Merchant Marine and Fisheries, that committee would have been very glad indeed to have made this investigation.

Mr. SMALL. I have no doubt that that committee could find time to undertake this investigation. The able chairman and members of the Committee on Merchant Marine are already familiar with the subject and are best equipped to undertake the work.

Mr. ALEXANDER. I think the Committee on the Merchant Marine and Fisheries, man for man, is as well equipped and as efficient as any other committee in the House.

Mr. SMALL. To that I agree.

Mr. ALEXANDER. And is fully as capable of conducting this investigation as any other committee in the House. I think if this matter were investigated thoroughly it would be found that this present movement is no more nor less than a suggestion of want of capacity of that committee to conduct the investigation.

Mr. SMALL. Its capacity for partisan purposes or for general and meritorious work?

Mr. WALSH. Will the gentleman yield?

Mr. ALEXANDER. I do not know of any good reason why the committee might not conduct that investigation. I am sure that if the Democrats controlled the House and the administration was Republican the Members would insist that the duties which logically belong to that committee should be performed.

Mr. SMALL. Does not the gentleman think it would be better for that committee to make the investigation rather than a special and independent committee?

Mr. ALEXANDER. That goes without saying.

Mr. SMALL. I yield to the gentleman from Massachusetts.

Mr. WALSH. In reply to the assertion of the distinguished gentleman from Missouri——

The SPEAKER. The time of the gentleman from North Carolina has expired. All time on that side has expired.

Mr. SNELL. Mr. Speaker, I yield six minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, the gentleman from North Carolina [Mr. POU] did not oppose the investigation but he opposed the manner in which it is to be made. We all recognize that if it could be an investigation by a committee a majority of whom were Democrats, then he would be satisfied. Of course, we will not submit to that revision. The gentleman from Tennessee opposed the investigation because we did not have more than six members, especially on the division of 4 to 2. If you will read the bill you will notice it is to investigate the Shipping Board and the Emergency Fleet Corporation. There will be two subdivisions to the committee. There must be one for the Shipping Board and one for the Emergency Fleet Corporation, and I would like to know what basis of subdivision you are going to make unless you make it six instead of seven—two Republicans and one Democrat on the first and two Republicans and one Democrat on the second. If you make it seven, as the Democrats insist, you will have an investigating subcommittee that will have an equal representation of the two sides, a thing never heard of before. That is a sufficient answer for putting it six instead of seven.

Many of the gentlemen are considerably stirred up over any sort of investigation because they say it is purely political. The Shipping Board has appropriated for it already $3,252,701,000, a sum that is three times the amount that ever was spent for all the expenses of this Government combined in any one year prior to the war. If any Member here rises now and declares, since there has been no accounting and no audit, under the authority of Congress, of the expenditure of this money up to date, that we have no right to demand an investigation of it, it is a peculiar angle of discussion to me. We are held responsible to the country for this expenditure and the country has a right to know the facts.

The very fact that this enormous amount of money has been voted by the Congress already, and expended, is sufficient reason that we must have the investigation, in justice not only to this Congress and the country, but to the Shipping Board and to the Emergency Fleet Corporation also. If there is nothing crooked in it nobody suffers. If there is anything crooked in it the guilty ought to suffer. No one can resist that simple proposition.

Now, other Democratic Members say that they object to it because it ought to be done by the Merchant Marine and Fisheries Committee. That can not be. There is no committee to-day in this House that has presented to it so many varied forms of legislation and of such imminent importance, demanding imperative and immediate action, as the Merchant Marine and Fisheries Committee. The Interstate and Foreign Commerce Committee has great problems, among which is the railway problem, but for days the Merchant Marine and Fisheries Committee has been sitting, holding hearings under various subcommittees; one has charge of fisheries, another charge of insurance, another charge of revision of the navigation laws, and still others various phases of the investigations, and you can not solve one of the most stupendous problems facing us to-day in utilizing American shipping under American laws, building up the American merchant marine, unless this committee can revise in some form the numerous laws that must come before this House. It is physically impossible for that committee at this time to go into the realm of investigation. It would be a wicked waste of the time of the country to take from that committee the time necessary to work on the problems, including the insurance laws, the subvention laws, the questions of American registry of foreign vessels, to work upon the possibility of change of the laws admitting foreign vessels plying in coastwise trade, investigation of dock and harbor facilities, of the personnel of the merchant marine; in a word, the building up of the American merchant marine, and holding our place upon the sea on behalf of American merchantmen and American honor. It is impossible for the committee to add to its work that of investigation, and it would be wrong to put this investigation on that committee.

We must appoint a separate committee. That committee will be rightly divided into two subcommittees of three and three. That is the explanation of that part of the bill over which so much contention has been made. You who do not oppose the investigation certainly can not oppose this resolution. [Applause.]

Mr. SNELL. Mr. Speaker, I move the previous question on the resolution.

The question was taken; and on a division (demanded by Mr. POU) there were 89 ayes and 49 noes.

So the previous question was ordered.

The SPEAKER. The question now is on agreeing to the resolution.

The question was being taken when Mr. POU demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 288, nays 0, answered "present" 2, not voting 139, as follows:

YEAS—288.

Ackerman	Elston	Little	Rogers
Alexander	Emerson	Longworth	Romjue
Almon	Evans, Nebr.	Luce	Rose
Anderson	Evans, Nev.	Lufkin	Rowe
Andrews, Md.	Ferris	Luhring	Rubey
Andrews, Nebr.	Fess	McAndrews	Sanders, La.
Anthony	Fields	McArthur	Sanders, N. Y.
Aswell	Fisher	McDuffie	Saunders, Va.
Ayres	Focht	McFadden	Sears
Babka	Fordney	McKeown	Sells
Bacharach	Foster	McKinley	Sherwood
Baer	Freeman	McLane	Shreve
Bankhead	Fuller, Ill.	McLaughlin, Mich.	Sinclair
Barbour	Fuller, Mass.	McLaughlin, Nebr.	Sinnott
Begg	Gallagher	McPherson	Sisson
Bell	Gandy	Madden	Small
Benham	Gard	Major	Smith, Idaho
Black	Garland	Mann	Smith, Ill.
Bland, Mo.	Garner	Mansfield	Smith, Mich.
Bland, Va.	Garrett	Mapes	Smithwick
Blanton	Glynn	Martin	Snell
Boles	Good	Mays	Steagall
Booher	Graham, Pa.	Michener	Stedman
Box	Green, Iowa	Monahan, Wis.	Steele
Brand	Greene, Vt.	Mondell	Steenerson
Briggs	Hadley	Montague	Stephens, Ohio
Brinson	Hardy, Colo.	Moon	Stiness
Brooks, Ill.	Hardy, Tex.	Mooney	Strong, Pa.
Brooks, Pa.	Hastings	Moore, Ohio	Summers, Wash.
Browning	Hawley	Moore, Pa.	Sumners, Tex.
Brumbaugh	Hayden	Moore, Va.	Taylor, Tenn.
Buchanan	Hays	Moores, Ind.	Temple
Burroughs	Heflin	Morgan	Thomas
Byrnes, S. C.	Hernandez	Morin	Thompson, Ohio
Byrns, Tenn.	Hersey	Mott	Tillman
Campbell, Pa.	Hersman	Murphy	Timberlake
Cannon	Hickey	Nelson, Mo.	Tincher
Cantrill	Hoch	Nelson, Wis.	Towner
Carss	Houghton	Newton, Minn.	Treadway
Carter	Howard	Newton, Mo.	Upshaw
Casey	Huddleston	Nichols, Mich.	Vaile
Chindblom	Hudspeth	Nolan	Vestal
Christopherson	Hulings	O'Connell	Vinson
Clark, Mo.	Hull, Iowa	O'Connor	Voigt
Classon	Humphreys	Ogden	Volstead
Cleary	Hutchinson	Oldfield	Walsh
Coady	Ireland	Oliver	Walters
Cole	Jacoway	Osborne	Ward
Collier	James	Overstreet	Wason
Connally	Johnson, Miss.	Padgett	Watkins
Crago	Johnson, S. Dak.	Parrish	Watson, Va.
Cramton	Johnson, Wash.	Pell	Weaver
Crisp	Johnston, N. Y.	Peters	Webb
Cullen	Juul	Phelan	Webster
Curry, Calif.	Kearns	Platt	Welling
Dale	Kelly, Pa.	Pou	Welty
Dallinger	Kendall	Quin	Whaley
Darrow	Kiess	Radcliffe	Wheeler
Davey	Kinkaid	Rainey, H. T.	White, Me.
Davis, Tenn.	Kitchin	Rainey, J. W.	Williams
Dewalt	Kleczka	Raker	Wilson, Ill.
Dickinson, Iowa	Knutson	Ramsey	Wilson, La.
Dominick	Kraus	Ramseyer	Winslow
Dowell	LaGuardia	Randall, Wis.	Wise
Drane	Lampert	Reber	Wood, Ind.
Dunbar	Lanham	Reed, W. Va.	Woods, Va.
Dunn	Lankford	Rhodes	Woodyard
Dupré	Larsen	Ricketts	Wright
Eagan	Layton	Riddick	Yates
Eagle	Lazaro	Robinson, N. C.	Young, N. Dak.
Edmonds	Lehlbach	Robsion, Ky.	Young, Tex.
Elliott	Lesher	Rodenberg	Zihlman

ANSWERED "PRESENT"—2.

Clark, Fla. Griffin

NOT VOTING—139.

Ashbrook	Evans, Mont.	Kennedy, R. I.	Rayburn
Barkley	Fairfield	Kettner	Reavis
Bee	Fitzgerald	Kincheloe	Reed, N. Y.
Benson	Flood	King	Riordan
Blackmon	Frear	Kreider	Rouse
Bland, Ind.	French	Langley	Rowan
Bowers	Gallivan	Lea, Calif.	Rucker
Britten	Ganly	Lee, Ga.	Sabath
Browne	Godwin, N. C.	Lever	Sanders, Ind.
Burdick	Goldfogle	Linthicum	Sanford
Burke	Goodall	Lonergan	Schall
Butler	Goodwin, Ark.	McClintic	Scott
Caldwell	Goodykoontz	McCulloch	Scully
Campbell, Kans.	Gould	McGlennon	Siegel
Candler	Graham, Ill.	McKenzie	Sims
Caraway	Greene, Mass.	McKiniry	Slemp
Carew	Griest	MacCrate	Smith, N. Y.
Cooper	Hamill	MacGregor	Snyder
Copley	Hamilton	Magee	Stephens, Miss.
Costello	Harrison	Maher	Stevenson
Crowther	Haskell	Mason	Strong, Kans.
Currie, Mich.	Haugen	Mead	Sullivan
Davis, Minn.	Hicks	Merritt	Sweet
Dempsey	Hill	Miller	Taylor, Ark.
Denison	Holland	Minahan, N. J.	Taylor, Colo.
Dent	Hull, Tenn.	Mudd	Thompson, Okla.
Dickinson, Mo.	Husted	Neely	Tilson
Donovan	Igoe	Nicholls, S. C.	Tinkham
Dooling	Jefferis	Olney	Vare
Doremus	Johnson, Ky.	Paige	Venable
Doughton	Jones, Pa.	Park	Watson, Pa.
Dyer	Jones, Tex.	Parker	White, Kans.
Echols	Kahn	Purnell	Wilson, Pa.
Ellsworth	Kelley, Mich.	Porter	Wingo
Esch	Kennedy, Iowa	Randall, Calif.	

So the resolution was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. KAHN with Mr. DENT.

Mr. SWEET with Mr. BARKLEY.

Mr. PAIGE with Mr. SULLIVAN.

Mr. HICKS with Mr. HULL of Tennessee.

Mr. FAIRFIELD with Mr. SCULLY.

Mr. HAUGEN with Mr. BLACKMON.

Mr. KING with Mr. NEELY.

Mr. CROWTHER with Mr. IGOE.

Mr. COOPER with Mr. THOMPSON of Oklahoma.

Mr. PURNELL with Mr. MCCLINTIC.

Mr. BROWNE with Mr. OLNEY.

Mr. SNYDER with Mr. SMITH of New York.

Mr. SANFORD with Mr. DONOVAN.

Mr. GOODYKOONTZ with Mr. BEE.

Mr. ESCH with Mr. SIMS.

Mr. TILSON with Mr. ASHBROOK.

Mr. VARE with Mr. CALDWELL.

Mr. MASON with Mr. CANDLER.

Mr. GRIEST with Mr. GALLIVAN.

Mr. HAMILTON with Mr. DOOLING.

Mr. KENNEDY of Iowa with Mr. CAREW.

Mr. DYER with Mr. MEAD.

Mr. COPLEY with Mr. VENABLE.

Mr. GOULD with Mr. RIORDAN.

Mr. PORTER with Mr. FLOOD.

Mr. WATSON of Pennsylvania with Mr. WILSON of Pennsylvania.

Mr. KELLEY of Michigan with Mr. LEVER.

Mr. BRITTEN with Mr. WINGO.

Mr. PARKER with Mr. MAHER.

Mr. REED of New York with Mr. GANLY.

Mr. MERRITT with Mr. HAMILL.

Mr. MAGEE with Mr. GOLDFOGLE.

Mr. MCCULLOCH with Mr. LEE of Georgia.

Mr. KREIDER with Mr. LEA of California.

Mr. GRAHAM of Illinois with Mr. LONERGAN.

Mr. FRENCH with Mr. RAYBURN.

Mr. DEMPSEY with Mr. SABATH.

Mr. SIEGEL with Mr. ROWAN.

Mr. HASKELL with Mr. MINAHAN of New Jersey.

Mr. KENNEDY of Rhode Island with Mr. TAYLOR of Arkansas.

Mr. SLEMP with Mr. RUCKER.

Mr. TINKHAM with Mr. DOUGHTON.

Mr. SANDERS of Indiana with Mr. DICKINSON of Missouri.

Mr. REAVIS with Mr. CARAWAY.

Mr. MUDD with Mr. EVANS of Montana.

Mr. MILLER with Mr. FITZGERALD.

Mr. MCKENZIE with Mr. PARK.

Mr. FREAR with Mr. GODWIN of Arkansas.

Mr. GREENE of Massachusetts with Mr. GODWIN of North Carolina.

Mr. JONES of Pennsylvania with Mr. MCGLENNON.

Mr. HUSTED with Mr. MCKINIRY.

Mr. DENISON with Mr. JONES of Texas.

Mr. BUTLER with Mr. STEVENSON.

Mr. CAMPBELL of Kansas with Mr. TAYLOR of Colorado.

Mr. DAVIS of Minnesota with Mr. NICHOLLS of South Carolina.

Mr. CURRIE of Michigan with Mr. KINCHELOE.

Mr. SCOTT with Mr. STEPHENS of Mississippi.

Mr. ELLSWORTH with Mr. RANDALL of California.

Mr. BLAND of Indiana with Mr. KETTNER.

Mr. BOWERS with Mr. BENSON.

Mr. JOHNSON of Kentucky. Mr. Speaker, I wish to vote "yea."

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. JOHNSON of Kentucky. I was not.

The SPEAKER. The gentleman does not bring himself within the rule.

The result of the vote was announced as above recorded.

On motion of Mr. SNELL, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

The SPEAKER. The gentleman from California [Mr. CURRY] asks unanimous consent to address the House for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. CURRY of California. Mr. Speaker, I wish to make an announcement in which I hope the Members of the House will be interested. At the request of the Committee on the Territories, Mr. McPherson, the first engineer of the Alaska Railroad, will exhibit moving pictures of the Alaska Railroad in the caucus room in the House Office Building at half past 8 o'clock to-morrow evening. As chairman of the Committee on the Territories I am authorized to invite the Members of the House and their

families to be present on that occasion. The moving pictures will be well worthy of looking at and will be explained by Mr. McPherson. [Applause.]

ENROLLED BILL SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 7413. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920.

EXTENSION OF REMARKS.

Mr. WALSH. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WALSH. To ask unanimous consent to extend my remarks upon the resolution just passed.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks on the resolution just passed. Is there objection? [After a pause.] The Chair hears none.

Mr. HUDDLESTON. Mr. Speaker, I ask for leave to extend my remarks on the subject of the coal situation.

The SPEAKER. The gentleman from Alabama asks unanimous consent to extend his remarks on the coal situation. Is there objection? [After a pause.] The Chair hears none.

NEAR EAST RELIEF.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I desire to call up the bill S. 180, which is the unfinished business on the Speaker's table.

Mr. MOORE of Pennsylvania. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. MOORE of Pennsylvania. I desire to raise the question of consideration.

The SPEAKER. The Clerk will first report the bill by title.

The Clerk read as follows:

S. 180. A bill to incorporate Near East relief.

Mr. MOORE of Pennsylvania. Mr. Speaker, I raise the question of consideration.

The SPEAKER. The gentleman from Pennsylvania raises the question of consideration.

Mr. CRAMTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GRAHAM of Pennsylvania. The question of consideration having been passed on once by the House, can it be renewed again while the bill is under consideration?

The SPEAKER. The Chair thinks that the fact that the question has been raised on one day does not preclude its being raised on another day.

Mr. CRAMTON. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. CRAMTON. I desire to make the point of order that inasmuch as the bill in question involves the expenditure of money by the Government for printing the reports and carrying them through the mails free of postage that it is a bill which should be taken up in the Committee of the Whole House on the state of the Union, and hence can not be taken up direct from the Speaker's table.

The SPEAKER. The Chair without examination of the bill can not decide whether the gentleman's point of order is well taken, but it is too late now to make that point of order, the bill having already been considered by the House. The question is, Shall the bill be now considered by the House?

The question was taken, and the Speaker announced the ayes appeared to have it.

On a division (demanded by Mr. GRAHAM of Pennsylvania) there were—ayes 75, noes 58.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Pennsylvania makes the point of order that there is no quorum present. Obviously there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 175, nays 80, answered "present" 2, not voting 172, as follows:

YEAS—175.

Ackerman	Barbour	Boies	Brooks, Pa.
Alexander	Benham	Box	Browning
Andrews, Md.	Black	Brand	Brumbaugh
Andrews, Nebr.	Bland, Mo.	Briggs	Buchanan
Babka	Bland, Va.	Brinson	Burroughs
Bankhead	Blanton	Brooks, Ill.	Campbell, Pa.
Caraway	Graham, Pa.	McDuffie	Reed, W. Va.
Carss	Green, Iowa	McFadden	Rogers
Carter	Griffin	McKeown	Romjue
Casey	Hadley	McLane	Rubey
Chindblom	Harrison	McLaughlin, Mich.	Sanders, La.
Christopherson	Hayden	McLaughlin, Nebr.	Sanders, N. Y.
Clark, Mo.	Hays	McPherson	Saunders, Va.
Cleary	Heflin	Major	Sears
Coady	Hernandez	Mann	Small
Cole	Hickey	Mapes	Smith, Idaho
Connally	Houghton	Montague	Smith, Ill.
Dallinger	Hudspeth	Moon	Smith, Mich.
Darrow	Hulings	Moore, Va.	Snell
Davey	Hull, Iowa	Moores, Ind.	Steenerson
Davis, Tenn.	Humphreys	Morgan	Stiness
Dewalt	Hutchinson	Morin	Strong, Pa.
Dickinson, Iowa	Ireland	Nelson, Mo.	Summers, Wash.
Dominick	Jacoway	Nelson, Wis.	Sumners, Tex.
Dunbar	Johnson, Ky.	Newton, Minn.	Temple
Dunn	Johnson, Wash.	Newton, Mo.	Towner
Dupré	Juul	Nichols, Mich.	Treadway
Eagan	Kahn	Nolan	Upshaw
Edmonds	Kelly, Pa.	O'Connor	Vaile
Elliott	Kendall	Oldfield	Venable
Elston	Kinkaid	Oliver	Vestal
Emerson	Kitchin	Osborne	Volgt
Evans, Nebr.	Kleczka	Overstreet	Volstead
Evans, Nev.	Lampert	Padgett	Watkins
Fess	Lanham	Parrish	Watson, Va.
Fisher	Lankford	Pell	Weaver
Focht	Larsen	Peters	Webster
Freeman	Layton	Phelan	Welty
French	Lesher	Platt	Whaley
Fuller, Ill.	Longworth	Pou	Woods, Va.
Fuller, Mass.	Luce	Rainey, J. W.	Wright
Gallagher	Lufkin	Ramsey	Young, Tex.
Gard	McAndrews	Ramseyer	Zihlman
Good	McArthur	Randall, Wis.	

NAYS—80.

Almon	Garner	Mooney	Taylor, Colo.
Anderson	Glynn	Moore, Ohio	Thomas
Anthony	Greene, Vt.	Moore, Pa.	Thompson, Ohio
Aswell	Hardy, Colo.	Murhpy	Tillman
Ayres	Hastings	Ogden	Tincher
Bacharach	Haugen	Park	Vinson
Baer	Hersey	Quin	Walsh
Begg	Hoch	Radcliffe	Ward
Bell	Howard	Raker	Wason
Blackmon	Huddleston	Ricketts	Welling
Byrnes, S. C.	James	Riddick	Wheeler
Byrns, Tenn.	Johnson, S. Dak.	Robsion, Ky.	White, Me.
Cannon	Knutson	Rodenberg	Williams
Cramton	Kraus	Shreve	Wilson, Ill.
Crisp	LaGuardia	Sinclair	Winslow
Curry, Calif.	McGlennon	Sinnott	Wise
Dale	Madden	Sisson	Wood, Ind.
Dent	Mays	Smithwick	Woodyard
Eagle	Michener	Steagall	Yates
Foster	Monahan, Wis.	Stephens, Ohio	Young, N. Dak.

ANSWERED "PRESENT"—2.

Crago	Reber

NOT VOTING—172.

Ashbrook	Fields	King	Reed, N. Y.
Barkley	Fitzgerald	Kreider	Rhodes
Bee	Flood	Langley	Riordan
Benson	Fordney	Lazaro	Robinson, N. C.
Bland, Ind.	Frear	Lea, Calif.	Rose
Booher	Gallivan	Lee, Ga.	Rouse
Bowers	Gandy	Lehlbach	Rowan
Britten	Ganly	Lever	Rowe
Browne	Garland	Linthicum	Rucker
Burdick	Garrett	Little	Sabath
Burke	Godwin, N. C.	Lonergan	Sanders, Ind.
Butler	Goldfogle	Luhring	Sanford
Caldwell	Goodall	McClintic	Schall
Campbell, Kans.	Goodwin, Ark.	McCulloch	Scott
Candler	Goodykoontz	McKenzie	Scully
Cantrill	Gould	McKiniry	Sells
Carew	Graham, Ill.	McKinley	Sherwood
Clark, Fla.	Greene, Mass.	MacCrate	Siegel
Classon	Griest	MacGregor	Sims
Collier	Hamill	Magee	Slemp
Cooper	Hamilton	Maher	Smith, N. Y.
Copley	Hardy, Tex.	Mansfield	Snyder
Costello	Haskell	Martin	Stedman
Crowther	Hawley	Mason	Steele
Cullen	Hersman	Mead	Stephens, Miss.
Currie, Mich.	Hicks	Merritt	Stevenson
Davis, Minn.	Hill	Miller	Strong, Kans.
Dempsey	Holland	Minahan, N. J.	Sullivan
Denison	Hull, Tenn.	Mondell	Sweet
Dickinson, Mo.	Husted	Mott	Taylor, Ark.
Donovan	Igoe	Mudd	Taylor, Tenn.
Dooling	Jefferis	Neely	Thompson, Okla.
Doremus	Johnson, Miss.	Nicholls, S. C.	Tilson
Doughton	Johnston, N. Y.	O'Connell	Timberlake
Dowell	Jones, Pa.	Olney	Tinkham
Drane	Jones, Tex.	Paige	Vare
Dyer	Kearns	Parker	Walters
Echols	Kelley, Mich.	Porter	Watson, Pa.
Ellsworth	Kennedy, Iowa	Purnell	Webb
Esch	Kennedy, R. I.	Rainey, H. T.	White, Kans.
Evans, Mont.	Kettner	Randall, Calif.	Wilson, La.
Fairfield	Kiess	Rayburn	Wilson, Pa.
Ferris	Kincheloe	Reavis	Wingo

So the House decided to consider the bill.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BUTLER with Mr. STEELE.

Mr. MOTT with Mr. O'CONNELL.

Mr. KIESS with Mr. JOHNSTON of New York.
Mr. ROWE with Mr. STEDMAN.
Mr. LEHLBACH with Mr. CULLEN.
Mr. CAMPBELL of Kansas with Mr. FERRIS.
Mr. FORDNEY with Mr. HENRY T. RAINEY.
Mr. GARLAND with Mr. LINTHICUM.
Mr. DOWELL with Mr. GANDY.
Mr. BRITTEN with Mr. WINGO.
Mr. HAWLEY with Mr. BOOHER.
Mr. BURKE with Mr. DRANE.
Mr. MCKINLEY with Mr. WEBB.
Mr. CLASSON with Mr. FIELDS.
Mr. MONDELL with Mr. HARDY of Texas.
Mr. KEARNS with Mr. COLLIER.
Mr. LITTLE with Mr. HERSMAN.
Mr. ROSE with Mr. MANSFIELD.
Mr. SELLS with Mr. SHERWOOD.
Mr. TAYLOR of Tennessee with Mr. LAZARO.
Mr. TIMBERLAKE with Mr. MARTIN.
Mr. WALTERS with Mr. STEVENSON.
Mr. MCKENZIE with Mr. HOLLAND.
Mr. STRONG of Kansas with Mr. WILSON of Louisiana.
Mr. RHODES with Mr. JOHNSON of Mississippi.
Mr. LUHRING with Mr. ROBINSON of North Carolina.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors. The gentleman from Pennsylvania [Mr. GRAHAM] is recognized.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I move the previous question.

Mr. BEGG. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BEGG. Will there be any opportunity given to offer an amendment to this bill providing the previous question carries?

The SPEAKER. There will not.

Mr. BEGG. A further parliamentary inquiry, if I may. Are we to understand that a bill is to be railroaded through this House without any opportunity for debate?

The SPEAKER. That is not a parliamentary inquiry.

Mr. MOORE of Pennsylvania. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. MOORE of Pennsylvania. The motion for a previous question is not debatable? There can be no debate on this question?

The SPEAKER. There can be no debate on it now.

Mr. MOORE of Pennsylvania. Then, Mr. Speaker, the bill must be voted up or down under this motion?

The SPEAKER. Certainly; the bill will have to be voted on without amendment if the previous question is ordered. The gentleman from Pennsylvania [Mr. GRAHAM] demands the previous question.

Mr. CRAMTON. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Michigan moves that the House do now adjourn.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. CRAMTON. Mr. Speaker, I demand a division.

The House divided; and there were—ayes 31, noes 101.

The SPEAKER. The House refuses to adjourn.

Mr. FOSTER. The yeas and nays, Mr. Speaker.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of no quorum. It has just developed that a quorum is not present.

The SPEAKER. The vote was on the motion to adjourn, and it is not necessary there should be a quorum on that motion.

Mr. MOORE of Pennsylvania. May I ask that the Chair restate the vote on the motion to adjourn?

The SPEAKER. There were 31 votes in the affirmative and 101 in the negative.

Mr. MOORE of Pennsylvania. That is not a quorum of the House.

The SPEAKER. It is not necessary to have a quorum in order to adjourn.

Mr. MOORE of Pennsylvania. Some discussion having intervened, I make the point that no quorum is present. This bill can not be passed without a quorum.

The SPEAKER. The Chair will count. [After counting.] One hundred and sixty-eight Members are present, not a quorum.

Mr. GRAHAM of Pennsylvania. I move a call of the House.

The SPEAKER. The gentleman from Pennsylvania moves a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, and the Clerk will call the roll. This roll call is simply to obtain a quorum. Gentlemen will answer "present" when their names are called.

The roll was called, and the following Members failed to answer to their names:

Alexander	Esch	Kiess	Robinson, N. C.
Andrews, Nebr.	Fairfield	Kincheloe	Rouse
Anthony	Ferris	King	Rowan
Ashbrook	Fitzgerald	Kinkaid	Rowe
Bacharach	Fordney	Kreider	Rucker
Barkley	Frear	Lampert	Sabath
Bee	Gallivan	Langley	Sanders, Ind.
Benson	Ganly	Lee, Ga.	Sanders, N. Y.
Bowers	Godwin, N. C.	Lesher	Sanford
Britten	Goldfogle	Lever	Schall
Brooks, Pa.	Goodall	Linthicum	Scott
Browne	Goodwin, Ark.	Little	Scully
Burdick	Goodykoontz	Lonergan	Siegel
Burke	Gould	Longworth	Sims
Burroughs	Graham, Ill.	Luhring	Slemp
Butler	Green, Iowa	McClintic	Smith, N. Y.
Caldwell	Greene, Mass.	McCulloch	Snyder
Campbell, Kans.	Griest	McKinley	Stedman
Campbell, Pa.	Hadley	MacCrate	Steele
Candler	Hamill	Maher	Stephens, Miss.
Cantrill	Hamilton	Mansfield	Stevenson
Carew	Hardy, Colo.	Martin	Sullivan
Casey	Hardy, Tex.	Mason	Sweet
Clark, Fla.	Haskell	Mead	Taylor, Ark.
Classon	Haugen	Merritt	Taylor, Tenn.
Collier	Hawley	Miller	Thompson, Okla.
Cooper	Hersey	Minahan, N. J.	Tilson
Copley	Hersman	Mott	Timberlake
Costello	Hicks	Mudd	Tinkham
Crowther	Hill	Neely	Treadway
Cullen	Holland	Nicholls, S.C.	Vare
Currie, Mich.	Hull, Tenn.	Nichols, Mich.	Voigt
Dempsey	Husted	O'Connell	Watson, Pa.
Denison	Hutchinson	Padgett	Webb
Dickinson, Mo.	Igoe	Paige	Wilson, Ill.
Donovan	Jefferis	Parker	Wilson, La.
Dooling	Johnson, Wash.	Peters	Wilson, Pa.
Doughton	Johnston, N. Y.	Porter	Wingo
Dowell	Jones, Pa.	Purnell	Winslow
Dyer	Jones, Tex.	Rainey, H. T.	Wise
Eagle	Kearns	Randall, Calif.	Woodyard
Echols	Kelley, Mich.	Rayburn	Young, N. Dak.
Edmonds	Kennedy, R. I.	Reed, N. Y.	
Ellsworth	Kettner	Riordan	

The SPEAKER. Two hundred and fifty-one Members have answered to their names. A quorum is present.

Mr. CRAMTON. Mr. Speaker, I desire to make a preferential motion.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I move to suspend further proceedings under the call.

The SPEAKER. The gentleman from Pennsylvania moves to suspend further proceedings under the call. The question is on agreeing to that motion.

The motion was agreed to.

Mr. CRAMTON. I move that the bill be laid upon the table.

The SPEAKER. The motion is in order. The gentleman from Michigan moves to lay the bill on the table. The question is on agreeing to that motion.

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. CRAMTON. A division, Mr. Speaker.

The SPEAKER. The gentleman from Michigan asks for a division. Those who desire to lay the bill on the table will rise and stand until they are counted. [After counting.] Thirty-seven gentlemen have risen in the affirmative. Those opposed will rise and stand until they are counted. [After counting.] Seventy-seven gentlemen have risen in the negative. On this vote the ayes are 37 and the noes are 77.

Mr. CRAMTON. Mr. Speaker, I make the point that the count shows that there is not a quorum present.

Mr. MANN. That does not signify, necessarily.

Mr. CRAMTON. Then I make the point of order that there is no quorum present.

Mr. MOORES of Indiana. Mr. Speaker, I make the point that that is dilatory.

The SPEAKER. The gentleman from Michigan [Mr. CRAMTON] makes the point of order that there is no quorum present.

Mr. MOORES of Indiana. I make the point, Mr. Speaker, that it is dilatory. The House was just dividing.

The SPEAKER. The Chair thinks that is a delicate question. There is always a right to have a quorum in the House. Speakers have decided that immediately after a quorum was disclosed by a roll call the point could not be made, but since then there has been business—there has been a division on another question—and the Chair is disposed to think that a Member has always the right to have a quorum on a question. The Chair will count. [After counting.] One hundred and fifty Members are present, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The question is on laying the bill on the table. As many as favor laying the bill on the table will, when

their names are called, answer "aye"; those opposed will answer "no."

The question was taken; and there were—yeas 86, nays 166, answered "present" 2, not voting 175, as follows:

YEAS—86.

Anderson	Dunn	Lesher	Sells
Aswell	Evans, Nebr.	McLaughlin, Nebr.	Shreve
Bacharach	Focht	MacGregor	Sisson
Baer	Gandy	Madden	Steagall
Begg	Garrett	Mays	Stephens, Ohio
Bell	Glynn	Michener	Strong, Kans.
Benham	Graham, Ill.	Monahan, Wis.	Taylor, Colo.
Blackmon	Greene, Mass	Mooney	Thomas
Bland, Ind.	Hays	Moore, Ohio	Thompson, Ohio
Boies	Hoch	Moore, Pa.	Tillman
Brand	Houghton	Murphy	Tincher
Brooks, Ill.	Huddleston	Newton, Mo.	Vinson
Byrns, Tenn.	Jacoway	Nolan	Voigt
Cannon	James	Ogden	Walters
Christopherson	Jefferis	Quin	Welling
Cole	Johnson, S. Dak.	Radcliffe	White, Kans.
Cramton	Kitchin	Raker	Williams
Crisp	Kraus	Rayburn	Wood, Ind.
Dale	LaGuardia	Rhodes	Yates
Davis, Minn.	Lampert	Robsion, Ky.	Young, N. Dak.
Dent	Layton	Rodenberg	
Dickinson, Iowa	Lehlbach	Scars	

NAYS—166.

Ackerman	Ferris	Lufkin	Rogers
Alexander	Fess	McAndrews	Romjue
Almon	Fields	McArthur	Rose
Andrews, Md.	Fisher	McDuffie	Rowe
Ayres	Flood	McFadden	Rubey
Babka	Fordney	McGlennon	Sanders, La.
Bankhead	Foster	McKeown	Saunders, Va.
Black	Freeman	McLane	Sherwood
Bland, Mo.	French	McLaughlin, Mich.	Small
Bland, Va.	Fuller, Ill.	McPherson	Smith, Idaho
Blanton	Fuller, Mass.	Magee	Smith, Ill.
Booher	Gallagher	Major	Smith, Mich.
Box	Gard	Mann	Smithwick
Briggs	Garland	Mapes	Stedman
Brinson	Garner	Mondell	Steenerson
Brooks, Pa.	Good	Montague	Stiness
Browning	Graham, Pa.	Moon	Strong, Pa.
Buchanan	Green, Iowa	Moore, Va.	Summers, Wash.
Burroughs	Griffin	Moores, Ind.	Sumners, Tex.
Byrnes, S. C.	Hadley	Morgan	Temple
Caraway	Hardy, Tex.	Morin	Timberlake
Carss	Harrison	Mott	Towner
Chindblom	Hastings	Nelson, Mo.	Treadway
Clark, Mo.	Hernandez	Nelson, Wis.	Upshaw
Cleary	Hickey	Newton, Minn.	Valle
Coady	Howard	O'Connor	Venable
Connally	Hudspeth	Oldfield	Vestal
Dallinger	Hulings	Oliver	Volstead
Darrow	Hull, Iowa	Osborne	Ward
Davey	Ireland	Park	Wason
Davis, Tenn.	Johnson, Miss.	Parrish	Watkins
Dewalt	Juul	Pell	Watson, Va.
Dominick	Kelly, Pa.	Phelan	Weaver
Drane	Kinkaid	Platt	Webster
Dunbar	Kleczka	Pou	Welty
Dupré	Knutson	Rainey, J. W.	Whaley
Eagan	Lanham	Ramsey	Wheeler
Edmonds	Lankford	Ramseyer	White, Me.
Elliott	Larsen	Randall, Calif.	Woods, Va.
Elston	Lazaro	Randall, Wis.	Wright
Emerson	Longworth	Ricketts	
Evans, Mont.	Luce	Riddick	

ANSWERED "PRESENT"—2.

Crago	Reber

NOT VOTING—175.

Andrews, Nebr.	Doremus	Husted	Mead
Anthony	Doughton	Hutchinson	Merritt
Ashbrook	Dowell	Igoe	Miller
Barbour	Dyer	Johnson, Ky.	Minahan, N. J.
Barkley	Eagle	Johnson, Wash.	Mudd
Bee	Echols	Johnston, N. Y.	Neely
Benson	Ellsworth	Jones, Pa.	Nicholls, S. C.
Bowers	Esch	Jones, Tex.	Nichols, Mich.
Britten	Evans, Nev.	Kahn	O'Connell
Browne	Fairfield	Kearns	Olney
Brumbaugh	Fitzgerald	Kelley, Mich.	Overstreet
Burdick	Frear	Kendall	Padgett
Burke	Gallivan	Kennedy, Iowa	Paige
Butler	Ganly	Kennedy, R. I.	Parker
Caldwell	Godwin, N. C.	Kettner	Peters
Campbell, Kans.	Goldfogle	Kiess	Porter
Campbell, Pa.	Goodall	Kincheloe	Purnell
Candler	Goodwin, Ark.	King	Rainey, H. T.
Cantrill	Goodykoontz	Kreider	Reavis
Carew	Gould	Langley	Reed, N. Y.
Carter	Greene, Vt	Lea, Calif.	Reed, W. Va.
Casey	Griest	Lee, Ga.	Riordan
Clark, Fla.	Hamill	Lever	Robinson, N. C.
Classon	Hamilton	Linthicum	Rouse
Collier	Hardy, Colo.	Little	Rowan
Cooper	Haskell	Lonergan	Rucker
Copley	Haugen	Luhring	Sabath
Costello	Hawley	McClintic	Sanders, Ind.
Crowther	Hayden	McCulloch	Sanders, N. Y.
Cullen	Heflin	McKenzie	Sanford
Currie, Mich.	Hersey	McKinley	Schall
Curry, Calif.	Hersman	McKinley	Scott
Dempsey	Hicks	MacCrate	Scully
Denison	Hill	Maher	Siegel
Dickinson, Mo.	Holland	Mansfield	Sims
Donovan	Hull, Tenn.	Martin	Sinclair
Dooling	Humphreys	Mason	Sinnott
Slemp	Sullivan	Vare	Wingo
Smith, N. Y.	Sweet	Walsh	Winslow
Snell	Taylor, Ark.	Watson, Pa.	Wise
Snyder	Taylor, Tenn.	Webb	Woodyard
Steele	Thompson, Okla.	Wilson, Ill.	Young, Tex.
Stephens, Miss.	Tilson	Wilson, La.	Zihlman
Stevenson	Tinkham	Wilson, Pa.	

So the motion to lay the bill on the table was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. DOWELL with Mr. LONERGAN.

Mr. WILSON of Illinois with Mr. ROBINSON of North Carolina.

Mr. ANTHONY with Mr. EAGLE.

Mr. GREENE of Vermont with Mr. LINTHICUM.

Mr. HUTCHINSON with Mr. HEFLIN.

Mr. SINNOTT with Mr. WISE.

Mr. CAMPBELL of Kansas with Mr. YOUNG of Texas.

Mr. WOODYARD with Mr. WILSON of Louisiana.

Mr. WINSLOW with Mr. HUMPHREYS.

Mr. SNELL with Mr. CARTER.

Mr. CURRY of California with Mr. EVANS of Nevada.

Mr. HAWLEY with Mr. PADGETT.

Mr. WALSH with Mr. RAYBURN.

Mr. KAHN with Mr. HENRY T. RAINEY.

Mr. NICHOLS of Michigan with Mr. CASEY.

Mr. HARDY of Colorado with Mr. CAMPBELL of Pennsylvania.

Mr. HAUGEN with Mr. CANTRILL.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors. The motion to lay the bill on the table is lost. The demand for the previous question is pending.

Mr. CRAMTON. Mr. Speaker, I move that the House do now adjourn.

Mr. MANN. I make the point of order that that is dilatory.

Mr. SAUNDERS of Virginia. Mr. Speaker, I make the point of order that that motion is dilatory.

The SPEAKER. The Chair thinks it is clearly dilatory.

Mr. CRAMTON. There has been intervening business.

The SPEAKER. The question whether the motion to adjourn is dilatory, the Chair thinks, does not depend simply on the time that has elapsed or the business that has intervened. The question is whether the motion is really dilatory or not; and one of the decisions which the Chair thinks is entitled to great weight says that not only should the Chair himself be satisfied that the motion is dilatory, but that the Chair should be satisfied that the House is satisfied that it is dilatory. In the present instance the Chair thinks the House must be satisfied that the motion is dilatory, and the Chair sustains the point of order. [Applause.] The question is on ordering the previous question.

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. CRAMTON. Division, Mr. Speaker.

Mr. SAUNDERS of Virginia. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Virginia makes the point of order that no quorum is present. It is clear that no quorum is present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members. Those in favor of the previous question will, as their names are called, vote "yea," those opposed "nay." The Clerk will call the roll.

The question was taken; and there were—yeas 149, nays 99, answered "present" 2, not voting 179, as follows:

YEAS—149.

Ackerman	Edmonds	Jacoway	Oldfield
Alexander	Elston	Juul	Oliver
Almon	Evans, Mont.	Kelly, Pa.	Osborne
Andrews, Md.	Fess	Kitchin	Overstreet
Anthony	Fields	Lanham	Park
Babka	Fisher	Lankford	Parrish
Bankhead	Flood	Larsen	Pell
Black	Freeman	Longworth	Phelan
Bland, Mo.	French	Lufkin	Platt
Bland, Va.	Fuller, Ill.	Luhring	Pou
Blanton	Gallagher	McAndrews	Rainey, J. W.
Box	Gard	McArthur	Ramsey
Brinson	Garland	McDuffie	Randall, Calif.
Browning	Garner	McGlennon	Randall, Wis.
Buchanan	Garrett	McLane	Rayburn
Burroughs	Good	McLaughlin, Mich.	Riddick
Byrnes, S. C.	Graham, Pa.	McPherson	Robinson, N. C.
Byrns, Tenn.	Green, Iowa	MacGregor	Robsion, Ky.
Caraway	Griffin	Major	Romjue
Carss	Hadley	Mann	Rose
Cleary	Hardy, Tex.	Mansfield	Rowe
Coady	Harrison	Monahan, Wis.	Rubey
Connally	Hastings	Mondell	Sanders, La.
Darrow	Heflin	Montague	Saunders, Va.
Davey	Hernandez	Moore, Va.	Sears
Davis, Tenn.	Hickey	Moores, Ind.	Sells
Dewalt	Howard	Morgan	Sherwood
Dominick	Hudspeth	Morin	Small
Drane	Hulings	Mott	Smith, Idaho
Dupré	Hull, Iowa	Nelson, Mo.	Smith, Mich.
Eagan	Ireland	Newton, Minn.	Smithwick

Stedman	Towner	Watkins	White, Me.
Steenerson	Treadway	Watson, Va.	Woods, Va.
Stevenson	Upshaw	Weaver	Wright
Stiness	Vaile	Webster	Young, Tex.
Strong, Pa.	Venable	Welty	
Summers, Wash.	Volstead	Whaley	
Sumners, Tex.	Wason	White, Kans.	

NAYS—99.

Anderson	Emerson	Luce	Sisson
Aswell	Evans, Nebr.	McKeown	Smith, Ill.
Bacharach	Focht	McLaughlin, Nebr.	Steagall
Baer	Foster	Madden	Stephens, Ohio
Begg	Gandy	Mapes	Strong, Kans.
Bell	Glynn	Mays	Sweet
Benham	Greene, Mass.	Michener	Taylor, Colo.
Bland, Ind.	Hays	Mooney	Temple
Boles	Hersey	Moore, Ohio	Thomas
Brand	Hoch	Moore, Pa.	Thompson, Ohio
Briggs	Huddleston	Murphy	Tillman
Brooks, Pa.	Hutchinson	Newton, Mo.	Timberlake
Cannon	James	Nolan	Tincher
Chindblom	Jefferis	Ogden	Vestal
Christopherson	Johnson, Miss.	Quin	Vinson
Clark, Mo.	Johnson, S. Dak.	Radcliffe	Voigt
Cole	Kearns	Raker	Walsh
Cramton	Kleczka	Ramseyer	Walters
Crisp	Knutson	Rhodes	Welling
Dale	Kraus	Ricketts	Wheeler
Dallinger	LaGuardia	Rodenberg	Wilson, Ill.
Davis, Minn.	Lampert	Rogers	Wood, Ind.
Dickinson, Iowa	Layton	Shreve	Yates
Dunbar	Lehlbach	Sinclair	Young, N. Dak.
Elliott	Lesher	Sinnott	

ANSWERED "PRESENT"—2.

Crago	Reber

NOT VOTING—179.

Andrews, Nebr.	Dyer	Kelley, Mich.	Peters
Ashbrook	Eagle	Kendall	Porter
Ayres	Echols	Kennedy, Iowa	Purnell
Barbour	Ellsworth	Kennedy, R. I.	Rainey, H. T.
Barkley	Esch	Kettner	Reavis
Bee	Evans, Nev.	Kiess	Reed, N. Y.
Benson	Fairfield	Kincheloe	Reed, W. Va.
Blackmon	Ferris	King	Riordan
Booher	Fitzgerald	Kinkaid	Rouse
Bowers	Fordney	Kreider	Rowan
Britten	Frear	Langley	Rucker
Brooks, Ill.	Fuller, Mass.	Lazaro	Sabath
Browne	Gallivan	Lea, Calif.	Sanders, Ind.
Brumbaugh	Ganly	Lee, Ga.	Sanders, N. Y.
Burdick	Godwin, N. C.	Lever	Sanford
Burke	Goldfogle	Linthicum	Schall
Butler	Goodall	Little	Scott
Caldwell	Goodwin, Ark.	Lonergan	Scully
Campbell, Kans.	Goodykoontz	McClintic	Siegel
Campbell, Pa.	Gould	McCulloch	Sims
Candler	Graham, Ill.	McFadden	Slemp
Cantrill	Greene, Vt.	McKenzie	Smith, N. Y.
Carew	Griest	McKinley	Snell
Carter	Hamill	McKinley	Snyder
Casey	Hamilton	MacCrate	Steele
Clark, Fla.	Hardy, Colo.	Magee	Stephens, Miss.
Classon	Haskell	Maher	Sullivan
Collier	Haugen	Martin	Taylor, Ark.
Cooper	Hawley	Mason	Taylor, Tenn.
Copley	Hayden	Mead	Thompson, Okla.
Costello	Hersman	Merritt	Tilson
Crowther	Hicks	Miller	Tinkham
Cullen	Hill	Minahan, N. J.	Vare
Currie, Mich.	Holland	Moon	Ward
Curry, Calif.	Houghton	Mudd	Watson, Pa.
Dempsey	Hull, Tenn.	Neely	Webb
Denison	Humphreys	Nelson, Wis.	Williams
Dent	Husted	Nicholls, S. C.	Wilson, La.
Dickinson, Mo.	Igoe	Nichols, Mich.	Wilson, Pa.
Donovan	Johnson, Ky.	O'Connell	Wingo
Dooling	Johnson, Wash.	O'Connor	Winslow
Doremus	Johnston, N. Y.	Olney	Wise
Doughton	Jones, Pa.	Padgett	Woodyard
Dowell	Jones, Tex.	Paige	Zihlman
Dunn	Kahn	Parker	

So the previous question was ordered.

The following additional pairs were announced:

Until further notice:

Mr. DUNN with Mr. BLACKMON.

Mr. MCFADDEN with Mr. AYRES.

Mr. WARD with Mr. BRUMBAUGH.

Mr. WILLIAMS with Mr. DENT.

Mr. ZIHLMAN with Mr. HAYDEN.

Mr. REED of West Virginia with Mr. EAGLE.

The result of the vote was then announced as above recorded.

A quorum being present, the doors were opened.

The SPEAKER. The question is on the third reading of the bill.

Mr. CRAMTON. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. CRAMTON. At what stage of the proceedings is a motion to recommit in order?

The SPEAKER. After the third reading. The question is on the third reading of the bill.

The question was taken; and on a division (demanded by Mr. CRAMTON) there were 113 ayes and 44 noes.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of order that no quorum is present.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. SAUNDERS of Virginia) there were 172 ayes and 22 noes.

So the motion was agreed to; accordingly (at 4 o'clock and 43 minutes p. m.) the House adjourned until to-morrow, Friday, July 25, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Commerce, submitting a supplemental estimate of appropriations required by the Department of Commerce for enforcement of navigation laws and for purchase of materials for the Bureau of Standards, fiscal year 1920 (H. Doc. No. 160); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of State, submitting a supplemental estimate of appropriation required by the Department of State for salaries of ambassadors and ministers, 1920 (H. Doc. No. 161); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. FOCHT, from the Committee on War Claims, to which was referred the bill (H. R. 7030) for the relief of Martin Goldsmith, reported the same without amendment, accompanied by a report (No. 147), which said bill and report were referred to the Private Calendar.

Mr. PETERS, from the Committee on Naval Affairs, to which was referred the bill (H. R. 7767) to appoint Admiral William S. Benson, United States Navy, and Rear Admiral William S. Sims, United States Navy, as permanent admirals in the Navy, reported the same without amendment, accompanied by a report (No. 148), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 2991) granting a pension to Walter S. Reece, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. McDUFFIE: A bill (H. R. 7776) for the erection of a public building in the town of Monroeville, county of Monroe, Ala., and appropriating money therefor; to the Committee on Public Buildings and Grounds.

By Mr. HULINGS: A bill (H. R. 7777) to create a public-service corps to promote the public service and to provide for the national defense, and making an appropriation therefor; to the Committee on Military Affairs.

By Mr. FESS: A bill (H. R. 7778) for the investigation of influenza and allied diseases in order to determine their cause and methods of prevention; to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG of North Dakota: A bill (H. R. 7779) to repeal the act entitled "An act to promote reciprocal trade relations with the Dominion of Canada, and for other purposes," approved July 26, 1911, and for other purposes; to the Committee on Ways and Means.

By Mr. EMERSON (by request): A bill (H. R. 7780) providing for the substitution of the single-rail system as applied by the certain railway patents to the standard roads; to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK of Florida: A bill (H. R. 7781) to regulate the sale of deadly weapons in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MANN: A bill (H. R. 7782) authorizing the Secretary of War to donate to the city of Chicago, county of Cook, State of Illinois, two German cannons or fieldpieces, to be placed in West Pullman Park; to the Committee on Military Affairs.

By Mr. HERSMAN: A bill (H. R. 7783) to amend section 6 of the act of October 15, 1914, entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes"; to the Committee on the Judiciary.

By Mr. BARBOUR: A bill (H. R. 7784) to amend section 6 of the act of October 15, 1914, entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes"; to the Committee on the Judiciary.

By Mr. BACHARACH: A bill (H. R. 7785) to provide revenue for the Government, to establish and maintain in the United States the manufacture of laboratory glassware, laboratory porcelain ware, optical glass, scientific and surgical instruments; to the Committee on Ways and Means.

By Mr. CRISP: A bill (H. R. 7786) authorizing the Secretary of War to donate to the city of Cuthbert, Ga., one German cannon or fieldpiece, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 7787) authorizing the Secretary of War to donate to the city of Fort Gaines, Ga., one German cannon or fieldpiece, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 7788) authorizing the Secretary of War to donate to the city of Richland, Ga., one German cannon or fieldpiece, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 7789) authorizing the Secretary of War to donate to the city of Montezuma, Ga., one German cannon or fieldpiece, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 7790) authorizing the Secretary of War to donate to the city of Butler, Ga., one German cannon or fieldpiece, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 7791) authorizing the Secretary of War to donate to the city of Ellaville, Ga., one German cannon or fieldpiece, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 7792) authorizing the Secretary of War to donate to the city of Vienna, Ga., one German cannon or fieldpiece, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 7793) authorizing the Secretary of War to donate to the city of Fitzgerald, Ga., one German cannon or fieldpiece, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 7794) authorizing the Secretary of War to donate to the city of Ashburn, Ga., one German cannon or fieldpiece, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 7795) authorizing the Secretary of War to donate to the city of Americus, Ga., one German cannon or fieldpiece, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 7796) authorizing the Secretary of War to donate to the city of Shellman, Ga., one German cannon or fieldpiece, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 7797) authorizing the Secretary of War to donate to the city of Dawson, Ga., one German cannon or fieldpiece, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 7798) authorizing the Secretary of War to donate to the city of Lumpkin, Ga., one German cannon or fieldpiece, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 7799) authorizing the Secretary of War to donate to the city of Cordele, Ga., one German cannon or fieldpiece, with a suitable number of shells; to the Committee on Military Affairs.

By Mr. HAWLEY: A bill (H. R. 7800) providing for an amendment to paragraph (a) of section 628 of an act approved February 24, 1919, and entitled "An act to provide revenue, and for other purposes"; to the Committee on Ways and Means.

By Mr. CRISP: A bill (H. R. 7801) to promote the efficiency of the permanent Military Establishment of the United States, and for other purposes; to the Committee on Military Affairs.

By Mr. WHEELER: Resolution (H. Res. 198) providing for the appointment of a clerk to the Committee on Railways and Canals; to the Committee on Accounts.

By Mr. EMERSON: Joint resolution (H. J. Res. 159) to provide for an investigation into the causes of influenza and ascertain a cure for the same; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Missouri: A bill (H. R. 7802) granting an increase of pension to Jacob L. Hatfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7803) granting an increase of pension to Lula V. Wainwright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7804) for the relief of Denny Costello; to the Committee on Claims.

By Mr. CALDWELL: A bill (H. R. 7805) granting a pension to Lulu Roberts; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 7806) granting an increase of pension to Joseph Flewelling; to the Committee on Pensions.

By Mr. DOWELL: A bill (H. R. 7807) granting an increase of pension to Gideon J. Wire; to the Committee on Invalid Pensions.

By Mr. ELLIOTT: A bill (H. R. 7808) granting a pension to Emma Bridgett; to the Committee on Invalid Pensions.

By Mr. HICKEY: A bill (H. R. 7809) granting a pension to Louesa T. Dillen; to the Committee on Invalid Pensions.

By Mr. HILL: A bill (H. R. 7810) granting a pension to Harriet A. Wormuth; to the Committee on Invalid Pensions.

By Mr. HULINGS: A bill (H. R. 7811) granting a pension to Verna Hanmore; to the Committee on Pensions.

By Mr. JUUL: A bill (H. R. 7812) for the relief of Fred Schroeder; to the Committee on Claims.

By Mr. KEARNS: A bill (H. R. 7813) granting a pension to Margaret E. Ward; to the Committee on Pensions.

Also, a bill (H. R. 7814) to retain certain officers in the military service; to the Committee on Military Affairs.

By Mr. KING: A bill (H. R. 7815) granting a pension to Benjamin Franklin Brown; to the Committee on Pensions.

Also, a bill (H. R. 7816) granting a pension to David C. Liggett; to the Committee on Pensions.

By Mr. LUFKIN: A bill (H. R. 7817) for the appointment of Lieut. Thomas White to the permanent Dental Corps of the Navy; to the Committee on Naval Affairs.

By Mr. McFADDEN: A bill (H. R. 7818) granting an increase of pension to Benjamin W. Clark; to the Committee on Pensions.

By Mr. McPHERSON: A bill (H. R. 7819) granting an increase of pension to William Lathrop; to the Committee on Invalid Pensions.

By Mr. MAHER: A bill (H. R. 7820) for the relief of James Flanagan; to the Committee on Military Affairs.

By Mr. MORGAN: A bill (H. R. 7821) granting an increase of pension to James Reppeto; to the Committee on Invalid Pensions.

By Mr. NEWTON of Minnesota: A bill (H. R. 7822) granting an increase of pension to William B. Haslett; to the Committee on Pensions.

By Mr. OGDEN: A bill (H. R. 7823) granting an increase of pension to Franklin Harrod; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7824) granting an increase of pension to Peter Smith; to the Committee on Invalid Pensions.

By Mr. PLATT: A bill (H. R. 7825) granting an increase of pension to George Hopper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7826) granting an increase of pension to John Janenda; to the Committee on Pensions.

Also, a bill (H. R. 7827) for the retirement of Henry Steen; to the Committee on Military Affairs.

By Mr. REED of New York: A bill (H. R. 7828) granting a pension to Catherine Murphy; to the Committee on Invalid Pensions.

By Mr. REED of West Virginia: A bill (H. R. 7829) granting an increase of pension to Sebra Colrider; to the Committee on Invalid Pensions.

By Mr. RUCKER: A bill (H. R. 7830) granting an increase of pension to Smith E. Hubbard; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 7831) granting a pension to William F. Montgomery; to the Committee on Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 7832) granting a pension to John J. Sharp; to the Committee on Pensions.

Also, a bill (H. R. 7833) for the relief of M. M. Wallace; to the Committee on Claims.

By Mr. THOMPSON of Ohio: A bill (H. R. 7834) granting a pension to Jennie Kahn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7835) granting a pension to Anna M. Ort; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 7836) for the relief of the owner of the steam tug *Eureka;* to the Committee on Rules.

By Mr. WELLING: A bill (H. R. 7837) for the relief of John Gray; to the Committee on Military Affairs.

By Mr. ZIHLMAN: A bill (H. R. 7838) granting an increase of pension to Ida B. Welker; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the Polish Publishing Co. and Father Gordon Building & Loan Association, of Chicago, Ill., against Senate bill 2099, relating to newspapers and magazines printed in a foreign language; to the Committee on Printing.

Also (by request), petition of Italian branch of the Ladies' Waist and Dressmakers' Union, Local No. 25, of New York, urging the immediate recall of all American troops in Russia and the abandonment of attempts to secure special troops for service there; to the Committee on Military Affairs.

Also (by request), petition of Mystic Order Veiled Prophets of the Enchanted Realm, favoring legislation to assure the supremacy of the American flag over all other flags at public displays; to the Committee on the Library.

Also (by request), petition of John J. Mahoney, president of Division 14, Ancient Order of Hibernians, of Massachusetts, in favor of a league of nations; to the Committee on Foreign Affairs.

By Mr. BACHARACH: Petition of Burlington (N. J.) County Board of Agriculture and Farm Bureau, protesting against the Mondell bill for land grants for discharged soldiers; to the Committee on the Public Lands.

By Mr. BEGG: Petition of certain residents of Plain Township, Wood County, Ohio, asking for the extension of rural route No. 2, out of Bowling Green, Ohio, so that they may receive the benefits of rural free delivery; to the Committee on the Post Office and Post Roads.

By Mr. BROOKS of Pennsylvania: Petition of the Lancaster Bar Association, of Lancaster, Pa., against the abolition of the ninth internal-revenue district; to the Committee on the Post Office and Post Roads.

By Mr. CALDWELL: Petition of John W. Grabowski, soda-fountain owner, of Jamaica, Long Island, N. Y., protesting against tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. ESCH: Petition of Wisconsin Traffic League, urging immediate return of railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

Also, petition of National Women's Trade Union of America, supporting the Federal Trade Commission in its efforts to secure remedial legislation on the meat-packing industry; to the Committee on Agriculture.

Also, petition of Polish Publishing Co., of Chicago, Ill., opposing S. 2099; to the Committee on the Judiciary.

By Mr. FITZGERALD: Petition of the Lithuanian Weekly, of Boston, Mass., relating to the Poland Army in the Lithuanian territories; to the Committee on Foreign Affairs.

By Mr. GRAHAM of Illinois: Petition of sundry citizens of Rock Island, Ill., requesting repeal of taxes now levied on medicines and dental preparations under section 907 of the revenue act; to the Committee on Ways and Means.

By Mr. LINTHICUM: Petition of Eagle Manufacturing Co. (Inc.), Consolidated Engineering Co., T. Braden Silcott & Co., Kunkel Bros. & Co., M. Albert's Sons, Harry J. Mohr, W. P. Bird & Bro., Henry Fox, John Uhl, Myers & Houseman, Greer & Davis, all of Baltimore, Md., protesting against the Kenyon bill; to the Committee on Agriculture.

Also, petition of Howard Hubbard, of Baltimore, Md., urging the passage of S. 2253 or H. R. 7124, providing for the release of merchant vessels belonging to the United States from arrest and attachment in foreign jurisdiction, and for other purposes; to the Committee on the Judiciary.

Also, petition of Edward D. Noonan, of Baltimore, Md., favoring the resolution of Hon. WILLIAM E. MASON appropriating money for the appointment of a diplomatic representative to Ireland; to the Committee on Appropriations.

Also, petition of James A. Wright, of Baltimore, Md., favoring H. R. 5418, relating to increasing compensation for printers, pressmen, and bookbinders employed in the Government Printing Office; to the Committee on Printing.

By Mr. MACGREGOR: Petition of George B. Fisher, of East Buffalo, N. Y., against the Kendrick bill (S. 2199) and the Kenyon bill (S. 2202); to the Committee on Agriculture.

Also, petition of William S. Cogswell, brevet lieutenant colonel, of New York, urging that the flagship *Hartford* will be associated always with the genius and achievements of the Nation's great admiral, Farragut; to the Committee on Naval Affairs.

By Mr. McGLENNON: Petition of Junior Order United American Mechanics, Vigilant Council, No. 155, of Kearny, N. J., favoring a law allowing six months' pay to each soldier or sailor who served in the United States service in the World War; to the Committee on Military Affairs.

By Mr. REBER: Petition of Mr. Adam Adoureftus and Mr. Mutt Yourkineke, Shenandoah, Pa.; and Mr. Mat Buragas, Mr. John J. Miscavage, jr., and Mr. John J. Miscavage, sr., of Tamaqua, Pa., urging the United States to demand the withdrawal of Polish troops from Lithuanian territory, and to give to Lithuania a moral support in her war against Bolshevism; to the Committee on Foreign Affairs.

By Mr. WATSON of Pennsylvania: Petition of certain citizens of Pennsylvania concerning a bill for relief of the Sanitary Co. of America; to the Committee on Claims.

SENATE.

FRIDAY, *July 25, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to Thee in prayer that our inner life may conform to the spiritual fact, that we may be brought by Thy grace into conformity to Thy will, that our minds may work in accord with the divine law, that our consciences may respond to Thine own command, that our hearts may feel the touch of Thy love, that as men whose lives are God centered we may do the work of this day in Thy sight and with Thy blessing. We ask Thee to guide us. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

THE CLAIM OF CHINA.

Mr. SPENCER. Mr. President, I hold in my hand an official copy of the claim of China, submitting its reasons for asking for the abrogation of the Chinese-Japanese treaty as it was presented at Paris, and containing the 21 points that Japan has against China. It is a matter about which so much inquiry has developed that I ask that it be printed in the RECORD.

The VICE PRESIDENT. Is there objection?

Mr. KING. May I ask the Senator if it was not printed in the RECORD as a part of the remarks of the Senator from Arkansas [Mr. ROBINSON]?

Mr. SPENCER. I think not, and I do not think many Senators have seen it. I have yet to find anyone who has seen it as I showed it to him.

There being no objection, the paper was ordered to be printed in the RECORD, as follows:

THE CLAIM OF CHINA FOR THE ABROGATION OF THE TREATIES AND NOTES CONCLUDED WITH JAPAN ON MAY 25, 1915.

INTRODUCTORY.

"This claim submits for abrogation by the peace conference the set of treaties and notes made and exchanged by and between the Chinese Government and the Japanese Government on May 25, 1915. (See Appendix 4.)

"These treaties and notes—hereinafter referred to as the 'Treaties of 1915'—were signed by the Chinese Government under pressure of the series of demands known as the 21 demands presented by the Japanese Government on January 18, 1915, and enforced by the Japanese ultimatum delivered to the Chinese Government on May 7, 1915. (See Appendices 2 and 3.)

"Action by the peace conference in respect of these treaties of 1915 is claimed by China for reasons herein elaborated.

PART 1.

"FIRST INSTRUCTIONS" TO MR. HIOKI.

"1. On December 3, 1914, the Japanese minister at Peking, Mr. Hioki, was handed at Tokyo the text of the 21 demands for presentation to the Chinese Government. They were divided into five groups.

"In the 'First instructions given by Baron Kato [then Japanese minister for foreign affairs] to Mr. Hioki,' which were officially published at Tokyo on June 9, 1915 (see Appendix 1), Mr. Hioki was informed that 'In order to provide for the readjustment of affairs consequent on the Japan-German war and for the purpose of insuring a lasting peace in the Far East by strengthening the position of the [Japanese] Empire, the Imperial Government have resolved to approach the Chinese Government with a view to conclude treaties and agreements mainly along the lines laid down in the first four groups of the ap-

pended proposals [i. e., the 21 demands]. * * * Believing it absolutely essential for strengthening Japan's position in eastern Asia, as well as for the preservation of the general interest of that region, to secure China's adherence to the foregoing proposals, the Imperial Government are determined to attain this end by all means within their power. You are therefore requested to use your best endeavor in the conduct of the negotiations, which are hereby placed in your hands.'

"'As regards the proposals contained in the fifth group,' Mr. Hioki was informed that they were to be 'presented as the wishes of the Imperial Government,' but 'you are also requested to exercise your best efforts to have our wishes carried out.'

"It is important, however, to state that the proposals in this fifth group were presented to the Chinese Government as demands and not as 'wishes.'

JAPAN'S WAR AIM.

"2. Attention is directed here to these 'First instructions' to Mr. Hioki, because, studied in connection with other indications of Japanese policy in China, they point reasonably to the inference that Japan's dominant aim in the war against the Central Powers was the 'strengthening of Japan's position in eastern Asia' and the Japanese Government were 'determined to attain this end by all means within their power.'

"3. This reference to Japan's war aim is made because it appears desirable to place all the facts before the peace conference in order that a correct decision may be rendered, inter alia, on the pending claim of the Japanese Government for 'the unconditional cession of the leased territory of Kiaochow, together with the railways and other rights possessed by Germany in respect of Shantung Province.'

"If the real object for which Japan entered the war was less the destruction of German imperialism than the creation of a situation enabling her to strengthen her own 'position in eastern Asia by all means within her power,' it is legitimate for China—as the one of the Allied and Associated States that would suffer in the event of the success of the Japanese claim—to urge the rejection of this claim on the ground that Japan entered the war and envisaged its end in a sense at variance with the principles for which the Entente Allies and America have fought and conquered.

PRESENTATION OF THE TWENTY-ONE DEMANDS.

"4. Six weeks had elapsed from the date of the 'First instructions,' when it was decided that a suitable opportunity had occurred for the presentation of the twenty-one demands. This took place on January 18, 1915, following swiftly on the communication of a note from the Chinese minister for foreign affairs in reply to a dispatch from Mr. Hioki. The latter had written to state that the Japanese Government would not recognize the cancellation of the special military zone which the Chinese Government had delimited in connection with the operations of the Japanese forces besieging the small German garrison at Tsingtao within the leased territory of Kiaochow.

"5. This note from the Chinese minister for foreign affairs is the last of a series of six notes (these notes are included in the Appendices to the Memorandum relating to Kiaochow, filed by the Chinese delegation, and numbered 6, 7, 8, 9, 10, and 11) passing between him and Mr. Hioki. These notes dealt not only with the special military zone, but with the protest of the Chinese Government against the forcible and unnecessary seizure by the Japanese of the Trans-Shantung Railway, which dominates the Province of Shantung.

"The whole of this series of notes is important because they connect the twenty-one demands with the situation created in Shantung by the Japanese military authorities in their operations for the reduction of the German "fortress" of Tsingtao.

"This fortress was garrisoned by 5,250 German and Austrian regulars and reservists hastily assembled. Under the plea of military necessity the Japanese forces entered Chinese territory 150 miles to the rear of the 'stronghold.' In the land operations ensuing the Japanese had a total of 12 officers killed and 40 wounded and 324 rank and file killed and 1,148 wounded. In the naval operations one small cruiser was sunk by a mine and 280 of the crew perished. In addition to this disaster the Navy had 40 men killed and wounded.

"These figures are given not in any way to detract from the merit of Japan's principal military achievement during the war, but only to indicate what operations were actually involved in the fall of the fortress.

"6. The note from the Chinese minister for foreign affairs points out that two months have 'elapsed since the capture of Tsingtao; the basis of German military preparations has been destroyed; the troops of Great Britain have already been and those of your country are being gradually withdrawn. This shows clearly that there is no more military action in the special area, and that the said area ought to be canceled admits of no doubt. * * * As efforts have always been made to effect an amicable settlement of affairs between your country and ours, it is our earnest hope that your Government will act upon the principle of preserving peace in the Far East and maintaining international confidence and friendship.'

"7. Within 36 hours of the expression of this earnest hope of the Chinese Government, Mr. Hioki presented to the President of the Chinese Republic a series of demands which the Government and people of China viewed as an act of the same order of policy as the Austrian ultimatum to Serbia that had plunged Europe into war just 24 weeks before.

PART 2.

ANALYSIS OF THE 21 DEMANDS.

"8. An examination of these 21 demands shows that their ruling purpose was to impose on China a settlement not unlike in principle to the one imposed on Korea during the short period preceding the extinction of Korean independence.

Group I.

"9. Group I deals with the Province of Shantung, which is greater in area and in population than the whole of England, besides being a piece of China packed with memories of Confucius and hallowed as the cradle of Chinese culture.

"10. The first demand in this group insists on the Chinese Government engaging to 'give full assent to all matters upon which the Japanese Government may hereafter agree with the German Government relating to the disposition of all rights, interests, and concessions which Germany, by virtue of treaties or otherwise, possesses in relation to the Province of Shantung.'

"At the date of the 21 demands the 'rights, interests, and concessions' of Germany in Shantung included the leased territory of Kiaochow, with the harbor of Tsingtao, the trans-Shantung railway known as the Tsingtao-Chinan Railway or Kiaochow-Tsinanfu Railway, and other railway as well as mining rights in the Province.

"They were the fruits of 16 years of German aggression in Shantung Province, and their transfer to Japan means that the Teutonic methods, which enabled Germany to dominate and exploit the Province, will pass into the hands of a power with a great military base already standing on Chinese soil at Port Arthur.

RAILWAY DOMINATION OF NORTH CHINA.

"11. The meaning of this Japanese succession to German rights in Shantung is best illustrated in the railway situation arising out of Japan's exercise of two of the 'other railway rights' that were vested in Germany.

"Although Japan's claim now before the peace conference, in so far as it relates to China, is confined to the 'railways and other rights possessed by Germany in respect of Shantung Province,' she has pressed (in a set of secret agreement and notes concluded on Sept. 24, 1918) on China the acceptance of the view that her first demand in Group I—which is substantially repeated in her conference claim—covers the German rights to finance, construct, and supply the materials for two lines of railway running into the two other Provinces of Kiangsu and Chihli, though starting in Shantung.

"If the peace conference concede this Japanese claim, the following formidable situation will be created: Through the trans-Shantung Railway, with its western or inland terminus at the provincial capital of Chinanfu where it flanks the northern section of the Tientsin-Pukow Railway—built by the Germans—Japan will at once dominate the whole of Shantung as well as the northern half of this important trunk line. Then, by financing, constructing, and supplying the materials for the first of the aforesaid 'two lines of railway'—i. e., a line from the city of Kaomi, on the trans-Shantung Railway, to a point strategically dominating the southern or British constructed section of the same Tientsin-Pukow Railway—Japan will practically master the great railroad linking Tientsin (the port of Peking) and north China with the Yangtze Valley and south China.

"Next, by financing, etc., the second of the 'two lines of railway'—i. e., a line practically extending the trans-Shantung Railway from Chinanfu, where it will bisect the Tientsin-Pukow trunk line, to a point westward on the Peking-Hankow Railway—Japan will flank the other of the two trunk lines connecting Peking and north China with central and southern China. (It is important to note that the administration of a Japanese constructed railway in China goes far beyond that of any other foreign constructed railway in China, including even those constructed by Germany in Shantung. It means that the railway is practically manned by Japanese, to the exclusion even of Chinese; that the railway is policed by Japanese gendarmerie and is guarded by Japanese troops along its entire length. That is the danger.)

"And when it is borne in mind that Japan also controls the railway systems in south Manchuria and eastern inner Mongolia, the extent of Japan's railway domination of China north of the great line of the Yangtze will be realized.

"This fact also must be noted. It means the isolation of Peking, which will be cut off from central and southern China not only by land but by the sea route, owing to the Gulf of Pechihli—through which Peking can be reached via its port of Tientsin—being directly dominated by the Japanese at Port Arthur.

THE "STRATEGIC REAR" OF WEIHAIWEI.

"12. It is further interesting to note the connection between the third demand in Group I with this strategic situation based on Japan's contemplated railway domination in northern China. The demand requires 'the Chinese Government to agree to Japan's building a railway connecting Chefoo or Lungkow' with the trans-Shantung Railway.

"Look at the map of Shantung and it will at once be seen that, lying obliquely opposite to Port Arthur, is the leased territory of Weihaiwei which Great Britain occupied in order to redress the 'balance of power' in China when Russia seized Port Arthur.

"While China can not but view foreign occupation of Weihaiwei as well as of other leased territories in a sense derogating from her territorial integrity, it is important, even from the Chinese point of view to direct attention to the fact that the strategic value of Weihaiwei could be seriously impaired if the power in possession of Port Arthur were to control either Chefoo or Lungkow, both of which lie to the 'strategic rear' of the British leased territory.

Group II.

ANNEXATION AT WORK.

"13. The seven demands in Group II exact in favor of Japan and her nationals a series of preferential rights, interests, and privileges in South Manchuria and eastern inner Mongolia calculated at once to increase the existing difficulties which seriously hamper effective Chinese administration in these two areas and to develop a situation facilitating the extension thereto of the territorial system which has transformed Korea into a Japanese Province.

"Although all the demands in this group vitally affect the territorial integrity and independence of China in South Manchuria and eastern inner Mongolia, it must suffice here to direct attention only to the first demand which insists 'that the lease of Port Arthur and Dalny and the term of lease of the South Manchurian Railway and the Antung-Mukden Railway shall be extended to a period of 99 years.'

"The extension of these leaseholds means the perpetuation of an alien political system in South Manchuria that immediately menaces the territorial integrity and independence of China. Through Port Arthur—the most powerful citadel in continental Asia—and the commercial base of Dalny which is linked with the South Manchuria and Antung-Mukden lines, Japan politically and commercially dominates a region through which lies the 'historic road of invasions' into China. In the past Asiatic invaders have entered the country from the north; and it was through the Manchurian 'gate' that the last invaders crossed into the great plains of northern China. * * *

"History and a sense of realities seems to suggest a view of the Japanese system in South Manchuria that can not be reconciled with the security of the Chinese Republic. And the opposition between this system of Japan and the safety of China is made sharper by the demand in question. Instead of China regaining Port Arthur and Dalny in the year 1923, as stipulated in the original lease of these places, Japan will continue to retain them until the month of March in the 'eighty-sixth year of the Chinese Republic—that is to say, in the year 1997 of the Christian era" (English version of the treaties of 1915 officially published at Tokyo on June 9, 1915)—the precise month and year when Germany promised to 'return' Kiaochow to China.

Group III.

JAPAN'S IRON POLICY IN CHINA.

"14. Besides involving the violation of the territorial integrity and sovereignty of China in Shantung, South Manchuria, and eastern inner Mongolia, the 21 demands also encroach on Chinese economic independence by their exaction in Group III of an undertaking with respect to the Han-Yeh-Ping Co., or iron works, well calculated to lead to ultimate Japanese acquisition of the most important industrial enterprise in the Yangtze Valley.

"In its final form, as insisted upon in the Japanese ultimatum, the undertaking reads 'that if in future the Han-Yeh-Ping Co. and the Japanese capitalists agree upon cooperation, the Chinese Government, in view of the intimate relations subsisting between the Japanese capitalists and the said company, will forthwith give its permission. The Chinese Government further agree not to confiscate the said company, nor without the consent of the Japanese capitalists to convert it into a State enterprise, nor cause it to borrow and use foreign capital other than Japanese.'

TWO JAPANESE STATEMENTS.

"15. That the economic policy expressed in this Han-Yeh-Ping undertaking means Japanese control of China's natural resources is made clear by two recent Japanese statements. In a pamphlet lately issued in Paris by Baron Makino, then acting senior member of the Japanese peace delegation, the declaration is made that 'China has the raw material; we have need for raw material and we have the capital to invest with China in its development for use by ourselves as well as by China.' This same point was emphasized in an address delivered by Viscount Uchida, the present Japanese minister for foreign affairs, at the opening of the Diet at Tokyo last January:

"'We have to rely,' the minister declared, 'in a large measure, upon rich natural resources in China in order to assure our own economic existence.'

"China does not admit that her natural resources are necessary to assure the economic existence of Japan any more than the 'natural resources' of Alsace-Lorraine were necessary to assure the economic existence of Germany.

Group IV.

"16. The single demand in Group IV required the Chinese Government to 'engage not to cede or lease to any other power any harbor or bay on or any island along the coast of China.'

"In insisting on this demand Japan represented her objects to be the more effective preservation of the 'territorial integrity of China.' It will be seen, however, that the demand is worded in a sense apparently excluding Japan from the category of powers in whose favor the Chinese Government engage not to violate the territorial integrity of China. As a result of the Chinese Government's objection to a demand worded in such a dangerously ambiguous sense the Japanese ultimatum called for a declaration by China that 'no bay, harbor, or island along the coast of China may be ceded or leased to any power.'

Group V.

"17. Finally, we come to the set of seven demands known as Group V. It is an open secret that the existence of these demands was not admitted by Japan when public attention was first drawn to them, and that they were not included in the Japanese communication replying to an inquiry of the great powers regarding the nature and the terms of the 21 demands.

"By this group of demands 'influential Japanese' were to be engaged by the Chinese Government 'as advisers in political, financial, and military affairs.' 'The police departments of important places (in China)' were to be 'jointly administered by Japanese and Chinese, or the police departments of these places' were to 'employ numerous Japanese.' 'China' was to 'purchase from Japan a fixed amount of munitions of war (say, 50 per cent or more) of what is needed by the Chinese Government, or there shall be established in China a Chino-Japanese jointly worked arsenal. Japanese technical experts are to be employed and Japanese material to be purchased.'

"In other words, the Chinese Army, with its illimitable possibilities in man power, was to be organized and controlled by influential Japanese military 'advisers' and was to be equipped and supplied with arms and munitions of Japanese pattern and manufacture.

"18. Railway rights were also demanded in this Group V which 'conflicted with the Shanghai-Hangchow-Ningpo railway agreement of March 6, 1908, the Nanking-Changsha railway agreement of March 31, 1914, and the engagement of August 24, 1914, giving preference to British firms for the projected line from Nanchang to Chaochowfu. For this reason the Chinese Government found themselves unable to consider the demand, though the Japanese minister, while informed of China's engagements with Great Britain, repeatedly pressed for its acceptance.' (Chinese official statement.)

JAPANESE MISSIONARY PROPAGANDA.

"19. Two of the demands in this Group V related to the acquisition of land for schools, hospitals, and temples, as well as to the right of missionary propaganda. They presented, 'in the opinion of the Chinese Government, grave obstacles * * * the religions of the two countries are identical, and therefore the need for a missionary propaganda to be carried on in China by Japanese does not exist. The natural rivalry between Chinese and Japanese followers of the same faith would tend to create incessant disputes and friction. Whereas western missionaries live apart from the Chinese communities among which they labor, Japanese monks would live with the Chinese, and the

similarity of their physical characteristics, their religious garb, and their habits of life would render it impossible to distinguish them for purposes of affording the protection which the Japanese Government would require should be extended to them under the system of extraterritoriality now obtaining in China.' (Chinese official statement.)

"Moreover, there was the fear that the 'Japanese monks' might under the guide of missionary propagandists, carry on a political propaganda inconsistent with the maintenance of China's independence.

"A FOREIGN POWER" IN FUKIEN.

"20. A short reference must be made to the demand in this group relating to the Province of Fukien, the acceptance of which—as mentioned in the next section—was included in the Japanese ultimatum, although, according to the 'first instructions' to Mr. Hioki, it was to be presented not as a demand but as a 'wish.'

"The province happens to be the part of China lying nearest to—but at some distance from—the island of Formosa (see map facing p. 6) which was ceded to Japan as a result of her successful war against China in 1894–95. This geographical propinquity is serving as a basis for certain Japanese claims respecting Fukien. One of these claims is that Japan has a sort of right of vetoing any attempt on the part of China to utilize and develop, with foreign capital, the natural facilities on any part of the Fukien coast as a 'shipyard, military coaling station, naval station, or any other military establishment.'

"In the Japanese note relating to Fukien, which is included among the annexes to the treaties of 1915, specific reference is made to a reported intention of the Chinese Government permitting 'a foreign power' (English version of the treaties of 1915 officially published at Tokyo on June 9, 1915) to build a shipyard, etc., in the province. In the course of the discussion on this demand concerning Fukien, the Japanese representative justified its presentation on the ground that his Government understood that the United States was interested in some form of development work in the Province.

MEANING OF "POSTPONED FOR LATER NEGOTIATION."

"21. It is true that, with the exception of the demand relating to Fukien, this Group V was 'postponed for later negotiation' and its acceptance was not demanded in the ultimatum by which Japan stopped further discussion of the 21 demands and insisted on the acceptance of the demands in Groups I, II, III, and IV, subject to certain unimportant verbal variations.

"The ultimatum was delivered to the Chinese Government on May 7, 1915, with the warning that 'in case the Imperial [Japanese] Government fail to receive from the Chinese Government, before 6 p. m. of May 9, satisfactory response to their advice they will take such independent action as they may deem necessary to meet the situation' (English version of the ultimatum officially published at Tokyo on June 9, 1915).'

"Although this postponement of Group V for 'later negotiations' was alleged by the Japanese Government to be 'mark of their good will toward the Chinese Government,' it is known that this course followed representations made to Japan by other powers. The Japanese Government, nevertheless, insisted that the Chinese Government should specifically state in their reply to the ultimatum that Group V had been 'postponed for later negotiation.'

"22. This statement of the case would be incomplete unless it were noted that, since the date of the ultimatum, Japanese policy in China apears to be expressing itself in terms of the specific principles worked out in these demands in Group V 'postponed for later negotiation.'

M. KRUPENSKY'S TESTIMONY.

"23. What Japan means by postponing Group V 'for later negotiation' is made plain by M. Krupensky, Russian ambassador at Tokyo, in two dispatches written by him to his home Government. These dispatches were included among the documents found in the archives of the Russian foreign office and published by the Russian revolutionary government on November 22, 1917.

"M. Krupensky's first dispatch is dated October 16, 1917, and reads as follows:

"'In reply to my question as to the credibility of the rumors alleging that Japan is prepared to sell to the Chinese Government a considerable quantity of arms and munitions, Viscount Motono [then Japanese minister for foreign affairs] confirmed them, and added that the Peking Government had promised not to use the arms against the southerners. It was evident from the minister's words, however, that this promise possessed only the value of a formal justification of this sale, infringing as the latter does the principle of nonintervention in the internal Chinese feuds, proclaimed by Japan herself. * * * It is most likely that the Japanese are aiming principally at obtaining the privilege of rearming the entire Chinese Army, and at making China dependent in the future on Japanese arsenals and the supply of munitons from Japan. The arms to be supplied are estimated at 30,000,000 yen. At the same time, Japan intends establishing an arsenal in China for the manufacture of war materials.'

M. KRUPENSKY'S SECOND DISPATCH.

"The other dispatch is dated October 22, 1917. It is a document of exceptional value, written as it is by one of the ablest members of the Russian diplomatic service, with a great knowledge of both Chinese and Japanese affairs. Before he was appointed to the Russian Embassy at Tokyo, M. Krupensky was Russian minister at Peking; indeed, he filled this office at the time when the 21 demands were presented and negotiated in 1915.

"After remarking that the reported American recognition of Japan's special position in China—then under negotiation at Washington—will 'inevitably lead in the future to serious misunderstandings between us (Russia) and Japan,' the document continues:

"The Japanese are manifesting more and more clearly a tendency to interpret the special position of Japan in China, *inter alia*, in the sense that other powers must not undertake in China any political steps without previously exchanging views with Japan on the subject—*a condition that would to some extent establish a Japanese control over the foreign affairs of China.* [It will be remembered that one of the decisive acts preceding the annexation of Korea was the conclusion of the Japan-Korea treaty of November 17, 1905, vesting in the Japanese Government the direction and control of the foreign affairs of Korea.] On the other hand, the *Japanese Government does not attach much importance to its recognition of the principle of the open door and the integrity of China*, regarding it as merely a repetition of the assurance repeatedly given by it earlier to other powers, and implying no new restrictions for the Japanese policy in China. It is, therefore, quite possible that at some future time there may arise in this connection misunderstanding between the United States and Japan. The minister for foreign affairs confirmed to-day, in conversation with me, that in the negotiations by Viscount Ishii [at Washington] the question at issue is not some special concession to Japan in these or other parts of China, but *Japan's special position in China as a whole*' [italics added].

JAPAN AND THE LANSING-ISHII AGREEMENT.

"24. In a third dispatch written to the Russian Government under date of November 1, 1917, M. Krupensky explained what the Japanese Government thought regarding the possibility of misunderstanding in the interpretation of the Lansing-Ishii agreement, which recognized Japan's 'special position' and 'special interests' in China. Reporting that he had asked Viscount Motono, Japanese minister for foreign affairs, 'whether he did not fear that in the future misunderstandings might arise from the different interpretations by Japan and the United States of the terms "special mission" and "special interests" of Japan in China,' M. Krupensky stated: 'I gain the impression from the words of the minister that he is conscious of the possibility of misunderstandings in the future, but is of the opinion that in such a case Japan would have better means at her disposal for carrying into effect her interpretation than the United States.'

"The Chinese Government, when furnished with copies of these notes, lodged at Washington and at Tokyo a declaration to the effect that China, having adopted toward friendly nations the principle of justice, equity, and respect for treaty rights, and recognizing special relations created by territorial propinquity only so far as expressed in treaties, would not permit herself to be bound by any agreement made between other nations.

"The interpretation which the United States Government gives to the notes can be inferred from its statement, accompanying the publication of these notes, that these notes 'not only contain a reaffirmation of the open-door policy but also introduce a principle of noninterference with the sovereignty and territorial integrity of China, which, generally applied, is essential to perpetual international peace, as has been so clearly declared by President Wilson.'

PART 3.

ABROGATION OF TREATIES OF 1915.

"25. It is submitted that the treaties and notes signed and exchanged by and between the Chinese and Japanese Governments on May 25, 1915, as a result of the negotiations connected with the 21 demands and of the Japanese ultimatum of May 7,

1915, are and do constitute one entire transaction or settlement arising out of and connected with the war between the allied and associated States and the Central Powers.

"An essential feature of this transaction is the set of demands relating to the Province of Shantung and insisting on the right of Japan to succeed to the leased territory of Kiaochow and the other 'rights, interests, and concessions' of Germany in the Province.

"That this essential feature of the transaction can only be settled by the peace conference is clearly admitted by the Japanese Government, because they have submitted to the conference a claim for 'the unconditional cession of the leased territory of Kiaochow, together with the railways and other rights possessed by Germany in respect of Shantung Province.'

"It follows, therefore, the entire transaction or settlement of which this Shantung claim of Japan forms an essential feature is a matter directly arising out of the war and within the purview of the peace conference and necessarily subject to its revisionary action.

WAR CHARACTER OF TREATIES OF 1915 EMPHASIZED.

"26. The war character of these treaties of 1915 is further attested by the opening sentence of the 'First Instructions' to Mr. Hioki, which reads: 'In order to provide for the readjustment of affairs consequent on the Japan-German war and for the purpose of insuring a lasting peace in the Far East by strengthening the position of the [Japanese] Empire, the Imperial Government have resolved to approach the Chinese Government with a view to conclude treaties and agreements mainly along the lines laid down in the first four groups of the appended proposals.'

"The Japanese ultimatum [English version of the ultimatum published at Tokyo] also begins with a sentence, emphasizing that the demarche is due to the desire of Japan 'to adjust matters to meet the new situation created by the war between Japan and Germany * * *.'

TREATIES OF 1915 SIGNED UNDER COERCION.

"27. The fact that these treaties of 1915 were signed by the Chinese Government of the day does not remove them from the scope of the revisionary authority of the peace conference. Nor can the same operate as an estoppel against China in her claim to be released from them. These treaties were signed by the Chinese Government under coercion of the Japanese ultimatum of May 7, 1915, and in circumstances entirely excluding any suggestion that China was a free and consenting party to the transaction embodied in them.

ABROGATION INVOLVES NO INJUSTICE OR UNFAIRNESS TO JAPAN.

"28. The abrogation of the treaties of 1915 necessarily carries with it the rejection of the pending Japanese claim for the unconditional cession of the German system in Shantung.

"On this point, the submission is made that no injustice or unfairness will be done to Japan in denying her claim to perpetuate German aggression in Shantung. Nor will Japan's failure in this respect place her in a position inferior to that of any of the other powers in 'territorial propinquity' to China, even assuming—which China does not admit—that Japan's 'territorial propinquity' entitles her to claim a 'special position' in China which has never been claimed by Great Britain and France, although their respective Asiatic possessions are also 'contiguous' to the territory of the Chinese Republic.

HOW CHINA WAS PREVENTED FROM INTERVENING IN THE WAR.

"29. It is also submitted that but for the attitude of Japan—inspired largely, it seems, by her desire to replace Germany in Shantung—China would have been associated with the Allies in August, 1914, and again in November, 1915, in the struggle against the Central Powers.

"In August, 1914, the Chinese Government expressed their desire to declare war against Germany and to take part in the Anglo-Japanese operations against the German garrison at Tsingtao. The proposal was not pressed, owing to the intimation reaching the Chinese Government that the proposed Chinese participation was likely to create 'complications' with a certain power.

"Again in November, 1915, the Chinese Government expressed their desire to enter the war in association with the Allies, but the Japanese Government opposed the proposal.

"Eventually, however, the Chinese Government addressed a note of warning to Germany on February 9, 1917, severed diplomatic relations with the latter on March 14 following, and finally declared war against Germany and Austria on August 14, 1917—the opposition of the Japanese Government having been removed in the circumstances indicated in another dispatch written by M. Krupensky to the Russian Government on February 8, 1917, reporting on his efforts to induce Japan to withdraw her opposition to China's entry into the war on the side of the Allies (vide, infra, sec. 34). (In this connection it is right to note China's war services and offer of man power to the Allies and America. During the war a large contingent of Chinese workers labored for the Allies behind the battle lines in northern France. They eventually numbered 130,678. Not a few of them were killed or wounded by enemy operations. In addition to these workers in France a large number were employed in connection with the British operations in Mesopotamia and German East Africa, and the crews of quite a considerable number of British ships consisted of Chinese seamen.

"(Besides placing at the disposal of the allied Governments nine steamers, which were greatly needed for the Chinese export trade, the Chinese Government offered to dispatch an Army of 100,000 to reenforce the man power of the allied and associated States in France. The offer was favorably entertained by the interallied council in Paris, but owing to allied inability to supply the necessary tonnage for transport the proposal eventually could not be carried out.)

"30. Further, it is reasonable to point out that if Japan had not occupied it the leased territory of Kiaochow would in any event have been directly restored to China as one of the States associated with the allied powers and the United States in the war against the Central Powers.

THE CONGRESS OF BERLIN.

"31. The submission is further made that in addition to the foregoing reasons there are precedents justifying the peace conference in dealing with the treaties of 1915 in the sense of abrogation.

"The Congress of Berlin is an instance of the great powers, acting as a whole and collectively, revising a treaty concluded between two States, i. e., Russia and Turkey, for a variety of reasons, but mainly because the settlement dictated by Russia at San Stefano was deemed ultimately to endanger the peace of Europe.

"It is urged that the settlement dictated by Japan at Peking in 1915 endangers directly the peace of far Asia, and ultimately the peace of the world.

A CONFERENCE RULING.

"32. There are two other arguments against the validity of the treaties of 1915. One is based on a ruling of the conference and the other on the lack of finality affecting the treaties.

"By article 1 of the 'treaty respecting the Province of Shantung' (see Appendix 4), which embodies the first of the 21 demands, the Chinese Government engage to recognize any agreement concluded between Japan and Germany respecting the disposition of the latter's 'rights, interests, and concessions' in the Province, and in the notes exchanged regarding Kiaochow (see p. 36) Japan subjects the restoration of the leased territory to the condition inter alia—that 'a concession under the exclusive jurisdiction of Japan [is] to be established at a place designated by the Japanese Government.'

"As regards this article 1 of the treaty, it is important to emphasize the point that Japan is debarred from negotiating separately with Germany in respect of the latter's system in Shantung owing to the decision of the conference to deal with German 'territories and cessions' without consulting Germany.

"On this view it is plain that Japan is not in a position to agree with Germany regarding the 'free disposal' of Kiaochow and that the article in question should be deemed inoperative.

AN ILLUSORY RESTORATION OF KIAOCHOW.

"The same objection applies to the notes exchanged. And even if this were not so, the illusory character of the restoration of Kiaochow contemplated in them would be a proper matter for the consideration of the peace conference in deciding on Japan's claim for the unconditional cession of Kiaochow and the rest of the German system in Shantung.

"The chief value of Kiaochow lies partly in the harbor of Tsingtao and partly in an area dominating the finest anchorage of that harbor, which has been delimited by the Japanese Government and is already reserved for exclusive Japanese occupation under Japanese jurisdiction, no one other than Japanese being permitted to hold land within its boundaries.

"This delimited area, presumably, is the 'place to be designated by the Japanese Government' as 'a concession under the exclusive jurisdiction of Japan.' The restoration of Kiaochow to China, with retention of Japan of the area dominating it, would be the restoration of the 'shadow' of this 'place in the sun' and the retention of its substance by Japan.

LACK OF FINALITY.

"33. Since the date of the treaties of 1915, even Japan has acted on the assumption that they are lacking in finality.

"It is evident that the scheme worked out in the 21 demands and in the treaties of 1915 demanded for its permanance the assent of the great powers with whom Japan was and is under agreement guaranteeing the independence and integrity of China.

"Accordingly, the Japanese Government secured the conclusion of two treaties with Russia in the summer of 1916 (see Appendix 5). One was made public and before its signature was communicated to the British Government. But the other was a secret treaty, consisting of six articles, whereof the last provided that the 'present convention shall be kept in complete secrecy from everybody except the two high contracting parties.' (Commenting on the treaties in its issue of December 24, 1917, a great organ of British public opinion pointed out that there were considerable differences between the public and secret documents: 'The public treaty professes to aim at maintaining a lasting peace in the Far East and makes no reference to China; the secret treaty is not concerned with peace, but with the interests of both contracting powers in China. * * * The public treaty indicates consultation between the contracting parties as to the measures to be taken; the secret treaty points to military measures and is definitely a military alliance.')

"If these significant documents are to be interpreted accurately, they must be studied, particularly the secret treaty, in connection with the Anglo-Japanese treaty of alliance of July 13, 1911. The latter provides, in article 3, that 'the high contracting parties agree that neither of them will, without consulting the other, enter into separate arrangement with another power to the prejudice of the objects described in the preamble of this agreement.' One of these objects is defined to be 'the preservation of the common interests of all powers in China by insuring the independence and integrity of the Chinese Empire and the principle of equal opportunities for the commerce and industry of all nations in China.'

"It is obvious that this specific object of the Anglo-Japanese treaty would be infringed by the political domination of China or any portion the territory of the Chinese Republic by either or both of the contracting parties to the secret Russo-Japanese treaty. And yet this secret treaty in article 1, fails to provide against the 'political domination of China' by either or both Japan and Russia, although a secret military alliance is definitely made by the two powers against the 'political domination of China by any third power.'

"A further comment may be added. Article 2 of the public treaty provides for consultation between Japan and Russia in case their territorial rights or special interests in the Far East be threatened. The specific reference to China in the secret treaty shows that the 'special interests' of the parties contemplated were those recognized by each other as existing in China. There can be no question whatever that under the treaties of 1915 Japan secured valuable territorial rights and special interests in great regions of China, like south Manchuria, eastern inner Mongolia, and Shantung. Indeed, the cumulative effect of these treaties of 1915 is to center in the hand of Japan a 'political domination of China' conflicting with the preamble of the Anglo-Japanese alliance.

FURTHER NEGOTIATIONS WITH RUSSIA.

"34. Further negotiations between Japan and Russia are reported in another dispatch written by M. Krupensky to Petrograd under date of February 8, 1917.

"The ambassador was reporting on his efforts to induce Japan to withdraw her opposition to China's entry into the war on the side of the Allies. After stating that he never omitted 'an opportunity for representing to [Viscount Motono] the Japanese minister for foreign affairs the desirability in the interests of Japan herself of China's intervention in the war' and that the minister had promised 'to sound the attitude of Peking without delay,' M. Krupensky reported that—

"'On the other hand, the minister pointed out the necessity for him, in view of the attitude of Japanese opinion on the subject, as well as with a view to safeguard Japan's position at the future peace conference, *if China should be admitted to it* (italics added), of securing the support of the Allied Powers to the desires of Japan in respect of Shantung and the Pacific Islands. These desires are for the succession to all the rights and privileges hitherto possessed by Germany in the Shantung Province and for the acquisition of the islands to the north of the equator which are now occupied by the Japanese. Motono plainly told me that the Japanese Government would like to receive at once the promise of the Imperial (Russian) Government to support the above desires of Japan.'

"'In order to give a push,' the ambassador added persuasively, 'to the highly important question of a break between China and Germany I regard it as very desirable that the Japanese should be given the promise they ask.'

THE RUSSIAN PROMISE.

"35. This promise was given in the following communication, dated at 'Tokyo, le 20 février/5 mars 1917:

"'En réponse à la notice du Ministère des Affaires Etrangères du Japon, en date du 19 février dernier, l'Ambassade de Russie est chargée de donner au Gouvernement Japonais l'assurance qu'il peut entièrement compter sur l'appui du Gouvernement Impérial de Russie par rapport à ses desiderata concernant la cession éventuelle au Japon des droits appartenant à l'Allemagne au Chantoung et des îles allemandes occupées par les forces japonaises dans l'Océan Pacifique au nord de l'équateur.'

"36. It is reasonable to suggest that if Japan had at this date regarded, in a sense of finality, the settlement imposed on China in 1915, there would have been no necessity for Japan to insist on allied support of her claim regarding Shantung at the future peace conference.

OTHER ALLIED PROMISES.

"37. The same remark applies to the other promises of support secured by the Japanese Government from Great Britain on February 16, 1917; from France, on March 1, 1917; and from Italy, whose minister for foreign affairs verbally stated on March 28, 1917, that 'the Italian Government had no objection regarding the matter.'

"Without attempting to express here the Chinese sense of disappointment at the conclusion of these agreements at a time when China was definitely aligning herself with the allied and associated States in the struggle against the Central Powers, it is pertinent to state that, in the view of the Chinese Government, these allied promises to Japan in so far as they relate to China can not be deemed binding on Great Britain, France, and Italy on the main ground that China's subsequent entry into the war on August 14, 1917, in association with the Allies and the United States involved such a vital change of the circumstances existing at the dates of the respective promises and of the situation contemplated therein that the principle of *rebus sic stantibus* necessarily applies to them.

DISCLAIMER BY CHINESE GOVERNMENT.

"38. That the Chinese Government also regarded the treaties of 1915 as lacking in finality is clear from the disclaimer registered in their official statement on the negotiation connected with the 21 demands.

"Although threatened by the presence of large bodies of troops dispatched by the Japanese Government to South Manchuria and Shantung—whose withdrawal the Japanese minister at Peking declared, in reply to a direct inquiry by the Chinese Government, would not be effected 'until the negotiations could be brought to a satisfactory conclusion'—the Chinese Government issued an official statement immediately after this 'satisfactory conclusion' had been effected under pressure of the ultimatum of May 7, 1915, declaring that they were 'constrained to comply in full with the terms of the ultimatum, but in complying the Chinese Government disclaimed any desire to associate themselves with any revision, which may be effected, of the various conventions and agreements concluded between other powers in respect of the maintenance of China's territorial independence and integrity, the preservation of the *status quo*, and the principle of equal opportunity for the commerce and industry of all nations in China.'

A "UNILATERAL NEGOTIATION."

"39. The foregoing declaration was preceded by an account of the manner in which the negotiations had been conducted or, more accurately, dictated by Japan. It was shown how, faced by 21 demands of a powerful government 'determined to attain this end by all means within their power' and at a selected moment when three of the powers—with whom Japan had severally guaranteed the independence and integrity of China—were engaged in a deadly struggle with the Germanic Kingdoms, China was compelled to enter into a singularly unequal negotiation with Japan.

"It was a negotiation in which the number and virtually the personnel of China's representatives were dictated to her. It was a negotiation in which Japan refused to have official minutes of the proceedings kept as proposed by China, with the result that the Japanese and Chinese representatives differed in their respective records of important declarations made by the latter, and, on the basis of some of these differences, the Japanese Government in their ultimatum accused the Chinese Government of 'arbitrarily nullifying' statements alleged to have been made—but in fact never made—by the senior Chinese

representative. It was a negotiation in the course of which—these are the words of the Chinese official statement issued at the time—'the Japanese minister twice suspended the conferences, obviously with the object of compelling compliance with his views on certain points at the time under discussion.' In a word, it was a negotiation in which Japan dominated and dictated the course and the terms of the discussion.

PROTEST BY UNITED STATES GOVERNMENT.

"40. Presumably it was as much this element of harshness as the subject matter of the negotiation which moved the Government of the United States concurrently to address to the Chinese and Japanese Governments, four days after the delivery of the ultimatum to China, the following identic note:

"'In view of the circumstances of the negotiations which have taken place and which are now pending between the Government of China and the Government of Japan and of the agreements which have been reached as a result thereof, the Government of the United States has the honor to notify the Government of the Chinese Republic [Japan], that it can not recognize any agreement or undertaking which has been entered into between the Governments of China and Japan impairing the treaty rights of the United States and its citizens in China, the political or territorial integrity of the Republic of China or the international policy relative to China commonly known as the open-door policy. An identical note has been transmitted to the Japanese [Chinese] Government.'

CONCLUSION.

"Summing up the foregoing arguments, it is submitted that they establish the claim of China for the abrogation of the treaties of 1915—

"I. Because these treaties are and constitute one entire transaction or entity arising out of the war and they attempt to deal with matters whose proper determination is entirely a right and interest of the peace conference;

"II. Because they contravene the allied formula of justice and principles now serving as the guiding rules of the peace conference in its task of working out a settlement of the affairs of nations in order to prevent or minimize the chances of war in the future;

"III. Because, specifically, they violate the territorial integrity and political independence of China as guaranteed in the series of conventions and agreements severally concluded by Great Britain, France, Russia, and the United States with Japan;

"IV. Because they were negotiated in circumstances of intimidation and concluded under the duress of the Japanese ultimatum of May 7, 1915; and

"V. Because they are lacking in finality, being so regarded by Japan who sought to make them final by negotiating—before China was suffered to enter the war in association with the Allies and the United States—a set of secret agreements at variance with the principles accepted by the belligerents as the basis of the peace settlement."

"APPENDICES.

"No. 1.

"INSTRUCTIONS HANDED AT TOKYO ON DECEMBER 3, 1914, BY BARON KATO TO MR. HIOKI IN CONNECTION WITH THE TWENTY-ONE DEMANDS AND OFFICIALLY PUBLISHED AT TOKYO ON JUNE 9, 1915.

"*First instructions given by Baron Kato to Mr. Hioki.*

"In order to provide for the readjustment of affairs consequent on the Japan-German war and for the purpose of ensuring a lasting peace in the Far East by strengthening the position of the Empire, the Imperial Government have resolved to approach the Chinese Government with a view to conclude treaties and agreements mainly along the lines laid down in the first four groups of the appended proposals. Of these, the first group relates to the settlement of the Shantung question, while the second group has for its chief aim the defining of Japan's position in south Manchuria and eastern inner Mongolia—that is to say, securing at this time from the Chinese Government full recognition of Japan's natural position in these regions, absence of which has hitherto been the cause of various questions tending to estrange the feelings of the two peoples toward each other. The object of the third group is to safeguard the best interest of the Han-Yeh-Ping Co., with which Japanese capitalists are closely identified. It will thus be seen that there is nothing especially new in our proposals embodied in the foregoing three groups, while as regards the fourth group, it is only intended to emphasize the principle of China's territorial integrity, which has been so often declared by the Imperial Government.

"Believing it absolutely essential for strengthening Japan's position in Eastern Asia as well as for preservation of the general interests of that region to secure China's adherence to the foregoing proposals, the Imperial Government are determined to attain this end by all means within their power. You are, therefore, requested to use your best endeavor in the conduct of the negotiations, which are hereby placed in your hands.

"As regards the proposals contained in the fifth group, they are presented as the wishes of the Imperial Government. The matters which are dealt with under this category are entirely different in character from those which are included in the first four groups. An adjustment at this time of these matters, some of which have been pending between the two countries, being nevertheless highly desirable for the advancement of the friendly relations between Japan and China as well as for safeguarding their common interests, you are also requested to exercise your best efforts to have our wishes carried out.

"It is very likely that in the course of these negotiations the Chinese Government desire to find out the attitude of the Imperial Government on the question of the disposition of the leased territory of Kiaochow Bay. If the Chinese Government will accept our proposals as above stated, the Imperial Government may, with due regard to the principle of China's territorial integrity and in the interest of the friendship of the two countries, consider the question with a view to restoring the said territory to China in the event of Japan's being given free hand in the disposition thereof as the result of the coming peace conference between Japan and Germany. As, however, it will be absolutely necessary, in restoring the said territory to China, to lay certain conditions such as the opening of the territory for foreign trade, establishment of a Japanese settlement, etc., you will ask for further instructions when you propose to declare to the Chinese Government the willingness of the Imperial Government to consider the question.

"[N. B. Here follow the 'appended proposals' or twenty-one demands, divided into five groups, for a translation of which from the Chinese text, vide Appendix 2.]

"No. 2.

"JAPAN'S 21 DEMANDS.

"*Japan's original demands, handed to His Excellency the President Yuan-Shih-kai by His Excellency, Mr. Hioki, the Japanese Minister to China, on January 18, 1915, translated from the Chinese text and published by the Chinese Government at Peking in June, 1915.*

"I.

"The Japanese Government and the Chinese Government being desirous of maintaining the general peace in Eastern Asia and further strengthening the friendly relations and good neighborhood existing between the two nations agree to the following articles:

"ARTICLE 1. The Chinese Government engages to give full assent to all matters upon which the Japanese Government may hereafter agree with the German Government relating to the disposition of all rights, interests, and concessions which Germany, by virtue of treaties or otherwise, possesses in relation to the Province of Shantung.

"ART. 2. The Chinese Government engages that within the Province of Shantung and along its coast no territory or island will be ceded or leased to a third power under any pretext.

"ART. 3. The Chinese Government consents to Japan's building a railway from Chefoo or Lungkow to join the Kiaochow-Tsinanfu Railway.

"ART. 4. The Chinese Government engages, in the interest of trade and for the residence of foreigners, to open by herself as soon as possible certain important cities and towns in the Province of Shantung as commercial ports. What places shall be opened are to be jointly decided upon in a separate agreement.

"II.

"The Japanese Government and the Chinese Government, since the Chinese Government has always acknowledged the special position enjoyed by Japan in South Manchuria and Eastern Inner Mongolia, agree to the following articles:

"ARTICLE 1. The two contracting parties mutually agree that the term of lease of Port Arthur and Dalny and the term of lease of the South Manchurian Railway and the Antung-Mukden Railway shall be extended to the period of 99 years.

"ART. 2. Japanese subjects in South Manchuria and Eastern Inner Mongolia shall have the right to lease or own land required either for erecting suitable buildings for trade and manufacture or for farming.

"ART. 3. Japanese subjects shall be free to reside and travel in South Manchuria and Eastern Inner Mongolia and to engage in business and in manufacture of any kind whatsoever.

"ART. 4. The Chinese Government agrees to grant to Japanese subjects the right of opening the mines in South Manchuria and Eastern Inner Mongolia. As regards what mines are to be opened, they shall be decided upon jointly.

"ART. 5. The Chinese Government agrees that in respect of the (two) cases mentioned hereinbelow the Japanese Government's consent shall be first obtained before action is taken:

"(a) Whenever permission is granted to the subject of a third power to build a railway or to make a loan with a third power for the purpose of building a railway in South Manchuria and Eastern Inner Mongolia.

"(b) Whenever a loan is to be made with a third power pledging the local taxes of South Manchuria and Eastern Inner Mongolia as security.

"ART. 6. The Chinese Government agrees that if the Chinese Government employs political, financial, or military advisers or instructors in South Manchuria or Eastern Inner Mongolia, the Japanese Government shall first be consulted.

"ART. 7. The Chinese Government agrees that the control and management of the Kirin-Changchun Railway shall be handed over to the Japanese Government for a term of 99 years dating from the signing of this agreement.

"III.

"The Japanese Government and the Chinese Government, seeing that Japanese financiers and the Hanyehping Co. have close relations with each other at present and desiring that the common interests of the two nations shall be advanced, agree to the following articles:

"ARTICLE 1. The two contracting parties mutually agree that when the opportune moment arrives the Hanyehping Co. shall be made a joint concern of the two nations, and they further agree that without the previous consent of Japan, China shall not by her own act dispose of the rights and property of whatsoever nature of the said company nor cause the said company to dispose freely of the same.

"ART. 2. The Chinese Government agrees that all mines in the neighborhood of those owned by the Hanyehping Co. shall not be permitted, without the consent of the said company, to be worked by other persons outside of the said company; and further agrees that if it is desired to carry out any undertaking which it is apprehended may directly or indirectly affect the interests of the said company the consent of the said company shall first be obtained.

"IV.

"The Japanese Government and the Chinese Government, with the object of effectively preserving the territorial integrity of China, agree to the following special article:

"The Chinese Government engages not to cede or lease to a third power any harbor or bay or island along the coast of China.

"V.

"ARTICLE 1. The Chinese Central Government shall employ influential Japanese as advisers in political, financial, and military affairs.

"ART. 2. Japanese hospitals, churches, and schools in the interior of China shall be granted the right of owning land.

"ART. 3. Inasmuch as the Japanese Government and the Chinese Government have had many cases of dispute between Japanese and Chinese police to settle cases which caused no little misunderstanding, it is for this reason necessary that the police departments of important places (in China) shall be jointly administered by Japanese and Chinese or that the police departments of these places shall employ numerous Japanese, so that they may at the same time help to plan for the improvement of the Chinese police service.

"ART. 4. China shall purchase from Japan a fixed amount of munitions of war (say 50 per cent or more) of what is needed by the Chinese Government or that there shall be established in China a Chino-Japanese jointly worked arsenal. Japanese technical experts are to be employed and Japanese material to be purchased.

"ART. 5. China agrees to grant to Japan the right of constructing a railway connecting Wuchang with Kiukiang and Nanchang, another line between Nanchang and Hanchow, and another between Nanchang and Chaochou.

"ART. 6. If China needs foreign capital to work mines, build railways and construct harbor works (including dockyards) in the Province of Fukien, Japan shall be first consulted.

"ART. 7. China agrees that Japanese subjects shall have the right of missionary propaganda in China."

"No. 3.

"JAPAN'S ULTIMATUM TO CHINA.

"Japan's ultimatum delivered by the Japanese Minister to the Chinese Government on May 7, 1915, translated from the Chinese text published at Peking in June, 1915.

"The reason why the Imperial Government opened the present negotiations with the Chinese Government is first to endeavor to dispose of the complications arising out of the war between Japan and Germany, and, secondly, to attempt to solve those various questions which are detrimental to the intimate relations of China and Japan with a view to solidifying the foundation of cordial friendship subsisting between the two countries to the end that the peace of the Far East may be effectually and permanently preserved. With this object in view, definite proposals were presented to the Chinese Government in January of this year, and up to to-day as many as 25 conferences have been held with the Chinese Government in perfect sincerity and frankness.

"In the course of the negotiation the Imperial Government have consistently explained the aims and objects of the proposals in a conciliatory spirit, while, on the other hand, the proposals of the Chinese Government, whether important or unimportant, have been attended to without any reserve.

"It may be stated with confidence that no effort has been spared to arrive at a satisfactory and amicable settlement of those questions.

"The discussion of the entire corpus of the proposals was practically at an end at the twenty-fourth conference; that is, on the 17th of the last month. The Imperial Government, taking a broad view of the negotiation and in consideration of the points raised by the Chinese Government, modified the original proposals with considerable concessions and presented to the Chinese Government, on the 26th of the same month, the revised proposals for agreement, and at the same time it was offered that, on the acceptance of the revised proposals, the Imperial Government would, at a suitable opportunity, restore, with fair and proper conditions to the Chinese Government the Kiaochow territory, in the acquisition of which the Imperial Government had made a great sacrifice.

"On the 1st of May, the Chinese Government delivered the reply to the revised proposals of the Japanese Government, which is contrary to the expectation of the Imperial Government. The Chinese Government not only did not give a careful consideration to the revised proposals but even with regard to the offer of the Japanese Government to restore Kiaochow to the Chinese Government the latter did not manifest the least appreciation for Japan's good will and difficulties.

"From the commercial and military points of view Kiaochow is an important place, in the acquisition of which the Japanese Empire sacrificed much blood and money, and, after the acquisition the Empire incurs no obligation to restore it to China. But with the object of increasing the future friendly relations of the two countries, they went to the extent of proposing its restoration, yet to her great regret, the Chinese Government did not take into consideration the good intention of Japan and manifest appreciation of her difficulties. Furthermore, the Chinese Government not only ignored the friendly feelings of the Imperial Government in offering the restoration of Kiaochow Bay, but also in replying to the revised proposals they even demanded its unconditional restoration; and again China demanded that Japan should bear the responsibility of paying indemnity for all the unavoidable losses and damages resulting from Japan's military operations at Kiaochow; and still further in connection with the territory of Kiaochow China advanced other demands and declared that she has the right of participation at the future peace conference to be held between Japan and Germany. Although China is fully aware that the unconditional restoration of Kiaochow and Japan's responsibility of indemnification for the unavoidable losses and damages can never be tolerated by Japan yet she purposely advanced these demands and declared that this reply was final and decisive.

"Since Japan could not tolerate such demands, the settlement of the other questions, however compromising it may be, would not be to her interest. The consequence is that the present reply of the Chinese Government is, on the whole, vague and meaningless.

"Furthermore, in the reply of the Chinese Government to the other proposals in the revised list of the Imperial Government, such as South Manchuria and Eastern Inner Mongolia, where Japan particularly has geographical, commercial, industrial, and strategic relations, as recognized by all the nations, and made more remarkable in consequence of the two wars in which Japan was engaged, the Chinese Government overlooks these facts and does not respect Japan's position in that place. The Chinese Government even freely altered those articles which the Imperial Government, in a compromising spirit, have formulated in accordance with the statement of the Chinese representatives, thereby making the statements of the representatives an empty talk; and, on seeing them conceding with the one hand and withholding with the other, it is very difficult to attribute faithfulness and sincerity to the Chinese authorities.

"As regards the articles relating to the employment of advisers, the establishment of schools and hospitals, the supply of arms and ammunition, and the establishment of arsenals and

railway concessions in South China, in the revised proposals they were either proposed with the proviso that the consent of the power concerned must be obtained or they are merely to be recorded in the minutes in accordance with the statements of the Chinese delegates, and thus they are not in the least in conflict either with Chinese sovereignty or her treaties with the foreign powers; yet the Chinese Government, in their reply to the proposals, alleging that the proposals are incompatible with their sovereign rights and treaties with foreign powers, defeat the expectations of the Imperial Government. However, in spite of such attitude of the Chinese Government, the Imperial Government, though regretting to see that there is no room for further negotiations, yet warmly attached to the preservation of the peace of the Far East, is still hoping for a satisfactory settlement in order to avoid the disturbance of the relations.

"So, in spite of the circumstances which admitted no patience, they have reconsidered the feelings of the Government of their neighboring country and, with the exception of the article relating to Fukien, which is to be the subject of an exchange of notes, as has already been agreed upon by the representatives of both nations, will undertake to detach the Group V from the present negotiation and discuss it separately in the future. Therefore the Chinese Government should appreciate the friendly feelings of the Imperial Government by immediately accepting without any alteration all the articles of Groups I, II, III, and IV and the exchange of notes in connection with Fukien Province in Group V as contained in the revised proposals presented on the 26th of April.

"The Imperial Government hereby again offer its advice and hope that the Chinese Government, upon this advice, will give a satisfactory reply by 6 o'clock p. m. on the 9th day of May. It is hereby declared that if no satisfactory reply is received before or at the specified time, the Imperial Government will take steps they may deem necessary.

"No. 4.

"TREATIES AND NOTES SIGNED AND EXCHANGED BETWEEN CHINA AND JAPAN ON MAY 25, 1915.

"Treaty respecting the Province of Shantung.

"His Excellency the President of the Republic of China and His Majesty the Emperor of Japan, having resolved to conclude a treaty with a view to the maintenance of general peace in the Extreme East and the further strengthening of the relations of friendship and good neighborhood now existing between the two nations, have for that purpose named as their plenipotentiaries, that is to say:

"His Excellency the President of the Republic of China, Lou Tseng-tsiang, *Chungching* First Class *Chia Ho* Decoration, Minister of Foreign Affairs;

"And His Majesty the Emperor of Japan, Hioki Eki, *Jushii* Second Class of the Imperial Order of the Sacred Treasure, Minister Plenipotentiary and Envoy Extraordinary:

"Who, after having communicated to each other their full powers and found them to be in good and due form, have agreed upon and concluded the following articles:

"ARTICLE 1. The Chinese Government agrees to give full assent to all matters upon which the Japanese Government may hereafter agree with the German Government relating to the disposition of all rights, interests, and concessions which Germany, by virtue of treaties or otherwise, possesses in relation to the Province of Shantung.

"ART. 2. The Chinese Government agrees that as regards the railway to be built by China herself from Chefoo or Lungkow to connect with the Kiaochow-Tsinanfu Railway, if Germany abandons the privilege of financing the Chefoo-Weihsien Line, China will approach Japanese capitalists to negotiate for a loan.

"ART. 3. The Chinese Government agrees, in the interest of trade and for the residence of foreigners, to open by China herself as soon as possible certain suitable places in the Province of Shantung as commercial ports.

"ART. 4. The present treaty shall come into force on the day of its signature.

"The present treaty shall be ratified by His Excellency the President of the Republic of China and His Majesty the Emperor of Japan, and the ratification thereof shall be exchanged at Tokyo as soon as possible.

"In witness whereof the respective plenipotentiaries of the high contracting parties have signed and sealed the present treaty, two copies in the Chinese language and two in Japanese.

"Done at Peking this 25th day of the fifth month of the fourth year of the Republic of China, corresponding to the same day of the same month of the fourth year of Taisho.

"Exchange of notes respecting Shantung.

"[Note.]

"PEKING, *the 25th day of the fifth month of the fourth year of the Republic of China.*

"MONSIEUR LE MINISTRE: In the name of my Government I have the honor to make the following declaration to your Government: 'Within the Province of Shantung or along its coast no territory or island will be leased or ceded to any foreign power under any pretext.'

"I avail, etc.,

"(Signed) LOU TSENG-TSIANG.

"His Excellency HIOKI EKI,
"*Japanese Minister.*

"[Reply.]

"PEKING, *the 25th day of the fifth month of the fourth year of Taisho.*

"EXCELLENCY: I have the honor to acknowledge the receipt of your excellency's note of this day's date in which you made the following declaration in the name of the Chinese Government: 'Within the Province of Shantung or along its coast no territory or island will be leased or ceded to any foreign power under any pretext.'

"In reply, I beg to state that I have taken note of this declaration.

"I avail, etc.,

"(Signed) HIOKI EKI.

"His Excellency LOU TSENG-TSIANG,
"*Minister of Foreign Affairs.*

—

"Exchange of notes respecting the opening of ports in Shantung.

"[Note.]

"PEKING, *the 25th day of the fifth month of the fourth year of the Republic of China.*

"MONSIEUR LE MINISTRE: I have the honor to state that the places which ought to be opened as commercial ports by China herself, as provided in article 3 of the treaty respecting the Province of Shantung signed this day, will be selected and the regulations therefor will be drawn up by the Chinese Government itself, a decision concerning which will be made after consulting the minister of Japan.

"I avail, etc.,

"(Signed) LOU TSENG-TSIANG.

"His Excellency HIOKI EKI,
"*Japanese Minister.*

"[Reply.]

"PEKING, *the 25th day of the fifth month of the fourth year of Taisho.*

"EXCELLENCY: I have the honor to acknowledge the receipt of your excellency's note of this day's date in which you stated 'that the places which ought to be opened as commercial ports by China herself, as provided in article 3 of the treaty respecting the Province of Shantung signed this day, will be selected and the regulations therefor will be drawn up by the Chinese Government itself, a decision concerning which will be made after consulting the minister of Japan.'

"In reply, I beg to state that I have taken note of the same.

"I avail, etc.,

"(Signed) HIOKI EKI.

"His Excellency LOU TSENG-TSIANG,
"*Minister of Foreign Affairs.*

—

"Exchange of notes respecting the restoration of the leased territory of Kiaochow Bay.

"[Note.]

"PEKING, *the 25th day of the fifth month of the fourth year of Taisho.*

"EXCELLENCY: In the name of my Government, I have the honor to make the following declaration to the Chinese Government:

"When, after termination of the present war, the leased territory of Kiaochow Bay is completely left to the free disposal of Japan, the Japanese Government will restore the said leased territory to China under the following conditions:

"1. The whole of Kiaochow Bay to be opened as a commercial port.

"2. A concession under the exclusive jurisdiction of Japan to be established at a place designated by the Japanese Government.

"3. If the foreign powers desire it, an international concession may be established.

"4. As regards the disposal to be made of the buildings and properties of Germany and the conditions and procedure relat-

ing thereto, the Japanese Government and the Chinese Government shall arrange the matter by mutual agreement before the restoration.

"I avail, etc.,

"(Signed) HIOKI EKI.

"His Excellency LOU TSENG-TSIANG,
"*Minister of Foreign Affairs.*

"[Reply.]

"PEKING, *the 25th day of the fifth month of the fourth year of the Republic of China.*

"MONSIEUR LE MINISTRE: I have the honor to acknowledge the receipt of your excellency's note of this day's date in which you made the following declaration in the name of your Government:

"'When, after the termination of the present war, the leased territory of Kiaochow Bay is completely left to the free disposal of Japan, the Japanese Government will restore the said leased territory to China under the following conditions:

"'1. The whole of Kiaochow Bay to be opened as a commercial port.

"'2. A concession under the exclusive jurisdiction of Japan to be established at a place designated by the Japanese Government.

"'3. If the foreign powers desire it, an international concession may be established.

"'4. As regards the disposal to be made of the buildings and properties of Germany and the conditions and procedure relating thereto, the Japanese Government and the Chinese Government shall arrange the matter by mutual agreement before the restoration.'

"In reply, I beg to state that I have taken note of this declaration.

"I avail, etc.,

"(Signed) LOU TSENG-TSIANG.

"His Excellency HIOKI EKI,
"*Japanese Minister.*

"Treaty respecting south Manchuria and eastern inner Mongolia.

"His Excellency the President of the Republic of China and His Majesty the Emperor of Japan having resolved to conclude a treaty with a view to developing their economic relations in south Manchuria and eastern inner Mongolia, have for that purpose named as their plenipotentiaries, that is to say:

"His Excellency the President of the Republic of China, Lou Tseng-Tsiang, Chung-ching, first class Chia-ho decoration, and minister of foreign affairs; and his Majesty the Emperor of Japan, Hioki Eki, Jushii, second class of the Imperial Order of the Sacred Treasure, minister plenipotentiary and envoy extraordinary;

"Who, after having communicated to each other their full powers and found them to be in good and due form, have agreed upon and concluded the following articles:

"ARTICLE 1. The two high contracting parties agree that the terms of the South Manchuria Railway and the Antung-Mukden Railway shall be extended to 99 years.

"ART. 2. Japanese subjects in south Manchuria may, by negotiation, lease land necessary for erecting suitable buildings, for trade and manufacture, or for prosecuting agricultural enterprises.

"ART. 3. Japanese subjects shall be free to reside and travel in south Manchuria and to engage in business and manufacture of any kind whatsoever.

"ART. 4. In the event of Japanese and Chinese desiring jointly to undertake agricultural enterprises and industries incidental thereto the Chinese Government may give its permission.

"ART. 5. The Japanese subjects referred to in the preceding three articles, besides being required to register with the local authorities passports, which they must procure under the existing regulations, shall also submit to the police laws and ordinances and taxation of China.

"Civil and criminal cases in which the defendants are Japanese shall be tried and adjudicated by the Japanese consul; those in which the defendants are Chinese shall be tried and adjudicated by Chinese authorities. In either case an officer may be deputed to the court to attend the proceedings. But mixed civil cases between Chinese and Japanese relating to land shall be tried and adjudicated by delegates of both nations conjointly, in accordance with Chinese law and local usage.

"When in future the judicial system in the said region is completely reformed, all civil and criminal cases concerning Japanese subjects shall be tried and adjudicated entirely by Chinese law courts.

"ART. 6. The Chinese Government agrees, in the interest of trade and for the residence of foreigners, to open by China herself, as soon as possible, certain suitable places in eastern Mongolia as commercial ports.

"ART. 7. The Chinese Government agrees speedily to make a fundamental revision of the Kirin-Changchun Railway loan agreement, taking as a standard the provisions in railway loan agreements made heretofore between China and foreign financiers.

"When in future more advantageous terms than those in existing railway loan agreements are granted to foreign financiers in connection with railway loans the above agreement shall again be revised in accordance with Japan's wishes.

"ART. 8. All existing treaties between China and Japan relating to Manchuria shall, except where otherwise provided for by this treaty, remain in force.

"ART. 9. The present treaty shall come into force on the date of its signature. The present treaty shall be ratified by His Excellency the President of the Republic of China and His Majesty the Emperor of Japan, and the ratifications thereof shall be exchanged at Tokyo as soon as possible.

"In witness whereof the respective plenipotentiaries of the two high contracting parties have signed and sealed the present treaty, two copies in the Chinese language and two in Japanese.

"Done at Peking this 25th day of the fifth month of the fourth year of the Republic of China, corresponding to the same day of the same month of the fourth year of Taisho.

"Exchange of notes respecting the terms of lease of Port Arthur and Dalny and the terms of South Manchurian and Antung-Mukden Railways.

"PEKING, *the 25th day of the fifth month of the fourth year of the Republic of China.*

"MONSIEUR LE MINISTRE:

"I have the honor to state that respecting the provisions contained in article 1 of the treaty relating to south Manchuria and eastern inner Mongolia, signed this day, the term of lease of Port Arthur and Dalny shall expire in the eighty-sixth year of the Republic, or 1997. The date for restoring the South Manchuria Railway to China shall fall due in the ninety-first year of the Republic, or 2002. Article 12 in the original South Manchurian Railway agreement providing that it may be redeemed by China after 36 years from the day on which the traffic is opened is hereby canceled. The term of the Antung-Mukden Railway shall expire in the ninety-sixth year of the Republic, or 2007.

"I avail, etc.,

"(Signed) LOU TSENG-TSIANG.

"His Excellency HIOKI EKI,
"*Japanese Minister.*

"[Reply.]

"PEKING, *the 25th day of the fifth month of the fourth year of Taisho.*

"EXCELLENCY:

"I have the honor to acknowledge the receipt of your excellency's note of this day's date, in which you stated that 'respecting the provisions contained in article 1 of the treaty relating to south Manchuria and eastern inner Mongolia, signed this day, the term of lease of Port Arthur and Dalny shall expire in the eighty-sixth year of the Republic, or 1997. The date for restoring the South Manchurian Railway to China shall fall due in the ninety-first year of the Republic, or 2002. Article 12 in the original South Manchurian Railway agreement, providing that it may be redeemed by China after 36 years from the day on which the traffic is opened, is hereby canceled. The term of the Antung-Mukden Railway shall expire in the ninety-sixth year of the Republic, or 2007.'

"In reply I beg to state that I have taken note of the same.

"I avail, etc.,

"(Signed) HIOKI EKI.

"His Excellency LOU TSENG-TSIANG,
"*Minister of Foreign Affairs.*

"Exchange of notes respecting the opening of ports in eastern inner Mongolia.

"[Note.]

"PEKING, *the 25th day of the fifth month of the fourth year of the Republic of China.*

"MONSIEUR LE MINISTRE: I have the honor to state that the places which ought to be opened as commercial ports by China herself, as provided in article 6 of the treaty respecting South Manchuria and eastern inner Mongolia signed this day, will be selected and the regulations therefor will be drawn up by the Chinese Government itself, a decision concerning which will be made after consulting the minister of Japan.

"I avail, etc.,

"(Signed) LOU TSENG-TSIANG.

"His Excellency HIOKI EKI,
"*Japanese Minister.*

"[Reply.]

"PEKING, *the 25th day of the fifth month of the fourth year of Taisho.*

"EXCELLENCY: I have the honor to acknowledge the receipt of your excellency's note of this day's date, in which you stated 'that the places which ought to be opened as commercial ports by China herself, as provided in article 6 of the treaty respecting South Manchuria and eastern inner Mongolia signed this day, will be selected and the regulations therefor will be drawn up by the Chinese Government itself, a decision concerning which will be made after consulting the minister of Japan.'

"In reply I beg to state that I have taken note of the same.

"I avail, etc.,

"(Signed) HIOKI EKI.

"His Excellency LOU TSENG-TSIANG,
"Minister of Foreign Affairs.

—

"South Manchuria.

"[Note.]

"PEKING, *the 25th day of the fifth month of the fourth year of the Republic of China.*

"MONSIEUR LE MINISTRE: I have the honor to state that Japanese subjects shall as soon as possible investigate and select mines in the mining areas in South Manchuria specified hereunder, except those being prospected for or worked, and the Chinese Government will then permit them to prospect or work the same, but before the mining regulations are definitely settled the practice at present in force shall be followed. Provinces Fentien:

"LOCALITY, DISTRICT, AND MINERAL.

"Niu Hsin T'ai, Pen-hsi, coal.
"Thin Shih Fu Kou, Pen-hsi, coal.
"Sha Sung Kang, Hai-lung, coal.
"T'ieh Ch'ang, Tung-hua, coal.
"Nuan Ti T'ang, Chin, coal.
"An Shan Chan region, from Liaoyang to Pen-hsi, coal and iron.

"KIRIN (SOUTHERN PORTION).

"Sha Sung Kang, Ho-lung, coal and iron.
"Kang Yao, Chi-lin (Kirin), coal.
"Chia P'i Kou, Hua-tien, coal.

"I avail, etc.,

"(Signed) LOU TSENG-TSIANG.

"His Excellency HIOKI EKI,
"Japanese Minister.

"[Reply.]

"PEKING, *the 25th day of the fifth month of the fourth year of Taisho.*

"EXCELLENCY: I have the honor to acknowledge the receipt of your excellency's note of this day respecting the opening of mines in South Manchuria, stating: 'Japanese subjects shall as soon as possible investigate and select mines in the mining areas in South Manchuria specified hereunder, except those being prospected for or worked, and the Chinese Government will then permit them to prospect or work the same, but before the mining regulations are definitely settled the practice at present in force shall be followed.

"Provinces Fentien:

"LOCALITY, DISTRICT, AND MINERAL.

"1. Niu Hsin T'ai, Pen-hsi, coal.
"2. Tien Shih Fu Kou, Pen-hsi, coal.
"3. Sha Sung Kang, Hai-lung, coal.
"4. T'ieh Ch'ang, Tung-hua, coal.
"5. Nuan Ti T'ang, Chin, coal.
"6. An Shan Chan region, from Liaoyang to Pen-hsi, coal and iron.

"KIRIN (SOUTHERN PORTION).

"1. Sha Sung Kang, Ho-lung, coal and iron.
"2. Kang Yao, Chi-lin (Kirin), coal.
"3. Chia P'i Kou, Hua-tien, gold.

"I avail, etc.,

"(Signed) HIOKI EKI.

"His Excellency LOU TSENG-TSIANG,
"Minister of Foreign Affairs of the Republic of China.

—

"Exchange of notes respecting railways and taxes in South Manchuria and eastern inner Mongolia.

"[Note.]

"PEKING, *the 25th day of the fifth month of the fourth year of the Republic of China.*

"MONSIEUR LE MINISTRE: In the name of my Government I have the honor to make the following declaration to your Government:

"'China will hereafter provide funds for building necessary railways in South Manchuria and eastern inner Mongolia; if foreign capital is required, China may negotiate for a loan with Japanese capitalists first; and, further, the Chinese Government, when making a loan in future on the security of the taxes in the above-mentioned places (excluding the salt and customs revenue, which have already been pledged by the Chinese Central Government) may negotiate for it with Japanese capitalists first.'

"I avail, etc.,

"(Signed) LOU TSENG-TSIANG.

"His Excellency HIOKI EKI,
"Japanese Minister.

"[Reply.]

"PEKING, *the 25th day of the fifth month of the fourth year of Taisho.*

"EXCELLENCY: I have the honor to acknowledge the receipt of your excellency's note of this day's date respecting railways and taxes in South Manchuria and eastern inner Mongolia in which you stated:

"'China will hereafter provide funds for building necessary railways in South Manchuria and eastern inner Mongolia; if foreign capital is required, China may negotiate for a loan with Japanese capitalists first, and, further, the Chinese Government, when making a loan in future on the security of taxes in the above-mentioned places (excluding the salt and customs revenue which have already been pledged by the Chinese Central Government), may negotiate for it with Japanese capitalists first.'

"In reply I beg to state that I have taken note of the same.

"I avail, etc.,

"(Signed) HIOKI EKI.

"His Excellency LOU TSENG-TSIANG,
"Minister of Foreign Affairs.

—

"Exchange of notes respecting the employment of advisers in South Manchuria.

"[Note.]

"PEKING, *the 25th day of the fifth month of the fourth year of the Republic of China.*

"MONSIEUR LE MINISTRE: In the name of my Government, I have the honor to make the following declaration to your Government:

"'Hereafter, if foreign advisers or instructors on political, financial, military, or police matters are to be employed in South Manchuria, Japanese may be employed first.'

"I avail, etc.,

"(Signed) LOU TSENG-TSIANG.

"His Excellency HIOKI EKI,
"Japanese Minister.

"[Reply.]

"PEKING, *the 25th day of the fifth month of the fourth year of Taisho.*

"EXCELLENCY: I have the honor to acknowledge the receipt of your excellency's note of this day's date in which you made the following declaration in the name of your Government:

"'Hereafter, if foreign advisers or instructors in political, financial, military, or police matters are to be employed in South Manchuria, Japanese may be employed first.'

"In reply, I beg to state that I have taken note of the same.

"I avail, etc.,

"(Signed) HIOKI EKI.

"His Excellency LOU TSENG-TSIANG,
"Minister of Foreign Affairs.

—

"Exchange of notes respecting the explanation of 'lease by negotiation' in South Manchuria.

"[Note.]

"PEKING, *the 25th day of the fifth month of the fourth year of Taisho.*

"EXCELLENCY: I have the honor to state that the term 'lease by negotiation' contained in article 2 of the treaty respecting South Manchuria and eastern inner Mongolia, signed this day, shall be understood to imply a long-term lease of not more than 30 years, and also the possibility of its unconditional renewal.

"I avail, etc.,

"(Signed) HIOKI EKI.

"His Excellency LOU TSENG-TSIANG,
"Minister of Foreign Affairs.

"[Reply.]

"PEKING, *the 25th day of the fifth month of the fourth year of the Republic of China.*

"MONSIEUR LE MINISTRE: I have the honor to acknowledge the receipt of your excellency's note of this day's date in which you state:

"'The term "lease by negotiation" contained in article 2 of the treaty respecting South Manchuria and eastern inner

Mongolia, signed this day, shall be understood to imply a long-term lease of not more than 30 years, and also the possibility of its unconditional renewal.'

"In reply I beg to state that I have taken note of the same.

"I avail, etc.,

"(Signed) LOU TSENG-TSIANG.

"His Excellency HIOKI EKI,
"*Japanese Minister.*

—

"*Exchange of notes respecting the arrangement for police laws and ordinances and taxation in South Manchuria and eastern inner Mongolia.*

"[Note.]

"PEKING, *the 25th day of the fifth month of the fourth year of the Republic of China.*

"MONSIEUR LE MINISTRE: I have the honor to state that as regards the police laws and ordinances and the taxation to which Japanese subjects shall submit, according to article 5 of the treaty respecting South Manchuria and eastern inner Mongolia, signed this day, the Chinese authorities will come to an understanding with the Japanese consul before their enforcement.

"I avail, etc.,

"(Signed) LOU TSENG-TSIANG.

"His Excellency HIOKI EKI,
"*Japanese Minister.*

"[Reply.]

"PEKING, *the 25th day of the fifth month of the fourth year of Taisho.*

"EXCELLENCY: I have the honor to acknowledge receipt of your excellency's note of this day's date, in which you state:

"'As regards the police laws and ordinances and the taxation to which Japanese subjects shall submit according to article 5 of the treaty respecting south Manchuria and eastern inner Mongolia, signed this day, the Chinese authorities will come to an understanding with the Japanese consul before their enforcement * * *.'

"In reply, I beg to state that I have taken note of the same.

"I avail, etc.,

"(Signed) HIOKI EKI."

"His Excellency LOU TSENG-TSIANG,
"*Minister of Foreign Affairs.*

—

"[Note.]

"PEKING, *the 25th day of the fifth month of the fourth year of the Republic of China.*

"MONSIEUR LE MINISTRE: I have the honor to state that, inasmuch as preparations have to be made regarding articles 2, 3, 4, and 5 of the treaty respecting south Manchuria and eastern inner Mongolia, signed this day, the Chinese Government proposes that the operation of the said article be postponed for a period of three months, beginning from the date of the signing of the said treaty.

"I hope your Government will agree to this proposal.

"I avail, etc.,

"(Signed) LOU TSENG-TSIANG."

"His Excellency HIOKI EKI,
"*Japanese Minister.*

"[Reply.]

"PEKING, *the 25th day of the fifth month of the fourth year of Taisho.*

"EXCELLENCY: I have the honor to acknowledge the receipt of your excellency's note of this day's date, in which you stated that 'inasmuch as preparations have to be made regarding articles 2, 3, 4, and 5 of the treaty respecting south Manchuria and eastern inner Mongolia, signed this day, the Chinese Government proposes that the operation of the said articles be postponed for a period of three months beginning from the date of the signing of the said treaty.'

"In reply, I beg to state that I have taken note of the same.

"I avail, etc.,

"(Signed) HIOKI EKI."

"His Excellency LOU TSENG-TSIANG,
"*Minister of Foreign Affairs.*

—

"*Exchange of notes respecting the matter of Hanyehping.*

"[Note.]

"PEKING, *the 25th day of the fifth month of the fourth year of the Republic of China.*

"MONSIEUR LE MINISTRE: I have the honor to state that if in future the Hanyehping Co. and the Japanese capitalists agree upon cooperation the Chinese Government, in view of the intimate relations subsisting between the Japanese capitalists and the said company, will forthwith give its permission. The Chinese Government further agrees not to confiscate the said company, nor without the consent of the Japanese capitalists to convert it into a State enterprise, nor cause it to borrow and use foreign capital other than Japanese.

"I avail, etc.,

"(Signed) LOU TSENG-TSIANG."

"His Excellency HIOKI EKI,
"*Japanese Minister.*

"[Reply.]

"PEKING, *the 25th day of the fifth month of the fourth year of Taisho.*

"EXCELLENCY: I have the honor to acknowledge the receipt of your excellency's note of this day's date, in which you state:

"'If in future the Hanyehping Co. and the Japanese capitalists agree upon cooperation, the Chinese Government, in view of the intimate relations subsisting between the Japanese capitalists and the said company, will forthwith give its permission. The Chinese Government further agrees not to confiscate the said company, nor, without the consent of the Japanese capitalists, to convert it into a State enterprise, nor cause it to borrow and use foreign capital other than Japanese.'

"I avail, etc.,

"(Signed) HIOKI EKI."

"His Excellency LOU TSENG-TSIANG,
"*Minister of Foreign Affairs.*

—

"*Exchange of notes respecting the Fukien question.*

"[Note.]

"PEKING, *the 25th day of the fifth month of the fourth year of Taisho.*

"EXCELLENCY: A report has reached me to the effect that the Chinese Government has the intention of permitting foreign nations to establish, on the coast of Fukien Province, dock yards, coaling stations for military use, naval bases, or to set up other military establishments; and also of borrowing foreign capital for the purpose of setting up the above-mentioned establishments.

"I have the honor to request that your excellency will be good enough to give me reply stating whether or not the Chinese Government really entertains such an intention.

"I avail, etc.,

"(Signed) HIOKI EKI."

"His Excellency LOU TSENG-TSIANG,
"*Minister of Foreign Affairs.*

"[Reply.]

"PEKING, *the 25th day of the fifth month of the fourth year of the Republic of China.*

"MONSIEUR LE MINISTRE: I have the honor to acknowledge the receipt of your excellency's note of this day's date which I have noted.

"In reply I beg to inform you that the Chinese Government hereby declares that it has given no permission to foreign nations to construct on the coast of Fukien Province dockyards, coaling stations for military use, naval bases, or to set up other military establishment; nor does it entertain an intention of borrowing foreign capital for the purpose of setting up the above-mentioned establishments.

"I avail, etc.,

"(Signed) LOU TSENG-TSIANG.

"His Excellency HIOKI EKI,
"*Japanese Minister.*"

"No. 5.

"RUSSO-JAPANESE TREATIES OF 1916.

"In July, 1916, Japan and Russia entered into a public treaty, the terms of which were communicated to the British Government before signature. The terms of this agreement, as published in the Times on July 8, 1916, are as follows:

"'The Imperial Government of Japan and the Imperial Government of Russia, resolved to unite their efforts for the maintenance of lasting peace in the Far East, have agreed upon the following:

"'"ARTICLE 1. Japan will not be a party to any political arrangement or combination directed against Russia.

"'"Russia will not be a party to any political arrangement or combination directed against Japan.

"'"ART. 2. Should the territorial rights or the special interests in the Far East of one of the contracting parties recognized by the other contracting party be threatened, Japan and Russia will take counsel of each other as to the measures to be taken in view of the support or the help to be given in order to safeguard and defend these rights and interests."'

" THE SECRET RUSSO-JAPANESE TREATY.

"The above treaty, as already stated, was a public one. But at the very same time Russia and Japan entered into a secret treaty consisting of six articles. This treaty was first published in the Isvestia, and a translation appeared in the Manchester Guardian on February 1, 1918.

"This treaty was signed on July 3, 1916. It runs as follows:

"'The Russian Government and the Japanese Imperial Government have, with a view to the greater consolidation of their close friendship, established between them by the secret agreements of July 30, 1907, July 4, 1910, and July 8, 1912, agreed to supplement the above-mentioned secret agreements by the following articles:

"'"ARTICLE V. The two high contracting parties acknowledge that the vital interests of both require the safeguarding of China against the political domination by any third power entertaining hostile designs against Russia or Japan, and therefore mutually pledge themselves each time when circumstances demand it, to enter into frank relations based on complete mutual trust with one another with a view to taking joint measures for the prevention of the possibility of the advent of such a state of affairs (in China).

"'"ART. 2. If as a result of the measures taken by mutual agreement by Russia and Japan, in virtue of the preceding article, war should be declared by the third power referred to in article 1 of the present convention on either of the contracting parties, the other party shall on the first demand of its ally come to its assistance, and each of the high contracting parties pledges itself hereby, in case such a situation should arise, not to conclude peace with the common enemy without the previous consent of its ally.

"'"ART. 3. The terms on which each high contracting party is to render armed assistance to the other in accordance with the preceding article, as well as the form in which this assistance is to be rendered, shall be determined jointly by the respective competent authorities of the two contracting parties.

"'"ART. 4. Provided that neither high contracting party shall regard itself bound by article 2 of the present convention in respect of rendering armed assistance to its ally so long as it has not been given guaranties by its allies that they, too, will render such assistance to it as would correspond to the seriousness of the impending conflict.

"'"ART. 5. The present convention enters into force from the moment of its signature, and shall remain in force until July, 1921. Should one of the high contracting parties not deem it necessary, 12 months before the expiry of this term to give notice of its unwillingness to prolong the validity of the present convention, the latter shall remain in force for a period of one year after it has been denounced by one or other of the high contracting parties.

"'"ART. 6. The present convention shall be kept in complete secrecy from everybody except the two high contracting parties."

"'In witness whereof the undersigned have confirmed the present instrument by hand and seal at Petrograd, June 20 (July 3), 1916, corresponding to the Japanese (date of Thursday) seventh month and fifth year in the reign of Taise.

"'(Signed) SAZANOFF, MOTONO.'

"[N. B.—The foregoing is an extract from 'The Secret Treaties' published in London, being a compilation of the secret documents found in the archives of the Russian foreign office published by the Russian Revolutionary Government.]"

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a resolution adopted by the Washington Board of Trade, petitioning Congress to enact legislation to prohibit the sale of firearms in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. RANSDELL. I present memorials signed by several hundred citizens of Louisiana protesting against the so-called luxury tax as unfair and discriminatory. I move that the memorials be referred to the Committee on Finance.

The motion was agreed to.

Mr. WALSH of Massachusetts presented memorials of employees of the Gregory & Read Co., of Lynn; of the Boston Confectionery Co.; of the Millers Falls Paper Co.; of the Southworth Co., of Mitteneague; of the Ideal Coated Paper Co., of Brookfield; of James A. Glass, of Boston; of the Eco Manufacturing Co., of Boston; of the Herring-Hall-Marvin Safe Co.; of the A. J. Bates Co.; of the Barber-Colman Co.; of the Brockway-Smith Corporation; of the Carpenter-Morton Co., of Boston; of the National Corset Co.; of the E. B. Badger & Sons Co.; of the Potter Confectionery Co.; of the Whitin Machine Works, of Whitinsville; of Monks & Johnson; of the Worcester Bleach & Dye Works Co.; of the Victor Electric Corporation; of the Hallet & Davis Piano Co.; of the National Equipment Co., of Springfield; of the Chapel Mills Manufacturing Co., of Cherry Falls; of the Clemence Associates; of the G. W. J. Murphy Co., of Amesbury; of the Nonotuck Silk Co., of Florence; of the Bourn Hadley Co., of Templeton; of Harry Pitts; of the Haverhill Box Board Co.; of the New England Maple Syrup Co.; of the Blake Pump & Condenser Co., of Fitchburg; of the Bishop Co., of North Attleboro; of P. J. Nangle & Co., of Boston; of the Irving & Casson-A. H. Davenport Co.; of the Fitchburg Foundry Co.; of the F. C. Phillips Co., of Stoughton; of the East Weymouth Wool Scouring Co.; of H. R. Holden & Co.; of the Coates Clipper Manufacturing Co., of Worcester; of the Stockbridge Machine Co.; of the F. H. Sadler Co., of Attleboro; and of the Crandall Engineering Co., of East Boston, all in the State of Massachusetts, remonstrating against the repeal of the so-called daylight-saving law, which were referred to the Committee on Interstate Commerce.

Mr. FERNALD presented petitions of sundry citizens of Guilford, Bath, Portland, Auburn, Bethel, Gardiner, and Belfast, all in the State of Maine, praying for the repeal of the so-called "luxury" tax, which were referred to the Committee on Finance.

Mr. PAGE presented a memorial of the Holy Name Society of St. Peters Parish, Rutland, Vt., remonstrating against the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

He also presented a memorial of the Lamoille County Association of Congregational Churches of Vermont, remonstrating against the repeal of war-time prohibition, which was referred to the Committee on the Judiciary.

Mr. KEYES presented petitions of sundry citizens of Hanover, Salisbury, Wentworth, Henniker, Strafford, Chichester, New Durham, Madbury, Hollis, Milan, Deerfield, and Jackson, all in the State of New Hampshire, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. PHELAN presented a petition of Bellevue Grange, Patrons of Husbandry, of Santa Rosa, Calif., praying for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. NELSON presented a petition of the Motorboat Club, of Winona, Minn., praying for a revision of the tax on motor boats, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Minnesota, praying for Government ownership and control of railroads, which was referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES.

Mr. FERNALD, from the Committee on Public Buildings and Grounds, to which was referred the joint resolution (S. J. Res. 72) authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to employees of the United States Department of Agriculture who died in the war with Germany, reported it without amendment.

Mr. CAPPER, from the Committee on Military Affairs, to which was referred the bill (S. 2445) to permit the reenlistment of Omer G. Paquet in the United States Army, reported it without amendment and submitted a report (No. 107) thereon.

Mr. McLEAN, from the Committee on Banking and Currency, to which was referred the bill (S. 2472) to amend the act approved December 23, 1913, known as the Federal reserve act, reported it with amendments and submitted a report (No. 108) thereon.

APPROPRIATIONS MADE AVAILABLE.

Mr. WARREN. From the Committee on Appropriations I report back favorably without amendment the joint resolution (H. J. Res. 147) to ratify and confirm, from and including July 1, 1919, obligations incurred pursuant to the terms of certain appropriations for the fiscal year 1920. As it contains only about half a dozen lines and is important, I ask for the present consideration of the joint resolution.

There being no objection, the joint resolution was considered as in Committee of the Whole, and it was read as follows:

Resolved, etc., That appropriations for the service of the fiscal year 1920, contained in the Agricultural, Army, District of Columbia, Navy, and sundry civil appropriations acts, and the "third deficiency appropriation act, fiscal year 1919," shall be available from and including July 1, 1919, for the purposes respectively provided in the said appropriations for the service of the said fiscal year. And all obligations incurred pursuant to the terms of such appropriations in the aforesaid acts as approved are ratified and confirmed from and including July 1, 1919.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bill were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WADSWORTH:

A bill (S. 2621) providing that officers and enlisted men who have been honorably discharged and who reenlist shall be entitled to count their previous service in computing longevity pay;

A bill (S. 2622) to provide necessary commissioned personnel for the Army until June 30, 1920;

A bill (S. 2623) to extend the provisions of an act entitled "An act to provide quarters or commutation thereof to commissioned officers in certain cases," approved April 16, 1918;

A bill (S. 2624) to provide travel allowances for certain retired enlisted men and Regular Army reservists; and

A bill (S. 2625) relating to the disposition of obsolete ordnance, etc., and authorizing the Secretary of War to give to or exchange with foreign governments ordnance, etc., whether of new design or obsolete; to the Committee on Military Affairs.

By Mr. BECKHAM:

A bill (S. 2626) granting an increase of pension to John C. Holsapple; to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 2627) authorizing the Secretary of War to donate to the village of White Bear, Minn., a captured German cannon; to the Committee on Military Affairs.

By Mr. MOSES:

A bill (S. 2628) granting an increase of pension to John A. Laughton (with accompanying papers); to the Committee on Pensions.

A bill (S. 2629) to donate a gun or howitzer to the Gordon-Bissell Post of the American Legion, located at Keene, N. H.; to the Committee on Military Affairs.

By Mr. HALE:

A bill (S. 2630) authorizing the Secretary of War to donate to the town of Camden, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

A bill (S. 2631) granting an increase of pension to Jotham B. Jacobs; to the Committee on Pensions.

By Mr. ROBINSON:

A bill (S. 2632) granting a pension to Pleasant R. W. Harris; to the Committee on Pensions.

By Mr. HARDING:

A bill (S. 2633) granting a pension to Samuel J. Haslett; to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 2634) granting a pension to Willis McAfee; to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 2635) to authorize the Department of Commerce, by the National Bureau of Standards, to examine and test manufactured articles or products for the owner or manufacturer thereof, to issue a certificate as to the nature and quality of such manufactured articles or products, and to prevent the illegal use of such certificate; to the Committee on Commerce.

PRICES OF CATTLE AND SWINE.

Mr. HARRIS. I ask for the immediate consideration of Senate resolution 133, which went over from yesterday.

The VICE PRESIDENT. That is morning business. It comes over from a preceding day.

The Senate proceeded to consider the resolution (S. Res. 133) submitted yesterday by Mr. HARRIS, which was read, as follows:

Resolved, That the Federal Trade Commission be, and it is hereby, directed to make an immediate investigation of the methods of purchase and prices paid for cattle and swine by persons and corporations engaged in the meat-packing industry, with particular reference to the discriminations, if any, operating to the disadvantage of live-stock producers in the Southern States, and to report as soon as practicable to the Senate the results of such investigation.

Mr. HARRIS. Mr. President, the meat packers combine and discriminate against the hog raisers of the South by paying them 3 cents less per pound for hogs than they pay for the same in other sections of the country. This investigation will, in my judgment, show the great injustice being done and the discrimination against the hog raisers of the South. The Federal Trade Commission has made a thorough investigation of the meat packers, and, in connection with the Department of Agriculture, can make this investigation, so that no injustice may be done the hog raisers in my State and section. I therefore ask for the adoption of the resolution.

The resolution was agreed to.

LEAGUE OF NATIONS.

Mr. RANSDELL. Mr. President, I wish to announce that after the conclusion of morning business on next Thursday, July 31, I shall address the Senate on the league of nations.

PRICE OF SUGAR.

Mr. SMOOT. Mr. President, I have received a great many protests from different parts of the country as to the price sugar is being sold at to-day. I should like to have the people of the United States know that the sugar producers are still working under the agreement made by Mr. Hoover as head of the Food Administration. They are getting no more for their sugar sold to the wholesalers of the country than they have been receiving since that agreement was first made.

I want the people to understand that that agreement remains in force until after the sugar crop of 1919 is marketed. So wherever exorbitant prices are being paid for sugar it is not because the producer of sugar is charging more than was agreed to a year ago.

I wished to make this statement because of the fact that I have understood there are jobbers in this country making over a dollar a bag upon sugar to-day, based upon the scarcity of sugar. In this connection I wish to say that there have been exportations of sugar of late, and that was taken as an excuse for raising the price of sugar to the consumer. Exportations of sugar have ceased, I am informed by the Food Administration. The American people should not be compelled to pay one penny more for sugar than they have paid during the last year.

Mr. SMITH of Georgia. May I ask the Senator a question? Did we not, in connection with Great Britain, buy a vast quantity of sugar in Cuba?

Mr. SMOOT. We did.

Mr. SMITH of Georgia. Is our part of it coming into the United States?

Mr. SMOOT. It is coming in as required. I will say to the Senator from Georgia that about two months ago there was at that particular time what appeared to be a shortage in the sugar in the United States, but that was brought about more through fear than by anything else, and it was based upon the fact that we were exporting sugar.

Mr. SMITH of Georgia. Just before he left for abroad I discussed the subject with Mr. Hoover, and the real problem then seemed to be whether we could dispose of our entire purchase without a loss.

Mr. SMOOT. I will say to the Senator there is no fear on that account. Some of the sugar sections of Western States are not going to produce more than half a crop this year, and I feel quite certain there is going to be a world shortage of sugar.

Mr. SHERMAN. Will the Senator permit me to make an inquiry before he resumes his seat? I understand the Government now controls the sugar crop?

Mr. SMOOT. It does.

Mr. SHERMAN. It has the entire output?

Mr. SMOOT. It has, as to the sale.

Mr. SHERMAN. I am unable, or anyone in Washington, to purchase more than 2 pounds at a time. I understand that restriction applies over a very large area. Will the Senator explain how a thrifty housewife will do her canning this summer under a Government regulation of that kind?

Mr. SMOOT. I will say to the Senator that that restriction, I understand, is now being removed. The Senator was correct in the statement as applying to two weeks ago, but I understand that since then the restriction has been removed.

Mr. SHERMAN. I want to state that yesterday it was in force on the senior Senator from Illinois. He tried to buy it, and was limited to 2 pounds.

Mr. SMOOT. The Senator is correct as to two weeks ago, but I understand that that situation has been relieved.

Mr. SHERMAN. Grocers in Washington are still enforcing it. They seem not to have followed that direction.

Mr. THOMAS. That is not a Government limitation. It is a limitation imposed by retail dealers in different parts of the country, the reason assigned being that their orders to wholesalers at present are not promptly filled. Whether there is any basis for the reason, I do not know.

PEACE TREATY AND LEAGUE OF NATIONS.

Mr. PITTMAN. Mr. President, the early approval by the United States Senate of the ratification of the peace treaty embracing the league of nations depends, in my opinion, upon the effect that reservations or interpretative clauses, in the resolution which may be adopted by the Senate, will have upon the ultimate approval and adoption of the treaty by the other nations that are parties to the treaty.

If reservations may be made that we have a right to feel certain will be accepted by all of the other nations without involving the reopening of the whole matter of peace negotiations and long and dangerous delays, in my opinion, such reservations will be approved by two-thirds of the Senate.

If, on the other hand, as I now believe, the adoption of any reservation by the Senate will reopen every question involved in the peace negotiation, invite other nations to insist upon amendments and reservations affecting their particular interests, and result in long and dangerous delay if not the entire disruption of the plans for peace, then the treaty will be approved by the Senate as made and submitted to us by the President without reservations, amendments, or other changes.

Before proceeding to a discussion of the law and the facts that lead me to the conclusion that I have reached, permit me to describe, as I see it, the attitude of the various factions or groups in the Senate. They may be divided into four groups: First, those who believe in national isolation and who are opposed to any league of nations; second, those who favor a phantom league of nations without effective powers and who, to accomplish this purpose, would eliminate by amendment or reservations the vital articles of the covenant; third, those who favor the league of nations as it is now planned but who desire that the rights and obligations of the United States under the treaty be made more certain by interpretative reservations in the resolution of approval; fourth, Senators who favor the league of nations and believe that the rights and obligations of our country are definitely stated in the articles of the covenant and who are now ready to vote for the approval of the treaty without amendments, reservations, interpretations, or other qualifications or changes.

There are but a few Senators in the first group. There are but a few more in the second group, and I am confident that those two groups combined do not constitute one-third of the Senators. In the third group there are possibly one-third of the Members of the Senate. The fourth group includes the main body of the Senate, and if a vote were taken to-day I am satisfied that they would cast a majority vote.

The fate of the league of nations does not rest with those Senators who would destroy or emasculate the covenant, but with those other Senators to whom I have referred, who favor the league of nations, but who now have in mind ratification with interpretative reservations. These Senators are not fixed in their determination to vote for reservations. They are studying and weighing the result of a rejection of the treaty as it stands through adoption of reservations. This attitude was clearly expressed by the distinguished Senator from Rhode Island [Mr. COLT] in his able speech delivered in the Senate on July 17, when, in discussing reservations, he said:

"Mr. President, there has been much discussion concerning the league of nations, and the controversy seems to have settled down to the proposition whether the covenant shall be ratified in its present form or with certain reservations. I believe the popular sentiment is universal, and I certainly share it, that the Monroe doctrine should be clearly safeguarded. This is purely an American doctrine, and it differentiates the New World from the Old. I also believe that domestic questions like immigration, which in some of their aspects may be international, should be properly safeguarded. The storm center of these reservations seems to be article 10. As to the retention of this article much may be said on both sides. It may be argued that the United States ought not to bind itself for all time to guarantee the territorial integrity and political independence of the members of the league against external aggression, and yet that argument might not apply with the same force to protecting the territorial settlements made by the peace conference until this new world order is fully established and the present peace of the world made secure. There is a wide distinction between a temporary and a permanent retention of article 10. Upon the question of reservations I reserve my judgment for a full discussion and consideration."

These Senators have nearly all indicated that they would not do anything knowingly that would result in the destruction of the league of nations. They are moved by no such desires. They are urged simply by fear lest some misunderstanding may arise in the future through indefinite language in the body of the treaty. I remember distinctly that the Senator from Missouri [Mr. SPENCER] in his speech before the Senate on the 30th day of June said:

"We must maintain this position of national independence. It is vital not alone from the standpoint of national honor and of national usefulness to the world, but as well from the standpoint of our own commercial, agricultural, and industrial prosperity, and it is for this reason that the American people ought to be assured in advance that in the ratification of the treaty there shall be such reservations as will in no sense require the treaty to be sent back to the other nations of the world and thus delay the final consummation of peace * * *."

The Senator touched the vital question that must be determined by each Senator and that is, Will qualified ratification of the treaty, with reservations or interpretative expressions, send it back for renegotiation, reconsideration, and reconstruction by a peace conference; and if so, then what will be the probable result of such action? The determination of this question first involves the legal effect of placing reservations or interpretative expressions in the resolution of approval adopted by the Senate. If the reservation becomes a part of the treaty, and our Supreme Court has held that it does, then the consent to and the approval of such reservation must be obtained by the same bodies that are required to consent to and approve the treaty, and with the same formality. If it is necessary that the treaty as negotiated be approved by the United States Senate, then it is equally necessary that any amendment or reservation or interpretative clause added thereto by any other Government a party to the treaty must first receive the approval of two-thirds of the United States Senate before the treaty with such reservations or amendments becomes binding upon our Government. This is equally true, even if our Senate had already approved the treaty and such qualifications were placed in it by other nations subsequent to such approval. Although the treaty had once been approved by the Senate, the President would have no authority to accept it or ratify it in the form in which it was subsequently amended by another party to the treaty. Such qualifications or changes or reservations made by other nations would constitute a different treaty from that which the Senate had already approved, and it would be necessary for it to again be submitted to the Senate for its further advice and consent and approval.

Such was the determination of the United States Senate in the matter of the ratification of the treaty between the United States and Spain, wherein Florida was ceded to the United States. This treaty was signed on the 22d day of February, 1819. On the 24th day of February, 1819, the Senate advised and consented to its ratification with this reservation:

"All grants made since the 24th of January, 1819, when the first proposal on the part of his Catholic Majesty for the cession of the Floridas was made, are thereby declared and agreed to be null and void."

The treaty thus amended by reservation was returned to Spain for ratification. On the 21st day of October, 1820, the King of Spain, in his written ratification annexed to the treaty, admitted in explicit terms that it was the positive understanding of the negotiators on both sides, when the treaty was signed, that the grants were thereby annulled, and declared also that they had remained and did remain entirely annulled and invalid. This would appear to be simply a ratification of the treaty as amended by reservations by the United States Senate, but it was made in different language and therefore might be subject to a different construction by the United States. Therefore the President of the United States again submitted the treaty to the Senate for its further advice and consent. And again, on the 19th day of February, 1821, the Senate, for the second time, advised and consented to the ratification of the treaty, including the interpretative expressions of the King of Spain as a part of the treaty. Subsequently this treaty came before the Supreme Court of the United States for judicial construction, particularly with regard to the effect of the reservations. Mr. Chief Justice Taney, in delivering the opinion of the court, after reciting the facts, stated:

"For it is too plain for argument that where one of the parties to a treaty, at the time of its ratification, annexes a written declaration explaining ambiguous language in the instrument or adding a new and distinct stipulation, and the treaty is afterwards ratified by the other party with the declaration attached to it, and the ratifications duly exchanged, the declaration thus annexed is a part of the treaty, and as binding and obligatory as if it were inserted in the body of the instrument. The intention of the parties is to be gathered from the whole instrument as it stood when the ratifications were exchanged."

Permit me to call attention to the fact that the annexes or reservations made by the King of Spain subsequent to the ratification of the treaty by the Senate were only interpretative and did not in any wise change the purpose or effect of the treaty as previously ratified by the United States Senate. Yet the Senate was entitled to determine that question for itself, and therefore it was resubmitted to the Senate and the Senate found it necessary to again approve the treaty.

Is it not clear, from this precedent of the United States Senate and the decision of the Supreme Court, that any annex or reservation or addition or qualification to the written treaty must be submitted to the other parliaments or officers authorized to consent to and approve treaties?

I know that the Senator from Missouri and the Senator from Rhode Island and other Senators who would like to see interpre-

tative clauses attached to the treaty have hoped that such action would not require reconsideration and further action by the other parties to the treaty. It must now appear that there is no foundation for such hope. It is immaterial whether the Senate considers the reservation as changing the treaty or not, for that is a question under the law of contracts that the other party has an equal right to determine. It is immaterial whether the change be accomplished in the body of the treaty or by reservations in the resolution approving the treaty or by interpretative clauses annexed to the treaty. The question is, Is the wording of the treaty changed? If it is, the construction to be placed upon such words and their effect upon the terms of the treaty are questions to be determined by all of the parties to the treaty. The treaty is a contract; it is an agreement that requires the meeting of the minds of the contracting parties upon the terms. Agreements may be only expressed in words, and words are subject to various constructions. The words, therefore, in a contract are of as much importance to the contracting parties as the agreement itself, and the words once agreed upon can not be changed without the consent of each of the parties to be bound by the contract.

Is it not, then, clear that the argument of some Senators that further consideration and ratification by the other parties is unnecessary, because the words added to the treaty do not change its meaning, has no support in law?

Mr. Justice Brown, in delivering a concurring opinion in the Supreme Court of the United States in the case of The Diamond Rings (183 U. S., 182), says, in considering the treaty between the United States and Spain:

"In its essence it is a contract. It differs from an ordinary contract only in being an agreement between independent States instead of private parties. (Foster *v.* Neilson, 2 Pet., 253, 314, 7 L. ed., 415, 435; Head Money Cases, 112 U. S., 580, sub nom; Edye *v.* Robertson, 28 L. ed., 798, 5 Sup. Ct. Rep., 247.) By the Constitution (Art. II, par. 2) the President 'shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.'

"Obviously the treaty must contain the whole contract between the parties, and the power of the Senate is limited to a ratification of such terms as have already been agreed upon between the President, acting for the United States, and the commissioners of the other contracting power.

"The Senate has no right to ratify the treaty and introduce new terms into it which shall be obligatory upon the other power, although it may refuse its ratification or make such ratification conditional upon the adoption of amendments to the treaty. If, for instance, the treaty with Spain had contained a provision instating the inhabitants of the Philippines as citizens of the United States the Senate might have refused to ratify it until this provision was stricken out. But it could not, in my opinion, ratify the treaty and then adopt a resolution declaring it not to be its intention to admit the inhabitants of the Philippine Islands to the privileges of citizenship of the United States. Such resolution would be inoperative as an amendment to the treaty, since it had not received the assent of the President or the Spanish commissioners."

The learned justice states that any additions to the treaty must be solemnly ratified by the other party. If the Senate of the United States makes additions to the treaty by words of qualification, limitation, or interpretation in the resolution of approval annexed to the treaty, then what solemn ratification will be required of the other parties to the treaty? The Governments of Great Britain, France, and Italy have already decided that the treaty can not be ratified or become of binding effect upon those countries until it receives the approval of their respective parliaments. The House of Commons of Great Britain has already by an almost unanimous vote approved the treaty as negotiated. The treaty is now before the Chamber of Deputies of France and the Chamber of Deputies of Italy. The laws governing the approval and ratification of treaties in those countries are similar to ours. If we add to the treaty or take away from it or change it in any way, the treaty will then again have to be submitted to the Parliaments of Great Britain, France, and Italy for their approval of the treaty in its changed form.

The decisions that I have quoted defining the law of the ratification of treaties is conclusive upon this subject. If the United States Senate under the law governing treaties is compelled to reconsider the treaty with any changes made by the other Governments parties to the treaty, then the other Governments have got to consider and approve changes that we may make in the treaty before it becomes binding upon them. And there are 22 other Governments besides these I have named to which the treaty must again be resubmitted for solemn approval and ratification in accordance with the laws of those countries.

The premier of Great Britain or the premier of France or the premier of Italy has no more authority to accept and ratify a treaty that may be changed by the Senate of the United States than the President of the United States has to approve and ratify changes that may be made in the treaty by the other Governments who are parties to the treaty. Why is this true? Because the power of approval in each of such countries is vested in its parliament, as it is vested in the Senate in this country.

As Mr. John W. Foster says in his work entitled "The Practice of Diplomacy"—

"The signing of treaties or the exchange of ratifications is sometimes accompanied by protocols signed by the representatives of the two contracting parties, or by declarations on the part of one of the representatives, designed to interpret or affect in some way the terms of the treaties. It is a well-settled principle of the Government of the United States that no such document can have any effect whatever upon a treaty to which it is a party unless the document has been submitted to the Senate and received its approval in the same manner as is required for the treaty itself.

"The citation of a few cases will illustrate this practice. When the treaty of 1824 between the United States and Russia was about to be exchanged, the Russian minister informed Secretary Adams that he was instructed by his Government to file an explanatory note at the time of the exchange of ratification stating the views of his Government as to the meaning and effect of certain articles of the treaty. Secretary Adams informed him that such a note could have no effect whatever upon the treaty unless it was sent to the Senate with the treaty and received its approval, intimating that such a course might imperil the treaty. He advised the minister not to make it a part of his act of exchange of ratifications, but to file it at some date after that event. It would then be received as the interpretation placed upon the treaty by his Government. The minister pursued this course."

I particularly call attention to the last two sentences of the quotation. Secretary Adams advised the Russian minister to file as a separate instrument, and after the ratification of the treaty, any interpretations that his Government might place upon the terms of the treaty. His reason for this is plain, as has been determined by the precedents and decisions that I have heretofore cited. Any resolution of ratification and approval or other writing annexed to or filed as a part of the treaty changing, modifying, or interpreting the treaty in any manner becomes a part of the treaty and must again go through the formality of approval and ratification. The Russian minister took the advice of Secretary Adams. He subsequently filed a statement of the construction and interpretation placed upon the treaty by his Government. This did not become a part of the treaty and therefore did not compel further action upon the treaty, but it gave notice to the United States of the position that Russia would take if the construction of the treaty were ever brought in question. This, as I understand it, is what is sought by some of the Senators who are classified as being in favor of reservations of interpretation.

And again, on page 292, in describing the ratification required by other Governments, he says:

"The agents must not only be authorized to negotiate, but, as we have seen, the treaty must be duly ratified in the form required in each country."

I have already called attention to the fact that this treaty must be ratified by Great Britain, France, and Italy and be approved by their respective parliaments.

I take it from the foregoing precedents, decisions, and opinions that the necessity for the approval by the Parliaments of Great Britain, France, and Italy of any alterations or interpretations annexed to the treaty by the United States Senate is conclusively determined.

It must also follow that each of these parliamentary bodies, and the proper authority of each of the other parties to the treaty, may not only approve or reject our reservations but each may include in its resolution of approval further expressions of interpretation, qualification, or limitation, both as to our own reservations and to other matters in the treaty that may affect its individual interest. If any such reservations are annexed by these parliaments or Governments to the treaty, then under the decision of the Supreme Court and the precedent which I have cited the treaty in its changed form must again be resubmitted to the Senate of the United States for its further advice and consent with regard to approval. So without end changes may be made by these parliamentary bodies, and without end they must be returned to the other parliamentary bodies for their consideration, consent, or approval.

Are we justified in assuming that these other parliaments and Governments will accept without further interpretation our definitions of the articles of the covenant as affecting our own obligations? Is it not natural to suppose that, after the results of the long and tedious labors of the peace conference and the painful efforts at compromise have been once set aside by the United States Government, other Governments will not hesitate to attempt to obtain in the negotiations privileges and protections that they sought during the negotiations and which they failed to obtain? Such a supposition, Mr. President, is not founded upon experience and common knowledge of international diplomacy.

Japan's most bitter fight at the council table was to grant the league jurisdiction to prevent the United States, Canada, and Australia from excluding Japanese from their territories under the immigration laws. Her people are smarting under the alleged stigma. It is the most sensitive question in the Japanese Empire. Think you that the Japanese Government will neglect the opportunity to again insist upon reservations in the treaty covering this point if negotiations are ever again opened?

Think you that the Italian Parliament, having the opportunity by reopening of negotiations, would hesitate to place in the treaty reservations which they believe are necessary to protect her interests at Fiume, Dalmatia, and along the Adriatic when we had set the example?

The Chamber of Deputies of France has demanded of Clemenceau the evidence and the argument upon which he based his justification for signing the treaty without provisions for a standing army under the league to protect the borders of France.

Would there be cause for surprise if, in the circumstances, the Parliament of Great Britain should feel justified in adding a reservation to the treaty when it goes back to them to the effect that the clause providing for limitation of naval armament shall not, by reason of Great Britain's peculiar situation, apply to that Government?

Any reservation by any of these Governments, of this kind or of any other character, will necessitate a return of the treaty for the approval of our Senate and every other parliament or agency invested with the power of approval. There are reservations that I have suggested, and probably many more which I have not mentioned, that our Government would not approve.

And what is the result if there be a failure of approval of our reservations or of the reservations of other nations tacked onto and made a part of the treaty? There is but one alternative—abandonment of efforts for future peace, or long, uncertain, and dangerous renegotiations between all the parties to the treaty.

Mr. President, unless we approve this treaty as it stands, as Great Britain has done, then we open the door to all of the disastrous possibilities of renewed international dissension.

Mr. President, I hesitate to criticize the advice of so distinguished a statesman as Mr. Elihu Root, but his recent expressions are, in my opinion, subject to misconstruction, and the question is of too vital importance to permit his statement to go unanswered. In his letter addressed to Senator LODGE, under date of June 19, and which was published as Senate Document No. 41, in discussing the reservation, he present this argument:

"This reservation and these expressions of understanding are in accordance with long-established precedent in the making of treaties. When included in the instrument of ratification they will not require a reopening of negotiation, but if none of the other signatories expressly objects to the ratification with such limitations the treaty stands as limited as between the United States and the other powers.

"If any doubt were entertained as to the effect of such action, the doubt could be readily dispelled by calling upon the four other principal powers represented in the council to state whether they do in fact object to the entrance of the United States into the league with the understandings and reservations stated in the resolution."

It is true that the practice of adopting reservations is in accordance with the precedents in making treaties, and I have attempted to show, both by citing precedents and decisions, the effects of such reservations. He first states that such reservations "will not require a reopening of negotiations," yet in the very same sentence he admits that the other parties to the treaty may reject the treaty with the reservations by expressly objecting. Does not this power of rejection necessarily imply a resubmission to and reconsideration by the other parties to the treaty of such changes or additions? Are the other parties to the treaty limited to expressly objecting to the reservations or accepting them? Have they not the same power that our Government has to offer further reservations or clauses of interpretation relating to our particular reservations or to other matters in the treaty that they may consider affect their individual interest? I do not take it that any statesman will question this power. And is it not inevitable, in a peculiar condition such as involves this treaty, where 27 nations, in addition to our enemy, of different races, speaking different languages, with different interests, are involved, that the inevitable result must be a reopening of the whole matter?

In view of the precedents and decisions of our Supreme Court that I have cited, I respectfully insist that Mr. Root's statement that the contract would become binding with our reservations unless the other nations expressly object is not founded in law. If the other Governments fail to approve the treaty with our reservations, in accordance with the laws of their own countries, then the contract is of no binding force or effect. If the ex-Senator sees fit to interpret such action as an "express objection," then he may satisfy himself with regard to his position. But the distinguished statesman admits doubts with regard to the soundness of his own proposition. From one so learned and experienced in such matters, his statement might be taken as advice to the President to call "upon the four other principal powers represented in the council to state whether they do in fact object to the entrance of the United States into the league with the understanding and reservations stated in the resolution."

Why should the President call to the attention of the four other principal powers such changes and not call them to the attention of all of the other 22 powers who assisted in making the treaty and who were parties thereto? Would not the consent of the other powers to such changes have to be obtained before the treaty would be binding upon them? Would Mr. Root be satisfied with the elimination of all of the other powers from the treaty and have only a treaty between the United States and these four powers? What would be the result upon the league of nations if the new treaty as proposed by the Senate were only ratified by the United States and the four other principal nations? Is it not evident that we would then have only an alliance of a group of nations and not a league of all nations? I do not know what Mr. Root may conceive to be the duty of the President of the United States in the premises, but I am satisfied that the President will deem it his duty to call the attention of each and all of the nations who are parties to the treaty to any changes that may be made in the treaty by the Senate, and to request of them that the treaty so changed be approved and ratified according to the laws of their respective countries.

The United States by the ratification of the treaty is assuming serious obligations. It is assuming them upon the theory that all of the other nations who are parties to the treaty are going to assume the same far-reaching obligations. Would the President be doing his duty if he trusted to an equivocal, long-delayed, or implied ratification of the treaty by the other parties to it, with the knowledge of the unfortunate consequences that usually follow such delays and uncertainties?

Again, Mr. Root assumes that it would be an easy matter for the four other principal powers to answer the question as to whether their Governments would consent to such changes in the treaty. The only authority that can answer that question is the authority in whom is vested the power of consenting to and approving such changes. This power is vested in the Parliaments of Great Britain, France, and Italy. How can the President ascertain what action parliaments would take with regard to any proposed reservations by the United States Senate? Who in those Governments or in those parliaments has the knowledge or the authority to answer such a question? If the President of France, the King of England, or the King of Italy should desire to know whether the United States Government would agree to certain proposed reservations on behalf of each one of these respective countries, how would such sovereigns obtain the information from the United States Government? The only power in the United States that can answer such question is the power that has the right of approval or rejection, and that is the United States Senate. Who has the knowledge or authority to answer such questions on behalf of the United States Senate?

The New York Times of July 21 says that Senator LODGE is said to have had word from a prominent British statesman that both Great Britain and France would agree to reservations proposed pertaining to article 10, guaranteeing territorial integrity, the Monroe doctrine, purely domestic questions such as immigration, the tariff, and racial equality, and American right to withdraw from the league upon two years' notice,

America to determine for herself if her obligations to the league had been fulfilled.

From whom could Senator LODGE obtain any authoritative information in Great Britain or France? There is only one power in Great Britain that may answer that question, and that is the British Parliament. There is but one power in France that may answer that question, and that is the French Parliament. And neither of these bodies can answer the question except by a vote.

Mr. President, all such assertions might be considered as idle declarations were it not for the unfortunate effect such statements may have upon the ultimate fate of the treaty and the league of nations.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Montana?

Mr. PITTMAN. I do.

Mr. WALSH of Montana. I desire to inquire if the Senator can inform us whether the Senator from Massachusetts has made any public statement with reference to the interview which the Times attributes to him?

Mr. PITTMAN. Mr. President, I have not seen it.

Mr. WALSH of Montana. Did the interview give the name of the eminent statesman who was able to inform the Senator from Massachusetts?

Mr. PITTMAN. The article to which I have referred did not give the name of any statesman.

Mr. President, no Senator who believes that the peace of the world may only be maintained by the concerted action of nations dare endanger the ratification of the treaty of peace by attaching thereto amendments, reservations, or interpretations, unless he has determined that the interest of his country requires that he vote against the treaty unless such reservations be adopted. No mere doubt as to the construction of an article affecting the United States could justify him holding such beliefs in again throwing the world into chaos.

The nations of the world may all be against us, and in the league of nations they may violently misconstrue the articles affecting our interest. They can accomplish the same purpose if there is no league of nations. They are more apt to attempt to accomplish this purpose if there is no league of nations. If we can not trust the nations of the world to do justice to us in the league of nations, we certainly can not trust them outside of the league of nations.

We can wait for peace; Europe can not. A month or a year might not be noticeable here, but two months may mean the destruction of civilization in Europe. Their able-bodied men have been annihilated; their widows and orphans are starving; their lands have been devastated; their factories have been destroyed; their commerce has ceased to exist, and they have no credit. Nothing thrives in Europe to-day except Bolshevism. It is growing like a rank and poisonous weed. Unless we, by bringing about an early peace, assist in cutting it down and stamping it into the ground its seeds will scatter over the world.

The real peace treaty was not with our enemy, but between us and our friends. There is no precedent for such a treaty. We may force any treaty upon a defeated enemy; we must compromise a treaty between our friends. The ablest and most patriotic statesmen of the world, for months, untiringly gave their lives to reaching this compromise treaty. They all agree that it is the best that can ever be obtained.

If you are against the league of nations, then say so and vote against it; kill it openly and quickly, but do not give it a slow poison that must result in its death. The Governments of Europe must act. They must bring peace and order out of chaos and anarchy or those governments will be swept away. The statesmen of Europe have had an almost superhuman task in meeting the wants and allaying the patience of their people. They are holding them together, waiting for our Government to act, while our Senators slowly debate technical questions and future vague possibilities.

Speaking purely as an American, I believe that our Nation will be in as much danger as any other country in the world if this treaty fails. Already there are signs in Europe of the abandonment of peaceful intentions, and groups of nations are feeling their way to organization for war and conquest. If the world does not soon guarantee France and Italy and the new nations against aggression through concerted action under the league of nations, then an alliance, an offensive and defensive alliance under the old order of things, is inevitable. We know what that alliance will be and we know that we will not be a member of it. We know that there will be an alliance of powers superior to our strength that will not be in sympathy with our policies and our interests. Our Monroe doctrine will then cease to be a doctrine, because we will be unable to maintain it. We will be able to defend our own shores, but only by establishing and maintaining the greatest navy and the most powerful army that any country ever had. Let us not deceive ourselves nor the people of the country. Let us tell them the truth. Let us tell them that if this league of nations fails, that then they will be called upon and will have to support their Government in a militarism that will be the only safety of our country.

Mr. President, I pray God that the world may awake from this nightmare of horror.

Mr. SMITH of Arizona obtained the floor.

Mr. JONES of New Mexico. Mr. President, I wish to ask the Senator from Nevada a question.

Mr. SMITH of Arizona. I yield for that purpose.

Mr. JONES of New Mexico. The Senate, I am sure, is grateful to the Senator from Nevada for his very valuable contribution to this discussion, but I should like to give the point to one feature of his very able address.

In referring to the interview with former Senator Root, he is quoted as having said, in effect, that some of the governments might accept interpretations or reservations imposed by us without sufficient action. That, of course, means that a contracting party may amend a contract either expressly or by implication. I assume that former Senator Root referred to governments where it was possible that they could accept a reservation or an interpretation by implication simply by acting upon it as thus interpreted. I should like to ask the Senator from Nevada if there is any power in Germany which can accept an interpretation or reservation by implication, and whether it would be necessary, under the present government in Germany, that the treaty should be resubmitted to the Parliament of Germany and the present existing government?

Mr. PITTMAN. I do not think there is any doubt about it. I do not think there would be any question but that under the laws now governing Germany the changed treaty by the additions suggested would necessarily have to go back to the parliamentary body of Germany for ratification and approval.

Mr. JONES of New Mexico. Then, would not Germany be given the perfect right to contend that the treaty which it had ratified has not been ratified by all the powers, and that she is not bound by this treaty until the treaty, in the terms originally submitted to Germany, was ratified by each power intending to be a party signatory to it, and would it not give Germany an opportunity to open up the entire controversy and insist upon such qualifications or interpretations as she might see fit to impose upon it?

Mr. PITTMAN. I think the suggestions of the Senator from New Mexico add to what I have already attempted to make clear, that any changes, no matter how they may be accomplished, made in the treaty by the Senate necessarily must be ratified by the proper legal bodies of all the other countries that are parties to the treaty. There are 27 of them, exclusive of Germany. I think it is clear also that at the same time it goes back to them for their ratification they would not only have the power of ratification or rejection, but they would have the power of further interpretation of what we attempted to interpret and a further power of adding reservations affecting their own interests. In other words, I feel that we should thoroughly understand the situation, and that long delay is inevitable if we add a single amendment or a single reservation or interpretative clause to the treaty.

As to whether a Senator may consider that that delay is justified by the necessity of his amendment or reservation is something that must appeal to his own conscience, and no one else may answer. Long delay might not be as important in the mind of a Senator as the reservation he has in mind.

That is the only question as I take it. I would have no objection to interpretative clauses. I should like to see some interpretative clauses. Like nearly every other Senator, I never saw an instrument drawn by anyone else that I did not feel I could improve upon. I am not governed in my action, however, solely by such sentiments. My action will be dominated by what I consider will bring about an early peace and preserve the league of nations.

Mr. BORAH. Mr. President, I do not wish to interrupt the Senator from Arizona, and will not take more than a moment. As I understand the position of the able Senator from Nevada, it is that no interpretation or amendment which does not go back for action upon the part of the other nations can be of any real effect.

Mr. PITTMAN. Yes; of any legal effect.

Mr. BORAH. I thoroughly agree with the Senator. I have no doubt that view is correct, and I hope the entire Senate will take that view. The idea of the United States putting in an interpretation and Brazil putting in an interpretation which may be in conflict with it, and another nation putting in an inter-

pretation, and assuming that those interpretations are going to have any effect ultimately unless accepted, is perfectly absurd to my mind. I agree entirely with the Senator from Nevada that any interpretation or amendment, or any construction or reservation, must go back and be accepted by those nations before it is worth the paper it is written on.

Mr. PITTMAN. I take it, of course, the Senator agrees with me that when it does go back to be accepted by them it carries with it that meaning, that if accepted by the parliaments or agents of those countries that are authorized to consent to and approve treaties.

Mr. BORAH. Precisely.

Mr. SIMMONS. Will the Senator from Arizona permit me to ask the Senator from Nevada a question?

Mr. SMITH of Arizona. Yes; I will yield.

Mr. SIMMONS. This is the question I wish to ask the Senator from Nevada: The Senator from Idaho says that these reservations have no legal effect. Undoubtedly the Senator is correct in that respect, but if we should make a reservation interpreting our understanding of the treaty or any of its provisions, and Congress should be called upon hereafter to perform any obligation arising out of the treaty with respect to the section to which the reservation is made, would not that reservation of our understanding of its meaning protect this Government against the charge of bad faith if we refused to carry it out with reference to the understanding of other members of the league, but agreed to carry it out with reference to our own understanding as enunciated in the reservation, and would it not be very valuable for that purpose and to that end, although the reservation should have no legal effect?

Mr. PITTMAN. Mr. President, there are two characters of resolutions bearing on the subject. One of them is a resolution made a part of the treaty and the other is a resolution made immediately subsequent to the treaty, either one of which may express the interpretation of our Government. If the expressed interpretation is made a part of the treaty, it requires ratification by the other powers which are parties to the treaty, because it becomes a part of the treaty. If the resolution is made subsequently and apart from the ratification of the treaty, it does not become a part of the treaty and does not bind the other Governments in the construction of the treaty, but it does serve the purposes which the Senator from North Carolina stated, of giving to the other parties notice of the position that our Government will take if the construction is ever brought into question.

Mr. SIMMONS. Yes, Mr. President; and if the reservation is made in such a form that it is legal and binding by the ratification or agreement of other nations, then, of course, it would become a legal obligation.

Mr. PITTMAN. Yes.

Mr. SIMMONS. But the Senator from Idaho was talking about the other character of reservation, a reservation that did not at any stage assume the form of a legal obligation, and he said that that would be of no value.

Mr. PITTMAN. No; I did not so understand it.

Mr. SIMMONS. I did.

Mr. PITTMAN. What he meant was that any reservation, as I understood the Senator; and I understood him to take the position I did, that any reservation or annex of any kind, no matter what you may call it, or any change made in the treaty by the Senate is of no binding effect upon the other parties to the obligation until such change is approved by them according to the laws of their country.

Mr. BORAH. That is the position which I took.

Mr. SIMMONS. I misunderstood the position of the Senator from Idaho.

ADJOURNMENT TO MONDAY.

Mr. CURTIS. Will the Senator from Arizona yield further, that I may make a motion?

Mr. SMITH of Arizona. I yield for that purpose.

Mr. CURTIS. I move that when the Senate adjourns to-day it adjourn to meet on Monday next.

The motion was agreed to.

Mr. SMITH of Arizona. Mr. President, our representatives at the peace conference, together with the representatives of 30 other powers, have unanimously recommended this covenant for a league of nations establishing a democratic organization world-wide in scope, for the humane and righteous purpose of preventing further wars upon the earth. The sincere effort by this great aggregation of the nations to accomplish the purpose is worth more to the world, far more, than the money expended, and if success follows, as it will, this last horrible, brutal, and devastating war will prove in time to have been the greatest blessing ever vouchsafed the nations and peoples of the earth. Its horrors awoke the world to the adoption of measures preventing its recurrence. The means to this end finds expression in the league of nations now before us for ratification or rejection. It is as near perfect as the best and sincerest minds of 30 nations could make it, involving as it does so many intricate and portentous interests. It has been criticized in sincerity by some, and assailed and grossly misrepresented by others—sometimes I fear under press of political prejudice. These critics are professedly, devotedly, in favor of *a* league, but not *this* one. Not one of them has presented even the skeleton of *the* league that would suit him, and save the world. A league of nations for the future peace of the world was one of the famous 14 points set forth by the President in his message to Congress, on which a just and an abiding peace must be made. Not one word of objection or dissent was heard then. Why this uproar and clamor now? Oh, you answer, "It is not the kind of a league we wanted." What kind do you want? It is high time to give us a sample of your superior wisdom by presenting a model. Your good faith is at stake. It is easy to tear down what you could not build. The matchless temple of Diana was destroyed by a reckless dupe who hoped that his name might live in history. Is one-third of the Senate of the United States to emulate that achievement by destroying this temple of peace, this league of nations, built by the hands of the chosen architects of 30 nations of the earth, and around which cluster the dreams of the philosopher, the love of the Christians, the hope of a war-ridden and devastated world? Its foundation is laid in the blood of millions on millions of men who fought that civilization might be saved, and that the angel mission, peace on earth, good will among men, might be fully accomplished. No, you will not destroy this dream, this love, this hope of the bleeding world, unless you shall shut your mind from the light of reason and your ears against the suffering cry of humanity. Why should anyone wish to defeat this treaty? Why this hypercritical interpretation of its terms? Why this effort of some Members to make this a party issue? May God have mercy on the man who would willingly place party success above the peace and prosperity of his country. May God pity the narrow, contracted soul and the timid heart of him who would counsel or consent to his country's evasion of the responsibility and duty that modern times and modern events have thrown upon it. We are no longer a hermit Nation, nor can we play the part of a hermit in the fast unfolding duties and obligations resting on the civilization of this hour. We are the most powerful and peace-loving Nation on the earth. We have no cause to fear any. Our position in the affairs of this world demonstrates the fact that no war of any magnitude can be waged without bringing us into its awful vortex. The last one fully reveals that inevitable consequence. The league of nations alone can prevent such a catastrophe in the future. Is it worth trying? The death-dealing discoveries and inventions called forth by the last war make the next one absolutely destructive. Better that some sacrifices, some expenditure of millions for the preservation of peace, than that untold billions should be used again in gaining an empty victory.

Our last war was fought to little purpose, our billions of treasure spent in vain, the blood of our heroic boys offered as a useless sacrifice, if out of it all no provision is made at this epochal time to prevent a recurrence of these woes by establishing a guaranty of all civilized nations against any aggression of one against another.

It seems pitiable to me that men can be found willing by any pretense or under any conviction or for any purpose to throw away this first real chance of the world to better the conditions in it. We are an essential and very important part of the world from now until the end of all human government. This great globe on which all the nations, tribes, and people must live is not larger than a football as compared with a century ago. Whether we will or not, our interest, our trade, our industries, touch every port and every transportation line on earth, and every consideration of all these demand that peace, not war, shall be the normal condition of mankind. Our premier position makes the peace of the world more important to us than to any other people. We have it in our hands now to accomplish this, backed as we are by the common consent and eager acquiescence of all the decent peace-loving nations of the earth. Under the proposed league, ours with them and theirs with us, is a purely contractual relation. All are dealing in good faith, and all intend to keep the contract. We bear no burden not common to all. None can afford to break its contract with us, and we have no intention to violate ours with them. Then why this new-born fear of the league?

Mr. President, these general observations having been submitted, let us see, if we can, what this league of nations pro-

poses, and wherein lies the danger to the United States that its critics affirm. One thing is certain—the league is not a world state or supersovereign as so loudly declared by its opponents on this floor. As I said in starting, the obligations assumed are contractual only, and certain machinery is provided for the fulfillment of these mutual obligations.

First, an assembly in which all States members of the league are to have one vote.

Second, a council of nine members, on which the United States, Great Britain, France, Italy, and Japan are always to be represented, and four other States—Belgium, Brazil, Greece, and Spain—shall be represented on the council.

Third, a secretariat, head of which shall be appointed by the council and ratified by the assembly, and all assistants appointed by him shall be ratified by the council. The States victorious in the late war shall be charter members, together with such States as on invitation shall join. The Central Powers, against whom we fought, are not now to become members of the league for obvious reasons. Eventually all States will become members, because the advantages of membership will constrain them. Admission, however, is allowed only on a two-thirds vote of the assembly. Any State may withdraw on two years' notice if it has fulfilled its obligations under the contract. Mr. Root thought five years was the proper time, but President Wilson had the two-year limit put into the league provisions. This provision alone would save the United States from all the dire evils and fancied wrongs so vociferously asserted in the diaphanous diatribe of desperate debaters on this floor.

The council is to submit plans for a court of international justice for its consideration and adoption. Such a court has been advocated for a half century and more by the leading spirits of every civilized and enlightened country, and various efforts have heretofore been made to accomplish it. A commission on armament is likewise established, which can in no way injure the United States, but vastly redound to its interest. If all disarm in proportion to their local needs and trouble should arise, we have demonstrated to the wondering world our power to surpass all others in hasty preparation for any emergency. We no longer want an army-ridden world. Germany has shown what a menace a fully equipped army is to the peace of unoffending nations. We have now for the first time in history power to limit armament, and that power properly exercised is a sure guaranty of peace.

England and France, unequipped, unready, could not persuade prepared Germany from unbarring the gates of pandemonium and turning loose on the world the crimes and miseries of hell.

Mr. President, the very heart of this covenant is the delay it insures before the first blow is struck. Everyday experience, in even domestic troubles, teaches the necessity of delay and forbearance to prevent hostilities. It is the same with nations as with men. Do you remember the Morocco affair in 1905, where the declared policy of the Kaiser was a prelude of war? A battleship landed off the coast of Agadir. President Roosevelt's influence called the Algeciras conference. This was *after* the dispute had arisen, when the temper was hot, when both sides were ready to fight. The conference brought delay. The whole differences were discussed. The French claims were established in Morocco. The Kaiser quit and imminent war was thus averted.

You remember the Balkan troubles of 1912, where the peace of the world was preserved by the establishment of the conference of London, at which free discussion was had and the threatened war averted—I should say delayed, for it finally came and has just ended. Who would dare doubt if delay and conference could have been had in the fateful month of July, 1914, that the late war could have been avoided? The civilized world was asking for delay, for conference, for discussion. No machinery existed to obtain either delay or discussion. France protested; England tried to persuade; Russia made ignominious concessions, all to no avail. The Kaiser knew that delay was fatal to the aggressor, and he turned loose the dogs of war.

Under old-time and present conditions war follows the failure of diplomacy in all serious controversies between nations. Under the league, when diplomacy fails, resort to arbitration is had, and that means delay and cooling time and return of reason, which secures peace in ninety-nine cases out of every one hundred. If arbitration is not resorted to, the case goes to inquiry before the council of the league for decision, which equally secures delay and enthrones reason in the place that passion had usurped, and thus equally tends to peace. The covenant of the league sets forth the modus operandi so plainly that no objection has thus far been urged against it on this floor or elsewhere, so far as I have heard.

Mr. President, the human mind is still an enigma; it can not be analyzed or comprehended. It can become so great under inspiring influences, so small under the persuasion of prejudice, fanaticism, selfishness, envy, malice, and even under the hope of political party success, that the normal man, in normal condition, stands filled with amazement and wonder before this inexplicable paradox. What a fruitful study, as far as example is concerned, this phenomenon offers in the present membership of the Senate. When brutal warfare was driving its plowshare through creation, when we entered it with the declaration that its end must be the end of future war, when we declared that a league insuring peace should result, the leaders of the present opposition consented by their silence that such league should be established. Some of those leaders then were earnest advocates of a league, who are now leading the opposition against this league, but offer no substitute for it. Amendments suggested by them to the President on his short return in March, such as the greater protection of the Monroe doctrine and the right to withdraw from obligations, were inserted by the President on his return to France. He met the unnecessary objections raised then, but no sooner had he done that than we began to hear of the unconstitutional provisions of the league—that it took from Congress the power to declare what tariff taxes should be collected, or at least affected seriously the constitutional powers of Congress in that regard; that in certain emergencies it took from Congress its constitutional power to limit and control appropriations on the happenings of certain fancied events which might occur under the covenants contained in the treaty. What wet nurses of the Constitution these great fault-finding leaders have recently become. These declarations of the unconstitutional covenants of the league would be as laughable as they are silly except for the stupendous tragedy involved in the defeat, under false pretense, of the beneficent hopes held out to us and the eager expectant world in its guaranties and mutual, sincere, and unselfish promises to make the world a better home for all the sons and daughters of men.

The great mass of genuine patriotic American citizens revere the Constitution as the palladium of their liberties, as well as the source of our marvelous prosperity and power. To the unread and busy of this noble class the disingenuous appeal goes forth to defeat, or amend, or qualify this great document, this covenant of peace, fresh from the hands, as I have said, of the biggest, broadest, and best men that could be chosen from the leading nations of the earth, because they say it *violates the Constitution*. Would to God that everyone to whom this prejudicial, yet groundless, appeal is made could be furnished with the illuminating and unanswerable speech of the Senator from Montana [Mr. WALSH], in which he demonstrates beyond the doubt of an honest lawyer that nowhere does this treaty affect the Constitution further than the great majority of our treaties have affected it, and as this treaty in the same degree will affect it to the end of time. The Constitution makes a duly ratified treaty the supreme law of the land. The Constitution makes laws passed in pursuance of the instrument likewise the supreme law of the land. An act of Congress can nullify a treaty. A treaty can repeal an existing law. This was held by the Supreme Court directly in Whitney against Robinson, 124 Supreme Court Reports, and in too many other cases has it been so held to admit controversy now.

Why all this clamor about a treaty amending our organic law? Why all this vociferous exaggeration about this covenant changing our form of government? Why this desperate delusion of a supersovereignty being erected on the ruin of our revered Constitution? A super-State, a supreme sovereignty! What is meant by such declamatory catchwords? Do Senators think they are fooling anybody by constant reiteration of them? A super-State, indeed! Without a citizen or subject, with no local habitation or a name, no geography, no army or navy, no treasury, no power to declare war or levy taxes. And yet such is the scarecrow of a super-State that political prejudice or personal hate is holding up to the frightened gaze of those who are ofttimes willing victims of this miserable cheap political camouflage.

Mr. President, guaranteeing other nations against external invasion is no new experience with us. The Monroe doctrine, to the preservation of which such useless and fervid appeal has been made of late, is itself a striking example. I say *useless* appeal for the reason that the Monroe doctrine is not now, and never has been, in jeopardy by reason of any provision in the covenant. Is the Monroe doctrine violative of the constitutional power of Congress to declare war? It simply warns the world that Congress will declare war if the doctrine is questioned by assault of any transoceanic nation. The Monroe doctrine would be a silly threat if the world doubted that Congress would, when

occasion arose, raise armies and pay bills in its maintenance and support. The world knows Congress has said so. Congress always has and always will keep faith with the treaties we make, but the whole diplomatic world knows that Congress has the power to refuse supplies whenever it shall so determine, and every treaty made with us is executed in the light of this knowledge.

The House of Representatives did refuse in the Jay treaty to make the necessary appropriation to carry out its terms, but subsequently revoked this action and the treaty survived. But let it be known that political influence was at work then, as it is now, in opposition to the treaty, and it failed then as it will fail now in carrying out its unreasonable and unholy purpose to defeat the covenant now under consideration.

The same question arose in the Louisiana Purchase, on the question of paying the stipulated price of $15,000,000, with the same result in the House. It is true that the then political parties reversed face on their former positions between the treaty of 1796 and the treaty of 1803. The plain, outstanding fact remains now as it existed then, to wit, no treaty can declare war, raise taxes, intrude on the constitutional prerogatives of Congress, or hinder in any way—except by moral restraint—the full exercise of its secured functions. It is of no consequence that the treaty deals with a subject on which Congress has power to legislate. As shown by the Senator from Montana in his great speech, to which I have made former reference, that the theory that the treaty-making power does not extend to any subject with reference to which power is invested in Congress has been long ago exploded, if, in fact, it was ever seriously maintained, and he cites so many striking examples, interwoven with argument so lucid and convincing, that no repetition of the history is necessary.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Mississippi?

Mr. SMITH of Arizona. I yield.

Mr. WILLIAMS. I wish to ask permission of the Senator from Arizona to interrupt him to remind him of a matter that is in keeping with the argument he has just made. The Republicans have seriously contended, or serio-comically contended, rather, that this country had no right to agree to guarantee the territorial integrity or the independence of any other part of the world, because that action could not bind future Congresses, and they have contended that it was unconstitutional to agree beforehand to defend the possessions of other countries. I wish to call the attention of the Senator from Arizona to the fact, which he well remembers, that the first treaty ever entered into by this country, made under the Continental Congress and afterwards confirmed under the Constitution, was a solemn promise upon the part of the United States to defend France in her West Indies possessions. That treaty, it is true, was afterwards violated, or breached, rather, under the administration of George Washington, but the treaty was solemnly made under the Continental Congress, solemnly confirmed under the Constitution, and recognized by the United States. By it we undertook to preserve and defend France in her sovereignty and possession of the West Indies Islands. When the time came under George Washington everybody admitted that if we had to go to war to do it, Congress would have to declare war; but, as neither Congress nor Washington wanted to do that, neither one of them did it.

Mr. BORAH. That shows the beauty of making the treaty.

Mr. SMITH of Arizona. I thank the Senator from Mississippi for his illuminating interruption.

But for mere hasty example let me briefly recapitulate. The Constitution gives Congress power over foreign commerce, yet we have entered into many commercial treaties affecting that commerce without objection ever being raised. Congress is given power to lay and collect duties, yet by the Louisiana Purchase treaty the ships of France and Spain entering ceded ports should pay no duty on cargoes. The same principle is found in our treaty with Cuba. This is "meddling with the tariff," yet the Senator from Massachusetts [Mr. LODGE], who objects to this league on that account, voted without comment for the Cuban treaty. But the tariff is a purely domestic question, and with all other such questions is expressly excluded from league jurisdiction.

Congress has power to raise and support armies and to provide and maintain a navy. Yet we entered into a treaty with Great Britain—and for a hundred years have observed it—limiting the number of armed vessels on the Great Lakes. Congress has power to make laws naturalizing aliens. Yet by treaty with Spain, on the purchase of Florida, the inhabitants of that territory were made citizens of the United States, as was also done by the treaty of Guadalupe-Hidalgo with Mexico, yet no one ever contended that the Constitution of the United States was being interfered with by thus creating citizens of the United States by treaty.

Congress has power to make rules and regulations respecting the property of the United States. The Panama Canal is the property and the zone the territory of the United States. As to how we acquired it it is well to say as little as possible, but a settlement of tolls by treaty was never assailed on the ground of its interference with congressional power. Further investigation, no doubt, would multiply instances showing that a subject is not beyond the treaty-making power only because it lies within some powers granted to Congress by the Constitution.

Further investigation no doubt will multiply these cases enormously, and they will continue to multiply as we negotiate other treaties with the peoples of the world.

So it follows that merely because the treaty involves something that Congress has power to do, it does not necessarily interfere with either the powers of Congress or the treaty-making powers.

Why, then, this persistent assault on article 10 of this covenant and the loud declamation against its constitutionality. We did make alliances with other nations before the Constitution was adopted, and that instrument nowhere modifies that right, but confirms it in the treaty-making power. And if the Constitution had been utterly silent on the question, who dares doubt that alliances could be made, would of necessity have to be made, with other powers under the inherent right of an independent sovereignty? Section 10 of the covenant is the very heart of the league of nations and promises the only forceful safeguard in carrying out the purpose of preserving the world peace by using the common, mutual force of the world, if necessary, to discipline and punish a willfully recalcitrant nation that violates the universal Monroe doctrine established by the agreements and covenants of the league. Our Monroe doctrine is excluded *eo nomine* from the jurisdiction of the league, but this even does not satisfy microscopical criticism.

The league in terms declares that "regional questions" * * * "like the Monroe doctrine" shall not be subjected to league domination or to question at all.

Mr. President, if the Monroe doctrine had never been promulgated, if it had never been heard of or thought of, it would nevertheless have been fully protected in carrying out the declared guaranties of this treaty. But, be that as it may, there remains still the fact that article 10 of the covenant, neither in terms nor by any reasonable implication, violates or attempts to violate nor could it violate any provision of the Constitution, nor does it take from Congress or attempt to take from it, nor could it take from it, any power or right granted to Congress under the Constitution.

Article 10 of the league is in the following words:

> "The members of the league undertake to respect and preserve as against *external* aggression the territorial integrity and existing political independence of all members of the league. In case of any such aggression, or in case of any threat or danger of such aggression, the council shall *advise* upon the means by which this obligation shall be fulfilled."

This undoubtedly binds us, in common with all the other 30 signatories of the treaty, to wage war, if necessary, against an obdurate recalcitrant nation violating the peace of the world. But we have not hesitated heretofore, by treaty—and in a much less worthy cause—to assume an obligation of war.

When the distinguished Senator from Pennsylvania [Mr. KNOX] was Attorney General, under the Roosevelt administration, a treaty was negotiated with Panama, which bound us under certain conditions to go to war with any nation offending the treaty stipulation. He was acting the rôle of a statesman then, and never dreamed that under the treaty-making power he was offending in any way the Constitution of the United States. The first clause of that treaty is in these significant words:

"The United States guarantees and *will maintain* the independence of the Republic of Panama."

That bond of ours was a direct defiant declaration of war in advance against any and all nations daring to interfere with or destroy the independence of this little, home-made Republic of ours.

Where is Roderick now? This same justly distinguished man, now Senator from Pennsylvania, introduced a resolution in the Senate wherein, among other things, he requests the Senate to affirm, "The Constitution provides the only way it can be amended." * * *—that is absolutely new and illuminating—"the treaty-making power has no authority to make a treaty which in effect amends the Constitution."

It could not if it tried.

Mr. WILLIAMS. The courts would declare it invalid.

Mr. SMITH of Arizona. It would be invalid if it tried; but he said it had no power to make a treaty which in effect amends the Constitution.

"And the Senate can not consent to any treaty provision which would have such effect if enforced."

Listen—

"If enforced."

If it was not constitutional in the first instance, how in the name of conscience could the fact of enforcement have anything to do with that question?

This plainly referred to the obligation of the covenant that we, with all other signatories to it, would go to war in certain specified contingencies.

In answer I submit his own treaty with Panama, by the terms of which he bound the United States, on certain contingencies, to go to war, which "*if enforced*" would have been unconstitutional. I can not see how enforcement, as I said before, would make it unconstitutional if it was not already so. It has been called to our attention that the Senator from Pennsylvania nowhere in his resolution nor in his speech before this body in advocacy of it unequivocally committed himself to the view that the treaty-making power is not sufficiently broad to warrant a convention or covenant obligating the Nation to make war presently or upon a future contingency, yet the careless or casual reader would receive from the speech and the resolution the impression that the very distinguished Senator from Pennsylvania had announced that doctrine. *I do not think he will proclaim it as his view of the full scope of the treaty-making power.* We all know that no treaty or any law can amend or alter any provision of the Constitution. The debates and press reports on the Panama treaty nowhere discloses any criticism of the treaty-making power to bind our country to make war, if need be, for the protection of Panama independence. Members now living and still serving here, and some of whom are vehemently assailing as unconstitutional the possible war provision hidden in article 10 of this covenant, voted without protest for the war covenant in the Panama treaty. The present Senators who thus voted are LODGE, MCCUMBER, NELSON, PENROSE, SMOOT, and WARREN. Not a word of protest came from them. There was a declaration of war, if need be. It was perfectly constitutional then, but there was no political campaign on in connection with the President two years ahead.

Mr. WILLIAMS. It was a promise to make war.

Mr. SMITH of Arizona. It was a declaration of war in advance, just as the Monroe doctrine has always been.

Again in 1846, when Webster, Benton, and Calhoun were Members of the Senate, the United States made a treaty, as we all know, with New Granada. No constitutional objection was raised then against that treaty, which contained, among many covenants, the following:

"The United States guarantees positively and efficaciously"—

Note the binding and earth-challenging force of the words—

"to New Granada the perfect neutrality of the Isthmus * * * the United States also guarantees in the same manner the rights of sovereignty and property which New Granada has and possesses over the said territory."

That guaranty positively meant war if trespass occurred on the rights of Granada. Time and time again such guaranties have been given by us in treaty stipulations, to be met now for the first time by a challenge of the power thus exercised. In the light of present circumstances this challenge is quite significant. I refrain from any reference to newspaper caution for us to be certain to preserve the Monroe doctrine, save our rights to pass on questions of immigration—"for God's sake do not take from Congress the power to tax imports," and other like rot from the pen of that profound lawyer, that international authority, that expounder of the Constitution, Mr. Hays, who happens just now to be the political chairman of the Republican national political committee, chosen for that place rather for his political sagacity than for his erudition in broader and more important fields of human endeavor. I will pause long enough to express my profound disappointment that this great world crisis and our connection as the leading Nation with it should be degraded to the low level that debates occupy in party political contests. Coming from this side of the Chamber or from that, the man who views this question from the standpoint of party success, who subrogates the question of the peace of our country and the betterment of the world to party success at the polls, betrays a lack of concern in the great responsibility that our position here imposes.

Every criticism of the league made on this floor and elsewhere is based on the postulate that all the burdens imposed under its terms are to be borne by us alone. All imagined injustice lurking in it is to be visited on us alone. One moment's consideration of the mutuality of the covenant—that each must bear his part in what is done and each must refrain from doing prohibited things—would greatly relieve much of the fear expressed for our safety and the preservation of our rights under it. Whatever we have to do, England and France and Italy and Japan and some 30 other nations are also bound to do; and every one who joins the league will likewise become bound mutually to do with us the same things exactly. All being obligated to same results, it follows that there is not one chance in one hundred that much will be required, and not one in a thousand that resort to arms will be necessary. Therein lies both the virtue and force of the whole scheme.

These nations have not joined in a conspiracy to rob or ruin any one of its members. Any nation fulfilling its obligation can withdraw from the league on two years' notice being given. This surely gives every protection to us if, indeed, we shall ever stand in need of it. Each nation acting as it is presumed it will act—in perfect good faith—will itself decide the question whether it has performed its obligations in giving notice of withdrawal. Of course, this interpretation carries with it the possible withdrawal to the point of dissolution, yet if this should occur the world would be in no worse attitude—nor in as bad a condition—as it is to-day.

Looking at the world as it is—the attitude of its nations and tongues, with consequent frictions, of changes in relationship—can you imagine a worse condition? If this treaty is not ratified, what will be the result? I refuse to contemplate the catastrophe further than to mention the future Russ-German alliance, with its possible consequences, destruction of Poland and the Czecho-Slavic State, domination of the Balkan Peninsula, inevitable war between dominated Europe and the United States. We do not know how long it will be. Nothing being done now, it is as inevitable as the last was, without some machinery to settle difficulties in advance. Remember, Germany is not whipped as it should have been. Do not forget the President of that nominal Republic calls himself the President of the German Empire. Keep in mind that the Germany of to-day has not lost its power or purpose of intrigue and alliance beneficial to its commerce and kultur and its force of arms.

Influenced by no fear of all this, but conscious of its possible consequences, is it not the province of good sense for us to provide against it all by making it forever impossible? Why risk a deluge of blood when we can stop it at its very source by this bond of peace?

Mr. President, nothing surprises me more than the baseless assertion that the league of nations, as agreed upon by some 30 nations of the earth, interferes in the remotest way in our immigration or tariff matters or other internationally recognized domestic concerns. Our domestic concerns are and always have been recognized by international law. Why demand now more specific application in the operations of the league? Why should it be made the basis of the covenant? The Supreme Court decided in Nishimura versus United States, involving the deportation of a Japanese woman, that:

"It is an accepted maximum of international law that every sovereign nation has the power as inherent in sovereignty and essential to self-preservation to forbid the entrance of foreigners within its dominions or to admit them only in such cases and upon such conditions as it may see fit to prescribe."

That being the recognized law of nations, the purposes of this league are certainly not to interfere with the recognized international law.

Import duties are just as completely within our sovereign jurisdiction, and to hold otherwise would take away the independence of the Nation. If these are accepted maxims of international law, why is it thought necessary to amend the covenant to specifically include immigration and tariff? It is impossible in the league to specifically include subjects already excluded in general terms. All other nations are as deeply interested as we are in preserving their sovereignty. Would France or England or Italy submit their domestic concerns to the decision of a league tribunal or place before it for decision their right to regulate immigration? For purpose of illustration, let us assume the impossible hypothesis, as cited by Mr. Taft, that the council would unanimously recommend that we admit Japanese citizens to our shores without restrictions; what would happen under the terms of article 15 of the league? We do not covenant to comply with the recommendation, nor are the other members of the league under any obligation to enforce it. Japan then might make war on us to compel the admission of her citizens to our shores. She can do that now without a league.

It is enough to say that if we should stop to make limitations or amendments or specify every domestic concern in order to keep the league of nations from interfering with it, this treaty, instead of being 240 or 250 pages long, would be extended to 8,000 pages.

Mr. WILLIAMS. Besides that, human nature not being infallible, we would have omitted a few and they would have been left out.

Mr. SMITH of Arizona. That is true. We might have omitted some, and then another treaty would be required.

Mr. President, I have attempted to make it clear—

First, that this league of nations part of the treaty in no sense invades, assails, or limits the full sovereignty of the United States any more than any other of the many treaties limits it. All assertion to the contrary amounts only to charges against the treaty-making power as set forth in the Constitution itself.

Second, that the Monroe doctrine is *eo nomine* excluded from any jurisdiction of the league; that any amendment or reservation attempting to make this fact plainer or clearer is utterly useless. Exactly the same conditions arise in any effort by any power to override the Monroe doctrine as I have stated in the case of Japan attempting to force her nationals on us.

Third, that article 10 does not encroach on the power of Congress in any way whatever. Under that article, as without it, Congress can and will assess and collect taxes and expend the money thus derived. Congress alone can raise and equip armies. Congress alone can declare war. The existence or nonexistence of article 10 has no effect whatever on the power of Congress.

Fourth, that under the league, as freely as without it, our immigration laws, tariff impositions, voting qualifications, and all other purely domestic questions are unaffected.

These facts being manifest, in good faith I ask you opponents of the league of nations, why not quit trying to scare the people with these specters and hobgoblins scurrying among the ruins of our once glorious Constitution and meet the question fairly on the ground of policy? Is it better for the United States and for the peace of the world that we ratify this treaty just as it is? I, for one, am fully convinced that it is far better that it be so ratified and as early as possible. I shall attempt to give reasons for this conclusion before I take my seat.

Mr. President, the general unanimity of opposition to the league on the other side, with the variety of contradictory reasons for each position taken, would lead the normal thinking mind to conclude that a fixed, settled purpose to defeat it had been previously agreed upon. In the light of what has transpired and is now happening, I wonder what would have resulted if the President had submitted the league to these Senators and abided their conclusion before action at the conference table in Paris. He would have been there yet. While Senator KNOX was preserving the Constitution from amendment by treaty stipulation; while Senator REED was preserving the supremacy of the white race in world affairs from the wiles of the sagacious Senegambian armed and equipped with this peace treaty to discomfit by his ballot those white nations he could not destroy by his cunning; while Senator SHERMAN was brooding over a deep conspiracy lurking in this same league whereby the Pope of Rome is to become in turn the conqueror of the Senegambian and supreme ruler of the nations of the earth; while Senator LODGE was protecting, if need be with his blood, the Monroe doctrine from assaults that never had been nor ever would be made—and while all the balance, each with his groundless objections to this or that part of a section or line of the treaty—the President would have stood as helpless before this babel as Japan stood before the conference trying to change the immigration laws of England and America. He evidently would have had as much trouble with thirty-odd Senators over mere quibbles as he had with thirty-odd nations over questions of supreme national and international importance.

Having performed his great duty under the Constitution with rare judgment, tact, patience, and statesmanship, he submits the result of those labors, the best under the varied and trying circumstances that could be obtained, and asks your indorsement. *Do you not, every one of you, really feel that the great effort to secure the peace of the world is worth trying out?*

Having performed all our obligations under the treaty, we can withdraw from the league by giving a short two years' notice. What greater protection could you desire? We will be the sole judges as to whether we have performed our duty. I have before adverted to this, but I wish to put particular emphasis on this point again. The question was raised on the floor last week by the Senator from Idaho [Mr. BORAH], one of the few logical opponents of the covenant, in his comments on the position taken by Senator SWANSON on this right of withdrawal on two years' notice. It was pertinently asked, Who is to be the judge as to whether, on giving due notice, we have performed our obligations? Clearly we are left the only judge of that question, and from our decision there can be no appeal. If the decision of that question was intended to be left to the council it would have been so stated. We were all dealing in good faith, and each signatory representing the sovereignty of his nation did not consent and would not have consented that the performance of duty by a sovereign State as that State saw its duty should be subjected to the judgment or decision of any other State or any number of them. The question of performance or nonperformance of a duty or obligation by any sovereignty, when no contrary binding provision is expressly stated in the stipulation, remains wholly with the sovereignty. Rights or powers of sovereignty can not be limited by implication.

If any other course had been intended, as I said before, it would have been stated in unmistakable terms.

It matters not how many votes the council or the assembly may contain so long as the treaty requires a unanimous vote to enter a war, or establish a blockade, or institute a commercial boycott. In all such cases the decision of our entering the fray rests with us. In every great responsible question this requirement of a unanimous vote leaves our action in our own hands for our own determination; and this right, when freely exercised, can bring no dishonor on our name or subject us to any just criticism by any member or members of the league.

This, with our further right to withdraw from the league on two years' notice, is sufficient guarantee against any possible harm to us or our institutions to allay—yes, to remove—all fear of any man, however timid, provided that he is also decently honest. In other words, every grave, important step is hedged about by a unanimous vote, and the withdrawal clause can intervene to prevent any action detrimental to us.

There is no question of our right to withdraw from the league on giving the two years' required notice and on our performance of all obligations as we see them and judge them for ourselves.

I repeat, Mr. President, can we not, in the presence of all these protective provisions, afford to go at slight expense hand in hand with the balance of the world a little distance in helping them, and they helping us, to stop useless bloodshed and cruel wars amongst us all? God give us the light to see our duty and the heart to perform it.

Mr. President, I think I am—I know I try to be—a very gentle judge of other men's motives and conduct; yet I can not suppress the expression of my doubt of the superior Americanism of certain opponents of this league just because, and only because, they themselves assert it. We who are trying to make secure the peace of the world love America just as much and have within us just as much Americanism as those truculent souls who would bathe her face in blood every morning. We are Americans just the same, but we must carefully distinguish between the desire for peace which springs from a timid soul seeking personal safety and that of a stout heart seeking the way of righteousness. This thought brings with it to my mind the late President Roosevelt and the part he is made to play in opposing this league of nations. When alive nobody dared speak for him; when dead, anybody can who will. Some tell us exactly what he thought of a league of nations that never appeared until long after his death. I prefer to take what Roosevelt said of his own position on a league of nations rather than words put in his cold, dead lips by any man whatever. No one doubted the Americanism of this great human dynamo. Let us ask him what he thought of a league to prevent war and let us take his answer from his own pen. He with all his fighting instincts delighted to be known as a peacemaker, as he in fact was, and for his services as such in 1910 he was awarded the Nobel peace prize, and in acknowledgment of that honor said:

> "It would be a master stroke if those great powers honestly bent on peace would form a league of peace, not only to keep the peace among themselves, but to prevent, by force, if necessary, its being broken by others."

He did not seem to be afraid of the constitutionality of that part of it.

> "The supreme difficulty in connection with developing the peace work of The Hague arises from the lack of any executive power, of any police power, to enforce the decrees of the courts."

In October, 1914, after the outbreak of this very war, Col. Roosevelt published an article in which he said:

> "The one permanent move for obtaining peace which has yet been suggested, with any reasonable chance of attaining its object, is by an agreement among the great powers, in which each should pledge itself not only to abide by the decisions of a common tribunal but to back with force the decision of that common tribunal. The great civilized nations of the world which do possess force, actual or immediately potential, should combine by solemn agreement in a great world league for the peace of righteousness. * * *
>
> "They should furthermore agree not only to abide, each of them, by the decision of the court, but all of them to unite with their military forces to enforce the decree of the court

as against any recalcitrant member. Under these circumstances it would be possible to agree on a limitation of armaments that would be real and effective."

Can you Senators see any fear in that heart of any provision contained in article 10 of this treaty? The following year appeared his book "America and the World War," from which these passages are quoted:

"I earnestly hope that we shall ourselves become one of the joint guarantors of world peace under such a plan as that I in this book outline, and that we shall hold ourselves ready and willing to act as a member of the international posse comitatus to enforce the peace of righteousness as against any offender, big or small. * * * International peace will only come when the nations of the world form some kind of league * * * which puts the collective force of civilization behind such treaties and against any wrongdoing or recalcitrant nation. * * *

"The prime necessity is that all the great nations should agree in good faith to use their combined warlike strength to coerce any nation, whichever one it may be, that declines to abide the decision of some competent international tribunal."

As careful search as I have had time to make fails to reveal any change in Col. Roosevelt's views as above cited. And I think it safer for those who followed him to take what he said when alive as showing his attitude rather than what some one says he would say or should say or might say if he were now living. Let no one who loved, believed in, and followed Roosevelt balk at the alleged dangers lurking in this treaty when he, living, championed a league much more virile along the lines to which objection is now raised.

As suggested by Mr. Morefield Story, in a communication to me and other Senators:

"After months of negotiation their treaty is before us. No nation and no man made it or could make it. In all probability it satisfies no one, but it is the best result on which the nations could unite. Every negotiator has yielded something. Everyone can suggest changes which, in his judgment, would be improvements. Anyone can imagine disasters that may occur notwithstanding the treaty, or perhaps because of it, but it is not within the power of any man or any body of men to draw a treaty which no one can criticize, or which will insure perfect results in an imperfect world. The Senate of the United States can not make a new treaty, and if it refuses to ratify this one the only result must be new negotiations, sure to end in nothing that will satisfy everybody, and equally sure to be attended with ill-feeling and suspicion, which can hardly fail to leave behind them a dangerous international atmosphere."

Just for a moment think of the world being left as the war found it or of its being left as it now is; the preparedness necessary to meet the sure oncoming cataclysm; the explosives, the poisonous gases, the forts, guns, and ships; the airplanes and submarines, the countless men in standing armies, and the enormous fleets fretting the water of every sea; the pathways of the ocean sown with submerged batteries, involve such an expense of money and life that it is simply appalling. In view of this, what must be the condition of this country before the world—this country, which claimed to have entered the war for no selfish interests—if it now refuses to unite with other civilized nations in taking the little step toward better things to which the treaty commits us and them alike? *It would be a shameful betrayal of civilization at the greatest crisis in history.*

The treaty should be ratified as it stands. If it needs amendments, these amendments can be made hereafter, and are far more likely to be made if we have shown toward our Allies confidence and good will by agreeing to the mutual compact than if we now show suspicion of their honesty and exhibit a selfish disregard of every interest but our own.

As late as this last week all the objectors and amenders and reservationists have at last found a common ground of attack on the league of peace, by reason of what some of you have been pleased to call the rape of China; that having occurred, as alleged, through certain alleged concessions granted temporarily to Japan in Manchuria. The protection of the Constitution, the Monroe doctrine, immigration, and the sacred tariff were all forgotten or abandoned in order to save China. The tears, the screams of pain forced from lacerated hearts on that side of the Chamber must have an awful effect on the emotion of the gallery—for whom the show was designed—but those of us on the floor, with millions of others outside, who remember the serene faces of these actors, and their docile acquiescence when great Germany took this same country from helpless China, with greater detriment to the United States, will be pardoned if we refuse to dance to such music and keep our eyes dry in this deluge of crocodile tears. I do not like that concession to Japan; none of us like any concession.

I do not see how it could have been avoided. I was struck with—and I am sorry that every Senator did not hear—the argument yesterday on that particular question made by the Senator from Arkansas [Mr. ROBINSON], who has put a light upon it that at least soothes some of the lacerated hearts and probably cools somewhat the feverish imagination of some of our sympathetic friends on the other side of the Chamber.

As I said, I do not like that concession to Japan, but what more could have been done in the surrounding facts and circumstances than was done? We who permitted Germany, without protest, to seize this Chinese territory are in poor position to question the right of Japan who took it from Germany—from Germany, mind you, not from China—by force of arms.

Yet Senator LODGE does not want to see his country's name affixed to such a document. Strange he did not want his own name affixed to any protest against the far greater outrage by Germany on the possessions of China. Japan seized the country and concessions made to Germany by conquest. She held it under that title. She had as much right to it as Germany ever had. Her possession was less detrimental to us than Germany's possession had been. Then why these tears? Japan will keep her word with China and with the league. Without the league, in what better fix would China find herself? No need to pursue the inquiry. You all know the league does no avoidable injury to China. We all deplore the conditions, and can all see that the best possible results have been obtained. In the language of the street, "quit your kicking." I advise some of our friends to quit kicking and decide this question on the policy whether it is right or wrong.

Mr. President, I have spoken too long, but can not close without submitting some comments made by the able correspondent, Mr. Edward Price Bell, after hearing from the press gallery the speech last made by President Wilson before this body:

"President Wilson said all the nations of the world are crying out to their leaders to stop wars. It is so. He said fleets and armies, made by peoples in the hope of peace, have proved a lie. Who will dispute it? He is in favor of 'utterly destroying' the old order of international politics. Who that has read history or has a memory will not agree? 'Terror lies concealed in every balance of power.' Yes; terror, war, an imminent universal maelstrom of anarchy and blood. 'Civilization's united power must put a stop to aggression and give the world peace.' Yes; unless the world is to become a synonym for crimson chaos.

"We are liked in the world now, said Mr. Wilson. So we are liked for that in us which is good. Our position is one of unimpeachable primacy. Not in all history has any other nation been so elevated, so honored, so blessed, so burdened with a moral responsibility unescapable. Wide as our prosperous acres, deep as our mines, great as our industries, impressive as our genius and wealth is our duty. 'Our career has been one of service, not exploitation.' Undoubtedly. 'The light streams on the path ahead and nowhere else.' I can see it nowhere else. 'The league of nations is the only hope for mankind. Dare we reject it and break the heart of the world?' My reply would be that we shall not reject it and break the heart of the world if American leaders are fit to live in the same country with the American people."

AMERICAN TROOPS IN SIBERIA (S. DOC. NO. 60).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying paper, ordered to lie on the table and to be printed.

THE WHITE HOUSE,
Washington, 22 July, 1919.

The PRESIDENT OF THE SENATE.

SIR: For the information of the Senate, and in response to the resolution adopted June 23, 1919, requesting the President to inform the Senate, if not incompatible with the public interest, of the reasons for sending United States soldiers to Siberia, the duties that are to be performed by these soldiers, how long they are to remain, and generally to advise the Senate of the policy of the United States Government in respect to Siberia and the maintenance of United States soldiers there, I have the honor to say that the decision to send American troops to Siberia was announced to the press on August 5, 1918, in a statement from the Acting Secretary of State, of which a copy is enclosed.

This measure was taken in conjunction with Japan and in concert of purpose with the other allied powers, first of all to save the Czecho-Slovak armies, which were threatened with destruction by hostile armies apparently organized by and often largely composed of enemy prisoners of war. The second pur-

pose in view was to steady any efforts of the Russians at self-defense, or the establishment of law and order in which they might be willing to accept assistance.

Two regiments of infantry, with auxiliary troops—about 8,000 effectives—comprising a total of approximately 10,000 men, were sent under the command of Major General William S. Graves. The troops began to arrive at Vladivostok in September, 1918. Considerably larger forces were dispatched by Japan at about the same time, and much smaller forces by others of the allied powers. The net result was the successful reunion of the separated Czecho-Slovak armies and the substantial elimination in eastern Siberia of the active efforts of enemy prisoners of war. A period of relative quiet then ensued.

In February, 1919, as a conclusion of negotiations begun early in the summer of 1918, the United States accepted a plan proposed by Japan for the supervision of the Siberian railways by an international committee, under which committee Mr. John F. Stevens would assume the operation of the Russian Railway Service Corps. In this connection it is to be recalled that Mr. John F. Stevens, in response to a request of the provisional government of Russia, went to Russia in the spring of 1917. A few months later he was made official adviser to the minister of ways of communication at Petrograd under the provisional government. At the request of the provisional government, and with the support of Mr. John F. Stevens, there was organized the so-called Russian Railway Service Corps, composed of American engineers. As originally organized, the personnel of this corps constituted 14 skeleton division units as known in this country, the idea being that these skeleton units would serve as practical advisers and assistants on 14 different sections of the Siberian Railway and assist the Russians by their knowledge of long-haul problems as known in this country, and which are the rule and not the exceptions in Siberia.

Owing to the Bolshevik uprising and the general chaotic conditions, neither Mr. Stevens nor the Russian Railway Service Corps was able to begin work in Siberia until March, 1918. They have been able to operate effectively only since the railway plan was adopted in February, 1919.

The most recent report from Mr. Stevens shows that on parts of the Chinese-Eastern and Trans-Baikal Railway he is now running six trains a day each way, while only a little while ago they were only able to run that many trains a week.

In accepting the railway plan it was provided that some protection should be given by the allied forces. Mr. Stevens stated frankly that he would not undertake the arduous task before him unless he could rely upon support from American troops in an emergency. Accordingly, as provided in the railway plan and with the approval of the interallied committee, the military commanders in Siberia have established troops where it is necessary to maintain order at different parts of the line. The American forces under Gen. Graves are understood to be protecting parts of the line near Vladivostok, and also on the section around Verchne Udinsk. There is also understood to be a small body of American troops at Harbin. The exact location from time to time of American troops is, however, subject to change by the direction of Gen. Graves.

The instructions to Gen. Graves direct him not to interfere in Russian affairs, but to support Mr. Stevens wherever necessary. The Siberian Railway is not only the main artery for transportation in Siberia, but is the only open access to European Russia to-day. The population of Siberia, whose resources have been almost exhausted by the long years of war and the chaotic conditions which have existed there, can be protected from a further period of chaos and anarchy only by the restoration and maintenance of traffic on the Siberian Railway.

Partisan bands under leaders having no settled connection with any organized government, and bands under leaders whose allegiance to any settled authority is apparently temporary and transitory, are constantly menacing the operation of the railway and the safety of its permanent structures.

The situation of the people of Siberia meantime is that they have no shoes or warm clothing; they are pleading for agricultural machinery and for many of the simpler articles of commerce upon which their own domestic economy depends and which are necessary to fruitful and productive industry among them. Having contributed their quota to the Russian armies which fought the Central Empires for three and one-half years, they now look to the Allies and the United States for economic assistance.

The population of western Siberia and the forces of Admiral Kolchak are entirely dependent upon these railways.

The Russian authorities in this country have succeeded in shipping large quantities of Russian supplies to Siberia, and the Secretary of War is now contracting with the great cooperative societies which operate throughout European and Asiatic Russia to ship further supplies to meet the needs of the civilian population. The Kolchak Government is also endeavoring to arrange for the purchase of medical and other Red Cross supplies from the War Department, and the American Red Cross is itself attempting the forms of relief for which it is organized. All elements of the population in Siberia look to the United States for assistance. This assistance can not be given to the population of Siberia, and ultimately to Russia, if the purpose entertained for two years to restore railway traffic is abandoned. The presence of American troops is a vital element in this effort. The services of Mr. Stevens depend upon it, and, a point of serious moment, the plan proposed by Japan expressly provides that Mr. Stevens and all foreign railway experts shall be withdrawn when the troops are withdrawn.

From these observations it will be seen that the purpose of the continuance of American troops in Siberia is that we, with the concurrence of the great allied powers, may keep open a necessary artery of trade and extend to the vast population of Siberia the economic aid essential to it in peace time, but indispensable under the conditions which have followed the prolonged and exhausting participation by Russia in the war against the Central Powers. This participation was obviously of incalculable value to the allied cause, and in a very particular way commends the exhausted people who suffered from it to such assistance as we can render to bring about their industrial and economic rehabilitation.

Very respectfully, yours,

WOODROW WILSON.

Mr. BORAH. Mr. President, I shall occupy the time of the Senate for a few moments only. I am not willing that the business of the week shall close without some observations upon a letter which has been issued by the ex-President with reference to the manner in which this treaty should be dealt with. I, perhaps, should not have given any attention to his observations with reference to reservations and interpretations had they not been preceded by a statement which is no less than amazing to me. This letter says in the very beginning:

> The partisan character of his administration—

Referring to the President—

> during the war, together with his appeal to his countrymen to elect a Democratic Congress in November, 1918, created a condition of personal and political antagonism toward him among Republican leaders which was shared by a majority of the American people. This was shown in the results of the election. Notwithstanding this, Mr. Wilson persisted in continuing the same partisan exclusion of Republicans in dealing with the highly important matter of settling the results of the war.
>
> He selected a commission in which the Republicans had no representation and in which there were no prominent Americans of any real experience and leadership of public opinion.

Without continuing the reading of the letter, upon this statement the ex-President bases his conclusion that the opposition to the league of nations and to the treaty with the league of nations incorporated arises very largely, if not wholly, out of personal dislike or personal opposition to the President. That is a very unfair, unjust, and unfounded statement. To assume that because there may or may not be personal antipathy between the President and Members of the Senate it would result in a Senator taking a position upon a question which involves upon one side, as it is claimed, the peace of the world, and upon the other the integrity and independence of American institutions is, to say the least, an amazing statement. In the debates running on through the days and weeks here in the Senate Chamber such statements coming from Senators in the heat of debate might be justified or overlooked, but deliberately to state to the American people, as this letter when taken as a whole does, that the opposition to the league of nations arises out of personal enmity is a challenge to the intellectual integrity and personal honor of every man who has voiced opposition to this program. I do not, of course, assume to speak for others, and yet I have no doubt I speak the sentiments of others when I say that opposition to the league of nations is based upon a sincere division of view as to its effect, both upon the peace of the world and upon our republican institutions. The questions of personal affronts, of personal dislikes could have no place in shaping a sane man's course in so grave a matter.

The view now entertained has long been entertained and often expressed by those in opposition to the league covenant, and long prior to the events or the incidents in the political history of the United States to which the ex-President refers as being the basis upon which the opposition rests. As early as January, 1917, two and one-half years ago, the debate in this Chamber began with reference to a league and with reference to the United States entering a league or becoming in any way allied

with European powers. At that time it was contended upon the part of some of the supporters of the President that the President had not taken a definite position in regard to this matter; that he had not made up his mind as to whether it was a wise or an unwise procedure. But there was in this country and in England at that time an organization which was advocating that program. Out of the advocacy of that program by that particular organization arose the first debate that ever took place in the Senate, so far as my knowledge goes, in reference to this matter. The exact attitude of the President was then one of the questions debated. But the position of Mr. Taft, the Republican leader and ex-President, was well known. If the attack could be said to be individual it was more against the ex-President than the President. The opposition which was urged at that time by Senators, including myself, was based upon precisely the same principles upon which we urge our opposition to-day. There has been no change of program and no change of principles.

In support of what I have to say, I shall insert in the RECORD at the close of my remarks a portion of the first debate which took place with regard to this all-important subject. If those who are interested care to go back and examine that debate, it will be seen that the President's position at that time had not become definite. Mr. Taft's position was definite. Speaking for myself, I opposed the plan quite as earnestly and for the same reasons when Mr. Taft was practically its sole sponsor as I have after he and the President joined forces. One could well entertain the view, I imagine, that the President had been guilty of distasteful acts without permitting that to control his action with reference to as grave a matter as can come before Senators for their consideration.

At the time of that debate there could have been no such elements entering into the controversy as those mentioned by the ex-President, because they did not at that time exist. The incidents to which he refers with reference to leaving Republicans off the commission in Paris, with reference to leaving Senators off the commission, with reference to an appeal to the American people for a Democratic Congress, with reference to his partisan attitude concerning these things, were two and a half years, or at least two years, in advance of the time when this debate originally occurred. I say to the ex-President that whatever may be his reason for advocating a league of nations or whatever may be his reasons for changing his position in regard to amendments, the reason for opposition here is based upon an honest, sincere conviction that the proposed league will not promote peace, but will imperil the integrity and independence of our institutions. In that, of course, we may be in error; but the opinion is formed out of a study of these fundamental questions and not out of a personal like or dislike of the President of the United States.

Since this debate began and since men took a position upon this matter these same men have supported the President time and time again in very important affairs; they have stood by him at a time when many other men who are now supporting him in his league of nations were opposed to his policy. I refer to this, as it may be of some interest for the ex-President to inform himself concerning the history of his country for the last two and a half years and not concentrate his attention so much upon the league of nations and its fanciful effect. Anyone who will go back through these debates for nearly three years will come to at least one conclusion, that those who have lead the opposition from the beginning have been open, sincere, and resolute, for they have fought against heavy odds and at great political hazard every inch of the ground.

Mr. President, I am not interested in any form of interpretations or amendments or reservations. No amendments or reservations which leaves us in an alliance or league with European or Asiatic powers will satisfy me. I speak only for myself. I am opposed to this proposition upon fundamental grounds. I do not want ever to be placed in a position where I shall be compelled to cast a final vote for amendments or have no vote at all upon this subject, or where I shall be compelled to cast a final vote for reservations or have no vote at all. I shall be very happy if the votes in the Senate Chamber hold this issue down to the proposition, so that the ultimate vote will be cast absolutely for or against alliance or no alliance with European powers. It is either fundamentally right to enter into this enterprise or it is fundamentally wrong, as I view it. If it is fundamentally right, I do not expect the President of the United States or any other man to perfect the instrument in the first instance; no one but the divine power Himself can, without experience, perfect a thing out of mind; and, if it is fundamentally a correct proposition, I am not going to waste my time with reference to details in regard to it.

To my mind it is fundamentally wrong to draw this Republic into the political alliances of Europe. I do not care whether we proceed a part of the way to-day, and expect to proceed the rest of the way to-morrow; it is the same thing; we are entering into alliances with European powers. Therefore, so far as I am concerned, I trust that that will happen which some Senators upon the other side indicate their desire to have happen, and that is upon the final vote we will be permitted to meet fully and fairly the question of whether we shall have any alliance or league with European powers. I want a chance to record my vote against the whole scheme to ally this Republic and our people with Europe. If Senators on the other side will stand against reservations or amendments, other than those which go to the heart of the question, we will have an opportunity to vote against any league with Europe. I want no amendments which deal with immaterial matters and leave the vital question unchanged.

Mr. President, when the fathers submitted the Constitution to the States there were men in those days who thought they could have interpretations, reservations, and explanations with reference to going into the Union. They were very closely pressed for votes in Virginia, and so they put in a clause in the ratification resolution of Virginia which reads as follows:

> We declare and make known that the powers granted under the Constitution, being derived from the people of the United States, may be resumed by them whensoever the same shall be perverted to their injury or oppression.

New York in her ratification resolution stated:

> The powers of government may be resumed by the people whensoever it shall become necessary to their happiness.

Rhode Island said:

> The powers of government may be resumed by the people whenever it shall become necessary to their happiness.

Other States put in interpretations and reservations and withdrawal privileges, but when the time came to invoke the reservations upon which they relied at the time they joined the league or the covenant or the constitution the powers construing the covenant or constitution paid no attention to them whatever. We may put reservations and constructions into the covenant; but, even if we do, we will then turn the construction of the covenant over to the nine men sitting at Geneva. Suppose Brazil puts a construction upon article 21 and says, "Our understanding in subscribing to this covenant is that the league of nations has power to construe the Monroe doctrine," as England says it has, and the United States puts a construction upon it when it subscribes to the covenant, saying, "Our understanding is that the Monroe doctrine is to be construed by the United States alone"; and the question comes before the council of five or nine as to whether they will give any consideration to the construction placed upon it by Brazil and by the United States. They will do precisely as the United States Supreme Court did in the case of White against Texas, in Seventh Wallace. They will say: "Having entered the covenant, having become a part of the constitution, having accepted your position in this organization which was submitted to you, the construction of your attitude will be determined under the covenant under which you have proceeded to exercise your right to be here." Unless the amendments or reservations which we adopt go back to the powers submitting this treaty and are by those powers accepted and made a part of the treaty by the common consent of all parties, the amendments or reservations will be utterly useless, will bind nobody, and will be no protection to the United States whatever.

Let the people of this country who are opposed to entering into an alliance with Europe, who are opposed to surrendering the policy of Washington and the doctrine of Monroe, understand that reservations, like political platforms, unless they are conditional upon acceptance by the other powers, are made to get votes and not for the purpose of standing upon them after they once get in. The tactics now is to get votes, and, as Mr. Taft in effect says, we will bait our hook with interpretations. But after we are once in the league, then the council at Geneva, from whose judgment there is no appeal, begins its latitudinous and political constructions and our interpretations will not even be given the "cold respect of a passing glance." The Senators who cast the votes and soothe their consciences with interpretations will have passed on, but the people of the United States will be here and will be informed by the council of Geneva that your individual interpretations were never accepted by the other members of the league. Those interpretations were politics. All amendments should go to the vital question of alliance or no alliance with European powers, and ratification should be conditioned upon their affirmative acceptance.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Idaho yield to the Senator from Florida?

Mr. BORAH. I yield.

Mr. FLETCHER. May I ask the Senator a question?

Mr. BORAH. Certainly.

Mr. FLETCHER. I understand that the Senator is opposed to any reservation or interpretation or condition or amendment of any kind to the proposed treaty? I understand the Senator takes that position?

Mr. BORAH. What I say and what I hope is that I will have an opportunity to vote against the treaty in its entirety. Of course, if reservations and amendments are offered and the parliamentary situation is such that that is the only opportunity I shall have to record a view, I shall undoubtedly vote for them, but I am utterly opposed to any league or political alliance, and if I had my way about it I would never submit a single interpretation or amendment except one that would end the whole thing.

Mr. FLETCHER. Then, I understand the Senator further to be opposed to any sort of a league or alliance or covenant with other nations in the direction intended to be reached by the league of nations.

Mr. BORAH. I am utterly opposed to it. I want no political partnership or alliance or league which commits us to meddling in European affairs.

Mr. FLETCHER. Then, the Senator is opposed to the proposed treaties with France and with England?

Mr. BORAH. Yes; I am opposed to them.

Mr. FLETCHER. So that the Senator is opposed to any alliance or cooperation with foreign nations of any sort?

Mr. BORAH. Absolutely. Do not misunderstand me for a moment. I stand for the policy of this Government as it has existed for 150 years; that is good enough for me. I prefer to take my chances with this Republic and the people who shall govern it and direct its policies rather than to embarrass it and entangle it with the Governments of Europe. I take this position for two principal among many reasons. Entangling alliances with Europe—I do not care what you put on paper or how beautifully you phrase your league covenants—mean war for our people about things which are of no or only remote concern to our people. It means that our young men will be called upon to suffer and sacrifice in those racial, territorial, and dynastic quarrels, 23 of which are going on now. Your league will not bring peace. The causes of war can not be removed by the mere writing of a covenant, nor can those causes be controlled by any five or nine men. The causes of war lie deep in the structure of European society, and this treaty which lies before us has done much to perpetuate and keep alive those causes.

I take this position for the further reason that you can not enter this league, or any league, worthy of the name without surrendering some of the self-governing powers of the American people, without forfeiting some of the independence of this Republic. These are things, our right to govern ourselves untrammeled by foreign powers and our complete independence as a Nation, which we have always been willing to defend even with arms. I shall never vote to surrender or even jeopardize them. No one will ever have power by my vote to shape the policies or determine the course or the obligations of the United States other than the people of the United States themselves.

Mr. WALSH of Massachusetts. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Massachusetts?

Mr. BORAH. I yield.

Mr. WALSH of Massachusetts. Mr. President, I wish to know if I understood the Senator from Idaho correctly a few moments ago when he said that, if the Senators upon this side of the Senate shall oppose all amendments and reservations, it was his opinion that the ratification of the treaty would be defeated? Did I understand the Senator to say that?

Mr. BORAH. No; what I said was that I hoped we would have an opportunity to vote straight upon the question of alliance or no alliance with European powers. I hope, however, that if the league is still in the treaty the inference the Senator draws will be correct.

Mr. President, to take an illustration, we have heard a vast amount of discussion about the Monroe doctrine and about how we are going to preserve the Monroe doctrine by reservations. The Monroe doctrine can not be preserved, it does not make any difference what is put upon paper, if we surrender the policy of Washington. The policy of Washington includes the Monroe doctrine. In other words, if we intermeddle in European affairs and become a part of the European system and go to Europe and take part in European concerns, we can not, in the practical affairs of life, prevent Europe from coming to America. It does not make any difference what is written upon paper; we may put upon paper that the Monroe doctrine shall be preserved in its integrity; but, if we intermeddle in European affairs, the remorseless logic of events will carry Europe to America. If we take part in the concerns of Europe, we may flatter ourselves that we can hold America aloof from Europe, but the silent trend of inevitable facts will soon disillusion our people.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Colorado?

Mr. BORAH. I yield.

Mr. THOMAS. The Senator's attitude is identical with that which I took in 1900, when the Spanish-American treaty was being negotiated, one of the results of which was our acquisition of the Philippine Islands. I am curious to know if the Senator believes, as I then believed and still believe, that that treaty, followed by our acquisition of that distant oriental system of islands, was not an act upon our part which materially weakened the consistency of our attitude regarding the Monroe doctrine?

Mr. BORAH. Yes, Mr. President; I think the Senator is correct. I regretted the acquiring of the Philippines, and five years ago I voted to turn them loose.

Mr. THOMAS. So did I.

Mr. BORAH. And I am anxious to get an opportunity to do so again.

Mr. THOMAS. So am I.

Mr. BORAH. If I have had a conviction throughout my life with which it has been possible for me to be consistent at all times, it has been the conviction that we should stay out of European and Asiatic affairs. I do not think that we can have here a great, powerful, independent, self-governing Republic and do anything else; I do not think it is possible for us to continue to be the leading intellectual and moral power in the world and do anything else. I do not think we can successfully achieve the task now confronting us, that of establishing here an industrial democracy, as we have achieved a political democracy, and do anything else.

I desire to refer a little further to the question of preserving the Monroe doctrine. Mr. Jefferson understood perfectly that we could not preserve the Monroe doctrine unless we kept our part and remained out of European affairs, and he so stated very plainly. There were none of the early constructionists or the fathers who dealt with this subject who contemplated anything else, and I say now that those who are willing to surrender Washington's policy and at the same time suppose they can preserve the Monroe doctrine are contemplating the impossible. If I could have my way about it, I would preserve Washington's policy and let the Monroe doctrine take care of itself, if I had to let either take care of itself. Mr. President, we had just as well talk about tearing away the lower story of a house and leaving the upper story stand in mid-air as to tear away Washington's policy and leave the Monroe doctrine intact. One is built upon the other and can not exist without it.

So Mr. Taft's theory of preserving the Monroe doctrine, by a clause which he suggests, would be utterly futile. There is just one way to preserve the Monroe doctrine, and that is to stay out of European affairs and Asiatic affairs.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Florida?

Mr. BORAH. I yield.

Mr. FLETCHER. I suggest to the Senator that the question to be considered is whether or not we are able to stay out of European affairs and Asiatic affairs in these times. We can, of course, refrain from making any contract. But has not this war demonstrated conclusively that we may not be able to be entirely left to our own will about how we shall act and what we shall do in case of trouble in Europe?

Mr. BORAH. Mr. President, it is much easier to stay out of the political affairs of Europe than when Washington was President. But let us assume for the sake of the argument that a condition may again arise when we shall want to take part in some European conflict. Shall we contract in advance that we will do so without consulting the intelligence and the patriotism of the particular hour in which the crisis arises? Shall we say now that 10 years from now, or 20 years from now, we will take part in a European war if the territorial integrity of some nation is involved, without consulting the intelligence and the patriotism of the particular generation that will have to fight that war? Shall we, who can not know the facts, take from those who will know the facts the right to pass upon that stupendous question free of all previous obligation?

Let me give an illustration. Suppose the Senator has a son who is 10 or 15 years of age, and in 10 years from now he has reached the point where, if a war occurs in Europe, he is called upon to perform his part of service as a soldier of his country. A condition arises in Europe which calls for action and consideration. We are to meet the question of whether or not we

are to take part in that particular conflict. The young man looks over the situation and he finds that he is not permitted as a citizen to exercise his judgment about it at all. His father had contracted 15 years before that he shall do so, whether he thinks the war is a righteous war or not. He finds that if a piece of territory is involved it has been agreed he shall go, although he might think the war was unjust. Is that free citizenship? And can a government be a free government which is not permitted to pass upon the facts and circumstances as they arise instead of being contracted in previous years to perform the service whether it wants to or not?

Mr. FLETCHER. I should say as to that that I ought, if possible, to bring about a condition of things now where that supposed son of mine would not be compelled either to take part in a European war or to decide the question which the Senator has suggested. In other words, that is quite a different proposition from the proposal now to endeavor to bring about a condition of things which will insure not only that such a thing as the Senator imagines might occur never can occur, but that such a thing as has recently occurred in Europe never can happen again. As I understand it, that is the purpose of the proposed league. Furthermore, the power to declare war is still left with Congress, as it would be without a league.

Mr. BORAH. Technically I will concede that that is true; but morally and in practice we would be bound to carry out our treaty and the declaration of war by Congress would be in obedience to the treaty merely a perfunctory matter. Congress would not be free to consider alone the then existing situation. But, Mr. President, if the Senator from Florida really believes that this organization is going to prevent war, he entertains a belief which no one who had to do with the organization of it entertained. Why, before they ever left the council table where they had written this league which was to insure peace, they wrote an alliance which was to take care of the next war. Mr. Clemenceau, Mr. Lloyd-George, the representative of Italy, and the representative of Japan—I do not know about the President—would not permit the council to break up until they had prepared for war by an alliance between France and Great Britain, and France and the United States, into which Italy has already asked permission to come. That alliance was made for war, in contemplation of war, in expectation of war, and to take care of war. Not only that, but if this copy of the treaty which was inserted yesterday be correct, Mr. Clemenceau was not willing that the program should proceed to a consummation until the alliance was taken care of, until the war was provided for. There are 23 wars, as I have said, now in progress in Europe. Most of them are over international boundaries, and if this league were in effect we would be there now. And yet who would sacrifice the lives of American boys to determine who should own a particular piece of real estate in some worthless part of Europe—like Siberia, for illustration.

Why are we in Russia at this time? Have we any war with Russia? Are we in conflict with Russia? Have we declared war upon Russia? You say the Congress of the United States has the power to declare war. Have we declared war upon Russia? If not, why are our boys in Russia? Who ordered them there? The council sitting at Geneva will direct that certain steps be taken; and while I will accede to the proposition that technically the Congress of the United States could refuse to declare war, yet the moral pressure which would be brought to bear upon Congress to comply with the action at Geneva would practically deprive it of its legal power to do so. It is one thing to have the technical, legal power to do so; it is another thing to have the moral courage to carry out your legal obligations; and right now, at this time, we are being told by the able Senator from Arizona [Mr. SMITH] that the reason why we should indorse this treaty and ratify it is not necessarily because of its inherent worth, but because the wise men at Versailles have passed upon it.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Nebraska?

Mr. BORAH. I do.

Mr. HITCHCOCK. The Senator is a great admirer and adherent of the Monroe doctrine. Does he think that when that doctrine was enunciated in 1823 it was to prepare for war?

Mr. BORAH. Not necessarily; no.

Mr. HITCHCOCK. Does he not believe that it served to prevent war?

Mr. BORAH. I think, in a measure, it did. But such a principle would not last overnight in Europe.

Mr. HITCHCOCK. Did it ever cost us a dollar or a man?

Mr. BORAH. I do not think it has cost us a man, but it has cost us some money.

Mr. HITCHCOCK. Now, then, if the effect of the Monroe doctrine was not to prepare for war and if the Monroe doctrine had any effect to preserve peace, why does the Senator say that this proposed arrangement with France is to prepare for war? Is it not to prevent war?

Mr. BORAH. Mr. President, the alliance with France operates only in contemplation of war. It is made in expectation of war. It is made in expectation of that which, I think, will happen. As to the Monroe doctrine, it was effective here, for many reasons which would not obtain in Europe. The Senator leaves out of consideration the fact that he is dealing with two distinct civilizations—wholly different governmental institutions, races, and customs. A Monroe doctrine in Europe goes by the name of Holy Alliance or balance of power, but nothing of threat or combination of nations has been able to keep the peace in Europe, and neither will this combination prevent war.

Mr. HITCHCOCK. Will the Senator answer: Was not the Monroe doctrine announced in the face of threats from European nations to make war on American Republics and was not the effect of our declaration to prevent them from doing so? And if the Senator admits that, and even if he contends that Germany is preparing for war on France, how can be deny that with our agreement and Great Britain's agreement to come to the rescue of France it will have the same effect in Europe that the Monroe doctrine had in America?

Mr. BORAH. I think, Mr. President, that the mere fact that we agree to come to the protection of France or to the service of France will have very little effect upon Germany when Germany feels that she is strong enough to regain what she feels have been unjustly taken from her, and evidently that is precisely what the premier thinks. That is not only true of Germany but of other powers. But, Mr. President, suppose that the war does arise. Suppose that the unexpected happens. Does not the Senator think that we ought to have, free of all contractural obligations, the right of an independent and free people to determine, upon all the circumstances under which it arises, whether we shall go to war or not? Does he not think that when that condition comes we ought to be a free people to determine whether we should take part in that conflict? Now, the Monroe doctrine was always our doctrine and it left us free in every emergency to decide for ourselves, unembarrassed by agreements with other nations, what we should do.

I do not say that we should not go to the rescue of France in case Germany assaults her. I am not arguing that question at all; but I do say that if that condition ever arose the people of that particular time, judging all the facts as they should then exist, should have the right to determine whether or not they should go to war, free of any obligation whatever to take anyone else's construction.

Mr. HITCHCOCK. If the United States should take the same position that the Senator takes, Germany would not know whether the United States would come to the rescue of France or not, and Germany might make the same mistake that she made when she entered the late war, and provoke a war; but the Senator well knows that if Germany is convinced in advance that an attempt to undo the results of this war will result in the same parties coming in to preserve those results, Germany will not make the attempt. The whole virtue of this knowledge in advance is to prevent war; whereas the Senator, by leaving that in doubt, would induce war.

Mr. BORAH. Well, now, if it is a question of affecting the mental attitude of Germany, does not the Senator think that the league of nations—in which we agree to protect the territorial integrity of France and the political independence of France—does he not think that the league of nations of itself, without an alliance, would be sufficient? If it is a mere question of an attitude of mind, is not the league, with its powerful organization of which the Senator speaks, a sufficient force to impress itself upon Germany, without a special alliance within the league?

Mr. HITCHCOCK. I will say to the Senator that that is my opinion, but the situation is exactly the same as though the Senator were giving me a note in the case of money loaned, and the note were perfectly good. If some one else were to sign that note in addition to the Senator, it would not impair the note, and it might make it, in the opinion of some people, a little stronger.

Mr. BORAH. But, Mr. President, there is nobody else signing. The United States is simply signing twice. It does not add anything to my material wealth if I sign the Senator's note twice. It does not add anything to his security if he brings me a contract to sign and I sign it, and he brings me the same contract to-morrow and I sign it again.

Mr. HITCHCOCK. The Senator is bringing in, somewhat in advance, the treaty with France. I have stated that I think it is not necessary. I believe that the people of the United States hardly think it is necessary. I believe that they deem the league of nations entirely sufficient; but that is not true with France. France has lived in fear of Germany for generations, and France is still pursued with that fear. France knows that the league of nations is a new venture. It is something in the nature of a new creation. France also knows that the league of nations does not spring into existence immediately. France asks for something to bridge over temporarily, for a few years, that period.

Mr. BORAH. Temporarily.

Mr. HITCHCOCK. Now then, Mr. President, France having asked that thing, what will happen if we refuse it? What happens to the public opinion in France, and what, moreover, happens to the public opinion in Germany? What will be the effect upon the German mind of having the United States refuse to guarantee the results of this war?

Mr. BORAH. Mr. President, we are to guarantee the security and safety of France temporarily, under the alliance, until the league gets into action. Now, if there is anything in the world that is certain it is that Germany can not attack anybody for the next 20 years, because under this treaty she will never have anything with which to attack. She is a perfectly powerless nation to-day. She is reduced to helplessness, and precautions are taken in the treaty to see that that helplessness continues for at least 15 or 20 years. In my judgment it will be 30. Now, the alliance is to take care of a temporary situation. Does the Senator think that it will take the league of nations from 15 to 20 years to get into effective organization? Why, Col. House and Lord Cecil and those people have practically got it completed now. Even before it has been ratified we have a permanent secretary, who is there for life, and they are meeting and organizing and appointing, creating bureaus, and so forth. It will be in existence, in so far as it can ever have any existence, in six months after the ratification, as much as it will ever be. No; that is not what is the trouble with Clemenceau.

Mr. HITCHCOCK. The Senator omits one very important thing. Germany will not be a member of the league. Germany will not, therefore, be under the restraints and the obligations of the league.

Mr. BORAH. But under article 11 we can deal with Germany or any other nation upon the face of the earth if they create the slightest disturbance.

Mr. HITCHCOCK. A nation might not create a disturbance, and yet she might be preparing to do so. Germany, if she were a member of the league, could not even prepare.

Mr. BORAH. She can not prepare under this treaty for the next 30 years.

Mr. HITCHCOCK. But the Senator is opposed to the ratification of this treaty.

Mr. BORAH. If you will take the league out of it, I will talk with you about it. There are things in the treaty which I am utterly opposed to, and they will have to come out before I will vote for it.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Idaho yield to the Senator from Ohio?

Mr. BORAH. I yield.

Mr. POMERENE. Assume that the covenant for a league of nations were stricken out of the treaty, then what means would there be whereby to compel Germany to carry out the stipulations of the treaty?

Mr. BORAH. The terms of the treaty, if I read it correctly, are quite sufficient for that purpose for the next 30 years.

Mr. POMERENE. Not so long as Germany continues to consider all treaties as "scraps of paper," and that is what she will regard this one to be.

Mr. BORAH. But we do not permit Germany, under this treaty, to act upon the same principle that she did with reference to the Belgian treaty. We have possession and control, and we continue to retain physical, material possession of Germany, and control her so as to deprive her of the power to act in any aggressive way at all for the next 25 or 30 years, and therefore I do not see any necessity for the league, so far as Germany is concerned.

Mr. President, just a paragraph more and I will conclude. As I said a moment ago, these reservations and amendments or interpretations based upon any other theory than that of the return of the treaty to the other powers for their affirmative acceptance would be a deception of the American people. It would be misleading them in the most important affairs of the national life. Mere amendments or interpretations or reservations unaccepted would be wholly worthless. They would not protect us in the future. We must deal with this important matter frankly, openly, and upon vital lines. We must not pretend to do what we do not in fact do. Amendments or reservations which leave us in the league with jurisdiction granted to the league to embroil us in European affairs, if accepted, would be objectionable to me. I would like to see any such alliance avoided. But at any rate, every Senator has a right to ask that in pretending to amend we actually and unmistakably amend.

Mr. President, I ask permission to insert as a part of my speech some observations which were made January 5, 1917, on this subject.

The PRESIDING OFFICER. Without objection, that action will be taken.

The matter referred to is as follows:

"Friday, January 5, 1917.

"NO ENTANGLING ALLIANCES.

"Mr. BORAH. Mr. President, I address myself to this subject with admitted embarrassment. If it were a subject dealing exclusively with matters concerning our own Government and our own people, I should feel at ease in expressing any views which I might entertain with regard to it. I realize, however, that this subject affects other people more vitally than even our own; and I think I appreciate, in part at least, that it is almost impossible for us to view this matter from the angle of vision from which it is viewed by other Governments and by other nations. In expressing ourselves, some things which we might say, while entirely agreeable to our own views and the views perhaps of our own people, might be viewed from a different standpoint by those of other nations. I therefore desire to premise my remarks by saying that I express my views with entire tolerance toward those entertaining different views, whether entertained here at home or abroad. I wish in no way to impeach the understanding or the viewpoint of others, but alone to give expression to the reasons which shall control my action with reference to this matter.

"The President of the United States had a perfect right to send a note looking toward peace and to initiate a movement which might result in peace. He not only had the right to do so but if there was in his possession information which convinced him as the President that such a course was a wise one, and might and probably would result in something effectual, it was his duty to do so. Furthermore, so far as this debate is concerned, in any view that I may express I shall assume, and conclusively assume, that the President had sufficient information before him, as the one representative of our Government authorized to deal with this matter, to warrant him in the belief that the step which he took was justified, and that he had given to the matter that reflection and consideration which the gravity of the subject would command from anyone whose duty it was to act in regard to it.

"But if the Senate of the United States acts in regard to this matter, it will intrude itself into an affair of the utmost delicacy and of the most tremendous consequences, without any information other than that which we gather from the newspapers and from the general sources of information. If we act in regard to it at all, we will act without relationship to that part of the Government upon which devolves action at this time, without information, and without, in my judgment, sufficient reflection—that is, that reflection which should have taken place before the debate began. In other words, Mr. President, we are in an entirely different situation than that of the President; and it is no part of my purpose in this debate to assume to criticize the action taken by the President in sending this note. I hold to some rules of freedom in criticizing the action of a President in domestic matters, but when I am at all permitted to do so I prefer to remain silent in foreign matters.

"If the matter had remained where, in my judgment, it should have remained, I should have felt it my duty as a Member of this body to remain entirely silent with regard to the subject matter, notwithstanding that I might have differed with the President both as to the timeliness of the note and as to its contents. Realizing, as I think I do—and I speak with entire sincerity with regard to that—that the movement was initiated with the hope that it would accomplish something, I should have felt it my duty to remain entirely silent as to the mode of procedure, either as to the expressions of the note or as to the time when it was submitted to the foreign nations. But it is here now, Mr. President, certainly by no choosing of mine, and I am called upon to cast a vote which, if in the affirmative, in my judgment, as the resolution stands, will obligate me to a course which does not at this time commend itself to my judgment, and particularly to statements in the note with which I am in utter disagreement.

"I do not admit, Mr. President, since this resolution is here voluntarily, not at the suggestion of the President, but purely as the voluntary act of the Senate, that I am in any sense whatever assuming to criticize the President for the performance of his function and of his duty by disagreeing to the resolution and thereby disagreeing to the contents of the note. I am justified in that position, I think, by the fact that if this matter had been sent here at the suggestion of the President, or by reason of a message from the President, a different situation would present itself. But coming solely from the action of the Senate, without any suggestion upon the part of that particular official who, under our form of government, has to deal with this matter at this time, it seems that we may deal with it with entire freedom and without being placed in the position of assuming to criticize those who have viewed it from a different standpoint and with different obligations.

"I read this morning in the New York papers that the President's secretary is authority for the direct statement that Mr. Wilson is entirely indifferent as to what the Senate or the House does about the peace note. I have every reason to believe, in view of the silence of the Chief Executive, that we are permitted to dispose of this matter according to our own judgments and our own consciences, without being placed in the position of criticizing the action of the President.

"As I say, however, the note is here, and we have to deal with it and with all its contents under this particular form of resolution. It brings up for discussion and consideration some of the most important questions with which this body has had to deal since the beginning of the Government. I would like my colleagues to reflect upon this proposition that if this note contains the language which I believe it to contain, having the meaning which I understand it to have, initiating an entirely new policy on the part of this Government, when this body and the House pass upon it, then that department of the Government which fixes the policies of the country will have approved and initiated a new policy.

"If the note contains what I believe it to contain—an expression of view with reference to our foreign policy in the future, an entire change of policy with reference to our foreign affairs—and this body and the other member of the legislative branch of the Government indorse it, it is a confirmation and an establishment, this side of an actual treaty, of the policy which is outlined in the note. There is no other step to be taken in regard to it except its actual carrying out by treaties made; and the Senate of the United States would not be entirely free to reject a treaty covering a policy which the Senate, after due deliberation and consideration, had affirmed.

"Mr. President, just before the battle upon the plains of Marengo which seemed to place Napoleon well on the way of realizing his dreams of ambition, the Father of our Country was in retirement at Mount Vernon. A condition prevailed in Europe quite similar to the condition which prevails in Europe at this time. Napoleon, as I say, seemed in the way of realizing his ambition. Before his gigantic schemes thrones were toppling and dynasties disappearing; and it was understood that his plans encompassed the universal dictatorship of Europe, if not of the civilized world. Under those conditions Washington, in his retirement, wrote to a friend with reference to conditions in Europe and his views concerning them. His letter so fully expresses the view which I entertain with regard to the present situation, and so much more adequately than it would be possible for me to state it, that I am going, in the beginning of my remarks, to call attention to it. If history be correct, it was the last letter that the Father of our Country wrote upon any subject—certainly of public affairs:

"The affairs of Europe have taken a most important and interesting turn. What will be the final results of the uninterrupted successes of the combined army it is not for a man at a distance of 3,000 miles from the great theater of action to predict; but he may wish and ardently wish, from principles of humanity and for the benevolent purpose of putting a stop to the further effusion of human blood, that the successful powers may know at what point to give cessation to the sword for the purpose of negotiation.

"That expresses the great hope of all Americans that the great powers engaged in this conflict may realize or know the point at which the sword should give way to negotiations. In other words, while I presume we all have our views in regard to this conflict, and none of us stand entirely neutral in mind and in heart, whatever we may try to do officially, I assume that no American reflecting upon the affairs of Europe for the last hundred years wants to see any one of the belligerent powers dismembered and broken up. No one desires to see any one of the nations of Europe crushed. We hope that no attempt will be made to crush any one of those peoples. Our greatest hope is that these powers will appreciate the time when they should cease the conflict and enter upon negotiations; and, expressing my own view, at least, I trust that will be before an attempt is made upon the part of either side to absolutely crush and destroy any one of the nations engaged in this conflict.

"There is one lesson of history which the people of Europe by this time ought fully to understand; that is, that whatever may be the power behind the movement or the influence which controls in the particular hour, it is practically impossible to destroy any nation where there has come to exist a real spirit of nationality. Over a century ago three of the great European powers dismembered and divided Poland. One of the rulers said, after the infamous deed was finished, that Poland had been disposed of by pen and ink; but Poland was not thus disposed of. She is now one of the vital, moving, controlling, dominating forces in this conflict, over a hundred years after. That crushed and dismembered nation has been the nerve of every revolution against absolutism in Europe from the time it was divided until this hour. The Polish patriots scattered over the face of Europe have either initiated or substantially supported the great revolutions against autocratic power from the time the autocrats of Europe divided it until now. I say, again, that the fondest hope of America is that these nations engaged in war, fighting, as they believe, for their security and their existence, may nevertheless realize the proper hour in which to lay aside the sword and take up negotiations.

"Further says the Father of his Country:

"My own wish is to see everything settled upon the best and surest foundation for the peace and happiness of mankind, without regard to this, that, or the other nation.

"I repeat, Mr. President, that undoubtedly every Member of this body, and I presume that practically all throughout the country have their views, their sentiments, their opinions, their partisanship, with regard to this conflict. But whatever may be our views with regard to the governing power or the ruling class in this or that country there goes out from the heart of America to all the people, to the masses engaged in the conflict, regardless of nationalities, one common sentiment, and that is one of profound sympathy for the masses of the people, regardless of the kind of government which presides over their destinies. I find a complete expression of my views in the language of the Father of his Country when he says:

"My own wish is to see everything settled upon the best and surest foundation for the peace and happiness of mankind, without regard to this, that, or the other nation.

"Could there be anyone in all America so unconscionable as not to desire peace? If we should pass a resolution here merely in favor of peace it would but express the axiom of the American heart. But on the other hand can there be anyone so unreflective as not to want permanent peace; peace founded in justice and in righteousness, and therefore permanent peace?

"Mr. President, I am going to put aside many of the minor matters which I deem to be involved in this debate, because, first, I know I shall not be able to cover them so well as they have already been covered by others speaking upon the subject; and, secondly, because I could waive in deference to the supposed cause of peace, since the resolution is here, every question involved in this note except one, and with reference to that I could not give my consent to vote for a resolution which even seems to indicate an approval of it. Since the resolution is here, though I believe it ought not to be here, I would put aside all objections save one, and that is vital and controlling, and not even in the cause of supposed peace will I seem to indorse it.

"According to my limited vision of governmental affairs and the future happiness of this Nation, if I am not misled as to the contents of this note, there is a proposition involved in it of far more concern to the people of the United States than anything which we have had before us at this session or will have before us during many sessions to come. I desire to go to that, and when I shall have expressed myself fully in regard to it I will leave the subject matter so far as I am concerned, and not consume time with other matters, though they are not unimportant.

"Let us not seek to minimize the importance of this matter nor undertake to delude ourselves with the thought that the issue is not here. If we are going to pass this resolution and do not want to pass upon this subject, then the language of the resolution should be changed. We shall not be able to satisfy ourselves or our people when they come to reflect upon this record that the issue concerning which I propose to speak is not an issue in this debate. The language of the note to which I have reference is as follows:

"In the measures to be taken to secure the future peace of the world the people and Government of the United States are as vitally and as directly interested as the Governments now at war. Their interest, moreover, in the means to be adopted to relieve the smaller and weaker

peoples of the world of the peril of wrong and violence is as quick and ardent as that of any other people or government. They stand ready, and even eager, to cooperate in the accomplishment of these ends, when the war is over, with every influence and resource at their command.

"In other words, we as a nation are not only interested in the future welfare of the small nations of Europe, which, of course, we are, but we propose as a manifestation of our interest to make ready to achieve their protection and their integrity by every influence and every resource at our command. This means, if it means anything at all, that the Army and the Navy of the United States, the last and greatest resource for such things, will be at the command of any plan agreed upon between this Government and the nations of Europe for the protection of the small nations of that country. When the war is over, the note says, with every influence and resource at our command we will protect from violence or wrong all these small nations. Could a more stupendous proposition be presented to our people? Could a single proposition involving more completely the peace and contentment of this Republic for all time to come be submitted to this body for consideration?

"Mr. President, it might be said in regard to this language that this is too free a construction of it, and that contention has been made by the brilliant Senator from Illinois [Mr. Lewis]. But the same cautious and conservative gentleman whose name is attached to this note in an interview shortly thereafter—the next day, I think—gave expression to the interpretation which should be placed upon this part of the note, and discussed freely, apparently from the newspaper reports, what it meant. Amongst other things the paper says:

"Secretary Lansing apparently favors the idea of the United States joining with other European nations in a compact to preserve peace, because he regards some such measure essential in the light of present international conditions.

"The United States is no longer in a position to remain indifferent to wars in Europe. American interests are bound to be seriously and vitally affected, as indeed they have been in the present war, and American rights are, Mr. Lansing has pointed out, necessarily placed in jeopardy.

"The views of Mr. Lansing are along the line of the statements made by President Wilson last May in indorsing the League to Enforce Peace. Mr. Wilson at that time said the present war had demonstrated that in future wars of the present magnitude it would be extremely difficult, if not impossible, for the United States to remain neutral.

"Let us go back a little further. There is an organization in this country called the League to Enforce Peace. Among its members are some of our most distinguished educators and publicists and statesmen. Its president is the ex-President of the United States, Mr. Taft. Among its members, as I recall, is Judge Parker, a Democrat of the strictest sect. A number of other admirable gentlemen are members of this league, which has a short but a momentous platform.

"In discussing this matter, which I propose to do with some frankness, I may say in the beginning that I am not indulging in a partisan discussion, and, furthermore, I speak with great respect for the gentlemen who make up the membership of the league. With the president of the league a Republican, and with an agreement between the president of the league and the President of the United States upon this matter, I think we may assume that it is a nonpartisan question and discuss it from that standpoint.

"I call attention to the platform of this league, for in the background of this discussion is this movement, the fountain source of this whole scheme:

"It is desirable for the United States to join a league of nations binding the signatories to the following:

"First. All justiciable questions arising between the signatory powers not settled by negotiation shall, subject to the limitation of treaties, be submitted to a judicial tribunal for hearing and judgment, both upon the merits and upon any issue as to its jurisdiction of the question.

"Second. All other questions arising between the signatories and not settled by negotiation shall be submitted to a council of conciliation for hearing, consideration, and recommendation.

"Third. The signatory powers shall jointly use forthwith both their economic and military forces against any one of their number that goes to war or commits acts of hostility against another of the signatories before any question arising shall be submitted as provided in the foregoing.

"This is a proposal, as you see, to form a league composed of the nations of the earth, if they all saw fit to join it—the nations of Europe and the nations of America and of the Orient—by which all matters of dispute, justiciable or otherwise, shall be submitted either to an international tribunal or a council of conciliation, and behind it all is the pledge, through treaties or otherwise, to use the economic and military forces of the nations to enforce a recognition or a compliance with the terms of the alliance. We would be one member of that league. We would have a single voice in the determination of the issues, as to the nature of them, and so forth, and the central idea of the entire movement is the use of force ultimately in the settlement of any disputes which might arise.

"The President, speaking before this League to Enforce Peace, with its platform as its creed, used this language, after discussing the desire of the nations to get together:

"So sincerely do we believe in these things that I am sure that I speak the mind and the wish of the people of America when I say that the United States is willing to become a partner in any feasible association of nations formed in order to realize these objects—

"To wit, the objects outlined and described in the League to Enforce Peace—

"and make them secure against violation.

* * * * * * *

"Here is a clear and unmistakable declaration to the effect that the United States is willing to become a partner, a term of wide-reaching significance, in any association of nations, European and oriental, to insure or enforce peace, to use our economic and military forces to compel all nations members of the league to submit their affairs to these tribunals, and if any fail to do so to make war upon them. But that is not the worst of it. We agree in advance to authorize other nations to make war upon the United States if we refuse to submit some vital issue of ours to the decision of some European or Asiatic nations. This approaches, to my mind, moral treason.

"A universal association of the nations to maintain the inviolate security of the highway of the seas for the common and unhindered use of all the nations of the world and to prevent any war, begun either contrary to treaty covenants or without warning, and full submission of the causes to the opinion of the world—a virtual guaranty of territorial integrity and political independence.

"'Territorial integrity' and 'political independence'! Now, read this paragraph in connection with the paragraph in the note and in connection with Mr. Lansing's statement and the platform of the league, under whose auspices the President was speaking, and there is nothing left to doubt. I hope the nations will understand that if they shall expect us to enter into such a program that there are some who will have to be consulted more fully before that step is taken, and that is the people upon whom will rest the burden and with whom will rest the sacrifices involved in carrying out this new and startling program.

"Senators, let us proceed further; what is the meaning of that language? When we agree to enter into an alliance which proposes by means of the military and naval forces of the United States to protect the national integrity of every small nation of Europe we have gone to the storm center of European politics. We have abandoned the policy of nearly a century and a half and entered directly and at once upon that policy which was condemned by the Father of our Country in the very beginning of the Government.

"I do not complain that the President entertains these views, and, as I said a few moments ago, had they been contained in a note which bound the President alone it would have been my duty to refrain even from a discussion of them at this critical juncture. But when the note is thrown into the Senate with what in my judgment is a complete reiteration in briefer style but just as comprehensive as his statement upon repeated occasions that he is in favor of this Nation entering into an alliance with the nations of the earth to use its military and naval forces to enforce peace, I am placed in a position then that if as a Member of the body I should vote for the resolution I would undoubtedly indorse the policy, something no exigency could induce me to do. I want peace. I share that sentiment with all my countrymen. I would hesitate to stand against the Chief Executive in any move which he would make in regard to it. But rather than see my country enter upon that course which, in my humble judgment, is not to promote peace but to promote war, I would oppose it at whatever cost to the cause of peace in Europe. I will not seem to court peace and instead and in fact court war. I do not know, Mr. President, how universal the sentiment is. We are told it has become practically the sentiment of the American people. I propose for my part to reflect and to repent before we start upon such a course and not afterwards.

"The Senator from Illinois, Mr. Lewis, said there was nothing in this language which should lead us to the conclusion of the abandonment of the Monroe doctrine. If the language of the President in the note, taken in connection with his speech before the league to enforce peace, and in connection with the platform which he indorsed by his language, is to be accepted, let us see whether or not it would destroy or abrogate, as it were, the Monroe doctrine.

"Suppose the United States and Argentina and Brazil and some of the nations of Europe enter into an alliance of this nature; suppose that Argentina and one of the Governments of Europe are unable to agree to some matter in dispute. Argentina, considering the matter vital, refuses to submit her dispute to an international tribunal or to a council of conciliation; under

this doctrine of the league to enforce peace we would not only have agreed that the European nations could come here and engage in war with Argentina, but if we were called upon we would have to join our Army and Navy to enforce the matter against Argentina. We would join the European nation against our sister American Republic. It is an invitation for Europe to come to America to participate in our affairs and to be a part and parcel of American affairs as completely as European affairs. In fact, there would be no American affairs in the practical operation of the league, for Europe and the Orient would always control the court.

"It means, therefore, Mr. President, not only the abandonment of the doctrine of no entangling alliances established by Washington, but it means the abandonment of the Monroe doctrine, announced by Monroe upon the mature advice of Jefferson.

"Let us see; take some illustrations which may show the dangerous course upon which we are about to enter if we indorse such a policy. I am going to use the names of some of the nations, in order not to deal too abstractly, although in doing so, of course, I am not to be considered as using them because I either fear them or would offend them, but simply as an illustration.

"We will assume now that the partnership of which the President spoke has been formed, that the cooperation has been completed, and the combine and alliance has been made, and in that combination and alliance are Japan and Russia and the United States. We will assume that after the combination is made Russia and Japan have a dispute as to their rights in Manchuria. Japan insists that it should be submitted to the arbitral tribunal. Russia insists that it involves her vital interests and refuses to submit it, and moves her troops immediately to the disputed territory. Under the league alliance which we have formed and the treaties which we have made we must join with Japan in punishing Russia for refusing to submit her proposition to the tribunal. Regardless of whether it was Russia or Japan, would we brave our way across the ocean to shed a nation's blood in a war in which we had only the most general concern? Where do these gentlemen expect to get their soldiers or sailors for such expeditions?

"I am afraid that these gentlemen who talk about a league to enforce peace have overlooked in their zeal the fact that this is still a government of the people, by the people, and for the people, and that they make war, make and unmake administrations, make and unmake Congresses, and they would have to be consulted. You might force through your combination—that could be done in the comfortable chambers of courts—but the men who made these treaties would not be the ones to die for them. The people would have to do the fighting, and, fortunately, they also do the voting.

"Let us take another illustration. We will assume that Mexico has been restored to law and order and has an established government; that Mexico is a member of the alliance; that Japan is a member of the alliance; and that Mexico conceives the idea of leasing Magdalena Bay to Japan for 99 years, and we protest against it. We have already joined the alliance. They also are members of it. Mexico says, 'Certainly I have a right to dispose of my territory'; and Japan says, 'I have a right to lease.' We are all members of a common league bound together for a common purpose. Would the United States submit that question to a tribunal where it has but one vote or one voice and permit its entire future to be disposed of by a court where it has but a single representative and probably no friend, so far as that question would be concerned?

"If these words which I have quoted, Mr. President, lead us in this direction, we are approaching the most important subject with which we could deal with reference to foreign affairs. I have already called attention to the platform of the League to Enforce Peace. I want to call attention now to the language of Sir Edward Grey a few days ago in regard to the same subject matter. He says:

"Only bear this in mind—

"Speaking to those who were in favor of a league to enforce peace—

"if the nations in the world after the war are to do something more effective than they have been able to do before, to bind themselves together for the common object of peace, they must be prepared not to undertake more than they are prepared to uphold by force, and to see when the time of crisis comes that it is upheld by force. In other words, we say to neutrals who are occupying themselves with this question that we are in favor of it. But we shall have to ask when the time comes for them to make any demand on us for such a thing, 'Will you play up when the time comes?' It is not merely a sign manual of sovereigns or presidents that is required to make a thing like that worth while; it must also have behind it parliaments and national sentiment.

"In other words, Mr. President, this has already in the estimation of these gentlemen passed beyond the domain of mere theory or of didactic discussion, that it is now a practical question of how far the United States is willing to go; and, as Sir Edward Grey says, we must understand that it means force in the enforcement of terms and conditions upon which the league exists. No mere words, no sentimentality about the millennium, but force is the dominant note and war will be the ultimate result. Is this what our President meant a few weeks ago when he said this is the last European war in which we will not take a part?

"We are now proposing to pass legislation which will commit this body to the proposition that we are in favor of entering such an alliance, an alliance controlled and dominated by the element of force in matters of peace.

"Mr. President, Prof. Lowell, in an article in the last North American Review, says:

"Many Americans complain that the league would involve our country in entangling alliances with foreign nations contrary to our traditions. It would certainly involve obligations, and those of a very grave character—obligations that might possibly result in war—and so does the Monroe doctrine.

"The learned professor is frank, but with all his learning, with his great knowledge of history, I would have expected him to say 'probably' result in war instead of 'possibly' result in war. Before Washington committed us to the doctrine of 'nonentangling alliances' America took part in all European wars. Had not it been for Washington's policy, had he yielded in the fateful hour when urged to form a European alliance, we would have participated in every war which has torn and tormented Europe from that hour to this.

"It is this feature of this resolution covering this particular language of the act which makes it impossible for me to support the resolution. Now, I should like to ask the Members who are supporting the resolution if they understand that the Senate of the United States is about to indorse the idea contained in this language? I should like to ask, I say, the Senators supporting this resolution if they understand that we are about to indorse a proposition contained in this language, to wit, that we are willing to enter into association or any form of cooperation for the purpose of protecting the small nations of Europe?

"Mr. HITCHCOCK. I do not understand the Senator addresses his remarks particularly to me, but I am frank to say that, as far as I am personally concerned, I aimed in the resolution to indorse nothing except the request made by the President on the warring nations to state the terms upon which peace might be considered.

"Mr. BORAH. May I ask the Senator, since he is on the floor, if he understands this language to mean that the United States is willing to enter into an alliance to cooperate with the nations of Europe for the purpose of protecting the small nations of Europe?

"Mr. HITCHCOCK. No; it does not.

"Mr. HARDWICK. Will the Senator from Idaho yield just a moment?

"The PRESIDING OFFICER (Mr. PITTMAN in the chair). Does the Senator from Idaho yield to the Senator from Georgia?

"Mr. BORAH. I yield.

"Mr. HARDWICK. Has the language been modified on that point so as to exclude that?

"Mr. HITCHCOCK. No; my resolution still stands as originally presented. There have been presented a number of proposed changes as amendments. I have not as yet accepted anything.

"Mr. BORAH. Then I ask the Senator what the construction is of the language of the note where it says:

"Their interest—

"Referring to the Government of the United States—

"Their interest, moreover, in the means to be adopted to relieve the smaller and weaker peoples of the world of the peril of wrong and violence is as quick and ardent as that of any other people or Government. They stand ready, and even eager, to cooperate in the accomplishment of these ends, when the war is over, with every influence and resource at their command.

"Now, one of the resources is to enter into treaties for that purpose and to use the Army and Navy to that end.

"Mr. HITCHCOCK. I might not differ so much with the Senator from Idaho upon the construction which he places upon the note. The point I make is that the time when the Senate is to take a position upon any proposition of that sort will not arrive until it is proposed by the President or reaches the Senate in the form of a treaty.

"Mr. BORAH. Mr. President, we may adopt a policy and carry it out afterwards by treaty, but so far as announcing the attitude of this Government toward the proposition, so far as

announcing its policy, if that is the meaning of the President's note and the Congress adopts it, would it not be, so far as the adoption of the policy is concerned, conclusive upon that proposition?

"Mr. HITCHCOCK. Mr. President, I trust the Senator will not insist that my resolution indorses the President's note. I have endeavored to make it plain, in what I have said, that I aim at least in the resolution to indorse nothing except the President's request to the warring nations to state the terms upon which peace might be considered, and in my opening remarks I distinctly disavowed any desire to commit the Senate to an indorsement of anything which might be controversial or argumentative.

"Mr. LEWIS. Mr. President——

"The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Illinois?

"Mr. BORAH. I do.

"Mr. LEWIS. Mr. President, assuming that the Senator from Idaho likewise addresses his query to me, in view of my observations on that subject, I desire to ask the Senator in turn, to form a reply to the query, Does he assume that the President of the United States by the use of the expression 'using the resources at our command' means that he would do anything or attempt to do anything until commanded by the people, and does he assume that the people, through their representatives, would ever command anything in violation of the institutions of America?

"Mr. BORAH. Well, it would not be in violation of the institutions of America if we should adopt the policy, though I think it would be an exceedingly unwise policy; but there is nothing in our institutions or Constitution or anything else which would prevent us from doing so if we desired to do it in a proper way.

"Mr. LEWIS. Might I be pardoned if I asked the Senator if he would not regard the Monroe doctrine and what it means as one of the fixed institutions of the political policy of America?

"Mr. BORAH. Yes; but it is one that we could abandon if we desired to do so. We announced and we can renounce it. It rests alone with the United States.

"Mr. LEWIS. We could likewise, may I suggest to the Senator, abandon the Constitution if we chose and violate it.

"Mr. BORAH. Let me call the Senator's attention to the language of the President. It seems that the President has already consulted with the people in this matter, and he feels that the people have authorized him to act in the matter; and that being true, there is nothing to hinder him from proceeding, according even to the terms of the Senator from Illinois. The President says:

"So sincerely do we believe in these things that I am sure that I speak the mind and wish of the people of America—

"When that was ascertained I have no means of knowing—

"when I say that the United States is willing to become a partner in any feasible association of nations formed in order to realize these objects—

"What objects? The objects covered by the platform of the League to Enforce Peace, before which he was speaking—

"and make them secure against violation.

"He has already, in his judgment, had the views of the people, and feels that in entering into this partnership, this association of nations, for the purpose of enforcing peace, he is carrying out the will and purpose of the people of the United States. It may be true that that is the will and the purpose of the people of the United States; I do not know; but I know that it is not my will, and never could be. Again, the President says:

"I am sure that the people of the United States would wish their Government to move along these lines:

"That is to say, carrying out his statement—

"A universal association of the nations to maintain the inviolate security of the highway of the seas for the common and unhindered use of all the nations of the world, and to prevent any war, begun either contrary to treaty covenants or without warning, and full submission of the causes to the opinion of the world—a virtual guaranty of territorial integrity and political independence.

"In other words, we are ready to enter into a combination to guarantee the territorial integrity of Serbia, of Roumania, and of every other small nation of Europe that may be involved in a controversy in the future.

"Now, my friends upon the other side, if you desire to meet the issue fairly and squarely, you will do so by eliminating in an unmistakable way from the resolution any possible approval of that proposition. Or if you are in favor of it, if it is the position of the majority party in the Senate that they want to enter into this league, this partnership, then we are ready to meet that issue. I insist the question is plainly here, and I do not propose that it shall be put aside. I want you to take the responsibility or renounce it.

"Mr. HITCHCOCK. Mr. President——

"Mr. BORAH. I yield to the Senator from Nebraska.

"Mr. HITCHCOCK. In my opinion and my understanding of the English language, no change is necessary; but the Senator from Washington [Mr. JONES] has proposed an amendment to my resolution, and I should like to inquire whether that amendment would meet the views of the Senator from Idaho? The resolution, as the Senator from Washington proposes to amend it, would then read as follows:

"*Resolved*, That the Senate approves and strongly indorses the request by the President in the diplomatic notes of December 18 to the nations now engaged in war that those nations state the terms upon which peace might be discussed.

"That is exactly the proposition that I wanted to put before the Senate. I think the meaning of my resolution is not essentially changed by the amendment proposed by the Senator from Washington, and I should like to know from the Senator from Idaho whether the adoption of that amendment would obviate the objection which he finds to my resolution?

"Mr. BORAH. I think the amendment proposed by the Senator from Washington is entirely a different proposition from the resolution of the Senator from Nebraska, and if the Senator from Nebraska is willing to adopt the resolution of the Senator from Washington I shall conclude my remarks at once.

"Mr. HITCHCOCK. Well, Mr. President, if such action on my part would conclude this discussion, or even shorten the discussion, I should be glad to take it. I will say now that I will accept the amendment offered by the Senator from Washington, so far as I am concerned.

"Mr. BORAH. Do I understand that the amendment of the Senator from Washington is accepted by the Senator from Nebraska?

"The PRESIDING OFFICER. That is the understanding of the Chair.

"Mr. HITCHCOCK. I have the right to accept that amendment, I believe, under the parliamentary situation, and I accept it.

"Mr. NORRIS. Mr. President——

"The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Nebraska?

"Mr. BORAH. I yield for a question.

"Mr. NORRIS. I should like to say that, while I have an amendment which I have offered to the resolution, if my colleague will adopt the language as proposed by the Senator from Washington, I shall be glad to withdraw my suggested amendment and support the resolution in that form. It contains the same idea that I was trying to reach with my amendment, and, so far as I am concerned, in that form I am ready to vote for it.

"Mr. HITCHCOCK. I accept the amendment, Mr. President.

"The PRESIDING OFFICER. The Senator from Nebraska modifies his amendment by the acceptance of the amendment proposed by the Senator from Washington [Mr. JONES].

"Mr. BORAH. Mr. President, I stated to the Senator from Nebraska that, so far as I was concerned, I should terminate my remarks upon the acceptance by him of the amendment proposed by the Senator from Washington. I want to add this, however, in a brief way: In voting for the substitute which has been accepted there is language in the President's note with which I do not agree; but it is such that I should not permit it to stand in the way of any supposed aid that the passage of the resolution in its present shape might be to the cause of peace. I would not permit it to stand in the way of my assisting that movement. I do not want to be understood, however, in casting my vote for the resolution as approving anything in the note except the request for terms."

THE MOONEY CASE.

Mr. PHELAN. Mr. President, I read in the papers yesterday that John B. Densmore, special agent of the Department of Labor, had given to the House of Representatives a statement of a report which he made to the Department of Labor on the Mooney trial in San Francisco. Having read in the press that the Secretary of Labor had stated before the American Federation of Labor at its last meeting, at Atlantic City, that the trial had been a fair trial, I was rather surprised that his subordinate should have again precipitated this discussion; and I sent to the department for a copy, if it were available, of the speech of the Secretary of Labor, which he kindly sent me. I ask that that part of it referring to the Mooney trial be printed in the RECORD, unless the Senate desires to hear it.

Mr. SMOOT. Mr. President, I want to say to the Senator that the whole speech has been printed in the RECORD at the request of the Vice President. I can not tell the Senator the exact page, but it is in there already—not only the part that he

asks to have printed now, but every word that the Secretary of Labor said at that meeting.

Mr. PHELAN. As long as I am on my feet, I will read just three or four lines, because there seems to be an attempt, judging by editorial comment in the New York press, to reflect upon the courts of California, and therefore, to refresh the minds of those who are not familiar with the speech of the Secretary, I will read these few words.

The Secretary of Labor says:

You may accept it or leave it, as your own judgment tells you is best. I have been very much interested in the Mooney case. I was requested by the President, when his commission went West, to look into the Mooney case and report to him. We looked into the Mooney case, and in doing so we came to this conclusion: That so far as the jury was concerned that passed upon the evidence presented to it, it could have come to no other conclusion under its sworn duty than to convict Mooney; that so far as the judge was concerned who tried the case, he tried it with absolute fairness.

Mr. SMOOT. Mr. President, if the Senator desires to put in any further part of the speech as a part of his remarks I shall not object. Let the Senator mark just which part he wants published.

Mr. PHELAN. I think it will be more satisfactory to put it in as the Secretary delivered it. So I will ask that it be inserted in the RECORD as marked by me.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The matter referred to is as follows:

May I, also, Mr. President, take this opportunity of giving a word of advice in connection with another situation that has been tense throughout the country? The advice is given freely, honestly, and earnestly. You may accept it or leave it as your own judgment tells you is best. I have been very much interested in the Mooney case. I was requested by the President, when his commission went West, to look into the Mooney case and report to him. We looked into the Mooney case, and in doing so we came to this conclusion: That so far as the jury was concerned that passed upon the evidence presented to it, it could have come to no other conclusion under its sworn duty than to convict Mooney; that so far as the judge was concerned who tried the case, he tried it with absolute fairness. But there were some things existing in addition to that. At the time of the trial certain evidence had been given by certain individuals relative to the supposed activities of Mooney. It afterwards developed that one of the principal witnesses had written to a friend of his in Illinois asking him to come to San Francisco and be prepared to testify that he had seen Oxman, the witness, at a given point at a given time, so as to testify to the possibility of Oxman's being at the point where he claimed to have secured the evidence. The commission was of the opinion that in view of that change in the evidence, and in view of other changes that had taken place in the evidence from the date of trial, Mooney ought to be given a new trial, and his innocence or guilt decided upon the evidence as it existed when this new evidence was produced.

At that time I had no fixed opinions as to either the guilt or the innocence of Mooney. With me it was not a question of whether Mooney was guilty or was innocent, but a question of securing a fair trial for him under the existing circumstances. Every effort that the national administration was able to put forth was put forth for the purpose of trying to secure that new trial, and we are not through with it yet. We are still working on it.

But that is not the phase of the situation that I particularly wanted to advise you about. I am simply stating these facts as premilinary to what is to follow. There has been carried on throughout the country a nation-wide agitation for a universal strike as a protest against the conviction of Mooney. My friends, do you realize just what that action means to the masses of the people? Do you understand fully—most of you do—the struggle that has taken place in order that trials may take place by jury where people are accused, with the accused having the opportunity of meeting the witnesses and the jury face to face, and the jury having opportunity of witnessing the manner in which the witnesses give their testimony? That change, the establishment of the jury system, was not brought about for the purpose of protecting the monarch or protecting the nobility. It has not been principally essential for the protection of men of great wealth; they have usually been in a position to protect themselves. The jury system was brought into existence for the purpose of protecting poor fellows like you and me from the power and influence of the other fellow.

It may occasionally miscarry; occasionally an injustice or a wrong may be done, but in the great bulk of cases justice is meted out through the jury system. Neither you nor I nor anyone in the labor movement, no one who belongs to the great masses of our people, can afford to undertake to try Mooney by the process of a strike. If he is to be tried, he should be tried by a jury that can meet him face to face and meet the witnesses face to face and be able to digest the evidence as it comes out, bit by bit. Very few of us have had an opportunity of examining the evidence in the Mooney case; very few of us know anything more about the Mooney case than simply that which is connected with Oxman, one of the principal witnesses; and yet it is proposed that every workingman in the country, whether he has information concerning the Mooney case or not, shall become a juror in this case and at the same time that he becomes a juror shall enter into a strike to bring about a decision. What influence will it have? The man who under our laws can pardon him or liberate him from prison is not under the jurisdiction of the voters of any other part of the country than that of California; and I do not know but that, even though there may be a miscarriage of justice occasionally, it is a wise thing that that is the case. The further you get the responsible officers removed from the electorate, the less influence the electorate has with those responsible officers; and while the responsible officers may occasionally pursue a course that is not acceptable to the multitude, it is better that they should be close to the multitude, close to the electorate, than that they should be far removed, as would be the case if the responsibility rested with the Federal official instead of with the State or local official.

My friends, we in this country have been moving on by the evolutionary processes, taking hold of the problems that confront us, holding fast to that which experience demonstrates to be good, letting loose of those things which experience demonstrates to be bad. It is the safest method, the surest method. Revolutionary processes may move us forward rapidly for a brief period. On the other hand, the chances are that when a revolution takes place no one will be able to determine where it will end. That has been true of nearly all the revolutions of the world, and the policy that has been pursued by the American labor movement of going forward by evolutionary processes, making sure of each foothold with every step that it takes, so that there will be no step backward, is the surest and best process for the achievement of the highest ideals of mankind. I thank you.

PROPAGANDA ON PACKING INDUSTRY.

Mr. HARRIS. Mr. President, I ask to have read the telegram which I send to the desk.

The PRESIDING OFFICER. Without objection, the telegram will be read.

The Secretary read as follows:

VALDOSTA, GA., *July 24, 1919.*

Hon. W. J. HARRIS,
United States Senate, Washington, D. C.:

Representative of Armour & Co., using prepared pamphlets and propaganda, appeared before chamber of commerce asking resolution of chamber to request your influence in defeating Kenyon bill. Chamber obtained copy of proposed measure and has indorsed same in open meeting. President of chamber was directed to wire our Senators, asking that they heartily support bill and aid in prompt passage. This to you as information, in order that you may know the real sentimcnt. We hope you will use every effort toward early passage of bill.

THE A. S. PENDLETON CO.
VALDOSTA GROCERY CO.
CURRY GROCERY CO.
H. F. TILLMAN GROCERY CO.

Mr. SMOOT. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 25 minutes p. m.) the Senate adjourned until Monday, July 28, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *July 25, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou Great Spirit, above all, through all, and in us all, help us to be somebody, to do some things which shall add to the sum of human happiness, and thus prove ourselves worthy sons of the living God.

Strong Son of God, immortal love,
Whom we, that have not seen Thy face,
By faith, and faith alone, embrace,
Believing where we can not prove.

Thou seemest human and divine,
The highest, holiest manhood, Thou:
Our wills are ours, we know not how,
Our wills are ours, to make them Thine.

To strengthen, uphold, sustain, and guide us on our way to the life immortal. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVES OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HOWARD, for the remainder of the week, on account of attending the christening of the ship *City of Tulsa.*

To Mr. LONERGAN, for three days, on account of important business.

To Mr. MILLER, for one day, on account of illness.

To Mr. JONES of Texas, for two days, on account of important business.

To Mr. MANSFIELD, for two days, on account of important business.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that yesterday they had presented to the President of the United States, for his approval, the following bill:

H. R. 7413. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, announced that the President had approved and signed joint resolution and bill of the following titles:

H. J. Res. 73. Joint resolution authorizing the President to extend invitations to other nations to send representatives to the World Cotton Conference to be held at New Orleans, La., October 13 to 16, inclusive; and

H. R. 7413. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920.

PATRIOTIC ACTIVITIES OF TULSA, OKLA.

Mr. HOWARD. Mr. Speaker, I ask unanimous consent to address the House for two minutes on the subject of the patriotic activities of communities in my district.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. HOWARD. Mr. Speaker, I have just taken occasion to obtain leave of absence from attendance here for the balance of the week so that I may attend to-morrow the launching in Philadelphia of the ship *City of Tulsa*, which is to be a part of our merchant marine and which is named for my home city. In connection with that I want to say that, of course, we all understand that none of our citizens participated in the recent war for the purpose of being lauded for their accomplishments, but did so because of patriotism and love of country.

However, I feel that it is not amiss to call your attention for a moment to the fact that this week, in recognition of the patriotic work done during the conflict that has just ended, there are being christened two ships, to become a part of our great merchant marine, named in honor of cities in my district. The good ship *Vinita* is being launched out in the Pacific, and to-morrow at Hog Island will be launched the good ship *City of Tulsa*. This ship is named in honor of my home town, a city of only 10 years, with a population of 60,000. But her record during the war is amazing. Her patriotic citizens subscribed $31,371,760 to Liberty loans; $465,500 to Red Cross; $196,000 to war budgets; $1,750,000 in war-savings stamps; $60,000 to Jews of that city; $18,500 to Knights of Columbus; $310,000 to war-work fund; $10,000 to armory fund; $15,000 to military organizations, Navy League, and ambulance and hospital funds; furnished 7,500 soldiers; and organized and put in the service three independent military units. [Applause.]

This, I feel, is a record to be proud of, and nowhere in this country do I believe is a community or city of this size that has done more to bring to a successful close the war just ended than have the cities of Vinita and Tulsa. And to me it will be a great moment when on to-morrow I see one of Oklahoma's most accomplished young ladies, Miss Lulu Crosbie, break a bottle of crude oil, Oklahoma's greatest natural product, over the bow of that ship and watch the *City of Tulsa* glide into the water, and know that the great State of Oklahoma did its full duty, and that these honors have been conferred upon the citizens of my district and town for their patriotism and assistance to our Government during the crisis that has just passed. [Applause.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, one of its clerks, announced that the Senate had agreed to the amendments of the House of Representatives to Senate concurrent resolution 5:

Resolved by the Senate (the House of Representatives concurring), That there be printed 50,000 copies of the treaty with Germany in the English text alone and without maps, 10,000 of which shall be for the use of the House of Representatives and 40,000 for the use of the Senate.

The amendments are as follows: Line 2, strike out "fifty" and insert "sixty," and in line 4 strike out "ten" and insert "twenty."

The message also announced that the Senate had passed, without amendment, joint resolution of the following title:

Joint resolution (H. J. Res. 147) to ratify and confirm from and including July 1, 1919, obligations incurred pursuant to the terms of certain appropriations for the fiscal year 1920.

THE FAR EAST BILL.

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for five minutes on the Far East bill.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to address the House for five minutes on the Far East bill. Is there objection?

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I object.

Mr. MOORE of Pennsylvania. Mr. Speaker, I suggest the absence of a quorum. I make this point because it seems impossible by any other means to get anything on this question before the House.

Mr. McARTHUR. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Pennsylvania makes the point of order that there is no quorum present.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I did not understand the purpose of the gentleman from Pennsylvania [Mr. MOORE], and I withdraw my objection so that he may address the House.

The SPEAKER. The gentleman from Pennsylvania withdraws his objection. Does the gentleman from Pennsylvania [Mr. MOORE] withdraw the point of no quorum?

Mr. MOORE of Pennsylvania. I withdraw the point of no quorum.

Mr. BLANTON. Mr. Speaker, would it be in order to suggest that the gentleman from Pennsylvania has already spoken about five minutes?

The SPEAKER. It would not.

Mr. MOORE of Pennsylvania. The gentleman from Texas is entirely off his feed. The gentleman has not been watching the proceedings.

Mr. Speaker, the controversy on this bill has reached that point where gentlemen have inquired why two Members of Congress from Pennsylvania should contend. There is nothing personal between the gentleman from Pennsylvania [Mr. GRAHAM] and myself on this subject. Mr. GRAHAM is ardently for this bill and I am against it. That is the difference. I see no reason why I should yield to him on this bill simply because it was proposed by a Representative from my State any more than I should yield on any other proposition with which I did not agree; and if the gentleman from Pennsylvania [Mr. GRAHAM] had not applied the gag rule in this instance—and where he acquired the habit I do not know; certainly not in Pennsylvania, where such a thing is unknown—there might not have been such a contest as we have had on this bill. The truth of the matter is that the gentleman from Pennsylvania [Mr. GRAHAM] has been induced to take over a Democratic measure which was introduced here by the gentleman from Virginia [Mr. MONTAGUE], and which was twice objected to by gentlemen on that side of the House—first by the gentleman from Ohio [Mr. GARD] and second by the gentleman from Tennessee [Mr. GARRETT], who has been, I believe, conscientiously and consistently opposed to national incorporations.

I am opposed to this bill because I do not believe Congress should lightly at the end of a session, without discussion on this floor—there has been no discussion of this bill, and under the motion of the gentleman from Pennsylvania [Mr. GRAHAM] there can be none, except such as may be obtained by unanimous consent—I say Congress should not lightly pass these national incorporation bills in this way. True, Congress has passed some such bills, but I want my friends on both sides of the aisle to know that we have refused this high privilege of a national charter to the members of the Grand Army of the Republic, and in the last session of Congress we refused the national-charter privilege to the mothers of the American soldiers in the European war, women who wanted to help the boys of America.

Mr. KNUTSON. And to the Spanish War Veterans.

Mr. MOORE of Pennsylvania. I want that understood before you vote on this bill, and I want you to know, my friends, that what you are doing now is to incorporate a group of men, mostly from the city of New York, men whose names as philanthropists may be household words in New York, and who may be contributors to philanthropic movements elsewhere, and who may by this incorporation be relieved from taxation on certain charitable contributions as provided in the revenue law. I want you to know these gentlemen—some of them millionaires in New York—have come in where you refused a national charter to the Grand Army of the Republic and to mothers of soldiers of the Union, to do what? To dispense funds which were contributed by the good people of this country during the European war for the purposes of a war chest, for the purpose of the Red Cross, and for other patriotic purposes, presumably for the benefit of American soldiers. And where did the money come from? From New York exclusively? Nay, nay; it came from every State in the Union.

By some means they have succeeded in raising approximately $30,000,000, contributed from the Red Cross, the war chests, and so forth, from practically every State in the Union—Arkansas, Wisconsin, Maine, Pennsylvania, California, Idaho, Texas—and they or their appointees are to go over yonder under this national charter to reestablish the people of Armenia and Turkey and spend this money which might very readily be applied to soldiers or their dependents here. In the name of the Congress of the United States they are to use this $30,000,000 and as much more as they can collect, mixing up in European affairs, assisting in the work of reconstruction there, apart from the needs of the soldiers of the United States and the families and dependents of the soldiers of the United States. The incorporators include a few very conspicuous Democrats and a few versatile Republicans, whose names sound good in the community, and it will be up to the officers and employees appointed by them to speak for the Congress of the United States, probably in conformity with the general idea recently thrown out from New York that we are to advance a billion dollars to reestablish credits in foreign countries and put Europe on its feet. We have such philanthropic and financial problems of our own——

The SPEAKER. The time of the gentleman has expired.

Mr. DEWALT. Mr. Speaker——

Mr. MOORE of Pennsylvania. So there is good reason for opposing the bill, Mr. Speaker, and I wanted to get this five minutes, though I would like to have had fifty, to prevent its going through by default. Let the governor of each State name the members of this committee and I might agree to the proposition. It would then at least be national in scope. [Applause.]

The SPEAKER. The unfinished business before the House is the Senate bill (S. 180) to incorporate Near East Relief. The House had reached the stage of ordering the bill to a third reading.

Mr. CRAMTON. Mr. Speaker, a parliamentary inquiry.

Mr. GRAHAM of Pennsylvania. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. GRAHAM of Pennsylvania. I rise for the purpose of asking unanimous consent to speak for five minutes.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to speak for five minutes. Is there objection?

Mr. DEWALT. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Pennsylvania [Mr. DEWALT] makes the same request.

Mr. BEGG. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if he will give me five minutes?

Mr. GRAHAM of Pennsylvania. That is not in my power.

Mr. BEGG. I object, Mr. Speaker.

The SPEAKER. Objection is made. The question is on ordering the bill to be read a third time.

Mr. CRAMTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CRAMTON. I would like to ask whether, this being pension day in the House, it would be in order at this time for the chairman of either of the Pension Committees or a member of one of the committees or any Member of this House to move now to go into the Committee of the Whole House for the consideration of pension bills?

The SPEAKER. It is not. The unfinished business is in order.

The bill was ordered to be read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. CRAMTON. Mr. Speaker, I wish to offer a motion to recommit.

The SPEAKER. The gentleman from Michigan offers a motion to recommit, which the Clerk will report.

Mr. CRAMTON. I move that the bill be recommitted to the Committee on the Judiciary, with instructions to report back forthwith the substitute which I have sent to the Clerk's desk.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. CRAMTON moves to recommit the bill to the Committee on the Judiciary, with instructions to that committee to report the same back forthwith with the following substitute:

"*Be it enacted, etc.*, That the persons named, as hereinafter provided, and their successors duly chosen, are hereby incorporated and declared to be a body corporate of the District of Columbia by the name of Near East Relief, and by that name shall be known and have perpetual succession, with the powers, limitations, and restrictions herein contained.

"SEC. 2. The object for which said corporation is incorporated shall be to provide relief and to assist in the repatriation, rehabilitation, and reestablishment of suffering and dependent people of the Near East and adjacent areas.

"SEC. 3. The direction and management of the affairs of the corporation, and the control of its property and funds, shall be vested in a board of trustees, to be composed of 48 men and women, 1 from each of the States of the United States, to be appointed by the governor thereof for the term of two years and until their successors are chosen, who shall constitute the first board of trustees and constitute the members of the corporation. Vacancies occurring by death, resignation, or otherwise shall be filled in the same manner as the original appointments, and the persons so elected shall thereupon become trustees and also members of the corporation.

"SEC. 4. That the principal office of the corporation shall be located in the District of Columbia.

"SEC. 5. That the said trustees shall be entitled to take, hold, and administer any securities, funds, or property which may be transferred to them for the purposes and objects hereinbefore enumerated by the existing and unincorporated American Committee for Armenian and Syrian Relief, and such other funds or property as may at any time be given, devised, or bequeathed to them or to such corporation, for the purposes of the trust; with full power from time to time to adopt a common seal, to appoint officers, whether members of the board of trustees or otherwise, and such employees as may be deemed necessary for carrying on the business of the corporation, and at such salaries or with such remuneration as they may think proper: *Provided*, That not more than three of said members shall be officers or employees with compensation at one time; and full power to adopt by-laws and such rules or regulations as may be necessary to secure the safe and convenient transaction of the business of the corporation.

SEC. 6. That as soon as may be possible after the passage of this act a meeting of the trustees hereinbefore named shall be called by Cleveland H. Dodge, Henry Morgenthau, Abram I. Elkus, Edwin M. Bulkley, Alexander J. Hemphill, William B. Millar, George T. Scott, James L. Barton, and Charles V. Vickrey, or any six of them, at the borough of Manhattan, in the city of New York, by notice served in person or by mail, addressed to each trustee at his place of residence; and the said trustees named herein, or a majority thereof, being assembled, shall organize and proceed to adopt by-laws, to elect officers, and generally to organize the said corporation.

SEC. 7. That a meeting of the incorporators, their associates, or successors shall be held once in every year after the year of incorporation at the principal office at such time as shall be prescribed in the by-laws, when the annual reports of the officers and executive boards shall be presented and members of the executive board elected for the ensuing year. Special meetings of the corporation may be called upon such notice as may be prescribed.

SEC. 8. That a copy of the constitution and by-laws and of all amendments thereto shall be filed with the Congress when adopted, and on or before the 1st day of April each year said corporation shall make and transmit to the Congress a report of its proceedings for the year ending December 31 preceding, including in such report the names and residences of its officers, and a full and itemized account of all receipts and expenditures: *Provided*, That such constitution, by-laws, and report shall not be printed at the expense of the Government and shall not be subject to the franking privilege.

SEC. 9. That the corporation shall have no power to issue certificates of stock or declare or pay any dividends, or otherwise distribute to its members any of its property, or the proceeds therefrom, or from its operations. On dissolution of the corporation the property shall escheat to the American Red Cross.

SEC. 10. That all members and officers of the corporation and of its governing body must be citizens of the United States.

SEC. 11. That the franchise herein granted shall terminate at the expiration of 10 years from the date of the approval of the act; and that Congress reserves the right to repeal, alter, or amend this act at any time.

Mr. CRAMTON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. CRAMTON. First, I ask for recognition, Mr. Speaker.

The SPEAKER. The gentleman of course can not be recognized in debate, the previous question having been ordered.

Mr. CRAMTON. Upon the motion to recommit?

The SPEAKER. Certainly. The previous question is ordered upon the bill for final passage and no debate is allowed.

Mr. CRAMTON. Then, Mr. Speaker, I ask unanimous consent to be permitted to make a correction in the substitute which has been reported, to correct a matter which I inadvertently overlooked.

The SPEAKER. The gentleman has that right.

Mr. CRAMTON. On page 5, in lieu of the names beginning with "Cleveland H. Dodge" in line 1, down to and including the words "New York" in line 5, I ask that that be stricken out, and in lieu of that insert "the Secretary of State of the United States."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. CRAMTON: Page 5, line 1, after the word "by," strike out the names on line 1, all of lines 2, 3, and 4, and down to and including the words "New York" in line 5, page 5, and insert in lieu thereof the words: "The Secretary of State of the United States."

The SPEAKER. The question is on agreeing to the motion to recommit as modified.

Mr. BEGG. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BEGG. Has the previous question been ordered on the final passage of the bill?

The SPEAKER. It has been ordered on the bill up to the final passage.

Mr. BEGG. I do not so understand it, Mr. Speaker.

The SPEAKER. The question is on agreeing to the motion to recommit.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. CRAMTON. Mr. Speaker, I demand a division.

The House divided; and there were—ayes 67, noes 57.

Mr. MANN. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Illinois makes the point of no quorum.

Mr. CRAMTON. Will the gentleman withhold it in order that I may direct a parliamentary inquiry to the Chair?

Mr. MANN. No.

The SPEAKER. The gentleman declines to withhold the point of no quorum.

Mr. CRAMTON. The previous question does not state that it refers to the passage of the bill.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of the motion to recommit will, as their names are called, answer "yea"; those opposed will answer "nay."

Mr. CRAMTON. Mr. Speaker, a point of order. The RECORD does not show that the previous question was ordered on the bill to final passage. The gentleman from Pennsylvania [Mr. GRAHAM] simply said:

Mr. Speaker, I move the previous question.

That would have been on the pending motion.

The SPEAKER. The Chair thinks when the previous question is ordered on a bill without stating specifically what it is moved to, it is intended to be moved to the passage of the bill.

Mr. CRAMTON. There was no motion to recommit before the House, and it could not have well applied to that motion unless it so expressly stated.

The SPEAKER. The Chair thinks it does hold. The Clerk will call the roll.

The question was taken; and there were—yeas 119, nays 167, answered "present" 4, not voting 139, as follows:

YEAS—119.

Ackerman	Evans, Nebr.	Little	Sells
Anderson	Evans, Nev.	McDuffie	Shreve
Aswell	Focht	McKenzie	Sinclair
Ayres	Foster	McLaughlin, Mich.	Sinnott
Bacharach	Gandy	McLaughlin, Nebr.	Sisson
Baer	Garner	Madden	Steagall
Begg	Garrett	Mapes	Stephens, Ohio
Bell	Goodwin, Ark.	Mays	Stiness
Benham	Greene, Mass.	Michener	Strong, Kans.
Blackmon	Greene, Vt.	Monahan, Wis.	Sweet
Bland, Ind.	Hadley	Mooney	Taylor, Colo.
Boies	Hernandez	Moore, Ohio	Taylor, Tenn.
Byrns, Tenn.	Hoch	Moore, Pa.	Thomas
Campbell, Kans.	Huddleston	Murphy	Thompson, Ohio
Cannon	James	Newton, Mo.	Timberlake
Cantrill	Jefferis	Nolan	Venable
Carter	Johnson, Ky.	Ogden	Vestal
Christopherson	Johnson, Miss.	Quin	Voigt
Cole	Johnson, Wash.	Radcliffe	Walsh
Cramton	Kearns	Raker	Walters
Curry, Calif.	Kelley, Mich.	Ramseyer	Watkins
Dale	Kinkaid	Randall, Calif.	Welling
Davis, Minn.	Kleczka	Reed, W. Va.	Wheeler
Denison	Knutson	Rhodes	White, Kans.
Dent	Kraus	Ricketts	Wilson, Ill.
Dickinson, Iowa	Lampert	Robsion, Ky.	Wise
Dunbar	Langley	Rodenberg	Wood, Ind.
Eagle	Layton	Rucker	Yates
Elliott	Lehlbach	Sanders, Ind.	Young, N. Dak.
Emerson	Lesher	Sears	

NAYS—167.

Alexander	Elston	Lea, Calif.	Reber
Almon	Esch	Linthicum	Rogers
Ashbrook	Evans, Mont.	Longworth	Romjue
Babka	Ferris	Luce	Rowe
Bankhead	Fess	Lufkin	Rubey
Barbour	Fields	McAndrews	Sanders, La.
Black	Fisher	McArthur	Saunders, Va.
Bland, Mo.	Fordney	McFadden	Sherwood
Bland, Va.	Freeman	McGlennon	Sims
Blanton	French	McLane	Small
Booher	Fuller, Ill.	McPherson	Smith, Idaho
Box	Gard	Magee	Smith, Ill.
Brand	Garland	Major	Smith, Mich.
Briggs	Good	Mann	Smithwick
Brinson	Goodykoontz	Martin	Snell
Brooks, Ill.	Graham, Pa.	Merritt	Stedman
Browning	Graham, Ill.	Mondell	Steenerson
Buchanan	Green, Iowa	Montague	Strong, Pa.
Burdick	Griffin	Moon	Summers, Wash.
Burroughs	Hardy, Tex.	Moore, Va.	Sumners, Tex.
Campbell, Pa.	Harrison	Moores, Ind.	Temple
Caraway	Hastings	Morgan	Tillman
Carss	Hayden	Mott	Towner
Casey	Heflin	Nelson, Mo.	Treadway
Chindblom	Hickey	Nelson, Wis.	Upshaw
Clark, Fla.	Houghton	Newton, Minn.	Vaile
Classon	Hudspeth	Nichols, Mich.	Vinson
Cleary	Hulings	O'Connor	Volstead
Coady	Hull, Iowa	Oldfield	Wason
Collier	Humphreys	Oliver	Watson, Pa.
Connally	Hutchinson	Osborne	Watson, Va.
Dallinger	Ireland	Overstreet	Weaver
Darrow	Jacoway	Padgett	Webster
Davey	Juul	Park	Welty
Davis, Tenn.	Kahn	Parrish	White, Me.
Dewalt	Kelly, Pa.	Peters	Wilson, La.
Dickinson, Mo.	Kennedy, Iowa	Platt	Winslow
Doremus	Kitchin	Rainey, J. W.	Woods, Va.
Drane	Lanham	Ramsey	Wright
Dunn	Lankford	Randall, Wis.	Young, Tex.
Dupré	Larsen	Rayburn	Zihlman
Eagan	Lazaro	Reavis	

ANSWERED "PRESENT"—4.

Brooks, Pa.	Hawley	Hays	MacGregor

NOT VOTING—139.

Andrews, Md.	Currie, Mich.	Griest	King
Andrews, Nebr.	Dempsey	Hamill	Kreider
Anthony	Dominick	Hamilton	LaGuardia
Barkley	Donovan	Hardy, Colo.	Lee, Ga.
Bee	Dooling	Haskell	Lever
Benson	Doughton	Haugen	Lonergan
Bowers	Dowell	Hersey	Luhring
Britten	Dyer	Hersman	McClintic
Browne	Echols	Hicks	McCulloch
Brumbaugh	Edmonds	Hill	McKeown
Burke	Ellsworth	Holland	McKinley
Butler	Fairfield	Howard	McKinley
Byrnes, S. C.	Fitzgerald	Hull, Tenn.	MacCrate
Caldwell	Flood	Husted	Maher
Candler	Frear	Igoe	Mansfield
Carew	Fuller, Mass.	Johnson, S. Dak.	Mason
Clark, Mo.	Gallagher	Johnston, N. Y.	Mead
Cooper	Gallivan	Jones, Pa.	Miller
Copley	Ganly	Jones, Tex.	Minahan, N. J.
Costello	Glynn	Kendall	Morin
Crago	Godwin, N. C.	Kennedy, R. I.	Mudd
Crisp	Goldfogle	Kettner	Neely
Crowther	Goodall	Kiess	Nicholls, S. C.
Cullen	Gould	Kinchcloe	O'Connell
Olney	Riordan	Siegel	Tincher
Paige	Robinson, N. C.	Slemp	Tinkham
Parker	Rose	Smith, N. Y.	Vare
Pell	Rouse	Snyder	Ward
Phelan	Rowan	Steele	Webb
Porter	Sabath	Stephens, Miss.	Whaley
Pou	Sanders, N. Y.	Stevenson	Williams
Purnell	Sanford	Sullivan	Wilson, Pa.
Rainey, H. T.	Schall	Taylor, Ark.	Wingo
Reed, N. Y.	Scott	Thompson, Okla.	Woodyard
Riddick	Scully	Tilson	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. BROWNE with Mr. OLNEY.

Mr. EDMONDS with Mr. LONERGAN.

Mr. ROSE with Mr. HOWARD.

Mr. DEMPSEY with Mr. ROBINSON of North Carolina.

Mr. LAGUARDIA with Mr. MCKINIRY.

Mr. MILLER with Mr. KINCHELOE.

Mr. MUDD with Mr. HOLLAND.

Mr. GOODALL with Mr. SABATH.

Mr. FULLER of Massachusetts with Mr. HENRY T. RAINEY.

Mr. DOWELL with Mr. JONES of Texas.

Mr. BURKE with Mr. STEVENSON.

Mr. CURRIE of Michigan with Mr. MANSFIELD.

Mr. CROWTHER with Mr. STEPHENS of Mississippi.

Mr. COSTELLO with Mr. HAMILL.

Mr. ANDREWS of Nebraska with Mr. BENSON.

Mr. STRONG of Pennsylvania with Mr. KETTNER.

Mr. HARDY of Colorado with Mr. HERSMAN.

Mr. SCHALL with Mr. GODWIN of Arkansas.

Mr. MCKINLEY with Mr. POU.

Mr. FREAR with Mr. WHALEY.

Mr. ANDREWS of Maryland with Mr. WILSON of Pennsylvania.

Mr. ELLSWORTH with Mr. PHELAN.

Mr. WILLIAMS with Mr. BYRNES of South Carolina.

Mr. BOWERS with Mr. GALLAGHER.

Mr. SCOTT with Mr. CRISP.

Mr. COPLEY with Mr. NICHOLLS of South Carolina.

Mr. SIEGEL with Mr. PELL.

Mr. WARD with Mr. JOHNSTON of New York.

Mr. HAUGEN with Mr. LEVER.

Mr. ANTHONY with Mr. WEBB.

Mr. HERSEY with Mr. FITZGERALD.

Mr. CRAGO with Mr. ROWAN.

Mr. GLYNN with Mr. GALLIVAN.

Mr. MORIN with Mr. CAREW.

Mr. JOHNSON of South Dakota with Mr. FLOOD.

Mr. HUSTED with Mr. BARKLEY.

Mr. SLEMP with Mr. CULLEN.

Mr. TILSON with Mr. O'CONNELL.

Mr. COOPER with Mr. THOMPSON of Oklahoma.

Mr. PAIGE with Mr. SULLIVAN.

Mr. PURNELL of Indiana with Mr. MCCLINTIC.

Mr. FAIRFIELD with Mr. SCULLY.

Mr. GRIEST with Mr. BEE.

Mr. KIESS with Mr. IGOE.

Mr. BRITTEN with Mr. WINGO.

Mr. BUTLER with Mr. STEELE.

Mr. TINKHAM with Mr. DOUGHTON.

Mr. KENNEDY of Rhode Island with Mr. TAYLOR of Arkansas.

Mr. MCCULLOCH with Mr. LEE of Georgia.

Mr. HASKELL with Mr. MINAHAN of New Jersey.

Mr. REED of New York with Mr. GANLY.

Mr. GOULD with Mr. RIORDAN.

Mr. PARKER with Mr. MAHER.

Mr. DYER with Mr. MEAD.

Mr. HAMILTON with Mr. DOOLING.

Mr. VARE with Mr. CALDWELL.

Mr. KING with Mr. NEELY.

Mr. HICKS with Mr. HULL of Tennessee.

Mr. SANFORD with Mr. DONOVAN.

Mr. TINCHER with Mr. CLARK of Missouri.

Mr. SNYDER with Mr. SMITH of New York.

Mr. HAYS with Mr. DOMINICK.

Mr. HAWLEY with Mr. CANDLER.

Mr. PORTER with Mr. MCKEOWN.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The motion to recommit is not agreed to. The question is on the passage of the bill.

Mr. BEGG. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Ohio asks for the yeas and nays. Those in favor of taking this vote by the yeas and nays will rise and stand until they are counted. [After counting.] Sixty-five gentlemen have risen—a sufficient number—and the yeas and nays are ordered. Those in favor of the pas-

sage of the bill will, when their names are called, answer "aye"; those opposed will answer "no." The Clerk will call the roll.

The question was taken; and there were—yeas 154, nays 125, answered "present" 2, not voting 148, as follows:

YEAS—154.

Alexander	Fields	Linthicum	Reber
Ashbrook	Fisher	Longworth	Riddick
Bankhead	Flood	Luce	Rogers
Barbour	Fordney	Lufkin	Romjue
Black	Freeman	McAndrews	Rowe
Bland, Mo.	French	McArthur	Rubey
Bland, Va.	Fuller, Ill.	McFadden	Sanders, La.
Blanton	Gard	McGlennon	Saunders, Va.
Booher	Good	McLane	Sims
Box	Goodykoontz	McLaughlin, Mich.	Small
Briggs	Graham, Pa.	Magee	Smith, Idaho
Brinson	Green, Iowa	Major	Smith, Ill.
Browning	Griffin	Mann	Smith, Mich.
Buchanan	Hadley	Merritt	Smithwick
Burroughs	Hardy, Tex.	Mondell	Stedman
Campbell, Pa.	Harrison	Montague	Stiness
Carss	Hastings	Moore, Ohio	Strong, Pa.
Carter	Hayden	Moore, Va.	Summers, Wash.
Casey	Heflin	Morgan	Sumners, Tex.
Chindblom	Hickey	Morin	Temple
Cleary	Houghton	Mott	Thomas
Coady	Hudspeth	Mudd	Towner
Collier	Hulings	Nelson, Wis.	Treadway
Connally	Hull, Iowa	Newton, Minn.	Upshaw
Dallinger	Humphreys	Nichols, Mich.	Vaile
Darrow	Hutchinson	O'Connor	Volstead
Davey	Ireland	Oldfield	Watkins
Davis, Tenn.	Jacoway	Oliver	Watson, Pa.
Dewalt	Juul	Osborne	Watson, Va.
Doremus	Kahn	Overstreet	Weaver
Drane	Kelley, Mich.	Padgett	Webster
Dupré	Kelly, Pa.	Park	Welty
Eagan	Kitchin	Parrish	White, Me.
Elliott	Kleczka	Peters	Winslow
Elston	Lanham	Platt	Woods, Va.
Esch	Lankford	Rainey, J. W.	Wright
Evans, Mont.	Larsen	Ramsey	Young, Tex.
Ferris	Lazaro	Randall, Calif.	
Fess	Lea, Calif.	Randall, Wis.	

NAYS—125.

Ackerman	Eagle	Luhring	Sanders, Ind.
Almon	Emerson	McDuffie	Sears
Anderson	Evans, Nebr.	McKenzie	Sells
Aswell	Focht	McLaughlin, Nebr.	Shreve
Ayres	Foster	MacGregor	Sinclair
Babka	Gandy	Madden	Sisson
Bacharach	Garner	Mapes	Snell
Baer	Garrett	Martin	Steagall
Begg	Glynn	Mays	Stephens, Ohio
Bell	Goodwin, Ark.	Michener	Strong, Kans.
Benham	Graham, Ill.	Monahan, Wis.	Sweet
Blackmon	Greene, Mass.	Moon	Taylor, Colo.
Bland, Ind.	Greene, Vt.	Mooney	Taylor, Tenn.
Boies	Hernandez	Moore, Pa.	Thompson, Ohio
Brooks, Ill.	Hersey	Moores, Ind.	Tillman
Byrns, Tenn.	Hoch	Murphy	Timberlake
Campbell, Kans.	Huddleston	Nelson, Mo.	Venable
Cannon	James	Newton, Mo.	Vestal
Christopherson	Jefferis	Nolan	Vinson
Clark, Fla.	Johnson, Ky.	Ogden	Voigt
Classon	Johnson, Miss.	Quin	Walsh
Cole	Johnson, Wash.	Radcliffe	Walters
Cramton	Kearns	Raker	Wason
Curry, Calif.	Kennedy, Iowa	Ramseyer	Welling
Dale	Kinkaid	Rayburn	Wheeler
Davis, Minn.	Kraus	Reavis	White, Kans.
Denison	Lampert	Reed, W. Va.	Wilson, Ill.
Dent	Langley	Rhodes	Wilson, La.
Dickinson, Mo.	Layton	Ricketts	Young, N. Dak.
Dickinson, Iowa	Lehlbach	Robsion, Ky.	
Dunbar	Lesher	Rodenberg	
Dunn	Little	Rucker	

ANSWERED "PRESENT"—2.

Hawley	Hays

NOT VOTING—148.

Andrews, Md.	Currie, Mich.	Haugen	McKinley
Andrews, Nebr.	Dempsey	Hersman	McPherson
Anthony	Dominick	Hicks	MacCrate
Barkley	Donovan	Hill	Maher
Bee	Dooling	Holland	Mansfield
Benson	Doughton	Howard	Mason
Bowers	Dowell	Hull, Tenn.	Mead
Brand	Dyer	Husted	Miller
Britten	Echols	Igoe	Minahan, N. J.
Brooks, Pa.	Edmunds	Johnson, S. Dak.	Neely
Browne	Ellsworth	Johnston, N. Y.	Nicholls, S. C.
Brumbaugh	Evans, Nev.	Jones, Pa.	O'Connell
Burdick	Fairfield	Jones, Tex.	Olney
Burke	Fitzgerald	Kendall	Paige
Butler	Frear	Kennedy, R. I.	Parker
Byrnes, S. C.	Fuller, Mass.	Kettner	Pell
Caldwell	Gallagher	Kiess	Phelan
Candler	Gallivan	Kincheloe	Porter
Cantrill	Ganly	King	Pou
Caraway	Garland	Knutson	Purnell
Carew	Godwin, N. C.	Kreider	Rainey, H. T.
Clark, Mo.	Goldfogle	LaGuardia	Reed, N. Y.
Cooper	Goodall	Lee, Ga.	Riordan
Copley	Gould	Lever	Robinson, N. C.
Costello	Griest	Lonergan	Rose
Crago	Hamill	McClintic	Rouse
Crisp	Hamilton	McCulloch	Rowan
Crowther	Hardy, Colo.	McKeown	Sabath
Cullen	Haskell	McKinley	Sanders, N. Y.
Sanford	Smith, N. Y.	Thompson, Okla.	Williams
Schall	Snyder	Tilson	Wilson, Pa.
Scott	Steele	Tincher	Wingo
Scully	Steenerson	Tinkham	Wise
Sherwood	Stephens, Miss.	Vare	Wood, Ind.
Siegel	Stevenson.	Ward	Woodyard
Sinnott	Sullivan	Webb	Yates
Slemp	Taylor, Ark.	Whaley	Zihlman

So the bill was passed.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BROOKS of Pennsylvania with Mr. SABATH.

Mr. JOHNSON of South Dakota with Mr. GALLIVAN.

Mr. KNUTSON with Mr. BRAND.

Mr. KREIDER with Mr. CARAWAY.

Mr. SANDERS of New York with Mr. BYRNS of Tennessee.

Mr. WOOD of Indiana with Mr. WISE.

Mr. WOODYARD with Mr. CANTRILL.

Mr. YATES with Mr. SHERWOOD.

Mr. ZIHLMAN with Mr. EVANS of Nebraska.

On this vote:

Mr. STEENERSON (for) with Mr. SINNOTT (against).

The result of the vote was announced as above recorded.

On motion of Mr. GRAHAM of Pennsylvania, a motion to reconsider the vote by which the bill was passed was laid on the table.

CHANGE OF REFERENCE.

The SPEAKER. The Chair would like to ask the consent of the House to change a reference. A few days ago a letter from the Secretary of the Navy was referred to the Committee on Naval Affairs. The Chair thinks it should have gone to the Committee on the Merchant Marine and Fisheries. The Chair has consulted the chairman of the Committee on Naval Affairs, who consents to that change of reference. Without objection, the Chair would like to refer it to the Committee on the Merchant Marine and Fisheries. Is there objection?

There was no objection.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 147. Joint resolution to ratify and confirm, from and including July 1, 1919, obligations incurred pursuant to the terms of certain appropriations for the fiscal year 1920.

LEAVE TO REVISE AND EXTEND REMARKS.

Mr. RUCKER. Mr. Speaker, I ask unanimous consent to revise the remarks which I made on the prohibition-enforcement bill.

The SPEAKER. The gentleman from Missouri asks unanimous consent to revise the remarks he made on the prohibition-enforcement bill. Is there objection?

Mr. WALSH. I do not think the gentleman has to get unanimous consent to revise his remarks. If he wants to extend them, he has to get consent.

Mr. RUCKER. Probably in revising my remarks I will extend them, in a sense, but I have no idea of covering any ground which I have not already covered in my remarks.

The SPEAKER. The gentleman from Missouri asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. SMALL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the same subject.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to revise and extend his remarks on the same subject. Is there objection?

There was no objection.

Mr. McDUFFIE. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Alabama makes the same request. Is there objection?

There was no objection.

Mr. HEFLIN. Mr. Speaker, I ask unanimous consent to extend some remarks on the prohibition bill that passed the House the other day.

The SPEAKER. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD on the prohibition bill. Is there objection?

There was no objection.

Mr. FOSTER. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Ohio makes the same request. Is there objection?

There was no objection.

CONTESTED-ELECTION CASE—WICKERSHAM AGAINST SULZER.

Mr. DOWELL. Mr. Speaker, I submit a privileged report from the Committee on Elections No. 3 and ask to have it printed in the RECORD.

The SPEAKER. What is the case?

Mr. SMALL. The case of Wickersham against Sulzer, from Alaska.

The SPEAKER. The gentleman from Iowa submits a privileged report, which will be printed and referred to the Committee of the Whole House. The gentleman asks unanimous consent that it be printed in the RECORD. Is there objection?

There was no objection.

The report is as follows:

Your Committee on Elections No. 3, having had under consideration House resolution 105, a resolution relative to the securing of evidence in the contested-election case of James Wickersham *v.* Charles A. Sulzer, Territory of Alaska, recommend that said resolution be amended in the following respects:

On page 1 of the printed resolution, amend by striking out, in line 9, the words "necessary additional," and by striking out, at the end of said line 9 and the beginning of line 10, the words "as near as may be."

On page 1, amend by adding, after the word "on," in line 12, the words "George B. Grigsby."

On page 1, amend by striking out, in lines 13 and 14, after the figure "3," the words "the candidate who is successful in said special election to" and by inserting in lieu thereof the words "said George B. Grigsby shall."

On page 2, line 4, amend by striking out the word "to" and insert in lieu thereof the word "shall."

On page 2, amend by adding, after the word "rebuttal," in line 5, the word "testimony."

On page 2, amend by striking out all of paragraph 5, which includes the figure "5," at the end of line 5, and all of lines 6, 7, 8, 9, and 10, down to and including the semicolon following the word "witnesses."

Also amend by renumbering the paragraphs accordingly.

On page 2, amend by adding, after the word "candidate," line 19, the words "said George B. Grigsby."

On page 3, amend by adding after the word "on," line 5, the words "said George B. Grigsby."

On page 3, amend by adding, after the word "which," in line 6, the words "said George B. Grigsby."

On page 3, amend by adding, after the word "either," in line 8, the word "of."

On page 3, amend by striking out the words "and required," in line 10.

On page 3, amend by striking out the word "said," in line 11, and inserting in lieu thereof the word "the."

On page 3, amend by striking out the words "in the manner provided herein," in line 20.

On page 3, amend by striking out, in line 22, the comma, after the word "cause," and insert in lieu thereof a period; and by striking out all after the word "cause," in said line 22, and by striking out all of lines 23, 24, 25, and lines 1 and 2, on page 4, down to and including the word "and," in said line 2.

On page 4, line 2, amend by inserting, before the word "the," in line 2, the figure "10" and by capitalizing the word "the."

The committee recommends that said resolution so amended do pass.

Mr. DOWELL. I wish to give notice that on Monday I will ask to have this report considered.

PENSIONS.

Mr. FULLER of Illinois. Mr. Speaker, this is the day on which private pension bills are in order, and I call up an omnibus pension bill, H. R. 7657.

The SPEAKER. Does the gentleman move to go into Committee of the Whole?

Mr. FULLER of Illinois. I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Illinois calls up the bill (H. R. 7657) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

Mr. WALSH. Mr. Speaker, how much debate does the gentleman expect to have upon this measure? We are getting in the habit of jamming pension bills through without discussing them, or any consideration whatever.

Mr. FULLER of Illinois. If the first reading of the bill is dispensed with, there will be opportunity for debate if anybody desires it.

Mr. WALSH. The gentleman will not move the previous question?

Mr. FULLER of Illinois. No.

The SPEAKER. In the House as in Committee of the Whole there will be no opportunity for general debate. The only debate will be under the five-minute rule. Is there objection to the gentleman's request?

There was no objection.

Mr. FULLER of Illinois. I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER. The bill will now be read under the five-minute rule for amendment.

The Clerk read the bill, which is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of William J. Smith, late of Company K, Forty-fifth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jacob Redinger, late of Twenty-first Battery Indiana Volunteer Light Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Pauline Sanders, former widow of George W. Johnson, late of Company D, Fortieth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of William M. Nourse, a citizen attached to Eighteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Richard Martin, helpless and dependent child of Jackson Martin, late of Company C, Twenty-fourth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of William J. R. Beach, late of Sheldon's Company, Sturges's Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Benjamin M. Donaca, late of Company C, First Regiment Oregon Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Edwin Fiske Bassett, helpless and dependent child of Edwin F. Bassett, late of Company H, Twenty-ninth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of James W. Eller, late of Company I, Tenth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Elizabeth Moses, widow of Alonzo Moses, late of Company F, One hundred and sixty-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Anna Wilcox, widow of Andrew Wilcox, late of Company C, One hundred and forty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Hannah D. Jelison, widow of George W. Jelison, late of Company K, Second Regiment Massachusetts Volunteer Heavy Artillery, and pay her a pension at the rate of $25 per month.

The name of Sarah J. Casler, widow of Henry R. Casler, late of Company K, Twelfth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Anna Greer, widow of William H. H. Greer, late of Company K, One hundred and fifty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Levi S. Walker, late chaplain Sixtieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Michael F. Noonan, late of Company B, Captain Collier's Gasconade County Battalion, Missouri Home Guards, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Helen F. Wade, widow of Silas Wade, late of Company E, One hundred and twenty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Julia A. Shaw, widow of John Shaw, late of Company G, One hundred and fifty-third Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Abbie H. Lewis, widow of Henry A. Lewis, late of Company D, One hundred and twenty-fourth Regiment Illinois Volunteer Infantry, and Company E, Sixty-fourth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Frances Watches, widow of Allen Watches, late of Company C, One hundred and forty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of John N. Hall, late of Company F, First Battalion Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John Richards, late of Company K, Twenty-second Regiment Pennsylvania Volunteer Cavalry, and Third Regiment Pennsylvania Provisional Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charity Ann Smith, dependent mother of R. Monroe Wiley, alias Oren W. Wiley, late of Company G, Thirteenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of James Hamilton Rose, late of Company E, Fourth Regiment, and Company B, Sixth Regiment, West Virginia Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John A. Burns, late of Company C, Second Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William Thornton, late of Company K, Thirteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James B. Shaw, late of Tenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mary Miller, widow of Ira Miller, late of Company C, Fifteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Horace M. Miller, helpless and dependent son of said Ira Miller, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Mary Miller the name of said Horace M. Miller shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Mary Miller.

The name of Nancy M. Davis, former widow of George Davis, late of Company H, First Regiment Arkansas Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of John Weatherington, late of Company A, Twenty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jonathan J. Boyer, late of Company F, Eleventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Delilah Hunley, widow of Archibald Hunley, late of Company H, Thirtieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Albert J. Weaver, late of Company D, One hundred and tenth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George H. Hathaway, late of Company B, First Regiment Rhode Island Volunteer Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Michael C. Bierring, late of Company I, Sixty-first Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John F. Rose, late acting medical cadet, United States Army, Satterlee General Hospital, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Jacob M. Hizar, late of Company A, One hundred and twenty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Joseph Martell, late of Company E, Twenty-eighth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Benjamin F. Jacks, late of Company A, Fiftieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sylvester W. Sutton, late of Company I, One hundred and twenty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James F. Van Horn, late of Company D, Fifty-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Philip F. M. Lutz, late of Company I, One hundred and forty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Josephine Brown, invalid and dependent daughter of William Brown, late of Company C, Second Regiment Arkansas Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Jennie A. Stephens, former widow of Ivan D. Stephens, late of Company I, Seventy-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of George Sharp, late of Company K, Fourteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Barnett Cunningham, late of Company I, Twenty-fourth Regiment, and Company E, One hundred and ninety-first Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George W. Mower, late of Company K, Tenth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Josiah Ferguson, late of Company K, Fifty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Ellen G. Frame, widow of John O. Frame, late of Company F, Forty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Columbus Beaber, late of Company D, One hundred and thirty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Dennis W. Riordan, late of Company C, First Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John R. McCrillis, late of Company E, Fifth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Henry Richardson, late of Company H, Eighteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Truston W. Shirley, late of Company H, Forty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Reuben S. Bell, late of Company I, Thirty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John Maxwell, late of Company E, One hundred and thirty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Rebecca H. Whiteacre, widow of William Whiteacre, late of Company E, Fortieth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Margaret E. Melson, widow of John E. Melson, late of Company D, Purnell's Legion, Maryland Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of John D. Sullivan, late of Company C, Second Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving, without deduction or rebate for former alleged overpayments.

The name of Walter S. Hewitt, late of Company G, Sixty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Joseph Harbaugh, late of Company I, Nineteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Bridget Lillis, former widow of John McKeever, late of Company E, Thirty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Sarah E. Goodwin, widow of Arthur Goodwin, late of Company C, First Independent Battery, Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Myrtie I. Arnold, widow of Addison C. Arnold, late of Company B, One hundred and forty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Clark E. Frear, late of Company H, Sixteenth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Rensselaer F. Delmot, late of Company H, Sixty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Sidney W. Clark, late of Company E, Fifty-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William Vincent, late of Company A, Ninety-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jennie B. Duer, widow of John O. Duer, late of Company D, Forty-fifth Regiment Illinois Volunteer Infantry, and brigadier general, Third Division, Seventeenth Army Corps, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Emma J. DeYoe Bassett, former widow of Newton W. DeYoe, late of Company E, Sixty-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Mary Cole, widow of Alonzo Cole, late of Company F, Twenty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Nancy J. Pier, widow of John W. Pier, late of Company A, Twentieth Regiment Indiana Volunteer Infantry, and Fourteenth Battery, Indiana Volunteer Light Artillery, and pay her a pension at the rate of $25 per month.

The name of James M. Perry, late of Company F, Garrison Guards, and private unassigned, Thirty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John G. Harmon, late of Company C, Tenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Thomas Pefley, late of Company G, Twenty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Blanche Bunger, helpless and dependent daughter of Aaron E. Bunger, late of Company F, Eighty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of John P. Iliff, late of Company E, Thirteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Wade H. Pyle, late of Company D, Eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George W. Bailey, late of Company F, Sixty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Francis M. Hockinberry, late of Company G, Fifteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William W. Echols, late of Company A, Seventy-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John W. Walker, helpless and dependent child of Otis Walker, late of Company C, One hundred and Sixty-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Marvin Waldorph, late of Company A, Third Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Linda Whetsel, widow of Solomon Whetsel, late of First Independent Battery, Ohio Volunteer Light Artillery, and pay her a pension at the rate of $35 per month.

The name of Charles A. Brayton, late of Company E, One hundred and ninety-second Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Mary J. Bowen, widow of Russell Bowen, late of Company G, One hundred and fifty-first Regiment Ohio Volunteer Infantry, nad pay her a pension at the rate of $25 per month.

The name of Jacob Kurtz, late of Company D, Twenty-first Regiment Ohio Volunteer. Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Francis M. Lee, late of Company A, Sixth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William McQueen, late of Companies G and L, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Henry N. Tippett, late of Company A, One hundred and thirty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William Francis, helpless and dependent child of Abraham Francis, late of Companies F and G, Sixteenth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Abraham Bouder, late of Company K, Seventy-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mathew Kerwin, late of Company B, Forty-seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Austin Daugherty, late of Company A, Tenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Katherine Schellschmidt, former wife of Ferdinand Schellschmidt, late musician, Eleventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Henry Gass, helpless and dependent son of Andrew J. Gass, late of Company D, Sixty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of William Vorhees, late of Company B, Thirteenth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John Spangler, late of Company K, Seventy-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Francis B. Burgoon, late of Company B, Seventy-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Robert D. McManigal, late of Fourth Independent Company, Ohio Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Edward F. Duke, late of Company B, Tenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Joseph N. Wilson, late of Company F, Twenty-second Regiment, and Company C, Sixtieth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Harry Olstot, late of Company F, One hundred and forty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James H. McGill, late of Company A, Eleventh Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John C. McKinley, late of Battery F, First Regiment West Virginia Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elijah H. Spencer, late of Company B, Twenty-first Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George M. Jacobs, late of Company E, Thirtieth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Rita Shafges, former widow of Jacob D. Schilling, late of Company I, Fourth Regiment California Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Harriet J. Houghtaling, widow of Aaron Houghtaling, late of Company D, Fourth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of William Riley Roark, late of Company E, Thirtieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Benjamin L. Walker, late of Company G, Forty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James M. Kirk, late of Company D, One hundred and forty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Francis H. Powell, late of Company D, One hundred and forty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Amanda J. Reynolds, former widow of Albert A. Gates, late of Company H, Eighteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of John W. Towner, late of Companies C and I, Tenth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William L. Silver, late of Company F, Twelfth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Hiram P. Ring, late of Tenth Independent Battery, Massachusetts Volunteer Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Annie S. Marsh, widow of Samuel W. Marsh, late of Company G, One hundred and seventy-sixth Regiment New York Volunteer Infantry, and Company G, Second Regiment New York Mounted Volunteer Rifles, and pay her a pension at the rate of $25 per month.

The name of Nancy A. Lawther, widow of James T. Lawther, late of Company B, Ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Isabel Burge, widow of Jacob W. Burge, late of Company P (or F), Sixth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Gilbert W. Potter, late of Company E, Eighth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Mark Hebblethwaite, late of Company E, One hundred and twenty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John Coss, alias John C. Shoemaker, late of Company A, One hundred and forty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James K. Meacham, late of Company A, Fourteenth Regiment, and Company C, Seventy-eighth Regiment, Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Malissie Sands, widow of Jesse Sands, late of Company B, Ninth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of John J. Mitchell, late of Company C, Twenty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Cicero R. Rhinearson, late of Company G, Fourth Regiment United States Veteran Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elexander Tittle, late of Company D, Third Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James L. Norris, late of Company E, One hundred and seventy-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of David R. Evans, late of Company D, One hundred and seventy-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James R. Cowgill, late of Company K, Fifteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Aries Butcher, late of Company B, Ninety-first Regiment Ohio Volnunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Orra F. Perkins, late of Company F, Fourth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John F. Thompson, late of Company B, Twenty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elizabeth Benjamin, widow of Samuel Benjamin, late of Company E, Twenty-seventh Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Agnes Anderson, widow of James Anderson, late of Company C, One hundred and thirteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of George W. Weeks, late of Company K, First Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Carrie Abbitt, former widow of William Watson, late of Company C, One hundred and tenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Martin W. Frisbie, late of Company E, Twentieth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Matilda Laswell, former widow of Samuel C. Dale, late of Company I, Eighteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving, without deductions on account of former erroneous payments of pension.

The name of Jennie Schofield, former widow of Milton S. Hammond, late of Company E, One hundred and forty-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Ina Sturdevant, widow of Hamilton R. Sturdevant, late of Company D, One hundred and eleventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of James Fleming, late of Company G, One hundred and fifty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Aron M. Adamson, late of Company E, Sixty-second Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Samuel H. Gillson, late of Company L, Fifteenth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Benjamin A. Elliott, late of Company G, Twelth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John P. Hanford, late of Company F, Forty-eighth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Isabella Kelley, widow of John Kelley, late of Company G, First Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Mary G. Leary, helpless and dependent daughter of Michael H. Leary, late of Company H, Thirty-second Regiment, and Company B, Ninth Regiment, Massachusetts Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Caroline Greenwold, widow of John Greenwold, late of Twelfth Battery Wisconsin Volunteer Light Artillery, and pay her a pension at the rate of $25 per month.

The name of Julia Kemper, widow of Herman Kemper, late of Company K, Fourth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Charles R. Dunham, late of Company D, Third Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Oluf Volkerts, late landsman, United States Navy, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James W. Ledford, late of Company I, One hundred and forty-fourth regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month, without deductions on account of former erroneous payments of pension.

The name of William U. Mitchell, late of Company A, Fifty-second Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Miriam C. Hone, helpless and dependent daughter of James Hone, late of Company H, One hundred and fifty-first Regiment Ohio National Guard Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Abram Branum, by P. D. Solon, guardian, helpless son of Silas Branum, late of Company I, Ninetieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Jonathan Rhoades, alias Van Kirk, late of Company H, Seventy-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Joseph Horner, late of Company A, Twenty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Joseph Funk, late of Company F, One hundred and thirty-first Regiment Ohio Volunteer Infantry, and Company F, First Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John P. Rounds, late of Company A, Fifty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Robert McMartin, late of Company B, Fifth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George F. Norman, late of Company G, Twenty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elizabeth A. Murphy, former widow of Henry Bisbo, late of Company C, One hundred and eighty-fifth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Benjamin Harrison Hine, late of Company G, One hundred and forty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jefferson O'Hara, alias Thomas J. O'Hara, late of Battery E, Third Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John L. McCalmont, late of Company I, Fourth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Lilla J. Darling, incompetent, helpless, and dependent child of Nelson Darling, late unassigned, Twenty-second Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of William McFarlin, late of Company E, Forty-fourth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Amos C. Carter, late of Company C, First Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James E. McKenna, helpless and dependent son of James McKenna, late of Company G, Third Regiment Massachusetts Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Silas M. Abers, late of Company E, Thirty-sixth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Peter Jennings, late landsman, United States Navy, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James Finch, late of Company C, Eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mary E. Flint, former widow of Thomas Fitzgerald, late of Companies I and C, Third Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $35 per month.

The name of Annie Myers, widow of George Myers, late of Company D, First Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of William A. Taylor, late of Company G, Seventh Regiment, and Company H, One hundred and twenty-third Regiment, Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Reuben P. Smith, late of Company B, Eighteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Ione D. Bradley, widow of Luther P. Bradley, late lieutenant colonel Fifty-first Regiment Illinois Volunteer Infantry, and later brigadier general, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Ellen A. Cortright, widow of Edgar Cortright, late of Company F, Ninth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Helen E. Smith, widow of William H. Smith, late of Company I, One hundred and twenty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Eliza M. Martin, former widow of Samuel W. Davis, late of Company A, Thirty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month.

The name of George Bellamy, late of Company B, Ninth Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Hiram Brubaker, late of Company K, First Regiment Indiana Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Harvey M. D. Hopkins, late of Company D, First Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Julia W. Nichols, widow of Henry Nichols, late of Company C, Third Regiment Missouri State Militia Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of William H. Moore, late regimental commissary sergeant, Eighth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Albert L. Gregory, late of Company H, One hundred and eightieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Edward F. H. Pearson, incompetent, Lulu L. Smith, guardian, late of Company K, One hundred and fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Aurora C. B. Kinney, widow of Randall F. Kinney, late of Company G, One hundred and eighth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of John J. Curry, late of Company I, Twenty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Benjamin F. Harris, late of Company G, Forty-second Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George W. Boal, late of Company C, Second Regiment United States Volunteer Sharpshooters, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Frances Langguth, widow of John W. Langguth, late of Companies B and A, Seventeenth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Samuel M. Ruch, late of Company H, Twenty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Frederick Althans, late of Company H, Twentieth Regiment New York Volunteer Infantry, and Company B, Fifth Regiment New York State Militia, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John A. Wilkins, late of Company H, Seventy-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Kate C. Kraig, widow of John C. Kraig, late of Company A, Twenty-ninth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $35 per month.

The name of Jennie D. Bowen, former widow of Harvey T. Smith, late of Company Q, One hundred and fifty-third Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Christie Fish, widow of Austin C. Fish, alias Clark A. Fish, late of Companies K and C, Second Regiment Ohio Volunteer Cavalry, and Company C, One hundred and twenty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Thomas Hollister, late of Company A, Thirtieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Anna S. Christopherson, helpless and dependent daughter of Ole Christopherson, late of Company K, Twenty-fifth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary E. Bell, widow of John T. Bell, late of Company I, One hundred and fifty-fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Charles H. Bell, helpless and dependent son of said Mary E. Bell, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Mary E. Bell, the name of said Charles H. Bell shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Mary E. Bell.

The name of Robert T. Parkinson, late of Company K, Sixteenth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Thomas F. Rilea, late of Company D, One hundred and seventy-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William T. O'Bannon, late of Company A, One hundred and thirty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John H. Scott, late of Company C, One hundred and thirty-third Regiment Illinois Volunteer Infantry, and Company H, Third Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Edward S. Clark, late of Company A, One hundred and forty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Marion Carnahan, late of Company H, Eleventh Regiment Pennsylvania Reserve Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Alonzo Dutch, late of Company E, Eighth Regiment New York State Militia Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Hiram Mosher, late of Company H, One hundred and fifty-third Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Martha C. Igo, widow of Daniel Igo, late of Company E, Eleventh Regiment, and Company I, Two hundred and eleventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Mabel Igo, helpless and dependent daughter of said Daniel Igo, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Martha C. Igo, the name of said Mabel Igo shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Martha C. Igo.

The name of George W. Heator, helpless and dependent son of Joseph Heator, late of Company E, Twenty-seventh Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Harvey H. Bonham, late of Company F, Seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Richard Hudson, late of Capt. Degger's Fifth Battalion, District of Columbia Military Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The name of Laura A. Moorhead, widow of Samuel Moorhead, late of Seventh Battery, New York Volunteer Light Artillery, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Ida A. Moorhead, helpless and dependent daughter of said Samuel Moorhead, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Laura A. Moorhead, the name of said Ida A. Moorhead shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Laura A. Moorhead.

The name of Thomas A. Williamson, late quartermaster sergeant, One hundred and eighty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George C. Hausmann, late of Company E, One hundred and forty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jacob H. Gabbord, late of Company A, Forty-seventh Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Stewart J. Donnelly, late of Company K, Thirteenth Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Andrew Shinky, late of Company F, One hundredth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John A. Kirkham, late of Capt. Young's company, Fourth Indiana Volunteer Legion, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas E. Kellogg, late of Company E, Thirty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of William H. Struble, late of Company L, Second Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Harriet M. Godfrey, widow of Edwin J. Godfrey, late of Company B, Second Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Melissa E. Dickinson, widow of Solomon A. Dickinson, late of Company I, Sixth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of George Broughton, late of Company F, One hundred and forty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Amanda J. Smith, widow of Milton Smith, late of Company F, Twenty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Catherine Osborn, helpless and dependent daughter of Andrew J. Osborn, late of Company G, Second Regiment Provisional Enlisted Missouri Volunteer Militia, and pay her a pension at the rate of $20 per month.

The name of Joseph P. Pitman, late of Company K, Sixty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George G. Sprouse, late of Company B, Fortieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Milton Barrere, late of Company H, First Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John Gunsallus, late of Company G, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Manly B. Rush, late of Company F, Fifty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Ella D. Madden, helpless and dependent daughter of Hosea F. Madden, late of Company B, Tenth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Kathrina Balthasar, former widow of Frederick Helmholt, late of Company K, Forty-fifth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of David J. Chinn, late of Company B, Second Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Daniel H. Woodruff, late of Company D, Twenty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elias W. Adams, late of Company F, Eighteenth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Perry J. Hainey, late of Company A, Sixteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George Meisner, late of Company D, Ninety-first Regiment, and Company G, Twenty-eighth Regiment, Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Samuel D. Might, late of Company A, One hundred and twenty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Robert Marshall, late of Company G, Ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Richard W. Woodbury, late of Company D, Nineteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Philo G. Tuttle, late of Company E, First Battalion Mountaineers' California Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Hiram Prusia, late of Company H, One hundred and eleventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Pitsar Ingram, late of Company D, Sixty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Samuel Smith, late of Companies C and F, Two hundred and thirteenth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Margaret Elkins, widow of Joseph Elkins, late of Company B, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Annie Chesley Kimball, widow of Andrew J. Kimball, late of Companies A and B, First Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Margaret L. Wilson, helpless child of William C. Wilson, late of Company I, Sixteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of James L. Martin, late of Company C, One hundred and fortieth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Clement F. S. Aimes, late of Company D, Eighty-second Regiment New York Volunteer Infantry, and Company C, Seventh Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John W. Fisher, late of Company H, Eighty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Kate A. Wallace, widow of James A. Wallace, late of Company A, Seventieth Regiment Indiana Volunteer Infantry, and regimental quartermaster Tenth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $35 per month.

The name of Sarah J. White, widow of William W. White, late of Company K, Fourteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $75 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Minnie E. White, helpless and dependent daughter of said William W. White, $20 of the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Alice O. White, helpless and dependent daughter of said William W. White, $20 of the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Sarah J. White the names of said Minnie E. White and Alice O. White shall both be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month to each of them from and after the date of death of said Sarah J. White.

The name of Antoinette Flint, widow of Henry J. Flint, late of Company I, Twenty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Helen A. Seeker, former widow of Edward E. Edgar, Company F, Fourteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $25 per month.

This bill is a substitute for the following bills referred to the Committee on Invalid Pensions:

H. R. 599. William J. Smith.
H. R. 619. Jacob Redinger.
H. R. 622. Pauline Sanders.
H. R. 624. William M. Nourse.
H. R. 629. Richard Martin.
H. R. 719. William J. R. Beach.
H. R. 722. Benjamin Mc Donaca.
H. R. 728. Edwin Fiske Bassett.
H. R. 774. James W. Eller.
H. R. 775. Elizabeth Moses.
H. R. 776. Anna Wilcox.
H. R. 800. Hannah D. Jellison.
H. R. 822. Sarah J. Casler.
H. R. 835. Anna Greer.
H. R. 843. Helen A. Seeker.
H. R. 876. Levi S. Walker.
H. R. 879. Michael F. Noonan.
H. R. 901. Helen F. Wade.
H. R. 902. Julia A. Shaw.
H. R. 911. Abbie H. Lewis.
H. R. 913. Frances Watches.
H. R. 925. John N. Hall.
H. R. 926. John Richards.
H. R. 939. Charity Ann Smith.
H. R. 941. James Hamilton Rose.
H. R. 943. John A. Burns.
H. R. 945. William Thornton.
H. R. 959. James B. Shaw.
H. R. 960. Mary Miller.
H. R. 963. Nancy M. Davis.
H. R. 984. John Weatherington.
H. R. 987. Jonathan J. Boyer.
H. R. 988. Delilah Hunley.
H. R. 1263. Albert J. Weaver.
H. R. 1328. George H. Hathaway.
H. R. 1330. Michael C. Bierring.
H. R. 1726. John F. Rose.
H. R. 1727. Jacob M. Hizar.
H. R. 1734. Joseph Martell.
H. R. 1772. Benjamin F. Jacks.
H. R. 1802. Sylvester W. Sutton.
H. R. 1803. James F. Van Horn.
H. R. 1805. Philip F. M. Lutz.
H. R. 1806. Josephine Brown.
H. R. 1818. Jennie A. Stephens.
H. R. 1828. George Sharp.
H. R. 1836. Barnett Cunningham.
H. R. 1850. George W. Mower.
H. R. 1861. Josiah Ferguson.
H. R. 1863. Ellen G. Frame.
H. R. 1864. Columbus Beaber.
H. R. 1866. Dennis W. Riordan.
H. R. 1868. John R. McCrillis.
H. R. 1895. Henry Richardson.
H. R. 1900. Truston W. Shirley.
H. R. 1903. Reuben S. Bell.
H. R. 1906. John Maxwell.
H. R. 1936. Rebecca H. Whiteacre.
H. R. 1969. Margaret E. Melson.
H. R. 2003. John D. Sullivan.
H. R. 2012. Walter S. Hewitt.
H. R. 2376. Joseph Harbaugh.
H. R. 2383. Bridget Lillis.
H. R. 2415. Sarah E. Goodwin.
H. R. 2423. Myrtie I. Arnold.
H. R. 2429. Clark E. Frear.
H. R. 2431. Rensselaer F. Delmot.
H. R. 2432. Sidney W. Clark.
H. R. 2436. William Vincent.
H. R. 2443. Jennie B. Duer.
H. R. 2445. Emma J. DeYoe Bassett.
H. R. 2754. Mary Cole.
H. R. 2757. Nancy J. Pier.
H. R. 2776. James M. Perry.
H. R. 2782. John G. Harmon.
H. R. 2793. Thomas Pefley.
H. R. 2831. Blanche Bunger.
H. R. 2985. John F. Iliff.
H. R. 2998. Wade H. Pyle.
H. R. 3000. George W. Bailey.
H. R. 3022. Francis M. Hockinberry.
H. R. 3024. William W. Echols.
H. R. 3232. John W. Walker.
H. R. 3260. Marvin Waldorph.
H. R. 3511. Linda Whetsel.
H. R. 3527. Charles A. Brayton.
H. R. 3560. Mary J. Bowen.
H. R. 3576. Jacob Kurtz.
H. R. 3580. Francis M. Lee.
H. R. 3605. William McQueen.
H. R. 3759. Henry N. Tippett.
H. R. 3776. William Francis.
H. R. 3778. Abraham Bouder.
H. R. 3802. Mathew Kerwin.
H. R. 3805. Austin Daugherty.
H. R. 3806. Katharine Schellschmidt.
H. R. 3823. Henry Gass.
H. R. 3835. William Vorhees.
H. R. 3837. John Spangler.
H. R. 3838. Francis B. Burgoon.
H. R. 3839. Robert D. McManigal.
H. R. 3843. Edward F. Duke.
H. R. 3980. Joseph N. Wilson.
H. R. 3982. Harry Olstot.
H. R. 4023. James H. McGill.
H. R. 4025. John C. McKinney.
H. R. 4047. Elijah H. Spencer.
H. R. 4186. George M. Jacobs.
H. R. 4214. Rita Shafges.
H. R. 4215. Harriet J. Houghtaling.
H. R. 4336. William Riley Roark.
H. R. 4346. Benjamin L. Walker.
H. R. 4349. James M. Kirk.
H. R. 4355. Francis H. Powell.
H. R. 4357. Amanda J. Reynolds.
H. R. 4533. John W. Towner.
H. R. 4534. William M. Silver.
H. R. 4551. Hiram P. Ring.
H. R. 4566. Annie S. Marsh.
H. R. 4719. Nancy A. Lawther.
H. R. 4725. Isabel Burge.
H. R. 4742. Gilbert W. Potter.
H. R. 4906. Mark Hebblethwaite.
H. R. 4931. John Coss, alias John C. Shoemaker.
H. R. 4959. James K. Meacham.
H. R. 4968. Malissie Sands.
H. R. 5061. John J. Mitchell.
H. R. 5093. Cicero B. Rhinearson.
H. R. 5173. Elexander Tittle.
H. R. 5180. James L. Norris.
H. R. 5181. David R. Evans.
H. R. 5182. James R. Cowgill.
H. R. 5186. Aries Butcher.
H. R. 5190. Orra F. Perkins.
H. R. 5191. John F. Thompson.
H. R. 5233. Elizabeth Benjamin.
H. R. 5248. Agnes Anderson.
H. R. 5322. George W. Weeks.
H. R. 5334. Carrie Abbitt.
H. R. 5336. Martin W. Frisbie.
H. R. 5339. Matilda Laswell.
H. R. 5340. Jennie Schofield.
H. R. 5341. Ina Sturdevant.
H. R. 5375. James Fleming.
H. R. 5376. Aaron M. Adamson.
H. R. 5383. Samuel H. Gillson.
H. R. 5385. Benjamin A. Elliott.
H. R. 5387. John P. Hanford.
H. R. 5465. Isabella Kelley.
H. R. 5560. Mary G. Leary.
H. R. 5585. Caroline Greenwold.
H. R. 5588. Julia Kemper.
H. R. 5602. Charles R. Dunham.
H. R. 5664. Oluf Volkerts.
H. R. 5762. James W. Ledford.
H. R. 5765. William U. Mitchell.
H. R. 5771. Miriam C. Hone.
H. R. 5772. Abram Branum, by P. D. Solon, guardian.
H. R. 5773. Jonathan Rhoades, alias Van Kirk.
H. R. 5788. Joseph Horner.
H. R. 5792. Joseph Funk.
H. R. 5796. John P. Rounds.
H. R. 5800. Robert McMartin.
H. R. 5852. George F. Norman.
H. R. 5868. Elizabeth A. Murphy.
H. R. 5882. Benjamin Harrison Hine.
H. R. 5888. Jefferson O'Hara, alias Thomas J. O'Hara.
H. R. 5946. John L. McCalmont.
H. R. 5952. Lilla J. Darling (incompetent).
H. R. 5956. William McFarlin.
H. R. 5963. Amos C. Carter.
H. R. 5984. James E. McKenna.
H. R. 5988. Silas M. Abers.
H. R. 5989. Peter Jennings.
H. R. 6083. James Finch.
H. R. 6093. Mary E. Flint.
H. R. 6177. Annie Myers.
H. R. 6190. William A. Taylor.
H. R. 6264. Reuben P. Smith.
H. R. 6282. Ione D. Bradley.
H. R. 6286. Ellen A. Cortright.
H. R. 6287. Helen E. Smith.
H. R. 6304. Eliza M. Martin.
H. R. 6314. George Bellamy.
H. R. 6317. Hiram Brubaker.
H. R. 6378. Harvey M. D. Hopkins.
H. R. 6379. Julia W. Nichols.
H. R. 6395. William H. Moore.
H. R. 6396. Albert L. Gregory.
H. R. 6397. Edward F. H. Pearson.
H. R. 6401. Aurora C. B. Kinney.
H. R. 6409. John J. Curry.
H. R. 6415. Benjamin F. Harris.
H. R. 6467. George W. Boal.
H. R. 6470. Frances Langguth.
H. R. 6477. Samuel M. Ruch.
H. R. 6483. Frederick Althans.
H. R. 6486. John A. Wilkins.
H. R. 6532. Kate C. Kraig.
H. R. 6539. Jennie D. Bowen.
H. R. 6541. Christie Fish.
H. R. 6601. Thomas Hollister.
H. R. 6622. Anna S. Christopherson.
H. R. 6625. Mary E. Bell.
H. R. 6627. Robert T. Parkinson.
H. R. 6630. Thomas F. Rilea.
H. R. 6768. William T. O'Bannon.
H. R. 6770. John H. Scott.
H. R. 6774. Edward S. Clark.
H. R. 6787. Marion Carnahan.
H. R. 6816. Alonzo Dutch.
H. R. 6829. Hiram Mosher.
H. R. 6833. Martha C. Igo.
H. R. 6836. George W. Heator.
H. R. 6840. Harvey H. Bonham.
H. R. 6850. Richard Hudson.
H. R. 6877. Laura A. Moorhead.
H. R. 6915. Thomas A. Williamson.
H. R. 6929. George C. Hausmann.
H. R. 6938. Jacob H. Gabbord.
H. R. 6946. Stewart J. Donnelly.
H. R. 6949. Andrew Shinky.
H. R. 6980. John A. Kirkham.
H. R. 6981. Thomas E. Kellogg.
H. R. 7027. William H. Struble.
H. R. 7035. Harriet M. Godfrey.
H. R. 7043. Melissa E. Dickinson.
H. R. 7049. George Broughton.
H. R. 7089. Amanda J. Smith.
H. R. 7091. Catherine Osborn.
H. R. 7108. Joseph P. Pitman.
H. R. 7125. George G. Sprouse.
H. R. 7134. Milton Barrere.
H. R. 7141. John Gunsallus.
H. R. 7150. Manly B. Rush.
H. R. 7165. Ella D. Madden.
H. R. 7166. Kathrina Balthasar.
H. R. 7173. David J. Chinn.
H. R. 7174. Daniel H. Woodruff.
H. R. 7184. Elias W. Adams.
H. R. 7208. Perry J. Hainey.
H. R. 7211. George Meisner.
H. R. 7215. Samuel D. Might.
H. R. 7220. Robert Marshall.
H. R. 7225. Richard W. Woodbury.
H. R. 7234. Philo G. Tuttle.
H. R. 7283. Hiram Prusia.
H. R. 7312. Pitsar Ingram.
H. R. 7319. Samuel Smith.
H. R. 7335. Margaret Elkins.
H. R. 7366. Annie Chesley Kimball.
H. R. 7377. Margaret L. Wilson.
H. R. 7382. James L. Martin.
H. R. 7393. Clement F. S. Aimes.
H. R. 7398. John W. Fisher.
H. R. 7456. Kate A. Wallace.
H. R. 7464. Sarah J. White.
H. R. 7506. Antoinette Flint.

The Clerk read as follows:

The name of Melissa E. Dickinson, widow of Solomon A. Dickinson, late of Company I, Sixth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that he is now receiving.

Mr. FULLER of Illinois. Mr. Speaker, on page 41, line 4, I move to amend by striking out the word "he" and inserting the word "she."

The Clerk read as follows:

Amendment by Mr. FULLER: Page 41, line 4, strike out the word "he" and insert the word "she."

The amendment was agreed to.

The Clerk read as follows:

The name of John W. Fisher, late of Company H, Eighty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

Mr. FESS. Mr. Speaker and gentlemen of the House, before we finish the bill I would like to call attention to some facts that I have been able to gather touching the influenza epidemic.

At the close of the campaign against that epidemic, if we can call it a campaign, there was an effort to make a special study looking to the possibility of finding the source of its origin, and also whether there was any specific remedy, such as the antitoxin treatment of other epidemics, and also as to the general spread of the contagious influence of the disease.

I have here some statements from the head of certain medical associations, also specific or individual statements from some of our famous bacteriologists and epidemiologists, which all point to the same facts—that is, that the disease will again return; that it will probably be more disastrous in its effects than before; and that its after effects, upon children especially, are very deleterious.

When the medical association met in its convention at Atlantic City recently they passed a series of resolutions, and I received a copy, as I presume every other Member of the House received one. I am sure every Member received a copy of this resolution. I wrote to the secretary of the association and stated that we were not influenced in Congress by resolutions passed, because they could very easily be gotten through any association upon any subject. But if he would specifically answer some questions that Congress would be interested in, I thought Congress would be willing to consider the problem as it faces the country. I therefore wrote him enumerating certain questions that I desired him, as a distinguished physician, to answer.

The first was, Will the epidemic again appear?

Second. Is its origin fairly well known? If not, the likelihood of definite information by research.

Third. What success in the discovery of an antitoxin?

Fourth. The possibility of collecting necessary information and its distribution among the people reducing the dangers of its spread and increasing the chances of recovery.

Fifth. The generally bad aftereffects of the disease.

Sixth. Economic loss to the country of the epidemic if it can be given.

I received a letter in reply, answering these questions seriatim, and I believe the Members of the House would be glad to hear the answers as he gave them, if I can have the time to read them.

CINCINNATI, OHIO, *July 14, 1919.*

Hon. SIMEON D. FESS,
House of Representatives, Washington, D. C.

MY DEAR MR. FESS: I wish to thank you for your communication of July 11, making reference to the resolutions which I forwarded you on July 8, and which were passed at the last meeting of the American Medical Association, requesting the appropriation by Congress of $1,500,000 for investigation as to the cause and means of spread of influenza. I am pleased to note your interest in the subject and will take pains to supply the data covering the questions raised by you.

I propose to furnish you with more complete answers to the six questions propounded, if necessary, but as a preliminary statement please note the following:

(1) The epidemic will recur, for medical history will show that we have had a series of influenza or grip epidemics, the last of which proved to be of the most virulent type. There immediately occur to me those of 1867 and of 1889 to 1895. The Metropolitan Life has issued some very definite figures on this latter epidemic, covering millions of policyholders, which show an average increased mortality for the five years following of 40 per cent above the normal death rate. Any figures of economic loss should include the perhaps 40 per cent increased mortality that will occur in the next four or five years. I will ask Dr. Lee Frankel to supply you with these charts and figures.

The SPEAKER. The time of the gentleman has expired.

Mr. WALSH. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio have five minutes more.

The SPEAKER. Is there objection?

There was no objection.

Mr. FESS. May I state to the committee that the chart was furnished me, and I should have it before you now, because it shows in a graphic way the progress of epidemics as applied to la grippe of 1889 to 1893. This chart showed that it had reached its height in Chicago in 1891. Its first appearance was in 1889, and it reached its height in Boston in 1893, and in New York City at the same time. I do not note any graphic information on that in the city of Philadelphia, although that is given as one of the places that the plague was very contagious. The chart indicated that the first appearance of a malady does not show its highest mortal effect, but it comes two or three years after its first appearance.

The facts referred to came from two sources. One is the insurance companies and the other the study that was made under the direction of the Public Health Service in connection with the Government. There is a belief in the medical world that the second and third years will show frightful results from the epidemic, if it be not successfully combated with a knowledge of its origin and also specific remedies to combat it.

As to the question of the effects in the first year, the doctor said that there were 500,000 deaths alone from this malady. That figure is six times the mortality of the Great War, so far as it affected our country. He reports that we can not estimate the economic effect of the loss. I have a statement from a gentleman in Des Moines, Iowa, in commenting on the feasibility of appropriating $1,500,000 to fight the disease, in which he calls attention to the plain fact that it would take more than a million and a half dollars to simply bury the 500,000 people who were sacrificed under this epidemic. No one would undertake to estimate the economic loss. It would go probably to billions of dollars and even in that case it would be merely an estimate.

Mr. EMERSON. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes.

Mr. EMERSON. Do I understand the gentleman to say that it would take a million and a half dollars to bury 500,000 people? That would only be $3 each.

Mr. FESS. I am repeating this gentleman's statement, that it would take more than a million and a half to simply bury the dead. Of course, it would take a great deal more than that.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. FESS. I would like to have one minute more to make a final statement.

Mr. EMERSON. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended for five minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. FESS. I shall not take the five minutes.

Mr. SUMMERS of Washington. Mr. Speaker, will the gentleman yield?

Mr. FESS. In view of the fact that I have the five minutes granted to me I will be very glad to yield to the gentleman from Washington.

Mr. SUMMERS of Washington. While the gentleman is burying half a million dead, I think at least he would better correct those figures and make the cost $50,000,000, which would only be $100 for each victim, and I think that would not be sufficient.

Mr. FESS. The confusion arose because I made the statement that was given to me in a letter.

This is the final statement that I desire to make. There is little doubt but that this malady will again come upon us. If the experience of the series of maladies that have overrun our country be duplicated, as I fear they will be, we may expect terrific results in the next year or two from this influenza. They tell me there is no antitoxin that has yet been discovered to combat it. Dr. Pfeiffer thought he had discovered that it was due to what was called the influenza bacillus. That theory has been abandoned by the medical world, and to-day the medical world is very much concerned about what they may have to meet in the near future. I think it would be wise, rational expenditure of money for the Congress before recess to take a step to set in motion machinery, under the direction of the highest medical talent of America, to hunt out under research the origin of this difficulty, together with the application of some remedy that may be discovered. The bad after effects of the influenza are brought home to every Member of this House.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes.

Mr. WALSH. Did we not appropriate $100,000,000, part of which is still available, to do this work under the Public Health Service?

Mr. FESS. I am not certain about the facts in connection with that. It ought to be done, I am sure. The bad after effects of influenza are shown in children. Only recently I saw a little boy, bright as a dollar, going about on two crutches, with little hope that he will ever be any better, who only 18 months ago was the pride of a home. He is a son of a professor whom I know very well, and that is only one case in a thousand where the bad after effects in children seem to be persistent. I hope that if we do not have a sufficient fund and authority to make this research we will provide it. From an economic standpoint, to say nothing about a vital effect, it would be a wise expenditure of money. [Applause.] In this conviction I yesterday introduced the following resolution:

Whereas the recent influenza epidemic caused approximately 550,000 deaths in the United States; and

Whereas a large proportion of these deaths were produced by pneumonia and other complications; and

Whereas influenza, pneumonia, and allied diseases now cause approximately one-tenth of all the deaths in the United States; and

Whereas medical science is not yet in possession of complete data as to the cause, modes of transmission, prevention, and cure of this disease and its complications; and

Whereas the possession of this knowledge is of grave social and economic concern to the Nation: Therefore

Be it enacted, etc., That to enable the Public Health Service to investigate influenza and allied diseases in order to discover their causes and to prevent their spread, and for allotment of sums to universities, colleges, or other suitable research institutions, as in the judgment of the Secretary of the Treasury are qualified for scientific research, for the purpose of discovering their causes and methods of prevention, in accordance with the rules and regulations prescribed by the Secretary of the Treasury, and including pay and allowances of regular and reserve commissioned medical and sanitary personnel, and for medical and hospital supplies, printing, clerical services, and rent in the District of Columbia and elsewhere, transportation, freight, and such other expenses as may be necessary, including the dissemination of such information to the public, there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,500,000, available until expended.

SEC. 2. That the Secretary of War, the Secretary of the Navy, and the Secretary of the Treasury are authorized and directed, respectively, to utilize jointly the personnel and facilities of the Medical Department of the Army, the Medical Department of the Navy, and the Public Health Service, so far as possible, in the investigation of the causes and methods of prevention of influenza and allied diseases.

The SPEAKER pro tempore. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

The name of Sarah J. White, widow of William W. White, late of Company K, Fourteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $75 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Minnie E. White, helpless and dependent daughter of said William W. White, $20 of the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Alice O. White, helpless and dependent daughter of said William W. White, $20 of the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Sarah J. White the names of said Minnie E. White and Alice O. White shall both be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month to each of them from an after the date of death of said Sarah J. White.

Mr. FULLER of Illinois. Mr. Speaker, in line 18, page 46, I move to strike out the word "an" and insert the word "and."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. FULLER of Illinois:

Line 18, page 46, strike out the word "an" and insert the word "and."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk concluded the reading of the bill.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FULLER of Illinois, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. SELLS. Mr. Speaker, I call up the bill H. R. 7775, an omnibus pension bill, and ask unanimous consent that the same may be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Tennessee calls up the bill H. R. 7775, and asks unanimous consent that it be considered in the House as in Committee of the Whole. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, when was this bill reported?

Mr. SELLS. Reported on Wednesday.

Mr. WALSH. Well, it does not seem to be on the Union Calendar.

The SPEAKER pro tempore. The gentleman asks unanimous consent that it be considered in the House as in Committee of the Whole House.

Mr. WALSH. I assume that only applies, Mr. Speaker, to bills that are on the Union Calendar. This bill is on the Private Calendar. It makes a charge against the Treasury.

Mr. SELLS. The bill just considered was on the Private Calendar.

Mr. WALSH. I have no objection to its being considered in the House.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 7775) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The SPEAKER pro tempore. The Clerk will report the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Hannah J. Clark, widow of William H. Clark, late of Troop E, Fifth Regiment United States Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of James L. Buckler, late of Company F, Fourth Regiment Kentucky Infantry, and pay him a pension at the rate of $12 per month.

The name of John Orsborn, late saddler of Troop I, Third United States Cavalry, and pay him a pension at the rate of $12 per month.

The name of Charles W. Van Scoyk, late of Company G, Third Regiment Ohio Infantry, and pay him a pension at the rate of $17 per month.

The name of Benjamin F. McKee, late of Company F, First Regiment Oregon Mounted Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Sophie Reimuller, widow of George Reimuller, late of Company C, Forty-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of $12 per month and $2 per month additional for minor child until he reaches the age of 16 years.

The name of Anna Schmidt, dependent mother of Joseph W. Schmidt, late of United States Navy, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Francis Dunery, late of Company B, Thirteenth Regiment United States Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Carson Rummel, late of Company I, Twenty-eighth Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

The name of John Bohntinsky, late of Company L, Fifth Regiment United States Infantry, and Hospital Corps, United States Army, and pay him a pension at the rate of $17 per month.

The name of Rebecca Strouther, mother of Charles Strouther, late of Company G, Forty-ninth Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month.

The name of Elvira Hunter, widow of Nicholas Hunter, late of Company F, First Arkansas Mounted Gunners, War with Mexico, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of John Sawicki, late of Companies D and G, Tenth Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

The name of Jesse M. Reed, late of Troop G, Fourth Regiment United States Cavalry, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Cyrus H. Saltzman, late of Company G, Ninth Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

The name of Lewis M. Strain, late of Company C, Fifteenth Regiment United States Infantry, and pay him a pension at the rate of $24 per month.

The name of Roy R. Dunham, late of the United States Navy, and pay him a pension at the rate of $12 per month.

The name of Charles Voos, late of Company D, Third Regiment Connecticut Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Ernest Meyer, late of Company M, Second Regiment Wisconsin Infantry, and pay him a pension at the rate of $12 per month.

The name of Walter O'Neal, late of the Forty-seventh Company, United States Coast Artillery Corps, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Jethro J. T. Garde, late of Company G, Twenty-first Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of James O. Carroll, late of Company K, Second Regiment Arkansas Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Maria Kuehn, widow of Charles Kuehn, late of Company C, Fourth Regiment United States Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Marion P. Barnett, late of Company M, Fourth Regiment Missouri Infantry, and pay him a pension at the rate of $12 per month.

The name of Joseph Roddy, late of Company I, First Regiment Missouri Infantry, and pay him a pension at the rate of $12 per month.

The name of John C. Graves, late of Company L, Thirty-third Regiment Michigan Infantry, and pay him a pension at the rate of $12 per month.

The name of William E. Sloane, dependent father of Alexander G. B. Sloane, late of the United States Navy, and pay him a pension at the rate of $20 per month.

The name of Schuyler van Tassell, late of Company M, Thirty-fifth Regiment Michigan Infantry, and pay him a pension at the rate of $12 per month.

The name of Samuel W. Van Riper, late of Company E, Thirty-second Regiment, and Company E, Twenty-first Regiment, United States Infantry, and pay him a pension at the rate of $12 per month.

The name of Reinhard Anschutz, alias Charles Reinhard, late of Troop L, Fifth Regiment United States Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John J. Burke, late of Troop D, First Regiment United States Cavalry, and pay him a pension at the rate of $17 per month.

The name of John C. Koepplinger, late of Company C, Sixth Regiment Ohio Infantry, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Albert Beehler, late of Company C, Sixth Regiment Ohio Infantry, and pay him a pension at the rate of $12 per month.

The name of August Piffner, late of Company L, Forty-ninth Regiment Iowa Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Mary J. Doyle, widow of Daniel Doyle, late of Company E, Sixteenth Regiment United States Infantry, and pay her a pension at the rate of $12 per month.

The name of Emanuel Myers, late of the One hundred and second Company, United States Coast Artillery, and pay him a pension at the rate of $12 per month.

The name of William McBride, late of Company A, Sixty-ninth Regiment New York Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Catherine Gardner, widow of Martin Gardner, late of United States Navy, and pay her a pension at the rate of $12 per month.

The name of Wynn M. Mays, late of Company K, Second Mississippi Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of George W. Chandler, late of Troop F, Third Regiment United States Volunteer Cavalry, and pay him a pension at the rate of $12 per month.

The name of Martha Tyler, widow of William Tyler, late of Captain Jernigan's Company of Mounted Volunteers, Seminole Indian Wars of Florida in 1856 and 1857, and pay her a pension at the rate of $20 per month.

The name of Walter S. McQuaide, late of Company A, First Regiment United States Volunteer Engineers, and pay him a pension at the rate of $12 per month.

The name of Narcissa A. Grant, formerly widow of Sylvain Trichil, late of Company I, Fifth (Peyton's) Regiment Louisiana Militia Infantry, War with Mexico, and pay her a pension at the rate of $20 per month.

The name of Lizzie Eaton Webster, widow of Leicester Webster, late of the United States Navy, and pay her a pension at the rate of $12 per month.

The name of Thomas S. Garen, late of the United States Navy, and pay him a pension at the rate of $12 per month.

The name of Barton E. Connor, late of Company F, Ninth Regiment Illinois Infantry, and pay him a pension at the rate of $12 per month.

The name of Peter Beebe, late of Company F, Forty-first Regiment United States Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Harry A. McKibben, late of Hospital Corps, United States Army, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Floyd J. Gaines, late of Company K, Second Arkansas Infantry, Spanish American War, and pay him a pension at the rate of $12 per month.

The name of Joseph A. Beckmeyer, late of Company F, United States Signal Corps, and pay him a pension at the rate of $30 per month.

The name of George F. Swob, late of Company L, Third Regiment Ohio Infantry, and pay him a pension at the rate of $12 per month.

The name of Andrew J. Pohlman, late of Company C, First Regiment United States Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Robert G. Phinney, late of Battery A, First Battalion Maine Heavy Artillery, and pay him a pension at the rate of $30 per month.

The name of Emma Golden, mother of John Byron Golden, deceased, late of the United States Navy, and pay her a pension at the rate of $12 per month.

The name of Ulysus G. Hunt, late of Company I, Third Regiment Kentucky Infantry, and pay him a pension at the rate of $17 per month.

The name of Filen Whalin, late of Company B, Third Regiment Kentucky Infantry, and pay him a pension at the rate of $12 per month.

The name of Caroline M. Anthony, late contract nurse, Medical Department, United States Army, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of William H. Brane, late of Battery F, Third Regiment United States Field Artillery, New York National Guard, and pay him a pension at the rate of $17 per month.

The name of Baxter Hogan, late of Company F, Twenty-first Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

The name of Rudolph Hiller, late of Company D, Ninth Regiment, United States Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Lewis H. Palmer, late captain Company I, Fourth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jefferson C. Garrigus, late of Troop B, First Regiment United States Cavalry, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Clem S. Kirkham, late of Troop L, Fourth Regiment United States Cavalry, and pay him a pension at the rate of $12 per month.

The name of Henry L. Fitzhugh, late of the One hundred and nineteenth Company United States Coast Artillery Corps, and pay him a pension at the rate of $12 per month.

The name of Howard M. Blankenship, late of Company M, Fourth Regiment United States Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Jesse Courtney, late of Batteries C and F, Fifth United States Field Artillery, and pay him a pension at the rate of $12 per month.

The name of James J. Shortell, late of Company F, Seventy-first Regiment New York Infantry, and pay him a pension at the rate of $12 per month.

The name of Frank M. Cottrell, late of Company F, Forty-ninth Regiment Iowa Infantry, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of William B. Hendricks, late of Company I, Third Regiment United States Volunteer Engineers, and pay him a pension at the rate of $17 per month.

The name of John E. Schilling, late of Company A, Second Regiment West Virginia Infantry, and pay him a pension at the rate of $12 per month.

The name of Miller Kincaid, late of One hundred and fourteenth Company, United States Coast Artillery, and pay him a pension at the rate of $12 per month.

The name of Harry W. Conn, late of Troop A, Eleventh Regiment United States Cavalry, and pay him a pension at the rate of $12 per month.

The name of Fred. Jahrries, late of Company L, Thirty-third Regiment United States Volunteer Infantry, and pay him a pension at the rate of $17 per month.

The name of George E. Lovin, late of Company F, One hundred and sixty-first Regiment Indiana Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Daniel B. Reddicks, late of Company E, Thirty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Hinor A. Rawlings, late of Company K, Twentieth Regiment United States Infantry, and pay him a pension at the rate of $24 per month.

The name of John Fitzgerald, late of the One hundred and forty-seventh Company United States Coast Artillery Corps, and pay him a pension at the rate of $12 per month.

The name of William Mendenhall, late of Company E, Thirty-fifth Regiment United States Volunteer Infantry, and pay him a pension at the rate of $17 per month.

The name of Louis N. Hickey, late of Company B, Second Regiment New York Infantry, and pay him a pension at the rate of $12 per month.

The name of Georgeanna C. Pierson, mother of William D. Pierson, late of the Hospital Corps, United States Army, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Joe Loudermilk, jr., late of the United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Gilbert E. Donnells, late of Company L, Fourth Regiment Illinois Infantry, and pay him a pension at the rate of $17 per month.

The name of Willard Kolp, late of Company C, Eighth Regiment Ohio Infantry, and pay him a pension at the rate of $17 per month.

The name of Nathaniel Singletary, late second lieutenant of Company G, Twenty-third Regiment Kansas Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Daniel Gonder, late of Company B, Second Regiment (reorganized) Ohio Volunteers (Mexican War), and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John H. Alford, late of Company B, Second Regiment Tennessee Infantry, and pay him a pension at the rate of $12 per month.

The name of Jerry B. Andrews, late of Company D, Fourteenth Regiment United States Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Jean N. Roach, widow of Ernest S. Roach, late first lieutenant of Company A, First Regiment Oklahoma Volunteer Infantry, National Guard, and pay her a pension at the rate of $17 per month and $2 per month for the soldier's minor children until they reach 16 years of age.

The name of William Mason Jones, late of Fortieth Company United States Coast Artillery, and pay him a pension at the rate of $12 per month.

The name of William J. Linn, late of Company M, Third Regiment Georgia Volunteer Infantry, War with Spain; Company H, Forty-fifth Regiment United States Volunteer Infantry, and First and Tenth Batteries, United States Field Artillery, and pay him a pension at the rate of $12 per month.

The name of De Witt W. Toll, late of Troop M, Seventh Regiment United States Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Edward S. Banister, late of Company L, Second Regiment Arkansas Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Mamie K. Miller, widow of Charles N. Miller, late of the United States Navy, and pay her a pension at the rate of $12 per month, with $2 per month for each of the minor children of Charles N. Miller.

The name of William D. Vaughn, late private of Capt. Shead's company, Train Guards, Washington Territory Volunteers, Indian wars, and pay him a pension of $30 per month in lieu of that he is now receiving.

The name of Cosam J. Bartlett, late major, First Louisiana Infantry, War with Spain, and pay him a pension at the rate of $25 per month.

The name of Mary Kirk, formerly widow of James A. Taggart, late of Capt. Hudspeth's Company C, California Battalion, War with Mexico, and pay her a pension at the rate of $20 per month.

The name of Clemson Underwood, late of Company K, First Regiment Montana Infantry, and pay him a pension at the rate of $12 per month.

The name of James E. Householder, late of Company G, Fifth Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

The name of Annie Kelly, deformed child of Thomas Kelly, late of Company F, Second Regiment Ohio Infantry, War with Mexico, and pay her a pension at the rate of $20 per month.

The name of George W. Willets, late of Troop E, First Regiment Ohio Cavalry, and pay him a pension at the rate of $17 per month.

The name of Sarah M. Gibbins, widow of William A. Gibbins, late member of Capt. John H. Settle's Company D, First Regiment Oregon Mounted Volunteers, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of James C. Hicks, late of the Sixty-eighth Company United States Coast Artillery Corps, and pay him a pension at the rate of $40 per month.

The name of William Cunagim, late of the Fifty-eighth Company United States Coast Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of George S. Jenkins, late of Company H, Nineteenth Kansas Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Ben L. Dunn, late of Troop C, Eighth Regiment United States Cavalry, and pay him a pension at the rate of $12 per month.

The name of Starling N. Caron, late of Company F, Third Regiment Ohio Infantry, and pay him a pension at the rate of $17 per month.

This bill is a substitute for the following House bills referred to the Committee on Pensions:

H. R. 574. Hannah J. Clark.
H. R. 611. James L. Buckler.
H. R. 625. John Orsborn.
H. R. 675. Charles W. Van Scoyk.
H. R. 689. Benjamin F. McKee.
H. R. 825. Sophie Reimuller.
H. R. 826. Anna Schmidt.
H. R. 906. Francis Dunery.
H. R. 920. Carson Rummel.
H. R. 921. John Bohntinsky.
H. R. 949. Rebecca Strouther.
H. R. 966. Elvira Hunter.
H. R. 967. John Sawicki.
H. R. 985. Jesse M. Reed.
H. R. 1278. Cyrus H. Saltzman.
H. R. 1281. Lewis M. Strain.
H. R. 1283. Roy R. Dunham.
H. R. 1306. Charles Voos.
H. R. 1732. Ernest Meyer.
H. R. 1760. Walter O'Neal.
H. R. 1768. Jethro J. T. Garde.
H. R. 1810. James O. Carroll.
H. R. 1839. Maria Kuehn.
H. R. 1842. Marion P. Barnett.
H. R. 1844. Joseph Roddy.
H. R. 1847. John C. Graves
H. R. 1848. William E. Sloane.
H. R. 1849. Schuyler Van Tassell.
H. R. 1858. Samuel W. Van Riper.
H. R. 1908. Reinhard Anschutz.
H. R. 1980. John J. Burke.
H. R. 1998. John C. Koepplinger.
H. R. 1999. Albert Beehler.
H. R. 2005. August Pfiffner.
H. R. 2009. Mary J. Doyle.
H. R. 2418. Emanuel Myers.

H. R. 2447. William McBride.
H. R. 2453. Catherine Gardner.
H. R. 2457. Wynn M. Mays.
H. R. 2459. George W. Chandler.
H. R. 2460. Martha Tyler.
H. R. 2465. Walter Scott McQuaide.
H. R. 2474. Narcissa A. Grant.
H. R. 2475. Lizzie Eaton Webster.
H. R. 2476. Thomas Samuel Garen.
H. R. 2743. Barton E. Connor.
H. R. 2751. Peter Beebe.
H. R. 2809. Harry A. McKibben.
H. R. 2826. Floyd J. Gaines.
H. R. 2830. Joseph A. Beckmeyer.
H. R. 2833. George F. Swob.
H. R. 3071. Andrew J. Pohlman.
H. R. 3208. Robert G. Phinney.
H. R. 3220. Emma Golden.
H. R. 3266. Ulysus G. Hunt.
H. R. 3268. Filen Whalin.
H. R. 3270. Carolina M. Anthony.
H. R. 3503. William H. Brane.
H. R. 3508. Baxter Hogan.
H. R. 3554. Rudolph Hiller.
H. R. 3556. Lewis H. Palmer.
H. R. 3575. Jefferson C. Garrigus.
H. R. 3582. Clem S. Kirkham.
H. R. 3598. Henry L. Fitzhugh.
H. R. 3600. Howard M. Blankenship.
H. R. 3601. Jesse Courtney.
H. R. 3606. James J. Shortell.
H. R. 3607. Frank M. Cottrell.
H. R. 3841. William B. Hendricks.
H. R. 4015. John E. Schilling.
H. R. 4021. Miller Kincaid.
H. R. 4360. Harry W. Conn.
H. R. 4535. Fred J. Jahrries.
H. R. 4536. George E. Lovin.
H. R. 4544. Daniel B. Reddecks.
H. R. 4546. Hinor A. Rawlings.
H. R. 4552. John Fitzgerald.
H. R. 4734. William Mendenhall.
H. R. 4960. Louis N. Hickey.
H. R. 4962. Georgeanna C. Pierson.
H. R. 5060. Joe Loudermilk, jr.
H. R. 5075. Gilbert E. Donnells.
H. R. 5106. Willard Kolp.
H. R. 5232. Daniel Gonder.
H. R. 5371. John Alford.
H. R. 5466. Jerry B. Andrews.
H. R. 5475. Jean N. Roach.
H. R. 5742. William Mason Jones.
H. R. 5776. William J. Linn.
H. R. 6075. De Witt W. Toll.
H. R. 6089. Edward S. Banister.
H. R. 6206. Mamie K. Miller.
H. R. 6278. William D. Vaughn.
H. R. 6382. Cosam Julian Bartlett.
H. R. 6408. Mary Kirk.
H. R. 6482. Clemson Underwood.
H. R. 6488. James E. Householder.
H. R. 6614. Annie Kelly.
H. R. 6734. George W. Willets.
H. R. 6783. Sarah M. Gibbins.
H. R. 6927. James C. Hicks.
H. R. 6934. William Cunagim.
H. R. 6986. George S. Jenkins.
H. R. 6989. Ben Lanier Dunn.
H. R. 7515. Starling N. Caron.

During the consideration of the bill the Clerk read as follows:

The name of Rebecca Strouther, mother of Charles Strouther, late of Company G, Forty-ninth Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month.

Mr. SELLS. Mr. Speaker, I desire to offer an amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 13, add "in lieu of that she is now receiving."

Mr. WALSH. Mr. Speaker, will the gentleman explain why that amendment is offered?

Mr. SELLS. That is an increase case, and those words are usual in case where an increase of pension is granted.

Mr. WALSH. How much is she now receiving?

Mr. SELLS. Twelve dollars, and it is increased to $20.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

The name of Elvira Hunter, widow of Nicholas Hunter, late of Company F, First Arkansas Mounted Gunners, War with Mexico, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

Mr. SELLS. Mr. Speaker, I offer another amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, lines 15 and 16, strike out "War with Mexico" and insert "Sabine disturbance, Indian War."

Mr. WALSH. Mr. Speaker, I could not hear the amendment.

The SPEAKER pro tempore. The Clerk will again report the amendment.

The amendment was again reported.

Mr. SELLS. It is merely an error as to the service of the soldier.

Mr. WALSH. Well, will the gentleman yield?

Mr. SELLS. Yes.

Ms. WALSH. It is customary to carry in these omnibus pension bills pensions for injuries or death incurred in these Indian insurrections?

Mr. SELLS. The Committee on Pensions has jurisdiction over all claims arising out of the Indian service.

Mr. WALSH. And it is usual to carry them in these omnibus bills——

Mr. SELLS. Yes.

Mr. WALSH. From the Committee on Pensions?

Mr. SELLS. Yes.

Mr. WALSH. And that has been the practice heretofore in recent years?

Mr. SELLS. Since I have been a member of the committee—eight years.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

The name of Lewis M. Strain, late of Company C, Fifteenth Regiment United States Infantry, and pay him a pension at the rate of $24 per month.

Mr. SELLS. Mr. Speaker, I offer another amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 5, add "in lieu of that he is now receiving."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. SELLS, a motion to reconsider the vote by which the bill was passed was laid on the table.

PRIVATE CALENDAR BILLS—COMMITTEE ON CLAIMS.

Mr. LITTLE. Mr. Speaker, I rise to move to go into the Committee of the Whole House to consider bills on the Private Calendar reported from the Committee on Claims, and, pending that, I ask unanimous consent that they be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Kansas [Mr. LITTLE] moves to go into the Committee of the Whole House for the consideration of bills on the Private Calendar reported from the Committee on Claims. Pending that, he asks that the bills be considered in the House as in Committee of the Whole.

Mr. GARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GARD. Did not the gentleman ask unanimous consent?

Mr. LITTLE. Yes; and if granted, that would dispose of the other suggestion. I rose to make the motion and then preferred to put it in this way.

Mr. WALSH. Will the gentleman yield?

Mr. LITTLE. I will.

Mr. WALSH. Does the gentleman propose to consider the bills that are unobjected to or intend to take up the first bill and, if there is debate, to permit an hour's debate, and then take up the next one, or go on and run through the calendar?

Mr. LITTLE. I do not really know what are objected to.

Mr. WALSH. It is rather difficult to state. There are quite a number of bills added since I went through the list of them. There are two or three on the first page of the bill.

Mr. LITTLE. If the gentleman will indicate. The gentleman spoke of the Kettner bill, and I would agree to that, and then the bill on the next page——

Mr. WALSH. I just wanted to know what the gentleman's intentions were.

Mr. KITCHIN. I hope the gentlemen will speak a little louder.

Mr. WALSH. I was trying to ascertain if the gentleman was seeking to have these bills considered practically by unanimous consent, or whether he would take them up one at a time and permit debate in the House and then proceed to take up the next one.

Mr. LITTLE. My understanding is that the bills will come up and be read for amendment. There will be plenty of time for debate under the five-minute rule. I expect when anybody objects to a bill to see that he gets time to discuss it under the five-minute rule. I intend everybody shall have reasonable time to make any objections he wants.

The SPEAKER pro tempore. The gentleman from Kansas asks unanimous consent to consider these bills reported from the Committee on Claims on the Private Calendar in the House as in Committee of the Whole. Is there objection? [After a pause.] The Chair hears none.

SUSIE CURRIER.

The SPEAKER pro tempore. The Clerk will report the first bill on the Private Calendar.

The first business on the Private Calendar was the bill (H. R. 753) for the relief of Susie Currier.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Susie Currier, of Old Town, Me., out of any money in the Treasury not otherwise appropriated, the sum of $100, being full compensation for accident and injuries with resulting loss of time and expense while working as charwoman in the United States post office at Old Town, Me., December 14, 1914.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. LITTLE, a motion to reconsider the vote by which the bill was passed was laid on the table.

DELLA JAMES.

The next business on the Private Calendar was the bill (H. R. 3844) for the relief of Della James.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Della James, of Richmond County, Ga., out of any money in the Treasury not otherwise appropriated, for herself and in behalf of her children, the sum of $60 per month for a period of 10 years, in full settlement of all claims against the United States for the loss by death of her husband, Alfred J. James, through the explosion of a certain shell used in target practice by the One hundred and seventh Field Artillery, Fifty-third Artillery Brigade,

Twenty-eighth Division, at Camp Hancock, near Augusta, Ga., on March 29, 1918, said compensation to be payable from and after March 29, 1918.

Also the following committee amendment was read:

Add at the end of the bill:

"*Provided*, That the said money shall be applied to the support of the widow and the said children during their respective minorities, but if she again marries the entire amount thereafter shall be used by her for the benefit of the minor children, and if the mother dies the money shall be paid the oldest child for the minors."

The SPEAKER pro tempore. The question is, Is there objection?

Mr. LITTLE. Mr. Speaker, I move the adoption of the committee amendment.

Mr. WALSH. Mr. Speaker, will the gentleman yield me a few moments?

Mr. LITTLE. Certainly.

Mr. WALSH. Mr. Speaker, this bill is one to pay the widow of the owner of certain property down in Georgia who was killed by some shrapnel from a gunfire by people in the military forces of the United States in target practice. I desire to ask the gentleman why you make this payment of $60 per month for a period of 10 years to the widow and did not make it the same as if the man had been insured under the War Risk Bureau?

Mr. LITTLE. The trouble the committee had in mind was that such payments would probably lodge that estate in the probate court and there would be three or four lawyers mixed up in it, and by the time the probate fees and lawyers' fees were paid there would not be much left for the widow or the children. We endeavored to adopt a method by which the money would go to the widow for the benefit of the minors.

Mr. WALSH. Certainly an addition of $2.50 to the amount would not eliminate that.

Mr. LITTLE. Does the gentleman want to know why we added $2.50?

Mr. WALSH. Why do you pay her more than if this man had been a soldier and insured under the War Risk Bureau?

Mr. LITTLE. This bill was first presented as a claim for $10,000, and the Secretary of War recommended that this system be adopted, which greatly reduces the total. We have, it is true, raised it a couple of dollars a month; but I will say to the gentleman that this woman has nine children, and we did not think it would hurt any if she got $2 more a month than some widow who did not have any children.

Mr. WALSH. I am sure the gentleman does not consider measures on the Claims Committee in any such way as that, because the bills he has reported out show they are given more careful consideration and are based upon sounder reason than that would indicate. But what I am trying to ascertain is, why in this case, in making up the compensation—and it is probably a just case—in paying her for the loss of her husband you recompense her in a larger sum than if her husband had been in the Army?

Mr. VINSON. Will the gentleman yield?

Mr. LITTLE. I yield.

Mr. VINSON. I wish to say that the compensation is a great deal less than the widow of a soldier would receive. Sixty dollars a month for 10 years would be only $7,200. So the total amount the widow receives is less. If you will examine the hearing you will see that the Secretary of War recommended she be given $10,000 for a period of 20 years, as provided for a widow of a soldier who was killed in line of battle, but the committee decided to give her $60 a month for a period of 10 years, which would amount to $7,200. Now, if the gentleman from Massachusetts will further yield, under the Bureau of War Risk Insurance, if her husband had been a soldier, she would be paid $57.50 a month for a period of 20 years, and at the expiration of that time it would make the total in the neighborhood of $13,000, including the interest that is provided for by the act. Under this bill she only gets $7,200.

Mr. LITTLE. We reduced the bill from $10,000 to $7,200.

The SPEAKER pro tempore. The question is on the adoption of the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. BLANTON. Mr. Speaker, I think before we consider these claims on the calendar further we ought to have a quorum, and I make the point of no quorum.

Mr. VINSON. Will the gentleman yield first?

Mr. BLANTON. I yield.

Mr. VINSON. Mr. Speaker, I move to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion was agreed to.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum.

The SPEAKER pro tempore. The gentleman from Texas makes the point of no quorum, and evidently there is not.

Mr. LITTLE. Mr. Speaker, I move a call of the House.

The motion was agreed to.

Mr. BLANTON. I withdraw the point, Mr. Speaker.

Mr. WALSH. It is too late now.

The SPEAKER pro tempore. It is too late now; the call of the House is ordered. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Andrews, Md.	Fairfield	Kiess	Reavis
Andrews, Nebr.	Ferris	Kincheloe	Reber
Anthony	Fitzgerald	King	Reed, N. Y.
Ayres	Flood	Knutson	Reed, W. Va.
Barkley	Fordney	Kreider	Riddick
Bee	Frear	LaGuardia	Riordan
Benham	Fuller, Mass.	Langley	Robinson, N. C.
Bland, Ind.	Gallagher	Layton	Rose
Booher	Gallivan	Lee, Ga.	Rouse
Bowers	Ganly	Lehlbach	Rowan
Brand	Garrett	Lesher	Sabath
Britten	Godwin, N. C.	Lever	Sanders, N. Y.
Brooks, Ill.	Goldfogle	Lonergan	Sanford
Browne	Goodall	Longworth	Schall
Brumbaugh	Goodwin, Ark.	McClintic	Scott
Burdick	Gould	McCulloch	Scully
Burke	Graham, Pa.	McKeown	Sells
Butler	Graham, Ill.	McKinley	Siegel
Byrnes, S. C.	Greene, Vt.	McKinley	Slemp
Caldwell	Hamill	McLane	Small
Campbell, Pa.	Hamilton	McPherson	Smith, N. Y.
Candler	Hardy, Colo.	MacCrate	Snyder
Cantrill	Harrison	Maher	Steele
Carew	Haskell	Major	Steenerson
Clark, Fla.	Haugen	Mansfield	Stephens, Miss.
Clark, Mo.	Hawley	Mason	Stevenson
Classon	Hersman	Mead	Sullivan
Cooper	Hicks	Miller	Taylor, Ark.
Copley	Hill	Minahan, N. J.	Thompson, Okla.
Costello	Holland	Montague	Tilson
Crago	Howard	Mott	Tincher
Crowther	Hulings	Mudd	Tinkham
Cullen	Hull, Tenn.	Neely	Treadway
Currie, Mich.	Husted	Nelson, Mo.	Vare
Curry, Calif.	Igoe	Nicholls, S. C.	Venable
Davis, Minn.	James	Nolan	Ward
Dempsey	Jefferis	O'Connell	Watkins
Dewalt	Johnson, Ky.	O'Connor	Webb
Dickinson, Mo.	Johnson, Miss.	Olney	Webster
Dominick	Johnson, S. Dak.	Overstreet	Whaley
Donovan	Johnston, N. Y.	Paige	Williams
Dooling	Jones, Pa.	Parker	Wilson, Pa.
Doughton	Jones, Tex.	Pell	Wingo
Dyer	Kearns	Phelan	Wise
Echols	Kelley, Mich.	Porter	Yates
Edmonds	Kendall	Pou	Zihlman
Ellsworth	Kennedy, Iowa	Purnell	
Evans, Mont.	Kennedy, R. I.	Rainey, H. T.	
Evans, Nev.	Kettner	Randall, Calif.	

The SPEAKER pro tempore. Two hundred and thirty-four Members have answered to their names. A quorum is present.

Mr. LITTLE. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The SPEAKER. The gentleman from Kansas moves that further proceedings under the call be dispensed with. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will open the doors.

The doors were opened.

LEAVE OF ABSENCE.

Mr. MILLER, by unanimous consent, at the request of Mr. JOHNSON of Washington, was granted leave of absence, indefinitely, on account of continued illness.

PRIVATE CALENDAR BILLS.

Mr. LITTLE. Mr. Speaker, I ask for the reading of the next bill.

The SPEAKER pro tempore. The Clerk will report the next one.

CHARLES A. CAREY.

The next business in order on the Private Calendar was the bill (H. R. 2452) for the relief of Charles A. Carey.

The title of the bill was read.

The SPEAKER pro tempore. The Clerk will report the bill for amendment.

Mr. WALSH. Mr. Speaker, before he does that will the gentleman from Kansas yield to me?

The SPEAKER pro tempore. Does the gentleman yield?

Mr. LITTLE. Yes. But the gentleman can speak under the five-minute rule. I understood we took this up under the five-minute rule. As I understood, Mr. Speaker, when this matter came up at the instance of the gentleman from Illinois from the

Committee on Pensions, the Speaker held that in the House as upon going into Committee of the Whole House on these bills they would be taken up under the five-minute rule and everybody would be entitled to discuss them under that rule.

Mr. WALSH. Well, what is the situation before they are read for amendment under the five-minute rule?

Mr. LITTLE. The purpose, as I understand the rule, is to do away with general debate on the bill and give everybody an opportunity to discuss it under the five-minute rule.

Mr. WALSH. I wanted the gentleman to yield to me before the bill is read for amendment.

Mr. LITTLE. I will be glad to yield to the gentleman.

Mr. RAKER. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RAKER. I would like to know what are the proceedings going on over there?

Mr. WALSH. I will relieve the anxiety of the gentleman in a moment if I can get the attention of the gentleman from Kansas [Mr. LITTLE]. I would like to direct the attention of the gentleman from Kansas to one or two features of the pending measure. It is the case of a letter carrier who was injured by falling on some icy steps, and it is apparently the intention of the Committee on Claims to grant him some compensation just as if the accident had happened after the act of March 9, 1914, was approved.

Mr. LITTLE. That is the idea.

Mr. WALSH. Well, I think it is a bad idea. I did not think, with all due respect to the committee, that after we passed that compensation act a committee of the House would then take up cases that occurred prior to its enactment and attempt to bring them within the provisions of the act by special enactment. I have some hesitation, I may say, in opposing this measure from the fact that it is introduced by one of my colleagues, but I can not quite agree that if a Federal employee is injured upon private property by reason of falling on slippery steps or a slippery sidewalk, due to the accumulation of ice, the Federal Government ought by special act to provide compensation for him if it occurred before we passed the general law.

Mr. CANNON. Mr. Speaker, will the gentleman yield for a question?

Mr. WALSH. Yes, sir.

Mr. CANNON. Do I understand this is a bill for compensation for an accident that occurred prior to the passage of the general law?

Mr. WALSH. It is a bill to compensate a letter carrier for an accident which occurred prior to the passage of the act of March 9, 1914.

Mr. CANNON. If you can go back of that, why not pass a general act going back to the foundation of the Government?

Mr. WALSH. Of course, in enacting this we establish a precedent that men who received injuries prior to the enactment of the act of March 9, 1914, may by special act be brought within the provisions of that law. I doubt the wisdom of embarking upon that kind of legislation. I therefore trust that this bill will not be passed.

Mr. BLANTON. Mr. Speaker, will the gentleman yield for a question?

Mr. LITTLE. I will yield to the gentleman.

Mr. BLANTON. I would like to say to the gentleman from Massachusetts that he will find upon the Claims Calendar—not before the House, but the Claims Committee—numerous such bills, which seek to go behind the general act, and the passage of this bill is going to establish a precedent for the allowance of numerous such bills. I am heartily in favor of the proposition as asserted by the gentleman from Massachusetts, that we either pass a general law taking them all in or we ought not to go behind the general act.

Mr. WALSH. Well, Mr. Speaker, that is in line with the suggestion of the Postmaster General because in his letter of April 24, 1916, he says:

> You request my opinion as to the merits of the proposed bill for the relief of Mr. Carey. It is the opinion of the department that favorable consideration should not be given to bills for the relief of particular letter carriers injured in line of duty, but that if relief is to be afforded to such persons it should be under a fixed provision of law.

The SPEAKER. The time of the gentleman from Kansas has expired.

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended five minutes.

Mr. LITTLE. Mr. Speaker, I would like to have a statement from the Chair on the situation. As I understand the Chair, we simply are reading this bill under the five-minute rule. There is no general debate, and I had no time to yield to the gentleman from Massachusetts [Mr. WALSH]. The gentleman would have five minutes himself to amend the bill.

The SPEAKER. The Chair understood that the gentleman from Massachusetts was talking in the five minutes yielded to him by the gentleman from Kansas.

Mr. WALSH. This bill has not been read for amendment.

The SPEAKER. The Chair thought it had been.

Mr. WALSH. No. It has simply been reported.

Mr. LITTLE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LITTLE. As I understand it, there has been no general debate on this bill. All we are here for is for amendment under the five-minute rule, and I did not have any time.

The SPEAKER. The gentleman has no time except five minutes. This bill is being considered in the House as in Committee of the Whole. Under those circumstances there is no general debate, but there is five minutes of debate for amendment.

Mr. LITTLE. The gentleman can move formally to amend if he wants five minutes, and I intend that everybody shall have that opportunity.

The SPEAKER. The Chair was not here when the gentleman from Massachusetts commenced, and supposed he was talking in the time of the gentleman from Kansas.

Mr. LITTLE. I make the point of order that there can be no discussion until the bill is read.

The SPEAKER. The bill will be reported.

Mr. BLANTON. Mr. Speaker, I think we ought to have a quorum. I make the point that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point that there is no quorum present.

Mr. LITTLE. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. LITTLE. The gentleman just made the point of order within a few minutes, and I make the point of order that his present point is dilatory.

The SPEAKER. The Chair does not think that the point of no quorum is dilatory. Everybody has the right to a quorum for the transaction of business. In the Chair's opinion it can only be dilatory when there has just been a proof that a quorum is present and it is not probable that that quorum has disappeared. But the Chair does not think that applies to the present case. The Chair will count.

Mr. BLANTON. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Texas moves that the House do now adjourn. The question is on agreeing to that motion.

The question was taken, and the Speaker announced that the motion was lost.

Mr. BLANTON. Mr. Speaker, a division.

The SPEAKER. The gentleman is too late. The Chair has made the announcement. [After counting.] No quorum is present.

Mr. LITTLE. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk proceeded to call the roll, when the following Members failed to answer to their names:

Andrews, Md.	Dempsey	Graham, Pa.	Kiess
Andrews, Nebr.	Dent	Graham, Ill.	Kincheloe
Anthony	Dickinson, Mo.	Green, Iowa	King
Bacharach	Dominick	Griest	Kraus
Barkley	Donovan	Hamill	Kreider
Bee	Dooling	Hamilton	LaGuardia
Bell	Doremus	Hardy, Colo.	Langley
Blackmon	Doughton	Haskell	Lee, Ga.
Bland, Ind.	Dunn	Hawley	Lever
Bowers	Dyer	Hersman	Linthicum
Brand	Eagle	Hicks	Lonergan
Britten	Echols	Hill	Longworth
Brooks, Ill.	Edmonds	Holland	McClintic
Browne	Ellsworth	Howard	McCulloch
Brumbaugh	Fairfield	Huddleston	McKeown
Burdick	Ferris	Hulings	McKinley
Burke	Fitzgerald	Hull, Tenn.	McKinley
Butler	Flood	Humphreys	McLane
Byrnes, S. C.	Focht	Husted	MacCrate
Caldwell	Fordney	Igoe	Maher
Candler	Frear	Jefferis	Mann
Cantrill	Freeman	Johnson, Ky.	Mansfield
Carew	Fuller, Mass.	Johnson, Miss.	Martin
Clark, Mo.	Gallagher	Johnston, N. Y.	Mason
Cleary	Gallivan	Jones, Pa.	Mead
Cooper	Gandy	Jones, Tex.	Merritt
Copley	Garrett	Kearns	Miller
Costello	Godwin, N. C.	Kelley, Mich.	Minahan, N. J.
Crago	Goldfogle	Kelly, Pa.	Monahan, Wis.
Crowther	Good	Kendall	Montague
Cullen	Goodall	Kennedy, Iowa	Moore, Pa.
Currie, Mich.	Goodwin, Ark.	Kennedy, R. I.	Morin
Davis, Minn.	Gould	Kettner	Mott

Mudd	Rainey, H. T.	Scully	Treadway
Neely	Randall, Calif.	Siegel	Vare
Newton, Minn.	Reavis	Slemp	Voigt
Newton, Mo.	Reber	Small	Walsh
Nicholls, S. C.	Reed, N. Y.	Smith, N. Y.	Ward
O'Connell	Reed, W. Va.	Snyder	Watkins
O'Connor	Riddick	Steele	Webb
Olney	Riordan	Stephens, Miss.	Whaley
Overstreet	Robinson, N. C.	Stevenson	White, Kans.
Paige	Rodenberg	Strong, Pa.	Williams
Parker	Rose	Sullivan	Wilson, La.
Pell	Rouse	Taylor, Ark.	Wilson, Pa.
Peters	Rowan	Thompson, Okla.	Wingo
Phelan	Sabath	Tilson	Wise
Porter	Sanders, N. Y.	Timberlake	Yates
Pou	Sanford	Tincher	Young, N. Dak.
Purnell	Schall	Tinkham	Zihlman
Radcliffe	Scott	Towner	

The SPEAKER. On this call 226 Members, a quorum, have answered to their names.

Mr. LITTLE. I move that further proceedings under the call be dispensed with.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

Mr. LITTLE. I asked unanimous consent that these claims be considered in the House as in Committee of the Whole.

Mr. BLANTON. I move to lay this bill on the table.

The SPEAKER. The Clerk will first report the bill.

The Clerk read the title of the bill (H. R. 2452) for the relief of Charles A. Carey.

Mr. BLANTON. Mr. Speaker, I move to lay this bill on the table.

Mr. ROGERS. Mr. Speaker, will the gentleman withhold that motion for two minutes?

Mr. BLANTON. I do not know whether the Chair will recognize me again. If the Chair will recognize me again, I will.

The SPEAKER. The Chair will recognize the gentleman.

Mr. ROGERS. Mr. Speaker, I simply want to call the attention of the gentleman from Texas [Mr. BLANTON] and of the House to the fact that this bill which is now before the House is to appropriate $132 for the relief of a letter carrier who slipped on the ice while discharging his official duties, was unable to work for about 40 days, and lost $132 of salary. This bill is to reimburse him for the exact amount of salary which he lost, without any additional compensation of any kind. It has already, in a previous Congress, passed the House. Though in the last Congress, when the gentleman from Texas [Mr. BLANTON] was on the Committee on Claims, he first objected to this very bill, later, when he understood it, he withdrew his objection. The bill has had the unanimous support of the Committees on Claims of the Sixty-fourth, Sixty-fifth, and Sixty-sixth Congresses.

Mr. BLANTON. Will the gentleman yield for a question?

Mr. ROGERS. Certainly.

Mr. BLANTON. Does not the gentleman understand that if this bill is passed it will establish a precedent that will go behind the act of 1914, and that there will probably be about 10,000 claims that will have to be paid?

Mr. ROGERS. We have already established the precedent. We have passed six or eight bills to take care of just such cases. They are not very numerous. Almost all the cases are cared for by the general law, and we passed the general law so that we might eliminate the necessity of dealing with these individual cases. The Postmaster General has said that if the general law had been in effect a few months earlier this particular man would have been within the terms of that general law. The amount involved is small. Congress, both by private legislation and by general legislation, has repeatedly recognized the propriety of legislation of this type. I hope the gentleman will not feel it his duty to oppose the bill, when he was in favor of it and was so recorded in the last Congress.

Mr. BLANTON. The Postmaster General objects to this bill now, and says this claim ought not to be paid.

Mr. ROGERS. The Postmaster General says he can not recommend that any special legislation be passed for the time prior to the enactment of the general compensation law, but that if the compensation law had been in effect a few months earlier this man would have been within its terms.

Mr. BLANTON. Mr. Speaker, I renew my motion.

Mr. LITTLE. A point of order.

The SPEAKER. The gentleman will state it.

Mr. LITTLE. No discussion is in order until this bill has been read.

The SPEAKER. This is by unanimous consent.

Mr. LITTLE. And then they can only proceed under the five-minute rule.

The SPEAKER. The gentleman from Texas moves that this bill be laid upon the table.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 1, noes 160.

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman makes the point of order that there is no quorum present.

Mr. LITTLE. I make the point of order that that is dilatory.

The SPEAKER. The Chair does not think he can rule that it is dilatory. The Chair will count. [After counting.] One hundred and seventy Members present; not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll. Those in favor of the motion to lay the bill on the table will vote "aye," those opposed "no."

The question was taken; and there were—yeas 2, nays 220, answered "present" 2, not voting 205, as follows:

YEAS—2.

Black	Blanton

NAYS—220.

Ackerman	Eagle	Lehlbach	Rowe
Alexander	Elliott	Lesher	Rubey
Almon	Elston	Little	Rucker
Anderson	Emerson	Luce	Sanders, Ind.
Ashbrook	Esch	Lufkin	Sanders, La.
Aswell	Evans, Nebr.	Luhring	Saunders, Va.
Ayres	Ferris	McAndrews	Sears
Babka	Fess	McArthur	Sells
Baer	Fields	McDuffie	Sherwood
Bankhead	Fisher	McGlennon	Shreve
Barbour	Focht	McKenzie	Sims
Begg	Foster	McLaughlin, Mich.	Sinclair
Bell	French	McLaughlin, Nebr.	Sinnott
Benham	Fuller, Ill.	McPherson	Smith, Idaho
Benson	Gandy	MacGregor	Smith, Ill.
Bland, Mo.	Gard	Madden	Smith, Mich.
Bland, Va.	Garland	Magee	Smithwick
Boies	Garner	Major	Steagall
Booher	Glynn	Mapes	Stedman
Box	Goodykoontz	Mays	Steenerson
Briggs	Greene, Mass.	Michener	Stephens, Ohio
Brinson	Greene, Vt.	Mondell	Stiness
Brooks, Pa.	Griest	Moon	Strong, Kans.
Browning	Griffin	Mooney	Strong, Pa.
Buchanan	Hardy, Tex.	Moore, Ohio	Summers, Wash.
Burroughs	Harrison	Moores, Ind.	Sumners, Tex.
Byrns, Tenn.	Hastings	Morgan	Sweet
Campbell, Kans.	Hayden	Morin	Temple
Cannon	Heflin	Murphy	Thomas
Caraway	Hernandez	Nelson, Mo.	Thompson, Ohio
Carss	Hersman	Nelson, Wis.	Tillman
Carter	Hickey	Newton, Minn.	Upshaw
Casey	Hoch	Newton, Mo.	Valle
Chindblom	Houghton	Nichols, Mich.	Venable
Christopherson	Huddleston	Nolan	Vestal
Clark, Fla.	Hudspeth	Ogden	Vinson
Classon	Hull, Iowa	Oldfield	Volstead
Coady	Hutchinson	Oliver	Walters
Cole	Ireland	Osborne	Wason
Connally	Jacoway	Padgett	Watson, Pa.
Cramton	James	Park	Watson, Va.
Crisp	Johnson, S. Dak.	Parrish	Weaver
Curry, Calif.	Johnson, Wash.	Platt	Webster
Dale	Juul	Quin	Welling
Dallinger	Kinkaid	Rainey, J. W.	Welty
Darrow	Kitchin	Raker	Wheeler
Davis, Minn.	Knutson	Ramsey	White, Kans.
Davis, Tenn.	Kraus	Ramseyer	White, Me.
Denison	Lampert	Randall, Wis.	Wilson, Ill.
Dewalt	Lanham	Rayburn	Winslow
Dickinson, Iowa	Lankford	Rhodes	Wood, Ind.
Dowell	Larsen	Ricketts	Woods, Va.
Drane	Layton	Robsion, Ky.	Woodyard
Dunbar	Lazaro	Rogers	Wright
Eagan	Lea, Calif.	Romjue	Young, Tex.

ANSWERED "PRESENT"—2.

Hays	Sisson

NOT VOTING—205.

Andrews, Md.	Cullen	Goldfogle	Kahn
Andrews, Nebr.	Currie, Mich.	Good	Kearns
Anthony	Davey	Goodall	Kelley, Mich.
Bacharach	Dempsey	Goodwin, Ark.	Kelly, Pa.
Barkley	Dent	Gould	Kendall
Bee	Dickinson, Mo.	Graham, Pa.	Kennedy, Iowa
Blackmon	Dominick	Graham, Ill.	Kennedy, R. I.
Bland, Ind.	Donovan	Green, Iowa	Kettner
Bowers	Dooling	Hadley	Kiess
Brand	Doremus	Hamill	Kincheloe
Britten	Doughton	Hamilton	King
Brooks, Ill.	Dunn	Hardy, Colo.	Kleczka
Browne	Dupré	Haskell	Kreider
Brumbaugh	Dyer	Haugen	LaGuardia
Burdick	Echols	Hawley	Langley
Burke	Edmonds	Hersey	Lee, Ga.
Butler	Ellsworth	Hicks	Lever
Byrnes, S. C.	Evans, Mont.	Hill	Linthicum
Caldwell	Evans, Nev.	Holland	Lonergan
Campbell, Pa.	Fairfield	Howard	Longworth
Candler	Fitzgerald	Hulings	McClintic
Cantrill	Flood	Hull, Tenn.	McCulloch
Carew	Fordney	Humphreys	McFadden
Clark, Mo.	Frear	Husted	McKeown
Cleary	Freeman	Igoe	McKinley
Collier	Fuller, Mass.	Jefferis	McKinley
Cooper	Gallagher	Johnson, Ky.	McLane
Copley	Gallivan	Johnson, Miss.	MacCrate
Costello	Ganly	Johnston, N. Y.	Maher
Crago	Garrett	Jones, Pa.	Mann
Crowther	Godwin, N. C.	Jones, Tex.	Mansfield

Martin	Peters	Sanford	Tinkham
Mason	Phelan	Schall	Towner
Mead	Porter	Scott	Treadway
Merritt	Pou	Scully	Vare
Miller	Purnell	Siegel	Voigt
Minahan, N. J.	Radcliffe	Slemp	Walsh
Monahan, Wis.	Rainey, H. T.	Small	Ward
Montague	Randall, Calif.	Smith, N. Y.	Watkins
Moore, Pa.	Reavis	Snell	Webb
Moore, Va.	Reber	Snyder	Whaley
Mott	Reed, N. Y.	Steele	Williams
Mudd	Reed, W. Va.	Stephens, Miss.	Wilson, La.
Neely	Riddick	Stevenson	Wilson, Pa.
Nicholls, S. C.	Riordan	Sullivan	Wingo
O'Connell	Robinson, N. C.	Taylor, Ark.	Wise
O'Connor	Rodenberg	Taylor, Colo.	Yates
Olney	Rose	Taylor, Tenn.	Young, N. Dak.
Overstreet	Rouse	Thompson, Okla.	Zihlman
Paige	Rowan	Tilson	
Parker	Sabath	Timberlake	
Pell	Sanders, N. Y.	Tincher	

So the motion to lay the bill on the table was lost.

The following additional pairs were announced:

Until further notice:

Mr. TREADWAY with Mr. SMALL.

Mr. VOIGT with Mr. WATKINS.

Mr. YOUNG of North Dakota with Mr. WILSON of Louisiana.

Mr. BACHARACH with Mr. CLEARY.

Mr. BLAND of Indiana with Mr. COLLIER.

Mr. DUNN with Mr. BLACKMON.

Mr. GOOD with Mr. EVANS of Montana.

Mr. GRAHAM of Pennsylvania with Mr. FLOOD.

Mr. GRAHAM of Illinois with Mr. BRUMBAUGH.

Mr. HULINGS with Mr. DAVEY.

Mr. KAHN with Mr. DENT.

Mr. KEARNS with Mr. GARRETT.

Mr. KELLEY of Michigan with Mr. GOODWIN of Arkansas.

Mr. LANGLEY with Mr. JOHNSON of Mississippi.

Mr. LONGWORTH with Mr. MARTIN.

Mr. MANN with Mr. MOORE of Virginia.

Mr. MASON with Mr. LINTHICUM.

Mr. MOORE of Pennsylvania with Mr. TAYLOR of Colorado.

Mr. MOTT with Mr. O'CONNOR.

Mr. REAVIS with Mr. OVERSTREET.

Mr. TIMBERLAKE with Mr. RANDALL of California.

The result of the vote was then announced as above recorded.

Mr. BLANTON. Mr. Speaker, I move that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. BLANTON) there was 1 aye and 180 noes.

So the House refused to adjourn.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 2452) for the relief of Charles A. Carey.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Charles A. Carey, of Lowell, Mass., the sum of $132.57, out of any money in the Treasury not otherwise appropriated, for loss of pay on account of injury sustained while in the performance of his duty as a letter carrier at Lowell, Mass., on the 11th day of February, in the year 1913.

Mr. LITTLE. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The question was taken; and on a division (demanded by Mr. BLANTON) there were 160 ayes and 2 noes.

Mr. BLANTON. Mr. Speaker, I make the point of order that no quorum is present.

Mr. ROGERS. Mr. Speaker, I make the point of order that that is dilatory.

Mr. BLANTON. And I make the point of order that business has been transacted since the Chair last counted a quorum.

The SPEAKER. The Chair will count.

Mr. BLANTON. Mr. Speaker——

Mr. BAER. Mr. Speaker, I make the point of order that the gentleman from Texas can not speak now and interrupt the count.

The SPEAKER. The point of order is well taken.

Mr. BROOKS of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BROOKS of Pennsylvania. I would like to know whether there is not some method by which this filibustering can be stopped.

Mr. LITTLE. Oh, you can not make a silk purse out of a sow's ear.

Mr. BLANTON. Mr. Speaker, a point of order—the gentleman is speaking out of order.

The SPEAKER. The gentleman will be seated; that is not a parliamentary inquiry.

Mr. BROOKS of Pennsylvania. The reason I make the inquiry——

Mr. BLANTON. Mr. Speaker, a point of order. I am filibustering; there is no question about that.

Mr. BROOKS of Pennsylvania. The gentleman told me that he is trying to consume all of the time he can.

Mr. LITTLE. Mr. Speaker, I call for the regular order.

The SPEAKER. The Chair is counting for a quorum. [After counting.] One hundred and seventy-six Members present—not a quorum.

Mr. ROGERS. Mr. Speaker, I move a call of the House.

The SPEAKER. That is not necessary. This is an automatic call. The question is on ordering the previous question. The Sergeant at Arms will notify absentees, the Doorkeeper will close the door, and the Clerk will call the roll.

The Clerk called the roll; and there were—yeas 214, nays 2, answered "present" 1, not voting 213, as follows:

YEAS—214.

Ackerman	Eagan	Lehlbach	Romjue
Alexander	Eagle	Lesher	Rowe
Almon	Elliott	Linthicum	Rubey
Anderson	Elston	Little	Rucker
Ashbrook	Emerson	Luce	Sanders, Ind.
Aswell	Esch	Lufkin	Sanders, La.
Ayres	Evans, Nebr.	McAndrews	Saunders, Va.
Babka	Fess	McArthur	Sears
Baer	Fields	McDuffie	Sells
Bankhead	Fisher	McFadden	Sherwood
Barbour	Focht	McGlennon	Shreve
Begg	Foster	McLaughlin, Mich.	Sinclair
Bell	Freeman	McLaughlin, Nebr.	Sinnott
Benham	French	McPherson	Smith, Ill.
Benson	Fuller, Ill.	Madden	Smith, Mich.
Black	Gandy	Major	Smithwick
Bland, Mo.	Gard	Mapes	Steagall
Bland, Va.	Garland	Mays	Stedman
Boies	Garner	Michener	Steenerson
Booher	Glynn	Monahan, Wis.	Stiness
Box	Goodwin, Ark.	Mondell	Strong, Kans.
Briggs	Goodykoontz	Moon	Strong, Pa.
Brinson	Greene, Mass.	Mooney	Summers, Wash.
Brooks, Pa.	Griest	Moore, Ohio	Sumners, Tex.
Browning	Griffin	Moores, Ind.	Sweet
Burroughs	Hardy, Tex.	Morgan	Temple
Byrns, Tenn.	Harrison	Morin	Thomas
Campbell, Kans.	Hayden	Murphy	Thompson, Ohio
Campbell, Pa.	Hernandez	Nelson, Mo.	Tillman
Cannon	Hersey	Nelson, Wis.	Upshaw
Caraway	Hickey	Newton, Minn.	Vaile
Carss	Hoch	Newton, Mo.	Venable
Casey	Houghton	Nolan	Vestal
Chindblom	Huddleston	Ogden	Volstead
Christopherson	Hudspeth	Oldfield	Walters
Coady	Hull, Iowa	Oliver	Wason
Cole	Humphreys	Osborne	Watson, Pa.
Collier	Hutchinson	Overstreet	Watson, Va.
Connally	Ireland	Padgett	Weaver
Cramton	Jacoway	Park	Webster
Crisp	James	Parrish	Welling
Curry, Calif.	Johnson, Miss.	Pell	Welty
Dale	Johnson, Wash.	Platt	Wheeler
Dallinger	Juul	Quin	White, Kans.
Darrow	Kelly, Pa.	Rainey, J. W.	White, Me.
Davey	Kinkaid	Raker	Winslow
Davis, Tenn.	Kitchin	Ramsey	Wood, Ind.
Denison	Kleczka	Ramseyer	Woods, Va.
Dewalt	Kraus	Randall, Wis.	Woodyard
Dickinson, Iowa	Lampert	Rayburn	Wright
Dowell	Lankford	Ricketts	Young, Tex.
Drane	Larsen	Riddick	The Speaker
Dunbar	Layton	Robsion, Ky.	
Dupré	Lazaro	Rogers	

NAYS—2.

Blanton	Buchanan

ANSWERED "PRESENT"—1.

Sisson

NOT VOTING—213.

Andrews, Md.	Crowther	Goldfogle	Jones, Pa.
Andrdews, Nebr.	Cullen	Good	Jones, Tex.
Anthony	Currie, Mich.	Goodall	Kahn
Bacharach	Davis, Minn.	Gould	Kearns
Barkley	Dempsey	Graham, Pa.	Kelley, Mich.
Bee	Dent	Graham, Ill.	Kendall
Blackmon	Dickinson, Mo.	Green, Iowa	Kennedy, Iowa
Bland, Ind.	Dominick	Greene, Vt.	Kennedy, R. I.
Bowers	Donovan	Hadley	Kettner
Brand	Dooling	Hamill	Kiess
Britten	Doremus	Hamilton	Kincheloe
Brooks, Ill.	Doughton	Hardy, Colo.	King
Browne	Dunn	Haskell	Knutson
Brumbaugh	Dyer	Hastings	Kreider
Burdick	Echols	Haugen	LaGuardia
Burke	Edmonds	Hawley	Langley
Butler	Ellsworth	Hays	Lanham
Byrnes, S. C.	Evans, Mont.	Heflin	Lea, Calif.
Caldwell	Evans, Nev.	Hersman	Lee, Ga.
Candler	Fairfield	Hicks	Lever
Cantrill	Ferris	Hill	Lonergan
Carew	Fitzgerald	Holland	Longworth
Carter	Flood	Howard	Luhring
Clark, Fla.	Fordney	Hulings	McClintic
Clark, Mo.	Frear	Hull, Tenn.	McCulloch
Classon	Fuller, Mass.	Husted	McKenzie
Cleary	Gallagher	Igoe	McKeown
Cooper	Gallivan	Jefferis	McKinley
Copley	Ganly	Johnson, Ky.	McKinley
Costello	Garrett	Johnson, S. Dak.	McLane
Crago	Godwin, N. C.	Johnston, N. Y.	MacCrate

MacGregor	Parker	Schall	Tinkham
Magee	Peters	Scott	Towner
Maher	Phelan	Scully	Treadway
Mann	Porter	Siegel	Vare
Mansfield	Pou	Sims	Vinson
Martin	Purnell	Slemp	Voigt
Mason	Radcliffe	Small	Walsh
Mead	Rainey, H. T.	Smith, Idaho	Ward
Merritt	Randall, Calif.	Smith, N. Y.	Watkins
Miller	Reavis	Snell	Webb
Minahan, N. J.	Reber	Snyder	Whaley
Montague	Reed, N. Y.	Steele	Williams
Moore, Pa.	Reed, W. Va.	Stephens, Miss.	Wilson, Ill.
Moore, Va.	Rhodes	Stephens, Ohio	Wilson, La.
Mott	Riordan	Stevenson	Wilson, Pa.
Mudd	Robinson, N. C.	Sullivan	Wingo
Neely	Rodenberg	Taylor, Ark.	Wise
Nicholls, S. C.	Rose	Taylor, Colo.	Yates
Nichols, Mich.	Rouse	Taylor, Tenn.	Young, N. Dak.
O'Connell	Rowan	Thompson, Okla.	Zihlman
O'Connor	Sabath	Tilson	
Olney	Sanders, N. Y.	Timberlake	
Paige	Sanford	Tincher	

So the previous question was ordered.

The Clerk announced the following additional pairs:

Until further notice:

Mr. FORDNEY with Mr. HEFLIN.

Mr. TOWNER with Mr. LANHAM.

Mr. DAVIS of Minnesota with Mr. FERRIS.

Mr. WILSON of Illinois with Mr. MCLANE.

Mr. WALSH with Mr. VINSON.

The SPEAKER. Call my name.

The name of the Speaker was called, and he voted "aye."

The result of the vote was announced as above recorded.

The SPEAKER. The Doorkeeper will unlock the doors.

Mr. RUCKER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. RUCKER. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from Missouri asks unanimous consent to address the House for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LITTLE. Just wait a minute until the Speaker puts the question on this bill.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read the third time.

Mr. BLANTON. Mr. Speaker, I request the reading of the engrossed copy of the bill.

Mr. RUCKER. I believe I had unanimous consent.

The SPEAKER. The Chair will recognize the gentleman. The gentleman from Missouri is recognized for five minutes.

Mr. RUCKER. Mr. Speaker, present here is a large per cent of the membership of the House. Some gentlemen who are not here may be embarrassed by reason of the fact that on these various unexpected and unnecessary roll calls they were not present to vote. Consideration for fellow Members ought to inspire one with broadness, with a sense of right and fair play that would prevent him from needlessly putting his colleagues to the bad. Now, it is well understood by every man in this presence that most of these roll calls to-day would not have been had if it had not been for the peculiar views of one Member of the House. [Applause.] There is no doubt that a Member, whether wisely or unwisely chosen by a constituency [laughter and applause], has certain constitutional rights as a Member which no man can properly question. But I believe, and I say this by way of palliation or excuse of the mistakes that constituents sometimes may make, that they have a right to believe that one elected to this high position would come here and exercise those constitutional privileges with some degree of common sense. [Applause.]

I hear that it is necessary sometimes to do foolish things in order to prevent the improper expenditure of public money. Well, let me say, in a rough way, and my statement is below rather than above the true figures, the cost to the United States is something like $10,000 every day this House sits, counting overhead charges and Members' salaries; and not including salaries, the overhead charges alone are approximately $1,500 or $1,800 or $2,000 a day. We have now before the House a bill, a little bill, involving a pitiful sum of $132, which this Government ought to pay, and yet by reason of the exercise of the constitutional privilege of one Member we have been forced to expend more than $3,000 of the people's money doing nothing but calling the roll. [Applause.] Oh, perhaps I have done unwise things; some people, in common parlance, might have called me a fool, but I will not use that term. I have my convictions, however, and they are strong; no man can fool the people always. You might fool them once or twice, but in the providence of God after a while the light will shine in and people will correct the errors they have made. The idea of saving little money by spending large sums of money in this foolish, very foolish, way is preposterous. This bill, it seems to me, is meritorious. A man working for the Government by misfortune fell and crippled himself, and was thrown out of employment for a period long enough for his wages to amount to $132. He is asking the Government to reimburse him, and yet we, lords of creation, who are now clamoring for a six weeks'—I wish to the Lord it would be six months—recess, during which time we expect to draw our full salary and are entitled to draw it; we draw our salary even though affliction should keep us confined to our beds during the entire year, and nobody ever complains; but when a poor employee by misfortune has been unable to perform his labors and therefore is deprived of the means by which to support his family and appeals to Congress for redress, for pay for the time he was incapacitated, it seems that somewhere in this great country of ours, somewhere under the shadow of that old flag, a man can be found who will expend four or five thousand dollars of the people's money before he will let that poor devil have the small pittance he asks and which Congress is determined he shall have. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. RUCKER. Mr. Speaker, I ask for five minutes more; I am not quite through.

The SPEAKER. The gentleman from Missouri asks unanimous consent to address the House for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. RUCKER. Mr. Speaker, this is a great body of men. You have heard that before, and you all agree to it. [Laughter.] Oh, there may be a few exceptions when you speak of greatness, because we are not all great in the same degree. But there are great men here. There are men here that I am sorry are here—too many on the Republican side [laughter]—but whose friendship I crave; good men, strong men, some possessed of wrong political ideas, of course, but they can not help the hallucination. They are men whose good wishes and friendship I crave, I repeat; and there are men on this side—the Democratic side—for whose friendship and good will I would forfeit most everything I possess. When the time shall have come, as it will come, when I must bid adieu to this service and say farewell to these genial, splendid, noble men on both sides, with whom I have had the honor to associate, I sincerely hope and trust I may take away with me, as a legacy of priceless and inestimable value, the personal friendship, confidence, and respect of all those with whom I have associated.

But, Mr. Speaker, there are worse misfortunes in life than accidents like happened to this man whose case is now pending before the House. When one becomes so obsessed with an idea of his own importance as to justly forfeit the respect of everybody, he has suffered misfortune worse than any tragedy that could happen in a lifetime. [Applause.]

I hope I will always comport myself in a modest and becoming manner. I am one of those who believe that an honest purpose, a sincere effort to perform duty, is the best evidence of a man's real ability and nobility.

Now, let me say to you—and I am not the father of the House, by any means; I am one of the young Members, though I have been here long enough to have seen much important business transacted, business which carried joy and gladness into homes of many people, and I have rejoiced to see the splendid achievements of the membership of this body, both collectively and individually; and I hope that, after these few interruptions we have had to-day, the business of the Congress may be resumed and that progress can be made.

Let me say that in the two roll calls the Member, exercising his constitutional prerogative and right, found somewhere in the entire United States within the sweep of country from Maine to Texas and from the Everglades of Florida to the coast of Alaska, two men to vote, one other than the mover. And on another question when the roll was called, one other Member, as I understand, voted with the gentleman who caused the roll to be called. Now, if this House, with determination to legislate, ever sits down on me in that way, if I have not sense enough to appreciate the warning that everyone is tired of my senseless performance I hope somebody will put a "No. 10" behind me and kick me out of this Chamber, as ought to be done. [Loud applause.]

Mr. BLANTON. Mr. Speaker——

Mr. CANNON. Mr. Speaker, I ask unanimous consent to ask the gentleman from Missouri [Mr. RUCKER] a question.

The SPEAKER. The gentleman from Illinois asks unanimous consent to ask the gentleman from Missouri a question. Is there objection? [After a pause.] The Chair hears none.

Mr. RUCKER. I hope the gentleman will make it an easy one.

Mr. CANNON. Where we have had proceedings as we have had to-day and under these conditions, in the calling of the roll in order to get a quorum, and no signs of repentance as to the changing of those conditions, does not the gentleman think it is the duty of the Members of the House of Representatives to stay here and keep a quorum?

Mr. RUCKER. I think they ought to be here, and want to suggest to the distinguished gentleman [Mr. CANNON] that this is a Republican House, and his political party is charged with the responsibility of keeping a quorum on the floor. The trouble is with his party, not with mine.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

Mr. McARTHUR. Mr. Speaker, I object.

Mr. LITTLE. Mr. Speaker——

Mr. RUCKER. I hope no one will refuse the request.

Mr. McARTHUR. I withdraw it, Mr. Speaker.

The SPEAKER. The gentleman from Texas asks unanimous consent to address the House for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. Mr. Speaker and gentlemen of the House, it is the easiest thing in the world for a man to drift downstream with the tide, but the gentleman from Missouri [Mr. RUCKER] should have lived long enough to know that it takes a strong man to swim upstream against the current. It is awfully easy to vote for all the measures our colleagues propose, but hard sometimes to oppose when duty requires it. I dare say that there are not 25 men in this House to-day who know the provisions of the bill now under consideration. The committee reports private claims because some good colleague requests it. No opportunity whatever is given for debate or consideration. Members vote "yea" blindly because the committee has reported it, and it would hurt the feelings of the interested colleague to oppose it, and so such private bills are passed.

It may be a small sum that is involved in the bill, but the gentleman from Missouri [Mr. RUCKER], no matter how long he has stayed here, does not seem to realize the fact that behind this bill there is a bigger question than its amount, for if we allow this claim we shall be forced to allow thousands of similar claims involving millions of dollars not authorized by the act of 1914. It is a precedent which we are about to establish——

Mr. ROGERS. Why was the gentleman in favor of it in the last Congress?

Mr. BLANTON. I refuse to yield. It is the precedent of going behind the law of 1914, something that Congress did not see fit to do. I was on the Claims Committee last year, I will tell my good friend from Missouri, and I worked faithfully, as every Member on that Claims Committee knows. I filed scores of minority reports. If you will look back in the Appendix to the CONGRESSIONAL RECORD, pages 110 to 117 (3d sess., 65th Cong.), you will see some of them and learn of the tedious hours of hard work I did concerning such legislation, and the hundreds of thousands of dollars I was instrumental in saving. The expenses of Congress are the same every day, whether we are answering roll calls or passing private claims. It costs the people more, however, every time we pass a private claim. The gentleman from Missouri [Mr. RUCKER] is now preparing for a six weeks' recess. He deserves it, and we all deserve it, and I hope Congress agrees to it. But our expenses every day during that recess will be the same as when we are in session. Not a salary will stop. Every item of expense will continue. Last session I worked 16 hours a day, and when the gentleman from Kansas [Mr. LITTLE] brought in his bill, No. 12018, which, principal and interest, sought to pay to the Sevier heirs $66,736,387.60, an old claim, 105 years old, by the hard work that I did night and day on that bill I finally defeated it and kept it from being reported and passed. There are hundreds of such bills and thousands of such claims, similar to this Carey one, seeking to go behind the law of 1914.

Mr. ROGERS. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Texas yield to the gentleman from Massachusetts?

Mr. BLANTON. No; I am sorry; I can not yield to anyone; I have no time. I will yield if you will get me more time. Thousands of them, and if you pass this one you have got to allow every one of them—something that Congress did not see fit to do when it passed the law of 1914. Every time I force a roll call to-day I thereby keep several private bills from passing; some vicious, unjust ones. If time were given for proper discussion and consideration, it would be a different matter. But I am saving the people money.

The gentleman from Missouri [Mr. RUCKER] need not think that his harsh, unkind criticism will deter me from doing my duty. I love every man in this House, but if to retain their friendship it is necessary to agree to everything they propose and to unjustly vote the people's money out of the Treasury without proper discussion and consideration of legislation, I will have to get along without their friendship. I came to Congress to serve and represent my constituents, not my colleagues. My first duty is to my constituents. When my colleagues reflect I will have the friendship of all worth having. The gentleman from Missouri [Mr. RUCKER] may think my people do not know the kind of service I am giving them. I would rather satisfy them than the gentleman from Missouri. They are acquainted with the kind of service I am giving them, and in the last primary election they expressed their satisfaction and approval by giving me a majority of over 15,000 over three opponents, one an ex-Congressman and the other two legislators. I was their circuit judge for eight years, and they are about as well acquainted with me as any constituents are with any other Member of this House and know the kind of service I give. I am sorry I have displeased the gentleman from Missouri with my service.

Mr. McARTHUR. Does the gentleman say "circus" or "service"?

Mr. BLANTON. Both. [Laughter.] But if you will stay here in your seats and help the Republican Party, that put us Democrats out of power because our Republican friends said we could not keep a quorum last year—if you will stay here and help us keep a quorum you will find out something about the legislation that you are voting on without knowing a thing on God's earth about it.

The great trouble with private-bill day and the consideration of these private claims is that Congressmen are not sufficiently interested in them either to investigate them or to stay here on the floor and find out something about them. Under the call of the Private Calendar in this House you know as well as I do that with few exceptions about the only men who sit in these seats here are men who have a bill in their hip pocket to take the people's money out of the Treasury on some private claim, and naturally you can not get one of them to vote against the bill of anybody else, the old slogan, "You help me and I will help you," applying. You have a stack there to pass upon, measures to spend the people's money out of the Public Treasury. If you stay here and give these bills consideration, and get this committee to allow full and fair discussion, you will not find me filibustering. I am filibustering. I am trying my best to keep a precedent from being established that will take thousands and thousands of dollars out of your Treasury.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. No; I can not yield.

The people are not interested in this legislation. It benefits only the private claimants into whose pockets money from the Public Treasury is poured. I am trying to stop it.

The SPEAKER. The time of the gentleman from Texas has expired. Does the gentleman from Texas demand the reading of the engrossed bill?

Mr. BLANTON. Yes; to keep it from passing to-day.

Mr. ROGERS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ROGERS. The previous question having been ordered and the demand being made for the copy of the engrossed bill, does the pending bill come up to-morrow as unfinished business?

The SPEAKER. Certainly.

Mr. LITTLE. Mr. Speaker, I demand the reading of the next bill.

The SPEAKER. The gentleman from Kansas calls up the next bill, which the Clerk will report.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Speaker, the House has taken up for consideration the Private Calendar. If Members will remain here, bills can be disposed of. I trust that Members will remain in their seats and attend to the public business. If that is done, all the bills on this calendar can be considered and disposed of. [Applause.]

FRANK PINKLEY.

The SPEAKER. The Clerk will report the next bill on the calendar.

The next business on the Private Calendar was the bill (H. R. 687) for the relief of Frank Pinkley.

The title of the bill was read.

The SPEAKER. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated the sum of $350 to Frank Pinkley, of Blackwater, Ariz., for certain improvements made by him upon the withdrawn land adjacent to the ruin of Casa Grande, Ariz., during the time that he was custodian of said ruin.

Mr. LITTLE. Mr. Speaker, if anybody who is opposed to this bill desires to offer an amendment to it, which will give him five minutes' time to discuss the amendment—the only way it can be debated now—I will wait until he has offered his amendment.

Mr. BLACK. I would like to get time to ask the gentleman this question: I have read the letter of the Secretary of the Interior with reference to this claim, and it seems that this man was taking care of the Casa Grande ruin.

Mr. LITTLE. Excuse me just one minute. Under the rules I am not entitled to any time to answer questions. The gentleman from Arizona [Mr. HAYDEN], who introduced this bill, is on his feet to make a formal motion to strike out the last word, and he will answer the gentleman's question. Then I wish to be heard.

Mr. HAYDEN. I move to strike out the last word, and when recognized I shall be glad to answer any question the gentleman from Texas wishes to ask about this bill.

The SPEAKER. The gentleman from Arizona moves to strike out the last word, and is recognized for five minutes.

Mr. BLACK. I would like to ask the gentleman this question: When did this man make these improvements, and how long did he have the use of them himself?

Mr. HAYDEN. About a year, if my recollection is correct. He was appointed custodian of the Casa Grande ruin, and served in that capacity for some little time. He made these improvements about a year before he had to give up the office by reason of having been elected a member of the Arizona State Legislature, which made it impossible for him to hold a Federal office. Mr. Pinkley submitted a claim to the Department of the Interior to be recompensed for the construction of a well which he dug, because prior to that time there was no way for visitors to the Casa Grande ruin to get water. He dug this well at his own expense, and likewise built a small house, which was used and occupied by the next custodian. He submitted a claim to the department for $467. The department agreed that he should be paid $350, but found that no funds were available. He has agreed to accept that amount, and Secretary Lane concludes his report on this bill which I introduced for Mr. Pinkley's relief by saying—

I therefore recommend that the bill be enacted with the substitution of $350 in the place of $467.

The bill was favorably reported in that amount in a previous Congress and now carries an appropriation of but $350.

Mr. BLACK. How long did he himself use the improvement? I have asked that question with a view to ascertaining if he did not use them long enough to reimburse him for the cost?

Mr. HAYDEN. My recollection is that he used them about a year before he gave up the custodianship. I shall include as a part of my remarks a letter that I received from Mr. Pinkley which fully explains the situation.

BLACKWATER, ARIZ.,
January 2, 1917.

Hon. CARL HAYDEN,
Washington, D. C.

MY DEAR MR. HAYDEN: I have your letter of December 28, inclosing a copy of the letter of the Secretary of the Interior, regarding my claim for reimbursement for improvements made at the Casa Grande ruin while I was custodian there.

There is a bit of concealed humor in this department letter—about $117 worth one way you might view it. They are right about my offer to take $350 and call it square. I didn't want to pike around splitting dollars and bothering you like I've had to, so I set that arbitrary value on the outfit and hoped they would pinch it out of some department fund and we could get immediate action and avoid red tape. But the department, not minding some read tape, and thinking maybe I had that human frailty which appraises its own property through a magnifying glass, started me through this circumlocution-office method of getting a sworn appraisement. Now, having found that I was really making a good offer in the first place, they are willing to back up and take that much of the original plan.

Now, the investment at the ruins is a dead loss as it lays as far as I am concerned. The department wouldn't let me move any of the buildings. The present custodian, by order of the department, he says, refused to pay any rent, and yet, while they claim title to the buildings and well and are using them, they act like they are doing me a darned big favor to O. K. my claim for about 75 per cent of the value arrived at by their own suggested methods.

Our mutual friend, Omar, says, "Take the cash and let the credit go." It is good advice. Play them for the $350. By all means accept the offer and let us get rid of it.

And if they renege again, offer to play them seven-up, best three in five, winner to take the title.

Seriously, I thank you very much indeed for your kindness. I appreciate it, and am sorry for the loss of time and general bother this matter has been to you.

Sincerely,

FRANK PINKLEY.

Mr. LITTLE. How much time did the gentleman from Arizona use?

The SPEAKER. The gentleman from Kansas is recognized for five minutes.

Mr. LITTLE. How much time did the gentleman from Arizona use?

The SPEAKER. He has no more time.

Mr. LITTLE. I ask for the reading of the report in my time.

The SPEAKER. The Clerk will read the report in the gentleman's time.

The Clerk read as follows:

The Committee on Claims, to whom was referred the bill (H. R. 687) for the relief of Frank Pinkley, having considered the same, report thereon with a recommendation that it do pass.

A letter from the Secretary of the Interior, under date of December 22, 1916, is appended hereto and made a part of this report.

DEPARTMENT OF THE INTERIOR,
Washington, December 22, 1916.

DEAR MR. CHAIRMAN: I have your letter of December 11 requesting report on H. R. 17692, a bill proposing to appropriate $467 to reimburse Frank Pinkley for certain improvements made upon the lands within the Casa Grande ruin in Arizona during the time that he was custodian thereof.

It appears that Mr. Pinkley dug and curbed a well and built a house upon this land. After he resigned as custodian of the ruin he stated that he would be willing to take $350 as reimbursement for his expenditure. There were no funds available for this purpose. The present custodian of the ruin is living in the house constructed by Mr. Pinkley, there being no other place of habitation on the land.

While the expenditure was made by Mr. Pinkley without any authorization by the department, and there is no legal liability upon the part of the Government to reimburse him, yet I feel that it would be but right that he be given the fair value of the work done, and I therefore recommend that the bill be enacted with the substitution of $350 in the place of $467.

Cordially, yours,

FRANKLIN K. LANE, *Secretary.*

Hon. E. W. POU,
Chairman Committee on Claims, House of Representatives.

Mr. LITTLE. We have reported this bill to pay this man $350, as recommended by the Secretary of the Interior. I move the previous question on this bill.

Mr. CANNON. Will the gentleman yield for a question?

Mr. LITTLE. I yield to the gentleman from Illinois.

Mr. CANNON. What was this man paid for his services?

Mr. HAYDEN. My recollection is that he was paid at the rate of $40 a month. In any event his salary was a very nominal sum.

Mr. LITTLE. I move the previous question.

The SPEAKER. The gentleman moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

The SPEAKER. The question is on the passage of the bill.

The question being taken, on a division (demanded by Mr. BLANTON) there were—ayes 160, noes 1.

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and seventy-two Members present, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members. Those in favor of the passage of the bill will, as their names are called, vote "aye," those opposed "no," and the Clerk will call the roll.

The question was taken; and there were—yeas 210, nays 0, answered "present" 3, not voting 217, as follows:

YEAS—210.

Ackerman	Casey	Focht	Johnson, Miss.
Alexander	Chindblom	Foster	Johnson, Wash.
Almon	Christopherson	Freeman	Jones, Tex.
Anderson	Coady	French	Juul
Ashbrook	Cole	Fuller, Ill.	Kearns
Aswell	Collier	Gard	Kelly, Pa.
Ayres	Connally	Garland	Kinkaid
Babka	Cramton	Garner	Kitchin
Baer	Crisp	Glynn	Kleczka
Bankhead	Curry, Calif.	Goodwin, Ark.	Knutson
Barbour	Dale	Goodykoontz	Kraus
Begg	Dallinger	Greene, Mass.	Lankford
Bell	Darrow	Greene, Vt.	Larsen
Benham	Davey	Griest	Layton
Black	Davis, Tenn.	Griffin	Lazaro
Blackmon	Denison	Hardy, Tex.	Lehlbach
Bland, Mo.	Dewalt	Hastings	Lesher
Bland, Va.	Dickinson, Mo.	Haugen	Little
Blanton	Dickinson, Iowa	Hayden	Luce
Boies	Dowell	Heflin	Luhring
Booher	Drane	Hernandez	McAndrews
Box	Dunbar	Hersey	McArthur
Briggs	Dupré	Hickey	McDuffie
Brinson	Eagan	Hoch	McGlennon
Brooks, Pa.	Elliott	Houghton	McLane
Browning	Elston	Huddleston	McLaughlin, Mich.
Buchanan	Emerson	Hudspeth	McLaughlin, Nebr.
Burroughs	Esch	Hull, Iowa	Madden
Byrns, Tenn.	Evans, Nev.	Humphreys	Mapes
Campbell, Kans.	Fess	Hutchinson	Mays
Campbell, Pa.	Fields	Jacoway	Michener
Carss	Fisher	James	Mondell

Moon	Raker	Smith, Mich.	Ward
Mooney	Ramsey	Smithwick	Watkins
Moore, Ohio	Ramseyer	Steagall	Watson, Pa.
Moores, Ind.	Randall, Calif.	Stedman	Watson, Va.
Morgan	Randall, Wis.	Stiness	Weaver
Murphy	Ricketts	Strong, Kans.	Webster
Nelson, Mo.	Riddick	Strong, Pa.	Welling
Nelson, Wis.	Robsion, Ky.	Sumners, Tex.	Welty
Newton, Minn.	Rogers	Sweet	Wheeler
O'Connor	Romjue	Taylor, Colo.	White, Kans.
Ogden	Rowe	Taylor, Tenn.	White, Me.
Oldfield	Rubey	Temple	Wilson, Ill.
Oliver	Ruker	Thomas	Winslow
Osborne	Sanders, La.	Thompson, Ohio	Wood, Ind.
Overstreet	Sears	Tillman	Woods, Va.
Padgett	Sells	Upshaw	Woodyard
Park	Shreve	Venable	Wright
Parrish	Sinclair	Vestal	Young, Tex.
Peters	Sinnott	Vinson	The Speaker
Platt	Smith, Idaho	Volstead	
Quin	Smith, Ill.	Walters	

ANSWERED "PRESENT"—3.

Cannon	Sisson	Summers, Wash.

NOT VOTING—217.

Andrews, Md.	Fordney	Lever	Rhodes
Andrews, Nebr.	Frear	Linthicum	Riordan
Anthony	Fuller, Mass.	Lonergan	Robinson, N. C.
Bacharach	Gallagher	Longworth	Rodenberg
Barkley	Gallivan	Lufkin	Rose
Bee	Gandy	McClintic	Rouse
Benson	Ganly	McCulloch	Rowan
Bland, Ind.	Garrett	McFadden	Sabath
Bowers	Godwin, N. C.	McKenzie	Sanders, Ind.
Brand	Goldfogle	McKeown	Sanders, N. Y.
Britten	Good	McKinley	Sanford
Brooks, Ill.	Goodall	McKinley	Saunders, Va.
Browne	Gould	McPherson	Schall
Brumbaugh	Graham, Pa.	MacCrate	Scott
Burdick	Graham, Ill.	MacGregor	Scully
Burke	Green, Iowa	Magee	Sherwood
Butler	Hadley	Maher	Siegel
Byrnes, S. C.	Hamill	Major	Sims
Caldwell	Hamilton	Mann	Slemp
Candler	Hardy, Colo.	Mansfield	Small
Cantrill	Harrison	Martin	Smith, N. Y.
Caraway	Haskell	Mason	Snell
Carew	Hawley	Mead	Snyder
Carter	Hays	Merritt	Steele
Clark, Fla.	Hersman	Miller	Steenerson
Clark, Mo.	Hicks	Minahan, N. J.	Stephens, Miss.
Classon	Hill	Monahan, Wis.	Stephens, Ohio
Cleary	Holland	Montague	Stevenson
Cooper	Howard	Moore, Pa.	Sullivan
Copley	Hulings	Moore, Va.	Taylor, Ark.
Costello	Hull, Tenn.	Morin	Thompson, Okla.
Crago	Husted	Mott	Tilson
Crowther	Igoe	Mudd	Timberlake
Cullen	Ireland	Neely	Tincher
Currie, Mich.	Jefferis	Newton, Mo.	Tinkham
Davis, Minn.	Johnson, Ky.	Nicholls, S. C.	Towner
Dempsey	Johnson, S. Dak.	Nichols, Mich.	Treadway
Dent	Johnston, N. Y.	Nolan	Vaile
Dominick	Jones, Pa.	O'Connell	Vare
Donovan	Kahn	Olney	Volgt
Dooling	Kelley, Mich.	Paige	Walsh
Doremus	Kendall	Parker	Wason
Doughton	Kennedy, Iowa	Pell	Webb
Dunn	Kennedy, R. I.	Phelan	Whaley
Dyer	Kettner	Porter	Williams
Eagle	Kiess	Pou	Wilson, La.
Echols	Kincheloe	Purnell	Wilson, Pa.
Edmonds	King	Radcliffe	Wingo
Ellsworth	Kreider	Rainey, H. T.	Wise
Evans, Mont.	LaGuardia	Rainey, J. W.	Yates
Evans, Nebr.	Lampert	Rayburn	Young, N. Dak.
Fairfield	Langley	Reavis	Zihlman
Ferris	Lanham	Reber	
Fitzgerald	Lea, Calif.	Reed, N. Y.	
Flood	Lee, Ga.	Reed, W. Va.	

The SPEAKER. The Clerk will call my name.

The Clerk called the name of Mr. GILLETT, and he answered "aye," as above recorded.

Mr. LITTLE. Mr. Speaker, as I understand, the previous question having been ordered, this bill will be in order to-morrow morning as unfinished business.

The SPEAKER. It will.

ADJOURNMENT.

Mr. LITTLE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 29 minutes p. m.) the House adjourned until to-morrow, Saturday, July 26, 1919, at 12 o'clock m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting an estimate of appropriation for the purchase of the Baltimore Quarantine Station (H. Doc. No. 162); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting estimate of appropriation for the Boston (Mass.) Quarantine Station and the New York (N. Y.) appraisers' stores (H. Doc. No. 163); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. MAPES, from the Committee on the District of Columbia, to which was referred the bill (H. R. 5416) to authorize corporations organized in the District of Columbia to change their names, reported the same without amendment, accompanied by a report (No. 153), which said bill and report were referred to the House Calendar.

Mr. DOWELL, from the Committee on Elections No. 3, to which was referred the resolution (H. Res. 105) authorizing an extension of time for taking testimony, arranging orderly procedure, and providing other relief in the Alaska contested-election cases, reported the same with amendment, accompanied by a report (No. 154), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. MAPES, from the Committee on the District of Columbia, to which was referred the bill (H. R. 333) providing for the disinterment and removal of the remains of the infant child, Norman Lee Molzahn, from the temporary burial site in the District of Columbia to a permanent burial place, reported the same without amendment, accompanied by a report (No. 152), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 5231) granting an increase of pension to Frank Vicha; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7179) granting an increase of pension to Isabel Bertrand; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HAWLEY: A bill (H. R. 7839) providing for an amendment to paragraph (a) of section 628 of an act approved February 24, 1919, and entitled "An act to provide revenue, and for other purposes"; to the Committee on Ways and Means.

Also, a bill (H. R. 7840) providing for a tax on pure fruit-juice beverages; to the Committee on Ways and Means.

By Mr. BROOKS of Illinois: A bill (H. R. 7841) to amend the act of October 6, 1917, so as to apply to the children of soldiers who are on the pension roll; to the Committee on Invalid Pensions.

By Mr. CARAWAY: A bill (H. R. 7842) directing that the bodies of soldiers, sailors, and marines that have fallen in battle or died in foreign service be returned to the United States within one year for interment, and appropriating funds for this purpose; to the Committee on Appropriations.

Also, a bill (H. R. 7843) authorizing and directing the acquisition by the Secretary of War and the Secretary of the Navy of a tract of land in each State and Territory of the United States for burial grounds, wherein the bodies of deceased soldiers, sailors, and marines who took part in the war with Germany may be interred, and appropriating funds for that purpose, and for other purposes; to the Committee on Appropriations.

By Mr. MORIN: A bill (H. R. 7844) granting one year's pay to all members of the military and naval forces of the United States who served during the present war; to the Committee on Military Affairs.

By Mr. EMERSON: Joint resolution (H. J. Res. 160) to investigate the race riots in the city of Washington and elsewhere; to the Committee on Appropriations.

By Mr. RAMSEYER: Resolution (H. Res. 200) to direct the Postmaster General to make report on aerial mail service; to the Committee on the Post Office and Post Roads.

By Mr. THOMPSON of Ohio: Resolution (H. Res. 201) authorizing the Secretary of Commerce to report to the House of

Representatives regarding the cost of the transportation of coal by canal and other navigable waters within continental United States as compared with railway rates, together with recommendations; to the Committee on Railways and Canals.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARBOUR: A bill (H. R. 7845) granting a pension to John M. Williams; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 7846) granting an increase of pension to Davis M. Shepard; to the Committee on Invalid Pensions.

By Mr. BURROUGHS: A bill (H. R. 7847) granting a pension to Augusta A. Brown; to the Committee on Invalid Pensions.

By Mr. BROOKS of Illinois: A bill (H. R. 7848) granting a pension to William Seybold; to the Committee on Invalid Pensions.

By Mr. COPLEY: A bill (H. R. 7849) granting an increase of pension to Theodore R. Brent; to the Committee on Invalid Pensions.

By Mr. DENISON: A bill (H. R. 7850) granting an increase of pension to Samuel B. Baker; to the Committee on Invalid Pensions.

By Mr. FERRIS: A bill (H. R. 7851) granting an increase of pension to Otis O. Milliken; to the Committee on Invalid Pensions.

By Mr. GOULD: A bill (H. R. 7852) for the appointment of Lieut. Gordon H. Claude to the permanent Dental Corps of the Navy; to the Committee on Naval Affairs.

By Mr. HAWLEY: A bill (H. R. 7853) granting an increase of pension to Charles A. Bills; to the Committee on Invalid Pensions.

By Mr. HERSEY: A bill (H. R. 7854) granting an increase of pension to Henry W. Gay; to the Committee on Invalid Pensions.

By Mr. IRELAND: A bill (H. R. 7855) granting a pension to Julia S. Dunn; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 7856) granting an increase of pension to William Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7857) granting an increase of pension to Homer Hoover; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 7858) for the relief of William W. Hawley; to the Committee on Military Affairs.

Also, a bill (H. R. 7859) granting an increase of pension to William W. Hawley; to the Committee on Invalid Pensions.

By Mr. MOORES of Indiana: A bill (H. R. 7860) granting an increase of pension to Mary Belle Chitwood; to the Committee on Invalid Pensions.

By Mr. MOTT: A bill (H. R. 7861) to restore Col. Robert H. Peck, of the Regular Army, to the place in the lineal list he would have occupied had he not been separated from the service; to the Committee on Military Affairs.

By Mr. O'CONNOR: A bill (H. R. 7862) granting a pension to Harry Wetmore Miller; to the Committee on Invalid Pensions.

By Mr. QUIN: A bill (H. R. 7863) for the relief of the representative of the estate of Haller Nutt, deceased; to the Committee on War Claims.

By Mr. ROWE: A bill (H. R. 7864) granting a pension to Julia Agnes Held; to the Committee on Invalid Pensions.

By Mr. SEARS: A bill (H. R. 7865) granting an increase of pension to Benjamin F. Hamilton; to the Committee on Pensions.

By Mr. SHREVE: A bill (H. R. 7866) granting a pension to Charles L. C. Sherwin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7867) granting an increase of pension to James M. Peck; to the Committee on Invalid Pensions.

By Mr. STEENERSON: A bill (H. R. 7868) to remove the charge of desertion from the record of William Denham; to the Committee on Military Affairs.

By Mr. STEPHENS of Ohio: A bill (H. R. 7869) granting a pension to Herbert L. Harter; to the Committee on Pensions.

By Mr. SWEET: A bill (H. R. 7870) granting an increase of pension to Asa Wren; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 7871) granting an increase of pension to John C. Carroll; to the Committee on Invalid Pensions.

By Mr. WELTY: A bill (H. R. 7872) granting a pension to Libby Margaret Searing; to the Committee on Invalid Pensions.

By Mr. WHITE of Maine: A bill (H. R. 7873) granting a pension to Walter E. Harris; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the National Women's Trade Union League of America, of Philadelphia, Pa., in convention assembled, calling upon Congress to enact immediately an equitable retirement law for the employees of the United States Government; to the Committee on the Judiciary.

Also, petition of the Washington Board of Trade, by J. Harry Cunningham, secretary, of Washington, D. C., requesting the Senate and House of Representatives to pass an act as will prevent the sale of firearms in the District of Columbia; to the Committee on the Judiciary.

By Mr. DONOVAN: Petition of the Military Order of Loyal Legion of New York, urging that the flagship *Hartford* be always associated with the genius and achievements of the Nation's great admiral, Farragut, and with the valor and devotion of his comrades, in the important naval operations during the war for the preservation of the Union; to the Committee on Naval Affairs.

By Mr. FITZGERALD: Petition of the Metropolitan Water and Sewer Department Local No. 945, of Boston, Mass., in favor of a league of nations; to the Committee on Foreign Affairs.

By Mr. FULLER of Illinois: Petition of Waddell Post No. 120, Department of Michigan, Grand Army of the Republic, favoring the maimed-soldiers' bill, H. R. 2922; to the Committee on Invalid Pensions.

Also, petition of Guy W. Ginders, of Rockford; Free Sewing Machine Co., of Rockford; Jacob Haish Co., of De Kalb; and C. S. Crary Co., of Streater, all in the State of Illinois, opposing passage of the Kenyon and Kendrick resolutions for a national conference on industrial problems; to the Committee on Labor.

Also, petition of Crary W. Wadsworth Post, No. 417, Department of New York, Nunda, N. Y., favoring the Fuller bill for increase of Civil War pensions; to the Committee on Invalid Pensions.

By Mr. KELLY of Pennsylvania: Petition of citizens of Wilmerding, Pa., favoring freedom for Ireland; to the Committee on Foreign Affairs.

By Mr. O'CONNELL: Petition of W. B. Day, Chicago, Ill., favoring House bills 44 and 212; to the Committee on the Judiciary.

By Mr. PELL: Petition of sundry citizens of New York City, urging the repeal of the tax on soda, soft drinks, ice cream, etc.; to the Committee on Ways and Means.

By Mr. RAKER: Petition of the Central Bureau of Extension Table Manufacturers, Chicago, Ill., protesting against the repeal of the zone advances on second-class mail; to the Committee on the Post Office and Post Roads.

Also, petition of the Washington Central Labor Union, Washington, D. C., protesting against the Good amendment to the Nolan minimum-wage bill and indorsing the Nolan bill as reported by the Committee on Labor; to the Committee on Labor.

Also, petition of the Redlands Chamber of Commerce, Redlands, Calif., indorsing House bill 6044 and urging its early enactment; to the Committee on Irrigation of Arid Lands.

Also, petition of the Polish Publishing Co. and Polish Alma Mater, both of Chicago, Ill., protesting against Senate bill 2099; to the Committee on the Judiciary.

By Mr. RANDALL of Wisconsin: Resolutions of the Wisconsin Traffic League, requesting that Congress take immediate steps for the speedy return of the railroads to their private owners; to the Committee on Interstate and Foreign Commerce.

Also, petition of H. C. Leffingwell and 48 other citizens of the city of Whitewater, Wis., for the repeal of the luxury-tax law; to the Committee on Ways and Means.

Also, petition of Frank Alshuler and 34 other citizens of the city of Racine, Wis., for the repeal of the luxury-tax law; to the Committee on Ways and Means.

Also, resolution of the National Association of Supervisors of State Banks, recommending the abolition of the office of Comptroller of the Currency in order that his powers may be exercised by the Federal Reserve Board; to the Committee on Banking and Currency.

By Mr. ROUSE: Petition of sundry citizens of Kentucky, asking for the repeal of the luxury tax; to the Committee on Ways and Means.

By Mr. ROWAN: Petition of John Barrett, of Washington, D. C., requesting that the Pan American Union shall be included in the bill before Congress for the retirement of employees in

the classified civil service, and for other purposes; to the Committee on Reform in the Civil Service.

Also, petition of the Federal Employees' Union, Local No. 65, of the city of Phoenix, Ariz., and the Federal Employees' Union No. 1, of San Francisco, Calif., urging the necessity of your committee reporting to the House the Lehlbach retirement bill; to the Committee on Reform in the Civil Service.

By Mr. SANDERS of New York: Petition of the Association of Merchant Tailors of Rochester, N. Y., urging that skilled mechanics be permitted to enter the United States to enable manufacturers and tradesmen to fill present orders and make contracts which can be executed to meet the requirements of the country and of the world; to the Committee on Immigration and Naturalization.

By Mr. SCHALL: Petition of C. B. Frank, president, and others, of the Young People's Alliance of the Evangelical Association of the State of Minnesota, against repeal prohibiting the sale of alcoholic liquors; to the Committee on the Judiciary.

By Mr. TAYLOR of Tennessee: Petition of W. F. Floyd, of Jellico, Tenn., protesting against the passage of the Kenyon bill (S. 2202) relating to the packing industry; to the Committee on Agriculture.

Also, petition of Southern Extract Co., of Knoxville, Tenn., protesting against the Kenyon bill (S. 2202), and a similar bill introduced by Senator KENDRICK; to the Committee on Agriculture.

By Mr. TEMPLE: Petition of the Lithuanian Alliance of America, of Charleroi and Ambridge, Pa., requesting the United States Senators and Representatives to recognize the complete independence of the Lithuanian republic and its government; to the Committee on Foreign Affairs.

By Mr. YATES: Petition of the Willis Manufacturing Co., of Galesburg, Ill., protesting against House joint resolution 121, concerning conference regarding relations between capital and labor; to the Committee on Labor.

Also, petition of the Elgin Silver Plate Co., Elgin, Ill., protesting against House joint resolution 121, concerning conference regarding relations between capital and labor; to the Committee on Labor.

Also, petition of the W. F. Hall Printing Co., Chicago, Ill., protesting against Senate joint resolution 57, concerning conference regarding relations between capital and labor; to the Committee on Labor.

Also, petitions of Louis M. Thieme, 5850 Western Avenue; B. T. Walsh, 1920 Sheffield Avenue; Charles F. Thoma, 1931 Barry Avenue; and John F. Meisner, 844 Holfram Street, all of Chicago, Ill., protesting against ratification of the league of nations; to the Committee on Foreign Affairs.

Also, petition of the Illinois Electric Porcelain Co., Macomb, Ill., protesting against House joint resolution 121, concerning conference regarding relations between capital and labor; to the Committee on Labor.

Also, petition of the Federal Electric Sign System, Chicago, Ill., protesting against House joint resolution 121, concerning conference regarding relations between capital and labor; to the Committee on Labor.

Also, petition of the Dicks Davis Heller Co., of Chicago Heights, Ill., opposing House joint resolution 121 and Senate joint resolution 57 as they now stand; to the Committee on Labor.

Also, petition of the Sewell-Clapp-Envelopes, of Chicago, Ill., protesting against the repeal of the zone advances; to the Committee on the Post Office and Post Roads.

HOUSE OF REPRESENTATIVES.

SATURDAY, *July 26, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, fit us for the changes wrought by the onward sweep of time, that we may keep pace as individuals and as a people with them. Egotism, selfishness, greed, hate, revenge, must give way to the eternal laws, fixed and unvarying.

Life is now. The future will take care of itself if we measure up to the duties of the present. To be deliberate, cool, self-poised, with high ideals, are the requisites to life and its changes. When the infirmities of age overtake us, help us to grow old gracefully and leave behind us a record worthy of emulation. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

ESTABLISHMENT OF FREE PORTS—CHANGE OF REFERENCE OF BILL H. R. 414.

Mr. FORDNEY. Mr. Speaker, the bill H. R. 414, to provide for the establishment and maintenance of free zones in the ports of the United States, and for other purposes, has been referred to the Committee on Interstate and Foreign Commerce. The Committee on Ways and Means believe this bill to be a revenue measure, and have instructed me to move that the bill be rereferred to the Committee on Ways and Means.

The SPEAKER. The gentleman from Michigan moves that the reference of the bill 414 be changed from the Committee on Interstate and Foreign Commerce to the Committee on Ways and Means.

Mr. ESCH. Mr. Speaker, that bill was referred to the Committee on Interstate and Foreign Commerce, and that committee has appointed a subcommittee for its consideration. I feel that the principal part of the bill deals with interstate commerce, and the only jurisdiction of the Committee on Ways and Means would be to protect customs. The purpose of the bill is to develop interstate commerce. I believe that the bill has been rightfully referred.

Mr. FORDNEY. Mr. Speaker, all revenue bills should go to the Committee on Ways and Means. There is no question but that this bill affects the revenues, and it seems to me there can be no excuse for referring it to any other committee of the House. Under existing law raw materials imported pay a certain duty, according to the tariff laws. Then, when converted into a finished product, there is a drawback of 99 per cent of the duty paid. This bill would create ports and zones about the ports where importations can be brought into the country, manufactured, and then sent abroad without the payment of any duty. It is a bill that requires very careful thought and certainly affects the revenues of the Government.

Mr. KITCHIN. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. KITCHIN. Have not all such bills heretofore been referred to the Committee on Ways and Means?

Mr. FORDNEY. So far as I know, all such bills have gone to the Committee on Ways and Means. Whether they did or not, they should have gone there under the Constitution.

Mr. KITCHIN. I would say that they have.

Mr. GARNER. This is undoubtedly a revenue bill.

Mr. FORDNEY. No other committee is authorized to deal with revenue measures except the Committee on Ways and Means in the House of Representatives.

Mr. MOORE of Pennsylvania. These same bills were before the Committee on Ways and Means at the last session of Congress, were they not?

Mr. FORDNEY. They were, or similar bills were, providing for free ports, and they have always been referred to that committee.

Mr. SANDERS of Louisiana. What is the request of the gentleman?

Mr. FORDNEY. The request is that the bill H. R. 414, now referred to the Committee on Interstate and Foreign Commerce, be rereferred to the Committee on Ways and Means.

Mr. SANDERS of Louisiana. This is not a revenue measure at all, if the gentleman will pardon me.

Mr. FORDNEY. What is it, if it is not? Does it not affect the revenues of the Government, because all such imports now pay a duty? When converted to a finished product for export there is a rebate on that duty of 99 per cent. If that is not a revenue measure, then I do not know what a revenue measure is.

Mr. SANDERS of Louisiana. It is not a revenue measure at all, because it relates to imports that would come into the country that are not coming here now.

Mr. FORDNEY. It is a change of existing law. It will permit certain articles to come in which are now dutiable, and therefore it must affect the revenue laws of the Government if this bill becomes a law as it is written.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. SANDERS of Louisiana. Yes.

Mr. MOORE of Pennsylvania. Is it not a fact that the free-port system would provide that if goods were taken out of the stockade they would have to pay the ordinary customs duties?

Mr. SANDERS of Louisiana. Why, of course. The bill provides that goods are brought into a free zone and that they can not be used for consumption. They can not be used in the ordinary affairs of the country at all, and as soon as they pass out of that zone they pay the same duty as any other goods pay.

Mr. MOORE of Pennsylvania. And while in the zone they must be subject to the supervising of the customs officials?

Mr. SANDERS of Louisiana. Absolutely.

Mr. MOORE of Pennsylvania. And if they move from the zone for sale in the United States they must pay the duties prescribed by the revenue laws?

Mr. SANDERS of Louisiana. Absolutely.

Mr. MOORE of Pennsylvania. So it is clearly a revenue measure coming under the ordinary revenue system?

Mr. SANDERS of Louisiana. It is clearly not a revenue measure. It does not take one dollar of revenue out of the Treasury or put one dollar of revenue into the Treasury.

Mr. MOORE of Pennsylvania. It will if one dollar's worth gets outside of the stockade.

Mr. FORDNEY. But some of these goods now pay a duty that you propose to bring into the free zone.

Mr. SANDERS of Louisiana. No; it does not. It does not propose to bring anything into the country free of duty.

Mr. FORDNEY. Sugar now pays a duty of a cent a pound from Cuba and a cent and a quarter coming from other duty-paying countries?

Mr. SANDERS of Louisiana. Yes.

Mr. FORDNEY. That is raw material, sir; and when converted into refined sugar and exported there is a drawback of 99 per cent of all duty paid; and the gentleman proposes to change that law. That is a revenue measure. I would like to see how you get around it.

Mr. SANDERS of Louisiana. I do not propose to change the law.

Mr. MONDELL. Will the gentleman yield?

Mr. FORDNEY. I will.

Mr. MONDELL. Does the gentleman intend to make a motion for a change of reference?

Mr. FORDNEY. Yes, sir.

Mr. MONDELL. The question is not debatable.

The SPEAKER. This is all by unanimous consent, of course.

Mr. FORDNEY. I move, Mr. Speaker, that the bill H. R. 414, now before the Committee on Interstate and Foreign Commerce, be rereferred to the Committee on Ways and Means.

The SPEAKER. The gentleman from Michigan [Mr. FORDNEY] moves that the bill H. R. 414, now referred to the Committee on Interstate and Foreign Commerce, be rereferred to the Committee on Ways and Means.

Mr. SANDERS of Louisiana. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. SANDERS of Louisiana. Could I make a statement of about 30 seconds with regard to this matter?

The SPEAKER. The gentleman from Louisiana asks unanimous consent to speak for 30 seconds. Is there objection? [After a pause.] The Chair hears none.

Mr. SANDERS of Louisiana. Mr. Speaker, this bill is now before the Committee on Interstate and Foreign Commerce. That committee has taken the matter up, it has been referred to a subcommittee, and the subcommittee has been working upon it. In addition to that I want to say, with all due deference to the gentleman from Michigan, that the statement he makes that this is a revenue measure does not of itself make it a revenue measure.

The SPEAKER. The question is on the motion offered by the gentleman from Michigan.

The question was taken, and the Speaker announced the ayes appeared to have it.

On a division (demanded by Mr. ESCH) there were—ayes 54, noes 33.

So the motion was agreed to.

ORDER OF BUSINESS.

Mr. LITTLE. Mr. Speaker, I call up the unfinished business.

The SPEAKER. The unfinished business before the House is the bill (H. R. 2452) for the relief of Charles A. Carey, on which the previous question was ordered and the bill had reached the point where the reading of the engrossed copy of the bill was demanded. The bill will be read a third time.

The bill was read the third time and passed.

On motion of Mr. LITTLE and Mr. ROGERS, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER. Also the unfinished business is the bill (H. R. 687) for the relief of Frank Pinkley. That bill had reached the stage of passage. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. LITTLE, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House proceed to the consideration of bills on the Unanimous Consent Calendar and at the conclusion of the consideration of bills on that calendar the following gentlemen may be given leave to address the House: Mr. FORDNEY of Michigan for one hour, Mr. SANDERS of Louisiana for 30 minutes, Mr. DENISON of Illinois for one hour, and Mr. HUDSPETH of Texas for 30 minutes.

The SPEAKER. Is there objection to the request made by the gentleman from Wyoming?

Mr. MANN. Mr. Speaker, reserving the right to object——

Mr. MONDELL. And at the expiration of the period provided for that the House will then adjourn.

The SPEAKER. That is not necessary.

Mr. FERRIS. Mr. Speaker, reserving the right to object——

Mr. MONDELL. I yield.

Mr. FERRIS. Will the gentleman have any objection to adding to it 30 minutes for the gentleman from Mississippi [Mr. JOHNSON]?

Mr. MONDELL. I have not, with the understanding that these requests are for to-day only, and that if the gentlemen are not able to speak to-day that the permission shall not be for another day.

Mr. FERRIS. Let me inquire as to how long you intend to run the Unanimous Consent Calendar to-day?

Mr. MONDELL. I do not think the Unanimous Consent Calendar will take a very great length of time. They are mostly bridge bills.

Mr. FERRIS. Is it the gentleman's thought that they can all get in to-day?

Mr. MONDELL. I think they can.

Mr. BLANTON. Mr. Speaker, would the gentleman from Montana object to increasing the time allotted to the gentleman from Texas [Mr. HUDSPETH] from 30 minutes to 1 hour? I would like to state that the gentleman is to discuss the situation on the Mexican border. He was born and raised on the border, and he knows more about the Mexican situation than any other man I know of in the House, and I am sure every man in the House would like to hear from him. You can not discuss that question in 30 minutes.

Mr. MONDELL. The time I requested in behalf of the gentleman from Texas [Mr. HUDSPETH] was the time I understood he desired.

Mr. BLANTON. Would the gentleman increase that to one hour?

Mr. MONDELL. I would like to hear from the gentleman from Texas [Mr. HUDSPETH].

Mr. HUDSPETH. I will say that I think I can complete my remarks in 30 minutes; in 40 minutes at the outside.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming [Mr. MONDELL]?

There was no objection.

UNANIMOUS CONSENT CALENDAR.

The SPEAKER. The Clerk will report the first bill on the Unanimous Consent Calendar.

LOAN OF MACHINE TOOLS, ETC., TO SCHOOLS AND UNIVERSITIES.

The first business in order on the Calendar for Unanimous Consent was the bill (H. R. 3143) to provide for further educational facilities by requiring the War Department to loan certain machine tools and scientific instruments not in use for Government purposes to trade and technical schools and universities, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, I object.

BRIDGE ACROSS NEWARK BAY, N. J.

The SPEAKER. The Clerk will report the next bill.

The next business in order on the Calendar for Unanimous Consent was the bill (S. 1378) to authorize the Central Railroad Co. of New Jersey to construct a bridge across the navigable waters of Newark Bay, in the State of New Jersey.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That authority be, and is hereby, granted to the Central Railroad Co. of New Jersey, a corporation organized and existing under the laws of the State of New Jersey, its successors and assigns, to construct, maintain, and operate a bridge, and approaches thereto, across the Newark Bay, in the State of New Jersey, at a point suitable to the interests of navigation between the city of Elizabeth, in the county of Union, and the city of Bayonne, in the county of Hudson, in said State, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. ESCH, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS RAINY RIVER, MINN., TO PROVINCE OF ONTARIO.

The SPEAKER. The Clerk will report the next bill.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 5648) for the construction of a bridge across the Rainy River between Spooner, Minn., and Rainy River, Province of Ontario, Canada.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none, and the Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby given to the construction, maintenance, and operation by the State of Minnesota and the Dominion of Canada, jointly, of a bridge to be erected across the Rainy River, at a point suitable to the interests of navigation, between Spooner, Minn., and Rainy River, Province of Ontario, Canada, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906: *Provided*, That the construction of said bridge shall not be commenced until the consent of the proper authorities of the Dominion of Canada for the erection of the structure shall have been obtained.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. WALSH. Mr. Speaker, I move to strike out the last word. I desire to ask the attention of the gentleman having this measure in charge to the language in lines 3 and 4 of the bill. It does not seem to conform to the general language used in these measures. It reads:

That the consent of Congress is hereby given to the construction, maintenance, and operation by the State of Minnesota—

And so forth.

The usual phraseology, I think, is: "That the consent of Congress is hereby granted to the parties getting the consent to construct, maintain, and operate," and I desire——

Mr. ESCH. That is true, and I would suggest that the gentleman offer an amendment.

Mr. WALSH. I desire to ask if the preposition "for," in line 3, instead of "to," would not be appropriate, so that it would read:

That the consent of Congress is hereby given for the construction, maintenance, and operation by the State of Minnesota and the Dominion of Canada, jointly, of a bridge—

And so forth.

I move to strike out of line 3 the word "to" and insert the word "for."

The SPEAKER. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 1, line 3, after the word "given," strike out the word "to" and insert in lieu thereof the word "for."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. KNUTSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS MISSISSIPPI RIVER AT MINNEAPOLIS.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 5228) granting the consent of the Congress to the city of Minneapolis, a municipal corporation, to construct, maintain, and operate a bridge across the Mississippi River.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of the Congress is hereby granted to the city of Minneapolis, a municipal corporation of the State of Minnesota, and its successors, to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near the intersection of Franklin Avenue, in said city of Minneapolis, with the said Mississippi River, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on ordering the bill to be engrossed and read a third time.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. ESCH, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS SAVANNAH RIVER, AUGUSTA, GA.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 6438) authorizing the counties of Aiken, S. C., and Richmond, Ga., to construct a bridge across the Savannah River at or near Augusta, Ga.

The SPEAKER. Is there objection to the immediate consideration of the bill? [After a pause.] The Chair hears none, and the Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the counties of Aiken, S. C., and Richmond, Ga., be and are hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Savannah River at a point suitable to the interests of navigation at or near Augusta, Ga., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SIMS, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS FLINT RIVER, GA.

The SPEAKER. The Clerk will report the next bill.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6805) to authorize the county of Dougherty, State of Georgia, to construct a bridge across the Flint River, connecting Broad Street, in the city of Albany, said State and county, with the Isabella Road, said county and State.

The title of the bill was read.

The SPEAKER. Is there objection to the immediate consideration of the bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the county of Dougherty, State of Georgia, be, and it is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Flint River, connecting Broad Street, in the city of Albany, said county and State, with the Isabella Road, said county and State, the same to be located where present bridge now is (if the engineers decide best), a few feet south of the present bridge.

With committee amendments, as follows:

In line 5, page 1, after the word "River," insert the following words: "at a point suitable to the interests of navigation."

In lines 5 and 6, strike out the word "connecting" and insert the words "to connect."

In line 9, strike out the words "the same to be located where" and insert the words "and at or near the site of."

In lines 1 and 2, page 2, strike out the words "now is (if the engineers decide best), a few feet south of the present bridge" and insert "in accordance with the provisions of the act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906."

Add a new section to read:

"SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved."

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER. The question is on agreeing to the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. ESCH, a motion to reconsider the vote whereby the bill was passed was laid on the table.

BRIDGE ACROSS THE PEND OREILLE RIVER, WASH.

The SPEAKER. The Clerk will report the next one.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6342) to authorize the construction of a bridge across the Pend Oreille River at the town of Usk, in the State of Washington.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That Pend Oreille County, State of Washington, its successors and assigns, be, and it is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Pend Oreille River at a point suitable to the interests of navigation at the

town of Usk, in said county and State, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. WEBSTER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

BRIDGE ACROSS RED RIVER, TEX.

The SPEAKER. The Clerk will report the next bill.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6434) authorizing the construction of a bridge and approaches thereto across Red River about 2 miles above its confluence with the Washita River, near Preston, Grayson County, Tex.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman if this is to be a toll bridge?

Mr. RAYBURN. I so understand.

Mr. WALSH. And is it to take the place of an existing structure?

Mr. RAYBURN. No. There is nothing there now.

Mr. WALSH. It is to connect with a public highway?

Mr. RAYBURN. Yes.

Mr. WALSH. I was under the impression that Congress was seeking to discourage the further authorization of toll bridges throughout the country. I wondered what particular necessity there was that warranted the reporting of this measure.

Mr. RAYBURN. On that part of the Red River there is no connection between Texas and Oklahoma—densely populated sections of each State—and a bridge certainly is very much needed there to open up communication between Texas and Oklahoma.

Mr. WALSH. Yes. There ought to be intercommunication between the two States, but why should there be a fee imposed on the use of the bridge?

Mr. RAYBURN. I really am not informed on that point, whether or not this is to be a toll bridge. I know that $100,000 has been raised by the people there for the construction of a bridge at that point. Just exactly what kind of a bridge it is to be I do not know; but I presume there will be some way by which the men can get back the interest on the money they have invested in it.

Mr. WALSH. I do not know why we should be more interested in a bridge company getting back the money it has invested in a bridge than the counties and municipalities getting back what they have invested. If this is a highway bridge connecting highways in Texas and Oklahoma, I do not think that that ought to enter into the consideration of the matter. If there is necessity for it, it seems to me they ought to arrange between the two States for the construction of a public highway bridge, just the same as we have done in one or two measures that have been passed. Is this bridge in the gentleman's district?

Mr. RAYBURN. Yes.

Mr. WALSH. On the fringe of the gentleman's district?

Mr. RAYBURN. It is at one end of it.

Mr. WALSH. This is a boundary stream dividing the two States?

Mr. RAYBURN. Yes; the Red River.

Mr. WALSH. Are there any other toll bridges in that locality?

Mr. RAYBURN. There are some bridges east of Denison.

Mr. PARRISH. Mr. Speaker, if I may I think I can answer. There are a number of toll bridges above, between Oklahoma and Texas. That is about the only way they can get bridges built; that is, by erecting toll bridges.

Mr. WALSH. Why is that? I should think, in view of the tremendous boom in oil and other products in that section of the country, that those counties and municipalities would be able to construct their own bridges and not let public highways run on to a bridge and require the travel to pay.

Mr. RAYBURN. There is not any oil boom in this immediate neighborhood yet.

Mr. WALSH. I am not inclined to let this measure go through by unanimous consent.

Mr. CONNALLY. Does not the gentleman think it would be better to have a toll bridge than no bridge?

Mr. WALSH. That depends. There is no evidence of suffering so far on the part of Texas and Oklahoma, and if there had been fewer bridges between Texas and Mexico there would be less suffering on the border now.

Mr. RAYBURN. What the gentleman says is not the fact with respect to those parts of Texas and Oklahoma that are concerned in this matter. That country is fast developing, but there is no railroad there at all.

Mr. WALSH. There has not been suffering enough to impel the counties and municipalities to undertake the construction of this bridge to which they are asking the consent of Congress. I am not inclined to consent to the passage of this bill by unanimous consent.

Mr. DENISON. This is for the construction of a bridge across the Red River, and the Red River is so very broad and deep that no county could raise public funds to build a bridge across it between two States. It has got to be done either by the State or by private individuals. Of course, it is difficult to get the State to do it, and the people may need this bridge.

Mr. WALSH. How broad is the Red River at this point?

Mr. RAYBURN. At least a mile.

Mr. WALSH. Has the gentleman crossed the river there?

Mr. RAYBURN. No; but I have crossed it at several other places. I know it is a very broad river.

Mr. PARRISH. It is nearly a mile across at that point.

Mr. WALSH. Because of the fact that the Red River is very broad at this particular point, and that it will probably cause a great deal of suffering to impose the expense on the counties, I will not object [applause]; but I want to say that you had a narrow escape, anyhow. [Laughter.]

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read as follows.

Be it enacted, etc., That the Preston Bridge Co., a corporation, be, and it is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across Red River at a point on the south bank of said river immediately north of Preston, in Grayson County, Tex., to a point immediately north of said beginning and located in Marshall County, Okla., and such point being about 2 miles west of the confluence of Red River with the Washita River near Preston, Tex., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby reserved.

With the following committee amendments:

In line 6, page 1, insert "suitable to the interests of navigation."

Page 2, line 6, insert the word "expressly."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. ESCH, a motion to reconsider the vote by which the bill was passed was laid on the table.

WAR RISK INSURANCE.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6450) to amend an act entitled "An act to amend an act entitled 'An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department, approved September 2, 1914,' as amended."

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Reserving the right to object, is the gentleman from Wisconsin [Mr. ESCH] in charge of the bill?

Mr. ESCH. I was not on the subcommittee that had it under consideration. The gentleman from Texas [Mr. RAYBURN] was on that subcommittee, and the gentleman from Iowa [Mr. SWEET], chairman of the subcommittee, wrote the report. The gentleman from Iowa [Mr. SWEET] is unavoidably absent today, but he is very anxious to have the bill passed.

Mr. GARD. I notice from the report on the bill that it seems to apply to only one case. I am not opposing the purpose of the bill in extending the privileges of the War Risk Insurance to the one man who was so badly injured whom the bill provides for; but if there is only one case, as the report shows, according to information received from officials of the War Risk Insurance, that being the case of Henry A. Bitter, of Dubuque, Iowa, I was wondering whether instead of being a general bill this is not more properly a bill for special and particular relief—a private-claims bill.

Mr. RAYBURN. No; that is what the committee are trying to get away from. We are trying to make this bill broad enough and liberal enough in its general terms to cover every case that we think ought to be covered, and prevent thereby an influx of special bills. The War Department, the Navy Department, and the Bureau of War Risk Insurance know of only one case of this kind that happened during the war.

Mr. WALSH. Will the gentleman from Ohio yield?

Mr. GARD. Surely.

Mr. WALSH. Is it not a fact that while the War Risk Insurance Bureau are not definitely advised, they believe there are two or three other cases such as this on the other side, who have not been brought to this country?

Mr. SANDERS of Louisiana. Yes; that is true.

Mr. RAYBURN. They testified that this is the only case they knew definitely about, although there might be a few more.

Mr. GARD. Further reserving the right to object, I should like to know whether this bill has the approval of the War Department, of the Navy Department, and of the Bureau of War Risk Insurance? I do not want to object to the bill, and will not; but it seems to me on the showing made in this report that it is essentially a bill for a private claim in a particular case, that of this unfortunate citizen of Iowa whom every Member of this House would, I am sure, wish to afford the utmost relief possible.

Mr. RAYBURN. Oh, no.

Mr. SANDERS of Louisiana. On the contrary.

Mr. ESCH. The Bureau of War Risk Insurance approved the measure.

Mr. GARD. There is nothing in the report to show any approval by the War Risk Insurance Bureau, so far as I can see. The report is merely a statement that this applies to one case, and consists of a statement by Mr. Bitter, a resident of Dubuque, Iowa, in which he recites the particulars of his injury. I believe we ought to afford every possible relief to any person injured as this man has been injured, but I do not want to go so far as to pass a general bill under unanimous consent and with no report made on the general proposition, but only on this one particular case, which, by the way, seems of unquestioned merit.

Mr. SANDERS of Louisiana. Suppose there are two?

Mr. RAYBURN. Mr. Bitter came here all the way from his home and appeared before the committee. Whether or not the Bureau of War Risk Insurance, the War Department, or the Navy Department had indorsed the provisions of this bill, to cover this case and those of any other men in the same situation, the committee certainly would have reported this bill favorably, seeing this man and knowing the helpless condition in which he finds himself. We would have done that even though the others had not indorsed it. This man has a double total disability. He is totally blind and both of his hands are gone. He has been through the Walter Reed Hospital. He has been at the hospitals for the rehabilitation of men all over the United States, and they say there is not one thing that they can do for him whereby he can ever be able to do anything for himself. He is in such a condition that he must have the constant attendance of an able-bodied attendant, because there is not one thing that he can do. If he had lost two eyes and two feet he would have been in a better shape. If he had lost two feet and one arm and both eyes he would have been in better shape than he is, because he could have felt with his remaining hand and have done something; but to a man in this shape artificial hands are of no use, because he can not see to use them. We have made the law broad enough to cover every case that may arise where there is a double total disability.

Mr. CRISP. Will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. CRISP. I would like to ask if the committee has given any consideration to this phase of it, where a soldier has lost one leg and one arm on opposite sides. I ask that question because I happened to meet in Washington a young man from Idaho who had lost one leg close to the body and, on the opposite side, an arm off at the shoulder. He tells me that he only gets under the act $30 a month, whereas if he had both arms off or both legs off he would receive a much larger compensation. This young man is practically helpless.

Mr. RAYBURN. A man with the right arm off and the right leg off is in worse shape than the man who has a leg off on the right side and the left arm off. The committee has completed hearings and is in the course of reporting a bill to liberalize all these matters.

Mr. CRISP. This young man is from Idaho, and I only have the same interest in him that I would have in any other one of our maimed heroes, but I certainly think he is entitled to more compensation than $30 a month when he has lost one arm and one leg in the defense of his country.

Mr. RAYBURN. I introduced a bill some time ago, and it will be incorporated in the omnibus bill, which will take care of such cases.

Mr. ROGERS. Will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. ROGERS. I should like to ask whether the omnibus bill which the gentleman has introduced, and upon which the Committee on Interstate and Foreign Commerce has had hearings, is broad enough to care for the particular case contemplated in this bill.

Mr. RAYBURN. No; it does not cover this.

Mr. ROGERS. May there not be additional cases beyond this single case?

Mr. RAYBURN. We are passing a general act, so that if cases develop in the same situation they will be taken care of.

Mr. ROGERS. I understand; but my inquiry is whether there might not later on injuries develop in other cases, besides the case of Bitter, which would come within the terms of the bill now before the House. I realize that the language of the bill is general. My query is whether there might not later on be other cases which would be cared for by this bill.

Mr. RAYBURN. If they are injured in this way they will be taken care of.

Mr. ROGERS. Does the gentleman know whether it is certain that there are not other cases coming within this law?

Mr. RAYBURN. I am not certain.

Mr. DUPRÉ. All the more reason why the bill should be general and not specific.

Mr. ROGERS. Precisely; and my query was whether it would not be well for the gentleman to include in his omnibus bill a provision covering this particular class of cases. It may be well to pass this bill now and get it through the Senate, if possible; but it seems to me that the fewer laws amending the war-risk law the better.

Mr. RAYBURN. The only reason for reporting this bill and not putting it into the omnibus bill is that this case seems to be so bad and so urgent that we thought it would be easier to get this bill through than an omnibus bill with this as a part of it.

Mr. ROGERS. Another question along the line of the question of the gentleman from Georgia. My understanding is that the proposal of the gentleman from Texas which he carries in his omnibus bill is that in the case of temporary total disability, from whatever cause, the rate of compensation shall be $65 a month, and in case of a permanent total disability the rate shall be $100 a month.

Mr. RAYBURN. That is it; and if the disability is of that character that a nurse or attendant is needed $20 a month additional.

Mr. ROGERS. Something of the kind should certainly be done at once.

Mr. SAUNDERS of Virginia. Will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. SAUNDERS of Virginia. I happened to be called out of the House when this bill was called up. Is this a special-relief bill?

Mr. RAYBURN. No; it is an amendment to the act.

Mr. SAUNDERS of Virginia. What is the substance of the bill?

Mr. RAYBURN. It provides in the law that was passed that a man losing both hands, both feet, or both eyes shall be considered totally disabled and shall be granted a compensation of $100 a month. In this case we provide that a man who has lost both eyes and both hands, or both eyes and both feet, or both feet and both hands, shall be considered doubly totally disabled and compensated at the rate of $200 a month.

Mr. SAUNDERS of Virginia. I came in just as the gentleman from Georgia [Mr. CRISP] was speaking, and I happen to know the facts in that case. Would that case be covered by this bill?

Mr. RAYBURN. No; you could not say that that man was doubly totally disabled. The bill we propose to report covers a case like that.

Mr. SAUNDERS of Virginia. Mr. Speaker, I can not see from the gentleman's statement how it could be.

Mr. RAYBURN. But the bill we intend to report from the committee within a week will give more relief to a case like that than is now offered by the law.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Further reserving the right to object, and I do merely for the purpose of permitting the gentleman from Pennsylvania [Mr. DEWALT], if he desires——

The SPEAKER. The Chair would suggest that there can be discussion after the bill is under consideration. Is there objection?

Mr. GARD. Further reserving the right to object, for another question, do I understand from the gentleman from Texas [Mr. RAYBURN], who has charge of the bill in the absence of the gentleman from Iowa, that this general bill does not cover the particular case of Mr. Bitter?

Mr. RAYBURN. Oh, no. I answered the gentleman that this would not cover the case mentioned by the gentleman from Georgia.

Mr. GARD. But it does cover the case of this man from Iowa, Mr. Bitter?

Mr. RAYBURN. Yes.

Mr. SANDERS of Louisiana. And anyone else similarly wounded.

Mr. GARD. I withdraw any objections I have suggested.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. ESCH. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That section 12 of an act entitled "An act to amend an act entitled 'An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department, approved September 2, 1914,' as amended," be, and is hereby, amended as follows:

At the end of subdivision II, section 12, insert: "Except in case of loss of both hands and both eyes, or in case of loss of both feet and both eyes, or in case of loss of both hands and both feet, in which cases there shall be an allowance of $100 per month for a nurse or attendant, the same in addition to the $100 per month allowed in this act for the loss of both feet, or both hands, or both eyes."

Mr. DEWALT. Mr. Speaker, I move to strike out the last word. There seems to be in the minds of the membership of this committee, particularly in the mind of the gentleman from Ohio [Mr. GARD], some question as to the advisability of passing this particular piece of legislation. The gentleman seems to think that this would be in the nature of special legislation, particularly adapted to the emergency of this particular case. It was my duty—not my pleasure, I assure you—to interview the gentleman who is asking for this relief under the provisions of the act. The young man was about 23 years of age when he entered the Army. He was a drug clerk and his earning capacity was about $125 per month. He volunteered; was not drafted. He went into the service across the seas.

After the armistice had been declared, somewhere in Belgium, the American officers ordered what they call an exhibition drill of hand-grenade service, and this soldier was detailed as one of those to take part in that ceremony. Having a hand grenade in his hand and under a smoke barrage, as it is called, in some mysterious way the fuse on this hand grenade was detached and an explosion followed. This was after the armistice was declared. The war was over. This man by that explosion lost both arms and both eyes. He has no means of support whatever except his own earning capacity. His aged mother was before the subcommittee that heard the particulars of the case, but the subcommittee, acting for the general interest, deemed that there should be no special bill introduced for this case, but that in some way we should provide, if possible, a bill which would cover all cases of a similar character. Therefore, calling particular attention to the objection, or suggested objetion, of the gentleman from Ohio——

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. DEWALT. Yes.

Mr. GARD. I have no objection. My only suggestion was that there was only this one case as reported by the bill itself.

Mr. DEWALT. I was about to refer to that. Not styling it as an objection, but as a suggestion, of the gentleman from Ohio [Mr. GARD], permit me to say to the committee that the subcommittee in charge very carefully inquired of the War Department and from other officials who had reason to know the details, and they told us that there might possibly be four or five cases of a similar character, not where there was a loss of two eyes and two hands but where there was a loss of two feet and two hands. Therefore, recognizing the fact that this man is entirely helpless, that he can not even attend to the necessities of the toilet unless he has some one with him, that it is necessary to employ a nurse constantly, and the fact that his mother is aged, without any means of support herself, we deemed it proper, knowing that he could not live on the $100 per month under the provisions of the act as now existing, and the $57.50 that constitutes his insurance, that we call this a double disability and give him, instead of $100 a month, $200 a month and the $57.50 under his compensation.

Mr. ROGERS. Mr. Speaker, will the gentleman yield?

Mr. DEWALT. Yes.

Mr. ROGERS. The House must feel that this is one of the most pathetic cases heard of during the war. There is one sentence from the statement of Mr. Bitter in the report about which I should like to ask the gentleman from Pennsylvania——

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended for two minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. ROGERS. This is the statement to which I refer:

The expenses incurred by me in my efforts to better my condition since the accident have not been borne by the Government.

That seems to me a rather startling and shocking revelation—that the Government should not lend its resources to this man in every possible way to assist his efforts to get what relief he might.

Mr. DEWALT. The statement as made there is not consistent with the facts, although it is partially so. The young man told us that he had gone to Walter Reed Hospital, that he had gone to a hospital in the city of New York, and had been examined by physicians in these respective places, and they told him that he never could recover his sight; that his medical attendance there had been paid for—at least he did not pay for it—that his transportation to and from these places was paid for by vouchers, but that his actual expenses while there, his hotel expenses, he had paid himself out of money obtained from other people, but that he was assured that when he handed in his expense account the Government would reimburse him for that.

Mr. FESS. Will the gentleman yield?

Mr. DEWALT. I will.

Mr. FESS. If the Congress at the time of the framing of this war-risk insurance act had had in mind this double total disability, there is not any doubt but that Congress would have provided for it. Is not that true?

Mr. DEWALT. I think in all charity that would have been done, sir. I do not think there is any doubt about it.

Mr. ESCH. Will the gentleman yield?

Mr. DEWALT. I will.

Mr. ESCH. Rehabilitation can do this man no good?

Mr. DEWALT. Absolutely none. And in furtherance of what the gentleman from Wisconsin has said we asked him as to whether he could help himself at all by the use of artificial arms, and he said that they had provided him with artificial arms and hands, and that he had no sense of touch, and therefore could not make any use of them at all.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. ESCH, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. ESCH. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SWEET], who reported this bill, be permitted to extend his remarks on the bill.

The SPEAKER. Is there objection to the request? [After a pause.] The Chair hears none.

BRIDGE BETWEEN CEDAR POINT AND DAUPHIN ISLAND, ALA.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 5226) further extending the time for the commencement and completion of the bridge or bridges authorized by an act entitled "An act to amend an act to authorize the Dauphin Island Railway & Harbor Co., its successors or assigns, to construct and maintain a bridge or bridges, or viaducts, across the water between the mainland, at or near Cedar Point and Dauphin Island, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay into Dauphin Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Islands," approved June 18, 1912, as extended by an act approved June 30, 1916.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Alabama if he thinks that by extending the time this bridge will be built?

Mr. McDUFFIE. Yes, sir; I do.

Mr. WALSH. Well, it has had two whacks at it and has not absolutely done anything.

Mr. McDUFFIE. I will state to the gentleman that one whack came at a very inopportune time. The war came on and material was high and expensive; furthermore, the Government did not encourage matters of this character, and like many other industries it had to shut down or curtail its proposition.

Mr. WALSH. Why is it necessary to extend the time for beginning the bridge seven years?

Mr. McDUFFIE. Part of this railroad has been constructed.

Mr. WALSH. I know, but the time for completing——

Mr. McDUFFIE. It does not extend it seven years. The gentleman will notice this act simply amends an act to extend

time two and four years after 1916. The time to begin work on the bridge, under the last act, expired September 18 of the year 1918.

Mr. WALSH. No; you further extend it seven years from 1916.

Mr. McDUFFIE. No; I do not think so.

Mr. WALSH. If the gentleman will read the concluding lines, he will see that it has further extended to seven and nine years, respectively, from and after the 18th day of September, 1916.

Mr. McDUFFIE. But does that not date back to the original extension, back to the original act? In other words, it carries from 1912 for seven years and nine years, respectively.

Mr. WALSH. Oh, no; the gentleman is mistaken there. It carries back to September 18, 1916, and they have got from September 18, 1923, to begin to operate.

Mr. McDUFFIE. No; I think the gentleman is wrong about that.

Mr. WALSH. And they have a year from September 18, 1925, to complete the bridge.

Mr. McDUFFIE. No; I think the gentleman is mistaken about that.

Mr. WALSH. I will ask the gentleman to construe this language, "It is hereby further extended to seven and nine years, respectively, from and after the 18th day of September, 1916."

Mr. McDUFFIE. Yes, sir. I construe this act to mean that the time of the original act was extended from 1912 two and four years, and the time again extended from 1916.

Mr. WALSH. The gentleman will admit that is not what it says?

Mr. McDUFFIE. I will admit the section does not state it, but I will say to the gentleman that in the event the latter construction is put upon this bill there could be absolutely no objection from anybody to carrying out this proposition.

Mr. WALSH. We might just as well pass a bill here saying they can begin this bridge and complete it at any time within the twentieth century, because if the gentleman's argument is sound there is a bridge that was given consent June 28, 1912, and they did not begin it. Now that was in 1912, that is before the war broke out in Europe——

Mr. McDUFFIE. Yes, sir. However, I will state to the gentleman that they have built several miles of this road, over a marshy country, and they are building up to this main channel and have spent over $50,000 already in the construction of this project.

Mr. WALSH. Will the gentleman have any objection to inserting as section 2 of this act, that the right to amend, alter, or repeal this act is hereby expressly reserved?

Mr. McDUFFIE. Why, certainly I have no objection to it.

Mr. WALSH. Mr. Speaker, in view of the statement I will withdraw the reservation of an objection. I desire to offer an amendment when that stage is reached.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

Mr. McDUFFIE. Mr. Speaker, the Senate has passed this bill——

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the time for the commencement and completion of the bridge or bridges authorized by the act entitled "An act to amend an act to authorize the Dauphin Island Railway & Harbor Co., its successors or assigns, to construct and maintain a bridge or bridges, or viaducts, across the water between the mainland, at or near Cedar Point, and Dauphin Island, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay into Dauphin Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Islands," approved June 18, 1912, as extended by an act approved June 30, 1916, is hereby further extended to seven and nine years, respectively, from and after the 18th day of September, 1916.

Mr. McDUFFIE. Mr. Speaker, the bill S. 1361, which is now in the Committee on Interstate and Foreign Commerce, contains the identical language of this bill, and in order to expedite matters I ask that it be substituted instead of the bill H. R. 5226——

Mr. WALSH. The Senate bill has not been reported.

Mr. McDUFFIE. No.

Mr. WALSH. You can not do that.

Mr. McDUFFIE. I ask unanimous consent that the Committee on Interstate and Foreign Commerce be discharged from the further consideration of the bill S. 1361 and that it be substituted in lieu of this bill.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the Committee on Interstate and Foreign Commerce be discharged from the further consideration of the bill S. 1361, identical with this bill, and that that bill be considered by the House in lieu of this bill. Is there objection? [After a pause.] The Chair hears none.

Mr. WALSH. Mr. Speaker, I offer an amendment to the Senate bill.

The SPEAKER. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

Mr. WALSH. I move to amend by inserting a new section, as follows:

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The Clerk will report the amendment:

The Clerk read as follows:

At the end of the Senate bill insert a new section, as follows:

"SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved."

Mr. ESCH. We have no objection.

Mr. McDUFFIE. We have no objection to that amendment, Mr. Speaker.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill as amended.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. McDUFFIE, a motion to reconsider the vote by which the bill was passed was laid on the table.

Also, on motion of Mr. McDUFFIE, a House bill of similar tenor was laid on the table.

AMENDMENT TO WAR-RISK INSURANCE ACT.

Mr. ESCH. Mr. Speaker, I move that the bill H. R. 5707, being No. 14 on the Union Calendar and introduced by the gentleman from Iowa [Mr. SWEET], seeking to amend the war-risk insurance act along the line of the bill we have just passed, be stricken from the calendar.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

SUBSCRIPTION OF NATIONAL BANKS TO UNITED WAR WORK.

The next business on the Calendar for Unanimous Consent was House joint resolution 87, authorizing national banks to subscribe to the united war-work campaign.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD and Mr. WALSH objected.

ENCOURAGEMENT OF FOREIGN TRADE.

The SPEAKER. The Clerk will report the next bill.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6806) to amend section 25 of the act of December 23, 1913, known as the Federal reserve act, for the purpose of encouraging foreign trade.

Mr. DALE. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. DALE. I want to say something about the bill previous to this one.

The SPEAKER. That would not be in order.

Mr. DALE. Mr. Speaker, I ask unanimous consent to make a statement in that connection.

Mr. WALSH. For how long?

Mr. DALE. Just a minute.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. DALE. Mr. Speaker, the chairman of the Committee on Banking and Currency is not in the House, and the second man on the committee is not in the House, and I am the ranking man, I think, who is present in the House. I ask that this be passed without prejudice and not be stricken from the calendar at this time.

Mr. DUPRÉ. It can go back to the bottom of the calendar.

The SPEAKER. Is there objection to the bill being passed without prejudice?

Mr. WALSH. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill H. R. 6806?

Mr. GARD and Mr. WALSH objected.

BRIDGE ACROSS WHITE RIVER, FORSYTH, MO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6692) to extend the time for the construction of a bridge across the White River, at or near Forsyth, Mo.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, I would like to ask the gentleman in charge of this measure what is meant by the language "by the Forsyth special road district, of Taney County, Mo."? Is that a municipal corporation?

Mr. HAYS. Mr. Speaker, under the Missouri laws certain townships are permitted to organize themselves into special road districts and with the functions of the ordinary municipal road districts, and when they do so they take over all of the rights of the municipal road districts created by the general law of the State. We have many special road districts in that State, and this particular township, comprising the road district in question, is known as the "Forsyth special road district," and that road district obtained by the original bill the right to bridge White River. But on account of the coming on of the war and the advance in the price of material and the high cost of labor they did not begin the work as early as contemplated, and are now asking leave to extend the time for beginning and completing one and three years.

Mr. WALSH. One and three years?

Mr. HAYS. Yes.

Mr. WALSH. That is some evidence, I take it, that this bridge is to be built.

Mr. HAYS. I understand from my correspondence with the officers of that district that they desire to begin the work at once, but will not agree to undertake it unless the time for completion is extended.

Mr. WALSH. That is usually the case where they only ask for an extension of time for one and three years, and usually not the case where they ask extension from seven to nine years.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, does this bridge connect public roads?

Mr. HAYS. I will say that is my understanding. I have not seen the site of the bridge myself—that is, sufficient to be familiar with it—but it is my understanding from the officers of the road district that it does connect highways on either side of this stream. Heretofore the stream has been fordable and no bridge was necessary, but by reason of the construction of a dam by Government authority it is not now fordable, so I am informed.

Mr. GARD. For what purpose was the dam created?

Mr. HAYS. It was built to create power for an electric plant supplying a number of cities with electric light, and perhaps furnishing the motor power for some street railroads.

Mr. GARD. It is a privately owned plant?

Mr. HAYS. That is my impression.

Mr. GARD. Do they require charges to go back and forth over the bridge?

Mr. KNUTSON. Is it a toll bridge?

Mr. HAYS. It is my opinion that it is not a toll bridge. However, I do not want to commit myself to that statement, because I am not sure about it.

Mr. GARD. Unless the gentleman can advise me that it is not a toll bridge I shall have to object. If it is a free bridge across the river, uniting thoroughfares that are necessary, I shall not object.

Mr. HAYS. Before I can do that I will have to see the original bill.

Mr. DUPRÉ. When the bill authorizing the construction of a bridge between Texas and Oklahoma was under consideration the gentleman was present and did not raise such an objection then.

Mr. GARD. I am seeking information.

Mr. DUPRÉ. The gentleman said if this was to be a toll bridge he was going to object. I do not think he should object in view of the precedent set in the Texas-Oklahoma case.

Mr. GARD. Has the gentleman from Missouri any information about it?

Mr. HAYS. I have sent for the original bill, which this seeks to amend, and it will be here in a short time.

Mr. GARD. Mr. Speaker, I ask that the bill be passed over until the end of the calendar, to give opportunity for getting further information.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the bill be passed over until the end of the calendar. Is there objection?

There was no objection.

TRANSFER OF LAND IN CRISTOBAL, CANAL ZONE.

The SPEAKER. The Clerk will report the next bill.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6222) to remove a certain tract or lots of land in Cristobal, Canal Zone, from the operation and effect of the Executive order of the President of December 5, 1912, pursuant to the act of Congress of August 24, 1912 (37 Stats., ch. 390, p. 565).

The title of the bill was read.

The SPEAKER. Is there objection to the immediate consideration of the bill?

Mr. GARD. Reserving the right to object, Mr. Speaker, I would like to have an explanation by the gentleman from Illinois [Mr. DENISON], the author of the bill.

Mr. DENISON. Mr. Speaker, this is a bill which I introduced by request, to remove a purely technical legal objection to the transfer of certain lots in Cristobal, in the Canal Zone, from the Panama Railroad Co. to the Sojourners' Masonic Lodge.

I will state briefly that in 1912 the Sojourners' Masonic Lodge of Cristobal executed a lease with the Panama Railroad Co. to certain lots in Cristobal for the erection of a Masonic lodge building, and the building was started, but the lodge got into financial difficulties and was unable to complete the building. Afterwards they entered into an agreement with the Panama Railroad Co. by which they surrendered their lease and the Panama Railroad Co. constructed the building for the lodge in accordance with the original plans and specifications. In other words, the Panama Railroad Co. furnished the money and financed it and built the building and entered into a contract with the lodge for the sale of the building to the lodge, to be paid for in five years, and I think the consideration was $130,000.

Now, after the contracts had been entered into it was found that there was a legal obstruction to the transfer, growing out of the Panama Canal act, which authorized the President to take over all lands and lands under water in the Canal Zone that might be considered necessary for the operation, protection, and sanitation of the Canal Zone; and in 1912 President Taft issued his Executive order in pursuance of the Panama Canal act, expropriating all lands unoccupied in the Canal Zone. Of course, the order was not intended to cover lands of this kind, which were in the city of Cristobal, but the order of the President expropriating the lands was general, and constructively transferred the title to this property from the Panama Canal Railroad Co. to the United States Government.

Now, that order of the President is a legal obstruction to the completion of title to this property and the transfer from the Panama Railroad Co. to the Masonic lodge of Cristobal. They have consulted with attorneys, and they claim that the President can not by Executive order straighten out the matter and take this land out from under the provisions of the Executive order of President Taft, and that it will require an act of Congress to do so. I therefore introduced this bill in order to enable them to complete that transaction.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. DENISON. Yes.

Mr. CANNON. Clearly, as I understand it, it is a technical matter that does not amount to anything, because the Government owns the Panama Railroad Co.?

Mr. DENISON. Yes; it is a technical matter. The building and land belong to the Panama Railroad Co., and the Panama Railroad Co. belongs to the Government; but the Government can not transfer land down there without an act of Congress, and by reason of the Executive order the Panama Railroad Co. can not do so. This bill is simply introduced to enable the Panama Railroad Co. to go ahead and complete this contract.

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

Mr. DENISON. Yes.

Mr. BANKHEAD. Has the Department of Justice or the Attorney General made a recommendation in reference to this title?

Mr. DENISON. The question was first submitted to former Representative Sherley, of Kentucky, who took up the matter with the President, and submitted it to the President for an Executive order. The President submitted it to the Secretary of War, and the Secretary of War referred it back to the governor of the Canal Zone; and the governor of the Canal Zone, Gov. Harding, consulted his attorneys and submitted his report to Secretary of War Baker, stating that they had no objection to the transfer except the bare legal one of not having the authority since the Executive order of President Taft was issued. Then Mr. Baker, the Secretary of War, made a report to the President, stating the same thing. These things are all embodied in the report, so that there is no objection on the part of the governor of the Canal Zone nor on the part of the Secretary of War or on the part of the President.

Mr. GARD. Is it the contention of those who have investigated the legal aspects of the matter that it can not be cured by

a rescinding of the Executive order of December 5, 1912, either whole or in part?

Mr. DENISON. Gov. Harding has stated that he has submitted that question to his legal advisers, and that it can not be done in that way.

Mr. GARD. Although the Executive order was made, it is contended that a succeeding Executive can not revoke that order, but relief must come from Congress?

Mr. DENISON. Yes.

Mr. DUPRÉ. Did they first ask for relief in that way?

Mr. DENISON. Yes.

Mr. ROGERS. Mr. Speaker, can the gentleman tell whether the Canal authorities affirmatively stated that they have no objections or did they simply fail to register a protest?

Mr. DENISON. Gov. Harding says, in a letter, as follows:

THE PANAMA CANAL,
Balboa Heights, Canal Zone, May 17, 1919.

Mr. CLINTON G. CARTY,
Chairman Purchase Committee,
Sojourners Lodge, A. F. and A. M., Cristobal, Canal Zone.

SIR: Replying to your letter of the 15th instant, in which you ask me to advise whether or not the local authorities have objection to the transfer of the Masonic Temple Building in Cristobal, Canal Zone, to the Sojourners Lodge, A. F. and A. M., I have to advise you that there is no objection except the legal one of lack of authority, in view of the taking over by the Government of all property within the limits of the Canal Zone by the Executive order of December 5, 1912. I am advised that the requisite authority is obtainable only as a result of congressional legislation.

Respectfully, CHESTER HARDING, *Governor.*

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. DENISON. I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read as follows:

Be it enacted, etc., That the following tract of land situated within the Canal Zone, and more particularly described as lots Nos. 641, 643, 645, and 647, in the town of Cristobal, Canal Zone, the same being bounded on the north by Eleventh Street, on the east by Bolivar Street, on the south by lot No. 649, and on the west by a vacant lot, the said lots or tract of land having an extension from north to south of 120 feet and from east to west of 100 feet, and measuring in superficial area 12,000 square feet, be, and the same is hereby, withdrawn from the operation and effect of the act of Congress approved August 24, 1912, known as the Panama Canal act (37 Stat., chap. 390, p. 565), and the subsequent Executive order of the President, issue pursuant to the said act of Congress under date of December 5, 1912.

Mr. DENISON. Mr. Speaker, I notice a typographical error in line 9, page 2, of the bill, and I move that that line be amended by adding the letter "d" to the word "issue," so that it will read "issued" instead of "issue."

The SPEAKER. The gentleman moves an amendment, which the Clerk will report.

Mr. WALSH. The right way to amend it is to strike out the one word and insert the other.

Mr. DENISON. This is the same thing.

Mr. WALSH. No; it is not.

Mr. DENISON. Then, in order to please my friend from Massachusetts, I move to strike out the word "issue" and insert in lieu thereof the word "issued."

The SPEAKER. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 9, strike out the word "issue" and insert the word "issued."

The SPEAKER. The question is on agreeing to the amendment of the gentleman from Illinois.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. DENISON, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next bill.

Mr. WALSH. The next bill has not been on the Calendar for Unanimous Consent three days.

BRIDGE ACROSS WHITE RIVER, FORSYTH, MO.

The SPEAKER. The next bill in order is Calendar No. 23, which the Clerk will report.

The Clerk read the title of the bill (H. R. 6692) to extend the time for the construction of a bridge across the White River at or near Forsyth, Mo.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Reserving the right to object, has the gentleman from Missouri [Mr. HAYS] received the information that I asked for some time ago?

Mr. HAYS. Mr. Speaker, I have obtained the original bill, passed on April 8, 1918, and having examined it I am able to state to the gentleman that this is not a toll bridge.

Mr. GARD. Can the gentleman state if it is a necessary public improvement in his district, and if this extension is necessary?

Mr. PAIGE. That is the fact, as I am advised by the people having charge of the matter.

Mr. GARD. I have no objection, in view of the gentleman's statement.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by the act of Congress approved April 8, 1918, to be built across the White River at or near Forsyth, Mo., are hereby extended one year and three years, respectively, from the date of approval hereof.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

In lines 5 and 6, after the word "built," insert the words "by the Forsyth special road district of Taney County, Mo."

The SPEAKER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

On motion of Mr. PAIGE, a motion to reconsider the vote by which the bill was passed was laid on the table.

SHIPPING BOARD INVESTIGATION.

The SPEAKER announced as the special committee to investigate the Shipping Board Mr. WALSH, Mr. KELLEY of Michigan, Mr. HADLEY, Mr. FOSTER, Mr. STEELE, and Mr. CONNALLY.

LEAVE TO ADDRESS THE HOUSE.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that at the conclusion of the remarks of the gentleman from Oklahoma this afternoon the gentleman from Ohio [Mr. RICKETTS], one of the most efficient Members of the House, be allowed 30 minutes in which to address the House.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that at the conclusion of the remarks of the gentleman from Oklahoma to-day the gentleman from Ohio [Mr. RICKETTS] have 30 minutes in which to address the House. Is there objection?

There was no objection.

THE RAILROADS.

The SPEAKER. Under the special order of the House, the gentleman from Michigan [Mr. FORDNEY] is recognized for one hour. [Applause.]

Mr. FORDNEY. Mr. Speaker and gentlemen of the House, I would not occupy the attention of the House at this time were it not for the fact that, in my opinion, the matter about which I am to address you is one of very great importance to the people of this country.

While the railroads are under Government control the rate-fixing power is vested in the President of the United States. Through the President orders have been issued, putting into effect freight rates that very greatly discriminate against American industry, American manufacturers, and agricultural products; and I will very largely confine my remarks to that subject.

The Nation has been passing through a period when the demand for nearly every product of the farm and factory has greatly exceeded the supply. A man with nearly anything for sale could sell at a profit. There was comparatively little competition. We are now approching a time when supply may exceed demand. The different nations of the world will compete for markets for their products; they will seek to obtain an advantage for their products over products other nations may have to sell. During the war a number of very important industries came into existence in the United States, and with threatened competition from abroad many of these new industries are now face to face with a crisis. Few men will deny that these new industries are worthy of every encouragement and consideration at this time, but while many propositions are being discussed to foster American industries, and especially the so-called war industries, the administration has pub-

lished an order reducing transcontinental freight rates on import commodities without giving a corresponding reduction in the domestic rates. The new rate became effective May 29. Let me say to the gentlemen of the House that the freight rates affect shipments into all States east of the Rocky Mountains. Eight Western States are not included, and the lowered rates are on all imports from points west of the Pacific coast and from South America and Mexico on goods coming into this country on the Pacific coast and shipped east. To my mind, this is indeed a great injustice to our own producers. Under the new import rate, for instance, porcelain ware can be shipped from San Francisco to New York for $1.50 per hundred pounds. The former rate was $1.87½. The so-called "chemical porcelain" industry in the United States was built up during the war when such porcelain products could not be obtained from abroad. It is a very important industry because it produces an article very essential to other industries in this country. The industry is now beginning to feel the effects of competition from Japan, and the lowering of freight rates on transcontinental shipments of porcelain ware from Japan operates as a hardship on the domestic industry right at a time when the industry needs assistance; and we are discussing means of assisting it. Knowingly, the Railway Administration has played into the hands of the importer. A few days ago I received a letter from the editor of the Journal of Industrial and Engineering Chemistry and following is an extract of what he has to say about chemical porcelain:

At the outbreak of the war all of our laboratories, educational and industrial, were seriously handicapped by the shortage of porcelain ware, due to the blockade, which prevented the customary importations of Royal Berlin porcelain ware. In response to urgent demands, potteries in Ohio and Colorado began this line of manufacture, and have succeeded in developing a fine line of porcelain, which all agree is the equal of anything ever imported from Germany. Our potteries have fully met the situation, both as to quality and quantity needed. At the same time the Japanese have also developed a fine line of porcelain, and our manufacturers are now faced with the necessity of meeting competition from Japan.

Referring to this competition from Japan, the editor adds:

This has become all the more acute now, in view of the recent decision of the Railroad Administration in reducing rates from the Pacific coast on imports.

If adequate protective tariff measures were on our statute books, the lowering of freight rates on imported articles would not be such a serious matter, but coming at this time, from the viewpoint of the domestic producer competing with goods imported from Japan and the Orient in general, it is insult added to injury. During the war great interest was professed in the establishment of domestic "potash industry." This is another "key" industry upon which Germany had a monopoly. It required a war to wake us up. A large sum of money was invested to develop fields of potash salts in America, and I am now advised that generally speaking the domestic potash producers are closed down. Will we forget and again become dependent upon European potash salts? I have a copy of a circular letter, dated May 31, sent out by H. J. Baker & Bros., of New York. They say:

As sole sales agents for the distribution of all Alsatian potash in the United States, we solicit opportunity of figuring with you, either direct or through our branch offices, on your present and future requirements.

I do not know that the recent reduction in import freight rates has any direct bearing on the potash industry, but I call your attention to the potash industry as evidence that predictions of after-the-war competition are becoming realities. We have promised aid to these so-called war industries, and the time is ripe for action. It is our duty to evince our good faith by protecting these industries from ruinous importations before they have been crushed out of existence; and the letter from the New York sales agent is good proof of the alertness of foreign producers.

Not only is this a matter of importance to the manufacturer, but it also concerns the taxpayers of the country who are called upon to pay almost unbelievable sums to make good the losses sustained by the railroads during the time they have been under the control of the Government. Very recently the Director General of Railroads published a statement to the effect that $1,200,000,000 was needed to pay losses sustained by the Government in the operation of the railroads during the year 1918 and the first four months of 1919; and it must be remembered that this $1,200,000,000 is in addition to $500,000,000 already expended by the Railroad Administration and some $800,000,000 paid by the people since June 10, 1918, in increased passenger fares and freight rates. This last item of expense paid by the people the Director General failed to mention.

I have a copy of Interstate Commerce Commission 1057, in which the new freight rates on import articles are published. This shows the list of goods affected by the new rates. The letter "R" before a rate indicates a reduction. It will be noted that there are few rates enumerated where that letter "R" is missing. For the information of Members of Congress and others who desire to know what has been done and the scope of this new order, I ask that it be printed as a part of my remarks.

The section of the act of Congress which gives the President the power to do just what the Director General of Railroads is now doing, by direction of the President, reads as follows:

That during the period of Federal control, whenever in his opinion the public interest requires, the President may initiate rates, fares, charges, classifications, regulations, and practices, by filing the same with the Interstate Commerce Commission, which said rates, fares, charges, classifications, regulations, and practices shall be suspended by the commission pending final determination. Said rates, fares, charges, classifications, regulations, and practices shall be reasonable and just, and shall take effect at such time and upon such notices as he may direct.

And so forth.

I have here a statement showing existing rates on domestic-made goods from the Pacific coast east, and the freight rates on imported articles coming into the Pacific coast, upon which I am going to comment at this point.

First, let me say that I asked the representatives of the Railroad Administration why they lowered the rates on imported goods but did not lower them on domestic goods between the same points over the same route. The reply was that the importers asked it. I then asked, "How about the manufacturers in this country?" I was told that they were not consulted.

The chief reason given by the Railway Administration was that they wished to equalize the rates between the Orient and, say, Chicago, Cincinnati, and Indianapolis, where the shipments were all water to the Pacific coast and then freighted from the Pacific coast to those points, as compared with all water from the Orient through the canal to New York or other Atlantic seaports, and then by rail freight to Chicago, Cincinnati, and Indianapolis. They wished to equalize these rates, and pointed out that the freight rates across the country from the Pacific coast, coupled with water rates across the ocean, were $2 per ton greater than that by all water to the Atlantic coast plus railway freight rates to Chicago, Cincinnati, and Indianapolis.

I call your attention to the fact that ships going through the Panama Canal pay $1.25 or $1.30 toll per ton of the net tonnage of that ship, and I am not sure but the gross tonnage. Therefore the difference in freight rates to the Atlantic coast is $2, and of this amount $1.25 is absorbed by the toll through the Panama Canal, leaving 75 cents per ton more to the ships carrying goods from the Orient to New York through the Panama Canal than the ships would receive from the Orient to San Francisco.

The rate on a cargo of lumber recently shipped from Grays Harbor, Aberdeen, Wash., to Australia was $52 per thousand feet. A thousand feet of lumber weighs about a ton and a half in round numbers. Therefore the freight from Grays Harbor, Aberdeen, Wash., to Australia is, in round numbers, $38 or $39 per ton. The Railroad Administration would have us believe that the Japanese ships would go all the way around the Pacific coast, through the canal to the Atlantic coast, for the saving of 70 cents a ton. It is folly to suppose any such thing.

I will quote a few of the rates issued in the order which I will publish in the RECORD. There are 483 items in this order on which the freight rates are reduced from the Pacific coast east, and here are some of the reductions:

For instance, on coffee, which is not a competitive product and does not injure our domestic institutions, the freight rate is reduced from $2.37½ per hundred pounds to 80 cents per hundred pounds.

Hair, human hair to a large extent, is reduced from $3.31 to $1.87 per hundred pounds.

Eggs, which rate does affect a domestic product, reduced from $4.62½ to $2. In other words, the imported article pays $2 per hundred pounds freight while the domestic pays $4.62½.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. MOORE of Pennsylvania. If that is so, if the freight-rate reductions are permitted by the Railroad Administration, would it not have the effect, so far as the Asiatic trade is concerned, to actually nullify the tariff bars that we might erect to protect us against lower-priced articles?

Mr. FORDNEY. Yes; and I am going to comment on that very point soon.

Further, on flags—and we receive many flags from Japan, although flags are made in this country—the former rate was $9.25 per hundred pounds. It is now reduced to $3.25 a hundred pounds. American-made flags must still pay $9.25 a hundred pounds, a reduction of 66 per cent on foreign-made flags.

The rate on domestic furniture from the Pacific coast is $13.87½ per hundred pounds. The rate on imported furniture is $3, a reduction of 79 per cent.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. FORDNEY. Yes; I yield to the gentleman.

Mr. SMITH of Michigan. Mr. Speaker, will the gentleman explain how American flags, flags not made in America, are imported from Japan?

Mr. FORDNEY. I will say to the gentleman that we have imported many American flags made in Japan, and until a few years ago we imported all flags used in this country. Flags were not made in this country at all until a few years ago.

Mr. HARDY of Texas. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. HARDY of Texas. Is it not rather a technical criticism, when you refer to the reduction of rates on imported flags? Are there any flags made in the Pacific coast States to be shipped to the Atlantic States?

Mr. FORDNEY. Whether there are or not they are made somewhere in the United States, and the rates at all points going east are greater on the domestic goods than on the foreign goods.

Mr. HARDY of Texas. I am speaking simply of flags.

Mr. FORDNEY. I do not know how many are made on the Pacific coast. Whether they are made there or not, it would not tend to encourage an industry in this country if we charge more freight on domestic articles than on those imported.

Mr. HARDY of Texas. Is not the real effect of the reduction in freight rates on imported flags to the East simply to reduce the difference between the highly-taxed importations and those manufactured in the East?

Mr. FORDNEY. I mentioned flags as one of the 483 items on which reductions are made. Then comes furniture. Furniture is made on the Pacific coast, and I have given you the difference, $13.87½ on domestic goods and $3 on imported goods. Is there any reason why these rates should be different from those on domestic articles?

Next, take glassware of every description, except lamp chimneys and the like. The rate is $2.81 on the domestic article and $1.50 on the imported article.

Mr. HARDY of Texas. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes; but I will ask the gentleman not to take any more time than he can help.

Mr. HARDY of Texas. Are not these rates he speaks of rates on articles upon which there is not any competition between the Pacific and Atlantic coasts?

Mr. FORDNEY. Oh, bless your soul, this list covers groceries, provisions of every description, every conceivable thing that can be included within 483 items of imports. I am only reading them as I come to them, and I read but very few of them because my time is limited. I shall print the rates with my remarks. Those that I have referred to are the extremes.

There were imported into this country last year, the calendar year of 1918, 1,000,000,000 pounds of vegetable oil, 710,000,000 pounds of coconut, cottonseed, and soy-bean oil. The soy-bean oil is a great product of this country, as well as is cottonseed oil. California produces more soy beans than all of the rest of the States in the Union. Therefore it is a direct discrimination against the soy bean and the soy-bean oil from the Pacific coast coming east. The freight rates have been lowered from $1.12½ a hundred pounds to 90 cents per hundred pounds. The duty on soy-bean oil is 1 cent a pound. Therefore this reduction is 22½ cents per hundred pounds, which is equivalent to a reduction of the duty on soy-bean oil from 1 cent to 0.77½ cent per pound. This oil comes in competition with cottonseed oil of the South, one of the predominating products of the South. Whether the 22½ cents on a hundred pounds is absorbed by the foreigner or not, here is the situation: If the Japanese and Chinese do reduce their price 22½ cents per hundred pounds, then the consumers of this country receive the benefit, but the manufacturers of cottonseed oil must meet that price, because those oils are competitive oils in the production of several articles of food—butterine, lard, cottoline, and so forth. Therefore if the consumer receives the benefit of that reduction the taxpayer, who is the consumer of the country, must make good the loss to the railroads. On the other hand, suppose the Japanese and the Chinese do not reduce the price of their oil; that, then, does not affect the value of that competitive oil in this country, and the consumer is not benefited, and he must still pay in taxes the loss to the Government-controlled railroad, which loss is very great. Down to the present time it averages about $190,000,000 a month.

Mr. REED of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. REED of West Virginia. Did this condition relative to the difference in freight rates on domestic and imported articles apply or was it in evidence at any time before we had Government control of railroads?

Mr. FORDNEY. The rates were practically the same; on a few articles they were lower on the imported articles than on the domestic products. As a rule, however, they were the same on domestic goods and foreign goods. These reductions were made effective on May 29, 1919.

Mr. REED of West Virginia. Was that due to an Interstate Commerce Commission regulation or to the railroads themselves?

Mr. FORDNEY. I can not tell you.

Mr. HARDY of Texas. Mr. Speaker, will the gentleman permit me to answer the question?

Mr. FORDNEY. Yes.

Mr. HARDY of Texas. I remember a very interesting and able speech by a gentleman, Mr. Kennedy, from Ohio, many years ago, in which he showed that the combined water and rail rates on imported pottery in this country was much less than on domestic pottery. Mr. Kennedy in that speech showed that it was a general practice of the railroads under private control to charge lower rates on imported than on domestic goods.

Mr. FORDNEY. On these articles I am talking about, if the gentleman will not occupy too much of my time, they were equal, but now they are different. Now, I have taken the pains to find out how many ships from the Orient—from Japan and China—entered Atlantic ports since the war—or, in other words, since the beginning of 1914, four and a half years—and I find there were only 77, and they were ships averaging less than 3,500 gross tons, therefore chiefly sailing vessels of small size. So that to equalize rates between the Pacific coast and the Atlantic coast is no real safe or sound argument, because the amount of goods coming into the Atlantic coast from the Orient is so small that it is not necessary to figure them in, only one ship arriving about every four weeks.

Gentlemen, I have a consular report here from an American consul. I will not take up the time of the House to read it all, but I want to call your attention to another matter first. For every 77 cents of increased revenue of the railroads since the Government took control we have spent $1.23. If that is not extravagance, or rather incompetence, I do not know what it is.

Mr. YATES. Will the gentleman repeat that statement?

Mr. FORDNEY. Yes, sir. Since the Government took control of the railoads, for every 77 cents collected in revenue above the former revenues it has spent $1.23 to get it.

Mr. REED of West Virginia. Who spent that?

Mr. FORDNEY. The Government. The operation of the roads has cost $1.23 to gain 77 cents. Now, America's consul, A. A. Williams, on May 26 makes the following report in the commerce report:

The fat shortage in America gave rise to a greater demand than ever for bean oil, which was sent in a steady stream across the Pacific, chiefly to Seattle.

He goes on further on page 9:

The outstanding features of the exports in 1917 was the great business in soya-bean oils done with America. But, on the other hand, the tremendous growth of industry in America is sure to bring about changes that will result advantageously for the crushers here. The increased oil trade was responsible for tremendous activities on the part of the mills in Dairen and brought prosperity where otherwise a stagnant condition would have obtained.

I picked up a Seattle paper of July 13, and on page 27 of the Post-Intelligencer here is an article. I have not the time to read it, but I will insert it in the RECORD here:

SEATTLE TO SHIP 400 CARS OF OIL TO EAST IN JULY—ORIENT STEAMERS TO UNLOAD 3,200,000 GALLONS THIS MONTH—VOLUME INCREASING.

More than 3,000,000 gallons of vegetable oils will have been shipped through Seattle docks on tank cars and sent to eastern factories before the expiration of the present month.

This grand total, estimated Saturday by officials of the Rogers Brown Co., Seattle's largest oil importers, marks the high point of Seattle's oil activity during the present season. The month of June witnessed a great revival of oil shipping; the present month is largely showing an increase in the volume of incoming oils, while the activity will continue over August.

The estimated grand totals of vegetable oils to be shipped from Seattle this month represents 400 tank cars, or 3,200,000 gallons. Included in this quantity is a trainload and a half of peanut oils, which represents one of the largest supplies of peanut oil ever assembled on the local docks.

A remarkable feature of this great quantity of oil received in Seattle from the Orient via Japanese steamers is the fact that practically the entire supply was sold before it was shipped from the Far East to this port. There are practically no oils in storage in Seattle at this time and the 400 oil cars to be shipped out of Seattle in July go direct to consumers in the East, where the product will be manufactured into lard compounds, lubricating oils, soaps, and tanning ingredients.

Seattle is destined to continue its lead as the Nation's foremost oil-importing center. Oil importing is an established industry here and Seattle's close proximity to the Orient is one of the strongest factors of the remarkable development of the industry in this city. Seattle has better facilities for handling oils than San Francisco, New York, Liverpool, or any other port in the world. Another big advantage is the local facilities for storing oil, which allows purchasers to store their product here, if desired, and avoid leakage, which is a dead loss.

Seattle's big oil-importing district, the East Waterway & Warehouse Co.'s wharves, owned and operated by the Rogers Brown Co., represented a scene of record activity last week. An immense quantity of oil was discharged from the *Taiyu Maru*. Other oil-laden steamers will be at the East Waterway berth during this and next month in increasing numbers.

This article goes to show the extraordinary importation of vegetable oils from the Orient at the port of Seattle, 400 carloads a month increase. These oils are coming here very largely because of the reduced freight rates on these goods below the freight rates on domestic goods. I read to you the law that gave to the President of the United States the power to fix rates. No power is given by law in this matter to anybody except that delegated by the President to the Director General of Railroads to lower those rates, and I ask you if to reduce rates on imported articles below the freight rates charged on the domestic article between the same ports is equitable and just to the people of the United States whom the President of the United States is supposed to represent—he is our general manager of railroads. If you were a manufacturer and employed a superintendent to run your cotton or woolen mills or any other industry, and you found out he was discriminating against you and in favor of your competitor, what would you do? Would you raise his wages? No; you would raise him from his seat as superintendent of your property and immediately discharge him; that is what you would do. Yet the President of the United States is the superintendent of the railroads, representing the people of the United States. He has discriminated against his own people in favor of the people of Japan, China, South America, and Mexico. There is no question about it. Did he act in a manner just and equitable in that discriminaton? I can not say that he did.

If a corresponding reduction in domestic freight rates is not contemplated at this time—and surely the railroads need all the revenue they are now receiving—it appears to me that these rates on eastbound imported articles are not fair and just, for many of the articles from the Orient, South America, and Mexico, favored by the new rates, come in direct competition with domestic goods.

To build up German industries and encourage export trade it was the policy of the German Government to favor articles intended for export by granting liberal concessions in freight rates from manufacturing centers to the seaports. Such rates were considerably below those charged on imported articles from the seaports to inland points of consumption. How different this is from the policy that is now being followed by our Government. The administration is favoring the imported article at the expense of our own industries. It convinces me, my friends, that when American industries are placed at the mercy of free traders they stand but little chance of success.

The war served to save our industries from the threatening competition from abroad that the Underwood tariff law invited. Normal times are returning and we must now open our eyes to the fact that increased competition from abroad will have to be faced, and right at this time I wish to register emphatically my disapproval of the recent action of the Railroad Administration in putting into effect new rates which can not help but add to the difficulties confronting a large number of important American industries, as well as the railroads that carry these goods.

To reduce freight rates from the Pacific coast to eastern points on oriental goods coming into this country and not to give a corresponding reduction in freight rates on domestic goods between the same points is a clear and unwarranted discrimination against the American product and must work a hardship upon the American laboring man. In my opinion no discrimination could be practiced that would work a greater or more direct hardship on our people than this very act of the administration.

As a further proof of discrimination—because these imports are the products of oriental labor—I wish to quote here some items of wages paid in Japan for various kinds of employment during the year 1916—a war period, if you will remember, and not a prewar period. These quotations are taken from the American Economist, and will be found on pages 1 and 246 of the issue of that paper of December 13, 1918.

The Economist shows that the total number of factories in operation in 1916 in Japan was 19,299, with 1,095,301 employees, of which number there were 458,632 males and 636,669 females. For every two males employed there are about three females, and the average wage scale for females is about 20 per cent below that of males. There were 240 cotton factories in Japan, with 130,000 employees, and in 1918 300 mills, with 170,000 employees, and the average wage scale is from 9½ cents to 24 cents per day for males and from 12½ to 16 cents for females. Wages in the Government departments are from 26½ to 45 cents per day. Agricultural laborers under contract receive, males, $52 per year; females, $30 per year. The average daily wages for these farm laborers is from 30 to 48 cents.

Japanese tailors receive from 69 to 87 cents per day; confectioners, 48 cents per day; carpenters, 42½ cents per day; stonecutters, 50 cents per day; tile roofers, 51 cents per day; bricklayers, 53½ cents per day; ship carpenters, 35 to 43 cents per day; jewelers, 34½ cents per day; first-class blacksmiths, 37½ cents per day; potters, 34 cents per day; paper makers, 24 cents per day; printers, 28 cents per day.

A laborer in Japan, on a monthly contract, receives the enormous sum of $5.14 if male and $3.17 if female, for a whole month's work.

These are the wages that are paid to laborers in Japan who produce articles that come into this country in competition with like articles made by American laborers, who receive a living scale of wages. Do the gentlemen in Congress believe we can lift up the Japanese to the standard of life and living enjoyed by American laborers, or do we expect to bring down the American standard of laborers to that of the Japanese? There is only one safeguard against a reduction of American wages to a lower level, to the level of the labor competitor across the sea, and that is in a protective tariff. [Applause on the Republican side.]

And these goods from China and Japan, my friends, come in competition with the American goods made at the American scale of wages—a living scale—and they include goods produced by child labor. Our laws now exclude the shipment of goods from one State to another produced by child labor, but our import laws do not discriminate against goods made by child labor in a foreign country when imported. That is an injustice to our manufacturers and our producers.

If the manufacturers and producers of the United States hope to enter the world's markets and capture a large portion of the foreign trade of other nations, competitors of ours, the American scale of wages must drop; there is no escape from it. If the people of the United States, right in our own markets, expect to hold their own against the competition of foreign industry, of cheap labor in Japan and other foreign countries, they must put up the bars let down by our Democratic friends and keep out to a large extent the cheaply made products of the foreign lands. If American labor expects to maintain its present high scale of wages or the wage scale which existed in normal times, the laboring man of this country must do everything in his power to help restore the protective tariff system, which heretofore has proven so beneficial to him; it is his only salvation.

With the low rate of duties existing on foreign imports, with the low scale of wages existing in the oriental countries, and with in addition the cruel, discriminating freight rates put into effect recently on oriental goods coming into the United States on the Pacific coast to be shipped to points east of the Rocky Mountains—a rate from 20 per cent to 60 per cent below that enjoyed by domestic goods—who can say that the American laboring man has been given a fair show by the present administration? Is it not true that no act on the part of the administration is a greater discrimination against American laborers than that which first fixes a low rate of duty on oriental imports, bringing in competition with our products the goods of foreign countries made by such poorly paid laborers, and especially child labor, and then fixes a freight rate on foreign goods so far below the rate charged on domestic goods going between the same points in this country? It would seem that those responsible for these discriminations are working in favor of oriental laborers and against the American laborer, for nearly every article produced in the Orient and exported to the United States is benefited by these lower rates.

Our marine laws are so unfavorable to the maintenance of an American merchant marine operating under an American flag that our merchant marine before the war had been practically driven from the high seas, and the ships flying the American flag engaged in our merchant marine at the present time have been built at three times the normal cost and many times the cost per ton of those built in Japan and Europe. While we have many ships to-day, they are being operated at an enormous cost to the Government, which cost is being paid by the people in taxes. We can not successfully maintain a merchant marine under existing marine laws. This industry must and will fail from a financial standpoint. We have established a merchant marine under the Stars and Stripes, and any attempt to maintain it by Government ownership and operation is the act of an insane man. There must first be radical changes in our shipping laws. The world laughs at us in our attempt to operate a merchant marine under the present laws and at the same time expect any financial success.

While we have but one-seventeenth of the world's population, we boast of having one-fourth of the entire wealth of the world. Will the people of the United States now deliberately throw away our impregnable financial and great industrial strength and substitute financial and industrial weakness?

We are great in our financial strength; we have boundless resources. The world recognizes our ability in every line of industry carried on in the United States. The world knows that our energy and capital have built up 60 per cent of the railroad mileage of the world ,and that we have provided agricultural and manufactured products for their maintenance, and the world knows that our people have billions deposited in the savings banks. The world also knows that luxuries are common with our laboring classes.

To continue this national capacity, to overcome obstacles, and to succeed, wages must be kept up.

The American market in all its phases and conditions belongs to the American people, and no Congress that is really patriotic will attempt to deport American capital, destroy American industry, curtail American production, and reduce American wages just to foster some delusive idea of cheapness, which will never come until unemployment impairs the ability of the people to buy. [Applause on the Republican side.]

No nation in the world gets rich by purchasing abroad. A nation, like an individual, gets rich by selling. Our own people are our best customers. Why not sell to them? Why give our markets to foreigners, while we neglect employment for our own people? [Applause on the Republican side.] But the "low-tariff advocates" can see no prosperity for the country except through foreign trade.

For more than 100 years, without an exception in normal times, with no counteracting influences, customs duties too low to insure American productions have always increased the imports. Under these conditions the balance of trade turns against the country and unemployment becomes general.

All the principal nations of the world except the United States are establishing tariff laws to increase their own industries, and all are expecting the rich American people to buy their products, while we, with the temerity of theorists, invite their competition.

The administration is aiding foreign imports by reducing freight rates from the Pacific coast to eastern points on imported goods, but making no reduction in freight rates on domestic goods between the same points. Not a dollar is being spent by this Government at this time to encourage our industries and American labor, but millions are being spent in an extravagant, unwarranted manner in many directions.

Gentlemen, the increased revenues of the Government on passenger and freight rates, taken from the volume of money collected on freight and passenger fares before the war, is in round numbers identical with the percentage of increased rates. In 1916 the freight collected by the railroads was, in round numbers, $2,400,000,000; in 1917, $2,827,000,000; and in 1918, $3,034,000,000. Therefore I say that the extra freight paid by the American people and the extra passenger fare paid by the people that have traveled since the 14th day of June of last year is a tax upon the people, put it as you may. It is a loss being made up for the mismanagement of the railroads. It has been stated that the freight carried by the railroads during the last 12 months was no greater in volume than the 12 months preceding Government control, and yet there are employed on the railroads 170,000 more men than were employed before the war. There is where our losses are occurring.

I am going to conclude before my hour is up. I want you gentlemen to pay attention to these remarks. I received through the mails the other day a copy of a set of resolutions or declaration of principles adopted by the Republicans of New Jersey in convention, and I think they are worthy of serious consideration. I will quote from those resolutions very largely, as follows:

We have great faith in our American form of government and the principles on which it rests.

Although for 130 years we have maintained this Government—the best government of any country in the world—we have not solved all the difficult problems of the world, nor have we made everybody prosperous and happy, but we have made more progress in that direction than have any other people. Throughout the world, so far, all "isms" have failed—radical socialism, I. W. W.ism, and anarchism must and will fail. We shall resist to the utmost all efforts to change our Republic into an ism form of government.

No man that pulls another down raises anybody up.

Our policies have built a great nation. We are rich in many ways. Twenty millions of our people are purchasers of liberty bonds, with an average of about $1,500 per purchaser.

We have 18,000,000 homes occupied by 21,000,000 families.

We have over 12,000,000 depositors with savings of $7,000,000,000.

We have over 16,000,000 farms yielding annually over $12,000,000,000 worth of agricultural products.

And we have 21,000,000 children attending our schools.

Our schools, churches, parks, playgrounds, hospitals, libraries, and museums are for the use of all classes. This is the kind of socialism preached and practiced by the English-speaking people of the world, of whom we are the predominant part.

This form of government is so popular that since 1620 there has been a growth in the population from about 100 men, women, and children to 107,000,000 and so prosperous that while we have but one-seventeenth of the world's population we boast of having 25 per cent of the world's wealth.

This is a Republic worth saving; and we pledge to it our loyalty, and we will oppose to the extreme autocratic, rabid socialism, I. W. W.ism, Bolshevism, and anarchism We stand for law and order. We will oppose that class that would, for the purpose of securing their demands, destroy human life and property.

We welcome the honest sons of other lands who will cooperate with us, support our institutions, and help to better our civilization; but we insist upon their unqualified loyalty to the land of their adoption and their allegiance to but one country and but one flag, that country America and that flag the Stars and Stripes.

[Applause on the Republican side.]

We favor restrictive laws, without denying free speech, that will forbid incendiary utterances calculated to destroy our Government institutions. We are opposed to bombs, whether thrown by the hand or by the mouth.

Every immigrant should be normal, mentally and physically. Criminals and those whose views are un-American and tend to the destruction of our institutions should be refused admission, and, if already admitted, should be deported.

[Applause on the Republican side.]

Mr. FESS. Will the gentleman yield before he concludes?

Mr. HARDY of Texas. Mr. Speaker, I would like to ask permission to make a little statement.

The SPEAKER pro tempore. The gentleman from Texas asks permission to make a statement.

Mr. HARDY or Texas. I first wish to ask unanimous consent to address the House for five minutes.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing the list of freight rates put into effect May 29 last.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. FESS. Will the gentleman from Michigan yield to a question?

Mr. FORDNEY. I will.

Mr. FESS. I have looked over the disbursements of the Government for this month as reported in the daily report coming from the Treasury, and I find that the disbursements this month are a little over $2,000,000,000, a good portion of which is, of course, for the retirement of some of the short-term certificates. Did the gentleman go into the question of the source of revenue by which we are going to take care of this terrific charge?

Mr. FORDNEY. I did not, but I can in a minute's time tell you the situation. I have in my possession——

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. FORDNEY. I ask unanimous consent, Mr. Speaker, for two minutes more.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to proceed for two minutes more in order to answer a question. Is there objection? [After a pause.] The Chair hears none.

Mr. HARDY of Texas. Mr. Speaker, I would like to have it made five minutes.

Mr. FORDNEY. Thank you. I have in my possession a letter from the Commissioner of Internal Revenue giving, as correctly as he can give it at this time, the estimated amount of revenue under our internal-revenue laws that will be collected this year. It is a fraction below the estimated amount at the time the bill became a law, $4,000,000,000. I have been told from several sources that our expenditures this year will reach nearly $7,000,000,000. Therefore, we must sell bonds, already authorized but not yet disposed of, to make up the difference between the revenues that will be collected this year and the amount of our expenditures. I believe it was intended last year to provide for the sale of Government bonds, Treasury notes, and Treasury certificates to an amount sufficient to make up the difference. To the $4,000,000,000 estimated that this law will yield must be added many miscellaneous taxes, about $170,000,000 of import duties and other miscellaneous revenue, and they will not reach more than $5,000,000,000 as revenue of the Government this year. Therefore we must sell, if the estimates are correct, something like $2,000,000,000 of bonds to make up the expenditures of the Government over and above the taxes that will be collected.

Mr. ANDREWS of Nebraska. Will the gentleman yield for a question?

Mr. FORDNEY. If I have the time.

Mr. ANDREWS of Nebraska. How does the actual cash in the Treasury compare with the volume of outstanding warrants?

Mr. FORDNEY. I can hardly tell the gentleman that, but I will print with my remarks, if the House will give me permis-

sion, a statement furnished by the Secretary of the Treasury as to the amount of outstanding Government obligations on July 1.

Mr. ANDREWS of Nebraska. The statement received to-day, as I recall it, showed that warrants have been issued already in excess of the total cash, of over $900,000,000, and that about one week ago the outstanding warrants exceeded the total cash by $1,120,000,000.

Mr. FORDNEY. I thank the gentleman.

Mr. FESS. Would it embarrass the gentleman if I asked him one question?

Mr. FORDNEY. Not at all.

Mr. FESS. What proportion of the circulation medium to-day would be regarded as fiat?

Mr. FORDNEY. I can hardly tell, but during the war there was about $1,500,000,000 of inflated currency put out through the Federal reserve bank. That is being called in very rapidly, I am told, and destroyed. What portion of that $1,500,000,000 is outstanding at the present time I am unable to say, but I will venture to say that not over $1,000,000,000. The way that was issued was this: Under former laws for every dollar of gold certificates outstanding there were 100 cents of gold coin and gold bullion in the United States Treasury. The Federal reserve bank collected the gold certificates, turned them in and demanded gold, and then under the Federal reserve banking laws turned back that gold and received $2.50 of Federal reserve bank notes for each dollar of gold. Therefore about $1,000,000,000 have been called in, which gave $1,500,000,000 of inflated currency.

Mr. FESS. If this retirement is gradual, it ought to stabilize prices and bring down the cost of living, ought it not?

Mr. FORDNEY. I would think so; yes. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. FORDNEY. I will insert here the list of freight rates on imports entering the Pacific coast.

Import rates from Pacific coast ports to points in United States and Canada.

N. B.—Except as otherwise provided, rates named herein apply only on—
Shipments originating at Asiatic points, Australia, Fiji Islands, New Zealand, Philippine Islands, or beyond.
Shipments originating in Central America, Hawaiian Islands, Mexico, Oceania, or South America when so specifically shown in individual rate items of this tariff.

Articles.	Item.	Minimum carload weight (pounds).	In cents per 100 pounds.	
			Less than carloads.	Carloads.
Antimony ware, in packages	5		[1] 250	
Antimony metal or regulus; antimony, crude or needle; antimony, white oxide of; antimony ore	10	50,000		[1] 100
Bagging, burlap; bagging, gunny; bagging, jute	15	40,000		[1] 75
Bamboo, rattan; rattan core; fiber, bamboo, palm, rattan or willow, not manufactured into shape	20	30,000	[1] 200	[1] 150
Baskets, willow clothes, nested; baskets, willow market, nested; baskets, willow waste, nested	25		[1] 550	
Baskets (other than willow clothes baskets, willow waste baskets, and willow market baskets); curtains, including combined bamboo and bead curtains; plant holders; shades (other than lamp shades); trays, when made of bamboo, rattan, grass, shida, vine, or wood	30	24,000	[1] 250	[1] 200
Beans, cocoa, in packages	35	60,000		[1] 85
NOTE.—Rates named will also apply upon shipments originating in Central and South America.				
Beans (exclusive of cocoa, vanilla, and tonka beans) in bags	40	40,000 60,000		106½ 94
NOTE.—Subject to cleaning, drying, grading, inspection, reconsigning, or storing in transit privileges, as published in tariffs of individual lines parties hereto and lawfully on file with the Interstate Commerce Commission or with the Canadian Railway Commission.				
Brooms; brushes, bristles, in packages	45		[1] 250	
Bulbs; fern balls; plants, in packages; stems, cycas, dried; stems, palm, dried, in packages	50	20,000	[1] 200	[1] 150
Camphor, crude, in packages; camphor, refined, in hermetically sealed cans; camphor oil, red and white, in cases	55	30,000	[1] 200	[1] 150
Chinaware; crockery, in packages; earthenware; procelain, in packages	65	24,000	[1] 200	[1] 150
Clothing: Blankets, cotton or woolen; cloth, cotton or woolen, cotton-woolen or cotton knit, not otherwise specified herein; clothing, including knit clothing, cotton or woolen; robes, cotton or woolen, in bales or boxes	70	30,000	[1] 312½	[1] 219
Coconut, concentrated or desiccated, in packages	75	30,000	[1] 200	[1] 123
Cocoons (pierced), in packages	80		[1] 250	
Coffee, green, in bags	85	80,000		80
NOTE.—Rate named will also apply on shipments originating in Mexico, Central America, South America, Hawaiian Islands, and Oceania.				
Combings (waste hacklings from human hair); stumps (waste hacklings from human hair); in machine-compressed bags or bales	90	30,000		187½
Copra	95	40,000		85
NOTE.—Rates named will also apply on shipments originating in Oceania, except that rates will not apply on shipments originating in the Hawaiian Islands.				
Dry goods, in bales or in boxes:				
The following articles made wholly of cotton—				
Blanketing, shoddy; blankets, cotton; blankets, shoddy; buckram; bunting; calicoes; cambrics, glazed, flat (not including tracing cloth); canvas (not embroidery); checks; cheviots; corduroy; cottonades; crash; damask (not including upholstering damask); denims; dress goods; flannels; ginghams; jeans; lining, dress; pillowcases; prints; scrims; sheets; shirting; silesias; stripes; ticking; toweling; towels; yarn (see note)	100		[1] 200	
NOTE.—Rates named on yarn will not apply on darning or crochet yarn.				
Dry goods, not otherwise specified herein, in bales or in cases	105		[1] 312½	
Eggs: Eggs, dried; yolks, dried egg; albumen, dried egg	110	24,000		[1] 200
NOTE.—Subject to storing-in-transit privileges as published in tariffs of individual lines parties hereto and lawfully on file with the Interstate Commerce Commission or with the Canadian Railway Commission.				
Fans, palm leaf or paper, in packages	115		[1] 250	
Fans, not otherwise specified herein, boxed	120		[1] 325	
Feathers, in natural state, compressed in bales: Chicken; duck; goose; turkey	125	30,000		[1] 187½
Fiber, flax; fiber, jute; fiber, straw; hemp; in pressed bales; jute, raw; sisal; straw, rice; tow, flax; in pressed bales	130	40,000		[1] 75
Fiber, ramie, in bales	135	40,000		[1] 125
Flags, in packages	140		[1] 325	
Fruits, oranges, in boxes or crates, charges prepaid or guaranteed	145	26,700		[1] 144
NOTE.—Strips of lumber for bracing load and paper for lining car not exceeding a total weight of 200 pounds of both lumber and paper, will be allowed free, with each carload of oranges.				
Furniture, bamboo or wooden, knocked down or nested, boxed, wrapped or crated; chairs, settees and tables with bamboo and reed frames, wrapped with braided or twisted sea grass or wrapped with rattan, reed or cane fiber, knocked down, flat, boxed, crated or wrapped	155		[1] 300	
Furniture, grass, wrapped; furniture, rattan, wrapped; furniture, reed, wrapped; freight train service only	158		[1] 600	
Glassware, not otherwise specified herein (including lamp founts, but not including lamp globes nor lamp shades); glasses, fruit or jelly, including tops and fastenings for same; jars, fruit or jelly, including tops and fastenings for same; in boxes	160	24,000	[1] 200	[1] 150
NOTE.—Rates named will not apply on silver-trimmed or silver-plated glassware, nor on cut glass of any description.				
Graphite or plumbago, crude, in barrels	165	60,000		[1] 100
Groceries and provisions (Chinese and Japanese), consisting of:				
Beans, dry; bird's nests; cakes, rice; chestnuts; curds, salt bean; eggs, Chinese, preserved; fish, canned, dried, pickled, salted or smoked; flour, rice; fruits, canned; fruits, dried and salted; fungus, dried; galangal; meats, canned, dried, pickled, salted or smoked; mushrooms, dried; olives, dried and salted; peas, dry; seaweed, dried; soy, in jars and casks; sticks, bean; sticks, rice; sweetmeats; vegetables, canned; vegetables, dried and salted; vegetable sauces; vinegar	170		[1] 187½	
Gums, including—				
Gum copal, gum damar, gum kowrie, gum shellac, East India gum, Manila gum, Pontinac gum; bird lime, in packages; also cutch, catechu, gambier, japonica or terra japonica, jelotong, solid, in boxes, bags, bales, or mats	175	50,000		[1] 100
Hats (unfinished), bamboo, reed, palm leaf, grass or straw, nested or folded flat, in bales or boxes	180		[1] 325	
Hemp braid, hemp and wool braid, knotted hemp, paper braid, in packages	185		[1] 325	
Hides:				
Cattle, goat,[2] sheep,[2] green or green salted, in bundles, or pickled in barrels	190	36,000		[1] 110

[1] Denotes reduction.

[2] Rate named will also apply on skins of sheep, lambs, or goats, pickled in barrels.

Import rates from Pacific coast ports to points in United States and Canada—Continued.

Articles.	Item.	Minimum carload weight (pounds).	In cents per 100 pounds.	
			Less than carloads.	Carloads.
Kapok, in bales	195	20,000		[1] 156½
Lacquered ware: Boxes, trays, crumb sets	200	30,000	[1] 250	[1] 200
Lamp shades, bamboo or wire, with silk lining or covering	205		[1] 500	
Lamp shades, bamboo or wire, without silk lining or covering; lamp shades, paper; lamp stands and bases, bamboo	210		[1] 325	
Lamps, incandescent, packed in barrels or boxes	215	16,000	[1] 400	[1] 250
Licorice root, in packages	220	50,000		156½
Matting: matting grass; pads, matting; rice straw; rugs, matting; straw fiber; table mats, straw fiber; in packages	225	20,000	[1] 200	[1] 150
Nickle matte	230	60,000		[1] 100
Nuts, edible, as follows:				
Nuts, edible, in the shell; in packages, straight or mixed carloads, or in mixed carloads with peanuts (shelled or not shelled), in packages	235	24,000		[1] 175
NOTE.—Rates named will also apply on peanuts, cleaned or shelled, and repacked at port of entry if delivered to rail carriers within six (6) months from date of arrival at port of entry.				
Peanuts (shelled or not shelled), in packages	240	28,000		[1] 150
NOTE.—Rates named will also apply on peanuts, cleaned or shelled, and repacked at port of entry if delivered to rail carriers within six (6) months from date of arrival at port of entry.				
Oils (crude or refined):				
Bean, China wood, cocoanut, cotton seed, fish, nut, palm kernel, rape seed, seed, silk worm, soya bean, soya bean oil stock residuum, in packages	245	40,000		[1] 90
NOTE 1.—Subject to refining-in-transit privileges as published in tariffs of individual lines, parties hereto and lawfully on file with the Interstate Commerce Commission.				
NOTE 2.—Rates do not include cost of transferring oil from packages to tank cars at Pacific coast ports.				
NOTE 3.—Shipments of oil in tank cars will be billed to destination on the Cascade Branch of the Chicago, Milwaukee & St. Paul Railway, stations Cascade to Lamotte, Iowa, inclusive (narrow gauge), at the minimum weight of the car used from Pacific coast ports of import to be transferred by owners at Bellevue, Iowa, to narrow gauge tank car to be furnished by owner, to be loaded to full gallonage capacity of such narrow gauge car, making the number of trips necessary to handle the full load of the larger car, except that the total through charge shall not exceed the through rate from Pacific coast port of import to destination and the minimum weight applying to the car used from Pacific coast port of import to Bellevue, Iowa.				
NOTE 4.—With carload shipments in wood, 2,000 pounds of hay, straw, sawdust, tan bark or hulls may be loaded in car by shippers for preservative, excess to be charged at the rate charged on the oil. On such preservatives as may be taken from car by consignee, freight to be charged at the rate charged on freight in car.				
Palm kernels, in bags	250	40,000		[1] 85
NOTE.—Rates named will also apply on shipments originating in Mexico, Central America or South America.				
Paper or fiber articles:				
Chinese paper sticks, joss paper, joss sticks, kites, lanterns, napkins, parasols or hand screens, seats twine, umbrellas, in packages	255		[1] 250	
Paper and paper articles:				
Book (not surface coated), cigarette, copying books, labels, tissue, wood, writing	260		[1] 250	
Potato flour and potato starch, in packages	263	60,000		[1] 94
Pyrethrum flowers, pyrethrum leaves, pyrethrum moss, pyrethrum weed, camomile flowers, dried flowers, in bundles or rolls	265	30,000		[1] 200
Rattan, in natural form cut to length not further manufactured or prepared	270	36,000		[1] 120
Rubber, crude, in packages	275	30,000	[1] 225	[1] 100
Rugs, hemp or cotton, in packages	280	30,000	[1] 200	[1] 150
Sago, sago flour, tapioca, cassava flour, potato flour, tapioca flour, in packages (see Note 1)	285	40,000		[1] 109
NOTE 1.—Minimum carload weight on sago, tapioca and tapioca flour, in straight or mixed carloads will be 30,000 pounds.				
Sausage casings, pickeled, in bulk in barrels or in boxes	290	30,000	[1] 225	[1] 150
Screens (floor), folding or panel, boxed or crated	295		[1] 500	
Seed:				
Alfalfa, beet, canary, clover, fescue, flax, grass, hemp, millet, rape, sesamum, sorghum, sunflower, in packages	300	30,000		[1] 125
Shells, in the rough:				
Abalone, clam, mussel, oyster, pearl, snail, in bags	305	40,000		[1] 94
Silk, raw or spun, silk goods, in packages	310		750	
Silk waste, wild silk or tussah, in packages	312		[1] 250	
Skins and hides:				
Buffalo, dog, fox, kangaroo, marmot, opossum, pahmih, rabbit, wallaby, weasel, wombat	315	20,000	[1] 300	[1] 200
Skins (dry), and hides (dry), rugs and mats:				
Cattle, deer, goat, hair seal, sheep, sheep slats	320	20,000	[1] 250	[1] 162½
Spices; cassia; chillies; cinnamon; cloves; condiments, dry or preserved; ginger, dry or preserved; mace, nutmegs; pepper; tumeric; in packages	325	30,000	[1] 200	[1] 125
Straw braid; chip braid; decorative rope or festoons, made of cypress (Hinoki wood),[1] cuffs, straw or fiber;[1] slippers, straw or fiber, nested;[1] in packages	330		250	
Sugar, raw, in bags or in mats	335	Marked capacity of car used.		87½
NOTE.—Rate named applies only on shipments originating in Hawaii and the Philippine Islands.				
Tallow, vegetable (inedible), in packages	340	66,000		[1] 85
Tallow (vegetable), wax (vegetable), in packages	345	50,000		[1] 125
Tallow and grease, animal (inedible), in barrels	350	60,000		[1] 125
Tea and tea dust, in packages	355	24,000	250	[1] 150
NOTE.—Rates named will also apply on shipments of tea, processed and repacked at port of entry, and delivered to rail carriers within 12 months from date of arrival at port of entry.				
Tea sweepings, nonedible, in bags	360	30,000		[1] 140
Thermos bottles, vacuum flasks for thermos bottles, packed in individual cartons, boxed	365		[1] 500	
Tin, bar, block, pig, or slab	370	50,000		[1] 75
Tobacco leaf, waste or clippings, in bales, boxes, or hogsheads	375	20,000		[1] 187½
Toys, in boxes or barrels (except as otherwise provided):				
Balloons, paper; banks, iron; banks, not otherwise specified herein; blackboards and desks, combined, folding (with or without charts), in boxes, barrels or crates; blackboards, folding, in boxes, barrels or crates; blocks, alphabet or building, wood or stone; books; boxball alleys and fixtures for same; carriages, doll, knocked down, in boxes, barrels or crates; drums; drums, heads nested; furniture (except children's), in boxes, barrels or crates (see Note 1); game boards; games, not otherwise specified herein; games, toy; guns; harmonicas; hobby horses, knocked down, in boxes, barrels or crates; hoops, rolling, nested; instructive toys, made of wood and paper, for use in kindergartens, iron toys, not otherwise specified herein, in boxes, barrels or crates; kites; kites, set up; lead toys, not otherwise specified herein, in boxes, barrels or crates; marbles; mathematical toys, in boxes, barrels or crates; mechanical toys, in boxes, barrels or crates; merry-go-rounds, handpower, in boxes, barrels, crates, bales or bundles; musical instruments, not otherwise specified herein; ping pong sets; sad irons, tin, lead, or iron, in boxes, barrels or crates; seesaws, in boxes, barrels, crates, bales or bundles; sulkies, children's, sidewalk, knocked down; sleds, children's, in boxes, barrels or crates; table tennis sets; teams, rocking, knocked down, in boxes, barrels or crates; tea sets, children's; teeters, in boxes, barrels, crates, bales or bundles; tin toys, not otherwise specified herein, in boxes, barrels or crates; torpedoes and caps, toy; toys, not otherwise specified herein, in boxes, barrels or crates; tricycles; tricycles, children's, knocked down, in boxes, barrels or crates; trumpets, in boxes, barrels or crates; trunks; velocipedes; velocipedes, children's, knocked down, in boxes, barrels or crates; wagons, children's, in boxes, barrels, crates, bales or bundles; wagons, toy, in boxes, barrels, crates, bales or bundles; wheelbarrows, toy	380	20,000	[1] 300	200
NOTE.—Rates named are applicable only on playthings and not on articles of utility.				
Woodenware:				
Bowls, boxes, pails, trays, tubs, tea caddies (nested), toothpicks, kitchen utensils	385	16,000	[1] 250	[1] 187½
Wool, in grease, in bales, compressed	390		[1] 125	
Wool, scoured, in bales, compressed	395		[1] 162½	
Wrappers, bottle, straw, in bundles	400	30,000	[1] 225	[1] 125

[1] Denotes reduction.

Mr. HARDY of Texas. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER pro tempore. Under previous arrangement of the House certain Members were allotted time.

Mr. FORDNEY. I ask unanimous consent, Mr. Speaker, to extend and revise my remarks. I have some statistics that I want to include.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to extend his remarks by inserting certain tables and figures referred to in his address. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Texas [Mr. HARDY] can not be recognized at the present time. Under previous arrangements the gentleman from Louisiana [Mr. SANDERS] is recognized for 30 minutes.

Mr. SANDERS of Louisiana. Mr. Speaker, the many comments on the conduct of the Great War made upon this floor, bearing upon the lack of efficiency and economy with which the war was conducted, lead me to call attention to some phases of the matter which, though quite apparent, seem to have received but little attention.

Gentlemen who speak of lack of "efficiency" in the effective conduct of any enterprise should remember that the term "efficiency" is a relative term. A thing is efficiently done when it is done as well as anyone else could have done it under like circumstances. A thing is efficiently done when it is done as effectively as anyone else has succeeded in doing the same thing before. When improved methods and the advance of science make possible the doing of things more quickly and more effectively than they could be done in former times, then the former manner of doing things must give way to the advanced efficiency of a new age. But when a thing is done as well as anyone could do it at the time it is done and under the circumstances in which it is done, then that thing is efficiently done.

The word "extravagance," which has been repeatedly and idly applied to the handling of vast war funds in the World War, is likewise a relative term. A thing is extravagantly done when it is done at a cost exceeding that at which some one else, under like conditions, could have done it. It is economically accomplished when it is accomplished at an expense not exceeding that at which anyone else could have accomplished it. It is accomplished economically when for every dollar spent a dollar's worth of return has been realized, gauged by the returns possible on the dollars spent in the day and time of the undertaking and compared with the returns received on the dollars spent in previous undertakings of the same character.

Therefore, when gentlemen speak here or elsewhere of "lack of efficiency" in our prosecution of this war, and when they talk of "extravagance" in the expenditure of our moneys, they must expect their statements to be viewed in the light of comparison with other wars and the conduct and expense thereof.

I wonder whether gentlemen who talk of the extravagant waste of money in this war have taken the time and the trouble to compare the recent war expenditures with our expenditures during the Spanish-American War. I wonder whether they have figured the per capita cost of our recent war for each soldier for a period of one year and compared that figure with what it cost us to maintain our soldiers during the Spanish-American War.

In the latter part of April, 1898, war was declared with Spain. On the 11th of April, 1899, the peace treaties were exchanged, and hostilities, actually over some time before, were officially at an end. The period of real fighting occupied only about three months. During the total period of less than one year of official war, approximately $377,000,000 was spent by us in the prosecution of the Spanish-American War, which was fought by our Army of some 278,000 men.

Now, in the matter of totals, no comparison can exist between our War with Spain and our titanic struggle against the Central Empires. But the comparison of totals tells nothing. It is a relative comparison only that can truthfully determine whether our funds have been well spent. And in making a comparison of this nature, many things must be considered. It is necessary to bear in mind the difference between nineteenth century costs of material and twentieth century costs; it is necessary to remember the difference between a strait and an ocean in the matter of transportation; it is necessary to remember that this war has called for munitions and supplies for every man of our Army of a quantity and nature unknown to the world in 1898; and only with these facts in mind is it possible to make a fair comparison.

Bearing them in mind, then, let me call attention to certain parallels between these two wars in the matter of expenses, which will show, I believe, that our present war, with all its tremendous cost, has not been unduly expensive.

In an article recently given wide publicity in the press, and which appeared in the Washington Post of July 10, the estimated cost of the war up to June 30, 1919, was placed by the Secretary of the Treasury, Mr. Glass, in round figures at $21,000,000,000. This is the net cost to us after proper deductions of some nine billions due on loans to the Allies.

Now, compared with this vast total, our expense of some $377,000,000 in the Spanish-American War shrinks to almost nothing. But remember that the war with Germany, up until June 30 of this year, has lasted more than twice as long as the Spanish-American War officially lasted, and call to mind the difference between an army of over 3,000,000 men, with most of them across the seas in France, and an army of 278,000 men, with a portion only of them in Cuba, and this latter figure, in round numbers, our Army of 1898 never exceeded. As the $377,000,000 spent in the Spanish-American War shrinks to practically nothing, so shrinks the Army of that war into a battalion, notwithstanding its glorious achievement and the valor with which it fought.

To maintain this Army of 278,000 men at a cost of $377,000,000 means that the cost per man per year for our one year of war with Spain was about $1,350. From April, 1917, until June 30, 1919, our war with Germany, supporting an army of 3,670,000 men, cost us $21,000,000,000, and the average cost per man per year for our two and a quarter years of war with Germany was about $2,543.

In 1917 and 1918, just 20 years after the Spanish War, when the price of everything had doubled and quadrupled, the price of the war per man was actually held down to a negligible increase over the cost per man in 1898.

We raised, equipped, and transported an army at a cost per man less than 100 per cent greater than it took to do the same thing in 1898, and we raised a better organized army; we equipped it better than we did 20 years ago; we transported it 3,000 miles over hostile seas, where we had to face only a peaceful strait in 1898. And the cost was maintained at a level less than twice the cost per man of the previous war, and we cared for our soldiers better, gave them better food and equipment, gave them more of it, and paid them more money and gave them more benefits than we did during our War with Spain, and gave them more in combined salary and various war benefits, family allowances, insurance privileges, and so forth, than any nation ever gave its fighting men in this or any other war in history. [Applause.]

In 1917 and 1918 men had to be moved across 3,000 miles and more of submarine-infested water; had to be armed, fed, clothed in health and cared for in sickness more than 3,000 miles from home; had to have supplies shipped to them from across the sea; had to have artillery the like of which was never more than dreamed of before; had to have motor trucks, which did not even exist in 1898; had to have ammunition in quantities to stagger the imagination; had to have the means of combating poison gas; had to have clothing suitable for a winter climate, nonexistent in Cuba, and the bitterness of which is unknown in our previous military history—and yet, with all these tremendous handicaps, the men who spent our money kept the cost down to less than double the amount per man spent a score of years ago.

To have fought another war in every particular identical with the Spanish-American War would have been due to cost twice as much in 1918 as it did in 1898 at the lowest possible figure. Yet with the tremendous additional difficulties that had to be faced and mastered, with the crushing burdens of a war against an implacable, inhuman enemy, calling for mountains of equipment and munitions and supplies for every man of our Army, the administration kept the cost per man per year down to less than double the cost per man per year for the skirmish of 1898.

And yet gentlemen talk of extravagance! I wonder if they have succeeded in keeping their personal expenses on as economical a basis as this. I wonder if they could raise an army themselves and, paying the men a salary and providing for them benefits in the way of insurance, compensations, vocational education and rehabilitation, and hospitals, never before made available for a nation's soldiery, maintain the cost of that army at a relative advance some three or four hundred per cent lower than advances in other lines of endeavor? I wonder if they could?

Mr. HARDY of Texas. Will the gentleman yield for just a moment?

Mr. SANDERS of Louisiana. Certainly.

Mr. HARDY of Texas. I think the gentleman has omitted one item in his relation of the cost, namely, that of Air Service amounting to some $800,000,000.

Mr. SANDERS of Louisiana. I was just coming to that. I was going to say that in this war of 1917–18 we had to face

the problem of organizing from practically nothing the Air Service, which in 1898 had been dreamed of, but never had been heard of, in actual warfare before.

Gentlemen speak of the useless waste which they assert has occurred during this war. I wonder whether these gentlemen can remember at this present date how much was known in the days of the recent fighting as to the probable duration of the war. I wonder when they protest with the feverish vehemence of ignorance as to the thousands spent upon improvements, buildings, and supplies which can not now be used, whether they can remember the days when the wisdom of preparation for a long war was nowhere questioned? If gentlemen of the House knew in 1917 the date at which the war would terminate, then they were sadly derelict in their duty, for they should have informed Congress and the President of their foreknowledge in order that appropriations might have been made accordingly. I wonder whether the hindsight of gentlemen who criticize at this late date the cost of the war may not be better than their foresight?

Look at the official record to be found in Senate Document No. 270 of the first session of the Fifty-sixth Congress, the record of the court of inquiry which, under the direction of President McKinley, investigated the food supply of our Army for the Spanish War, and see, on page 1892 thereof, the court's finding which characterized the handling of the food supply of that war as a "colossal blunder"! Whatever else may have been said by our men returned from overseas as to their hardships, none has yet said, to my knowledge, that inedible, nauseating meat was ever given him for food while in the service of his country in France. Yet many soldiers and officers testified that such a condition did prevail during the Spanish War.

Therefore our food supply was more efficiently handled in our late war than it was in 1898, notwithstanding the fact that the war was 3,000 miles away, as compared with only a few hundred when we fought with Spain.

And by the same comparison our food was economically supplied, because it cost us less than twice as much per man to support our Army in France as it did in Cuba, and food is more than twice as high to-day as it was at that time.

It is impossible to estimate the loss that occurred during the war of 1898 on foodstuffs, because quantities of food, bought and paid for and issued to the men, were simply thrown away and not consumed, being unfit for human consumption. The testimony is of record; anyone may read it who wants to, and will find it in the Senate document of the Fifty-sixth Congress, which I have just referred to. Sometimes large quantities of canned food were issued, and from 20 to 50 per cent of it would be thrown away, and sometimes practically all of it would be thrown away. It was not fit to be eaten.

That, gentlemen, was inefficiency. I lay the blame at the door of no one; it makes no difference to me whose fault it was, it was inefficiency, and it was inefficiency of the rankest kind. There were difficulties to be overcome, and they were not overcome, and our men suffered, and that was inefficiency.

No such inefficiency has been reported or suggested during the present war. If men were not well fed, it was only because and only when they were in front-line trenches or elsewhere where they could not be reached immediately with fresh food. They had plenty to eat where the fighting made it possible to get to them with food, and they had food that was healthy and did not make them sick when they ate it. Our soldiers in the War with Spain sickened and became nauseated with the food that was given them. That was inefficiency, and the handling of our food for the Army in France was efficiency.

In common with millions of other American fathers, I had a boy in France, and I am glad that money was spent and spent freely to assure his safety, to guarantee his comfort, to protect him from disease, to make possible his return home as good a man as he was—yes, a better man than he was—before he answered "Here!" to his country's call. [Applause.]

I am glad that money was spent to insure safety as far as it could be insured, comfort where that was possible, and hospitals where they were needed for our millions of men who took up arms in the cause their deeds now glorify. I am glad that money was spent to eradicate vice conditions around our camps; our sons and our brothers, and their sons and grandsons, and all the future generations will benefit by it, bless the men who did it, and thank the Congress which made available the money with which it was done. [Applause.]

This is not a temporary benefit or a war-time benefit, but the influence is a permanent influence for good that can not be estimated in the longest line of figures in dollars and cents that has ever been written. I am glad that it was done, no matter what it cost. I am glad that unfortunate boys who entered the Army with the marks of vice upon their bodies can come out of it clean and with the marks washed away by the skill of our splendid surgeons who cared for them. I am glad that those of our boys who went into the service clean, and, thank God, they were in a vast majority, can come out again clean. And if this cost money I am glad that money was spent.

No one has accused us of letting our wounded men lie in the mud in France and Belgium because there was nowhere else to take them. They may have lain there sometimes when they could not be reached immediately and transported to the hospitals that were provided for them. But no one has yet said that the hospitals did not take care of them.

That was said during the War with Spain. And it was said under oath, and the testimony is of record in the hearings to which I have already referred. The men, in a place supposed to be a hospital, lay on the ground in the mud. They were wounded men and sick men, and could not help themselves, and they lay there because there was nothing better for them. That, gentlemen, was inefficiency!

And remember, it was inefficiency bought at a price proportionately higher, in view of costs then prevailing, than the price of our splendid efficiency in the handling of our wounded and our sick in France. And it was inefficiency bought at a price that was high when the price ought to have been cheap, because the field was close to home. And our efficiency in France was, and still is, an efficiency bought at a price that ought to be high, but which is really cheap, for our hospitals in France were across the sea, 3,000 miles away.

In our war with Germany, had the death rate from disease been the same as it was in the Spanish-American War, our losses by disease only would have been, from September 1, 1917, to May 2, 1919, over 112,000 men; they were actually less than 50,000. Had the disease rate of the Civil War prevailed during the same period, our deaths from disease would have been over 227,000 men. These are not my estimates; they are the official figures of the Surgeon General of the Army.

The same statistics show that had the malaria death rate of the Spanish-American War prevailed in this war the deaths in the Army during that same period would have been over 11,000; the Civil War death rate would have been 13,900; the deaths from malaria were actually 13!

Had the dysentery death rate of the Spanish-American War prevailed during the war with Germany deaths from dysentery during this same period would have been over 6,000; Civil War standards would have caused deaths of over 63,000; our deaths from dysentery were only 42.

Think of it, gentlemen; think of it! Six thousand deaths from dysentery if Spanish War figures had prevailed; ten times that number if Civil War figures had prevailed; and a total of only two score under the splendid medical service that actually did prevail.

Had we raised the same army during the Civil War that we raised in the war with Germany and maintained it for the same length of time deaths from this one cause alone would have been one thousand five hundred times as many as occurred in this war; had we raised and maintained such an army for a like time during the Spanish War the deaths would have been over one hundred and forty-two times as great. Where 1 man died during the present war from dysentery, 142 died during the Spanish-American War, 1,500 died during the Civil War, and yet gentlemen talk of inefficiency and extravagance! No money could ever pay for such efficiency as this.

The figures are the same right straight through. Only in the matter of pneumonia, due to the sweeping epidemic of influenza, and in the matter of tuberculosis are our present death figures higher than those of the Spanish War. During that war tubercular patients were discharged as soon as their disease was discovered, so that few died in the Army, whereas our tubercular patients are now retained in the hope of curing them. Naturally some of them die, and this fact, coupled with the fact that tuberculosis is harder to contend with in the winter in a cold, wet country like northern France than it is in a sunny country like Cuba in summer, brought our death rate in this particular disease above that of the Spanish-American War.

But even with this handicap the deaths from all diseases combined show a disease loss in the German war of considerably less than half the loss that would have occurred under the standards of efficiency prevailing during the Spanish-American War, and they were only a little over one-fifth the number that would have occurred under Civil War standards.

Mr. LAZARO. The gentleman remembers the high death rate by typhoid in the Spanish-American War?

Mr. SANDERS of Louisiana. That was wiped out practically in this war.

This, gentlemen, is a record of efficiency. And if it costs money to render that kind of efficiency, I, for one, am not sorry

to see the money spent. Lives of American boys can not be valued in dollars and cents; they can not be bought with money. Far better to appropriate millions for the well-being of our heroic youth in arms than to have the very doubtful satisfaction in later years of saying that we fought the war cheaply. A cheap bill for the war would be small recompense for any thinning of the ranks of our returning heroes which it was possible to prevent. Gladly we spent the money to keep them and care for them and bring them safely home!

It is true that vast sums of money were spent in this war for equipment and supplies, and it is possibly true that more money was spent than was necessary, owing to the sudden and unexpected end of the struggle. That, of course, could not be foreseen or avoided. Far better to spend the money and have the struggle end with a quantity of supplies on hand than to have it continue and be without munitions and equipment for the fray.

It is actually a fact that during the Spanish-American War there were times when troops were unable to move for lack of proper equipment and supplies. Read the statement of Gen. Nelson A. Miles in the "History of the American-Spanish War," to be found in any library. You will find the same story in the official hearings to which I have referred before. Troops ordered to move on Cuba from Tampa were unable to do so, because they had not the necessary equipment and supplies.

There was money enough spent to have had supplies there, but they were not there.

In this war we spent money enough for supplies, and the supplies were there. There is no extravagance in that, nor is there any lack of efficiency. German submarines may have interfered to some extent with the movement of our troops; transportation facilities for carrying millions of men are not to be built or secured in a day, and this hampered for a time the movement of our troops to France, but I have yet to hear of any movement which was ordered and which failed because there were no supplies to support it.

Remember in this connection that the increase of our Army in the Spanish-American War was an increase to approximately ten times the normal prewar basis, and the increase in the war with Germany was a sudden expansion from normal to over thirty-four times the normal size of our peace force. Therefore we had to face in this war an expansion and a consequent problem in the matter of supplies almost three and a half times as great as the same problem in 1898. Yet the supplies for this vast army were there, the movements went forward steadily; there was no falter, no pause, no break.

That, gentlemen, is efficiency. It is efficiency of a kind unknown in previous military history of this or any other nation, and the gentlemen who speak of any lack of efficiency simply have not studied the question.

After all, what is the purpose of a war? Is it not to defeat your enemy? And can the price of a victory for humanity be estimated in gold?

Germany would have gladly paid billions for a victory, and she was fighting for merely an imperial victory. We were struggling for victory for humanity, and yet gentlemen talk of the expense of this glorious victory as if human lives and the cause of freedom could be valued in yellow coin.

It is not my purpose to disparage in any way the valor of our soldiers in the Spanish-American War of 1898. They fought for a splendid cause in a splendid manner; they acquitted themselves as Americans have always done; and the names of those who fought and died and the names of those who live are dear to us all. I merely bring these comparisons out to show that while they fought with all the fighting efficiency of American men they fought a splendid fight, notwithstanding the inefficiency of the governmental agencies behind them. And had the inefficiency that showed itself in governmental agencies throughout the Spanish-American War been the rule in the war against the German Empire, then the Hun to-day would be triumphantly celebrating his victory over the civilized world.

I do not mean to say that money may not have been spent that might have been saved. I do not mean that prices were not possibly higher than they should have been for some of the supplies purchased. No doubt that will all be investigated and thrashed out. There are always after-the-war investigations.

But what I do contend is that this war has been as economically handled for the results achieved as anyone or any organization or any body or any administration could have handled it. I contend that it was proportionately more economically handled than the War with Spain, and I contend that it was more efficiently handled.

And when a war, compared with the past wars of your country, costs you less, viewed in the light of the standards of the time prevailing, than other wars have cost you; and when the soldiers of democracy go forth better fed and better equipped than the soldiers of other wars; and when they derive benefits never accorded by this or any other nation to its defenders in arms; and when they have thrown their strength into the winning of a wonderful victory for the cause of humanity and have won it, then I contend, and my contention can not be refuted, that the war is a splendid, glorious success; and I contend that the men who directed it and the men who fought it, the men who bought the supplies and the men who transported them, the Congress that made the money available, and the administration in the fighting top that guided the movements of the vast and rushing war machine, all were splendidly, gloriously successful!

I contend that the Great War, besides being a shining achievement in the cause of humanity, was an achievement in efficiency and economy unrivaled in the life of our Nation, and the indisputable evidence of the history of all past wars bears out this assertion.

Our entrance into the World War found us unprepared in every way. We were and are a peace-loving people. Our vast energies had been attuned to the needs of peace, for no one of us thought in warlike terms. But the genius of our people met the needs of the hour. We appropriated billions of dollars, trained millions of men, manufactured mountains of munitions, bridged the Atlantic with our ships, and placed in France millions of the finest fighting men the world has ever seen in a space of time in which our enemies stated only thousands would be available.

Yes, we were all unprepared; but we armed ourselves and hurled our men into the maelstrom of war in a manner that not only astonished the world but caused ourselves to wonder. [Applause.]

America's achievement in the war just ended is the marvel of the ages, and unstinted praise comes from all the world, and the nations that we rescued from the grasp of the Hun stand even to-day amazed at the rapidity of our participation in the struggle. Not a voice is raised in all the world at what we did or how we did it save here at home. The harmony of the chorus of approval of all humanity is marred in its completeness only by the critic in our midst, and his criticism will be lost as the years go by in the universal acclaim accorded the splendid administration that so splendidly handled the splendid resources and splendid men of a splendid people. [Applause.]

The SPEAKER pro tempore (Mr. HERSEY). The gentleman from Illinois [Mr. DENISON] is recognized for one hour.

Mr. DENISON. Mr. Speaker and gentlemen of the House, I am very glad to follow the gentleman from Louisiana [Mr. SANDERS] who has spoken so forcefully about the record of this country in the Great War. I want to speak particularly of the part taken by the State of Illinois in the accomplishment which the gentleman from Louisiana has so eloquently described.

Mr. Speaker, last year there was celebrated by appropriate ceremonies throughout the State of Illinois the one hundredth anniversary of the admission of our State into the Union. In 1818 the greater part of Illinois was almost uninhabited, save by the native Indian tribes; the white population was located largely in those counties in the southern part of the State touching the Ohio and Mississippi Rivers, and near Lake Michigan, and at other places that were easily defended and readily accessible by water transportation, which was the only available transportation at that time.

The population of the State then was only 34,620, and upon its admission into the Union Illinois was fortunately and ably represented in the United States Senate by Hon. Jesse B. Thomas and Ninian Edwards, and in this House by John McLean.

The prairies and the woodlands of our State were by nature beautiful, and the soil was as fertile as the valley of the Nile; these with a tempting temperate climate attracted immigration from the very beginning, and within the span of but few years the hunting grounds of the Indians along the navigable rivers, on the picturesque plains, and in the bounteous basins of the Mississippi, Ohio, Illinois, and Wabash Rivers, became the happy homes of hundreds who came north and west to seek their fortunes.

In those days there were two tides of immigration into Illinois. One from Ohio, New York, and New England came by way of the Great Lakes, thence through what is now Chicago and down into the State from the north. The other from Kentucky, Tennessee, and the Carolinas crossed the Ohio and moved up into the State from the south. The two classes coming from widely different and differing sections of the country and bringing with them different habits, different social ideals, and different theories of government met and mingled in Illinois. The desire for a new home in the West and the promise that

Illinois offered, brought the sons of the Puritans and the sons of the Cavaliers together, and the North and the South came together there as they did in no other State in the Union.

The different sources of her people and the constant contact and contest within her borders of people with different social and political ideals have even been a wholesome stimulant of political interest and encouragement of patriotic purpose, and from the very beginning have made Illinois one of the greatest political battle fields of the Nation.

This fundamental difference in ideals, resulting in an almost continuous struggle for political supremacy, has by a sort of natural process developed in the people of our State an intense and universal interest in the affairs of state and a partisan and militant spirit in politics.

After something near a half century the great question that had divided the North from the South, the cloud that had been gathering and growing over the Nation, began to rapidly darken and threaten. Statesmen with prevision of its possibilities raised their feeble hands in futile effort to stay it by compromise or truce. The North had its views and declared them. The South had its views and boldly asserted them. But in Illinois the sons of both were face to face, and there, as indeed often since then, the great question so vital to the Nation's life took its final form. It was in the memorable debate between Abraham Lincoln and Stephen A. Douglas in Illinois in 1858 that the people of the country became conscious of the fact that our Nation could not longer remain half slave and half free.

That debate was the final word of the two sides upon the slavery question. The immediate results were true to the fervid fighting spirit that has characterized Illinois politics from that day until this. Douglas carried the State and was elected to the Senate, but a little later Lincoln carried the State and was elected President. There soon followed the specter of civil war, which settled, at the cost of much blood and treasure, the great question which for years divided the thoughts and finally the allegiance of our people. But it was in Illinois that that great question took its final form and was settled, so far as it could be settled in the forum of political discussion.

And that same fighting spirit has characterized the subsequent political history of our State. Whenever in national campaigns the great political parties have met in important conflict, Illinois has been a sort of a political no man's land, where the fighting has been thick and the results decisive.

In the great campaign of 1896, when the doctrine of free coinage of silver swept over the country like a prairie fire, they fought it out in Illinois, and McKinley carried the State by an unusual majority.

In 1904, after an important national campaign, Roosevelt carried the State by an unprecedented majority.

And in 1916, when the issue was "He kept us out of war" and "I did not raise my boy to be a soldier," the people of Illinois showed their fighting spirit by giving Mr. Hughes a majority of about 212,000, the largest by far he received in any State.

And so it has ever been. There are no easy campaigns in Illinois. The Republicans and Democrats are alike red blooded. They are always patriotic, partisan, and posted on politics. There are in our State very few nonpartisans, thank Heaven!

In the war for the preservation of the Union Illinois was one of the first to respond to the call for men. This again was but natural. It was the home of Lincoln. The people knew the issues. They loved Lincoln and believed in his cause. They responded to his call with every man that could shoulder a gun. Before the struggle was over Illinois gave 259,092 men to the cause of the Union. At that time our population was only 1,712,920.

This response was only exceeded by three States, which were much older. New York, with a population of 3,880,595, furnished 448,850 men; Pennsylvania, with a population of 2,906,208, furnished 337,936 men; and Ohio, with a population of 2,339,481, furnished 313,180 men. Illinois furnished more men in excess of her quota than did any other Northern State. She furnished 14,596 more men than her quota, while New York furnished 58,298 less than her quota, and Pennsylvania furnished 47,433 less than her quota, and Ohio but 6,858 more than her quota.

The records show that during the Civil War there were less men paid commutation for military service from Illinois than from any other State except Kansas, which of course furnished comparatively few soldiers. During the entire period of the war there were but 55 from Illinois that paid commutation. There were 28,171 from Pennsylvania, 18,197 from New York, 6,479 from Ohio, 5,318 from Massachusetts, and 2,007 from Maine that did so.

At the first call of President Lincoln, Grant and Logan and many others who later won lasting fame and the gratitude of the Nation responded from Illinois with offers of their services.

Mr. AYRES. At that time Illinois was really a border State, was it not?

Mr. DENISON. Yes.

Mr. AYRES. Many Illinois families had sons in both armies.

Mr. DENISON. Well, I think that may have been so in some instances.

Mr. AYRES. Many men from Illinois went into the southern army.

Mr. DENISON. Well, there were many that sympathized with the South at the beginning of the war.

And the spirit of those great generals who afterwards did so much to help save the Union cause, with that of President Lincoln, aroused the patriotism of the people of our State and inspired them to a spirit of sacrifice and devotion to the cause of our country that ever remained fixed in their hearts and became a part of their lives and has descended as a heritage to their children and children's children.

And so, Mr. Speaker, when the United States was unhappily drawn into the World War in 1917 the people of Illinois responded with the same enthusiasm and the same spirit of sacrifice and loyalty to our cause. This war has been different, of course, from all other wars in which our country has been involved. I do not refer merely to the difference in magnitude, but the aroused national spirit, indicating the increasing devotion of a reunited people to the institutions and the liberties of our free Government, was magnificent, was an inspiration.

In no other war has our whole people been so entirely united in the support and prosecution of the struggle. America this time fought as one man. The President had no hostile party opposing him in Congress, a fact unheard of before then. He was given freely what he asked. What might not President Lincoln have done had he been so favored?

In no other war was the man power of our entire Nation so completely and so quickly marshaled from the very beginning of the struggle upon the fundamentally fair and equitable principle of the universal duty of service in defense of the flag.

In a year and a half we had over 4,000,000 men in our Army. It took England three years to get 2,000,000 across the Channel into France. We got 2,000,000 men across the Atlantic Ocean and into France in half that time.

In no other war have the wealth and the natural resources of the entire Nation been so completely turned from the pursuits of peace to the processes and prosecution of war. The war cost the United States about $22,000,000,000, or over $1,000,000 an hour for two and a half years. We loaned nearly $10,000,000,000 to our Allies.

In no other war has the spirit of sacrifice been so general among all the people, rich and poor alike.

About 30,000,000 people have purchased the bonds of the Government to pay the expenses of the war. The people have willingly loaned the Government $22,457,134,671 besides paying in taxes since the war began $9,370,224,492.84.

When our armies and our Allies were calling for munitions and supplies our producers and our laborers everywhere responded with a united and increasing effort to supply the demands, and when a hungry world called to us for food and fuel our farmers and our miners responded like soldiers and made the earth bring forth food and fuel more abundantly.

But, Mr. Speaker, my purpose was to speak more particularly of what Illinois contributed toward the prosecution of the war.

The total number of men furnished by Illinois to the land forces of the United States through the draft, the National Guard, and voluntary enlistments was 286,163. The drafted men were sent to Camp Taylor, Camp Grant, Camp Dodge, and many direct to Camp Dix, N. J., where they were rapidly trained into fighting forces and assigned as units in different divisions that went to France and participated in the final struggle. Wherever they were sent they made a splendid record and proved themselves worthy sons and grandsons of those who honored and upheld the Nation's cause at Fort Donaldson, Shiloh, Vicksburg, Atlanta, and Appomattox.

The Illinois National Guard, consisting of 18,439 men and officers, including those who were recruited up to that date, was called into service of the Government August 5, 1917, and was increased by enlistments to 26,631 officers and men. They were mobilized by the Federal Government at Camp Logan, Houston, Tex., and constituted the Thirty-third Division and were commanded by Gen. George Bell, jr.

Under the selective-service law Illinois furnished a total of 1,559,586 registrants subject to the service of the Government.

In addition to the 286,163 men whom Illinois contributed to the United States land force, our State furnished 24,663 men for the Navy and 3,678 men for the Marine Corps, or a total of 28,341 men for the naval and marine forces of the Government. These totals for the Navy and Marine Corps only include those who entered the service up to June 30, 1918. The Navy Department is at this time unable to furnish me with the number who enlisted in the Navy and Marine Corps between June 30, 1918, and the close of the fighting on November 11. We do know, however, that the enlistment for naval and marine service in Illinois was unusually heavy during the summer and fall of 1918. A reasonable estimate of those additional enlistments would be not less than 15,000 men.

So Illinois contributed 286,163 men to the land forces and 28,341 men to the naval forces of the United States up to June 30, 1918, or a total of 314,504; and if my estimate of enlistments in the naval and marine forces after June 30, 1918, is substantially correct, then Illinois contributed a total of 329,504 men to the fighting forces of our country during this war.

In addition to this, when the United States Shipping Board was in need of men and called for shipyard volunteers, Illinois enrolled 27,000 men for this service, which was 3,500 more than her quota, and Illinois was the first State to complete its quota for that service.

Illinois has long been one of the greatest agricultural States of the Union. In 1916 we ranked third of all the States in the Union in the value of our farm products, Texas being first and Iowa second. The farmers of our State, like the young men who went with the colors, patriotically responded to the needs of the time. The devastation of Europe and the frightful loss of food upon the high seas by the submarine warfare of the enemy made the question of food supply one of vital importance early in 1917, and in response to appeals for more food from our Allies the Government called upon the farmers of the country to increase their acreage and double their energy, in order to meet the needs of our Allies and of our own country.

The cry went out that food would win the war. And the result was that the farmers of Illinois, by their patriotic and untiring efforts, raised the State from third to first place in the value of her farm products in 1917. In that year the value of the farm crops for Illinois was $842,042,000; that of Texas was $788,983,000; that of Iowa, $783,488,000; that of Ohio was $546,058,000.

In 1918 the farmers of Illinois repeated and even improved their wonderful record of 1917. Not only did she retain first place among all the States of the Union in the value of her farm crops, but she increased the value of her farm crops from $842,042,000 in 1917 to $879,679,000 in 1918, an increase of $37,637,000, while Texas fell from $788,983,000 in 1917 to $695,651,000 in 1918, or a decrease of $93,332,000. There are in the State of Illinois some 35,000,000 acres of permanently productive farm lands. More than nine-tenths of this land is in improved farms. The total value with the improvements thereof in 1917 amounted to approximately $4,000,000,000.

When the Government, on account of the emergency, asked the farmers of the country to increase their wheat acreage, the Illinois farmers went over the top by increasing their winter-wheat acreage over 10 per cent, while the total average increase for the whole United States was only about 4 per cent, and 14 per cent of the total winter-wheat increase of the entire country in 1918 came from Illinois. Illinois has never been a spring-wheat-producing State. Our climate is not adapted to spring wheat, but the Government called upon the Illinois farmers to plant 100,000 acres in spring wheat in 1918. The farmers of our State not only did that, but they planted 200,000 acres of spring wheat, which made a splendid yield, in addition to the 10 per cent increase in her winter wheat. So that during the year 1918 the State of Illinois produced 45,000,000 bushels of wheat, the yield per acre being the largest of record, an average for the entire State of 25 bushels per acre. So when our country and the allied countries were in need of food and were calling for wheat, the farmers of Illinois in 1918 made a record in wheat production that stands unchallenged. They demonstrated that they could farm as well as fight, and no State in the Union contributed more loyally in food, and the estimate is that our record of 1918 will be surpassed by the record of 1919.

Illinois has always been one of the greatest coal mining as well as agricultural States of the Union, although she produces bituminous coal only. And among all the people of the country, none proved more patriotic and more responsive to the needs of the Nation in this great emergency than did the coal miners of Illinois. They refused to ask for exemption from military service under the selective-service law because of their occupation. There were large voluntary enlistments for military service from among the coal miners of Illinois, and those who were drafted and were not exempted on other grounds willingly answered to the call for men, although the country was under a fuel famine and it seemed as though in the stress of the emergency none could be spared from the coal mines. Notwithstanding the loss of men from the coal mines of our State, who went into the military and naval forces of the Nation and did their part in the fighting, the coal production in Illinois increased about 11,000,000 tons in the fiscal year 1918, as compared with the previous year.

In 1918 Illinois produced 90,000,000 tons of bituminous coal, as compared with about 79,000,000 tons in 1917. Curiously enough, the State of West Virginia produced practically the same tonnage of coal in 1917 as the State of Illinois and showed practically the same increase in 1918, while the State of Pennsylvania, which produced over 272,000,000 tons of both bituminous and anthracite coal in 1917, showed no substantial increase in 1918. This coal was produced from 967 coal mines in the State of Illinois, in which were employed in 1918 91,372 men, as compared with 80,893 men employed in the mines during the previous year.

No State in the Union responded more promptly or more liberally than Illinois in furnishing money to the Government with which to finance the war and in contributing money to the various agencies that were carrying on war work among our troops at home and abroad.

In the first Liberty loan there was subscribed by the people of the State of Illinois the sum of $205,047,150, out of a total of $3,032,729,000. She was exceeded only by the States of New York, Pennsylvania, and Massachusetts.

In the second Liberty loan there was subscribed by the people of Illinois the sum of $271,731,750, out of a total of $4,017,532,300, and in that loan was exceeded only by New York, Pennsylvania, and Massachusetts.

In the third Liberty loan there was subscribed by the people of Illinois the sum of $279,253,700, out of a total of $4,151,512,350. In the third loan the quota for Illinois was $197,138,000,050. So the people of Illinois subscribed for 141.6 per cent of their quota, and the bonds were purchased by 1,607,671 subscribers, or 25.7 per cent of the population of the State.

In the fourth Liberty loan the people of Illinois subscribed for $467,291,200 in bonds, out of a total of $6,948,926,100. The quota for the State in the fourth loan was only $401,677,000, so that the State subscribed for 116.5 per cent of its quota, and the bonds were purchased by 2,124,346 people, or 34 per cent of the entire population of the State. In the percentage of the people purchasing bonds in the fourth Liberty loan the State of Illinois was only exceeded by the State of California, District of Columbia, and Wyoming. And in the total amount of money subscribed in the fourth loan Illinois was only exceeded by the States of New York and Pennsylvania. The total subscriptions by the people of Illinois in the first four Liberty loans amounted in the aggregate, therefore, to $1,223,323,800.

In the fifth or Victory loan there was subscribed by the people of Illinois the sum of $366,584,200. Our quota for that loan was $304,416,650.

In this loan Illinois was only exceeded by the States of New York and Pennsylvania, and the amounts subscribed in the fifth loan added to the amounts subscribed by the people of Illinois in the other four loans makes a grand total of $1,589,908,000, which represents the amount loaned by the people of Illinois to the Government to assist it in the prosecution of this war.

The population of our State is estimated by the Treasury Department at 6,235,000. So that there was invested by the people of our State in Government bonds an amount equivalent to $255 for every person living in the State.

In the first campaign to raise money to carry on the Young Men's Christian Association work in the military camps in this country and wherever our troops were in service at the front there was contributed by the people of the State of Illinois $364,784.

In the second Young Men's Christian Association campaign there was contributed by the people of my State $4,566,403.

And in the united war work campaign, wherein funds were raised for the Young Men's Christian Association, the Knights of Columbus, the Jewish Relief Society, and other organizations that were carrying on war work, the people of Illinois contributed $13,853,339. So that in the national campaigns in which subscriptions were asked for funds to carry on war-relief work there was contributed by the people of Illinois the sum of $18,784,526.

In the two first campaigns for funds for the Young Men's Christian Association work Illinois subscribed for more money than the combined subscriptions of the States of Alabama, Georgia, Mississippi, North Carolina, South Carolina, Louisiana,

Florida, Tennessee, Kentucky, Virginia, and West Virginia, and in the united war work campaign Illinois subscribed for more than the combined subscriptions of the States just mentioned, omitting Kentucky and Virginia.

In addition to these contributions, Illinois responded liberally to the Salvation Army and other relief societies that carried on war relief work, but for which national campaigns were not conducted; but I have been unable to ascertain the approximate amount thus contributed.

To the American Red Cross the people of Illinois subscribed to the first war fund in June, 1917, the sum of $5,638,074. Simply as a comparison, it may be stated that there was subscribed to the first war fund by the State of Indiana $1,997,163, by the State of Georgia $480,670, and by the State of Alabama $384,893.

To the second Red Cross war fund, in June, 1918, the State of Illinois subscribed the sum of $8,331,769.

The total amount subscribed by the people of Illinois to the war fund of the American Red Cross during this war was, therefore, $13,969,843.

During the period of our participation in the war, between April 1, 1917, and June 30, 1919, the people of Illinois paid to the United States Government for income and excess-profits taxes and other miscellaneous direct taxes the total sum of $726,031,176.55.

So, Mr. Speaker, the account of the people of my State as to contributions in money to the Government and the war-work agencies during the Great War was as follows:

For bonds	$1,589,908,000.00
For direct taxes	726,031,176.55
For united war work	18,784,526.00
For Red Cross	13,969,843.00
Total	2,348,693,545.55

This would amount to an average of about $377 for everyone living in the State.

Mr. Speaker, I have stated that the Illinois National Guard was drafted into the Federal service on August 5, 1917, and was mobilized at Camp Logan, Houston, Tex., as the Thirty-third Division, under Gen. George Bell, jr. The division went through a very thorough course of training between September 1, 1917, and May 1, 1918.

I had the pleasure late in November, 1917, of accompanying the governor of our State and others on a tour through the various camps, particularly Camp Grant, Camp Taylor, and Camp Logan, where Illinois troops were assembled. The governor and his party, with the governor of Texas and his party, reviewed the Thirty-third Division in the city of Houston, and I can say what I heard a number of others say on that occasion, that it would have been impossible to find a finer disciplined, finer trained, finer looking aggregation of fighting men than was the Thirty-third Division.

Most of the units of the division sailed during the month of May, 1918, and disembarked at Brest, France. Early in June the engineers of the division were sent to work on the defenses of Amiens, where a great German drive was expected. And on June 20 the Thirty-third Division, after being in France less than a month, moved into the Amiens sector, where it was trained under the British, held part of the front trenches, and participated in several operations.

On July 4 four companies of the One hundred and thirty-first and One hundred and thirty-second Infantry Regiments took an active part in the attack on Hamel. Hamel was one of the defenses of Amiens. It was not of much military importance in itself. But it was of great importance to the spirit of the two mighty contending forces that were opposing each other at that time, and it was of great importance in the defense of Amiens. Amiens was considered the danger spot in the British front, and a German drive was expected there. The British were sorely needing help. They were, in fact, fighting with their backs to the wall. They had up to that time never seen the new American Army in operation and had no proof of its efficiency. To them the Americans were an uncertainty, and the remarkable fighting of those four Infantry companies of the Thirty-third Division at Hamel was a revelation to the British Army and had a tremendous influence. The Americans charged to the shouts of "*Lusitania*."

This was the first time in history that American soldiers had fought beside Australians, and the first time that they had fought with the British in an action of any importance.

The fighting of the Illinois men at Hamel demonstrated to the British and Australians that help had come on whom they could depend under any conditions, however difficult they might be. On August 12, in token of his appreciation, King George of England visited the headquarters of the Thirty-third Division and personally presented to 4 officers and 15 men various British decorations, such as the military cross and the distinguished-conduct medal.

The German drive on Amiens was broken; the British began their offensive on August 5, and continued to advance every day until they reached Mons, where the fighting was ended by the armistice.

I will not attempt in the short time allowed me to follow in detail the fighting and the fortunes of the Thirty-third Division between the beginning of the British advance on August 8 and the signing of the armistice. But it is a record of efficient military operations, of dash and determination, of courage, sacrifice, and achievement that is unsurpassed and makes the heart of every son and daughter of Illinois swell with pride and admiration and gratitude.

Early in the drive the One hundred and thirty-first Infantry broke the German line at Chipilly Ridge and Gressaire Wood, for which they received expressions of the highest praise and admiration from Gens. Haig, Rawlinson, and MacLagan, of the British Army, and Gen. Monash, of the Australian Army, as shown by telegrams on file in the War Department.

On August 23 the division was transferred from the British front to the Toul sector in the American area. And on September 5 it was sent to Verdun, where it relieved the One hundred and twentieth French Division and part of the One hundred and fifty-seventh French Division.

The Thirty-third Division was the first American Army to hold the front-line trenches on the famous Verdun battle field.

The Meuse-Argonne battle began on September 26, and the Thirty-third Division formed the right of the Third Army Corps under Gen. Bullard. The Illinois troops were selected to attack Montfaucon and the Bois de Forges, the two most powerful enemy positions between the Meuse and the Argonne. The Germans thought these positions could not be captured. The attack was made by the Sixty-sixth Infantry Brigade of the Illinois men, consisting of the One hundred and thirty-first and One hundred and thirty-second Regiments and the One hundred and twenty-fourth Machine Gun Battalion. These formidable positions were covered with woods, and were literally honeycombed with machine-gun nests, but the men from Illinois turned the position, and had them captured in 3 hours and 33 minutes. [Applause.]

In that attack the Thirty-third was the only American division which reached its objective on scheduled time.

For 11 days following the Thirty-third Division formed the pivot of the American corps which attacked the German positions between the Meuse and the Argonne.

Early in October the Thirty-third Division was transferred to the Seventeenth French Army Corps, and participated in the difficult and intense fighting of the French corps east of the Meuse.

From October 8 to October 21 the men of the Thirty-third Division were astride the River Meuse and subjected to incessant fire night and day from the dominating heights; they were subjected to overwhelming deluges of artillery, machine-gun fire, gas, and aeroplane attacks. Yet for miles they held the front trenches on the right of the American attacks west of the Meuse and the left of the attacks of the Seventeenh French Army Corps east of the Meuse.

On October 22 the Thirty-third Division was relieved and sent to the St. Mihiel front, where they relieved the Seventy-ninth American Division. There immediately developed desperate and brilliant fighting along this front, and the men of the Thirty-third Division soon captured in succession the strongholds of Marcheville, Bois les Hautes Epines, Bois de Warville, and the Bois d'Harville. Marcheville and the Bois d'Harville were two of the strongest points in the Hindenburg line.

November 11, the last day of the fighting, found the men of the Thirty-third Division fighting bravely and advancing on Jonville when the fighting ceased, and it is said that if the armistice had not been signed and had not the fighting ceased on that day the Hindenburg line in that sector would have been completely broken and the last system of defense between the Thirty-third Division and Metz would have been gone.

The Thirty-third Division is the only division in the American Expeditionary Forces and the only one in American history that has fought with the British, the Australians, and the French, as well as with the American Army. It served with the Fourth British Army, the Second French Army, and with the First, Second, and Third American Armies. It served with 12 army corps, including British, French, Australian, and American corps.

The Thirty-third Division is the only American division the officers and men of which were decorated by the King of England in person for distinguished bravery. From June 22 until

November 11, 1918, nearly five months, there were only 18 days when this division, as a whole or in part, was not actually holding part of the allied front lines.

The division marched through Lorraine, went into Germany as a part of the army of occupation, and wintered in Luxemburg, where the boys of Illinois enjoyed the kindly welcome of that unhappy land.

When the French took official possession of Metz and their dream of 50 years came true, the military procession was reviewed by President Poincaire, Marshals Joffre, Foch, Petain, Sir Douglas Haig, and others, and at the head of that procession was the battalion of battered brave men of the Thirty-third Division that had broken the German line on the Somme by its brilliant attack at Chipilly Ridge and Gressaire Wood.

Let me quote one brief statement from Frederic L. Huidekoper's records of the Thirty-third Division:

> In no division in the American Expeditionary Forces is the esprit de corps superior to that of the Thirty-third, nor is there any in which its discipline is excelled. From the time it left Texas until the armistice no enlisted man was tried by a general court-martial, and only two officers were so tried. Never once in all the desperate fighting in which it was engaged did the Thirty-third Division appeal for help or reinforcements. It is the boast of the men of the division that they have never been given an order in battle which they have not carried out, and they have never been assigned an objective which they have not taken on schedule time. Their claim is justified by the facts.
>
> Perfection is unattainable in war, but in the Thirty-third Division the machinery functioned and was at all times able to meet the situation, no matter how difficult. Throughout the operations there were very few occasions on which the men were not fed hot meals. The supply of artillery and small-arms ammunition never ran short, and rations were always furnished in abundance, even under the most difficult conditions.

[Applause.]

The Thirty-third Division captured and made prisoners of 68 German officers and 3,924 men. They captured 13 heavy artillery, 87 light artillery, 20 French mortars, 460 machine guns, and 430 rifles.

The division suffered in casualties 228 officers and 8,263 men.

Only 1 officer and 17 men in this division were captured by the enemy.

The One hundred and twenty-second and One hundred and twenty-fourth Machine Gun Battalions of the Thirty-third Division were the first to make use in this war of the machine-gun barrage to neutralize enemy machine-gun nests in the woods while the positions were being turned by the Infantry. This was successfully done at Bois de Forges on September 26, 1918.

The battle records show that the Thirty-third Division advanced altogether 22½ miles while engaged in battle fighting against heavy resistance. [Applause.]

Individuals of the Thirty-third Division have received 110 distinguished-service crosses, 8 congressional medals of honor out of the 31 that were given to living soldiers during this war, 47 French croix de guerre, 41 British military medals, 5 British distinguished-conduct medals, 5 British military crosses, 1 British distinguished-service order, and 1 Belgian Order of Leopold.

I can not attempt to review the record of the other men of Illinois who served in the Eighty-fourth and Blackhawk Divisions and other organizations. They all served the country well, and returned home with a record of which the people of our State are justly proud. I regret I can not state at this time what decorations they won, but I am informed that 178 Illinois men outside of the Thirty-third Division received the distinguished-service crosses.

About the 1st of May last, or practically one year after the Thirty-third Division began moving to France, the division was reviewed by Gen. Pershing, Secretary Baker, Gen. Bell, and other distinguished officers who had made splendid records during the fighting days, at Ettelbruck in the Duchy of Luxemburg, and thereafter embarked for home. It was met in New York by our governor and his staff and other distinguished Illinoisans, and thereafter proceeded home, where the different units of the division received the homage and hearty welcome of the people of our entire State.

I am especially proud of the fact that there were four companies from my own district who shared the glory and the admirable record of the Thirty-third Division. [Applause.]

The success, Mr. Speaker, of a nation at war does not depend merely on the men under arms. There must be among the people at home the right patriotic purpose and belief in the justice of the cause for which the country is at war. The victory is half won if the soldiers leave their homes under the inspiration that they are fighting for a just cause, and the knowledge that they are sustained in their efforts and sacrifices by the united sentiment of those who are left behind.

At the beginning of the Civil War there was an unfortunate division of sentiment among the people of Illinois. But our State and the Nation were fortunate in having a war governor who believed with his whole soul in the cause of the Union, and who, though kept at home in the performance of his duties as governor of the State, performed as valuable services for Lincoln and the Nation as did his generals on the field of battle. [Applause.] Gov. Richard Yates, by his eloquent appeals to the patriotism of the people of Illinois, by his untiring energy in behalf of the Union, and his invaluable services for the wounded soldiers, solidified the sentiment of the people for the cause of the Union, earned the gratitude of the Nation, and carved his name on the tablets of fame in the temple of the State as well as in the hearts of our people. [Applause.]

And in this World War Illinois has been equally fortunate in having a governor who was big enough and wise enough to rise to the great occasion.

As the war clouds gathered quickly about our Nation and it became apparent that we were going to be drawn into the struggle, Gov. Lowden saw in advance the magnitude of the task before us; and when the declaration of war came, he was the first of all the governors to go before the legislature of his State to address them and ask for their loyal support of the Federal Government in the Great War. Favored by nature with an earnestness of purpose and an eloquence of address, he went about all over the State of Illinois speaking to the people and insisting upon their loyalty and cooperation in the prosecution of the war.

He visited the Illinois troops at Camp Grant, Camp Dodge, Camp Taylor, Camp Logan, and wherever else they were encamped, and made eloquent and encouraging appeals to their pride and their patriotism. For some years he had been connected with the Illinois National Guard, having been elected lieutenant colonel of the First Regiment, and he knew and appreciated the duties and the sacrifices of a soldier. His own son went with the Thirty-third Division to France. Gov. Lowden accompanied our troops to the ports of embarkation, spoke to them there, and bade them farewell as they sailed from our shores to France; and he met them and welcomed them on their return home. His courage and his eloquence and his patriotic speeches to the people of our State were a source of encouragement to our soldiers abroad and an inspiration to our people at home, that helped solidify the people of Illinois in the united support which they gave to the Government at Washington in the prosecution of the war.

I hope you may indulge me just a moment in closing to add a few words more about Gov. Lowden. I feel justified in doing so, because he has by his public service made himself more than a man of Illinois. He has shown himself to be one of the strong men of the Nation, at a time when the Nation needed strong men. [Applause.]

He was born on a farm in Minnesota. He lived as a young man in Iowa, where for a few years he taught a country school. He worked his way through college in Illinois. He became one of the greatest lawyers of our State. He was Republican national committeeman for Illinois for eight years. He was elected to Congress from the thirteenth district of our State in 1906, and for three terms he served with distinction in this House, where he made friends of all who knew him, and from which he voluntarily retired.

Since 1900 he has devoted his time largely to farming, possessing one of the largest and best-developed farms in the State of Illinois, and a large plantation in the State of Arkansas. He has devoted much time to the study and development of agriculture along practical lines and given special attention to dairying and live-stock breeding.

In 1916 the people of Illinois called him to higher duties and he was elected governor of our State by a majority of over 150,000.

By his services as governor Mr. Lowden has proven himself to be not only a great executive but a wise and constructive statesman as well.

Mr. EMERSON. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. EMERSON. I suspect that the gentleman would be for him as a Republican candidate for President, would he not?

Mr. DENISON. Yes, I would; but I am coming to that later. In his race for governor he told the people of Illinois that if elected he would give them a new administrative code under which the administration of our State government would be simplified and economized. At that time our State government was administered through bureaus, commissions, and independent agencies to the number of 125 scattered over all the State. As soon as he was elected, Gov. Lowden began work upon his new administrative code. It was formulated by him, presented to the legislature, and passed, and went into effect on July 1,

1917. It swept out of existence more than 125 boards and commissions and established in their place 9 departments with a director at the head of each department. As a result, the functions of the government of our State are now all discharged at the capitol. The governor is in daily contact with his administration in all its activities, and there has resulted from it unity, harmony, and economy of administration. The economy that has resulted to the people of our State as a result of the adoption of Gov. Lowden's administrative code has been such that notwithstanding the fact that the country was at war for 22 months and rates, salaries, and prices of everything had advanced so enormously as to entail extraordinary expenses upon the State government as well as upon individuals, nevertheless our State administration was enabled in December of last year to reduce the tax rate of our State from 90 cents to 75 cents on the hundred dollar taxable valuation of the property of the State.

Gov. Lowden has succeeded in establishing the budget system of financing for our State. Under our new administrative code there is a department of finance, with a director of finance at its head, and there is a superintendent of budget, who, under the director of finance, studies the finances of the State and prepares a budget to be submitted to the general assembly. The department of finance provides a uniform system of bookkeeping in all branches of the government that are under the governor's control. It prescribes forms for accounts and financial reports, supervises and examines the accounts and expenditures of the several departments, and approves or disapproves all vouchers, bills, and claims of the different departments, and requires all departments to prepare and submit estimates of the amount of money that will be required by them. Under the direction of the director of finance the estimates of each department of the government are investigated, so that the financial needs of the State for the next two years can be determined intelligently, and from these estimates a budget is prepared and submitted to the general assembly.

The success of our new administrative code has aroused such an interest in the subject that 30 States have been investigating and studying it, and the legislature of at least one State—Nebraska—as I am informed, has approved of and submitted a similar code to the people of that State. The time is coming, and I think will soon be here, when Congress must provide a budget system of financing for the National Government.

The State of Illinois has authorized the borrowing of $20,000,000 to develop a deep waterway from the Great Lakes to the Mississippi River and the Gulf of Mexico, and under Gov. Lowden's leadership we have authorized the issuance of $60,000,000 in bonds to build hard roads throughout our State.

By his wise, sympathetic, and tactful consideration of labor troubles and labor legislation, Gov. Lowden has won the hearts and the approval of the laboring people of our great State, and now has their support, regardless of creed or party affiliation.

His practical interest in and attention to the problems of agriculture and stock raising has won for him the friendship of the farming people of Illinois. And his ability and successful experience as a lawyer and man of business have given him the confidence of men of affairs wherever he is known.

Illinois has given the country but one President, unless we may be credited with Gen. Grant. When differences growing out of a great moral question brought on the greatest political crisis in our history, the Nation turned to Illinois and called Lincoln to lead us through.

After 60 years we are again come to troubled times. While we hope the Great War is over, we know it is not yet ended, for fighting is still in progress in more than 20 nations. As the fighting ceases and the embattled armies scatter to their ruined or neglected homes, as the tide of patriotism recedes from its flood in the hearts of men, leaving them free to contemplate the desolation and the difficulties of their changed surroundings, there will inevitably be a recoil, a natural rebellion in the minds of the people against things as they are. The danger is that the hideous head of revolution may appear. Autocratic crowns are not all that have crumbled and fallen. The old standards, the old order of things in the economic arrangements of the world, have changed. I am by no means an alarmist. But he who has not sensed the unrest that is about us and has not seen the industrial storm that is liable to reach over into this country from Europe is blind.

The Republic of France has nobly withstood the deluge of fire and the sword from without. And she is now struggling to stifle the specter of revolution that is stalking about among her own people. Who knows what the near future has in store for us? Who knows when the submerged but potent unrest that seems to exist all over the world, and which is present among us to some extent, may precipitate an industrial crisis that might gather up the dissatisfied and hostile elements to an extent sufficient to test the vitality of our Republic? I believe the immediate future is charged with dynamite, and the presidential election of 1920 will be second in importance only to that of 1860. If at that time the Nation should again turn to Illinois for a man to lead us through, he will be found in our great war governor, Frank O. Lowden. [Applause.]

Mr. BANKHEAD. Will the gentleman yield?

Mr. DENISON. I will be very glad to yield.

Mr. BANKHEAD. We have been very much interested in the recital of the public record of the gentleman's candidate for President. In order to complete the record, I should like to know how he stands on the question of the league of nations.

Mr. DENISON. Let me say in reply to the gentleman from Alabama that Gov. Lowden is not a candidate for President.

Mr. BANKHEAD. I said "the gentleman's candidate for President."

Mr. DENISON. He is my candidate for President. The gentleman is right about that; but he himself is not a candidate for President. He has a man's size job in giving the people of Illinois a good administration and making them a good governor; but if the voice of his countrymen in 1920 should call him to the highest office in the gift of the American people he will be available at that time.

Mr. BANKHEAD. The gentleman has not answered my question.

Mr. DENISON. What was the gentleman's question?

Mr. BANKHEAD. We are so much interested in his mental attitude on these great public questions that we would like to know how he stands on the league of nations.

Mr. DENISON. Of course, the gentleman will appreciate the fact that I am not authorized to speak for Gov. Lowden. Perhaps Gov. Lowden would not approve of what I have already said about him here. He knows nothing about it, and perhaps would not approve of it. I do not know what his views are on the league of nations, and it would be an injustice to him if I should undertake to state his views on that question, as I am sure my friend from Alabama will readily appreciate; but I will say that you can depend on Gov. Lowden having the real American view of it. [Applause.]

Mr. YATES. Will the gentleman yield?

Mr. DENISON. Yes; I am glad to yield to my colleague.

Mr. YATES. The gentleman has stated that Gov. Lowden is his candidate for the Presidency. Is it not also true that Gov. Lowden is the candidate of the people of Illinois for President?

Mr. DENISON. That is true. Illinois will present Gov. Lowden's name at the proper time. [Applause.]

If I can sense the sentiment of the people at all, they are more determined to-day than ever before to turn away from any course that might lead toward militarism. So I do not think next year will be a propitious year for a military man as a candidate for President of our Republic. He must be a man who understands, appreciates, and will faithfully serve those who fought for us and won our cause, but must himself be from the civil ranks.

Nor will next year be a fitting time for an idealist or a dreamer of dreams and theories. The country will need a practical man of affairs who has the confidence of men of business and who, having come from and been among the plain, toiling people, has their confidence and their support.

Those who would best serve the Republic should endeavor to lead the thoughts and the purposes of our people back to the ideals and the standards of the fathers, back to the Constitution of the fathers, faithful allegiance to which is necessary to the perpetuity of the Republic.

It is all right, I presume, to break well-established precedents as a matter of personal distinction. But there is at least one precedent left that has become the unwritten law of our country and is indelibly written in the common sentiment of our people. And I do not think next year will be a propitious year either for one who would aspire to break this precedent and become President for the third time, or for one who, once discredited, would aspire to come back again.

Next year the country will need, as never before, a new man who will have the good will of all and the enmity of none.

If it should be found desirable to have for President one who has served with distinction as a legislator in this House, one who as governor of six and a half million people has proven himself a great executive and a constructive statesmen, if it should be desirable to elect one who gave his time and great ability to the cause of the Nation during the war just closed, and with whom patriotism and support of the Government were his paramount thought and purpose, one who has worked with workingmen and farmed with farmers and has the confidence and ad-

miration of both, if the people should want a big man and a good man from the very heart of the Nation, Illinois can give all these in Gov. Frank O. Lowden.

Mr. Speaker, with this record of our soldiers and sailors in the service of the country; with this patriotic record of our farmers, our business men, and our laboring men who could not serve with the colors; and with this record of our governor, the people of Illinois feel a just pride and an enduring gratitude. [Applause.]

On patriotic occasions we have for years proudly sung that beautiful sentiment:

Not without thy wondrous story, Illinois, Illinois,
Can be writ the Nation's glory, Illinois, Illinois;
On the record of thy years
Ab'ram Lincoln's name appears,
Grant and Logan and our tears, Illinois, Illinois.

And now of the men of Illinois who served in this Great War we can say with equal pride:

Not without thy wondrous story, Illinois, Illinois,
Can be writ the Nation's glory, Illinois, Illinois.

[Applause.]

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that at the expiration of the remarks of the gentleman from Ohio, Mr. RICKETTS, the gentleman from Ohio, Mr. FESS, may have 5 minutes, and the gentleman from Kansas [Mr. AYRES] may have 10 minutes, in which to address the House.

The SPEAKER pro tempore (Mr. HERSEY). The gentleman from Wyoming asks unanimous consent that at the close of the address of the gentleman from Ohio, Mr. RICKETTS, the gentleman from Ohio, Mr. FESS, may have 5 minutes and the gentleman from Kansas, Mr. AYRES, 10 minutes. Is there objection?

There was no objection.

The SPEAKER pro tempore. The gentleman from Texas [Mr. HUDSPETH] is recognized for 30 minutes.

Mr. BLANTON. Mr. Speaker, I think everybody in the House would like to hear the speech on Mexico, something in which we are all interested, and we have a man here who knows it at first hand, who lives on the border and knows what he is talking about. I think we should have a quorum.

Mr. CAMPBELL of Kansas. I hope the gentleman will not do that, because if he does we will have to adjourn.

Mr. BLANTON. Mr. Speaker, I withdraw the request.

Mr. HUDSPETH. Mr. Speaker and gentlemen of the House, I want to congratulate the Republican Party and the gentleman from Illinois [Mr. DENISON], who has just taken his seat, that they have one Member who is bold enough to rise in this Chamber and announce his choice for President of the United States.

Mr. YATES. Two Members.

Mr. HUDSPETH. Yes; two Members. The gentleman is the first one to rise in this Chamber and announce his choice for the nomination for a Republican President. Yes; that is all it will amount to, for in 1920 we are going to give you the greatest thrashing you have had for 25 years.

Mr. EMERSON. Will the gentleman yield?

Mr. HUDSPETH. Yes.

Mr. EMERSON. I will announce my choice for President of the United States—Senator HARDING.

Mr. FOSTER. I second the suggestion.

Mr. HUDSPETH. Mr. Speaker, the question of Mexico and the conditions in Mexico have confronted the American people for the past eight years. I was much interested a few days ago, and somewhat amused, at the recital of political conditions in Mexico by the gentleman from New York [Mr. LAGUARDIA]. I am sorry that the gentleman is not here this evening. I phoned his office, for I desired that he be present and hear the remarks that I should make.

Evidently, Mr. Speaker, the gentleman must have spent all the days of his life in that benighted country south of the Rio Grande (?). From his pronunciation of Mexican names, I take it that he was born and reared in that sunny clime south of the Rio Grande (?). I notice that he pronounced the name of Gen. Blanket as "blanket," and Gen. Victoriano Huerta as "Hoo-erta." I take it, Mr. Speaker, that the gentleman from New York [Mr. LAGUARDIA], who gave such a thrilling recital of conditions in Mexico, must have eaten his tortillas, chili con carne, his juevos y blankios under the pulka tree in the sand dunes of Mexico. I take it, Mr. Speaker, that in his younger days he has gazed into the dark eyes of the beautiful senoritas of Mexico in love making; yes, that he has placed his manly right arm around her supple and sinuous form and at the old Mexican fandango has whirled her through the amazing mazes of the giddy-glide waltz to the heart-stirring and soul-inspiring strains of Sobre La Solas and La Paloma.

I take it, Mr. Speaker, that he has practiced at the bar in that storm-tossed country—I mean the mahogany bar—and with a glass of mescal in one hand and a peeled banana in the other has drunk a toast to his native country: "Here's to the only land I know—here's to the land of my Mexico."

I take it, Mr. Speaker, that from his accurate description of political and historical conditions down there he has in his younger days, with sandals upon his feet and a moletta upon his back, with the shepherd's staff in his hand, called forth the bleating flock to graze upon the thousand hills, shouting "Jilo, boregos," in the country to the south of the Rio Grande.

I take it, Mr. Speaker, that from his graphic description of conditions down there in the land of Montezuma that in former years he has played the rôle of the festive cowboy—the vaquero—that in the midnight hours he has ridden his plunging broncho at the head of the stampeded herd and, mid the beat of hoofs and the crash of horns, has sung the weird songs of the cowboy to quell them in their mad stampede.

Being reared in the West, far removed from the seat of our Government, I had an exalted idea of our military chieftains, but since coming here and hearing the distinguished gentleman from New York [Mr. LAGUARDIA] state that when Gen. Peyton C. March came into his august presence it made him sick—disgusted him—my idols were shattered; nothing but pieces of clay, and, sir, I am quite sure that when that distinguished military chieftain, our Chief of Staff, learns of the impression he made upon this distinguished gentleman from New York he will immediately resign.

The gentleman from New York [Mr. LAGUARDIA] speaks of babbling apes in the Secretary of State's office, and he can get no information from that office that he can rely upon. Now, sir, during my short sojourn here I have had occasion to visit the office of our Secretary of State several times. I met with nothing but the most courteous treatment on every occasion, and, sir, where the gentleman from New York speaks of babbling apes the Secretary of State and his attachés must have regarded him in the same manner as did a negro convict in Texas—told me by my friend William H. Burges, one of the best lawyers not only in Texas but in this Union—regard the district judge, who was about to sentence the negro to his sixth trip to the penitentiary. The judge, with all solemnity, said to the coal-black negro, "Orange Franks, stand up." The negro arose and fixed his eyes upon his honor. "Orange Franks, have you anything to say why sentence of the court should not be pronounced upon you?" The negro, without taking his eyes from the court, began to bray for five minutes. A Kentucky mule could not have equaled his effort. At the conclusion, without taking his eyes from the judge, who was red with fury, the negro remarked, "Jedge, I gave you dis kine ob language 'cause I thought you would better understand it, sah."

The gentleman from New York did not impress me, in his political recital of events of the past 10 years concerning Mexico, of being entirely sincere in his advocacy of protection of the lives of Americans, and when he criticized the Democratic administration and referred to officials in the Secretary of State's office as babbling apes and was loudly applauded on the Republican side it occurred to me that his speech was inspired solely for the purpose of making political thunder for the next presidential campaign for his party, the Republicans.

I noticed the gentleman from New York failed to tell you that a Republican, William Howard Taft, was President for nearly one month after Huerta declared himself President of Mexico over the dead body of Francisco Madero, and he failed to give his recognition to Huerta, who had secured his office by treachery and assassination. I noticed that he failed to state to you the same William Howard Taft, Republican President of the United States, permitted Americans to be shot down by Mexican bullets on the streets of El Paso, my home city, and bullets from Mexicans across the line fell like hail on the streets of Douglas, Ariz., killing many Americans, when this same William Howard Taft was President; and when this was reported to Mr. LAGUARDIA's Republican President, who remained President over a year after Madero started his revolution, and when he was asked to extend protection to Americans in Mexico and their families, who were being murdered, their women outraged, the reply of Mr. LAGUARDIA's President, this Republican President, William Howard Taft, was, to 250,000 Americans who had their property and everything at stake, "You get out of Mexico—that the American Government could not extend them protection."

The gentleman refers to the administration of President Grant and to a certain note sent by Secretary of State Evarts to the American Ambassador, Mr. Foster. Let me state again to the gentleman from New York that the record shows that during the administration of Grant there were 52 raids made by Mexican bandits into the United States territory, and on one instance

the troops of Porfirio Diaz pursued revolutionists into the territory of Texas and shot them on American soil, and this note was the only action taken by the administration at that time, which was Republican. In contrast with this let me recite a little history of the past. On June 18, 1886, an American editor by the name of A. K. Cutting was in prison in Juarez, Mexico, charged with defaming a Mexican citizen by name of Medina. He was denied bail, and on July 20, 1886, he was brought before a judge of the first instance in Juarez and sentenced to one year in prison and to pay a fine of $600, and also was to respond in civil damages. The Secretary of State of the United States, one Thomas F. Bayard, on July 22, 1886, wired the United States ambassador, Mr. Jackson, at Mexico City, the following message:

> You are instructed to demand of the Mexican Government the instant release of A. K. Cutting, a citizen of the United States, now unlawfully in prison at Paso Del Norte.

On July 26 Mr. Jackson wired Secretary Bayard that his demand had been denied. Immediately the President of the United States ordered Gen. Stanley, commander at San Antonio, Tex., to proceed with his troops to El Paso. The President of the United States further ordered that unless the American citizen Cutting was placed on the international bridge at noon on the 18th day of August that his guns, planted conveniently on the hills north of Juarez, would fire upon the town and his troops would enter said town and Mexico be taught a wholesome lesson. The Mexican Government saw that this Government was not to be longer trifled with, and before noon on that day A. K. Cutting was placed under escort of Mexican soldiers and escorted to the international bridge and given his freedom. Let me say to the gentleman from New York that this was a Democratic President—the red-blooded and great American Grover Cleveland. He put the fear of God into the Aztecs south of the Rio Grande, and this is what should be done by our Government at the present time—and it does not necessarily mean war.

All this from the gentleman from New York [Mr. LAGUARDIA], who has given you an accurate description of conditions that lie to the south of the Rio Grande. Against this superior knowledge of the gentleman from New York I have only to offer that I was born and reared amid the honeycombed rocks and cacti and sagebrush of western Texas. When I was a barefooted boy, Mr. Speaker, up there on the banks of a beautiful stream—the Medina, which gained its name from a beautiful Indian maiden—I used to sit on the banks of that stream, as I say, a barefooted, freckled-faced boy and watched the caravans go by—the prairie schooners—to the wilderness of western Texas. Up there on the banks of that stream, where nature sings her sweetest songs and the babbling brooks dance in the sunshine and laugh in the shadows, I used to see the old prairie schooners go by, and I did not dream, sir, at that time that under the canvas covers, moving like snails with shells on their backs to the wilderness of western Texas, the candy-haired and rosy-cheeked children beneath the canvas covers, were the forerunners of one of the greatest races of people that have been raised upon this earth. [Applause.]

Mr. Speaker, I rode the ranges for many years as a cowboy. Against the superior knowledge (?) of the gentleman from New York of the conditions in Mexico, I have only to offer that with other peace officers I have run down Mexican bandits and cattle thieves. They used to make incursions into this country, into the country along the Rio Grande, and drive off our cattle. We organized—I was just a boy at that time—and we used to go back into Mexico and get our cattle. We were not very good in those days at reading brands, sir, but we were splendid on the addition table, and we generally brought back our number, and sometimes we exceeded the quota [laughter], but we brought them back.

At the mature age of 22 years I was elevated to the position of a statesman in the Texas Legislature. For 16 years I served as a State senator and representative, and passed on numerous Mexican questions that confronted the legislature. I drafted the bill to organize the Rangers Home Guard, to protect the border against Mexican cattle thieves—1,000 Texas rangers. The first time I set foot in the little town that is now my native home, El Paso, away back yonder, many, many years ago, it was a straggling village of a few Mexican adobe huts, nestling on the banks of the Rio Grande, where it was said—and this is borrowed from my good friend Judge W. M. Coldwell—

> The Rio Grande ripples when it has water in its bed,
> Where no champagne was ever drunken—
> All preferred mescal instead;
> Where no lie was ever spoken, being nothing one could trade;
> Where no marriage vows were ever broken,
> Because the same were never made.

But, Mr. Speaker, with the intervening years El Paso, the real gateway to this unfortunate but, I believe, one of the richest and almost wholly undeveloped countries, has sprung from a nondescript village of straggling adobe shacks to a thriving, bustling, and modern city in every respect and particular. It stands in its modern vesture without peer in the great Southwest, and its beckoning hand of vast opportunities and advantages is attracting to her ever-increasing populace those from every State and clime who come and remain to enjoy her prosperity.

In places where once stood gambling halls, with their incessant metallic clicking of chips, the monotonous droning of guitars strummed by weary fingers, the mirthless laugh of painted women under the yellow glare of smoke-dimmed kerosene lamps, modern bank and office buildings have been reared to majestic heights. Adobe structures with thatched coverings have been blotted out and El Paso with progressive strides has taken its rightful place among the modern cities of our great and glorious country. Smokestacks of factories now dot the sky line and the hum of machinery has supplanted the nerve-racking jangling of the guitars, and El Paso, solidly based on a firm foundation, is continually adding to her prosperity.

There is every reason and argument why El Paso should be a thriving metropolis. In addition to being the gateway to Mexico, it is also the commercial center for northern Mexico, Arizona, west Texas, and New Mexico. El Paso boasts of a school system that is second to none. This system embraces public, denominational, and private institutions. Besides being the pivot point of a great and rich mining section—and in this connection one of the largest smelters in the country is located there—El Paso is also the center of the great cattle industry and of an irrigated district. El Paso is served daily by 11 railroads. Among the most important industries are the paper mills, box factory, cement plant—one of the largest in the country—foundries, brick plants, lumberyards, and numerous other industries, which are thriving and prospering. Gentlemen, it is only necessary for anyone to pay a visit to El Paso to be convinced of the wonderful opportunities there. Regardless of size and population—and El Paso has a population of 100,000—El Paso is one of the best cities in this whole, wide country, and I say this because I have proof to back it up.

I must not forget the city's wonderful climate. I could cite you case after case I have known personally of men and women afflicted with that dread disease tuberculosis who have come there emaciated and to-day the bloom of health is in their ruddy cheeks. From the snow-swept countries of the north these citizens have come to the sunny and healthful climate of El Paso, which can not be equaled any place, and they have regained their health. Could a city bestow a greater bequest on mankind than this? I think not.

And I ask you gentlemen, Is it fair or right that a city of the importance and prosperity of El Paso should be blighted by irresponsible Mexican bandits or by warring factions in that land of the sweet "manana"? But of greater import than this, Should our free-born American citizens be subjected to continued humiliation at the hands of these same self-styled and self-confessed despisers of Americans? I am confident that you are going to say that this should not be tolerated any longer.

Let me briefly review the revolutions in Mexico, and I say to you that it does not take much to start a revolution in Mexico. One Mexican steals a cigarette from another and it starts a revolution. Revolutions have come and revolutions will go.

Francisco I. Madero in 1911 rebelled against the government of Porfirio Diaz. Madero was a stockman who lived across the Rio Grande from Eagle Pass. I knew him personally. He traded and trafficked with the cowmen on this side of the river, and every one of those old pioneers will tell you that Francisco Madero was an honest man. He made good his contracts and his word was his bond. Madero was a dreamer, however. He was not practical. He was a spiritualist. He believed in communing with the spirits—not the kind that the gentleman from Minnesota [Mr. VOLSTEAD] has banished forever from this country with his mild bill recently passed, but those unseen beings they tell us about; and when the spirit told Madero to make a move he moved. Madero dreamed of a democracy in Mexico. He had been educated partly in the United States. He dreamed of a government in Mexico like the great Government of the United States, but his people were not ready for that kind of a government. The first battle that he fought was at Casas Grandes, south of El Paso about 100 miles. He was defeated, and he then invested Juarez in conjunction with Pascual Orosco and Pancho Villa.

The gentleman from New York appears to think that we made a mistake in not recognizing as the head of the Mexican Government this bandit for 18 years, this outlaw from the Diaz government, Francisco Villa. After three days' fighting they took the city of Juarez, and then shortly afterwards Diaz, who had reigned in Mexico for 36 years, abdicated and went to Spain. The gentleman from New York [Mr. LAGUARDIA], in his statement here in the House, in his Epistle to the Ephesians, a few days ago, made the remarkable statement that Francisco de la Barra was in the Huerta cabinet, which President Wilson refused to recognize; yet the latter had to sit with him at the peace table. Let me say this with respect to Francisco de la Barra, regarded as a straightforward, honorable man, when Madero captured Juarez and Diaz abdicated all factions came together and centered on Francisco de la Barra as a provisional President of Mexico during the interim in which an election was held. An election was held under the constitution and laws of Mexico, and Francisco Madero was chosen as the constitutional President of Mexico at that election. He took the reins of government there in the spring of 1912.

De la Barra went to Spain. He is now in Spain. He had nothing to do with Huerta or his government. He did not recognize the man who ascended to the Presidency of Mexico by the assassination of his chief. [Applause.] Huerta, that is the man the gentleman from New York [Mr. LAGUARDIA] states Wilson should have recognized. At the time that Madero took the reins of government Huerta had been a Diaz general. Huerta was a military man. Madero, out of the kindness of his heart, unsophisticated, never having been engaged in politics, called all the factions together and said, "I am your President, and I want to harmonize all factions." He called Victoriano Huerta into his presence and, after Huerta had crossed his heart and placed the Judas kiss upon Madero, pledging allegiance forever to Francisco Madero, he made him commander in chief of the Federal army. Soon after Madero had taken the reins, the red flaggers revolted against him, commanded by Pascual Orosco and Inez Salazar, and they commenced operating in the northern part of Mexico, in the States of Sonora and Chihuahua. Then Victoriano Huerta and Francisco Villa drove them from the country. As I have stated heretofore, Huerta was a military man. He had been educated in the military schools of Mexico and Spain. He drove the red flaggers back in the northern part of Mexico. At that time friction commenced between Huerta and Villa. Huerta sent Villa in irons to the City of Mexico and placed him in prison. At that time Villa could not write his name, and he scrawled upon the whitewashed walls of the prison "Francisco Villa," and to-day he can only make that scrawl. That is Villa. Now, let us take up that delectable gentleman, Mr. Felix Diaz, whom the gentleman from New York [Mr. LAGUARDIA] paraded before you as the man to quell the troubles of Mexico. He said that Diaz has an army of 40,000 men. I want to say to you that Felix Diaz never had under him at any one time over 400 men. Felix Diaz is a moral pervert and a political degenerate. He is the man the gentleman from New York would have made ruler of Mexico, who, after acknowledging allegiance to Madero, and was pledged to him by all that was holy, started a revolution at Vera Cruz. As I now recall, Madero sent a portion of his army over there, subdued Felix Diaz, and had him brought to the City of Mexico, where he embraced Madero and placed the same Judas kiss upon Madero's brow and in every way renewed his allegiance. This man Felix Diaz, whom Porfirio Diaz, his uncle, gave very little recognition in his lifetime, a man with a yellow streak as large as that flag, a man who never in his life kept faith with any man or party, this man, the gentleman from New York [Mr. LAGUARDIA] states, should be recognized by this Government, and this Government should establish him in Mexico as its ruler. That is not all, gentlemen. He was placed in command of several divisions; that is, after Huerta came back from the north, after he had subdued the red flaggers, Felix Diaz for the second time revolted against his chief, his President, the man he had sworn allegiance to stand by all the days of his life, and on the 2d day of February, 1913, he again started a revolution in the City of Mexico against Madero. He captured the arsenal, turned the guns upon the Mexican palace, and blood ran like rivers through the streets of that beautiful city south of the Rio Grande.

Madero put Huerta in charge of his army against Felix Diaz, and for days they fought. Madero believed Victoriano Huerta was true to him until one night after a battle that had been going on for about five days, Huerta summoned his bodyguard and appeared at the palace where Francisco Madero and Pino Suarez, the Vice President were, had the instrument all prepared, and demanded that Madero sign it, acknowledging Huerta as President of Mexico, and abdicating the Presidency. Madero was a brave man, gentlemen. Whatever you may say about his misguided actions, he was a brave man. He saw the trap that had been sprung for him, and he sprang upon his assailants and fought like a tiger, and secured a pistol from one of the guards, but was struck down from behind by one of Victoriano Huerta's bodyguard, with the butt of a Mauser rifle, and placed in a dungeon in company with Suarez, and that night he and Saurez were foully murdered, and their bodies were taken through the streets and thrown to the dogs in some secluded spot in the outskirts of the City of Mexico, and Huerta had it given out that he had put them in the penitentiary in order to keep the populace down. That is the history of this man whom the gentleman from New York [Mr. LAGUARDIA] would have the great President of the United States recognize. Is that all? No, no. That is not all. Let me tell you something more. A Mexican deputy, as they call them—a member of the Mexican Congress—after it was found that Huerta had proclaimed himself President—never was elected President, you understand, but forced the Mexican Congress to sign some kind of a resolution declaring him the Provisional President of Mexico—this Mexican deputy arose in his seat and denounced Huerta as a traitor and a scoundrel and a tyrant, not only once, but he denounced him during the entire day. That night this member of Congress was summoned from his rooms by Huerta's bodyguard and taken into the presence of Huerta at the palace, and then, when he was confronted by Huerta, he denounced him again as a tyrant, and Huerta had him seized and had his tongue cut out of his head, and he, taking the blood which flowed from his mouth in his hand, threw it in the face of Huerta. That is the man the gentleman from New York would have the great President of the United States recognize as President of Mexico. These are facts, gentlemen. That is not all. This Mexican deputy was thrown into prison, and there languished for three days, without food and drink, and finally Huerta put him out of his misery or had his guards do it.

That is the man Huerta, a man that succeeded to the Presidency of Mexico by deception, that gained it by assassination, and whose hands were reeking with the blood of Francisco Madero when he asked the President of the United States to recognize him.

That is not all. Another Mexican deputy had the temerity to rise and denounce him, and he disappeared that night and has never been heard of from that good day. And yet, gentlemen, the gentleman from New York [Mr. LAGUARDIA] says we recognized the wrong man and that then was where our troubles began. A man who had been the chief adviser of Madero, who had been placed at the head of his army, foully had him murdered in the hours of night and then said to the populace next day that he had him over in the penitentiary for safe-keeping.

Now, the gentleman from New York in his recitation stated that we should have recognized, or words to that effect, Francisco Villa instead of Carranza. I want to say to you that I am not going to defend Mr. Carranza. I want to state to you from my knowledge of the gentleman—and I have a personal acquaintance with him, because he was in Juarez for a number of months before he went to Mexico City to take the Presidency, and, being a State official at that time, I did confer with him about matters that affected the two towns and Americans generally—Mr. Carranza is nothing but a big chunk of pomposity, egotism, and ignorance. I want to say that in behalf of Mr. Carranza that aptly describes the gentleman—pro-German and intensely anti-American.

But should we recognize Villa, a man who had been an outlaw for 18 years, an ignorant man, a bandit, and a man who descended upon the little American town of Columbus and tried to sack it in the nighttime? Now, the gentleman from New York [Mr. LAGUARDIA] states further in his recitation that it is very questionable as to whether or not Villa is charged with having attacked Columbus. There is no proof, he says, that Villa ever attacked that place. Is there not? Let us see whether or not there is evidence to that effect.

A man by the name of J. L. Watson, who formerly lived in the good old State of Alabama, was living in Casa Grandes when Villa started for his raid to Columbus and passed by Watson's little farm on the road. He seized Watson and murdered him in the presence of his wife. Their little baby was given, as the mother presumed, to one of the soldiers, but fortunately it fell into the hands of a good old Mexican woman and was returned to Mrs. Watson at Juarez. This good woman was taken along. It was a trip that consumed about a week, going north to attack Columbus. She was taken along and maltreated by this man Villa and his soldiers, and at the battle of Columbus she escaped to the American side and came to El Paso and stopped at the Hotel Paso del Norte until she was sent home to her

friends. They say there is no evidence that Villa attacked Columbus, and yet this woman, who was formerly from Alabama, stated to numerous of our citizens at El Paso that Villa was along and commanded his troop and rode a mule when he attacked the town of Columbus. Is that evidence that Villa was at Columbus or not?

An old cowboy, a friend of mine, William Corbett, who worked for me on the Pecos River many years, was running a range wagon about 20 miles south of Columbus. Villa seized him and his boss and hung them to a cottonwood tree. Corbett had committed no offense whatever against anyone. Villa stated at that time that "he wanted to see the gringo kick," and he hung him to a cottonwood tree. Any evidence that that bandit attempted to sack and burn the little town of Columbus? Well, I know it as well as I know the gentleman from New York is a Member of this House and that he has recently had a hair cut. Then, gentlemen, you have got to disregard the testimony of this good woman, Mrs. Watson, who was maltreated in every kind of a way during the trip north, where they bound her to a mule in the daytime all through that week's journey. Do you believe it?

Yet to my surprise a friend of mine, a former Congressman, Mr. McLemore, writes an article to the effect that there is no evidence that Villa was ever in command of that troop at Columbus, when he was seen all along the road by ranchmen, when he was seen behind the hill at Columbus holding a pack train while the battle was in progress, and when Col. Hopkins finally secured the guns at the arsenal there and drove him south.

I have had a little experience with Mr. Villa, rather unpleasant at the time. When he was in charge of the city of Juarez he confiscated American property on the other side, not once, but many times. I knew him well. I had a telegram, sent by the Secretary of State of the United States, directed to Francisco Villa, that he return to a certain American his property. I went over, and it happened on the same day that he murdered in cold blood the British subject Benton. I did not know that he had murdered Benton or I would not have been there. [Laughter.] In two hours, possibly, after he had murdered Benton, the British subject, I saw that there was great excitement, and I presented to Villa a telegram from the Secretary of State of the United States, that he should restore to this citizen of the United States his property. He was in a great rage. He rose up when I presented him the telegram and threw it on the floor and stamped on it, and he said, "You say to your Government that I have no respect for it. You say to your President that I think he is an old woman. You say to your Government that I have no respect for it, and I will not grant any of its requests. Your soldiers are cowards; and they will not fight."

I shook my finger across the table at him, and I said, "There will come a time when you will respect my Government." [Applause.] "There will come a time when you will find out whether the so-called 'Gringo' Army, the American Army, will fight."

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. HARDY of Texas. Mr. Speaker, I ask unanimous consent that the gentleman be allowed 10 minutes longer. I think 20 minutes is a little too short a time.

Mr. HUDSPETH. I thought I had 30 minutes.

Mr. HARDY of Texas. I ask unanimous consent, Mr. Speaker, that the gentleman may have 10 minutes more.

The SPEAKER pro tempore. Is there objection to the gentleman's request?

Mr. FESS. Mr. Speaker, there will be no objection. I wish that the gentleman, who has certainly impressed the House with his knowledge of the situation, will, before he takes his seat, give us some suggestion as to what shall be done in the future.

Mr. HUDSPETH. I will give it; never fear, I will say to my friend from Ohio.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HUDSPETH. I said to Villa, "There will come a time when you will respect my Government, and you will find out whether or not the American Army will fight." Thank God, that time came on the 17th day of last June, when the American troops crossed the river at El Paso, when shots were falling into my city, fired either by Villa or Carranza, I know not which, and threw the shrapnel into Villa, and he ran like a cotton tail to the mountains of Chihuahua. He found out whether the American boys, dressed in khaki, would fight when they went across to stop the shooting into El Paso.

Now, Mr. LAGUARDIA says Carranza was governor of Chihuahua. Carranza was never governor of Chihuahua a day in his life. He was governor of Coahuila when Madero was assassinated. His son-in-law, Candido Aguilar, is minister of foreign affairs. You have read his contradictory statements in the press. I believe this celebrated cabinet officer is now in Spain or in France. He was a milk boy, living near Vera Cruz, when Carranza went down there after Madero was assassinated. He became Carranza's bodyguard and married Carranza's daughter—minister of foreign affairs and as ignorant as a wild mule. That is the kind of a minister Carranza has. This man Bonillas, ambassador to the United States, was an engineer in the State of Sonora before Carranza took him up and made him minister to the United States.

I was amazed by a statement made by Mr. Bonillas recently in the public press, to the effect that Mexicans had always been punished for crimes committed against Americans on the south of the Rio Grande. I want to say to him that he can not produce an instance in 10 years where a Mexican has been punished for taking the life of an American in Mexico or any punishment of any kind visited upon a Mexican by the Government of Mexico for outraging a good American woman. Bonillas knows there is not a word of truth in his statement, and that it is false from beginning to end.

Now, Mr. LAGUARDIA seems to make capital out of the fact that Huerta was thrown into prison. I do not think it is important to this House where Huerta died, but Mr. LAGUARDIA wants you to believe that he died in a dungeon in El Paso, thrown there by the American authorities. He was in jail only six days. Let me read you this telegram which I have received:

EL PASO, TEX., *July 11, 1919.*

Congressman C. B. HUDSPETH,
Care Congress Hall Hotel, Washington, D. C.:

Huerta committed to jail July 3, 1915. Released July 9, 1915. Bond, $15,000. His quarters in jail were the best, being a part of the woman's ward. I attended him personally, giving him the freedom of jail, allowing him everything money could buy. Visitors at all hours. He complimented me through El Paso papers. His home at 415 West Boulevard worth $20,000, where he died January 13, 1916. He occupied this home about five months. This home is in best residence district. You will recall after his release from county jail he was at Fort Bliss a short time, and was treated royally while there.

BUCK ELLIOTT,
Ex-County Jailer.

That shows you the kind of argument that a gentleman will make here, that our Government threw Huerta into a dungeon and kept him there until he died. When I corrected the gentleman from New York he again reiterated the statement in another part of his speech. He only remained in jail six days and spent the rest of his time in his palatial home on West Boulevard. If the gentleman from New York ever visits El Paso, I shall be glad to show him that marble tomb out there in Concordia Cemetery where his martyred hero lies.

Mr. UPSHAW. Tell us about the future of Mexico.

Mr. HUDSPETH. Yes. I am talking to you, my Republican friends, on this side now. You are a majority in both Houses. You have some resolutions here pending, one introduced by the gentleman from Ohio [Mr. EMERSON], I believe. Instead of having your investigations you have been reading in the daily papers, and you have been reading every day of atrocities upon Americans in Mexico. What have you to investigate? You have a majority. Pass the Emerson resolution and protect American lives that are being sacrificed daily down there while you are investigating here. You have read the Emerson resolution, but I will read it to you:

The Secretary of War be, and he is hereby, authorized and directed to use the military forces of the United States in Mexico in the protection of the lives and property of citizens of the United States that may be in Mexico.

The Secretary of War is further authorized and directed to keep the military forces of the United States in Mexico for the purpose of protecting the rights of the United States citizens in Mexico until some responsible form of government is established in Mexico that will protect the lives and property of United States citizens.

That is the resolution. Pass it and quit your investigating. It occurs to me you are trying to make political medicine for the next campaign and are not really trying to protect the lives of Americans in Mexico. If you pass the resolution introduced by Mr. EMERSON, I expect you will get some Democratic help. You can not get a man, in my judgment, who is strong enough to quiet that benighted country down there. You may say it means war. I say it does not mean war. They have not forgotten, gentlemen, when Zachary Taylor went almost to the City of Mexico with 6,000 troops and whipped Santa Anna at Buena Vista. They have not forgotten when Gen. Winfield Scott visited Mexico and whipped Santa Anna at Chapultepec. No; Santa Anna had 25,000 troops and Scott had only 5,000. They have not forgotten that the "Gringoes" can and will fight. They have not forgotten that Sam Houston and his 680 coonskin cap and flintlock frontiersmen vanquished Santa Anna with 1,800 of his picked troops at San Jacinto, where a nation was born in the short space of 18 minutes. They have not for-

gotten the time when old Sam Houston rode his white horse, leading those unconquerable frontiersmen against Santa Anna at San Jacinto singing that love song, "Come to the bower I have shaded for thee." When he put the fear of God into them with the Minié balls from the muzzle of the flintlocks and the craven cowards, when they saw death approaching, fell upon their knees in front of Houston and his gallant frontiersmen and pleaded, "Me no Alamo; me no Goliad," when their hands at that time were red with the blood of the dead heroes of both places. No! They have not forgotten the Alamo, where Crockett died, where Fannin died, where Bowie died, where Travis drew his line and said, "Every man who wants to die for the liberty of Texas come across this line," and every man crossed. No; they have not forgotten the Alamo, the citadel of American liberty, the cradle of Texas liberty, the grandest cradle, sir, that ever rocked American valor to a full maturity of immortal glory. [Applause.] No; they know Americans will fight. I say to you that the time has arrived, in my judgment, and I am not a jingo nor an agitator. But I was reared under that flag. I am a Texan, but I am an American first. [Applause.] I repeat, they have not forgotten that Texans and Americans will fight.

Recently a resolution was passed by the Senate of Texas, which was sent to me, in which it is stated:

The point has been reached when the Government of the United States orght either to give the State of Texas and its citizens the same degree of protection in their lives, their property, and their purposes as is enjoyed by the citizens of other States in the Union, or that if the Government of the United States is incapable of doing this it ought to accord to Texas that liberty of action with reference to the protection of its citizens that it enjoyed prior to the time it in good faith abandoned its status as an independent nation of the world and became a State of the Union.

That ought not to be necessary, my friends. That flag over the Speaker's chair is ample to protect the people of the State of Texas. [Applause.]

The gentleman from New York [Mr. LAGUARDIA] very wisely (?) suggests that a committee be appointed by Congress to go down into Mexico, gather together the discordant factions, including bewhiskered Carranza, and have a round-table conference—harmonize all of these warring chieftains in the space of a few moments, and let them select one of their number to rule Mexico, then withdraw the conference and abide the result. This, in my judgment, Mr. Speaker, is certainly an Utopian idea and one that would be easy of execution. Let me state for the information of the gentleman from New York that a conference of this kind occurred at Aguas Calientes about two or three years ago, where they met, kissed the flag of Mexico, which contains an emblem of a serpent and a cactus, wrote their names upon it, embraced each other, and pledged eternal allegiance to that flag. In 24 hours they were fighting like Kilkenny cats and then in a short time were warring worse than they ever had been. You just as well try to pen up the hyena, the rattlesnake, and the coyote wolf and harmonize the three into one homogeneous whole. Nothing but the shrapnel from a few of the machine guns of the boys in khaki from this side will have a wholesome effect and a harmonizing effect upon these various bands of bandits from Carranza down—to the south of the Rio Grande.

The SPEAKER pro tempore (Mr. HERSEY). The time of the gentleman has expired.

Mr. HUDSPETH. May I have three minutes more, Mr. Speaker?

Mr. CAMPBELL of Kansas. I ask unanimous consent that the gentleman have three minutes.

The SPEAKER. The gentleman from Kansas asks unanimous consent that the time of the gentleman from Texas be extended three minutes. Is there objection?

There was no objection.

Mr. HUDSPETH. I say the time has arrived, in my judgment, when Americans in Mexico should be protected. I am not talking so much about their property. I would not put up a dollar against the life of an American boy. I am talking about the protection of their lives. You can reimburse a man for his property, but you can not bring back the life of old John W. Corrall, that citizen of Oklahoma who was foully murdered a few days ago in Mexico. You can not bring back to that good woman, his wife, who was foully and criminally assaulted by Mexicans in Carranza uniform, that which they took from her. I need not refer to it. You have seen it in the papers. Many Mexicans who have been killed on this side have had on the Carranza uniform. I say again I am not a jingo or an agitator, but I say to you that in my judgment the time has arrived when this Government should say to Carranza, "You have not measured up, you have not met your obligations to protect American lives, and therefore we withdraw our recognition"—as has been done in one instance in the past—"and we will put our troops into Mexico to protect American lives, until a stable Government is established over there." [Applause.] That is what I say to you to-day. Pass your Emerson resolution.

Mr. Speaker, in conclusion I want to say that I felt it my duty to lay these matters before you. I should have a little more time in which to do it. That flag there has protected American lives in the past. I have never seen any utterance from the Republicans, but the Democratic platform of 1912 said—

We pledge our party to protect the rights and lives of American citizenship at home and abroad.

What does the Republican platform say? That is what the Democratic platform said, and I hope that pledge will be redeemed. I want to say to you that when the armies of the world were passing in review in front of Pekin, China, a foreign lady there saw the flags pass, and she asked, "What is that flag?" They said, "That is the Italian flag, that is the British flag, that is the French flag." Then the Stars and Stripes came by, and those khaki-clad boys marching with determination upon their faces, with pride in their countenances, carrying by the old Stars and Stripes. She said, "What flag is that?" A foreigner standing by said, "That is the flag that protects the rich and the poor, the peasant in his hut, the millionaire in his castle. That is the flag that protects democracy throughout the world. That is the flag that protects the women and children where it floats from the combined attacks of the world." [Applause on both sides.]

Gentlemen of the House, let us stand for the traditions of the past, let us be worthy sons of worthy sires, and true to the heritage they have bequeathed us, and let us carry that flag to protect our citizens in benighted Mexico. It is due them. [Applause on both sides.]

The SPEAKER pro tempore. The gentleman from Ohio [Mr. RICKETTS] is recognized for 30 minutes.

Mr. RICKETTS. Mr. Speaker and gentlemen of the House, I want to congratulate the gentleman from Illinois [Mr. DENISON] on his most splendid address. I want to congratulate the people of that State on their selection of Gov. Lowden as their candidate for President in 1920. However, I fear that the dear people of that great State have overlooked the fact that the Republicans of Ohio will have a candidate in the person of Senator WARREN G. HARDING [applause], whose ability and patriotism and loyalty and statesmanship are known by the people throughout this Nation. He needs no certificate of character from me or from any of the members of the Ohio delegation.

Mr. Speaker, on the 19th day of June of this year, just one month from the day Congress was convened in special session, I addressed the membership of the House upon the subject of the high cost of living. My remarks at that time were more or less of an extemporaneous character, because I had not then the time to collate and compile the figures and facts necessary to a more complete discussion of this most vital subject. To my mind this is the most important question before the American people to-day and deserves the immediate attention of Congress.

I had hoped to bring this matter to the attention of the House prior to this time, but during this session much of my time has been employed in attending the sessions of the House and in discharging the duties devolving upon me in the various committees to which I have been assigned. We have had before us the task of passing the necessary appropriation bills in order that the departments of the Government might continue to function for another fiscal year. Now that these appropriation bills have all been passed and are out of the way, we must take up the important questions of the day in their order. I have no apology to make for what I shall have to say in regard to this subject. It is my purpose to bring to your attention what the facts, in my judgment, conclusively prove to be a gross and vicious violation of the law upon the part of the storage trust of this country and other trust monopolies.

We can not deceive ourselves longer. We must meet the proposition of the high cost of living in its true light and face to face if we are to continue to enjoy the confidence of the American people and mean to do our full duty toward them. I believe that a public office is a public trust, and it is my purpose and intention, so far as I am personally concerned, to discharge that trust to the full measure of my ability, fearlessly, and as my conscience may dictate, and I take it that every other Member of this House is inclined to do the same thing.

All Members of Congress agree that there is a primary cause for the high cost of living. Few Members undertake to designate that cause. Just why the membership of this House should be so reluctant to give expression to their convictions with reference to this matter is not exactly clear to me. It may be due to the fact that the Members of the House have not given the subject that serious consideration which it so justly deserves,

and especially at this particular time in our national history, during the great period of reconstruction, when most of us are wrestling with governmental problems. [Applause.]

I am frank to say to you that I am, and have been for many years, deeply interested in labor and in the welfare of the common people, and to that end I have given this subject quite a great deal of serious thought.

Since having addressed the House on this subject I have endeavored to assemble facts which I think this House should know, and which, in my time, I shall try to give to the membership of the House.

As far back as 1890 the question of preventing trust monopoly was before the Congress and was the subject of heated and spirited debate. The Sherman antitrust law was passed by Congress and was approved by the President on the 2d day of July of that year. Senator Sherman, of Ohio, was the father of this bill, being the chairman of the Senate Finance Committee, which reported the bill. The bill was designated as "S. 1," and passed the Senate in the first session of the Fifty-first Congress. Senator Sherman, in addressing the Senate, said:

Mr. President, I did not originally intend to make any extended argument on this trust bill, because I supposed that the public facts upon which it is founded and the general necessity of some legislation were so manifest that no debate was necessary to bring those facts to the attention of the Senate. The object of this bill, as shown by the title, is "to declare unlawful trusts and combinations in restraint of trade and production." It declares that certain contracts are against public policy, null, and void. It does not announce a new principle of law, but applies old and well-recognized principles of the common law to the complicated jurisdiction of our State and Federal Governments. Similar contracts in any State in the Union are now by common or statute law null and void. Each State can and does prevent and control combinations within the limit of the State. This we do not propose to interfere with. The power of the State courts has been repeatedly exercised to set aside such combinations as I shall hereafter show, but these courts are limited in their jurisdiction to the State, and, in our complex system of Government, are admitted to be unable to deal with the great evil that now threatens us.

The purpose of this bill is to enable the courts of the United States to apply the same remedies against combinations which injuriously affect the interests of the United States that have been applied in the several States to protect local interests.

At that time the claim was made by the Democrats, both in the House and Senate, that a protective tariff fostered and encouraged trust monopoly, and I may say that under the force of the logic then presented there was the semblance of some merit. However, time has proven this claim to be illogical, as I shall endeavor to show hereafter.

That the evil of monopoly then existed there can be no doubt, and it was the primary purpose of this law to stamp out trust monopoly and to promote and encourage fair competition. In other words, it was intended that the law of supply and demand should regulate prices and control the markets of this country. The penalties prescribed by this law were not sufficiently severe to deter those persons inclined to continue this pernicious and nefarious practice. It served only to curb for a time, and did not regulate. Many prosecutions were had for violation of this law, and where convictions resulted the penalties imposed did not have the desired effect.

Food prices have continued to increase day by day, month by month, and year by year since 1912. Before the war there was nation-wide complaint of the high cost of living, but the rise in this country before 1914 was small compared with what it has been since. Between 1913 and 1918 prices had increased 107 per cent, whereas between 1896 and 1913 they increased but 50 per cent.

The Democratic Party had the majority in both the House and the Senate in 1914, and in conformity to its pledge in its platform adopted at Baltimore in 1912 it passed what is known as the Clayton Act, supplementing existing laws against unlawful restraints and monopolies. This act was approved on October 15, 1914, and has been in existence ever since. The Clayton Act is very much more specific and is broader in scope than was the Sherman Act. Both of these acts were framed with the intent and purpose of achieving the same end, to wit, to stamp out trust monopoly and to encourage fair competition under the rule of supply and demand. But few prosecutions have been had under this subsequent act for violation thereof, although the penalties prescribed were intended to be much more severe.

It is certainly evident to each and every Member of the House that both of the dominant parties have for a number of years been wrestling with this momentous question. Each of the two dominant parties have incorporated a plank in both their State and National platforms for many years past pledging their respective parties to a policy and the enactment of such laws as would reduce the high cost of living. To date neither party has succeeded, and the storage trust and trust monopolies generally have been running "on high" during the whole of said time, without regard to the law or to the welfare of the people of the United States.

Mr. EMERSON. Will the gentleman yield?

Mr. RICKETTS. I will.

Mr. EMERSON. My colleague is quite a student, one of the best in this House, and I would like to know what ideas he has as to what this Congress should do to regulate these cold-storage plants.

Mr. RICKETTS. I think I shall be able to explain fully the position I take in this matter before I shall have concluded my remarks.

PACKERS HOLD VAST POWER.

That the Nation's food supply will soon be dominated by the "Big Five" Chicago meat packers—Swift & Co., Armour & Co., Morris & Co., Wilson & Co., and Cudahy & Co.—and other like organizations unless fundamental action is taken to prevent it is the conclusion of the Federal Trade Commission in a report to the President on its investigation of the meat industry made public recently. The report, which is part 1 of a series, treats of the "extent and growth of power of the five packers in meat and other industries."

A fair consideration of the course the five packers have followed and the position they have already reached must lead to the conclusion that they threaten the freedom of the market of the country's food industries and of the by-product industries linked therewith—

the report says, and adds—

The meat-packer control of other foods will not require long in developing.

URGE FULL PUBLICITY.

Declaring that "the history of the packers' growth is interwoven with illegal combinations, rebates, and with undisclosed control of corporations," the commission report also urged the importance of full publicity of corporate ownership for all industries. It also stated that:

As to devices for securing such control there does not exist adequate law. In its absence unfair competition may run its course to the goal of monopoly and accomplish the ruin of competitors without the secret ownership being suspected and, consequently, without complaint to the commission or investigation of facts. The competitor is in jeopardy so long as he has not the knowledge of true ownership, and the public is entitled to such knowledge.

Pointing out that the "big five" packers, jointly or separately, wield controlling interest in 574 companies, minority interests in 95 others, and undetermined interest in 93—a total of 762 companies—and that they produce or deal in some 775 commodities, largely food products, the report gives this picture of growing packer invasion into related and unrelated industries:

In addition to meat foods they produce or deal in such divers commodities as fresh tomatoes and banjo strings, leather and cottonseed oil, breakfast foods, curled hair, pepsin, and washing powders. Their branch houses are not only stations for the distribution of meat and poultry but take on the character of wholesale grocery stores, dealers in various kinds of products, and jobbers to special lines of trade.

The report states that the "Big Five" are interested in banks from which their competitor packing houses borrow money as well as in companies supplying machinery and supplies to themselves and their competitors. They are principal dealers on the provision exchanges, where future prices in standard cured animal products are determined, and they are also important factors in the leather industry, in oleomargarine and lard substitutes, in fertilizer, soap, glue, and so forth.

ARMOUR FAMILY AN EXAMPLE.

The report continues:

Individuals of the Armour family are owners of grain and elevator companies, and J. Ogden Armour is also a prominent factor in the American International Corporation, with its shipping and shipbuilding interests, its imports and export companies in various lines, its interest in a company organized to develop cattle raising, meat packing, and allied industries in Paraguay; its control of a large tea-importing company and a sugar machinery corporation, and its minority stock in the United Fruit Co.

Some of the Swift & Co.'s subsidiaries are growing tropical fruits in Hawaii; a subsidiary of Wilson & Co. has reached into the salmon fisheries in Alaska, and a Morris concern cans shrimp taken in the Gulf of Mexico. In England, France, Italy, Holland, and other European countries large meat distributing companies have been organized by the packers to sell the meats from their plants in the United States, Argentina, Uruguay, Paraguay, Brazil, and Australia.

COVER WIDE TERRITORY.

The "big five," the report shows, have control of or interest in public-utility corporations in Sioux City; Kansas City; South St. Paul; Portland, Oreg.; South San Francisco; South St. Joseph, Mo.; Hill City, Minn.; Fort Worth; and Chicago. Messrs. Armour, Swift, Morris, and Wilson are also directors of banks affiliated closely with those strong sources of credit in the United States. The commission also states that—

Being thus allied with the powerful interests at the sources of credit, the packers' power is great, not only for financing their own national and international operations but for affecting, for good or ill, the credit of cattle producers and of competitors or customers in any line.

The report goes into great detail regarding the operations of the "big five" in all phases of food production, as well as in the field of by-products and unrelated industries.

THE PACKERS TO CONTROL THE MARKETS OF THE WORLD.

The packing-house trust and the storage trust not only propose to control the markets of the United States, but the markets of the world, as well.

In the hearings had by the Interstate and Foreign Commerce Committee of the House of Representatives, from December 19, 1918, to January 20, 1919, this fact is clearly disclosed. I have read those hearings, which are made up in three parts, and the disclosures made therein are appalling. The storage trust and kindred trusts offered testimony in these hearings in opposition to Government control of the meat-packing industries, as proposed in H. R. 13324. These trusts do not want Government control. They are strictly in favor of private ownership, without Government supervision. It strikes me that these trusts would prefer to control the Government and the people of this Nation rather than have the Government and the people of this Nation control them.

The Skinner Packing Co. has constructed a very large packing and storage plant at Omaha, Nebr., covering about 33 acres of land. This packing company put out the following advertisement:

Millions of dollars have been paid in dividends to people owning stock in packing companies.

If you act at once, this is your opportunity to secure an investment in the 8 per cent guaranteed preferred participating stock of the Skinner Packing Co., Omaha, United States of America.

At the present selling price of $100 per share this stock is fully participating in the entire profits of the company and is preferred as to the 8 per cent.

Four hundred and twenty thousand dollars of this stock subscribed for by conservative investors within one week.

Omaha's Daylight Snow-White Independent Packing Co.

This company proceeds to show the present worth of $1,000 had it been invested in any of the following companies:

5 years ago in Armour & Co	$32,000
6 years ago in Swift & Co	20,000
3 years ago in Morris & Co	23,000
6 years ago in Cudahy & Co	26,000
10 years ago in Jacob Dold & Co	41,000
5 years ago in Union Packing Co	21,000
2 years ago in Wilson & Co	7,000
4 years ago in Lafayette Packing Co	16,000
7 years ago in Western Packing & Produce Co	27,500
5 years ago in Erie Packing Co	5,000
5 years ago in Kentucky Packing Co	7,200
5 years ago in Fort Worth Packing Co	7,750
10 years ago in Armstrong Meat Co	16,000
4 years ago in Independent Packing Co	12,000
2 years ago in Atlantic Packing Co	1,900
3 years ago in Standard Packing Co	3,250
15 years ago in Pacific Packing Co	71,500
9 years ago in Green Bay Packing Co	18,000

In addition to the above, this company proceeds to show what dividends have been paid by the various packing companies, which are as follows:

	Per cent.
Cudahy Packing Co	49
Swift & Co	28
Armour & Co	100.5
Morris & Co	180
Union Packing Co	67
Atlantic Packing Co	85
Kentucky Packing Co	45
Standard Packing Co	105
Pacific States Packing Co	35
Green Bay Packing Co	25

Not only have these various companies made enormous profits, but this particular company, promoting the interests of all the packing industries, uses this language:

We could show many others who are making enormous profits were their figures obtainable.

These figures are taken from different current reports that have come to our notice, and to our best knowledge and belief are correct.

This company is organized on a high-grade basis—no promotion stock.

Mr. FOCHT. Will the gentleman yield?

Mr. RICKETTS. Yes; with pleasure.

Mr. FOCHT. I was only yesterday advised by a Member of Congress representing the Chicago district, when discussing this question of the packers, that the five great packers of America controlled but 20 per cent of the distribution of these articles that the gentleman is enumerating. If that be true, would it be possible for them to this unlimited extent to control the markets and dominate the situation?

Mr. RICKETTS. Not if that is true, but I think I can convince the gentleman that it is not true.

Mr. FOCHT. Not to convince me, for I am in entire ignorance of the situation and am only seeking information.

Mr. RICKETTS. The intention of this advertisement is clear. It is the purpose of the big packing trusts and the storage trust to sell its preferred stock to as many of the citizens of the United States as possible, so as to more firmly intrench itself and lessen the opposition to trust monopoly.

Gentlemen of the House, you have no idea of the extent of the operations of these trust corporations. They handle not only the meats of the country but the food supplies as well. The largest handlers of food supplies in the world are the packers themselves. They handle somewhere near 8,000,000 tons of food supplies in the course of a year, and the magnitude of their business, as it has been growing, is simply appalling.

I would like to make a comparative statement to show you how their business has been growing and give you a little idea of what is happening in this country. I do not think that anyone who has not followed this industry can really have much conception of what the facts are.

In 1908 the combined working capital of the five large concerns was $166,000,000. In nine years that capital amounted to $400,000,000 invested in their business—$400,000,000—and nearly all of it in money that had been piled up from accumulated profits, besides paying their regular dividends.

The earnings of these five concerns in 1908 were $17,000,000. The earnings in 1917 were $80,000,000. The earnings in 1918 were something like $100,000,000, and I doubt not that the earnings in 1919 will be in the neighborhood of $150,000,000. By earnings, I mean not gross earnings but net earnings, and I make no reference to the reserve funds of these packing-trust combinations, for it is absolutely impossible for anyone to ascertain the amount of the reserve on hand without having had the information furnished by an expert who had access to the books.

The volume of business done by the five big packers in 1908 was approximately $637,000,000. The volume of business done in 1917 was approximately $2,024,000,000. Swift & Co. alone in the year 1917 did a business of over $875,000,000, and I would not be at all surprised if his returns showed $1,000,000,000 this year in business, including the segregated properties.

Of course, I give these figures to show the volume of business transacted, and both the estimate as to the volume of business and the estimate as to the net earnings of these trust concerns is determined by the reports made by them. I am not vouching for their absolute accuracy. I take it that they are meager rather than exaggerated.

Mr. AYERS. Will the gentleman yield?

Mr. RICKETTS. Yes.

Mr. AYERS. That does not take into consideration the earnings of the subsidiary companies?

Mr. RICKETTS. No; it does not.

Mr. AYERS. It has nothing to do with the tanneries or the wholesale houses of boots and shoes, or anything of that sort?

Mr. RICKETTS. No, sir.

These figures are startling, and reveal to us that it is the purpose and intention of these five big packing concerns to freeze out all the smaller packing industries of this country and thus destroy competition. This trust combination is in the price-fixing business, in violation of law and in defiance of the Government of the United States and of Congress as well. These concerns propose to control the supply of meat and foods of this country and to regulate the selling price thereof to the consumers of the country.

Mr. FESS. Will the gentleman yield?

Mr. RICKETTS. Certainly; I yield to my colleague from Ohio.

Mr. FESS. It is true, is it not, that the price paid the live-stock dealers has decreased, while the price paid by the consumer is increasing?

Mr. RICKETTS. That is exactly correct.

Mr. FESS. That is causing a good deal of distress throughout the country among the live-stock producers from this agitation?

Mr. RICKETTS. The gentleman is quite correct in his deduction.

Mr. FESS. Is it not true as an economic principle that if you control the surplus that is exported you will absolutely control the price of the home product?

Mr. RICKETTS. Certainly.

Mr. FESS. And with the tremendous demand in Europe the packers can control the price, because they can command it all, and at the same time, with more meat than ever before, we will have to pay a higher price.

Mr. RICKETTS. A higher price than ever before.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. EMERSON. Mr. Speaker, I ask unanimous consent that the gentleman may have 10 minutes more.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. FOCHT. Mr. Speaker, will the gentleman yield?

Mr. RICKETTS. Certainly.

Mr. FOCHT. If that would apply, as suggested by the gentleman from Ohio [Mr. FESS], then likewise would not the importation of corn from the Argentine Republic, even though

in small quantities, fix the price in America as against the corn raised in Ohio?

Mr. RICKETTS. I think that is true. There is no question about that.

I appeal to you gentlemen that the fate of millions of our citizens depends upon the proper distribution of our food supplies at a fair and reasonable price. The citizens of the United States have been paying exorbitant prices for all the necessities of life, and these five big packing companies have been profiteering ever since 1908, and the American citizens have been paying the penalty. Thousands of laboring men throughout the Nation, who were loyal, patriotic, and true during the great world conflict, are groaning under the burden of the high cost of living. The citizens of the United States at this very moment are at the mercy of these profiteering demons, and it is up to this Congress to relieve this situation. [Applause.]

Mr. BOOHER. Mr. Speaker, will the gentleman yield?

Mr. RICKETTS. Yes.

Mr. BOOHER. Do I understand the gentleman to say that the price of live meat animals to-day is decreasing?

Mr. RICKETTS. Yes; except hogs. Hogs are quoted at 22½ cents.

Mr. BOOHER. Twenty-three and a half cents, are they not, and going up?

Mr. RICKETTS. If the gentleman will pardon me, I happen to be a farmer in connection with my law practice. We have some hogs and cattle on hand, and we have been unable to get a greater price than 22½ cents for the hogs and 10 cents a pound for the cattle.

Mr. BOOHER. I say to the gentleman that hogs are selling to-day at the live-stock market in St. Joseph for 23½ cents a pound.

Mr. RICKETTS. That may be true; I do not know.

Mr. FESS. I have reference only to beef.

Mr. BOOHER. Oh, the gentleman asks about beef?

Mr. FESS. Yes.

Mr. BOOHER. I did not know that.

Mr. RICKETTS. Cold storage is the key to the food purveyor's domination. Take away cold storage and his ability to dominate prices would fall like a house of cards. So long as food was in danger of spoiling, if not sold speedily, the likelihood of deterioration was a natural check on prices. So far as perishable goods were concerned, profiteering was out of the question. I am convinced that cold storage is being used to maintain the prices at high levels. It is an open secret that the cold-storage repositories are crammed with beef, lamb, pork, and mutton.

Mr. SMITH of Michigan. Mr. Speaker, will the gentleman yield there?

Mr. RICKETTS. Yes.

Mr. SMITH of Michigan. I am very much interested in what the gentleman has stated. It is the subject in which the public at large is very much interested also. I know the gentleman has given the matter great thought and research and I would ask him how he would determine the price. Is the gentleman in favor of the Congress of the United States fixing a minimum price for this food?

Mr. RICKETTS. No; that is not my idea.

Mr. SMITH of Michigan. How would it be fixed better than by the law of supply and demand.

Mr. RICKETTS. The trouble is that the law of supply and demand has been abrogated by the Packing Trust.

Mr. SMITH of Michigan. Would the gentleman advocate a minimum price to be fixed?

Mr. RICKETTS. I think I shall be able to tell the gentleman my position if he will indulge me for a little while longer.

Meats stored in the United States on June 1, 1919, show startling aggregate figures, compared with amounts in storage on June 1, 1918.

Mr. SMITH of Michigan. Can not the same thing be said of the United States Government? Has not the Government of the United States now on hand 700,000,000 pounds of meat in cold storage, that the people are asking for and which they will not let the people have?

Mr. GREEN of Iowa. And a lot of other food also.

Mr. RICKETTS. Mr. Speaker, I am in favor of the Government releasing all the food it has in reserve to the American people, and in that way relieving the condition of the people with reference to the necessities of life.

The packers are making the erroneous claim that there is a reduction in meat production, and a reduction in food supplies. This claim is absolutely groundless.

I have obtained from the Bureau of Markets, of the Department of Agriculture, a statistical statement of the amount of frozen and cured meats in cold storage on June 1, 1919, which shows the following:

Report of stocks of frozen and cured meats June 1, 1919.

Product.	Reported for June 1, 1919.		Estimated holdings, storages not reported.		Reported for May 1, 1919.	
	Storages.	Pounds.	Storages.	Pounds.	Storages.	Pounds.
Frozen beef	357	158,437,802	5	2,407,105	380	183,145,395
Cured beef	363	25,847,507	5	81,016	382	27,906,691
Frozen lamb and mutton	212	7,257,814	4	164,907	232	7,439,506
Frozen pork	344	142,733,305	3	1,065,022	365	140,217,415
Dry salt pork	480	598,214,361	12	4,512,398	504	425,394,036
Pickled pork	542	436,771,563	11	3,508,728	562	434,167,968
Lard	583	82,837,978	10	538,285	595	112,014,007
Miscellaneous meats	404	95,821,555	10	1,099,322	422	114,184,176

Comparison of stocks of June 1, 1919, with those of June 1, 1918.

[Includes totals for those storages reporting for both dates. + (plus) increase; — (minus) decrease.]

Product.	Storages.	June 1, 1918.	June 1, 1919.	Increase or decrease.	Increase or decrease.
		Pounds.	*Pounds.*	*Pounds.*	*Per cent.*
Frozen beef	341	175,011,528	156,360,140	−18,651,388	−10.7
Cured beef	355	24,962,881	25,701,138	+738,257	+ 3.0
Frozen lamb and mutton	204	3,725,629	7,105,298	+3,379,669	+90.7
Frozen pork	330	115,624,036	138,314,264	+22,690,228	+19.6
Dry salt pork	473	488,344,838	395,940,437	−92,404,401	−18.9
Pickled pork	530	394,795,403	432,310,875	+37,515,472	+ 9.5
Lard	571	106,649,588	81,275,392	−25,374,196	−23.8
Miscellaneous meats	258	63,565,343	72,583,139	+9,017,796	+14.2

Mr. EMERSON. Will the gentleman yield?

Mr. RICKETTS. I will.

Mr. EMERSON. Can the gentleman give the percentage of the increase over a year ago?

Mr. RICKETTS. I think I can when I get through here. Now I come to lard, and the poor people all over this country are almost starving now for lard, because they have not the money with which to purchase it. That is just a part; I will insert this in the RECORD.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. RICKETTS. I would like to have about 10 minutes more.

Mr. FOSTER. I would like to suggest this——

Mr. SMITH of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended 10 minutes. He has been interrupted quite a good deal, and this is very important and very interesting information that he is giving the House.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent that the time of the gentleman from Ohio be extended 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FESS. My colleague will not want any more than that?

Mr. RICKETTS. No; I will stop whether I am through or not.

Mr. FOSTER. I want to suggest this in reference to some of the corporations which the gentleman quoted some time ago. The gentleman spoke of one called the Skinner Co., and I was wondering if we might not grant a Federal charter to the whole combination under that name. [Laughter.]

Mr. RICKETTS. I concur with the suggestion of my colleague from Ohio.

In addition to the foregoing table showing the meat in cold storage on said date, the following tables will show other food supplies in cold storage which are being held by the Storage Trust for higher prices:

Report of holdings of frozen poultry June 1, 1919.

Product.	Reported for June 1, 1919.		Estimated holdings, storages not reported.		Reported for May 1, 1919.	
	Storages.	Pounds.	Storages.	Pounds.	Storages.	Pounds.
Broilers	194	8,698,089	1	2,884	202	10,873,759
Roasters	193	14,135,523	1	4,882	212	18,807,811
Fowls	211	11,080,965	1	1,139	225	15,545,800
Turkeys	214	6,326,554	1	10,925	228	7,063,142
Miscellaneous	253	15,189,421	3	40,977	270	18,763,860
Total	309	55,430,552	5	60,807	308	71,054,372

Comparison of holdings of June 1, 1919, with those of June 1, 1918.

[Includes totals for those storages reporting for both dates. + (plus) increase; — (minus) decrease.]

Product.	Storages.	June 1, 1918.	June 1, 1919.	Increase or decrease.	Increase or decrease.
		Pounds.	*Pounds.*	*Pounds.*	*Per cent.*
Broilers	180	1,769,557	8,660,284	+ 6,950,727	+406.6
Roasters	181	3,923,303	14,030,763	+10,107,460	+257.6
Fowls	198	2,749,077	10,962,670	+ 8,213,593	+298.8
Turkeys	200	5,935,173	6,287,150	+ 351,977	+ 5.9
Miscellaneous	236	4,022,017	14,630,646	+10,608,629	+263.8
Total	293	18,339,127	54,571,513	+36,232,386	+197.6

Report of cold-storage holdings of butter and eggs June 1, 1919.

Commodity.	Reported for June 1, 1919.		Estimated holdings, storage not reported.		Reported for May 1, 1919.	
	Storages.	Quantity.	Storages.	Quantity.	Storages.	Quantity.
Case eggs	439	5,992,658	14	67,673	457	3,278,247
Frozen eggs	194	11,309,725	5	247,541	197	8,045,556
Creamery butter	344	29,285,220	11	159,257	353	9,658,928
Packing stock butter	124	870,927	3	14,579	125	825,288

Comparison of holdings of June 1, 1919, with those of June 1, 1918.

[Includes totals for those storages reporting for both years. + (plus) increase; — (minus) decrease.]

Commodity.	Storages.	June 1, 1918, quantity.	June 1, 1919, quantity.	Increase or decrease, quantity	Increase or decrease, per cent.
Case eggs	427	5,441,560	5,975,817	+ 534,257	+ 9.8
Frozen eggs	191	11,337,804	11,305,825	— 31,979	— 0.3
Creamery butter	333	12,749,056	29,190,222	+16,441,166	+129.0
Packing stock butter	120	3,125,240	858,449	— 2,266,791	— 72.5

Holdings of fish reported June 15, 1919.

Varieties.	Atlantic.		Central.		Western.		Total.	
	Storages.	Pounds.	Storages.	Pounds.	Storages.	Pounds.	Storages.	Pounds.
Bluefish	7	15,088	9	11,088	....	.....	16	26,176
Butterfish	16	178,605	2	4,815	....	.....	18	183,420
Ciscoes	22	509,521	20	92,724	1	.....	43	602,245
Cod, hake, pollock	43	1,846,841	39	735,169	12	917,418	94	3,499,428
Croakers	11	374,795	4	24,756	1	.....	16	399,551
Halibut	21	936,656	33	831,292	20	3,732,286	74	5,500,234
Herring	43	7,420,407	31	996,942	7	175,064	81	8,592,413
Herring, cured	31	12,247,254	38	7,444,335	13	5,441,986	82	25,133,575
Lake trout	10	51,841	32	229,678	3	11,957	45	293,476
Mackerel	43	2,085,336	24	146,731	9	213,183	76	2,445,250
Rockfish	3	36,598	9	18,042	11	197,528	23	252,168
Sable fish	6	4,173	21	450,392	18	1,170,148	45	1,624,713
Salmon, fall	17	484,782	28	557,608	17	398,471	62	1,440,861
Salmon, mild cured	15	2,197,396	13	304,084	20	2,588,050	48	5,089,530
Salmon, silver	14	306,439	18	77,033	10	213,709	42	597,181
Salmon, other	14	273,089	20	152,437	17	856,277	51	1,281,803
Sea bass	17	76,784	7	5,378	7	5,096	31	87,258
Shad	20	210,902	21	139,158	18	281,769	59	631,829
Shad roe	10	6,183	14	13,577	8	790	32	20,550
Smelts, etc	17	142,727	23	210,490	14	376,174	54	729,391
Squid	18	1,193,621	6	435	....	.....	24	1,194,056
Weakfish	19	686,275	2	24,226	....	.....	21	710,501
Whitefish	15	191,924	34	1,932,108	4	65,974	53	2,190,006
Whiting	38	2,905,190	34	918,143	1	123	73	3,823,456
Miscellaneous	56	3,568,889	53	6,656,414	26	743,609	135	10,968,892
Total	74	37,951,296	65	21,977,055	35	17,389,612	174	77,317,963

Comparison of holdings of this year and last, entire United States.

[Includes totals of all storages reporting for both dates. + (plus) increase; — (minus) decrease.]

Varieties.	Storages.	Comparison of holdings.		Increase or decrease.	Increase or decrease.
		June 15, 1918.	June 15, 1919.		
		Pounds.	*Pounds.*	*Pounds.*	*Per cent.*
Bluefish	16	25,893	26,176	+ 283	+ 1.1
Butterfish	18	364,156	183,420	— 180,736	— 49.6
Ciscoes	43	1,339,733	602,245	— 737,488	— 55.0
Cod, hake, pollock, haddock	92	3,544,546	3,494,903	— 49,643	— 1.4
Croakers	16	1,115,930	399,551	— 716,379	— 64.2
Halibut	72	5,674,984	5,482,382	— 192,602	— 3.4
Herring	80	12,404,493	8,588,313	—3,816,180	— 30.8
Herring, cured	81	19,607,287	25,133,419	+5,526,132	+ 28.2
Lake trout	44	342,443	291,559	— 50,884	— 14.9
Mackerel	75	1,493,092	2,445,250	+ 952,158	+ 63.8

Comparison of holdings of this year and last, entire United States—Con.

Varieties.	Storages.	Comparison of holdings.		Increase or decrease.	Increase or decrease.
		June 15, 1918.	June 15, 1919.		
		Pounds.	*Pounds.*	*Pounds.*	*Per cent.*
Rock fish	22	332,668	252,168	— 80,500	— 24.2
Sablefish	44	925,569	1,624,352	+ 698,783	+ 75.5
Salmon, fall	61	471,284	1,440,752	+ 969,468	+205.7
Salmon, mild cured	46	2,123,007	5,056,520	+2,933,513	+138.2
Salmon, silver	41	236,461	596,181	+ 359,720	+152.1
Salmon, other	50	944,983	1,279,582	+ 334,599	+ 35.4
Sea bass	29	256,612	86,215	— 170,397	— 66.4
Shad	58	784,480	630,870	— 153,610	— 19.6
Shad roe	32	63,774	20,550	— 43,224	— 67.8
Smelts, eulachon, etc	53	1,888,238	728,851	—1,159,387	— 61.4
Squid	24	787,073	1,194,056	+ 406,983	+ 51.7
Weakfish	21	1,306,405	710,501	— 595,904	— 45.6
Whitefish	52	370,893	2,186,637	+1,815,744	+489.6
Whiting	72	3,145,109	3,815,913	+ 670,804	+ 21.3
Miscellaneous frozen fish	134	11,882,337	10,947,027	— 935,310	— 7.9
Total	172	71,431,450	77,217,393	+5,785,943	+ 8.1

Report of cold-storage holdings of cheese, June 1, 1919.

Varieties.	Reported for June 1, 1919.		Estimated holdings, storages not reported.		Reported for May 1, 1919.	
	Storages.	Pounds.	Storages.	Pounds.	Storages.	Pounds.
American	440	12,714,597	7	26,221	450	6,636,192
Swiss, including block	125	865,124	2	3,084	131	1,086,155
Brick and Munster	160	392,067	6	809	173	356,851
Limburger	113	416,066	4	3,769	114	577,276
Cottage, pot, bakers	63	5,293,089	.....	.....	61	4,028,422
Cream and Neufchatel	26	112,835	1	12	25	119,635
All other	83	2,369,948	3	11,690	85	2,772,613

Comparison of holdings of June 1, 1919, with those of June 1, 1918.

[Includes totals for all storages reporting for both dates. + (plus) increase; — (minus) decrease.]

Varieties.	Storages.	June 1, 1918.	June 1, 1919.	Increase or decrease.	Increase or decrease.
		Pounds.	*Pounds.*	*Pounds.*	*Per cent.*
American	399	15,875,236	10,174,502	—5,700,734	—35.9
Swiss, including block	68	300,623	361,263	+ 60,640	+20.2
Brick and Munster	94	446,122	223,527	— 222,595	—49.9
Limburger	65	197,078	104,426	— 92,652	—47.0
Cottage, pot, bakers	25	903,120	1,790,211	+ 887,091	+98.2
Cream and Neufchatel	13	30,667	45,801	+ 15,134	+49.3
All other	46	807,411	968,926	+ 161,515	+20.0

Report of cold storage apple holdings June 1, 1919.

	Storages reporting.	Barrels.	Boxes.	Combined holdings expressed in barrels.[1]	Comparison of holdings on a percentage basis.
Holdings reported on June 1, 1919	506	66,441	168,599	122,641	.....
Comparison of holdings:					
June 1, 1918	504	101,403	172,280	158,830	100.0
June 1, 1919	504	66,141	168,191	122,205	76.9
Comparison of holdings:					
June 1, 1917	508	183,159	246,408	265,295	100.0
June 1, 1918	508	99,041	171,188	156,104	58.8
Comparison of holdings:					
Dec. 1, 1918	492	3,072,727	4,814,452	4,677,544	100.0
June 1, 1919	492	66,441	165,382	121,568	2.6
Comparison of holdings:					
Dec. 1, 1917	485	3,103,412	4,227,116	4,517,451	100.0
June 1, 1918	485	101,593	162,154	155,644	3.4
Comparison of holdings:					
Dec. 1, 1916	491	2,845,075	4,088,646	4,207,957	100.0
June 1, 1917	491	142,377	213,535	213,555	5.1

[1] Three boxes to the barrel.

Mr. Speaker and gentlemen of the House, the above tables are official and show beyond question that enormous quantities of food products and other commodities intended for domestic consumption and use are withheld from the people of this Nation by this trust combination. These articles are being withheld for higher prices. This trust combination has no concern as to

the comfort and welfare of the American people. If this Government could force this illegal and unlawful combination to release these foods at once, the high cost of living would be reduced within 30 days and the people of the United States would be enabled to purchase within their means the necessities of life and hunger and starvation so prevalent throughout the land would be eliminated. However, the Sherman Act, as supplemented by the Clayton Act, does not authorize the Government to enforce this action, and consequently the people of the United States are without a remedy because of the fact that Congress heretofore has not enacted a law that would relieve the people under stress of this character.

These wicked and vicious trust combinations are not only producers but have successfully cornered the supply of the products of this Nation so as to regulate prices as well. Senator John Sherman more than 28 years ago, in addressing the Senate of the United States, used this language in relation to the control of trusts:

> Congress alone can deal with them, and, if we are unwilling or unable, there will soon be a trust for every production and a master to fix the prices for every necessity of life.

He saw then that trust monopoly was an evil that threatened the welfare of the people. Since then trusts have continued to thrive until this day. In order to give you further data with reference to this matter, I want to quote from the report of the Federal Trade Commission to the President:

> The Big Five deal in or manufacture 775 commodities; 762 other companies are controlled by them; 95 other companies have them for (as yet) minority stockholders; 93 other companies have them in (as yet) undetermined interests; 9 public utilities corporations are controlled by them, namely, in Sioux City, Kansas City, St. Paul, Portland, San Francisco, Fort Worth, Chicago, St. Joseph, Mo., and Hill City, Minn.
>
> During the year 1917 they produced 44 per cent of the country's output of sheep and lamb shoe stock; 17 per cent of the glove stock; 9 per cent of the harness leather; 21 per cent of belting; 22 per cent of sole leather 20 per cent of the mixed fertilizer supply; 10 per cent of acid-phosphate supply; 33 per cent of the cottonseed-oil supply; 50 per cent of lard compounds and substitutes; 80 per cent of the oleomargarine supply; and 75 per cent of the cottonseed-oil soap.
>
> In 1916 the Big Five slaughtered 82 per cent of all cattle, 86 per cent of all sheep, 76 per cent of all the calves, and 61 per cent of all the swine.
>
> In 1916 the stockyards controlled by the Big Five received 83 per cent of American cattle, 78 per cent sheep, 78 per cent calves, 74 per cent swine, 84 per cent horses and mules, and 77 per cent of all animals.
>
> The average monthly holdings of nonperishable meats of the Big Five were, as compared with the total supply, 95 per cent frozen beef, 64 per cent smoked ham and bacon, 69 per cent dry salt pork, and 70 per cent pickled pork.
>
> The Big Five handled in 1916 50 per cent of the poultry, eggs, and cheese.
>
> The Big Five in 1916 sold 90,000,000 pounds of butter, 75 000,000 pounds of cheese, 135,000,000 dozen eggs, and 100,000,000 pounds of poultry.
>
> The Big Five are gaining control of breakfast foods, chicken feed, stock feed, fruit, canned vegetables, coal, fence posts, builders' hardware, binding twine, lumber, cement, lime, plaster, brick, sand, gravel, roofing, soda-fountain supplies, and rice.
>
> The Big Five controls 54 per cent of South American meat importations and 90 per cent of all refrigerator cars.
>
> The Federal Trade Commission says the Big Five meat packers will soon exercise a powerful domination over the Nation's food supply and international control of meat products.
>
> A fair consideration of the course of the five packers—Armour, Morris, Wilson, Swift, and Cudahy—have followed and the position they have already reached must lead to the conclusion that they threaten the freedom of the world of the market of the country's food industries and of the by-product industries linked therewith.
>
> It is apparent that the Big Five can dictate their buying price from all producers.
>
> It is apparent that the Big Five can dictate their selling price to all consumers.
>
> Thus they catch the American people coming and going.

The American people are not only paying the highest prices ever known, but they are suffering for pure and wholesome foods.

This profiteering monster is not satisfied with the greatest profit ever paid but is in reality demanding tribute from the people of this Nation.

The wholesale merchant is being put out of business, competition is being crushed, and the retail merchant is being forced to make the price to his patrons to suit this trust monopoly.

The Government, through the Federal Trade Commission, one of its agencies, has thoroughly investigated the general high cost of living and has traced the cause therefor to the door of the packing-house trust.

The commission's report was released for publication on the 11th day of July, 1919, and immediately the packing-house trust began to flood the Members of Congress with letters from its officers and agents urging Congress to vote against Government control or Government license of its business, claiming, if you please, that such legislation would interfere with its private business.

Gentlemen of the House, no private business should become greater than the business of the Government. [Applause.]

I doubt not that the business of the Big Five in a very short time will be equal to that of the Government. It has grown so large already as to baffle Congress in its control, so far as present laws are concerned. It has its warehouses, its station houses, its repositories, its agents in each of the large cities of the United States and in many parts of the world. It has its refrigerator cars carrying its commodities to all parts of the United States. It has been able to freeze out practically all competition. The way for its future progress has been cleared. There is no obstruction anywhere therein. Its power is so great to-day, and has been for the past few years, as to enable it not only to exact the last dollar of the laboring man and the common people for its commodities, but Uncle Sam as well, in the last two years, has been required to pay it an enormous price for foods for his soldiers on the theory that there was a scarcity of food products, when in truth and in fact the warehouses of the country were filled to the roofs, with their sides bulging, with all kinds and classes of food supplies, not only sufficient in quantity for the soldiers but for the American people as well in great abundance.

Not only is this true, but the farmers of the country are paying more for the articles and implements used upon the farm than ever before. The prices for wire, nails, harness, fertilizer, binder twine, machinery, wagons, farm implements of all kinds, seed, and farm labor have more than doubled in the past five years. It is true that the farmer is receiving more for his grain and farm productions than he did five years ago, but there is no comparison in the price to him and the increase of cost to him in producing farm products.

His taxes are higher, and everything that he uses upon the farm costs him more money than ever before. He pays more for the groceries that he uses in his home than ever before. And he is entitled, in all fairness, to have a higher price for the products of the farm and should have a price commensurate with the cost of production. [Applause.]

The people of the United States are feeling the power and grasp of this combination and are demanding of Congress a remedy for this evil. Millions of people are knocking at the door of the Congress, demanding of us as their Representatives to grant them relief in a legislative way from the ravages of a heartless and soulless trust combination which is seeking to throttle and enslave them and their posterity.

The answer is with us. What shall we do in the premises? Is it the purpose of this Congress to remain silent and take no action to relieve this situation? These things foreshadow some of the problems in Federal legislation, and we must meet them as men and patriots. Turn where you will and there is evidence of a trust organization and monopolistic conspiracy. As Sir John Culpeper said in the Long Parliament:

> They are a nest of wasps, a swarm of vermin, that have overcrept the land. Like the frogs of Egypt they have gotten possession of our dwellings and we have scare a room free from them. They sup in our cups; they dip in our dish; they sit by our fire. We find them in the dye vat, washbowl, and powdering tub. They share with the butler in his box. They will not bate us a pin. We may not buy our clothes without their brokerage. These are the leeches that have sucked the Commonwealth so hard that it is almost hectical.

These conditions point to the plain duty of Congress. We can drive out of interstate and foreign commerce every corporation with fictitious and watered stock, those whose capital stock is so great as to make them approximate monopoly, all holding companies, and all corporations whose stocks are owned and controlled by holding companies and other corporations. We can place a limitation on the capital stock of these corporations and banks; we can prohibit their consolidating in the roundabout way now in vogue which piles up money in their vaults amounting to many millions of dollars daily, to the detriment of the entire country. We have the power under the Constitution to prevent this interlocking of directorates and coalescing of stocks and interests and should hasten to apply it by congressional action. We know the facts, and a comprehensive law will bring the relief so manifestly just to the people. [Applause.]

Gentlemen of the House, I say to you in all candor that this question will be a consuming and burning political issue during the years to follow and will not down till the appropriate legislative remedies have been devised and applied and the Government restored to the hands of the people, where their just rights will be protected and safeguarded.

For the past two and a half years we have heard a great deal about preserving the rights of Americans abroad, and the people of this Nation were a unit in that regard. I am one American who believes it the duty of this Government, through the Congress, to protect first American rights in America for Americans; and as a legislator and an American I dedicate my energies to the people of this Nation, and with the Constitution as my guide and the sanctity of the American home as my inspiration I am ready, willing, and anxious to do all within my power to secure such Federal legislation as will destroy forever this evil and restore to the American people their just and sacred rights. [Applause.]

TARIFF ON PEARL AND SHELL BUTTONS.

Mr. GREEN of Iowa. Mr. Speaker, I submit a privileged report from the Committee on Ways and Means.

The SPEAKER pro tempore. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 7705) to amend section 339 of the tariff act of October 3, 1913, in respect to the tariff on buttons of shell and pearl.

The SPEAKER pro tempore. Referred to the Committee of the Whole House on the state of the Union and ordered printed under the rule.

Mr. GARRETT. Mr. Speaker, I reserve all points of order on the bill.

EXTENSION OF REMARKS.

Mr. FOCHT. Mr. Speaker, before the gentleman from Ohio proceeds, I would like to ask unanimous consent to revise and extend my remarks on this subject and also on the league of nations.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none.

Mr. FESS. Mr. Speaker, addresses in the House are not always interesting and not always informative, but I think this afternoon is an exception. It has been an afternoon almost entirely given up to the discussion of public measures, and I think that every address that has been delivered is a distinct contribution to the information that the public ought to have, without a single exception. I was especially interested in the last speaker's investigations, and all I have to say about that is that if, under any form of permission or omission, any group of men will ever get control of the foodstuffs of the country it is a matter that the Government must take in hand. I would not be in favor of the Government undertaking to operate the packers' business, but I am in favor of the Government controlling it, and it seems to me that it is inevitable when men will say that a group of men to-day are more powerful than the Government is, and that has been said many times in the last few months. Whether there be any truth in it or not, the mere statement of it by such figures as the Trade Commission present and the comments given by my colleague this afternoon warrants this Government's taking some position of control.

Mr. AYRES. Will the gentleman yield?

Mr. FESS. I will.

Mr. AYRES. What remedy would the gentleman suggest by way of Government control if not ownership?

Mr. FESS. I do not believe that the Government can successfully operate the business itself. Our railway experience should cure all of us on Government ownership. I should think under a system of licenses perhaps they can get at any guilt that is being perpetrated. I want to say to my friend from Kansas that while I have looked into the facts that seem to demonstrate that there is danger, I have not yet found a method of control that I am entirely satisfied with.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. FESS. I will yield.

Mr. SMITH of Michigan. I was just going to inquire whether or not the gentleman approved of the Government of the United States holding up 700,000,000 pounds of meat and other canned goods, of which the people of the country are in need?

Mr. FESS. I think the War Department have taken steps to relieve that situation under the pressure of public opinion that was started here in the House some weeks ago, but what success they are making I am not now aware.

I ought to say this, that there is a committee of Congress at this moment investigating into the question of foodstuffs and control. There is also a movement on foot to reach exact facts in market control, not alone in investigating what is being done by others but what ought to be offered as a remedy on the part of the Government. That is in process now.

I was also interested, as every Member of this House must have been, in the remarks of the Member from Texas [Mr. HUDSPETH] on the Mexican question, and I asked him a question in most perfect good faith as to what is to be the future of Mexico, and his statement that there is no person to-day south of our border in that unhappy country that is strong enough to maintain order there makes it a very serious question for our country at this moment. There is also a resolution now before the Rules Committee looking into the possibilities of some relief, if our Government can in a diplomatic way lend it, and that resolution may come before Congress.

I speak of the problems now before the country as viewed by a Congress commissioned by the people to find a rational solution. These problems are, some of them, new, all of them imminent and tremendously important. Rightful solution is the duty of the hour. Our first duty is to clearly comprehend what the war has brought us in the way of domestic problems, and then enact such legislation as is demanded by the exigencies of the times.

The financial problem is an outstanding question which must enlist the best brain of our Nation. Prior to the war the high-water mark of our governmental expenditures was $1,125,000,000. The average annual expenditure for 10 years prior to the war was about three-quarters of a billion dollars. Our public debt was less than one billion. To-day we have a public debt which places an annual interest charge upon the Treasury greater than the total expenditure on all demands of the Government prior to the war. There is small chance of this fixed charge being greatly lessened in years to come. Then the war-risk insurance claims will exact a heavy charge upon the Treasury. In this law we take care of the dependents of the soldiers who made the supreme sacrifice. There are about 75,000 of our sons who sleep in the "windowless palace of death." We also compensate for disabilities incurred. There were at least 200,000 sons disabled in various degrees. The provisions of this law will make a heavy charge.

MONEY FOR MILITARY.

The military necessity for maintaining an army will approach a billion. The bill that left the House carried over three-quarters of a billion. The Navy bill carried considerably over one-half a billion. The Railway Administration demands over one-half billion to satisfy the deficit which may reach nearer a billion. The Shipping Board will demand over one-half billion, and the wheat crop will require probably one billion more. There will be partial returns from the railways and sales of ships, and quite probably a larger return in the sale of wheat. However, the most conservative estimate of our annual expenditures will approach $4,000,000,000, and it may go to $6,000,000,000.

Our first great concern is to stop the leaks, shut off the extravagances induced by the war.

We were assured by Secretary Glass that the Victory loan of $4,500,000,000 was our last. I wish it might be, but relief from this riot of expenditure still going on must be found or we will have at least two more loans.

The loan campaign closed May 10. By May 1 the Government had anticipated and consumed all of the loan except $2,226,000,000. Beginning with January last, our average monthly expenditure up to June was over $1,400,000,000. At that rate all the Victory loan will be consumed by July 1. Every available source of revenue will not increase this fund beyond $5,000,000,000. If our monthly charge will be reduced to $1,000,000,000 by January 1 next, we will face a deficit of at least $2,000,000,000, with six months yet to run before the year ends. If you can tell me how we can meet the obligations without further borrowing, I would be glad to have you do so.

In the meantime our first duty is plain. Stop the extravagances, if it requires a meat ax to do it.

In this connection the country will be glad to know what the Republican Congress has done and is doing. By the 21st of June the House had sent to the Senate the eighth and last appropriation bill. These eight measures passed the House last session but failed in the Senate. It was fortunate that they failed, because this Republican Congress, charged with the duty of cutting off waste, saved in four of the eight bills the enormous sum of over $1,000,000,000, making a saving of about $40,000,000 a day for every day we have been in session.

The country will indorse the rational expedition in legislation of this Congress.

SENATE ACTS PROMPTLY.

For 10 years past, ever since the Democratic Party has had control of the House, the 30th of June, the end of the fiscal year, always found us with some of the appropriation bills incomplete, which necessitated a continuing resolution to carry over the appropriations of the preceding year, that the Government could continue in accordance with the law.

The Senate acted with expedition upon these measures. Our only concern was the embarrassment of securing the signature of the President before that time, which is required by law, in order to avoid a critical situation of an interregnum, when the Government machinery must either stop or run without legal authority. Congress did its part, and if the President could not be located no fault can lie with the Sixty-sixth Congress.

Last March the Democratic Congress ended with more than half of the supply bills not yet enacted into law. The railway bill was an emergency bill. Likewise the third urgent deficiency bill, carrying provision for the allowances for 700,000 families of soldiers, failed of passage. Before the month was ended the Treasury cabled the President of the situation, but it appears he did not care to have Congress in session and did not yield to the imperative demands of the unfortunate situa-

tion until a second cable was sent from the Treasury Department. Congress was called to meet May 19, just six weeks before the end of the fiscal year. Yet to-day we see the greatest record ever achieved in the history of Congress—a new Congress convened, organized, with a constructive policy announced, every appropriation bill passed over to the Senate, in addition to numerous other emergency measures, such as special committees of investigation created and at work, and a clean saving over the bills passed by the Democratic House of $40,000,000 per day for every day since the session opened. I challenge the RECORD to show another such achievement in the history of Congress.

In this effort to reduce the needless waste committees of investigation are now at work. The real purpose is not so much to expose the rank inefficiency of this administration—the whole country knows that already—nor to simply prosecute those whose official conduct may demand it, but primarily to lay the foundation to cut out the super-machinery war agencies created under the stress of war, costing the country millions of dollars and which are now turning heaven and earth to compel continuance. Every day we are assured by delegations and representatives of these agencies if we do not come forth with the needed appropriations we have failed to grasp the vision of the new world, lost our opportunity to serve our times, and forfeited the favorable judgment of all forward-looking people. Washington to-day is a nesting place of various agencies demanding that war activities, many of them supported from the President's emergency fund, be continued in peace time. Our duty is to sift out this sort of needless extravagance, and we are doing it.

WAR CAMPS BLOCKED.

Mr. Speaker, the House after three hours' debate forbade the further purchase of lands or new construction in war camps and cantonments. It was discovered that a tremendous tract of land of something like 120,000 acres down in Georgia was purchased since the armistice was signed to remove the Fort Sill activities to Fort Benning, Ga. Although the House Military Committee refused to recommend it, the purchase was made in spite of that action. Congress must take immediate steps on such deals to punish the culpable parties without regard to individual cases, no matter how high in rank the persons involved. This investigation is now taking place.

While we are using the knife to detach needless waste, we must not close our eyes to necessary expenditures. We must find the needed funds for that purpose. Our great concern must be how we can lay the burden equitably and safely. We must not dry up the sources of revenue by laying destructive taxes and thus destroy enterprise. "We must not kill the goose that lays the golden egg." This problem must enlist the best brain of our country, which to-day demands clear thinking and courageous action of an intelligent citizenry rather than the rantings of a demagogue.

Closely connected with this financial question are industrial problems such as the railway and merchant marine policies of the Nation. Both of these problems are now being worked out by the Interstate and Foreign Commerce and the Merchant Marine Committees, which are now having daily hearings.

Mr. Speaker, whatever may be the predilection of the country upon the railway policy the present impossible situation can not continue. We see the anomalous condition of the second largest industry in the world, which up to 1914 was one of the most prosperous, doing the greatest business, at the least cost and greatest efficiency in service of any railway system in the world, to-day facing bankruptcy. In 1913 the fatal Underwood bill was passed, and within one year bankruptcy was facing many roads, which were thrown into receiverships to avoid it. Then came the war, which demanded the maximum utilization and efficiency of the transportation capacity of the Nation. Under our laws of limitation the business could not be run as a single system. The Government took over the railways in order to avoid the limitations imposed by law. We have now been under Government operation long enough to demonstrate the frightful results of attempting to operate the mammoth business by a political body instead of a business body. We see the highest rates and consequent heaviest burdens upon the public, the shipper, and traveler ever paid in the history of the business, the greatest gross income realized, the most inefficient service ever suffered, the least insurance against losses ever known, and the greatest deficit ever experienced by the business. Our Treasury is called upon to meet a deficit that will likely reach above the billion mark. Bankruptcy at the moment of stupendous business can only be avoided by resorting to the National Treasury. This orgy of expenditure must be rectified.

POSITION OF THE PUBLIC.

In the solution there are at least three parties who must be kept in mind. Logically they are the owners, whose investments made possible the transportation facilities; labor, whose skill guarantees the highest degree of efficiency the public has a right to demand; and the public, who pay the bills.

While any solution must see that the owners, investors, and managers must have reasonable profit, the time is long gone by when the business can be run for profit alone. While labor has a right to demand steady employment under the best possible conditions at a scale of wage which will insure an American standard of living, the time has not come and will not come when the roads can be run for wages alone. Both of these elements must be considered, but must not exclude the interest of the public at large. As Members of Congress we are bound to represent all the people who make possible the transportation business, including with the employer and the employee the public, which is the largest factor in the solution.

It would appear that the wisest solution is to so amend the laws as to enable us to return at the earliest possible moment the roads to the owners under such governmental regulation as will insure against abuses of the public. The country will be glad to know that we are now entering upon legislation to accomplish that end and will finish it before the end of the year.

The stress of war demanded American ships. The Government set out to build them. We have now completed and in the process of building 13,000,000 tonnage. This will make us second only to England in a merchant marine. Since these ships were built in time of war at war prices of raw material and labor, they cost perhaps fully twice what our competitive ships on the Atlantic cost and easily four times what Japanese ships cost. Their operation will cost very much more because of our higher standard of wages.

The first duty is to define our policy. Congress has already directed the formulation of a policy. Will we go on the sea to stay or shall we abandon it to our competitors? I confidently declare that we shall go on the sea to remain there. We will not allow again our competitors to carry our overseas goods. The big question is how can we operate these ships in competition with European and Asiatic competitors? Shall we reduce our labor to their standard? I am sure we will not, as we should not. We have a choice of three methods.

We can operate them by the Government, we can lease them to American companies to be operated under the American flag as American bottoms, or we can sell them outright to American companies. In either case it will be necessary for the Government to make up the difference in cost of operation.

FOR REASONS WELL KNOWN.

I am opposed to governmental operation for reasons too well known to need comment. Governmental operation is at once wickedly extravagant, hopelessly inefficient, and totally irresponsible. As in the case of the railways the only limit will be the depth of the National Treasury. I am opposed to the Government doing what private enterprise can do better. We have directed an investigation of the extravagances of the Shipping Board and Emergency Fleet Corporation, which have already expended the enormous sum of three and one-fourth billion dollars, a sum three times the total expenditure of the Government any one year prior to the war. There must be an accounting of this vast expenditure.

The second method is that of leasing. If we lease the ships under contract to maintain American standards, then the Government will be called upon to make up the difference in cost of operation, which will be a subsidy to labor.

If we sell them, the same thing will be required. From my viewpoint I would prefer the latter method, call it what you may.

The question of unemployment may become acute, and is attracting the attention of the present Congress. While there is no evidence of it at present, we must keep our eyes open to the possibility to avoid it. In passing from a war to a peace basis our important duty is to see that labor is employed. The first thing demanded is that the Government must unshackle business and give enterprise a chance. It should invite capital to invest in the enlargement of existing plants and in the erection of new businesses.

We should adopt such a policy as will allow every idle dollar to invest profitably so that every man and woman wishing employment can find it at reasonable wages. This is the surest protection against unemployment, and is now engaging the attention of the Ways and Means Committee.

In case it became necessary we could enter upon a system of National and State road building, as such an enterprise would result in permanent good and without undue interference with

private enterprise. I would be willing, if necessary, to enter upon the project of reclaiming waste lands, of irrigating arid regions, which would add to the acreage of the country. However, all this must be sharply guarded against unsound policies which lead to the destruction of initiative, the greatest incentive to progress.

It is to be hoped that we will never see an industrial situation in our country where there will be three or four persons for every job, especially in times of high cost of living, such as we now experience. Unemployment means great suffering. The high level of prices was induced by the war when the Government embarked upon a campaign of lending by borrowing. The country in a riot of borrowing for war purposes paid all sorts of prices for war material and labor, which lifted the price level abnormally as expressed in the price of all articles, whether of war or peace. The Treasury to keep pace with the price current expanded currency under the Federal reserve act, until to-day instead of $16 per capita circulation, as immediately after the Civil War, it is now $57, of which over half is Federal reserve notes, largely based upon commercial paper. That means that the dollar to-day has lost at least one-half of its purchasing power. The abnormally high wages do not operate favorably to labor.

It must be seen that labor can not be reduced until the cost of living is reduced. This can not be done until we call a halt to the enormous waste, and the unpardonable extravagance of the Government in its dealings. It will also require a gradual deflation of the currency.

The immediate problem is to keep industries going, money invested, that labor may be employed. The cost of an article of industry must not prevent its marketing, for in that case there will be neither work nor wages, and suffering must result. The investigation now in progress to fix the cause of the high cost and to recommend to Congress measures of relief should result in some definite action. Out of such suffering spring dangerous dogmas. Upon starvation anarchy feeds. It breeds that dangerous brand of modern political and industrial stagnation, Bolshevism.

MENACING SYMPTOMS.

The numerous outbreaks in our great centers are the most menacing symptoms facing us as a result of the war. When in our own beloved Republic the largest auditorium in the metropolis of the Middle West can be filled to capacity by a crowd which cheers to the echo every assault upon our system of government and even hisses the appearance of the picture of our marching sons in uniform, a scene which can be duplicated in other centers, our people must become aroused at the real meaning of such conduct. The Immigration Committee is now at work on this serious question.

I speak for myself alone when I say now and here that I will vote to forcibly deport from our shores every man and woman of responsible age who hisses the sight of an American soldier or who attacks the American flag. Instead of official flirting with these elements in attempting to appease Bolshevism by food supplies we must make them feel the majesty of the law.

I am also ready to vote to refuse to the mails every sheet printed in any language other than English unless what is printed in a foreign tongue is translated in English in parallel columns. Ours has been the haven for the oppressed. But we must not, we shall not, allow our country to be the refuge of criminals who confuse liberty with license. While the Congress can do something along this line it can not do all that must be done. Our citizens generally must assist in an intensive campaign of education to emphasize the real meaning of Americanism.

A FOREIGN PROBLEM.

This leads me to say what I have said before, that the war has brought us a foreign problem of grave import. We are told we must avoid the "little American" policy in the interest of a world policy. In a word, we must abandon nationalism as provincial and accept internationalism as a cosmopolitan philanthropic duty. We must regard ourselves as the world's umpire. Even to-day every Congressman's mail brings appeals from Ireland, Armenia, Slovakia, Jugo-Slavia, Poland, China, Korea, and other countries for official assistance. These countries seem to deem it their right and our duty—hence the appeal.

While I have favored steps to reduce armaments and reconcile differences, I shall insist we must know precisely where these steps will lead. If the proposed league constitution includes within its jurisdiction such questions as immigration, deportation, tariff legislation, and the Monroe doctrine, then we must reserve the right to demand the exclusion of all those questions, for they are purely American questions not to be decided by a council in which we have but one vote. If article 10 allows the league to send our boys anywhere in the world then we should reserve our right to be exempt from the operation of that article. We should also demand that our right of withdrawal must be unconditional and until it is so declared we must not be bound.

We can ratify the treaty, including the league, which is mentioned seventy-nine times in the instrument, with reservations on the items mentioned. This will end the war between us and Germany as soon as both sign it. If our reservations will be accepted by our associates, we are in the league. If they refuse, which is simply incredible, for all the world knows we can name the conditions and they will gladly accept them, so anxious are they to have us in; but should they reject them, then we do not want to be in and should not be bound. This clears the way of all international embarrassment; it opens the way to become a member of the league without surrendering our sovereignty or independence, or submitting our destiny to a vote of foreign countries.

If the proponents are sincere in their claims that these questions are not included, then they will not refuse to accept our reservations, which writes it down plainly in the bond just what we mean in our obligation. The country must know the full import of the proposal as expressed by the President in his address to the Senate when he used these words:

> Every true heart in the world and every enlightened judgment demanded that, at whatever cost of independent action, every government that took thought for its people or for justice or for ordered freedom should lend itself to the new purpose and utterly destroy the old order of international politics.

I can not subscribe to the doctrine that the league of nations is of greater importance than the independence of this Republic.

Mr. Speaker, I have touched upon some of the problems before the country to-day as viewed by Republicans. I am convinced that Congress since the Civil War never faced greater responsibility. The Republicans regard themselves charged with a duty to meet and solve them in the interest of the people at large, and not in the interest of any particular class. The American people last year were challenged by our President, when he demanded a Democratic Congress. They answered that challenge by a decisive repudiation, in which there was delivered a merited rebuke for an attempt to interfere with the right of elections, and which was a magnificent vote of confidence in the Republican Party. We have accepted this vote, and will show by our record, I hope, that the people's confidence has not been misplaced, with a full realization that if we do not honor that confidence the country will withdraw it as quickly as it extended it. It will become the basis upon which the contest will be waged in 1920. I believe the country should be congratulated upon the outlook of Republican achievement up to date and the sure promise of Republican victory in 1920, which it demands in the interest of a Republic which up to date has stood for the institutions which have made her the pride, if not the envy, of the world.

Mr. FOCHT. Mr. Speaker, I desire to ask unanimous consent to continue for 10 minutes.

The SPEAKER pro tempore. Is there objection? [After a pause.] There Chair hears none.

Mr. FOCHT. Mr. Speaker, in interrogating the gentleman from Ohio [Mr. RICKETTS] and in calling attention to what was repeated to me yesterday with regard to what are known as the "Big Five," the great packers, it seems they are able to run the gigantic packing business on borrowed capital, which is a subject that might be of great interest at some time here for amplification and illumination. We see the paper of many of them passing through the banks of the Eastern States. Much like Henry Ford, who is a great philanthropist, or was originally, they are, indeed, clever financial manipulators. In the case of Henry Ford, when we make an investigation, we find that every little dealer at a cross-roads throughout Pennsylvania and the country is obliged to deposit $1,000 as a guaranty of good faith on his part. That is a fine, easy way in which to get capital to run the business, but what of the philanthropy? That is legitimate, all right, but of the piety attached we will not speak. The point I wanted to make is this:

I might have been misunderstood by the gentleman from Ohio, that the Member from Illinois, while disclaiming that the five great packers control the situation, made the statement that there were dozens of other packing institutions in Chicago that had in recent years amassed mighty fortunes. He tells a story that will be worth while for the House to listen to when he comes here, and I hope you may not be denied the privilege of hearing that story narrated in his own inimitable way.

The Illinois Member tells of a firm of Hebrews who, I believe, were engaged in the second-hand clothing business, but found that the packing business was more profitable, apparently. I do not know whether or not he called the firm by the old name of Ketchem & Cheatem, but, anyhow, they went into the business. The Skinner firm was mentioned here to-day, and that sug-

gested the old firm of Ketchem & Cheatem—there is such a firm, I believe, in Buffalo—and this Chicago firm now makes over $2,000,000 a year on very small capital. So I think this whole question is a worthy one for investigation.

The point I really wish to now make is this: I have known in this very city, the District of Columbia, over which alone Congress has jurisdiction, that there have been investigations made and disclosures brought in and laid before this House showing that the packing or cold-storage companies here control the retail dealers; that these companies deliver to these dealers the products of the agricultural districts at a fixed price and say, "If you do not sell them at that price, bring them back and we will destroy them." That is the crime that oppresses and bears down upon the householder and has brought about the justifiable call upon Congress for relief. We believe what was said here to-day; everybody believes it; but what the man with a family to feed wants is relief from the extortionate prices fixed somewhere after the produce leaves the farm until it reaches the home. What the people want is not continued tales, but effective action. [Applause.]

Mr. RICKETTS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kansas [Mr. AYRES] for 10 minutes.

Mr. AYRES. Mr. Speaker, it is growing late, and at the outset I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. The gentleman from Kansas asks unanimous consent to extend and revise his remarks. Is there objection?

There was no objection.

Mr. AYRES. Mr. Speaker, I have been endeavoring to get a little time to make a short reply to an interview which was given out or published in the Washington Post on July 10 by my colleague, Mr. CAMPBELL of Kansas, for whom I have a great deal of respect. Ordinarily I would have paid but little or no attention to it, but I feel that if I did not I would be doing an injustice to the broad, fair-minded people of the great State of which I in part have the honor to represent. The sentiment, if it can be called such, as set forth in this statement does not in the least reflect the sentiment and the feeling of the people of Kansas.

It may be that a majority of the people of Kansas are opposed to the President, politically speaking; a majority may not indorse his plan of a league of nations; I feel that I can safely say but few, if any, are so partisan as to indorse what the gentleman from Kansas said in that interview, when he stated—

> That European officials had gained concessions from the United States by flattering its Chief Executive, and that we had lost prestige throughout the world.

The people of the State of Kansas, regardless of politics, have always felt that all of the great men who have occupied the Executive chair are above being influenced in the manner set forth by the gentleman from Kansas. [Applause.]

I have lived in Kansas for 38 years. I know the people of that State. I know them to be a fair and broad-gauged people, therefore it is difficult for me to understand how the gentleman could indulge in the following:

> "The Presidency," said Representative CAMPBELL, "carries with it such great power that artful diplomats and international statesmen in other lands should not be tempted to beguile the President with unusual attentions and presents to exercise his power for the welfare of other people than those of the United States."

It may be that the gentleman from Kansas has lived in the atmosphere of the Capital so long that he has become thoroughly inoculated with the venom that is so plentiful in the Capital, and has, I am informed, always been against almost every President.

I want to say that is not up-to-date Kansas language nor Kansas thought. I wish to compare the above quotation from the interview of the gentleman to a quotation of the President's speech delivered in the Senate the same day this interview appeared. The President said:

> The rôle which America was to play in the conference seemed determined, as I have said, before my colleagues and I got to Paris—determined by the universal expectations of the nations whose representatives, drawn from all quarters of the globe, we were to deal with. It was universally recognized that America had entered the war to promote no private or peculiar interest of her own, but only as the champion of rights which she was glad to share with free men and lovers of justice everywhere. We had formulated the principles upon which the settlement was to be made—the principles upon which the armistice had been agreed to and the parleys of peace undertaken—and no one doubted that our desire was to see the treaty of peace formulated along the actual lines of those principles—and desired nothing else. We were welcomed as disinterested friends. We were resorted to as arbiters in many a difficult matter.

That kind of statesmanship is evidently beyond my colleague; he is afraid that the President of the United States can be so entertained, wined and dined, and tempted and beguiled with unusual attention and presents that he would "exercise his power for the welfare of other people than those of the United States." That is what the gentleman said, and that is not all he said. I quote another paragraph of that interview:

> The President wanted a league of nations. It was given to him. Those who sat with him at the peace table wanted to add more territory to their denuded domains, wanted more friendly harbors and control over smaller and weaker nations, wanted indemnity for losses sustained in the war, wanted security and prestige, and wanted the United States to share the burden of policing Europe and maintaining the boundaries of their nations. They got what they wanted.

I believe the gentleman will so regret that statement a year from now he will deny ever making it. Let us compare that to what the President said the same day, as follows:

> It had been our privilege to formulate the principles which were accepted as the basis of the peace, but they had been accepted, not because we had come in to hasten and assure the victory and insisted upon them but because they were readily acceded to as the principles to which honorable and enlightened minds everywhere had been bred. They spoke the conscience of the world as well as the conscience of America, and I am happy to pay my tribute of respect and gratitude to the able, forward-looking men with whom it was my privilege to cooperate for their unfailing spirit of cooperation, their constant effort to accommodate the interests they represented to the principles we were all agreed upon. The difficulties, which were many, lay in the circumstances, not often in the men. Almost without exception the men who led had caught the true and full vision of the problem of peace as an indivisible whole, a problem not of mere adjustments of interest, but of justice and right action.
>
> The atmosphere in which the conference worked seemed created not by the ambitions of strong Governments but by the hopes and aspirations of small nations and of peoples hitherto under bondage to the power that victory had shattered and destroyed.

Does that sound like the product from the mind of a man who was broad and fair minded or from one whose mind had become beclouded because of too much entertainment?

I wish to give you another quotation from the gentleman's interview:

> Mr. CAMPBELL said that when the President left Europe there were no plaudits for him from the people, and that the cordial feeling existing six months ago for America is now changed to hatred.

That does not coincide with what the President said the same day. He stated:

> We were generously accepted as the unaffected champions of what was right. It was a very responsible rôle to play; but I am happy to report that the fine group of Americans who helped with their expert advice in each part of the varied settlements sought in every transaction to justify the high confidence reposed in them.
>
> And that confidence, it seems to me, is the measure of our opportunity and of our duty in the days to come, in which the new hope of the peoples of the world is to be fulfilled or disappointed. The fact that America is the friend of the nations, whether they be rivals or associates, is no new fact; it is only the discovery of it by the rest of the world that is new.

It seems to depend on the viewpoint of the statesman. The President was over there and busily engaged in at least trying to bring about this ideal condition, while the gentleman from Kansas was here, 3,000 miles away, criticizing the President for having gone over. I am compelled to accept the President's view of how the responsible people of Europe feel toward us rather than that of the gentleman from Kansas, as I can not but feel the President had at least a little better chance to know the feeling of the people of Europe than my colleague.

The gentleman said "The President wanted a league of nations and he got it." Yes; he wanted it, and that is not all. Millions of others wanted it. I think it was on the same day of this interview I received a letter inclosing some resolutions passed by the Brotherhood of Railroad Trainmen in their convention held in Columbus, Ohio, which in part reads:

> Whereas President Wilson and the learned representatives of our allies and the neutral countries have formulated a plan which we hope will bring about closer cooperation among nations, with a view of avoiding future wars—the league of nations. Millions of mothers in the broken homes of the world are dreaming of it to-day. The spirits of 10,000,000 dead men, who but yesterday fell victims to the folly and criminal shortsightedness of man, are whispering their supplications into the ears of a just God, that national butchery shall cease and war shall be no more.
>
> [Applause.]
>
> And—
>
> Whereas in the titanic struggle between democracy and autocracy, Woodrow Wilson, our beloved President, the master interpreter of the principles of democracy and the brotherhood of man, has given voice to and made the whole world listen to those principles and ideals for which the workers have struggled and died from time immemorial, and has declared that weak nations must receive the same consideration in the affairs of the world as strong ones, and that this is the very basis of humane civilization.
>
> [Applause.]

And after setting forth a few more whereases, they—

Resolved, That the Brotherhood of Railroad Trainmen in national triennial convention assembled at Columbus, Ohio, hereby expresses its gratitude to and its willingness to support as a solid and united body the greatest, most eloquent, and honest advocate of the rights of the common people since the days of Lincoln, President Woodrow Wilson, and we pledge our lives and what we have of fortune to him and to our Government for the effecting and establishing of the humane aims and objects which he has outlined.

[Applause.]

These sturdy yoemen evidently have not heard "that European officials had gained concessions from the United States by flattering its Chief Executive, and that we had lost prestige throughout the world," and evidently they do not feel that the President has been so tempted and beguiled by attentions of artful diplomats as to cause him to exercise his power for the welfare of other people than those of the United States, and certainly from what they have said they do not agree with my worthy colleague, but are well pleased with his efforts.

On the day of the interview the President said:

The league of nations was not merely an instrument to adjust and remedy old wrongs under a new treaty of peace; it was the only hope for mankind. Again and again had the demon of war been cast out of the house of the peoples and the house swept clean by a treaty of peace, only to prepare a time when he would enter in again with spirits worse than himself. The house must now be given a tenant who could hold it against all such. Convenient, indeed indispensable, as statesmen found the newly planned league of nations to be for the execution of present plans of peace and reparation, they saw it in a new aspect before their work was finished. They saw it as the main object of the peace, as the only thing that could complete it or make it worth while. They saw it as the hope of the world, and that hope they did not dare to disappoint. Shall we or any other free people hesitate to accept this great duty? Dare we reject it and break the heart of the world?

But the gentleman from Kansas seems to think we should guard against such foolish statesmen and protect not only the United States but all future Presidents against allowing vainglory and lust of power to lead them astray.

As I do not want to misquote the gentleman, I will give you what appeared in the paper:

"We can not retrieve the past," he said. "We can only guard the future. If this bill shall become a law, neither vainglory nor lust for power will again lead the President to leave his own country and seat of government to engage in political controversies with statesmen and diplomats of other lands beyond the seas."

The President seemed to have an altogether different idea about his going to Europe than that of the gentleman from Kansas. He seemed to think it was a matter of duty and said:

We answered to the call of duty in a way so spirited, so utterly without thought of what we spent of blood or treasure, so effective, so worthy of the admiration of true men everywhere, so wrought out of the stuff of all that was heroic, that the whole world saw at last, in the flesh, in noble action, a great ideal asserted and vindicated by a Nation they had deemed material and now found to be compact of the spiritual forces that must free men of every nation from every unworthy bondage. It is thus that a new rôle and a new responsibility have come to this great Nation that we honor and which we would all wish to lift to yet higher levels of service and achievement.

The stage is set, the destiny disclosed. It has come about by no plan of our conceiving, but by the hand of God, who led us into the way. We can not turn back. We can only go forward, with lifted eyes and freshened spirit, to follow the vision. It was of this that we dreamed at our birth. America shall in truth show the way. The light streams upon the path ahead, and nowhere else.

I am sorry my colleague can not see it this way. There is no question in my mind but that he will see it this way by this time next year and will be telling the fair people of the State of Kansas that he had always been for the league of nations and was proud of the fact this great Nation of ours took the lead under the leadership and guidance of President Wilson, the very man and statesman he is now seeking to belittle. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Kansas has expired. All time has expired.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 55 minutes p. m.) the House adjourned until Monday, July 28, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, submitting a supplemental estimate of appropriation required for "civil government, Panama Canal and Canal Zone," for the fiscal year 1920, additional to the appropriation for this object contained in the sundry civil act of July 19, 1919 (H. Doc. No. 164), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. YOUNG of North Dakota, from the Committee on Ways and Means, to which was referred the bill (H. R. 7779) to repeal the act entitled "An act to promote reciprocal trade relations with the Dominion of Canada, and for other purposes," approved July 26, 1911, and for other purposes, reported the same without amendment, accompanied by a report (No. 156), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BACHARACH, from the Committee on Ways and Means, to which was referred the bill (H. R. 7785) to provide revenue for the Government, to establish and maintain in the United States the manufacture of laboratory glassware, laboratory porcelain ware, optical glass, scientific and surgical instruments, reported the same without amendment, accompanied by a report (No. 157), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FORDNEY, from the Committee on Ways and Means, to which was referred the bill (H. R. 2837) to repeal section 630 of the revenue act of 1918, approved February 24, 1919, reported the same without amendment, accompanied by a report (No. 158), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HAWLEY, from the Committee on Ways and Means, to which was referred the bill (H. R. 7840) providing for a tax on pure fruit-juice beverages, reported the same without amendment, accompanied by a report (No. 159), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GREEN of Iowa, from the Committee on Ways and Means, to which was referred the bill (H. R. 7705) to amend section 339 of the tariff act of October 3, 1913, in respect to the tariff on buttons of shell and pearl, reported the same without amendment, accompanied by a report (No. 160), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. BABKA, from the Committee on Claims, to which was referred the bill (H. R. 3258) for the relief of Julias Jonas, reported the same without amendment, accompanied by a report (No. 155), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FOSTER: A bill (H. R. 7874) authorizing the Secretary of War to donate to the hamlet of Carbondale, Ohio, one cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 7875) to grant one year's extra pay to the members of the military and naval forces of the United States as partial compensation for their sacrifices and to assist them during the period of readjustment; to the Committee on Military Affairs.

By Mr. LONGWORTH: A bill (H. R. 7876) to regulate the importation of coal-tar products, to promote the establishment of the manufacture thereof in the United States, and, as incident thereto, to amend the act of September 8, 1916, entitled "An act to increase the revenue, and for other purposes"; to the Committee on Ways and Means.

By Mr. ASWELL: A bill (H. R. 7877) to punish the placing, throwing, or sending of bombs or explosives, and for other purposes; to the Committee on the Judiciary.

By Mr. KAHN: A bill (H. R. 7878) to provide necessary commissioned personnel for the Army until June 30, 1920; to the Committee on Military Affairs.

By Mr. RIDDICK: A bill (H. R. 7879) providing additional time for the payment of purchase money under homestead entries of lands within the former Fort Peck Indian Reservation, Mont.; to the Committee on the Public Lands.

By Mr. WEAVER: A bill (H. R. 7880) authorizing the Secretary of War to donate to the city of Asheville, and other towns in North Carolina, one German cannon or fieldpiece each; to the Committee on Military Affairs.

By Mr. WASON: A bill (H. R. 7881) authorizing the Secretary of War to donate to the Gordon-Bissell Post, American Legion, of Keene, N. H., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FOCHT: A bill (H. R. 7882) for the purchase of a site and the erection of a public building at Waynesboro, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7883) increasing the limit of cost for a Federal building at Lewistown, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7884) for the purchase of a site and erection of a public building at Lewisburg, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7885) for the purchase of a site and the erection thereon of a public building at Newport, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. WEAVER: A bill (H. R. 7886) providing for the survey of the French Broad River, N. C.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 7887) to pay all persons serving in the military and naval forces additional pay of $30 for each month of service; to the Committee on Ways and Means.

Also, a bill (H. R. 7888) for the purchase of a site and the erection of a post-office building at Bryson City, N. C.; to the Committee on Appropriations.

Also, a bill (H. R. 7889) for the purchase of a site and the erection of a post-office building at Murphy, N. C.; to the Committee on Appropriations.

By Mr. STEVENSON: Resolution (H. Res. 202) as to the pay of the secretary of the late Hon. J. W. RAGSDALE; to the Committee on Accounts.

By Mr. KAHN: Joint resolution (H. J. Res. 161) authorizing the Secretary of War to expend certain sums appropriated for the support of the Army for the fiscal year ending June 30, 1919, and June 30, 1920, at Camp A. A. Humphreys, Va.; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON: A bill (H. R. 7890) granting a pension to Grace M. Bacon; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 7891) granting a pension to Harriet S. Parker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7892) granting an increase of pension to Adelia E. Lindsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7893) granting an increase of pension to Christopher C. Warner; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 7894) granting a pension to William T. Mills; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: A bill (H. R. 7895) granting an increase of pension to Sarah C. Wilson; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 7896) granting a pension to Jacob Lyons; to the Committee on Pensions.

By Mr. HICKEY: A bill (H. R. 7897) granting an increase of pension to William F. Craig; to the Committee on Invalid Pensions.

By Mr. JEFFERIS: A bill (H. R. 7898) authorizing the Union Pacific Railroad Co., or its successors, to convey for public-road purposes certain parts of its right of way; to the Committee on the Public Lands.

Also, a bill (H. R. 7899) granting a pension to Harriet E. Wall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7900) for the relief of Rudolph L. Desdunes; to the Committee on Claims.

By Mr. KENDALL: A bill (H. R. 7901) granting an increase of pension to Chambers H. Kautz; to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 7902) granting a pension to Eva McNett; to the Committee on Invalid Pensions.

By Mr. MONAHAN of Wisconsin: A bill (H. R. 7903) granting a pension to Julia E. Wooster; to the Committee on Pensions.

By Mr. MURPHY: A bill (H. R. 7904) granting an increase of pension to Samuel Metts; to the Committee on Invalid Pensions.

By Mr. REED of West Virginia: A bill (H. R. 7905) granting a pension to Harriet E. Lightburn; to the Committee on Invalid Pensions.

By Mr. RHODES: A bill (H. R. 7906) granting a pension to John L. Ware; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7907) for the relief of William H. Price, alias William Sweeney, alias John Sweeney; to the Committee on Military Affairs.

By Mr. RIDDICK: A bill (H. R. 7908) granting a pension to Wallace Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7909) granting a pension to George S. Holbrook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7910) granting a pension to Rebecca B. Tooley; to the Committee on Invalid Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 7911) to perfect the title to a quarter section of land in the State of Oklahoma; to the Committee on the Public Lands.

By Mr. WEAVER: A bill (H. R. 7912) granting a pension to Fannie A. Patterson; to the Committee on Pensions.

By Mr. WILSON of Pennsylvania: A bill (H. R. 7913) granting a pension to William A. Roberts; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of H. D. Craig, secretary of the American Defense Society (Inc.), of New York, requesting the United States to direct the immediate deportation from the United States of Mr. L. A. C. K. Martens, self-styled Bolshevist ambassador from Russia to this country, and Mr. S. Nuorteva, Bolshevist ambassador from Finland, on the ground of their being undesirable aliens plotting against the institutions of the United States; to the Committee on Foreign Affairs.

Also (by request), petition of Charles J. Hatfield, M. D., of New York City, protesting against the repeal of the so-called daylight-saving law; to the Committee on Interstate and Foreign Commerce.

By Mr. BROOKS of Pennsylvania: Copy of letter and of telegram sent to Woodrow Wilson, President of the United States, from the Gettysburg Chamber of Commerce, of Gettysburg, Pa., protesting against the abolition of the ninth internal-revenue district; to the Committee on Ways and Means.

Also, protest of the Lancaster Bar Association, of Lancaster, Pa., against the abolition of the ninth internal-revenue district; to the Committee on Ways and Means.

By Mr. FOSTER: Petition of the Presbyterian Church of Ironton, Ohio, for the enforcement of the war-time prohibition law; to the Committee on the Judiciary.

Also, petition of Ray Quickel, of Ironton, Ohio, for the repeal of the tax on soda water, ice cream, etc.; to the Committee on Ways and Means.

By Mr. FULLER of Illinois: Petition of the Iowa Packing Co., of Des Moines, Iowa, protesting against the passage of Senate bills 2199 and 2202 for control of the packing industry; to the Committee on Interstate and Foreign Commerce.

By Mr. GRIEST: Memorial of R. F. Keppel & Bro., Lancaster, Pa., advocating repeal of excise tax on candy; to the Committee on Ways and Means.

Also, petition of residents of Manheim, Pa., urging the repeal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. KIESS: Evidence in support of H. R. 7677, for the relief of Daniel Robb; to the Committee on Invalid Pensions.

Also, petition of citizens of the fifteenth Pennsylvania district, favoring a repeal of tax on sodas and soft drinks; to the Committee on Ways and Means.

By Mr. MOORE of Pennsylvania: Resolutions adopted by the Pilots' Association for the Bay and River Delaware, urging that the United States Coast Guard be transferred from the Treasury Department to the Department of the Navy; to the Committee on Military Affairs.

Also, resolution passed by the Patrick Ford Branch of the Friends of Irish Freedom, opposing the league of nations; to the Committee on Foreign Affairs.

By Mr. MONAHAN of Wisconsin: Resolution adopted by the Wisconsin Traffic League at a meeting held in Milwaukee, Wis., June 30, 1919, urging the speedy return of the railroads to their private owners; to the Committee on Interstate and Foreign Commerce.

By Mr. NEWTON of Missouri: Petition of the Tenth Ward Improvement Association of St. Louis, Mo., praying to have the act of 1919 fixing the price of wheat at $2.26 a bushel amended so as to reduce the price of wheat and restoring it to a normal basis; to the Committee on Agriculture.

By Mr. SNYDER: Petition of various residents of the thirty-third district of New York, protesting against the enactment of the Kenyon-Kendrick bills, so called; to the Committee on Agriculture.

By Mr. STEENERSON: Petition of Williams Produce Co., car-lot shippers of poultry and eggs, of Fergus Falls, Minn., pro-

testing against the enactment of House bill 7001; to the Committee on Appropriations.

By Mr. STEPHENS of Ohio: Telegrams from the Ideal Packing Co., the H. H. Meyer Packing Co., the J. & F. Schroth Packing Co., Jacob Vogel & Son, Lohrey Packing Co., the Kroger Grocery & Baking Co., the Cincinnati Abattoir Co., Maescher & Co., the John C. Roth Co., and the John Hoffman's Sons Co., opposing the Kendrick and Kenyon bills; to the Committee on Agriculture.

Also, petition from citizens of Cincinnati, Ohio, and vicinity, opposing taxes on candy, ice cream, and soda-fountain foods and drinks; to the Committee on Ways and Means.

By Mr. TAYLOR of Tennessee: Petition of R. W. Peery, vice president and cashier of the American National Bank, of Knoxville, Tenn., protesting against the passage of the bill relating to the packing industry and taking away from them their refrigerator cars; to the Committee on Interstate and Foreign Commerce.

Also, petition of Jellico Grocery Co., of Middlesboro, Ky., favoring the passage of the Kenyon bill; to the Committee on Agriculture.

By Mr. VARE: Petition of Patrick Ford Branch, Friends of Irish Freedom, asking recognition of the Irish Republic; to the Committee on Foreign Affairs.

By Mr. WINSLOW: Petition of Polish Alma Mater of Chicago, Ill., and Polish Publishing Co., in re use of mails for publications printed in a foreign language; to the Committee on Printing.

By Mr. YATES: Petition of the Seng Co., 1450 Dayton Street, Chicago, Ill., containing protest against House joint resolution No. 121, concerning conference regarding relations between capital and labor; to the Committee on Labor.

Also, petition of Illinois Wire & Manufacturing Co., Joliet, Ill., containing protest against joint resolution No. 121, concerning conference regarding relations between capital and labor; to the Committee on Labor.

Also, petition of G. O. Mahle, Danville, Ill., protesting against Kenyon bill (S. 2202) and Kendrick bill (S. 2199); to the Committee on Agriculture.

Also, petition of W. I. Schermerhorn, No. 5 La Salle Street, Chicago, Ill., containing protest against Kenyon bill (S. 2202) and Kendrick bill (S. 2199); to the Committee on Agriculture.

Also, petition of William White, of Butler, Pa., suggesting that the Government carry all policies that were in force at the date of the armistice free for two years; to the Committee on the Judiciary.

Also, petition of Claude B. Davis, 9137 South Robey Street, Chicago, Ill., containing protest against the Kenyon bill (S. 2202), the Kendrick bill (S. 2199), and the Fitzgerald bill (H. R. 5723); to the Committee on Agriculture.

Also, petition of John C. Schick, box 213, Batesville, Ark., urging passage of House bill 5216, introduced by Representative SLEMP, of Virginia, concerning production of manganese ore; to the Committee on Ways and Means.

Also, petition of Illinois Pharmaceutical Association, Chicago, Ill., containing resolution urging passage of bills H. R. 212 and H. R. 44, the so-called standard-price bills of articles sold by pharmacists; to the Committee on Ways and Means.

Also, petition of J. D. Towner & Co., Mendota, Ill., containing protest against joint resolution 57, concerning conference regarding relations between capital and labor; to the Committee on Labor.

Also, petition of Continental Bolt & Iron Works, Chicago, Ill., containing protest against joint resolution 121, concerning conference regarding relations between capital and labor; to the Committee on Labor.

Also, telegram from Illinois State Federation of Labor, urging, unanimously, passage of House bill 3149, providing for the retirement of Federal employees; to the Committee on Reform in the Civil Service.